

TOWN OF GOSHEN  
TOWN COUNCIL WORK SESSION

May 19, 2008

MINUTES

A work session of the Town Council of the Town of Goshen was held on the 19<sup>th</sup> day of May, 2008 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 Councilmember  
Louis Cappella Councilmember  
George Lyons Councilmember  
Kenneth Newbold Councilmember

Also Present: Susan Maysels Deputy Town Clerk  
Dennis Caplicki Attorney for the Town

The meeting was called to order by Supervisor Bloomfield at 7:30pm.

**1. RJ Smith Request to Address Council re: Access from Route 17M to Proposed Echo Lake Business Park**

In attendance were:

RJ Smith, real estate broker

Peggi Healey, NYS Mid-Hudson Forensic Psychiatric Center Director

Maureen Halahan, Orange County Partnership CEO

John Ward, Wallkill Town Supervisor

The property is currently owned by the Town of Wallkill, which hopes to sell it to Mr. Tetz and others. The property is behind the Mid-Hudson Psych Center which is owned by NYS Dormitory Authority. NYS and Director Healey are in favor of the project because the project includes relocating the Psych Center's entrance/exit to a shared access road with a new traffic light to be installed at 17M. The County of Orange is in favor of the project, because its Environmental Facility, across the road, will also benefit from the new traffic signal. The new shared entrances/exits to the Psych Center & Business Park will be aligned with that of the County's transfer station so that the signal will service both. The Orange County Partnership is in favor of a business park in this location because it will bring tax revenue and jobs to the County and Town and is located in an ideal area away from the pristine sections of Goshen. The development is expected to consist of 4 sites: one large, 2 medium and one small.

Access to the proposed business park would be through a portion of the Psych Center land. The Developer's plan calls for the Town to accept the access road as a Town road at the completion of the project. NYS has agreed to offer to the Town the portion of its Psych Center land for this road. Mr. Smith requested that the Town Council pass a Resolution accepting from NYS, the offer of dedication and its subsequent dedication, subject to and contingent upon the final site plan and/or subdivision approvals and the issuance of all necessary governmental approvals, licenses and permits. The project cannot go forward without NYS granting the land for access to the site or the Town being willing to accept it as a road.

Council discussed the matter with the parties involved, and reviewed the Resolution prepared by the Developer's attorney, Mr. Blustein. Council as a whole and each member individually, is wholly in favor of a business park in this location. Regarding the request before them, Council was not satisfied that the Resolution adequately protected the Town against taking ownership of a road, along with all the costs and liability of maintaining it, until the project is further along in the approval process.

Council directed Attorney Caplicki to work with the Developer's attorney to reword the Resolution in a manner that protects the Town against accepting the road dedication until it is satisfied that a sufficient level of development and tenants are in place to warrant the cost to the Town.

A related issue that was discussed was the need for the Town to amend its road specs to include a section for "industrial" road specifications for areas that are likely to see heavy truck traffic.

## **2. Changes to Town Code Chapter 73: Peddling & Soliciting**

Attorney Caplicki informed Council that commercial door-to-door soliciting / peddling probably cannot be prohibited. After discussion, Council instructed Attorney Caplicki to amend and tighten Town Code Chapter 73 by increasing the fee to \$500 and imposing a fine of \$1000 for soliciting/peddling without a Town permit. Once done, Council will set a public hearing on the matter.

## **3. Fiscal Auditing Firm**

As reported by Supervisor Bloomfield several months ago, the Town may not use the same Auditor for both its internal controls and annual external audit. Supervisor Bloomfield and Councilmember Canterino will begin the process of interviewing external auditing firms to recommend to Council. There are very few that specialize in municipal auditing so the selection is limited.

## **4. Countywide Law Enforcement Records Management System**

Councilmember Canterino explained that Orange County Division of Police Liaison Services sent an *INTER-MUNICIPAL AGREEMENT BETWEEN THE COUNTY OF ORANGE AND THE TOWN OF GOSHEN for 2008 LAW RECORDS MANAGEMENT AND DATA SHARING SYSTEM*. This calls for a countywide law enforcement records system for the purpose of permitting all law enforcement agencies in the county to share data. The County will purchase the IMPACT software licenses for municipalities and provide for the conversion of data. The County will provide and maintain the data sharing services including the network server and central connectivity as well as all the related hardware. To participate, the Town must agree to pay the recurring annual maintenance fees (approx. \$6000/year) for the Law Records Management System License (the County will pay for the first year), and the hardware needed at the PD station as recommended by *Admit Computer Services* (no cost estimate given). The Town must also agree to the on-going sharing of its information by inputting the data on the system.

Supervisor Bloomfield suggested that the County Executive and the Commissioner of the Division of Police Liaison Services be advised to seek Federal Homeland Security funds for this entire project. This would relieve every little village and town in the County from the burden of yet another annual fee and it is a project that epitomizes the goal of Homeland Security.

Councilmember Newbold stated that it's important for the NY State Police to agree to be part of the data sharing. If not, it may not be worthwhile for Goshen to participate.

Attorney Caplicki was asked to review the IMA while Councilmember Canterino discusses the system further with Chief Marsh. There is no deadline for participation noted on any of the documents. It simply states: "Once a sufficient number of fully executed Memorandums of Agreement have been received ....."

**5. Water & Sewer Districts – Grant Request Status**

In a meeting with NYS Senator Larkin, Supervisor Bloomfield requested financial assistance with water and sewer district projects, but the Senator said there were no funds available. In fact, the new NYS Governor has asked NYS Senators to cut their costs by 5%. Senator Larkin suggested that Goshen apply for Federal Clean Water Act Funds for these projects, which Supervisor Bloomfield has already addressed with US Rep. John Hall's office.

**6. Dial-a-Bus Request to Hire Two Relief Drivers**

Councilmember Cappella explained the need for two part-time Dial-a-Bus drivers. Since they are fill-in drivers, there is no impact on the budget. A memo from Dial-a-Bus staff Michele Radakovits states: "With the summer months approaching, our full-time drivers have requested vacation time. While we did hire a part-time driver to cover such occurrences and also to drive on two scheduled days (Saturdays and Mondays) every week, he has stated to me that he is unable to cover these upcoming days. He has also stated that he will be unavailable for most of July, including his regularly scheduled days. Summer is our busiest time of year. I am requesting to hire relief drivers for the summer. They would be part-time, receiving no benefits, with no regular scheduled days. Presently I have two applicants who are interested in driving for us. They both drive school buses for Goshen Central School District, so they are 19A qualified. One of the applicants is our 19A Examiner and the other is his wife. They live in Hamptonburgh and are very familiar with the areas that we cover. This means that we would not have to waste any time or expense in training."

Council discussed the need for replacement drivers and asked that it be placed on the next agenda, once their background is verified, qualifications checked, researched disciplinary procedures pending and workers' compensation claims pending if any, police screening conducted, drug tests completed, and town application placed on file.

**7. Town Adoption of Updated NYS Uniform Fire & Building Code**

Attorney Caplicki explained that the new State law is in effect and the Town needs to adopt the new State Code as part of its Town Code. Supervisor Bloomfield will place this item on the June 9<sup>th</sup> agenda at which time, Council will set a public hearing for this new Local Law.

**8. Status of PDR Appraisal**

Supervisor Bloomfield reported that the Appraiser will complete the updating of the appraisal for the pending PDR for the Slesinski farm by the end of May. The closing on this purchase will be towards the end of 2008.

**9. Good Time Park Tax Certiorari Settlement**

Supervisor Bloomfield announced that this case went to trial but it will be 6-8 weeks before the decision is handed down. The Town Assessor, Ms. Soules believes the decision will be favorable for the Town based on the appraisals used as evidence.

**10. Mortgage Tax Revenue**

Supervisor Bloomfield reported that the Town received its first Mortgage Tax check which was a few thousand less than anticipated. He and Councilmember Canterino will be analyzing the impact of this reduction in anticipated revenue on the Town's budget. Once done, they will report their recommendations on budget cuts

or adjustments, if any, to Council. The good news is that the quarterly Sales Tax revenue has been meeting estimates.

**10a. Adoption of Positive Declaration on Amendments to Town Comprehensive Plan, Zoning Map and Zoning Code.**

RESOLUTION

Adoption of a Positive Declaration on Amendments to Town of Goshen  
Comprehensive Plan, Zoning Map and Zoning Code

INTRODUCED BY:      Supervisor Bloomfield  
SECONDED BY:      Councilmember Canterino  
DATED:                May 19, 2008

Whereas the Town of Goshen Town Council having designated itself as Lead Agency on April 24, 2008 for the SEQRA review of adopting the Comprehensive Plan, Zoning Map and Town Zoning Code Amendments as the only agency authorized to take such actions,

NOW THEREFORE, the Town Council of the Town of Goshen hereby adopts a Positive Declaration on these actions in order to investigate and evaluate the potential environmental impacts of these proposed amendments and their implementation in the Town of Goshen. By virtue of this resolution, the Town Council has authorized the preparation of a Draft Generic Environmental Impact Statement (DGEIS) on the effects of adopting and implementing the proposed Plan and Zoning Map and Zoning Text amendments.

Upon ROLL CALL Vote:

Supervisor Douglas Bloomfield	AYE
Councilmember Philip Canterino	AYE
Councilmember Louis Cappella	AYE
Councilmember Kenneth Newbold	AYE
Councilmember George Lyons	AYE

Vote: Resolution passed by a vote of   5   to   0  .

**11. Executive Session**

Supervisor Bloomfield made a motion to go into Executive Session, without intent to return to public meeting, to discuss (a) Interstate Waste Systems negotiation, (b) Indiana Road legal clarification, (c) three personnel cases, (d) 207c police negotiations, and (e) code violations and litigation. Councilmember Newbold seconded the motion.

On a VOICE VOTE, the motion passed: 5 Ayes                Bloomfield, Canterino, Cappella, Lyons, Newbold  
0 Nays

Council adjourned the public meeting and entered Executive Session at 9:30pm  
No actions were taken in Executive Session.

Respectfully submitted by:

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Susan Maysels, Deputy Town Clerk