

**TOWN OF DEERPARK
TOWN BOARD REGULAR MEETING
MONDAY, NOVEMBER 17, 2014**
Meeting was held at Town Hall, 420 Route 209, Huguenot, NY 12746

Invocation by Councilman Trovei

Attendance

Supervisor: Karl Brabenec

Councilmembers: Arthur Trovei, David Dean, Ken Smith

Absent: Gary Spears

Engineer: Alfred Fusco, Jr.

Attorney: Glen Plotsky

Call to Order at 7:50 p.m.

Pledge of Allegiance by David Dean

There was a moment of silence for Joseph Kucher.

Additions or Changes to the Agenda – None

Presentations/Communications - None

Motion to Approve October 6 and October 20, 2014 Board Minutes

Motion by Karl Brabenec, 2nd by Ken Smith to approve October 6 and October 20, 2014 Board Minutes.

VOTE 4 AYES: Arthur Trovei, David Dean, Ken Smith, Karl Brabenec

1 ABSENT: Gary Spears

MOTION CARRIED

Public Comment Period – None

New Business

Supervisor Brabenec read the resolution presented about the K-9 Contract regarding the dog donated by Officer Pratti in regards to the PBA Contract. Discussion continued about what was known about the dog and what liability and/or expense would be to the town. A copy of the contract will be provided to the Attorney. They will ask Officer Pratti to the December 1st meeting.

Motion to Table Resolution 28 of 2014 – Contract With Police Department (K-9)

Motion by David Dean, 2nd by Ken Smith to table Resolution 28 of 2014 Authorizing the Supervisor to sign the K-9 Contract with Officer Pratti of the Town of Deerpark Police Department until the December 1st meeting.

VOTE 4 AYES: Arthur Trovei, David Dean, Ken Smith, Karl Brabenec

1 ABSENT: Gary Spears

MOTION CARRIED

Supervisor Brabenec referred to a letter from Attorney Glen Plotsky about the letter from Mr. Kossar (for Resolution 28, now 29) who is the attorney for STAR Realty regarding the charitable agreement with STAR Realty. Attorney Glen Plotsky said he contacted Mr. Kossar and requested the agreement with them was about to expire and they either needed to renew it or the property would go back on the tax rolls. They are interested in re-entering that agreement. They have not been presented with an agreement. Mr. Plotsky said they need a written modification, not just a letter from a lawyer that both parties can execute. They should be able to have the agreement by the next meeting.

Motion to Table Resolution 29 of 2014 – Authorization for Charitable Agreement with STAR Realty (C & D Battery Property)

Motion by Karl Brabenec, 2nd by Arthur Trovei to table Resolution 29 of 2014 – Authorization for Charitable Agreement with STAR Realty (C & D Battery) until the December 1st meeting.

VOTE 4 AYES: Arthur Trovei, David Dean, Ken Smith, Karl Brabenec

1 ABSENT: Gary Spears

MOTION CARRIED

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Alfred Fusco, Jr., Town Engineer reported updates on the dangerous buildings. First, 29 Upperbrook – the demolition permit was begun very slowly and he was told to quicken the pace and he complained of not having money to rent a dumpster, etc. He was given until December 10th. He made an effort. If they continue this way, it may take a year and a half before they see anything substantial and there is no engineer plan yet as to how he will fix it, so it just depends on how patient they are. Discussion followed. Supervisor Brabenec asked if they wanted to give the homeowners 30 days extension and Attorney Glen Plotsky asked what they expect to be done in 30 days. Mr. Fusco said they would need a building permit to rebuild it in 30 days. They need an engineer. They could either tear it down, or get a building permit.

Motion to Allow a 45-Day Extension on Dangerous Building - 29 Upperbrook Road Property

Motion by Karl Brabenec, 2nd by David Dean to allow a 45-day extension on Dangerous Building - 29 Upperbrook Road property until January 5, 2015 to come into compliance with the Building Department request. A letter will be sent by the Building Department.

VOTE 4 AYES: Arthur Trovei, David Dean, Ken Smith, Karl Brabenec

1 ABSENT: Gary Spears

MOTION CARRIED

Mr. Fusco reported on Baker's Store – Ms. Kristopherson asked for another 30 days because he lawyer didn't work out. She is the designated owner. Mr. Plotsky recommended they grant her the same period of time because of the holidays.

Motion to Allow a 45-Day Extension on Dangerous Building – 1045 US Route 209

Motion by David Dean, 2nd by Ken Smith to allow a 45-day extension on Dangerous Building – Baker's Store, 1045 US Route 209 property until January 5, 2015 to be in compliance with the Building Departments request. A letter will be sent by the Building Department.

VOTE 4 AYES: Arthur Trovei, David Dean, Ken Smith, Karl Brabenec

1 ABSENT: Gary Spears

MOTION CARRIED

Motion to Allow a 45-Day Extension on Dangerous Building – 1049 US Route 209

Motion by David Dean, 2nd by Ken Smith to allow a 45-day extension on Dangerous Building 1049 US Route 209 until January 5, 2015 to be in compliance with the Building Department request. A letter will be sent by the Building Department.

VOTE 4 AYES: Arthur Trovei, David Dean, Ken Smith, Karl Brabenec

1 ABSENT: Gary Spears

MOTION CARRIED

Mr. Fusco mentioned the property at 2 Piatt Drive, and Attorney Glen Plotsky said a Public Hearing is already scheduled for the December 1st meeting at 7:30 p.m. Mr. Fusco will not be able to make it that night.

Mr. Fusco presented a plaque they would like to present to the Town Board on behalf of the Fusco Family for their new Senior/Highway Garage. The board all thanked him for it. They included David Hoovler as Deputy Supervisor Emeritus.

Attorney Glen Plotsky asked about the Public Hearing on December 1st, that due to Mr. Fusco not being available for the Public Hearing, and there was confusion from a motion not being made, and a notice not being sent, that the hearing for Denise Levitz at 2 Piatt Drive be postponed until December 15th at 7:30 p.m.

Motion to Set Public Hearing for Dangerous Building – 2 Piatt Drive, SBL 22-1-47

Motion by Karl Brabenec, 2nd by to Set a Public Hearing Re: Dangerous Building at 2 Piatt Drive SBL 22-1-47 at the Town Hall on Monday, December 15, 2014 at 7:30 p.m.

VOTE 4 AYES: Arthur Trovei, David Dean, Ken Smith, Karl Brabenec

1 ABSENT: Gary Spears

MOTION CARRIED

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Appropriations, Budget, and Payment of Bills

Motion to Pay Bills

Motion by Karl Brabenec, 2nd by Ken Smith to pay bills that have been signed by three council members and may be viewed in the Town Clerk's Office.

General Fund Abstract #21 of 2014 in the amount of \$87,471.99

Highway Fund Abstract #21 of 2014 in the amount of \$44,810.75

Deerpark Manor Street Lighting Fund Abstract #11 of 2014 in the amount of \$507.71

Capital Projects Fund Abstract #16 of 2014 in the amount of \$41,973.13 (Running Total \$930,124.65)

VOTE 4 AYES: Arthur Trovei, David Dean, Ken Smith, Karl Brabenec

1 ABSENT: Gary Spears

MOTION CARRIED

Closing Board Comments

Councilman Dean congratulated the Deerpark Police Department for the huge marijuana bust. It was over 200 pounds. He also said their hearts go out to their local cobbler in Port Jervis, he was slain during a robbery. It goes to show you that even in a good place like Deerpark and Port Jervis, bad things happen to good people. Just horrible. He was an upstanding citizen, a veteran, hard-working, always smiling and always had something good to say to you when you when you went there, everyone has been there ... it was unfortunate to say the least.

Councilman Smith asked Mr. Fusco if there would be a fence around the A/C Unit. Mr. Fusco said the Highway Superintendent would be doing that. It is not part of the Building Department duties. Ed Hughson was taking care of the outside of the building.

Supervisor Brabenec said that an update was a new well was ready to be hooked up to the Town Hall. He has two bids and it has to be done in the next week because they will have problems. They are also doing security lighting around Town Hall. They are getting dusk to dawn lights for the back, and they'll get the ones out front fixed this coming week.

Al Fusco, Jr. said the well turned out and they got a filter price of \$10,000, and he got it down to \$8,000 and now based on the water usage, he thinks it will be even lower in cost. He explained the fine-tuned usage. This filter will be a one-time expense. It will be back flushed. Discussion followed.

Councilman Smith stated that his heart went out to the Kucher family and thought he was a wonderful guy and this was a terrible tragedy.

Supervisor Brabenec said kudos to Sergeant Potter, Officer Hockenberry and Officer Stock who was involved as well. The biggest drug bust in the history of the Town of Deerpark was marijuana worth \$225,000. He congratulated the officers and the officer in charge. He spoke to the chief and they will be putting together awards for the officers to be presented at a future meeting, along with commendations and letters for their files as well. He said he had met Mr. Kucher and his wife 3 to 4 weeks before and had a nice time with them. This was such a shocker – to know that somebody could do something like this to him. He hoped that he would be brought to justice and his sympathies go to the Kucher family. Christmas is coming up and he knows that the historian usually does something involving caroling for Christmas before the meeting. We'll let you know if that happens. There is Christmas Lighting contest coming up. He'll get a hold of the Rabbi for Hanukkah which begins the night of December 16th.

Florence Santini, Town Clerk reported going to the Port Jervis Council Meeting the other night specifically to thank Kathy Shortell. She said that Kathy had offered to open the Farnum House last year to serve the seniors at Mahogamach and Waters Edge Village. The Deerpark Senior Council feeds the seniors here for Thanksgiving and they offer to provide a turkey dinner at the Senior Center or deliver the food to them or pick them up. Kathy cooks at the Farnum House and delivers to at least 75 people in Port Jervis. Flo wanted to make sure the Port Jervis Council knew what she does. Florence said they would be hosting about 75 to 100 people this year for the dinner. They even received a call that day from two people in Mount Hope. The dinner is funded by the Senior Council. Mr. Thibodeau (Deerpark business owner) is funding all the turkeys that day. She invited anyone to help that day. Regina Tenke, Pat and Theresa Creegan picked up all the food needed for preparation. Friday night they will set up the center. They will cook turkeys at the Huguenot Fire House. The Senior Council bought round tables,

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shelves for the closets, and they will buy table cloths. That day was the first day the seniors used the building. They came in the rain. Flo will make sure they get a coat rack.

Motion to Adjourn at 8:31 p.m.

Motion by Karl Brabenec, 2nd by Ken Smith to adjourn at 8:31 p.m.

VOTE 4 AYES: Arthur Trovei, David Dean, Ken Smith, Karl Brabenec

1 ABSENT: Gary Spears

MOTION CARRIED

Respectfully submitted,

Florence T. Santini
Town Clerk