

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

September 27, 2012

M I N U T E S

A regular meeting of the Town Board of the Town of Goshen was held on the 27th day of September, 2012 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

Absent:	Louis Cappella	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**

Under Old Business: Item #3, Discuss a letter from Nugent & Haeussler, P. C. to audit the Justice Court Dept.

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

None at this time.

**D. REPORTS:**

**Councilman Canterino:** Reporting on two items (1) Negotiations have begun with the PBA for a new contract to begin on January 1, 2013. A work sheet for the tentative budget has been handed over to the Police Dept. for their comments and input. (2) The Town Board is waiting for the report of an arrest felony incident over a bad check resulting in injuries which occurred in a car chase. A thorough investigation is near completion with the details of how this happened.

**Councilman Lyons:** Reporting for the JRC; the ZUMBA classes are back in session at the CJ Hooker Middle School, Tuesdays from 6:30pm to 7:30pm. Also at the CJ Hooker School gym is adult open volleyball on Thursday nights from 7:30pm to 10:00pm. October 9<sup>th</sup> begins the Drama Kids program at the Senior Center. The annual Halloween party will be held on October 27<sup>th</sup> (1-4pm) at Salesian Park. Other events in progress are: the annual Turkey Trot and the trip to Radio City Music Hall. Details can be found on the JRC web site ([www.goshenrecreation.org](http://www.goshenrecreation.org)). Reporting on the parks; the parks staff has been busy mowing and maintaining the parks. The foot bridges at Craigville Park and Ganley Park are being renovated. Also the

drainage ditches are being cleared. To conclude, the entrance to Lyons Park has been graded for better access.

**Councilman Newbold:** Reported on a follow-up letter from the Town Engineer, Dennis Lindsay. This letter referenced the rehabilitation of the man hole and the catch basin reconstruction projects in Arcadia Hills and Hambletonian Park. He will try to get the projects moving and report back to the Board.

**Supervisor Bloomfield:** Congratulated the Board Members for their time and effort “behind the scenes” in working towards a quality budget for 2013. As a member of the JEDI (Joint Economic Development Initiative) along with Neal Halloran, attended a meeting to discuss different ways to bring businesses into Goshen. The attendees discussed a variety of suggestions for future planning.

**E. OLD BUSINESS:**

**1. REVIEW AND APPROVE A RESOLUTION TO REDUCE THE PERFORMANCE BOND FOR THE MEADOWS OF GOSHEN SUBDIVISION**

Attorney Dennis Caplicki reviewed the Resolution to reduce a Performance Bond for the Meadows of Goshen subdivision. This is the third requested reduction by developer David Makan. The original amount was for \$961,200.00 reduced to \$448,200.00. This request is to reduce the Performance Bond to \$273,146.10 retaining \$393,400.00 to ensure completion of the remaining work.

**TOWN OF GOSHEN  
RESOLUTION**

**Reduction of Performance Bond; Meadows of Goshen**

INTRODUCED BY: Councilman Kenneth Newbold

SECONDED BY: Councilman Philip Canterino

DATED: September 27, 2012

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 27th day of September, 2012

WHEREAS, David Makan, the developer of a project within the Town of Goshen known as “Meadows of Goshen Subdivision” has previously deposited in escrow with the Town of Goshen a Performance Bond in the amount of \$961,200.00 and

WHEREAS, the said David Makan has requested that the subject Performance Bond be reduced in amount based upon the construction work already completed in the Meadows of Goshen Subdivision project, and

WHEREAS, the Building Inspector of the Town of Goshen and the municipal engineer for the Town of Goshen have inspected and verified the completed construction and the same is satisfactory, and

WHEREAS, the engineers for the Town of Goshen have analyzed and reviewed the project so as to estimate the balance amount of the Performance Bond which necessarily needs to be maintained by the Town of Goshen in connection with the subject project,

NOW, THEREFORE, BE IT RESOLVED, that the Performance Bond as previously deposited with the Town of Goshen by David Makan in connection with the Meadows of Goshen subdivision project, as set forth and described above, is hereby reduced to the amount of \$393,400 as per the recommendation of Riddick Associates, P. C. engineers for the Town of Goshen, as per annexed correspondence dated September 19, 2012 and it is further;

RESOLVED that the Town Clerk of the Town of Goshen, be and is 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>	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.*

## **2. APPROVAL OF MINUTES:**

Councilman Newbold made the motion to approve the work session minutes of August 20<sup>th</sup> and September 10, 2012 and the minutes of the regular meeting of August 23, 2012. Councilman Lyons seconded the motion.

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

## **3. NUGENT & HAEUSSLER, P.C. TO AUDIT THE JUSTICE COURT DEPARTMENT**

The Town received communications from Nugent & Haeussler, P. C. certified public accountants, requesting permission to audit books and records of the Town Justice Dept. This is solely to assist the Town in its reporting requirements to the New York State Comptroller's Office for Justice Courts and to comply with the audit requirements of Section 2019-a of the Uniform Justice Court Act. The sampling/testing of the various records will be done for the periods ending December 2009, December 2010 and December 2011.

Councilman Canterino made the motion to authorize the Supervisor to sign the contract with Nugent & Haeussler, P. C. to perform the aforementioned audit for \$3,000 per year not to exceed \$9,000. Councilman Lyons seconded the motion.

Discussion:

Councilman Canterino noted that Nugent & Haeussler audits all departments for the Town of Goshen. They are familiar with the policies and procedures of the Town and do an outstanding job.

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

**F. NEW BUSINESS: NONE**

**G. FINANCE:**

Councilman Canterino made the motion to authorize the Supervisor to pay Manual A/P Runs of 09/19/12 amounting to \$8,670.55 and Accounts Payable check run for 09/20/12 amounting to \$145,051.26 Councilman Lyons seconded the motion.

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

**H. PRIVILEGE OF THE FLOOR**

**Jerry Boss:** Inquired about the status of the Carter/Hauler Licenses. Response: Deputy Town Clerk, Priscilla Gersbeck, stated that as of 08/20/12 the Town has received \$15,491.59 in license fees. The Town has collected \$674.95 more than last year and \$358.00 less than 2010. We recently added two more carter/haulers to the list totaling 28 such businesses.

**Joel Markowitz:** Mentioned, FYI, that Nugent & Haeussler has recently been retained by the Village of Goshen. Secondly, he referenced an article in the Sept. 26, 2012 - Times Herald Record, "Chester again talking of cop consolidation". The Police Depts. in our Town and Village are one of the largest line items in the budget. *Not to be confused with consolidation*, but "to take the initiative and reach out to the Village to pro-actively start looking at ways in which services can be *shared* between the two constabularies." Response: Supervisor Bloomfield stated that the Town has met with various governmental entities as to the possibilities of sharing services. Consequently, there are reasons why this can not be suggested from the Town. It has to come from the Village. However, the Town and the Village are currently sharing the following services: JRC, Senior Center, Assessor, sewer services and occasionally dump trucks with the Village DPW. Also our DPW shares garbage trucks with the Village of Florida during spring clean up week. The Town even shares Dial-A-Bus with Chester. The Town will continue to look at ways to share services.

**Jerry Boss:** Asked what Towns have consolidated the Assessors Dept. with the County. Response: Chester, Monroe and Deer Park. He suggested that it might be a good idea to speak with the three municipalities to see if they are satisfied with the consolidation.

**I. EXECUTIVE SESSION:**

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

1. DISCUSS POTENTIAL CONSOLIDATION OF ASSESSOR SERVICE
2. DISCUSS HEALTH INSURANCE CONTRACT PROPOSALS
3. DISCUSS P. D. CHIEF STATUS
4. DISCUSS TELEPHONE CALL WITH NEW YORK STATE, ORANGE COUNTY AND TOWN OF GOSHEN REGARDING MTBE LITIGATION
5. DISCUSS LEAD AGENCY FOR A PROPOSED COMPOSTING/MULCHING FACILITY TO BE BUILT ON HARTLEY ROAD

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

**ADJOURNMENT:** 8:05 PM

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Priscilla Gersbeck, Deputy Town Clerk