

TOWN OF GOSHEN  
TOWN BOARD WORK SESSION  
November 10, 2008  
M I N U T E S

A work session of the Town Board of the Town of Goshen was held on the 10th day of November, 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	Councilman
	Louis Cappella	Councilman
	George Lyons	Councilman
	Kenneth Newbold	Councilman

Also Present:	Dennis Caplicki	Attorney for the Town
	William Standish	Budget Officer
	Valma Eisma	Town Clerk
	Priscilla Gersbeck	Deputy Town Clerk

The meeting was called to order by Supervisor Bloomfield at 7:34pm.  
Amendment to the agenda, under items for discussion: Jim Lawler representing Crystal Run Village, Inc. to discuss group home location.

**PUBLIC HEARING:**

Councilman Lyons made a Motion to open the Public Hearing for the Town of Goshen 2009 Preliminary Budget. The Motion was seconded by Councilman Newbold. Motion carried unanimously.

**TOWN OF GOSHEN 2009 PRELIMINARY BUDGET**

Supervisor Bloomfield explained the budget process, adding that the Department Heads worked with the Town Board to design a budget and that copies of the preliminary budget are in the Town Clerk's office for public inspection. Tonight this budget will be reviewed for public comment. If adjustments need to be made, that will be completed before the vote at Thursday night's meeting. This budget was particularly difficult to put together, because of the financial turmoil our Country is in. He thanked the Town Board and Department Heads for their input. He also thanked William Standish, Budget Officer, who incorporated new software compiling the input to form the budget and Councilman Phil Canterino, our Commissioner of Finance, using his expertise to assist us. Supervisor Bloomfield discussed the

**Principles Followed in Preparing the 2009 Budget.** Three years ago, the Town created a five-year budget under the recommendation of the NYS Comptrollers Office. This enabled us to do a budget analysis in decision-making with a continuous focus on cost reduction. The only monies to be borrowed will be to finalize the purchase of development rights in February. There will be no borrowing in 2009 for Town operations. Other Principles followed are; "pay as we go or don't go" philosophy and to maintain the current level of service. The Town will be prepared to reduce costs if projected revenues are not realized and we will develop new sources of revenue.

Supervisor Bloomfield outlined the **Five Year Budget Items to be Managed:**

- Tax Certioraris
- Asphalt Cost Escalation
- NYS Retirement Fund Contributions
- PDR
- Redundancies of Effort with State, County and Village Governments
- Echo Lake Industrial park
- IWS Host Agreement

Supervisor Bloomfield reviewed the following **Sources of Income:**

- Mortgage Tax - In 2008, the rate was \$595,000. For 2009 we'll drop it down to \$510,000. People today are not refinancing and buying homes at the same rate as in the past.
- Sales Tax - Reflecting upon the last two quarters, we feel comfortable with one million dollars of Sales Tax this year.
- Court Revenue- Will be the same as last year, \$350,000.
- Grants - We are not as optimistic as we were in 2008. Therefore, we only put in for two police cars.

Property Tax -	<u>Assessable Base</u>		
	<u>2008</u>	<u>2009</u>	<u>% Change</u>
	926,624,033	936,659,402	+1.08%

**Influences:**

- Home Sales Slowing
- Moratorium on Development

**Town of Goshen Budget  
Debt History**

	<u>12/31/2006</u>	<u>12/31/2007</u>	<u>12/31/2008</u>	<u>12/31/2009</u>
Operations	\$ 3,553,666	\$ 3,016,999	\$ 2,549,665	\$ 2,103,331
PDR	\$ 677,000	\$ 1,483,150	\$ 1,874,634	\$ 2,153,600
Total Debt	\$ 4,230,666	\$ 4,500,149	\$ 4,424,299	\$ 4,256,931

Operations cover everything in the Town except for the water districts. They stand alone. PDR covers four farms that the Town has purchased: Knoell, Myruski, Rhodes and Slesinski. The farm purchases were voted upon by the people via referendum in November 2004, up to five million dollars for open space preservation. We will bring down the *operational* debt by 1.450 million dollars.

**Major Board Actions to  
Reduce Costs**

- 1) Late 2006 – DPW Paves Roads Versus Contracting for Savings of \$25.00/ton of Asphalt.
- 2) Late 2006 – Police Officer Resigned and Not Replaced
- 3) Mid 2006 – Full-Time Cost Clerk Replaced by Part-Time Employee
- 4) Early 2008 – Full Time Water/Sewer Operator Resigned and Replaced By Week-End Part-Time Employee
- 5) Mid 2008 – Part-Time Assessor Employee Resigned and Not Replaced
- 6) Mid 2008 – DPW Part-Time Employee Not Hired
- 7) Police Chief and Assessor Positions Held by NYS Retirees – Saves Benefit Costs Equivalent to 50% of Their Salaries
- 8) Mid 2008 – Replaced Truck Body Versus Replacing Truck

**Tax Levy Increase (%)**

"A" Fund (V & T)	6.02 %
"DA" Fund (V & T)	(13.52) %
"B" Fund (T Only)	(2.58) %
<u>"DB" Fund (T Only)</u>	<u>15.15 %</u>

Supervisor Bloomfield asked William Standish to identify the above Funds. The "A" Fund covers the Town Hall administrative expenses. It does include a piece of the Highway Department, but only in administrative costs, that is spread across to Village and Town taxpayers. The "DA" Fund is also spread out to Village and Town taxpayers. This deals with costs pertaining to snow removal and purchase of highway equipment (those are the big items). The "B" and "DB" Funds relate to Town taxpayers only. The "B" Fund covers costs in the Police Dept., Building & Zoning Dept., Planning Dept., ERB and ZBA Boards. The "DB" Funds are generated by the Town only. This portion of the Highway Dept. covers capital road improvements. In summary, Supervisor Bloomfield stated:

Total Operations	5.26 %
Total PDR	(8.00) %
Total Tax Rate	4.82 %

**Tax Levy Increase (\$)**

Town Resident Bill \*

<u>2008</u>	<u>2009</u>	<u>(\$)</u> Change
\$1,109.93	\$1,163.49	\$53.56

Village Resident Bill\*

<u>2008</u>	<u>2009</u>	<u>(\$)</u> <u>Change</u>
\$408.95	\$405.07	\$(3.88)

\*Taxpayer bill calculated using a home with a \$400,00 market value.

Supervisor Bloomfield called for comments from the public.

Gary Wile commented that in 2006 & 2007 positions were vacated and not replaced. What other actions were taken in reducing the staff and the expenses of Dept. personnel? We had an increase in school taxes and now we are getting hit with a 4% increase in Town taxes. Supervisor Bloomfield explained that if we cut people out, then in essence we will be cutting out services. If in fact revenues fall off precipitously, then the Board will review the services. Councilman Canterino explained that we have cut and not replaced a number of positions and we do need a certain number of people to run a municipality. The Town tax assessed is 13% of the entire tax bill. The increase of 4% therefore, is only on the 13%, not on the entire tax bill. Mr. Wile feels that with tax increases in the Town, School, Library and Fire Departments Goshen is becoming an unaffordable place to live in.

Jerry Boss felt that a good job was done on the Budget. He had two questions for the Board. (1). What will happen to our budget with the tax certiorari on the Al Turi Landfill? Supervisor Bloomfield remarked that if we have to deal with this in 2009 then we will have to borrow money which will be reflected in the 2010 Budget. (2). What about the building in Salesian? Again, when a decision is made, it'll probably be dealt with in a future Budget. We've been paying down debt for three years of about one and a half million dollars a year. We are in good financial shape, because we are conservative. Other municipalities purchase new equipment and we have been successful in buying used equipment, examples are a used sweeper and van from the County. We need to put a check on redundancy in government. In the future we need to really look at consolidation.

Giovanni Pirraglia asked what contributed to the debt and was given details by William Standish.

Holly O'Hern questioned why there were so many pages listing attorney fees? Mr. Standish answered by stating legal costs are divided up pertaining to where the litigation occurs either in the Town or Village or Both. Therefore the division of services is listed under the proper Fund.

With no further comments from the public, Councilman Lyons made a Motion to close the Public Hearing on the 2009 Budget. The Motion was seconded by Councilman Cappella. Motion carried unanimously.

William Standish invited anyone to come and see him if they are having difficulty in understanding the budget and allocated Funds.

## AMENDMENT TO THE AGENDA

Supervisor Bloomfield opened the Work Session with the introduction of Jim Lawler.

Jim Lawler, Executive Director of Crystal Run Village, Inc., addressed the Town Board. Crystal Run Village is an independent non-profit provider of community-based programs for adults/children with intellectual and psychological disabilities. Its programs are certified by either the NYS Office of Mental Retardation and Developmental Disabilities or the NYS Office of Mental Health. Locally, the agency works collaboratively with the Orange County Department of Mental Health. Mr. Lawler handed out a packet to each of the Board members detailing facts and figures about the program. He proposed to open a group home at 3 Lisa Lane. This proposed home is not visible from the proper road and is off about 150 to 200 yards off onto a dirt road. Reminding the Town Board that this home would come off of the tax roles in about a year from opening date. This home would house five ladies age 21 to 27. This project was approved by the Office of Mental Retardation, however with the current State financial crisis, all projects are under review. Therefore, this project may be tabled in the foreseeable future. At the present, Mr. Lawler will proceed with this project. There are fifty-one group homes thru-out Orange County under Crystal Run Village management. In forty days this group home might become a reality. If the Town Board doesn't approve of the selected site, then they can propose an alternate site for Crystal Run Village approval. Another option to relocate the proposed group home would come under the saturation clause. Basically, it states that placing one more home of this type in this neighborhood would change the nature and character of the neighborhood. This would initiate a hearing before the Commissioner of the Office of Mental Retardation Developmental Disabilities.

Councilman Canterino questioned where other locations affiliated with this organization are located in Goshen. Response was; the location is at 335 Arcadia and was initiated in 1992. The home underwent a huge renovation and has no problems blending in with the community. In a dialogue exchange Councilman Canterino was informed that a notification letter was sent out on October 16<sup>th</sup> and the Town Board has until the end of November to take action on this proposal.

Councilman Lyons asked for clarification as to the type of client to be housed. Response: The residents are referred from BOCES and are totally mobile. When a child reaches the age of 21, their family approaches this group applying for admission into a group home. The total number of residents is locked in at five and the criteria for residential occupation will not change. Councilman Lyons suggested that the neighbors be notified. Mr. Lawler stated that this is done after the approvals, *not before*.

### 1. **ROGER MUMFORD – HERITAGE ESTATES**

Mr. Mumford handed out a brief summary and map detailing Heritage At Goshen which covers the 150 acre Afton Farm and his partner, Mike Walker has the 100 acre Kolk Farm under contract. It was granted preliminary subdivision approval including site plan and a special use permit granting 81 lots. The plan preserves over 150 acres of open space. His plan is to build homes for people who are not traditional buyers, single people, divorced people who are 50+ years old whose kids are in college. With the new Comprehensive Plan under review, he is volunteering to reduce the number of proposed new homes with the cluster portion now consisting of 63 lots (69 lots including

the existing Kolk residents). The proposed new zoning, by taking away the density achieved by undertaking extensive and costly water studies, would reduce the "63" cluster lots to 47 lots. The central sewer system associated with the 63 lot cluster is not economically viable for 47 cluster lots. What we're talking about is 15 homes. His request to the Town Board is to reconsider the zoning or at the least to exempt any project that has preliminary subdivision approval, including site plan and special use permit approval as well as SEQRA findings filed that state no significant adverse impacts will occur as a result of the proposed project. He has accomplished this. Referring to the map handout showing the 69 lot plan, Mr. Mumford showed that his plan covers every criteria of prudent zoning. He doesn't want to grind out much of the open space to create 2 to 4 acre lots to build large boxes which would be unacceptable.

Councilman Canterino questioned the sewer service. Can the sewer plant be expanded into a regional type sewer plant? Michael Walker, Engineer, answered by stating yes it can. The way it's designed, it's expandable. Under the present design, the effluent has two options: a direct discharge into the Black Meadow Creek or to create a wet land system for discharge.

Councilman Lyons asked that residents of Brookside Drive have a limited water supply now and will this project affect their water supply? Mr. Mumford stated that extensive water studies have been performed and there will be no impact on their homes. He proposes to build more moderately priced homes, nicely designed, slightly smaller square footage than building 48/50 larger homes that have been built in the last 10 years.

**2. N.Y. AGREEMENT TO GRANT 1.3 ACRES TO TOWN OF GOSHEN RE ENTRANCE ROAD TO PROPOSED ECHO LAKE INDUSTRIAL PARK**

Supervisor Bloomfield summed up a letter received from the State of New York. Developers for the Goshen Business park are in the process of seeking approvals for the development of a parcel of land adjacent to Mid Hudson Psychiatric Center located on Route 17M. The proposed project includes reconfiguring the access to the State facility and the conveyance of a 1.3 acre parcel of land to the Town of Goshen for highway access.

**3. LIGHT FIXTURE REQUEST BY DPW**

The Town Highway submitted two proposals for the replacement of light fixtures in the Highway Garage. These are the original fixtures from when the garage was built and are beyond repair. One proposal is for \$8,450.00 and the other is for \$9,100.00. Supervisor Bloomfield asked Councilman Cappella to follow up on the request and see what monies are in the budget for highway expenses.

**4. REQUEST FOR \$5,000 CONTRIBUTION BY CARI TO OPPOSE NYRI PROJECT**

Communities Against Regional Interconnect (CARI) is an organization of seven New York Counties and five citizens' groups leading the fight against the New York Regional Interconnect ("NYRI") project. NYRI proposes to construct a 1200 megawatt HVDC Transmission Line that will run about 190 miles beginning in the town of Marcy in Oneida County and ending in the town of New Windsor in Orange County. Since this transmission line doesn't go through the Town of Goshen, agreement was reached that we decline their request of a \$5,000 donation.

**5. CHANGE IN WORKER'S COMPENSATION LAW EFFECTIVE 12/01/2008**

Supervisor Bloomfield stated that there would be a change in workers' compensation as of 12/01/2008. Basically, the new law requires the municipality to ensure that businesses applying for permits, licenses, or contracts have appropriate workers' compensation and disability benefits insurance coverage.

This requirement applies to both original issuances and renewals, whether the governmental agency is having the work done or is simply issuing the permit, license or contract.

**6. CHANGES IN TIMING TO UPGRADE ROUTE 17 TO INTERSTATE 86**

In brief, Supervisor Bloomfield met with officials from the NYS Dept. of Transportation and local elected officials to discuss the future of Route 17's upgrade to Interstate 86. Given the current fiscal environment statewide, the schedule for interstate upgrade projects will be revisited. What has started will be completed. Other improvements need to be phased for funding purposes.

**7. PROPOSAL FROM HAMBLETONIAN GROUP, LLC FOR TOWN WATER & SEWER DEPT. TO OVERSEE REHAB OF WELLS**

Supervisor Bloomfield quoted from a letter received from the office of Fabricant Lipman & Fishberg, PLLC representing Hambletonian Park Subdivision, Section F(6). "The Applicant must demonstrate to the Planning Board prior to Final Approval that it has sufficient water to support the plan as proposed or readjust the plan accordingly for approval by the Planning Board." Further in the letter reads "we propose to put up a reasonable sum of money, calculated to cover the estimated costs that would be expended step by step to accomplish the desired increase in the water supply but all physical measures must be done by the Water District." "We do not believe that the Applicant should be required to expose itself to the kind of liability that might be generated by its physical participation." In other words, if they rehab the wells or they drill the other one deep and it doesn't work, they have to fix it. On the other hand, they want to give us the money to do the work. If things go wrong, the water district has to fix it. Supervisor Bloomfield called for comments from the Councilmen.

There was a consensus among the Councilmen that they could not make a decision based on this letter. A request was made for our Attorney, Dennis Caplicki, to respond to this issue.

**8. WATER/SEWER BILL AMENDMENT ARCADIA RESIDENT**

The Town is changing a previous motion on an adjustment to a water & sewer account. Originally, the water/sewer bill reflected an unusually high consumption of metered gallons, because of a leak in the pipes. The Budget Officer reviewed the monies in the original motion of \$6,032.02 and determined that the adjustment should be changed to \$4,202.11.

Supervisor Bloomfield made the motion to change the original adjustment of \$6,032.02 to \$4,202.11. Councilman Newbold seconded the motion.

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

## 9. IMA WITH CITY OF PORT JERVIS FOR USE OF FIRING RANGE

Supervisor Bloomfield stated that the Town has a request from the Police Dept. for permission to use the pistol range in Port Jervis to qualify for their pistol permits. This Inter Municipal Agreement with the City of Port Jervis covers insurance and the particulars pertaining to usage. Attorney Caplicki reviewed the IMA and briefed the Town Board with his summary. The class is being offered now and there are limited available openings. That's why the Town has to make a decision soon. There are eight Officers scheduled for overtime duty this Saturday. Questions were asked as to why the officers couldn't qualify one at a time or during shift hours. Also as to why the Officers need to use that particular range and the cost factor. Councilman Canterino was asked to look into this.

## EXECUTIVE SESSION

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

1. Gary Greenwald, ESQ. Re: Lubavitch Outreach Center
2. FEIS Status
3. IWS Negotiation Status
4. Woodland Estates, LLC Litigation
5. Lubavitch Outreach center Tax Certiorari
6. Personnel Issue – Town Hall

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

Time: 9:18PM

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Priscilla Gersbeck, Deputy Town Clerk

