

**TOWN OF DEERPARK  
TOWN BOARD MEETING  
MONDAY, SEPTEMBER 30, 2013**  
Meeting was held at Town Hall, 420 Route 209, Huguenot, NY 12746

**Attendance****Supervisor:** Karl Brabenec**Councilmember's:** Arthur Trovei, Gary Spears, David Dean**Absent:** David Hoovler**Attorney:** Glen Plotsky**Engineer:** Alfred Fusco, Jr.**Planning Board Members:** Al Schock, Willard Schadt, Theresa Santiago, Bob Vicaretti, Willard Wilson, Derek Wilson, Craig Wagner, Michael Breitenfeld**Call to Order** at 7:05 p.m.**Pledge of Allegiance** led by David Dean**Motion to Enter Executive Session Re: Dragon Springs at 7:06 p.m.**Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to enter Executive Session for the purpose of discussing Dragon Springs with Planning Board Members and with both Attorney's Glen Plotsky and Stephen Gaba at 7:06 p.m.**VOTE: 4 AYES: Arthur Trovei, Gary Spears, David Dean, Karl Brabenec****1 ABSENT: David Hoovler****MOTION CARRIED****Motion to Re-enter Regular Session at 8:45 p.m.**Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to re-enter Regular Session at 8:45 p.m.**VOTE: 4 AYES: Arthur Trovei, Gary Spears, David Dean, Karl Brabenec****1 ABSENT: David Hoovler****MOTION CARRIED****Invocation** by Arthur Trovei

Additions or Changes to Agenda - None

Opening Board Comments – None

Presentations/Communications

Supervisor Brabenec read a letter from the Tri-States Chamber of Commerce invited all elected officials to the 42<sup>nd</sup> annual *Rick Drew Holiday Parade* in the City of Port Jervis continuing through the borough of Matamoras on Sunday, December 8, 2013 at 2:00 p.m. Lineup is at 1 PM on Canal Street and Orange Street. The parade will follow the same course as in years past. If postponed, the parade would be the following Sunday, December 15<sup>th</sup>. The letter was signed Thomas McCarron, Parade Chairman.

**Motion to Table Approval September 9, 2013 Board Minutes**Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to table the approval of September 9, 2013 Board Minutes.**VOTE: 4 AYES: Arthur Trovei, Gary Spears, David Dean, Karl Brabenec****1 ABSENT: David Hoovler****MOTION CARRIED**

Public Comment Period – None

New Business

**Motion to Adopt Resolution 25 of 2013 – Approval of Bids for a New Building**Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to adopt Resolution 25 of 2013 authorizing the Supervisor to approve bids for a new Highway Garage/Senior Center project on June 13, 2013 as the town Engineer reviewed all bids and has recommended the lowest qualifying bidders.

Discussion: Councilman Spears questioned that since they had not yet finalized the bonds, would they be liable if they awarded a bid and don't get the bond. Supervisor Brabenec spoke to the Bond Counsel Dan Birmingham and also Nolan Wilson, who is negotiating their bond note that day. Another call is scheduled for the next day with Roosevelt and Kraft to go over particulars of the town's finances. According

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to their accountant, their finances are pretty sharp. The place buying the bond has approved 99% and only denied 1% of those requested in the past with extreme situations, after due diligence. They should have approval by tomorrow and pricing by Thursday. Councilman Trovei asked if they could make this resolution conditional upon approval of the bond. Al Fusco, Town Engineer, said he spoke with Dan Birmingham on Thursday and unless the town got a letter from the Comptroller, they would be okay. Supervisor Brabenec said he had no letter from the Comptroller. Mr. Fusco said he extended the bids 120 days. He said we do not have to sign contracts, but it would be hard to help these people hold to their prices. Discussion continued.

**Motion to Amend Resolution 25 of 2013 – Additional Wording to Resolution**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to amend Resolution 25 of 2013 to add wording that states they award the contract upon receipt and acceptance of the bond.

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

**1 ABSENT: David Hoover**

**MOTION CARRIED**

**Motion to Adopt Resolution 25 of 2013 – Authorizing Supervisor to Award Bids for New Highway Garage/Senior Center**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to adopt Resolution 25 of 2013 authorizing the Supervisor to award bids for the new Highway Garage and Senior Center project on June 13, 2013 as the Town of Deerpark Engineer has reviewed all bids and has recommended the lowest qualifying bidders as follows: Zitone Construction – General Contractor at \$559,807.00; Zitone Construction – Add Alternate at \$7,670.00; Westar Mechanical – Plumbing at \$131,869.00; Westar Mechanical – HVAC at \$73,764.00; and CRL Electrical Corp – Electric at \$97,417.00, to sign contracts in the above amounts upon receipt and acceptance of the bond.

Discussion: Councilman Trovei asked that the \$225,000 grant money was guaranteed and Supervisor Brabenec said that was true and went on to explain that there were budget modifications done in the last Board Meeting. They transferred \$225,000 from the Unreserved Fund to the Capitol Reserve Fund. Whatever they have promised to them in grant money, they have to wait up to two years.

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

**1 ABSENT: David Hoover**

**MOTION CARRIED**

**Motion to Declare 14 Office Chairs Surplus**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to declare 14 Office Chairs surplus equipment from the Supervisor's Office and meeting room due to receiving free replacement chairs from the County.

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

**1 ABSENT: David Hoover**

**MOTION CARRIED**

Town Engineer Al Fusco gave an update on the UDC Grant and SEQR changes explaining the long and short form.

**Motion to Cancel Town Board Meeting November 12, 2013**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to cancel the Town Board Meeting previously scheduled for Tuesday, November 12, 2013 due to a Public Hearing scheduled for November 7<sup>th</sup>.

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

**1 ABSENT: David Hoover**

**MOTION CARRIED**

**Motion to Approve Huguenot Fire Company Members**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to approve Daniel L. Tonnessen, Sr. and Jim VanHorn as members of the Huguenot Fire Company upon recommendation of the Huguenot Fire Company Membership Committee.

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

**1 ABSENT: David Hoover**

**MOTION CARRIED**

**Motion to Approve the Addition/Removal of Huguenot Fire Company Members**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to approve the addition of Huguenot Fire Company Members: Daniel Tonnessen, Blaze Vandermark, Rayenna Vandermark, Brian Vanderveer, Ed Ross, Jeff Elder, Mark Lewis, Zak Conklin; and remove from membership William T. Lass, James Vanhorn Jr., Katie Szweczyk, Carla Radigan, William H. Lass, Ron Snyder upon recommendation of the Huguenot Fire Company Membership Committee.

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

**1 ABSENT: David Hoover**

**MOTION CARRIED**

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Appropriations, Budget and Payment of Bills

**Motion to Pay Bills**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to pay all current bills on recent abstracts that have been signed by three council members and may be viewed in the Town Clerk's Office.

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

**1 ABSENT: David Hoovler**

**MOTION CARRIED**

**Motion to Approve Budget Modification of \$225,000**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to approve the budget modification of \$225,000 as a loan transfer from the Unreserved Fund Balance to the Capital Projects Fund for the purposes of the new building. (In time, \$200,000 would come from CBDG and \$25,000 would come from New York State.)

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

**1 ABSENT: David Hoovler**

**MOTION CARRIED**

2014 Tentative Budget Review

**Motion to Decrease General Fund Line A1560 (Safety Inspection Fee) from \$45,000 to \$40,000**

Motion by Gary Spears, 2<sup>nd</sup> by David Dean to decrease in General Fund the Safety Inspection Fee Line A1560 from \$45,000 to \$40,000.

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

**1 ABSENT: David Hoovler**

**MOTION CARRIED**

**Motion to Decrease General Fund Line A3120.1 (P/T Police Officers) from \$343,366 to \$323,666**

Motion by Gary Spears, 2<sup>nd</sup> by David Dean to decrease General Fund Line A3120.1 for P/T Police Officers from \$343,366 to \$323,666.

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

**1 ABSENT: David Hoovler**

**MOTION CARRIED**

**Motion to Increase General Fund Line A1355.1 (Assessor Data Collector) from Zero to \$21,000**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to increase General Fund Line A1355.1 for Assessor sub-section Data Collector from zero to \$21,000.

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

**1 ABSENT: David Hoovler**

**MOTION CARRIED**

**Motion to Increase Town Employees Salaries by 2% With Exceptions**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to increase town employees salaries by 2% with the exception of: Highway and Police Bargaining Agreements, Groundskeeper positions and councilmen, keeping within 2% cap by New York State.

Discussion: Councilman Trovei thought it would be good to reward jobs well done. Without raising the budget and still give a raise would be good to do. Councilman Dean agreed and added they had been terribly careful and innovative; proactive with saving money and we've had help from the people who help the town. In reality they should share in the reward. Supervisor Brabenec pointed out this increase is for budget purposes and the decision to increase salaries would be at the January Reorganization meeting. More discussion continued.

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

**1 ABSENT: David Hoovler**

**MOTION CARRIED**

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**Motion to Adopt the 2014 Preliminary Budget with Amendments**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to adopt the 2014 Preliminary Budget with the Amendments.

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

**1 ABSENT: David Hoover**

**MOTION CARRIED**

**Motion to Submit 2014 Preliminary Budget to State Comptroller Office for Review**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to submit the 2014 Preliminary Budget to the State Comptroller's Office for review.

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

**1 ABSENT: David Hoover**

**MOTION CARRIED**

Closing Board Comments

Councilman Spears wanted to state as a disclaimer for the tax payers, that even though they have a tax levy 0.72 to decrease, it does not mean the taxes will decrease. This is a decrease in the budget, but there are many factors considered in the taxes. He knows the Supervisor worked hard on the budget to try to have less impact on all the tax payers and he has done an excellent job. He thought it was a good budget and it should get everyone through the new year. He commended Karl on a great job.

Councilman Trovei agreed with Gary and thought they would all love to see tax breaks, but when they first came they were in deficit financing with \$800,000 in the hole. Everyone has gnawed away at the everyday expenses, and negotiated contracts in a difficult way. Karl did a great job on this stuff. Dave, looking back on the money you brought in with the power lines and towers. Dave and Gary worked to increase recreation with the parks. On a whole, he said he has seen great improvements. He appreciated working with the board. He only wished that not only would they see a .45 reduction, but that the school would watch their contracts and raising taxes.

Councilman Dean thanked Flo for the chairs she worked hard to secure from Orange County. They really needed them. They had a successful Hunter Safety Course Monday and Tuesday that week with 38 students. He thanked his co-instructors Ray Cirulli and Mike Decker, Jr. and he appreciated the use of Building No. 2 for that. The next day was the opening of Bow Season. He encouraged everyone to hunt safely. He thanked the employees at Town Hall because the Custodian was no longer there. They emptied their trash and cleaned the floors and doing a few extra things. They hope to have this resolved soon. He told Karl he did a good job on the budget. The people in this town should be grateful. He said it was school tax payment day. He wished the school would look seriously at what they spend and have sympathy on the people of this town.

Supervisor Brabenec thanked everyone who supported the budget and all the employees who work hard here every day. This is the 3<sup>rd</sup> or 4<sup>th</sup> consecutive year they have kept to a line on taxes. He said they are spending the money the right way, they keep the cost savings consistently, and they are looking toward their future with the new building, improving their infrastructure, which is very needed—without raising the taxes—which is a huge, huge accomplishment. So, all of you should be congratulated for that. He thought everyone was doing their job and in hard economic times, they sure don't want to waste money like some in government waste money. The parks are being used every weekend for football and baseball. They ordered four new bleachers. The additional parking lot is almost completed and there will be other improvements made soon at Bigger Park. It's a good thing for the families in Deerpark and he knew they appreciated it.

Councilman Dean asked everyone to keep Gary Spears brother in their prayers.

**Motion to Adjourn at 9:35 p.m.**

Motion by Karl Brabenec, 2<sup>nd</sup> by Arthur Trovei to adjourn at 9:35 p.m.

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

**1 ABSENT: David Hoover**

**MOTION CARRIED**

Respectfully submitted by,

Florence T. Santini, Town Clerk