

TOWN OF DEERPARK
TOWN BOARD REGULAR MEETING
MONDAY, OCTOBER 16, 2017
Meeting was held at Town Hall, 420 Route 209, Huguenot, New York 12746

Invocation led by Councilman Trovei (Participation Optional)

Supervisor: Gary Spears

Councilmen: Alan Schock, Ken Smith, David Dean, Arthur Trovei

Attorney: Glen Plotsky

Engineer: Al Fusco, Jr.

Pledge of Allegiance led by Councilman Smith

Call to Order at 7:31 p.m.

Addition or Deletions to Agenda

Motion to Table Adopting a Resolution for Non-Combat Vets to Receive Tax Exempt Discount Under New Business on Agenda

Motion by David Dean, 2nd by Ken Smith to table adopting Resolution for Non-Combat Vets to be able to receive Tax Discount under the New Business on agenda, until further notice due to waiting on the County to first pass their Resolution.

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

Presentations/Communications

George Ewing of the Port Jervis Ambulance Service reported they have had a couple good things going on. They have been going business to business to raise \$30,000 through donations for purchase of two used ambulances replacing one and adding one (\$25,000) and replace a garage door (\$5,000). They have gotten some good donations. He apologized for not providing them a copy of that letter but promised to email one to them. They are looking to promote volunteerism. He thanked the board for their encouragement to raising their rates for the “standbys” at school games, etc. He spoke briefly of tax history and one of the bigger issues is that a tax district cannot cross from town and city lines and vice versa. They are hoping to have a fund raiser in November. He mentioned the Crystal Run Health Plans and now he is looking into another plan with the Tri-State Chamber of Commerce. Supervisor Spears thought the program for rewarding the volunteers is a good thing. He hopes they will get more drivers. Councilman Trovei asked if he had given letters to all the professionals and Mr. Ewing said he hopes to get a list of all the businesses from the Chamber of Commerce. He put a letter up on Facebook as well. He has a friend who does EMS billing and he recommended he work to get motor vehicle insurance information when responding. Councilman Dean asked about him paying bills ahead of time and Mr. Ewing said there was a lien on the ambulance and the stretcher. They are trying to avoid late charges that would incur more fees. Councilman Dean said they should be sure to get something from the company for paying early.

Town Clerk Florence T. Santini reported on the Puerto Rico relief effort and thanked all who contributed to what was collected. The Newburgh Armory was full to capacity. The Air Force had been there earlier and Steve Neuhaus and the Emergency Management crew got them to pick up the collections with box trucks and trailers and take it to Camp Smith past Bear Mountain where they will shrink wrap it and deliver it to Stewart. They don't know the date it will leave, but when the military goes, they will take it.

Motion to Approve October 2, 2017 Board Minutes

Motion by David Dean, 2nd by Alan Schock to approve the October 2, 2017 Board Minutes as written.

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

Old Business

Town Engineer Al Fusco, Jr. reported on the Bakers Store property (1045 US Route 209 owned by Ms. Christopherson), the Public Hearing extended to today. He inspected the store property on October 9 and 10, 2017. This was before the board for public hearing and a proposed demolition order based on the status of the structure being a dangerous building. The site was cleaned up—more than it has been in years. However, it is not structurally sound and the structure needs to be secured. Based

**TOWN OF DEERPARK
TOWN BOARD REGULAR MEETING
MONDAY, OCTOBER 16, 2017**

on the attempt to clean up, the owner has showed some commitment, which they hadn't had before. He was not ready to recommend a release from the Town Board action until they receive a repair commitment with a structural report and plan from the engineer and the upstate architect. He thought they should put up an escrow account appropriate for the town to make whole for the costs that have already expended on this. The porch is just hanging there and he's not happy about that. She needs any structural engineer to go in there and the burden should be on her to have him come in and say what they will do to secure it. Councilman Dean asked about the course ahead should she do that and the time element. Mr. Fusco said should the board follow what he wrote up and that is 30 to 60 days to receive a structural report suitable for a building permit, then they should proceed with the demolition. Supervisor Spears asked if he would send her a new letter on the violations and Mr. Fusco said he would and if the board agreed with his statements, he would do that.

Town Attorney Glen Plotsky added that he wrote to the lender inquiring as to their status whether there was still a mortgage and he has received no response.

Motion to Extend Demolition of Dangerous Building for 60 Days-1045 Route 209

Motion by Ken Smith, 2nd by Alan Schock to extend the demolition of the dangerous building at 1045 Route 209 another 60 days to allow time for a structural support and take care of violations.

Discussion: Councilman Dean wants to make clear that at the end of 60 days, there will be ramifications and that should be included in the letter. It has been years now.

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

Town Engineer Al Fusco, Jr. then reported on both 2 Piatt Drive and 6 Piatt Drive. He began with 6 Piatt Drive saying he inspected the property on the 9th and 10th and found the area cleaned up of leaf debris, but still littered with material, an old car, brush wasn't cut...there was an attempt to clean up, but not anymore. He noticed that all the cat food dishes were gone and that would help. Based on the attempt the violation will remain and the owner will be directed to move forward with the violations as previously written. They recommend that the time commitment be defined. They did make an attempt.

Supervisor Spears read a letter from their neighbor. He said he sent numerous pictures and there still seems to be quite a bit of debris and stuff still around there. Mr. Fusco said that on 6 Piatt Drive, they need the old car taken out of there and there are piles ... they should be taken out of there. They should cut the brush down a little bit and they had wanted her to get an exterminator in there to try to help the neighbor situation.

Town Attorney Glen Plotsky added that he spoke to Sr. Assistant County Attorney, Matthew Nothnagle who was involved in the litigation relative to a fast foreclosure. He communicated about two separate proceedings--one for each parcel. On one of the parcels, it appears no answer was put in to the county's summary judgement, which indicates no facts in dispute. So the county made a motion for summary judgment based upon really no factual dispute as to whether the taxes were paid, there was no opposition entered. The judge entered the judgment. The county now owns that property. On the other Levitz property, he understands that a similar motion was made, however a response was filed and it essentially was 'I'm ill, I'm not well, I haven't paid my taxes but I kind of offered an excuse'. It was his understanding that the motion granting the county's application was imminent. So he expects the county would own both properties in the immediate future. He inquired of that Assistant County Attorney whether or not he had any insight as to what the county's preference would be relative to demolition and securing the property, he was unsure and said he would have to check with Orange County Real Property. He believes that was his plan. If the board wants to give some additional time to firm up ownership or resolution of the tax foreclosure proceeding and direct him to essentially write a letter to either Mr. Nothnagle or John McCarey of Real Property to find out what their preference would be once they own it. If the town orders the demolition, the county pays for it anyway. Supervisor Spears asked if the county owns one or both of the properties, so they actually do an eviction to get people out of their property or do they give them more time to pay. Mr. Plotsky thought they wouldn't give more time and the discussion whether the county gives them an eviction that was unclear at best. Councilman Trovei asked if the town doesn't rip them down, the county takes ownership and they continue to pay taxes based on the structure being there so they continue to make the town whole. Supervisor Spears said they still work with the mess and the vermin for the neighbors. Councilman Trovei recommended allowing 60 days for Mr. Plotsky to write a letter to the county and get their preference so they work alongside them. Discussion continued. Supervisor Spears asked Mr. Fusco to write up the last two inspections listing the violations still remaining and give that letter to them and also to Glen Plotsky so he can forward that to the county when he writes them a letter. Mr. Fusco replied absolutely.

**TOWN OF DEERPARK
TOWN BOARD REGULAR MEETING
MONDAY, OCTOBER 16, 2017**

Motion to Extend Demolition of Dangerous Buildings for 60 Days at 2 Piatt Drive and 6 Piatt Drive

Motion by Ken Smith, 2nd by Alan Schock to extend demolition of dangerous buildings for 60 days at both 2 Piatt Drive and 6 Piatt Drive for her (owner Mrs. Levitz) to take care of violations.

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

Supervisor Spears said he would respond to Ron Flieger's letter and try to update him on the situation.

Motion to Approve Hiring F/T Police Officer Daniel Jones

Motion by David Dean, 2nd by Ken Smith to approve hiring F/T Police Officer Daniel Jones to replace Sergeant Liz Sullivan, as recommended by the Police Chief.

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

Motion to Set Public Hearing on 2018 Budget on November 6, 2017 at 7:00 p.m.

Motion by Gary Spears, 2nd by David Dean to set public hearing on the 2018 Budget on Monday, November 6, 2017 at 7:00 p.m.

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

Appropriations, Budget and Payment of Bills

Motion to Pay Bills and Accept Budget Officer's Report

Motion by Ken Smith, 2nd by Alan Schock to pay bills that have been signed by three council members and accept and the Budget Officer's Report and all may be viewed in the Town Clerk's Office.

General Fund Abstract #19 of 2017 in the amount of \$60,551.55

Highway Fund Abstract #19 of 2017 in the amount of \$23,803.46

Deerpark Manor Street Lighting Fund Abstract #10 of 2017 in the amount of \$491.48

Special Revenue Reserve Fund Abstract #14 of 2017 in the amount of \$1,830.49

Engineering Fund Abstract #8 in the amount of \$989.00

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

Closing Board Comments

Councilman Trovei congratulated Supervisor Spears on his Hall of Fame and said it was well deserved and well attended. He thought it was wonderful.

Councilman Smith thanked Flo for all she did for the people in Puerto Rico. He acknowledged her as one of those people who stepped up to help. He thanked George Ewing for the update and thought it was going in the right direction. He congratulated Gary Spears on his induction.

Supervisor Spears thanked Flo for that which started out as a small idea in her office that turned into a massive countywide, multi-countywide relief effort. He congratulated her. Florence Santini said it was not one person, the highway guys and many others helped. She wanted everyone to be thanked. Supervisor Spears reported that they met again with Port Jervis on annexation where they ordered the study, which is going to precede the approval and they set money aside in the budget for that. They are positive it will be a good thing for both Deerpark and Port Jervis. They will speak with the school again possible through board members. November 7th is Election Day so he encouraged everyone to get out to vote for the candidate of their choice.

**TOWN OF DEERPARK
TOWN BOARD REGULAR MEETING
MONDAY, OCTOBER 16, 2017**

Motion to Enter Executive Session for the Purpose of Discussing Tax Certioraris at 8:25 p.m.

Motion by Gary Spears, 2nd by David Dean to enter Executive Session for the purpose of discussing tax certioraris after a short recess and invite in Glen Plotksy, Town Attorney at 8:25 p.m.

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

Motion to Re-Enter Regular Session at 9:45 p.m.

Motion by Gary Spears, 2nd by David Dean to re-enter Regular Session at 9:45 p.m.

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

Motion to Close Public Hearing on 1045 Route 209 - Christopherson at 9:46 p.m.

Motion by Ken Smith, 2nd by Alan Schock to close the Public Hearing on 1045 Route 209 owned by Kathleen Christopherson at 9:46 p.m..

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

Motion to Close Public Hearing on 2 Piatt Drive – Levitz at 9:47 p.m.

Motion by Ken Smith, 2nd by Gary Spears to close the Public Hearing on 2 Piatt Drive owned by Denise Levitz at 9:47 p.m.

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

Motion to Close Public Hearing on 6 Piatt Drive – Levitz at 9:48 p.m.

Motion by Alan Schock, 2nd by David Dean to close the Public Hearing on 6 Piatt Drive owned by Denise Levitz at 9:48 p.m.

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

Motion to Adjourn at 9:50 p.m.

Motion by Ken Smith, 2nd by Arthur Trovei to adjourn at 9:50 p.m.

VOTE: 5 AYES: Alan Schock, Ken Smith, David Dean, Arthur Trovei, Gary Spears

MOTION CARRIED

Respectfully submitted by,

Florence T. Santini
Town Clerk