

**TOWN OF DEERPARK
TOWN BOARD MEETING
FRIDAY, JANUARY 15, 2010**

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

Attendance:

Supervisor: Karl Brabenec

Councilmember's: David M. Hoovler, Gary Spears

Absent Councilmember: Arthur T. Trovei

Annual Internal Financial Audits of Departments 3:09 p.m.

The Board looked over the books for the following Departments:

3:09 PM Town Justice Wulff: Judge Wulff presented the books from Town Justice Tufano, deceased during his term, and Councilman Spears stated that Judge Osowick closed Judge Tufano's books and Judge Wulff just took office and won't have knowledge about them. Councilman Hoovler recognized that using these new state guidelines for this office is not possible, but to the best of his knowledge, it appears the records presented are in order.

Motion by David Hoovler, 2nd by Gary Spears to forward all the records from Judge Tufano's office to the Town Accountant Rob Schultz to look over for reconciliation.

VOTE: 3 AYES: Gary Spears, David Hoovler, Karl Brabenec

MOTION CARRIED

3:20 PM Building Inspector - Robert Emerson: Mr. Emerson presented his books and Councilman Spears and Councilman Hoovler checked them according to state guidelines provided. The Board members looked over the books and found them to be in order. Mr. Emerson will ask Citizen's Bank for cancelled checks and being a new requirement, he will comply. Mr. Emerson answered all questions satisfactorily.

Motion by Gary Spears, 2nd by David Hoovler to approve the audit for the Building Inspector.

VOTE: 3 AYES: Gary Spears, David Hoovler, Karl Brabenec

MOTION CARRIED

3:40 PM Town Justice Osowick: Judge Osowick presented her books and Councilman Hoovler and Councilman Spears checked them according to the state guidelines provided. The Board members looked over the books and found them to be in order. Judge Osowick answered all questions satisfactorily.

Motion by Gary Spears, 2nd by David Hoovler to approve the audit for Judge Osowick.

VOTE: 3 AYES: Gary Spears, David Hoovler, Karl Brabenec

MOTION CARRIED

3:50 PM Planning Board - Barbara Brollier: Barbara Brollier presented her books and Supervisor Brabenec inquired of her receipt book according to the state guidelines provided. The Board members looked over the books and found them to be in order. Barbara Brollier answered all questions satisfactorily.

Motion by Gary Spears, 2nd by David Hoovler to approve the audit for the Planning Board.

VOTE: 3 AYES: Gary Spears, David Hoovler, Karl Brabenec

MOTION CARRIED

4:00 PM Tax Collector – Jane Garvey: Jane Garvey presented her books and Councilman Hoovler inquired of her records according to the state guidelines provided. The Board members looked over the books and found them to be in order. Jane Garvey answered all questions satisfactorily.

Motion by Gary Spears, 2nd by David Hoovler to approve the audit for the Tax Collector.

VOTE: 3 AYES: Gary Spears, David Hoovler, Karl Brabenec

MOTION CARRIED

Councilman Hoovler took a call regarding the audits from Mr. Kinelly, an attorney from the Association of Town Council, who said they should use the checklist as a guide along with common sense, but they are not expected to reconcile the books. Regarding Judge Tufano, it is necessary to perform a full comprehensive audit by an independent third party for the last period that was unaudited. In regards to an answer of “no” in this guideline, there should be an answer and if the answer is reasonable, the board can proceed. Councilman Hoovler recommended they check with their insurance company about questionable answers.

Councilman Spears thought it should be recommended to the Tax Collector to write checks at \$100,000 deposits.

4:15 PM Supervisor – Karl Brabenec: Karl Brabenec presented his books from the previous Supervisor and Councilman Spears questioned him according to the state guidelines provided, and the answers were given to the best of Supervisor Brabenec’s knowledge. The Board members looked over the books and found them to be in order. Karl Brabenec answered all questions satisfactorily. There is a box of fixed asset records that needs to be updated. The Town Clerk clarified that the Highway Department brings over their records every year. The Supervisor will be providing a monthly statement for the Board and Public.

Motion by Gary Spears, 2nd by David Hoovler to approve the audit for the Supervisor, with the request for the property records to be brought up to date.

VOTE: 2 AYES: Gary Spears, David Hoovler

VOTE: 1 ABSTENTION: Karl Brabenec

MOTION CARRIED

NOTE: The report of fixed assets will need to be on a future agenda for the Board.

4:25 PM Town Clerk – Florence Santini: Florence Santini presented her books and Councilman Spears checked it according to the state guidelines provided. The Board members looked over the books and found them to be in order. Florence Santini answered all questions satisfactorily.

Motion by David Hoovler, 2nd by Gary Spears to approve the audit for the Town Clerk.

VOTE: 3 AYES: Gary Spears, David Hoovler, Karl Brabenec

MOTION CARRIED

Old Business:

Motion to Register Attendees for the Association of Towns Conference

Supervisor Brabenec asked for approval for the Association of Towns conference in February so the Town Clerk can send in the registration. Attendees requesting to attend are: Karl Brabenec (Supervisor), David Hoovler (Deputy Supervisor-Councilman), Gary Spears (Councilman), Arthur Trovei (Councilman), the newly appointed councilman, Mike Brightenfield (Planning Board), Jane Lord (Zoning Board of Appeals), Frank Bigger (Zoning Board of Appeals), Robert Emerson (Building Inspector), Judge John Wulff, Edward Hughson (Highway Superintendent), Florence Santini (Town Clerk), Jane Garvey (Tax Collector)

Motion by Karl Brabenec, 2nd by Gary Spears moved to ask the Town Clerk to register those requesting to attend the February meeting of the Association of Towns.

Discussion: There are Planning and Zoning Board and others with mandated training requirements. If these people don’t receive proper training it is a liability for the town. He would appreciate knowing who actually needs training for this year, or who didn’t have it last year, or previous years. If they don’t want to go to these seminars or put in the time, they need to be off the board. They cannot afford lawsuits because people have not been training. The Supervisor promises to look into that the next week.

VOTE: 3 AYES: Gary Spears, David Hoovler, Karl Brabenec

MOTION CARRIED

Councilman Spears mentioned that the Orange County Department of Planning offers classes online. Supervisor Brabenec mentioned that the Town Attorney could perform a training session at the Town Hall and he will look into that as well.

Motion to Purchase Used Transmission – Police Car

Estimates for the Police Car Transmission repair was explained by Councilman Spears. The car is old, but they can't replace it and the bid is for \$1,900 and they decided to obtain a couple more bids. Their range was \$1,400 to \$2,762 and based on needing the car for detective travel about three more years, he recommends getting the used transmission for \$1,400 that comes with a one-year warranty from Westbrookville Auto.

Motion by Gary Spears, 2nd by David Hoovler to approve the purchase of a used transmission for \$1,400 from Westbrookville Auto for the Police Car.

Discussion: Councilman Hoovler agrees with the motion and mentioned the procurement policy where it is less than \$3,000 but greater than \$1,000 and they need to have at least two vendors quotes.

VOTE: 3 AYES: Gary Spears, David Hoovler, Karl Brabenec

MOTION CARRIED

Motion to Purchase Ammunition from Police Department

Supervisor Brabenec had a request from the Police Chief to spend \$1,699.20 plus any associated shipping charges. According to the memo, the Police Chief ran low on his supply since he didn't order at the end of last year. This request will restock ammunition for this year. Councilman Spears specified that these supplies are used for the yearly qualification of police officers. They will possibly receive training from the Orange County Sheriff's Department on a program in protecting public buildings.

Motion by Gary Spears, 2nd by David Hoovler to approve the expenditure of \$1,699.20 plus associated shipping charges for police department ammunition.

VOTE: 3 AYES: Gary Spears, David Hoovler, Karl Brabenec

MOTION CARRIED

Motion to put Police Negotiations in Executive Session on 2/1/10 Agenda:

Supervisor Brabenec has not heard back from Attorney Glen Plotsky regarding the request to reschedule the police negotiations. Councilman Spears asked if they could do a pre-approval if that is a good date for them on February 1, 2010 Agenda for Executive Session.

Motion by Gary Spears, 2nd by David Hoovler to put the Police Negotiations in Executive Session on February 1, 2010 Agenda.

VOTE: 3 AYES: Gary Spears, David Hoovler, Karl Brabenec

MOTION CARRIED

New Business:

Motion to Add Public Safety Item to Agenda

Councilman Hoovler would like to add an item of Public Safety on today's agenda.

Motion by David Hoovler, 2nd by Gary Spears to add a Public Safety item to today's agenda.

VOTE: 3 AYES: Gary Spears, David Hoovler, Karl Brabenec

MOTION CARRIED

Motion to Pay Bills

Motion by Gary Spears, 2nd by David Hoovler to pay the bills that contain the signature or initials of at least three councilmembers on vouchers for the approval for payment.

VOTE: 3 AYES: Gary Spears, David Hoovler, Karl Brabenec

MOTION CARRIED

Motion to go into Executive Session at 4:40 p.m. for the purpose of interviewing candidates for Town Board

Motion by Gary Spears, 2nd by David Hoovler to go into Executive Session at 4:40 p.m. for the purpose of interviewing candidates for Town Board.

VOTE: 3 AYES: Gary Spears, David Hoovler, Karl Brabenec

MOTION CARRIED

Motion to end Executive Session at 4:52 p.m.

NOTE: Councilman Spears wanted to note in the record that Robert Emerson, Building Inspector came back to show the check copies and reported that the Bank covers up to \$250,000 for each account.

Motion to Re-enter Regular Session at 4:52 p.m.

Motion by David Hoovler, 2nd by Gary Spears to re-enter regular session at 4:52 p.m.

VOTE: 3 AYES: Gary Spears, David Hoovler, Karl Brabenec

MOTION CARRIED

Motion to Adjourn at 4:52 p.m.

Motion by Gary Spears, 2nd by David Hoovler to adjourn at 4:52 p.m.

VOTE: 3 AYES: Gary Spears, David Hoovler, Karl Brabenec

MOTION CARRIED

Respectfully submitted,

Florence T. Santini
Town Clerk