

**TOWN OF GOSHEN
TOWN BOARD MEETING
May 25, 2006**

The Regular Meeting of the Town Board of the Town of Goshen was held on the 25th day of May, 2006 at 7:30 pm in the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present:	George Lyons	Acting Supervisor
	Philip Canterino	Councilman
	Louis Cappella	Councilman

Also Present: John Cappello, Attorney
Richard Golden, Attorney

Absent:	Douglas Bloomfield	Supervisor
	Kenneth Newbold	Councilman

A. Call to Order

Acting Supervisor Lyons called the regular meeting of the Town Board of the Town of Goshen to order at 7:33 pm. Mr. Huddleston led the Pledge of Allegiance. Acting Supervisor Lyons explained that Supervisor Bloomfield is out of Town and Deputy Supervisor Newbold was unable to attend this evening.

B. AMENDMENT TO THE AGENDA

Councilman Canterino asked that issues requiring a vote be expedited as he has a family emergency and must leave as soon as possible. At that time there would be no quorum for voting purposes.

C. PRIVILEGE OF THE FLOOR (agenda items only)

No Comments.

D. OLD BUSINESS

E. NEW BUSINESS

1. Appoint Marie Pascal as Dial-a-Bus Driver

By Proper MOTION, made by Councilman Cappella, seconded by Councilman Canterino the Town Board authorizes the hire of Marie Pascal as

Dial-a-Bus Driver. No discussion. Acting Supervisor Lyons called the question.

**Town of Goshen
County of Orange, State of New York**

**RESOLUTION
HIRING DIAL-A-BUS DRIVER**

Introduced by: Councilman Cappella

Seconded by: Councilman Canterino

Date of Adoption: May 25, 2006

WHEREAS, the Town Board has authorized the hiring of a Dial-a-Bus Driver;
and

WHEREAS, the Town Board determines that it is in the best interest of the Town of Goshen to hire Marie Pascal as Dial-a-Bus driver.

NOW THEREFORE BE IT RESOLVED that the Town Board hereby hires Marie Pascal as a Dial-a-Bus driver at a rate of \$15.33 per hour to begin May 15, 2006.

Upon Roll Call Vote:

Supervisor Bloomfield	Absent	Councilman Newbold	Absent
Councilman Lyons	Aye	Councilman Caterino	Aye
Councilperson Cappella	Aye		

Vote: Resolution carried by a vote of 3 to 0

2. Authorize Purchase of a Lawn Tractor - Highway Department

Acting Supervisor Lyons noted that at Monday's meeting a different piece of equipment was being considered. Councilman Cappella explained that Supervisor Bloomfield suggested to Mr. Andryshak that he check with other vendors. Mr. Andryshak researched further and found that the tractor he was considering was not for commercial use and therefore not suitable for the job. He checked other vendors and this price from Sosler's was the best.

By Proper MOTION, made by Councilman Canterino, seconded by Councilman Cappella the Town of Goshen hereby authorizes the purchase of a new lawn tractor. No discussion. Acting Supervisor Lyons called the question.

**Town of Goshen
County of Orange, State of New York**

**RESOLUTION AUTHORIZING THE
PURCHASE OF A LAWN TRACTOR
FOR HIGHWAY DEPARTMENT**

Introduced by: Councilman Canterino

Seconded by: Councilman Cappella

Date of Adoption: May 25, 2006

WHEREAS, the Town of Goshen Highway Department has advised the Town Board of its need for a new lawn tractor and has solicited quotes for such purchase; and

WHEREAS, the Town Board has considered this request and determines that it is in the best interest of the Town to purchase such lawn tractor.

NOW, THEREFORE, BE IT RESOLVED:

That the Town purchase a new Massey Ferguson Yard Tractor, Model #MF2723-54, at a cost not to exceed \$5,599.99, as stated on a bid quote from Sosler's Garden and Farm Equipment.

Vote: Resolution carried by a vote of 3 to 0.

F. FINANCE

VOTE By Proper MOTION, made by Councilman Cappella, seconded by Councilman Canterino, the Town Board of Goshen hereby authorizes the Supervisor to pay voucher 2006-0985 to voucher 2006-1155 amounting to \$315,086.72.

**G. PUBLIC HEARING - GERRICK ASSOCIATES - SPECIAL USE PERMIT
FOR AIR STRIP**

Mr. Cappello explained that due to the need for Councilman Canterino to leave, the Board can vote to open the public hearing and vote to adjourn it. The

applicant can present his information to the two remaining members. The Board can then take action at a subsequent meeting when there is a quorum.

VOTE By Proper MOTION, made by Councilman Canterino, seconded by Councilman Cappella, the Town Board of Goshen hereby opens the Public Hearing on Gerrick Associates. Passed unanimously.

VOTE By Proper MOTION, made by Councilman Canterino, seconded by Councilman Cappella, the Town Board of Goshen hereby continues the Public Hearing for Gerrick Associates to a Special Meeting to be held on Thursday, June 1, 2006 at 6:30pm. Other matters of interest including information regarding the Remington Ridge project will also be discussed at this meeting. Passed unanimously.

Mr. Golden is acting as Counsel to the Board for this Public Hearing. Acting Supervisor Lyons stated that the Board had hoped for a dialog on this topic at the work session, but the owner was unable to attend. The members realize that time is of the essence on this matter. Mr. Huddleston (Planning Board Chair) stated that the Planning Board has issued a negative declaration on this project.

Mr. Golden explained that the applicant came to the Planning Board initially for approval. A Public Hearing was held and a neg dec granted by the PB. However, since the use the applicant wants is not a permitted use in the code they need to come to the Town Board to legislatively get permission on a particular piece of property for this use. Then they can apply for the subdivision through the PB. The PB did review the situation with the applicant. No one spoke at the Public Hearing. The applicant and the Planning Board Chairman are here tonight to answer any questions.

Mr. Golden stated that this is only for an air strip on a particular parcel and the TB can condition any approval or defer to the PB to add any conditions. The PB has already imposed the following conditions:

- 1) The air strip is restricted for ag use only.
- 2) The flight pattern would not go over any residential homes
- 3) It will only serve the farmers in the towns of Wawayanda, Goshen and Warwick.
- 4) There will be no chemical storage on the site. Chemicals will be brought to site and removed after the spraying.
- 5) Temporary fueling will be allowed. There would be no fuel storage tank.

Councilman Cappella asked about the building that is shown. Mr. Minkus (owner of the property) stated there would be a pole barn with a cement floor. There would also be a 500 gallon triple containment fuel storage tank. The operator

of the plane does not want to store any chemicals. The operation will basically stay the same as it was before. The fuel tank will be in the building and above ground. Most of the fuel will be used up on a daily basis as the plane can only carry a small amount of fuel per trip in order to lighten the load.

Mr. Minkus stated that the strip will only be used for the farmers in the Orange County Growers Protection Council. The only reason he wishes to subdivide this piece is for liability purposes. He is donating the property to the organization. The growers are taking donations to build the building. He is not selling the property. The corporation will own the property and if it ceases to be used as an airstrip it will revert back to Mr. Minkus. He also noted that the nearest home is over a mile away.

Acting Supervisor Lyons asked if it would be possible to approve an emergency permit so the farmers could get started spraying their crops. Mr. Golden replied that this is possible and recommends having a "sunset provision" included. Acting Supervisor Lyons noted that Councilman Canterino had several questions at the Monday meeting and he felt that the subdivision should be approved first. Mr. Huddleston noted that the PB can only administer the code and since this use is not provided for in the code, they cannot approve a subdivision. He did express concern regarding the fuel unit on the site. They may need DEC approval. He thought the fuel would be brought in by truck. Mr. Golden suggested that the TB could condition the approval asking that any fuel containment area must be acceptable to the Town Engineer and any other permitting authority.

Acting Supervisor Lyons suggested that since there appear to be many details to be worked out, the TB should consider approving an emergency use permit in order to have time to sort out these other details. He also noted that possibly the FAA would need to grant a permit. The hearing was opened for public comment.

Carol Korey stated that she works with the farmers and is asking that the Board act quickly as the farmers need the spraying done now. Mr. Golden advised Mr. Minkus that he should start checking with the DEC and FAA to see if he needs any permits. Mr. Huddleston also advised Mr. Minkus that he could put a portable containment around a fuel truck on a temporary basis if needed. Mr. Minkus also stated that there would be no other plans or gliders using the field. Mr. Golden also suggested that a condition be added that the air strip be used for agricultural purposes only and that all necessary permits from other agencies must be obtained prior to any use.

Ms. Edie Johnson asked if the strip could be used for emergency services. She is aware that the Town has been looking for areas that could be used for medical

helicopters etc. Mr. Huddleston replied that this field is in a remote portion of the town and the PB is working with other developers for more accessible land. There being no further comment from the board or the public, this hearing will be continued until the special meeting scheduled for 6:30pm on June 1.

H. REPORTS

Highway Department - Councilman Cappella

Councilman Cappella reported that he has met Ms. Pascal, the new bus dial-a-bus driver and she seems very capable. He has been working with Mr. Andryshak on pricing for asphalt. It has increased nearly 27% this year and it increased nearly 25% last year. These increases shrink the number of dollars for road work, so they will be doing fewer roads than they had hoped. Everything is fine at the Senior Center.

Police Department – Councilman Lyons

Councilman Lyons reported that after a controversial discussion at the work session, it was decided that there would be no full time hires for the remainder of this year. There is the potential for part time hiring. This was conveyed to Chief Marsh.

He also reported that there have been problems with robberies on Route 17A. On Monday the Town of Goshen Police responded to a break in at the Exxon Station. They located and apprehended a suspect who was charged with possession of a large number of lottery tickets, a hypodermic needle and illegal controlled substances. He was also charged with criminal mischief.

Councilman Lyons also announced that there would be a big push for “buckle up New York” this weekend.

I. PRIVILEGE OF THE FLOOR

There were no comments.

Adjournment: The meeting adjourned at 8:15 pm upon motion made by Councilman Cappella, seconded by Acting Supervisor Lyons.

Linda P. Doolittle
Deputy Town Clerk