

**TOWN OF DEERPARK
TOWN BOARD MEETING
ANNUAL RE-ORGANIZATION MEETING
MONDAY, JANUARY 7, 2013**

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

Invocation by Gary Spears

Attendance

Supervisor: Karl Brabenec

Councilmember's: Gary Spears, David Dean, David Hoovler

Absent: Arthur Trovei

Attorney: Glen Plotsky

Engineer: Al Fusco

Call to Order at 7:35 p.m.

Pledge of Allegiance led by David Hoovler

Additions or Changes to Agenda

Motion to Add Request for Leave of Absence from Police Officer Christopher Stack to New Business

Motion by Karl Brabenec, 2nd by Gary Spears to add the request for a Leave of Absence from Police Officer Christopher Stack from the Police Department to New Business.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Add Highway Superintendent to Present Two Business Items to New Business

Motion by Gary Spears, 2nd by Karl Brabenec to add Highway Superintendent to Present Two Business Items to New Business.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Opening Board Comments – None

Presentations/Communications – None

Motion to Approve Board Minutes from December 3, 2012 and December 17, 2012

Motion by Gary Spears, 2nd by David Hoovler to accept Board Minutes as written from December 3, 2012 and December 17, 2012.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Public Comment Period – None

New Business

Town Supervisor's Appointments:

Deputy Supervisor – David M. Hoovler

Budget Officer – Karl A. Brabenec

Bookkeeper/Secretary to the Supervisor (PT) – Danielle L. Glynn

Clerk (PT) – Marylou Maher

Historian – Norma Schadt

Deputy Historian – Linda Mole'

Emergency Management Director – Jack Flynn

Emergency Management Deputy Director – Joyce Cirulli

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2013 Liaisons:

Arthur Trovei -- BAR, Courts, Assessor, Community Development Task Force
 David Hoovler – UDSB, Ethics, School District, Recreation, City of Port Jervis
 Gary Spears – Highway Department, Building Department, Tax Collector, Senior Clubs & Senior Shuttle Program
 David Dean – Upper Delaware Council, Cable Commission, Planning Board, ZBA
 Karl Brabenec – Police Department, Building Maintenance, Town Clerk, Fire Districts, Historian, Veterans Board

Motion to Accept Salaries for Elected Officials as Per Budget for 2012

Motion by Karl Brabenec, 2nd by Gary Spears to accept the salaries for elected officials as per budget for 2013 as follows:

<u>Position</u>	<u>Annual Salary (Gross per week)</u>	<u>To Be Paid</u>
Supervisor	\$34,049.00 (\$654.78 per week)	Salary – Weekly
Town Clerk	\$40,192.00 (\$772.92 per week)	Salary – Weekly
Highway Superintendent	\$51,916.00 (\$998.38 per week)	Salary – Weekly
Councilman 4 @	\$ 6,120.00 (\$510.00 per month)	Salary – Monthly
Town Justice 2 @	\$19,474.00 (\$1,622.83 per month)	Salary – Monthly
Tax Collector	\$12,730.00 (\$1,060.83 per month)	Salary – Monthly

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Accept Salaries for Department Heads as Per Budget for 2013

Motion by Karl Brabenec, 2nd by David Hoovler to accept the salaries for Department Heads as per budget for 2013 as follows:

<u>Position</u>	<u>Annual Salary/Hrs. Per Year</u>	<u>To Be Paid</u>
Police Chief	\$17,529.00 (520 hrs. annually @ \$33.71/hr.)	Hourly – Weekly

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Set Salaries for Appointed Officials as Per Budget for 2013

Motion by Karl Brabenec, 2nd by David Hoovler to set salaries for Appointed Officials as per budget for 2013 as follows:

<u>Position</u>	<u>Annual Salary</u>	<u>To Be Paid</u>
Town Attorney	\$35,000.00 (\$2,916.67 per month)	Monthly
Town Engineer	Up to \$50,000.00	as needed – per abstract
Town Accountant	Up to \$30,000.00	as needed – Monthly
Budget Officer	\$6,000.00 (\$500.00 per month)	Monthly
Parks Maintenance Superintendent	\$7,500.00 (\$625.00 per month)	Monthly
Registrar of Vital Statistics	\$2,000.00 (\$38.46 per week)	w/weekly TC Salary
Records Management Officer	\$2,000.00 (\$38.46 per week)	w/weekly TC Salary
Senior Council Coordinator	\$2,000.00 (\$38.46 per week)	w/weekly TC Salary
Court Stenographer	\$125.00/first hour \$25 per additional hr. & \$1.75 per page	As worked

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Accept Salaries for Police Department

Motion by Karl Brabenec, 2nd by David Dean to accept salaries for the Police Department as per contract schedule of salaries.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

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Motion to Accept Salaries for Highway Department

Motion by Karl Brabenec, 2nd by Gary Spears to accept salaries for Highway Department Employees as per their current contract.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Set Salaries for Town Employees as Per Budget for 2013

Motion by Karl Brabenec, 2nd by Gary Spears to accept salaries for Town Employees as per budget for 2013 as follows:

<u>Position</u>	<u>Annual Salary/Hrs Per Week</u>	<u>To Be Paid</u>
Building & Grounds Custodian (PT)	\$18,033.60 (1040 hours annually @ \$17.34/hr)	Weekly
Deputy Tax Collector (PT)	\$ 1,530.00 (\$10.20/hr)	As worked - Weekly
Dog Control Officer (PT)	\$ 5,202.00 (360 hrs annually @ \$14.44/hr)	Monthly
Bookkeeper/Clerk to Supervisor (PT)	\$20,280.00 (1560 hrs annually @ \$13.00/hr)	Weekly
Clerk – Supervisor Office (PT)	\$11,440.00 (1040 hrs annually @ \$11.00/hr)	Weekly
Deputy Town Clerk 1 (PT)	\$16,900.00 (1300 hrs annually @ \$13.00/hr)	Weekly
Deputy Town Clerk 2 (PT)	\$16,250.00 (1300 hrs annually @ \$12.50/hr)	Weekly
Hwy Dept. Secretary (PT)	\$14,320.00 (1040 hrs annually @ \$13.77/hr)	Weekly
Court Officer (PT) (Osowick & Wulff)	\$ 5,280.00 (375 hrs annually @ \$14.08/hr)	Monthly
Court Clerk (PT) (Judge Osowick)	\$11,215.00 (842 hrs annually @ \$13.32/hr)	Monthly
Court Clerk (PT) (Judge Wulff)	\$11,215.00 (842 hrs annually @ \$13.32/hr)	Monthly
ZBA Clerk	\$13.59 per hr (per diem as needed)	Monthly
Planning Board Clerk	\$13.59 per hr (per diem as needed)	Monthly
Emergency Management Clerk	\$13.59 per hr (per diem as needed)	Monthly

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Approve Stipends for Municipal Boards Chairmen and Members

Motion by Karl Brabenec, 2nd by David Dean to approve stipends for Municipal Boards Chairmen and Members in 2013 as follows:

<u>Position</u>	<u>Annual Salary</u>	<u>To Be Paid</u>
Planning Board, ZBA, BAR	\$35.00 per meeting	As attended, Quarterly
Planning Board, ZBA, BAR Chairmen	\$20 additional per meeting	As attended, Quarterly
Planning Board, ZBA Alternates	No payment unless voting at meeting (\$35.00 per meeting)	As attended, Quarterly

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Designate Supervisor Brabenec as the Police Commissioner

Motion by Gary Spears, 2nd by David Hoovler to designate Supervisor Brabenec as the Police Commissioner.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

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Motion to Approve Appointments by Town Board and Department Heads

Motion by Karl Brabenec, 2nd by David Hoovler to approve appointments by Town Board and Department Heads:

appoint Kathleen A. Basile as P/T Deputy Town Clerk 1;
appoint Theresa Creegan as P/T Deputy Town Clerk 2;
appoint Dominick “Tar” Santini as Unpaid Deputy Town Clerk;
appoint Joan Cunningham as Deputy Tax Collector;
appoint John W. Decker as Deputy Superintendent of Highways;
appoint Edward A. Hughson as Parks Maintenance Superintendent;
appoint Florence T. Santini as Senior Council Town Coordinator;
appoint Kym Quellmalz as P/T Clerk to Assessor’s Office;
appoint Alfred A. Fusco, III of Fusco Engineering and Land Surveying, P.C. as P/T Building Inspector;
appoint Robert Emerson of Fusco Engineering and Land Surveying, P.C. as P/T Deputy Building Inspector;
appoint Alfred A. Fusco, Jr. of Fusco Engineering and Land Surveying, P.C. as P/T Assistant Building Inspector;
appoint Regina Tenke and Marylou Witkowski as P/T Clerks to Judge Wulff and Judge Osowick;
appoint Dean Sinsabaugh as P/T Court Officer;
appoint Robert Ostrom as P/T Building and Grounds Custodian;
appoint Thomas Yonskie as P/T Dog Control Officer;
appoint Joyce Cirulli as Emergency Management P/T Clerk;
appoint Barbara Brollier as P/T Clerk to the Planning Board and Zoning Board of Appeals, and Board of Assessment Review;
appoint Patrice Eyerman as P/T Highway Department Secretary;
appoint William Werner as Police Chief of the Town of Deerpark;
appoint Ray Cirulli to be promoted from Detective Officer to Sargeant of the Town of Deerpark Police Department;
appoint Virginia Dudko and Norma Schadt as Representatives to the Upper Delaware Scenic Byway;
appoint David Dean as Voting Delegate and Virginia Dudko as Alternate for the Upper Delaware Council;
appoint Noel Malsberg as Webmaster;
appoint Alan Schock as Chairman of the Planning Board;
appoint Robert Vicaretti, Sr. as Vice Chairman of the Planning Board;
appoint Willard Schadt as a member of the Planning Board for a term to end December 31, 2019;
appoint Willard “Skip” Wilson and Michael Breitenfeld as Alternates to the Planning Board;
appoint Gerald Cedrone as Chairman of the Zoning Board of Appeals;
appoint James Harrington as Vice Chairman of the Zoning Board of Appeals;
appoint Gerald Cedrone as a member of the Zoning Board of Appeals for a term to end December 31, 2017;
appoint Daniel Witt as an Alternate for the Zoning Board of Appeals;
appoint Theresa Creegan as Chairman of the Recreation Committee;
appoint Frederick Witt as Chairman of the Ethics Committee;
appoint Floyd Babcock as Chairman of the Veteran’s Board;
appoint Catherine Westfall as Chairman of the Museum Committee;
appoint Karl Brabenec, David Dean, David Hoovler, Arthur Trovei, Gary Spears as members of the Community Development Task Force;
appoint Theresa Creegan, David Hoovler, Gary Spears, Theresa Blancato-Horton as members of the Recreation Committee;
appoint Frederick Witt, David Hoovler, Ann Keller and Julie Witherow as members of the Ethics Committee;
appoint Catherine Westfall, Barbara Johnson, Norma Schadt, Linda Mole’, Viola Sinsabaugh, Daniel Witt, Brian Lewis, Nick Somarelli, Joan Applegate;
appoint Floyd Babcock, Wilbur Wesselius, George Keller, Colin Tunney, Richard Lee Cornell, Stephen O’Donnell, Jr., William Bavoso, John Canuck, Dennis W. Simmons-Ad Hoc, and Anthony Zippo-Ad Hoc for the Veteran’s Board;
appoint Karl Brabenec and David Hoovler as voting member and alternate voting delegate to the Association of Towns in 2013;
appoint Mary Van Starrex as Commissioner for the Cable Commission for a term to end December 31, 2015.

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Discussion: Councilman Spears asked to abstain from the appointment of Police Sergeant due to being related. Councilman Hoovler said in relation to Officer Cirulli, since Councilman Spears has recused himself, that the Supervisor did the research regarding Officer Cirulli's promotion. He consulted with the Matthew Healy of the Orange County District Attorney's Office who dealt with Officer Cirulli on numerous times for drug related investigations. His work was found to be superior in all respects. He thought this information should be put into the record. Supervisor Brabenec thanked all the employees and all the members of the various committees whether they are appointed or not tonight, for their service to the town as they are very commendable and they need their help each and every day. He appreciated their hard work done for the residents.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

Exception: (Officer Cirulli Only) 1 ABSTENTION: Gary Spears

MOTION CARRIED

Motion to Set the Official Media for the Town of Deerpark

Motion by Karl Brabenec, 2nd by David Hoovler to set the Official Media for the Town of Deerpark for 2013 as follows:

Newspaper – None
Radio – 96.7 FM/1490 AM
TV – YNN and News 12
Internet – Midhudsonnews.com

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Designate Hours of Operation for Deerpark Town Hall in 2013

Motion by Karl Brabenec, 2nd by Gary Spears to set hours of operation for Deerpark Town Hall, 420 Route 209, Huguenot, NY 12746, Monday – Friday, 8:00 a.m. to 4:00 p.m.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Set Regular Town Board Meeting Dates for 2013

Motion by Karl Brabenec, 2nd by David Dean to set all Regular Town Board Meeting dates on the second Monday of the month and all workshop meetings on the fourth Monday of the month to be held at the Deerpark Town Hall, 420 Route 209, Huguenot, NY 12746 at 7:30 p.m., unless date falls on a Federal Holiday or otherwise changed by a majority of the Town Board.

Discussion: Councilman Spears pointed out that in January they are meeting the first Monday (Re-organization) and the second Monday (14th), for an Audit and then they will try to schedule a Public Hearing for the Zoning Map on Tuesday, January 22nd. Supervisor Brabenec said that typically the meetings were on the first and third Mondays of the month. There were some scheduling conflicts this year and they wanted to have two meetings a month, so they decided to move them to the second and the fourth. Those dates also run concurrently with the Port Jervis City Council and there could potentially be a question because the meetings were on TV the first and third Monday. The Board is making every attempt to tape the meetings for 2013 and have them run on the local public access station and also be available 24 hours a day on the town website. This way people can still view the meetings.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

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Motion to Designate Holiday Schedule

Motion by Karl Brabenec, 2nd by David Hoovler to designate the Holiday Schedule for 2013 as indicated:

Tuesday, January 1st – New Year’s Day
Monday, January 21st – Martin Luther King Jr. Day
Friday, February 15th – Lincoln’s Birthday
Monday, February 18th – President’s Day
Friday, March 29th – Good Friday
Monday, May 27th – Memorial Day
Thursday, July 4th – Independence Day
Monday, September 2nd – Labor Day
Monday, October 14th – Columbus Day
Tuesday, November 5th – Election Day
Monday, November 11th – Veteran’s Day
Thursday, November 28th – Thanksgiving Day
Wednesday, December 25th – Christmas Day

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion for Mileage Reimbursement Rate

Motion by Karl Brabenec, 2nd by David Hoovler for Mileage Reimbursement Rate for 2013 as follows: Reimbursement rate for the use of personal vehicles on Town Business @ \$0.45 per mile.

Discussion: Supervisor Brabenec stated the IRS rate was about \$0.56 cents and since we are Deerpark, we’re paying less than that.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion for Use of Town Vehicles by Private Contractors

Motion by Karl Brabenec, 2nd by David Dean to allow designated representatives employed by Fusco Engineering and Land Surveying, P.C. to use town vehicles for the purposes of building inspection/code enforcement and for designated representatives employed by the County of Orange to use town vehicles for the purposes of town assessment/data collection until rescinded by a majority vote of this or future town boards.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Authorize Town Depositories

Motion by Karl Brabenec, 2nd by Gary Spears to authorize Officials who handle town funds to deposit funds in the bank of their choice provided it is located within the County of Orange and meets requirements as stipulated by the Office of the Comptroller, State of New York.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Authorize Supervisor to Pay Bills Upon Presentation

Motion by Gary Spears, 2nd by David Hoovler to authorize the Supervisor to pay utility, postage, contract freight and expense charges before audit by the Town Board. All claims to be presented at the next regular meeting of the Town Board.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

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Motion to Authorize Supervisor to Make Investment Transactions

Motion by David Hoover, 2nd by David Dean to authorize the Supervisor to make investment transactions for the Town of Deerpark. Funds shall be deposited in FDIC insured commercial banks as per requirements set forth by the Office of the State Comptroller, State of New York. Investments shall be collateralized as per requirements of the Office of the State Comptroller. charges before audit by the Town Board. All claims to be presented at the next regular meeting of the Town Board.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoover, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Schedule an Internal Financial Audit Special Meeting

Motion by Karl Brabenec, 2nd by Gary Spears to schedule an Internal Financial Audit Special Meeting to be completed as per Comptroller's Office Regulations on the 14th January, 2013 at 3:00 p.m. at the Deerpark Town Hall and to have the Town Clerk inform the necessary departments including, but not limited to the Supervisor, Town Clerk, Town Justices, Tax Collector.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoover, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Authorize PayServ to Provide Payroll Services

Motion by Karl Brabenec, 2nd by Gary Spears to authorize PayServ to provide payroll services for 2013.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoover, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Maintain Petty Cash

Motion by Karl Brabenec, 2nd by Gary Spears to continue to maintain petty cash fund in the Offices of the Town Clerk and Supervisor in the amount of \$100.00 per office.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoover, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Permit Town Vehicle Use

Motion by Karl Brabenec, 2nd by Gary Spears that vehicles presently under jurisdiction of the Supervisor's Office, which may be used by Town Officials on Town Business, remain as such.

Discussion: Councilman Spears asked if everyone using a town vehicle would have a copy of their driver's license on file and the Supervisor agreed they would be. Supervisor Brabenec also stated they would apply for the LENS program through the Motor Vehicle Department, which would notify the Supervisor's Office if there are any problems with the licenses of those driving the vehicles and the employees.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoover, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Grant Permission for Polling Places

Motion by Karl Brabenec, 2nd by David Hoover to grant permission to the Orange County Board of Elections to use the following town facilities as polling places for 2013 elections: Building No. 2, Route 209, Huguenot, New York.

Discussion: Councilman Dean questioned granting permission for the use of the building, and if they have to pay the County for the machines, the Supervisor stated there was a cost to the town for each election that is held. Councilman Dean asked if that was fairly substantial and the Supervisor replied it can be. He explained that the elections usually run about \$8,000 per election. Councilman Dean thought they should entertain a motion to charge the County \$8,000 for the use of their facilities. He stated it seemed like a slap in the face to let them use the facilities, yet they charge the town so much. Supervisor Brabenec gave some history about the town designated polling places and the amount of money paid to polling inspectors. The Federal

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Government passed laws trying to make elections more uniform throughout the country. Now, they have new machines, additional personnel and the pay rate is more uniform not dependent on the town you work in. Unfortunately, most of those items are charged to the town. The local association of towns, the local town clerks association and many of the town boards and they have been met with a lot of resistance from the County on that.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec
1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Pay NYS Association of Towns Dues for 2013

Motion by Karl Brabenec, 2nd by David Dean to pay \$1,199.00 for dues to the New York State Association of Towns for 2013.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec
1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Pay OC Association of Towns, Villages and Cities Dues for 2013

Motion by Karl Brabenec, 2nd by Gary Spears to pay \$100.00 dues to the Orange County Association of Towns, Villages and Cities along with the required contribution towards the sponsorship of the Orange County Hospitality Suite.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec
1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Authorize NYS Association of Town School Costs

Motion by Karl Brabenec, 2nd by Gary Spears to authorize vouchers for hotel/lodging, registration and travel costs for the NYS Association of Towns school and to pay necessary costs in advance. Furthermore, that no reimbursements will be made for any cost involving food or beverage.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec
1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Designate Surplus Equipment

Motion by Karl Brabenec, 2nd by David Dean to designate the following items of equipment as no longer necessary for municipal purposes and therefore surplus property of the town: 2004 Dodge Intrepid – Vin #2B3HD46V04H702307; 12 new car tires that are being stored in a storage bin. Furthermore, that the Town Clerk place an ad requesting bids for the stated surplus equipment and that bids be submitted through Auctions International, who will work as agent on behalf of the town.

Discussion: Supervisor Brabenec mentioned the 2004 was used by the Highway Department, however, it is having mechanical issues and isn't worth repairing anymore. They received another retired Police car, so they are going to switch them.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec
1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Adopt Town of Deerpark Fee Schedule

Motion by Karl Brabenec, 2nd by David Hoovler to adopt the Town of Deerpark Fee Schedule for 2013.

Discussion: Councilman Spears explained they have discussed how they tax the businesses, then they are charged a separate fee to do business in town. There are a few of them that don't think it is fair.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec
1 ABSENT: Arthur Trovei

MOTION CARRIED

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Motion to Adopt Building Department Rate Schedule

Motion by Karl Brabenec, 2nd by Gary Spears to adopt the Town of Deerpark Building Department Rate Schedule for 2013.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Authorize Supervisor to Sign Contract With Labor Attorney

Motion by Gary Spears, 2nd by David Dean to authorize the Supervisor to sign an agreement with Thomas, Drohan, Waxman, Petigrow & Mayle, LLP as Labor Attorney for 2013.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Retain Town Board's Labor Consultant and Negotiator

Motion by Karl Brabenec, 2nd by Gary Spears to retain the services of Michael Richardson as the Town Board's Labor Consultant and Negotiator for any contract negotiations in 2013.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Approve Highway Department Schedule of Road Fixtures and Expenditures

Motion by Karl Brabenec, 2nd by Gary Spears to approve the Highway Department Schedule of Road Fixtures and Expenditures for 2013.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Councilman Hoovler provided an update of the Multi-Year Plan. The plan began in 2010 and was planned three years out. The concept was to project revenues and expenses for several years. It allows elected officials to see the impact of financial stress over time and how it affects the town. They look at historical data from the town, surrounding towns and the state. They look at market trends for raw materials and see how they are affecting things. They look at policy questions they have regarding where do they want to go with the town and how they want to deal with issues, etc. Finally, they look at the shared stakeholders, individuals that live in the town—but also other taxing districts, such as the school district, special district, fire district, and in taking all those things into consideration, they usually come up with the multi-year plan. In 2011, they started GASB45, which is their obligation for post-employment benefits where it is unfunded. At that time, they were about \$4.6 million of unfunded post-employment benefits the town would have to pay and that was expected to grow in the coming year to about \$4.9 million. The multi-plan will be available sometime in February and the object will be to set them up for the future so they see the fiscal impact of the decisions they make. The projected bond rating of Deerpark in 2008 was essentially a C. They don't have a bond rating, but that's what their projected bond rating was. As of last year, they moved up from a low C or D rating, now due to their planning, they are solidly in the A range. This means they have a strong capacity to meet all financial commitments. They are still somewhat susceptible to adverse effects in changes and circumstances and economic conditions. They could still improve, but where they are sitting right now financially, they are doing pretty good across the board based on where they were. They still have an enormous amount of debt but because of the down-sizing and the changing of the insurance plans, the updated procurement policies, investment policies, budget management, cost savings, etc. things are better.

Annual NYS Association of Towns Announcement

Florence Santini, Town Clerk announced the Annual NYS Association of Towns School in New York City for the town officials February 17-20, 2013. (Information available at the Town Clerk's Office) Councilman Hoovler will give classes on FEMA and Supervisors and Council and he is doing the Attorney CLE on Parks and Recreation Liability. Supervisor Brabenec congratulated him on being asked to do two classes.

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Motion to Grant Leave of Absence for Police Officer Christopher Stack

Motion by Karl Brabenec, 2nd by Gary Spears to grant a one year leave of absence for Christopher Stack retroactive January 1, 2013 to January 1, 2014.

Discussion: Councilman Spears thought he was a very good officer and had no problem granting him that exemption, but wasn't sure how the part-time position would help. Supervisor Brabenec said if he returned, he wouldn't have to reapply.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Edward Hughson, Highway Superintendent requested Board approval for two pickups. They need to replace one they got rid of and another one for Parks and Recreation come this spring. The one is off the New York State bid and one is off the county bid. He said both would have snow plows and strobe bars, but they will need sanders. The Crew Cab would mainly be used to haul their crew around as it would fit five people. The crew cab would be \$33,766.47; the 2013 Ford F350 Regular Cab would be \$30,127.70. Mr. Hughson said that Councilman Spears had a copy of both of these descriptions and these bids are open for 15 days. Councilman Spears asked if they would put Deerpark lettering on the sides and Mr. Hughson said they have the letters and would put them on.

Motion to Authorize the Highway Superintendent to Purchase Two Trucks

Motion by Gary Spears, 2nd by David Dean to authorize the purchase of two trucks: crew cab for \$33,766.47 and 2013 Ford F350 Regular Cab for \$30,127.70.

Discussion: Councilman Dean asked if there was a reason not to get diesel and Mr. Hughson said the price difference was \$6,500 - \$7,000. They won't be doing a lot of uphill pushing of snow and they have diesel dump trucks they use for heavy duty jobs. Supervisor Brabenec asked how many decals he had left and Mr. Hughson thought he had two. Supervisor Brabenec said they needed more for the Impalas and the Dog Control Van. Mr. Hughson said he would order more.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Edward Hughson asked if the Agreement for Expenditures for the Highway Department for 2013 could be signed and they agreed to sign it that night.

Supervisor Brabenec mentioned there was conversation about a zoning workshop for Local Law No. 2 of 2012 to be held Tuesday, January 22nd at 7:30 p.m. Councilman Spears explained that Monday the 21st was a holiday (Martin Luther King Jr. Day) and questions were raised about the zoning map and people didn't feel they had a chance to properly look at it, so he asked to have another Public Hearing so everybody has a chance to give their input on it.

Motion to Set Special Meeting for Workshop/Public Hearing on Local Law No. 2 of 2012

Motion by Karl Brabenec, 2nd by Gary Spears to set a Special Meeting for a workshop and a public hearing for Local Law No. 2 of 2012 regarding the zoning changes of the Town of Deerpark on Tuesday, January 22, 2013 at 7:30 p.m.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

The Town Clerk will notify the official media.

The maps will be available for the public prior to the meeting on the website and in the Town Clerk's Office as of that night.

Appropriations, Budget and Payment of Bills

Motion to Pay Bills

Motion by Karl Brabenec, 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.

**TOWN OF DEERPARK
TOWN BOARD MEETING
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MONDAY, JANUARY 7, 2013**

General Fund Abstract #1 of 2013 - \$148,943.74
Highway Fund Abstract #1 of 2013 - \$35,383.39
Parkland Fees Abstract #1 of 2013 - \$3,895.10
Street Lighting Abstract #1 of 2013 - \$437.61
Schoolhouse Abstract #1 of 2013 - \$737.81

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabene
1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Accept Budget Officer's December 2012 Report – Close Out Report for Fiscal Year 2012

Motion by Gary Spears, 2nd by David Hoovler to accept the Budget Officer's December 2012 Report.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabene
1 ABSENT: Arthur Trovei

MOTION CARRIED

Closing Board Comments

Councilman Dean - He thought the entire nation was under attack by Washington D.C. He urged all loyal citizens in the United States to contact their Congressmen, Senator, the President's Office and join the NRA if you don't already belong and express your opinion about saving the second amendment. There were some terrible tragedies in this country and unfortunately, some of these were committed with firearms, not weapons but firearms. Law abiding citizens who obey the law and have a right under the Constitution and the amendments to the constitution are under attack. They are being portrayed as uncompassionate because of what some crazy people have done. He urged his fellow citizens to stay the course and not let the country slide away. Many people have done a lot for us to enjoy that freedom and he would hate to see that vanish. He for one stands strong for that. The other topic he wanted to mention was zoning changes. They are in the midst of doing rezoning. When there is rezoning, there is controversy. Some people "win" and some people "lose." It is a question of zoning and they want to listen to people. They will discuss it at a further meeting. He thanked David Hoovler for his update on the financial plan. He thanked Ed Hughson and the Highway guys for the good job they do.

Councilman Hoovler – He addressed the Deerpark Village rumors—that he owns it or his law firm is associated with it, or the people on the Town Board have investments in it, that's absolutely ridiculous. He wanted to make sure the record is clear. It was a bad idea and will always be a bad idea. He understands people feel that potential zoning changes would harm them, he has read all the emails and has seen them. All that being said, he actually asked a real estate broker what the property was worth, \$2,000 an acre for barren land. He found that to be interesting. As far as a multi-year plan goes, he thought everything was looking pretty good. He commended everybody else on the board for supporting a lot of decisions they made regarding downsizing, which isn't very popular. It has increased their financials and that made them look good to banks and the private market as well as the public market for this board or future boards.

Councilman Spears – He thanked Ed Hughson and the Highway Department for the way they handled the past two storms. He has heard nothing but good comments and they appreciate the work they do. He also has the opportunity to read a lot of emails and letters about the zoning. A lot of them are super letters and one gentleman in the audience wrote a great letter. He then thanked Derek and mentioned his years on the Planning Board. He wanted to explain that Deerpark Village and the zoning are two completely separate things. He somehow sees people trying to tie them together. Deerpark Village was adjudicated in the court in 1990 and the Planning Board has been working on environmental process. The Town Board has been working on the zoning process. He could state for all of them they have never spoken to each other about Deerpark Village as a Town Board and he didn't think they spoke to them about Deerpark Village as a planning issue. They are both completely separate in their minds and they'll continue to keep them separate. In regards to the zoning, a lot of the emails were spot-on. What they try to do is open up some more ratables right along the Route 42 corridor. He didn't think the map showed truly what they wanted. It might have been a mix-up on his part, or their part and he thought they might drop the HMU aspirations on Route 42 in Sparrowbush because obviously the people don't want it and that's not why they are up there to force something down their throat. We'll talk about that at the Public Hearing and everybody will get their say again, which he thought was the right way to do it. He thanked people for their comments and a lot of them were good, but a lot were pretty nasty, but it comes with the territory and they were big boys and understood how life works.

**TOWN OF DEERPARK
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Supervisor Brabenec – He thanked the residents for their letters, though many of them were addressed to him and he shared them with the other town board members. He tried to respond to everybody and they want to hear what the public has to say. They want to hear their thoughts and opinions, etc. He had letters with comments expressing why things would work, and letters expressing why they wouldn't work. He said residents may have answers they don't know and they may have historical aspect they don't know. He thought the letters were very good. He echoed Councilman Spears by saying that when they started looking into the zoning the end of 2011, coming up with what they would want to propose and a letter was received stating there was a date on the zoning map. Actually, Derek wrote that. The date was a typo stating 2011. The map was not drawn up then, it should have said 2012. They didn't notice it when the map was put out there. They need to compete with New Jersey and Pennsylvania. It is very, very hard to compete when you have zoning regulations that are very restrictive and don't allow people to market their properties and to be a little more flexible with their properties. That was the whole thought process, especially when they're looking up the Route 209 corridor and Route 6. They looked at Route 42, primarily because they know there are plans for potentially a white water park in the City of Port Jervis. They thought the HMU could benefit a lower portion of Route 42. Also, there was potential gaming possibly coming to Monticello. They were looking at all those aspects of Route 42 and to be honest, Deerpark Village wasn't even a thought in the process. They were two separate issues that just came up during the same year. That was one of the things they want to stress. Like Councilman Hoovler said they have been hearing things like people on the board have interest in Deerpark Village...that is absolutely false. He said he lives on completely the other side of town and has nothing to do with Deerpark Village or anybody associated with it. He knew that the members on the board have nothing associated with Deerpark Village as well. With that being said, he did receive a lot of good comments and opinions on the Route 42 corridor. Currently, the HMU zone ends right around the sand pit area. They proposed it go towards Old Forestburgh and West Peenpack Trail, but they got a lot of response though many thought it would be good, many did not want it. Like Councilman Spears said, and he feels the same way, they don't want to force something on the people they don't want.

Motion to Revert Section of Map for Upper Route 42

Motion by Karl Brabenec, 2nd by Gary Spears to revert section of map for Upper Route 42 back to the original zoning which incorporated the upper part of Route 42 which was RR and RS district.

Discussion: Councilman Dean had no objection to the motion and the second, he is cautious about the timing of this motion tonight. He wondered if they should give the people who want to see the HMU go up Route 42, the opportunity to come to the meeting on January 22nd and say their peace. He doesn't see the need to rush that at this time. Councilman Spears agreed and said since they are on the same page, why don't they put out the new zoning map back to the old boundary and still allow people to come and give their opinion. Councilman Dean said perhaps they should give a map with extending up Route 42 and the other the way. Supervisor Brabenec said he would want to revert it back after looking at the map. It doesn't make sense to put an HMU there. It is a rural residential and there is no chance of business development there. He doesn't see a problem to changing it back to the original. Councilman Spears stated he was withdrawing his second and suggested they do two maps: one going back to original and also to let the change.

Motion by David Hoovler, 2nd by David Dean to table the Revert Section of Map for Upper Route 42.

VOTE: 3 AYES: Gary Spears, David Dean, David Hoovler

1 NO: Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION TABLED

Supervisor Brabenec announced the monthly breakfast at Sparrowbush Fire Department Sunday January 13th. It is a very good fund raiser for them and encouraged everyone to attend.

Motion to Enter Executive Session for the Purpose of Tax Certiorari Information at 9:00 p.m.

Motion by Karl Brabenec, 2nd by Gary Spears to enter Executive Session for Purpose of Tax Certiorari Information and to invite the Town Attorney, Glen Plotsky in with them at 9:00 p.m.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

**TOWN OF DEERPARK
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ANNUAL RE-ORGANIZATION MEETING
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Motion to Re-enter Regular Session at 9:53 p.m.

Motion by Karl Brabenec, 2nd by Gary Spears to re-enter Regular Session at 9:53 p.m.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Adjourn at 9:54 p.m.

Motion by Gary Spears, 2nd by David Hoovler to adjourn the meeting at 9:54 p.m.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Respectfully submitted by,

Florence T. Santini
Town Clerk