

**TOWN OF DEERPARK
TOWN BOARD MEETING
MONDAY, FEBRUARY 2, 2009**

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

Attendance:

Supervisor: Gary Flieger

Councilmember's: Liam O'Neill, Viola Sinsabaugh, and Karl Brabenec (7:48pm)

Attorney: William Bavoso and William Onofry

Call to Order 7:30PM

Pledge of Allegiance

Motion to approve minutes

Motion made by Gary Flieger, 2nd by Viola Sinsabaugh, to approve the minutes of January 12, 2009.

VOTE: 3 AYES: Viola Sinsabaugh, Liam O'Neill and Gary Flieger

MOTION CARRIED

Motion to pay bills

Motion made by Gary Flieger, 2nd by Viola Sinsabaugh, to pay the bills that contain the signature or initials of at least three councilmember's in the approval for payment section of the voucher or purchase order.

VOTE: 3 AYES: Viola Sinsabaugh, Liam O'Neill and Gary Flieger

MOTION CARRIED

General Fund Abstract # 2 Voucher #'s 60-86 in the amount of \$91,097.05
Highway Fund Abstract # 2 Voucher #'s 27-46 in the amount of \$70,856.71
Engineer Fee's Abstract # 2 Voucher #'s 3-5 in the amount of \$1,511.85

Public Comment – 3 Minutes – Agenda Items Only: None

Correspondence:

Gary Flieger: I went down and renewed the registration on my vehicle and got a very big surprise, I was told that because I went there and didn't use the internet that a good portion of the money stays in the County, there is a flyer in the back on the table that explains that a little more, just if you renew your license or registration at one of the Orange County DMV's 12.7% of the dollars stay here in the County, so do your business in the local DMV offices.

New Business:

Budget Modification

Motion to accept Budget Modifications

Motion made by Gary Flieger, 2nd by Liam O'Neill, to accept the following Budget Modifications:

Increase	3010.4 Public Safety Administration	\$4,800.00
Decrease	1990.4 Contingency	\$4,800.00

Discussion: This is for the Police Department telephone bills.

VOTE: 3 AYES: Viola Sinsabaugh, Liam O'Neill and Gary Flieger

MOTION CARRIED

Viola Sinsabaugh: I had something that I wanted to bring up under correspondence, I have a letter concerning the Highway Department, it's from a town resident, Mary Lou Maher, expressing her deep gratitude to the Highway Superintendent and his crew for the great job they are doing keeping our roads safe and free of snow this winter.

Gary Flieger: Thank you for bringing that up Ed and his men have been doing a wonderful job on the roads, we've had some really crazy storms and they've done a great job.

Liaison Assignments:

Gary Flieger: I have the list of liaison assignments for this year, the liaisons are assigned so that the departments they are assigned to can go to them if they have any issues or problems, and the liaisons are;

Karl Brabenec: Tax Collector, Zoning Board

Liam O'Neill: Tri-23, Recreation Department, Town Clerk

Viola Sinsabaugh: Building Inspector, Planning Board, Assessor, Police Commission

Gary Flieger: Town Justices, Police Commission, Senior Citizens

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Old Business:

Hazardous Mitigation

Gary Flieger: I'm going to turn this over to Vi, I'm blind siding her because I didn't tell her I was doing this, what we have is our Hazardous Mitigation Plan, Vi has taken the books home and read them, I've read them, we had several bids, we've narrowed it down to two different companies, we have a letter from Mr. Bavoso on his views, we have a letter from the Emergency Management Committee, and then we have an update from one of the proposed bidders.

Viola Sinsabaugh: Our Town Attorney sent a letter to our Highway Superintendent that he had reviewed the proposals from the top two that we had looked at, and the proposals were from Tetra Tech and Barton & Loguidice PC for the Deerpark Flood Hazard Mitigation Plan; Tetra Tech has proposed a price of \$56,072.00, Barton & Loguidice has proposed a price of \$48,623.00; we should make sure that both prices are for the complete cost of the plan, no extras for travel, copies, phone calls, etcetera; we should make sure that both bidders would supply the number of copies we request for the lump sum price, we should make sure that both bidders do the submission to SEMO and FEMA. With regard to Tetra Tech with should check with Port Jervis to see if they are satisfied with the work that they have done. With regard to Barton & Loguidice we should check with the Village of Ellenville to see if they are satisfied with the work that they have done. It seems that Tetra Tech has much more experience with preparing these plans than Barton & Loguidice, Barton's only plan seems to be with the office in Ellenville. I painfully went through every one of the proposals and I did agree with the top two. I don't know if anyone else on the Board has looked at them besides Gary and myself, has anybody else looked at it? No other board members looked at them. I think the right decision is one or the other of these two. Now the only thing, I think we need to have the input of the Emergency Management group as to their looking at it. Read the letter from Jack Flynn, Emergency Management Coordinator; they have reviewed all the proposed bids and found two to be most acceptable, Tetra Tech and Barton & Loguidice PC. I feel that B&L doesn't have, even though it's lower in price, it doesn't have as much experience as the Tetra Tech; B&L has had only one mitigation, and that is still under review by FEMA, so I think we have look at this. We have one that has a lot of experience, 10 mitigations all approved by FEMA; one mitigation by the other and that has not been approved by FEMA as of yet. I'm sure the biggest thing we're looking at it price, but we can't always go by price.

Gary Flieger: It does come down to dollars, and attending these emergency management meetings they felt very comfortable with either one of these two companies. One company is a lot more money than the other. **Liam O'Neill:** One company is \$14,000 and one is \$9,600, I don't understand, this is news to me that SEMO has advised the Town that we will be reimbursed a year later for 90%, this is in addition to the 75% grant. **Viola Sinsabaugh:** It's a \$60,000 grant.

Liam O'Neill: For clarification it's a \$60,000 grant but under that money we have to pay 25% of it. **Viola Sinsabaugh:** Yes we will be responsible for that. **Liam O'Neill:** So this 90% is in addition to this. **Gary Flieger:** There's been three different conversations with SEMO and we're still not 100% sure what our actual dollar cost would be on any one of these contracts.

Viola Sinsabaugh: Mr. Bavoso could you fill us in on anything more than what we know? **Bill Bavoso:** All I know is I have this agreement that is dated November 7, 2008 between SEMO and The Town, but it was sent to the town on January 30' 2009 and clearly what it says is FEMA has approved a total project cost of up to \$60,000 and it then goes on to say that the grant requires there be a 75/25% matching share, so that would mean \$45,000 is going to come from the grant from the Federal share and \$15,000 would be the non-federal share which would be the Town's share, so I see that the Town's cost is going to be \$15,000; it does then contradict itself to say that in order for the Town to receive this grant the total cost to prepare the plan must be at least \$60,000; first it says up to and then it says at least, and for this contract the administrative monies shall be up to \$1,800, and I'm not sure where that comes from at all. I think there are a lot of issues here that we don't have answers for. **Gary Flieger:** And we have been trying to get those answers, very hard. **Viola Sinsabaugh:** I think maybe the questions that were brought up by you, I think that we need to have that clarified before we make a decision.

Gary Flieger: It's very hard to clarify because how many man hours are people going to put into this, that's what it's all about.

Resolution for Surplus Equipment

Gary Flieger: We have some surplus copy machines that have been ruled by the company that services our equipment that it doesn't pay to invest into them anymore and we had to go and replace them. What we do have is another company that doesn't do our copy machines they actually do the computer work here, he works with Harmony Christian School, it's a National Honor Society and he refurbishes these machines and hands them out to these kids that can't afford, the church actually hands them out to the kids that can't afford the computers and printers, copy machines. He rebuilds what he can to give to them. We had some private citizens who have brought in equipment, we have a computer, a monitor a copier another printer, that's added to the supplies that he will try to refurbish for those kids. If we don't take him up on this there are fees for us to run this equipment to the dump. If we do this it will cost us nothing to get rid of them and they would be going to a good cause if he can rebuild them and get them out to needy kids who could make good use of them. Read the Resolution.

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Motion to donate equipment

Motion made by Liam O'Neill, 2nd by Gary Flieger, that the aforementioned equipment be donated to the Harmony Christian School, and to include the requirement that this gentleman erase all memory of the computers to the satisfaction of this board.

Discussion: Viola Sinsabaugh: Question on any possible hard drives or whatever that should come off of these machines?

Gary Flieger: There is no memory on these, we don't have a computer that's going out, but he has guaranteed me that the process that he uses to erase the memory on any other computers that people donate, he completely wipes them clean.

Karl Brabenec: Well we're just donating printers though, so there's no memory involved, they're just printers.

Gary Flieger: Right, that's all we have to donate right now. Karl Brabenec: In the future if we donate any hard drives I think that's something we need to look at.

VOTE: 4 AYES: Viola Sinsabaugh, Karl Brabenec, Liam O'Neill and Gary Flieger

MOTION CARRIED

Viola Sinsabaugh: It was mentioned at our last town board meeting that we could take computers and/or printers one at a time to Port Jervis, and I called and we cannot do that because we are a Government body, what we would have to do is to set up an appointment with Sue Lawless in Goshen and she would give us all the instructions on what we had to do and there would be a fee. Gary Flieger: Correct, I already set it up, we have the fee schedule sitting in front of us, what's going on is I have, on the weekends, I was taking community service people and we were cleaning up the highways and you can't believe the number of TV's and monitor's and what not that's out there. It got to the point where I wasn't getting a ruling from the County on whether or not they would accept it, I thought I had an understanding from them because one load of them was within site of a County Road and I mentioned to them that is this really a County issue or is it a Town issue and they said to pick them up and we'll discuss it, well they discussed it by sending me a fee schedule so we're stuck with these monitors, I believe there's probably about 15 different pieces out there that we picked up, but we will be getting rid of them, right now they're buried under the snow and when the snow melts we will make them go away, but it will be at the tax payer's expense I'm sorry to say.

Police Department Contract/Negotiations

Gary Flieger: Our Police Department is operating without a contract right now, the contract ran out in 2008 and we're being asked to renegotiate, sit down at the table to negotiate that, I have a list of dates that Glen Plotsky can't make it but if my board members can come up with a schedule we'd like to see if we can set something up in February for a meeting.

Motion to have a meeting

Motion made by Liam O'Neill, 2nd by Viola Sinsabaugh, to have a meeting, on Monday, February 9, 2009 at 7:30PM, with Anthony Solfaro regarding the Police Department Contract, and for the Board to discuss with the Town Attorney what our course of action should be in regards to the contract.

Discussion: Karl Brabenec: I think we should meet with our Town Attorney first before we invite the union representation in because I think this board needs to know what direction it wants to go in first before we meet with the union rep, we need to know what we stand for, the particular things that we're going to fight for; right now we don't know and we just have a proposal from them. I don't feel comfortable having Mr. Solfaro there and I won't vote in favor of this meeting if he is there.

Gary Flieger: We can have Mr. Solfaro there for the first part of the meeting just to go over what it is they are asking for and then after he's done we can have our own session with our Attorney to discuss it all and to discuss what course of action we should take from that point.

VOTE: 3 AYES: Viola Sinsabaugh, Liam O'Neill, and Gary Flieger

1 NO: Karl Brabenec

MOTION CARRIED

Dog Control Officer

Liam O'Neill: I was having a conversation with the Town Clerk that there have been people asking about the position of Dog Control Officer, so I think we should advertise for that position.

Motion to advertise

Motion made by Liam O'Neill, 2nd by Gary Flieger, to advertise for the position of Dog Control Officer on the town website and on the bulletin boards.

Karl Brabenec: Who's handling those duties right now since we don't have anyone in that position?

Viola Sinsabaugh: No one, it would be the police department, if there was a situation then a police officer would attend to it, and the police have always done this when there wasn't a DCO to take care of a situation, they usually end up taking a dog to the humane society. Karl Brabenec: I was just wondering if there was any way of saving a salary here by not filling the position. Viola Sinsabaugh: I think by State Law we must have a dog control officer.

VOTE: 4 AYES: Viola Sinsabaugh, Karl Brabenec, Liam O'Neill and Gary Flieger

MOTION CARRIED

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Liam O'Neill: One more thing, at the internal budget meeting that we had on Friday, we were talking with Barbara Broliier about planning board and the procedures that Bill's firm is taking to, now that we shifted our payment schedule to you, we're giving you a monthly retainer for all services, but then we are collecting from planning board applicants for attorney's fees, and my question is how is that being recorded. Bill Bavoso: We're keeping track of the hours. Liam O'Neill: Do you keep them by means of Barbara's minutes alone or your own? *Cannot hear Mr. Bavoso's answer because he was speaking into the microphone.

Department Head/Committee Reports:

Burt Thelander: Norma Schadt and I represent the town at the Upper Delaware Scenic Byway. Gave a written report which will be attached to the minutes. One issue is more of a question than a report, for several years the Town of Deepark has contributed either \$500 or \$1,000 to the UDSB, there is an expectation and a hope that all participating Towns contribute, so we, as a town, have contributed \$1,000 each year recently, I don't know if Norma and I had asked about this in the 2009 budget process, is \$1,000 allocated, being planned to be donated to the UDSB? Karl Brabenec: I think it's in there.

Gary Flieger: I don't think it's there, I think you cut it all out. Burt Thelander: The last time we were here was September and we might not have mentioned that in September, but we would ask that despite the very challenging fiscal environment, Norma and I believe that this Byway brings a lot of benefit to the Town, and we ask that the Town formally support the Byway by that contribution or even consider that and perhaps get back to Norma and I by the end of February it would be appreciated.

Phil Chase: Gave a UDC report; Talked about the Upper Delaware River Basin and Burt's UDSB report.

Chuck Carlsen: Police Commission: Gave the monthly report for January 2009.

Jerry Vandemark: I just wanted to let you know that the recreation committee is meeting on the first Wednesday of the month at 7:30pm at the Schoolhouse and they are open to anyone.

Highway Department: Viola Sinsabaugh read the Highway Department report which will be attached to the minutes.

Karl Brabenec: The Community Development Task Force rescheduled a meeting for tomorrow night at 7:30, however it seems like whenever we schedule a CDTF meeting recently we get hit with a storm, so if there is snow it will be advertised on the website if it has to be moved again, most likely if nothing happens tomorrow night we're probably going to have it on the fourth Tuesday of the month which will be February 24th at 7:30 as the next scheduled meeting.

Public Comment – 5 Minutes – Any Subject:

George Lombardi: The seat that's empty there, I know you've had interviews and everything and at the last two or three meetings I've been expecting a vote on who's going to fill the seat, I think you need a fifth person up there, it sounds like there's some kind of problems or conflicts I wish you'd get it done and get that seat filled. The other thing, C&D, I asked the Assessor, they got their taxes reduced down to nothing because of the super clean up on that site, they were here almost five or six years but nothing's ever happened with cleaning that site, and for the town it's worth nothing, I mean if they got it down to zero it's worth nothing. My opinion is the building is probably clean because they were running C&D out of it and we're in this building after that lead scare, if the value of that building is so bad then it might be a thing for the town to buy or the school to buy because there's a lot of building there to keep buses in, park buses, a garage, it's already there, and someone on the board should find out what the problem with that site is. This littering problem in town, I brought this up a long time ago, you ride around this town and there's no signs that say no littering or signs with littering fines on them, I think if you some signs with a fine posted right on it that might stop a little of the problem. Now, about this flood thing, the reservoirs, I told Gary sometime in the summer that down on Hobson road there's a tree that's about three feet in diameter laying across the Neversink that's about two feet off of the ground, and at that time I was concerned about canoes going down, and now I want to bring it up so it's in the minutes again, that with all this ice, with that tree laying in there that the ice could clog up there and create a big problem up stream. I told the town, he tried to get the DEC, no one wants to take responsibility, but it's a giant tree and it needs to be fixed, if the ice jams up right there we're going to have a big mess. The one thing that's been getting me too, this has been explained many times about how the town had to borrow money, and I wish that someone on the board would explain once and for all why we borrowed the money, I think it was explained to me that the \$700,000 was borrowed against sales taxes and that might have been paid back over a short period of time, but I wish one of the board members would come up and explain it all once and for all why we're in that debt, why we had to borrow, and if we didn't borrow that money that the debt would have had to be paid the next year and that would have raised our taxes. I'm just tired of hearing about it, but if you could just explain it thoroughly once and for all and then that's that. Also, this tax payers committee I'd like to know how many people have signed up. Viola Sinsabaugh: That has nothing to do with us.

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Burt Thelander: I wanted to address my remarks to the board and also to the audience, I read an interesting article on the my view section of the times herald record in January by a guest editorial by a town resident about the need for strategic planning regarding our fiscal management and it really stimulated reflection, thought on my part on how the town is functioning, I was wondering about we're really accessing the resources that we have, people, financial, information, data, and how elected representatives, appointed folks like myself, people in this audience come together more successfully to collaborate, communicate and try to figure out how are we going to move forward; like what kind of goals do we want to establish, what kind of long term plans do we want to establish, and I wanted to share a few comments with you folks and try to encourage us to do that more effectively. I've been a long term resident, I've lived in the town of Deerpark since 1975; I do believe that we are well intended, you folks are putting in your time, people come to these meetings, people are appointed, we have knowledge, we're intelligent, we have experience that can be brought to bare on the very challenging dilemmas that we have in terms of how do we utilize resources, how do we take advantage of the limited time that we all have to move forward and what I want to try to talk about is how do we move away, my observation is that often we focus on the latest crisis, the garbage bag on the side of the road, the latest crisis, what do we really want to accomplish in the town in terms of vision, goals, objectives, and how do we establish what they are in writing, public form, and then use that to measure how we're moving forward; I think we do need to get more organized about collecting information, establishing goals and looking at the long term and how the latest budget, the latest traffic plan, the latest police department plan is indicating that we're moving towards the goal that we want to attain. I know we have a comprehensive plan that was developed a few years ago, there's goals in there, I just don't know how that's used to guide decision making over time. We need to figure out how do we gather information to identify what that is without trying to point fingers and try to sort out what is working and what is not working. So I think if we could focus more on what are the goals, what are the objectives, how can we identify what they are and how can we organize work groups. I wonder about moving away from venting, moving away from complaining, to what do we want to accomplish, how do we define it, and then how do we measure it so we can look at that over time and not just have it to be dependant on the latest personality to get elected or the latest person to get appointed. I'd like to just encourage people to think more strategically to have us think about how can we make a contribution, like we all are, but be more focused in terms of goals, objectives and then trying to gather information about are we attaining that.

Lee Space: I would like to ask why the entrance to Harriet Space Park is blocked off. Gary Flieger: I didn't even know that it was. Lee Space: Okay, well it is and it has been since Friday. The main thing is it's the entrance to the park, it's not the entrance to the facility down there, it's also the entrance to my son's property and if it's blocked off he cannot get on his property. This has happened two or three times in the past, the last time was when Tommy Hawkins was in, they got out the maps and they measured it, when the road was built they used the barn yard entrance as the entrance to the road, it should have actually been over a little bit further, so when they block that off they literally block of his driveway, he cannot get into his property.

Gabor Ruszan: I would like to say a few words about accomplishments, back about less than two years ago at a public meeting just like today, Gary was coming to this microphone and he started to read some article and Mark House was pointing and screaming at you 'shut up Gary, we'll arrest you' he repeated that maybe two more times and then you left the building, I went after you and engaged some conversation with you and basically you told me you have a mission which is you would like to protect and help the people of Myer's Grove, which is a noble thing to help people in need, but you also told me that you had no other choice to take care of these people than to run for the Supervisor position and actually you conflicted your mission with the conflict of interest in that case because you settled that court case and obviously it was a conflict of interest. You previously mentioned also the town attorney is supposed to advise you in a certain situation, unfortunately they are also practicing conflict of interest and numerous occasions it was pointed by the public and even that case was still going on, so in this case this is pretty much losing your credibility as well. Also, the Organized Taxpayers Association of Deerpark will have their meeting scheduled in Building #2 on March 14, 2009 at 12:30PM, everybody is welcome to come.

Louise Vandemark: What a nice meeting. At the last meeting I asked you about your phone vote that was never brought to a public vote so everyone knows what you voted. Also, I finally looked at the town website for the first time, it's very nice, I just had a couple of suggestions, maybe the agenda should be on there, that would be very nice for the people, and also about the agenda, there's a part for public comment, three minutes on agenda items, and I have no problem with that but not everything is on the agenda that you speak about during the meeting, if you want the public's comments you really should have everything you plan on speaking on that night on the agenda. Also, I didn't see the Census jobs information on the website and I thought that would be a good idea. The other thing, I FOILED a bill, and I noticed on there that taxes are being paid on a cell phone bill, I do the bills for Orange County Board of Elections, I'm not allowed to pay taxes on a bill. This bill was made out to a person's name, Town of Deerpark, I think someone should check into this, that we are not paying taxes, because we are not allowed to pay taxes, and if we are then maybe our vendors should be informed and be given our tax exempt form, and it may not be a ton of money but every cent is going to help us. The voucher is written out and it says right

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on the voucher 'taxes' and you can't do that, and I don't want the town to get in trouble and I also want to save the town some money. Also, if we're paying for cell phones for anyone, I don't know how many people we're paying cell phone bills for, but if we are paying for private cell phone bills for people maybe we should contact the company and see if we can get a deal on that. I also feel that any bills that the town is responsible for, like a continuing cell phone bill, that bill should be in the town's name not in a person's name, it should be the town's bill and should come into the Supervisor's office or the Clerk's office wherever the bills come.

Tony Cea: I wanted to mention to Mr. Lombardi if he had questions about the Organized Taxpayer's Association feel free to ask them of me, I'll be happy to discuss the organization with him. Mr. Thelander mentioned the letter in the paper, strategic financial management plan urgent for Deerpark, the writer of the letter refers to a 32% tax increase and that is not true it says right in the Town's operating budget for 2009 that it's a 125.14% increase, not a 32% increase. The writer has shared with some of us in this town that he is for a 7-15% per year annual tax increase, so once again that's why I say he moved me to nausea with this letter. We should in fact have a plan but all plans have to be adaptable to present economic situations, in discussing with the writer of the letter on many occasions, he is for 7-15% a year, now along with that letter his support for the police department operating budget this year, we were operating at \$282,000 a year in 2002 and in 2009 we're at \$771,000 a year and the writer wanted the budget to go up to \$1,051,000 a year, that would have been a 45% increase this year and if we carried that forward with his strategic plan, 7 years forward our police department operating budget would be \$6,100,000 so, so much for his operating plan and I'd be happy to share those numbers with you I've worked out. The individual who spoke with the police commission, I think he mentioned we had 13,000 miles put on the vehicles this past month, I don't know if we have 6 or 7 vehicles and if I do the math it's less than 2,000 miles per month per vehicle, so we're not really over burdening the service of those vehicles. Mr. Lombardi also mentioned we should find out about the Bonds and the RANS and what the ramifications would be if we didn't borrow that money last year, well there were other ways to accomplish getting out of that debt, I've said many times you cannot borrow your way out of debt, although this board has tried, it's like chasing your tail, you'll never catch it and you'll never borrow your way out of debt. There were other methods that were suggested that you might have employed to in fact get the town out of debt.

Closing Comments from the Board:

Karl Brabenec: I want to thank Louise for bringing that up about the tax exemption because we are a Government agency and we should be tax exempt so I would ask to see if the bookkeeper can review all of the bills that we have been paying and see if we are paying any taxes, not just cell phone bills but all of the bills, just to make sure that we're not over paying what we should be not paying. Gary Flieger: You review the bills every night when you sign them. I just don't want it to be all on the bookkeeper, you always say the bookkeeper every time, and it's the bookkeeper and all of us who should be looking over the bills. Karl Brabenec: Okay well I would respectfully ask that the bookkeeper just review all the bills to make sure that we're not paying any taxes, that's all. As far as the website, we as a board passes a motion to have the agenda on the town website and the budget on the website, even Councilman Cunningham had requested that we receive the agendas on Friday and to this day this hasn't happened so I would again ask that the proposed agenda be e-mailed to me so I can place it on the website for the public and also that the budget be e-mailed to me so we can place that on the website as well. As far as the vacant town board seat, was there any discussion tonight on that before I got here? Gary Flieger: No we won't do that.

Karl Brabenec: Why not? Gary Flieger: We feel that four people are here and that four people should vote, if we were to go ahead and vote when you're not here the vote would not be right. Karl Brabenec: It's just that I don't see it on the agenda. Gary Flieger: It wasn't on the agenda and so we didn't discuss it. Karl Brabenec: But we've been discussing it for months now; I would just like to say that we had some fantastic candidates for this and we do need this fifth board member, we need some more ideas, some new ideas on this board in my opinion. Everyone that put in a letter is very qualified and it was definitely a hard process to go through, but we need to choose someone.

Motion to appoint Gary Spears

Motion made by Karl Brabenec, 2nd by Viola Sinsabaugh, to appoint Gary Spears as the next Councilman for the Town of Deerpark to fill Councilman Cunningham's vacant seat, and that we will have an induction ceremony at the next meeting.

VOTE: 3 AYES: Viola Sinsabaugh, Karl Brabenec, and Gary Flieger

1 NO: Liam O'Neill

MOTION CARRIED

Liam O'Neill: Prior to the meeting Flo grabbed my ear, I thought this had been resolved, but Jane Lord is going to be our representative at the Association of Towns and we didn't make the proper motions apparently.

Motion to appoint Jane Lord as delegate

Motion made by Liam O'Neill, 2nd by Gary Flieger, to appoint Jane Lord as the Delegate at the 2009 Association of Towns Conference and that the necessary expenses be paid for by the Town.

VOTE: 4 AYES: Viola Sinsabaugh, Karl Brabenec, Liam O'Neill and Gary Flieger

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Bill Bavoso: Gary, I just want to point out that when Mr. Spears is sworn in you then create a vacancy on the Planning Board so you'll have to decide what you want to do there.

Gary Flieger: I think I'd like to have Flo advertise that, or put a poster up and we'll put it on the website and see if that generates enough interest before we put an ad in the paper.

Flo Santini: Can't we just use the letters that are already on file from this most recent one that we had?

Bill Bavoso: If we have letters on file already I think we can do that. Karl Brabenec: And I also think we need a resignation letter from Mr. Spears for the Planning Board before we do anything. Flo Santini: So do you want me to contact the people who's letters we have on file from the last six months? Karl Brabenec: I would be in favor of that. Gary Flieger: Yes, please do, we greatly appreciate that, thank you.

Gary Flieger: One of the things that George Lombardi mentioned, we do have a lot of, and we have been covering it, many, many times, but we have gotten a lot of misleading information out there, it's being added in the paper, so what I'd like to do, if the board is in agreement, is have an informative meeting with the public on the 28th to talk about the budget, the finances, our borrowing practices, from 9:00am – 11:00am. Also, on the tree in the river we did both contact the DEC and no they don't think it's an issue. The strategic plan, we have been working on a plan, it's difficult but we are trying. The agenda items, yes the agenda should be out by Friday, but probably half of this meeting tonight came in late today, so it's sometimes hard to get everything out on Friday, it probably would help if we were doing the Monday night workshops so we would haven't have such gaps in between getting the information in and out.

Motion to enter Executive Session 9:50PM

Motion made by Gary Flieger, 2nd by Liam O'Neill, to enter Executive Session for the purpose of discussing a matter of personnel in the Building Department, Police Department and Highway Department and to invite the Town Attorney's and Police Commissioners Mr. Carlsen and Mr. Hunter.

VOTE: 4 AYES: Viola Sinsabaugh, Karl Brabenec, Liam O'Neill and Gary Flieger

MOTION CARRIED

Motion to end Executive Session 11:45PM

Motion made by Liam O'Neill, 2nd by Karl Brabenec, to end Executive Session and re-enter Regular Session.

VOTE: 4 AYES: Viola Sinsabaugh, Karl Brabenec, Liam O'Neill and Gary Flieger

MOTION CARRIED

Motion to rescind/repeal Resolution #5-2008

Motion made by Karl Brabenec, 2nd by Viola Sinsabaugh, to rescind/repeal Town Board Resolution #5-2008 and to revert back to the procedures of Local Law #10-2000 so that fingerprinting and background checks on Town Appointees and Employees will be conducted through the Town of Deerpark Police Department and not the Orange County Sheriff's Department.

VOTE: 4 AYES: Viola Sinsabaugh, Karl Brabenec, Liam O'Neill and Gary Flieger

MOTION CARRIED

Motion to adjourn 11:55PM

Motion made by Liam O'Neill, 2nd by Viola Sinsabaugh, to adjourn the meeting.

VOTE: 4 AYES: Viola Sinsabaugh, Karl Brabenec, Liam O'Neill and Gary Flieger

MOTION CARRIED

Respectfully submitted by,

Florence T. Santini
Town Clerk