

**TOWN OF DEERPARK
TOWN BOARD MEETING
MONDAY, JUNE 4, 2012**

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

Attendance:

Supervisor: Karl Brabenec

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

Absent: Arthur Trovei

Attorney: William Bavoso

Engineer: Alfred Fusco

Invocation: Gary Spears

Call to order at 7:34 p.m.

Pledge of Allegiance: David Dean

Additions or Changes to Agenda

Motion to Add Resolution 23 of 2012 – Regarding Capital Improvements to Existing Town Recreational Facilities

Motion by Karl Brabenec, 2nd by David Dean to add Resolution 23 of 2012 – Regarding Capital Improvements to Existing Town Recreational Facilities.

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

ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Add Oakland Valley Campground Permit to Agenda

Motion by Karl Brabenec, 2nd by David Dean to add the Oakland Valley Campground Permit to the agenda.

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

ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Approve Board Minutes for May 7, 2012 and May 14, 2012

Motion Gary Spears, 2nd by David Hoovler to approve the Board Minutes for May 7, 2012 and May 14, 2012 as presented.

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

ABSENT: Arthur Trovei

MOTION CARRIED

Public Comment – None

Motion to Approve BRIM Recycling Permit for 90 Days

Motion by Gary Spears, 2nd by David Dean to approve BRIM Recycling permit for 90 days.

Discussion: Al Fusco, Town Engineer said he was working closely with BRIM Recycling, who received a letter from DEC about cleaning up their property, but it was not over the top. Councilman Hoovler asked if BRIM was on the Planning Board agenda and Mr. Fusco said they were and their pre-application requested they be granted the grandfather clause. He will provide an update following that meeting. Discussion continued and Mr. Fusco will continue working with them.

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

ABSENT: Arthur Trovei

MOTION CARRIED

Board Business

Motion to Approve KOA Campground Permit for the Remainder of 2012

Motion by Karl Brabenec, 2nd by Gary Spears to approve the KOA Campground Permit for the remainder of 2012.

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Discussion: Mr. Fusco said they worked cooperatively with them on a drainage project and when they get together one day, they will look at it and bring it back to the board. He said as of this date, we still get complaints—but of the violations we have given them—they are working on them. Councilman Dean asked if they are before the Planning Board on the site plan review. Mr. Fusco said they were and Councilman Dean said that essentially once they have a site plan, they have a map, which will tell them what they have and don't have. They can't have things appear and disappear haphazardly. Mr. Fusco said they appeared to be very cooperative. Councilman Dean said he drove through there and thought it was very neat and clean and tidy—a credit to the community. Mr. Fusco agreed there is a lot of activity, but it was orderly.

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

ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Adopt Resolution 18 of 2012 – Authorization for Execution of Contract with NYSDOT to Lease Town of Deerpark Land (Grange Property)

Motion by David Dean, 2nd by Gary Spears to adopt Resolution 18 of 2012 – Authorization for Execution of Contract with New York State Department of Transportation (NYSDOT) to lease Town of Deerpark Land (Grange Property) to be used as a location for a temporary office regarding the Route 209 Bridge Replacement Project.

Discussion: Supervisor Brabenec explained the purpose and that Councilman Dean approached the NYSDOT about using the property. They could not use the building, but thought the property would be sufficient for a temporary office. They will pay the town \$1,000 a month while they are there, negotiated by Councilman Dean. They could be there for 18 months.

Councilman Dean thought they should give a shout out to Bob Emerson, Building Inspector for the town since Bob was instrumental in getting that situation started. That was 'found' money. He then thanked Bob Emerson. Supervisor Brabenec will verify they have a certificate of insurance before he signs the contract.

Motion and 2nd Amended to state that authorization for execution of contract with NYSDOT will be signed upon receipt of Certificate of Insurance by Lessor.

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

ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Adopt Resolution 19 of 2012 – Authorization for Execution of Clinical Experience Contractual Agreement With Orange/Ulster BOCES

Motion by Gary Spears, 2nd by David Hoovler to adopt Resolution 19 of 2012 – Authorization for Execution of Clinical Experience Contractual Agreement with Orange/Ulster BOCES for clinical program with Deerpark Police Department.

Discussion: Supervisor Brabenec explained that BOCES has a law enforcement program for up and coming police officers. They contract with various towns and cities that have police departments around Orange County to do a clinical shadowing program. This has never been done in Deerpark, but they wanted to shadow some of our officers and in order to do that, they need this agreement signed. Councilman Spears asked about the liability to the town. Councilman Hoovler thought they were covered by Orange/Ulster BOCES. Supervisor Brabenec then read liability information covering the town for any problem. Councilman Dean asked for the particular requirements for being a ride along, regarding their age, signing release, etc. The Supervisor read the contract verbiage in that regard. It looks like it is all covered. Councilman Hoovler added these are basically High School students participating in a law enforcement curriculum.

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

ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Adopt Resolution 20 of 2012 – Authorization for Execution of Contract With the County of Orange for Dual Band Radios

Motion by Gary Spears, 2nd by David Dean to adopt Resolution 20 of 2012 – Authorization for Execution of Contract with the County of Orange for Dual Band Radios.

Discussion: Supervisor Brabenec explained that the county is providing the Police Department with two AP7000 Digital Portable Dual Band 7/800 MHz/VHF radios. This inter-municipal agreement is sent to them to sign. Each portable will be

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programmed to meet the county's interoperable plan radio with 800 MHz interoperable channels, I-Call and I-Tack 1-4. Councilman Spears asked if it would cover the dead spots and the supervisor wasn't sure. Councilman Dean asked if there would be a cost to the taxpayer in the town and the Supervisor replied no.

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

ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Adopt Resolution 21 of 2012 – Establishment of a Town Safety Advisory Committee

Motion by Gary Spears, 2nd by David Hoovler to adopt Resolution 21 of 2012 – Establishment of a Town Safety Advisory Committee for the Town of Deerpark as per NYMIR recommendations.

Discussion: Supervisor Brabenec said the committee would be comprised of six members who shall be the Town Supervisor, Deputy Supervisor, Town Clerk, Highway Superintendent, Police Chief and the Senior Elected Town Justice. The Town Supervisor should preside over all meetings of the committee. He read the resolution. He also pointed out this action was recommended by NYMIR and most towns and cities. It is basically a safety committee to review quarterly any problems with town facilities and correct them right away so they don't have insurance problems in the future.

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

ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Table Resolution Re: Abandonment of Myers Grove Beach in Godeffroy, New York

Motion by Karl Brabenec, 2nd by Gary Spears to table Resolution 22 of 2012 to the July Meeting due to the attorney having received new information that needed to be investigated before continuing.

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

ABSENT: Arthur Trovei

MOTION CARRIED

Councilman Hoovler introduced the next resolution drafted by the town's attorney, Mr. Bavoso and explained its purpose. The town collects recreational fees from time to time and as a result of the collection of those fees, they can use those monies for park improvements. Since the town has one centrally located park that is used, they want to transfer some money into a trust account so they can make improvements to Harriet Space Park involving restrooms and kitchen facility.

Motion to Adopt Resolution 22 – Regarding Capital Improvements to Existing Town Recreational Facilities

Motion by Gary Spears, 2nd by David Dean to adopt Resolution 22 – Regarding Capital Improvements to Existing Town Recreational Facilities.

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

ABSENT: Arthur Trovei

MOTION CARRIED

Supervisor Brabenec explained the surplus abandoned motorcycle next to the Cornucopia and no one could contact the owner. It becomes the possession of the town if they cannot contact the owner or the owner abandons it. It has now become the town's property. They need a motion to surplus it and offer it for sale.

Motion to Declare Surplus Equipment – 2005 Suzuki S40 Boulevard – VIN#JS1NP41A352101362

Motion by Karl Brabenec, 2nd by David Dean to declare surplus equipment of a 2005 Suzuki 40 Boulevard - VIN#JS1NP41A352101362 and offer it for sale to the highest bidder through whatever means are necessary.

Discussion: Councilman Dean asked the Attorney if it had safely passed the time frame. Mr. Bavoso confirmed it has passed the time frame and they were free to sell it as surplus property.

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

ABSENT: Arthur Trovei

MOTION CARRIED

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Supervisor Brabenec announced that the annual inspection was made of the Oakland Valley Campground on May 31st and the Building Inspector submitted a letter of recommendation for the approval of their campground.

Motion to Approve Oakland Valley Campground 2012 Permit

Motion by Karl Brabenec, 2nd by Gary Spears to approve Oakland Valley Campground 2012 Annual Permit.

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

ABSENT: Arthur Trovei

MOTION CARRIED

Appropriations, Budget and Payment of Bills

Motion to Pay Bills for May 14, 2012 and June 4, 2012:

Motion by Karl Brabenec, 2nd by Gary Spears to pay bills for May 14, 2012 and June 4, 2012 that have been signed by three council members, and may be viewed in the Town Clerk's Office.

General Fund Abstract #10 of 2012 for a total of \$88,824.18

Highway Fund Abstract #10 of 2012 for a total of \$32,745.86

Deerpark Lighting Abstract #6 of 2012 for a total of \$32.73

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

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Accept May 2012 Budget Officer's Report

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

Discussion: Supervisor Brabenec said they seem to be doing very well and after speaking with their accountant, at the next meeting, they may need to do a budget modification to correct a line item for \$2,000 that was in the revenue section and not in an expenditure section concerning snow and ice removal reserve account.

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

1 ABSENT: Arthur Trovei

MOTION CARRIED

Closing Board Comments

Councilman Spears commented on the Highway Department doing a good job keeping up with their roads, which is a major job. He also reported that Ed Hughson, Highway Superintendent would be away from Sunday to Wednesday next week for Highway School in Rochester. He attends this annually to keep up with all the latest information. In his absence, his Deputy Superintendent will take care of his duties. In regards to the Harriet Space Park, they will soon finish working on the seeding and fertilizing of the park so it will be ready for the fall. They are working on the building addition in regards to the kitchen.

Councilman Dean reported there isn't much to report but reminded everyone that the No. 2 Beach is a private piece of property and no open fires are allowed there. If people carry anything in, they should carry it out. The same goes for the Boehmler Park. Everyone should be diligent about that.

Councilman Hoovler congratulated all the graduating seniors this year and wished them the best of luck in their future endeavors. He cautioned them to be careful in their events as it has potential to be a tragic time of year as well. Additionally, anyone over 14 on the river has to have a life jacket.

Councilman Dean added his appreciation for ATV patrols and he knows it is an important tool. Councilman Hoovler also thought it was successful. Councilman Spears thought it was not just for the safety of the residents, but many under aged ATV riders had no helmets, insurance, adult supervision—so it was good the police were out there for the safety issue.

Supervisor Brabenec had no comments.

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Town Clerk Florence T. Santini asked if she should advertise again for the Zoning Board of Appeals (ZBA) opening and the board agreed she should. Supervisor Brabenec acknowledged they received one letter of interest. Ms. Santini reminded everyone of the June 7th meeting with the NYSDOT regarding the bridge from 6:30 – 7:30 p.m. at the Town Hall, for an informational meeting. She mentioned that her office is working with Cindy Sprusanski and the school to collect personal supplies for military personnel serving overseas. She also reported that the Rabies Clinic had gone well.

Motion to Adjourn the Meeting at 8:10 p.m.

Motion by David Dean, 2nd by Gary Spears to adjourn the meeting at 8:10 p.m.

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

1 ABSENT: Arthur Trovei

MOTION CARRIED

Respectfully submitted,

Florence T. Santini
Town Clerk