

**TOWN OF GOSHEN**  
**TOWN BOARD MEETING**  
**August 27, 2015**

**MINUTES**

A regular meeting of the Town Board of the Town of Goshen was held on the 27<sup>th</sup> day of August, 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                    |

**A. CALL TO ORDER:** Supervisor Bloomfield called the meeting to order at 7:30 p.m., and led the Pledge of Allegiance.

**B. AMENDMENT TO THE AGENDA:** None

**C. PRIVILEGE OF THE FLOOR:** Attorney Swift stated he wanted to announce a Prayer Service to be held on September 11<sup>th</sup>, 2015, at St. John's Church in Goshen at 7:00 p.m. He invited the Supervisor and the Board to attend.

**D. REPORTS:**

**COUNCILMAN PHILIP CANTERINO** reported the following: negotiation of the PBA contract is continuing, there is now a mediator involved. He stated 'we are where we were months ago.' The new police car is on the road. He responded to a call from the Chief about the recent house fire, as the Supervisor was out of town. The police are investigating the cause of the fire.

**COUNCILMAN GEORGE LYONS** reported the following for Joint Recreation: All recreation and sports camps have come to an end for the summer of 2015. Registrations for all programs increased from 2014 with just over 500 for the recreational day camp. Next on the schedule is the annual Halloween party on October 17<sup>th</sup>. Zumba continues at the Senior Center on Tuesday and Thursday evenings. A free summer concert was held at Salesian Park on August 13<sup>th</sup>, in conjunction with Friends of Goshen Parks. Goshen's Erie Street Band and Side by Side played to a crowd of approximately 150 people. Another concert is in the works for Sunday, September 27<sup>th</sup>, this will be advertised when arrangements are finalized.

Councilman Lyons reported the Parks are busy with summer leagues, practices, and rentals. The Staff is busy mowing, etc. He reported speaking to the Highway Superintendent who told him his best guess would be that the parking lot will be paved and reclaimed on or about September 15<sup>th</sup>.

**COUNCILMAN KENNETH NEWBOLD** reported he and Supervisor Bloomfield have been meeting in regard to Arcadia Hills lack of water this week. He is working on finding someone to repair the cupola.

**COUNCILMAN LOUIS CAPPELLA** reported Dial – A – Bus is sponsoring two trips coming up, on Monday, September 21<sup>st</sup>. they will be going to the Dollar Tree. On Monday, September 28<sup>th</sup> they will be going to Stewart’s Shop, this will be the normal fare. The Chamber is sponsoring the Monday, September 14<sup>th</sup> trip to The Sunflower Café, there will be 15% coupons available, pick up will be at 10:15 and 11:15.

Councilman Cappella also reported Michelle from Highway called in from a DEC meeting and reported the DEC is coming out with a lot of new regulations, and training programs. Last week he attended a Senior Meeting, the Senior Counsel has completed the budget. He said they are reducing the budget by \$1,500.

Councilman Cappella reported that Highway is doing some fiber matting. They did some chip sealing on Ridge Road, and will be doing more fiber matting further down.

**Supervisor Bloomfield** stated he would like to recognize the Board for all they do. He pointed out all the extra time they put in their various positions, and thanked the members for their time.

He reported they had to call a Code Red in Arcadia, and had to start bringing in tractor trailer loads of water, and we need more capacity for water in the wells. He said they were thinking of taking out a tank and rehabbing it. Supervisor Bloomfield reported that he has talked with Al Fusco, engineer. Mr. Fusco has worked with us in the past, is working on grants, and may be able to help us. He is now working to obtain a grant for us. He stated he would also like to thank his secretary, Barbara Sokolofsky for all the work she does with the Water/Sewer Districts.

He stated that the entire Board went to the ribbon cutting of the “Goshen Community Pool.” People were confused by the name of the pool, as that usually means it is always open to the public. Anyone can join, however you will be paying a fee for a club membership. The Board said they will be changing the name of the pool in the near future.

Supervisor Bloomfield reported the Building Inspector has been receiving calls about one or two vacant homes in Arcadia Hills, where the grass needs to be mowed, etc. The Building Inspector will proceed to serve the necessary papers, have it mowed and charge back to the owners on their tax bill.

## **E. OLD BUSINESS:**

### **1. DISCUSS PROPOSED CONSERVATION EASEMENTS FOR:**

**1. NEW HORIZONS SUBDIVISION:** Kelly Naughton, Esq. addressed the Board to review the map of the subdivision, showing the sections they want to preserve. (documents on file in Clerk’s Office). Supervisor Bloomfield asked if when he signs the documents the developer will be able to build? Attorney Naughton replied yes. She continued to answer other questions from the Board. Councilman Lyons made a Motion to accept the New Horizons Subdivision Conservation Easement. The Motion was seconded by Councilman Newbold.

Upon Roll Call Vote:

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

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

**2. ORANGE & ROCKLAND UTILITIES. INC;** Attorney Naughton presented the map for the Conservation Easement and answered any questions the Board had. (Documents on file in Clerk's Office)

Councilman Newbold made a Motion to accept the Orange & Rockland Utilities Conservation Easement. The Motion was seconded by Councilman Cappella.

Upon Roll Call Vote:

|                               |            |                            |            |
|-------------------------------|------------|----------------------------|------------|
| Supervisor Douglas Bloomfield | <u>AYE</u> | Councilman Philp Canterino | <u>AYE</u> |
| Councilman George Lyons       | <u>AYE</u> | Councilman Kenneth Newbold | <u>AYE</u> |
| Councilman Louis Cappella     | <u>AYE</u> |                            |            |

Resolution carried by a vote of 5 to 0.

Attorney Naughton called the Board's attention to the Orange and Rockland Utilities, INC. Bargain and Sale Deed, and reviewed the transfer of property to the Town of Goshen with them. (Document on file in Town Clerk's Office).

Councilman Cappella made a Motion to approve the transfer of property to the Town of Goshen. The Motion was seconded by Councilman Newbold.

Upon Roll Call Vote:

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

Resolution carried by a vote of 5 to 0.

**3. Kenneth Kolk Subdivision:** Kelly Naughton, Esq. presented the map for the Kolk Subdivision, and reviewed it and the Conservation Easement with the Board. (Documents on file in Town Clerk's Office)

Councilman Newbold made a Motion to accept the Kolk Subdivision offer of Dedication to the Town of Goshen. The Motion was seconded by Councilman Lyons.

Upon Roll Call Vote:

Supervisor Douglas Bloomfield AYE  
Councilman George Lyons AYE  
Councilman Louis Cappella AYE

Councilman Philip Canterling AYE  
Councilman Kenneth Newbold AYE

Resolution carried 5 to 0.

**F. NEW BUSINESS:**

**1. NYS Environmental Facilities Drinking Water Assistance Grant:** Supervisor Bloomfield introduced and reviewed the following Resolution, and the Board acted on it.

**TOWN OF GOSHEN  
RESOLUTION**

**Town of Goshen Application for a NYS Environmental Facilities Drinking Water Assistance Grant to Refurbish the Arcadia Hills Water Tank and to Drill Two (2) new wells, and install electric service to third (3<sup>rd</sup>) well in the Arcadia Hills Water District**

**INTRODUCED BY:** Councilman Kenneth Newbold

**SECONDED BY:** Councilman Philip Canterino

**DATED: August 27, 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 27th day of August, 2015

WHEREAS, the Town of Goshen is considering making application to the New York State Environmental Facilities Corporation (NYSEFC) Drinking Water Program for the water tank rehabilitation at Arcadia Hills Water District and

WHEREAS, the Town has cause to have prepared a Full Environmental Assessment Form under the State Environmental Quality Review Act, and

WHEREAS, the Town Board has assumed Lead Agency status, and

WHEREAS, the Town Board has taken and determined that the application process is to be ministerial and a Type II action,

NOW, BE IT THEREFORE RESOLVED that the Town Board of the Town of Goshen has determined based upon the information and analysis in the Long Form EAF and supporting documentation, that the proposed action will not result in any significant adverse environmental impacts and further authorizes the Supervisor for the Town of Goshen to sign the SEQRA documents accordingly.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield: AYE      Councilperson, Philip Canterino: AYE  
Councilperson, Louis Cappella: AYE      Councilperson, Kenneth Newbold: AYE  
Councilperson, George Lyons: AYE

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

STATE OF NEW YORK)  
COUNTY OF ORANGE)

I, Valma Eisma, Town Clerk of the Town of Goshen, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Town Board of the Town of Goshen at a meeting of said Board held on August 27, 2015

\_\_\_\_\_  
VALMA EISMA

**2. Discuss and Pass Resolution Declaring the Goshen Town Board Lead Agency for SEQRA of the Arcadia Hills Project:** Supervisor Bloomfield introduced the Resolution to Declare the Board Lead Agency.

**RESOLUTION TO ESTABLISH LEAD AGENCY**

**INTRODUCED BY:** Councilman Philip Canterino  
**SECONDED BY:** Councilman Kenneth Newbold

**DATED:** August 27, 2015

The Town of Goshen, New York Town Board hereby declares itself lead agency as required by SEQR (6NYCRR Part 617)

Name of Action:                      Town of Goshen – Arcadia Hills water District

Location:                              Arcadia Hills  
Project:                                 Rehabilitation of Existing Tank  
   2 New Wells and Electric Line to 3<sup>rd</sup> Well Project  
   NYSEFC DWSRF Grant Application

Action:                                 Type II

Plans an Application:                Available at Town Hall or Upon Request

The Town Board had declared its intention to become Lead Agency on August 11, 2015. Town of Goshen is the main agency involved and is undertaking the project; therefore, the town Board will be lead agency.

The proposed action includes the replacement of water tank and appurtenances at the Arcadia Hills Water Districts.

**WHEREAS** the Town Board of the Town of Goshen proposes to rehabilitation of the existing tank, 2 new wells, and electric service to the 3<sup>rd</sup> well in the Arcadia Hills Water District.

**IT IS RESOLVED** that Fusco Engineering and Land Surveying P>C> is authorized to prepare a NYS Water infrastructure grant and a DWSRF grant application and submit to the NYS Department of Health and the NYS Environmental Facilities Corporation.

**AND FURTHERMORE**, the Supervisor, Douglas Bloomfield, is authorized to sign all documents in accordance with all the grant requirements including, but not limited to, WBE, MBE, EEO, Buy American, Ironworks, Davis Bacon, etc.

Upon roll call vote:

|                    |            |                             |            |
|--------------------|------------|-----------------------------|------------|
| Douglas Bloomfield | <u>AYE</u> | Councilman Philip Canterino | <u>AYE</u> |
| George Lyons       | <u>AYE</u> | Councilman Kenneth Newbold  | <u>AYE</u> |
| Louis Cappella     | <u>AYE</u> |                             |            |

Vote: Resolution carried 5 to 0.

**3. Discuss and Complete the Full Environmental Assessment Form for the Arcadia Hills Project :** Supervisor Bloomfield reviewed the Full Environmental Assessment Form with the Board, consisting of three sections (on file). Part three states “This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

Councilman Newbold made a Motion to accept the Full Environmental Assessment Form for the Arcadia Hills Project and authorize the Supervisor to sign the same. Councilman Cappella seconded the Motion. Motion carried unanimously.

**4. Information:** Supervisor Bloomfield informed the Board that the Town of Goshen received a copy of a bid package from the Orange County DPW with specifications for providing a water main extension on Police Drive. He stated the water will be coming from the Village of Goshen, and will provide for four homes, the Town of Goshen Police Station, and Highway DPW and Entenmann’s Bakery.

**5. Information:** Supervisor Bloomfield reported that Arcadia Hills Water District is now in Code Red regarding the use of water.

**6. Discuss Request by Gilsa Frias, 14 Beechwood Drive, Arcadia Hills to Not Charge for Sewer Services for Water Leak Caused by a Broken Pipe:** Supervisor Bloomfield explained that a pipe burst in her home, and was contained within the home. Therefore, the water did not enter the sewer system. She

was willing to pay for the water, but is asking for relief on the sewer. After a lengthy discussion, Councilman Cappella made a Motion to not charge Gilsa Frias for the sewer service portion of her bill due to the broken water pipe. The Motion was seconded by Councilman Newbold. Motion carried unanimously.

**7. Discuss Request from Planning Board Chairman to Hire Carpenter Environmental Associates Inc.:** Supervisor Bloomfield explained that the Planning Board Chairman has requested approval from the Board to hire Carpenter Environmental Associates, Inc. for environmental consulting services on an “as needed” basis at a rate of \$120.00 per hour, or less, depending on services required. The Planning Board Chairman will coordinate and monitor work/expenses accordingly. Lee Burgess, the Planning Board Chairman, felt that with all the large projects, such as Amy’s Kitchen, before the Board at this time that the Board could use some professional help from time to time.

Councilman Newbold made a Motion to accept the Carpenter Environmental Associate’s Proposal. The Motion was Seconded by Councilman Cappella. Motion carried 5 to 0.

**8. Discuss and Pass Resolution Waiver of 30 Day Advance Notice:** Supervisor Bloomfield explained that there is a 30 day advance notice that is required by the state when a business obtains a liquor license. It can be waived if the town agrees to do so.

**TOWN OF GOSHEN  
RESOLUTION**

**Waiver of 30 day Advance Notice with Respect to Liquor License  
Application; SIMON CH. T.V.M. ENTERPRISES, LLC, d/b/a Simon Chop House**

**INTRODUCED BY:** Councilman Philip Canterino

**SECONDED BY:** Councilman Louis Cappella

**DATED:** August 27, 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 27<sup>th</sup> day of August, 2015.

**WHEREAS**, the Town Clerk of the Town of Goshen has received a notice from SIMON CH.T.V. M. Enterprises, LLC, d/b/a Simon Chop House which notice form constitutes a 30 day advance notice that The applicant, Simon Ch.T.V.M. ENTERPRISES, LLC has applied for and intends to operate its business with a liquor license to be issued by the New York State Liquor Authority, and

**WHEREAS**, the Town of Goshen and its municipal departments are familiar with the applicant and it’s activities, including but not limited to, site plan and building permit applications to the Town, and

**WHEREAS**, the Town Board of the Town of Goshen believes the applicant and it’s business operation will be an asset to the Town of Goshen community,

**NOW, BE IT THEREFORE RESOLVED** that the Town Board of the Town of Goshen does hereby acknowledge receipt of the pertinent 30 day advance notice with respect to SIMON CH.T.V.M. ENTERPRISES, LLC, an applicant which intends to operate a business, including a new liquor License upon issuance by the New York State Liquor Authority, within the Town of Goshen and the Town

does hereby waive any requirement that said applicant wait any time period from the date of service of such 30 day advance notice before the applicant may apply for and/or operate under any pertinent liquor license which may be granted by the New York State Liquor Authority.

Upon Roll Call Vote:

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

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

STATE OF NEW YORK)  
  §  
COUNTY OF ORANGE)

I, Valma Eisma, Town Clerk of the Town of Goshen, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Town Board of the Town of Goshen at a meeting of said Town Board held on August 27, 2015.

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Valma Eisma

**G. FINANCE:** Councilman Canterino made a Motion to Authorize the Supervisor to pay Accounts Payable Check Run for August 27,2015 amounting to \$124,957.40. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

**H. PRIVILEGE OF THE FLOOR:** No response from the public. Attorney Swift asked for guidance in reference to PACs. There was a brief discussion, no action taken.

**I. Adjournment/Executive Session:** Councilman Cappella made a Motion to adjourn the meeting, enter into an Executive Session, with intent not to return to discuss P. D. Negotiations. The Motion was Seconded by Councilman Lyons. Motion carried unanimously.

Time: 9:25 p.m.

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Valma Eisma, Town Clerk

