

**TOWN OF DEERPARK
TOWN BOARD MEETING
MONDAY, SEPTEMBER 20, 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: Bill Bavoso, David Bavoso

Invocation: Arthur Trovei

Pledge of Allegiance: Gary Spears

Call to Order at 7:39 p.m.

Additions or Changes to Agenda

Supervisor Brabenec asked to add Crop Walk presentation by David Bavoso, under Presentations and Communications .

Opening Board Comments

Supervisor Brabenec commented on the Heritage Day at the Museum on Saturday, September 18th and that it was well attended and had good vendors. The food proceeds went to the Cuddebackville Reformed Church and the dog & cat food went to the Humane Society. He thanked Norma Schadt and her committee for doing a great job.

Presentations and Communications

Supervisor Brabenec reported receiving about 25 letters since the last meeting. The *Heritage Day Financial Report* was received showing the total received was \$469 and total expenses were \$119. A letter from *ASCAP* was received, which is basically charging all municipalities \$305 for an annual license to play music in the town hall. The supervisor asked the town's attorney, Bill Bavoso to recap that issue. Mr. Bavoso explained that *ASCAP* has a good amount of law on their side to collect these fees, and realistically it would cost more to fight this than paying the annual fee. Discussion continued. Councilman Spears asked Mr. Bavoso to look into options available. The Supervisor will check with other supervisors and the Town Clerk will check with other Town Clerks and gather information on other municipalities actions.

David Bavoso presented the *Crop Walk for Hunger 2010* and distributed a handout. The First Presbyterian Church in Port Jervis organized this to raise funds to fight hunger around the world. The walk is scheduled for Sunday, October 17, 2010 beginning at 2:00 p.m. at Airport Park in Matamoras, PA. Walkers are encouraged to raise money and their 2010 goal is \$15,000. For information: call Paula at 794-3515 or 856-1231; go online at tristatescropwalk.blogspot.com, fpcpi.net. Non-perishable food will also be collected.

New Business

Councilman Dean reported that he has been in contact with the JNS Cell Phone Tower and they have a lease with Verizon to be signed with the town.

Motion to Authorize the Supervisor to Sign Verizon Cell Phone Tower Contract

Motion by David Dean, 2nd by Gary Spears, to authorize the Supervisor to sign the Verizon Cell Phone Tower Contract.

Discussion: Councilman Dean explained that each carrier pays \$2,000 a month; JNS splits the income with the town, as they serve as the agent.

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

MOTION CARRIED

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Motion to Approve New Member for Huguenot Fire Company

Motion by Gary Spears, 2nd by Arthur Trovei to approve a new member, Jerry Lomangino to the Huguenot Fire Company.

Discussion: Councilman Spears stated he would prefer more information on a person when the board is asked to approve someone, but would go with the Chief's recommendation. Councilman Trovei asked that when the board is asked to approve a person, he too needs more information, like a resume. Councilman Hoovler asked if this came up once before and Mr. Bavoso had asked last time for all documentation they had, but received nothing. Since the Huguenot Fire Department is a not-for-profit corporation, the town attorney isn't sure the Town Board needs to be involved. Councilman Spears and Councilman Trovei withdrew their motion and second Supervisor Brabenec will get a copy of the state law. This withdrawal has nothing to do with the individual recommended, rather a question as to whether this is necessary and/or appropriate by the Town of Deerpark Board.

MOTION WITHDRAWN

Supervisor Brabenec read the request stating the Cornucopia Liquor License needs to be renewed. Councilman Dean asked why the Town has to be involved with this renewal. Mr. Bavoso explained the State Liquor laws require that on renewal of licenses, any entity with a license must notify the municipality where they are located on the fact that they are seeking renewal. The reasoning is that the local municipality knows if there are any problems and would notify the State before they renew it. Other than acknowledging receipt of the notification, there wasn't anything else that needed to be done.

Appropriations, Budget and Payment of Bills

Supervisor Brabenec asked the Town Clerk to present the 2011 Supervisor/Budget Officer's Tentative Budget to the Town Board. The supervisor described the budget process as follows: The Budget Officer puts together the budget after receiving Department Head requests; after consideration of the amounts involved, he creates the budget and lists their request and his recommended total; with the tentative budget the Department Heads have an opportunity to review and discuss with him on any changes; a couple budget meetings would then be scheduled to go over line by line and make changes. The budget is then referred to as the Preliminary Budget, which needs to be sent to the State Comptroller's Office, due to the town's deficit financing. Based on their recommendations, the budget needs to be changed. Once this is received, they would schedule a public hearing and the public would have an opportunity to give input. The final Adopted Budget for 2011 deadline is November 20, 2010. The Budget Message, written by the Budget Officer was read and a copy is attached to the official minutes. The supervisor then thanked Rob Schultz, the town accountant; the bookkeeper Samantha Parlman and everyone who gave input to the process.

Motion to pay bills:

Motion by Karl Brabenec, 2nd 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 #17 of 2010 for a total of \$35,761.18
Highway Fund Abstract #17 of 2010 for a total of \$18,133.19
Driveway Bond Abstract #2 of 2010 for a total of \$1,200.00
WTC Memorial Fund Abstract #1 of 2010 for a total of \$10,036.11
Deerpark Manor Lighting District Abstract #1 of 2010 for a total of \$342.03

Discussion: Councilman Spears asked if all the money was received for the WTC Memorial Fund and the Town Clerk responded they have received \$10,900 to date and the bills are paid. They are still receiving donations.

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

MOTION CARRIED

Closing Board Comments

Councilman Spears thanked Florence Santini, Town Clerk for her fundraising efforts and commended her on doing a great job. He appreciated all those on the committee as well. He thought it was good for the community to know this project didn't involve any tax dollars. Flo Santini will pass on his comments to her committee and passed around the flag received from Senator Bonacic with all the names of those who perished and the New York State Assembly Citation presented by Aileen Gunther at the ceremony. Councilman Dean expressed his appreciation to the Supervisor for his hard

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work and suggested everyone take some time to read the message attached to the budget. He acknowledged the hard financial times and the importance for them to be diligent when working with the tax payers money. Councilman Hoovler thanked Flo Santini for doing an excellent job on the 9/11 event. He also asked about the USS New York flag, which was located by the Historian and they agreed to do something with that. He also thanked the supervisor and the town accountant for their 60-70 hours work on the budget. Councilman Hoovler clarified a misconception he heard about the IB zone proposed sewer and water district, stating that once this district is approved, it would be paid only by those living within that district, benefiting by it. He stated that this property is only 2,800 feet in length. He also clarified that they are on a list for federal grant money and it takes years to move up on the list for those funds. He used the example of Deerpark Manor Lighting District, which would only be paid by the residents living in Deerpark Manor. He then stated that he lives in Sparrowbush, but does not pay for the lighting in Deerpark Manor. Supervisor Brabenec also thanked Florence Santini for her fantastic job on the WTC event. He also thanked all the Highway employees who helped put up the shelter, with special thanks to Mr. Storms for his leadership in that project. Supervisor Brabenec addressed that some misleading information has been circulated by a resident and put out on the airwaves. He said the message is false that they are stifling free speech, and don't want anyone at their meetings and they'll have the police officers take people away that speak up. He claimed these allegations are unequivocally incorrect. The supervisor stressed they are champions of free speech—they applaud the first amendment. The rules and regulations set up in January were to assist the agenda set for the meetings. The purpose for the time limit is to set professional meetings with good manners, but they always want to hear the public's thoughts and opinions. If there were issues not on the agenda that the residents want to express, they should call, email or write a letter. Mr. Brabenec clearly stated he would meet with anyone before a meeting to hopefully resolve any issue. He recognizes he is hired to work for the town and welcomes the residents input. They will try to post the agendas as early as possible so it is known ahead of time what is being discussed. They are trying to be as transparent as possible. Councilman Trovei thanked the Supervisor for his hard work on the budget and commented on the importance of reserve funds and preparing for future costs so they don't pass on debt and increased taxes to their children and grandchildren. He encouraged everyone to make a trip to the Town Hall to see the WTC Memorial.

Motion to Adjourn at 8:24 p.m.

Motion by Arthur Trovei, 2nd by David Hoovler to adjourn the meeting at 8:24 p.m.

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

MOTION CARRIED

Respectfully submitted,

Florence T. Santini
Town Clerk