

A Regular Meeting of the Town Board of the Town of Goshen was held on the 24th day of August, 2006, at 7:30 p.m. in the 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	Kenneth Newbold	Councilman
George Lyons	Councilman		

Also Present: Town Attorneys: John Cappello and Rick Golden

A. CALL TO ORDER

Supervisor Bloomfield called the meeting to order at 7:30 p.m. Doris Bialas led the Pledge of Allegiance. Supervisor Bloomfield made a Motion to go into Executive Session, with intent to return, to discuss possible pending litigation. The Motion was seconded by Councilman Canterino. Motion carried unanimously.

Supervisor Bloomfield reopened the business meeting at 7:50 p.m.

B. AMMENDMENTS TO THE AGENDA: Councilman Lyons called attention to the Resolution that will be replaced by another. Supervisor Bloomfield said it would be done later.

C. PRIVILEGE OF THE FLOOR (agenda items only)

Debbie Marone said she wanted to commend the Board for going so far with the purchase of development rights and hoped the Board would go forward this evening and send two more to the County for Round II.

Beverly Jappen said she would like to follow up on what Debbie said. She said she has been doing battle with Orange and Rockland in opposition to the cutting of trees on Arcadia and Conklingtown Road. She said they are cutting shamelessly and leaving stumps and leaving everything looking horrible. She said one of the Orange and Rockland representatives, who came to answer her complaints, said “it’s obvious to us in Rockland County that the Towns of Warwick and Goshen have learned from the mistakes we made in Rockland County.” Ms. Jappen said Rockland County is the size of Warwick and in that area they have over 300,000 people and all the problems that go with that. She said therefore she would encourage the Board to go forward and present two more properties.

D. REPORTS:

Supervisor Bloomfield said he would like to refer to what Ms. Jappen was saying about Orange & Rockland. He said Orange & Rockland is putting new power poles along

Arcadia and Conklingtown Roads. He said he heard from Beverly and another taxpayer and he talked to Orange & Rockland and wrote a letter to the Utilities Commission. The Supervisor said he was sure it could be worked out ok. He said he had been told by Orange & Rockland the stumps on Arcadia Road will be sawed down. He said Councilman Cappella would have more to report on this since he was working with the Highway Superintendent on this.

Supervisor Bloomfield reported on the status of the MTBEs saying the following: We have done a second round of tests and three private residences have been found to have MTBEs. The contamination runs from 11 parts per billion to 4.4 per billion. We have been told that 10 is the number we have to be concerned with. Ira D. Conklin & Sons is a company that checks out the tanks and the DEC asked us to check our diesel and our gas tanks and they did. The report states that our tanks have no leaks. We are in the process of following the DEC instructions as to the steps to take and we are in the process of completing them. The County has been asked to drill two deep bed rock wells on their property to see if there are MTBEs on their property. In the mean time we are providing all with clean water now and continue to work with the Village to extend the water from the Village to these homes.

Supervisor Bloomfield reported on the Salesian Property saying: We are still plodding along there in spite of the rain. After an extensive walk through the property he believes it will probably late September before Phase I is finished.

Supervisor Bloomfield asked if Francesca Albanese was present. She was not and he expressed regret as the young lady has provided the Town with a lovely pamphlet telling the history of Goshen with a map and pictures of our most historic sites. The Supervisor thanked the young lady for a job well done.

Councilman Canterino: We are getting close to the end of our five year financial plan and presented the Board with a copy and asked them to review it. A special meeting will be set up later this evening for the Board to review and comment on it.

Councilman Canterino also reported the Recreation Commission is going forward with on line enrollment in some registrations and some other areas.

Councilman Canterino said there is a subdivision going in on Owens Road and he will be walking it with the Building Inspector, next week, if anyone would like to join them. He said it looks like there will be approximately 60 acres of open space, some of it bordering the Wallkill River. He said he would be looking at it to see if the Recreation Commission can do something with it. The owner would like to donate it to the Town for free.

Councilman Lyons reported the Police vehicle that went to salvage has not been picked up, but the Town Clerk will contact the high bidder and have him do so. He reported one of our Police Officers, Thomas Switzer, received a report of a man down in the road way unconscience. When he arrived he found the patient had a pulse, but was not breathing,

he administered rescue breathing, the patient stopped breathing several times. Officer Switzer was assisted by Officers Harden and Imperio and was turned over to GOVAC, breathing on his own. He offered his congratulations to Officer Switzer and said he would like to recognize him at a later date.

Councilman Lyons said Chief Marsh and the Highway Superintendent Andryshak went to Arcadia Hills to inspect the area for the placement of Stop signs. This was in answer to a residents request for Stop signs. When the number needed is decided upon a Public Hearing will be held. He presented the Board with the suggested list for their review.

Councilman Newbold reported there was no Goshen Humane Society meeting this month. He reported he attended a seminar on Conservation Easements prior to the last Planning Board meeting. He said the presentation was marvelous and will help the Planning Board and the Town Board with the purchase for PDR. He said more than a thousand acres have been placed before the Planning Board for development in one meeting alone this week.

Councilman Newbold complimented the Highway employees who were out paving in the recent hot weather. He expressed concern for the tree cutting being done on Arcadia Road by Orange & Rockland and asked if the Board can stop them and demand some type of a plan as to what they are doing. He said they leveled the trees on Conklingtown Road.

Councilman Cappella reported Highway will be finished with Coleman Road in a week or two. He reported the saving of money since Highway is using the new used paver, on this job alone \$6,000.00 was saved. He said they also paved Cameron Road, which is a small road, but it came out nicely and Highway may decide to do all their own roads. In the next two weeks all the double yellow lines will be re-stripped. Councilman Cappella said he and the Highway Superintendent were on Arcadia Road and saw what Orange & Rockland were doing with the cutting of the trees and they saw they were putting a very large pole up just off the pavement. He said the others were ten feet off the road as they should be. They stopped and wouldn't leave until they were able to speak with the engineer and have the pole moved. He said with the pole about a foot off the macadam it could easily cause an accident or be hit by a snow plow.

Councilman Cappella reported the two Dial-A-Buses are very active and doing well and it is very good for our seniors to be able to get around between Chester, Goshen and Hamptonburgh.

E. OLD BUSINESS:

1. Final Dedication of Colonial Drive and Chestnut Lane

Attorney Goldman explained the acceptance of these roads was really approved last December. However, they were approved conditioned upon as-built drawings and deed descriptions. These have been satisfied and it is here for final approval.

**TOWN OF GOSHEN
County of Orange, State of New York**

RESOLUTION

**FINAL ACCEPTANCE OF ROAD DEDICATION
FOR THE
REMAINDER OF COLONIAL DRIVE & CHESTNUT LANE**

Introduced by: Councilman Philip Canterino
Seconded by: Councilman Kenneth Newbold
Date of Adoption: August 24, 2006

WHEREAS, on December 15, 2005, the Town Board accepted the offered dedication of the remainder of Colonial Drive and Chestnut Lane in the approved subdivision known as Sawyer's Peak, conditioned upon as-built drawings and deed descriptions acceptable to the Town Engineer and Special Attorney for the Town, and further conditioned upon the satisfaction of the Town Engineer and the Town Highway Superintendent that the portion of these roads not previously accepted for dedication were constructed in accordance with Town road specifications, and

WHEREAS, the above-noted conditions have been satisfied,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Goshen hereby accepts final dedication of the remaining portions of Colonial Drive and Chestnut Lane in the Sawyer's Peak subdivision, and directs the Special Attorney for the Town in this matter to ensure that the proper documents are filed to memorialize this dedication.

Vote: The above Resolution carried by a vote of 5 Ayes, 0 Nays and 0 Abstentions.

2. Jonas Trust Conservation Easement

TOWN OF GOSHEN
County of Orange, State of New York

RESOLUTION

AUTHORIZING SUPERVISOR TO SIGN
JONAS SUBDIVISION CONSERVATION EASEMENT

Introduced by: Councilman Kenneth Newbold
Seconded by: Councilman George Lyons
Date of Adoption: August 24, 2006

WHEREAS, the Town of Goshen Planning Board has granted subdivision approval to the Jonas Estates 4-lot Subdivision; and

WHEREAS, pursuant to the Town's Conservation Subdivision Regulations, the applicant has prepared a Conservation Easement restricting development of the property in conformance with the Town's Zoning Code and subdivision Regulations.

NOW, THEREFORE, BE IT RESOLVED that the Town of Goshen Town Board hereby authorizes the Town supervisor to execute the Conservation Easement for the Jonas Estate 4-lot Subdivision on the condition that the cost associated with recording said easement shall be borne by the applicant.

Upon Roll Call Vote:

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

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

3. Five Year Budget Review Set Special Meeting

TOWN OF GOSHEN
County of Orange, State of New York

RESOLUTION
SCHUDULING SPECIAL MEETING

Introduced by: Supervisor Douglas Bloomfield

Seconded by: Councilman George Lyons

Date of Adoption: August 24, 2006

BE IT RESOLVED, the Town of Goshen Town Board hereby schedules a special meeting for Wednesday, August 30, 2006, at 8:00 p.m. to discuss Town budget issues and any other matters of interest to the Board.

BE IT FURTHER RESOLVED that the Town Board will be convening a meeting at 7:00 p.m. that evening to discuss items related to potential or threatened litigation in executive session.

Upon Roll Call Vote:

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

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

4. Swimming Pool Application Fees – Scenic Overlay

TOWN OF GOSHEN
County of Orange, State of New York

RESOLUTION
AUTHORIZING REDUCED APPLICATION FEES FOR
SITE PLAN REVIEW TO LOCATE SWIMMING POOLS
IN SCENIC OVERLAY DISTRICT

Introduced by: Councilman Philip Canterino

Seconded by: Councilman George Lyons

Date of Adoption: August 24, 2006

WHEREAS, the Town of Goshen Town Code §97-29 entitled “Scenic Road Corridor Overlay District” §§D entitled Site Plan approval Requirement requires site plan approval for ‘construction of any structure or addition to a structure greater than 500 square feet in footprint area, including residential structures” within said scenic road corridor overlay district; and

WHEREAS, this provision has resulted in landowners being required to pay a site plan application fee of \$375, plus escrow review in addition to the \$65 building permit fee to locate swimming pools to serve their single family residence in the scenic road corridor overlay district;

And

WHEREAS, the discussions with the Building Inspector and Building Department the Town Board agrees that a streamlined process is in the best interest of the Town residents.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby adopts the following guidelines to control any application for swimming pools within the scenic corridor overlay:

1. Property Owner submits a building permit application depicting location of the proposed swimming pool with any photos deemed necessary by Building Inspector with \$65.00 building permit fee.
2. Building Inspector forward the building permit application and photos to Planning Board for review at its next meeting.
3. Absent any unique issues relating to the location of the pool, the Planning Board makes recommendation and grants approvals.
4. If there are unique issues relating to the specific property and location of the pool, the Planning Board at that point may require advice from its consultants and submission of escrow fee to fund such review.

Upon Roll Call Vote:

Supervisor Bloomfield	AYE	Councilman Newbold	AYE
Councilman Lyons	AYE	Councilman Canterino	AYE
Councilperson Cappella	AYE		

Vote: Resolution carried by a vote of 5 to 0

5. Surveyor's Bids for Knoell & North Star

TOWN OF GOSHEN
County of Orange, State of New York

RESOLUTION

**AUTHORIZING SUPERVISOR TO RETAIN
LANC & TULLY ENGINEERING AND SURVEYING, P.C.
TO SURVEY KNOELL FARM AND NORTH STAR FARM**

Introduced by: Councilman Kenneth Newbold
Seconded by: Councilman George Lyons
Date of Adoption: August 24, 2006

WHEREAS, the Town of Goshen Town Board on August 10, 2006, authorized the purchase of development rights to the North Star Farm and Knoell Farm, both located in the Town of Goshen; and

WHEREAS, it is necessary to survey each individual property in order to prepare the appropriate conservation easement areas to be so regulated; and

WHEREAS, the Town Board solicited proposals from several surveyors to undertake the work involved in surveying of both said properties; and

WHEREAS, THE town has determined that the lowest responsible proposal was submitted by Lanc & Tully engineering and Surveying, P.C.

NOW, THEREFORE, BE IT RESOLVED that the Town of Goshen Town Board hereby authorizes the Supervisor to enter into a contract with Lanc & Tully Engineering And Survey, P.C. to conduct surveys of the North Star Farm and Knoell Farm, in an amount not to exceed \$16,400.00 for both surveys.

Upon Roll Call Vote:

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

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

Councilman Lyons said he would like the public to know the Board received about six bid and they ranged as high as \$32,000.00. He said it certainly was worth the Board's due diligence to wind up with a bid of \$16,400.00.

E. NEW BUSINESS:

1. Round II Applications for Open Space:

Supervisor Bloomfield explained the Board has decided to submit two more parcels to the County for PDR. He said initially the Board submitted four parcels, two were chosen. The Board decided to now submit the two that were originally turned down. This will be the Slesinski Farm and the Myruski Farm.

TOWN OF GOSHEN
County of Orange, State of New York

RESOLUTION
AUTHORIZING SUPERVISOR TO PREPARE
EXECUTE AND SUBMIT APPLICATION FOR MATCHING FUNDS
TO PURCHASE DEVELOPMENT RIGHTS TO SLESINKI FARM,
TOWN OF GOSHEN TAX MAP SECTION 19, BLOCK 1, LOT 121
TO ORANGE COUNTY OPEN SPACE FUND
ROUND NUMBER 2 OF 2006

Introduced by: Councilman Louis Cappella
Seconded by: Councilman George Lyons
Date of Adoption: August 24, 2006

WHEREAS, the Town of Goshen Town Board adopted a bond resolution to fund the purchase of open space and/or development rights to preserve open space in the amount of \$5,000,000.00, which bond resolution was adopted by the Town of Goshen Town Board on August 26, 2005, and approved pursuant to town-wide referendum held on November 2, 2004; and

WHEREAS, to effectuate this mandate, the Town Board commissioned an Open Space and Farmland Preservation Committee to solicit applications from landowners interested in selling development rights in their property; and

WHEREAS, the Open Space and Farmland Preservation committee received over twenty (20) applications, interviewed the applicants, evaluated and scored the applications according to relevant criteria including the property's value and protective water resources,

WHEREAS, the Slesinski Farm, located on Cross Road consisting of approximately 104 acres was identified by the Committee as a property meeting the relevant criteria for acquisition of development rights: and

WHEREAS, the County of Orange has funds available for open space preservation within the County.

NOW, THEREFORE, BE IT RESOLVED that the Town of Goshen Town Board hereby authorizes the Supervisor to cause to prepare, execute and submit an application to Orange county seeking matching funds to purchase the development rights of the Slesinski Farm located on Cross Road consisting of approximately 104 acres designated on the Town of Goshen Tax Map as Section 19, Block 1, Lot 121.

Upon Roll Call Vote:

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

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

TOWN OF GOSHEN
County of Orange, State of New York

RESOLUTION
AUTHORIZING SUPERVISOR TO PREPARE
EXECUTE AND SUBMIT APPLICATION FOR MATCHING FUNDS
TO PURCHASE DEVELOPMENT RIGHTS TO MYRUSKI FARM,
TOWN OF GOSHEN TAX MAP SECTION 17, BLOCK 1, LOT 30.12
TO ORANGE COUNTY OPEN SPACE FUND
ROUND NUMBER 2 OF 2006

Introduced by: Councilman Philip Canterino
Seconded by: Councilman George Lyons
Date of Adoption: August 24, 2005

WHEREAS, the Town of Goshen Town Board adopted a bond resolution to fund the purchase of open space and/or development rights to preserve open space in the amount of \$5,000,000.00, which bond resolution was adopted by the Town of Goshen Town Board on August 26, 2005, and approved pursuant to town-wide referendum held on November 2, 2004; and

WHEREAS, to effectuate this mandate, the Town Board commissioned an Open Space and Farmland Preservation committee to solicit applications from landowners interested in selling development rights in their property; and

WHEREAS, the Open Space and Farmland Preservation Committee received over twenty (20) applications, interviewed the applicants, evaluated and scored the applications according to relevant criteria including the property's value and protective water resources, farmland, scenic amenities, recreation, cultural sites, forest lands and bio-diversity; and

WHEREAS, the Myruski Farm , located on New York State Route 17A, containing approximately 102.4 acres and was identified by the Committee as a property meeting the relevant criteria for acquisition of development rights; and

WHEREAS, the County of Orange has funds available for open space preservation within the County.

NOW, THEREFORE, BE IT RESOLVED that the Town of Goshen Town Board hereby authorizes the Supervisor to cause to prepare, execute and submit an application to Orange County seeking matching funds to purchase the development rights of the Myruski Farm located on New York State Route 17A consisting of approximately 102.4 acres designated on the Town of Goshen Tax Map as Section 17, Block 1, Lot 30.12.

Upon Roll Call Vote:

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

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

2. Water – Sewer Department Hire:

**TOWN OF GOSHEN
County of Orange, State of New York**

RESOLUTION

**AUTHORIZING SUPERVISOR AND TOWN CLERK
TO TAKE WHATEVER STEPS NECESSARY
TO CREATE A FULL TIME POSITION FOR
WATER/SEWER DEPARTMENT TREATMENT PLANT OPERATOR**

Introduced by: Councilman Kenneth Newbold

Seconded by: Councilman George Lyons

Date of Adoption: August 24, 2006

WHEREAS, the Town of Goshen Town Board has been advised by the water department that an addition of a full time Water/Sewer Department Treatment Plant Operator is required; and

WHEREAS, the Town Board has determined that it is in the best interest of the Town to create said position.

NOW, THEREFORE, BE IT RSOLVED that the Town of Goshen Town Board hereby establishes the position of an additional full time Water/Sewer Treatment Plant Operator, and authorizes the Town Clerk to take whatever steps are required by the Orange County Civil Service Rules to create said position.

Upon Roll Call Vote:

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

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

3. Dial-A-Bus New Hire – Ronald Zodda

TOWN OF GOSHEN
County of Orange, State of New York

RESOLUTION

**AUTHORIZING THE HIRING OF
PART TIME DIAL-A-BUS DRIVER
RONALD ZODDA**

Introduced by: Councilman Louis Cappella
Seconded by: Councilman George Lyons
Date of Adoption: August 24, 2006

WHEREAS, the Town of Goshen Town Board has been informed that there is an opening for a part time driver for the Dial-a-Bus service: and

WHEREAS, the Town Board has determined that it is in the best interest to fill said position at this time.

NOW, THEREFORE, BE IT RESOLVED that the Town of Goshen Town Board hereby authorizes the hiring of Ronald Zodda as a part time Dial-a-bus driver effective September 5, 2006 at a starting pay of \$14.75 per hour.

Upon Roll Call Vote:

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

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

4. Court Clerk New Hire – Melissa McCourtney

TOWN OF GOSHEN
County of Orange, State of New York

RESOLUTION

**AUTHORIZING THE HIRING OF
MELISSA McCOURTNEY AS
TOWN OF GOSHEN COURT CLERK**

Introduced by: Councilman George Lyons
Seconded by: Councilman Philip Canterino
Date of Adoption: August 24, 2006

WHEREAS, the Town of Goshen Town Board has been advised by Town Justice Cione that there is an opening for a Court Clerk; and

WHEREAS, the Town Board has determined that it is in the best interest of the Town to fill said position at this time.

NOW, THEREFORE, BE IT RESOLVED that the Town of Goshen Town Board hereby authorizes the hiring of Melissa McCourtney as Court Clerk to Justice Thomas J. Cione, retroactive to August 21, 2006, at a yearly salary of \$27,000.

Upon Roll Call Vote:

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

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

F. FINANCE

Councilman Lyons made a Motion to authorize the Supervisor to pay voucher # 2006-1784 to voucher # 2006-1642 amounting to \$397,193.99. The Motion was seconded by Councilman Canterino. Motion carried unanimously.

G. PRIVILEGE OF THE FLOOR

Jerry Boss spoke of a time when a neighbor was cutting down trees and the Building Inspector at the time told Mr. Boss it was illegal, in the Town of Goshen, to cut a tree down that was more than a certain size in diameter. He said wouldn't this help to stop Orange & Rockland from cutting down these trees.

Mr. Boss also asked about the Interstate Service, Inc. that was on the agenda. The Attorney explained it was a transfer of permits. He asked that the Board look into the owners, investors etc. Supervisor Bloomfield said the Board would and there will be a Public Hearing on it.

Betty Slesinki thanked the Board for selecting her property for this second round.

Beverly Jappen spoke again of the cutting being done by Orange & Rockland. She stated it looks like someone dropped a bomb. She asked about the Town's law and where she could research it. Supervisor Bloomfield said he would again call Orange & Rockland in the morning. Attorney Cappello said the company does have an easement and a right to trim, but not the right to clear cut.

Debbie Marone asked about the 49 lot rule and Attorney Cappello proceeded to explain it and a discussion followed.

H. ADJOURNMENT:

Supervisor Bloomfield made a Motion to go into Executive Session to discuss possible pending litigation with no intent to return. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

Time: 9:50 p.m.

Valma Eisma, Town Clerk

