

TOWN OF GOSHEN  
TOWN BOARD WORK SESSION  
**January 09, 2012**  
MINUTES

A work session of the Town Board of the Town of Goshen was held on the 9th day of January, 2012 at 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:	Dennis Caplicki	Attorney for the Town
	Priscilla Gersbeck	Deputy Town Clerk

The meeting was called to order by Supervisor Bloomfield at 7:33pm, followed by the Pledge of Allegiance.

**1. PERSOON SUBDIVISION REQUEST FOR CONSERVATION EASEMENT CREDIT**

Representing the Persoon subdivision, Attorney Robert Dickover addressed the Board. He presented a map identifying Section 17 Block 1 Lots 4 and 36 outlining the requested dedication in part of approximately 52.87 +/- acres. The issue of the dedication of open space is intended to meet the present Town of Goshen zoning requirements for the dedication of open space. It is possible that the subdivision plan may fail to receive final subdivision approval after the dedication of conservation Easement is recorded, thereby encumbering the parcel without receiving final approval. A draft of the Declaration of Conservation Easement will be presented at the next meeting.

**2. RESOLUTION TO PARTICIPATE IN THE NYS PROPERTY TAX RELIEF ACT FOR HOMEOWNERS WHO SUFFERED 'SUBSTANTIAL' PROPERTY DAMAGE DURING HURRICANE IRENE AND/OR TROPICAL STORM LEE**

Assemblywoman Annie Rabbitt sent a copy of her recent media release to the Town. Her announcement pertains to approved legislation which was signed into law providing tax relief for qualifying residents. The new law allows local taxing jurisdictions the ability to provide property tax relief to owners of properties that were "catastrophically impacted" by either Hurricane Irene or Tropical Storm Lee. Catastrophically impacted is defined as "property owners who lost 50% or more of the value of their property as a result of flooding or other storm damage". The law allows for properties to be reassessed for 2011 based on its post-storm condition and to qualify for a property tax reduction for 2011.

This law was discussed and it was decided to provide real property tax relief to owners of properties affected by catastrophic damages occurred from the aforementioned storms by passing the following resolution.

**TOWN OF GOSHEN  
RESOLUTION**

**Adopting the Provisions of the Hurricane Irene and Tropical Storm Lee Assessment Relief Act**

**INTRODUCED BY: Councilman Kenneth Newbold**

**SECONDED BY: Councilman Louis Cappella**

**DATED: January 9, 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 9th day of January, 2012;

WHEREAS, the State of New York has passed the Hurricane Irene and Tropical Storm Lee Assessment Relief Act and

WHEREAS, said act allows taxing jurisdictions to provide real property tax relief to owners of properties that were catastrophically impacted by Hurricane Irene and/or Tropical Storm Lee, and

WHEREAS, the Town Board of the Town of Goshen wishes to make the provisions of said act available to real property owners within the Town.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Goshen does hereby ratify the terms of the aforementioned Hurricane Irene and Tropical Storm Lee Assessment Relief Act and opts to extend the terms and benefits thereof to it's citizenry within the Town of Goshen who own real property and who have lost fifty percent (50%) or more of the value of their property as a result of flooding or storm damage from Hurricane Irene and/or Tropical Storm Lee. Any interested property owner should submit a written request, together with supporting documentation, to Jo Ann Soules, Assessor for the Town of Goshen, 41 Webster Avenue, Goshen, New York 10924.

Discussion: The assessor does not have to determine exactly how much value the property lost, but to determine the percentage reduction in value. The deadline for a property owner to apply for assessment relief is March 8, 2012.

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 SIGN BOND FOR TOWN OF GOSHEN RECEIVER OF TAXES FOR 2012**

The Board Members signed the collector's bond to be forwarded to the County Clerk's office.

**4. REVIEW AND DISCUSS OPTIONS FOR NATURAL GAS DISCOUNT PROGRAMS**

Two proposals for natural gas discount programs are before the Board for review.

The first one: Advisor's Energy Group, offers a 6 month rate of .6587/therm and 12 month rate of .7134/therm. The current rate = .705952 vs. Advisor's 6 month rate = .6587 equates to .047252/therm

savings. Town of Goshen used approximately 13,000 therms of natural gas per year. [13,000 x .047252 = \$614.28 savings in a year]

The second option: Ambit Energy, offers a price for all energy sold under this agreement for the first 2 billing cycles that shall be based on a 7% discount to the incumbent utility published supply rate. Thereafter, the rate will be at a competitive variable rate with an annual savings of 1% less than the incumbent's utility supply rate for the same 12 month period. Ambit Energy will issue a refund or credit for any overage amount and a yearly spreadsheet. For 15 meters or more, the Town will receive energy credit and including free energy.

Bill Standish, Budget Officer, penned an opinion stating that *"it is difficult to recommend one proposal over the other, from the perspective that the monthly changes in NYSEG rates is elusive, but I do recommend we go with the 6 month fixed rate provided by Advisor's Energy and re-visit the cost after the 6 month period."*

Discussion: With no guarantees, the Board postponed making a decision at this time. The Members want to take another look at the proposals.

## 5. SUNDRY BUSINESS UPDATES:

### -1- Defibrillator Locations & Training

Councilman Lyons stated that the defibrillators have arrived. One will be installed at the Highway Dept. Likewise, after discussion, the other one will be installed on the outside wall of the court room/meeting hallway. Once the defibrillators are installed, someone from GOVAC will provide instructions to the employees as to how to use the defibrillator.

### - 2- "Sign Violation" enforcement

Neal Halloran, Code Enforcer, sent a memo to the Board updating them on business sign violators. He has sent letters to everyone with illegal signs, with no response except for Furniture Options. Legal action will be needed to enforce change.

The Town signage laws are from the past and are still effective. Supervisor Bloomfield suggested that Mr. Halloran & Attorney Caplicki meet to decide how to deal with the current sign violators. The Board will take another look at updating the Town Code for signs.

### -3- Dutchess Quarry Mining Expansion Application

The Town has had no communication from Dutchess Quarry. The quarry has not applied to the Town for any mining expansion, even though it is believed that they are doing additional work for the DEC application. Supervisor Bloomfield noted that citizens living nearby have voiced their opinions to the Town Board. Currently, the DEC is in charge of the next move. The Quarry has proposed to go down another 460 feet which will bring them to -16 feet below mean sea level. This is a pre-existing non-conforming use and would come before the Planning Board for a 50% expansion by a special use permit.

### -4- FEMA Claims for the Town of Goshen

Councilman Cappella reported that the Town cannot submit a bill to FEMA until *all* of the work repairing damages from the storms has been completed. There are three culverts pending repairs: Coleman Road, Durland Road and Everett Road. The Town is waiting for

the manufacturer's investigation reports as to why these culverts failed when Hurricane Irene and Tropical Storm Lee flooded the roadways.

**-5- Stone Hedge Well #3**

Councilman Newbold reported that the Stone Hedge Well #3 is getting ground water in it. The contamination is not acceptable by the Department of Health. The Town has three options to correct this situation: to sleeve the well, to chemically remove the bacteria or to abandon the well. This project represents a significant expenditure to a relatively small water district. Therefore, the Town will be considering the various alternatives with cost savings strategies.

**-6- Property Re-Val**

Supervisor Bloomfield reviewed the status of the revaluation. January 31, 2012 is the goal date to have this project completed. Approximately 400 properties of the 5500 remain to be completed. Of the 400 properties, 200 are homes and 200 are vacant. In February the impact notices will be sent to property owners using 2011 as a basis of comparison. The NYS valuation will be completed by March 31. The tentative assessment roll must be done by May 1. Hence, Grievance day is on May 22. The final roll is published on July 1, 2012.

**-7- Riddick Associates, P.C. – No Increase 2012**

Riddick Associates, P.C., the consulting Civil and Environmental Engineers for the Town, have informed the Town that they are freezing their rates for 2012. Since 2009, this engineering firm has not raised their rates for services rendered to the Town.

**-8- Three Public Hearings on January 19, 2012**

Announcement: The Town Planning Board will hold two public hearings: Orchard At Towner Farm LLC (propane business) and Quality Bus Service. The Planning Bd. will also conduct a joint public hearing with the Town Bd. on Orange & Rockland (Hartley Rd.) Substation. The DEIS Volume I and Volume II along with the Site Plan Approval Drawings are in the Clerk's Office for those who are interested in the O & R application. The public hearings will begin at 7:30PM in the Town Hall Court Room.

**EXECUTIVE SESSION**

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

- 1) Tax Certiorari Update

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

Time: 8:35PM

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Priscilla Gersbeck, Deputy Town Clerk