

**TOWN OF DEERPARK
TOWN BOARD MEETING
MONDAY, DECEMBER 6, 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 Hoovler

Attorneys: William Bavoso, David Bavoso

Invocation: Rabbi Shaul Elkeslasi

Pledge of Allegiance: David Dean

Call to Order at 7:30 p.m.

Opening Board Comments

Supervisor Brabeneć mentioned the Town's tree lighting ceremony and menorah lighting with singing, and thanked the Historical Society and Highway Department for setting it all up. Legislator Dennis Simmons attended the earlier ceremonies and notified him of the HEAP (Heating Assistance) program put on by Orange County Department of Social Services helping low income residents. If residents are eligible for HEAP, they are also eligible for a weatherization program offering assistance with evaluating home insulation, windows, etc. Those interested should call his office or the Town Clerk's Office for the Department of Social Services number.

Presentations/Communications

Supervisor Brabeneć introduced Stu Kornberg of the *PayServ Company*, at the meeting to present their payroll system. Following the presentation Mr. Kornberg agreed to remain until it was discussed under New Business on the agenda. Under Correspondence, the supervisor read a letter from Gary Amerbach, *Code Enforcer* about an unsafe building requiring demolition located at 6 Grove Street, Cuddebackville, NY, 12729 (SBL 29-9-5). The building was severely damaged in a fire on October 8, 2010. He requested a resolution for proper demolition or removal of the building debris and a notice be served to the owner of the property according to the Town Code Section 119-6. (A copy of this letter is attached to the official minutes.) Mr. Bavoso, Town Attorney advised that a letter of notice to the property owner be sent first, based on the opinion of the Building Department and the Town Engineer. This request was tabled until the next meeting so the Town Attorney could contact the Building Inspector's Office. Supervisor Brabeneć next read a letter from *Time Warner Cable* about the rate change effective January 1, 2011. He then read a letter from the *Port Jervis Ambulance Corp* and in summary they are ready to begin their services for advance life support services (ALS) and were notifying the Deerpark Police Department and other agencies around the area.

Approval of November 1, November 15 and November 22, 2010 Minutes

Motion by Karl Brabeneć, 2nd by David Hoovler to approve November 1, November 15 and November 22, 2010 Minutes as presented.

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

MOTION CARRIED

New Business

Supervisor Brabeneć introduced the request to Orange County for reimbursement for the cleanup of 48 S. Maple Ave. Port Jervis, NY as the cost for cleaning up the property would have to go to the property owner's tax bill through the Orange County Legislature.

Approval of Resolution 45 of 2010 – Reimbursement from Orange County for Cleanup of 48 S. Maple Ave., Port Jervis, NY (SBL 57-3-12)

Motion by Karl Brabeneć, 2nd by David Dean to approve Resolution 45 of 2010 requesting reimbursement from Orange County for the clean up of 48 S. Maple Ave., Port Jervis, NY (SBL 57-3-12) in the amount of \$2,134.04.

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

MOTION CARRIED

Approval of Resolution 46 of 2010 – Reimbursement from Orange County for Cleanup of 90 US Route 6, Port Jervis, NY (SBL 57-1-9)

Motion by Karl Brabeneć, 2nd by David Dean to approve Resolution 46 of 2010, requesting reimbursement from Orange County for the clean up of 90 US Route 6, Port Jervis, NY (SBL 57-1-9) in the amount of \$2,012.32.

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

MOTION CARRIED

Supervisor Brabenec stated they are forming a new Veterans Board.

Appointment of Town of Deerpark Veterans Board

Motion by Karl Brabene, 2nd by Gary Spears to appoint Floyd Babcock, Colin Tunney, George Keller, Dominick Santini, Wilbur Wessilus and Richard Lee Cornell to serve on the Veterans Board.

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

MOTION CARRIED

Supervisor Brabenec congratulated these Veterans Board members and announced they had 30 days to go to the Town Clerk for their Oath of Office, then they would need to schedule a meeting for organization, followed by a recommendation to the Town Board of their officers. Their first duty would be thinking of ideas and concepts for the new Veterans Memorial for the Town of Deerpark. Ad Hoc Committee members would include: Anthony Zippo, Director of Orange County Veteran's Service Agency; Dennis Simmons, Orange County Legislature; and Karl Brabene offered to serve as their liaison.

Appointment of Recreation Committee Member Joe Rodriquez

Motion by Karl Brabene, 2nd by Gary Spears to appoint Joe Rodriquez as a member of the Recreation Committee.

Discussion: Supervisor Brabenec mentioned that Joe Rodriquez was involved in the community and was willing to get involved to help out the Recreation Committee. Councilman Spears added they are actively searching for Recreation Committee members and invited anyone interested to submit their names.

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

MOTION CARRIED

Supervisor Brabenec asked Mr. Rodriquez to go to the Town Clerk's Office to take his oath of office. It was also clarified that the Town Clerk would contact the Veteran's Board Members and Mr. Rodriquez about their appointments and ask them to take their Oath of Office.

New Business

Supervisor Brabenec mentioned the approval of the Huguenot Fire Company contract for 2011 to 2013, that comes up for approval every three years. They submitted their contract requesting a 0%, 2.5%, and 2.5% increase and the town countered that and they now submitted a 0%, 1% and 1% increase.

Approval of Huguenot Fire Company Contract for 2011 - 2013

Motion by David Hoover, 2nd by Gary Spears to approve the Huguenot Fire Company Contract for 2011 to 2013.

Discussion: Councilman Spears thanked the Fire Company for being willing to tighten their belts and take less of an increase.

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

MOTION CARRIED

Supervisor Brabenec mentioned that hours had been reclassified for 2011 for certain positions. This has been difficult especially because it affects individuals pay, yet was something the Town had to do as the Board looked ahead financially. They will need to continue to find cost savings as they go into the next year. An analysis was done in regards to the Building Inspector Position and there was discussion about the possibility of making this position part-time. They would re-evaluate should the move to part-time not work. Further discussion allowed for flex time to be permitted for the Building Inspector. Further discussion led to the supervisor offering to sit down with both the Building Inspector and the Code Enforcement Officer to work out the scheduling.

Motion to Approve Making Building Inspector Position a Part-Time Position

Motion by Karl Brabene, 2nd by David Dean to make the Building Inspector position a part-time position of 1,040 hours.

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

MOTION CARRIED

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Supervisor Brabenec mentioned the earlier presentation about the PayServ Proposal in relation to what is currently being paid for PayChex. At first, they thought the savings and the service was all a cost-saving. However, additionally the PayServ company provides more of a local support system and the system is much easier to use. The cost-savings would be about \$2,000 a year. The bookkeeper had provided information to the Supervisor about the time savings in preparing many reporting details.

Motion to Open for Discussion the Proposal by PayServ

Motion by David Hoovler, 2nd by Arthur Trovei to open for discussion the proposal by PayServ.

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

MOTION CARRIED

Discussion: Councilman Hooverl asked about the savings and the supervisor stated that there would be less of a savings in the first year, but after that there would be 26% reduction of the cost. Councilman Spears asked about the current system and would the town need to pay Paychex also. Supervisor Brabenec said Paychex is paid separately for management (the deductions for taxes, retirement, etc.) and the time and labor portion. The time clocks were a new product and he stated he would like to continue using them for another six months. After that, they could do a cost analysis based on a full year of use. The PayServ is compatible with the PayChex system for time and attendance, with time clocks. Councilman Spears asked if apples were being compared to apples and the supervisor assured him they were.

Motion to Accept PayServ Proposal as Written

Motion by David Hoovler, 2nd by Gary Spears to accept the PayServ proposal as written, with \$1.00 charge per W2 form beginning January 1, 2011.

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

MOTION CARRIED

Motion to Advertise for all 2011 Board Appointments

Motion by Karl Brabene

c, 2nd by Gary Spears to advertise for all 2011 Board Appointments and accept resumes and letters of interest by Friday, December 31, 2010.

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

MOTION CARRIED

Motion to Approve Tri State Chamber of Commerce Membership for 2011

Motion by Karl Brabene

c, 2nd by Gary Spears to approve the Tri State Chamber of Commerce Membership for 2011 with \$185.00.

Discussion: Councilman Spears stated he appreciated the benefit of that membership the past year.

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

MOTION CARRIED

Motion to Approve New York State Association of Towns Membership for 2011

Motion by Karl Brabene

c, 2nd by David Dean to approve the New York State Association of Towns Membership for 2011 with \$1,100.

Discussion: Supervisor Brabenec claimed they had received many opinions and training from this group and thought it would be worth it. Councilman Spears commented on the association's excellent training and thought it was well worth the membership. The Town Clerk asked the supervisor to make sure this wouldn't be paid until 2011.

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

MOTION CARRIED

Motion to Set Meeting Date for End of the Year Financial Close Out Meeting

Motion by Karl Brabene

c, 2nd by Gary Spears to set meeting date for end of the year financial close out meeting on Thursday December 30, 2010 at 400 p.m.

Discussion: The Supervisor commented that the purpose of this meeting was to balance out all books through the end of 2010. They will consult with their Tax Accountant on this one.

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

MOTION CARRIED

Supervisor Brabene mentioned that normally the Reorganization Meeting is held the first Monday in the new year, yet due to his plan to be out of town, he asked if they could meeting the following week, January 10th.

Motion to change date of Annual Reorganization Meeting to Monday, January 10, 2011 at 7:30 p.m.

Motion by Karl Brabene, 2nd by Gary Spears to change the date of the Annual Reorganization Meeting to January 10, 2011 at 7:30 p.m.

Motion was amended by Karl Brabene, 2nd by Gary Spears to include changing the Board Meeting from the 17th of January to the 24th, making the meetings for January 10 and 24, 2011 at 7:30 p.m.

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

MOTION CARRIED

Presentation

George Keller, *Cable Commission Chairman* reported on the cable franchise agreement. He asked people to come out to the next Board Meeting for more information on this issue. He thanked both David and Bill Bavoso for their help with the agreement. Supervisor Brabene thanked George Keller for his hard work on this agreement.

Motion to pay bills:

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

General Fund Abstract #22 of 2010 for a total of \$158,037.61

Highway Fund Abstract #22 of 2010 for a total of \$59,932.78

Deerpark Street Lighting District Abstract #9 of 2010 for a total of \$366.89

Schoolhouse Abstract # of 2010 for a total of \$50.00

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

MOTION CARRIED

Supervisor Brabene reported submitting the Budget Officer's monthly report. They worked with the Town Accountant who has done a great job in submitting their third quarter financial report to the State Comptroller's Office and received word they were meeting and exceeding expectations, which is a very good thing. They are cutting where they need to cut in spite of the many unfunded mandates and expenses that pop up. He commended the board.

Flo Santini, Town Clerk announced the Holiday House Lighting Contest and invited residents to call her office with their name and address. There will be gifts for the winners. Also, she reminded everyone of the state transferring dog licenses to the Towns, Cities and Villages and the new charges. Everyone should make sure their dog's information is correct and that they are licensed so the transition from the State to the Town goes smoothly. All dogs after three months of age must be registered.

Motion to Accept Budget Officer's Monthly Report

Motion by Karl Brabene, 2nd by David Hoovler to accept the Budget Officer's Monthly Report.

Discussion: Councilman Hoovler spoke about the Board's exemplary reports, making all financial reporting easy to read and access. Councilman Spears echoed Councilman Hoovler's comments in regards to the Budget Officer's monthly reports. Councilman Trovei commented that as much as they have done and accomplished, there is still a long way to go, not just in the town, but the state. Supervisor Brabene thanked his bookkeeper for her hard work daily to provide information for these reports.

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

MOTION CARRIED

Supervisor Brabene reported on the past meeting when a resolution was passed in regards to the potential Orange & Rockland litigation and the rates being increased next year for the delivery of their services. A meeting with most of the Town Supervisors and O & R happened and they went over the numbers. They are dealing with the same types of things the towns are as in unfunded mandates, lost revenue, etc. fueling the rate increases. There was some dispute as to the

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numbers the towns received and the numbers the representatives were giving them. A resolution was passed to spend a maximum of \$3,000 with at least 20 municipalities. At this point, there are not 20 municipalities and his recommendation would be to wait for the 20 municipalities, then make a decision. Councilman Spears agreed to wait for a showing of 20 communities.

Councilman Spears worked with Bob Emerson and knew he did a very good job. He was glad he was able to stay on in a part-time position. Councilman Trovei added that Mr. Emerson has been a great asset for the town. Councilman Hoover mentioned that on November 30th he went to the School District for a view of the updates done. Councilman Dean thanked Bob Emerson also and commented him of his good job and for being an asset to the town. He also encouraged residents to look at the numbers in the Town Clerk's Office. Supervisor Brabenec thanked Bob Emerson also, and thanked him for his willingness to come forward with the information necessary to make an intelligent decision. He also wished everyone a Happy Hanukah and Christmas is coming.

Motion to Adjourn at 8:45 p.m.

Motion by Karl Brabenec, 2nd by Gary Spears to adjourn the meeting at 8:45 p.m.

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

MOTION CARRIED

Submitted by,

Florence T. Santini
Town Clerk