

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

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

**Invocation** by Arthur Trovei

**Attendance**

**Supervisor:** Karl Brabenec

**Councilmember's:** Arthur Trovei, David Dean

**Absent:** Gary Spears, David Hoover

**Attorney:** Glen Plotsky

**Engineer:** Alfred Fusco, Jr.

**Call to Order** at 7:43 p.m.

**Pledge of Allegiance** led by Arthur Trovei

Additions or Changes to Agenda

**Motion to Add Hiring P/T Court Officer to the Agenda**

Motion by Karl Brabenec, 2<sup>nd</sup> by Arthur Trovei to add the Hiring of a P/T Court Officer to the Agenda.

**VOTE: 3 AYES: Arthur Trovei, David Dean, Karl Brabenec**

**2 ABSENT: Gary Spears, David Hoover**

**MOTION CARRIED**

**Motion to Add Budget Officer's Report for June of 2013 to the Agenda**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to add the Budget Officer's Report for June of 2013 to the Agenda under the Appropriations, Budget and Payment of Bills.

**VOTE: 3 AYES: Arthur Trovei, David Dean, Karl Brabenec**

**2 ABSENT: Gary Spears, David Hoover**

**MOTION CARRIED**

Supervisor Brabenec opened the Public Hearing at 7:45 p.m.

**Public Hearing Proposed Local Law No. 3 of 2013 – "A Local Law entitled "Town of Deerpark Road Preservation Law."**

Town Clerk, Florence T. Santini read the Public Notice of the proposed Local Law No. 3 of 2013 and a copy is attached to the official minutes.

Public Comments – None

Councilman Trovei asked how this would affect local land existing people in the town. Supervisor Brabenec answered it would affect big projects in the town like the Rio Dam upgrades. There are heavy trucks using the town's local roads through the contractor doing the work. Right now there are no weight limits or local laws on the books to protect the local roads for damage from heavy machinery. These are 20 or 30 trucks, not just a few trucks a day. The same situation is with Dragon Springs, where they have 20 to 30 concrete trucks a day going on Galley Hill Road destroying portions of the road. The Highway Superintendent made the recommendation and the Highway Superintendent's Association that many of the towns in Orange County have adopted a similar law. This is actually a model law from the Highway Superintendent's Association and the Association of Towns. It is basically to protect with major projects. This would not affect local businesses, unless they are performing a major project on their property. More details were discussed and they decided to table it until the next meeting.

**Motion to Close Public Hearing on Local Law No. 3 of 2013 at 8:12 p.m.**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to close the public hearing on Local Law No. 3 of 2013 at 8:12 p.m.

**VOTE: 3 AYES: Arthur Trovei, David Dean, Karl Brabenec**

**2 ABSENT: Gary Spears, David Hoover**

**MOTION CARRIED**

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Opening Board Comments

Councilman Dean welcomed Councilman Trovei back home and said he was happy to see him.

Presentations/Communications – None

**Motion to Table Approval of June 24, 2013 Board Minutes**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to table approval of June 24, 2013 Board Minutes until the next meeting.

**VOTE: 3 AYES: Arthur Trovei, David Dean, Karl Brabenec**

**2 ABSENT: Gary Spears, David Hoover**

**MOTION CARRIED**

Public Comment Period – None

New Business

**Motion to Table Local Law No. 3 of 2013 – A Local Law Entitled “Town of Deerpark Road Preservation Law”**

Motion by Arthur Trovei, 2<sup>nd</sup> by David Dean to table Local Law No. 3 of 2013 – A Local Law Entitled “Town of Deerpark Road Preservation Law” until the July 22, 2013 Board Meeting.

**VOTE: 3 AYES: Arthur Trovei, David Dean, Karl Brabenec**

**2 ABSENT: Gary Spears, David Hoover**

**MOTION CARRIED**

Supervisor Brabenec received a letter from Cornell University about a local roads program that has provided technical assistance and training for local highway officials through the cooperative extension. They had been doing this since 1951 and do it annually. They receive joint funding from the NYS Transportation Dept., the Federal Highway Administration and the program has expanded. The University is talking of closing the program and it has been recommended the municipalities pass resolutions in support of the program and ask Cornell University to continue the program. Ed Hughson, Highway Superintendent asked the board to pass this resolution.

**Motion to Adopt Resolution 18 of 2013 Supporting Cornell University LTAP and Local Roads Program**

Motion by David Dean, 2<sup>nd</sup> by Arthur Trovei to adopt Resolution 18 of 2013 – Supporting Cornell University LTAP and Local Roads Program.

**VOTE: 3 AYES (Roll Call): Arthur Trovei, David Dean, Karl Brabenec**

**2 ABSENT: Gary Spears, David Hoover**

**MOTION CARRIED**

*Al Fusco, Jr., Building Inspector*, reported on the 10 Day Notice regarding attractive nuisance properties from the June 24, 2013 Board Meeting. They need to set a hearing between 10 and 30 days. He suggested they have a Public Hearing on July 22, 2013 at 7:30 p.m. and furthermore, they would be issuing in a letter (draft supplied) ordering the owners to demolish the structure within 30 days, and have it completed in 60 days. If not, the town would demolish and the cost would go against the property owner. The home owner needs to come forth with compelling enough information to convince them to change their position as if they brought a structural plan saying they are in

**Motion to Set Public Hearing for SBL 29-1-4.1, 1 Trails End, Cuddebackville, NY July 22, 2013 at 7:30 p.m. at Town of Deerpark Town Hall**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to set a Public Hearing on SBL 29-1-4.1, 1 Trails End, Cuddebackville, NY for Monday, July 22, 2013 at 7:30 p.m. at the Town of Deerpark Town Hall, 420 Route 209, Huguenot, NY 12746.

**VOTE: 3 AYES: Arthur Trovei, David Dean, Karl Brabenec**

**2 ABSENT: Gary Spears, David Hoover**

**MOTION CARRIED**

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**Motion to Set Public Hearing for SBL 21-12-6, 15 Old Road, Cuddebackville, NY July 22, 2013 at 7:30 p.m. at Town of Deerpark Town Hall**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to set a Public Hearing on SBL 21-12-6, 15 Old Road, Cuddebackville, NY for Monday, July 22, 2013 at 7:30 p.m. (or thereafter) at the Town of Deerpark Town Hall, 420 Route 209, Huguenot, NY 12746.

**VOTE: 3 AYES: Arthur Trovei, David Dean, Karl Brabenec**

**2 ABSENT: Gary Spears, David Hoover**

**MOTION CARRIED**

Supervisor Brabenec mentioned they also received reports of another building in serious disrepair at SBL 20-1-34.13, 1151 Route 209, Cuddebackville, NY. This property has been abandoned for at least a year or two and there is garbage inside the house attracting animals and rats and is becoming a massive problem. Their Building Inspector has been able to locate the property.

**Motion to Set Public Hearing for SBL 20-1-34.13, 1151 Route 209, Cuddebackville, NY July 22, 2013 at 7:30 p.m. at Town of Deerpark Town Hall**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to set a Public Hearing on SBL 20-1-34.13, 1151 Route 209, Cuddebackville, NY at 7:30 p.m. (or thereafter) at the Town of Deerpark Town Hall, 420 Route 209, Huguenot, NY 12746.

**VOTE: 3 AYES: Arthur Trovei, David Dean, Karl Brabenec**

**2 ABSENT: Gary Spears, David Hoover**

**MOTION CARRIED**

Supervisor Brabenec received a letter from Mr. Victor Presto of Lackawaxan, Pennsylvania addressed to the Chief of Police and read it. Mr. Presto wanted to commend both Police Officer Kalin and Sergeant Sullivan in June regarding his car registration and their professionalism and kindness to him and his wife. The Supervisor congratulated both police officers and stated it is always nice to get positive letters from the public.

*Ed Hughson, Highway Superintendent* gave an update on the Boehmler Road resurfacing was going to be done last Wednesday, but because of the July 4<sup>th</sup> holiday, he asked them to hold off and now it is rescheduled a week from that day (July 15<sup>th</sup>). Supervisor Brabenec repeated that the road will be resurfaced on July 15<sup>th</sup>, weather permitting.

Supervisor Brabenec mentioned they had been having consistent problems over the years with dumping and littering in the town. They passed a Local Law increasing the penalties and fines, having one of the stricter laws in the state of New York regarding littering and dumping. However, the problem is catching those doing it. The law enforcement officers have been working diligently trying to do that. They discussed some options to amending the local law. Councilman Dean gave the board a packet of information to look over and use the video surveillance in order to catch people illegally dumping.

**Motion to Approve Up To \$1,000 to Purchase Video Equipment for Surveillance**

Motion by Karl Brabenec, 2<sup>nd</sup> by Arthur Trovei to approve up to \$1,000 to purchase video equipment for surveillance.

**VOTE: 3 AYES: Arthur Trovei, David Dean, Karl Brabenec**

**2 ABSENT: Gary Spears, David Hoover**

**MOTION CARRIED**

Supervisor Brabenec mentioned that due to health reasons, Dean Sinsabaugh resigned his position as part-time court officer and they have received about 8 applications. This time the position requires a full carry permit, which whittled it down to about four people. The applicants interviewed with the town justices and they recommended an applicant for hire who has corrections experience, does have his full carry permit, is a Huguenot Fire Department member and is a Deerpark resident.

**Motion to Hire Part Time Court Officer Louis Taliento**

Motion by Karl Brabenec, 2<sup>nd</sup> by Arthur Trovei to hire part time per diem Court Officer Louis Taliento effective immediately at the rate of \$12.00 per hour, pending a satisfactory background check and fire arms qualification.

**VOTE: 3 AYES: Arthur Trovei, David Dean, Karl Brabenec**

**2 ABSENT: Gary Spears, David Hoover**

**MOTION CARRIED**

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Appropriations, Budget and Payment of Bills

**Motion to Pay Bills**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean 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 #12 of 2013 in the amount of \$119,906.93  
Highway Fund Abstract #12 of 2013 in the amount of \$28,445.59  
Engineering Fund Abstract #3 of 2013 in the amount of \$1,750.00

**VOTE: 3 AYES: Arthur Trovei, David Dean, Karl Brabenec**  
**2 ABSENT: Gary Spears, David Hoover**

**MOTION CARRIED**

**Motion to Accept Budget Officer's Report for June 2013**

Motion by David Dean, 2<sup>nd</sup> by Arthur Trovei to accept the Budget Officer's Report for June 2013 (through July 8<sup>th</sup>) along with the General Fund Expenditures and Highway Fund Expenditures year to date totals. The report will be available at the Deerpark Town Clerk's Office.

**VOTE: 3AYES: Arthur Trovei, David Dean, Karl Brabenec**  
**2 ABSENT: Gary Spears, David Hoover**

**MOTION CARRIED**

Closing Board Comments

Councilman Trovei – None. He asked if everybody would use their cell phones to take pictures and/or report to the Town of Deerpark police those seen illegally dumping garbage or littering.

David Dean thanked Officer Kalin for how he treated the couple pulled over with the registration problem.

Supervisor Brabenec mentioned the Community Development Office of Orange County will be holding mobile office hours Tuesday, July 9<sup>th</sup> from 1:00 to 2:00 p.m. at the Town of Deerpark Town Hall; they will be at the Port Jervis City Hall from 2:30 to 3:30 p.m. at 14 – 20 Hammond Street; and in the morning from 9:30 – 10:30 a.m. at the Wallkill Town Hall, 99 Tower Drive and 11:00 to 12:00 at the Otisville Village Hall. These mobile slots of time are for discussing Community Development various programs they offer. One of the most popular ones is a zero percent home improvement loan, which has a deferred payment option. This would allow low income residents to have general repairs done to their homes, which may include weatherization, barrier removal, heating system replacements. \$20,000 is available. They do have other programs.

Florence Santini, Town Clerk reported that Home Depot has provided a grant for the Town, replacing the grass out front around the 9/11 Monument, pavers, and they'll make a new walkway into the memorial entrance and paint the benches, they'll provide new flowers and flags. On August 28<sup>th</sup> at 8 a.m. they will bring a team here of workers and it is Home Depot's way of saying thanks for all you do. They'll spruce the whole memorial. She also asked for a veteran who was in need and Ms. Santini contacted the local Veteran's Clinic and there happened to be a veteran who was there and she talked to his daughter, they will be helped with a handicap ramp for their house free of charge.

Supervisor Brabenec commented on what a good job that was to Flo and thanked Home Depot for their taking care of the monument, the community, and he encouraged all their residents to shop at Home Depot and return the favor.

**Motion to Enter Executive Session Re: Potential Litigation Update at 9:00 p.m.**

Motion by Karl Brabenec, 2<sup>nd</sup> by Arthur Trovei to enter Executive Session at 9:00 p.m. regarding potential litigation update and invite in Attorney Glen Plotsky.

**VOTE: 3AYES: Arthur Trovei, David Dean, Karl Brabenec**  
**2 ABSENT: Gary Spears, David Hoover**

**MOTION CARRIED**

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**Motion to Recess Until 9:00 p.m.**

Motion by Karl Brabenec, 2<sup>nd</sup> by Arthur Trovei to recess until 9:00 p.m.

**VOTE: 3AYES: Arthur Trovei, David Dean, Karl Brabenec**

**2 ABSENT: Gary Spears, David Hoover**

**MOTION CARRIED**

**Motion to Return to Regular Session at 9:32 p.m.**

Motion by David Dean, 2<sup>nd</sup> by Arthur Trovei to return to Regular Session at 9:32 p.m.

**VOTE: 3AYES: Arthur Trovei, David Dean, Karl Brabenec**

**2 ABSENT: Gary Spears, David Hoover**

**MOTION CARRIED**

**Motion to Adjourn at 9:33 p.m.**

Motion by Karl Brabenec, 2<sup>nd</sup> by David Dean to adjourn at 9:33 p.m.

**VOTE: 3AYES: Arthur Trovei, David Dean, Karl Brabenec**

**2 ABSENT: Gary Spears, David Hoover**

**MOTION CARRIED**

Respectfully submitted by,

Florence T. Santini  
Town Clerk