

**TOWN OF GOSHEN**  
**TOWN BOARD MEETING**

August 25, 2011  
MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 25th day of August, 2011 at the 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
	Priscilla Gersbeck	Deputy Town Clerk

**A. CALL TO ORDER**

The meeting was called to order by Supervisor Bloomfield at 7:33 pm, followed by the Pledge of Allegiance.

**B. AMENDMENT TO THE AGENDA**

Agenda items E2 and E3 are removed from the agenda. The necessary paper work has not been submitted for review. Agenda item E1 is pending a report from the Building Inspector.

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

None at this time.

**D. REPORTS:**

**Councilman Cappella:** Announced that the Senior Commission has completed the Center's 2012 Budget.

The Highway Dept. has completed the nova chip surfacing on Arcadia Road from Conklingtown Road to Route 94. Everyone is quite satisfied with the results of the nova chip. Also, the Highway Dept. is officially on stand-by and prepared for Hurricane Irene.

**Councilman Newbold:** Commented on the wonderful job the Highway Dept. did on Arcadia Road. With the nova chip surface, people will be traveling faster than they should. Water and Sewer has been quiet except for a letter that will be addressed later in this meeting.

**Councilman Lyons:** Reporting for Joint Recreation stated that the summer day camp ended on August 12<sup>th</sup>. It served an average of 100 campers per week. This was hailed as a positive experience by many of the participants. Currently the administrative office is organizing a fall schedule for adults. This will include ZUMBA and recreational volley ball. The local school children will be offered Drama Kids and Mad Science programs. The restroom, at Salesian Park, is now open to the public from dawn to dusk. The Town DPW has repaired the potholes in Craigville Park. The Soccer Club will begin its fall season on September 1, 2011.

**Councilman Canterino:** (Filing in for Supervisor Bloomfield who was on vacation) Attended an open house at The Daughters of the American Revolution. The presentation was interesting. One point was that there were five schools during that period. The only buildings left are theirs and Webster Hall. Reporting for the Police Department, Police Chief Marsh attended the work session this past Monday. He is working on ways to resolve budget overrides for 2011 and is working on the 2012 budget. The Police vehicle inventory is up-dated. The minutes of 3/8/2010 were pulled as the purchase of the 2010 Tahoe was questioned. Councilman Canterino will speak to the Chief about this purchase. The Police Chief received a letter from Ray Bally commending the Police Dept. for the excellent manner in which they responded to an attempted burglary at his residence on 7-20-2011 while he was on vacation.

**Supervisor Bloomfield:** Reported on a conference call with the Emergency Management Center regarding Hurricane Irene. As of 2:30pm today, the National Weather Service reported to the County that our area is expecting rain to begin midnight on Saturday anticipating 9-12 inches. Currently the storm is North of Florida headed for NYC. It is a category III and is expected to slow down before it gets to NY. There is the potential for widespread power outages possibly lasting for several days. Be vigilant of erosion and damage from the wind. The Emergency Management Office will open at 6:00pm Saturday. People are to call 211 for information. Two shelters have been prepared; one is Deer Park and the other in Washingtonville. A letter will be issued to all of the various emergency services to stay in Orange County. If they are needed to assist other communities, the County will handle the deploying. The Governor has already declared a State Of Emergency for NYS. Therefore, keep track of all Hurricane expenses. The Town DPW is prepared and will be on stand-by all weekend for emergency assistance. The Town of Goshen will prepare the paper work to initiate a State Of Emergency. Today, the NYS Comptroller announced that there will be a significant increase in pension costs. This is due to high losses in the stock market and in funds. This could be an increase of 12% - 19%.

**E. OLD BUSINESS:**

**4. Discuss and Approve Resolution to Authorize the Supervisor to Sign an Agreement to Settle the Eastgate, LLC Tax Certiorari**

Attorney Caplicki stated that the applicant is not ready.

**5. Approval of the Minutes**

Councilman Newbold made the motion to approve the work session minutes of 8/8/2011 and the regular meeting of 8/11/2011. Councilman Lyons seconded the motion.

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

**F. NEW BUSINESS:**

**1. Discuss Request by Edith O'Brien for adjustment of her Water Bill**

The Board reviewed and discussed a detailed meter reading report from 01/31/2006 to 07/31/2011 belonging To Daniel & Edith O'Brien of Aspen Lane. They are asking for an adjustment to the bill. Their meter was checked and is in working order. As of 8/24/2011 the reading was 622290. The homeowner was questioned if there was a leaking hose or a cause to use more water. Supervisor Bloomfield called for comments from the Board.

Councilman Newbold feels that since the meter is working correctly, the bill is what it is.

Councilman Canterino noted that for the last three years he sees spikes around July and August. There seems to be a summer pattern.

Councilman Cappella wondered if the homeowner owned a pool. If granted this could lead to setting a precedent. He feels that the spike has something to do with outside usage.

Councilman Lyons asked for an explanation if something happened. Nothing was presented.

**2. Citizens Can Call the Orange County Emergency Response Center at 615-0895 for Information Regarding the Storm Expected on Sunday**

As of this afternoon the number has been changed. Citizens are to call 211 for storm information.

**3. Re-appointment of Maria Canterino as a Commissioner to the Joint Recreation Committee, Three Year Term to Begin September 30, 2011 and Expire on September 30<sup>th</sup> 2014.**

Councilman Lyons explained that there are appointments (Town & Village) to the Joint Recreation Commission.

Councilman Lyons made the motion to re-appoint Maria Canterino as Commissioner to the Joint Recreation Commission beginning on September 30, 2011 to September 30, 2014. Councilman Cappella seconded the motion.

On a Voice Vote, the motion passed: 4 AYES      Bloomfield, Cappella, Lyons, Newbold  
0 NAYS  
1 ABSTAIN      Canterino

**G. FINANCE:**

Councilman Canterino made the motion to authorize the Supervisor to pay Accounts Payable Check run of 08/25/11 amounting to \$173,385.29 and Manual Check runs from 08/05/11 to 09/01/11 amounting to \$167,526.42. Councilman Newbold seconded the motion.

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

## **E.1 Review Current Status of “Sign Violation Enforcement”**

Neal Halloran, Code Enforcer, addressed the Board looking for guidance in prospectively issuing violations of internally lit signs. He sent out many letters to sign violators. Only two responded: Furniture Options and the Rt. 17A Exxon Station. There are businesses which want to install rather large LED signs. Our Town Code specifically states no internally lit signs. Would it be in the best interest to prosecute the violators if the Town Board is contemplating a change to the Code to allow internally lit signs?

Councilman Cappella feels that the Town should change the sign law along major highways and commercially zoned areas (not in communities) in order to attract ratables.

Councilman Canterino feels that if a business wants to locate in a specific area, signage should not be a deciding factor. If so, a “very specific law should be drafted as to not get out of hand”. There are pros and cons. We don’t want to lose control as to where the signs create an undesirable distraction to the area.

Supervisor Bloomfield suggested sending a second notice to the violators. Perhaps we should take another look at our code.

Councilman Newbold feels that once a developer gets what he wants and promises to conform to the code and then breaks the law, those businesses should be put on notice and prosecuted.

Councilman Lyons feels that the laws should be obeyed and violators prosecuted. He is open to some type of modification within reason.

Changing topics: Mr. Halloran described the Dutchess Quarry mining expansion application at the DEC. The Quarry has proposed to go down another 460 feet which will bring them to -16 feet below mean sea level into aquifers. What effects will this have on our water quality and quantity? He is informing the Town that we have a window of opportunity to respond to this to the DEC. We have about a week or two to respond. This is a pre-existing non-conforming use. This permit would be an expansion and would come before the Planning Board for a 50% expansion by a special use permit. If they need to go beyond that, they will need to be heard before the Town Board. At this point, we have no application. He hopes that they will be required to file one. We need more information as to what comments should be sent to the DEC. Secondly, Attorney Caplicki will reclude himself from this matter, because of family involvement. It was recommended that Attorney Golden handle this mining expansion.

Supervisor Bloomfield suggested that Mr. Halloran contact Attorney Golden to write a letter to the DEC requesting an extension to the time frame for comments on this expansion and CC to Dutchess Quarry. The majority of the Quarry is on County property, therefore they should be involved. Mr. Halloran will also advise the Town Planning Board to prepare for this application and to prepare for an escrow account.

Next, Mr. Halloran informed the Board that Goshen Meadows will move the curve on Gate School House Rd. about 75 feet. This is postponed until after school starts, sometime in September. Goshen Meadows has submitted an application for 34 homes. He currently has permits for five. In general, houses are selling throughout the Town.

## **H. PRIVILEGE OF THE FLOOR:**

**Joel Markowitz** suggested for public notification of emergencies, the Town could sign up with Nixle. This internet service will broadcast community news to a cell phone or email account. This is used on college campuses. The client has to subscribe to this service. He believes the service comes at no cost. The Village of Goshen, City of Middletown and Chester were/are using this service.

[According to Nixle's web page: The Company is a collaborative organizational intranet. Nixle's mission is to enable government agencies, small to medium size businesses and enterprise-level organizations to communicate in a secure way and exchange multimedia content over a trusted mobile platform. Our product line supports secure enterprise grade communications for both public and private messaging.]

Mr. Markowitz commented on sign violations and the Town's internally lit sign code. He would like to see the Town Board review this section of the code to accommodate new rateables.

**I. EXECUTIVE SESSION:**

Councilman Cappella made the motion to enter into Executive Session to discuss the following;

1. Review Status Of Village/Town Sewer Arbitration
2. Review Status of Al Turi Litigation
3. P.D. Personnel/Chief Of Police

with the intent not to return. The motion was seconded by Councilman Lyons. Motion Carried

**ADJOURNMENT:** 8:50 PM

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Priscilla Gersbeck, Deputy Town Clerk

