

**TOWN OF DEERPARK
TOWN BOARD MEETING
MONDAY, APRIL 8, 2013**

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

Invocation by Gary Spears

Attendance

Supervisor: Karl Brabenec

Councilmember's: Gary Spears, David Dean, David Hoover

Absent: Arthur Trovei

Attorney: Glen Plotsky

Engineer: Alfred Fusco, Jr.

Call to Order at 7:35 p.m.

Pledge of Allegiance led by David Dean

Additions or Changes to Agenda

Motion to Delete the Eagle Scout Presentation under Presentations/Communications

Motion by Karl Brabenec, 2nd by Gary Spears to delete the Eagle Scout Presentation under the Presentations/Communications.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoover, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Opening Board Comments

Councilman Hoover shared that they have fixed up every single park in Deerpark and Little League kids were practicing on them that night. All other councilmen said they would wait until the end of the meeting.

Presentations/Communications

Supervisor Brabenec read a News Release regarding three Deerpark police for their search for a missing person complaint at the Alexander Motel on Route 97 in Sparrowbush on March 19th and discovered that Joseph Mann, 23 of Middletown, New York had an active bench warrant for his arrest. Further investigation found that Mann was in possession of a quantity of crack cocaine, heroin and a small amount of US Currency. Subsequently, he was arrested and charged with Class D Felony of criminal possession of a controlled substance in the fifth degree and a Class A Misdemeanor of criminal possession of a controlled substance in the seventh degree. Mann was arraigned in the Town Court and sent to Orange County Jail in lieu of \$5,000 cash bail. This was one example of their officers teaming up with the City of Port Jervis officers and working diligently to get drugs off the streets. The Times Herald-Record reports Port Jervis having the worst heroin problem in Orange County. He commended Sergeant Elizabeth Sullivan, Officer Robert Pratti and Officer Thomas Kalin for that arrest. He then read the certificate presented to them, though they were not there.

Supervisor Brabenec then read two announcements.

Bulk Cleanup for the month of May of 2013. The hours are Monday through Friday 8 a.m. to 3 p.m. and Saturday 8 a.m. to 12 p.m. Deerpark residents/businesses should bring their trash to the Port Jervis Transfer Station at 86 Tow Path Road. A permit must be obtained from the Town Clerk's Office. Each permit allows one truck load that equals 4 cubic yards of household bulk trash, keeping metals separate, up to four tires and all garbage in trucks must be covered with a tarp and there are no exceptions. Prohibited items include leaves, brush, paint cans, TV's and monitors. There are separate programs for those items. Orange County (Division of Environmental Facilities and Services) was holding their annual household hazardous waste collection, no charge to Orange County residents and includes oil-based paints, remnant of household cleaners, pesticides, solvents, automotive products, etc. The phone number for Orange County is 845-291-2664. This will be Friday, May 10th from 9 a.m. to 3 p.m., farms, schools and government agencies and small businesses can participate and must pre-register before Friday, April 26th and the items must be brought to the Thomas Bull Memorial Park at 90 Grove Street, Montgomery and also sponsored by the Orange County DPW Division of Environmental Facilities and Services. Registration forms are on line at the www.orangecountygov.com site. They will soon post this information on the town's website.

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YMCA Summer Day Camp sponsored by the Deerpark Recreation Committee. They will have a sign up for Deerpark residents only, \$80 per week, up to two weeks located at 300 Big Pond Road, Huguenot. The registration will be handled at the Town Hall, 420 Route 209, Huguenot on a first come/first serve basis on Friday, April 19 at 5:00 p.m. to 7:00 p.m. and Saturday, April 20 at 1:00 p.m. to 3:00 p.m. To register your child, you must have proof of residency and be the parent or natural guardian of the child registered. Proof of residency must indicate street address, name of parent and guardian and full payment is required to register. NO EXCEPTIONS. They will accept cash, credit card, or checks payable to the Town of Deerpark. For more information, contact Theresa Creegan, Chair of the Recreation Committee at 856-2210, Ext. 2. Additionally, the children will receive snacks and lunch during the day.

Supervisor Brabenec then thanked Theresa Creegan and all the wonderful volunteers and helpers who put together the Easter Egg Hunt, Saturday, March 30th. They did a fantastic job as always, and they had at least 250 children. They gave away a couple of bikes that were donated by Tenke's Garage, whom he gave a special thank you. There was a Taxi Service that also helped by donating candy and he would get their name and announce them in the next meeting. BRIM's Recycling made a donation of cash towards the purchase of candy.

Supervisor Brabenec read communication from the NYS Town Clerk's Association giving a Wayne County scholarship of \$250.00 to Theresa Creegan for furthering her education, to attend a Town Clerk's conference. He congratulated her on that.

Discussion continued on recycling options: The Port Jervis Transfer Station will accept one TV or one monitor per week from residents.

Motion to Table March 25, 2013 Board Minutes

Motion by Karl Brabenec, 2nd by David Dean to table approval of March 25, 2013 Board Minutes.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Public Comment Period – None

New Business

Motion to Recess for Two Minutes

Motion by Karl Brabenec, 2nd by Gary Spears to recess for two minutes.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Supervisor Brabenec read the Introduction of Local Law No. 2 of 2013 – “Reinvest in Deerpark Home Improvement Exemption” a local law creating partial exemption from real property taxation for certain home improvements pursuant to Section 421-F of the New York State Real Property Tax Law. He mentioned that they could debate this, make some changes to this draft, but at this time they needed to set up a Public Hearing for this Local Law. The Draft would be made available on the website.

Motion to Set Public Hearing for Local Law No. 2 of 2013 –“ Reinvest in Deerpark Home Improvement Exemption Act” for Monday, May 13, 2013 at 7:30 p.m.

Motion by Karl Brabenec, 2nd by Gary Spears to set Public Hearing for Local Law No. 2 of 2013 – “Reinvest in Deerpark Home Improvement Exemption Act” for Monday, May 13, 2013 at 7:30 p.m. at the Town Hall, 420 Route 209, Huguenot, NY 12746.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Supervisor Brabenec stated the NYCOMCO was used for the communication system with the Highway Department. The contract in existence has one more year, but they came out with a new product using digital technology and also GPS tracking. It enables them to keep track of vehicles if they break down or if there is a complaint. The price is virtually the same and it would extend the contract another four or five years. The Highway Superintendent recommended this.

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Motion to Adopt Resolution No. 8 of 2013 – Authorization for Supervisor to sign NYCOMCO Contract

Motion by Gary Spears, 2nd by David Hoovler to adopt Resolution No. 8 of 2013 authorizing the Supervisor to sign the NYCOMCO Contract.

VOTE: 4 AYES (Roll Call): Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Supervisor Brabenec introduced the D.A.R.E. program as having been managed by the Port Jervis Police Department in the past, providing education for the anti-drug program for 5th graders at both ASK and HBE. He said they were asked last year for one of their officers to take over the HBE program and Officer McGrath is taking that over. The City of Port Jervis has a longtime account they use for the D.A.R.E. program and letters are sent out to businesses seeking contributions to cover that program. Deerpark doesn't have that set up and this resolution gives permission to the D.A.R.E. officers to seek funds for that program through fundraising activities and also gives the Supervisor's office authorization to set up an account to manage those funds. Councilman Spears asked if it was specifically for private fund raising and the Supervisor said he was correct. Councilman Dean asked how many D.A.R.E. officers Deerpark had and the answer was one.

Motion to Adopt Resolution No. 9 of 2013 – Authorization for D.A.R.E. Account and Fundraising

Motion by Gary Spears, 2nd by David Hoovler to adopt Resolution No. 9 of 2013 authorizing the Supervisor to establish an account to be used specifically for D.A.R.E. program fundraising activities.

Discussion: Councilman Dean asked how much of the budget would it take and if there was a budget. Supervisor Brabenec answered they did not have a budget for that and they were not expending town funds for the program at this time. They use the funds for educational books, pencils, shirts—that kind of thing for the kids. They usually give an award for graduating from the program.

VOTE: 4 AYES (Roll Call): Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Appoint Richard E. Cornell, Jr. as an Alternate to the Zoning Board of Appeals

Motion by Karl Brabenec, 2nd by David Hoovler to appoint Richard E. Cornell, Jr. as an alternate member to the Zoning Board of Appeals for the remainder of the year.

Discussion: Councilman Spears said he will do a good job and is a good guy. Councilman Hoovler said he served on the Veteran's Committee. Supervisor Brabenec added that he was a current member of the Veteran's Committee and is the past president of the Port Jervis Youth Football League—very active in the community and an intelligent individual.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Appropriations, Budget and Payment of Bills

Motion to Pay Bills

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

General Fund Abstract #7 of 2013 in the amount of \$130,002.12
Highway Fund Abstract #7 of 2013 in the amount of \$47,680.75
Deerpark Manor Street Lighting Abstract #5 of 2013 in the amount of \$95.16
Recreation Committee Abstract #1 of 2013 in the amount of \$952.69

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

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Motion to Accept the March 2013 Budget Officer's Report

Motion by David Hoover, 2nd by Gary Spears to accept both the General and Highway Fund budget reports for March.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoover, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Councilman Hoover said they were on target for the first quarter.

Closing Board Comments

Councilman Spears recognized their police officers for the fine job they were doing. They work hard and seem to be getting a handle on this, although it was a tough time. They were very dedicated and they've had some great results lately. He wanted to commend the whole force, as well as the three they commended earlier. He thanked Karl for the bulk clean-up efforts. It was something the town did years ago and it was getting quite costly, he took it upon himself to negotiate a deal with the Orange County Transfer Station in Port and the services over there. It was a good thing for the residents, the businesses and helps keep Deerpark clean. He thought he cut the budget by a third, maybe a little more and it was very successful. He thanked Theresa Creegan and all her volunteers for the Easter Egg Hunt. He heard it was a great success and everybody had a wonderful time. He also wanted to put out a good word for George and Ann Keller. He had an opportunity Sunday to go to the Hudson Valley Honor Flight and will be taking his Dad to Washington D.C. on the Honor Flight. George and Ann and Assemblyman Dennis Simmons were very instrumental in getting this area involved in that. He thanked all of them for that.

Councilman Dean said Mr. Spears stole all his points. He congratulated Mr. Spears dad and said he appreciated his service. He thought that was an amazing thing when you think about his Dad being a World War II Veteran and he's going to take the honor flight to Washington. That was a real, real special thing. He then congratulated Theresa Creegan for the scholarship she received and for advancing her education for the Town Clerk's office. That was terrific. He was a doubter regarding the Bulk Clean Up and told Supervisor Brabenec he made a believer out of him. It was a great thing for this community. He gave a shout out to the Police Department and the three officers mentioned in the success they had in making felony arrests for drugs in Sparrowbush. Drugs are the scourge of this country. It is very important they try to do the best they can to eliminate drugs. They never will, but they must continue to try.

Councilman Hoover resonated with what both Councilmen Spears and Dean said. He congratulated Theresa for running a very good Easter Egg Hunt and for her scholarship for further training for the Town Clerk's Office. He knew Flo Santini always helped out with that, so "excellent job there too." He told Karl that he too, was a naysayer initially regarding the Bulk Clean up and he has been under budget every year. It's a wonderful thing, He really made that work. He thanked the police officers for a great job. It was recorded December 9th in the Times Herald-Record that Port Jervis had the worst heroin problem in Orange County. That was true. Hopefully they'll continue to do something about it. It takes more than just the police to make that work. Finally, there was a wonderful article in the UDC Newsletter on Councilman Dean. He urged everyone to read it. It's educational, informative and quite amusing about Mr. Dean's history in Deerpark. Every single ball field in Deerpark was full with kids playing, because they fixed them up and took the time to make them playable. The volunteers did that, the Recreation Committee did that. Most importantly, Mr. Dean should be thanked because he got the money from the Pipeline to fix those parks and to make those parks so very, very nice. He knows he's modest, but he needs to take a look at the kids playing in all these parks. It's spectacular.

Supervisor Brabenec added his thanks to Mr. Dean and said the parks are absolutely looking fantastic. There is some more work they have to do. There is a NYMIR inspection coming up in the next two weeks. There will probably be more recommendations that they'll have to do. They have gotten good grades so far, they've made the improvements as asked for and their parks look really, really good. The You Tube channel is up and running. They are transmitting live on the internet and they have it archived 24/7 for anybody who wants to watch the town board meetings. If people don't have internet, they can go to the local library and use their computer. He thanked Thomas Brabenec, his brother, for his volunteering his time and equipment for this effort. Without him, they wouldn't have been able to do this. The bulk cleanup is coming up in May, but as the weather is changing, they are seeing a lot of garbage on the side of the road. He urged people to please clean up their property and said the Code Enforcement Office, Al Fusco and he went on a tour of the town on Friday. They went to various properties that had serious, serious issues. They also saw some other areas that need clean up. The Bulk Cleanup is free for town residents. He said let's make Deerpark look fantastic again. They received a call that day about a kayaker on the Neversink River who had some issues. He urged people to use common sense on both the Delaware and Neversink rivers as the weather is warmer. Use common sense and wear a life jacket.

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Councilman Spears added that he would be remiss if he didn't thank their Parks Superintendent/Highway Superintendent, Ed Hughson and the men when he can steal them away. They go down and do some of the work that's been done on the fields and they have worked hard and done a great job.

Florence Santini, Town Clerk thanked the Board for thanking Theresa Creegan for the great job she did at the Easter Egg Hunt. When you see over 200 kids have the happy smiles on their faces collecting those eggs, and the DJ doing the hop with those kids...it was a very nice day. She relayed the story of how the DJ told the kids to go for the eggs, but didn't tell them to stop before the cornfield. They saw the top of their heads out there in the corn stalks, but the eggs weren't hidden out there and he had to call them back. They had a gorgeous day. They played games, had a coloring contest, hula hoops and were out there for two hours with the kids, but the prep before was done by Theresa (Tippy) and she really did a great job. She thanked Ed Hughson that he and his guys got the fields prepared and cleaned up for that day. A couple weeks ago, Michael and Matthew Conklin were there and if anybody was listening, they have empty boxes in her office for "What Are You Bringing to the Table?" They need breakfast food to fill those boxes. Michael was doing this for the whole month of April. There were a couple boxes and she would like to turn over 10 full boxes by the end of April. Also, Matt Conklin was getting the lap blankets for the Honor Flight and she was collecting them. A lot of people were making them, but there will be more flights they'll collect them for. She thanked everyone for what they've done. She also congratulated Tippy for the scholarship and they were going to Buffalo for the conference the end of April.

Supervisor Brabenec said that for a time their meetings were televised on Access 23 and he will talk to George Belcher to see if he can capture their live feed, or if they could get a file of the actual meetings to rebroadcast on the Access Station in case somebody wants to watch them on the TV.

Motion to Enter Executive Session for Litigation Update Regarding Cea vs. Town of Deerpark and Bowley vs. Town of Deerpark at 8:35 p.m.

Motion by Karl Brabenec, 2nd by Gary Spears to enter Executive Session for Litigation Update on Cea vs. Town of Deerpark and Bowley vs. Town of Deerpark at 8:35 and invite in the Town Attorney, Glen Plotsky.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Recess until 8:35 p.m.

Motion by Karl Brabenec, 2nd by David Hoovler to recess until 8:35 p.m.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Re-Enter Regular Session at 9:05 p.m.

Motion by Gary Spears, 2nd by David Dean to re-enter Regular Session at 9:05 p.m.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Adjourn at 9:06 p.m.

Motion by Karl Brabenec, 2nd by David Hoovler to adjourn at 9:06 p.m.

VOTE: 4 AYES: Gary Spears, David Dean, David Hoovler, Karl Brabenec

1 ABSENT: Arthur Trovei

MOTION CARRIED

Respectfully submitted by,

Florence T. Santini
Town Clerk