

**TOWN OF DEERPARK  
TOWN BOARD MEETING  
MONDAY, APRIL 22, 2013**

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

**Invocation** by Arthur Trovei

**Attendance**

**Supervisor:** Karl Brabenec

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

**Attorney:** Glen Plotsky

**Engineer:** Alfred Fusco, Jr.

**Call to Order** at 7:34 p.m.

**Pledge of Allegiance** led by Gary Spears

They observed a Moment of Silence for longtime councilman Robert Levin who passed away and for all the victims of the Boston bombings.

Additions or Changes to Agenda

It was necessary to take the Eagle Scout Presentation off the Agenda.

Opening Board Comments

Councilman Spears attended the Honor Flight that left from Shoprite in Montgomery, NY to the Stewart Airport. He and his wife were in Washington DC and they had a band, many people were waiting there with flags to welcome them, then they bused them over to the WWII Memorial and to Arlington National Cemetery and that night they took them to a nice dinner. It was a wonderful day and a great day to remember the sacrifices Americans have made through the years for the freedom we have. To see those men and to remember what they went through was a great day. He wanted to put a plug in for the Hudson Valley Honor Flight. They do it at least once, maybe twice a year. It's a very worthy organization to support.

Councilman Dean asked Mr. Spears to thank his dad for them—for his service. He was proud of the fact that he was able to go with him and he just wished his dad was still there. He was glad he enjoyed it.

Councilman Hoover thought the Honor Flight was a wonderful program and thought they would continue to do it for as long as possible. He would like to have seen his father go on that. He also thought the town lost a very good guy in Bob Levin. He was active with the Elks, the Masons, and just about everything in town. He sat on the board, too. He fought a terrible, terrible disease at the end, but everything he ever did was done with class.

Presentations/Communications

Supervisor Brabenec gave an update on the YMCA signups Friday and Saturday. He thought there were 100 to 150 children signed up. They still have spots available, mostly for younger kids. If anyone was interested, they could contact the Town Clerk's Office at 856-2210, Ext. 2 and they could talk with Tippy Creegan who could give them information. The Bulk Clean Up Month will be commencing on May 1<sup>st</sup> and if residents need their permit, they should also contact the Town Clerk's office anytime during the day from 8 – 4. The permit is free for 4 cubic yards with certain restrictions.

**Motion to Approve March 25, 2013 and April 8, 2013 Board Minutes**

Motion by Gary Spears, 2<sup>nd</sup> by David Dean to approve March 25, 2013 and April 8, 2013 Board Minutes.

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

**MOTION CARRIED**

Public Comment Period – None

New Business

**Motion to Adopt Resolution 10 of 2013 – Resolution Authorizing Signing of Computel Consultants, Inc. Contract**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to adopt Resolution 10 – Resolution Authorizing Signing of Computel Consultants, Inc. contract.

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Discussion: Councilman Spears said it looked like a very worthwhile endeavor to have these things checked out. He wondered what the payment schedule was for the people doing the work. He asked if they need money up front or get their money out of refunds. Supervisor Brabenec referred to the letter received through the Town Clerks Association, which stated they would offer their services at the reduced contingency rate of 40% of any refund they secure for them. All refunds go directly to the town and their fee is not due until after the refund was received. There was no upfront cost. If no refund is received, there is no charge for their service. Councilman Trovei asked if he had tried to negotiate a little better price than this and the supervisor said no, saying it was a standard contract sent to all the towns in Orange and Sullivan counties. Councilman Trovei thought they should ask for a better rate of 25% for the town. Supervisor Brabenec said that even if the resolution was passed that night, he could still negotiate for the 25% and asked the board if they had any trouble with the resolution if he did not get that.

Motion to Amend Resolution 10 With Addition

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to amend Resolution 10 with addition of the Supervisor is authorized to Negotiate a fee term of 60/40 or better.

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

**MOTION CARRIED**

Discussion: Councilman Dean asked the Town Clerk if there was a typical amount that this company was capable of retrieving or was it all over the map. Discussion continued.

**VOTE: 5 AYES (Roll Call): Arthur Trovei, Gary Spears, David Dean, David Hoovler, Karl Brabenec**

**MOTION CARRIED**

**Motion to Adopt Resolution 11 of 2013 – Resolution Authorizing Bidding for New Town Highway Garage and Senior Center**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to adopt Resolution 11 – Resolution Authorizing Bidding for New Town Highway Garage and Senior Center.

Discussion: Al Fusco, Town Engineer asked the Board to put the date of May 30, 2013 on that Resolution. He said they had the plans ready the first week of February, working overtime to complete it. However, when they submitted the plans to the Community Development Committee, which met their requirements. At that point, they did an environmental review they thought took an exorbitant amount of time. Mr. Fusco explained the process it took to get the plans to this point. The committee indicated that they no longer need to comply with the purchasing agreement they requested before, which would have cost more money. Now, they only need the resolution that the Board is acting on tonight within a seven day period from the vote. They still don't have a contract though, because they don't have a contract with the federal government. He believed they need to go to bid now because everything is ready and contractors are ready to bid projects. He recommended going to a bid opening on May 30<sup>th</sup> with the plans going out to bid that week.

Motion to Amend Resolution 11 With Addition

Motion by Karl Brabenec, 2<sup>nd</sup> by David Hoovler to amend Resolution 11 with addition that all bids are due to the Town of Deerpark Town Hall at the Town Clerk's Office by Thursday, May 30, 2013 at 2:00 p.m. Bids will be opened at the Town of Deerpark's Town Clerk's Office at 2:00 p.m. on Thursday, May 30, 2013.

Discussion: Mr. Fusco stated they would have a walk through on May 20<sup>th</sup> at 10:00 a.m. This allows for questions, request information. There will be an ad in the paper, publications and he talked to some trade unions.

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

**MOTION CARRIED**

**VOTE: 5 AYES (Roll Call): Arthur Trovei, Gary Spears, David Dean, David Hoovler, Karl Brabenec**

**MOTION CARRIED**

**Motion to Adopt Resolution 12 of 2013 – Lead Agency for Space Park Parking Lot Expansion Project**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to adopt Resolution 12 – Lead Agency for Space Park Parking Lot Expansion Project.

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Discussion: Supervisor Brabenec explained that with the Port Jervis Youth Football League and also the Port Jervis Little League, they have a lot of parents and cars and the parking lot gets full very quickly. They are negotiating with the county to take a portion of the cornfield they own for an expanded parking area. They hope to make that area ready for parking and find some money for that project.

**VOTE: 5 AYES (Roll Call): Arthur Trovei, Gary Spears, David Dean, David Hoovler, Karl Brabenec**

**MOTION CARRIED**

**Motion to Adopt Resolution 13 of 2013 – No Significant Adverse Environmental Impacts Related to Space Park Parking Expansion Project**

Motion by Gary Spears, 2<sup>nd</sup> by David Hoovler to adopt Resolution 13 of 2013 – No Significant Adverse Environmental Impacts Related to Space Park Parking Expansion Project.

Discussion: Councilman Hoovler asked if they were only doing a long form because it was the county and Mr. Fusco said it was because it was the county. He added they did it originally with the park itself, and it is not up to the county, it is up to the town because they are the lead agency. Mr. Fusco thought it would be the most appropriate because they had given it to them before, they will be expecting it and if a short form was submitted they would have asked what that was. They were being consistent.

**VOTE: 5 AYES (Roll Call): Arthur Trovei, Gary Spears, David Dean, David Hoovler, Karl Brabenec**

**MOTION CARRIED**

**Motion to Adopt Resolution 14 of 2013 – Approval of Plans for Space Park Parking Expansion Project**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to adopt Resolution 14 of 2013 – Approval of Plans for Space Park Parking Expansion Project.

Discussion: Supervisor Brabenec stated there would be a cost of labor for the Highway Department. They were getting donations for equipment to get rid of vegetation. Councilman Dean asked how much and the Supervisor said he did not know. Mr. Fusco had a conversation with the Highway Superintendent and believed he would work on this project as he can, and he thought he had the resources available. Supervisor Brabenec thanked Mr. Fusco for donating his services for this project. Mr. Fusco said they should be able to park 100 cars there. They'll need to scrape away some top soil that can be used elsewhere, and they'll put gravel down.

**VOTE: 5 AYES (Roll Call): Arthur Trovei, Gary Spears, David Dean, David Hoovler, Karl Brabenec**

**MOTION CARRIED**

Appropriations, Budget and Payment of Bills

**Motion to Pay Bills**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Hoovler to pay all current bills that have been signed by three council members and may be viewed in the Town Clerk's Office.

General Fund Abstract #8 of 2013 in the amount of \$129,225.77

Highway Fund Abstract #8 of 2013 in the amount of \$16,117.88

Deerpark Manor Street Lighting Abstract #6 of 2013 in the amount of \$416.78

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

**MOTION CARRIED**

Closing Board Comments

Councilman Spears thanked Flo Santini, Town Clerk for bringing them the information on the audit and hopefully they can recoup some maintenance for the benefit of the taxpayers. He also thanked Al Fusco for donating engineering services on the town's park and he has been doing that all along and he said they were very appreciative of that. He wanted to say they were partnering with the YMCA Camp and there were some openings still at their fantastic facility. They give the residents and children of Deerpark a first class recreation experience. He said their hats were off to the YMCA's willingness to partner with them for the sake of the residents.

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Councilman Trovei thanked Flo for sharing the information to save the town money. He thanked Al Fusco for his gracious donation for the park project. He encouraged the town to clean up their yards and make the town look nicer and take advantage of the Bulk Clean up that their taxes pay for anyway. He encouraged the residents to make the town look nice so people will want to come here to live, work and play.

Councilman Dean reminded everyone of the passing of Bob Levin—he was a longtime businessman in the Town of Deerpark and a resident. He had a really nice family and was a town councilman. As David Hoover put it so well, he was a good guy. He was very, very involved in the community and organizations. He didn't know of anybody who had a bad word with Bob. He is in a better place now and their hearts go out to his family. He mentioned the bombing in Boston and their thoughts and prayers go out to the victims there and it goes to show how you need to be aware of your surroundings. You have to be attentive to what is going on. He said unfortunately, we live in a dangerous world; he said the second amendment was there for a reason so people can own firearms and use them as self-protection. This was a horrible thing, but you have to keep your wits about you and pay attention to what's going on. He thanked Karl Brabenc for the Cleanup because it has been a huge success. As Art Trovei said, clean up around your house. He also suggested cleaning up along the road. It doesn't take very much and it looks clean. He thanked Al Fusco for donating his services for the town park and also the Highway Department for what they've done. It is a great asset for this community. He also gave a thumbs up to Mr. Hoover who had a pretty good week.

Councilman Hoover gave his condolences to the Levin family. He said Bob Levin was a great guy and you won't find a better man than him. He asked Karl Brabenc to send something from the Town Board to the Levin family. He thought it would be a nice gesture to send condolences for them because of all he has done. He admitted being against the Cleanup day a few years ago because he thought it would cost too much, but the Supervisor made it work. He thanked Al Fusco for all he has done. He noticed that every ball park in Deerpark was full on his ride up to the meeting that night. Summer is coming; the town is bordered by two great rivers, the Delaware and Neversink. Please, please, please be careful when out there, he urged. Water does kill even to the best swimmers. When recreating on the river, wear a life jacket. No matter what, you're not invincible out there. He hoped that all those who were responsible for the Boston bombing are brought to justice swiftly, fairly and that they receive a fair and just sentence when they are convicted of this heinous act.

Supervisor Brabenc echoed regarding the parks that he is very, very happy about the cleaning up of the parks and making them a treasure to be utilized by their children in the community. Space Park will be utilized by the Football League, which is fantastic. He drives past Bigger Park every day and sees kids playing on the playground, playing basketball, throwing Frisbees, and he knows the Sparrowbush Fireman's Park may be getting some grant money coming in, and they might be able to repair the walking trail. They are hoping that will come through; they've been pushing for it with the County Planning Department and New York State. Concerning the parks, that is part of their annual NYMIR Report where they have the representative from Wright Risk Management come to do his annual inspection of the facilities. He said that from 2010 until now is 1,000% difference with the job of turning around the parks, the Town Hall, Building No. 2. They still have a couple things to improve on, like park equipment that may need to be replaced this year and they were not happy to know the town still owns the beach in Myers Grove. They will be issuing a report to them and they should receive it in the next few weeks. They were reviewing all of their committees and last year they established a resolution that a Police Advisory Committee of a five member board be appointed at will, the chairman was appointed by the town board. The whole purpose of that committee was to answer citizen complaints and operational complaints, to receive those complaints and make recommendations to the town board for action. They have not filled any of those spots as of today, so they did put something on the website. They are looking for those to serve on the advisory committee. They would prefer people who have previous law enforcement experience. Also, they appointed an alternate to the Zoning Board of Appeals and they have one opening there. If anyone is interested in serving as an alternate to the Zoning Board of Appeals, they should submit a resume and a letter of interest to the Town Clerk. They'll discuss this in a couple weeks. Also, there is a position available on the Ethics Committee.

**Motion to Adjourn at 8:24 p.m.**

Motion by Karl Brabenc, 2<sup>nd</sup> by David Hoover to adjourn the meeting at 8:45 p.m.

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

**MOTION CARRIED**

Respectfully submitted by,

Florence T. Santini  
Town Clerk