

TOWN OF GOSHEN
TOWN BOARD MEETING
April 15, 2010
MINUTES

A Regular Meeting of the Town Board of the Town of Goshen was held on the 15th day of April, 2010 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: Supervisor Bloomfield called the meeting to order at 7:30 p.m. and asked Councilman Canterino to lead the Pledge of Allegiance.

B. AMMENDMENT TO THE AGENA: None

C. PRIVILEGE OF THE FLOOR: (agenda items only) : No response

D. OLD BUSINESS:

1. REQUEST FOR WAIVING FEES DUE TO FIRE: Supervisor Bloomfield called for a Motion to waive the application fees and any permit fees associated with the rebuilding of their business property that was destroyed by fire. No Board member made a Motion. No action taken.

2. HIGHWAY REQUEST FOR SEASONAL SUMMER HELP: Supervisor Bloomfield asked Councilman Cappella to address the Highway request. He explained that at Monday's Work Session the Board had received a request from the Highway Superintendent for seasonal summer help. He explained the department is currently working with two less people and will be doing a lot of work with ditching, and draining in subdivisions that need to be repaired. He said there is a lot of winter storm damage that needs to be cleaned up and the large Town Spring pickup is about to start. Councilman Cappella said the two students the Superintendent would like to hire, could free up the other men to do this work and it is in the budget.

Councilman Canterino made a Motion to authorize the Superintendent of Highways to hire two seasonal summer helpers. The Motion was seconded by Councilman Cappella. The starting salary was discussed, but as no one was aware of what it should be, it was decided it would be established when the hires were given final approval and appointed to the positions. Motion carried unanimously.

3. RESOLUTION: AUTHORIZE THE SUPERVISOR TO SIGN GOSHEN HUMANE SOCIETY CONTRACT: Attorney Caplicki requested an opportunity to speak in reference to this Resolution. He said based on a discussion that was held at the Work Session on Monday, and the possibility of revisions, he sent the contract to Laurene Sandstrom. He said she has not had time to review them and respond. He suggested it be put over until the next Work Session.

4. APPROVAL OF MINUTES: Councilman Cappella made a Motion to approve the Work Session of March 22, 2010 and Regular Meetings of March 1, and March 25, 2010 with minor corrections. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

E. NEW BUSINESS:

1. RESOLUTION TO ADOPT NEW WATER/SEWER RATE SCHEDULE EFFECTIVE MAY 1, 2010: Supervisor Bloomfield reported the new rates were discussed with the public the previous evening at an informational meeting with all the Water and Sewer Districts. Councilman Newbold made a Motion to adopt the following rate schedule effective May 1, 2010. The Motion was seconded by Supervisor Bloomfield, Motion carried unanimously.

PROPOSED RATE INCREASE – SEWER & WATER

Rate increases Effective 5/1/2010 & Receivable 8/1/2010

		■ Per Thousand –		
District Rate Increases	Gallon Usage	Current Rate	Proposed Rate	Net Change
<u>HAM, PARK WATER (165 Homes)</u>	0 – 5,000 Gals	\$ 12.25	\$ 9.75	\$ (2.50)
<u>KEY ITEMS:</u>				
#\$86,835 positive fund balance	5,000 – 10, 000	\$ 13.25	\$ 10.25	\$ (3.00)
-\$80,000 pd to SA to offset neg. fund balance	10,001 – 15,000	\$ 13.75	\$ 10.25	\$ (3.00)
Reflects decr. Of \$383,000 paid	15,001 – 20,000	\$ 14.25	\$ 11.25	\$ (3.00)
	20,000 ---->			
			\$ 36.75	
NEW WATER LINES (FLAT RATE/HOME/QTR.				
NET AVERAGE DECREASE PER HOUSEHOLD PER QTR:			\$ (21.05)	
NET AVERAGE PERCENTAGE DECREASE:			\$ - 9.71%	
<u>HAM. PARK SEWER (166 homes)</u>	0-5,000 GALS	\$ 20.50	\$ 13.00	\$ (7.50)
<u>KEY ITEMS:</u>				
-\$113,646.00 accumulated fund bal. deficit	5,001 – 10,000	\$ 21.75	\$ 16.00	\$ (5.75)
-\$ 78,338.00 amt. withheld from village pmts.	10,001- 15,000	\$ 22.00	\$ 16.50	\$ (5.50)
\$191,984.00 12/31/09 fund bal. deficit	15,001- 20,000	\$ 22.25	\$ 17.00	\$ (5.25)
+ 80,000 water fund bal. applied	20,000 --->	\$. 22.50	\$ 17.50	\$ (5.00)
-\$111,984.00 remaining deficit balance				
BALANCE OF INFLOWS (2008-2009) = \$74,154/2YEARS= \$37,077/YR				(\$56/HOME/QTR)
INFLOWS (2010) = \$96,38				
NET AVERAGE INCREASE PER HOUSHOLD PER QTR.		\$ 122.62		
NET AVERAGE PERCENTAGE INCREAS		\$ 45.24%		

**PROPOSED RATE INCREASE – SEWER & WATER
RATE INCREASE EFFECTIVE 5/1/2010**

--PER THOUSAND --

DISTRICT RATE INCREASES	GALLON USAGE	CURRENT RATE	PROPOSED RATE	NET CHANGE
<u>ARCADIA HILLS WATER</u> <u>(263 homes) KEY ITEMS</u>	0 – 12,000 GALS.	\$ 7.25	\$ 8.25	\$ 1.00
+ \$3,500 positive fund balance (increase to build fund bal.)	12,001 – 17,000	\$ 8.00	\$ 9.00	\$ 1.00
	17,001 - 22,000	\$ 8.50	\$ 9.50	\$ 1.00
	22,000 ---->	\$ 9.00	\$ 10.00	\$ 1.00

NET AVERAGE INCREASE PER HOUSEHOLD PER QTR: \$ 15.58
NET AVERAGE PERCENTAGE INCREASE: 12.00%

<u>ARCADIA HILLS SEWER</u> <u>(256 homes) KEY ITEMS:</u>	0-12,000 GALS	\$ 20.50	\$ 10.00	\$ (10.50)
Accumulated fund bal.	12,001 -17,000	\$ 22.00	\$ 11.75	\$ (10.25)
-\$ 39,012.00 deficit				
Amt. withheld from village pmts.	17,001 - 22,000	\$ 22.75	\$ 12.75	\$ (10.25)
<u>-\$106,433.00</u>				
-\$145,445.00 12/31/fund bal. deficit	22,000 ----->	\$ 23.25	\$ 13.75	\$ (9.50)

BALANCE OF INFLOWS(2008-2009) = \$50,264/YR (\$49/home/qtr)
INFLOWS(2010) = \$907,234 (\$95/home/qtr)

NET AVERAGE INCREASE PER HOUSEHOLD PER QTR: \$ 12.31
NET AVERAGE PERCENTAGE INCREASE 3.57%

<u>STONEHEGE WATER</u> <u>(42 homes) KEY ITEMS:</u>	0 – 12,000	\$ 10.50	\$ 11.25	\$ 0.75
-\$4,754 deficit fund balance				
\$12,600 new meters (3years)	12,001 - 17,000	\$ 11.00	\$ 12.50	\$ 1.50
	17,001 – 22,000	\$ 11.50	\$ 12.75	\$ 1.25
	22,000 --->	\$ 11.75	\$ 13.00	\$ 1.25

NEW METERS(\$12,600/3 YRS - \$4,200/YR) FLAT RATE/QTR. \$25,00

NET AVERAGE DECREASE PER HOUSEHOLD PER QTR: \$ (12.48) compared to
NET AVERAGE PERCENTAGE DECREASE: -4.68% \$59.53 in Nov. 2009

2009

- Two major water leaks = \$ 30,905
- Completed back-up well= \$ 37,000

2010

- Place new well in service
- Replace faulty meters as needed

PROPOSED RATE INCREASE – SEWER & WATER

RATE INCREASES EFFECTIVE 5/1/2010

DISTRICT RATE INCREASES	GALLON USAGE	■ PER THOUSAND –		
		CURRENT RATE	PROPOSED RATE	NET CHANGE
<u>SCOTHTOWN WATER (2 years)</u>	0-12,000 GALS.	\$ 15.50	\$ 13.00	\$ (2.50)
<u>KEY ITEMS:</u>				
\$36,000 Install new tank (2 Years) (1year left on new water tank)	12,001-17,000	\$ 16.00	\$ 14.00	\$ (2.00)
+\$39.196 12/31/09 fund balance	17,001–22,000	\$ 16.50	\$ 15.00	\$ (1.50)
<u>-\$27,000</u> Pmt due on tank in 2010				
+\$12,196 2010 available fund balance	22,000 ----→	\$ 16.75	\$ 16.00	\$ (0.75)

INSTALL NEW TANK(\$36,000/2YRS-\$18,000/YR) FLAT RATE/QTR \$ 100.00

NET AVERAGE INCREASE PER HOUSEHOLD PER QTR: \$ 11.46
NET AVERAGE PERCENTAGE INCREASE: 4.03%

2009

-NYS Grant – by Annie Rabbitt \$ 5,400
 -Bought & paid replacement tank = \$ 27,000

2010 or 2011

-Install tank and place on line \$ 48,000

F. FINANCE: Councilman Canterino made a Motion to authorize the Supervisor to pay Accounts Payable Check Run of April 15, 2010 amounting to \$188,145.36. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

G. PRIVILEGE OF THE FLOOR:

Susan Bloom stated she was “sorry for how the Village Board misrepresented to the public about the fact that they knew nothing about the Joint Rec. not having the money from the Town, \$25,000 less.” She said she felt this was really wrong. She thanked the Town Board for “paying as you go”, “for not putting us deeper into debt.” Ms. Bloom said she appreciated the Board and the wonderful job they are doing.

Supervisor Bloomfield said cutting the various departments was necessary, it was not only Joint Recreation, but the Humane Society, GOVAC, Police Dept., Etc. He said we had a 6.9 tax increase, and we were thinking of the people who have to pay for all of this.

Dan Matteo expressed concern for the area called Bridle Path that has been offered to the Town by the developer of Heritage Estates. He spoke of the long fight Hambletonian Park has fought to keep this path closed, and not turned into a road that would be bringing through traffic into their development. He read a letter expressing these concerns: the community is not made for through traffic, no sidewalks, street lights, etc.; winding roads, they fear accidents; they feel the Planning Board has an agenda as they seem to be pushing density and clusters; the sewer pipe that may or may not be on this piece of

property, and now, there is a developer in the picture. He said the residents of Hambletonian Park are asking the Town Board to protect Bridle Path from ever being opened.

John Grasser, resident of Hambletonian Park, thanked the Board for all they have done for Hambletonian Park. He said it is the general consensus in the park that if the Town gets possession of the property, a road will go in, and in his opinion it would ruin the neighborhood. He asked the Board to decline the offer of Bridle Path.

Melissa Gallo repeated the same concerns as Mr. Matteo, and said the only people who want the road are the people who do not live there, and they don't care if our quality of life is compromised. She said CARE, an organization that has been formed, has been fighting the battle over Bridle path for four plus years. She said during this time the attorney they worked with kept saying "they don't own the land" referring to the Planning Board. She stated that if this Board owned it, that would be fine, "but you are not going to be here forever". She asked the Board not to accept any land that has to do with Bridle Path.

Councilman Cappella stated the Town can take the land, it does not mean that Bridle Path has to open. He said if the Town should take the land for potential use, he would ask Attorney Caplicki to tell you how we can protect you. Councilman Canterino stated he has held his position on this for four years and has not changed his mind, he does not want this opened to provide a road. He agreed with Councilman Cappella that the Board should look into permanently protecting the path.

Supervisor Bloomfield asked the other Board members to express their feelings in reference to this matter.

Councilman Lyons said he had a similar situation in his development years ago when the Village allowed the Paddock to be built adjacent to his development, and of course the Paddock is there. He said protecting neighborhoods is one of the most important things we can do. He said there were plans at one time to extend the street he lives on all the way to Old Chester Road, he had young children at that time, thankfully they built a cul de sac instead. He said he has, and believes the whole Board has gone on record saying they were against opening Bridle Path and he has not wavered in that opinion. He said if the Town should take it over, they might be able to give the residents of Hambletonian Park even more protection. He said perhaps with a restrictive covenant, or something similar, in private hands they could open up the road when they develop the adjoining property.

Councilman Newbold said he agreed with Councilman Lyons and Supervisor Bloomfield, and does not want to open Bridle Path as a road. He cited a similar situation on Arcadia Road, which he lives on, when they wanted to extend a road from Arcadia Road all the way to Whispering Hills in Chester. He said he led the fight on that project, and it was never built. He said he would go on record stating he will do whatever will protect Hambletonian Park.

Councilman Cappella said he agreed with the rest of the Board and is against opening Bridle Path also.

Supervisor Bloomfield said the Planning Board voted against opening the road, even though the County said to open it up. He said the residents of the Park should not be worried about this anymore, as there are things the Board can do to protect them. However, he said to be fair to all residents the Town needs the land. He then asked Attorney Caplicki to speak to the subject.

Attorney Caplicki stated he and the Board have been discussing this, and very often the best way to protect a parcel is for the government to take ownership and to take it out of private hands. The impact on the tax rolls would be minimal, and it would give the municipal body control over the land. He said one way of doing it is when it is taken from the private individual, it be taken as an easement, conservation easement upon it, whereby certain things can never be allowed on the property. He said it

can be used for other things, but excludes what you want to protect. He said now it is protected from any future Boards of any kind. He said this is the procedure the Board is discussing at the present time.

Councilman Canterino made a Motion to adjourn the meeting and go into Executive Session with intent not to return to discuss the following:

1. Time Warner Franchise Renewal
2. Tax Certiorari Status Update
3. Potential ADC Litigation Status
4. Personnel – PD
5. Rettberg Litigation – Insurance Payment
6. Status of Village Sewer Dispute

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

Time: 8:25 p.m.

Valma Eisma, Town Clerk