

TOWN OF GOSHEN
TOWN BOARD MEETING

July 9 2009
MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 9th day of July, 2009 at 7:30pm at 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
	George Lyons	Councilman
	Kenneth Newbold	Councilman

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 7:33pm, followed by the Pledge of Allegiance

B. AMENDMENT TO THE AGENDA

The Resolution under consideration for settlement of the tax certiorari filed on behalf of Harness Estates is moved to the next meeting. The Attorney for Harness Estates is preparing paperwork for final review.

C. PRIVILEGE OF THE FLOOR

None at this time

D. OLD BUSINESS:

1. UPDATE SEWER AUDIT

Attorney Caplicki stated that Dennis Lindsay is following up with a FOIL request presented to the Village. A report will be available shortly.

Supervisor Bloomfield stated that he heard from the NYS Comptroller's Office. They are putting a team together to do a risk assessment on both the Village and Town sewer and financial operations.

E. NEW BUSINESS:

1. HUMANE SOCIETY REQUEST TO CONSTRUCT 10X18 BUILDING

Supervisor Bloomfield stated that the Humane Society is requesting permission to construct a 10X18 ft. building. They are asking for the Town to forego the building permit fee of \$204.00. They also want to construct this building behind the existing building located about 200ft from the edge of the wetlands. This building will be used for items such as cat litter, food for the animals etc. Councilman Lyons would like comments from Neal Halloran as to the details of the location and structure. Likewise, all the rules and regulations will be handled through the Building and Zoning Department. Mr. Halloran will gather the requested information for the next Board meeting.

2. GARY RANDALL – DE-ANNEXATION REQUEST

Apparently the property involved was annexed into the Village of Florida in 2006 with other properties. Mr. Randall is requesting that his parcel be de-annexed back to Goshen. Attorney Caplicki commented that this comes under Article 17 of the General Municipal Law. It requires that a petition be filed by the land owner with the Town of Goshen, Village of Florida and the Town of Warwick, followed by multiple legal steps concluding with a joint decision. In brief, it was suggested to Mr. Randall that he contact an attorney experienced with annexation proceedings.

F. FINANCE:

Councilman Canterino made the motion to authorize the Supervisor to pay manual A/P check runs for 7/9/2009 amounting to \$3,355.96 and accounts payable check run for 7/9/2009 amounting to \$66,636.81. Councilman Lyons seconded the motion.

On a Voice Vote, the motion passed: 5 AYES Bloomfield, Canterino, Cappella, Lyons, Newbold
0 NAYS

G. PRIVILEGE OF THE FLOOR

Alan Jorgensen, Old Chester Rd. had more comments pertaining to the Public Hearing on Heritage Estates. He had a 22 ft. draw down when well #8 was pumped and a 10 ft. draw down when wells #5 & #6 were pumped. He isn't comfortable that this wasn't done during the drought season (August). Since 1993, he has replaced 4 brand new well pumps. This is all due to the recovery rate of his well. When the water fills back in, it is much too slow for the pump. Therefore, the pump is pumping 5 - 7 gallons per minute and the recovery is 1 – 3 gallons per minute. The well is 750 ft. deep and the pump is down 500 ft. as a result – the pump will run dry if the water doesn't replenish itself fast enough. Since the testing was done, there is a *terrible* sulfur odor in the water and the tank interior fixtures are rusting. With 77 families projected for Heritage Estates, he wants the Town to take a closer look at the water testing.

Geri Corey, Old Chester Rd. showed the Board members a map of all of the wells that have been tested around her home. She detailed the wells (colored red) that were impacted by well #8 and the wells (colored blue) that were impacted by wells #5 & #6. She believes that 90% of the wells

tested were impacted. She read the wells from a chart subtitled: "Summary of Offsite Residential/Community Water Wells Distance to Nearest Pumping Well and Drawdown". Those impacted the most by the testing of well #8 are: Cimino 38 ft. / Corey (Field Well) 20 ft. / Corey (House Well) 39 ft. / Jorgensen 22 ft. / Fasa MW-2 20.5 ft. / Maturana 8 ft. / Pellegrino 10 ft. / Pena 10 ft. and Rivera 5ft. Wells #5 & #6 are similar. Every time a drawdown test is taken, her well level drops and it never comes back up to the original level. Mrs. Corey will submit a letter/report for the file documenting her findings.

Cheryl Maturana, Old Chester Rd. She feels that the people who are favorable to "cluster-type" style homes (77 are proposed) will be from the city. They may not appreciate how precious water is to the people of Goshen. People of Goshen enjoy living in the country and are very conscious of water consumption on a daily basis. She feels that the people moving into these cluster-type homes don't know any better and wouldn't be responsible enough to conserve water.

Supervisor Bloomfield is concerned with the volume of questions pertaining to water. He would like to refer the comments to the Planning Board for review. He would like a review of the water protocols analysis, professional opinions along with a careful examination of the comments presented. This will be resolved if a procedure/test was eliminated or improperly interpreted as to the accuracy of available water.

Councilman Canterino made the motion to send the comments, received as of this date, to the Planning Board and to engage our hydrologist and engineer to clarify to the Town Board the adequacy of the testing based on the issues presented. Supervisor Bloomfield seconded the motion.

Discussion: The Town Board members unanimously agreed that this would be in the best interest for the residents who live near the subdivision and to the Town.

On a voice vote, the motion passed: 5 AYES Bloomfield, Canterino, Cappella, Lyons, Newbold
0 NAYS

Jerry Boss wanted to know the type of building that the Humane Society is planning to build and who is paying for it. Response: We don't have any specific information on the building. The Humane Society will pay for the building. He also asked to be updated on the following issues: details of the resignations and returns in the *Park & Recreation Commission*; the progress on repairing the fennels surrounding the *Salesian property* also who is accountable for spending taxpayers money; new developments with licensing *carters/haulers* per truck and he questioned the thoroughness of the *environmental data* collected for Heritage Estates.

Councilman Canterino clarified for the record that he has been approached by many residents who believe that the sewer issue between the Town and the Village is political. He wants the public to know that the sewer issue is “strictly economical” with *no political* overtones. “It is a separate issue”. In addition to the sewer service, there are other responsibilities shared between the Town and the Village like the Salesian property, the Intermunicipal Agreement, Humane Society, Joint Recreation, etc. With so many joint projects, we have to meet with the Village. To only engage the Village and Town Attorneys doesn’t adequately represent the voice of the residents. Councilman Canterino requested that a letter be sent to the Village asking for a series of dates for joint meetings and to establish an agenda “to start doing the business of the Town and the Village”. We have no mutual cooperation. Once again, “it’s not political; we have an economic issue with *one* item, let’s continue and go forward with the rest of our business”.

Supervisor Bloomfield mentioned that he has tried, but hasn’t been successful at establishing joint Town and Village meetings. He agreed with Councilman Canterino, that it would be beneficial to the Town and Village citizens if meetings set by both parties were to take place. The meetings can only bring about mutual harmony with no finger pointing.

Councilman Canterino repeated, that “we have *NO political issues* with the Village what so ever, we would like their cooperation”.

Councilman Cappella is frustrated with the fact that the Town of Goshen has always extended an open invitation to the Village to meet and resolve issues, with no response. This has been going on for years, not just with the current Village Board.

Councilman Newbold also agreed with Councilman Canterino. He noted that The Town Board has always openly and publicly shared issues with the public. When issues needed input from the Village, the Village didn’t respond. One example is the Salesian property; we are still waiting for the Village Trustees input. “We are willing to meet any time at any place”.

H. EXECUTIVE SESSION:

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

1. Owen’s Road Litigation
2. ADC Inc. Litigation
3. Rooster Code Enforcement Status
4. Land Donation Status
5. Personnel – Water/Sewer Department

with the intent not to return. The motion was seconded by Councilman Cappella. Motion carried.

I. ADJOURNMENT

Councilman Cappella made the motion to adjourn at 8:55pm. The motion was seconded by Councilman Newbold. Motion carried.

Priscilla Gersbeck, Deputy Town Clerk