

## TOWN BOARD MEETING

June 26, 2014

MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 26th day of June, 2014 at the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present:	Philip Canterino	Councilman
	Louis Cappella	Councilman
	George Lyons	Councilman
	Kenneth Newbold	Councilman

Absent:	Douglas Bloomfield	Supervisor
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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 Deputy Supervisor Canterino at 7:30 pm, followed by the Pledge of Allegiance.

### **B. AMENDMENT TO THE AGENDA**

The end of the month reports by the Councilmen were added and an addition under New Business.

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

### **D. REPORTS**

**Councilman Lyons:** Reported for Goshen recreation explaining the many summer programs offered. Some of the programs he mentioned are: Recreational Day Camp, Art & Nature Camp, Jewelry-Making Camp, Girls Volley Ball Camp, Youth Track, Youth Tennis, Chess Program, and the Zumba Summer Session. Information and registration is available on [www.goshenrecreation.com](http://www.goshenrecreation.com).

Reporting on parks: general maintenance, mowing and cleanup are underway at all parks. The Goshen Little League and Goshen Soccer Club are utilizing Myron Urbanski Park. The fence has been installed on the Girls softball field and all playing fields are being used. Goshen Youth Football will begin nightly practice at the Erie Street Park starting the first week of July.

**Councilman Cappella:** In June, Dial-A-Bus had another successful pick-up program in coordination with the Chamber to the Goshen Gourmet. The next trip is scheduled for July to Federico's. Reporting on Highway, weather permitting, next week will begin fiber-mat (fiberglass coating) over designated streets on/off Arcadia Road. In addition, Highway Dept. continues patching and is also working on catch-basins in Sawyers Peak.

**Councilman Newbold:** Praised the successful program the Chamber is sponsoring with Dial-A-Bus. The new controls have been installed in the Arcadia Hills wells. There have been no problems and seem to be working great.

**Councilman Canterino:** referred to a letter from Helen Blaszc informing the Town of a potential problem with an intersection. She travels along Ridge Road and is concerned that the 3-way stop intersection of Ridge & Hasbrouck & Farmingdale Roads may require a fourth stop sign. She wrote "I stop at my stop sign as required. But still, I get cut off after entering the intersection. I've narrowly missed head-on collisions at this intersection a few times.....drivers on Hasbrouck Rd. traveling from Goshen tend to speed and barrel through the intersection.." She inquired if there ever was a fourth stop sign which was never replaced. Councilman Canterino and Councilman Cappella agreed to have the Highway Superintendent look into this matter.

**E. OLD BUSINESS**

- 1. DISCUSS AND APPROVE THE FINAL DRAFT OF THE ADC MAPLEWOOD DEVELOPERS AGREEMENT AND AUTHORIZE THE SUPERVISOR TO SIGN THE SAME**

Attorney Caplicki has been in contact with the Attorneys for ADC Maplewood who are reviewing the modifications presented by this Board. Once the revisions are approved, we can take action.

- 2. INFORMATION: SECOND NOTICES WERE SENT TO 6 LARCHWOOD DRIVE, 4 MEADOWBROOK LANE, AND 17 TANGLEWOOD DRIVE REQUESTING "PROPERTY CLEANUP".**

The Resolutions for cleanup, levying and charge back to taxpayer/homeowner are prepared. However, the 2<sup>nd</sup> notices were sent out on the 17<sup>th</sup> of June. The 10<sup>th</sup> day is tomorrow. Therefore, we cannot legally take action until the next meeting.

- 3. REVIEW RECEIPT OF PROPOSALS FOR SANITARY MANHOLE REHABILITATION PHASE III BIDS**

Deputy Supervisor Canterino called for motion to accept TAM Enterprises, Inc. for Rehabilitation and Sealing of Manholes in Arcadia Hills Sewer District.

**TOWN OF GOSHEN  
RESOLUTION**

**Awarding Contract to TAM Enterprises, Inc. for Rehabilitation and Sealing of Manholes  
in Arcadia Hills Sewer District**

**INTRODUCED BY: Councilman Kenneth Newbold**

**SECONDED BY: Councilman Louis Cappella**

**DATED: June 26, 2014**

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 26th day of June, 2014.

WHEREAS, the Town of Goshen (the "Town") has previously requested bids for work in the Arcadia Hills sewer district to include the rehabilitation and sealing of approximately thirty (30) sanitary manholes so as to reduce infiltration and inflow; and

WHEREAS, bids were submitted to the Town of Goshen for said project by TAM Enterprises, Inc. and National Water Main Cleaning Co.; and

WHEREAS, after opening, reviewing and confirming that said bid proposals were in compliance with the bid specifications and with the laws of the State of New York; and

WHEREAS, based upon the bids as submitted, the lowest responsible bidder was TAM Enterprises, Inc. with a total bid amount of \$34,425.00; and

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Goshen does hereby award the bid for the project including the rehabilitation and sealing of manholes in the Arcadia Hills sewer district to TAM Enterprises, Inc. in the amount of \$34,425.00 and the Supervisor of the Town of Goshen and the Budget Officer of the Town of Goshen are hereby authorized to sign any and all documents necessary to effectuate the terms hereof

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>ABSENT</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 4 to 0.

## F. NEW BUSINESS

### 1. DISCUSS NEW LOCAL LAW PROPOSAL DESIGNED TO EXPEDITE THE 'PROPERTY CLEANUP' AUTHORIZATION PROCESS

In response to modify/change the existing notification procedure used by the Town for "property cleanup", Attorney Caplicki suggested amending the Local Law. The present 20 day (2 mailings per parcel) has caused some controversy. A list streamlining the procedures will be discussed at a future meeting. If the Town is interested in amending the code; a date will need to be set for a public hearing, notification published in the paper and in conclusion filing with the State.

### 2. PROPOSED LOCAL LAW FOR DEFENSE AND INDEMNIFICATION OF TOWN OFFICERS AND EMPLOYEES

Attorney Caplicki presented the Board with a local law draft rescinding the current Section 17-1 of the Town code. Our Local Law will be eliminated and replaced with a new Local Law providing for the defense and indemnification of Town Officers and employees while acting within the scope of their employment. It will provide legal and financial protection for those individuals serving the Town from civil lawsuits and other proceedings that may be brought against them in their individual capacity for actions or omissions taken while acting within the scope of their employment. The Board Members will read the proposed draft Local Law and set a public hearing at the next meeting.

**3. DISCUSS A POSSIBLE ZONING CHANGE – PARCEL LOCATED ON ROUTE 17M**

Presently lands of the Mid-Hudson Forensic Psychiatric Center are zoned high density – multifamily dwelling. As a secure adult psychiatric center, patients who are admitted by court order, receive a comprehensive program of evaluation, treatment and rehabilitation. Future plans for operating/maintaining this facility are questionable. Therefore, this is a good time to take another look at the permitted uses of the parcel.

Councilman Lyons made the motion to refer this item to the Planning Board for review and for their recommendation. Councilman Cappella seconded the motion.

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

**G. FINANCE**

Councilman Newbold made the motion to authorize the Supervisor to pay Accounts Payable check run for 06/26/2014 amounting to \$110,857.46. Councilman Lyons seconded the motion.

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

**H. PRIVILEGE OF THE FLOOR**

None at this time

**EXECUTIVE SESSION:**

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

1. AL TURI TAX CERTIORARI UPDATE
2. JEWISH LUBAVITCH TAX ISSUE UPDATE
3. GOSHEN INN AND LEBARON FOUNDRY TAX CERTIORARI UPDATE
4. TIMBER TRAIL TAX CERTIORARI UPDATE
5. REALTY EQUITIES CERTIORARI UPDATE
6. MTBE LITIGATION UPDATE
7. CABLE FRANCHISE AGREEMENT REQUEST
8. P.D. PERSONNEL CASE

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

**ADJOURNMENT:** 8:25PM

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Priscilla Gersbeck, Deputy Town Clerk