

**TOWN OF DEERPARK
TOWN BOARD MEETING
MONDAY, OCTOBER 4, 2010**

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

Attendance

Supervisor: Karl Brabeneć

Councilmember's: Gary Spears, Arthur Trovei, David Dean, David Hoover

Attorney: Glen Plotsky

Invocation: Arthur Trovei

Pledge of Allegiance: Arthur Trovei

Call to Order at 7:06 p.m.

Public Hearing Proposed Local Law 6 of 2010, A Local Law Creating the Deerpark Veterans Board at 7:08 p.m.

Town Clerk, Florence T. Santini read the Public Notice of the proposed Local Law 6 of 2010 and a copy is attached to the official minutes.

Supervisor Brabeneć explained that this board has been on his mind to organize since he was elected, as the town is lacking in this area. This committee/board would create and fund raise for a Veterans Memorial to be located in the Town of Deerpark. They would promote veterans and cold war veterans tax exemptions, for those eligible. They would organize small ceremonies in town for various veterans holidays. They would assist veterans in obtaining information for any government benefits afforded to them or their families. They would coordinate with the Orange County Veterans Service Agency, and local veterans organizations on any new programs or events. The board would consist of no more than seven members, appointed by the Town Board that would serve at the pleasure of the Town Board. All the members must be active service men or women or veterans with honorable discharges of any branch in the United States Armed Forces. The chairman would be appointed by the Town Board and the Director of the Orange County Veterans Service Agency would serve as a non-voting honorary member. Preference would be given to Deerpark residents, but it would be open to those residing in Orange County, New York. The law will take effect upon passage.

Public Comments: Wilbur Sallius, a resident and speaking for the veterans in the area expressed their appreciation for the efforts towards developing this board and for thinking of them.

Councilman Spears congratulated Supervisor Brabeneć for accomplishing his goal with this proposed Local Law and thought it was good for the town. He commended him and the other councilmen joined him.

Motion to Close Public Hearing on Local Law 6 of 2010 at 7:12 p.m.

Motion by Gary Spears, 2nd by David Hoover, to close the Public Hearing on Local Law 6 of 2010.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabeneć

MOTION CARRIED

Motion to Recess until 7:30 p.m.

Motion by Karl Brabeneć, 2nd by Gary Spears to recess until 7:30 p.m.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabeneć

MOTION CARRIED

Supervisor Brabeneć asked to add Norma Schadt, Historian to the Agenda under Presentations/Communications before the letters.

Motion to Add Historian to the Agenda under Presentations/Communications

Motion by Karl Brabeneć, 2nd by Arthur Trovei to add the Historian to the Agenda under Presentations/Communications.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabeneć

MOTION CARRIED

Opening Board Comments

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Supervisor Brabene commented that he would be holding a Constituent Day on Saturday, October 16, 2010 from 10 a.m. to 12 p.m. He does this quarterly and invited County Clerk Donna Benson, as the elected official and she will bring information from her office such as pistol permit applications, DMV material, etc. Also, Orange County Legislator Dennis Simmons will be in attendance, and they hope to have the town's other legislator Melissa Bonacic. He asked the board's permission to use the Town Hall meeting room for this event.

Motion to Approve Use of Town Hall for Constituent Day, October 16, 2010

Motion by David Hoovler, 2nd by David Dean to approve the use of Town Hall meeting room for Constituent Day, October 16, 2010 from 10 a.m. to 12 p.m.

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

MOTION CARRIED

Councilman Spears mentioned that later that night they would be working on the 2011 Tentative Budget. The year is tough and they are working under deficit financing. They are \$800,000 in debt and their decisions were made on that material. The main word in working on the budget is "shared sacrifice" and just about everyone would be involved in that. The Town Board worked hard for a zero increase, and though they aren't there yet, they would make more adjustments over time to get there.

Councilman Trovei agreed with Mr. Spears and added they are fiscally responsible and are making hard decisions. They need to work from the \$800,000 deficit and that was not fun, nor was it easy.

Councilman Dean announced that on September 25th and 26th, they held the first Hunter's Safety Seminar in the Town with 37 students and all passed. He thanked Ray Cirulli and Steve Sacco with the course; Dennis Simmons who spoke about the necessity to follow safety procedures; and David Hoovler for supplying lunch for everyone. They are always looking for volunteers willing to be certified instructors and if they are interested, to call Dave at (845)856-5090.

Councilman Hoovler spoke about the budget being the first one by this current board. He mentioned that differences will be noticed from previous boards. They weren't using large amounts of borrowed money to essentially lower the tax rate, rather they used a modest amount and cut things. There were no raises. The budget would be viewed as exceptionally fiscally conservative. It has a negative increase and positions were cut, more positions will be cut from the civil service roles. The budget was reasonable and shows a decrease. He welcomed residents to give their input after they've seen it.

Presentations/Communications

Orange County Legislator, Dennis Simmons of the 13th Legislative District was welcomed. After addressing the board, he commented on the great job Councilman Dean did with the Hunters Safety course. He spoke of the Home Energy Assistance Program (HEAP) administered through the county helping people with heating costs for electric, oil, kerosene, propane, and even firewood. The Department of Social Services contact number is: (845)291-2002. They were trying to get this information out to Senior Citizens and the elderly and want them to know they do not have to be in the DSS system to receive this help. This program is open to anyone who wants to apply. The season runs from November 1 through May 15, 2011. There will be a large volume and they are anticipating funds may run out and he encouraged those in need to apply early. Also, the Consumer Affairs Office wants residents to know they are free to shop for different vendors for electric service. A book on the eligibility requirements for the HEAP program would be left with the Supervisor.

Burt Thelander, representative for the Upper Delaware Council (UDC) reported on the quarterly update. He referenced the report sent to the Supervisor. He questioned the 2011 Deerpark contribution of \$1,000 to the UDSB and whether it was in the budget. He believes that would be included. The county's contribution last year was reduced by 10% and Mr. Simmons spoke to County Executive Diana about that. The grant status in regards to the clearing of selected vistas on Route 97 corridor: the Hawks Nest Restaurant area and the Pond Eddy Bridge area, was done, along with some sites in Sullivan County. An effort in regards to invasive plant species educational campaign and interpretive science project with the Japanese Knot Weed problem along the byway corridor is developing for eradication and they will report as that continues. There are other grant proposals and the discussion amongst towns is to form joint ventures in submitting these proposals. He and Norma will represent Deerpark at these meetings with Sullivan County Planning Commissioner and leaders of the byway. He welcomed thoughts on the possibility of joint ventures. Supervisor Brabene inquired about the collaborative efforts for grants and thought the board might want to express opinions about that, since they have had good

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results with individual grant requests. Mr. Thelander responded that he and Ms. Schadt would represent the town's interest. He mentioned the D & H Canal Corridor Trail proposal and that the tow path will be developed for walking, bicycling and horseback riding. The UDSB website is linked with Deerpark and if anyone wants to advertise on their site, they should contact Mr. Thelander or Ms. Schadt. The UDSB Visitor Center has been changed from Cocheton to Narrowsburg, There were arrangements made to erect a temporary Visitor Center at the Mongaup site and has been cancelled for a wide array of reasons. More information was presented, including Orange Pathways information.

Historian Norma Schadt, reported and distributed her report in writing. A copy is attached to the official minutes. She wanted to stress the Orange Arts Open Studio Tour at the Schoolhouse the weekend of October 16th & 17th from 10:00 a.m. to 5:00 p.m. She also asked for approval of a tree lighting ceremony at the Town Hall prior to the board meeting on December 6th at 7:00 p.m.

Motion to Approve a Tree Lighting at Town Hall December 6, 2010 at 7:00 PM

Motion by Karl Brabenec, 2nd by Gary Spears, to approve a tree lighting at Town Hall on Monday, December 6, 2010 at 7:00 p.m.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

The council members thanked Ms. Schadt for an excellent Heritage Day event.

Supervisor Brabenec asked the council members if they could add a report from the Cable Commissioner.

Cable Commissioner George Keller reported on the old agreement with Time Warner, that has expired. In October, a new agreement will be worked on and hopefully will make it profitable to the town. They are looking for any complaints on density, service or whatever. A Cable Commission meeting is tentatively set for October 14th and will contact the Town Clerk with the scheduled time. Supervisor Brabenec also urged town residents to alert them to any inconsistencies they are experiencing with Time Warner.

Supervisor Brabenec reported on a letter to Councilman Hoovler from Ms. Noreen Nagy desiring the alternate position on the Zoning Board of Appeals.

Motion to Appoint Ms. Noreen Nagy as Alternate Member on Zoning Board of Appeals

Motion by Karl Brabenec, 2nd by David Hoovler, to appoint Ms. Noreen Nagy as alternate member on Zoning Board of Appeals for the term ending on December 31, 2010.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

The Town Clerk will notify Ms. Nagy of her appointment.

Supervisor Brabenec reported on another letter to Chief Werner from Police Officer Jim Rich (Shield No. 104) requesting a leave of absence from October 1, 2010 to January 1, 2011.

Motion to Accept Leave of Absence from Police Officer Jim Rich-Shield No. 104

Motion by Gary Spears, 2nd by Arthur Trovei to accept the Leave of Absence from Police Officer Jim Rich, Shield No. 104 from October 1, 2010 to January 1, 2011.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

Approval of September 13, 2010 and September 20, 2010 Minutes

Motion by Karl Brabenec, 2nd by David Hoovler to accept the September 13, 2010 and September 20, 2010 minutes.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

Old Business

Supervisor Brabenec mentioned there was a public hearing at 7:00 p.m. on creating the Deerpark Veterans Board. They had one speaker at the Public Hearing that was in favor of it. This Board would be for the town with the goal of erecting

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a Veterans Memorial within the town somewhere and also promoting veterans programs to all the veterans and families in town.

Motion to Approve Local Law No. 6 of 2010 Entitled “A Local Law Creating the Deerpark Veterans Board”

Motion by Karl Brabenec, 2nd by David Dean to pass the Local Law No. 6 of 2010 entitled a Local Law Creating the Deerpark Veterans Board.

Discussion: Councilman Spears stated a memorial would be a good thing for the town to have this board.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

Supervisor Brabenec announced that when this board is created, they will advertise for seven positions.

Motion to Approve Advertising for Seven Deerpark Veterans Board Positions

Motion by Karl Brabenec, 2nd by David Hoovler to approve advertising for seven Deerpark Veterans Board positions asking resumes be returned to the Town Clerk by October 29, 2010 at 4:00 p.m.

Discussion: Councilman Dean inquired about the advertising and the supervisor replied that they would send out a news release and would not pay for an advertisement.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

Supervisor Brabenec reported that at the last meeting, the approval of a new member of the Huguenot Fire Department was tabled. They have the NY Law Code 1402 on Fire Corporations stating that the election of members must be approved by the Town Board of each town. Councilman Spears asked if they have an election in-house and the supervisor confirmed that they do. The Huguenot Fire Department Board then recommended Jerry Lomangino as a member.

Motion to Approve Jerry Lomangino as a Member of the Huguenot Fire Department

Motion by Gary Spears, 2nd by David Hoovler to approve Jerry Lomangino as a Member of the Huguenot Fire Department.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

Supervisor Brabenec stated the Town Engineer submitted a letter in regards to the structures at 34 Grove Street, Godeffroy, NY. This building also has severe structural damage and needs to be demolished and removed. The expense of having the Town Engineer confirm his assessment of the structure and authorize the proper demolition and removal and a notice be served to the owner of the property. Based on this letter, the supervisor recommended setting a Public Hearing in this regard.

Motion to Set Public Hearing for Building Demolition – 34 Grove Street, Godeffroy, NY

Motion by Karl Brabenec, 2nd by David Dean to set a Public Hearing for property at 34 Grove Street, Godeffroy, NY for the consideration of demolition on Monday, October 18, 2010 at 7:00 p.m.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

Supervisor Brabenec also reported on demolition at 311 US Route 209, Huguenot and 1046 US Route 209, Cuddebackville. The requested start date for demolition (311 US Route 209) had been reached and he read the request for bids to proceed towards the demolition process, since the owner has not complied. The ad for bids needs to be very specific. The Code Enforcement Officer would need to submit the request with the specifics, then it will be given to the Attorney and Engineer.

Motion to Permit Code Enforcement Officer to Draft Request for Proposals for Demolition of 311 US Route 209, Huguenot, NY (SBL 50-1-1)

Motion by Karl Brabenec, 2nd by Gary Spears to permit Code Enforcement Officer to draft request for proposals for demolition of 311 US Route 209, Huguenot, NY (SBL 50-1-1) and that it be further reviewed by the Town Attorney and the Town Engineer for accuracy and upon completion, it be put out for bid.

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Discussion: Councilman Trovei asked if the land owner would be allowed up until the time the bid is awarded and the Attorney answered that should the land owner begin the clean up, they could call it off.

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

MOTION CARRIED

Supervisor Brabene mentioned that the same letter was received on the property at 1046 US State 209 on the corner of Route 209 and 211. This structure was taken down and was currently in one of those big bins awaiting being taken away. The Code Enforcement Officer will talk to the owner about removing the wood there now.

New Business

Supervisor Brabene introduced the Local Law regarding Dog Licensing that will need a public hearing. In 2011, the town will be responsible for all dog licensing, as the state turns this duty over to all towns in Orange County. The local law needs to be drafted for the procedures of licensing. The duty was given to the Town Clerk and the Town Attorney.

Town Clerk Florence Santini presented the Local Law, which includes input from the Dog Control Officer, Tom Yonskie. Historically, the Dog Licensing Law was done years before and hadn't been updated. The fees have not been changed to reflect the surcharges. The licenses will be going up from \$5.00 to \$6.00 and \$13.00 to \$16.00. This will include the mandatory surcharges the state will enforce on the town. Councilman Spears asked if the state put this on the town and we pay them a surcharge. Ms. Santini replied that all towns, cities and villages will be in charge of licensing and the surcharge has to do with the spay and neuter program. They will fund some of it though Agriculture and Markets. Councilman Dean asked what the reimbursement percentage is from the state for doing the clerical work on this. Ms. Santini answered that the town keeps \$5.00 for spayed and neutered and \$13.00 for unaltered dogs. Now, however, the town has to pay for printing, tags, etc. Discussion followed.

Motion to Set Public Hearing for Local Law No. 7 of 2010 Entitled "A Local Law Amending Chapter 99 of the Town of Deerpark Code and Creating a Procedure for the Licensing of Dogs in the Town of Deerpark"

Motion by Karl Brabene, 2nd by Gary Spears to set Public Hearing for Local Law 7 of 2010 Entitled "A Local Law Amending Chapter 99 of the Town of Deerpark Code and Creating a Procedure for the Licensing of Dogs in the Town of Deerpark" on Monday, October 18, 2010 at 7:15 p.m.

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

MOTION CARRIED

Supervisor Brabene mentioned the Association of Towns Labor Relations Training Class on November 10, 2010 and due to the fact that education leads to saving money over time. These are excellent classes and taught by experts in the field and this is a one-day seminar on personnel management and labor relations.

Motion to Approve Karl Brabene and Gary Spears Attending the Labor Relations Training Class

Motion by Karl Brabene, 2nd by David Dean to approve Karl Brabene and Gary Spears attending the Labor Relations Training Class on November 10, 2010, 8:30 a.m. to 3:30 p.m. at Cronomer Valley Fire Department in Newburgh, New York.

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

MOTION CARRIED

Supervisor Brabene has been in contact with the Orange County Department of Civil Service and their new commissioner, Steve Gross has been cleaning up loose ends in civil service with positions that were not classified correctly and wants everyone to be up to date. Upon auditing Deerpark's positions, many unfilled positions previously created need to be eliminated. The following positions need to be eliminated from the rolls in the Town of Deerpark:

Motion to Eliminate Vacant Civil Service Positions

Motion by Karl Brabene, 2nd by David Dean to eliminate vacant civil service positions for the purpose of housecleaning include the following: 11783-Animal Dog Control Officer;11491- Full Time Clerk; 11499 - Full Time Clerk; 11477-Full Time Code Enforcement Officer; 11453-Assistant Receiver of Taxes and Assessments; 11640-Part Time Court Clerk; 11785-Full Time Heavy Equipment Operator;11776-Full Time Laborer;11777-Full Time Laborer; 11759-Full Time Motor Equipment Operator;11767-Full Time Motor Equipment Operator;11668-Working Leader; 11721-Full Time Police Sergeant; 11627, 11630, 11631, 11632, 49601, 11556, 11577, 11593, 11623, 11624-Part Time Police Officer Positions; 11552 – Full Time Police Officer; 11555 – Full Time Police Officer.

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Discussion: Councilman Spears asked if these were each vacant positions and the supervisor confirmed that they are currently vacant. Supervisor Brabenec explained that every employee for the Town of Deerpark has a civil service classification and a job title according to Orange County Civil Service. Councilman Hoover asked how so many positions were still open and the supervisor thought perhaps once the position was created, then vacated, they were left on the books. Councilman Hoover counted 25 positions in all.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

Supervisor Brabenec will send a letter to the Orange County Personnel in the morning and the Minutes are pending in regards to the elimination.

Supervisor Brabenec explained that every September 30th, the Board of Assessment Review has a term end for one of those five positions. They advertise, receive resumes then appoint a member to another five years, or appoint a new member for a five-year term. This is the general protocol. The BAR member at the end of a term is Judy Kehlenbeck and the Town Clerk will notify her and if she is interested in serving, she would need to submit a letter of interest.

Motion to Advertise for Position on Board of Assessment Review (BAR)

Motion by Karl Brabene, 2nd by Gary Spears to advertise for the position on Board of Assessment Review and that all resumes and letters of interest come to the Town Clerk by 4:00 p.m. on October 29, 2010.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

Appropriations, Budget and Payment of Bills

Motion to pay bills:

Motion by Karl Brabene, 2nd by Arthur Trovei, to pay bills that have been signed by three council members, and may be viewed in the Town Clerk's office.

General Fund Abstract #18 of 2010 for a total of \$138,080.75

Highway Fund Abstract #18 of 2010 for a total of \$127,766.43

WTC Memorial Fund Abstract #2 of 2010 for a total of \$330.65

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

Budget Officer Monthly Report

Supervisor Brabenec presented his report with the year to date revenues and expenditures, the budget versus actual for all accounts and some budget modifications would need to be made, but submitted it for acceptance.

Motion to Accept the Budget Officer's Monthly Report

Motion by David Hoover, 2nd by Gary Spears to accept the Budget Officer's Monthly Report as presented.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

Supervisor Brabene stated that a few budget modifications need to be made to the General Fund.

Motion to Make General Fund Budget Modification

Motion by Karl Brabene, 2nd by David Hoover to make General Fund Budget Modification proposed increase in revenues: 2705 gifts and donations of \$19,100.00 revenue from the Museum and WTC Memorial; proposed increase in expenditures: 1620.4 Building and Grounds contractual \$12,000.00; 3120.2 Police Equipment \$18,550.00; 7450.4 Museum Contractual \$8,100.00; 7550.4 Celebrations/Contractual \$11,000.00; 9050.8 Unemployment \$11,500.00. Total proposed increase in Expenditures is \$61,150.00. Deerpark General Fund Budget Modifications continued proposed decrease in expenditures 3120.4 Police Contractual \$18,550.00; 1990.0 Contingency \$23,500.00. Total proposed decrease in expenditures is \$42,050.00. The net increase/decrease on the budget is zero dollars.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

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Motion to Make Highway Fund Budget Modification

Motion by Karl Brabenec, 2nd by Arthur Trovei to make Highway Fund Budget Modification increases to revenue: 3501- State Aid CHIPS \$7,000.00; 3960-State Air Emergency Disaster Assistance \$4,153.00; 4690-Federal Aid Emergency Disaster Assistance \$24,921.00. The total increase in revenue is \$36,074.00. Expenditures: 5112-Improvements \$7,000.00; 5130-Machinery/Contractual \$15,000.00; 8760-Emergency Disaster Work/ Contractual \$29,074.00. Total increase in expenditures is \$51,074.00. Decreases in expenditures: 5130-Machinery & Equipment \$15,000.00. The net increase/decrease in the budget is zero dollars.

Discussion: Councilman Spears asked if there was any more FEMA money coming in. Supervisor Brabenec answered the money that was received was for the storms following the major storms.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

Supervisor Brabenec stated the next item was to review and modification of the 2011 Tentative Budget. Two weeks before, the council members were able to look over the Budget Officers proposals and now they have the opportunity to make changes.

Councilman Hoovler made the following proposals, based on the tentative budget.

Motion to Modify the Town Board Budget for the 2011 Preliminary Budget

Motion by David Hoovler, 2nd by Gary Spears to modify the Town Board budget for the 2011 Preliminary Budget by decreasing councilmen pay from \$7,000 to \$6,000 and increasing the equipment line from \$2,000 to \$4,000 (.2).

Discussion: Councilman Trovei mentioned that they are leading by example, doing what they can to alleviate the tax burden in the town.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

Motion to Modify the Town Court Budget for the 2011 Preliminary Budget - Judges

Motion by David Hoovler, 2nd by David Dean to modify the Town Court budget for the 2011 Preliminary Budget by decreasing the salary for Judge Osowick from \$19,183 to \$18,183 – 1110.A and Judge Wulff from \$19,183 to 18,183 – 1110.B.

Discussion: Councilman Spears indicated that the increase of \$1,000 in salary was proposed in the budget, but would keep the same as it has been.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

Motion to Modify the Town Court Budget for the 2011 Preliminary Budget – Officer/Prosecutor

Motion by David Hoovler, 2nd by Gary Spears to modify the Town Court budget for the 2011 Preliminary Budget by increasing the Court Officer from \$4,000 to \$5,000 - 1110.1C and the contractual expense was decreased to \$7,200 - A1110.4C.

Discussion: Supervisor Brabenec explained that the budgeted amount of \$7,200 was never used due to the hours worked. The Supervisor inquired about the \$15,000 for a prosecutor and Councilman Hoovler stated the work could be done once a month, rather than twice and they all agreed.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

Motion to Modify the Supervisor's Budget for the 2011 Preliminary Budget

Motion by David Hoovler, 2nd by David Dean to modify the Supervisor's budget for the 2011 Preliminary Budget by decreasing the salary amount from \$32,381 to \$31,381- A1220.1.

Discussion: The council member's commented the salary would remain as it has been.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

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Motion to Modify the Tax Collector's Budget for the 2011 Preliminary Budget

Motion by David Hoover, 2nd by Arthur Trovei to modify the Tax Collector's budget for the 2011 Preliminary Budget by decreasing the salary amount from \$12,536 to \$11,536 - A1330.1.

Discussion: Supervisor Brabenec mentioned this salary would remain the same as the 2010 level.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

Motion to Modify the Assessor's Budget for the 2011 Preliminary Budget

Motion by David Hoover, 2nd by Gary Spears to modify the Assessor's budget for the 2011 Preliminary Budget by decreasing the salary amount from \$53,446 to \$52,446 – A1355; the Assistant Assessor's salary amount from \$34,497 to \$33,997, keeping it with the 2010 amount.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

Motion to Modify the Town Clerk's Budget for the 2011 Preliminary Budget

Motion by David Hoover, 2nd by David Dean to modify the Town Clerk's budget for the 2011 Preliminary Budget by decreasing the salary amount from \$38,403 to \$37,403 as in 2010.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

Motion to Modify the Buildings and Grounds Budget for the 2011 Preliminary Budget

Motion by David Hoover, 2nd by David Dean to modify the Buildings and Grounds budget for the 2011 Preliminary Budget by decreasing the salary amount from \$34,942 to \$34,442 as in 2010.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Dean, Karl Brabenec

MOTION CARRIED

Motion to Modify Contingency Contractual Expense for the 2011 Preliminary Budget

Motion by David Hoover, 2nd by David Dean to modify the Contingency Contractual Expense budget for 2011 Preliminary Budget by increasing the contingency account from \$50,000 to \$55,000 for 2011.

VOTE: 5 AYES: Gary Spears, Arthur Trovei, David Dean, David Hoover, Karl Brabenec

MOTION CARRIED

Motion to Modify Chief Of Police Salary for the 2011 Preliminary Budget

Motion by David Hoover, 2nd by Arthur Trovei to modify the Chief of Police salary for the 2011 Preliminary Budget by decreasing the salary amount from \$69,744 to \$68,744 as in 2010.

VOTE: 5 AYES Gary Spears, Arthur Trovei, David Dean, David Hoover, Karl Brabenec

MOTION CARRIED

Motion to Modify Police Lieutenant Salary for the 2011 Preliminary Budget

Motion by David Hoover, 2nd by Arthur Trovei to modify the Lieutenant Salary for the 2011 Preliminary Budget by decreasing the salary amount from \$63,836 to \$63,336 as in 2010.

Vote: 5 AYES Gary Spears, Arthur Trovei, David Dean, David Hoover, Karl Brabenec

MOTION CARRIED

Motion to Modify Building Inspector Salary for the 2011 Preliminary Budget

Motion made by David Hoover, 2nd by Arthur Trovei to modify the Building Inspector Salary for the 2011 Preliminary Budget by decreasing the salary amount from \$49,245 to \$48,245 as in 2010.

VOTE: 5 AYES Gary Spears, Arthur Trovei, David Dean, David Hoover, Karl Brabenec

MOTION CARRIED

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Motion to Modify Highway Superintendent Salary for the 2011 Preliminary Budget

Motion made by David Hoovler, 2nd by Arthur Trovei to modify the Highway Superintendent Salary for the 2011 Preliminary Budget by decreasing the salary amount from \$49,867 to \$48,867 as in 2010.

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

MOTION CARRIED

Motion to Modify Senior Shuttle Bus for the 2011 Preliminary Budget

Motion made by Dave Hoovler, 2nd by David Dean to modify the Senior Shuttle Bus budget for the 2011 Preliminary Budget by decreasing the budget from \$48,000 to \$36,000 based on fuel expenditures, budget versus actual as well as salaries of all individuals – A-6772.4.

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

MOTION CARRIED

Motion to Modify Refuse and Garbage Pick Contractual Expense and Bulk Clean Up Day for the 2011 Preliminary Budget

Motion made by David Hoovler, 2nd by Karl Brabenec to modify the Town Refuse and Garbage pickup contractual expense from 18,500 to 13,500 and Bulk Clean Up Day expense from \$15,000 to \$10,000 for the 2011 Preliminary Budget - A-8160.4; a subsection for this additional \$10,000 would indicate this modification.

Discussion: Councilman Spears mentioned the 2008/2009 Actual and the Modified for 2010 don't match with the request for the 2011. Supervisor Brabenec explained taking the modified budget for 2010 (\$3,500) and added \$15,000, which was \$18,500 for both contractual and clean up day—2010 showed \$0 for clean up. Should the clean up be cancelled, that \$10,000 could be transferred to another line. Councilman Trovei clarified that the line item is \$13,500 and the Supervisor agreed. Another subsection could be added to clear that up and the councilmen agreed.

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

MOTION CARRIED

Councilman Dean asked for clarification on the Natural Resource Conservation - A8710.4 in the budget and the Supervisor stated he would get clarification for him. Councilman Hoovler thought it could have been a fine to the town. Councilman Trovei added it could have been a grant.

Councilman Hoovler explained that budgetary provisions for other uses were under the new code DA962. The building type reserve fund was a new building type reserve fund for the town. The request in 2010 was \$5,000 for the town barn. The increase is based upon the actual need, as well as monies that were saved in other areas would be appropriated here because of need factors. Monies were placed here, which was an interest bearing account.

Motion to Modify Building Type Reserve Fund for Town for the 2011 Preliminary Budget

Motion made by David Hoovler, 2nd by Gary Spears to modify Building Type Reserve Fund (town barn) for the 2011 Preliminary Budget to be increased from \$5,000 to \$37,000 to be invested in a interest baring account.

Discussion: Councilman Spears asked if this would be helpful if this was Federal Stimulus money where we would have the seed money already in an account? Councilman Hoovler answered that the goal would be to have over \$150,000, that would grow into \$200,000. That way they would have 10% for the down payment on the Town Barn. Councilman Trovei brought up the fact the insurance company wanted the town to do something in the next couple years. They know from the insurance company they were in a three-year window of their goal. Discussion continued.

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

MOTION CARRIED

Motion to Modify the Highway Department Part-Time Summer Assistant for the 2011 Preliminary Budget

Motion made by David Hoovler 2nd by Gary Spears to modify the Highway Department part-time summer assistant position from \$4,320 to \$5,760 for the 2011 Preliminary Budget- DA5110.1, due to increased hours.

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Discussion: Supervisor Brabenec stated that the tentative budget was made the Summer Assistant job was budgeted for 30 hours per week at \$12.00 per hour for 12 weeks. However, the Highway Superintendent needed the assistant for 16 weeks. Councilman Trovei clarified the increased amount was for increased hours, not rate of pay and the Supervisor agreed.

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

MOTION CARRIED

Motion to Modify Highway Department Equipment and Contractual Budget for the 2011 Preliminary Budget

Motion made by David Hoovler, 2nd by David Dean to modify the Highway Department Equipment-DA5130.2 an increase from \$20,000 to \$50,000 and that Contractual-DA5130.4 be decreased from \$80,000 to \$50,000 for the 2011 Preliminary Budget.

Discussion: Supervisor Brabenec reiterated Councilman Hoovler's explanation to make these interchangeable accounts \$50,000 each, so if additional funds are necessary for equipment rather than contractual, they have money to work with.

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

MOTION CARRIED

Motion to Modify Highway Department Miscellaneous Expenditures for the 2011 Preliminary Budget

Motion made by David Hoovler, 2nd by David Dean to modify the Highway Department Miscellaneous Expenditures-DA5140.42 used for fuel, from \$65,000 to \$60,000 for the 2011 Preliminary Budget.

Discussion: Councilman Spears asked that on the basis of fuel being a flexible number, would that \$5,000 go back into the contingency fund should the fuel go back up. Councilman Hoovler confirmed that was where they put it.

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

MOTION CARRIED

Councilman Hoovler pointed out the addition of a Budgetary Provisions for Other Uses line item DA962 in the 2011 Preliminary Budget.

Councilman Trovei thanked Karl for doing a great job on the budget, however he asked if there was any money set aside in the budget for handling the health insurance increases. Supervisor Brabenec answered they have analyzed the increases and looked at the past, they have allowed for this. Councilman Trovei asked what increase was calculated and the Supervisor answered the budgeted amount was \$188,500 for the year. It went down due to the decrease in full time employees. Discussion continued.

Motion to Modify Sparrowbush Fire District #2 for the 2011 Preliminary Budget

Motion made by David Hoovler, 2nd by Karl Brabenec to modify the Sparrowbush Fire District #2 from \$255,000 to \$251,020 for the 2011 Preliminary Budget-SF-2 3410.4.

Discussion: Councilman Hoovler explained this line item is administered by the town, and the supervisor tentatively budgeted \$255,000, the Sparrowbush Fire District came up with \$251,020. Supervisor Brabenec reported receiving a proposed budget from Sparrowbush and the public notice is on the town website, but they are almost \$4,000 less than last year. He encouraged both Huguenot and Cuddebackville Fire companies to cut back also when they do their budgets.

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

MOTION CARRIED

Supervisor Brabenec reported on the calculations and the general tax levy between the General Fund and the Highway Fund. In the tentative budget, he proposed .16% below 2010 levy and with the additional cuts, it has decreased to -.2% from last years tax levy. The total taxes to be assessed according to this preliminary budget would be \$2,518,557.00. The proposed adopted budget no rate would be 8.9833 and that is lower than the mil rate last year 9.0085 (decrease of .0252). He then thanked everyone for their help with additional cuts and shared sacrifices.

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Councilman Trovei spoke about the difficulty eliminating the \$800,000 debt and that many have asked when the taxes would be cut. He recommended that the biggest portion of everyone's taxes are not from the town, but the county and the school.

Supervisor Brabenec stated that the Personnel Policy includes an item on longevity that he feels affected the budget. The policy is a sticky point for him.

Motion to Suspend All Longevity Payments for Employees for One Year

Motion by Karl Brabene

c, 2nd by Arthur Trovei to suspend all longevity payments for employees for one year, according to the Personnel Policy for 2011.

Discussion: Councilman Dean asked for someone to explain the reasoning behind longevity payments. Supervisor Brabenec explained the provision in the Personnel Policy as years of service provide particular percentages as a raise to their salary. In the past, the employee would receive 4% of whatever their salary is on their anniversary date. Historically, these longevity payments were added into their raise, as in the 4% plus 3% for cost of living. So, a 20-year employee would get a 7% raise. The way it is supposed to work, is the employee would receive a bonus check for 4% of their salary on their anniversary date. Rather, they added it into the salary and it has been compounded year after year, after year. So, the 4% becomes 5% the next year and 6% the next year, etc. Their salaries are all out of whack. The whole purpose of the provision is to encourage people to stay a long time. He would prefer this be based on a merit system, for those giving above and beyond their regular duties. This motion would suspend this for a year to further analyze this and re-write the Personnel Policy. This only needs a vote, not a referendum, to keep everyone at the same level. Councilman Trovei mentioned that this was not the provision of the longevity policy. A bonus should not become part of the salary. The compounded affect has put salaries out of whack. This was instituted incorrectly all these years and needs correcting. Supervisor Brabenec added this suspension would be for one year until it can be corrected with another document. Discussion followed to table this issue. Councilman Trovei rescinded his 2nd.

Motion to Table Suspension of all Longevity Payments for Employees for One Year

Motion by Gary Spears, 2nd by David Dean to table Suspension of all Longevity Payments for Employees for One Year, until the next board meeting October 18, 2010.

**VOTE: 4 AYES: Gary Spears, Arthur Trovei, David Dean, David Hoovler,
1 NOES: Karl Brabene**c

MOTION CARRIED

Closing Board Comments: None

Motion to Enter Executive Session for Discussion of PBA Negotiations/Update on Tax Certiorari Hearings at 9:30 p.m.

Motion by Karl Brabene

c, 2nd by Gary Spears to enter Executive Session for the discussion of PBA negotiations and the Update on Tax Certiorari Hearings and invite Town Attorney Glen Plotsky at 9:30 p.m.

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

MOTION CARRIED

Motion to Re-enter Regular Session at 9:58 p.m.

Motion by Karl Brabene

c, 2nd by Gary Spears to re-enter Regular Session at 9:58 p.m.

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

MOTION CARRIED

Motion to Authorize the Assessor to Sign Stipulation of Settlement Re: Valley Services Tax Certiorari Proceeding

Motion by Karl Brabene

c, 2nd by David Hoovler to authorize the Assessor to sign Stipulation of Settlement re: Valley Services tax certiorari proceeding.

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

MOTION CARRIED

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Motion to Pass Preliminary Budget as Amended and Submit Same to Comptroller's Office for Review

Motion by Karl Brabenec, 2nd by Arthur Trovei to pass the Preliminary Budget as amended and submit same to the Comptroller's Office for review.

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

MOTION CARRIED

Motion to Adjourn at 10:02 p.m.

Motion by Gary Spears, 2nd by David Dean to adjourn at 10:02 p.m.

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

MOTION CARRIED

Respectfully submitted by,

Florence T. Santini
Town Clerk