

**TOWN OF GOSHEN
TOWN BOARD MEETING
AUGUST 11, 2005**

The Regular Meeting of the Town Board of the Town of Goshen was held on the 11th day of August, 2005 at 7:40 pm in the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present:	Honey Bernstein	Supervisor
	Douglas Bloomfield	Councilman
	Kenneth Newbold	Councilman
	Richard Roberts	Councilman

Absent:	Louis Cappella	Councilman
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Also Present: John Cappello, Attorney

A. Call to Order

Supervisor Bernstein called the regular meeting of the Town Board of the Town of Goshen to order at 7:35 pm. Ms. Doolittle was asked to lead the group in the Pledge of Allegiance.

B. AMENDMENT TO THE AGENDA - Supervisor Bernstein asked to add a Resolution supporting the establishment of a mid-county municipal alliance for the purpose of implementing intermunicipal agreements for a regional water supply and other shared infrastructure and municipal projects under New Business

C. PRIVILEGE OF THE FLOOR (Agenda items only) - No response

D. OLD BUSINESS - none

E. NEW BUSINESS

Assessor to Attend Seminar

Supervisor Bernstein explained that the Town Assessor is required to participate in continuing education. Ms. Kelly has asked to attend a seminar on Assessment Administration and Annual Meeting on September 11 thru September 14, 2005 in Rochester, NY. The cost is \$750, which will be reimbursed by the State.

TOWN OF GOSHEN
County of Orange, State of New York

RESOLUTION
AUTHORIZING ASSESSOR TO ATTEND SEMINAR

Introduced by: Councilman Bloomfield
Seconded by: Councilman Newbold
Date of Adoption: August 11, 2005

WHEREAS, the Assessor, Eileen Kelly, has requested authorization to attend a seminar in furtherance of the continuing education requirement; and

WHEREAS, the Town Board has determined that it is in the best interest to authorize said attendance at said seminar as set forth and discussed on the attached.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes Assessor, Eileen Kelly, to attend the seminar on Assessment Administration and Annual Meeting to be held on September 11 through September 14, 2005 at the Clarion Riverside Hotel, Rochester, New York at a cost not to exceed \$750.00 as set forth in the attached request.

Upon Roll Call Vote:

Supervisor Bernstein	Aye	Councilman Newbold	Aye
Councilman Roberts	Aye	Councilman Bloomfield	Aye
Councilman Cappella	Absent		

Vote: Resolution carried by a vote of 4 to 0.

"BLUE FLAG" Water Restrictions - Arcadia Hills

Supervisor Bernstein noted that this is the second year that we have not had to truck water in to Arcadia Hills, however with the current drought conditions, it is necessary to institute water restrictions.

VOTE By Proper MOTION, made by Councilman Newbold, seconded by Councilman Bloomfield, the Town Board of the Town of Goshen hereby issues the following Notice of Emergency Order:

NOTICE OF EMERGENCY ORDER
TOWN OF GOSHEN TOWN BOARD
ARCADIA HILLS WATER DISTRICT NO. 2
PROHIBITION ON OUTSIDE USE OF WATER

WHEREAS, drought conditions have caused the water supply wells of Arcadia Hills Water District No. 2 to fall to dangerously low levels; and

WHEREAS, §93-32 of the Code of the Town of Goshen authorizes the Town to declare that any water district is an “emergency area” and prohibit outside use of water; and

WHEREAS, this Board has instituted “Blue Flag” water restrictions, effective immediately to protect the public health, safety and welfare and the residents of Water District No. 2.

NOW, THEREFORE, IT IS HEREBY DECLARED AND ORDERED:

1. The entirety of Water District No. 2 is a “Blue Flag”.
2. The outside use of water in Water District No. 2 is hereby restricted, as set forth below:

Said restriction covers all outside use of water. Outdoor water use is only permitted on Tuesday, Thursday, Saturday and Sunday from dawn to dusk using only handheld watering devices.

3. This Order shall remain in effect until further notice.

Dated: August 11, 2005

BY ORDER OF THE TOWN BOARD
TOWN OF GOSHEN

VALMA EISMA, TOWN CLERK

Upon Roll Call Vote:

Supervisor Bernstein	Aye	Councilman Newbold	Aye
Councilman Bloomfield	Aye	Councilman Roberts	Aye
Councilman Cappella	Aye		

Vote: Resolution carried by a vote of 4 to 0.

Tam Enterprises - Rate Changes

Supervisor Bernstein explained that TAM Enterprises, Inc. a local vendor, that the Town does business with has recently raised their rates. Under normal circumstances, any rate change would be submitted to the Board and voted on prior to accepting the new rates. This vendor did not realize this was the procedure. Councilman Newbold noted that the new rates are fine, as that is the cost of doing business, however he asked if the rates would be retroactive. The Accounting Department is researching this.

VOTE By Proper MOTION, made by Councilman Roberts, seconded by Supervisor Bernstein, the Town Board of the Town of Goshen hereby approves the rate changes for TAM Enterprises, Inc. as presented. Passed unanimously.

Amendment to the Agenda Resolution Establishing Mid-County Alliance - Regional Water Supply

Supervisor Bernstein explained that a draft resolution came in this week from the County Executive's office regarding the formation of an intermunicipal alliance for the purpose of creating an intermunicipal agreement between the City of Middletown, Town of Wawayanda, Town of Wallkill, and the Village and Town of Goshen to bring a water and sewer line down Route 17M. The only obligation under this resolution is that the parties meet once a month to consider the options. They are not committed to funding or to any specific project. If an agreement is reached the municipalities would have to comply with SEQRA and complete a full review.

Supervisor Bernstein apologized for bringing this up on short notice, but she feels a reply should go back to the County as soon as possible. The members are all aware of the proposed committee. Councilman Bloomfield asked if there were any particular sources in mind. Supervisor Bernstein responded that they are doing studies. Mr. Cappello stated that they have identified some possible sources and they are being reviewed. He further stated that if a particular agreement is put forth, then a full SEQRA review would be needed. He noted that the City of Middletown has had a long-standing agreement with Wawayanda to supply water, which they are looking to increase. The town of Wallkill stated that they have some sources and Greenwood Lake was also mentioned. At this time, these are all conceptual. Supervisor Bernstein stated that this is the first step in furthering our goal of attracting commercial ratables to the Town.

Councilman Newbold questioned the wording in Item #3 "including the allocation of revenues and financing capital..." Mr. Cappello explained that this is just an agreement to meet to discuss and before anything can be approved, a full review will be needed. Councilman Roberts noted that the only question he had dealt with the legal ramifications and Mr. Cappello seems to be satisfied with the agreement, therefore, he can see no objection.

TOWN OF GOSHEN
County of Orange, State of New York

RESOLUTION
SUPPORTING THE ESTABLISHMENT OF A MID-COUNTY
MUNICIPAL ALLIANCE FOR THE PURPOSE OF IMPLEMENTING
INTERMUNICIPAL AGREEMENTS FOR A REGIONAL WATER SUPPLY
AND OTHER SHARED INFRASTRUCTURE and MUNICIPAL PROJECTS.

Introduced by: Dick Roberts
Seconded by: Honey Bernstein
Date of Adoption: August 11, 2005

WHEREAS, Article 5-G of the General Municipal Law authorizes municipal corporations to enter into agreements for the performance among themselves on a cooperative or contract basis for the provision of joint services, including, but not limited to, joint water projects and any other municipal service, activity, project or undertaking; and

WHEREAS, the County of Orange, the City of Middletown, the Village of Goshen, the Town of Waywayanda, the Town of Wallkill and the Town of Goshen ("the municipalities") have shared interests, including the provision of a regional water supply; and

WHEREAS, the municipalities recognize and appreciate the need to develop a safe, reliable and adequate water supply to serve the inhabitants of the Mid-County region now and for the foreseeable future; and

WHEREAS, the municipalities are interested in establishing a solid foundation for collaboration to discuss, research, and implement shared public infrastructure with an emphasis on water supply and in entering into an intermunicipal agreement through which would be created a Mid-County Alliance to effectuate and implement the shared goals of the municipalities, including a regional water supply;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Town of Goshen hereby endorses and supports the creation of a Mid-County Alliance consisting of the aforesaid municipalities, through an agreement pursuant to Article 5-G of the General Municipal Law or any other general or special powers vested in the municipalities, for the purposes of providing a regional water supply, and such other shared infrastructure and other municipal services, activities, projects or undertakings as they shall deem appropriate.

2. That representatives from the Town of Goshen shall meet at least monthly with representatives of the other participating municipalities to work cooperatively to develop an intermunicipal agreement that will establish the terms, conditions and framework for a regional water supply and for such other shared infrastructure and projects as the Mid-County Alliance shall agree upon.

3. That such intermunicipal agreement may include provisions as are authorized by law, including the allocation of revenues and financing capital and operating costs; hiring and compensation of personnel; operation and maintenance of a joint water service; entering into contracts; acquisition, lease, or sale of real property; acceptance of gifts, grants and loans; application for state and federal aid; management of finances; manner of responding to liabilities that may be incurred by a joint service; governance; procedures for periodic review of the terms and conditions of the agreement, including its duration and termination; adjudication of disputes; and such other matters as are reasonably necessary and proper to effectuate and progress the joint service or project.

Upon Roll Call Vote:

Supervisor Bernstein	Aye	Councilman Newbold	Aye
Councilman Bloomfield	Aye	Councilman Roberts	Aye
Councilman Cappella	Absent		

Vote: Resolution carried by a vote of 4 to 0.

G. PRIVILEGE OF THE FLOOR

Supervisor Bernstein opened the meeting to comments from the public.

Councilman Newbold stated that he just spoke with Ms. Cleaver and she informed him that since President Bush has signed the transportation bill, it will mean that the \$1Million grant the Trail Committee applied for should be forthcoming.

Supervisor Bernstein noted that this information needs to be clarified, but it does appear that it will be granted for trails throughout the Village and Town.

However, the bill President Bush signed was for a different application applied for by the Town and approved allocating \$320,000 to improve Orzeck Lane.

Councilman Newbold emphasized that a great deal of hard work went into this grant application and he gives special thanks to Ms. Cleaver, Ms. Israelski, Mr. Halloran and the whole committee.

Supervisor Bernstein also emphasized that as part of the federal transportation bill, a grant from Congresswoman Kelly's office of \$320,000 will be coming for work on Orzeck Lane. Council Newbold stated that there are two other "member item" grants available and he asked if it would be acceptable for the Trail Committee to go ahead and apply for them. The Supervisor asked that the Committee draft a letter and description of their proposal and present it to the Town Board before they send in the application. Councilman Roberts emphasized that it is important that the Board be aware if these grants are "earmarked" for specific items.. Supervisor Bernstein stated that the Board as a whole, needs to decide what will be the most appropriate items to apply for.

Ms. Christine Jacobsen, a resident of Hambletonian Park, asked that these grants, especially the \$1million be used to upgrade the infrastructure in the Town's water districts. Ham Park has had serious main breaks this past week. Supervisor Bernstein explained that the grant is designated to be used for highway related projects, and the trail system is considered highway related. She also emphasized that the Town has received grants during the last three years totaling \$68,000 that have been used for the water districts. Councilman Bloomfield also noted that it is important that the Board be aware of the grants that are being applied for, as there are often ongoing costs that need to be budgeted for. The Board needs to be aware of what they will mean in the long term, i.e., maintenance and police expense.

Supervisor Bernstein also explained that there is a limited amount of monies throughout the state and there are competing interests for these monies. One of the charges as a Town Board is to decide between these interests, all of which are valid requests. Councilman Newbold also noted that we applied for this particular large grant as it was specifically for trails.

In regard to the Arcadia Hills water restrictions, r. Andrews asked what the term "blue flag" means. Supervisor Bernstein explained that only hand held water devices can be used outdoors on Tuesdays, Thursdays, Saturdays and Sundays from dawn to dusk in that district. Fliers will be distributed to the residents tomorrow, Fri. 8/12/05.

Adjournment: There being no further business, the meeting adjourned at 8:05 pm upon motion made by Councilman Newbold, seconded by Councilman Bloomfield.

Linda P. Doolittle
Deputy Town Clerk