

TOWN OF GOSHEN
COMBINED TOWN BOARD WORK SESSION
AND REGULAR MEETING
November 19, 2012

MINUTES

PRESENT:	Douglas Bloomfield	Supervisor
	Philip Canterino	Councilman
	Louis Cappella	Councilman
	Kenneth Newbold	Councilman
	George Lyons	Councilman
ALSO PRESENT:	Dennis Caplicki	Town Attorney
	Valma Eisma	Town Clerk

A Combined Work Session and Regular Meeting of the Town Board of the Town of Goshen was held on the 19th day of November, 2012 at the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

A. CALL TO ORDER: Supervisor Bloomfield called the meeting to order at 7:35 p.m., and led the Pledge of Allegiance.

B. AMENDMENT TO THE AGENDA: None

C. PRIVILEGE OF THE FLOOR (agenda items only) No response

D. REPORTS:

COUNCILMAN LOUIS CAPPELLA reported that Highway has been busy cleaning up the brush, tree limbs, and such left from the storm. He had nothing to report on the Dial-a-Bus or the Senior Center. He stated he would like to thank Joint Recreation for the phenomenal job they did on Saturday at the park. He said they were accumulating donations for the storm, Sandy. He stated they were really organized, and they did a great, great job. "My hat is off to them"

COUNCILMAN KENNETH NEWBOLD said he would just like to thank Highway Superintendent Broderick Knoell and the Water/Sewer staff for the great job they did during "Sandy". He said he also would like to wish the public, and everyone here this evening a Happy Thanksgiving, and a safe holiday.

COUNCILMAN GEORGE LYONS reported the following on Joint Recreation. On Saturday they held their annual Halloween Party, with bouncy houses, face painting etc. all went very well, "always a good time." He said the Turkey Trot that was held this past Saturday had fifty runners on the course, and Trish, Chairperson of Joint Recreation, wanted to thank the Village, Town, and the Fire Police for their assistance with the Turkey Trot. Zumba Classes continue on Tuesdays and Thursdays, recreation volley ball on Thursdays.

Councilman Lyons reported that Salesian Park is now open again, now that the trees that fell during the storm have been cleared away, and they are winterizing the park and the rest rooms.

Councilman Lyons also reported that a boy scout, Vishnu Rao Sharma, completed his Community Service Project by painting the foot bridge from Craigville to Ganley Park. Advita Sharma completed his Star Community Service project, by painting the skateboard ramps at Erie Street Park. The Joint Recreation thanks Vishnu Rao and Avita for jobs well done.

Councilman Lyons reported that Paul Heppes is now the Member at Large, and attended his first meeting earlier this month. He also reported the Village now has a Resolution, similar to our Resolution that we passed, to continue with Quest for the asbestos abatement. They are going to do the lab study, get back to us and then hopefully develop a fee for the abatement of the asbestos. Councilman Lyons said as soon as he hears from Mayor Roddey they should be going in, some time in the next week or two to finish up the lab tests.

COUNCILMAN PHILIP CANTERINO reported he has been looking at the report from Sergeant Faust in reference to the purchase of a new police car. He said the car will be a 2013 edition, and he could not understand why there were no State Bids on it. Councilman Canterino stated he would like to look at the State Bids, and the warranties available on the purchase. He suggested it would be best to "leave this at bay until we receive more information".

SUPERVISOR BLOOMFIELD stated that he too would like to wish everyone a happy, enjoyable and safe holiday, and to drive safely. He said the Board does not receive many letters to the editor thanking any of us by name. However, he said there was a letter written recently thanking the Board for passing a Resolution to have stop signs installed on Cheechunk and Owens Road. They will be installed, due to the Highway Superintendent looking at a situation there, and feeling the signs were necessary. He thanked Mr. and Mrs. Ronga for writing the letter on our behalf.

Supervisor Bloomfield said he would like to thank Councilman Lyons for all the work he has done on our insurance. He stated this is one of the most costly entities for a town or any municipality.

E. OLD BUSINESS:

1. DISCUSS AND APPROVE PROPOSAL TO PURCHASE A NEW POLICE CAR: Supervisor Bloomfield said that the Board had said if they did not have a State Bid, they wanted a letter from the Comptroller's office. He said the Board has not received any information from the Comptroller's office. Therefore, he would suggest the Board not take any action on the purchase at this time. The Board agreed, no action taken.

2. DISCUSS AND APPROVE RESOLUTION TO ESTABLISH A \$11,140.00 MAINTENANCE BOND FOR CANNON HILL DRIVE: Supervisor Bloomfield referred to a letter from Pietrzak & Pfau, Engineering & Surveying, PLLC, requesting a reduction of the existing Performance Bond for Cannon Hill Drive. The Supervisor asked Attorney Caplicki to review the Resolution. Attorney Caplicki explained that at a recent meeting the Board had accepted the dedication of the road, and now would be converting the previously held Performance Bond to a Maintenance Bond.

**TOWN OF GOSHEN
Resolution**

**AUTHORIZING CONVERSION OF PERFORMANCE BOND WITH RESPECT
TO CANNON HILL DRIVE; NYTT, LLC TO TOWN OF GOSHEN**

INTRODUCED BY: COUNCILMAN KENNETH NEWBOLD

SECONDED BY: COUNCILMAN LOUIS CAPPELLA

DATED: November 19, 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 19th day of November 2012;

WHEREAS, NYTT, LLC, owner and developer of property located at 22 Cannon Hill Drive, Goshen, New York, as part of the subdivision process completed by the Planning Board of the Town of Goshen required NYTT, LLC to dedicate to the Town of Goshen those lands and real property lying within the proposed right-of-way of Cannon Hill Drive and certain other project easements, and

WHEREAS, NYTT, LLC, did so dedicate to the Town of Goshen for use for road purposes those lands and real property lying within the proposed right-of- way of Cannon Hill Drive as required, and

WHEREAS, the Town Board of the Town of Goshen approved and accepted such proffered offer of dedication by resolution dated October 25, 2012, and

WHEREAS, the Town of Goshen now wishes to reduce the previously posted and convert same to a Maintenance Bond and refund to the applicant the balance, and

WHEREAS, Riddick Associates, engineers for the Town of Goshen, has reviewed and inspected the project and has recommended that the existing Performance bond of the applicant be converted to a Maintenance Bond in the amount of \$11,140.00 and that same be held for the required period,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Goshen does hereby convert the existing Performance Bond for Cannon Hill Drive and the NYTT, LLC project to a Maintenance Bond with respect to Cannon Hill Drive in the amount of \$11,140.00 and that the remaining balance of said posted performance bond be refunded to the applicant.

Upon Roll Call Vote:

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

Councilman, Philip Canterino AYE
Councilman, Kenneth Newbold AYE

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

3. APPROVAL OF MINUTES: Councilman Newbold made a Motion to accept the Minutes of the Work sessions of October 9th and October 22nd , and the Regular Meetings of October 11th and October 25th , 2012. The Motion was seconded by Councilman Cappella, with Councilman Canterino abstaining from approving the October 11th and October 25th Town Board Meetings, and the October 22, 2012 Work Session, as he was out of the country. Councilman Lyons abstained from voting on the October 25th Town Board Meeting, as he was in Maine. Motion carried.

F. NEW BUSINESS:

1. DISCUSS AND APPROVE MOTION TO ACCEPT THE RESIGNATION OF ANTHONY LASAPONARA III, WATER AND WASTE WATER MAINTENANCE EMPLOYEE, EFFECTIVE NOVEMBER 23, 2012:

Supervisor Bloomfield explained that Anthony is moving to the State of Florida. Councilman Canterino made a Motion to accept the resignation of Anthony Lasaponara III, Water/Waste Water Maintenance employee, effective November 23, 2012. The Motion was seconded by Councilman Cappella. Motion carried 5 to 0. The Board agreed Anthony was a valued employee, and wished him well.

2. DISCUSS AND APPROVE MOTION FOR THE HAMBLETONIAN MARATHON TO TRAVERSE WITHIN THE TOWN OF GOSHEN. THE RACE WILL BE HELD ON OCTOBER 20, 2013 BEGINNING AT 8:00 A.M.

The Board discussed the race at length. The route, the Police needed, the number of miles that will be run, (26.2 miles) and the number of people that would be attending and the insurance provided. The Board had many questions unanswered, and decided to approve it in concept, until their questions can be answered. Councilman Lyons made a Motion to approve the concept of the request as set forth in the letter for Hambletonian Marathon, dated February 8, 2012 the details of which to be worked out between the Board and the Organization, including, but not limited to, Police protection, expected attendees, and participants, and any other concerns that the Town Board may have. The Motion was seconded by Councilman Newbold. Motion carried 5 to 0.

3. AUTHORIZE THE BUILDING AND ZONING OFFICE TO PURCHASE INTEGRATED PROPERTY SYSTEM SOFTWARE PROVIDED BY BUSINESS AUTOMATION SERVICES, INC. THE PURCHASE COST OF \$17,600 IS INCLUDED IN THE 2012 BUDGET.

Building Inspector Halloran stated in his request that since the departmental software is very outdated, he feels that the new software is needed to maintain the integrity of the important data that is in his office, such as Building Permits, Certificates of Occupancy, etc. Councilman Cappella made the Motion to authorize the Building and Zoning Office to purchase an integrated property system software provided by Business Automation Services, Inc. The Motion was seconded by Councilman Canterino. Motion carried unanimously.

4. DISCUSS AND APPROVE A RESOLUTION TO PROCESS A TAX RE-LEVY FOR \$304,603.51 OF UNPAID WATER AND SEWER BILLS IN 2012.

Councilman Newbold made a Motion to authorize the relevy of utility and unpaid Water Bills with respect to Special Districts. Councilman Cappella seconded the Motion, Motion carried, Resolution as follows:

**TOWN OF GOSHEN
Resolution**

**Authorization to Relevy Utility and Unpaid Water and Sewer Bills With
Respect to Special Districts**

INTRODUCED BY: Councilman Kenneth Newbold
SECONDED BY: Councilman Louis Cappella
DATED: November 19, 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 19th day of November, 2012.

WHEREAS, there exists certain outstanding unpaid water meter installation charges with respect to real property parcels located in the Hambletonian Park, Arcadia Hills, Stone Hedge and Scotchtown Water and Sewer Districts (Cf. Schedule A annexed) and

WHEREAS, there exists certain outstanding water meter installation charges with respect to real property parcels in the Hambletonian Park and Arcadia Hills, Water Districts (CF. Schedule A annexed).

NOW, BE IT THEREFORE RESOLVED, that the aforementioned relevy of unpaid water and sewer charges and water meter installation charges be relevied and/or levied on the pertinent real property tax bills(s): all as more particularly set forth in Schedule A annexed, and the County of Orange be so notified.

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>AYE</u>
Councilman, George Lyons	<u>AYE</u>		

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

5. DISCUSS AND ADOPT RESOLUTION TO CLOSE OPEN SPACE (HL) CHECKING ACCOUNT AND TRANSFER REMAINING FUNDS TO TOWN'S GENERAL (A) FUND:

Supervisor Bloomfield explained that these were funds set aside to purchase Development Rights of the four farms we purchased. Since there will be no further purchases, the remaining funds need to be returned to the General Fund. Councilman Canterino made a Motion to close the Open Space (HL) checking account and transfer remaining funds to Town's General (A) Fund. The Motion was seconded by Councilman Cappella, Motion carried unanimously.

**TOWN OF GOSHEN
RESOLUTION**

**AUTHORIZE THE CLOSING OF OPEN SPACE (HL) CHECKING ACCOUNT
AND TRANSFER FUNDS TO TOWN'S GENERAL (A0 FUND**

WHEREAS, the Town of Goshen purchased development rights through the passage of a Bond Resolution; and

WHEREAS, all remaining bond payments are being paid out of General Town Funds; and

WHEREAS, the HL-Open Space checking account contains an unused balance of \$76,827.19.

NOW, THEREFORE, IT IS FURTHER RESOLVED that the Town Board of the Town of Goshen authorizes the closing of the HL-Open Space checking account and the transfer of funds to the Town's General Fund.

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

6. AUTHORIZE THE SUPERVISOR TO RETAIN THE SERVICES OF A CONSULTANT FOR MISCELLANEOUS MUNICIPAL NEEDS IN THE POLICE DEPARTMENT:

Councilman Canterino made a Motion to authorize the Supervisor to retain the services of a consultant for miscellaneous municipal needs in the Police Department. The Motion was seconded by Councilman Lyons, Motion carried unanimously.

G. FINANCE: Councilman Canterino made a Motion to authorize the Supervisor to pay Manual A/P Runs as of 11/14/12 amounting to \$10,907.62, and Accounts Payable Check Run for 11/15/12 amounting to \$181,656.48. The Motion was seconded by Councilman Newbold. Motion carried 5 to 0.

F. PRIVILEGE OF THE FLOOR:

Katherine Sullivan, resident of the Scotchtown Water/Sewer District, stated she had an issue, and a proposal she would like to discuss with the Board. She stated the issue was leaves, "our streets are covered with leaves". She said the proposal involves the area adjacent to the Town's pumping station, and she would like to have the Board's approval to build a bin for the leaves for mulching, which would benefit all. She stated it would be at her expense, and the Town would not have to pick up leaves in the development. Ms. Sullivan explained she would like to approach a Scout Troop to perhaps take this on as an Eagle project. She said she had spoken to Mark Warren about this.

Supervisor Bloomfield explained that he had discussed this today with his secretary and Mark. He said the County Health Department is saying no, it could be done in another place possibly. The Supervisor explained that the Town is not allowed by the Health Department to put anything within a certain distance of the wells, in case the leaves, or anything could have something toxic in it to contaminate the wells. It was agreed by the Board that it could possibly be done at an alternate site. Supervisor Bloomfield said he would speak to Councilman Cappella and Highway Superintendent Knoell to see what can be done.

Joel Markowitz asked if there was any update on the status of the MTB negotiation. Supervisor Bloomfield replied that he had tried today to contact the attorneys, who represent the insurance company, that is representing the Town. He said their office in New York City, located on Staten Island, is still not up and running. The other attorneys seem to be in the same position, though located in different areas, so he was unable to report anything new.

There was a question in reference to the request for guard rails to be placed in areas along Craigville Park, where a baseball field is in place, to protect the players from traffic on Craigville Road. Councilman Cappella replied the request was sent to the County. Councilman Lyons explained that doing so would be very costly, and he was unsure if the County would do it. He said in the mean time, bollards were suggested, at a cost of approximately \$3,000.00. He said the bollards would be placed behind the dugout, the backstop, and perhaps other areas. Councilman Lyons said parents of the players have reported various occasions when cars speeding have veered off of the road in this area.

There was a lengthy discussion about the danger of the situation, and various ways of solving it. Councilman Cappella said he had inspected the area, and there are guard rails down by the second entrance, where there are no children. He said if they have them there, they certainly should have them in the area being discussed. He said the ball field is no more than 15 to 20 feet of nothing to stop a car if it comes off the road. Councilman Cappella suggested that the Town and Village should send a letter supporting the parents requesting the guard rails. Councilman Lyons will draft it, and Supervisor Bloomfield and Mayor Roddey will sign.

With no further comments, Councilman Canterino made a Motion to adjourn the meeting, and go into Executive Session, with intent not to return to discuss:

1. MTBE Litigation status update
2. Discuss Workers' Compensation Cost Proposal From NYS
3. Discuss a Proposed Contract with CDPHP for Health and Medical
4. Police Department Law Suit
5. Back Filling Part Time Court Clerk Position.

The Motion was seconded by Councilman Cappella. Motion carried unanimously

Time: 8:30 p.m.

Valma Eisma, Town Clerk