

TOWN OF GOSHEN
TOWN BOARD MEETING
May 9, 2013

MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 9th day of May, 2013 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
Also Present:	Dennis Caplicki	Town Attorney
	Valma Eisma	Town Clerk

A. CALL TO ORDER: Supervisor Bloomfield called the meeting to order and led the Pledge of Allegiance.

B. AMENDMENT TO THE AGENDA: Councilman Cappella said he would like to add a request from Highway Superintendent Knoell re: Seasonal Part Time Laborers. Supervisor Bloomfield stated it would be put under New Business as #4

C. PRIVILEGE OF THE FLOOR: No response

D. OLD BUSINESS:

1. DISCUSS A & L ACRES SUBDIVISION CONSERVATION EASEMENT PROPOSAL:

Steven Esposito, RLA approached the Board representing A & L Acres. He explained he was there in reference to the Conservation Easement Proposal before the Board. The easement request is asking for fencing to allow for horses on one of the parcels in the proposed subdivision off Houston Road.

The Board discussed the project at length as to whether it could be considered agricultural zoning, as the parcel in question is in the middle of a subdivision. The Board's primary concern was for the welfare of the rest of the residents who would be purchasing the other homes in the subdivision, would it be an asset to the subdivision or not.

Supervisor Bloomfield said the Board would like the following stipulations written into the proposal:

1. A Pest Control Contract: as housing horses can bring various pests.
2. A covered manure control shed of at least a 12x12x15 size, to be emptied on a regular basis.

3. Closed Feed Container

The Supervisor stated these measures are to protect the other residents. Councilman Canterino questioned the number of horses that would be housed there. The Board would like to see a smaller number of horses than what has been presented.

It was decided the Board would like to question the Building Inspector as to the agricultural use, and to give the Attorney representing the project time to make changes to the easement. It will be placed on the May 20th Work Session agenda.

2. DISCUSS 5 SISTERS PROPERTIES, LLC, MINOR SUBDIVISION CONSERVATION EASEMENT PROPOSAL:

Mr. Esposito also spoke for the 5 Sisters Properties, and has addressed the Board on this project for some time. It is a small three lot subdivision, and has a Negative Declaration from the Planning Department. The Board agreed that the Conservation Easement would be fine, except there is a problem in that three adjoining properties have a raw sewage problem, and are draining towards the 5 Sisters parcel.

There was an extensive discussion as to what needs to be done, so that the Board can be fair to the applicant, and still protect the Town. If the sewage should reach the subdivision and the easement, responsibility could fall back on the Town. Supervisor Bloomfield reported that he sent the Building Inspector out to look at the project, and had him report the situation to the Orange County Health Department. He reported that the Health Department has sent a letter to one of the homeowners involved, and hopefully will send letters to the other two.

Councilman Lyons stated that he could not, and would not vote for the easement until he could be sure that this problem was solved. Councilman Canterino felt that the applicant should not be tied up for a long length of time, since none of this was their fault. Mr. Esposito pointed out the fact that until the easement is accepted the applicant cannot file the required maps.

Supervisor Bloomfield said he would see to it that the Health Department will send a letter to the other two owners, and see what takes place. The Board assured Mr. Esposito they are in favor of the easement, but does not want to put the taxpayers at risk for law suits, etc. Supervisor Bloomfield said the project will be placed on the next Work Session, May 20th, and hopefully the Board will have more information from the Health Department.

3. APPROVAL OF MINUTS: Councilman Lyons made a Motion to approve the Work Sessions of April 8th and April 22, 2013, and Regular Meetings of April 11th and April 25, 2013. The Motion was seconded by Councilman Cappella. Motion carried 4 to 0.

E. NEW BUSINESS:

1. REVIEW AND APPROVE THE TOWN OF GOSHEN ROAD IMPROVEMENT PLAN FOR 2013: Supervisor Bloomfield tabled this to the next work session, as the Highway Superintendent is waiting for some additional information.

2. RESOLUTION TOWN BOARD ACKNOWLEDGEMENT OF ANNUAL AUDIT OF THE JUSTICE DEPARTMENT PERFORMED FOR THE YEAR 2011: Attorney Caplicki explained that this is just an acknowledgement that the audit has been done and accepted.

**TOWN OF GOSHEN
Resolution**

**ACKNOWLEDGEMENT OF COMPLETION OF ANNUAL AUDIT OF THE
TOWN JUSTICE DEPARTMENT FOR FISCAL YEAR 2011**

INTRODUCED BY: Councilman George Lyons

SECONDED BY: Councilman Louis Cappella

Dated: May 9, 2013

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 May, 2013

WHEREAS, the Town of Goshen annually audits the books and records of the Town Justice Department, and

WHEREAS, the Town's outside auditor, Nugent & Haeussler, has recently completed the annual audit of the Town of Goshen Justice Department for the year 2011,

NOW, BE IT THEREFORE RESOLVED that the Town of Goshen does hereby acknowledge that the annual audit for the year 2011 of the Town of Goshen's Justice Department has been completed.

Upon Roll Call Vote:

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

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

3. RESOLUTION: TRANSFER OF SURPLUS PROPERTY (TRUCK) TO JOINT RECREATION : Supervisor Bloomfield and Councilman Lyons explained that Highway has an old truck with over 80,000 miles on it, and is in need of a lot of work and repair. While the truck is now of little use to Highway, they thought if could be used by Joint Recreation. Councilman Canterino suggested it might be able to be put into better shape if it was given to BOCES, as one of our other vehicles was repaired there some time ago. Councilman Lyons said it will probably only be used on the grounds in the parks.

**TOWN OF GOSHEN
RESOLUTION**

**DECLARATION OF SURPLUS PROPERTY: TRANSFER TO THE TOWN AND
VILLAGE OF GOSHEN JOINT RECREATION COMMISSION**

INTRODUCED BY: Councilman George Lyons

SECONDED BY: Councilman Philip Canterino

DATED: MAY 9, 2013

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 May, 2013,

WHEREAS, the Town of Goshen Highway Department has within its inventory a 2001 Dodge 3500 Diesel Dual Wheel Mason Truck (VIN No. 3B6MF36661M560704), and

WHEREAS, said truck has been utilized for in excess of 80,000 miles, and is in extremely poor condition and in need of substantial repairs, including but not limited to, transmission repair and possible replacement and substantial extensive body rust and missing body parts replacement, and

WHEREAS, in the opinion of the personnel of the Town of Goshen Highway Department said equipment vehicle has very little, if any, utilization value to the Town and that same might possibly be of some use to the Joint Recreation Commission of the Town and Village of Goshen,

NOW, BE IT THEREFORE RESOLVED that Town of Goshen does hereby declare that the 2001 Dodge 3500 Diesel Wheel Mason truck (VIN No. 3B6MF36661M560704) presently held in inventory at the Town of Goshen Highway Department is excess property and that same be abandoned to the Joint Recreation Commission of the Town and Village of Goshen.

Upon Roll Call Vote:

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

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

4. HIGHWAY SEASONAL HELP: Councilman Cappella explained that Highway Superintendent Broderick Knoell has requested, advertised and interviewed candidates for two seasonal laborers. The candidates chosen are Shawn S. Mayer and Peter C. Barba. The new employees will be limited to work no more than 1040 hours each and will be hired at a pay rate of \$14.35 per hour.

Councilman Cappella made a Motion to approve the hiring of Shawn S. Mayer and Peter C. Barba as seasonal help for the Highway Department, hours not to exceed 1040 hours, at \$14.25 per hour, contingent on a favorable drug test and background check. The Motion was seconded by Councilman Canterino, Motion carried 4 to 0.

F. FINANCES: Councilman Canterino made a Motion to authorize the Supervisor to pay Manual A/P run of 4/12/13 through 4/30/13 amounting to \$9,135.33, and Accounts Payable Check Run of 05/02/13 amounting to \$57,938.39. Motion seconded by Councilman Lyons. Motion carried 4 to 0.

G. PRIVILEGE OF THE FLOOR: No response.

H. ADJOURNMENT: Councilman Lyons made a Motion to adjourn the meeting, with intent not to return, go into Executive Session to discuss the following:

1. Status of W/S Letter – Legal Matter
2. ADC Orange & Town of Goshen Stipulation Renewal and Extension
3. P.D. Personnel Case Update
4. Water Meter Installation: Stonehedge Water District
5. Connection to Sanitary Sewer System: Inspections

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

Time: 8:15

Valma Eisma, Town Clerk