

**TOWN OF DEERPARK
TOWN BOARD MEETING
MONDAY, MAY 13, 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

Absent: David Hoovler

Attorney: Glen Plotsky

Engineer: Alfred Fusco, Jr.

Call to Order at 7:43 p.m.

Pledge of Allegiance led by Gary Spears

Presentations/Communications

Floyd Babcock, Veteran's Committee Chairman announced the fundraiser at Sparrowbush Firehouse. They'll have a BBQ dinner for \$15.00 on June 29th from 2 p.m. to 6 p.m. to raise money for the Veteran Memorial Fund. Supervisor Brabenec offered to put the information on the town's website and Facebook.

Motion to Approve Veteran's Committee Fundraiser on June 29, 2013

Motion by Karl Brabenec, 2nd by Gary Spears to approve the Veteran's Committee Fundraiser on June 29, 2013 from 2:00 p.m. to 6:00 p.m. with all proceeds going to the Veteran's Memorial Fund.

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

1 ABSENT: David Hoovler

MOTION CARRIED

Supervisor Brabenec explained they would go back to Presentations/Communications after the previously scheduled Public Hearing.

Supervisor Brabenec called the Public Hearing for Local Law No. 2 of 2013, to "Reinvest in Deerpark Home Improvement Exemption" to order at 7:46 p.m.

Public Hearing Proposed Local Law No. 2 of 2013 – "Reinvest in Deerpark Home Improvement Exemption a Local Law Creating Partial Exemption From Real Property Taxation for Certain Home Improvements Pursuant to Section 421-F of the New York State Real Property Tax Law"

Town Clerk, Florence T. Santini read the Public Notice of the proposed Local Law No. 2 of 2013 and a copy is attached to the official minutes.

Supervisor Brabenec stated that this act would just apply to town and highway taxes, not school taxes. *John McCarey*, *Director of Real Property for Orange County* passed out some information (which is attached to the official minutes). The benefit will be for home owners making improvements structurally in excess of \$3,000. In Orange County, only two towns took advantage of it in recent years and the total number of exemptions is only 11, one in the Town of Goshen and 10 in the Town of Woodbury. It doesn't generate a lot of interest. The intent in the Town of Deerpark is to try to get people to fix up their house and if they get three people to fix up their house, there are three more houses that are better off. Some of the main things everyone should look at would be the exemptions for seniors, disability exemption and the sector exemption. If this exemption was approved, people would have to apply by March 1, 2014 and they would see the first impact would be December 2015 on the Town and County tax bill.

Discussion continued. Councilman Dean Owner occupied first home – primary residents only John McCarey - In the Local Law you can make a thing that would be primary residence only. You should ask Richard Mayfield of Community Development may have better mileage in their program than the exemption with all the paper work. This has an application form, proof of bills of money spent. The information could be found on the Orange County website: NYS Office of Real Property, Exemption, App. Councilman Trovei Has no problem – not opposed – to clean up both.

Public Comments – None

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Motion to Close the Public Hearing on Proposed Local Law No. 2 of 2013 at 7:59 p.m.

Motion by Gary Spears, 2nd by Arthur Trovei to close the Public Hearing on Proposed Local Law No. 2 of 2013 at 7:59 p.m.

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

1 ABSENT: David Hoover

MOTION CARRIED

Presentations/Communications

Norma Schadt, Historian – Gave a short report stating the Deerpark Diary Issue was in the process of being written. She sent letters to be sent to 4th Grade teachers in the Port Jervis School District as she visits them in June and is not sure if they will have her this year. Ms. Schadt presented an hour and a half session on the Historic Marker project at the Annual State Conference of Public Historians in Syracuse. There were 43 Historians who attended the program and that truly surprised her. At the same conference she received her Registered Historian of the Town of Deerpark. There will be an annual Orange County Historian on June 4th and she plans to attend. There is a tourism initiative that comes from the Governor's Office and one of the themes they have is canals and she chose that for her newsletter. They plan these weekends and for tourists to visit and it promotes the community activities both in I Love New York and Regional Initiatives of the Economic Development Councils. The Town Museum members are working on the Bus Tour. She had fliers, but the July tour was sold out and the August tour was almost sold out. She would leave reservation forms at the Town Hall, at the Museum and on the website.

John Xanthis and Lorelei Case of the Port Jervis School District reported on the upcoming elections. The election will be held on May 21, 2013 from 6:00 a.m. to 9:00 p.m. in the schools. This year's budget was \$62,170,300, just under \$1.5 million greater than last year's budget or 2.4% budget to budget. The Board all wished Mr. Xanthis a happy retirement.

Motion to Table April 22, 2013 Board Minutes

Motion by Karl Brabenec, 2nd by Gary Spears to table the April 22, 2013 Board Minutes until the next meeting.

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

1 ABSENT: David Hoover

MOTION CARRIED

Public Comment Period (3 Minutes per Agenda Item Only)

George Lombardi mentioned that Orange & Rockland was in Deerpark a few weeks ago working on Grange Road with the gas line. He stated that the new zoning made a lot of that commercial property. He thought it would be beneficial for them to extend the gas line up the street, which might help some of that commercial property. Natural gas was the cheapest. *Supervisor Brabenec* stated he did send an email to their public relations person and she was looking into it. She had not gotten back to him yet. This would definitely be a good meeting to go to he added, to voice that concern.

New Business

Consideration of Local Law No. 2 of 2013 – “Reinvest in Deerpark” Home Improvement Act

Councilman Spears commented that this was a good thing. He thought Councilman Dean had a good question and that they wouldn't want an absentee landlord, but if it is a one or two family they should leave it alone.

Motion to Adopt Local Law No. 2 of 2013 – “Reinvest in Deerpark Home Improvement Exemption a Local Law Creating Partial Exemption From Real Property Taxation for Certain Home Improvements Pursuant to Section 421-F of the New York State Real Property Tax Law”

Motion by Gary Spears, 2nd by David Dean to adopt Local Law No. 2 of 2013 – “Reinvest in Deerpark Home Improvement Exemption a Local Law Creating Partial Exemption from Real Property Taxation for Certain Home Improvements Pursuant to Section 421-F of the New York State Real Property Tax Law.”

Discussion: *Councilman Dean* clarified that one or two family owner occupied homes / county law / *Councilman Trovei* fix up / look better *Councilman Dean* asked how would they go to market on this? Put it on website/ (Tape Unclear)

VOTE: 4 AYES (Roll Call): Arthur Trovei, Gary Spears, David Dean, Karl Brabenec

1 ABSENT: David Hoover

MOTION CARRIED

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Supervisor Brabenec reported on the 2013 NYMIR Annual Insurance Inspection Report stating they received high marks since 2010. The Town of Deerpark should consider selling this parcel to reduce its liability. There was a list of items that needed to be fixed in the Highway Garage, Building Two and Harriet Space Park.

Motion to Adopt Resolution 15 of 2013 – Authorize Supervisor to Sign Contract to Sell EZ-Pass Tags in Town Clerk’s Office

Motion by Gary Spears, 2nd by David Dean to adopt Resolution 15 of 2013 to authorize the Supervisor to Sign Contract to Sell EZ-Pass Tags in the Town Clerk’s Office.

Discussion: Councilman Dean asked how much the town would get from selling the tickets and Flo Santini, Town Clerk answered \$4.00 per tag sold. More discussion followed.

VOTE: 4 AYES (Roll Call): Arthur Trovei, Gary Spears, David Dean, Karl Brabenec

1 ABSENT: David Hoover

MOTION CARRIED

Motion to Adopt Resolution – Establishing Fee for Mandatory Fire Inspections and Annual License Inspections

Motion by Karl Brabenec, 2nd by Gary Spears to adopt Resolution Establishing Fee for Mandatory Fire Inspections and Annual License Inspections.

Discussion: Supervisor Brabenec clarified that only the Junkyard and Campground are five years according to the new zoning. Every five years, there is a \$300.00 fee they will pay for their license renewal. They would not pay the annual inspection fee that year. The Zoning Book fee was \$30.00, but with paper and printing costs rising, the charge of \$50.00 will recoup the costs. If people don’t want to pay the fee, they can view this book on line. The fire inspection fee is new. The Town is mandated by NYS to do these and will cost money.

Al Fusco, Fusco Engineering reported on the fire inspections. The commercial and multiple dwelling residents need to have an annual inspection and towards that end, generally there is a flat fee to cover the cost of the inspection and an auxiliary fee for the number of units. It takes time to do the inspection then write it up. Discussion continued. They could be fined if they don’t do this. Councilman Dean thought Mr. Fusco needed to provide them solid pricing. Mr. Fusco promised to check it out and get back to them. Councilman Dean asked if campgrounds and junkyards get inspected every year and would they also need a fire inspection. Mr. Fusco said it would probably get done at the same time.

Motion to Table Resolution - Establishing Fee for Mandatory Fire Inspections and Annual License Inspections

Motion by Karl Brabenec, 2nd by Gary Spears to Table Resolution – Establishing Fee for Mandatory Fire Inspections and Annual License Inspections until the next meeting, June 10, 2013.

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

1 ABSENT: David Hoover

MOTION CARRIED

Motion to Adopt Resolution 16 of 2013 – Authorizing Bids for Myers Grove Beach Properties

Motion by Karl Brabenec, 2nd by David Dean to adopt Resolution 16 of 2013 Authorizing Bids for Myers Grove Beach Properties owned by the town, and labeled as tax parcels: SBL 29-10-14, SBL 29-10-15 and SBL 29-10-17. Sealed bids should be received in Town Clerk’s Office by Monday, June 10, 2013 at 2:00 p.m.

VOTE: 4 AYES (Roll Call): Arthur Trovei, Gary Spears, David Dean, Karl Brabenec

1 ABSENT: David Hoover

MOTION CARRIED

Motion to Approve Use of Town Hall for Orange & Rockland Public Meeting on May 23rd at 7 p.m.

Motion by Karl Brabenec, 2nd by Gary Spears to approve use of the Town Hall for Orange & Rockland to hold a public meeting on Thursday, May 23rd, 2013 at 7:00 p.m. regarding natural gas for Cora Rose Lane.

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

1 ABSENT: David Hoover

MOTION CARRIED

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Motion to Approve the Oakland Valley Racetrack Application

Motion by Karl Brabenec, 2nd by David Dean to approve the Oakland Valley Racetrack Application for 2013.

Discussion: Councilman Dean questioned why the application was being approved for one year instead of five years. Mr. Fusco answered that the Racetrack was not in the zoning changes.

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

1 ABSENT: David Hoovler

MOTION CARRIED

Motion to Approve BRIM Recyclers Inc. -- Junkyard License Renewal for Five Years

Motion by Karl Brabenec, 2nd by Gary Spears to approve BRIM Recyclers Inc. – Junkyard License Renewal for five years.

VOTE: 3AYES: Gary Spears, David Dean, Karl Brabenec

1 ABSTENTION: Arthur Trovei

1 ABSENT: David Hoovler

MOTION CARRIED

Motion to Approve Eckes Auto Body (Upper Brook Road) – Junkyard License Renewal for Five Years

Motion by Karl Brabenec, 2nd by Gary Spears to approve Eckes Auto Body (Upper Brook Road) Junkyard License Renewal for five years.

Discussion: Councilman Dean asked if there was actually a scrap yard in there and Supervisor Brabenec thought it was part of their auto body shop. Mr. Dean said it was not.

VOTE: 2AYES: Gary Spears, Karl Brabenec

2 ABSTENTIONS: Arthur Trovei, David Dean

1 ABSENT: David Hoovler

MOTION FAILED

Motion to Approve Eckes Auto Body (787 State Route 42) – Junkyard License Renewal for Five Years

Motion by Karl Brabenec, 2nd by David Dean to approve Eckes Auto Body (787 State Route 42) Junkyard License Renewal for five years.

VOTE: 3AYES: Gary Spears, David Dean, Karl Brabenec

1 ABSTENTION: Arthur Trovei

1 ABSENT: David Hoovler

MOTION CARRIED

Motion to Approve Tenke's Body Shop & Garage (609 State Route 209) – Junkyard License Renewal for Five Years

Motion by Karl Brabenec, 2nd by Gary Spears to approve Tenke's Body Shop & Garage (609 State Route 209) – Junkyard License Renewal for five Years.

VOTE: 3AYES: Gary Spears, David Dean, Karl Brabenec

1 ABSTENTION: Arthur Trovei

1 ABSENT: David Hoovler

MOTION CARRIED

Motion to Approve Arthur Trovei & Sons, Inc. (82 Sleepy Hollow Rd.) – Junkyard License Renewal for Five Years

Motion by Karl Brabenec, 2nd by David Dean to approve Arthur Trovei & Sons, Inc. (82 Sleepy Hollow Rd.) – Junkyard License Renewal for five years.

VOTE: 3AYES: Gary Spears, David Dean, Karl Brabenec

1 ABSTENTION: Arthur Trovei

1 ABSENT: David Hoovler

MOTION CARRIED

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Motion to Approve Muller's Auto Body (417 State Route 97) – Junkyard License Renewal for Five Years

Motion by Karl Brabenec, 2nd by David Dean to approve Muller's Auto Body (417 State Route 97) – Junkyard License Renewal for five years.

VOTE: 3AYES: Gary Spears, David Dean, Karl Brabenec

1 ABSTENTION: Arthur Trovei

1 ABSENT: David Hoovler

MOTION CARRIED

Motion to Cancel Next Regular Town Board Meeting on May 20, 2013

Motion by Gary Spears, 2nd by Arthur Trovei to cancel the next regularly scheduled Town Board meeting on May 20, 2013.

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

1 ABSENT: David Hoovler

MOTION CARRIED

Appropriations, Budget and Payment of Bills

Motion to Pay Bills

Motion by Karl Brabenec, 2nd by Gary Spears 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 #9 of 2013 in the amount of \$113,902.49
Highway Fund Abstract #9 of 2013 in the amount of \$79,921.23
Engineering Fund Abstract #1 of 2013 in the amount of \$55,841.08
Parkland Fees Abstract #3 of 2013 in the amount of \$816.00
Parkland Fees Abstract #2 of 2013 in the amount of 102.00

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

1 ABSENT: David Hoovler

MOTION CARRIED

Motion to Accept Budget Officer's Report for April 2013

Motion by Gary Spears, 2nd by David Dean to accept the Budget Officer's Report for April 2013 along with the General Fund Expenditures and Highway Fund Expenditures.

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

1 ABSENT: David Hoovler

MOTION CARRIED

Closing Board Comments

Councilman Spears mentioned that Norma Schadt, now a Registered Historian and has done a wonderful job for many years, but it was nice she had this designation now. He thanked her for the fine work she does for the town.

Councilman Trovei said they have waterfront property for sale. He hoped people would come out with bids.

Councilman Dean thanked the Superintendents of Schools and the Assistant Superintendent for the presentation and urged fellow citizens to exercise their right as a citizen to vote on the budget. Occasionally, he'll run into someone who decries their taxes and he suggested to all that the vast majority of the taxes that this community pays are school taxes. He would like to see the voting on the school budget return back to the normal polling places. People feel intimidated to go to the school grounds to vote.

Supervisor Brabenec said that their absent councilmember, David Hoovler was representing the Town of Deerpark with Sheriff DuBois at the Fallen Officer ceremony in Washington, D.C. and will bring a report back. This month of May is their Bulk Clean Up month and people and businesses in the town could get their permit at the Town Clerk's office. The school vote is Tuesday, May 21st from 6 a.m. to 9 p.m. Their website has all their budget information they are proposing. The Veteran's Committee will be hosting a fundraiser for the Veteran's Memorial at the Sparrowbush Fire House on June 29th with a Smoked Pork Dinner, \$15.00 a head. All proceeds are going to the Veteran's Memorial from 2:00 p.m. to 6:00 p.m. There will be

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more information out on the website. He thanked his brother Thomas for making this available live to all watching on their computers. They still have spots open this summer for the younger ages at the YMCA Camp and they should see Flo or Tippy in the Town Clerk's Office. The DARE Program also has some fund raising efforts going on.

Florence T. Santini, Town Clerk added that DARE has its own program now in the town and a Deerpark Police Officer is heading it up. HBE School will have their own graduation class.

Motion to Adjourn at 9:39 p.m.

Motion by Gary Spears, 2nd by David Dean to adjourn at 9:39 p.m.

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

1 ABSENT: David Hoovler

MOTION CARRIED

Respectfully submitted by,

Florence T. Santini
Town Clerk

