

The Regular Meeting of the Town Board of the Town of Goshen was held on the 26th day of July, 2007 at 7:30 p.m. at the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present:

Philip Canterino Deputy Supervisor Louis Cappella Councilman
Kenneth Newbold Councilman

Also Present: Dennis Caplicki, Town Attorney

Absent: Douglas Bloomfield, Supervisor; George Lyons, Councilman

A. CALL TO ORDER: Deputy Supervisor Canterino opened the meeting at 7:30 p.m. and asked Doris Bialas to lead the Pledge of Allegiance.

B. AMMENDMENT TO THE AGENDA: None

C. PRIVILEGE OF THE FLOOR: No Comments

D. REPORTS:

Councilman Cappella reported Highway is almost finished in Hambletonian Park and the residents are very happy . He said he was very proud of the job the Highway Department has done there and the Town saved approximately 30% to 33% by doing the job with our own department. He said next week the Highway Department will be paving in the Goshen Hills area.

Councilman Cappella thanked Leslie Cosgrove, Chronicle Reporter, for publishing the Senior Center's hours. The Senior Center and Dial-A-Bus are running smoothly. He also reported the Adopt-A –Highway Program will begin this weekend.

Councilman Newbold reported the water meters for Scotchtown Park are ordered and should be in soon. He said he still has no reports or financial information from the Humane Society.

He complemented the Highway Department on the great paving job they did in Hambletonian Park and for enduring the terrific heat of the hot weather and the hot black top.

Councilman Newbold said Goshen lost a great friend with the death of Frank Romano. He said the former Supervisor was a very dedicated, professional man who will be greatly missed by the community.

Councilman Canterino reported the fuel tank at Craigville Park was examined by Steve Kalka, Environmental Consultant, and is not in violation as it is so small. He did suggest a concrete holding area be added just as a precaution in case there ever is a leak.

He also reported the new computer system is working well for the Joint Recreation Commission. He said 98% of the registrations are being done on line and the other 2% are easily handled. He said the commission is offering a survey to the public with five questions asking for suggestions for new programs and any other suggestions the public might have to improve the programs. Councilman Canterino said all is going extremely well with all the Joint Recreation programs.

E. OLD BUSINESS:

1. Persoon Subdivision: Attorney Caplicki explained this subdivision is located off of Maple Avenue and consists of 128.1 acres located on both sides of the road. It is waiting final approval. The Persoons are petitioning for the creation of a water drainage district in the Town of Goshen. The next step, at this time, is to set a Public Hearing. The Board discussed the project at length and the fact the Board is being asked for many such districts and all could ultimately end up with the Town being forced to assume responsibility for them. In assuming the responsibility, all the expense of administering the district will fall back on the district and the Town. The Board agreed they would rather have these districts run by home owner associations. Councilman Cappella asked if setting this Public Hearing or granting this petition would set a precedent? Attorney Caplicki said unfortunately the current code allows for this. He stated having a Public Hearing was not approving it, the Public Hearing could be left open.

Attorney Caplicki read the Order Setting Public Hearing:

At a meeting of the Town of the
Town of Goshen, Orange County,
New York held in said Town on the
26th day of July, 2007.

In the Matter of Persoon Subdivision

The Petition for the Creation of the Personn Subdivision
Water Drainage District in the Town of Goshen, Orange
County, New York

Present: Philip Canterino, Deputy Supervisor
Kenneth Newbold, Councilman
Louis Cappella, Councilman

Absent: Douglas Bloomfield, Supervisor
George Lyons, Councilman

WHEREAS, a written petition dated April 16, 2007, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Goshen, Orange County, New York, for the creation of the Persoon Subdivision Drainage District in said Town, to include an approximate 67.5 acres parcel being a portion of petitioner's premises located on the east side of Maple Avenue in the Town of Goshen, as more particularly described in Schedule "A" annexed to this order; and

WHEREAS, the improvements proposed are in accordance with certain plans made a part of such petition, and now on file in the Office of the Town Clerk of the said Town; and

WHEREAS, the maximum amount proposed to be expended for the improvements by the Town, as stated in the said petition, is zero (\$0.00 dollars, it being the intention that the entire cost of the improvements is to be paid by the Developer or its successor within the territory for which the extension of the district is proposed; and

WHEREAS, the cost to the property owner will be to maintain the improvement and will be approximately \$250. to \$300. per year.

ORDERED, that a meeting of the Town Board of the said Town of Goshen shall be held at the Town Hall, located at 41 Webster Avenue, Goshen, New York on August 20, 2007, at 7:30 p.m. or as soon thereafter as the matter can be heard, to consider the said

petition and to hear all persons interested in the subject thereof, concerning the same, and for such other action on the part of said Town Board with relation to the said petition as may be required by law or proper in the premises.

Dated: July 26, 2007

Roll Call Vote:

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

Hans Persoon thanked the Board for setting the hearing, but said his parents started this five years ago and are growing older by the day. Attorney Caplicki said he also understood the Persoons were asking for a Conservation Easement, but he had not receive any information on the request. There was an exchange between Hans and the Board in reference to money owed to escrow by the developer. Mr. Persoon will speak to the developer about the discrepancy.

2. Resolution – Dana Distributors Tax Cert Correction: The Board discussed the Resolution and decided to table the Resolution to have more time to review it and be sure of it's accuracy.

F. NEW BUSINESS:

1. Director of Goshen Residential Services – Plans for Communicating With Citizens: Director Roger Roscoe called asking to be placed on the agenda. However, he did not receive some of the information he would like to share with the Board, so he asked to be placed on the next work session.

2. Resolution – Association of Towns: Deputy Supervisor Canterino explained this resolution is in reference to a request from the Association of Towns. The Association would like the Towns to write to their Legislator in the Assembly and the Senate to Article X of the Public Service Law. Since January 1, 2003 power generation facilities have been placed on site via local zoning and State DEC review. The Article X siting process as proposed affords local governments a limited role in the process. The Association of Towns was referring to the siting of wind, coal, natural gas, oil, solar, nuclear and other large scale power plants. The primary ones under their consideration at this time are the wind farms.

After discussing Article X, the Board agreed they did not want to lose the right to site these power plants. The Board felt the Towns have a better understanding of the problems that could arise from them and what location, if any, would be best. Councilman Cappella made a Motion to pass the Resolution and send it on to the various legislators. The Motion was seconded by Councilman Newbold.

**TOWN OF GOSHEN RESOLUTION
OPPOSING ARTICLE
RESOLUTION**

WHEREAS, Article X of the Public Service Law provides a streamlined siting permit procedure for certain power generation facilities and the law expired December 31, 2002; and

WHEREAS, since January 1, 2003 power generation facilities have been sited via local zoning and State DEC review: and

WHEREAS, there is currently a proposal by Governor Spitzer before the Legislature to renew and revise Article X of the Public Service Law that would also include the siting of windmills; and

WHEREAS, this inclusion essentially eliminates local Zoning control over windmills and has an impact on community host payments; and

WHEREAS, the Town of Goshen, along with numerous municipalities throughout New York State has undergone considerable time and expense to develop and implement windmill siting policies that best fit our community.

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk forward copies of this resolution to Governor Eliot Spitzer and elected officials.

Roll Call Vote:

Supervisor Bloomfield	Absent	Deputy Supervisor Canterino	AYE
Councilman Newbold	AYE	Councilman Cappella	AYE
Councilman Lyons	Absent		

Resolution passed 3 to 0

Dated: July 26, 2007

BY ORDER OF THE TOWN BOARD
TOWN OF GOSHEN

G. FINANCE: Councilman Newbold made a Motion to authorize the Supervisor to pay checks dated July 19, 2007 amounting to \$8,242.98 and checks dated July 26, 2007 amounting to \$157,915.77.

H. PRIVILEGE OF THE FLOOR:

Daniel Matteo thanked Highway for the great job they have been doing in Hambletonian Park and thanked the Board for their interest. He said it looks like a new community.

Doris Bialas asked about the new districts and what it might cost the Town if it has to take them over in the future. Deputy Supervisor Canterino explained the Board is trying to get a pay as you go system working. The expense of administration and other costs involved in taking over a district were discussed.

The Board discussed the problem of expenses exceeding escrow amounts with Reynell Andrews at length. Deputy Supervisor Canterino said he hoped the new software would help to solve the problem. He said he would like to keep anyone behind in their escrow off the agenda.

I. EXECUTIVE SESSION: None

J. ADJOURNMENT: With no further business for the Board Councilman Newbold made a Motion to adjourn the meeting. Motion was seconded by Councilman Cappella. Motion carried 3 to 0.

Time: 8:25 p.m.

Valma Eisma, Town Clerk