

TOWN BOARD WORK SESSION
JUNE 4, 2007

PRESENT:

Douglas Bloomfield	Supervisor	Louis Cappella	Councilman
Kenneth Newbold	Supervisor	Philip Canterino	Councilman

Absent: George Lyons, Councilman

Also Present: Dennis Caplicki, Town Attorney

Supervisor Bloomfield called the meeting together at 7:30 p.m.

ITEMS DISCUSSED:

1. Al Mulrad – Land Development Proposal: Mr. Mulrad and Steven T. Esposito, Landscape Architect approached the Board. Mr. Esposito presented the Board with a map of Mr. Mulrad’s development proposal. He explained Mr. Mulrad owns several pieces of property in Goshen and also in Florida. Referring to the map Mr. Esposito explained the following: The parcel is approximately forty acres and is currently zoned Ag Industry. Mr. Mulrad is aware of the fact that the property is not generating any revenue for him, and is not generating any income for the town, as it is under an AG exemption. The area around the property is primarily zoned CO, commercial/office mix.

Mr. Esposito referred to the map showing the large parcel with a square in the middle in green. The attributes to the property are it has access to a County road, it’s own waste water treatment facility and is on the edge of Town where it will not bother anyone. Mr. Esposito said there are three possibilities for the property. It could remain AG Industry, it could petition the Town Board for a zone change or it could seek annexation into the Village of Florida.

Mr. Mulrad would prefer to remain in the Town of Goshen so he is petitioning the Board for a zone change from AG Industry to CO. This would allow Mr. Mulrad to develop the property to generate revenue for himself and the Town. Councilman Canterino asked what type of development Mr. Mulrad was planning. Mr. Esposito replied they were looking at perhaps commercial warehousing or an active adult community.

Mr. Esposito explained there is a section in the middle of a portion of the property where there are soccer fields and baseball fields that belong to the Florida School District. Mr. Mulrad allows the people to park on some of his property. If possible Mr. Mulrad would like to make arrangements with the school to swap that area for another piece adjoining the parcel so that his property would be uninterrupted.

The Board asked if Mr. Mulrad would be asking the Town to take over any water/sewer treatment he would have if he developed the property. Mr. Mulrad said no he would like to generate an income by operating and monitoring it himself. He said he was leaning to the Active Adult Community, probably about 150 in number, with an entrance to Jessup Switch road. Mr. Esposito stated there would be 15% affordable housing in the project.

The Board agreed to discuss the project with the Town Planner and assured Mr. Mulrad the Board would get back to him with an answer. Supervisor Bloomfield and Councilman Canterino explained the Board is reviewing the zoning and coding and some areas may change, so Mr. Mulrad should proceed knowing this.

2. Larry Schillinger – Interstate Waste Proposal Larry Schillinger and Ron Benson addressed the Board. Mr. Schillinger, an environmental attorney, introduced Ron Benson, vice President of Operations for Interstate Waste. Mr. Schillinger said he appeared before the Board when the permit transfer process took place between Interstate Waste and Northern Recycling. He said at that time they promised to actively work with the Town. He said they were here tonight to say everything was going well with them and hoped the Town was happy with the way the facility was operating.

He said the business was going well, but they were at or near their capacity and would like to get the Board's feelings on a possible expansion. Councilman Canterino asked if this was not recently sold? Mr. Schillinger said they purchased from Waste Management. Councilman Canterino asked why the expansion was necessary? Mr. Benson replied the facility was near to capacity when they purchased it and the business has grown.

The Board agreed the company has been a good neighbor and have improved the image the property has had in the past. The Board agreed they would have to see a definite plan before making any decision. Mr. Benson said he was aware of the problems in the past and his firm is still trying to correct some of the Waste Management situation. He said they have an on site environmental monitor from the DEC at our location every week. He said he has wanted and would continue to want good relations with the host community and there would be some type of host benefit that would be paid to the Town.

There was an extensive conversation about the condition on Hartley Road from the truck traffic and the general impact an expansion might have on traffic.

The Board agreed they should come back with a more definite proposal. Mr. Schillinger and Mr. Benson thanked the Board and said they would do that.

3. David Higgins – Schoenfield Subdivision Proposal: David Higgins, of Lanc & Tully Engineering and Surveying P. C. approached the Board representing Fred Schoenfield. He placed a map on the display board showing the plans of the subdivision proposed. Mr. Higgins said the subdivision proposal is now before the Planning Board. The Planning Board Planning Consultant had requested Mr. Higgins take a look at making a portion of the project site open space that could be offered to the Town.

Mr. Higgens gave an over view of the project showing a 16 lot subdivision entering and exiting on 17M between the Wick's Driving Range and near the Owen Murphy Inn. The Map showed Rt. 17 M in front and the Heritage Trail in the rear of the property. There is a possibility of an easement from the subdivision to the Wick's property. He showed the area for parking, a small area for a childrens' playground and approximately three soccer fields, and a trail going through so that people from Arcadia Hills would be able to go through and connect with the Heritage Trail.

Mr. Higgens said everything the Planning Board had asked for was on the map and he hoped the Town Board would be interested in accepting the parcel. The Board discussed various aspects of the 25.3 acres. Councilman Cappella was very concerned about the safety of entering and exiting onto 17M. He felt the traffic on 17M is already a problem and entering and exiting could be dangerous, also there is not a lot of site distance. He would like to see the project taken back to the DOT and be reassured they would permit this, as this is a safety issue. Councilman Newbold also said if Owen Murphy opens as a restaurant facility again it will be bringing more traffic and the traffic to the soccer fields will create even more traffic. The Board said he felt Mr. Higgens should go back to the DOT.

The Board was pleased with the location of the soccer fields and exactly what the Board was hoping for to take some of the traffic off of the Craigville Park. Supervisor Bloomfield suggested the developer build the trail going through the property as it would certainly be an asset to the residents of the proposed development. Mr. Higgens said he needed to know if the Town Board will accept this parcel as open space. The Board will convey their feelings to the Planning Board and the Town would like to have the twenty five acres deeded to the Town instead of an easement. The Board would like to make an on site inspection so the entire Board would be familiar with it.

4. Town Justice Department Requests: Town Justice Kimberly VanHaaster approached the Board. She had previously presented the Board with a New York State Security Assessment report that was done on our court system. She said her main reason for being here tonight was to obtain the Board's authorization to apply for a grant. The Justice Court Assistance Program offers a grant annually for \$20,000.00. Justice VanHaaster said she would like to submit it by the end of June. She said the report from the State reported many security risks and the money from this grant could help to finance some of the solutions to some of the problems.

The grant would provide funding to cover some of the security needs of the Courts as well as other needed equipment (computers, printers, TV, VCR, handheld metal detectors, walkthrough metal detectors, etc.) The Justice said she would like to request a computer for the court room, so she could pull up all her cases wirelessly. She said they are also giving money for construction such as a better bench construction, jury box, and also safety equipment.

Supervisor Bloomfield said he is aware of the lack of security in the Town Hall. However, he said this is not a courthouse, this is a Town Hall and a multiuse building.

He said he would not want to see the \$20,000 every year going to things like fastening the chairs to the floor, jury and prisoner boxes installed. He said he felt it was time to perhaps talk to other municipalities, who are all faced with the same security problems, to possibly consolidate their courts and house them in one building. Justice VanHaaster said that would be similar to the district courts. She said most of the construction is really a matter of separation and that could probably be done with minimum expense and in a manner not to impede anyone else from using the building. She said she only has the large table in front of the dias to protect her and any one could easily climb over it to reach her.

Councilman Canterino said the construction might not be able to be done right away, but the Justice could make the request for her equipment. Supervisor Bloomfield said he was all in favor of seeking the grant, but he said “we are vulnerable in this building” and need to proceed on to the next steps, such as security outside the building, lights, etc.

In the mean time to get the grant application started the Justice would ask for a magnetometer and a hand scanner as well as the computer, etc. The Board talked of ways the court room could be closed to the rest of the building while court was in session. Councilman Newbold said there have to be emergency exits available. The Board could not find a way to secure the rest of the building outside of moving the court to a separate building. Justice VanHaaster stated that would be in a perfect world, but some of the safety things could be done now. She said she feels this is preliminary, laying the ground work, so the State can at one point set up a district court.

Justice VanHaaster said she would apply for the grant with the items the Board had discussed and agreed upon. She also requested the following:

The hiring of two trained and armed peace officers who are also trained in using metal detection equipment. This was another suggestion from the security assessment that was done. Attorney Caplicki asked why our police department could not provide this service. Justice VanHaaster said this is not how it is generally done. She said the court has a court officer now, but she did not know that he was trained and he is not armed. Our police are now covering criminal court. The Justice said some of the worst problems she has had occurred in civil court. Supervisor Bloomfield asked what the cost would be and the Justice replied the court officers would be part time and most are earning \$12.50 per hour. Councilman Cappella suggested the Justice present the Board with a solid request stating exactly what she wanted and the cost, etc. Justice VanHaaster said there is money in the budget for one court officer, but if she could obtain the safety equipment she might have to ask for another officer. Justice VanHaaster will come back to the Board with an estimate of the days and hours the court officer would be needed and the cost of the magnetometer. The Justice said she really needs two or three court officers now and if she did a comparison of the courts throughout the county, the Board would see that she has George, who is not a police officer, and other courts having the same volume have much more staff.

Combining the Village and Town Courts was discussed. Justice VanHaaster said this would require another day each week, and the problem of parking if it was to be held at the Town Hall. Also the Board suggested both municipalities apply for this grant.

Councilman Canterino made a Motion to authorize the Town of Goshen Court to apply for the 2007 Justice Court Assistance Program grant. The Motion was seconded by Councilman Cappella. Motion carried 4 to 0.

Justice VanHaaster said she had one more request. She would like to hire a temporary employee to organize court records for the 1970s, 1980s and 1990s. A list of 965 cases missing dispositions was generated by the Office of Court Administration. Supervisor Bloomfield asked if this would produce revenue. The Justice replied no, the revenue has already been produced in the past, but they need to be properly closed. Supervisor Bloomfield made a Motion to authorize the justices to hire a part timer to close out these 965 open court cases, till the job is finished, at the rate of \$12.50 per hour. The Motion was seconded by Councilman Newbold. Motion carried 4 to 0.

5. Power Sweeper Purchase – DPW: Councilman Cappella reported this is a piece of equipment Highway intended to purchase when the surplus equipment was sold. It has been sold. The 1989 Ford Backhoe was sold for \$10,150, the old sweeper sold for \$3,285. He said \$9,000 of this money could go toward the purchase of the sweeper. Highway is now shopping for the best buy. Councilman Cappella made a Motion to authorize the purchase of the power sweeper, not to exceed \$9,500. The Motion was seconded by Councilman Newbold. Motion carried 4 to 0.

6. Computerized Fuel Dispensing System Purchase – DPW: Supervisor Bloomfield reported the DEC had asked that the Town should draw the tanks once a day, seven days a week. This is impossible to do as the emergency services use the tanks at very different times, many times during the night. He said there is a computerized fuel dispensing system available now that would keep track of each transaction. The Supervisor said he contacted all the fire departments and asked if each one would contribute \$5,000.00 to help defray the cost of the system. The Supervisor talked with one of the officers and was told the companies are all having financial problems. Supervisor Bloomfield said if the donations could not be given then perhaps a surcharge should be placed on the fuel to help pay for the system.

The Supervisor will speak with Michele, the Highway Superintendent's secretary and decide what surcharge they will add on. The Supervisor also said he went to Representative Annie Rabbit and received \$4,500 for the fuel dispensing system. He said he has had several bids one as high as \$50,000. Councilman Cappella will work with the Highway Superintendent seeking the best price. If the Board has all the information by Thursday they will act on it.

7. Right To Know Training Status: Supervisor Bloomfield asked the Town Clerk what the status was in regard to the Right to Know Training that is now mandatory for all

employees. The Clerk informed the Board she has been unable to obtain a response from the Risk Management Department of the County. She will continue to try and Supervisor Bloomfield said he would also call the department. Councilman Canterino said it should be in writing so we can prove we are trying to get the training.

9. Workplace Violence Prevention Training Status: Since Councilman Lyons was not present Supervisor Bloomfield reported Councilman Lyons is still waiting for information on this training also.

10. Budget Officer's Request to Amend Resolutions: Supervisor Bloomfield explained the Budget Officer is requesting to amend the following resolutions that were approved on June 6, 2006. Councilman Newbold made a Motion to amend the resolutions. The Motion was seconded by Councilman Canterino, Motion carried 4 to 0. The Resolutions as amended will read as follows:

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

**RESOLUTION AUTHORIZING THE OPENING
OF FOUR NEW BANK ACCOUNTS**

NOW, THEREFORE, BE IT RESOLVED:

In order that the Town of Goshen meet the accounting requirements for open projects and the annual report, the Town board of the Town of Goshen authorizes the opening of the following four (4) new bank accounts:

1. Open Space – Fund Code HL: For purchase development rights.
2. Hambletonian Park Water Project – Fund Code HK: For capital expenses.
3. Scotchtown Water Project – Fund Code HT: For capital expenses only.
4. Scotchtown Water Operation - Fund Code SF: For daily operations.

Upon Roll Call Vote:

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

Vote: Resolution carried by a vote of 4 to 0

TOWN OF GOSHEN
County of Orange, State of New York

**RESOLUTION AUTHORIZING BUDGET OFFICER
TO CREATE THREE NEW GENERAL LEDGER FUNDS**

WHEREAS, the Town of Goshen Budget Officer, Bill Standish, has requested the Town Board to create four new funds in the general ledger in order to properly track cash flow, operational expense and revenues in connection with new projects and a new water district; and

WHEREAS, the four new general ledger funds to be opened are as follows:

- “HL” Fund PDR – Purchase Development Rights
- “HK” Hambletonian Park capital Water Project
- “HT” Scotchtown Capital Water Start-up Project
- “SF” Scotchtown Water District (For daily operations)

NOW, THEREFORE, BE IT RESOLVED:

That the Town of Goshen Town Board authorizes the Budget Officer to create three new funds within the general ledger for the purpose of properly tracking cash flow, operational expense and revenues.

Upon Roll Call Vote:

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

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

11. Status of Work in Preparation of Salesian Park Opening: Councilman Cappella reported he met with the Highway Superintendent last week and told him to go ahead and take down the barn, the stairway to the seminary building, and probably take down the wires.

Councilman Cappella said he spoke to Trustee Cione and she told him Steve Esposito has some soil fill he will bring over, for the foundation, from a project he is doing on Main Street in the Village. It was suggested the fill, generated when Highway does the ditches be used, however, Councilman Cappella said Highway probably will not do the ditches

until they are through paving and that will be near the end of June. The time frame does not work for the opening of the park. Trustee Cione said she also had crusher run coming from Harness Estates. Councilman Cappella asked her about the stairway to nowhere and Trustee Cione said she was waiting to hear from an excavator, Thomas Makuen. Mr. Makuen said it would not take long to chop up the stairway and he would either give Trustee a price to do it or loan the excavator. She also said she had talked with the original contractor about the fence and they were talking about a bar or placing a round ball that could be placed on top. Councilman Cappella said another alternative would be to take the fence down, store it and repair it during the winter season so that the park could open on time.

Supervisor Bloomfield said he felt the Town should go back to Steven A. Yarabek the landscape architect, as he should have informed the Board the fence should have been eight feet instead of five. Attorney Caplicki said it could be a case of malpractice, since Mr. Yarabek designed the fence, and now we are told by the insurance company it is a safety issue. Supervisor Bloomfield will talk to the Budget Officer and see his entire fee has been paid and he will get back to Attorney Caplicki.

12. Any Other Item of Interest to the Board:

The Town Clerk referred to the fact that our meetings this month were conflicting with the Planning Board and were not on the usual second and third weeks of the month. She suggested the last work session and regular meeting of the month be held on the correct dates so that the Board will be back on schedule. This will involve changing the work session from the 18th of June to the 25th and the regular meeting from the 21st to the 28th. The Town Clerk will publish the change. Supervisor Bloomfield made a Motion to change the work session to June 25th and the regular meeting to June 28th. The Motion was seconded by Councilman Canterino. Motion carried 4 to 0.

Councilman Newbold asked why we have a fuel tank at Craigville Park. No one seemed to be aware that there was one. Councilman Canterino said he would look into it. Councilman Newbold also asked about the number of vouchers the previous attorneys are still sending to the Town. Attorney Caplicki will review them as he said he had asked for a final accounting and that might be what Councilman Newbold saw.

Supervisor Bloomfield said someone questioned him about a dump truck out at Craigville Park. Councilman Canterino said he thought it was the truck that was repaired and sold to the Joint Recreation for \$1.00.

Supervisor Bloomfield made a Motion to go into Executive Session to discuss the following:

1. Dr. Serdarevic Litigation
2. Kenneth Sullivan Litigation
4. 6 Larchwood Cleanup
5. SRO/BOCES Negotiation
6. Myruski Conservation Easement – PDR.

The Motion was seconded by Councilman Cappella. Motion carried 4 to 0.

Time: 10:15 p.m.

Valma Eisma, Town Clerk