

**TOWN OF DEERPARK  
TOWN BOARD MEETING  
MONDAY, JULY 19, 2010**

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

**Attendance**

**Supervisor:** Karl Brabenec

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

**Attorney:** Glen Plotsky

**Engineer:** Al Fusco, Fusco Engineering

**Invocation** by Arthur Trovei

**Call to Order** at 6:30 p.m.

**Pledge of Allegiance** led by Gary Spears

There were no additions to the Agenda.

The meeting opened with discussion on IB zoning changes and other zones. (A copy of the discussion tape is on tape on file in the Town Clerk's office for six months.)

**Motion to Schedule Special Meeting for Workshop on Interchange Business (IB) and Zoning Changes**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to schedule a special meeting for workshop on interchange business (IB) and zoning changes on Tuesday, July 27, 2010 at 7:30 p.m.

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

**MOTION CARRIED**

**Motion to Enter Executive Session at 7:27 p.m. for Discussion on a Tax Certiorari Case**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears, to enter Executive Session at 7:27 p.m. for the purpose of discussion on a tax certiorari case and invite in Glen Plotsky, Town Attorney and Kathleen Smith, Town Assessor.

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

**MOTION CARRIED**

**Motion to Re-enter Regular Session at 7:43 p.m.**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Hoovler to re-enter Regular Session at 7:43 p.m.

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

**MOTION CARRIED**

There was a moment of silence for Irma Pagano, a longtime activist in the Town of Deerpark, who recently passed away.

Opening Comments

Councilman Hoovler reported on the Deerpark Exchange and that the IDA visited the town and there was not a single objector from any surrounding community or elected official in western Orange County, including the school district. That was good news for the town. Supervisor Brabenec added that it was an excellent public hearing and the members of the IDA and their attorney were here and this would be a catalyst for this IB District Zone and another meeting is scheduled at the Orange County Executive's Office Wednesday at 3:00 p.m. for final approval. People should attend this meeting and voice their opinion in favor of this project as it would be good for the Town of Deerpark.

Presentations/Communications

Supervisor Brabenec reported receiving about 35 letters since the last meeting and one was from Mr. James Harrington in regards to the Zoning Board of Appeals vacancy. The letter was read and an interview will be scheduled at the next meeting. An email letter commending Bob Emerson, Building Inspector was read and it was recommended the put the letter in his personnel file. Councilman Spears supported the comments of the letter by stating he also thinks Mr. Emerson is doing a great job.

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**Motion to Place Copy of Letter of Commendation for Bob Emerson in Personnel File**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to place a copy of the letter of commendation for Bob Emerson, Building Inspector in his personnel file.

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

**MOTION CARRIED**

Supervisor Brabenec continued with communication reading a letter commending Tom Yonskie, Dog Control Officer for his prompt and professional services and recommended putting the letter in his personnel file.

**Motion to Place Copy of Letter of Commendation for Tom Yonskie in Personnel File**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Hoovler to place a copy of the letter of commendation for Tom Yonskie, Dog Control Officer in his personnel file.

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

**MOTION CARRIED**

Supervisor Brabenec mentioned a letter from Al Fusco, the town engineer in regards to the properties being looked at for demolition and public hearing. He will read the letter at the public hearing. He also received correspondence from Flo Santini, Town Clerk regarding the Board of Elections class for residents to become familiar with the new voting machines and requested the use of the Town Hall on Tuesday, October 19, 2010 at 6:30 p.m.

**Motion to Approve Use of Town Hall by Board of Elections**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to approve the Town Hall to be utilized for the Board of Elections Voting Machine Class for Town of Deerpark residents on Tuesday, October 19, 2010 at 6:30 p.m.

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

**MOTION CARRIED**

Supervisor Brabenec reported on the new invoice from Poland Springs showing a credit \$36.20; balance \$16.59 and adjustment of \$61.07 that was possible with the help of both Councilman Dean and Samantha Parlman, Bookkeeper who shopped around and worked on getting the rates down. He commended them both for their help with those charges.

Councilman Spears will share his report on the Highway Department at the next meeting. Councilman Dean asked if the Cable Commissioner wanted to report on their last meeting.

George Keller, *Cable Commission* Chair reported that a public service commission advisor was in attendance and was there to help them with a new cable contract. Mr. Keller invited any comments from the residents. He reported that the supervisor asked for a desk audit of Time Warner and the public service commission knows about it and they are working on it. There are other issues the advisor has advised them on such as getting funding for various program funds and they will wait to see what the audit shows. The board members all thanked Mr. Keller for his report and good job. Supervisor Brabenec offered to write an email to the Public Service Commission the next day inquiring where they are at in the audit and report back. Councilman Dean added that the Public Service advisor mentioned the availability of the government rate for cable service and asked the supervisor if he could check to see if they were getting that government rate, which may only apply to the cable. Supervisor Brabenec agreed to check into the government rate for the cable service and internet as well.

Public Comment Period – None

New Business

Supervisor Brabenec reported they had met in Executive Session to discuss tax certiorari and asked the town attorney to update them about a particular matter needing to be addressed.

The attorney asked the board to make a motion or authorize settlement of the tax certiorari proceedings commenced by Air Gen, NY LLC against the Town of Deerpark pursuant to the proposed stipulation, there will be no refunds required from the town's school district, fire district or county and in exchange for that, the applicant will receive the negotiated reduction in their assessed value.

**Motion to Sign Settlement Agreement for Air Gen, New York for the Tax Certiorari Case**

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Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to sign the Settlement Agreement for Air Gen, New York for the tax certiorari case.

Discussion: Councilman Hoovler believed tax settlement was in the best interest of the taxpayers of the Town of Deerpark based on competent legal advice and reported the tax assessor also agreed.

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

**MOTION CARRIED**

Supervisor Brabenec mentioned that they had discussed the need to look at paper reduction in the town's annual use and expense. He was charged to look into a cost savings proposal. He contacted a vendor about the use of a portable scanner to be used in the Town Clerk's office, who would scan any paper that would need to be sent out. This would alleviate the use of paper and ink. He also asked this vendor to look at laptop computers for the council members. Information was distributed with costs and a scanner totaled to \$2,853.37 for five computers and a scanner. There was another proposal for a total of \$2,681.93. The computers would be property of the town and would be used only for town business and the non-paper distribution would consume a lot of computer space. Councilman Hoovler addressed wanting access to the same information the supervisor has access to. Councilman Spears thought if a computer is purchased, it should have enough memory to handle the material. Councilman Dean spoke of having an IT person available also. Councilman Trovei appreciated the supervisor's information and made comments about additional costs for software that would probably be added, according to his computer assistant. The Town Clerk's office would be responsible for scanning all documents. The Town Clerk's office is also responsible for all the town mail. Councilman Trovei asked the Town Clerk about the time involved and asked if there was a scanner with an automatic feed. More discussion continued. The Town Clerk promised to begin practicing the scanning and emailing process with the equipment in her office. By law, the Town Clerk will maintain the paper copies in her office, but will email all the copies to the council that is possible. The Supervisor will ask the IT helper to assist the Town Clerk with getting started. They will get more quotes and Supervisor Brabenec will give another report at the August 2<sup>nd</sup> meeting.

**Motion to pay bills:**

Motion by Karl Brabanec, 2<sup>nd</sup> by Gary Spears, to pay bills that have been signed by three council members, and may be viewed in the Town Clerk's office.

General Fund Abstract #13 of 2010 for a total of \$275,610.89

Highway Fund Abstract #13 of 2010 for a total of \$116,093.42

Deerpark Manor Lighting Abstract #5 of 2010 for a total of \$323.06

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

**MOTION CARRIED**

Closing Board comments

Councilman Spears is very interested in cutting costs to the town regarding the computers and knows that having the information at their fingertips will help them make better decisions. He appreciates the supervisor following up on that topic and thanked Councilman Dean and Samantha Parlman helping out with saving money on the water bills.

Councilman Trovei wants to keep on working on the littering law. There is nothing the town can do with the private property at the Number Two Bridge where so many have littered. Councilman Dean spoke to the IDA regarding the Deerpark Exchange and the expression of unanimous support. The IDA chairman was pleasantly surprised. This was a great meeting and they are looking forward to moving ahead on Route 6. Supervisor Brabenec thanked all the Department Heads for coming to the IDA meeting and for their comments, along with the Tri-State Chamber of Commerce. He will probably have a final report on August 2<sup>nd</sup> regarding the computers for the council.

**Motion to Adjourn at 8:25 p.m.**

Motion by Gary Spears, 2<sup>nd</sup> by David Dean to adjourn the meeting at 8:25 p.m.

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

**MOTION CARRIED**

Respectfully submitted by,

Florence T. Santini  
Town Clerk