



TOWN OF DEERPARK

GARY SPEARS, SUPERVISOR
DAVID M. DEAN, DEPUTY SUPERVISOR
ARTHUR TROVEI, COUNCILMAN
KENNETH SMITH, COUNCILMAN
ALAN F. SCHOCK, COUNCILMAN

Deerpark Town Board Meeting

Monday April 19, 2021 7:30 pm

If Town Hall is open the meeting will be conducted in person.
If the Town Hall is closed a Zoom link will be posted on the Website, late Monday afternoon.
Website: www.townofdeerparkny.gov

1st Version 4/16/2021

Agenda

- **Invocation** – Councilman (Participation is Optional)
- **Call to order** – Supervisor Spears -
- **Pledge of Allegiance** – Councilman
- **Roll Call/Attendance** –
- **Addition or Deletions to Agenda** – Accept Bids for Fuel for Highway
- **Presentations/Communications** – Bulk Clean-Up Permits available in Town Clerk Office for May 2021 - 845-856-2210 x2
Matt Decker from OC Land Trust presentation of proposal for Boehlmer Rd
Announcement Police Chief is applying for a Grant for Body Cameras

- *Public comment period:* **“Agenda Items only”**

- **Department Head Report** –
- **Approval of Minutes** – March 29, 2021
- **Old Business** –
- **New Business** – Accept Bids for Fuel for Highway
 - Allow Highway to purchase of a Mason Dump that was appropriated in the Highway 2021 Budget.
 - Appoint Virginia Dudko to BAR
 - Re-appoint Michele Dean to BAR as Chairman
 - Appoint James Clarke to BAR as Vice Chairman
 - Approve and Appoint Nickolas Dilles for PT Police Officer
 - Approve and Appoint Louis Taliento as Court Officer
 - Junkyard License approvals for Tenke's, Brim, Trovei and Eckes. All Inspections and permits paid.
 - Approve KJAMS Properties LLC "Oakland Valley Campground" License- All Inspections and permits paid
 - **Resolution #2:** To allow Fusco Engineering to apply & allow Supervisor to signs for Community Project Funding Program from Congressman Maloney "Upgrade to PD and Courts"
 - **Resolution #4** To allow Town to Expend Money to finish PJ/Deerpark Annexation Study
 - Approve PJ Little League to use Town Parks for 2021 season with proper Insurance Documentation
- **Appropriations, Budget, and Payment of Bills, Budget Officer Report** –
- **Closing Board Comments** -
- **Executive Session** –Litigation Matters (IF NEEDED)
- **Adjournment** -

420 U.S. ROUTE 209 – PO BOX 621, HUGUENOT, NEW YORK 12746

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**TOWN OF DEERPARK
TOWN BOARD REGULAR MEETING**

April 19, 2021

Meeting was held at Town Hall, 420 Route 209, Huguenot, New York 12746

Invocation: Art Trovei

Pledge of Allegiance: David Dean

Call to Order: 7:33 p.m.

Attendance:

Supervisor: Gary Spears

Councilmen: Ken Smith, David Dean, Al Schock, Art Trovei

Town Clerk: Flo Santini

Attorney: Glen Plotsky

Additions/Deletions to Agenda:

Supervisor Spears: Gentlemen I have a few additions and deletions to the agenda; we need to accept the bids for fuel for the highway, and also, we need to set a public hearing date for the public input on the CDBG grant money.

Motion to add Fuel Bids to the Agenda and to set a Public Hearing Date for CDBG Grant Application Process

Motion by Gary Spears 2nd by David Dean to add Fuel Bids to the Agenda and to set a Public Hearing Date for CDBG Grant Application Process

VOTES: 5 AYES: Arthur Trovei, Ken Smith, Alan Schock, David Dean, Gary Spears

MOTION CARRIED

Presentations/Communications:

Supervisor Spears: Permits for the May Town Clean Up are available at the Town Clerks office to be picked up, as long as you're a resident within the town. I hope everyone takes advantage of that to keep our town clean. With one permit you can take one truckload to the dump in the month of May.

Also, I know a lot of you have been following the EO203 by governor Cuomo that we study the local police departments. We as a committee had a very lively discussion. We did get that submitted on time. You may see on the list that we didn't get it in on time, but we do have a signed card that says they received it before the deadline, and it was just a slight error from the state. One of the suggestions was to get body cameras. We did apply for the grant to get the body cameras. Hopefully that is successful. We would pay for the cameras and then would be reimbursed with the grant money. Our contractor told us this would be around \$30,000, which is about 3 or 4 times less than the normal cost. Chief Szyndor found it and applied for it, so hopefully we are successful in getting it.

I also have two EO203 members here and I want to thank both of them for their service, Tom Faggione and Bob Zeller.

Next up we have Matt Decker from the OC Land Trust here with a presentation about a watershed protection program.

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Matt Decker:

This is a map of the Boehmler pond track which is owned by the town and the idea that I'm here to talk about is outlined in the proposal that I sent to the town October 30, 2020. The idea of this project is to permanently preserve that property, transfer ownership to Port Jervis's Watershed tract. It would then be protected by the Orange County Land Trust. This map shows the 4 parcels we are talking about totaling up to approximately 564 acres and it is adjacent to the city of Port Jervis' watershed land. It is also within Port Jervis' reservoir watershed.

I am the Director of Conservation and Stewardship with the Orange County Land Trust. Our mission is to conserve water resources, critical habitats, scenic views, and farmland, in and around orange county. There is also a new round of farmland funding available from the state, for purchase of developmental rights. This generous offer is not going to be available for very long, so I just wanted to get the word out.

There is state funding available for the protection of surface drinking water resources. We worked with the city of Port Jervis who applied for the funding and received the grant, called the Water Quality Improvement Program. The city has funds available to pay for the protections of lands either through conservation easements, or the purchase of land in their drinking water watershed.

This acreage contains Boehmler Pond which is basically the fourth reservoir in the city's drinking water reservoir systems. These four parcels are part of what provides clean drinking water for the city of Port Jervis. While this land is in the town, it is not permanently protected, as the town is able to do whatever it wants to this land. That being said, the town has been an excellent steward of the land since they've owned it in the 60's.

I am proposing the purchase of this land by the city of Port Jervis as an addition to the city's watershed land. Simultaneously a conservation easement as well as a public access easement would be transferred to and held by OCLT in perpetuity. Some areas of the property will have limited trails and public access, and other areas of it will have no trails or public access. We are proposing a 200 buffer from the houses on Peenpack Trail, so as to not get too close to private property.

Terms of Purchase:

The proposed purchase price is \$910,000. The terms are further outlined in the proposal I sent to the Supervisor in October. The funding sources for the \$910,000, are the State grant to Port Jervis, which would be approximately 65% of what would be paid. OCLT has the ability to apply for the Delaware River Watershed Initiative Funding which would be approximately 18%. The city of Port Jervis would come in with the last 17% with the CDBG loan. All of these funding sources have been applied for and received. I don't have a check in hand, but they are secured. Each funding source is aware that the town of Deerpark is not committed to this yet.

As far as a timeline goes, if you wanted to move forward, the Option Agreement, which would allow us to move forward with due diligence, could be signed as early as July. Then we would take July through September to do due diligence. We would need to do a survey, title work, environmental assessment during that time. Then we could close in November or later, depending on what your timeline would be.

Supervisor Spears: The Conservation Easement is very important to the people in Deerpark. It isn't heavily used, but it is used. We want to make sure it's available to the public forever just as it is now- such as for fishing. We do have some public questions.

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Bob Zeller: Why can't this whole thing go through without selling the land to Port Jervis? If it's the money, it shouldn't be driven on money. As you said Deerpark has been great stewards of that water. We've always known that water goes into their reservoir system. So why can't your organization come in and do the same thing for Deerpark that you were going to do for Port Jervis, without the changing of ownership?

Matt Decker: There is nothing stopping the town from permanently protecting this land. We are simply offering up this option to the municipality that the water flows to.

Bob Zeller: Those 500+ acres are a great water resource that the town of Deerpark has. I just get a little skeptical when we start talking about selling things like that. I don't like seeing our resources going to ownership of someone else. I don't understand why we need to sell, other than for the money.

Supervisor Spears: The money technically is a factor to consider, but it is also for liability reasons, since Deerpark is not drinking this water, but it is flowing to the City of Port Jervis and they are drinking it. That is why we talked about a conservation easement with Matt.

Glenn Plotsky: The Conservation Easement, to be clear, means the restriction from development. The other part of this is that there will still be access to the areas provided, with the restrictions of motorized bikes/ATV's etcetera. So, it is the combination of the two different easements that you want. Lastly, any action on this decision should involve a public hearing, Between now and July ideally.

Tom Faggione: I have done some projects with Matt, and he is the real deal. So, I know that when he is working on a project out here, he has good intentions. Thank you, Matt.

I have a couple of things to bring tonight. First off it is good to see people here in a public meeting. I want to remind anyone that is interested, the County of Orange is still offering COVID19 shots. If you or anyone in your family is interested, right now the age limits are 18+ for the Pfeiser, 16+ for Maderna, and if available we offer the Johnson and Johnson. Information on that can be found at the Orange County Department of Health website. You can call us at 291-2330.

A public information session will be offered by the County of Orange next Thursday April 29th from 7-8:15PM at the Deerpark Senior Center. We have been asked as a county in regards to the D&H Canal Park to look into the feasibility of putting water back into that portion of the canal. At one time there was water that flowed through the feeder canal that fed a nice little pond behind the school. Upon the removal of the dam, there were some flooding issues as well as issue of the water flowing outside of the feeder canal, mudslides causing the feeder canal to be damaged beyond repair, and eventually the water drained out the back of the canal. The County of Orange contracted to have a study done, a report was issued in 2020 and an outline of proposals as to how we can go forward into watering the canal again as well as some other options. At this session I will be bring the Parks Commissioner and hopefully the engineer Al Fusco Jr. who was involved in the study, bringing a presentation on all of this. There will be a max capacity of 50 attenders.

Lastly, as the chairman of the Orange County Legislative Rules Committee, next Wednesday I will be bringing forth a local law for Orange County. The State of NY has allowed the counties to opt into a special hunting option, for young men and women ages 12-13 - if the counties opt into it- to hunt big game under certain supervision- properly licensed adults. We have many avid hunters in the Town of Deerpark, so I know this will resonate well with many of them. Getting young people out into the woods and safely teaching them how to fish and hunt, is vital and important. The County Executive has agreed to sign this law, so we will get it passed.

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Motion to Approve March 29th, 2020 Minutes

Motion by Al Schock 2nd by Art Trovei to Approve March 29th Minutes

VOTES: 5 AYES: Arthur Trovei, Ken Smith, Alan Schock, David Dean, Gary Spears

MOTION CARRIED

Supervisor Spears: We put out fuel bids for the highway department. We only received one bid, so that is the one we will reward tonight- Mirabito Fuel Services. I will entertain a motion to carry.

Motion to Reward the Fuel bid to Mirabito Fuel Services

Motion by Al Schock 2nd by Art Trovei to Reward the Fuel bid to Mirabito Fuel Services

VOTES: 5 AYES: Arthur Trovei, Ken Smith, Alan Schock, David Dean, Gary Spears

MOTION CARRIED

Supervisor Spears: Highway Superintendent Ed Hughson is seeking authorization to purchase a Mason Dump, which will fall into his equipment line. It is a 2022 F550 Regular Cab 4x4, and the price is \$65,054.01.

Motion to Authorize Expenditure to the Highway Department for a 2022 F550 Mason Dump

Motion by Ken Smith 2nd by Art Trovei to Authorize Expenditure to the Highway Department for a 2022 F550 Mason Dump

VOTES: 5 AYES (ROLL CALL): Alan Schock, Arthur Trovei, Ken Smith, David Dean, Gary Spears

MOTION CARRIED

Supervisor Spears: We have one potential appointment to the BAR, and it is Virginia Dudko. We have had a chance to read over her resume.

Motion to Appoint Virginia Dudko to the Board of Assessment Review

Motion by David Dean 2nd by Al Schock to Appoint Virginia Dudko to the Board of Assessment Review

VOTES: 5 AYES: Alan Schock, Arthur Trovei, Ken Smith, David Dean, Gary Spears

MOTION CARRIED

Motion to Reappoint Michelle Dean as Chairman to the Board of Assessment Review

Motion by Art Trovei 2nd by Ken Smith to Reappoint Michelle Dean as Chairman to the Board of Assessment Review

VOTES: 4 AYES: Alan Schock, Arthur Trovei, Ken Smith, Gary Spears

1 Abstain: David Dean

MOTION CARRIED

Motion to Appoint James Clark as Vice Chairman to the Board of Assessment Review

Motion by David Dean 2nd by Ken Smith to Appoint James Clark as Vice Chairman to the Board of Assessment Review

VOTES: 5 AYES: Alan Schock, Arthur Trovei, Ken Smith, David Dean, Gary Spears

MOTION CARRIED

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Motion to Approve and Appoint Nikolas Dille as Part-Time Police Officer

Motion by Al Schock 2nd by Ken Smith to Approve and Appoint Nikolas Dille as Part-Time Police Officer

VOTES: 5 AYES: Alan Schock, Arthur Trovei, Ken Smith, David Dean, Gary Spears

MOTION CARRIED

Motion to Approve and Appoint Louis Taliento as Court Officer

Motion by Gary Spears 2nd by Art Trovei to Approve and Appoint Louis Taliento as Court Officer

VOTES: 5 AYES: Alan Schock, Arthur Trovei, Ken Smith, David Dean, Gary Spears

MOTION CARRIED

Supervisor Spears: We have four junkyard permits pending approval. All four have filled out applications, passed their inspections by Al Dodd, and paid their fees. Al Dodd has written us a letter stating that all four of them have passed and are operating under town guidelines.

Motion to Approve Tenke's Junkyard

Motion by Ken Smith 2nd by Al Schock to Approve Tenke's Junkyard

VOTES: 5 AYES: Alan Schock, Arthur Trovei, Ken Smith, David Dean, Gary Spears

MOTION CARRIED

Motion to Approve BRIM's Junkyard

Motion by David Dean 2nd by Al Schock to Approve BRIM's Junkyard

VOTES: 5 AYES: Alan Schock, Arthur Trovei, Ken Smith, David Dean, Gary Spears

MOTION CARRIED

Motion to Approve Trovei's Junkyard

Motion by Ken Smith 2nd by Al Schock to Approve Trovei's Junkyard

VOTES: AYES: Alan Schock, Ken Smith, David Dean, Gary Spears

1 Abstain: Art Trovei

MOTION CARRIED

Motion to Approve Eckes's Junkyard- Route 42 Sparrowbush

Motion by Ken Smith 2nd by Al Schock to Approve Eckes's Junkyard- Route 42 Sparrowbush

VOTES: 5 AYES: Alan Schock, Arthur Trovei, Ken Smith, David Dean, Gary Spears

MOTION CARRIED

Supervisor Spears: We now have one campground license to approve. The application has been submitted and paid in full.

Motion to Approve KJAMS Oakland Valley Campground License

Motion by Al Schock 2nd by David Dean to Approve KJAMS Oakland Valley Campground License

VOTES: 5 AYES: Alan Schock, Arthur Trovei, Ken Smith, David Dean, Gary Spears

MOTION CARRIED

Supervisor Spears: We have Resolution #2, which is to allow Fusco Engineering to apply and allow Supervisor to sign for the Community Project Funding Program from Congressman Maloney, and that is an upgrade to the police department and the courts. This is a grant we submitted. Al and his firm filled out the

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paperwork and submitted the grant. We had letter of support from Assemblyman Brabenic and Senator Martucci. We will have changes in the police department and the court system. It has been my wish to have the Police Department located in the same building as the courts. So, we applied for a grant of \$3 million from Congressman Maloney, coming from the feds, to move the police department into where the court is now, with a renovation. The idea is to centralize all the Town buildings. We will build a new court attached to the building, after tearing down the old highway building.

Motion to Approve Resolution #2

Motion by Al Schock 2nd by David Dean to Approve Resolution #2

VOTES: 5 AYES (ROLL CALL): Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears
MOTION CARRIED

Supervisor Spears: We also have Resolution #4. We did #3 Previously, we got a little out of numerical order, so we are correcting that. Resolution #4 states we have resolved as the town of Deerpark Town Board hereby authorize Supervisor Gary Spears to expend our share of the funds which is \$8,725, to complete the annexation study plan done in reference to the annexation properties in the town of Deerpark and the city of Port Jervis.

Motion to Approve Resolution #4

Motion by Al Schock 2nd by Ken Smith to Approve Resolution #4

VOTES: 5 AYES (ROLL CALL): Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears
MOTION CARRIED

Motion to Approve PJ Little League to use Town Parks for the 2021 Season

Motion by Art Trovei 2nd by Ken Smith to Approve PJ Little League to use Town Parks for the 2021 Season

VOTES: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears
MOTION CARRIED

Supervisor Spears: We every year apply for CDBG Funds. We are going to apply again this year. We will have a public hearing to get input from the public. We would like to put these funds towards a generator for a warming center at any potential town events, a new water system in the senior center, and a vestibule for outside the senior center. I am entertaining a motion to set the public hearing for this on May 3rd, 2021 at 7:15P.M.

Motion to Host a Public Hearing regarding the 2022 CDBG Funds for May 3rd, 2021 at 7:15P.M.

Motion by Al Schock 2nd by Ken Smith to Host a Public Hearing regarding the 2022 CDBG Funds for May 3rd, 2021 at 7:15P.M.

VOTES: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears
MOTION CARRIED

Flo Santini: I would like to mention it to the Board, the idea of starting up meetings between the Seniors again in the Senior Center. I put a notice out to the other Town Clerks and they are all opening up their facilities to their Seniors. We have just under 100 Seniors, so we could split it up so its only 30 Seniors at a time in the building, a few times a week. The majority of them have been vaccinated and would be happy to follow COVID protocol if it means that they get to meet together again.

Supervisor Spears agrees that to move forward with this.

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Bills to pay:

General Fund Abstract #7	\$96,513.78
Highway Fund Abstract #7	\$17,484.22
Street Lighting Abstract #4	\$285.84
Special Revenue Reserve Abstract #4	\$1,725.51
 Total	 \$116,009.35

Motion to Pay the Bills

Motion by Ken Smith 2nd by Al Schock to Pay the Bills

VOTES: 5 AYES: Arthur Trovei, Ken Smith, Al Schock, David Dean, Gary Spears

MOTION CARRIED

Supervisor Spears: Unfortunately, we do have 2 lawsuits pending.

Glenn Plotsky: I would ask that there be a motion to have executive session in regard to lawsuits and notice of claims.

Motion to Have Executive Session Regarding the Lawsuits and Notice of Claims and to Invite Town Attorney

Motion by Gary Spears 2nd by David Dean to Have Executive Session Regarding the Lawsuits and Notice of Claims and to Invite Town Attorney

VOTES: 5 AYES: Arthur Trovei, Ken Smith, Al Schock, David Dean, Gary Spears

MOTION CARRIED

Closing:

Closing thoughts:

Councilman Trovei- That was a nice presentation tonight, I know there was a lot of work put into it.

Councilman Dean: Happy to be here and looking forward as we're on a good track

Councilman Smith: Glad to be back after being sick, the Zoom meetings were fun but it is good to see everybody. It's been a good year, let's hope things get better.

Councilman Schock: That was a good presentation by Matt Decker.

Supervisor Spears Good to be back. Thank you, Tom for coming, and the public for their input. Lou welcome back. I'm happy to be back after being laid up with COVID. Thank you everyone for coming, we will take a 10-minute recess before going into executive session.

Town Board now enters into Executive Session

Town Board Meeting ended at 8:55p.m.

Respectfully Submitted,

