

**TOWN OF DEERPARK**  
**TOWN BOARD REGULAR MEETING**  
**MONDAY, FEBRUARY 10, 2014**  
Meeting was held at Town Hall, 420 Route 209, Huguenot, NY 12746

**Invocation by** Arthur Trovei

**Attendance**

**Supervisor:** Karl Brabenec

**Councilmember's:** Gary Spears, Arthur Trovei, David Dean, Kenneth Smith (following appointment/oath)

**Attorney:** Glen Plotsky

**Call to Order** at 7:45 p.m.

**Pledge of Allegiance** by Gary Spears

Roll Call/Attendance

Additions or Changes to Agenda

**Motion to Table Consideration of Appointment of Assistant Assessor**

Motion by Karl Brabenec, 2<sup>nd</sup> by Arthur Trovei to table the consideration of appointment of Assistant Assessor until February 24, 2014.

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

**MOTION CARRIED**

Presentations/Communications – None

**Motion to Approve Town Board Minutes – January 6, 2014 and January 14, 2014**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to approve the Town Board Minutes from January 6, 2014 and January 14, 2014.

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

**MOTION CARRIED**

Public Comment Period - None

New Business

**Motion to Appoint Kenneth E. Smith as Councilman for Town Board Vacancy**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to appoint Kenneth E. Smith as councilman for the Town Board's Vacancy until December 31, 2014.

Discussion: Councilman Trovei stated he was related to Councilman Smith through marriage, which is why he would abstain. He has known him more than 40 years.

**VOTE: 3 AYES (Roll Call):** Gary Spears, David Dean, Karl Brabenec

**1 ABSTENTION:** Arthur Trovei

**MOTION CARRIED**

Florence T. Santini, Town Clerk gave Kenneth E. Smith his oath. He then took his seat at the board meeting.

Supervisor Brabenec said they need to have a resolution for a municipal grant under the Orange County Community Development (CDBG-DR) Disaster Recovery Program, and it was read to the Board.

**Motion to Adopt Resolution No. 5 of 2014 – Municipal Grant Eligibility Form (CDBG 2015)**

Motion by Gary Spears, 2<sup>nd</sup> by David Dean to adopt Resolution No. 5 of 2014 - Municipal Grant Eligibility Form (CDBG 2015) for consideration under the Orange County Community Development (CDBG-DR) Disaster Recovery Program and authorizing either the Town Supervisor or Town Engineer to submit this form.

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Discussion: Supervisor Brabenec said to keep the number in mind and what is maximum. There are five different applications we are applying for to relieve the problems. Councilman Spears said the residents can piggy back on us.

**VOTE: 5 AYES (Roll Call):** Gary Spears, Arthur Trovei, David Dean, Kenneth Smith, Karl Brabenec

**MOTION CARRIED**

**Motion to Adopt Resolution No. 6 of 2014 – Opposition to High Water Levels in New York City Reservoirs**

Motion by David Dean, 2<sup>nd</sup> by Arthur Trovei to adopt Resolution No. 6 of 2014 – Opposition to High Water Levels in New York City Reservoirs.

Discussion: Councilman Spears mentioned a meeting with Aileen Gunther in 2010 and said that New York has not followed the protocol. They need to get more people on board and need to push more. Councilman Trovei asked if there was any legal recourse. Town Attorney Glen Plotsky put them on notice any more notice that can happen. Councilman Trovei asked does it make one case or any case any stronger prior to or future to New York City and Mr. Plotsky answered that this resolution states this.

**VOTE: 5 AYES (Roll Call):** Gary Spears, Arthur Trovei, David Dean, Kenneth Smith, Karl Brabenec

**MOTION CARRIED**

**Motion to Amend Lincoln’s Birthday Holiday Observance**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to amend Lincoln’s Birthday Holiday Observance from February 12<sup>th</sup> to February 14<sup>th</sup>, allowing a four day weekend.

Discussion: Councilman Spears asked to check with the Police and Highway Departments.

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

**MOTION CARRIED**

**Motion to Appoint Christa Hoover as Zoning Board of Appeals Member**

Motion by Karl Brabenec, 2<sup>nd</sup> by Arthur Trovei to appoint Christa Hoover as Zoning Board of Appeals Member to fill the unexpired term of Gerald Cedrone who recently resigned.

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

**MOTION CARRIED**

**Motion to Hire Suzanne Scales as P/T Clerk to Town Justice Wulff**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to hire Suzanne Scales as P/T Clerk to Town Justice Wulff as of February 28, 2014.

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

**MOTION CARRIED**

**Motion to Confirm Department Head Appointment of Suzanne Scales as P/T Clerk to Town Justice Wulff**

Motion by Karl Brabenec, 2<sup>nd</sup> by Gary Spears to confirm Department Head Appointment of Suzanne Scales as P/T Clerk to Town Justice Wulff as of March 1, 2014 at a rate of \$12.00 per hour.

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

**MOTION CARRIED**

Appropriations, Budget and Payment of Bills

**Motion to Pay Bills**

Motion by Karl Brabenec, 2<sup>nd</sup> by Arthur Trovei to pay bills that have been signed by three council members and may be viewed in the Town Clerk’s Office.

General Fund Abstract #2 of 2014 in the amount of \$151,143.61

Highway Fund Abstract #2 of 2014 in the amount of \$44,022.85

Capital Projects Fund #1 of 2014 in the amount of \$109,546.40

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

**MOTION CARRIED**

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**Motion to Accept January 2014 Budget Officer's Report**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to accept the January 2014 Budget Officer's Report as presented.

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

**MOTION CARRIED**

Closing Comments

Councilman Spears welcomed Ken Smith to the board saying he had known him for many years.

Councilman Smith said he knows everyone works hard and he promised to do his best.

Councilman Trovei said he was looking forward to working with Ken. He is a business man and has a watching eye making things happen, will do a good job.

Councilman Dean welcomed Ken. He knew Ken forever. He thanked everyone who applied, interviewed and encouraging to know they want to serve. You can save the town money.

Councilman Trovei said it was great that they put their hats in the ring.

Supervisor Brabenec wished Ken well in his service.

Councilman Smith thanked everyone for their vote of confidence.

Supervisor Brabenec told Councilman Smith welcome aboard and thought he would be a good fit, and had the right frame of mind. He came up with new ways to run the town, made hard choices and hope they remain active. He spoke of the two programs, Inspire and DARE.

Joan Cunningham had an accident, broke both her arms. She will be recuperating.

**Motion to Enter Executive Session to Discuss Dragon Springs Litigation and Tax Certiorari's at 8:30 p.m.**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to enter Executive Session to discuss Dragon Springs litigation and tax certiorari's and invite in the Assessor and Attorney, Glen Plotsky at 8:30 p.m.

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

**MOTION CARRIED**

**Motion to Re-enter Regular Session at 9:14 p.m.**

Motion by Gary Spears, 2<sup>nd</sup> by Arthur Trovei to re-enter Regular Session at 9:14 p.m.

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

**MOTION CARRIED**

**Motion to Adjourn at 9:15 p.m.**

Motion by Karl Brabenec, 2<sup>nd</sup> by Kenneth Smith to adjourn at 9:15 p.m.

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

**MOTION CARRIED**

Respectfully submitted by,

Florence T. Santini  
Town Clerk