

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

JULY 25, 2013

MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 25th day of July, 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
	Louis Cappella	Councilman
	Kenneth Newbold	Councilman

Absent:	George Lyons	Councilman
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Also Present:	Dennis Caplicki	Attorney for the Town
	Priscilla Gersbeck	Deputy Town Clerk

**A. CALL TO ORDER**

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

**B. AMENDMENT TO THE AGENDA**

Two additions to the Executive Session: PD Personnel Update & Cemetery Status Update

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

None at this time.

**D. REPORTS**

**Councilman Canterino:** The new Police Chief is doing well. The improvements he made have been noted by the Town.

**Councilman Newbold:** Bidding for the stormwater catch basins reconstruction and replacement contract has begun. The bid due date is August 12, 2013.

**Councilman Cappella:** The Highway Dept. has completed work on five culverts along Old Chester Road. There is one more left to do. The paving and road program starts in August. The culvert replacement project (FEMA 1899 DR NY PA #071-29553-00) on Hartley Road has begun. That road is closed to the public until further notice. The large dirt hauling trucks that have been traveling along Conklingtown Road onto Arcadia up to a housing development (Hills of Goshen) have been redirected to use Route 17M.

**Supervisor Bloomfield:** Reported that meetings with the CSEA Union are progressing. The Town has submitted a final offer and is waiting for the CSEA to respond.

**E. OLD BUSINESS:**

**1. DISCUSS AND APPROVE REQUEST TO REZONE TAX MAP SECTION 12, BLOCK 1, LOT 2.3 FROM RU/CO TO CO**

The public hearing was held on Monday, July 22, 2013.

Attorney Caplicki noted that the #239 -1, m, &n response was received from the County Planning Dept. today.

The County listed several concerns that will be addressed by the applicant before the Planning Board.

Attorney Caplicki reviewed the comments and summarized the following resolution.

**TOWN OF GOSHEN  
RESOLUTION**

**ADOPTION OF ZONING CHANGE FOR PREMISES KNOWN ON THE TAX  
MAPS OF THE TOWN OF GOSHEN AS SECTION 12 BLOCK 1 LOT 2.3**

**INTRODUCED BY: Councilman Kenneth Newbold**

**SECONDED BY: Councilman Louis Cappella**

**DATED: July 25, 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 25<sup>th</sup> day of July, 2013

WHEREAS, the Town of Goshen has previously received from TAM Enterprises Inc. and Darlene Kerr an application for a zoning change; to wit, requesting that real property located in the Town of Goshen and known on the tax maps thereof as Section 12 Block 1 Lot 2.3 be re-zoned from RU (Rural District) CO (Commercial/Office Mixed Use District) to solely CO (Commercial/Office Mixed Use District), and

WHEREAS, the Town of Goshen has reviewed, studied and analyzed said request and published and publicized notice thereof and conducted a public hearing with respect to said request on July 22, 2013, and

WHEREAS, the Town of Goshen has previously referred said re-zoning request for comment to the Orange County Department of Planning pursuant to New York State General Municipal Law Section 239-1, m, &n and the Orange County Department of Planning having commented by correspondence dated July 23, 20123 and,

WHEREAS, the Town of Goshen has received no comments and/or written submissions in opposition to the requested re-zoning,

NOW, BE IT THEREFORE RESOLVED that the Town of Goshen does hereby find that it is in the best interests of the Town of Goshen to affirmatively approve the aforementioned re- zoning application and does hereby change the zoning of property located in the Town of Goshen and known on the tax maps thereof as Section 12 Block 1 Lot 2.3 from RU (Rural District) CO (Commercial/Office Mixed Use District) to solely CO (Commercial/Office Mixed Use District).

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield

AYE

Councilperson, Philip Canterino

AYE

Councilperson, Louis Cappella

AYE

Councilperson, Kenneth Newbold

AYE

Councilperson, George Lyons

ABSENT

Vote: Resolution carried by a vote of 4 to 0

2. **DISCUSS AND APPROVE REQUEST BY CATHOLIC CHARITIES COMMUNITY SERVICES OF ORANGE COUNTY FOR THE ORANGE COUNTY ROADS FALL FOLIAGE 2013 BIKE TOUR, SUNDAY, SEPTEMBER 22, 2013**

The Orange County Bicycle Club will have over 120 volunteers at the site and out on the roads providing support services. A copy of the Insurance coverage in the amount of \$1,000,000 was submitted with the request.

Councilman Newbold made the motion to accept the request by the Catholic Charities Community Services of Orange County sponsored by the Orange County Bicycle Club to traverse designated routes through the Town of Goshen. Councilman Cappella seconded the motion for discussion.

Discussion: There was a lengthy discussion about the certificate of insurance coverage offered. Attorney Caplicki noted that any time the Town gives permission for an entity to do something on Town property, there is a liability. People assume that if we have insurance we are covered. *That may not be so; it depends on the type of coverage.* It was decided, going forward, to only accept *no exculpatory clause* in the "description of operations/locations/vehicles/special items" section of the certificate. It was suggested, going forward, to request that the coverage be increased to \$2,000,000.

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>ABSENT</u>		

Vote: Resolution carried by a vote of 4 to 0

F. **NEW BUSINESS**

1. **REVIEW AND APPROVE PROPOSAL TO CHANGE HEALTH INSURANCE PROVIDER FROM NYSHIP TO MVP (EPO PLAN) EFFECTIVE 09/01/2013 FOR ALL NON-UNION EMPLOYEES AND PRE-MEDICARE RETIREES (2)**

With the escalating cost of NYSHIP health insurance, the Town has been looking to save money providing benefits to non-union employees. In 2006, for every dollar an employee was paid, \$.47 of that went into benefits. In 2013 that amount is \$.73. Benefits have gone up 7% a year since 2006. Changing the health insurance will provide significant savings in controlling benefit costs.

Councilman Newbold made the motion to change the health insurance provider from NYSHIP to MVP (EPO Plan) effective September 1, 2013 for all *non-union employees* and two pre-Medicare retirees. Councilman Cappella 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>ABSENT</u>		

Vote: Resolution carried by a vote of 4 to 0

**2. REVIEW AND APPROVE PROPOSAL TO GRANT A PAY INCREASE OF 2% TO ALL NON-UNION EMPLOYEES RETROACTIVE TO 01/01/2013. SAID MONIES ARE IN THE 2013 BUDGET**

Along with the non-union employees, the CSEA union employees have been offered the 2% increase. However the union employees are still in negotiations. Meanwhile, non-union employees are in anticipation of receiving the budgeted pay increase.

Councilman Canterino made the motion to grant a pay increase of 2% to all non-union employees retroactive to January 01, 2013. Councilman Cappella seconded the motion.

Discussion: In the past, pay increases were given to everyone at the same time. The union employees were offered the same package, as the non-union, which they turned down.

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

**3. INFORMATION: HARTLEY ROAD IS CLOSED TO THRU TRAFFIC WHILE A MAJOR CULVERT IS BEING REPLACED**

As stated, for information only.

**4. DISCUSS AND APPROVE \$3,052.00 EXPENDITURE TO REPLACE SMOKE SENSORS IN TOWN HALL. WORK WILL BE DONE USING PREVAILING WAGE RATES.**

A couple of weeks ago, the fire alarm in the Town Hall went off. This was caused by a bad sensor. The fire alarms are as old as the building and obsolete according to today's technology. P.N. Fire & Burglar Alarm Co., Inc. submitted a protection system proposal. The proposal is to replace twenty-nine smoke sensors and one in-duct smoke sensor. The materials charge is \$1,372.00 and the prevailing wage rate for one technician is \$105.00 per hour. Estimated labor time is approximately sixteen hours amounting to \$1,680.00.

There was discussion over the rate of \$105.00 per hour being too much and do we have to go by the prevailing wage rate? Secondly, could some of this labor time be done in-house? Answer: there are specific union/licensing regulations covering this type of work.

Supervisor Bloomfield made the motion to approve and not to exceed \$3,052.00 expenditure to replace smoke sensors in the Town Hall. Councilman Newbold seconded the motion.

Discussion: The Board members were hesitant to pay \$105.00 per hour. Perhaps someone should check with the Dept. of Labor to see if this rate is set by the State. If the actual labor time is less, then the total time fee will be calculated less.

On A Voice Vote, the motion passed: 3 AYES Bloomfield, Cappella, Newbold  
1 NAY Canterino  
1 ABSENT Lyons

**G. FINANCE**

Councilman Canterino made the motion to authorize the Supervisor to pay Manual A/P runs as of 07/23/2013 amounting to \$126,759.73, and Accounts Payable check run of 08/01/2013 amounting to \$99,367.33. Councilman Cappella seconded the motion.

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

**H. PRIVILEGE OF THE FLOOR**

**Attorney Caplicki** received correspondence from the Goshen Fire Police requesting the Town Board to require the Planning Board to enforce the distance requirement of decorative wing walls (driveway entrances). Apparently there are new homes with driveway entrance pillars too close together so that a fire truck is unable to make the turn onto the driveway. It was suggested for the Fire Police to list the property entrances with narrow wing walls for the Building Inspector to check.

**Joel Markowitz** voiced his agreement to increase the insurance coverage of entities using Town property to two million dollars.

**I. ADJOURNMENT: 8:35PM**

**EXECUTIVE SESSION:**

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

1. CSEA Negotiations Status Update
2. PBA Negotiations Status Update
3. Tax Certiorari Status Update
4. P.D. Personnel Case Update
5. Cemetery Status Update

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

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Priscilla Gersbeck, Deputy Town Clerk