

TOWN OF GOSHEN
TOWN BOARD COMBINED WORK SESSION AND REGULAR MEETING
DECEMBER 3, 2012
MINUTES

A work session of the Town Board of the Town of Goshen was held on the 3rd day of December, 2012 at 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:	Dennis Caplicki	Attorney for the Town
	Priscilla Gersbeck	Deputy Town Clerk

The meeting was called to order by Supervisor Bloomfield at 7:31pm, followed by the Pledge of Allegiance.

1. REVIEW AND APPROVE A DOG CONTROL OFFICER CONTRACT WITH THE GOSHEN HUMANE SOCIETY AND AUTHORIZE THE SUPERVISOR TO SIGN THE SAME

This is postponed until 12-10-2012.

2. DISCUSS AND APPROVE A MOTION TO EXCESS THE DOG CONTROL VAN

This is postponed until 12-10-2012.

3. DISCUSS AND APPROVE RESOLUTION AUTHORIZING THE BUDGET OFFICER TO TRANSFER \$40,000 FROM THE PARKLAND ACCOUNT TO GENERAL FUND A TO OFFSET PART OF THE ANNUAL PRINCIPLE AND INTEREST PAYMENT ON THE SALESIAN ACQUISITION SERIAL BOND

There was a lengthy discussion on why such a large sum of monies should be transferred from the Parkland account. Councilman Lyons argued against the transfer of monies due to the fact that Joint Park & Recreation has a list for capital improvements along with seasonal maintenance requests. On the other hand, the Town has a debt to pay off, the Salesian Acquisition Serial Bond. Therefore, the following resolution took into consideration both points of view.

Councilman Cappella made the motion to move \$20,000 from the Parkland account into the General Fund account for purposes of offsetting our annual principle and interest payment on the Salesian Acquisition serial bond. Councilman Canterino seconded the motion.

Upon Roll Call Vote:

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

Vote: Resolution carried by a vote of 4 to 1

4. DISCUSS AND APPROVE RESOLUTION TO GRANT A “SPECIAL USE PERMIT” TO ORANGE & ROCKLAND UTILITIES, INC. TO BUILD AND OPERATE AN ELECTRICAL SUBSTATION ON THEIR HARTLEY ROAD PROPERTY

Kelly Naughton, Attorney representing the Planning Board, reviewed the Resolution of Conditional Approval Special Permit for Orange And Rockland Utilities, Inc... This application originated in 2010 consisting of 48.73 acres. It is located between Hartley Road and Cheechunk Road, Section 12, Block 1, Lot 1.7. It is partially within the Rural Zoning District and partially within the commercial Office/Mixed Use Zoning District and is also located within the Scenic Road Corridor, Floodplain & Ponding Area, Stream Corridor and Reservoir Watershed and AQ-6 Overlay Districts.

According to 97-73(B) of the Town Code, the Town Board has determined that this application will comply with the requirements for land use districts and overlay districts. The project is suitable for the property on which it is proposed, and is subject to conditions on operation and design. The Town Board has taken into consideration the decision of the Town Zoning Board of Appeals made at its November 20, 2012 meeting, which granted two area variances permitting the height of the monopoles and H-frame structure and permitting the 138kV electric transmission lines to be located aboveground.

Ms. Naughton continued reading the five (5) “Specific Conditions” of approval. Condition #3 states “Subject to the approval of the Public Service Commission (“PSC”), prior to signing the plans by the Planning Board Chairman, the Applicant shall place a Conservation Easement over 28.74 acres, enforceable by the Town,.....including ongoing maintenance standards.....” Attorney Alan Lipman, representing Orange and Rockland, found objection with this condition. He requested that the approval of the Conservation Easement should not be part of the Town’s condition for approval. With PSC regulations, the approval has to be gotten first, and then the Conservation Easement will be enacted.

Ms. Naughton concluded by summarizing the General Conditions and the Decision rendered by the Zoning Board of Appeals.

Councilman Lyons asked how many months is predicted to complete this project? Answer: It usually takes one year and should start around March 2013 not to interfere with the Indiana Bat season.

Supervisor Bloomfield acknowledged Attorney Alan Lipman’s request for a change to Specific Condition #3 and requested that it be done before the next meeting.

5. REVIEW AND APPROVE MOTION REGARDING A MODIFIED TOWN TOWING POLICY

The Town has a policy in place that puts the towing entities on a rotation list. In order to coincide with the Village Police and State Police procedures, the Town has been working on modifying its’

Towing Policy. Currently, the policy allows the towing entities to receive all the calls on per-day bases. The new policy will change to a *per-incident* rotation list.

Councilman Cappella mentioned that this issue has been under review for the past year and ½ and was never implemented.

Supervisor Bloomfield would like to see the modified policy at the next meeting. This will give the Town time to forward the tow rotation list to the State Police and the Village Police before the beginning of the year.

6. INFORMATION: NYS DOT DENIES TOWN OF GOSHEN REQUEST TO INSTALL A TRAFFIC LIGHT AT INTERSECTION OF ROUTE 17A AND PULASKI HIGHWAY AND LOWER SPEED LIMIT ON PULASKI HIGHWAY BETWEEN INDIANA AND PUMPKIN SWAMP ROADS

Supervisor Bloomfield read from a letter that the Honorable Anne Rabbitt forwarded to the Town which she received from NYS DOT. ["The New York State Department of Transportation (NYSDOT) has completed an official investigation into speed limit changes on Pulaski Highway (County Road 6) and a traffic signal request at the intersection of Route 17A and Pulaski Highway in the Town of Goshen."

"Regarding your request to decrease the speed limit on Pulaski Highway between Indiana road and Pumpkin Swamp mph speed limit remains appropriate (at 55mph)"....."NYSDOT's review and analysis at the intersection of Route 17A and Pulaski Highway indicated that the installation of a traffic signal is not appropriate. The most recent accident history indicated three accidents, all non-injury. There is no accident pattern that would be mitigated by a traffic signal....."]

Supervisor Bloomfield was critical of the NYS DOT's response to our request. He believes that the DOT didn't do a thorough investigation as to the impact along the roadways and was disappointed with the decisions rendered.

7. DISCUSS AND APPROVE MOTION TO HIRE LOUIS GELLYS AS PART-TIME COURT CLERK TO REPLACE MEREDITH MANTE WHO RECENTLY RESIGNED

Councilman Lyons made the motion to enter into Executive Session at 8:20pm to discuss personnel replacement with the intent to return. The motion was seconded by Councilman Newbold.

The meeting reconvened at 8:30pm.

This agenda item is tabled until the next meeting.

8. INFORMATION: THE TOWN SUPERVISOR WILL BE THE GUEST SPEAKER AT THE JANUARY 16TH GOSHEN CHAMBER BREAKFAST

Supervisor Bloomfield was invited to be the guest speaker at the January Chamber breakfast.

9. REVIEW STATUS OF "LIABILITY" INSURANCE PROCUREMENT

Councilman Lyons has been working on the liability coverage. Unfortunately, all of the quotes are not in at this time. He compared the past liability coverage costs, per year, starting in 2003 up to 2008. He is hoping to have all of the rates by the next meeting.

10. FINANCE

Councilman Canterino made the motion to authorize the Supervisor to pay Manual A/P Runs as of 11/28/12 amounting to \$8,151.82 and Accounts Payable check run for 11/29/12 amounting to \$153,021.04. Councilman Newbold seconded the motion.

On a Voice Vote, the motion passed: 5 AYES Bloomfield, Canterino, Cappella, Lyons, Newbold
0 NAYS

11. PRIVILEGE OF THE FLOOR:

Jerry Boss referenced an article (County asks for \$1M to plan sewer) in the Chronicle, dated November 30, 2012. Orange County is looking to Chester to construct a new sewer plant. The Otterkill/Black Meadow Creek (class C stream) flows into Purgatory Swamp and continues to the Moodna Creek (Trout Stream) then entering the Hudson River. However, he feels this will threaten the eco-system of Purgatory Swamp which is located in Goshen. In the past, Goshen has been active in protecting this diverse wetland system which is home to some of the most important wildlife habitat in the Town. Mr. Boss questioned whether the Town will be active in this new undertaking.

Supervisor Bloomfield will refer this to the ERB and Neal Halloran for review. He plans to attend a meeting with the County on December 6th about the sewer plan.

Joel Markowitz voiced the opinion that if Chester was able to connect to the Goshen Sewer Plant which is functioning under capacity, that might alleviate some of the need to expand the sewer system. However, this would greatly limit future sewer hook-ups in Goshen.

Geri Corey asked about the trees that are flagged to be harvested at the Village “dirt pile” location. Part of this location will impact the Town. Answer: The Town hasn’t received notification of the harvest.

EXECUTIVE SESSION:

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

1. Discuss And Approve Proposed Resolution To Correct An “Internal Equity” Problem In Regard To Retiree Health Insurance Coverage Between Union Employees And Non-Union Employees.
2. Discuss Path Forward for Health Insurance Planning
3. Celery Avenue Citizen Litigation With The Town Of Goshen, County Of Orange And NYS DEC.
4. Review Status Of MTBE Litigation
5. Review Status Of P.D. Chief Litigation
6. Discuss Cable Franchise Agreement

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

ADJOURNMENT: 9:15 PM

Priscilla Gersbeck, Deputy Town Clerk