

**TOWN OF DEERPARK
TOWN BOARD REGULAR MEETING
MONDAY, JUNE 16, 2014**

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

Invocation by Arthur Trovei

Attendance

Supervisor: Karl Brabenec

Councilmembers: Arthur Trovei, Gary Spears, David Dean, Ken Smith

Attorney: Glen Plotsky

Call to Order at 7:39 p.m.

Pledge of Allegiance by Gary Spears

Roll Call/Attendance

Additions or Changes to Agenda – None

Presentations/Communications – None

Motion to Approve Previous Town Board Minutes - June 2, 2014

Motion by Ken Smith, 2nd by David Dean to approve previous Town Board Minutes from June 2, 2014.

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

1 ABSTENTION: Arthur Trovei

MOTION CARRIED

Public Comment Period – None

New Business

Supervisor Brabenec introduced the resolution for the *Town of Deerpark Retirement Work Day and Reporting* that needs to be passed every new term of office. This is for those who don't usually sign in to the town's time keeping system. This is for elected and appointed officials and will need to be posted for 30 days. This applies to Karl Brabenec, Florence Santini, Gary Spears and Edward Hughson. He then read it out loud.

Motion to Adopt Resolution No. 18 of 2014- Town of Deerpark Retirement Work Day and Reporting

Motion by Arthur Trovei, 2nd by Ken Smith to adopt Resolution No. 18 of 2014, Town of Deerpark Retirement Work Day and Reporting.

Discussion: Councilman Smith asked if this was just stating what this is supposed to look like, and Supervisor Brabenec said they do keep track of hours so if the Comptroller's Office asks, there is a record of time spent working on the job. These jobs are really 24/7 and anything could take time to deal with during your day with emergencies, residents, etc. The attorney clarified that this Resolution was setting forth a schedule that will represent the various people working the hours they work per week. All they're doing is saying this is the standard work week. Supervisor Brabenec stated this is an average of hours spent on town business. Councilman Dean asked about the contribution to retirement and the Supervisor said there were a lot of scenarios depending on their tier and their time in the system. Discussion followed.

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

MOTION CARRIED

The Town Clerk will post this Resolution No. 18 for 30 days.

Supervisor Brabenec said they were notified last year that the State has a mandatory *Scrap Metal Vendor's Fee* of \$75.00 and it must be paid by any scrap metal vendor. This is not currently included in the town's fee schedule. There are two businesses in the town that do apply for junkyard licenses and pay for the junkyard permit, but not the scrap metal fee. They need to add the scrap metal fee to the fee schedule, so they can comply with the state regulation.

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Motion to Amend the Current Fee Schedule to Include A Scrap Metal Fee of \$75.00

Motion by Karl Brabenec, 2nd by David Dean to amend the current fee schedule to include a scrap metal fee of \$75.00.

Discussion: Councilman Dean asked if those affected know about the additional charge and the supervisor said they did, the Town Clerk had notified them. The two affected were BRIM Recyclers and Arthur Trovei & Sons.

VOTE 4 AYES (Roll Call): Gary Spears, David Dean, Ken Smith, Karl Brabenec (in protest)
1 ABSTENTION: Arthur Trovei

MOTION CARRIED

Appropriations, Budget, and Payment of Bills

Motion to Pay Bills

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

General Fund Abstract #11 of 2014 in the amount of \$103,981.37
Highway Fund Abstract #11 of 2014 in the amount of \$19,134.60
Fusco Engineering Fund Abstract #9 of 2014 in the amount of \$17,763.81
Deerpark Street Lighting Fund Abstract #6 of 2014 in the amount of \$443.40
Capital Projects Fund Abstract #7 of 2014 in the amount of \$22,799.05 (Running Total \$355,796.72)

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

MOTION CARRIED

Closing Board Comments – None

Motion to Enter Executive Session at 8:01 p.m. for the Purpose of Discussing Dragon Springs Litigation/Academy Ave Paving Litigation/Assembly of God Litigation v. TOD

Motion by Karl Brabenec, 2nd by Gary Spears to enter Executive Session at 8:01 p.m. for the purpose of discussing Dragon Springs litigation; Academy Ave. Paving litigation and Assembly of God Church litigation and invite in Attorney Glen Plotsky.

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

MOTION CARRIED

Florence Santini, Town Clerk invited the Board to lunch and a tour of Gillinder Glass as she was hosting the Sullivan and Orange County Town Clerk's meeting this month. The tour will be at 11:00 a.m. with lunch following at the Tiki Bar in Port Jervis. She extended an invitation to the County Clerk and her deputies as well as the District Attorney.

Supervisor Brabenec congratulated Flo Santini for her election to the Port Jervis School Board.

Motion to Recess at 7:55 p.m. until 8:01 p.m.

Motion by Karl Brabenec, 2nd by Gary Spears to recess at 7:55 p.m. until the Executive Session at 8:01 p.m.

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

MOTION CARRIED

Motion to Re-Enter Regular Session at 9:10 p.m.

Motion by Arthur Trovei, 2nd by David Dean to re-enter regular session at 9:10 p.m.

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

MOTION CARRIED

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Motion to Adjourn at 9:11 p.m.

Motion by Ken Smith, 2nd by Gary Spears to adjourn at 9:11 p.m.

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

MOTION CARRIED

Respectfully submitted by,

Florence T. Santini
Town Clerk