

**TOWN OF GOSHEN**  
**TOWN BOARD WORK SESSION**  
**February 06, 2012**

**MINUTES**

A Work Session of the Town Board of the Town of Goshen was held on the 6<sup>th</sup> day of February, 2012 at Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

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

ALSO PRESENT:	Dennis Caplicki	Town Attorney
	Valma Eisma	Town Clerk

The meeting was called to order by Supervisor Bloomfield at 7:34 p.m., followed by the Pledge of Allegiance.

**ITEMS FOR DISCUSSION:**

**1. REVIEW THE REVISED PERSOON SUBDIVISION OPEN SPACE CONSERVATION EASEMENT AND PASS RESOLUTION OF ACCEPTANCE:** Supervisor Bloomfield stated the Board received a letter earlier today that the applicant wanted to withdraw this petition.

**2. REVIEW THE CURRENT STATUS OF THE PROPERTY REVAL PROGRAM AND THE REMAINING SCHEDULE FOR IMPLEMENTATION:** Supervisor Bloomfield explained this will now be removed to Thursday's meeting, as the consultant will be here on Thursday and the Board would like to get his input on this.

**3. SET A PUBLIC HEARING ON PROPOSED DIAL-A-BUS FARE INCREASES AND SERVICE CHANGES:** Supervisor Bloomfield said this is a part of our cost reduction plan. He explained that the County has a procedure for Public Outreach, that has to be followed when fare increases or major service reductions are planned. He explained that a Public Hearing has to occur no sooner than 30 days upon the submission of the initial fare increase and/or a major service reduction proposal. He explained that the Board has to set a date for this Public Hearing.

Councilman Cappella made a Motion to set the Public Hearing on the proposed Dial-A-Bus fare increases and service changes for 7:30 p.m. or as soon thereafter, on March 5, 2012, at Town Hall, 41 Webster Avenue, Goshen Town Hall, Goshen, New York. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

**4. DISCUSS ESTABLISHMENT OF THE NEW YORK FARMS, LLC WATER AND SEWER DISTRICT, CONSERVATION EASEMENT, PARCEL A, AND PROPERTY TRANSFER WITH CONSERVATION EASEMENT PARCEL B:**

Supervisor Bloomfield addressed Mr. Steven Esposito, RLA and Mr. Michael Walker, both representing Heritage Estates to come forward. Mr. Esposito addressed the Board saying he was there to answer any questions the Board would have in regard to the petitions that were filed with the Town Board for the extension of the existing Sewer and Water District in Hambletonian Park. He said I believe this Board held a Public Hearing for this in May of 2011, and if you have not closed it already, we would like you to close it tonight, and act on our petition.

Supervisor Bloomfield stated that the Board had settled our dispute with the Village and the IMA (Intermunicipal Agreement) and he had received a letter confirming that the Village approves the expansion of the Water/Sewer District.

The Supervisor said he would like to address the fund transfer, as he was not sure how it was left at the last meeting. Mr. Esposito said that we were very involved with the sewer and the water at that time. He said he would like to talk about water first. He said currently the plans are at the Health Department and they are in the final stages of getting our approvals from the State and local Health Departments. He said these approvals include an onsite independent water system, wells, stand pipe, reservoir, etc. At that time you suggested an expansion of Hambletonian Park and we thought it was a good idea. At that time we all came to an agreement, and there was a residual savings of approximately \$84,000.

Mr. Esposito stated at that time there was an agreement drafted, after two or three revisions, it was agreed that we would, upon signing of the map for the first phase, \$84,000 would be transferred to the Town.

Mr. Esposito said the second component of this is the waste water treatment, at first we were going to the Village with this. However, you suggested the expansion, and they would like to finalize the Hambletonian Water and Sewer District extensions to include the Heritage. He said the contribution from the applicant would be \$130,000.00 to help with the I & I problems, to which we all agreed upon. He said it was agreed that these funds would be transferred to the Town simultaneously with the signing of the filed maps.

Supervisor Bloomfield said he does not remember seeing this plan, and Mr. Esposito said he would be glad to hand deliver a copy to the Supervisor, along with all the drafts. There was an extensive exchange as to what was agreed upon, and what items were to be done since the last meeting. There was a question about papers that the Board was supposed to have received, but did not have. Mr. Esposito said he has been in constant contact with the members of the Planning Board and the Planning Board Attorneys. However, they need a commitment from this Board.

Supervisor Bloomfield said he wanted to be clear about what was expected if this would again be addressed at Thursday night's meeting. He asked Attorney Caplicki if all the information and documents, in a written form, that the Board wanted would be ready for Thursday night's meeting so that the Board could act on it? Attorney Caplicki replied we should have.

Supervisor Bloomfield said he was going to put it on for Thursday night, the expanding of the district, the water/sewer district, the easement, ect. Supervisor Bloomfield said he has had this on the agenda for months, and every time "I get ready to go Mr. Sweeney has not done anything."

Supervisor Bloomfield asked what was Mr. Esposito's goal date, he said he wanted to get an idea of when we will be able to sign these maps? Mr. Esposito said we have been working diligently with the Planning Board to resolve these extensive lists of conditions since January of 2010. He said we are whittling them down, but there are some things that are driven. We need to finalize designs, we need to do this, and the water line is a key item. Mr. Walker stated he had Pietrzak & Pfau on top of these guys to get this stuff done, "so as this stuff comes in P & P can do their design work, they can get it submitted, so we are trying to get it done as quickly as possible" "We want this to move as quickly as possible."

Supervisor Bloomfield asked Attorney Caplicki can the maps be signed before all those conditions are done, or do we have to wait till the last one is done? Attorney Caplicki said the maps cannot be signed now, he would estimate it will be months, maybe April or May. There was a short discussion about what has to be done, and the time it will take to do it.

Supervisor Bloomfield said his reason to see this move along, is that he is eager to start on the I & I problem. Supervisor Bloomfield asked if it would be possible to get a third of the money up front once we have done everything the Town Board has to do. Supervisor Bloomfield suggested \$40,000. He and Attorney Caplicki discussed the fact that the Village may have a problem with the State giving approval for 75 new homes, if the infiltration is too high. They would not want this to stop everything.

Mr. Esposito said the key conditions for their permits are: resolving sewer and water districts, we need to get any outside agency reviews and permits, "we are 90% there". "We are holding off on the final resubmission of the Health Department permit until we know we are connecting to Hambletonian Park, or not connecting."

Councilman Canterino asked what is the risk to the Town if we do expand those two districts formally, if they can't build, can someone else build? There did not seem to be any problem to doing this, and Supervisor Bloomfield said it would be placed on the Thursday agenda.

The Board was not sure if the Public Hearing on this project had been closed, and will consult with the Town Clerk to be sure. The Board discussed the agreements that were talked about, and agreed upon, but were not sure of what was actually in writing. The Board will review the documents and minutes before Thursday's meeting.

Councilman Lyons asked why the Board was pushing this so hard for Thursday's meeting, when there is so much more that has to be done with the Planning Board, etc. which will take months before we will get the money. Supervisor Bloomfield explained that the applicant has to have the water supply established, as they will have to go back to the Health Department. They need a commitment from the Town Board to expand the Hambletonian Water/Sewer District.

Supervisor Bloomfield asked about the easement involving Bridal Path. Mr. Esposito replied that the Town will own that piece. Supervisor Bloomfield stated it would have to be in the documents presented for Thursday night that there would be no through road placed on this piece. Councilman Canterino said he thought that there was a restriction on the easements, so that no other Board could ever change that.

Supervisor Bloomfield again asked the Attorney if all the information the Board needed would be in place in time for Thursday's meeting. Mr. Esposito and Attorney Caplicki said it would be possible. The Supervisor stated he would put it on the agenda for Thursday.

**5. AS REQUIRED BY SECTION 97-49 OF THE TOWN OF GOSHEN ZONING CODE APPROVE A MOTION TO GIVE PERMISSION TO THE GOSHEN LITTLE LEAGUE TO PLACE A SCOREBOARD/SIGN ON MUNICIPALITY OWNED PROPERTY.**

Supervisor Bloomfield asked Attorney Caplicki to address this. Attorney Caplicki stated the ZBA Board is meeting on this tonight, and their decision will determine what discussion the Town Board has on this. He also stated the ZBA is considering this not as a sign, but an accessory use to a playground recreation area, as well as a public facility. The fact that the telephone number has been taken off the sign, the dot com, and it now has only the name Honda on it was discussed.

Councilman Canterino stated the Code states no signs on municipal property. Supervisor Bloomfield read from the Code, which says no sign should be placed on Municipal owned property with out permission of the Town Board. Therefore, said the Supervisor, if we give permission it can be done, but now they are saying it might not be considered a sign. Councilman Canterino stated he is very much against any sign on this property.

Supervisor Bloomfield said this leads us to# 6 on the agenda:

**6. DISCUSS WAVING ZONING BOARD OF APPEALS FEES FOR REVIEW OF THE CRAIGVILLE PARK SCOREBOARD/SIGN:**

ZBA Member, John Swift entered the room, and the Supervisor asked him to address the Board as to the results of tonight's meeting. Mr. Swift reported that if the telephone number and the .com is removed from the sign, the ZBA will approve it. Attorney Caplicki asked him about the what the ZBA was calling the scoreboard, a sign or an accessory. Mr. Swift stated he would rather not say, but the Board will receive an official ruling from the ZBA when the minutes are approved.

After a lengthy discussion Councilman Lyons made a Motion to allow the JRC to appear before the ZBA Board to discuss the Scoreboard/sign, with the fee waived. Councilman Cappella seconded the Motion. There was a long discussion of the pro and con of signs in general. Supervisor Bloomfield said he really feels the Public Hearing should be held to hear how the public feels about this. Councilman Cappella said he had people coming up to him and asking what the problem is with this sign, and they did not object to it.

Supervisor Bloomfield called for a vote, Motion carried unanimously.

Supervisor Bloomfield stated that this proves that the Board really needs to review the sign section of the Code. Councilman Canterino was firm in the fact that he does not want any signs in the park. He stated that residents living in the area will not want to look at these signs.

With no further business, Councilman Cappella made a Motion to go into Executive Session to discuss:

1. CSEA Negotiation Status Update
2. Tax Certiorari Status Update:
  - A. Lubavitch
  - B. Leblanc
  - C. Woodland Estate
  - D.76 Maple
3. Discuss Attorney/Client Privilege Information

with intent not to return. The Motion was seconded by Councilman Newbold. Motion carried unanimously.

Time: 8:50 p.m.

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Valma Eisma, Town Clerk