

TOWN OF GOSHEN
TOWN BOARD MEETING

November 12, 2015

MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 12th day of November, 2015 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
	Kenneth Newbold	Councilman

Also Present:	John Swift, Esq.	Special Counsel to Town Board
	Robert Rametta, Esq.	Special Counsel Tax Certiorari/Claims
	Priscilla Gersbeck	Deputy Town Clerk

A. CALL TO ORDER

The meeting was called to order by Supervisor Bloomfield at 7:34 pm, followed by the Pledge of Allegiance.

B. AMENDMENT TO THE AGENDA

Supervisor Bloomfield switched items 1 & 2 under Old Business.

C. PRIVILEGE OF THE FLOOR (agenda items only)

D. OLD BUSINESS:

1. **REVIEW AND APPROVE RESOLUTION TO SETTLE TAX CERTIORARI FOR
PROPERTIES AT: 108-6-18, 14 Montgomery Street and 108-6-17, 18 Montgomery Street.**

Attorney Robert Rametta reviewed the following resolution. A common ownership joining the two parcels into one consent order is conclusive in this resolution.

TOWN OF GOSHEN
RESOLUTION

Settling of Tax Certiorari Claim; (claimant)
Section: 108 Block: 6 Lot: 18 AND Section: 108 Block: 6 Lot: 17

INTRODUCED BY: Councilman Louis Cappella

SECONDED BY: Councilman George Lyons

DATED: November 12, 2015

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 12th day of November, 2015;

WHEREAS, (claimant(s)) having commenced tax certiorari proceedings against the Town of Goshen in the Supreme Court of the State of New York, County of Orange for the 2011 and 2012 assessment years for the parcel known as 108 Block: 6 Lot: 18 and for the 2011, 2012, 2013, 2014 and 2015 assessment years for the parcel known as Section: 108 Block: 6 Lot: 17 bearing Orange County index numbers 7094/2011, 6255/2012, 6112/2013, 5395/2014 and 5487/2015; and

WHEREAS, it appears from the recommendations of the Town Assessor and Robert M. Rametta, Esq., Special Counsel for the Town of Goshen in the aforesaid proceedings, and upon a thorough investigation of the claims, that any further proceedings and litigation by the Town would involve considerable expense with the attendant uncertainty of the outcome and that the settlement of the above matter(s), as more fully set forth below, is reasonable and in the best interests of the Town; and

WHEREAS, claimant is willing to settle these proceedings without interest, costs or disbursements, in the following manner: As set forth in annexed Consent Order and Judgment.

NOW, BE IT THEREFORE RESOLVED, that the proposed settlement as set forth and described above and as set forth in the annexed Consent Order and Judgment is hereby accepted pursuant to Section 68 of the Town Law and it is further;

RESOLVED, that the Assessor of the Town of Goshen; Robert M. Rametta, Esq., Attorney for the Town of Goshen; and Douglas Bloomfield, Supervisor of the Town of Goshen be and are hereby authorized to take any and all steps and sign any and all documents necessary to effectuate the terms of this resolution;
Upon Roll Call Vote:

Supervisor, Douglas Bloomfield AYE
Councilperson, Louis Cappella AYE
Councilperson, George Lyons AYE

Councilperson, Philip Canterino AYE
Councilperson, Kenneth Newbold AYE

Vote: Resolution carried by a vote of 5 to 0

2. REVIEW AND DISCUSS POTENTIAL ZONING AND CODING CHANGES THAT ARE PART OF OUR UPDATING PROCESS.

Dennis Lindsay, P.E. (H2M Architects & Engineers) distributed three packets to the Board in conjunction with his presentation. Initially he was asked for input to requested changes on the zoning map, utilizing the greatest potential within each location. In addition, properties were categorized by private/public ownership as to the availability of developmental possibilities. At the same time, requests from different departments were presented for changes to the code language. With thirty to forty requested changes to the code. Three basic packets were designed to structure the updating process. A summary sheet was attached to each packet.

Packet one, "Typos & Minor Code Revisions" details easy code corrections, short modifications, typo-error corrections. Packet two, "Modifications to Existing Code Sections – Sub-Committee and Board Review" details upgrading existing codes to increase functionality within certain departments. Packet three, "New Code Sections – Sub-Committee & Board Review" describing codes that are not currently on the books to consider and draft. His detailed review of each packet pointed out that there is a lot of work that needs to be done.

3. APPROVAL OF MINUTES:

Councilman Newbold made the motion to accept the minutes of the work sessions of October 5th and October 19th and regular meetings of October 8th and October 22nd, 2015. Councilman Lyons seconded the motion.

On a Voice Vote, the motion passed: 5 AYES Bloomfield, Canterino, Cappella, Lyons, Newbold
0 NAYS

E. NEW BUSINESS:

1. REVIEW AND APPROVE PROPOSAL TO SOLICIT BIDS FOR SNOW PLOWING ON AN EMERGENCY BASIS

Broderick Knoell noted that there are times when the Highway Department is short of drivers either due to illness or extended plowing hours. Currently, one driver is out on long-term disability. Therefore, he would like to solicit bids for assistance in an emergency.

Councilman Cappella made the motion to authorize the Highway Superintendent to solicit bids for snow plowing on an emergency basis. Councilman Lyons seconded the motion.

On a Voice Vote, the motion passed: 5 AYES Bloomfield, Canterino, Cappella, Lyons, Newbold
0 NAYS

2. REVIEW AND APPROVE THE WATER AND SEWER TAX RE-LEVY FOR 2015 UNPAID BILLS

Supervisor Bloomfield read the amounts of the unpaid water & sewer bills. In summary; Hambletonian Park total \$63,282.47 – Arcadia Hills total \$152,522.74 – Stonehedge (water only) – \$3,024.43 and Scotchtown (water only) - \$1,662.64. The total 2015 levy is \$220,492.28.

Councilman Canterino made the motion that the listed charges amounting to \$220,492.28 for water and/or sewer service remaining unpaid as of November 12, 2015 be relieved upon the 2016 real property tax rolls. Councilman Newbold 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>AYE</u>
Councilperson, George Lyons	<u>AYE</u>		

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

3. REVIEW AND APPROVE HIRING OF MARY RISO AS PART-TIME CLERK, IN TRAINING, IN THE TOWN CLERK'S OFFICE.

Clerk-Elect, Priscilla Gersbeck, explained that she will vacate the Deputy Clerk position as of January 1, 2016. For training purposes, she has recommended Mary Riso to train for the Deputy Clerk position. Mary Riso is the owner/operator of Bright Side Tanning in Goshen. Currently, she is a part-time clerk for NYS Dept. of Motor Vehicle in Middletown, NY., which she will leave for this position. Ms Riso obtained certification from the Berkley Business School. She has experience in many types of professional businesses using administrative skills. Her personnel investigation has been satisfactorily completed.

Councilman Cappella made the motion to hire Ms. Mary Riso as part-time clerk, in training, at the starting rate of \$15.09 per hour effective November 9, 2015. Councilman Newbold seconded the motion.

On a Voice Vote, the motion passed: 5 AYES Bloomfield, Canterino, Cappella, Lyons, Newbold
0 NAYS

F. FINANCE

Councilman Canterino made the motion to authorize the Supervisor to pay Accounts Payable check run for 11/12/2015 amounting to \$482,874.61 and Manual A/P runs as of 10/31/2015 amounting to \$10,949.95. Councilman Lyons seconded the motion.

On A Voice Vote, the motion passed: 5 AYES Bloomfield, Canterino, Cappella, Lyons, Newbold
0 NAYS

G. PRIVILEGE OF THE FLOOR

Jerry Boss inquired as to the status of the Knoell Road alleged “illegal” dump site. Response: Neal Halloran received a letter from the DEC informing us that the clean-up is in progress and the site materials are being processed for identification.

Secondly, he questioned the process of the appointment of the vacant seat of Legislator Shannon Wong. Three towns will meet in this court room to interview candidates and vote (weighted) for the appointment. Supervisor Bloomfield detailed the procedures (under legal advice) involved in coordinating this meeting and a summary of the steps involved for the appointment. Mr. Boss stated that he is “not comfortable” with the fact that those who are in judgment of others are candidates for the position. He hopes “this process is cleansed of politics”.

Bob Smith wanted an update on the lighting at Myron Urbanski Park (Craigville Park). Response: Councilman Lyons stated that portable lights will be used thru December 1st for practice *only* for the smaller children, Monday thru Friday until 8pm. The JRC, the Village and the Town did not voice opposition to this. Mr. Smith wants to know why the season is extended. Why is the park not used on Saturday and Sunday afternoons? Originally the lights were to be used because there was no time (day) available in the park. Now there is time (day) and the lights have been on every night this week (except for a rainy night). Three residents who are affected by the evening lights were not informed of the extended hours. The lights shine into his home. What are the plans for next year? Response: The issue has not been addressed.

Brian Mitchell submitted a request to change zoning on a parcel he owns in Section 19. He wanted to know if/when this will happen? Response: this will be looked at when the maps are updated. Next year a public hearing will take place on all of the designated zoning changes. He wanted to be sure his request will not be overlooked. Zoning changes apply to its’ entity specifications and not spot zoning specifications. The whole “picture” has to be looked at.

Councilman Newbold requested to see the budget for the JRC. He hasn’t seen one in recent years and would like to know how the monies are utilized. Councilman Lyons will have a copy available for him.

Reynell Andrews asked about the status of the Al Turi Landfill law suit. Response: The lawyers are working on it and will be looking to settle soon. There seems to be an opportunity for ATL to sell some of its property. Neal Halloran noted that the representatives of ATL will be before the Planning Board next week. They are looking for subdivision lot line changes. Consequently, they may want to consider ending the law suit.

EXECUTIVE SESSION

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

1. P.D. Personnel

with the intent not to return. The motion was seconded by Councilman Cappella. Motion carried

ADJOURNMENT: 9:10pm

Priscilla Gersbeck, Deputy Town Clerk