

TOWN OF GOSHEN
TOWN BOARD MEETING

March 12, 2009

MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 12th day of March, 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
Kenneth Newbold Councilman

Absent: George Lyons 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 7:37pm, followed by the Pledge of Allegiance

B. AMENDMENT TO THE AGENDA

Supervisor Bloomfield made a motion to enter into Executive Session, with the intent to return to the public meeting, to discuss Audit of Village Sewer Charges. Motion seconded by Councilman Newbold.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Canterino, Cappella, Newbold
0 Nays

No action was taken in Executive Session.

Councilman Canterino made a motion to reopen the Town Board meeting at 7:50pm. Motion was seconded by Councilman Newbold.

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

C. PRIVILEGE OF THE FLOOR

No one made a request to be heard.

D. OLD BUSINESS:

1. Approval of the Minutes

Minutes are tabled until the meeting of March 26, 2009.

2. Resolution: Village Bicentennial Proclamation

Our Town Historian, Michelle Figliomeni, detailed some basic facts for the following Resolution.

**TOWN OF GOSHEN
RESOLUTION**

Town of Goshen Bicentennial Proclamation

INTRODUCED BY: Councilman Philip Canterino
SECONDED BY: Councilman Kenneth Newbold

DATED: March 12, 2009

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 12th day of March, 2009;

WHEREAS, Goshen's roots began with its being part of the larger land parcel encompassed by the original Wawayanda Patent, and

WHEREAS, in the eighteenth century some of this Patent was designated as the Precinct of Goshen, and

WHEREAS, in 1788 the Town of Goshen was formed from part of the ancient Precinct, and

WHEREAS, In 1809 by a New York State legislative act the Village of Goshen with its own duties and rights was created from the Town of Goshen, and

WHEREAS, in the following two hundred years the Village of Goshen has prospered and has also served as seat of the Orange County Government.

NOW, THEREFORE BE IT RESOLVED, that by motion of the Board of the Town of Goshen that the Village be congratulated on the celebration of its 200th birthday on March 28, 2009 on the occasion of its Proclamation Day.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	AYE	Councilman, Philip Canterino	AYE
Councilman, Louis Cappella	AYE	Councilman, Kenneth Newbold	AYE
Councilman, George Lyons	Absent		

Vote: Resolution carried by a vote of 4 to 0

3. Building And Zoning Request For Training

Supervisor Bloomfield referenced a memo submitted by Neal Halloran. New York State mandates 24 hours of continuing education annually for all code enforcement officials. Mr. Halloran is requesting that John Terry and he attend one of three conferences at various locations; Poughkeepsie, Pomona, and Middletown. The registration is the same for all of the three conferences, \$275 - \$300 per person.

Councilman Newbold made a motion to allow John Terry and Neal Halloran to attend one of the three conferences not to exceed \$300 per person. Councilman Canterino seconded the motion.

Discussion: Councilman Canterino surmised that it would be cost effective for those individuals to attend the conference in Middletown. It will be decided by those individuals as to which conference to attend.

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

F. NEW BUSINESS:

1. Proposal To Hire LJ Coady Appraisal Co. To Assist In Scar Case Preparations

Supervisor Bloomfield referenced an introduction packet given to all of the Board Members from Lori J Coady Appraisal of Monroe. The request is to assist for the purpose of small claims assessment review and possible certiore hearings. The fee quoted is for the valuation reports which are \$85 per report for 51 reports. The fee is payable as agreed, and is \$4,335 in total. Court testimony is not included in this price.

It was indicated that the fee per court appearance would be \$125 plus \$75 per hour for testimony. Attorney Caplicki felt that the risk of court testimony is minimal. He believes that the Assessor will be able to handle and bring forth the valuation assignments researched by LJ Coady.

Councilman Cappella made a motion to hire LJ Coady Appraisal of Monroe to assist on 51 reports for the fee not to exceed \$4,335 in total. Councilman Newbold seconded the motion.

Discussion:

Councilman Canterino wanted Attorney Caplicki's assurance that "he felt confident" in LJ Coady's preparation of data would be sufficient enough that we wouldn't have to repeat this process 51 times and break the bank. His concerns stemmed from the recent losses in small claims court. If we use the same data that was used in the past will we loose again? He is questioning the comprehensive search credentials of LJ Coady compared to the data our Assessor used and lost by.

Attorney Caplicki feels that LJ Coady will use a different methodology in her court presentation.

Supervisor Bloomfield questioned; is it the procedure we followed and the quality in workmanship in defense or is it the empirical data used? Which was the contributing factor to our losses?

Attorney Caplicki stated that there is a specific pattern to follow and most of it relies on the empirical data of corresponding sales, neighborhoods etc.

According to the Assessor, Jo Ann Soules, she doesn't have enough staff to complete both projects before their due dates.

Supervisor Bloomfield stated that there are 51 SCARS and a tax roll to complete shortly. We need to act on this to meet deadlines. Even with the authorization of money to be spent, the Town Board will have input into the process. There will be guidance and recommendations by the attorney involved.

Councilman Cappella felt that it was important to hire this part time person for we are understaffed and have deadlines to meet.

Councilman Newbold was concerned about the Judge's perspective of our professional representation. Is the data on our present tax roll defensible? The SCARS began with this data and if it were used the first time how much can it change the second time around. In other words, will the findings provided by LJ Coady be much different that the original findings?

This will depend on the procedure used in the search for comparisons. Other technical factors may come into the equation for presentation.

Motion Called:

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

G. FINANCE:

Councilman Newbold made a motion to authorize the Supervisor to pay manual A/P check run of 3/11/2009 amounting to \$7,087.78 and manual A/P check run of 3/12/2009 amounting to \$9,552.40 and A/P check run for 3/12/2009 amounting to \$68,588.16. Councilman Cappella seconded the motion.

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

H. REPORTS:

Councilman Cappella reported on the operations of Dial-a-Bus. Recently the Town secured a long awaited Dial-a-Bus that will be put on the road after a broken side mirror is repaired. He compared the usage increase from 2006 to 2008. There has been a 9.7% increase of passengers and a 20.2% increase in total miles. In 2008 the total passengers was 14,218 of which 63% seniors, 13% handicap and 24% full fair. The seniors and handicap pay .50 others pay 1.00. In 2006, the total number of riders was 12,302 which increased 15.5% in 2008. In 2006 a total of 55,956 miles were traveled compared to 77,012 miles in 2008 an increase of 37.6%. The senior count dropped in 2008 and may be attributed to the economy. They do not go out shopping as much as they used to. Thanks to Michelle Radakovits, Hwy. Dept., for putting together the comparative figures.

On another note, today the Senior Center hosted a corn beef dinner where 90 seniors attended. He would like to Thank Steve's Deli and Ellen Teatum for contributing and putting this event together. Councilman Cappella also thanks the Goshen Girl Scout Troop #720 for donating book cases and arranging the books in alphabetical/title order for the seniors. Another thank you to the Dikeman fire company for donating a 52" color television to the Center.

Finally, clean-up week will be the last week of April/ beginning of May. With the abundance of sand used during the winter the street sweeper is out now. Thus the sand and salt budget is all used up, because this past winter had more ice storms than snow.

I. PRIVILEGE OF THE FLOOR

Jerry Boss questioned that *if* the Town loses the Al Turi tax certiorari, will there be a tax ramification to the Village? Supervisor Bloomfield responded, it will impact the people living in the Village, because school tax will go up, fire tax will go up, library tax will go up and the County tax will go up. When a Village resident pays a Town tax it covers the administration of the Town Hall and DPW. It also covers snow removal and

brush maintenance in the Town. Since Al Turi is not located in the Village, then the Village people will not have to pay tax to the Town for that parcel. Other questions pertaining to the Al Turi Certiorari could not be answered at this time as we are in litigation proceedings.

Reynell Andrews (inaudible) questioned the SCAR and Certiorari hearings.

Jerry Boss mentioned that he heard last night, at the "Great Debate" that most of the people who were questioned about the audit the Town is conducting in respect to the Village sewer bills within the town districts had no problem with it and welcomed it. The audit is for the Town protection and the citizen protection. There was discussion pertaining to the Town audit of the Village sewer billing system.

J EXECUTIVE SESSION

Councilman Newbold made a motion to go into Executive Session to discuss the following

1. Audit of Village Sewer Charges - continued
2. Legal Review Of Tax Certs – Justin Cole, Esq.
3. Land Donation Status Up-date
4. IWS – 80B Status Up-date

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

K ADJOURNMENT

Meeting was adjourned at 9:01PM.

Priscilla Gersbeck, Deputy Town Clerk