

**TOWN OF GOSHEN**  
**TOWN BOARD MEETING**

JUNE 14, 2012  
MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 14th day of June, 2012 at 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

Absent:	Kenneth Newbold	Councilman
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Also Present:	Dennis Caplicki	Attorney for the Town
	Priscilla Gersbeck	Deputy Town Clerk

**A. CALL TO ORDER**

The meeting was called to order by Supervisor Bloomfield at 7:30 pm, followed by the Pledge of Allegiance.

**B. AMENDMENT TO THE AGENDA**

**C. PRIVILEGE OF THE FLOOR (agenda items only)**

None at this time.

**D. OLD BUSINESS:**

**1. DISCUSS AND APPROVE RESOLUTION TO AUTHORIZE THE SUPERVISOR TO SIGN THE “DEVELOPERS AGREEMENT” AND THE “RIGHT-OF-WAY” AGREEMENT IN REFERENCE TO THE HERITAGE/NY FARMS, LLC PROJECT.**

Responding to questions over the ownership of this project, Mr. Walker distributed a memo to the Board Members clarifying the issue. Before June of 2005, the landowner was Afton Properties and the applicant is Heritage at Goshen, LLC. As of June 2005 the land owner is NY Farms, LLC of Red Bank, New Jersey. Michael Walker, who resides in Chester, is the managing member representing both the land owner and the project. According to the memo Mr. Walker stated, “*The project is formally known as Heritage Estates. We decided to use the name “The Heritage” after we were advised that there is a project in the Village of Goshen called “Heritage Estates”.*”

Attorney Caplicki reviewed and explained the “Developers Agreement and the “Right-Of-Way” Agreement, as discussed at the June 11<sup>th</sup> work session.

**TOWN OF GOSHEN  
RESOLUTION**

**Approving and Authorizing the Supervisor to Sign Developers Agreement and Right-of-Way  
Abandonment Agreement: New York Farms, LLC with Town of Goshen**

INTRODUCED BY: Councilman Louis Cappella

SECONDED BY: Councilman George Lyons

DATED: June 14, 2012

At a meeting of the Town Board of the Town of Goshen, County of Orange, State of New York, held at Town Hall in said Town on the 14th day of June 2012.

WHEREAS, New York Farms, LLC has previously applied to the Planning Board of the Town of Goshen and other related Federal, State, and County agencies for approvals to construct a 75 unit clustered residential development on Old Chester Road in Goshen, N.Y. to be known as "Heritage Estates", and

WHEREAS, in connection with the design, planning, and construction of the Heritage Estates project it has been determined that water and sewer service to the project would best be served by/through an expansion of the existing Town of Goshen Sewer and Water District(s) No. 1 (Hambletonian Park) so as to include in said district(s), in substantial part, the units in the Heritage Estates project, and

WHEREAS, NY Farms, LLC and the Town wish to enter an agreement which will set forth the obligations of NY Farms, LLC and the Town with respect to the design, construction and operation of the sewer and water systems for the project as same will be integrated into the existing district(s), Exhibit A annexed and

WHEREAS, in connection with the development and construction of the Heritage Estates project, the Town wishes to receive from the developer certain transfers and dedications of certain real property parcels, Exhibit B annexed,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Goshen does hereby approve the terms of the attached Developer's Agreement (Exhibit A) and the Right-of-Way Abandonment Agreement (Exhibit B) and that the Supervisor of the Town of Goshen is hereby authorized to sign same on behalf of the Town of Goshen and any and all additional documents necessary to effectuate the terms of this resolution.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilperson, Philip Canterino	<u>AYE</u>
Councilperson, Louis Cappella	<u>AYE</u>	Councilperson, Kenneth Newbold	<u>ABSENT</u>
Councilperson, George Lyons	<u>AYE</u>		

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

**2. DISCUSS AND APPROVE A RESOLUTION TO ACCEPT THE FORMAT OF OTHER PREFERRED DOCUMENTS AS SIGNED BY THE DEVELOPER OF HERITAGE/NY FARMS, LLC PROJECT, AND AUTHORIZE THE SUPERVISOR TO SIGN THE SAME, AND PLACE IN ESCROW UNTIL FORMALLY ACCEPTED BY A RESOLUTION**

Attorney Caplicki summarized the following Resolution. After clarification of contents within the documents, the Board came to an agreement.

**TOWN OF GOSHEN  
RESOLUTION**

**Approving Format and Authorizing the Supervisor to Sign Declaration of Open Space Conservation Easement with Respect to "Heritage Estates" Open Space Parcel "A-70.42 Acres; Approving Format of Signed Irrevocable Offer of Dedication, Five (5) Bargain & Sale Deeds, Three (3) Permanent Easements with Respect to "Heritage Estates" Project and Authorizing the Supervisor of the Town of Goshen to Hold Said Documents in Escrow and to Sign Any Further Additional Documents in Connection Therewith Subsequent to the Town Board's Formal Resolution Accepting Said Documents**

INTRODUCED BY: Councilman George Lyons

SECONDED BY: Councilman Louis Cappella

DATED: June 14, 2012

At a meeting of the Town Board of the Town of Goshen, County of Orange, State of New York, held at Town Hall in said Town on the 14th day of June, 2012

WHEREAS, New York Farms, LLC has previously applied to the Planning Board of the Town of Goshen and other related Federal, State, and County agencies for approvals to construct a 75 unit clustered residential development on Old Chester Road in Goshen, N. Y. to be known as "Heritage Estates", and

WHEREAS, in connection with the aforementioned application(s), New York Farms, LLC has submitted to the Town for approval, acceptance, and signing certain Conservation Declarations, Irrevocable Offer of Dedication, five (5) Bargain & Sale Deeds and Three (3) Permanent Easements (Exhibit C- Exhibits K annexed);

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Goshen does hereby approve the format of the attached and aforementioned documents (Exhibit C – Exhibit K); authorizes the Supervisor of the Town of Goshen to and sign on behalf of the Town of Goshen the Declaration of Open Space Conservation Easement Parcel "A"; authorizes the Supervisor to hold in escrow the remaining aforementioned documents until such time as said documents are formally accepted by resolution of the Town Board; and authorizes the Supervisor to sign any further additional documents necessary to effectuate the terms of this resolution.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilperson, Philip Canterino	<u>AYE</u>
Councilperson, Louis Cappella	<u>AYE</u>	Councilperson, Kenneth Newbold	<u>ABSENT</u>
Councilperson, George Lyons	<u>AYE</u>		

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

**3. DISCUSS AND APPROVE RESOLUTION TO AUTHORIZE THE SUPERVISOR TO SIGN AN AGREEMENT TO EXPAND THE HAMBLETONIAN WATER AND SEWER DISTRICTS TO INCLUDE 75 PLANNED HOMES OF THE HERITAGE ESTATES SUBDIVISION**

Attorney Caplicki reviewed the matter of the extension of the Town of Goshen water and sewer districts No.1-known as the “Hambletonian Park Sewer and Water Districts,” Pursuant to Article 12A of the Town Law.

Councilman Louis Cappella made the motion to accept the Resolution approving the extension of the districts pursuant to Town Law Section 209-e. Councilman George Lyons seconded the motion.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilperson, Philip Canterino	<u>AYE</u>
Councilperson, Louis Cappella	<u>AYE</u>	Councilperson, Kenneth Newbold	<u>ABSENT</u>
Councilperson, George Lyons	<u>AYE</u>		

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

*[Details of this extension and resolution are available in the Clerk’s Office]*

**4. APPROVAL OF MINUTES**

Councilman Lyons made the motion to approve the minutes of the Town Board work session of May 21, 2012 and the regular meetings of May 10<sup>th</sup> and May 24, 2012. Councilman Canterino seconded the motion.

Discussion: Councilman Lyons made a few corrections – noted by the Clerk.

On a Voice Vote, the motion passed: 4 AYES      Bloomfield, Canterino, Cappella, Lyons  
0 NAYS

**E. NEW BUSINESS**

**1. PRESENT TO THE BOARD A LIST OF JRC POTENTIAL CAPITAL PROJECTS**

Kevin Armistead, representing the JRC, reviewed a list of *potential* capital projects for the parks. The list for **Craigville Park** includes: (1) signs renaming the park the “Myron Urbanski Memorial Park”, (2) correct the drainage on the left side of the major field, (3) correct the drainage and resurface Cassel field, (4) correct the drainage on the two main soccer fields which are off the second entrance. Currently, perimeter drains are being installed on both fields (looped) as part of Phase I. Phase II will be raising-up the fields to install lateral pipes for proper drainage. (5) rehab (re-pave) the walkway that runs 36” wide x 608’ length, from the playground to the back of the field, and (6) pave the driveway/parking lot. There are no plans to pave the back parking lots. Those lots serve for drainage. Councilman Canterino asked if a basketball court could be installed in the future. The list for **Salesian Park**, which will be a joint decision with the Village, includes: (1) demolish school building, (2) establish one recreational playing field, changing this park from being passive to active, attracting more visitors, (3) aerator or a compound to remove scum from the pond, (4) renovate the walkways/paths and (5) pave the entrance driveway. The Erie Street Park and Lions Park are in the Village. Erie Street Park is used a lot. This park is in need of updating the skateboard and basketball sections. Lions Park could use additional picnic tables and brush removal.

Mr. Armistead commented that Broderick Knoell, Superintendent of Highways, has been very helpful by providing assistance whenever possible. Finally, the new scoreboard, at Craigville Park, will be dedicated on June 23 at 10:30am.

**2. REVIEW AND DISCUSS EMPLOYEES DENTAL AND VISION PLAN INSURANCE PREMIUM INCREASES AND AUTHORIZE THE SUPERVISOR TO SIGN A CONTRACT RENEWAL FOR THE SAME**

Supervisor Bloomfield reviewed the CSEA Employee Benefit Fund increases in the dental plan and in the vision plan per employee – per month. The Horizon Dental Plan is at the current rate of \$80.62 and will increase to \$83.84. The Platinum 12 Vision Plan is at the current rate of \$23.39 and will increase to \$23.62.

Councilman Lyons made the motion to authorize the Supervisor to sign for the increase premiums in the Horizon Dental Plan and Platinum 12 Vision Plan. Councilman Cappella seconded the motion.

On a Voice Vote, the motion passed: 4 AYES      Bloomfield, Canterino, Cappella, Lyons  
0 NAYS

**3. AUTHORIZE THE SUPERVISOR TO SIGN AN AGREEMENT WITH WRIGHT RISK MANAGEMENT FOR “RUNOFF CLAIMS MANAGEMENT” FOR 2012, RATES REMAIN THE SAME AS LAST YEAR**

Supervisor Bloomfield explained that as of December 31, 2011, the Town has 7 Tail Claims managed by Wright Risk Management. A memo to the Town stated that the fees will remain the same as last year which is at the rate of \$500 each, per year.

Councilman Canterino made the motion to authorize the Supervisor to sign the Workers' Compensation Claims Runoff Management Agreement. Councilman Lyons seconded the motion.

On a Voice Vote, the motion passed: 4 AYES      Bloomfield, Canterino, Cappella, Lyons  
0 NAYS

**4. DISCUSS AND APPROVE A RESOLUTION TO AUTHORIZE THE SUPERVISOR TO REQUEST SPEED LIMIT CHANGES ON COUNTY ROUTE 6/PULASKI HIGHWAY AND TO SUGGEST INSTALLATION OF A TRAFFIC LIGHT BY THE NYS DOT AT THE 17A/ PULASKI HIGHWAY INTERSECTION**

It was discussed at Monday's meeting to lower the speed limit between Indiana Road to Pumpkin Swamp Road from 55 mph to 45mph and to increase the speed limit between Pumpkin Swamp Road to Cross Road from 35mph to 45mph. It was also discussed to recommend that a traffic signal be installed at the intersection of County Road 6/Pulaski Highway and Route 17A.

**TOWN OF GOSHEN  
RESOLUTION**

**Recommendation(s) Supporting Speed Limit Reduction; Speed Limit Increase; and  
Installation of Traffic signal**

**INTRODUCED BY:** Councilman Philip Canterino

**SECONDED BY:** Councilman George Lyons

**DATED: June 14, 2012**

At a meeting of the Town Board of the Town of Goshen, County of Orange, State of New York, held at Town Hall in said Town on the 14<sup>th</sup> day of June, 2012

WHEREAS, numerous area farmers have requested of the Town of Goshen that the speed limit on the roadway in the Town of Goshen between Indiana Road to Pumpkin Swamp Road be lowered from 55 miles per hour to 45 miles per hour; that the speed limit on the roadway in the Town of Goshen between Pumpkin Swamp Road to Cross Road be increased from 35 miles per hour to 45 miles per hour; and that a traffic signal be installed in the Town of Goshen at the intersection of County Road 6/Pulaski Highway and Route 17A, and

WHEREAS, the Town Board of the Town of Goshen has reviewed said request(s); inspected the effected areas; and monitored the traffic flows on said roadways, and

WHEREAS, the Town Board believes that for safety reasons, traffic flow patterns, and traffic limit consistency, the request(s) are rational, reasonable, and necessary,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Goshen does hereby recommend to the County of Orange and State of New York that the speed limit on the roadway in the Town of Goshen between Indiana Road to Pumpkin Swamp Road be lowered from 55 miles per hour to 45 miles per hour; that the speed limit on the roadway in Town of Goshen between Pumpkin Swamp Road to Cross Road be increased from 35 miles per hour to 45 miles per hour; and that a traffic signal be installed in the Town of Goshen at the intersection of County Road 6/Pulaski Highway and Route 17A.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilperson, Philip Canterino	<u>AYE</u>
Councilperson, Louis Cappella	<u>AYE</u>	Councilperson, Kenneth Newbold	<u>ABSENT</u>
Councilperson, George Lyons	<u>AYE</u>		

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

**F. FINANCE**

Councilman Canterino made the motion to authorize the Supervisor to pay Manual A/P runs as of 5/31/2012 amounting to \$8,469.05 and total funding for A/P Check run of 6/14/2012 amounting to \$293,419.86.

Councilman Lyons seconded the motion.

On A Voice Vote, the motion passed: 4 AYES Bloomfield, Cappella, Lyons, Newbold  
0 NAYS

**G. PRIVILEGE OF THE FLOOR**

Recently Supervisor Bloomfield visited the Goshen Humane Society. He was impressed with the new addition and dog runs. He was also pleased with the way in which the animals were taken care of and the cleanliness of the shelter.

Joel Markowitz (inaudible)

**H. ADJOURNMENT: 9:15 PM**

**EXECUTIVE SESSION:**

Councilman Canterino made the motion to enter into Executive Session to discuss the following;

1. Tax Certiorari Status Update

with the intent not to return. The motion was seconded by Councilman Lyons. Motion Carried

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Priscilla Gersbeck, Deputy Town Clerk