

**TOWN OF GOSHEN**  
**TOWN BOARD WORK SESSION**  
January 20, 2015

**MINUTES**

A Work Session of the Town Board of the Town of Goshen was held on the 20<sup>th</sup> day of January, 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
	Valma Eisma	Town Clerk
	Ashley Torre, Esq.	

Supervisor Bloomfield called the meeting to order, and led the Pledge of Allegiance.

**1. REVIEW PROPOSED DRAFT OF ADC MAPLEWOOD DEVELOPERS AGREEMENT AND SET PUBLIC HEARING DATE FOR HAMBLETONIAN PARK RESIDENTS:** Supervisor Bloomfield explained to the Board that all the things the Board had discussed are not reflected in the recent draft he has received. He said he had the Deputy Town Clerk, Priscilla Gersbeck pull all of the proposed drafts, and highlighted the things that were not included. He said he gave a copy of the results she found to the attorney, John Swift.

Attorney Swift suggested he contact the developer and have him produce the various drafts, redlined etc. Councilman Cappella stated that he would rather use Ms. Gersbeck's information as he trusted it more than what the developer might present.

Councilman Cappella asked if all the records of meetings, etc. are in the packet given to the Attorney. Supervisor Bloomfield stated they should be. He stated that there are so many areas missing in the draft, that "we might have to start this process all over again."

The Board discussed it further, and decided to let the attorney go back and speak with the developer about the errors. It will be tabled for the time being.

**2. DISCUSS JOINING OTHER MUNICIPALITIES IN OPPOSING O & R, INC. REQUEST TO INCREASE ELECTRICITY AND NATURAL GAS DELIVERY RATES:** Supervisor Bloomfield reported that as of Friday afternoon Warwick, Walkill, and Middletown had joined the other municipalities in opposing Orange and Rockland's planned increases.

Councilman Canterino said this is an ongoing thing, and very costly, and felt this should be done by the Association of Towns. After a lengthy discussion the Board decided not to participate.

**3. REVIEW PROPOSED LOCAL LAW 1-2015, CHANGE OF RESIDENCY REQUIREMENTS FOR THE GOSHEN TOWN POLICE CHIEF AND SET PUBLIC HEARING:** Supervisor Bloomfield read the following Local Law Introductory No. 1 of 2015 to the Board for their review.

**A LOCAL LAW AMENDING SECTION 29-2 OF THE TOWN CODE  
("POLICE CHIEF RESIDENCY REQUIREMENTS")**

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

**SECTION I. PURPOSE AND FINDING**

The Town Board of the Town of Goshen has determined that it is necessary and desirable to modify a provision of the Town Code that establishes residency requirements for the Police Chief of the Town of Goshen Police Department in order to promote the life, health welfare, safety and good order of the citizens of the Town. In establishing the residency requirement herein, the Town Board hereby determines that the maximum distance of the Police Chief's residence from the Town of Goshen Police Department headquarters, as provided herein, will allow and promote the Police Chief's active service to the Town and prompt response to emergency and other police matters within the Town.

**SECTION 2. CHAPTER 29: POLICE DEPARTMENT**

Town Code Section 29-2 is hereby repealed and the following language substituted in its place:

The Police Chief of the Town of Goshen Police Department shall, upon his or her appointment to that position, and at all times during his or her continued employment in that position, reside at a location within an area of Orange County, New York that is within fifteen (15) miles of the Town of Goshen Police Department headquarters, located at 44 Police Drive in the Town of Goshen, New York.

**SECTION 3. SUPERSEDING PROVISION**

To the extent that any State or local laws fail to provide specific authority for this Local Law or other wise appear to be in conflict with this Local Law, including, but not limited to, New York Public Officers Law Section 30, then such laws are hereby superseded by this Local Law pursuant to New York Municipal Home Rule Law and the common law.

**SECTION 4. SEVERABILITY**

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

## SECTION 5: EFFECTIVE DATE

This law shall take effect upon the filing of this Local Law with the New York Secretary of State in the manner provided for in the Municipal Home Rule Law.

After a brief discussion Councilman Canterino made a Motion to set a Public Hearing on Local Law No. 1 of 2015 Amending Section 29-2 of the Town Code ("Police Chief Residency Requirements") on February 12, 2015 at 7:30 p.m., or as soon thereafter at Town Hall, 41 Webster Avenue, Goshen, NY. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

**4. REVIEW RESOLUTION TO CONFIRM EXPANSION OF HAMBLETONIAN PARK WATER/SEWER DISTRICT WITH NEW YORK FARMS (AKA) HERITAGE ESTATES UNDER ARTICLE 12 AND 12A OF TOWN LAW.:** Supervisor Bloomfield reported that Attorney Caplicki is working on the Resolution, and thus the item will be moved to Thursday's meeting.

**5. DISCUSS AND PASS MOTION TO ACCEPT RESIGNATION OF FLORENCE NELSON, TOWN OF GOSHEN COURT CLERK, EFFECTIVE FEBRUARY 16, 2015:** Supervisor Bloomfield read Ms. Nelson's letter of resignation, (original on record in the Town Clerk's Office) and Councilman Cappella made the Motion to accept the resignation of Florence Nelson, Court Clerk effective February 16, 2015, with regret. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

**6. INFORMATION: AMY VARGAS, MID HUDSON REGIONAL DIRECTOR OF EMPIRE STATE DEVELOPMENT, TO VISIT BOARD NEXT MEETING:** Supervisor Bloomfield stated he asked Ms. Vargas to attend our next meeting, however it might not be possible for her to do so.

Supervisor Bloomfield asked if anyone would like to add something else to the agenda. Attorney Swift asked to add an item to the Executive Session, possible Litigation re: Goshen Properties LLC.

Councilman Newbold made a Motion to adjourn the Meeting, go into Executive Session, with intent not to return to discuss:

1. AL TURI CERTIORARI LITIGATION STATUS UPDATE
2. POLICE DEPARTMENT PERSONNEL ISSUES/NYS COMPTROLLER AUDIT UPDATE
3. POSSIBLE LITIGATION RE: GOSHEN PROPERTIES LLC

Councilman Cappella Seconded the Motion. Motion carried unanimously.

Time: 8:03 p.m.

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Valma Eisma, Town Clerk