

**TOWN OF GOSHEN
TOWN BOARD MEETING
October 26, 2006**

The Regular Meeting of the Town Board of the Town of Goshen was held on the 26th day of October, 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:	Douglas Bloomfield	Supervisor
	Philip Canterino	Councilman
	Louis Cappella	Councilman
	George Lyons	Councilman
	Kenneth Newbold	Councilman

Also Present: Howard Protter Attorney

A. Call to Order

Supervisor Bloomfield called the regular meeting of the Town Board of the Town of Goshen to order at 7:30 pm. The Supervisor led the Pledge of Allegiance.

Executive Session

VOTE Upon Proper MOTION, made by Councilman Newbold, seconded by Councilman Cappella the Town Board entered into Executive Session to discuss a personnel issue with intent to return. Passed unanimously. Time: 7:30
The meeting reconvened at 7:40pm

B. AMENDMENT TO THE AGENDA

Supervisor Bloomfield stated that there is an amendment to the New Business section to discuss the position of Assessor.

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

D. REPORTS

Senior Center - Councilman Cappella announced that the Seniors Thanksgiving Dinner would be November 16, 2006 at 3:00 pm at a cost of \$12 per person. The committee is also reviewing the possibility of extending the hours at the building.

Dial-a-bus - Councilman Cappella explained that the newest bus still has had some repairs, but needs more. He expressed his thanks to Michelle Radakovitz for her efforts for dealing with the problems in the last few weeks. There was a

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point when all the buses were out and she did a great job. He also expressed his thanks to our mechanic, Frank for his efforts trying to repair them.

Highway Dept. - Councilman Cappella noted that the Board and the Department heads have worked long and hard on the budget. As he will be out for a few weeks, he wanted to compliment everyone on their efforts. The goal for the Board this year is to try to change from the "charge card" mentality to more fiscally responsible methods. This has seriously affected the Highway Department. He especially wanted to thank Steve Andryshak for his understanding. Mr. Andryshak thought that he would have much more purchasing power than he actually did so his department has had to cut back. They worked hard to save money when it came to purchasing the new paver. The employees also saved a great deal by doing much of the work themselves for the new lift that was recently installed.

Humane Society - Councilman Newbold reported that there was no meeting this month.

Salesian Phase I - Councilman Newbold met with the Village Board to review the punch list for the Phase I work at the Park. Most of the items have been completed, but there are a few issues remaining. Trees still need to be planted and the WatchTower should be covered for the winter. The insurance company is requiring that the "stairs to nowhere" be fenced off for safety/liability reasons. He emphasized that the Park is not open to the public until these safety items are completed.

Police Department - Councilman Lyons noted that a new part time officer, Cecil Thomas, has begun training. All the equipment from the Byrne Grant has been received - 3 cars, computer and other items. There will be no need to include any new cars in the 2007 budget. Contract negotiations will be started soon. The Chief has issued a report on the recent Halloween Festival. Over 1000 people gathered at Craigville Park for the entertainment, food, a parade and games. Many organizations volunteered their goods and time to make the event such a great success.

Recreation Report - Councilman Canterino reiterated the success of the Halloween Party and thanked all the Jt. Rec. Organization for all their work. The online registration seemed to be successful. The group used this means for registration, as they needed to limit the attendance to residents from the Goshen School District. He also stated that they are working at the Park to repair some of the fields. They have received donations from some of the organizations, i.e., Soccer Club - \$4,900 for this work. The Town will be adding \$4000.

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Supervisor's Report - Supervisor Bloomfield reported that the Clerk's office has recently received notification that the Citizens Campaign for the Environment will be in the Town soliciting support for their activities. A letter is being sent to them advising that they must register with the Police Department and supply information on their workers. They have been asked to limit their activities to between the hours of 9am and 5pm. The Supervisor also noted that organizations have been in the area in the recent past and there have been complaints so we are trying to keep the public informed.

The Supervisor also presented a status update on the MTBE situation. The Town has received more requests to check wells for MTBE's. The well at Entenmanns was checked and found to have 25 parts/billion. The Town has sent the information to the DOH, the building owners and the DEC have been informed. The Supervisor has spoken to the DOH and the DEC requesting that they move the investigation swiftly as this is a matter of public safety. He also explained that the County has "foiled" for any information the Town has in their files. This documentation has been prepared and Supervisor Bloomfield is trying to set up an appointment with the County Executive and the attorneys to deliver these documents and work out some resolution to this problem. He further noted that documentation in the Town's files show that in 1997, the pipes and tanks were acceptable. Any contamination appears to have come from a spill and the DEC investigated and filed their report. Since then, the tanks and piping have been pressure checked and there have been no leaks. Soil borings have also been taken and no further testing is required. The Town is not considered to be the source of the problem. He feels it is now up to the DEC to find the source.

Supervisor Bloomfield noted that he received a phone call from a resident stating that recently a deer was impaled on the fence at Salesian. He stated that he thought the original plan was to have a bar across the top to prevent this from happening. He will speak to the Village Board to find a plan to fix the problem. In regard to the budget, the worst case scenario would be an percentage increase in the mid-20's. The Town Board has considered borrowing some money to decrease the amount, but the philosophy of this Board is to limit borrowing. He hopes that the public will come out for the Public Hearing on November 9.

E. OLD BUSINESS

1. Approval of Minutes

- a. Work Sessions Sept. 18, Sept. 25, Oct. 10, Oct. 23

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VOTE By Proper MOTION, made by Councilman Newbold, seconded by Councilman Cappella the minutes of the Sept. 18, Sept. 25, Oct. 10, Oct. 23 were approved with corrections made to Sept. 18.

b. Special Meeting Aug. 30

VOTE By Proper MOTION, made by Councilman Newbold, seconded by Councilman Cappella the minutes of the Aug. 30 Special Meeting were approved as published.

c. Regular Meetings Sept. 28, Oct. 12

VOTE By Proper MOTION, made by Councilman Cappella, seconded by Councilman Lyons, the minutes of the Regular meetings of Sept. 28 and Oct. 12 were approved with corrections made to the Sept. 28.

2. Arcadia Hills Stop Signs

Supervisor Bloomfield was not present at the Public Hearing on September 28 and asked how the residents reacted to the plan. There were only two present and they seemed to feel that the signs were not needed. The Board continued the Public Hearing in order to receive input from Chief Marsh and Highway Superintendent Andryshak. Both gentlemen felt the signs were necessary for safety and liability reasons.

Councilman Newbold noted that the Board should look at the other developments in the Town in order to maintain a consistent policy throughout the community. Councilman Cappella reported that the entire project would cost approximately \$1500. Councilman Lyons also noted that Chief Marsh asked for some other signs posting the speed limit.

TOWN OF GOSHEN
County of Orange, State of New York

Resolution of Adoption

STOP INTERSECTIONS

Introduced by: Councilman Canterino
Seconded by: Councilman Lyons
Date of Adoption: October 26, 2006

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WHEREAS, an introductory Local Law entitled "Stop Intersections" was introduced before the Town Board of the Town of Goshen on September 14, 2006, and upon notice duly published and posted, a hearing was held on September 28, 2006, and held open until October 26, 2006 before the Town Board; and

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law;

NOW, THEREFORE, BE IT RESOLVED, that the adoption of the introductory Local Law entitled "Stop Intersection" is hereby determined not to have a significant effect on the environment.

BE IT FURTHER RESOLVED, that the introductory Local Law entitled "Stop Intersections" of the Town of Goshen be and hereby is adopted.

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
INTRODUCTORY LOCAL LAW OF 2006
STOP INTERSECTIONS

BE IT ENACTED by the Town Board of the Town of Goshen, Orange County, New York as follows:

Section 1. Chapter 89 of the Code of the Town of Goshen, entitled "Vehicles and Traffic," is amended by amending §89.5 to add stop intersection and stop sign to be erected as follows:

Stop Sign On	Direction of Travel	At Intersection With
Birchwood Drive	Northeast	Wedgewood Drive
Greenwood Drive	Northeast	Wedgewood Drive
Aspen Drive	Northeast	Wedgewood Drive
Tanglewood Drive	Northwest	Wedgewood Drive
Evergreen Drive	West	Wedgewood Drive
Larchwood Drive	West	Wedgewood Drive

Gumwood Drive	Southwest	Wedgewood Drive
Elmwood Drive	West	Wedgewood Drive
Dogwood Drive	Northwest	Wedgewood Drive
Redwood Drive	North	Wedgewood Drive
Cherrywood Drive	West	Redwood Drive
Walnut Drive	Northeast	Cherrywood Drive
Beechwood Drive	Southwest	Cherrywood Drive
Birchwood Drive	Southwest	Cherrywood Drive
Larchwood Drive	Southeast	Birchwood Drive
Greenwood Drive	Southwest	Larchwood Drive
Tanglewood Drive	Southwest	Larchwood Drive
Beechwood Drive	Northeast	Elmwood Drive
Sycamore Drive	Northwest	Beechwood Drive

Section 2. This law shall take effect immediately.

3. Hambletonian Park Water Main Replacement

Mr. Fusco reported that he has analyzed the bids and issued his recommendation on which firm should be offered the work. Sita Construction was the lowest bidder and a resolution has been prepared. The members had several questions for Mr. Fusco. Supervisor Bloomfield asked what the inspector would cost and if his fee is in addition to the proposal. Mr. Fusco stated that this fee is in the numbers presented by his firm. He explained that they have a contract with the Town, which was signed by the previous Board. This contract allowed for a certain percentage for the design and a percentage of paid services. The inspector will receive an hourly rate, which will depend on the amount of time he is needed on the job. Councilman Lyons asked for details of the contract with Mr. Fusco. Mr. Fusco replied that it was based on the \$600,000 cost – 7% was allotted for design, 3.5% for the consultant, and the inspector will receive \$65/hr.

Fusco Engineering will certify the job upon its completion and the County Dept of Health will also be involved. If there are any change orders they would have to be approved by the Board. Councilman Newbold asked if they should appoint someone other than the entire Board who could authorize any changes. Mr. Fusco does not anticipate very many changes. It is agreed that Mark Warren, Steve Andryshak or Supervisor Bloomfield would have this authorization.

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Councilman Cappella asked if there would be a way to keep the heavy trucks from passing over the “tender” areas to help lessen the possibility of any main breakage. Mr. Fusco will work with the contractor on this. He explained that the next step in the procedure would be to award the bid then the contractor could prepare the bonds and supply the insurance documents for the attorney to review. There will then be a pre-construction meeting where the schedule will be set. A notice to proceed will then be issued and the work should begin within 10 days and finish within 90 days. He also noted that if there are any extra funds, they could proceed to the next portion of the development. There is asbestos piping in Section B, which could be replaced.

The Supervisor asked that each householder be notified when the work will affect them. Mr. Fusco stated that emergency vehicles will need to have access and the individual driveways will be kept open as much as possible. If it is found that a particular homeowner needs work done on their service, it will be billed to the Homeowner. Councilman Newbold asked if the Contractor would be paying prevailing wages. Mr. Fusco noted that this is in the bid specs and they have to supply pay records. Councilman Canterino asked that the TB also receive a copy of these records.

TOWN OF GOSHEN
County of Orange, State of New York

RESOLUTION
ACCEPTING BID OF
SITA CONSTRUCTION CO., INC.
FOR HAMBLETONIAN WATER DISTRICT
WATER LINE REPLACEMENT

Introduced by: Councilman Newbold
Seconded by: Councilman Lyons
Date of Adoption: October 26, 2006

WHEREAS, the Town of Goshen pursuant to its procurement policy having requested bid proposals for the water main replacement within Water District No. 1, also known as the Hambletonian Park Water District; and

WHEREAS, the Town Board after review and consideration of submitted bid proposals and the recommendations of the Town’s consulting engineer, Fusco Engineering & Land Surveying, PC dated October 20, 2006, has determined to award the bid to SITA Construction Co., Inc.

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NOW, THEREFORE, BE IT RESOLVED:

That the Town Board of the Town of Goshen hereby awards the bid to SITA Construction Co., Inc. as the lowest responsible bidder meeting the bid specifications to perform the replacement and construction of the water main improvements for Water District #1, Hambletonian Park Water District at a cost not to exceed \$511,700.00.

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. NEW BUSINESS

Appointment of Assessor

Supervisor Bloomfield explained that Joanne Soules has been filling in on a part time basis since Ms. Kelly retired from the position. Ms. Soules retired from her position in Ramapo, which was a much larger town. She has done a fine job for Goshen and has accepted an offer to continue on a permanent basis.

TOWN OF GOSHEN
County of Orange, State of New York

RESOLUTION
APPOINTMENT OF JOANNE SOULES
TO POSITION OF ASSESSOR

Introduced by:	Councilman Newbold
Seconded by:	Councilman Canterino
Date of Adoption:	October 26, 2006

WHEREAS, the Town of Goshen agrees to appoint Joanne Soules to the full time position of Assessor at a yearly salary of \$57,000 with four weeks of vacation.

NOW, THEREFORE, BE IT RESOLVED that the Town Board approved the appointment of Joanne Soules as Assessor to the Town of Goshen.

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 .

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G. FINANCE

VOTE By Proper MOTION, made by Councilman Canterino, seconded by Councilman Lyons, the Town Board authorizes the Supervisor to pay voucher 2006-2344 to voucher 2006-2564 amounting to \$241, 436.67.

H. PRIVILEGE OF THE FLOOR

Mr. Jerry Boss asked to speak to the issue of Interstate Waste Services taking over the permit of the former Northern Recycling Facility. He questioned the investigation of the principal officers of IWS. Councilman Lyons stated that the Town has received a letter from the DEC stating that they had conducted their investigation and were satisfied. Mr. Boss is concerned that certain officers have been linked to those involved in the Al Turi Landfill, which was run by organized crime. He maintained that there are documents that show Frank E. Celli, Jr. as Treasurer of the previous organization. Mr. Boss also asked if the Town would be entitled to tipping fees. Councilman Lyons noted that the representative from IWS stated that there were no tipping fees planned, but he would entertain the possibility.

Councilman Canterino stated that our attorneys have found no violations. Is Mr. Boss asking for further investigation? Supervisor Bloomfield asked if Mr. Boss knows where the aforementioned documents are located. He suggested that Mr. Boss meet with him to discuss this further. Councilman Newbold stated that he also had requested that our PD and/or the FBI do background checks.

Mr. Andrews noted that at the last Joint Recreation meeting they voted to change their name and he believes that they do not have the power to do this. Councilman Canterino responded that they do not have that authority and have been so informed, so that change will not take place.

Mr. Andrews asked if there has been any resolution to the IMA with the Village for use of the sewer facilities. Supervisor Bloomfield explained that the Village drew up the first draft and the Town re-worked some of the items. The Agreement was sent back to the Village and they have yet to respond. Councilman Cappella stated that the Town had asked that the customers in Arcadia and Hambletonian Park be treated equally with the new customers. The Town also asked that a certain percentage be set aside for commercial use rather than having it entirely for residential use. Mr. Andrews noted that developers before the PB will then have to work with the VB for sewer arrangements. The applicants have to prove that they can supply their own sewer facilities or hook up

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to the Village. Supervisor Bloomfield will speak to the VB to ascertain the status of the IMA.

I. ADJOURNMENT

The meeting adjourned at 9:00 pm upon Motion made by Councilman Cappella, seconded by Councilman Lyons.

Linda P. Doolittle
Deputy Town Clerk

(TB 10.26.06min)

STATE OF NEW YORK }
 :SS. }
COUNTY OF ORANGE }

I, Valma Eisma, Town Clerk of the Town of Goshen, New York, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Town Board of the Town of Goshen, New York at a meeting of said Board held on October 26, 2006.

Valma Eisma, Town Clerk