

TOWN OF GOSHEN
TOWN BOARD WORK SESSION

June 10, 2013

MINUTES

A work session of the Town Board of the Town of Goshen was held on the 10th day of June, 2013 at Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

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

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| Absent | Louis Cappella | Councilman |
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| Also Present: | Dennis Caplicki | Attorney for the Town |
| | Priscilla Gersbeck | Deputy Town Clerk |

The meeting was called to order by Supervisor Bloomfield at 7:30pm, followed by the Pledge of Allegiance.

1. APPOINT JOHN SWIFT, ESQ, CHAIRMAN OF THE TOWN OF GOSHEN ZONING BOARD OF APPEALS

Councilman Canterino made the motion to appoint John Swift Esq. Chairman of the Town of Goshen Zoning Board Of Appeals effective June 1, 2013. Councilman Lyons seconded the motion.

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

2. DISCUSS AND PASS RESOLUTION TO AUTHORIZE THE TOWN OF GOSHEN CODE ENFORCEMENT OFFICER TO TAKE STEPS NECESSARY TO PROVIDE PROPERTY MAINTENANCE

This is a recurring violation. Two sets of notices will go out to the property owner. If no action is taken, the Code Enforcement Officer will intervene and the cost of the cleanup will be added on the tax roll.

Councilman Newbold made the motion to authorize the Town of Goshen Code Enforcement Officer to take steps necessary to provide property maintenance at 6 Larchwood Drive to conform to requirements set forth in Chapter 75 of the Town Code. Councilman Lyons seconded the motion.

Upon Roll Call Vote:

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

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

3. REVIEW AND APPROVE SUPERINTENDENT OF HIGHWAYS PROPOSAL FOR ROAD OPENING PERMIT FEE AND BOND FOR WORK TO BE DONE ON CHEECHUNK, HARTLEY AND OWENS ROADS

Highway Superintendent, Broderick Knoell, addressed the Board. He distributed a letter outlining his proposal to determine what changes can be made to allow for a fee structure that can be flexible to account for large road opening projects. At present, our Town Code has listed set fees for a road opening permit and bond, which is fine for most sewer or water line replacements/repairs. However, it is not suitable for large projects such as the utility work proposed by Orange & Rockland on Cheechunk Road. Broderick Knoell is proposing [“that the Superintendent of highways calculates both the bond and the permit fee based on the size of the jobShould we deem a multiplier prudent, I would like to propose a 1.5X multiplier. I feel the 2.5X multiplier is somewhat on the high side, especially for large projects.”]

Attorney Caplicki and Broderick Knoell will put together a resolution for the Thursday meeting.

4. DISCUSS POTENTIAL SCHEDULING CONCERNS REGARDING OLD CHESTER ROAD PAVING WORK

Previously, Old Chester Road was planned to be the largest road improvement for 2013. It was brought to the attention of the Highway Superintendent that work will begin on a major subdivision (Heritage Estates). Part of the subdivision work will include a new force main and a new water line that will encroach onto this roadway. As a result, the major improvements that were planned for Old Chester Road are on hold. However, the replacement of the 6' culvert near the intersection of Duck Farm Road along with other culvert work to allow for additional shoulder areas will be done. The redirected monies will be added to improvements on Phillipsburg Road and improve other roads to be ready for T & L (True & Level).

5. INFORMATION: THE “BACK UP” POWER GENERATOR FOR HAMBLETONIAN PARK SEWER DISTRICT WAS DELIVERED TODAY

As scheduled, this generator should be connected by the end of June.

6. REVIEW AND PASS RESOLUTION TO FORMALLY REJECT NOTICE OF CLAIM REGARDING MARSH v. TOWN OF GOSHEN

Attorney Caplicki referenced a letter written by Attorney Laura Wong-Pan, who is representing the Town of Goshen, in the case of Marsh v. Town of Goshen. Former Chief of Police, Dennis Marsh, is seeking payment of monies that he contends are owed to him based on accruals. The Town of Goshen contends that he is not entitled to the accrued monies.

Councilman Lyons made the motion that the claim filed by Dennis Marsh against the Town of Goshen for compensation for certain accrued benefits be rejected in its entirety as being untimely and without merit. Councilman Canterino seconded the motion.

Discussion: The letter dated May 31, 2013 sets forth the chronology supporting the dismissal of aforementioned claim.

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

7. INFORMATION: NYS PUBLIC SERVICE COMMISSION WANTS TO FURTHER REVIEW O & R UTILITIES, INC. PROPOSAL TO TRANSFER TO THE TOWN OF GOSHEN 28.7 ACRES AS A CONSERVATION EASEMENT AND .887 ACRES IN FEE TITLE. SAID PROPERTY IS ASSOCIATED WITH BUILDING THE NEW SUBSTATION

The Public Service Commission has ordered, that in the interest of the public, a review and written consent is to be completed *before* Orange and Rockland Utilities, Inc. can proceed with its proposed transfer of certain property interests to the Town. [“A number of issues related to the proposed transaction require further review before this transaction can be completed. Among these issues are determining the original cost of the property interests the Company proposes to transfer to the Town, and the accounting and ratemaking consequences of the transfer. Therefore, O & R shall not complete the proposed transfer unless and until it receives our written consent.”] As stated, for information.

8. APPROVAL OF MINUTES

Councilman Lyons made the motion to approve the work session minutes of May 6th and May 20th and the regular meeting of May 23rd, 2013. Councilman Canterino seconded the motion.

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

Councilman Lyons made the motion to approve the regular meeting minutes of May 9th 2013. Councilman Canterino seconded the motion.

On a Voice Vote, the motion passed: 3 AYES Bloomfield, Canterino, Lyons,
1 ABSTAIN Newbold
1 ABSENT Cappella
0 NAYS

EXECUTIVE SESSION

Councilman Lyons made the motion to enter into Executive Session to discuss the following:

1. P.D. PERSONNEL CASE UPDATE
2. ELKARPO LTD. UPDATE
3. CSEA NEGOTIATIONS UPDATE
4. MTBE LITIGATION UPDATE
5. HAMPTON ROAD PROBLEM PROPERTY UPDATE

with the intent to return. The motion was seconded by Councilman Canterino. Motion Carried
Time 8:05PM

Supervisor Bloomfield reopened the meeting. No actions were taken.

Priscilla Gersbeck, Deputy Town Clerk