

**TOWN OF DEERPARK  
TOWN BOARD REGULAR MEETING  
MONDAY, JUNE 17, 2019**

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

**Invocation** by Gary Spears (Participation is Optional)

**Attendance:**

**Supervisor:** Gary Spears

**Councilmen:** Ken Smith, David Dean

**Absent:** Alan Schock, Arthur Trovei

**Engineer:** Al Fusco, Jr.

**Attorney:** Glen Plotsky

**Pledge of Allegiance:** Ken Smith

**Call to Order:** 7:38 p.m.

Addition or Deletions to Agenda – None

Presentations/Communications

Supervisor Spears reported that the playground is put together and useable at Harriet Space Park and the mulch is put in. The Highway Department crew worked with two guys from the company. They are also working on a handicap access at the Grange. The No. 2 Beach was private land and the Town of Deerpark, the County of Orange and the State of New York got together and purchased it from the owners and have worked on a ramp and will make it useable for the firemen. The Highway Superintendent Ed Hughson couldn't come to the meeting, but has been busy with paving in Myers Grove. The Police car is getting a radio put in and should be on the road soon. They have been discussing the noise problems regarding the campground and the racetrack and have had no complaints on either the past two weeks. He had a good meeting with the owners of the racetrack and they had their days a little messed up, so they resubmitted their application with 100 racing days and five completely quiet weekends. Mr. Smith went up and talked with them and said that was pretty nice. Hopefully this will settle the problems and they will continue to monitor them.

Public comment – None

**Motion to Approve June 3, 2019 Board Minutes**

Motion by Ken Smith, 2<sup>nd</sup> by David Dean to approve the June 3, 2019 Board Minutes.

**VOTE: 3 AYES: Ken Smith, David Dean, Gary Spears**

**2 ABSENT: Alan Schock, Arthur Trovei**

**MOTION CARRIED**

Old Business

Supervisor Spears reported that they researched Councilman Trovei's question at the last meeting regarding the council site visits in relation to the new Planning Board and Zoning Board of Appeals Applications. They were allowed to do site visits then as they do now.

**Motion to Approve the Town of Deerpark Planning Board and Zoning Board of Appeals Application as Presented**

Motion by David Dean, 2<sup>nd</sup> by Ken Smith to approve the Town of Deerpark Planning Board and Zoning Board of Appeals Application as presented at the last meeting.

**VOTE: 3 AYES: Ken Smith, David Dean, Gary Spears**

**2 ABSENT: Alan Schock, Arthur Trovei**

**MOTION CARRIED**

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New Business

Supervisor Spears reported that the town's cell tower is owned by Crown Castle and the town receives income for every carrier they have on the cell tower, which is about \$12,000 a year. He said they have three now and will soon have four. *Town Attorney Glen Plotsky* told the history of past Supervisor Brabenec negotiating the contract in which JTS Towers constructed the telecommunication tower. Part of the provision is that the town will lease emergency and county services will collate on the tower, then sold their ownership interest to Crown Castle. Essentially Crown Castle is an agent for the town negotiating for other carriers to use our tower. In this instance, T-Mobile Northeast has approached Crown Castle and they are seeking an agreement.

The *Town Attorney Glen Plotsky* read the entire Crown Castle Agreement and SEQR Review with a Negative Declaration (copy is attached to the official minutes).

**Motion to Approve Agreement with T-Mobile Northeast LLC SEQRA Review with Negative Declaration**

Motion by David Dean, 2<sup>nd</sup> by Ken Smith to approve the Agreement with T-Mobile Northeast LLC SEQR Review with a Negative Declaration.

**VOTE: 3 AYES (Roll Call): Ken Smith, David Dean, Gary Spears**

**2 ABSENT: Alan Schock, Arthur Trovei**

**MOTION CARRIED**

The *Town Attorney Glen Plotsky* read the entire Resolution 5 of 2019 (copy is attached to the official minutes).

**Motion to Adopt Resolution 5 of 2019 – Authorize Supervisor to Sign the T-Mobile Northeast LLC Agreement**

Motion by Ken Smith, 2<sup>nd</sup> by David Dean to adopt Resolution 5 of 2019 authorizing the Supervisor to sign the T-Mobile Northeast LLC Agreement.

**VOTE: 3 AYES (Roll Call): Ken Smith, David Dean, Gary Spears**

**2 ABSENT: Alan Schock, Arthur Trovei**

**MOTION CARRIED**

Appropriations, Budget and Payment of Bills

**Motion to Pay Bills**

Motion by Ken Smith, 2<sup>nd</sup> by David Dean to pay bills that have been signed by three council members and accept the Budget Officer's Report and all may be viewed in the Town Clerk's Office.

General Fund Abstract #12 of 2019 in the amount of \$86,367.87  
Highway Fund Abstract #12 of 2019 in the amount of \$44,462.70  
Special Revenue Reserve Fund Abstract #8 of 2019 in the amount of \$188.88  
Engineering Fund Abstract #6 of 2019 in the amount of \$420.00  
Deerpark Manor Street Lighting Fund Abstract #6 of 2019 in the amount of \$603.83

**VOTE: 3 AYES: Ken Smith, David Dean, Gary Spears**

**2 ABSENT: Alan Schock, Arthur Trovei**

**MOTION CARRIED**

*Town Attorney Glen Plotsky* explained the technology with the battery energy system law with solar systems. He has written and submitted a law to be considered if needed. Supervisor Spears mentioned the solar pilot program that was being considered for future and it would be good to have a law in pace.

Closing Board Comments

Councilman Smith said the playground equipment looked good. The Hawks Nest looked quiet. If it would stop raining, we'd all be happy.

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Councilman Dean said he was excited about the additional income coming into the town. It helps to offset and they have to be frugal with their spending. That's how this works.

Supervisor Spears said he spoke with Mr. Fusco and the grant they re-submitted for the CDBG is going along and it takes time. It is looking good for the paving for \$125,000. He reported that the State did some cutting on the Hawks Nest and wished they would have cut more. The next Board Meeting will be July 15<sup>th</sup>, as the meeting on July 1<sup>st</sup> is rescheduled and the board will come in the week of July 1<sup>st</sup> to sign vouchers.

**Motion to Adjourn at 8:04 p.m.**

Motion by Ken Smith, 2<sup>nd</sup> by David Dean to adjourn the meeting at 8:04 p.m.

**VOTE: 3 AYES: Ken Smith, David Dean, Gary Spears**

**2 ABSENT: Alan Schock, Arthur Trovei**

**MOTION CARRIED**

Respectfully submitted by,

Florence T. Santini  
Town Clerk