

**TOWN OF DEERPARK  
TOWN BOARD REGULAR MEETING  
MONDAY, DECEMBER 1, 2014**

Meeting was held at Town Hall, 420 Route 209, Huguenot, NY 12746

**Invocation by Councilman Spears**

**Attendance**

**Supervisor:** Karl Brabenec

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

**Absent:** Arthur Trovei

**Engineer:** Alfred Fusco, Jr.

**Attorney:** Glen Plotsky

**Call to Order** at 7:42 p.m.

Pledge of Allegiance by Ken Smith

Additions or Changes to Agenda

**Motion to Add Historian Report Under Presentations/Communications on Agenda**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to add the Historians Report by Norma Schadt under Presentations and Communications on the Agenda.

**VOTE 4 AYES:** Gary Spears, David Dean, Ken Smith, Karl Brabenec

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

**Motion to Add Authorization for Car Purchase Under New Business on Agenda**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to add Authorization for Car Purchase under New Business on the Agenda.

**VOTE 4 AYES:** Gary Spears, David Dean, Ken Smith, Karl Brabenec

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

**Motion to Add El Patron Grill Waiver Under New Business on Agenda**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to add El Patron Grill Waiver under New Business on the Agenda.

**VOTE 4 AYES:** Gary Spears, David Dean, Ken Smith, Karl Brabenec

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

**Motion to Add Resolution No. 30 Under New Business on Agenda**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to add Resolution No. 30 – Support Port Jervis Resolution to Orange County under New Business on Agenda.

**VOTE 4 AYES:** Gary Spears, David Dean, Ken Smith, Karl Brabenec

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

Presentations/Communications

*Historian Report – Norma Schadt and Lynn Burns* – The Report is attached to the official minutes. Her report included the project which involves them in the Port Jervis Middle School with an impact to 200 students; the documentation to be used as a state-wide model for other NYS districts to use in implementation in the Middle School Social Studies curriculum. More information in her report. The 325<sup>th</sup> Anniversary of the first settlement in the Town of Deerpark is approaching and anyone interested in helping should contact the Historian's Office. They would like the whole town involved. There is more information provided in her report.

**Motion to Add Close Out Meeting for 2014**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to add Close Out Meeting for 2014.

**VOTE 4 AYES:** Gary Spears, David Dean, Ken Smith, Karl Brabenec

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

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Councilman Spears said there needed to be a change to the Minutes from November 3, 2014 on his abstention regarding Resolution 26. It should state he was a member of the Orange Valley View Development Corp. There were no other changes.

**Motion to Approve Board Minutes from November 3, 2014**

Motion by Gary Spears, 2<sup>nd</sup> by Ken Smith to approve Board Minutes from November 3, 2014 with changes.

**VOTE 4 AYES:** Gary Spears, David Dean, Ken Smith, Karl Brabenec

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

**Motion to Approve Board Minutes from November 6, 2014**

Motion by Gary Spears, 2<sup>nd</sup> by Ken Smith to approve Board Minutes from November 6, 2014.

**VOTE 4 AYES:** Gary Spears, David Dean, Ken Smith, Karl Brabenec

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

**Motion to Approve Board Minutes from November 17, 2014**

Motion by Karl Brabenec, 2<sup>nd</sup> by Ken Smith to approve Board Minutes from November 17, 2014.

**VOTE 3 AYES:** David Dean, Ken Smith, Karl Brabenec

**1 ABSTENTION:** Gary Spears

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

Public Comment Period – None

Supervisor Brabenec offered moving the Executive Session on the Agenda for 7:45 with Star Realty to the end of the meeting. They will also skip over Resolution 27 on the agenda.

Supervisor Brabenec stated the last scheduled Board meeting on December 15<sup>th</sup> has some conflicts due to some councilmen not being able to attend, lacking quorum. They discussed combining the close out session the last day of December with the rescheduled meeting from the 15<sup>th</sup>.

**Motion to Move Board Meeting from December 15<sup>th</sup> to December 31<sup>st</sup> at 1:00 p.m. and Pre-pay Bills**

Motion by Gary Spears, 2<sup>nd</sup> by Ken Smith to move the December 15<sup>th</sup> meeting to Wednesday, December 31<sup>st</sup> at 1:00 p.m. and pre-approve they pay all bills with three or more council signatures middle December.

**VOTE 4 AYES:** Gary Spears, David Dean, Ken Smith, Karl Brabenec

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

Supervisor Brabenec mentioned there was a Public Hearing tentatively scheduled for December 15<sup>th</sup> regarding dangerous buildings proceedings.

**Motion to Move Public Hearing Scheduled for December 15<sup>th</sup> to January 26, 2014 Board Meeting**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to move the Public Hearing Scheduled for December 15<sup>th</sup> to Monday, January 26, 2014 at 7:30 p.m. at Town Hall.

Discussion: Councilman Dean asked if the property owners would be notified and the Supervisor said they would be.

**VOTE 4 AYES:** Gary Spears, David Dean, Ken Smith, Karl Brabenec

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

Supervisor Brabenec said they were notified by the Police Department that the Town of Wawayanda is selling a fairly new Police Interceptor Explorer that was used by the Highway Superintendent and they bought him a pickup truck. It is now surplus. It was purchased at \$27,000 and they are willing to part with it for \$20,000 and it has 15,000 miles. It is a 2013. Councilman Smith thought it was too much money. The Supervisor mentioned they could change their request to authorize the purchase and have Councilman Smith be the negotiator for the purchase.

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**Motion to Authorize Supervisor to Purchase Police Vehicle**

Motion by Gary Spears, 2<sup>nd</sup> by David Dean to authorize the Supervisor to purchase the car after Councilman Smith negotiates a price with the Town of Wawayanda.

**VOTE 4 AYES:** Gary Spears, David Dean, Ken Smith, Karl Brabenec

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

Supervisor Brabenec reported the El Patron Grill would open on Route 6 December 20, 2014. They are requesting a waiver from the town for their liquor license. This is would be a 30 day waiver. They have typically done this for restaurants in the past, like Cornucopia and the Lynx. Councilman Dean asked if this waiver buys them 30 days.

**Motion to Authorize the Supervisor to Sign El Patron Grill Waiver**

Motion by Gary Spears, 2<sup>nd</sup> by Ken Smith to authorize the Supervisor to sign the El Patron Grill waiver.

**VOTE 4 AYES:** Gary Spears, David Dean, Ken Smith, Karl Brabenec

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

Appropriations, Budget, and Payment of Bills

**Motion to Accept the Budget Officer's November 2014 Report**

Motion by David Dean, 2<sup>nd</sup> by Gary Spears to accept the Budget Officer's November 2014 Report.

**VOTE 4 AYES:** Gary Spears, David Dean, Ken Smith, Karl Brabenec

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

**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 #22 of 2014 in the amount of \$316,690.45

Highway Fund Abstract #22 of 2014 in the amount of \$28,955.60

Capital Projects Fund Abstract #17 of 2014 in the amount of \$1,162.89 (Running Total \$931,287.54)

**VOTE 4 AYES:** Gary Spears, David Dean, Ken Smith, Karl Brabenec

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

Closing Board Comments

Councilman Spears – None

Councilman Dean – None

Councilman Smith – None

Supervisor Brabenec reported that he spoke with the Rabbi and Hanukkah begins December 16<sup>th</sup> and they'll be at the Town Hall. He also said kudos go out to the employees of the Highway Department and the hard working employees of Orange and Rockland for the recent storm they had. There were crews out 24/7 plowing the roads. Also, the Police Department was on duty the entire time helping out wherever they could. Kudos to all those find ladies and gentlemen. They worked very hard during the holiday season.

*Florence Santini*, Town Clerk announced that at the last meeting, she and the Supervisor decided to have the *Christmas Decoration* contest in the town and anyone who wants to be in the running should contact the Town Clerk's Office at 856-7140. There will be nice prizes. She invited people to put their names in for the contest. She commented on the successful *Senior Thanksgiving Dinner* at the new Senior Center. She thanked Kathy Shortell for taking over the Port Jervis extension of their dinner.

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She delivered 84 dinners to seniors in the Port Jervis area. Flo said they cooked and fed 94 dinners for Deerpark Seniors, with 7 take outs and they had over 25 volunteers. So, they gave out dinners to close to 200 seniors. They have heard compliments throughout the whole tri-state area (Milford and Matamoras, in Pennsylvania; New Jersey; Port Jervis, Deerpark, Mount Hope in New York). This was a free hot dinner and it went flawlessly. *Dragon Springs* came and talked to them and they are buying the Senior Center a 50" television and donating it to them. Last year her office adopted some needy families in the Deerpark and Newburgh areas. They went to some businesses and collected some money. They are involved because they do a lot of work with the *Orange County Youth Bureau*. They have adopted four local families this year. They have three families from ASK and one family from HBE. They will be asking for donations to give them a nice Christmas. We tell them it is from the Town of Deerpark. She can't thank everyone enough for the help, donations, the Senior Center, and everyone is still talking about it. They will have a benefit dinner and she wanted to thank the Board for that. She thanked the Board for backing them up. She then announced her office would be closed from 11:00 to 3:00 that Wednesday for the *Orange/Sullivan Town Clerk's Association Christmas lunch*. She said Tar was doing better and thanked all of them for believing in them.

Supervisor Brabenec said there are a lot of behind the scene things happening and he appreciates all the Town Clerk does.

**Motion to Enter Executive Session at 8:25 p.m.**

Motion by Karl Brabenec, 2<sup>nd</sup> by Ken Smith to enter Executive Session at 8:25 p.m. for the purpose of contract negotiations regarding Star Realty and inviting in Attorney Glen Plotsky and Assessor Deborah Natalizio; update on tax certiorari's and invite in Attorney Glen Plotsky and Assessor Deborah Natalizio; contract negotiations with the Police Department and invite in Attorney Glen Plotsky and Police Officer Robert Pratti;

**VOTE 4 AYES:** Gary Spears, David Dean, Ken Smith, Karl Brabenec

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

**Motion to Recess Until 8:25 p.m.**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to recess until 8:25 p.m.

**VOTE 4 AYES:** Gary Spears, David Dean, Ken Smith, Karl Brabenec

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

**Motion to Re-Enter Regular Session at 9:53 p.m.**

Motion by Ken Smith, 2<sup>nd</sup> by Gary Spears to re-enter Regular Session at 9:53 p.m.

**VOTE 4 AYES:** Gary Spears, David Dean, Ken Smith, Karl Brabenec

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

**Motion to Adopt Resolution 28 – K-9 Contractual Agreement**

Motion by Ken Smith, 2<sup>nd</sup> by Gary Spears to adopt Resolution 28 – K-9 contractual Agreement subject to insurance information for the dog, and attorney review and approval.

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

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

**Motion to Adopt Resolution 29 - Authorize Supervisor to Sign Star Realty Pledge Agreement**

Motion by Gary Spears, 2<sup>nd</sup> by Ken Smith to adopt Resolution 29 authorizing the Supervisor to sign the Star Realty Pledge Agreement, subject to Attorney review and approval.

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

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

**Motion to Adopt Resolution 30 – Support Port Jervis Resolution to Orange County for Removal of DSS and Probation**

Motion by Gary Spears, 2<sup>nd</sup> by David Dean to Adopt Resolution 30 – Support Port Jervis Resolution to Orange County for Removal of DSS and Probation from City of Port Jervis.

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

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

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**Motion to Adjourn at 9:55 p.m.**

Motion by Ken Smith, 2<sup>nd</sup> by Gary Spears to adjourn at 9:55 p.m.

**VOTE 4 AYES:** Gary Spears, David Dean, Ken Smith, Karl Brabenec

**1 ABSENT:** Arthur Trovei

**MOTION CARRIED**

Respectfully submitted,

Florence T. Santini  
Town Clerk