

**TOWN OF DEERPARK  
TOWN BOARD MEETING  
MONDAY, NOVEMBER 22, 2010**

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

**Attendance**

**Supervisor:** Karl Brabenec

**Councilmember's:** Gary Spears, Arthur Trovei, David Dean, David Hoovler

**Invocation:** Arthur Trovei

**Pledge of Allegiance:** David Hoovler

Call to Order at 4:35 p.m.

Supervisor Brabenec introduced the first agenda item as the discussion of Budgetary Cost Savings for 2010 and 2011 Budgets and said they would open up the discussion for public comment. He then explained the main purpose for the meeting was about continuing to work on cost savings opportunities going forward into the future. He credited the current board for being professional and examining vendors providing phone service, electricity rates, etc. used by the town and for passing the adopted budget with .28% decrease in the tax levy. This accomplishment was huge, especially with the rising cost of health care, retirement and everything else that is going up. He commented that it is a real tribute to the board members serving now. As they go into the future, they need to examine the departments, operations, and make sure the money is being spent efficiently and effectively. One of the items being looked at, which had been mulled over for quite some time was difficult, but could achieve huge cost savings for the tax payers and not hinder the operations. This change would take current full time positions and reduce them to part-time hours starting immediately or next year. The four positions they are currently looking at reducing are the Chief of Police, the Assistant Assessor, the Highway Secretary, and the Buildings & Grounds Assistant. Currently, there were not raises for 2011. The projected costs for 2011 are as follows: Assistant Assessor \$33,997; Buildings & Grounds Custodian \$34,442; Police Chief \$68,744 with a medical buyout of \$2,000; and Highway Secretary \$22,949. They are proposing taking these four positions reducing them to part-time (20 hours per week), cutting the payroll in half and additionally, they would not be eligible for health benefits. The Chief does not have the medical, but would not be eligible for the buyout, saving \$2,000. The Highway Secretary's family health plan of \$16,000 would be freed up. The Assistant Assessor's health plan would also save the town \$16,000. The Custodian's health plan would save \$8,000. An average of 10% of each salary for retirement contributions from the town would also be added and the bottom line of this particular move could potentially save the town about \$100,000 a year. In 2010, two full time positions were reduced to part-time positions (the Bookkeeper and Deputy Town Clerk) saving about \$32,000 in the two medical benefit packages.

Councilman Spears asked how much of borrowed money to balance the 2010 budget and the Supervisor answered they had used \$255,000 of the borrowed money was appropriated towards the stabilizing of the taxes. Councilman Spears reiterated that they are really doing a budget with \$255,000 that they are short right now. The Supervisor said that was correct and they don't want to use borrowed money. Councilman Hoovler added that obviously they all talked about the \$255,000 and no one was happy. They talked to the State Comptroller and need to have an adequate reserve even though it is borrowed money. They did say the town had to start to pay their own way. He verified the amount of savings as \$100,000, and over three years, \$300,000. The supervisor confirmed that was correct. He said that decisions made in good financial times were not a problem, but now they are and need to be changed. The five of them are the board in place and the State Comptroller's office advised them to make changes towards getting out of the \$800,000 in the hole and to prepare for the future financially. Supervisor Brabenec acknowledged how difficult this is due to health benefits being involved and he reminded everyone that earlier in the year they cut part-time employees health benefits where the town and the employee each paid 50%. There was one employee affected and he assisted them to find an adequate policy, which turned into a better rate than the Town was paying. They did provide a few months to find a plan. He would be willing to work with employees being affected. Councilman Trovei thought they should ask the attorney what they would be able to offer. He acknowledged how hard it was to deal with and felt for the employees, but added that they can't pay for services they don't have money for. He said he was astounded to come into office and discover how much the town had been turned upside down financially. Councilman Hoovler said that in the interview with the State Comptroller's Office, they cannot explain why the decisions made were made and how to answer for where they are financially now. More discussion followed. Councilman Dean expressed their combined sentiment as very difficult and unpleasant to have to make these decisions. However, it is impossible to deliver to the employees what has been promised at this point. These are drastic measures and drastic times and the town has to get out of deficit financing.

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The Supervisor opened up the discussion for those in attendance. Edward Hughson, Highway Superintendent asked how many hours were considered part-time. The Supervisor explained there was no definition of part-time according to civil service rules, they go by competitive and non-competitive hours. A 40-hour per week employee is considered competitive. The Assistant Assessor's position is a competitive position right now. You can reduce the hours, but that position remains a competitive position. If that person leaves, that position becomes non-competitive, then you don't have to go off of a list. In regards to full-time and part-time, it is up to the municipality to set those guidelines. Discussion followed on describing the part time employee status. Councilman Trovei recommended they obtain written documentation on the part-time status regulations. Supervisor Brabenec offered to contact the Orange County Department of Personnel for the information. Discussion of the Highway Secretary Position continued in regards to being an exempt position. Mr. Hughson asked about the insurance benefits and asked if they were entitled to Cobra. The supervisor stated they would be eligible for 100% of the premium, the family plan this year is \$1,330 per month. The other option would be getting into a group plan, which would probably be cheaper. If the salary was low enough, Medicaid would pick up the Cobra cost. Mr. Hughson asked when this would begin and the board commented they would talk about it in their meeting.

Councilman Spears brought up Councilman Trovei's question as to whether it was legal to extend benefits under civil service and the supervisor answered that all these positions fall under the Personnel Contract, which can be amended by resolution at any time. The Board could come up with a clause that for these particular positions, they would give them three months to find another health care plan. Civil Service has no say as to the policies and procedures for the town's health insurance. Councilman Trovei asked for a legal opinion on the benefits allowed for these employees so there would be no discriminatory actions. Councilman Spears stated this was not a severance package, but a benefit package so the employees would not have a coverage lapse. Discussion followed on the form given to employees about their benefits and options. Councilman Trovei asked for the legal advice on what the Town is obligated to do. Councilman Spears asked if they should pass a general resolution stating they would be switching to part time and when they get the answers, they could pick a date and make it go smoothly.

**Motion to Accept Supervisor's Recommendation that Four Positions Go To Part Time**

Motion by David Hoovler, 2<sup>nd</sup> by David Dean to accept the Supervisor's recommendation that four positions (Police Chief, Highway Secretary, Assistant Assessor and Grounds and Buildings Custodian) go to part time and subject to the Board extending whatever benefits are required by law on or before January 1, 2011.

Amended motion by David Hoovler, 2<sup>nd</sup> by David Dean to accept the Supervisor's recommendation that four positions (Police Chief, Highway Secretary, Assistant Assessor and Grounds & Buildings Custodian) go to part time, subject to the Board extending benefits as required by law and authorizing the Supervisor to determine the date.

**ROLL CALL VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Hoovler, Karl Brabene**

**MOTION CARRIED**

Supervisor Brabenec commented he heard about PayServ out of Rockland County, a very similar product to what the town is currently using for about \$2,000 less a year. He needs to do more research and go over this and would have something for the December 6<sup>th</sup> meeting. The bookkeeper found it to be easier to manage than the Paychex system. This company is in Rockland County. Councilman Spears asked that the information he provides on December 6<sup>th</sup> include comparison of 'apples to apples' and Councilman Trovei asked if they would need to set up new time clocks. Supervisor Brabenec reported they said the same time clocks could be used, but he wants to wait until he gets all the information.

Judge Osowick mentioned the Town Prosecutor and thought that Mr. Bach was a very good, professional choice. Ms. Osowick had communicated to Supervisor Brabene

c that the court wanted him to continue twice a month. She found out that the Board had discussed it and voted on it and didn't consult the department it affected. She thought they could have had the courtesy to contact she and Judge Wulff. Councilman Trovei offered to take the blame for that and stated they should have not excluded their input. Councilman Hoovler brought it up in the meeting and recommended to Ms. Osowick that when their budget was close to running out of money, the Judges should talk to the Board about the situation. They moved that money into contingency and they would revisit it at that point. Judge Osowick asked about their statement regarding the Town Prosecutor appearing only once a month. Councilman Trovei said that if the Court could get by with once a month, they would save the town money. Councilman Hoovler mentioned that the State Comptroller inquired as to why they needed the Town Prosecutor twice a month. The revenue needs to be compared with the expense. Judge Osowick commented that she would like to continue with the Prosecutor twice a month. Councilman Spears verified the Prosecutor position was a six-month trial basis. Councilman Dean asked for the judges honest opinion when it comes time to renew the contract, which would be in May of 2011.

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**Motion to Amend Agenda to Exclude Executive Session**

Motion by David Hoovler, 2<sup>nd</sup> by Gary Spears to amend the agenda to exclude the Executive Session.

**VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Hoovler, Karl Brabene**

**MOTION CARRIED**

**Motion to Adjourn at 5:19 p.m.**

Motion by David Hoovler, 2<sup>nd</sup> by David Dean to adjourn at 5:19 p.m.

**VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Hoovler, Karl Brabene**

**MOTION CARRIED**

Respectfully submitted,

Florence T. Santini  
Town Clerk