

**TOWN OF GOSHEN**  
**TOWN BOARD COMBINED WORK SESSION AND REGULAR MEETING**  
**November 24, 2014**

**MINUTES**

A Combined Work Session and Regular meeting of the Town Board was held on the 24<sup>th</sup> day of November, 2014 at the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

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

Also Present:	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) No response

**D. REPORTS:**

**COUNCILMAN LOUIS CAPPELLA** reported he would pass the Highway Report on to the Highway Superintendent, since he is present. He did report that most of the leaf pickup has been taken care of, and they are preparing for the snow that is coming.

Councilman Cappella reported that last week was the last Chamber sponsored Dial a Bus trip for the seniors. The Dial a Bus picked up the seniors and took them to various places, which included lunch in most cases. He said this week they went to the Red Door and Steve's Deli, all had a good time. He said it will be resumed in the Spring.

He reported that on Tuesday, December ninth from 11:30 to 3:00 p.m. the Goshen and Chester Seniors have been invited to a complimentary Christmas Luncheon at the Valeria.

**COUNCILMAN KENNETH NEWBOLD** reported that he met with the Supervisor and the Highway Superintendent to discuss what has been, and has not been accomplished this year, and what can be done in the future.

**COUNCILMAN GEORGE LYONS** reported the following for Joint Recreation: Zumba Classes continue on Tuesday and Thursday nights from 6:30 to 7:30 at the CJ Hooker Middle School. Drama Kids continues to December 16<sup>th</sup> at the Senior Center on Tuesday evenings. The seventh annual 5 K Turkey Trot was held Saturday, November 22<sup>nd</sup>. He said the race is for a good cause as the proceeds go to the food pantry. He said in the past they have raised approximately seven hundred dollars for the pantry.

Councilman Lyons said the park staff is busy closing down the parks for winter, shutting down the water, etc.

He also reported he will be meeting with the insurance representative on December 10<sup>th</sup> to discuss Workers Comp Claims and Liability.

**Councilman Philip Canterino** just returning from a trip to New Zealand waived his report.

**Supervisor Douglas Bloomfield** reported the following: Councilman Newbold and he met with the Highway Superintendent to discuss the capital projects for the Water and Sewer Districts. Bids will go out for the standby generator needed for Arcadia Hills Water District.

He attended a ribbon cutting at the BOCES Arden Hill campus to open a program, a partnership between Orange County and BOCES to prepare meals for MEALS ON WHEELS. He said it will work well for all involved, and will be able to service more seniors.

He reported that Councilman George Lyons was awarded a Goshen Chamber of Commerce Lifetime Achievement Award for his 39-year membership in the Goshen Ambulance Corps (GOVAC).

## **E. OLD BUSINESS:**

**1. Hire Christine Cavaliere Town of Goshen Budget Officer and vice Bill Standish:** Councilman Newbold made a Motion to Hire Christine Cavaliere as Town of Goshen Budget Officer, effective December 1, 2014, vice Bill Standish, at the current salary of \$71,012.07 specified in the 2014 budget. The Motion was seconded by Councilman Lyons. Motion carried 5 to 0. Supervisor Bloomfield stated this is a "supervisory" appointed position.

**2. Hire Bill Standish as Internal Auditor Consultant :** Councilman Canterino made a Motion to hire Bill Standish as Internal Auditor Consultant, effective January 1, 2015 at \$27.00 per hour. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

**3. Discuss Request to Return Lifestyles Concepts Performance Bond For Access Road to Elant:** No action.

**4. Discuss Request to Return Beazer Homes Performance Bond in Connection With the Glenview House Project:** No action.

**5. Discuss and Pass Resolution to Settle The Timber Trail, LLC Tax Certiorari:** Attorney Caplicki reviewed the following Resolution with the Board, and the Board acted upon it.

**TOWN OF GOSHEN  
RESOLUTION**

**Settling of Tax Certiorari Litigation; Timber Trail LLC  
Section 2, Block 1, Lots 20.4 & 22**

**INTRODUCED BY:** Councilman Philip Canterino  
**SECONDED BY:** Councilman Louis Cappella  
**DATED:** November 24, 2014

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 24<sup>th</sup> day of November, 2014.

**WHEREAS**, Timber Trail LLC. 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 2012-2013, 2013-2014, and 2014-2015 tax assessment years bearing Orange County index numbers, and

**WHEREAS**, it appears from the recommendation(s) of the Town Assessor, and Dennis P. Caplicki Esq., counsel for the Town of Goshen in the aforesaid proceedings, 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 interest of the Town; and

**WHEREAS**, Timber Trail LLC, is willing to settle these proceedings without interest, costs or disbursements, in the following manner;

As set forth in annexed Stipulation of Settlement and Discontinuance

**NOW, BE IT THEREFORE RESOLVED** that the proposed settlement as set forth and described above and as set forth in the annexed Consent Judgment 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, Phillip 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.

## F. NEW BUSINESS:

**1. Discuss Purchase of a Salt Spreader for Truck No. 8 at a Cost of \$6,000, and Authorize the Superintendent of Highways to purchase the same:** Highway Superintendent Broderick Knoell joined the Board to present his request to the Board. He stated he was requesting to purchase a 2 Cubic Yard Sander for use at the Highway Department. He explained it would be installed on the newest Mason dump Truck #8.

Superintendent Knoell said the purchase would be accomplished as part of the NYS OGS state bid process, and the cost of the sander installed is \$5,795.00. The purchase would come out of the Highway Equipment Fund that has a balance of \$82,811.00. He said he was also requesting that the \$77,016.00 balance in the fund, be kept in the 2015 Equipment Fund to go towards the purchase of a new dump truck in the future.

After a brief discussion Councilman Cappella made the Motion to authorize the Highway Superintendent to purchase a 2 Cubic Yard Sander for truck #8 at a cost of \$5,795.00. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

Supervisor Bloomfield stated that the balance of funds will remain in the 2015 Equipment Fund.

**2. Discuss Proposed Local Law #2 of 2014 to Eliminate Peddlers in the Town of Goshen Due to Public Safety Concerns Such as People Parking on The Opposite Side of a Busy Highway, and Crossing Traffic to Reach the Vender:** The Board discussed their concern for the liability involved with issuing these permits if someone should be struck by a car, and all agreed this is a dangerous situation. Attorney Caplicki said he researched the current Peddlers license that is now being used, and contacted other municipalities to inquire how they handle it. No other municipality in the State of New York has abolished the issuance of the permits. There were suggestions of perhaps prohibiting permits on certain highways. It was decided to address it again at the next work session.

**3. Information: Review Supervisor's Letter to Ms. Ann Val Responding to a Request for Speed Limit Change on County Route 6 / Pulaski Highway:** Supervisor Bloomfield explained that there was an accident in front of Ms. Val's home, and she felt it was speed related. She asked that the speed limit be reduced.

Supervisor Bloomfield presented the letter he wrote in response to her request, explaining that he had Goshen Police Chief, James McDowell, investigate the accident, but he concluded the accident was caused by driver error, not speed. Therefore, the Board decided not to lower the speed limit.

**4. Information: The NYS Association of Towns Will Be Conducting the 2015 Training School and Annual Meeting February 15-18, 2015 at the NYC Hilton and Sheraton:** The Board decided, as they have done in the past, they would not attend, however if someone wanted to attend they could travel each day, rather than staying over. The Board agreed that they could take many courses closer that were less expensive than traveling to the city.

**5. Information: NYS Law Now Allows Municipalities to Regulate Puppy Retail Source Breeders, and Retailers. If Interested, Municipalities Will Have to Enact a Local Law and will be Responsible for Enforcement of Provisions Exceeding NYS Law:** The Board discussed the proposed Local Law, but concluded there does not seem to be a need for it in our area.

**G. PRIVILEGE OF THE FLOOR:** No public response. Councilman Newbold said he would like to thank Councilman Canterino for the work he did on the budget, as Councilman Canterino was traveling when the budget was adopted.

Councilman Lyons wished everyone a Happy Thanksgiving.

Councilman Cappella informed the Board that there was a scheduled meeting with the Town of Chester Dial a Bus that was scheduled for 1:30 p.m., and no one from Chester kept the appointment.

**H. ADJOURNMENT:** Councilman Cappella made a Motion to go into Executive Session, with intent not to return, to discuss:

1. Al Turi Tax Certiorari Litigation – Status Update
2. Bartley, et al V. County of Orange and Town of Goshen Status Update.

The Motion was seconded by Councilman Lyons. Motion carried unanimously.

Time: 8:20 p.m.

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Valma Eisma, Town Clerk