

**TOWN OF DEERPARK
TOWN BOARD MEETING
MONDAY, APRIL 20, 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, Karl Brabenec and Gary Spears

Attorney: William Bavoso

Call to Order 6:37PM

Pledge of Allegiance

Motion to enter Executive Session 6:38PM

Motion made by Karl Brabenec, 2nd by Viola Sinsabaugh, to enter Executive Session for the purpose of conducting interviews for BAR and Dog Control Officer, and to invite Charles Carlsen from the Police Commission.

VOTE: 5 AYES: Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Flieger

MOTION CARRIED

Motion to end Executive Session 7:18PM

Motion made by Liam O'Neill, 2nd by Viola Sinsabaugh, to end Executive Session.

VOTE: 5 AYES: Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Flieger

MOTION CARRIED

Motion to enter Regular Session

Motion made by Liam O'Neill, 2nd by Gary Spears, to enter Regular Session.

VOTE: 5 AYES: Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Flieger

MOTION CARRIED

Meeting with Recreation Committee

Jerry Vandemark: Gary asked me to get the list made up, I had it done on Thursday and when I gave it to Gary he said there's no need for you guys to get this, I'm just letting you know and that's one of the reasons I wrote this. **Gary Flieger:** Really? I said that? **Jerry Vandemark:** Yes you did, you said there's no reason for them to get it because you're going to fix it. I would like some kind of resolution.

The Board went over the list that Jerry made up, talked briefly about some of the issues with the Sparrowbush Park. The list needs to be prioritized and we need to have another session with the Recreation Committee in two weeks, at the next regular Town Board meeting.

Motion to start meeting early

Motion made by Karl Brabenec, 2nd by Gary Spears, to start the next regular meeting on May 4, 2009 at 7:00PM to meet with the Recreation Committee again.

VOTE: 5 AYES: Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Flieger

MOTION CARRIED

Supervisor's Opening Remarks:

I have to disappoint a few people because I know you came here for the school budget, we just got notification today that they're not going to be coming here tonight to do their presentation, the reason they gave us is that they haven't approved their budget yet and would like to cancel and reschedule for May 4, 2009 at 7:30PM. I attended the Sparrowbush Fire Department's dinner and it was a really great evening, a lot of awards went out to a lot of the different fire departments, it was very good. I also would like to bring everybody up to speed, we've been working with trying to get water in the D & H Canal and I had a great meeting with Burt Thelander, Seth Goldman and Tony Russo from the Fire department, we're looking to meet with Commissioner Rose over in the County Parks Department and he seems to be very much interested in listening to us and as a matter of fact he's given us some ideas, it looks very good. Mr. Decker, County Legislator, has also been helping us spear head this thing. I have another announcement and that's going to be in April and July of 2009 US Census Employees will be visiting every household unit in every neighborhood of our community in order to conduct a census, the census bureau must know the address and physical location of each place where people live or stay, the census employee will wear official identification and carry hand held computers to capture physical addresses and their GPS coordinations, so if you someone out there don't worry it is the census bureau, they asked for us to have a little patience with them, but if you do have concerns please call the police department or here because we will know what neighborhoods they will be working in.

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Motion to pay bills

Motion made by Gary Flieger, 2nd by Karl Brabenec, 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: 5 AYES: Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Flieger

MOTION CARRIED

General Fund Abstract # 8 Voucher #'s 208-242 in the amount of \$113,510.10

Highway Fund Abstract # 8 Voucher #'s 119-130 in the amount of \$54,229.70

St. Lights Abstract # 4 Voucher # 4 in the amount of \$275.25

Engineer Fees Abstract # 6 Voucher #'s 11-14 in the amount of \$1,851.25

Public Comment – 3 Minutes – Agenda Items only:

Louise Vandemark: Just a quick question, tonight you're going back into executive session on the building department personnel, I'm just curious is that to create a position or is there a problem? Gary Flieger: There is no problem and there is to create no position because there are already two positions, we do have a position for a part timer and a position for a full timer.

Louise Vandemark: Okay so are you going in there about hiring somebody? Gary Flieger: Yes. Louise Vandemark: I don't know if that's really executive session. Gary Flieger: It's executive session on what we need to talk about on the hiring of that person. Louise Vandemark: I don't know I think maybe you should call Mr. Freeman and find out if this is right.

Gary Flieger: I have an attorney sitting here you don't have to call him. Bill Bavoso: I'm not sure I know what the subject matter is, I've seen the agenda and the item on there but I don't know what the subject matter is. Liam O'Neill: We've got two part time positions that are unfilled, right? Karl Brabenec: Right, well there's two part time positions, one is filled one is not filled, but there is not a full time position on the budget and it's not funded right now. Gary Flieger: It is funded.

Karl Brabenec: No it's not. Louise Vandemark: All right so if it is or it isn't Bill is that executive material? Bill Bavoso: No, discussion of budget items is not executive session; interviews, or if there is issues with a certain employee or a potential employee, those are executive session items.

Tony Cea: I don't know if I should ask this question now or wait, because if it was going to go into executive session I just wanted to ask you flat out the word on the street is the individual that's being considered for the position of code enforcement officer is your girlfriends son Gary, that's the word on the street, can you confirm or deny that or will we wait and see?

That's what I heard from a local resident. Gary Flieger: We don't pay enough for that to happen, the gentleman is making lots of money, he has masters in a couple of different subjects, I don't know where you would come up with that.

Tony Cea: I was just doing a job and somebody who is a long time resident had mentioned to me that that was going to be that case and if it were going to go into executive session that's why I wanted to ask you out her publicly.

Gary Flieger: No, Cory is as a matter of fact starting a new position tomorrow with another company, he's in management of a company now and he's going to be starting for another company. Tony Cea: The name I was given was Chad.

Gary Flieger: Chad is my youngest son and he is in college, no he is not being considered for that position.

New Business:

Sparrowbush Park EAF Resolution for Lead Agency

Gary Spears: This is the resolution prepared by the town attorney so that we can get a SEQRA approval and a Lead Agency approval for the Deerpark Town Board so that we can pursue a grant application for the Sparrowbush Park so there's two resolutions, I believe to do them in the correct order we would ask for Lead Agency first and then we would go and declare a negative SEQRA declaration.

Motion to adopt Resolution #5-2009

Motion made by Gary Spears, 2nd by Karl Brabenec, to adopt Resolution #5-2009 so that we, as the Deerpark Town Board, apply for Lead Agency with regard to Sparrowbush Park.

VOTE: 5 AYES: Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Flieger

MOTION CARRIED

Copy of Resolution is attached to the minutes

Motion to adopt Resolution #6-2009

Motion made by Gary Spears, 2nd by Karl Brabenec, to adopt Resolution #6-2009, in that the Deerpark Town Board, as Lead Agency determines that there will not be any significant adverse environmental impact with regard to Sparrowbush Park.

VOTE: 5 AYES: Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Flieger

MOTION CARRIED

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Workfare Program:

Gary Flieger: I have a way of bringing in some outside help in here that wont cost us anything, it's called the Workfare program, it's a reemployment and training program put on by the County, and they bring people in here, we have to give a lot of guidance to these people and work with them and it could be everything from painting to people doing clerical work to custodial work, and we're looking for all the help we can with this, it can be lawn care, so I'd like to do this, if the board will give me permission to bring these people in I would be more than happy to do that. These people are covered by the County's insurance so we don't have to cover them, I went over the different forms that we use here and sent them back to them to make sure that it's what they want and everybody's happy and we shouldn't have any real problems with it.

Viola Sinsabaugh: How are they subsidized? Gary Flieger: Not by us, it's a County workfare program.

Liam O'Neill: Can you give some examples of what they could do? Gary Flieger: Sure, if you have a custodian out of work they could work here, if you have somebody that's a painter that's looking, they can mow grass, anything, you might even get somebody who's in small engine repairs, it's the whole workforce out there, when their benefits are up they have to enter into this program and then they're sent in our direction. They do have a set of guidelines and we just have to be within the guidelines and it mostly has to do with the clerical end of it and which areas they want them to be in to, the lady came over and spent about an hour and a half to two hours with us on Friday afternoon, and I got a call in from her today that I had requested different qualifications that I would like for them to meet, and everything that was needed. We have a form in here and it's mostly something I put together back when we were bringing people of community service that's given to us out of the court system, we don't have any physical examinations by doctors and what not, but what we did was I have a questionnaire for them to fill out on whether they have back pain, or whether they have asthma, different things of that nature so that I don't put someone with asthma outside mowing the lawn, or sweeping up the parking lot with all the dust or ask somebody with a back injury to start loading a truck, so I put a form together I handed them that form and asked them if they would fill that out if it would be conflict of any violations that they have and they felt it was not, that it was okay. We're not obligated to keep anybody, if somebody walks through the door and within an hour we're not happy they go back.

Motion to contact the County about the Workfare Program

Motion made by Liam O'Neill, 2nd by Karl Brabenec, that we contact the workfare program through Orange County that they can provide free labor to the town.

VOTE: 5 AYES: Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Flieger

MOTION CARRIED

Appointments:

Motion to appoint Judy Kehlenbeck, BAR

Motion made by Viola Sinsabaugh, 2nd by Gary Spears, to appoint Judy Kehlenbeck to the Board of Assessment Review.

VOTE: 5 AYES: Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Flieger

MOTION CARRIED

Motion to appoint Bruce Dryden, Police Commission

Motion made by Viola Sinsabaugh, 2nd by Gary Spears, to appoint Bruce Dryden to the Police Commission.

VOTE: 5 AYES: Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Flieger

MOTION CARRIED

Motion to appoint Thomas Yonskie, DCO

Motion made by Viola Sinsabaugh, 2nd by Gary Spears, to appoint Thomas Yonskie as the Dog Control Officer.

VOTE: 5 AYES: Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Flieger

MOTION CARRIED

Motion to notify appointees

Motion made by Viola Sinsabaugh, 2nd by Liam O'Neill, to have Flo notify these people by letter or phone to have them come in and take their oath of office.

VOTE: 5 AYES: Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Flieger

MOTION CARRIED

Food Drive:

Karl Brabenec: The Town Clerk gave this to us, I'm going to have her to go into it I'm just going to mention it; it's concerning a food drive that the Leadership Orange is putting on, they are putting on a week long food raising event, Feed the Need Week, to be held Monday May 18th through Friday May 22nd, 2009, they are asking us to partner up with them to feed the need, and to please consider donating and/or collecting food that will be distributed to the food pantries here in Orange County. If Flo wants to go into this, it was addressed to her.

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Flo Santini: I received an e-mail from a senior at Minisink Valley and he asked me if I would be willing to help and I said sure, as Karl just read it will be a week long and I need permission from the board to do this, to accept it at my office, and I believe we just did something a couple years ago with the servicemen when we collected goods for them, so it'd be on the same lines, but this would be for food for our Orange County residents, and I have a brochure and I'll hang it in my office on the bulletin board, but the week is May 18-22, 2009 and he asked if I knew anything else so I gave him the Tri-23 Station, the Radio station, so they could get more word out to all the surrounding communities even Pennsylvania because of the Tri-State area here, so hopefully it will be on Tri-23 and they'll interview him on the radio station so we can help support and get these food pantries up to full capacity again. We know the summer's coming but it will get them ready for the winter, so my office, with the board's permission, will be one of the areas that they could have a drop off.

Motion to participate in Food Drive

Motion made by Karl Brabenec, 2nd by Gary Spears, participate in the Food Drive by allowing the Town Clerk's office to be a drop off location for food donations for the Feed the Need food Drive put on by Leadership Orange.

VOTE: 5 AYES: Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Flieger

MOTION CARRIED

Old Business:

Resolution for Uniform Allowance for Robert Ostrom

Gary Flieger: Read the resolution

Motion to adopt Resolution #7-2009

Motion made by Gary Spears, 2nd by Viola Sinsabaugh, to adopt Resolution #7-2009 authorizing a Uniform Allowance of \$250.00 annually for Robert Ostrom.

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

1 NO: Karl Brabenec

MOTION CARRIED

Copy of Resolution is attached to the minutes

Gary Flieger: The next item on here, I can't believe the length of time this has been out there, what it's all about is a proposed traffic light on County Route 15, or route 23 as it's better known, and Interstate 84 in the Town of Deerpark, I've talked to Melissa Bonacic and it's like a ten year project everybody's been working on, and I've been to several meetings over at the County with it, they seem to be moving forward with it and then it just falls apart. This one here is one that Senator Bonacic has put together that I'd like to read regarding the traffic light. It seems that the DOT is in agreement with all of us about the need for the light but the main DOT in Albany is not in agreement. With the number of accidents there, I'm guessing it's about 84 accidents there in the last little bit, and we just haven't had any deaths and it seems that that's about what it takes for recognition, it's very sad, we've had personal injuries and what not but I think this letter just goes to show that Senator Bonacic is working very hard for us.

Job Specs for Engineering Services:

Gary Flieger, we really never put out a contract together, for the town engineer I put this and gave to the board before the last meeting, they did not have a chance to look at it, it has to do with specification of the job, and a great detail, the reason it is in great detail is because we are looking to do a stimulus package with Peenpack Trail, if we have a contract with the engineer, his fees for the work that is being done up there, will be paid out of the stimulus package, if we don't it will be a town burden. We always had this, but never put it together with his name on it. Gary Spears came up with a couple of questions: Gary Spears, original agreement we had with the engineer firm on the planning board business and the separate rates of what he was charging the town on town business, I have not seen them, Gary Flieger, he has been out of town, so we will put this off till the next meeting.

Building Department Issue:

Gary Flieger: What we're looking to do is, the Building Inspector's office is burdened with paperwork and I would like to up the people that we have working in there, the options that we have are, 1. To make the lady that's in there now full time, or 2. Hire two part timers, the money is in the budget to do so, the wages are there, so what the questions were on the last one was if we went full time, benefits, if we go part time benefits and what is it really going to cost the town. What I've got is if we go full time, the lady that's in there now, her health benefits, she gets better benefits by going through her husband's plan and he is retired so it's a secure thing, and she is not part of the State Retirement System, she has refused to be part of that and she is retired from another position, so we won't be adding the retirement into it. One of the things that she is entitled to by going full time is the insurance buyout, which would be about \$2,000. If we go with a part time person in there, what happens is they are entitled to the health benefits but we have to pay half and they have to pay half, and the same with the retirement.

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The retirement would be about \$800 worth of benefits and the health part of it would be, if she is single, would be \$3,600 that the town would pay. Gary Spears: How much is it if she's a family? Gary Flieger: A lot. Gary Spears: Like \$12,800? Gary Flieger: Yea it's about double, we only have to pay 50%. So when you take the benefits it comes out to be equal as far as keeping Judy with the \$2,000 buyout and adding in some of these other issues, it still comes out equal on both ends, so the benefits don't cost us anything. The reason I would like to keep Judy on there, one of the biggest one is we don't have any down time for training, and she's been in the job and she doesn't need any training. We wouldn't have an overlapping of hours, if you're going to have a part timer in the morning and a part timer in the afternoon, projects started in the morning, the girl in the afternoon doesn't know what's going on, she didn't deal with that person, so you have a little bit of confusion there, or that person is going to have to call back the next day, so you have no continuity from one to the other. Someone from the audience was speaking out of turn and was not audible on the tape.

Gary Flieger: And if you want to over lap hours so that they have an hour to download to each other that means the office would be open seven hours not the full eight hours of the day, so the full time position, I can't see why we can't do it. Judy has taken the civil service test through the County and she is the top scoring person on the list so she can take the position.

Liam O'Neill: I think part of your logic is a little bit flawed because I think, as Louise was just eluding to, I think it's great that Judy can work and take her husbands insurance and waive the town insurance, but should Judy leave tomorrow we've just made this a full time position that could then be filled by somebody else who would have the right to request the insurance. Gary Flieger: That position is open right now. Karl Brabenc: That position is not open there is no such position. Gary Flieger: There is a position, it may not be fully funded right now but that position does exist and is there, Suzanne was part of that position it just has not been filled. Viola Sinsabaugh: Suzanne was not full time. Gary Flieger: Okay but there is a full time position there, we never got rid of the full time position we just did not re-fill that position, we asked the County if we had to reinvent that position since it hasn't been filled and the answer was no, the position still exists.

Viola Sinsabaugh: At another time you did have a full time position that was held by Cheryl Bartlett.

Gary Spears: The important question here is not whether or not that position exists; the important question is what did we budget for. Karl Brabenc: Two part time positions. Gary Flieger: Judy is not going to increase in pay, the money is in there for it, we took Judy's pay and worked it out at 40 hours and that's what was budgeted between the two part timers.

Karl Brabenc: Isn't she paid on an hourly basis though? Viola Sinsabaugh: Yes. Gary Flieger: She didn't work 40 hours, she worked 20 hours, we based the budget on her working 40 hours so that there would be money in there for either two part timers or to put her full time. Karl Brabenc: No, we based the budget on two part timers because we didn't even factor in benefits our anything like that, I don't think it's right for the town right now to start hiring full time people.

Viola Sinsabaugh: You all know my opinion on the building department, Bob cannot get all the work done there, Judy is working 20 hours, sometimes more, to get the job done, Judy is part time, she has been with us 5 years, she has done a great job. A person is needed in that department to work 40 hours; we really need someone in there. The problem is when the budget was drawn up, as much as I don't like it, it was put in for two part time clerks. Gary Flieger: It was put in for 40 hours in the department, whether it was one full time or two part time it still equals 40 hours of pay in that budget.

Viola Sinsabaugh: 40 hours of pay \$11,263.20 for each part time position, that means part time was with no benefits. I would like to see that office have 40 hours, I am very much for the 40 hours, for her to go 40 hours. Gary Flieger: The budget has \$22,663.00 in it. Viola Sinsabaugh: So you're \$143.00 over, what we're looking at now, and I tried to do the figures.

Gary Flieger: Liam pull any other random salary out of that budget and tell me if there's health benefits figured in that salary line. The health benefits are never figured into the payroll lines, they're figured in the health benefits line, not in the payroll line. Karl Brabenc: Correct, so you're going to be over budget on that line if you do add the full time position.

Gary Flieger: No, that 40 hours is figured in to the health benefits line already. What you needed to do was to come in that office and ask the bookkeeper if it was there, I did. Karl Brabenc: I request things from the bookkeeper all the time and never get them. Viola Sinsabaugh: Oh really, I do, I don't know why you supposedly don't, and I can come in to see her or call her and she is always helpful. I for one would want to see 40 hours in there, the problem that we have looked at and some of us have talked it over to see how we can make this happen, you only have \$22,663.00, I came up with \$22,526.40.

Gary Flieger: That's what her salary would be. Viola Sinsabaugh: All right, that's what's in the line for two people, \$11,000 per person, that is what the budget says. Liam O'Neill: It's not delineated that clearly, however it does say part time clerks \$22,000 for 2009. Gary Flieger: So you have 40 hours worth of employment in that line. Liam O'Neill: But it does say part time clerks. Gary Flieger: It doesn't matter, if the money is in the budget it doesn't matter if we allocate it to full time or part time. Liam O'Neill: Well we could give \$22,663.00 as a salary to a clerk. Viola Sinsabaugh: Okay the problem here arises that you have an allocated amount either for two or for one, in doing the paperwork this is with no benefits, this is only salary. I am for either two part timers or one full timer it is needed in there, but now when you go to the full timer they're entitled to the insurance, which she is not taking, but there is something we're not considering here, you have, as full time, a \$2,000 buyout because she does not take the insurance, she is entitled to that by law, that's not included in this, where are we going to get that \$2,000 from? Gary Flieger: I agree with that, but now let's talk about this new girl that you're going to hire for the other 20 hours, she's entitled to \$3,600 in health benefits, that's more than \$2,000, and she's entitled to another \$800 that we would have to put into the retirement system for her, and that's if she's single. So if she were to come in and get

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health benefits for the family you're looking at \$6,000. Gary Spears: Which raises a very important question, why are we offering health benefits to part time workers? Gary Fliieger: Because it's in the personnel policy and we didn't change it. Karl Brabenec: And that needs to be changed. Gary Fliieger: If you want to hold this position to 20 hours until you change the personnel policy then fine, but right now these are the rules and we have to live by them and that's what we would have to do if we didn't change the policy. If you want to hold that until then fine or if you want to hire somebody then this is what you have to do, we might not like it but that's how it is. Gary Spears: I think we should table this until we have a chance to look at the personnel policy and then maybe make an amendment. Karl Brabenec: Gary Spears and I have been viewing the personnel policy, we are going to be bringing up a resolution at the next meeting, our proposal will be done in the next two days or so, we're going to have to our attorney who's going to review it and then all the board members are going to get a copy and it will be ready for the next meeting, but as far as tabling this position there should just be no action taken. Liam O'Neill: One other thing about the building department, last month we were given a report and it was stated that they took in about \$60,000, which is a very large amount for one month, especially considering we budgeted \$70,000 for the year coming in, and I had mentioned that I feel that large amount of money should be accounted for, it's just there, but it's not itemized in the report. Gary Spears: I think it was itemized. Viola Sinsabaugh: I gave the report and it was. Gary Fliieger: I went down and had the building inspector itemize that. Liam O'Neill: It says accessory, but there seems so be some...Gary Fliieger: Hold on, I have this report here that I went down and got from him after that. Liam O'Neill: That's good, just because it says that the \$50,000 came from a Dragon Springs payment, so it just makes sense that there needs to be a record of where the money is coming from. Gary Fliieger: I'll make copies of that for everybody. What I have is a building inspector who's doing paperwork in there and he's not getting all of his inspections done. Viola Sinsabaugh: Help is needed in that department; there is a lot of work that has to be done by law. I think you people really should consider a full time person in there it is needed, even if it has to wait until next year, I will not be here next year, but I do think you people really need to consider putting a full time person in there. Bill Bavoso: Just a suggestion to look into, instead of hiring new personnel, the City of Port Jervis has a certified Fire Inspector, maybe you can do an inter municipal agreement, that would save you money and have a certified individual who does that now in the City of Port Jervis do it for the Town of Deerpark, possibly at a savings to the town, and then make those fees coming into the town to help possibly pay that compensation, it's just something that you might want to do. Gary Fliieger: I think that's a great idea, but I have Judy in here who's making \$10.83 per hour that we're arguing over right now, I know if I bring a Fire Inspector in here out of Port Jervis I know he's not making \$10.83 an hour.

Department Head/Committee Reports:

Bids for Highway Department:

Motion to accept bids

Motion made by Gary Spears, 2nd by Karl Brabenec, to accept the recommendation of the Highway Superintendent to accept the bids for fuel from County Petroleum Products.

VOTE: 5 AYES Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Fliieger

MOTION CARRIED

Motion to accept bid

Motion made by Gary Spears, 2nd by Karl Brabenec, to accept the recommendation of the Highway Superintendent to accept the bid for stone material from JLM Quarries.

VOTE: 5 AYES Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Fliieger

MOTION CARRIED

Gary Spears: I'd like to give these to Flo and have her notify the companies that they were awarded the bids and also to notify any other bidders that we did not accept their bids.

Lee Space: We had the Easter Egg Hunt a week ago Saturday, the weather turned out fine, we had about 75 kids, I'd like to thank Flo, she came down and took over the jelly bean contest, the winner wins the jelly beans, at this point there are 1,024 jelly beans in the jar so I'm sure that was a happy kid all weekend. We gave out two baskets in each age group, a large basket and a small basket, the rest we filled in with different sized Easter candy, side walk chalk, play doh, kites, things like that. I think they all had a good time, it went really quick and really well.

Gary Fliieger: Tony Cea is going to give us a report on the tires, at the last meeting he offered to look into that for us.

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Tony Cea: I contacted Senator Bonacic's Office and I called up to Albany and they sent me a copy of the Law and basically the Law is that private citizens pay up front at the point of purchase the fee to get rid of the tires to recycle, it's \$2.50, however Municipalities don't have to pay for, certain farm equipment doesn't have to pay that fee, and so I think it comes down to, being that the \$2.50 was paid at the point of purchase it has already been paid, some tires may have been around for 50 years, we don't know, but the tire that you pick up on the road side, those tires you do have to pay, but there's a little glitch in the law, it seems to me that if the municipality picks up these tires and you don't have to pay the recycling fee, and it's just something, the same way we did for the \$868,00 Bond, you went to have a law written that would allow the town to do so, then why don't you just contact Melissa or John Bonacic or Aileen Gunther and have them initiate something in Albany just to put the language in that law just to have them to allow the town to get rid of the tires free of charge.

Flo Santini: I got an e-mail today from DECALS, which is hunting and fishing, I believe license fees are going up, and so they're having a really big swarm of lifetime licenses being sold within a short period of time to save money, but the licenses are going up and they will be sending me the form soon with all the new prices. I'd like to get the Board's permission to ask for and receive donations for September 11th, we're going to be starting to make donations to the florist for the bows, everything else would be okay, but I need to start writing letters on that. I'd like the board to know that I have not received any campground applications that are due, I sent them out in March and have not received either one of them back.

Motion to solicit and accept donations

Motion made by Karl Brabenec, 2nd by Liam O'Neill, that the Town Clerk can solicit and accept donations for the September 11th services.

VOTE: 5 AYES Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Flieger

MOTION CARRIED

Public Comment – 5 Minutes Any Subject:

Jim McMahan: I have a request and a comment; the request has to do with a town map, I asked Flo a few times and she said there's some delay, my map of the United States and my map of the World are lonely and I'd like to give them a young sibling, I'd like a map of the Town, can you help me? Karl Brabenec: There is actually a Department in Orange County, we should be able to get something for you, I can contact them tomorrow. Flo Santini: I'll tell you what happened when he's finished talking. Jim McMahan: My comment has to do with budgets in general, I keep a budget because I have to run my household and I'm perplexed that it seems that State entities, the Town, School Districts, Washington, continue to believe that they can spend when the money is not coming from their rich uncle who died, it's coming from us, some of us are struggling to make ends meet and when I was working what we do when we didn't have budget money is try to increase productivity, now I noticed there was a police personnel job opening and I heard the lengthy discussion on the building department, so you've kind of addressed why productivity may not work there, I don't know maybe it could work there; in the private sector we're expected to increase productivity and it seems in the State we just go out and hire more people and that has to stop, and you people who are in office, because we vote you in office, we are getting sick and tired of this, I don't understand why? Gary Spears: We're actually trying to hold the line, that's what some of us are doing and we intend to keep on doing it, that's all I can tell you, I'm not on here to tax and spend. Jim McMahan: Just because you budget it doesn't mean you have to spend it. So does this town have a track record of ever having a surplus? Gary Spears: At one time we did. Gary Flieger: Right now I'm in the process of trying to borrow money for this deficit financing, one of my biggest problems in borrowing the money is we don't have a track record of borrowing money because we always had a fund balance. Jim McMahan: I don't borrow to pay my bills because all it does is put me farther in debt, I cut, I used to drink imported beer, I now have to drink that swill, Budweiser, do you get my point? You have to cut back, because I don't have an unlimited amount of money and I'm certainly not going to put myself in debt in order to exist, so I cut, and I continually cut, and I'm sure people here are cutting, maybe even some of you cut, but I think the entity, the Town, should also cut. Gary Flieger: Do you have time tomorrow to stop in my office? I'd really like to get in detail with this conversation with you, it seems like you have some very interesting ideas and ways to cut and I'd like to talk to you. Flo Santini: The maps, what was we have no more maps, normally, since I've been here, Orange County Water Authority, I would call them they would make the maps and I would go pick them up. There's no more Orange County Water Authority, it was taken over by the Department of Planning, so I called the Department of Planning, they called me back, she sent me a map, I had to have the Planning Board and the Building Inspector sign off on it, send it back to her to get the okay that there has been no changes in the zoning law before they would print the map. She called me today and said she's sending me two maps because one I'm going to keep and the other one has to be signed off on again then mail it back to her and then the GPS department will make the maps and I will go pick them up. I ordered three different sets, one with just the colors that tell you the zoning, one with streets on it, and Bob Emerson asked if we could get some with the section block and lot on it, so I asked for them. But they are working on it; it's already been like a month.

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Rob Barchiesi: I'm speaking tonight as a member of the Organized Taxpayers Association; I'm a little disappointed tonight because I expected that the school board would have presented their budget to us tonight in this forum. In the last school district meeting the school administration presented their budget to the school board, during the public comments portion of the meeting there were many residents who came and spoke about the fact that they could not afford any increases in this years school budget. The majority of the people who spoke came to the same conclusion, which was that this board and the administration must make this budget a zero increase and live within the \$59 Million Dollars in which they presently operate with. I don't believe that the taxpayers are asking for too much, all the signs of our struggling economy should allow this administration to realize this is more or less common sense. You cannot squeeze the taxpayer when he or she has lost their job, their homes, have taken pay cuts and have had their salary frozen, where's the public outcry for the 22% raises that the school administrators received this year? Wouldn't it be nice if the school districts administration could gain the trust from the public? In order to achieve that you might want to start by realizing the way our economy is and how important is that you live within your means. It would show the public that you do in fact have a concern for the taxpayers in our community and that you are sensitive to the needs of the community as a whole. You continue to ignore the taxpayers in our community, the people have spoken, if a zero increase is not proposed your budget will be defeated, school board candidate Bob Habig has come up with many solutions to make this budget a zero increase, why not apply the almost \$8Million Dollar surplus to offset the tax levy, no cuts to staff would have to be made because you already stated at the previous meeting that you have staff members that will be retiring this year and have had staff leave through attrition. And now for the town portion; I'm going to leave out Gary because he was not part of the board during the budget process. With regards to the pending litigation against the town because of this boards inability to manage, they will single handedly destroy this town and force it into bankruptcy, in a recent article you will read about other towns that were hit with a substantial lawsuit and had to file for bankruptcy in order to renegotiate in terms of loans or bonds used to pay out to those parties awarded in a lawsuit. The Town of Deerpark bond rating is sinking because of all the borrowing approved by this board, with the exception of Mr. Spears. You're looking for clean rateables to come into this town yet you have not even started the process to re-evaluate all the homes in our area. Due to the mismanagement of our town by this present board you are currently in violation of New York State Real Property Laws established to set protocol to avoid this type of situation which we are currently in. There are many residents paying a disproportionate amount of taxes because there's not fair and equitable taxation in the town, so what business would want to come here when they'd be subject to paying a higher portion of taxes. In regard to Mr. Brabenec, why is it that you are against the reevaluation of all properties in this town? You're supposed to be the conservative one on this board yet you've never moved toward reevaluation. Why is it that you voted yes to all of these bonds? It doesn't matter what your answer is because this is an election year and we can't expect you take a position, you try and separate yourself from the others but that must be hard to do when you vote one way to borrow your way out of debt and make no concessions with this year's budget.

Tony Cea: Just to clarify for some people that say that's not true that you voted for the 125% increase, it's true you didn't, you only approved 122% of it. Mr. Spears, I spoke two weeks ago, we were supposed to get together, I mentioned that my social security number was given out by the chief information officer of the Town of Deerpark, so I think we should be discussing that. I want to agree with you on the part time workers shouldn't be getting benefits and that policy has to be addressed and rewritten immediately, part timers don't get it in the private sector and they shouldn't get it in the public sector either. Gary I disagree with you on hold line, it should be cut the taxes, cut spending, because hold the line last year cost us 125.14% according to the town's adopted budget. Gary, I watch you speak to Mr. McMahon and you invite him to come and discuss ways, were was I last year when I stood here at every budget meeting and suggested numerous ways to cut the budget, you implemented none of them, so why should he waste his time tomorrow. I called you up after one of your invitations and you hung up and said you didn't have time to talk. This gentleman has ideas, you cut spending when the economy is receding spending should recede along side it, you can't have a receding economy and an escalating budget, it doesn't work, it kills the people. Where do you get the audacity to vote for 122% of the budget increase, you don't pay any property tax in this town, you rent an apartment, you don't own a home and pay property taxes like the rest of us, where do you feel you have the right to come into this town and tell the home owners of this town what you want their budget to increase to, their taxes? How do you feel you have the right Karl, what gives you the right to spend others money and you don't spend any toward that same operation of the town, last year took \$8,000 out of here in a stipend, this year you'll take \$6,000 because there was a cut, we know Gary requested an increase in his salary and the board voted that down and that was a good thing, but you don't want ideas or suggestions from the people because the room was four times this full last year, you implemented none of the suggestions that were given to you, any of you, four of you voted for the full 125% and Karl voted for 122%. That's about all I have to say, you people don't want to cut, if you wanted to cut you would. I think the attorney has a good idea of shared services, that's what we should have been doing and what we should be doing, that's what you should be looking into, not additional borrowing or how to change the laws. Karl you introduced, two resolutions in the month of March last year, for the \$300,000 BAN and the \$700,000 RAN, so you're not such a conservative Karl. You may campaign but we're going to replace you, you fall back from the Supervisor seat that you're going to run for into your council seat so you risk nothing.

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Louise Vandemark: Tonight on the agenda there were a couple of things that were voted on that weren't on the agenda, and that happens all the time, and you know I've said something before and you know I understand an agenda is something that's forever changing at the last minute, things come up. But I'm going to tell you what really ticked me off tonight was, that damn telephone vote, and I'm really getting sick and tired of bringing it up and last meeting you had the nerve to tell me it wasn't on the agenda we can't make the motion, we're talking December, we're now in April, you can vote on every other damn thing that comes up that you want to make a motion for and do, I wish someone would finally have the nerve to bring up that vote, do the proper thing and let us know how everybody voted, that is our right to know how that vote went, and last week to tell me it wasn't on the agenda we can't vote and to constantly vote on things that aren't on the agenda, shame on all of you, I am really tired of picking and choosing what's proper what's not proper, if I didn't question about the building department tonight you would have been in there illegally tonight discussing things, now I'm starting to wonder what else you're in there discussing illegally, and I don't trust you. Really, you are taking away all our confidence in you, all our respect, because I personally can't trust you any more, when you did motions tonight that weren't on there you got my blood pressure going, you know I'm going to nail you on it, just take a damn vote, get it over with, and shame on all of you.

Gabor Ruzsan: Today you voted for the new dog enforcement officer, I have a little experience with this, 2006 I had some issues so I called whoever the officer was at that time and he came out, whatever was his duty he was trying to make it, unfortunately it wasn't solved so two weeks later I called him again, no answer, left a message, I left about ten messages and I was really tired by May so I called the Police and they said there was no such thing as dog control officer. I believe it was September when we got another officer, I talked to him once, he said okay he'll be on top of it, probably by mistake he left his home number for me, so I was calling him five o'clock in the morning, and probably this guy got tired of it so he left duty. Back in 2006 I believe the budget was for \$9,500 for this position, my feeling is that probably the official in this position never did his duty so that probably saved that money. In 2007 it was the same thing, there was no officer who was really up to the job, and this year again, I'm not sure if we've had anybody up till tonight, so it seems like there was a certain surplus in the budget in that case and I just wanted to know if the surplus was utilized or where is it?

Jerry Vandemark: You were talking about the building inspector job and the job you wanted to fill, it's kind of funny you brought up personnel policy, it didn't matter the personnel policy when you made this budget up, why would it bother you now what the policy is? Giving people 11% raises calling it longevity, and they put it in their regular pay, how can you put that in their regular pay? I don't understand that, it says in the book supposed to get that on their anniversary date, now why wasn't that done? So I don't want to hear personnel policy, I never heard anybody getting benefits on part time, never heard that, any job that I know you never got benefits, that's a big expense, no wonder we're going broke, it really is. I don't understand that and I don't think any of you can explain that to me, what's going on, I'm glad to hear that you're going over the policy, I guess you finally read, and I'm glad you see there's a lot of problems with it because there is, the whole thing should be done over, it's really ridiculous, to get longevity every year is a sin, it is, it's a sin, how can you get longevity every year, plus a raise, you know you're going to give them 3% every year it seems, plus some of them are getting 4% on top of that, it's ridiculous, there's nobody getting 11, 8, 6% raises at this time, the economy is too bad, the people just can't afford it. I mean even young people that aren't on a budget, they can't afford to live here with the taxes we're doing, it's ridiculous, I mean people that are on an income they don't get any raises, you're on social security you might of got a 1% raise in 20 years, it's ridiculous. You got to do something about the medical, I believe that the town employees should pay part of their medical benefits, everybody does that, let them pay a percentage.

Jane Garvey: I have a suggestion regarding the position in the building inspectors office, I feel as a taxpayer that it should be two part time positions, one of the reasons being that if whoever is the full time position, if she's out sick we have nobody, at least if we have two people coming in, and I think that you should set the hours, not come and go as they please like a lot of people do, you have to have so many hours a day each one, and should be covered all day long, 4 hours a day 5 days a week each girl, when one is out then the other one is here, if for any reason one has a doctors appointment let them switch as long as there's coverage, and I don't think anyone, if you're going to give benefits to part timers, I feel that I've been discriminated against for eight years, I've never gotten health benefits, and they say because I'm elected, well I don't get longevity I don't get this I don't get that, you can't do that, it's not fair. Part time people are part time for that reason, plus the fact if you have two girls working, just think you're giving somebody else a job instead of one person, if the one that's there now, I don't like to mention names, if she took the position as a part timer there shouldn't be any problem. I feel it would save money and we would have more coverage.

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Closing Comments from Board:

Karl Brabenec: Just wanted to give an update on the community development lunch, we are putting that together we're sending out mailers to the local businesses and to businesses in Orange County, just to get it out there we have flyers out there for the lunch and it's going to be on Wednesday, May 27, 2009 from 12:00pm – 2:00pm at the Port Jervis Country Club which is on Neversink Drive, it's a buffet style lunch, what we're going to be doing is we're going to have elected officials on hand, obviously everybody on the board is invited to attend, also there's going to be County officials there, we're going to have two guest speakers from major banks in the area to talk about small business loans and we're also going to have some people from the small business administration there as well. It's going to be a great event, it's going to be the first of its kind here in Deerpark, so definitely we do invite you to come out there, we would like you to RSVP, so if you could RSVP to my phone number that would be great, my phone number is 845-754-7113, you can call and leave message and I'll put you down on the list. Also we are soliciting sponsors for the event, if you want to sponsor the event or make a donation definitely contact David Hoovler at 845-549-3815 and he's handling the donation part of the event, so definitely a very good event it's going to be a good time. Again, the personnel policy, Gary Spears and I are reviewing the personnel policy as we speak, we're going to have it in the next couple days to the attorney, we should have something to this board in the next couple days so you can review it for the next meeting and we will have it on the agenda for the next meeting as well, so we're finally going to get moving on that, and thank you Gary for all your help on that. Also, as far as the recreation committee they had a fantastic Easter egg hunt like they always do, thank you very much to all the volunteers, my kids had a wonderful time there, a lot of the kids had a great time, so thank you very much for your hard work and efforts. As far as the telephone vote that Louise was mentioning, I did bring it up last meeting, I did not get a second, I did vote no on that, that was to close town hall on January 2nd but I would put the motion up again and see if there's a second, I know Gary wasn't on the board at the time so he probably would have to abstain, but definitely I don't find it a problem to have our vote in public.

Motion to close town hall

Motion made by Karl Brabenec, 2nd by Liam O'Neill, that Town Hall be closed on January 2, 2009.

Discussion: Viola Sinsabaugh: I need the attorney's expertise on this, according to operational policies, and I just want the correct answer, during periods of inclement weather and other emergencies the Town Supervisor will contact the Highway Superintendent and town board for early dismissal of employees and closing of town hall, my question is, if Gary calls the town board and asks for a dismissal, if the people are willing to go home for bad weather or because bad weather is eminent, and he calls the town board for an approval, is he allowed to do that? **Gary Flieger:** This does not say ask for approval it says just to notify them, as the highway department who also doesn't have a vote. **Viola Sinsabaugh:** My question is, so we get this clear and it's ended as of tonight, I'm asking for the right, correct version of this legally, can the town supervisor call the town board and ask for permission to close the facility? The rest I'm leaving to you because you're the town attorney and I will go by what you say. **Bill Bavoso:** I will give you an answer based on general principal law, the general principal law is telephone votes are frowned upon, however if you need them in emergency situations you can conduct them as long as the next meeting after that vote is taken you have a vote to ratify the action that was taken by telephone.

Gary Flieger: I think the question is did I have the right to close this town hall without a vote, because it says right here, if they're looking for a vote then why does the highway supervisor have to be notified as equal to the town board?

Bill Bavoso: It says that where? **Viola Sinsabaugh:** It says right here in our operational policies, in the personnel policy.

Bill Bavoso: I'm not familiar with that portion of the personnel policy; I'll look it over; read the policy.

Karl Brabenec: I know when we've had telephone votes before to close town hall even when the town hall was close for lead before I was here there was a telephone vote and then it was ratified at the next meeting, so that's all we have to do, just state our votes in public, it's not going to matter anyway because town hall was closed on January 2nd anyway.

Flo Santini: My deputy and I worked that day, the judges were here, that end of the building was closed.

Viola Sinsabaugh: Flo was working, the judges were working, I heard a comment in the audience that it was good weather; it wasn't bad weather that day, what was the reason the town hall was closed? **Gary Flieger:** Because there was quite a bit of static of trying to save money in this town, so what we did was on the 26th of December we closed, the employees that chose to leave the building, without being paid for that day off, got out of here, so we saved a full days pay for those salaries, so on the 2nd the day after New Years, which was a Friday, we did the same thing, the employees also chose to leave without pay so they didn't have to get paid for that day, it saved us a few thousand dollars. **Karl Brabenec:** If the employees have come here to work, and you close town hall, if it's an action by the board we still have to pay them. **Gary Flieger:** You might think that but they didn't get paid and they said they didn't want to get paid. **Karl Brabenec:** It doesn't matter, if you are forcing them to leave here and they're still willing to work you have to pay them. **Louise Vandemark:** You all know I work for the County, now we have to be open, by law, 9-5 every day, now on the 26th and on January 2nd, which were Fridays, our employees in my office, 99% of them wanted the days off, but we had to keep it open, it's an open day so what we did is one from each party volunteered to come in on each of those days, so I say call it what it is, the employees wanted the day off, there's nothing wrong with saying that, but by you doing a telephone vote and not bringing it out in public you're making more out of it than it has to be, now you can discuss anything else, all I want to know is how did each individual vote that day, that's all I want to know. Don't think we're stupid, we know what happened, they wanted the day off.

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Gary Flieger: I can give you the vote, Vi voted yes... Karl Brabenec: No, no, no, there's a motion on the floor, call the question.

VOTE: Viola Sinsabaugh: I voted Yes, Karl Brabenec: I voted No, Gary Flieger: I voted Yes, Liam was in Canada and voted yes after the fact, my contact with Liam was after the fact.

Louise Vandemark: That's only two votes to close town hall, another thing as I said before I can't trust you people. That was wrong and now I know why there was nothing out in public, and Gary you can smile all you want I remember when you sat back there and said oh if I was ever in charge everything would be out in the open, I am so disappointed in you.

Motion to enter Executive Session 9:40PM

Motion made by Gary Flieger, 2nd by Liam O'Neill, to enter Executive Session to discuss Police Personnel, and to invite the Attorney, the Chairman of the Police Commission, and the Police Chief and Officer Sztynodor.

VOTE: 5 AYES Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Flieger

MOTION CARRIED

Liam O'Neill: I wanted to ask about the notice of claim regarding Deerpark Village before we go in.

Bill Bavoso: Deerpark Village, they wanted to move their application forward, the Planning Board did not put them on the agenda because we have a Town Law that requires that they have to be up to date on their escrow account in order for them to be on the agenda, they were not up to date, as a matter of fact they had a deficiency in their account, the Planning Board refused to put them on the agenda, they brought an order to show cause in White Plains with requiring to be on the agenda, there was a discussion in White Plains, they will be on the agenda for the 22nd and the Town has requested that we receive from them specifics as to why their escrow account is deficient and why they have not paid, they allege that they have problems with they believe they have been double billed on some time with regard to some of the consultants, we've asked them to specify that so we can check the town records to see if they're correct and if they're not correct so that we have the opportunity to tell them why they're not correct.

Motion to end Executive Session 10:53PM

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

VOTE: 5 AYES Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Flieger

MOTION CARRIED

Motion to have workshop

Motion made by Gary Spears, 2nd by Liam O'Neill, to have a special workshop meeting on April 27, 2009 at 7:30PM to discuss the Personnel Policy and to consider a resolution requesting the State Legislature to amend the 2008 Special Act to permit the Town to borrow to close the budget deficit from 2008.

VOTE: 5 AYES Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Flieger

MOTION CARRIED

Motion to adjourn 11:25PM

Motion made by Gary Spears, 2nd by Liam O'Neill, to adjourn the meeting.

VOTE: 5 AYES Gary Spears, Karl Brabenec, Liam O'Neill, Viola Sinsabaugh and Gary Flieger

MOTION CARRIED

Respectfully submitted by,

Florence T. Santini
Town Clerk