

TOWN OF GOSHEN
TOWN COUNCIL MEETING
June 12, 2008

A regular meeting of the Town Council of the Town of Goshen was held on the 12th day of June, 2008 at 7:30 p.m. 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	Town Attorney
	Valma Eisma	Town Clerk

A. CALL TO ORDER

The meeting was called to order by Supervisor Bloomfield at 7:30 p.m. and he led the Pledge of Allegiance.

B. AMENDMENT TO THE AGENDA: Supervisor Bloomfield said he had an amendment and would like to place it under Old Business as number four: Indiana Road

C. PRIVILEGE OF THE FLOOR – agenda items only

D. TOM GIORDANO: DEVELOPMENT OF FIELDS FOR JRC: Mr. Giordano was not present and Supervisor Bloomfield said he could speak when he arrived. He explained that Mr. Giordano is from Little League and would like to speak about the development of new fields for Joint Recreation.

E. OLD BUSINESS:

1. SET PUBLIC HEARING FOR AMMENDING CODE 73: PEDDLING AND SOLICITING:
Supervisor Bloomfield read the Legal Notice.

LEGAL NOTICE

PLEASE TAKE NOTICE that the Town Board of the Town of Goshen will hold a Public Hearing at 7:35 p.m., or as soon thereafter as the matter can be heard, on the 24th day of July, 2008 at Town Hall, 41 Webster Avenue, Goshen, New York on proposed Local Law #4 of 2008 entitled "Amendment to the Code of the Town of Goshen, Chapter 73 entitled "Peddling and Soliciting". Said Local Law provides for monetary increases in fees and penalties.

A complete copy of the Text of said Local Law is available for inspection and/or copying at the Town Clerk's Office, Town Hall, 41 Webster Avenue, Goshen, New York, Monday through Friday during regular business hours.

The Town Board will at the above time and place hear all persons in favor of, or in opposition, to the proposed Local Law.

This Local Law shall take effect immediately upon passage, filing and posting as required by law.

Valma Eisma, Town Clerk
Town of Goshen Town Hall

Councilman Lyons made a Motion to hold a Public Hearing at 7:35 p.m., or as soon thereafter as the matter can be heard, on the 24th day of July 2008. The Motion was seconded by Councilman Newbold. Motion carried unanimously.

2. SET PUBLIC HEARING TO ACCEPT NYS UNIFORM FIRE PREVENTION AND BUILDING CODE AS TOWN CODE: Supervisor Bloomfield read the Public Notice.

LEGAL NOTICE

PLEASE TAKE NOTICE that the Town Board of the Town of Goshen will hold a Public Hearing at 7:35 p.m., or as soon thereafter as the matter can be heard, on the 24th day of July, 2008 at Town Hall, 41 Webster Avenue, Goshen, New York on proposed Local Law #3 of 2008 entitled 'Addition to the code of the Town of Goshen, Chapter 49c entitled "Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code'.

A complete copy of the aforementioned text of said Local Law is available for inspection and/or copying at the Town Clerk's Office, Town Hall, 41 Webster Avenue, Goshen, New York. Monday through Friday during regular business hours.

The Town Board will at the above time and place hear all persons in favor of, or in opposition, to the proposed Local Law.

This Local Law shall take effect immediately upon passage, filing and posting as required by law.

Valma Eisma, Town Clerk

Councilman Newbold made a Motion to set the Public Hearing to accept NYS Uniform Fire Prevention and building code as Town Code. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

3. RESOLUTION TO ACCEPT CONKLIN SERVICES BID TO INSTALL THE AUTOMATED FUEL MANNAGEMENT SYSTEM AT THE TOWN D.P. W. FACILITY.

**TOWN OF GOSHEN
RESOLUTION**

Awarding Contract to Lowest Responsible Bidder

INTRODUCED BY: Councilman Cappella
SECONDED BY: Councilman Canterino
Dated: June 12, 2008

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 June, 2008;

WHEREAS, the Superintendent of Highways of the Town of Goshen has duly recommended the purchase of an automated fuel management system pursuant to provisions of Section 142 of the Highway Law,

NOW, THEEFORE, BE IT RESOLVED, that pursuant to Section 142 of the Highway Law, the Town Superintendent of Highways is hereby authorized to purchase an automated fuel management system from Conklin Services & Construction Inc. for a maximum of \$25,797 delivered to Maple Avenue Extension, Goshen, New York.

A contract of purchase for the automated fuel management system shall be duly executed between the Superintendent of Highways of the Town of Goshen and Conklin Services & Construction Inc., and when duly approved by the Town Board of the Town of Goshen, it shall become effective. When the contract has been duly executed and approved, the Superintendent of Highways is authorized to complete the purchase upon delivery of the item purchased in accordance with the terms of this resolution and the contract and to pay the above amount specified.

Upon Roll Call Vote:

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

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

4. INDIANA ROAD: Supervisor Bloomfield said someone stopped by the office today and suggested they tar and chip Indiana Road since it is being repaired. He said he would like Councilman Cappella to speak to Steve Andryshak and see if it would be feasible. The Supervisor said he was grateful for the County's help in repairing the road.

F. NEW BUSINESS:

1. ACCEPT RESIGNATION OF GEORGE ZADRA COURT OFFICER: Councilman Newbold made a Motion to accept the resignation of George Zadra with regret. The Motion was seconded by Councilman Lyons. Motion carried unanimously. The Justices will send a letter thanking him for his years of service.

2. RESOLUTION TO HIRE STEPHEN J. CORRIGAN AS COURT OFFICER AT \$12.76. PER HOUR. Councilman Newbold made a Motion to hire Stephen J. Corrigan as Court Officer at \$12.76 per hour, with no benefits, contingent upon the usual background checks, physical, drug test, etc., effective immediately. The Motion was seconded by Councilman Cappella. Motion carried unanimously.

3. RESOLUTION TO HIRE ABEL HERNANDEZ AS COURT OFFICER AT \$12.76. PER HOUR: Councilman Newbold made the Motion to hire Abel Hernandez as Court Officer at \$12.76 per hour, with no benefits, contingent upon the usual background checks, physical, drug test, etc., and clarification of a date in his employment history, effective immediately The Motion was seconded by Councilman Cappella. Motion carried unanimously.

4. TOM GIORDANO: Since Mr. Giordano had not yet appeared, Councilman Lyons said he would attempt to represent him. He said at the last meeting of Joint Recreation the members were working on a grant from the New York State Office of Parks and Recreation and Historic Preservation and it is due June 30th, 2008. Councilman Lyons said Joint Recreation is looking to improve the parkland at Stone Hedge. He said the property is 13.67 acres and owned by the Town of Goshen. Mr. Giordano was going to speak for Little League and football, and the fact that there are not sufficient fields for the number of children who are involved in sports now. The Joint Recreation Commission is asking for funding up to \$600,000 to improve that parcel of land. The grant requires a 50% match of the approved project cost. There was a lengthy discussion and the Board had a lot of questions. The Board did not feel the property would be suitable due to it's proximity to the well point for Stone Hedge and there are possible plans for another well. It was decided a resolution to support the grant would be placed on the agenda for June 23rd and Supervisor Bloomfield suggested Joint Recreation consult with the Building Inspector for more information about the property. Councilman Cappella said he had just heard four or five things that need to be looked into. He asked why, when these things were brought before the Board, it was always at the last minute. He stated you cannot make decisions like this without knowing the particulars. He also asked why Joint Recreation is not looking to place some fields on the other side of 17, as the Board has discussed many times, to alleviate traffic. He said it was time for the Town to consider the fact that there is another part of town, and these people want recreation near them too. The Board will discuss it further at the June 23rd work session.

5. AUTHORIZE THE SUPERVISOR TO SIGN COUNTYWIDE LAW ENFORCEMENT RECORDS MANAGEMENT SYSTEM: Councilman Canterino asked if there was a Resolution for this? After a brief discussion the Board felt it had been done Monday night at the work session. Supervisor Bloomfield will check to see that it is signed.

4. BAJ,LP TAX CERTIORARI DECISIONS: Supervisor Bloomfield explained he had received certiorari decisions from the tax attorney in reference to BAJ,LP vs. the Town of Goshen. He stated it was for the years of 2002 through 2006. He said the Town lost in the decision on this certiorari which refers to the Goodtime Park Lands located where the old mile track was at one time. Supervisor Bloomfield stated the Board has twenty days in which to decide to accept the decision or appeal upon receiving the Notice of Entry, which we have not yet received. He said the Attorneys Caplicki and Hagstrom will be working on this. He said he and Councilman Canterino have been working on these and many of them have been resolved. Attorney Caplicki explained the procedure that takes place now. He said Attorney Hagstrom is studying the case to see if the Town should appeal. The Board will wait for his report.

Supervisor Bloomfield reminded the audience of the grand opening to Salesian Park that will be held on Saturday, June 14th from 4:00 p.m. to 6:00 p.m. Councilman Lyons gave the details on some of the events.

G. FINANCE: Councilman Canterino made a Motion to authorize the Supervisor to pay Check Run dated June 12, 2008 amounting to \$301,181.04 and Manual A/P runs as of 5/28/08 representing checks written from 1/24/08 to 5/01/08 amounting to \$511,005.12. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

H. PRIVILEGE OF THE FLOOR: The Board discussed the various grants that have been applied for and received. Councilman Lyons announced a series of concerts that will be performed at the Salesian Park on July 9th from 7 – 9:00 p.m , July 23rd , August 6th, and August 24th, all held from 7: - 9:00 p.m.

Doris Bialas asked about the man who was storing all the junk on his property. Attorney Caplicki said this was involving litigation, but said he is now suing the Town of Goshen in an unrelated incident. She also thanked the Board for their professional handling of the controversy over Indiana Road at the Work Session of June 9th.

I. EXECUTIVE SESSION:

Supervisor Bloomfield made a Motion to go into Executive Session to discuss the following:

1. Sullivan Lawsuit
2. IWA Negotiation Status
3. CSEA Grievance

with no intent to return. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

Time: 9:05 p.m.

Valma Eisma, Town Clerk