

TOWN OF GOSHEN
TOWN BOARD WORKSESSION
SEPTEMBER 30, 2010
MINUTES

A Regular Meeting of the Town Board of the Town of Goshen was held on the 30th of September, 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:

The meeting was called to order by Supervisor Bloomfield at 7:35 p.m. Supervisor Bloomfield extended the Board's condolences to Eric Ring, daughter Chelsea, and family for the loss of his wife, Deborah. Eric Ring is a Town of Goshen Policeman.

B. AMENDMENT TO THE AGENDA: Supervisor Bloomfield said he would like to add one for the Executive Session, an additional item, a personnel case he would like to review.

C. PRIVILEGE OF THE FLOOR (agenda items only)

D. REPORTS:

COUNCILMAN CAPPELLA reported the following: Highway: the Jessup Switch Road project, which was supposed to start this past Monday, will start this Monday, Oct fourth due to the weather. At a prior meeting a Resolution was passed to put a stop sign in Hambletonian Park at Oakwood and Fleetwood, it was put in place this past week. This Monday, October 4th, Mark Warren from Water/Sewer is getting together with members of Highway; they will be working to dig up some areas in Arcadia Hills that may have an infiltration problem.

He said as far as the Senior Center: their budget is ready and he will give it to the Budget Officer tomorrow.

COUNCILMAN NEWBOLD reported Water/Sewer has been very quiet, he said he had received a letter praising Mark Warren. The people experienced a water break at 2:30 in the morning in Arcadia Hills and called Mark. She said he came immediately, with the crew, and fixed it, and she was very thankful for his quick response.

COUCILMAN LYONS reported that Joint Recreation has started Zumba Classes on Tuesday nights from 6:00 p.m. to 7:00 p.m., at the C. J. Hooker Building, the present class is filled. They will start another class soon. Volley ball started at 9/16/2010 and will continue on until 4/28/11 at the C. J. Hooker Building on Thursdays. The Halloween event will be held on Sunday, on October 24th from 1:00 p.m. to 4:00 p.m., the rain date is Saturday, October 30th. At that same time the chili cook off will also take place. The Turkey Trot and the Chicken Chuck will be held on November 20th, at 11:00 a.m. The JRC is working on setting up the annual Christmas Spectacular at Radio City Music Hall, sometime in December. The restroom project at Salesian is coming along, and there should be ground breaking in a few weeks. At Craigville Park the kitchen and the pavilion rentals have been rented almost continually. Goshen Youth Soccer is in full swing at Craigville, and football and cheerleading are in full swing at the Erie Street Park.

Supervisor Bloomfield asked about the finials on the fence at Salesian that are rusted. Councilman Lyons replied the JRC has a gentleman who is going to do the job, supposedly for \$5,000, and he will give either a three or five year guarantee that they will not peel, etc.

Councilman Newbold asked about the advertising of the Christmas trip to the Radio City Music Hall. There was a brief discussion on how the people attending are chosen and how it is advertised.

COUNCILMAN CANTERINO reported that things were very quiet at the Police Department, and the police are experimenting with the portable speed devise in various locations. He extended his condolence to the Eric Ring family for their loss.

SUPERVISOR BLOOMFIELD reported that he and Councilman Newbold met with the Water/Sewer Department weeks ago and tried to put a plan together to reduce the infiltration of water into the sewer to reduce our cost. He said they have been working on this for two years, and last year the amount we were charged was \$50,000 less because they had reduced the amount of infiltration. They will continue to do this, and there is now a new material with which they coat the inside of the manholes. He explained the process used, and when it is done it is supposed to keep the pipes leak proof for up to fifty years. There are two contractors that have committed to do two manholes, free of charge, so that the Board can compare their process. One has already done his, and the other will be doing theirs soon.

The Supervisor also reported on the following: He met with Joe Klopchin to review a water/sewer complaint from a year ago. The resident thought they were being overcharged. They discussed what could have caused this problem, and the Scotchtown water tank replacement, which is on the agenda tonight.

Supervisor Bloomfield said he, and the finance officer, Councilman Canterino have met several times with the Budget Officer to refine and redefine the 2011 budget.

E. OLD BUSINESS:

1. AUTHORIZE HIGHWAY SUPERINTENDENT TO ADVERTISE SURPLUS EQUIPMENT FOR POTENTIAL BIDS: Attorney Caplicki explained that the Highway Department has some equipment that is no longer of any use to the Town, and wishes to put the equipment out to bid.

**TOWN OF GOSHEN
RESOLUTION**

DESIGNATON OF SURPLUS PROPERTY/PROCEDURES FOR SALE

INTRODUCED BY: Councilman Louis Cappella
SECONDED BY: Councilman George Lyons
DATED: September 30, 2010

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 30th day of September, 2010.

WHEREAS the Town of Goshen Highway Department presently owns the following Equipment:

1. 1994 Chevy Kodiak, VIN # 1GBP7H1JXS100222
2. 1989 International S2574, VIN# 1HTZMGHR1KH669361
3. 1990 International S2574, VIN # 1HTGBNJR2MH305187
4. 6 FT Alamo Sickle Bar Mower
5. (1) 8 ft. X 32 in.; (3) 9ft X 36 in. Split Stone Chip Boxes for Dump Bodies
6. 2002 Ford Crown Victoria, VIN # 2FAFP71W13X106017

and, **WHEREAS**, based upon the recommendation of the Town Superintendent of Highway, Stephen Andryshak, and inspection of the aforementioned items of equipment and a thorough investigation thereof, said equipment is of no further use or utility to the Town of Goshen; and

WHEREAS, the Town of Goshen wishes to sell said equipment pursuant to public bid procedure,

NOW, THEREFORE, BE IT RSOLVED, that the Town Board of the Town of Goshen does hereby declare said items of equipment to be surplus and directs that same be noticed for public sale.

Upon Recall 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 passed/carried by a vote of 5 to 0.

2. APPROVE MINUTES: Councilman Newbold made a Motion to approve the minutes of Work Sessions of August 9th and August 23rd 2010 and Regular Meetings of August 12th and 26th, 2010 with two minor corrections. The Motion was seconded by Councilman Cappella. Motion

carried 5 to 0, with Councilman Lyons abstaining in the vote on August 12th, as he was unable to attend that meeting.

3. FRANK J. ROMANO FOUNDATION ROCK & RUN 5K: Eli Byers approached the Board stating that since the last time he was before the Board, he has spoken with the Village Police Chief Watt to review the traffic control plan. He was told that Chief Watt would provide ten officers to cover various spots along the race route. He said he had a request pending with the Orange County Sheriff's Department, for coverage of Scotchtown, as it is a County Road. He also has requested help from the Fire Department for help from the Fire Police. He said they have applications, pending approvals with the Town, the Village and the County. He said the insurance certificates have been updated to include the Town of Goshen, the Village of Goshen, the County of Orange and the Goshen School District. He said they have issued a sanitation plan with Mike Nuzzolese, Superintendent of the Village DPW in order to dispose of trash and recyclables, and will be happy to offer the same to the Town. He also has made contact with GOVAC for coverage. They are currently making a list of where the volunteers will be working, and what their responsibilities will be.

Mr. Byers stated that Chief Watt's suggestion for the Town Police was for four officers. He said earlier the Supervisor had stated that he thought that would not be possible, therefore he wondered if the officers on duty at that time could cover the start of the race. He asked if they would be able to pay the additional cost of the officers if the Board did not want the Policeman on duty to cover.

The Board discussed the number of runners expected and the route and time span. Since the race will start in the Town, the race should be over on the Town roads within an hour. Councilman Lyons referred to a memo from the Town Clerk in reference to a conversation with Chief Watt about his coverage. The Supervisor asked the Town Clerk for her input, in which she said the Chief did not mention offering ten officers, and he conveyed that he did not want to pay any overtime. The Town Clerk said Chief Watt indicated that he did not have Village approval yet to give the extra officers. Mr. Byers said that was correct, the Village will not approve it until Monday.

Councilman Canterino stated he would talk to Police Chief Marsh. The Board agreed it is a charitable event and it would like to help out where there is no cost to the taxpayers. Mr. Byers will consult with the Chief of Police as to the cost of additional officers, if needed or if the officers on duty that day can cover it. Councilman Cappella made a Motion that the Town Board gives its support to the Frank J. Romano Foundation Rock & Run 5K race. The Motion was seconded by Councilman Canterino. Motion carried unanimously.

F. NEW BUSINESS:

1. RESOLUTION: AUTHORIZE THE EXECUTION OF A MEMORANDUM OF AGREEMENT TO BECOME A MEMBER OF THE MOODNA CREEK WATERSHED INTERMUNICIPAL COUNCIL: Attorney Caplicki stated there were steps that needed to be done prior to the execution of the Resolution, such as declaring the Board Lead Agency. Councilman Canterino made a Motion to declare the Town Board Lead Agency in reference to the State Environmental Quality Review for a Negative Declaration regarding the type II action. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

**TOWN OF GOSHEN
RESOLUTION**

**AUTHORIZE THE EXECUTION OF A MEMORANDUM OF AGREEMENT TO BECOME A
MEMBER OF THE MOODNA CREEK WATERSHED INTERMUNICIPAL COUNCIL**

INTRODUCED BY: Councilman Kenneth Newbold
SECONDED BY: Councilman Louis Cappella
DATED: September 30, 2010

WHEREAS, the Moodna Creek Watershed (hereinafter "Watershed") is contained entirely in Orange County and covers approximately 180 square miles, including all or part of the following twenty-two municipalities: Towns of Blooming Grove, Chester, Cornwall, Goshen, Hamptonburgh, Highlands, Monroe, Montgomery, New Windsor, Newburgh, Tuxedo, Warwick, Woodbury; and the Villages of Chester, Cornwall-on-Hudson, Goshen, Maybrook, Monroe, Montgomery, South Blooming Grove, Washingtonville, and Woodbury; and

WHEREAS, in 2010, the Moodna Creek Watershed Conservation and Management Plan (hereinafter "Plan" was completed by the Orange County Water Authority (hereinafter "OCWA"), with partial funding from the NYS Department of Environmental Conservation Hudson River Estuary Program, and such Plan identifies threats to the Watershed as well as recommendations to protect and restore the water and habitat quality of the Watershed; and

WHEREAS, in 2010, the Moodna Creek Watershed Conservation and Management Plan (hereinafter "Plan") was completed by the Orange County Water Authority (hereinafter "OCQA", with partial funding from the NYS Department of Environmental Conservation Hudson River Estuary Program, and such Plan identifies threats to the Watershed as sell as recommendations to protect and restore the water and habitat quality of the Watershed; and

WHEREAS, the primary recommendation of the Plan is to form an Intermunicipal watershed group to develop a long-term mechanism for Intermunicipal coordination on priority watershed goals; and

WHEREAS, the OCWA has been working with municipalities, Community Groups, environmental organizations, educational institutions, interested individuals and other stakeholders since 2009 to develop a structure for the Moodna Creek Watershed Intermunicipal Council; and

WHEREAS, the Town of Goshen wishes to enter into a written agreement with other municipalities located in the Moodna Creek Watershed and OCWA to join the Moodna Creek Watershed Intermunicipal Council and to formally affirm their continuing partnership in the protection, conservation and enhancement of the water resources of the Moodna Creek and its Watershed; and

WHEREAS, the Town Board of the Town of Goshen has reviewed and agrees with the terms of the Memorandum of Agreement establishing the Moodna Creek Watershed Intermunicipal Council, except to the extend noted below; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF THE TOWN OF GOSHEN:

1. The Supervisor of the Town of Goshen is hereby authorized to enter into and execute the modified Memorandum of Agreement with other participating municipalities in the Moodna Creek Watershed and the Orange County Water Authority; and be it further resolved,
2. This Resolution shall take effect immediately

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.

2. REQUEST TO LOWER SPEED LIMIT ON MAPLE AVENUE FROM 55 TO 45: Supervisor Bloomfield said he received a request from Linda and Steven Pitre of 297 Maple Avenue (Co. Rte.37) for a speed reduction from where Cross Road (Co. Route 42) intersects with Co. Rte. 37, to where Orzek Lane intersects Co. Rte. 37. This is approximately a ½ mile stretch on County Route 37. They said the speed limit on both sides of this stretch is 45 MPH. He said the justification for asking for this is that there is a drastic increase in traffic, especially over the past ten year. This location has become a commuter "short cut". Along with the increase in traffic, there has been an increase in speed along this route, definitely excessive and well above the posted speed limit of 55 MPH. There has been an increase in the number of accidents on this route, primarily due to this speed. They said the final reason prompting this request was the killing of an entire family of six Canadian geese crossing the road in broad daylight. The driver was traveling well above the speed limit and never even attempted to slow down.

Councilman Newbold made a Motion to submit this request to the County for the speed reduction. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

3. DISCUSS CHANGING INSTALLATION DATE FOR THE WATER STORAGE TANK IN SCOTCHTOWN WATER DISTRICT AND AUTHORIZE TOWN CLERK TO ADVERTISE PROJECT FOR POSTENTIAL BIDS: Supervisor Bloomfield explained he had received a request from a resident of Scotchtown Park asking that the Board move up the date for the installation of the water storage tank from next year to the present time. He said there are two or three homes that are clustered near the tank that have higher than normal quantities of lead and copper. He said when he talked to the Town Engineer, Sean Hoffman, he asked if replacing the tank would solve the problem, and Sean said he was not sure, but installing the new tank might solve the problem, and if not it would help to find the source of the problem.

Supervisor Bloomfield said he talked to the Budget Officer to see how much money has been collected from the District since purchasing the tank several months ago. He said at that time it was purchased with district funds that were available, and since that time the Town has been collecting additional funds for the installation so that the funds needed would not have to be borrowed. The Budget Officer reported that by the end of the year there should be a minimum of \$35,000 dollars in cash to install the tank. The Supervisor than talked to Joe Klopchin and Sean to see what the cost would be to install the tank. He said it was discussed, and everyone felt it best to go out to bid now, with the advent of cold weather, if the bid comes close to the fund balance

we have, it will be done. If the bid comes in a little more than what is there the Board will decide what to do at that time.

Councilman Lyons asked if perhaps the tank could be installed on an emergency situation, so it would not have to go out to bid, since there is a health issue involved, especially since the existing tank could fail at any time. After discussing it further, Councilman Canterino made a Motion to authorize the Supervisor to go out for competitive bids for the installation of the water/storage tank in the Scotchtown Water District. The Motion was seconded by Councilman Lyons.

Upon a Roll Call Bid:

Supervisor Douglas Bloomfield	AYE	Councilman Philip Canterino	AYE
Councilman Louis Cappella	AYE	Councilman Kenneth Newbold	AYE
Councilman George Lyons	AYE		

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

4. CITIZENS CAMPAIGN SOLICITATION IN GOSHEN FROM OCTOBER 4TH THRU NOVEMBER 15TH: Supervisor Bloomfield explained that the Citizens Campaign was founded in 1985 and is a non profit organization of private citizens for the protection of our land and water resources. He said once a year they come to the community, and go door to door asking for donations. He stated they have a legal right to do that, and will be canvassing in the Town starting on October 4th thru November 15th.

G. FINANCE: Councilman Newbold made a Motion to authorize the Supervisor to pay Accounts Payable Check Run for September 20, 2010 amounting to \$489,123.31. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

F. PRIVILEGE OF THE FLOOR:

Jerry Boss: Stated he had mentioned before, in reference to the tax certs that are pending, that he thought Judge Bartlett should recuse herself from handling them, and asked if she has done so. Attorney Caplicki said she has been recusing herself from certain cases.

Mr. Boss asked about the cost to the Town for the construction of the bathrooms at Salesian Park? Councilman Lyons replied as of now he did not think there has been any cost to the Town. He said the Village DPW will be doing the hookup, but there will be no money exchanged or charged to the Town. Councilman Lyons explained that every other cost has been covered by volunteers. There was a brief discussion as to how the billing for the sewage will be covered, and if the Salesian will remain a passive park.

Mr. Boss again brought up the increased traffic that will come from the proposed subdivisions that are now before the Planning Board.

Gary Wile asked if when the Assessor was at the last meeting was she giving a report to the Board. Supervisor Bloomfield stated the Assessor was giving the Board the current status of the revaluation being done. He asked if there has been any report on the cases that have been lowered by the court thus far. Supervisor Bloomfield explained that the Assessor's position is such that it does not have to answer to the Town Board. Mr. Wile said it appears they don't have to answer to anyone, that no one supervises them.

Mr. Wile also inquired as to why the Assessor would bring down the assessment when ordered to do so, and put it right back up next year. He said this is being done where there is no reason, in this economy to do so.

Attorney Caplicki explained that the assessments, whether they have been lowered or not, by law have to be examined every year. Mr. Wile said he thought it unfair that a few homes would be chosen to be revaluated, when a total reassessment was not being done. Attorney Caplicki suggested that these homeowners who were chosen should go into the Assessor's Office and review their assessment with the Assessor, as they are entitled to do so. Mr. Wile asked Attorney Caplicki to talk to the Assessor and ask her what her justification is for raising the assessment back up every year, after they have been reduced by the courts.

Neal Hickok asked if the chicken used for the Chicken Chuck was real, the Board assured him it was not. Mr. Hickok felt offended by it himself, and felt some other object should be used, perhaps a pumpkin.

There was a brief discussion between Neal Hickok, Joel Markowitz and the Board in reference to the pending arbitration between the Village and the Town over the water/sewer issue with the Village. Mr. Markowitz stated the Village feels they do not have to abide by a decision that comes as a result of arbitration. Supervisor Bloomfield and the Board have always stated they would abide by whatever the decision would be, and they hoped the Village would do the same. He stated "litigation is destructive to our community."

Mr. Markowitz stated that they have been doing the videos of the Town Board for one year, and he would like to thank Mr. Hickok for all the work and dedication he has put into doing them. The Board agreed and commended and thanked both Mr. Hickok and Mr. Markowitz for doing a great job, and a great service to the community.

H. Adjournment:

Councilman Newbold made a Motion to adjourn the meeting and go into Executive Session to discuss the following:

1. Diane Riddick Water/Sewer Bill
2. Tax Certiorari Schedule Update
3. Status of Town's Request to Village for Arbitration
4. Personnel Case

with intent not to return. The Motion was seconded by Councilman Cappella. Motion carried unanimously.

Time: 9:15 p.m.

Valma Eisma, Town Clerk

