

**TOWN OF DEERPARK
TOWN BOARD REGULAR MEETING**

June 21, 2021

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

Invocation: Al Schock

Pledge of Allegiance: David Dean

Call to Order: 7:34p.m.

Attendance:

Supervisor: Gary Spears

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

Town Clerk: Flo Santini

Attorney: Glen Plotsky

Additions/Deletions to Agenda: None

Presentations/Communications:

Supervisor Spears: Most COVID restrictions have been lifted and there are some new guidelines that have been put in place. If you have not been vaccinated, please wear a mask where masks are required.

Public Comments:

Bert Thelander: So my understanding is the Police Commission is to supervise the Dog Control Officer?

Supervisor Spears: Yes they will supervise but they will not be in control.

Bert Thelander: That doesn't make any sense.

Supervisor Spears: It's the same as the Police Commission- they will make policies, handles complaints, make recommendations to the Board. The Police Department will not be in control of the DCO but they will handle policies and complaints and such.

Bert Thelander: So who is in control of the DCO?

Supervisor Spears: The town Board and Supervisor.

Bert Thelander: Is there a term limit to the members of the Police Commission? If so you may want to add it into the document as it currently does not say.

Supervisor Spears: The term limit for each member is up to the discretion of the Town Board.

Bert Thelander: Is there going to be a regular meeting for the Police Commission?

Supervisor Spears: I believe in the past they had a quarterly meeting, or possibly they will have meetings on an as-needed basis.

Motion to Approve Minutes for June 7th, 2021

Motion by Al Schock 2nd by Ken Smith

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

MOTION CARRIED

Old Business:

Supervisor Spears: Local Law #2 is to establish a police commission for the Town of Deerpark.

Glen Plotsky: The first thing this does is it repeals any prior laws relative to creation or establishment of a Police Commission. This is litigation in pursuant to section 150 subdivision 2 of the town law. Police Commission will be made up of 5 members and no more than 1 can be a town board member. If none are town board members then the Supervisor will designate a liaison between the town board and the board of Police Commissioners. [More on this attached to minutes]

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June 21, 2021

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Motion to pass Local Law #2- Establishes a Police Commission in the Town of Deerpark

Motion by Al Schock 2nd by Art Trovei

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

Motion to Advertise for Applicants for the Police Commission

Motion by Gary Spears 2nd by David Dean

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

Supervisor Spears: As you know we have accepted the resignation of our Dog Control Officer, which is going to be effective the end of this month so we need to get going. Flo has been accepting applications. We will review them and set interviews.

New Business:

Supervisor Spears: We have been working on the CDBG Grant for 2022, Al from Fusco Engineering can speak into that.

Al Fusco: The project that has been decided is to work on the Senior Center. We're looking to put in a vestibule outside the existing doors and have automatic openers on both sets of doors. In addition, we will install either a chlorinator or a UV system on the water system. In addition, we put into the application a generator for the entire building in case of emergencies for use by the town. There are 3 Resolutions- one is for you to accept the choice of that project, the other is to in addition to that, to put out Governing Body Fair Housing Resolution, and the last is to put out a Governing Body Authorizing Resolution. The fee that we put down for this is \$125,000, and then a \$25,000 share.

Motion to Approve Resolution #6- Governing Body Authorizing Resolution

Motion by Al Schock 2nd by Ken Smith

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

Motion to Approve Resolution #7- Governing Body Fair Housing Resolution

Motion by Ken Smith 2nd by Art Trovei

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

Motion to Approve Resolution #8- Accept CDBG 2022

Motion by David Dean 2nd by Al Schock

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

Supervisor Spears: We will be hiring two new police officers off the civil service list. We have 3 current full-time officers, one is out on disability likely not to return, the other one is set to retire next May, and the other one is looking to accept a position in the City of Port Jervis' Police Department at a higher pay scale. We went off the local civil service list from which we have 5 candidates. The Chief interviewed them and we are moving forward in the hiring process with two of them- Josh Brown and Brandon Osborne. They are pending medical approval from the County.

Motion to Hire Josh Brown as a New Full-Time Officer in the Deerpark Police Department

Motion by Ken Smith 2nd by Al Schock

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

Motion to Hire Brandon Osborne as a New Full-Time Officer in the Deerpark Police Department

Motion by Al Schock 2nd by Ken Smith

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

Bills to pay:

General Fund Abstract #11	\$124,486.61
Highway Fund Abstract #11	\$86,343.49
Special Revenue Reserve #6	\$1,454.36
Engineering Abstract #4	\$344
Street Lighting Abstract #6	\$283.36
Total	\$212,911.82

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

Motion to Have Executive Session to Discuss Anticipated Litigation Laws and to Invite Attorney Glen Plotsky and Al Fusco into the Session

Motion by Al Schock 2nd by David Dean

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

Closing:

Councilman Trovei- Thank you to everyone who worked on the Police Commission. Excited to see all the work to be done on our Senior Center

Councilman Dean- The weather has been outstanding. Sorry to see some of our officers resign, but welcome to our new officers.

Councilman Schock- Thank you to everyone who worked on the Police Commission, I think it's going to be a good thing.

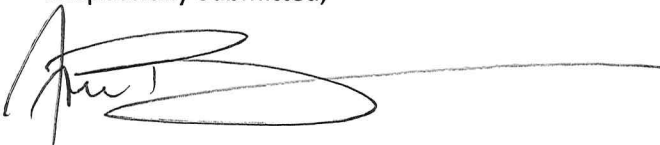
Councilmen Smith- It'll be great to see what is done to the Senior Citizen building, and it will be great to have in case of emergencies.

Supervisor Spears- Thank to you all our Employees at the Town Hall that keep everything running smoothly.

Florence Santini- Our Seniors are so very happy to be back together and meeting again every week to play bingo. So thank you to those of you who allowed them to meet again.

Meeting Adjourned at 8:14p.m.

Respectfully Submitted,



TOWN OF DEERPARK, ORANGE COUNTY, NEW YORK
LOCAL LAW NO. 2 OF 2021
A LOCAL LAW REPLACING CHAPTER 67 OF THE TOWN OF DEERPARK CODE
AND RE-ESTABLISHING THE TOWN POLICE COMMISSION

ARTICLE I. Board of Police Commissioners

§ 67-1. Repeal of Prior Law.

The Town Board of the Town of Deerpark hereby repeals what was previously Chapter 67 of the Town of Town of Deerpark Code and creates a new Chapter 67 with this Local Law.

§ 67-2. Legislative Intent.

By the adoption of this Article, the Town Board of the Town of Deerpark has elected to establish a Board of Police Commissioners pursuant to §150, Subdivision 2, of the Town Law of the State of New York and §22 of the Home Rule Law of the State of New York.

§ 67.3. Definitions.

The words and phrases and definitions of words as used in the New York State Town Law shall be applied in the enforcement of the Article.

§ 67.4. Appointment of Commissioners.

The Town Board of the Town of Deerpark does hereby establish a Board of Police Commissioners for the Town. The Police Commissioners shall be appointed by the Town Board. The Board shall consist of Five (5) Commissioners who shall, at the time of their appointment and throughout the term of their office, be electors of the town, and who shall serve without compensation, and at the pleasure of the Town Board. No more than One (1) of the Police Commissioners shall be a Town Board member from the Town Board of the Town of Deerpark. In the event that no Commissioner shall be a Town Board member, there shall be designated by the Town Supervisor, a liaison between the Town Board and the Board of Police Commissioners.

§ 67.5. Appointment of Alternate Commissioners.

The Town Board may appoint no more that Three (3) Individuals to serve as alternates for the Board of Police Commissioners. Alternate members, shall, at the time of their appointment and throughout the term of their office, be electors of the town, and who shall serve without

compensation, and at the pleasure of the Town Board. An Alternate may only become a voting member of the Board of Police Commissioners if a Commissioner is absent or abstains and such absence or abstention results in a failure to satisfy quorum requirements.

§ 67.6. Powers of the Board of Police Commissioners.

The Board of Police Commissioners shall have and exercise only powers relative to police matters conferred upon them by the Town Board of the Town of Deerpark and as may be authorized pursuant to Article 10 of the Town Law of the State of New York. These powers may include review of all police operations, review of all citizen complaints, review of all departmental complaints, making recommendations to the Town Board for action and any additional duties as may be delegated to the Board of Commissioners by the Town Board of the Town of Deerpark and as otherwise are not inconsistent with the laws of the State of New York. This article has been created and enacted in order to specifically supersede any prior resolutions or Local Laws adopted by the Town Board establishing or abolishing a Board of Police Commissioners within the Town of Deerpark.

§ 67.7. Chairperson of the Board of Police Commissioners.

The Chairperson of the Board of Police Commissioners shall be appointed by the Town Board of the Town of Deerpark. The Chairperson shall hold that position at the pleasure of the Town Board of the Town of Deerpark.

ARTICLE II. Background Checks for Candidates.

§ 67.8. Title.

This Article shall be entitled "Investigation and Fingerprinting of Police Commissioner/Police Chief Candidates in the Town of Deerpark , Orange County, New York."

§ 67.9. Intent; Authority.

The Code that follows deals with the establishment of fingerprinting and background checks for all candidates for appointment to the Office of the Town Police Commissioner/Town Police Chief with the Town of Deerpark. By adoption of this Article, the Town of Deerpark declares its intent to fingerprint and perform background checks on all future candidates for appointment to the Office of Town Police Commissioner/Town Police Chief. Authority for the Article comes from the provisions of §25-a of the New York State Town Law.

§ 67.10. Definitions.

- A. As used in this Article, the following terms shall have the meanings indicated:
 - 1. TOWN POLICE CHIEF and TOWN POLICE COMMISSIONER and APPOINTEE TO THE OFFICE OF TOWN POLICE COMMISSIONER OR APPOINTEE TO THE OFFICE OF TOWN POLICE CHIEF – Any person appointed by the Town Board of the Town of Deerpark to fill the position of member of the Deerpark Police Commission or Department Head of the Police Department of the Town of Deerpark.
- B. The words and phrases and definitions of words as used in the New York State Town Law shall be applied in the enforcement of this Article.

§ 67.11. Fingerprinting and Background Checks.

- A. Each candidate for appointment or appointee for the Office of Town Police Commissioner or Town Police Chief in the Town of Deerpark shall have a fingerprint impression of the fingers and thumbs of both hands taken by the Police Department of the Town of Deerpark. The Police Department of the Town of Deerpark is authorized to forward the appointee's fingerprints to the New York State Division of Criminal Justice Services for a criminal investigation prior to the Deerpark Town Board's confirmation of said candidate's appointment as Town Police Commissioner or Town Police Chief. The Deerpark Town Board shall be responsible for paying the required fee for said background investigation in the form of a check or money order made payable to the New York State Division of Criminal Justice Services, and shall forward said payment, together with the fingerprints, to the New York State Division of Criminal Justice Services. The Town Board of the Town of Deerpark shall review the information secured as a result of said investigation and shall keep any such information confidential.
- B. The Town Board shall not confirm the appointment of any candidate who has been convicted of a Felony or Class A Misdemeanor as defined in the Penal Law of the State of New York, and who has not, subsequent to such conviction, and prior to application for such position, had this disability removed as provided in the New York State Correction Law §751. An application for an exemption to this requirement for an appointee convicted of a Class A Misdemeanor may be made to the Town Board, and upon good cause shown, the Town Board may waive this disability.

ARTICLE III. Supervision of Dog Control/Animal Control Officers.

§ 67.12. Legislative Intent.

By the adoption of this Article, the Town of Deerpark declares its intent to include within the definitions contained herein, the position of Dog Control Officer/Animal Control Officer.

review of all operations, review of all citizen complaints, review of all departmental complaints, making recommendations to the Town Board for action and any additional duties as may be delegated to the Board of Commissioners by the Town Board of the Town of Deerpark and as otherwise are not inconsistent with the laws of the State of New York relative to the position of Dog Control Officer/Animal Control Officer. It is specifically the intent of the Town of Deerpark to reserve to the Town Board the power to hire or fire all persons employed in the said capacity as Dog Control Officer/Animal Control Officer.

§ 67.13. Definitions.

The words and phrases and definitions of words as used in the New York State Town Law and/or the New York State Agriculture and Markets Law shall be applied in the enforcement of the Article.

§ 67.14. Authority Retained by Town Board.

The position of Dog Control Officer/Animal Control Officer, having been previously created by the Town of Deerpark, the Town Board of and for the Town of Deerpark hereby retains all authority to create or remove such position of employment, as well as the authority to appoint, hire, fire, contract for services with, and/or otherwise establish and maintain the position of Dog Control Officer/Animal Control Officer.

§ 67.15. Authority Delegated to Police Commissioners.

The Town of Deerpark hereby expressly delegates the authority to verify the hours of employment/work performed, and to monitor reports and other documentary information generated as a result of the said employment of persons employed by the Town of Deerpark in the position of Dog Control Officer/Animal Control Officer. After review of said documentation by the Police Commission, it shall be the responsibility of the said Commission to file copies of all such records with the Office of the Town Clerk of and for the Town of Deerpark where said documentation shall be maintained as an official Town record.

Town of Deerpark
Resolution 6-2021
Exhibit "E"
Governing Body Authorizing Resolution

At a meeting held on June 21, 2021, the Municipal Council of Town of Deerpark, adopted the following resolution:

"The Town of Deerpark is hereby submitting its Application for consideration under the FY_2022 Orange Urban County Consortium Community Development Program and the chief elected official or executive officer is hereby authorized to submit this Application for CDBG as described in the proposal. Input from citizens and groups has been received and considered and an application has been prepared which addresses their community concerns. They further certify that they have read and understood the Orange Urban County Consortium Community Development Guidelines for they FY-2022 program year and have met all of its applicable requirements and that the information contained in the Application is accurate and true to the best of their knowledge. If awarded CDBG funds, the Municipality shall implement the activities in a manner to ensure compliance with all applicable federal, state and local laws and regulations."

Gary Spears
Signature of Authorized Representative

6/21/21
Date

Gary Spears
Printed Name of Authorized Representative

(845) 856-2210 ext 1
Telephone Number

Motion: Alan Schock 2nd by Kenneth Smith

Roll Call: 5 Ayes:

Councilman: Ken Smith
Councilman: David Dean
Supervisor: Gary Spears

Councilman: Al Schock
Councilman: Art Trovei

MOTION CARRIED

CERTIFIED TRUE COPY

I, Florence Santini, Clerk of Town of Deerpark, hereby certify that the foregoing is a full, true and accurate copy of a resolution duly and regularly adopted by the governing body of the municipality, at a meeting duly and regularly held on 6/21/2021, at which quorum was present throughout, and the required majority of the governing body voted in favor of this resolution. I further certify that this resolution is still in full force and effect and has not been revoked or modified.

Dated: 6/21/2021

Signature: 

Affix Seal

Town of Deerpark

Resolution 7-2021

Exhibit "F"

Governing Body Fair Housing Resolution

The Town of Deerpark supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. It is the policy of Town of Deerpark to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The Town of Deerpark further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. Therefore, the Municipal Council of Town of Deerpark do hereby approve the following resolution.

BE IT RESOLVED, that within available resources, the Town of Deerpark will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New York State Human Rights Law and the U.S. Department of Housing and Urban Development, as appropriate.

BE IT FURTHER RESOLVED, that the Town of Deerpark shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New York State Human Rights Law, and any local laws or ordinances.

BE IT FURTHER RESOLVED, that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

Approved this 21st day of June, 2021

ATTEST:


Signature of Authorized Representative

6/21/2021

Date

Gary Spears

Printed Name of Authorized Representative

(845) 856-2210 ext. 1

Telephone Number

Motion: Kenneth Smith 2nd by Arthur Trovei

Roll Call: 5 Ayes:

Councilman: Ken Smith
Councilman: David Dean
Supervisor: Gary Spears

Councilman: Al Schock
Councilman: Art Trovei

MOTION CARRIED

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Deerpark
this 21st day of June 2021.


Florence T. Santini, Town Clerk

Town Seal



TOWN OF DEERPARK

GARY I SPEARS, SUPERVISOR
DAVID M. DEAN, COUNCILMAN
ARTHUR T. TROVEI, COUNCILMAN
KENNETH SMITH, COUNCILMAN
ALAN SCHOCK, COUNCILMAN

RESOLUTION #8 OF 2021 CDBG 2022

BE IT RESOLVED, the Town Board of the Town of Deerpark, Orange County, New York authorizes the Town Supervisor to sign contract with Orange County Committee Development Block Grant for 2022 CDBG:

Purchase of building generator for entire building, Chlorinate/UV Water System and install vestibule and automatic Handicap doors for the entryway of Senior Center, 410 Route 209 Huguenot, New York 12746

DATED: June 21, 2021

Motion: Dave Dean 2nd by Al Schock

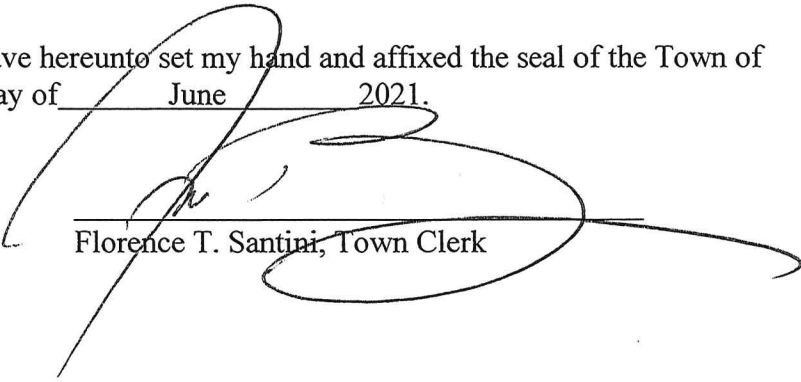
Roll Call: 5 Ayes:

Councilman: Ken Smith
Councilman: David Dean
Supervisor: Gary Spears

Councilman: Al Schock
Councilman: Art Trovei

MOTION CARRIED

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Deerpark this 21st day of June 2021.



Florence T. Santini, Town Clerk

Town Seal