

TOWN OF GOSHEN
TOWN BOARD MEETING
March 28, 2013

MINUTES

A Regular Meeting of the Town Board of the Town of Goshen was held on the 28th day of March, 2013 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
	George Lyons	Councilman
	Kenneth Newbold	Councilman
	Louis Cappella	Councilman

Also Present:	Dennis Lindsay	Town Engineer
	Broderick Knoell	Highway Superintendent
	Dennis Caplicki	Town Attorney
	Valma Eisma	Town Clerk

A. CALL TO ORDER: Supervisor Bloomfield called the meeting to order at 7:30 p.m., and led the Pledge of Allegiance.

B. AMENDMENT TO THE AGENDA: None

C. PRIVILEGE OF THE FLOOR (agenda items only)

D. REPORTS:

COUNCILMAN LOUIS CAPPPELLA reported the following: the Senior Center had a meeting yesterday, and he thanked the Goshen Lions Club for donating three card tables to the Center. Starting next week the Center will be adding another yoga class, that will be held on Fridays, from 9:45 to 10:45. The 2012 rentals for the Center were down from the 2011 numbers. However, the rentals for the first three months of 2013 seems to be higher than ever before.

Councilman Cappella reporting for Dial-A-Bus stated he ran an advertisement in the Goshen Independent to make the public more aware of the great service it provides to the Goshen/Chester residents.

Councilman Cappella reported that Highway will start it's Spring Pickup on Monday, April 22nd, and the ad will be in the paper two weeks prior. He stated that if anyone had any more questions pertaining to Highway, the Board has the privilege of having the Highway Superintendent, Broderick Knoell present this evening.

COUNCILMAN KENNETH NEWBOLD reported the following: He had spoken to Superintendent Knoell who said he was in the process of repairing manholes in Hambletonian Park and Arcadia Hills, and it is an ongoing project. He said Superintendent Knoell also told him they are getting close to awarding the contract for the installation of a new generator for Hambletonian Park. This will be followed with new pumps and generator for Arcadia Hills.

Councilman Newbold reported he attended a Chamber of Commerce breakfast, where Supervisor Bloomfield gave a State of the Town report for Goshen. He stated "the Supervisor gave a fantastic report to the people." He also thanked the Supervisor for putting in a lot of time preparing his presentation, and doing a great job as Supervisor.

COUNCILMAN GEORGE LYONS reported the following for Joint Recreation: Zumba and Volley Ball programs continue at the C.J. Hooker Middle School, on Tuesday and Thursday evenings. Registration is on going and JRC Office can be contacted for information. The JRC annual egg hunt was canceled due to the poor conditions at Craigville Park, as it was still covered with snow. The Recreation staff is preparing for the upcoming camp season, check the JRC web site for updates. The Park Staff is busy preparing equipment and parks for the upcoming season, the drainage work has not been started yet, due to conditions on the fields. The restrooms at Craigville and Salesion Park should be opened within the next two weeks. The Goshen Little League opening day is scheduled for April 20th, and the Goshen Soccer Club, (spring soccer) is scheduled to start on April 13th.

Councilman Lyons, liaison to the Assessor's Office, reported we now have a Part Time Assessor for the Town of Goshen, Arnold Silver. Councilman Lyons stated he felt the Assessor's Office is working well with the County.

Councilman Lyons also complimented the Supervisor on his State of the Town presentation.

COUNCILMAN PHILIP CANTERINO also commended Supervisor Bloomfield on this State of the Town presentation, stating it was very professional and informative.

Councilman Canterino reported the following for the Police Department: That tonight the Board would be discussing and approving the appointment of James McDowell as the Part-time Police Chief for the Town of Goshen. He said he talked with the Officer in Charge this afternoon, and informed him of the decision being made by the Board, and asked him to help make the transition a smooth one. James McDowell has been working for some time with the department as a consultant.

SUPERVISOR DOUGLAS BLOOMFIELD reported the following: The Supervisor and Councilman Lyons attended the Route 17M corridor study upgrade meeting. They have been having several meetings to obtain the public's input on how this corridor will be developed in years to come.

The Supervisor also reported that he and Councilman Canterino have been negotiating with the CSEA, and met again this week. He said negotiations are working along well, and he will be giving a status report to the Board in Executive Session later tonight. The Supervisor said on April 11th, the Board will be holding a Public Hearing with the Water/Sewer Districts to review their activities, and possible rate changes.

The Supervisor was asked to participate in interviewing the new Superintendent of Schools for Orange Ulster BOCES. He said they had the chance to interview two candidates, who were really great candidates. The Supervisor said he does not know who will be chosen, but they were "high quality people involved in this."

E. OLD BUSINESS:

1. Review the Hartley Road Culvert Replacement Project and Authorize the Superintendent of Highways to proceed:

Dennis Lindsay, Engineer, and Broderick Knoell, Highway Superintendent addressed the Board. Supervisor Bloomfield explained that this is a big job, about half a million dollar culvert. He said the culvert was extensively damaged in the 2010 severe storm. In June of 2010 FEMA and SEMO officials inspected the damage and assisted the Town with applications for Federal disaster recovery funds. FEMA will help the Town in replacing it.

Dennis Lindsay addressed the Board stating that the original grant was approved for \$398,322.71. He said some preliminary work was done, and in doing so it was discovered that the hydraulic elements were not correct, and changes had to be made. These changes added another \$78,000. to the project. He said 'we applied to FEMA for that increase.'" Mr. Lindsay said they have received verbal agreement that part will be acceptable, and will raise the total to \$472,947.83. He explained the Board is under a tight time frame at this time, as a time extension has been officially approved.

There was a brief discussion of the financing involved as FEMA reimburses, so much of the monies will have to be paid up front by the Town. FEMA's first payment is usually paid promptly, but the last payment usually takes up to a year to receive. It was decided that the Town would be able to arrange financing.

Councilman Cappella made a Motion to authorize the Superintendent of Highways to proceed with the design and replacement of the Hartley Road culvert. The Motion was seconded by Councilman Canterino.

Upon Roll Call Vote:

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

VOTE: Resolution carried by a vote of 5 to 0.

2. Modify Town Policy to Make it More Consistent Regarding Criteria for Inclusion on the

List: Attorney Caplicki explained that the Board has in their packet a modified Tow Policy based upon feed back, and input that the Board has received since the revisions to the original policy. He reviewed the modifications that were made to the list. He said that at this time there are only five companies that have met the qualifications needed to be on the list. They are:

Adamis Towing, Inc.	Lambros Adamis
Chet's Garage, Inc.	Raymond Korycki
Hambletonian Towing, Inc.	Raymond Simpson Jr.
K-Team Towing & Recovery, Inc.	Michael Korycki
Budget II Towing & Recovery –Chester	Duane Freeman – 469-2852

Attorney Caplicki stated that the Goshen Tow Companies should have priority. Attorney Caplicki will review all new applications, and he will consult with the Police Department. He said that at this time Mr. Adamis also has two other companies, however they do not at this time meet the specification required. When these requirements are met, they will be added to the list. The Police Department will be the one enforcing the use of the list, and making decisions based on safety and fairness. The list will be on a per day schedule.

There was a lengthy discussion as to how the new policy will be implemented. Questions were answered, and explained.

Councilman Lyons made a Motion to adopt the modifications of the Town of Goshen Police Tow Service Policy. The Motion was seconded by Councilman Cappella.

**TOWN OF GOSHEN
RESOLUTION**

Modification and Adoption of Town of Goshen Police Tow Service Policy

Introduced by: Councilman George Lyons

Seconded By: Councilman Louis Cappella

Dated: March 28, 2013

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 28th day of March, 2013

WHEREAS, the Town of Goshen presently has in effect a Town Wide Police Tow Service Policy, and

WHEREAS, the Town Board has reviewed and studied said existing tow service policy, and has determined that certain modifications and additions to said policy are necessary and in the best interest of the Town of Goshen,

NOW, THEREFORE BE IT RESOLVED, the Town Board of Goshen does hereby adopt The Police Town Service Policy annexed hereto as Schedule A.

Upon roll Call Vote:

Supervisor, Douglas Bloomfield AYE
Councilman, Louis Cappella AYE
Councilman, George Lyons AYE

Councilman, Philip Canterino AYE
Councilman, Kenneth Newbold AYE

Vote: Resolution carried by a vote to 5 to 0.

F. NEW BUSINESS:

1. Discuss and Approve Proposed Tax Certiorari Settlement with Barbara Stiskin:

**TOWN OF GOSHEN
Resolution**

Settling of Tax Certiorari Claim; Stiskin, Section 3, Block 1, Lot 3.2

INTRODUCED BY: Councilman Kenneth Newbold

SECONDED BY: Councilman George Lyons

DATED: March 28, 2013

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 28th day of March, 2013,

WHEREAS, Barbara J. Stiskin has commenced tax certiorari proceedings against the Town of

Goshen in the Supreme Court of the State of New York, County of Orange for the 2009-10, 2010-11. and 2011-12 tax assessment years bearing Orange county index #'s 7664-10, 7215-11, and 5993-12 and

WHEREAS, it appears from the recommendation (s) of the Town Assessor, the Town's appraiser, and Dennis P. Caplicki Esq., counsel for the Town of Goshen in the aforesaid proceeding, and upon a thorough investigation of the claims, that any further proceedings and litigation by the Town would involve considerable expense with the attendant uncertainty of the outcome and that the settlement of the above matter (s), as more fully set forth below, is reasonable and in the best interests of the Town: and

WHEREAS, Barbara J. Stiskin is willing to settle these proceedings without interest, costs or disbursements, in the following manner;

- (1) That the proceeding for the 2009-10 tax year be confirmed at an assessment of \$892,500
- (2) That the proceeding for the 2010-11 tax year be confirmed at an assessment of \$933,750
- (3) That the proceeding for the 2011-12 tax year be confirmed at an assessment of \$937,500

That petitioner's real property taxes for the years 2009-10, 2010-11, 2011-12 and be adjusted accordingly and that the petitioner be reimbursed, if paid, for any overpayment, interest, if paid within ninety (90) days of notice of entry, or be credited with the corresponding decrease in taxes, as the case may be: and

NOW, BE IT THEREFORE RESOLVED that the proposed settlement as set forth and described above is hereby accepted pursuant to Section 68 of the Town Law and it is further; RESOLVED that the Assessor of the Town of Goshen, Dennis P. Caplicki Esq. Attorney for the Town of Goshen, and Douglas Bloomfield, Supervisor of the Town of Goshen be and they are hereby authorized to take any and all steps and sign any and all documents necessary to effectuate the terms of this resolution:

Upon Roll Call Vote:

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

Vote: Resolution carried by a vote of 5 to 0.

2. Discuss and Approve Appointment of James McDowell as Part Time Police Chief, effective April 1, 2013 at a Salary of \$30,000 Annually: Councilman Canterino made a Motion to approve the Appointment of James McDowell as Part Time Police Chief, effective April 1, 2013 at a salary of \$30,000. annually. The Motion was seconded by Supervisor Bloomfield. Supervisor Bloomfield called for discussion, and Councilman Lyons said he had a few questions, but thought they should be addressed in Executive Session rather than an open meeting. Councilman Canterino withdrew his Motion, and Supervisor Bloomfield withdrew his second. Supervisor Bloomfield suggested they table the appointment, continue with the meeting, and take in up in Executive, with intent to return.

G. FINANCE: Councilman Newbold made a Motion to Authorize the Supervisor to pay manual A/P runs as of 3/20/13 amounting to \$12,203.38, and Accounts Payable Check run for 3/21/2013 amounting to \$236,728.15. The Motion was seconded by Councilman Cappella. Motion carried unanimously.

H. PRIVILEGE OF THE FLOOR: No response

I. ADJOURNMENT: Councilman Newbold made a Motion to adjourn the meeting, go into Executive Session, with intent to return, to discuss the appointment of James McDowell as part-time Police Chief, effective April 1, 2013, at a salary of \$30,000. and the CSEA Negotiations Status Up-date. The Motion was seconded by Councilman Cappella. Motion carried unanimously.

The Town Board resumed the meeting at 9:20 p.m. Councilman Canterino made a Motion to approve the appointment of James McDowell as part-time Police Chief, Effective April 1, 2013 at a salary of \$30,000 annually. The Motion was seconded by Supervisor Bloomfield. Motion carried 5 to 0.

Councilman Newbold made a Motion to adjourn the meeting, Seconded by Councilman Cappella. Motion carried unanimously.

Time: 9:30 p.m.

Valma Eisma, Town Clerk