

**TOWN OF GOSHEN**  
**TOWN BOARD MEETING**

MARCH 12, 2015  
MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 12th day of March, 2015 at the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present:	George Lyons Philip Canterino Louis Cappella Kenneth Newbold	Deputy Supervisor Councilman Councilman Councilman
Absent:	Douglas Bloomfield	Supervisor
Also Present:	John Swift Priscilla Gersbeck	Special Counsel to Town Board Deputy Town Clerk

**A. CALL TO ORDER**

The meeting was called to order by Deputy Supervisor Lyons at 7:34 pm, followed by the Pledge of Allegiance.

**B. AMENDMENT TO THE AGENDA**

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

None at this time.

**D. OLD BUSINESS:**

**1. DISCUSS OR. CO. SOIL AND WATER CELERY AVENUE ROCK LEDGE PROJECT  
AND NEED FOR A PERMIT FROM THE TOWN OF GOSHEN BEFORE WORK BEGINS**

This project will require an approval from the DEC and the Army Corp of Engineers as well as a permit from the Town of Goshen. Engineers for the Town, Riddick Associates, are reviewing the project. Depending on their review, other professionals may need to be contacted.

**2. APPROVAL OF RESOLUTION TO REQUEST REFORMING THE NYS TAX CAP LAW**

As discussed at Monday's meeting, the following resolution was voted on.

**TOWN OF GOSHEN**  
**RESOLUTION**  
**Resolution to request reform of the New York State Tax Cap Law**

**INTRODUCED BY:** Councilman Kenneth Newbold  
**SECONDED BY:** Councilman Louis Cappella  
**DATED:** March 12, 2015

At a meeting of the Town Board of the Town of Goshen, County of Orange, State of New York, held at Town Hall in said Town on the 12th day of March, 2015

**WHEREAS**, New York State is in the process of considering extending the Tax Cap Law, and

**WHEREAS**, it is the consensus of the Town of Goshen Board that as currently designed the tax cap makes it virtually impossible for Towns, Villages, and Cities to meet the laws criteria due to mandated expenses such as ever increasing cost of pensions and health care which consumes most to the allowable cap and should, therefore, be exempted from the tax cap law, and

**WHEREAS**, the present tax cap law severely restricts elected officials in the Towns, Villages and Cities of Orange County from performing their fiduciary duties to their residents to effectively provide for:

- Infrastructure improvements and repairs;
- Road maintenance, repair and renovation, as well as snow removal, which are all required to make streets safe for travel;
- Capital projects and infrastructure improvements in utilities, transportation, and communication that are required to improve the quality of life and grow our economy and bonding decisions that are subject to permissive referendum providing residents a mechanism for residents to reject an infrastructure investment by a local board;
- Expenses derived from consent orders and smart growth initiatives to make communities livable;
- Extraordinary expenses required to respond to public health emergencies and pandemic;

and, therefore, should be exempted from the tax cap law, and

**WHEREAS**, continued neglect of infrastructure, roads, and renovations due to fiscal restraints will only result in dire conditions and more costly repairs and/or possible lawsuits, and

**WHEREAS**, we further recommend an amendment to the tax cap formula to address disincentives to offer PILOTS, as well as an amendment to address disincentives to consolidate services.

**NOW, THEREFORE, BE IT RESOLVED** that it is the sincere hope of the Town of Goshen Board that Governor Andrew Cuomo, members of the New York State Senate, and members of the New York State Assembly give serious consideration to important recommendations for reforms of the Tax Cap Law that are hereby put forth, and

**BE IT FURTHER RESOLVED** that we respectfully request that the New York State representatives listed below advocate for the reforms hereby put forth:

Senator William J. Larkin, Senator John Bonacic, Assemblyman James Skoufis, Assemblyman Karl Brabenec, Assemblywoman Aileen Gunther, Assemblywoman Claudia Tenney, and Assemblyman Frank Skartados and we thank them for their due diligence in this matter.

Discussion: Is the Village aware of this action to reform the Tax cap law? Answer: Yes, for this has been sent to the members of the Orange County Association of Towns, Villages and Cities.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>ABSENT</u>	Councilman, Phillip Canterino	<u>AYE</u>
Councilman, Louis Cappella	<u>AYE</u>	Councilman, Kenneth Newbold	<u>AYE</u>
Deputy Supervisor, George Lyons	<u>AYE</u>		

Vote: Resolution carried by a vote of 4 to 0.

## E. NEW BUSINESS

### 1. REQUEST FROM BUDGET OFFICER, CHRISTINE CAVALIERE, TO CLOSE THE TAX CAP ESCROW ACCOUNT AND TRANSFER THE FUNDS TO THE B (GENERAL OUTSIDE) FUND

In a memo received from the Budget Officer who wrote: "This account was established to set aside the Excess Tax Levy Funds that were collected by the B Fund in 2013 due to an error on the Tax Cap Worksheet. During the 2014 Financial Audit, our auditors have recognized the Deferred Tax Revenue, making this special account unnecessary. The balance in this account as of 02/28/15 is \$30,147.85".

Councilman Canterino made the motion to authorize the Budget Officer, Christine Cavaliere, to close the Tax Cap Escrow Account and to transfer the funds to the B (General Outside) Fund. Councilman Cappella seconded the motion.

On A Voice Vote, the motion passed: 4 AYES Canterino, Cappella, Lyons, Newbold  
0 NAYS  
1 ABSENT

### 2. REQUEST FROM BUDGET OFFICER, CHRISTINE CAVALIERE, TO PURCHASE PAYROLL HUMAN RESOURCES SOFTWARE MODULE & BIOMETRIC TIME CLOCK SYSTEM

The NYS Office of the Comptroller's Audit recommended that measures be taken to assure that the time and attendance records are kept accurately. Therefore, a request has been made by the Budget Officer to purchase a Fingerprint Time Clock System and the Edmunds Human Resources Accounting Software Module. The module will receive data from the time clock system and process the data so it can be read by our payroll module. The Edmunds Human Resources Module proposal is \$5,000 initially with \$2,205 in annual maintenance fees. As previously discussed, it was decided to purchase the Fingerprint Time Clock System.

However, questions were raised as to the necessity to purchase the Human Resources Module. Questions were also raised as to the module software monthly maintenance fee which covers *only* 20 employees. Councilman Canterino will contact the Budget Officer about the details of the software module contract.

Councilman Canterino made the motion to authorize the Budget Officer, Christine Cavaliere, to purchase the Biometric (Fingerprint) Time Clock System in initial fees amounting to \$2,730.00 with \$1,006.08 in annual maintenance fees. We will withhold the Edmunds Human Resource Module as a separate item. Councilman Newbold seconded the motion.

On A Voice Vote, the motion passed: 4 AYES Canterino, Cappella, Lyons, Newbold  
0 NAYS  
1 ABSENT

**F. FINANCE**

Councilman Newbold made the motion to authorize the Supervisor to pay Manual A/P runs for 03/06/2015 amounting to \$2,137,984.92 and Accounts Payable check run for 03/12/2015 amounting to \$234,487.72. Councilman Cappella seconded the motion.

Discussion: For clarification: of the \$2,137,984.92, the A (General) Fund totaled \$2,120,270.45. This amount included: \$495.04 - 2015 tax warrant Thrall Library, \$79,670.57 – 2015 tax warrant Chester Library, \$144,880.92 – 2015 tax warrant Florida Fire Dist., \$1,867,488.84 – 2015 tax warrant Goshen Fire Dist. And \$27,735.08 – 2014 tax chargebacks OC Comm. of Finance. The remaining \$17,714.47 covered payments made from the T Fund.

On A Voice Vote, the motion passed: 4 AYES Canterino, Cappella, Lyons, Newbold  
0 NAYS  
1 ABSENT

**G. PRIVILEGE OF THE FLOOR**

None at this time

**H. ADJOURNMENT: 7:55PM**

**EXECUTIVE SESSION:**

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

1. MTBE LITIGATION
2. WALLKILL / CELERY AVE. LITIGATION
3. BUILDING PERMIT CONTRACT / RESOLUTION
4. SALESIAN INTERMUNICIPAL AGREEMENT

with the intent not to return. The motion was seconded by Councilman Canterino. Motion Carried

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Priscilla Gersbeck, Deputy Town Clerk