

**TOWN OF DEERPARK**  
**TOWN BOARD REGULAR MEETING**  
**MONDAY, SEPTEMBER 8, 2014**  
Meeting was held at Town Hall, 420 Route 209, Huguenot, NY 12746

**Invocation by** Councilman Trovei

**Attendance**

**Supervisor:** Karl Brabene

**Councilmembers:** Arthur Trovei, Gary Spears, David Dean, Ken Smith

**Attorney:** Glen Plotsky

**Engineer:** Al Fusco, Jr.

**Call to Order** at 7:32 p.m.

Pledge of Allegiance by Councilman Trovei

Additions or Changes to Agenda – None

Presentations/Communications

Supervisor Brabene said they have a new Senior Center that will be officially dedicated in the next couple weeks. The Senior Center is put together with the new Highway Garage. It's a new infrastructure that has been sorely needed for over a decade. The board was able to accomplish this without having to raise taxes and with good financial planning. The Senior Center will be an asset to the community for probably the next 50 to 60 years. This board has thought long and hard about naming the Senior Center after someone who was local, very active and had done a lot for the Deerpark seniors. All the board is in agreement with the proposal and will present it tonight. After they vote on it, they will rename to the Deerpark Senior Center as the Robert W. Cunningham Senior Center. Though Bob is no longer alive, his wife Joan and son Cort and family were there. He then read the resolution.

**Motion to Adopt Resolution 23 of 2014 – Designation of the Robert W. Cunningham Senior Center**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to adopt Resolution 23 of 2014 – Designation of the Robert W. Cunningham Senior Center.

**VOTE 5 AYES (Roll Call):** Arthur Trovei, Gary Spears, David Dean, Ken Smith, Karl Brabene

**MOTION CARRIED**

Supervisor Brabene said they would be having a ribbon cutting ceremony and a plaque for the new Senior Center so people will know the contributions made to the community and the seniors for decades to come, by Mr. Cunningham.

*Historian Report* by Norma Schadt – Written report attached to Official Minutes. Ms. Schadt invited those with a history in the town to contribute to the history archives. She expressed her gratitude to Lynn Burns, her Deputy Historian.

*Falun Dafa Presentation* – Had a petition signed by hundreds of Orange County residents calling for local and federal government to support the House Resolution 281 to stop persecution of Falun Gong and state sanctioned organ harvesting of Falun Gong parishioners for profit. She showed a short video demonstrating the persecution by the Chinese Communist party.

**Motion to Accept August 18, 2014 Board Minutes**

Motion by Gary Spears, 2<sup>nd</sup> by Ken Smith to accept August 18, 2014 Board Minutes.

**VOTE 5 AYES:** Arthur Trovei, Gary Spears, David Dean, Ken Smith, Karl Brabene

**MOTION CARRIED**

Public Comment Period

Burt Thelander – 85 Guymard Turnpike – He thought the earlier presentation was regarding a site plan and the Supervisor said that would probably be a Planning Board issue.

New Business

Supervisor Brabene explained they currently have a Court Attendant who recently took training for fire arms and peace keeping. However, Civil Service has an issue with granting a peace officer status to carry a pistol in the courtroom for

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security. The Supervisor checked into a Constable position within the town that would be a Court Constable under direction of the courts and not the police department. A Constable is a Peace Officer. State law allows you to have both a police department and a Constable position. Attorney Glen Plotsky also checked on this. He would like to create a Constable position and then appoint the Court Attendant to the Constable position effective immediately and submit it to Orange County Civil Service. Councilman Dean confirmed that this position would apply solely to the Court. Supervisor Brabenec stated that the Constable is a peace officer and civil position, not criminal. If a person needed to be served, he could be used for that. The Constable position is much like the DCO position. Councilman Dean asked for the limit to this position and asked if it would not grow beyond the parameter of the court setting. Supervisor Brabenec said they could use him for security for a town board meeting for an example. Councilman Trovei asked how many hours for this position. The Supervisor said it will be part time for the hours needed. Court is Tuesday and Wednesday for a few hours a night. Councilman Spears asked if he has been trained with the Taser and the Supervisor said he has not, but that would be an additional training possible. Councilman Dean asked for specific wording about no more than 20 hours a week and that he is under the control of the court.

**Motion to Create Position of Court Constable for Deerpark Town Court**

Motion by Karl Brabenec, 2<sup>nd</sup> by Ken Smith to create the position of Court Constable for the Town of Deerpark and to assign the Constable to the Deerpark Town Court and that the hours should not exceed 20 hours per week.

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

**MOTION CARRIED**

**Motion to Appoint Lou Taliento as Court Constable**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to appoint Lou Taliento as Court Constable at the Deerpark Town Court at his current rate of pay for no more than 20 hours per week.

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

**MOTION CARRIED**

**New Building Report**

*Al Fusco, Jr.*, Town Engineer said he was very pleased to report on the Robert W. Cunningham Senior Center. He offered congratulations to the Cunningham family, saying he was a real gentleman. The project is going extremely well. They were completing many of the projects. The kitchen and bathrooms are just about complete. They hope to have it ready to open the week after next. The Highway Department will begin working on the site and install guard rails and concrete pads in front of the doors. Councilman Dean asked about whether they received the curb cut from the state and Mr. Fusco said they just received a letter that day. They had one small issue and wanted them to move it down a little bit. They didn't give them a variance because of the existing pole. They're about 95% there.

*Florence Santini*, Town Clerk gave an update on the 9/11 Service reporting how Home Depot has once again spruced up the place with new mulch and mums. They have donated so much to the town with the 9/11 and the new senior building. Both Laura Mosca and Bert Eagle worked on the front and made it look so nice. She hoped everyone got her email message about purging records that belong to the town and that they should bring what they have to her and she'll make sure it gets shredded. The 9/11 service is the 13<sup>th</sup> memorial service and begins at 8:30, refreshments will follow. The school choir will be there with some dignitaries, EMS, Police, etc. The food is all donated. Supervisor Brabenec said it was one of the best memorials in the county, if not the best. He thanked Flo for her hard work. He added that the town appreciates all she does.

Supervisor Brabenec mentioned they had bids on a 2006 Chevy Impala with four doors and about 160,000 miles. The top bid was for \$860.00. They could accept or deny the bid. If they deny the bid, they hold on to the Chevy and re-bid it on Auctions International.

**Motion to Accept Bid of \$860.00 on the 2006 Chevy Impala**

Motion by Arthur Trovei, 2<sup>nd</sup> by Gary Spears to accept the bid of \$860.00 on the 2006 Chevy Impala four door.

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

**MOTION CARRIED**

Appropriations, Budget, and Payment of Bills

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**Motion to Pay Bills**

Motion by Karl Brabenec, 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 #16 of 2014 in the amount of \$188,825.68

Highway Fund Abstract #16 of 2014 in the amount of \$43,882.38

Engineering Fund Abstract #13 of 2014 in the amount of \$1,505.00

Special Revenue Fund Abstract #12 of 2014 in the amount of \$47.99

Capital Projects Fund Abstract #12 of 2014 in the amount of \$ 174,487.35 (Running Total \$848,015.78)

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

**MOTION CARRIED**

**Motion to Accept August 2014 Budget Officer's Report**

Motion by Gary Spears, 2<sup>nd</sup> by Ken Smith to accept the August 2014 Budget Officer's Report.

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

**MOTION CARRIED**

Supervisor Brabenec reported working on the new budget for 2015, but with the new building construction, he has not completed it yet. He will present it at the next meeting on September 22<sup>nd</sup>. They will have two weeks to look at it and on October 6<sup>th</sup>, they need to pass the Preliminary Budget and make it available to the State Comptroller's Office. Councilman Dean asked how many more years they need to run their budget past the comptroller's office and the supervisor responded until 2018—and they have been given top marks for what they are doing. He would want to do it voluntarily because it is a second set of eyes.

Closing Board Comments

Councilman Spears congratulated the Cunningham family on the naming of the new Senior Center. They couldn't come close to listing all that Bob had done, but for a number of years he did good for the residents of Deerpark. It was an honor for them to name the building after him. He thanked Norma Schadt and her assistant for the work they do and how they keep the history alive. He acknowledged it takes a lot of work and offered kudos to them. He thanked the Falun Dafa presenters and all those who came out.

Councilman Trovei congratulated the Cunningham family and said he had the privilege of working with Bob the first time he was a councilman in Deerpark and it was well deserved. He thanked those for the presentation and commented on how sad it was that on this planet there can be such atrocities done to one another. He said that the allowance of aborted babies throughout America and China is heavy on his heart. He was sorry for their plight.

Councilman Dean congratulated the Cunningham family and said it was deserved honor. He said Bob did many, many good things for this town so his legacy continues with the new building. He also thanked Falun Dafa for their presentation saying it was eye opening and revealing and unfortunate.

Councilman Smith knew Robert and congratulated his family for that honor being bestowed on them. He expressed thanks for the presentation regarding their plight over the years, he hoped the world listens.

Supervisor Brabenec reminded everyone that tomorrow was the Primary Election Day. There was a primary for each of the Republicans, Democrats, Conservative and Independence parties in the Town of Deerpark. All registered voters could vote from 6 a.m. to 9 p.m. He said he had the privilege of running for council and working with Mr. Cunningham for two years and he learned from him as a new councilman and how to improve the town. He was a good person to talk to and he sure appreciates everything he's done. As far as the presentation is concerned, he thanked them for bringing this information to them and thought they should go to other town boards and city councils and let a lot of people know and have open communication. He promised to be an advocate to anything he can do to spread the word to stop those atrocities.

Florence Santini, Town Clerk said her office is selling hunting licenses and it is open from 8 to 4 Monday through Friday. They sell lifetime licenses and hunting and fishing licenses. Councilman Dean added that they have a hunter safety course on the 17<sup>th</sup> and 18<sup>th</sup> at Building No. 2 at 7 p.m.

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**Motion to Enter Executive Session for Updates Re: Litigation on Academy Ave. and Various Tax Certiorari's at 8:45 p.m.**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to enter Executive Session for updates regarding Litigation on Academy Ave. and various tax certiorari's at 8:45 p.m.

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

**MOTION CARRIED**

**Motion to Recess until 8:45 p.m.**

Motion by Karl Brabenec, 2<sup>nd</sup> by Arthur Trovei to Recess until 8:45 p.m.

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

**MOTION CARRIED**

**Motion to Re-Enter Regular Session at 9:55 p.m.**

Motion by Gary Spears, 2<sup>nd</sup> by Ken Smith to re-enter Regular Session at 9:55 p.m.

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

**MOTION CARRIED**

**Motion to Adjourn at 9:57 p.m.**

Motion by Arthur Trovei, 2<sup>nd</sup> by David Dean to adjourn at 9:57 p.m.

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

**MOTION CARRIED**

Respectfully submitted by,

Florence T. Santini  
Town Clerk