

**TOWN OF DEERPARK
TOWN BOARD REGULAR MEETING
MONDAY, JUNE 20, 2016**

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

Invocation by Alan Schock (Participation is Optional)

Attendance

Supervisor: Gary Spears

Councilmember's: Alan Schock, Ken Smith, David Dean

Absent: Arthur Trovei

Attorney: Glen Plotsky

Engineer: Al Fusco, Jr.

Call to Order at 7:32 p.m.

Pledge of Allegiance by David Dean

Presentations/Communications

Jack Flynn, Emergency Management Director – reported on the potential of effects from the current hurricane season (June from November). They may have a rare tropical storm or hurricane outside those parameters. Also, Deerpark also submitted information to Orange County to update their Hazard Mitigation Plan. This is all to prepare the town for future potential FEMA support in case of a catastrophic affect. Orange County has purchased a notification alert system called Code Red. He mentioned that before. If Deerpark did have a disaster, they could use their system to notify the residents. They could use it to evacuate a certain area, but the downside right now is they cannot call back cell phones. They are working on that at the present time. The local fire departments have responded to emergencies on the Delaware River. They are looking at establishing a signage that would assist travelers to know just where the emergency is on the road. They are looking to get a numbering system to help identify locations. He went to a meeting with the New York City DEP regarding a request for a feasibility study regarding the dams. He discussed these issues in greater depth.

Additions or Deletions to Agenda

Motion to Add Police Chief Recommendation of Hiring P/T Police Officer to Agenda Under New Business

Motion by David Dean, 2nd by Ken Smith to add Police Chief Recommendation of Hiring P/T Police Officer to the Agenda under New Business.

VOTE: 4 AYES: Alan Schock, Ken Smith, David Dean, Gary Spears

1 ABSENT: Arthur Trovei

MOTION CARRIED

Public Comment Period – None

Motion to Approve June 6, 2016 Board Minutes

Motion by Ken Smith, 2nd by Alan Schock to approve June 6, 2016 Board Minutes.

VOTE: 4 AYES: Alan Schock, Ken Smith, David Dean, Gary Spears

1 ABSENT: Arthur Trovei

MOTION CARRIED

Old Business

Solar Resolution - Supervisor Spears mentioned the board had three different solar energy propositions. One was a sample of Solar Ordinance from the state and the other is a sample of Solar Ordinance from their attorney, and the third one was a New York State Model of Solar Energy Law. They have until August before their moratorium expires August 8th, to pick one from these three to discuss. Discussion followed. The board was going to mark up their copies and give them to the Attorney. There was discussion about set-backs and/or screening on the property or adjacent property. Supervisor Spears said they should address the set-backs in the same sentence so someone can't be precluded from the future use of their land. Mr. Plotsky said that was exactly the issue and the language is permissive and not restrictive. Supervisor Spears also asked Mr. Fusco if the going rate is 12kw for distinguishing the number between small scale and large scale, depending on the size of the home.

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Mr. Fusco said the larger ones are roof mounted, not ground mounted. Mr. Spears said if you can't sell excess back, you would lose it so it wouldn't behoove you to put a larger than needed system in. Mr. Plotsky said they may want to see your last six months of electric and regulate it. He added that New York State determined that they were going to set small scale at 12kw or less. The Unified Solar Permit that they prepared, said that if a municipality adopts this ordinance, they will give them "x" number of dollars as some sort of a grant. That required the town to set the small scale as well. Discussion continued. They talked about having a Public Hearing for people to respond so their public comments can be incorporated into the final law and could be presented and voted on. Mr. Plotsky said he needed to sit down and figure out precisely how you want the laws consolidated. They need to have to set a Public Hearing on July 18th. They want to get this out on the internet so people will have the information to look over for comments at the Public Hearing.

Motion to Set Public Hearing on the All Solar Laws for the Town of Deerpark – July 18, 2016

Motion by Ken Smith, 2nd by Alan Schock to set a Public Hearing on all solar laws for the Town of Deerpark on Monday, July 18, 2016.

Discussion: Supervisor Spears thought it would be good to have three different categories: rooftop residential, residential ground mount and all commercial ground mount or rooftop. They all truly are different from each other, even though it is all solar.

VOTE: 4 AYES: Alan Schock, Ken Smith, David Dean, Gary Spears

1 ABSENT: Arthur Trovei

MOTION CARRIED

New Business

Motion to Approve Oakland Valley Campground License

Motion by David Dean, 2nd by Ken Smith to approve the Oakland Valley Campground Permit, following the Building Inspectors recommendation for approval.

VOTE: 4 AYES: Alan Schock, Ken Smith, David Dean, Gary Spears

1 ABSENT: Arthur Trovei

MOTION CARRIED

Attorney Glen Plotsky explained the Westbrookville Water Lease Approval between Westbrook Water Corp located in Maryland and the Town of Deerpark. This is for Deerpark Manor, actually the park named Bigger Park. The Water Corporation has leased to the Town of Deerpark for recreational purposes, as a playground, sports games and other recreational activities for a dollar, it has leased the property to the town for five years. He said they had the right to terminate the lease on 30 days written notice. They have the right to terminate on 90 days written notice. The Water Corporation (landlord) requires that the town mows the grass and neighbors have the right of way to and from Manor Lane. He has redrafted that lease to make it affective now for the next five years and he received back signed original leases, so he proposes it would be appropriate for the board to authorize the Supervisor Spears to enter into that lease and sign on behalf of the Town of Deerpark if their intention is to continue it.

Motion to Accept Westbrookville Water Lease and Authorize Supervisor to Sign

Motion by Ken Smith, 2nd by Alan Shock to accept the new lease with the Westbrook Water Corp authorizing Supervisor Spears to sign on behalf of the Town of Deerpark.

VOTE: 4 AYES: Alan Schock, Ken Smith, David Dean, Gary Spears

1 ABSENT: Arthur Trovei

MOTION CARRIED

Supervisor Spears reported having trouble in past getting all dogs licensed in the area and the endeavor of gathering that information is costly. There is a new program called the Canine License Registry Program. They do the dog enumeration for municipalities for a set fee including the printing and mailing and follow up to see who has their dogs licensed. The cost is \$893.55, which is very reasonable. *Town Clerk Florence Santini* said she thought it would be a good investment and when she started, there were over 3,000 dogs registered in the computer. When the state turned the management over, the registrations started at 1 and is now only at 1,600. She said there are more than 1,600 dogs in the Town of Deerpark. Many move here and come from places where they only had to register their dog once. However, in New York State, they need to register annually

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and many don't know that. She said they will make the money spent with registrations if they go ahead with the program. This is very cheap. She believes the enumeration is part of the Ag and Market law every so many years and they have never done it. Supervisor Spears said this will give the homeowner a chance to register legally. Ms. Santini stated that licenses are \$6.00 for spayed/neutered and \$16.00 for those unaltered. Once people know of the enumeration, they should register their dog(s) so they don't have to pay a fine. Discussion continued.

Motion to Authorize Supervisor to Sign Contract with Canine License Registry for Dog Enumeration

Motion by Ken Smith, 2nd by Gary Spears to authorize the Supervisor to sign the contract with Canine License Registry for Dog Enumeration.

Discussion: Councilman Schock asked if we rely on people to register their dogs every year. Flo Santini replied they are mailed a renewal at the end of the month prior to the month their dog's renewal is due. It is New York State Ag & Market law.

VOTE: 4 AYES: Alan Schock, Ken Smith, David Dean, Gary Spears

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Approve Hiring P/T Police Officer David Broadwell

Motion by Ken Smith, 2nd by Alan Schock to approve the hiring of P/T Police Officer David Broadwell, upon the Police Chief's recommendation.

VOTE: 4 AYES: Alan Schock, Ken Smith, David Dean, Gary Spears

1 ABSENT: Arthur Trovei

MOTION CARRIED

Appropriations, Budget and Payment of Bills

Motion to Pay Bills and Accept Budget Officer's Report

Motion by Alan Schock, 2nd by Ken Smith to pay bills that have been signed by three council members, and accept the Budget Officer's Report and may be viewed in the Town Clerk's Office.

General Fund Abstract #11 of 2016 in the amount of \$99,224.81

Highway Fund Abstract #11 of 2016 in the amount of \$80,752.37

Fusco Engineering Fund Abstract #6 of 2016 in the amount of \$602.00

Deerpark Manor Street Lighting Fund Abstract #6 of 2016 in the amount of \$464.63

Special Revenue Reserve Fund Abstract #6 of 2016 in the amount of \$2,684.54

VOTE: 4 AYES: Alan Schock, Ken Smith, David Dean, Gary Spears

1 ABSENT: Arthur Trovei

MOTION CARRIED

Closing Board Comments

Councilman Smith thanked Jack Flynn for his good report and for doing such great work for them. He was looking forward to the solar decision. He thinks it is a good thing and wants to help their people save money without costing them a lot of money.

Councilman Schock – None

Councilman Dean said to Flo Santini that it would be good to track the enumeration closely. He doesn't disagree with licensing the dogs, but he thinks if people have cats, they should be licensed too. If it takes a load off the Town Clerk's office and achieves the same amount of revenue. You'll never get 100% compliance, he understands that. He has a pet peeve with the ground mount. There's something about putting holes in a perfectly good roof that bothers him. He thought it was easier to keep on the ground.

Florence Santini mentioned that the last Saturday was their last sign up for the YMCA summer camp. As of that day, they had 163 signed up for the weeks. They are still a little shy and the YMCA camp will take care of any other residents interested. The camp will come to her once a week with those they've collected money from and give to her. Supervisor Spears asked what the normal number is for those attending camp and Ms. Santini replied 183 is typical.

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Supervisor Spears reminded the board of their solar homework and mark up the three forms and they will then meet with their attorney and make changes for a new sound law and get it out to the public, have a public hearing, make changes if need be and vote on it in August. The Highway Superintendent was out of town and couldn't make their meeting, but he reported they are paving all week, so some of the roads are going to experience slowdowns and detours. Oil prices are down. It is prime time. All the summer workers are on board, everything is getting mowed. They are cutting weeds alongside the roads, especially intersections for better visibility.

Motion to Cancel the July 5, 2016 Board Meeting Due to No Quorum

Motion by Gary Spears, 2nd by Ken Smith to cancel the July 5, 2016 Board Meeting due to no quorum and move the business on hand to the July 18th meeting, with the exception that they will go over the bills and sign vouchers the week of July 5th.

VOTE: 4 AYES: Alan Schock, Ken Smith, David Dean, Gary Spears

1 ABSENT: Arthur Trovei

MOTION CARRIED

Flo Santini will put notices out in the post offices and website.

Motion to Enter Executive Session to Discuss Tax Certiorari's and Possible Litigation

Motion by David Dean, 2nd by Ken Smith to Enter Executive Session to discuss tax certiorari's and possible litigation with Corcoran/New Hope Farms/Cristopherson after a brief recess until 8:45 p.m., and invite in Town Attorney Glen Plotsky and Town Engineer Al Fusco, Jr.

VOTE: 4 AYES: Alan Schock, Ken Smith, David Dean, Gary Spears

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Re-enter Regular Session at 9:28 p.m.

Motion by Ken Smith, 2nd by David Dean to re-enter Regular Session at 9:28 p.m.

VOTE: 4 AYES: Alan Schock, Ken Smith, David Dean, Gary Spears

1 ABSENT: Arthur Trovei

MOTION CARRIED

Motion to Adjourn at 9:29 p.m.

Motion by David Dean, 2nd by Alan Schock to adjourn at 9:29 p.m.

VOTE: 4 AYES: Alan Schock, Ken Smith, David Dean, Gary Spears

1 ABSENT: Arthur Trovei

MOTION CARRIED

Respectfully submitted,

Florence T. Santini
Town Clerk