

**TOWN OF GOSHEN**  
**TOWN BOARD MEETING**  
**JANUARY 8, 2015**  
**MINUTES**

A regular meeting of the Town Board of the Town of Goshen was held on the 8th day of January, 2015 at the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present:	Douglas Bloomfield	Supervisor
	Philip Canterino	Councilman
	Louis Cappella	Councilman
	George Lyons	Councilman
	Kenneth Newbold	Councilman

Also Present:	John Swift, Esq.	Special Counsel to Town Board
	Priscilla Gersbeck	Deputy Town Clerk
	Christine Cavalier	Budget Officer
	Neal Halloran	Building Inspector

**A. CALL TO ORDER**

The meeting was called to order by Supervisor Bloomfield at 7:35 pm, followed by the Pledge of Allegiance.

**B. AMENDMENT TO THE AGENDA**

Supervisor Bloomfield tabled agenda items 1 & 2 pending receipt of requested information.

**C. PRIVILEGE OF THE FLOOR (agenda items only)**

**D. OLD BUSINESS:**

**1. REVIEW AND APPROVE RESOLUTION OF ROAD AND EASEMENT DEDICATION FOR GABRIELLA TERRACE, GOSHEN PROPERTIES, LLC**

Tabled

**2. REVIEW AND APPROVE RESOLUTION FOR CONVERSION OF A PERFORMANCE BOND TO A MAINTENANCE BOND FOR GABRIELLA TERRACE, GOSHEN PROPERTIES, LLC**

Tabled

**3. REVIEW PROPOSED DRAFT OF ADC MAPLEWOOD DEVELOPERS AGREEMENT AND SET PUBLIC HEARING DATE FOR HAMBLETONIAN PARK RESIDENTS**

The Councilmen requested more time to review this document. There have been many drafts with changes. The Councilmen want to be sure this draft includes the changes discussed at previous meetings. Attorney Caplicki will be contacted regarding this matter.

**4. APPROVAL OF MINUTES**

Councilman Canterino made the motion to approve the minutes of November 10<sup>th</sup> work session, November 13<sup>th</sup> regular meeting and the combined meeting of November 24<sup>th</sup>. Councilman Lyons seconded the motion.

A Voice Vote, the motion passed: 5 AYES Bloomfield, Canterino, Cappella, Lyons, Newbold  
0 NAYS

**E. NEW BUSINESS:**

**1. DISCUSS JOINING OTHER MUNICIPALITIES IN OPPOSING O & R ELECTRIC INC. REQUEST TO INCREASE ELECTRICITY AND NATURAL GAS DELIVERY RATES**

O & R filed with the Public service Commission seeking to increase delivery rates for electric by 11.5% and gas delivery rates by 35.1%, exceeding the rate of inflation. The Consumer Protection Board was disbanded several years ago. The Municipal Consortium was formed to advocate for the consumer to oppose the O & R rate increases. Daniel Duthie Esq. notified all Orange County municipalities to join together and contribute (Counties \$20,000 – Cities \$10,000 – Towns \$5,000 and Village (\$2,500) to wage an effective counter to the O & R request.

Councilman Newbold made the motion to authorize the Supervisor to contribute \$5,000. Lyons seconded the motion for discussion.

Questions were raised as to who else will participate and how much money will be collected, in mass, for this purpose. The Town contributed to a similar request few years ago with very good results. What about the delivery rate of O & R to those residents that are covered by NYSEG?

Councilman Newbold withdrew his motion. Councilman Lyons withdrew his second. This topic is tabled pending more information.

**2. DISCUSS TOWN OF GOSHEN BUDGET OFFICER'S ANALYSIS OF SHARED SERVICES THAT SHOULD ALLOW FOR GOSHEN TOWN TAXPAYERS TO BE ELIGIBLE FOR REAL PROPERTY TAX FREEZE CREDIT**

Budget Officer, Christine Cavaliere addressed the Board. She explained "The property Tax Freeze Credit is a two-year tax relief program that reimburses qualified New York State homeowners for increases in local property taxes on their primary residences. In order for the credit to be available to the homeowners in a local taxing jurisdiction, the jurisdiction must comply with the NYS Property Tax Cap and, after the first year, must also develop an efficiency plan. The Town of Goshen was in compliance with the tax cap for fiscal year 2015 and will be submitting an efficiency plan for fiscal year 2016." This program not only covers shared services, but includes efficiencies, merging departments etc. It can be a town and a school district, town and village etc. What the Town of Goshen has listed in this program is sharing the assessor services with Orange County, sharing highway equipment with the Village of Florida and several changes in our health insurance provider. We have saved at least 1% of the tax levy. This is based on the Town taxes, not the Village taxes. The Board congratulated Christine on a job well done.

**3. DISCUSS AND APPROVE REQUEST BY THE BUILDING OFFICER TO USE A LICENSED PROFESSIONAL ARCHITECT TO REVIEW COMMERCIAL AND MULTIFAMILY PLANS**

Building Inspector, Neal Halloran, is requesting approval to contract with an outside third party to do plan reviews for commercial buildings. The larger the commercial building, the more intricate the inspection which may be beyond his expertise. Mr. Halloran interviewed an architect who was highly recommended by the town of Walkill. Based on the references, resume, the referral, the methodology of his work ethic he is asking the Board to approve hiring Wheldon A. Abt, Architect, P.C. to review commercial building plans. He can be paid out of the building permit fee.

Councilman Cappella made the motion to approve hiring Weldon A. Abt. Architect, P.C. to review commercial building plans at the rate of \$85.00 per hour, contingent upon Attorney's approval. Councilman Lyons seconded the motion.

Discussion:

*Councilman Lyons* read from the letter penned by Wheldon Abt to Neal Halloran: "If requested, I will provide an estimate of the cost of an individual Plan Review for a project based upon an initial reading of the permit application plans and documentation." Councilman Lyons hopes this request will be followed up on. Mr. Halloran explained the fee process for the applicant.

*Supervisor Bloomfield* noted the complexity of the January 2015 NYS code changes for commercial buildings.

*Councilman Canterino* requested that before we sign off with an independent contractor, we should have our Town Attorney look over the agreement to make sure we are clear of liability or hiring conflicts.

*Councilman Newbold* questioned why we don't advertise for architects? Answer: normally we do not advertise for professional services.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilperson, Philip Canterino	<u>AYE</u>
Councilperson, Louis Cappella	<u>AYE</u>	Councilperson, Kenneth Newbold	<u>AYE</u>
Councilperson, George Lyons	<u>AYE</u>		

*Vote: Motion carried by a vote of 5 to 0.*

**4. REVIEW REQUEST BY GOVAC TO INCLUDE A NEW AMBULANCE AS A TOWN FLEET VEHICLE TO QUALIFY FOR A \$5,200 REBATE**

Councilman Lyons explained that GOVAC is purchasing a new ambulance. The ambulance "box" is placed on a Ford chassis. The reason is that the chassis wears out and will need to be replaced before the "box" wears out. The GPC Code (Government Price Concession) is a fleet number the Town has. GOVAC is requesting permission to use the Town fleet number in which the ambulance can access a \$5,200 instant chassis rebate from Ford. The town will *not* be responsible in any way what-so-ever for the ambulance. This is not a physical part of our fleet, GOVAC is only using our number.

Councilman Newbold made the motion to authorize the Town Supervisor to telephone and/or write a letter in support of GOVAC sharing the Town fleet number. Councilman Cappella seconded the motion.

Attorney Swift suggested we inform our insurance company as to what we are doing.

On A Voice Vote, the motion passed: 5 AYES Bloomfield, Canterino, Cappella, Lyons, Newbold  
0 NAYS

**5. SUNY ORANGE CAMPUS PLAN FOR DESIGNATION OF TAX-FREE AREA(S)**

Supervisor Bloomfield read from a letter that he wrote to Mr. Kenneth Adams, NYS Commissioner of Economic Development in response to SUNY Orange Campus Plan for designation of tax-free area(s). The letter is a request for someone from the New Windsor office, to visit our Board and explain the plan and process to designate a tax-free area.

The IDA has requested a public hearing on January 28<sup>th</sup> to discuss Aurora Innovations as a selected business for the tax-free start-up NY program. Aurora Innovations plans to manufacture fertilizers and organic potting soils. The Councilmen had many questions surrounding the site location, usage of the property, knowledge of the funding process, pros and cons to the Town. The description that Aurora Innovations sent *doesn't seem to fit the criteria* for this program. This is why the Board has requested a representative from the Empire State Development to visit us and explain the plan.

**F. FINANCE:**

Councilman Lyons made the motion to authorize the Supervisor to pay Manual A/P runs of 12/26/14 amounting to \$10,047.10 and accounts payable check run for 12/25/14 and 12/29/14 amounting to \$173,538.93. Councilman Canterino seconded the motion.

On A Voice Vote, the motion passed: 5 AYES Bloomfield, Canterino, Cappella, Lyons, Newbold  
0 NAYS

**G. PRIVILEGE OF THE FLOOR**

**H. EXECUTIVE SESSION:**

Councilman Canterino made the motion to enter into Executive Session to discuss the following;

1. ZONING BOARD OF APPEALS CHAIRPERSON SELECTION
2. AL TURI CERTIORARI LITIGATION STATUS UPDATE
3. NYS COMPTROLLER AUDIT OF P.D. RESPONSE STATUS

with the intent to return. The motion was seconded by Councilman Lyons. Motion Carried

Time: 8:45PM

[The following are minutes taken by Attorney John Swift reflecting the action taken from discussion in the Executive Session.]

## EXECUTIVE SESSION

Reconvened at 8:55PM

Supervisor Bloomfield reopened the meeting to take action on the Town's response letter to the NYS Comptroller Audit of the Town of Goshen Police Department. A short discussion resulted in the following motion.

Councilman Canterino made the motion to authorize Supervisor Bloomfield to sign and mail to the NYS Comptroller's office, the Town's response letter to the NYS Comptroller Audit of the Town of Goshen Police Department. Councilman Lyons seconded the motion.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilperson, Philip Canterino	<u>AYE</u>
Councilperson, Louis Cappella	<u>AYE</u>	Councilperson, Kenneth Newbold	<u>AYE</u>
Councilperson, George Lyons	<u>AYE</u>		

Vote: Resolution carried by a vote of 5 to 0

Councilman Newbold made the motion to adjourn the meeting. Motion seconded by Councilman Canterino. Motion carried.

Adjournment: 9:00PM

---

Priscilla Gersbeck, Deputy Town Clerk