

TOWN OF GOSHEN
TOWN BOARD MEETING
September 08, 2011
MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 08th day of September, 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 7:34 pm, followed by the Pledge of Allegiance.

B. AMENDMENT TO THE AGENDA

C. PRIVILEGE OF THE FLOOR (agenda items only)

None at this time.

D. OLD BUSINESS:

1. Recap Results Of Last 24 Hours Of Rain in Regard To Town Of Goshen

Supervisor Bloomfield recapped the past 24 hours since Hurricane Irene. He listed several roads that were closed due to flooding, some of them for 2-4 days. Some roads were seriously eroded such as Conklingtown Road. It took 200 tons of stone (20 truck loads) to fill in the hole. The sewer pump stations in Arcadia Hills and Hambletonian Park flooded; both were reported to the DEC. There was damage to Arcadia Hills well house-wells # 21, # 22, # 23 electrical system and building. Arcadia Hills access roads and security fences were seriously damaged. Several homes reported extensive damage on Gumwood Lane, Meadowbrook Lane, Celery Ave, Indiana Rd. and 182 South St. Numerous homes needed the fire dept. to pump out water in their basements.

With Hurricane Irene, we had around 11 inches of rain in about 6 hours. It was projected that we received another 5 inches of rain last night. Everything that was repaired after the hurricane was undone with the rain last night. Roads were flooded again and had to be closed. As of this moment, there are about 100,000 people being evacuated from areas in Pennsylvania and upper New York State.

The 100 year flood plan is used when designing bridges, roads and culverts. Likewise once every 100 years it is predicted for us to experience 7 inches of rain in 24 hours. By contrast, the first storm was 11 inches of rain in 6 hours plus around 5 more inches last night, that's 225% more rain than is expected in a 100 year flood. As a result, Orange County was declared a Federal Disaster Area. With the flooding, many residents/businesses are without phone service. The Town Hall had no phone service for 3 days. The County Government building will be closed indefinitely, because of water damage and mold. The Town DPW has been working 16 hour shifts repairing the roads for safe passage and for the school buses since school opened this week. The Town Hall has flooding in the basement which could contain fecal material.

2. Review Current Status Of Property Re-Val Project

Assessor JoAnn Soules, reported to the Town Board that her office is "on target" working on revaluation of properties. In about 1½ days, 250 parcels in the Village have been revalued. She is hoping that all of the Town and Village *inspections* will be done by the end of the year. Everything will be finished by May 1, 2012 when the tentative roll is to be completed. The purpose of the revaluation is to place current market values on each parcel which should eliminate most of the tax certioraris/ SCARS. The County Office of Real Property has offered to send 1 or 2 extra people to assist in the Assessor's office with this project.

3. Discuss Current Information Regarding Liability Insurance For Two In-Ground Fuel Tanks

Councilman Lyons explained that the purchase for two underground tanks has not been resolved. The insurance is referred to as specialty insurance with UCPM connected with Liberty Insurance Company. No one wants to insure environmental hazards of tanks. This policy has no tail coverage. Meaning that it begins on the date purchased. In the meantime there is no coverage. The limits of liability are \$1,000,000 each incident limit, \$2,000,000 aggregate limit and \$250,000 aggregate claims (attorney, engineer, and environmental fees) expense limit to defend the case. The deductible is \$10,000 for each incident. The total cost for this insurance coverage would be \$3,514.00.

Councilman Canterino was disappointed that the tail coverage is not offered.

Supervisor Bloomfield stated that our fiberglass tanks are double-wall tanks with an electronic censoring system in-between. It is unlikely that our tanks would leak. Nevertheless, if a neighbor's tank leaked near our tank we would still be sued. We would need the insurance to defend ourselves. This type of an incident has already happened and could happen again.

Supervisor Bloomfield will ask the Highway Superintendent for his input since he has an engineering background.

E. NEW BUSINESS:

1. As Information: Loren Pratt And Howard Bitner Will Be At Town Hall To Discuss Workers Compensation Issues At 9:00 A.M. Or 10:30 A.M. Friday, September 16, 2011

This announcement is for Town Personnel.

2. Request By Gary Tetz To Use Cemetery Road, Owens Road, Cheechunk Road And Hartley Road For Asphalt Trucks (40 A Day) Tomorrow, Monday And Tuesday Due To East Main Street Flooding.

Mr. Tetz is requesting the use of Town weight restricted roads to transport asphalt trucks to various job

She is tired of hearing excuses. "It's very heart breaking". She has photos of garbage blocking the stream. She noted that the stream up by Fleetwood, near the substation house, is "pristine clean". "Why can't my section be done?" She has seen flooding near the substation sewer plant (which is next to the ball field) flood onto that ball field and back up to her yard, containing sewage. "I can't live like this." She has no peace-of-mind when it rains. Her house is the first house to get flooded and gets the most water. She believes that the stream needs to be dredged or at the very least cleaned of debris.

Susan Cleaver, Coleman Road, ERB and Planning Bd. Was photographing flooded areas and infrastructure damage. Coleman Road was flooded through Salesian Park, over Craigville Road. She praised the Town Highway Dept. and Police Dept. for all of the work they did and are continuing to do to assure safe roads. She informed the Board that there were people going around the road barricades. The barriers are placed due to flooding, down trees and live wires hindering passage. Is there anyway the Board can increase fines or do something to prevent people from going through barriers. Response: several tickets have been issued. One person went through and had to be towed out. It's difficult to constantly monitor every location. She also noted that the flooded area in Hambletonian Park has never been mapped by FEMA. Years ago, FEMA was asked to remap that area. They did and left it out again. This is definitely a problem and if needed, she is willing to help this mapping issue.

Alexander John Petrovics, Meadowbrook Lane, Was quite upset that his numerous calls to the DPW and to the Building Inspector were never returned. "I'm disgusted with this Town". He lost irreplaceable memoirs. He observed that the Creek is backed up to where the ball field bleachers are. It appears to be creating a dam, backing up before the bridge. He has destroyed items on his lawn and no way to deliver them to the landfill. He suggested that the Town conduct an emergency flood cleanup. "Other towns are doing it." He was surprised when the Building Inspector questioned the legalities of his finished basement. There is a storm drain that comes down between 8 Meadowbrook and 10 Meadowbrook that was approved years ago. Now there is water coming from the street into his back yard, flowing into the stream. The pipe is about 2/3 into his backyard. Not only does he have water coming from the Creek, but from the road. There is also a pipe at the end of the block feeding the stream. He questioned his sewer bill. He doesn't feel responsible for the cracked pipes. Where he works in Bergen County, a similar problem was resolved by sleeving the sewer lines.

Response: The Town has an IMA with the Village as to how Hambletonian Park is billed for sewage. All of the sewage from Hambletonian Park is based on going through one valve and one meter which is read every day. The line goes to the Village sewer plant. The Village charges accordingly. The Town receives the bill in January and is split up based upon water usage. That's how it's been for about 60 years. Another reason why your bills are so high is because the Village built a 30 million sewer plant. Everyone who is connected to it has to pay into it.

Kathy Petrovics, Meadowbrook Lane, Inquired where does the water come from that is in the stream. If the water runs down from the Village onto their properties, into their sewer lines and into their stream, that means that they are paying for water that is not technically their water.

Response: Supervisor Bloomfield state that the FEMA Flood maps show that the water in your stream comes from miles away. The majority of the water comes from the high elevations like Goshen Hills into a watershed. When the watershed over flowed, it flooded out Harriman Drive, continued flooding across Route 17, flooded across 17M, went over top of the Old Chester Road then over the fields to your stream. From your stream it went into the culvert and onto the Salesian Property to the back swamp flooding over to Coleman Road headed towards the Otterkill and finally into the Hudson River. There were tens of thousands

of cubic yards of water flowing into Goshen. "This is the worst flood that we've had in decades, if not millenium." Hambletonian Park is adjacent to two flood plains. Meadowbrook Lane is at the lowest spot in Hambletonian Park. Therefore, all of the storm water drains in Hambletonian Park come by Meadowbrook Lane and into the Creek.

Mrs. Petrovics stated that they have been telling the Town for weeks/months that the water is backing up. This issue has been going on for a long time. "The water has been getting higher and higher gradually over a period of time".

Alexander John Petrovics, Meadowbrook Lane, Spoke with someone employed in the Water & Sewer Dept. about the flooding in the ball field. This was when there were only a couple of inches of rain. He was told that there is not enough man power or resources to work on the creek. This morning, with the flooding, his wife was told that no one will be called in until 7:30, because they are already working 16 hours shifts and will not do overtime. When he phoned back at 7:30 no one was there. Finally a dispatcher filled out a report. He is upset with the response he received.

Supervisor Bloomfield stated that there are 10 employees who begin at 7:00. Their job description is road maintenance. They have never been told to take care of the wet lands or flood plains. The Town will take a look at this situation to see what can be done. At this point, the DPW priority is to repair the roads to make sure they are safe, especially for school travel.

Sharon Conant, Meadowbrook Lane, Referenced a meeting in June with Broderick Knoell. The residents wanted the Brook taken care of. At that time, Broderick promised to "get on it". The problem with this Creek is not new it has been going on for years.

Justin Aclin, Meadowbrook Lane, In the past few years, he has seen the situation in his backyard go from very little flooding to water levels that encroach further and further onto his yard. Having seen the evolution of the pond turning into a swamp land, it seems that something needs to be done. Now, whenever it rains the homeowners are in fear of flooding.

Dan Matteo, Knapp Terrace, He agreed that if some of the debris is removed from the Brook, it'll give the home owners a little relief from some of the water coming over the banks. He questioned the practicality of the storm drain emptying in his (Petrovics) backyard.

Jerry Boss, Craigville Rd Stated that when he used to live in Hambletonian Park his basement flooded all of the time. "Unforeseen engineering in planning brings us to another point." Currently there are 4 to 5 major housing developments that are being planned. Perhaps the Planning Board and the Engineers should use this scenario (flooding) when designing sewer systems to prevent sewage from backing up onto the streets and into houses.

He now lives "on a moat" from the flooding. He has lived 10-15 years close to the Otterkill. "It now looks like the Amazon, a raging river." Not only are we receiving overflow from the Hills in Goshen, but massive amounts of water from the Black Meadow in the Village/Town of Chester. In retrospect, there is a lot here to be looked at.

Mr. Boss mentioned that the Town Police Dept. is working to cut expenses to balance their budget. "We have a good Police Dept. and we have a good Chief". The Police Dept. can be a real political liability when it goes bad. "We don't have any of that under Chief Marsh." When they are called, they respond quickly. That response time will be slower with the State Police. The P.D. worked 24-7 assisting those in need during the flood. There was a live-wire across Craigville Road. People were actually going around the barrier and our Police had to be there giving out summons. We really need to think about the Police Dept. who serves and protects us.

Supervisor Bloomfield stated that according to the revised State regulations on storm water management, all of the new subdivisions have to have retention ponds. In fact, with today's regulations, Arcadia Hills and Hambletonian Park would not be built the way they are.

Councilman Newbold assured the public that their concerns will definitely be addressed. "It wouldn't be swept under the rug, it wouldn't be forgotten." We will be on top of this tomorrow morning.

Joel Markowitz, Wickham Ave. Reminded the Board that we are one community of two municipalities. As a whole community the deterioration of the Mile Track. is a detriment to us. This 100 acre Track use to serve as a hydro geological buffer. The excess water flowed from Goshen Hills and was stored there and gave some relief to the Village. Through the complexities of time, it is no longer a retention basin. It is saturated. As a result there is flooding in the Village. Also the Rio Grand *desperately* needs to be dredged to prevent back-ups. Being one community, if the Village goes down, so will the Town go down with it. He has observed how shabby the core Village looks and compounded with the flooding, he feels that no one will want to invest in this community. "Nobody is going to create ratables while the infrastructure is in the state of disrepair as it is in." The municipalities would have a better chance to receive funding if it was done cooperatively between the Village and the Town.

I. EXECUTIVE SESSION:

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

1. Discuss Status Of CSEA Negotiations
2. Discuss Current Status Of Sewer Arbitration And New Potential IMA
3. Discuss P.D. Personnel Issue
4. Discuss Town Hall Personnel Issue

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

ADJOURNMENT: 9:25 PM

Priscilla Gersbeck, Deputy Town Clerk