

TOWN OF GOSHEN
TOWN BOARD MEETING

October 14, 2010
MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 14th day of October, 2010 at 7:30pm 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	Attorney for the Town
	Priscilla Gersbeck	Deputy Town Clerk

A. CALL TO ORDER

The meeting was called to order by Supervisor Bloomfield at 7:35 pm, followed by the Pledge of Allegiance.

B. AMENDMENT TO THE AGENDA

C. PRIVILEGE OF THE FLOOR (agenda items only)

No Response

D. OLD BUSINESS:

1. **Orange County Soil & Water Conservation District – Walkkill River Maintenance Update**
Supervisor Bloomfield referenced a letter (dated 10/5/2010) he received from Thomas Pahucki, Legislator, covering a meeting held on 9/27/2010 of the Orange County Soil and Water Conservation District. During the meeting it was understood that a permit from the Town was needed to allow for live trees to be cut down along the Walkkill River. However, the letter stated that a permit is not needed. Attorney Caplicki was asked to verify who *initiated* the decision on this matter. His contact has not responded to the question. Councilman Newbold received an email from Legislator Pahucki referencing that other Towns do not require permits. According to a NYS Code, if you are working in a flood plain a permit is requested. The Town feels that our portion of the Walkkill River is in a flood plain. It is possible that the DEC will also ask for a permit.

Councilman Canterino suggested that the Town should respond to the letter stating that if the County wants to proceed, then the Town will not be held legally responsible for potential damages upstream. We do need to protect the citizens of Goshen.

2. Jessup Switch Road Project Update

Councilman Cappella reported that he visited the project and it looks like it is completed. There will be a follow-up by our Engineer, Sean Hoffman, to verify if any additional work is needed.

3. New York Farms (aka Heritage Estates) Request For Creation Of A Sewer District And/Or Transportation Company

Heritage Estates has requested that the Town create a delivery sewer service from the subdivision to the Village. It is to our understanding that the Village does not want to take over the maintenance of the pipes or the operation of the lift stations. The Village just wants to process the sewage as is done with Hambletonian Park and Arcadia Hills. This will be continued at the next meeting.

Heritage Estates will be clearing trees in the March when the Indiana Bat is gone. Infrastructure ground breaking is planned for April. The objective is to have homes ready for sale in early 2012.

4. Replacement Of Scotchtown Water District Water Storage Tank

The Town will go out for competitive bids to install a new water storage tank for the Scotchtown Park Water District. Sean Hoffman, Engineer, will have the specifications ready for review by the Health Department tomorrow. Once this is completed the bids will be placed in the newspaper.

E. NEW BUSINESS:

None at this time

F. FINANCE:

Councilman Newbold made the motion to authorize the Supervisor to pay accounts payable check run for October 7, 2010 amounting to \$190,296.63. Councilman Cappella seconded the motion.

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

G. PRIVILEGE OF THE FLOOR:

Jerry Boss, questioned if the removal of the Indiana Bat habitat located in Heritage Estates was approved by the DEC. He also wanted to know if Heritage Estates has completed all of the steps in order to "put the shovel in the dirt". Response; they have conditional final approval. One of the conditions is to create a sewer district/transportation company, which is being addressed. Mr. Boss was concerned as to how the new homes will impact the traffic flow in the community. He was assured that a traffic study was reviewed by the Planning Board. Mr. Boss inquired about the number of "users" tapping into the aquifer located in the vicinity

of Coleman Road. Since it is only around 8ft. high, will it be able to accommodate all of the surrounding homes along with the new developments. Response: According to an engineering study, the water protocols have been satisfactorily met. Another question pertained to the added traffic impacting the Village 90 year old I & I system. Response: Heritage Estates is negotiating with the Village for sewage disposal. Hopefully, all of the I & I issues are being addressed.

John Mungo, Fleetwood Drive, Wanted to know if an IMA for the new sewer district will be achieved between the Town and the Village when an IMA for Hambletonian Park hasn't progressed. The Town has hoped for an "all encompassing" IMA with the Village. Other issues are forthcoming before any IMA can be addressed. In summary, The Village is in the sewer business, the Town is not. We have been trying to convince the Village to take over our infrastructure.

Supervisor Bloomfield referenced an article in our local paper. The Village Mayor made a comment for the Village residents to contact the Town urging the Town to pay the bill it owes to the Village. If the Town pays the bill, then the Village wouldn't have to increase its rates. The Town has made repairs to the I & I system. With this, Supervisor Bloomfield projected that for 2010 the Town has 22% less sewage going to the Village for Arcadia Hills than in 2008. For Hambletonian Park the reduction in sewage is 12.2% in comparing the two years. This equates to a lot of money that will not be going to the Village. The Town still believes that the Village has overcharged us. Besides initiating a lawsuit against the Town and the removal of the "contaminated" dirt pile, there are other issues contributing to the Village rates going up.

H. EXECUTIVE SESSION:

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

1. Tax Certiorari Update
2. Status Of Time Warner Cable Franchise Renewal

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

I. ADJOURNMENT

The public meeting concluded at 8:20PM.

Priscilla Gersbeck, Deputy Town Clerk

