

**TOWN OF DEERPARK
TOWN BOARD REGULAR MEETING
MONDAY, MAY 2, 2016**

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

Invocation by Arthur Trovei (Participation is Optional)

Attendance

Supervisor: Gary Spears

Councilmember's: Alan Schock, Ken Smith, Arthur Trovei, David Dean

Attorney: Glen Plotsky

Engineer: Al Fusco, Jr.

Call to Order at 7:30 p.m.

Pledge of Allegiance by David Dean

Presentations/Communications

Port Jervis School District Superintendent Thomas Bongiovi and Assistant Superintendent for Business Lorelei Case made a presentation of their budget. The Town Board discussed different topics in regards to the budget with Mr. Bongiovi and Ms. Case following the presentation. Ms. Case then mentioned the three referendums on the ballot this year. One is a 7 million dollar referendum that includes the smart bond money to upgrade technology; the second one is to establish a capital reserve; and the last one is the demolition of Sullivan Avenue School, which is now a safety issue.

County Legislator Tom Faggione – He emphasized the School Board Election is May 17th and he encouraged everyone to come out to vote at the schools and May 10th at 7 p.m. at the High School will host a time to hear from those running for open seats on the board. All the information is on the school website. He reported that in the March Legislature Meeting, they passed the Social Host Law which states parents and guardians of those under age 21 and knowingly provide or allow those under this age in their place of residence, they will be held liable. He also reported their sub-committee will ratify two contracts including a Corrections Officers Union and the District Attorney's investigators. He mentioned that conversations continue with the county to get water back into the D & H Canal.

Highway Superintendent Ed Hughson – Stated that the roller bids rejected recently needed clearer information and will need to be sent out again. Supervisor Spears said they would add that to the agenda. Mr. Hughson provided an update on Route 42 and said the state is closing it down May 5th and use Bolton Basin Road. They had some trouble with the work done on Bolton Basin Road. After he and Councilman Dean discussed the poor road condition with the contractors the State will repave Bolton Basin Road, which they did last Tuesday. It is 125% better he said. The Highway Department is working on Franke Road, they are going to pave part of Big Pond Road from the other side of the culvert and they'll pave from the other side of that up to Franke Road and also pave Franke Road. They will be working on Plank Road and Hartwood Club Roads also, paving from Route 42. They hope to start paving by the second week in June. The state provided money being split up over five years and they will receive \$42,000 for this year, which is pretty good. There will also be money provided for bridges and culverts, but he doesn't know the amount available for the Town of Deerpark yet. He addressed garbage around town and he hopes to hire two men to help clean up. Councilman Dean had some money from the Upper Delaware Council to help clean up Route 97 along the Hawk's Nest. Supervisor Spears asked Mr. Hughson to pass along to his crew they think this is the most paving they've done in the past 3 or 4 years. He asked him to relay to them they appreciate their hard work.

Town Engineer Al Fusco, Jr. – Reported they tried to get FEMA to pay for a new culvert bridge on Big Pond Road since 2011. They have done a hydraulic study, reports, estimating and finally got it approved for \$341,000. They got a renewal of their NYS DEC permit to replace that culvert. They also got approval from the Army Corps of Engineers, so they are all set with the two regulatory agencies. He will request permission for detour signs on Route 209 because they'll have to close off Big Pond Road. They are contemplating going out to bid in 3 to 4 weeks and they will have pre-bid meetings. They should advertise bids in late May and opening them in late June. Hopefully they'll start work in July. They hope to have the job done before school starts. Supervisor Spears said they should add to the agenda an authorization for him to go to bid.

Addition or Deletions to Agenda

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Motion to Add to the Agenda – Approval for Highway Superintendent to Re-bid for Highway Roller

Motion by Ken Smith, 2nd by Alan Schock to add to the agenda the Approval for Highway Superintendent to Re-bid for Highway Roller.

VOTE: 5 AYES: Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

MOTION CARRIED

Motion to Add to the Agenda – Allow Town Engineer to Bid on Big Pond Project

Motion by Ken Smith, 2nd by Alan Schock to add to the agenda to allow the Town Engineer to Bid on the Big Pond Project.

VOTE: 5 AYES: Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

MOTION CARRIED

Public Comment Period – 3 Minutes per Agenda Item

Burt Thelander – Guymard Turnpike, Godeffroy. He spoke about the Highway Department and commented on the highway clean-up. He is a member of the community clean-up crew. They clean up Huguenot from Route 209 every year. Regarding the Highway Department report, he lives on Guymard Turnpike and rides his bicycle all over town. Guymard Turnpike, Galley Hill Road, Prospect Hill Road, Franke, Big Pond ... and he is concerned about the safety of the roads. There is increased traffic and he thinks the change in the RR zone to HMU zone may had an impact on that. He wanted to recommend to the town they look at safety in terms of increased use of highways and talk to the Building Superintendent and the public about what they think can be done to promote community safety on the town roads. He then wanted to comment on the Boards support for the Building Inspector and the Town Engineer to inspect sights when required and also to inspect activity to comply with site plans. Town Clerk Florence Santini noted that the topic changed. Supervisor Spears allowed the speaker to continue with the explanation that meeting decorum would be followed in future meetings in order to solicit comments written down for particular or specific issues in zoning. He said in the future, keep to agenda items. Mr. Thelander asked how to get an issue he or a few people would be interested in talking about on the agenda. Mr. Spears said they should call his office and if it has to do with town business, he can make the determination. He said they are trying to consolidate conversations, because the board is not going to address every issue in every meeting. Mr. Thelander thanked the Supervisor for that clarification. He believes that as a town resident, that their town engineer, building inspector and it is really important to support evaluations of site plans. They inspect entities like KOA, Oakland Valley every five years ... just ask them to support them to do their jobs effectively and look at what they are seeing.

State Assemblyman Karl Brabenec – gave a quick update. He said it was great being back home and he was heading back up to Albany to finish their session for 2016 that should go till mid-June. They just passed the budget that was about \$150 billion dollars. They are fighting, fighting, fighting trying to bring common sense back there. He just criticized the Start Up New York program, which is supposed to bring new business and new jobs to New York with tax credits. They spent about \$46 million on the program allocated by the state and it has generated 76 new jobs. That's about \$600,000 a job. He has called for them to temporarily suspend funding that program until they find out that program is actually working. New York is one of the highest tax states in the nation. He proposed an older bill proposed in 2007 called New York Stop and it would effectively reduce small business under 50 employees, residential homes by 75% by taking the burden of school taxes away from the property tax and giving it to the state under a separate educational fund and then see when the state is paying the money, you'll hopefully see them look for cost savings and that's just the next step in the process. His office is in Warwick and he said if anyone needs help at all, he is an email or a phone call away. He said they are getting around to the time that home rule bills need to be passed. If the town has anything specific it needs as far as a local home rule bill, he would need a resolution from the town board. They tried to do that last year with the Court Officer and handgun issue, but the Governor vetoed it.

New Business

Motion to Approve New Highway Seasonal Workers

Motion by David Dean, 2nd by Ken Smith to approve new Highway seasonal workers Jeffrey Wehinger, Timothy Crown, David Sicina, Edward Quick, Jr.

VOTE: 5 AYES: Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

MOTION CARRIED

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Motion to Approve P/T Town of Deerpark Police Officer

Motion by Ken Smith, 2nd by Alan Schock to approve P/T Town of Deerpark Police Officer Nicholas Iannuzzi.

VOTE: 5 AYES: Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

MOTION CARRIED

Motion to Approve April 4, 2016 and April 18, 2016 Board Minutes

Motion by David Dean, 2nd by Ken Smith to approve April 4, 2016 and April 18, 2016 Board Minutes.

VOTE: 5 AYES: Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

MOTION CARRIED

Motion to Re-Bid Highway Roller

Motion by Ken Smith, 2nd by Alan Schock to re-bid the Highway Roller.

VOTE: 5 AYES: Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

MOTION CARRIED

Motion to Authorize Town Engineer to Bid the Big Pond Project

Motion by Alan Schock, 2nd Al Fusco, Jr. to authorize the Town Engineer to go to Bid on the Big Pond Project (culvert).

VOTE: 5 AYES: Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

MOTION CARRIED

Appropriations, Budget and Payment of Bills

Motion to Pay Bills and Accept Budget Officer's Report

Motion by David Dean, 2nd by Alan Schock to pay bills that have been signed by three council members, and accept the Budget Officer's Report and may be viewed in the Town Clerk's Office.

General Fund Abstract #8 of 2016 in the amount of \$99,062.58

Highway Fund Abstract #8 of 2016 in the amount of \$41,107.44

Special Revenue Reserve Fund Abstract #4 of 2016 in the amount of \$395.00

VOTE: 5 AYES: Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

MOTION CARRIED

Closing Board Comments

Councilman Dean thanked Ed (Highway Superintendent) for his report and the encouragement of more roads paved. He also appreciated his hiring part time guys. The litter in our town is horrific and he doesn't understand people throwing garbage out their window. They obviously don't care who will pick it up. He warned those throwing out garbage, that there is a maximum fine of \$1,000 for littering in the Town of Deerpark. He said if you see someone doing it, please mention it. Ed brought up the subject of money received from the Upper Delaware Council, which is from the National Parks Service federal funds. They give out money to towns that are members and Deerpark is a member. Ed's proposal was presented by Mr. Dean and they will get \$2,082.98 for two clean ups on the Hawks Nest. Quite possibly there will be more funds available towards the fall. There is usually money left over. They will try to get a little more money. He thanked their County Legislator for his attendance and update, and Assemblyman Brabenec. He thanked the school board officials for coming. He doesn't want to thank them for their proposals for spending ridiculous money. They have a decreasing population of students in the Port Jervis School District and an increasing budget every year. He doesn't know where this is going; sooner or later the bubble has to burst. We spend money we don't have. To be very candid, he is sure they are producing very fine students, but based on what Mr. Bongiovi mentioned about truancy and drug addiction, they absolutely know that not everybody is a scholar here. They are spending money trying to send people to school that don't want to go to school. He gets very frustrated with the process because everybody's school taxes are ridiculously high. If you don't vote on the school budget, shame on you. You should express your opinion. They can survive with less money.

Councilman Smith thanked Karl for the job he does for them. He encouraged people to please come out to vote for the school so they can get their voice heard.

Councilman Schock said the same thing he said last year. He pays \$100 every working day ... his children don't go to public school, but a private school in Matamoras. There are 50 children in the school. There is no truancy between students or

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teachers. The teachers make \$500 a week and he pays a grand total of \$5,000 for two children. He tries to give them more and he tries to donate. It is pitiful what they spent down here and his children get better education for \$2,500 a year per student. On another note, he expressed sympathy for Tippy (Theresa) Creegan and her family and the passing of Jupe (her father). He was an icon in the community. He was quite a fellow and he will be missed. He said to pray for the family in the loss of Jupe.

Councilman Trovei echoed Al's comment in the loss of Jupe. He was certainly an icon and one of the fabrics of their town...just a very unique person and they've been friends for many years, and his father also. He will be missed and he sends his condolences and the members of the family and the community. He thanked the men who came and expanding on what they are doing. He said to Karl that he liked his proposal and if the state would take the burden off the taxpayers with the school district and finally start looking at all these mandates their pushing on everybody with no money, they might change their tune and start change that direction and actually save people some homes that they can stay in them. He asked him to please keep working on it. He thanked him for all his efforts up there. He knows he's fighting against the tide. They have a very liberal group of spenders and not really conservative with what is going on with the taxpayers. They are very good at proposing money to sound like their doing great things for everybody, but if they could save it and spend it more wisely, they could get a lot more done and New York State would be even that much better of a place to live. Keep up the battle. He thanked Tom for his work at the county level. He then encouraged people to vote on the school budget. In 2005 they had 3,200 students. In 2015 they at 2,550 and the taxes continue to go up every year. There is something wrong with this picture. They want to give the best they can give to their children. As Al said, there are better ways to educate kids for less money. He applauds all the pictures and went through the schooling in Port Jervis, he is thankful.

Supervisor Spears also commented on the passing of Jupe Tenke. Not just that he was an icon in town, but also his daughter, son in law and grandson worked for the town. He will be sorely missed. They also lost some other fine and great people in the last couple weeks, Sandy Levin – she was involved in school and town boards and just about everything that needs to be done, she was always ready to jump in. She will be sorely missed. Also, a close friend of his in Port Jervis, Frank Bell ... he was always trying to do what was right for the people. So, those three people will be sorely missed. Next, he addressed the public. He said there is interest and confusion on how to get on the agenda and discuss items. He told the Board that they received another input letter, which he put in their boxes. They will start addressing these. He asked those who had input first to write it down and they will take a review of the zoning and also at some point, they talked about having a sit-down, informal meeting so they address some of these issues. They don't want to continually have people who think of one thing and want to be on the agenda, it should be more comprehensive. Agenda procedure is and always has been that you call and request to be put on the agenda. Email is not sufficient. They like to know what the subject would be. A lot of things are settled on phone or by a department head. If that can't happen, we'll have a sit-down meeting or put it on the agenda.

Motion to Enter Executive Session to Discuss Tax Certiorari Issue and Dangerous Building at 9:15 p.m.

Motion by Gary Spears, 2nd by Ken Smith to Enter Executive Session for the purpose to discuss tax certiorari issue and a dangerous building and invite in the Town Engineer, Town Attorney at 9:15 after a 10 minute recess.

VOTE: 5 AYES: Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

MOTION CARRIED

Motion to Re-enter Regular Session at 10:21 p.m.

Motion by David Dean, 2nd by Ken Smith to re-enter Regular Session at 10:21 p.m.

VOTE: 5 AYES: Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

MOTION CARRIED

Motion to Adjourn at 10:22 p.m.

Motion by Arthur Trovei, 2nd by Alan Schock to adjourn at 10:22 p.m.

VOTE: 5 AYES: Alan Schock, Ken Smith, Arthur Trovei, David Dean, Gary Spears

MOTION CARRIED

Respectfully submitted by,

Florence T. Santini
Town Clerk