

TOWN OF GOSHEN
TOWN BOARD MEETING
September 24, 2009
MINUTES

A Regular Meeting of the Town Board of the Town of Goshen was held on the 24th day of September, 2009 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
	George Lyons	Councilman
	Kenneth Newbold	Councilman
	Louis Cappella	Councilman

Also Present:	Dennis Caplicki	Town Attorney
	Valma Eisma	Town Clerk

A. CALL TO ORDER: Supervisor Bloomfield called the meeting to order at 7:35 p.m. and led the Pledge of Allegiance.

Supervisor Bloomfield welcomed a young man and his mother to the meeting, and expressed the desire to see more attendance at the Town Board meetings on a regular basis, as opposed to coming only when the agenda items are of particular importance to them.

B. AMENDMENT TO THE AGENDA: Supervisor Bloomfield said he would like to amend the agenda to include, under New Business, the possible joint meeting with the Village for October 5th.

C. PRIVILEGE OF THE FLOOR (agenda items only) None

D. REPORTS:

COUNCILMAN NEWBOLD reported the death of Edward Mc Dermott, 88 years of age, a long time Town Board member. He said he would like to send the Board's condolences to Mr. McDermott's wife and daughter.

Councilman Newbold also reported that the Water/Sewer Department is getting their buildings ready for winter and all else is running smoothly.

COUNCILMAN LYONS reported on Joint Recreation which now has an adult co-ed volleyball program which will begin shortly, and anyone interested can go to the website and enroll. The Halloween Party will be held on October 24th at Craigville Park at 1:00 p.m. He said the Halloween Party is for Town and Village of Goshen only, and pre registration is required. Each participant will be issued a wrist band to allow them to enter the park. Councilman Lyons also reported on October 24th, in conjunction with the Halloween Party, the 2nd annual Chilli cook-off, which you can register for as well.

He said Joint Recreation will also hold their 2nd annual Turkey Trot and Chicken Chuck contests on November 21st, also to be held at Craigville Park.

COUNCILMAN CANTERINO waived his report as he said there was nothing new to report from the Police Department.

COUNCILMAN CAPPELLA reported highway has just finished paving some sections of Greencrest Road, Phillipsburgh Road, (from Lyons Park to Minisink Trail) all of Fisher Lane, a section of Cheechunk Road near Echo Lake, and a lot of patching on Six and a Half Station Road. He said this coming Tuesday the men will start the entire strip of Conklingtown Road, as it is a well traveled road.

Councilman Cappella said he will report on Dial-A-Bus at the next meeting after he has compiled some figures on the amount of mileage covered and number of passengers, etc., and the effect of Hamptonburgh no longer wanting to use the system.

He reported the Senior Center is doing well, and the rentals are up.

SUPERVISOR BLOOMFIELD reported Councilman Canterino, and Budget Officer Standish have been working with him on the 2010 Budget, and they will be reviewing the third draft this evening. He said the Town is in the same state as everyone else trying to handle reduced revenues and abnormal costs, most of which are associated with the State of New York. He said tonight is the Tentative Budget, this is the starting point. He said the Preliminary Budget and the Public Hearing for it will be held on November 12th. Supervisor Bloomfield stated the Preliminary Budget will be in the Clerk's office on October 30th and the public can view it at that time.

The Supervisor also reported he had received an invitation from the Chester Supervisor to meet with him on Monday at 3:30 p.m. to discuss Hamptonburgh's decision to discontinue their use of the bus. They will meet to discuss what type of impact this will have on the two remaining participants, Goshen and Chester. He inquired of Councilman Cappella if Michelle Radakovits, the Secretary who handles the paperwork for Dial-A-Bus could be present. Councilman Cappella will contact Michelle and make arrangements for her to attend the meeting. If necessary the meeting will be rescheduled so that she can attend.

E. OLD BUSINESS:

1. REVIEW THIRD DRAFT OF PROPOSED 2010 TOWN OF GOSHEN BUDGET:

William Standish, Budget Officer, joined the Board to review the third draft. He explained the draft is done in the same format as the earlier ones and there are some changes. He said we originally started at 21.9% and brought it down to 12.8 percent about two weeks ago, and determined we needed further cuts, particularly in the B Fund. Budget Officer Standish stated they went back to the Police Department and asked for further cuts. He proceeded to review the following report with the Board:

TAX RATE: = 9.46% without PDR: 6.26%

"A" Fund = 9.45% (from 18%)

"B" Fund = 63.16% (from 71%)

"D" Fund = -(46.82)%

"DB Fund = -(1.47)%

DETERMINATION: Further cuts to bring tax rate to a reasonable level.

TARGET FUND: "B"

PROCESS: Cut additional \$65,000 from B Fund to bring tax rate in that fund down to 55% increase. Propose \$65,000 cut from Police Department

RESULT:

Tax Rate with PDR = 7.50%
Tax Rate without PDR = 4.30%

NOTE 1: Abnormal increases for 2010:

- >MTA Tax approx. \$50,000
- >SCARS approx. \$47,000
- >GASB45 approx. \$10,000

(Govt mandate to accrue pension liability for all employees for the current operating year ...)

NOTE 2: We project 2009 Mortgage Tax revenue to fall short by approx. 50% and that decrease adds to the accumulative decrease since 2006 in the amount of \$450,000.

NOTE 3: We will use the remaining Parkland funds to meet principal and interest payments in 2010 on debt relative to Salesian acquisition and improvement.

(A Fund = \$62,100; B Fund = \$122,900)
(This leaves Parkland balance at \$1,000)

CAPITAL NOTE 1: Capital Road Improvement has been increased from \$200,000 to \$250,000 in 2010 as a cash line

CAPITAL NOTE 2: Capital Highway Equipment has been increased from \$150,000 to \$165,000 in 2010 as a cash line.

TAZ INCREASES BEFORE CHANGES 18%
TAX INCREASE AFTER CHANGES = 9.46

EXPENSES: Assistant Assessor	\$ (40,000)
Full time Accounts Payable/Payroll to Half Times	\$ (17,000)
Benefits (FICA, Retirement, Health) reduced	\$ (18,700)
GOVAC reduced	\$ (10,000)
Total Addition to Expense:	\$ (85,700)

NET DECREASE TO A FUND IN 2010: (85,700)

1010 BUDGET CHANGE OVERVIEW

TAX INCREASE BEFORE CHANGES = \$70.96
 TAX INCREASE AFTER CHANGES = \$63.17%

REVENUES:	Buckle Up Grant	\$ 7,700
	Step Grant	\$ 13,500
	Child Safety Grant	\$ 4,500
	STOP DWI Grant	\$ 7,500
	Speed Trailer Grant	\$ 10,500
	Air Conditioner Grant – Part 2	<u>\$ 7,800</u>
	Total Addition to Revenues:	\$ 51,500
EXPENSES:	Car Lease – 1 st yr payment	\$ 12,500
	Surveillance Equipment	\$ (500)
	Vehicle Radar	\$ (1,200)
	Building Improvement	\$ (4,500)
	Dues	\$ (250)
	Fire Arms & Ammunition	\$ (2,000)
	Gasoline	\$ 2,000
	Building Maintenance	\$ (500)
	Purchase Speed Trailer (covered by grant)	<u>\$ 10,500</u>
	Total Addition to Expenses:	\$ 16,050
	NET DECREASE TO POLICE BUDGET IN 2010	<u>\$ (35,450)</u>

Budget Officer Standish pointed out the expenses that were cut from the budget (\$85,700) and explained where the Board and the Department Heads were trying to cut costs wherever possible.

Supervisor Bloomfield said there was an item that was talked about that was not shown on the budget cuts. Budget Officer Standish said yes, that Joint Recreation was not on there. He explained that Joint Recreation is in the B Fund and he said the \$25,000 is being cut from their budget.

In referring to the three notes, Mr. Standish pointed out that these are costs the Board has no control over. He said he has had no notification yet from the MTA as to what the tax will be. He said an adjacent, similar town has received it's bill and it was approximately \$50,000, so he is using this as an estimate. He also explained that the Scars (money that has to be returned due to tax certs) which at this time is approximately \$47,000 will come out of the Mortgage Tax revenue, as the County takes that amount out before sending the balance owed to the Town. Therefore, again the amount is not known for sure at this time. He said the GASB445 is always an approximate amount also, and he is not sure of all the details on this item, but will obtain the formula that is used for it.

Supervisor Bloomfield pointed that the New York State Pension Fund was not listed, and Mr. Standish replied it was already in the budget. The Supervisor explained that the New York Pension Fund lost money with the Stock Market decline, etc., and so they have increased our contribution to that. He said for example, in the Police Department that is 18%, therefore for every dollar we pay a patrolman 18 cents goes into the retirement fund. He pointed out that these are the things the Board has had to try to overcome.

Councilman Cappella asked for clarification on the Car Lease in the cuts made by the Police Department. Councilman Canterino explained that if the grant comes in the car lease will be taken out, if not the car will be needed.

Supervisor Bloomfield said to summarize this he felt the 12.8% is not going to cut it and many of these things are beyond our control, and some of them we had no representation for. He said he feels the Board yet has to take another look at Fund B. He said everyone will have to contribute to this and 2010 into 2011 may not be any better.

Councilman Lyons pointed out that there are still three months left of the current budget, and sometimes there is a mind set to use what is left as long as it is there in place. He suggested it be communicated that there really is no money left in these budgets, and then we may be able to gain some of the unused fund back.

Supervisor Bloomfield thanked Budget Officer Standish for meeting with the Board this evening and reviewing the budget with them.

2. LOUIS ADAMIS REQUEST TO BE ADDED TO THE POLICE DEPARTMENT'S TOWING LIST

Supervisor Bloomfield explained that the Police Department has a rotating list they use when a car has to be impounded. Mr. Adamis has asked to be added to the list. After a brief discussion about the insurance required and the liability to the Town, Councilman Newbold made a Motion to add Adamis Towing and Recovery to the Town of Goshen towing list. The Motion was seconded by Councilman Cappella. Motion carried unanimously.

3. JAMES LEWIS REQUEST FOR WATER/SEWER BILL REDUCTION: Councilman Newbold reported he stopped to discuss the problem with Mr. Lewis, as he had told the Board he would do. He said he asked Mr. Lewis for more information as to how the water bill reached the figure of 35,600 gallons. Mr. Lewis explained that his grand children were visiting and the sprinkling system was used a lot, washing cars and buildings, etc. Mr. Lewis did not say the water was not used, only that it did not go through the sewer and since it didn't he was asking for relief for the sewer amount. The Board discussed the matter and Councilman Lyons said forgiving this sets a bad precedent, and he was not in favor of forgiving any amount. The Board agreed, and felt it was not an accident, nor a hardship. The Board felt it is unfair for someone to use this amount and expect your neighbors to pay for it, and Councilman Cappella stated "it has to be a level playing field". Supervisor Bloomfield will speak to his secretary, and have her notify Mr. Lewis of the Board's decision to deny the request.

4. FURNACE REPLACEMENT AT DPW GARAGE: Councilman Cappella explained this is for a replacement of the old furnace and air conditioning system which was originally installed in 1969. The PESH inspector from the state condemned the unit, therefore it has to be replaced. He said he had talked to the engineer and it was decided it should go out to bid. Councilman Cappella made a Motion to authorize the Superintendent of Highways to advertise for bids to replace the heating/air conditioning unit in the DPW garage. The Motion was seconded by Councilman Canterino. Motion carried unanimously.

5. 2008 MUNICIPAL PARKS GRANT/FREE STANDING RESTROOM AT SALESIAN PARK: Supervisor Bloomfield said the Board received a letter from the County in reference to the \$15,000 grant for the restrooms at Salesian Park. He asked Councilman Lyons to address this for the Board. Councilman Lyons reported this goes back to the March 27th meeting where it was agreed there would be a 50/50 split. \$15,000 from the County to do a pavilion and the restrooms and the Town and Village

providing the rest. It was decided at that time it would not be possible to do both for \$30,000. Councilman Lyons reported that the Joint Recreation Commission is stating that now all they are going to do is just a restroom and he called the Board's attention to a plan that they have in their folders. He said it is a pre-cast restroom, handicapped acceptable, etc., but it would call for a pad to be built and some type of leech field. Councilman Lyons stated that he has been informed that the Village has approved taking out the pavilion and doing just the bathroom. He also said the project would have to be completed by November 30th or the money will be lost. Supervisor Bloomfield asked if it could be done for \$30,000 dollars? Councilman Lyons replied the pre-cast one will cost approximately \$30,000, and the Commission feels they can build it for less. He said the pre-cast bathroom would be a unisex bathroom and if it were built there would be two restrooms, male and female. Councilman Lyons made a Motion to build only the restrooms and omit the pavilion. Councilman Cappella seconded the Motion for discussion.

Councilman Canterino asked if the bathrooms could be hooked up to the Village Sewer? Councilman Lyons said this was what the Commission would like, with the Village and Town DPWs helping with the work. Councilman Cappella stated he thought it would be better to talk to the DPWs and find out what they could do for us before passing the Motion.

The Board discussed all the phases and problems involved with building the facility before November 30th.

Councilman Canterino said he was just told that the Village has said it would not participate in paying for the leech fields. The Board had a lot of questions about the existing sewers on the property, as the Mansion, the school, etc. all had sewers of some kind, where are they located and what condition are they in. Councilman Canterino was asked if he was sure the Village said it would not participate in paying for the leech fields. He said he thought the source of the information was reliable. Councilman Lyons said he had heard that at Monday's meeting the Village voted to take out the pavilion and just do the rest rooms. After further discussion Supervisor Bloomfield suggested the Board call the Motion, pass it and give it to Councilman Lyons and the JRC to take to the Village. Attorney Caplicki said the Motion would need to be clarified and amended.

Neal Hickok expressed to the Board that the plan being looked at now would not have a septic, but would be serviced by Honey Dippers. Therefore, it would be a glorified Port A John. Councilman Cappella asked "how are you going to vote on what you think will happen?" The Board discussed the fact that there are so many questions and problems that it might not be a good idea to accept the money if the facility was not going to be a nice addition to the grounds. Councilman Cappella stated we would not even have the information we have here tonight, had it not been for the two gentlemen, here tonight, who attended the Village meeting. Councilman Canterino said there are so many unknown things and constraints. Councilman Lyons stated there will also be engineering expenses, surveys etc. also. Councilman Cappella said "If we do anything going forward, that has to be done with the Village, I don't want to hear from somebody else, I want it to be together, do it together, so I hear exactly what is taking place." "For me to vote on something, hear say, this one said that, I'm not doing it." "We are always the bad guys."

Councilman Lyons said he felt there were too many phases that need to be done and too many complications to overcome in the limited amount of time. Councilman Canterino suggested JRC contact the County and see if an extension could be obtained for the grant so there would be time to do it, and to do it right. The Board decided they did not want to do half a job, and they asked Councilman Lyons to work with the Joint Recreation to see if they could arrange for an extension. Councilman Lyons withdrew his Motion and will contact Joint Recreation about seeking an extension and coming back to the Board with a definite proposal and a definite agreement with the Village.

6. SARAH WELLS TRAIL SPEED LIMIT STUDY: Supervisor Bloomfield stated the Board had received an answer from the New York State Department of Transportation in reference to the speed limit reduction request that was made for Sarah Wells Trail. The State said an investigation was conducted by their department and their studies indicate that the State-wide 55 MPH speed limit is

appropriate at this location. Councilman Canterino will convey this news back to the party that requested the speed reduction.

F. NEW BUSINESS:

1. VILLAGE/TOWN NEGOTIATIONS: Supervisor Bloomfield referred to the letter from the Village that the Board reviewed at Monday's Work Session. The letter stated the Village had appointed Trustee Kyle Roddy, Trustee Marcia Mattheus and Attorney David Donovan for the purpose of meeting with designated members of the Town Board to discuss and seek to resolve all issues, presently existing between the Village and Town in reference to water/sewer issues. He said since Councilman Newbold is co-chairman of the Water/Sewer Department, he should be one of the selected representatives. The Supervisor suggested Councilman Cappella, as Councilmen Canterino and Lyons live in the Village and it might be felt there could be some type of conflict of interest. The Board agreed and Councilman Cappella accepted the responsibility, and will attend the meeting along with Councilman Newbold and Attorney Caplicki. Attorney Caplicki will speak with Attorney Donovan and make arrangements for the meeting. Councilman Newbold assured the Board that they would report back to them all results of the meeting so that all Board Members were in the loop.

2. ORANGE COUNTY COMMUNITY DEVELOPMENT GRANT RE: JESSUP SWITCH ROAD:

Supervisor Bloomfield reported he has called the County a number of times, and left messages, but they have not been returned. He thought the problem might be due to their move to Middletown. He will try again tomorrow. The Supervisor stated that Highway is ready to begin work, and would like to do the work before the cold weather sets in.

3. BID RECOMMENDATIONS FOR SCOTCHTOWN/STONEHEDGE PROJECTS: Supervisor Bloomfield said he had received the bid recommendations on the Scotchtown/Stonehedge projects, and he would like to report on the Stonehedge backup well first. He reported the low bid was \$57,400.00, the high bid was \$112,000.00. Supervisor Bloomfield reported that the Budget Officer has informed him that by the end of the year, due to a special assessment, there should be approximately \$60,000.00 collected toward paying for the well. He said this will be sufficient money to pay for the low bid. The Supervisor stated the Board can accept the lowest bid, or put it back out to bid.

Supervisor Bloomfield stated the improvements to Scotchtown Park came in at \$97,004.00 to \$126,000.00 which he could not understand. He said he contacted Joe Klopchin (Water/Sewer Consultant), they talked and met with the engineer to discuss the quotes. He said the Board asked the engineer to put the replacement of the Scotchtown storage tank out for competitive bids and upon dealing with Orange County Health Department they were told they had to raise the well point since it was too low. He said they also were told they needed to rework the piping on the inside of the building. All of this went into the bid package, and the Board was not aware of this. He said that was what caused the difference between the cost the Board thought would be about \$45,000 and the bid that came in at \$97,004.00.

Supervisor Bloomfield said upon calling the County and explaining the fact that there was no money to do this additional work, and could we just replace the tank. The county said yes we could as it has to be done prior to the cold weather coming in. After a long discussion the Board decided to put the Scotchtown water tank back out for a re-bid.

Supervisor Bloomfield asked what the Board would like to do about the Stone Hedge Well bid. The Board discussed the prospect of going out for re-bid. Councilman Canterino said if our water people tell us it is a fair and reasonable bid, we do have the money, and we do need the well why not go ahead and move along. Councilman Canterino made a Motion to accept the bid of Tam Enterprise (aka A Plus Mechanical), New Hampton, New York to provide the backup well improvements to the Stone Hedge Water District, for a cost not to exceed \$57,400.00 as this is the low bid of the three that were received.

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

G. FINANCE: Councilman Newbold made the Motion to Authorize the Supervisor to pay manual A/P runs as of 9/10/09 amounting to \$150,00, Manual A/P Runs as of 9/16/09 for Trust and Agency amounting to \$7,329.48 and General Outside Serial Bond Principal, amounting to \$80,000.00. Also A/P Check Runs of 9/11/2009 to 9/24/2009 amounting to \$207,627.87. The Motion was seconded by Councilman Cappella. Motion carried unanimously.

H. PRIVILEGE OF THE FLOOR:

Neil Hickok said the VFW, next to the Salesian Property, and the buildings where the nuns lived both had to have a water connection. He thought perhaps the proposed rest room could be hooked in where they were to the Village sewer system. The Board replied that the property where the nuns lived is now owned by the Library, but it might be possible.

Gary Wile asked if the 9% increase in the budget was based on the mortgage tax revenue of approximately \$300,000. Supervisor Bloomfield replied that the Board does not know how badly the tax will be reduced this year as the Town has not received it yet. However, he said all indications are that it will be significantly lower than in the past. There was a brief discussion of when or how long it will take for the economy to turn around.

Joel Markowitz said he was at the Village Meeting when they also were discussing the septic system and the rest rooms at the Salesian Park and he said he felt there was a serious lack of communication. He said he has been talking to the Village Board about having their meetings recorded and put on their web site. However, he said the Village Board is reluctant to discuss it. He suggested the Town Board lead the way to doing this. Supervisor Bloomfield said he would look into it at another time.

Supervisor Bloomfield reported he had written to Mayor Higgins requesting some dates for a joint meeting and a possible agenda. He said at the last meeting of Joint Recreation the Mayor communicated to Councilman Lyons that October 5th would be a good date if it met with the Town Board's approval. Supervisor Bloomfield asked the Board for their feeling on the date. The Board felt strongly that they would like to have an agenda for the meeting before accepting the date. The Supervisor said he will call the Mayor and ask for an agenda.

Councilman Lyons made a Motion to cancel the Town Board's October 5th Work Session and meet jointly with the Village Board of Trustees at Village Hall, contingent on Supervisor Bloomfield confirming the joint meeting. Councilman Newbold seconded the Motion. In discussion the uncertainty of the agenda, the date, etc. the Board decided to wait for clarification as to what the Village wants to do. Councilman Lyons withdrew his Motion.

I. ADJOURNMENT: Councilman Cappella made a Motion to adjourn the meeting and go into Executive Session to discuss the following: 1. ADC Litigation; 2. Owens Road Litigation and 3: Rettberg Litigation; 4. Sewer negotiations, with the intent not to return. The Motion was seconded by Councilman Newbold. Motion carried unanimously.

Time: 9:25 p.m.

VALMA EISMA, TOWN CLERK

