

**TOWN OF GOSHEN**  
**TOWN BOARD MEETING**  
**April 28, 2011**

**MINUTES**

A regular meeting of the Town Board of the Town of Goshen was held on the 28<sup>th</sup> of April, 2011 at Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present:	Douglas Bloomfield	Supervisor
	Kenneth Newbold	Councilman
	Philip Canterino	Councilman
	Louis Cappella	Councilman
	George Lyons	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 led the Pledge of Allegiance.

**B. AMENDMENT TO THE AGENDA:** Supervisor Bloomfield stated there would be one amendment to the agenda, Time Warner Cable Franchise renewal. It will be placed as #6 on the agenda.

**C. PRIVILEGE OF THE FLOOR (agenda items only)**

**D. REPORTS:**

**COUNCILMAN PHILIP CANTERINO** reported he and Supervisor Bloomfield met with the PBA and their attorneys to discuss various things, and one of them was training. He said that this time, all the mandated training, except for two items, are complete. The last two Violence in the Workplace, will be completed on May 12<sup>th</sup>, and the weapons certification will be completed before the end of May.

Councilman Canterino also reported the Police department and the Board were waiting for an answer in reference to the Byrne Grant to see if they could purchase a car. However, the request for the grant has been denied as the State does not have the money. Councilman Canterino stated the purchase of the car will have to be addressed, and he will report back to the Board after they look into the state bids, etc.

**COUNCILMAN GEORGE LYONS** gave the JRC report as follows: The Spring Egg Hunt was held on Saturday, April 16<sup>th</sup> at Craigville Park, it was not the best of days, but 175 children participated in the event. Zumba classes continue, the latest one started this past Tuesday, April 26<sup>th</sup>, the cost for Goshen residents is thirty dollars, non Goshen residents is \$35.00. Goshen Parks and Recreation is now accepting reservations for the Summer Recreation Camp and Sports Camp. Recreation Day Camp is for children entering grades K through 7, and is offered as seven weekly sessions beginning June 27<sup>th</sup> thru August 12<sup>th</sup>. The camp is held at Goshen Intermediate School on McNally Street in Goshen.

Councilman Lyons continues: JRC is also offering sport camps in conjunction with US Sports Institute, which includes a multi-sports camp (learn how to play more that 15 different sports from around the world); Sports Squirts, for children ages 3 to 5; beginning golf; and flag football. To register for any of these sessions, or for more information on the programs you can visit the web site or call 294-1558.

Councilman Lyons reported the rest room project at Salesian is continuing on with anticipation of meeting the completion date of June 1<sup>st</sup>. Goshen's Little League opening day at Craigville Park was delayed till April 25<sup>th</sup> due to the rainy weather. The Park staff is busy with Spring cleanup of all the Village Parks. He said a big thank you goes out to Brian Mitchell, of Landscape Impressions, from Tuxedo, New York. Mr. Mitchell lives locally, and donated his services to restore the ball field at Erie Street Park.

**COUNCILMAN KENNETH NEWBOLD** reported the Water/Sewer Department is busy repairing the damages of this last winter, and two weeks ago, he received a call around 9:00 p.m., two homes in Hambletonian had a blockage in their sewer line, and they were getting backup in their basements. He said he wanted to thank the staff of the Water/Sewer Department for seeing the residents had what they needed until the problem was fixed. He said that he and the Supervisor met with the residents that night to talk with them about their insurances, etc.

**COUNCILMAN LOUIS CAPPELLA** stated he was sorry the press was not present this evening as he wanted some of his information printed in the newspaper so that it would reach the public. He proceeded to report the following: The Senior Center is not getting it's newsletters in the paper, and he wanted to announce there are still tickets available for their trip to Mohegan Sun, at Pocono Downs, on Tuesday June 7<sup>th</sup>. He said the cost is \$42.00, but they will get \$40.00 in return, \$10.00 toward food, \$30.00 free play, and it is a nice event. Anyone interested should call the Center at 294-8545, and speak with Ellen. There are now fourteen seats available.

Councilman Cappella reported Highway Superintendent, Broderick Knoell, is doing well after his shoulder surgery today. The Spring Clean Up is going well, and there does not seem to be as much material out there this year, which should save on some of the tipping fees.

Councilman Cappella reported that he talked with Michelle, who runs the Dial-A- Bus, and does a phenomenal job. The Dial-A-Bus services about 15,000 people and travel over 76,000 miles. Michelle attended a meeting for Orange County Annual Transit Operating Meeting which includes people from Coach USA, Newburgh Transit, Dial-A-Bus, all the people who provide transit in Orange County. Discussion included operating contracts, finding oversights, audits, and training. During the meeting, Goshen/Chester Dial-A-Bus, that is run by us, was complimented on our policies and operation procedures that we follow. All of Goshen/Chester Dial-A-Bus's policies and procedures are contained in a binder at the Highway Dial-A-Bus Office, and the County suggested that all other transit companies do the same. The County also suggested other companies should follow Goshen/Chester Dial-A-Bus's lead and install a dry easy board on their buses to list information for passengers such as Holidays, Closings, and Community Events. The County also suggested that the other companies work closely with their Highway Departments as Goshen does. Most municipalities close down the bus according to the School Closings, Goshen goes by our Highway Department, if the roads are clear the buses go.

Councilman Cappella said he wanted to compliment our Dial-A-Bus and Michelle for doing such a good job. The Board agreed.

**SUPERVISOR DOUGLAS BLOOMFIELD** reported the Tentative Assessment Roll was completed today, and he just took a quick look at it. He said our assessment went up something like eleven or thirteen million, the Village was flat. Now that the assessment is ready the residents can go to the grievance committee, and ask for a reduction. Therefore, the Tentative budget won't be what it is when the Final Roll is submitted later on. Supervisor Bloomfield also reported that the water line in Scotchtown was repaired, and a contractor has been hired by the family who has the leak.

**OLD BUSINESS:**

**1. DISCUSS AND APPROVE RESOLUTIONS REGARDING WATER RATE CHANGES EFFECTIVE**

**MAY 1, 2011:** Supervisor Bloomfield stated this Resolution will establish water rates for all the Water Districts for the upcoming Period of May 1, 2011 – April 30, 2012. These are the same rates which were submitted to the public last night at the Public Hearing.

**TOWN OF GOSHEN  
RESOLUTION**

**ESTABLISHING WATER RATES FOR ARCADIA HILLS WATER DISTRICT,  
HAMBLETONIAN PARK WATER DISTRICT, STONEHEDGE WATER DISTRICT AND  
SCOTCHTOWN WATER DISTRICT FOR PERIOD OF MAY 1, 2011 TO APRIL 30, 2012**

INTRODUCED BY: Councilman Kenneth Newbold  
SECONDED BY: Councilman Louis Cappella  
DATED: APRIL 28, 2011

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 28<sup>th</sup> day of April 2011.

**WHEREAS**, the Town Board of the Town of Goshen held a public hearing/informational meeting with respect to the establishment of water rates for the Arcadia Hills Water District, Hambletonian Park Water District, Stonehedge Water District and Scotchtown Water District for the period commencing May 1, 2011 and ending April 30, 2012; and

**WHEREAS**, the Town Board received input from the residents of said Arcadia Hills , Hambletonian Park, Stonehedge and Scotchtown Water Districts with respect to the activities and financial issues within said districts; and

**WHEREAS**, the Town Board of the Town of Goshen has considered any and all input, including but not limited to said districts;

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board of the Town of Goshen does hereby establish the water rates for the Arcadia Hills Water District, Hambletonian Park Water District, Stonehedge Water District and Scotchtown Water District for the period May 1, 2011 through April 30, 2012 as set forth in the annexed Exhibit A.

Upon roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilman, Philip Canterino	<u>AYE</u>
Councilman, Louis Cappella	<u>AYE</u>	Councilman, Kenneth Newbold	<u>AYE</u>
Councilman, George Lyons	<u>AYE</u>		

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

\*Exhibit A. may be seen in the Public Hearing Minutes of April 27, 2011.

**2. LETTER TO VILLAGE REQUESTING 2011 SEWER RATES:** Supervisor Bloomfield stated that this is just for information for the Board. He said that the Board had requested the Village notify us as to the rates

they would be charging us for the sewer. The Budget Officer sent the request stating we would need the figures by April 11th. He said we received it about 2:20 p.m. yesterday afternoon. Councilman Canterino, the Budget Officer, the Supervisor, and Attorney Caplicki could not fully understand it. Supervisor Bloomfield said he asked the Budget Officer to take the Village Budget and compare it to last year, sum it up, send another letter, attaching what he put together, and ask for clarification from the Village.

It was discussed that the Board cannot decide on sewer rates without the co-operation of the Village. Supervisor Bloomfield stated that upon his request his secretary, and the Budget Officer compared the last year's Village Budget to this year's Village Budget. They found that when these numbers were added up last year the operation of the sewer plant was two million four hundred twenty one thousand, six hundred thirteen dollars. The 2011 number is four million three hundred sixty eight thousand, one hundred seventy dollars, Or one million nine hundred and twenty two thousand three hundred and forty one dollars more than last year. The Supervisor stated that this is why, in good faith, he could not establish rates that we could talk to the public about. He again looked at it before coming to tonight's meeting, and just could not understand how this could be.

He said sanitary sewer infrastructure repairs for 2010, zero dollars were spent, but in 2011 \$482,106.00 was spent in 2011. The Supervisor stated " the way I look at this, this has nothing to do with that sewer plant.." "This was for the repairs of the sewer lines in the Village." He said if I had used these figures to present to the public last night, and put these figures in the rates, I would have charged the districts \$72,000.00 fictitiously. The Supervisor stated "I need better help than this."

Councilman Cappella said he is angry too, the fact that the numbers don't match. He said the letter the board received from the Village said \$2,421,000.00 plus spent in 2010, when they prepared this they came up with a figure of \$ 2,585,000.00 for 2010, these figures just do not match. He said also he heard Mr. Roddy telling people on Monday night, that the \$100.00 was for a surcharge, and that the operating cost was going to stay the same. Councilman Cappella stated none of the numbers make sense, and when it comes to the dirt pile removal, "that dirt pile does not belong to us anymore." "They are expecting our residents to pay for the removal of that dirt, their big mistake, and I am appalled by it."

The Board continued to discuss the many inconsistencies in the figures, and all agreed better communication is needed.

### **3. SET A PUBLIC HEARING FOR DISCUSSION OF PROPOSED SEWER RATE CHANGES FOR HAMBLETONIAN PARK AND ARCADIA HILLS ON THURSDAY, MAY 12, 2011 AT 7:30 P.M.**

Councilman Canterino made a Motion to set a Public Hearing for discussion of proposed sewer rate changes for Hambletonian Park and Arcadia Hills on Thursday, May 12, 2011 at 7:30 p.m. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

### **4. DISCUSS PROPOSED LOCAL LAW #1 OF 2011 "PUBLIC ASSEMBLIES AND ENTERTAINMENT"**

Supervisor Bloomfield asked the Board Members if they had reviewed the proposed Local Law and what their feelings were. Attorney Caplicki stated our current code addresses some of this area, but other areas are not addressed, and should be acted on as soon as possible, as there are sections that need to be regulated. He felt it was important for the protection of the public that regulations needed to be in place for the gathering of large crowds, such as parades, festivals, concerts, etc. The Board discussed what should be in the Town's applications, the fees that would need to be in place, what information the Board would need to have in the application to know what departments, such as the Police Departments, etc.

Attorney Caplicki suggested a Public Hearing should be set to obtain the public's comments. The Board discussed various areas that they wanted clarified or changed. Attorney Caplicki will make the changes the Board would like made. Councilman Newbold made a Motion to set a Public Hearing for Local Law #1 of 2011, Public Assemblies and Entertainment" for May 23, 2011 at 7:30 p.m. or as soon thereafter, at the Town Hall, 41 Webster Avenue, Goshen, New York. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

**5. REVIEW REQUEST BY OCCUPATIONS, INC. FOR A COUNTRY ROADS FALL FOLIAGE BIKE TOUR, SUNDAY, SEPTEMBER 18, 2011:** Supervisor Bloomfield stated the last time the Board had discussed this they did not have the map. He said the map is now attached, and the Board can now see the Goshen Town Roads that they will be using, only about four and one half roads. It will not require any additional policeman, just the two patrolmen that are on duty at the time. The Board asked if the insurance was in place, and the Clerk has received the proof of insurance.

Councilman Newbold made a Motion to approve the request by Occupation, Inc. to hold the Orange County Country Roads Fall Foliage 2011 Bicycle Tour on Sunday, September 18, 2011. The approval to be contingent upon proof of insurance and the Hold Harmless Form. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

**6. TIME WARNER CABLE FRANCHISE RENEWAL:** Attorney Caplicki suggested the Board would have to make a Resolution to accept the franchise. Councilman Canterino made a Motion to authorize the Supervisor to sign any and all documents to effectuate the renewal of the Time Warner Cable Franchise agreement upon the completion or compliance with our prior submissions to them. The Motion was seconded by Councilman Cappella. Motion carried unanimously.

**F. FINANCE:** Councilman Newbold made a Motion to authorize the Supervisor to pay Accounts Payable Run for 04/28/11 amounting to \$228,041.10. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

**G. PRIVILEGE OF THE FLOOR:**

Jerry Boss asked what provoked the Board to address the "Public Assemblies and Entertainment" law? Supervisor Bloomfield explained the requests were coming in for various events never addressed previously, so the Board thought it was the time to address the issues involved.

**H. ADJOURNMENT:** Councilman Canterino made a Motion to adjourn the meeting, and enter into Executive Session, with intent not to return, to discuss the following:

1. Personnel Case Arbitration
2. Al Turi Landfill Litigation
3. Status Review of Sewer Dispute Arbitration
4. Police Department Personnel
5. Litigation: ADC v Town of Goshen.

The Motion was seconded by Councilman Lyons. Motion carried 5 to 0.

Time: 8:55 p.m.

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Valma Eisma, Town Clerk

