

**TOWN OF GOSHEN**  
**TOWN BOARD WORK SESSION**  
**December 07, 2009**  
 M I N U T E S

A work session of the Town Board of the Town of Goshen was held on the 7th day of December, 2009 at 7:30pm at Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present:	Douglas Bloomfield Louis Cappella George Lyons Kenneth Newbold	Supervisor Councilman Councilman Councilman
Absent:	Philip Canterino	Councilman
Also Present:	Dennis Caplicki Priscilla Gersbeck	Attorney for the Town Deputy Town Clerk

The meeting was called to order by Supervisor Bloomfield at 7:30pm.

**1. INSURANCE RENEWAL PROPOSAL – DICKERSON & MEANY, INC.**

Brian Meany and MaryBeth Meany from Dickerson & Meany Inc. addressed the Town Board. They presented their proposal from the Selective Insurance Company. Material was handed out outlining proposals for the 2010 to 2011 term for the Package policy and Public Officials Liability & Police Professional Liability. The Package Policy includes Property, General Liability, Automobile, Inland Marine and Umbrella. The Owners & Contractors protective Liability Policy is a separate policy written with Selective. Crime is a separate policy written with The Travelers.

Following is an Annualized Premium Comparison for the expiring and renewal term:

	<u>2009-2010</u>	<u>2010-2011</u>
Package	\$73,433.72	\$72,668.96
Public Officials Liability	\$10,044	\$13,455
Police Professional Liability	\$9,325	\$11,702
OCP	\$255	\$275
Crime (Travelers)	<u>\$1,608</u>	<u>\$1,608</u>
Total:	\$94,665.72	\$99,708.96

With discussion, the Board Members accepted the proposal and will act upon it at the regular meeting on Thursday.

**2. DISCUSS A PROPOSAL FORMAT TO RESPOND TO "SPECIAL USE PERMIT" REQUESTS (i.e. TIMBER TRAIL LLC)**

Attorney Caplicki discussed a proposed format for Special Use Permits for PACS in our Code. He handed out a copy of Section 97-15 outlining the criteria for PACS in the HR and RU Districts. Attorney Caplicki advised the Board Members to review the information. Since Councilman Canterino isn't present, he recommends waiting until Thursday so that the full Board can address this issue. A Resolution is pending for approval/disapproval on the Special Use concept.

**3. ECHO LAKE INDUSTRIAL PARK CONCEPT REVIEW – R.J. SMITH**

A presentation was given to the Board Members by R.J. Smith representing Gary Tetz, Family of Principals of the proposed Echo Lake Property. Most of this 188 acre site is zoned Industrial. The entrance was realigned (complying with the State) locating it directly across from the entrance to the County Transfer Station and Fire Training Center on Route 17M. There will be turning lanes and a light regulating traffic. R.J. Smith used several maps showing site preparation work for future business usage. The proposal is for a shovel- ready and/or pad- ready, 1.9 million sq. ft. building(s) an equivalent of 30 acres. All of the base line engineering has been completed. This project enables a major corporation to come in to be ready for construction in a relatively short time. This is a unique site as it can accommodate a large building. It has good soils, void of wetlands and easy access to major roadways. Echo Lake Industrial Park is a very attractive offer to bring in ratable.

**4. DISCUSS REQUEST BY BEAZER HOMES TO REDUCE/REFUND PART OF THEIR PERFORMANCE BOND # 6407422**

A letter was received from Beazer Homes Land Development Manager regarding a reduction of performance guaranty posted for public improvements. A road leading into Glenview Hills is in the Town of Goshen. However, Glenview Hills development is in the Village of Florida. It is the intention to turn over this roadway, meaning that Florida will own a road in the Town of Goshen. Attorney Caplicki is requesting more information from Florida before any action can be taken.

**5. APPROVE VAL'S PROPOSAL FOR HOLIDAY WISHES TO THE COMMUNITY**

It's that time of year when an ad is placed in the Independent Republican Newspaper for Best Wishes for a Happy Holiday Season from the Town Officials. The Board Members were in agreement to place the ad.

**6. APPROVE ADJUSTMENT TO MICHAEL MURPHY'S WATER/SEWER BILL TO CORRECT FOR A FAULTY WATER METER**

Mr. Murphy lives in Arcadia Hills and has had constant range of usage over the last several years – around a minimum of 12,000 gallons or less – occasionally higher. His water usage has dramatically increased over the last two quarters. In May 2009 usage read was 2,321 gals over

minimum. In August 2009 usage read was 8,374 gals over minimum. In November 2009 usage read was 13,192 gals over minimum. Our Water Department installed a new radio read top to be able to compare usage and determine if there may be a problem with the meter. The customer kept a daily log showing trending usage of the minimum (12,000) and we read the meter on December 1<sup>st</sup> indicating the same. It is recommended to track the numbers through this quarter until the February 2010 billing. If the readings stay in the same range, an adjustment may be made to the Murphy's invoice for the 3<sup>rd</sup>, 4<sup>th</sup> and 1<sup>st</sup> quarters of 2009.

**7. REVIEW DATES/LOCATION FOR THE ANNUAL TRAINING MEETING OF THE ASSOCIATION OF TOWNS.**

Supervisor Bloomfield received correspondence from the Association of Towns pertaining to the Annual Training Session in New York City. It will be held February 14-17, 2010. The letter is requesting reservation deposits and a contribution. Based on the economy, the Board Members agreed not to attend and not to contribute at this time.

**8. CONDITIONS OF PRELIMINARY APPROVALS FOR HERITAGE ESTATES – STEVE ESPOSITO**

Steven Esposito representing Heritage Estates distributed information to the Board Members listing a number of items that are conditions of Preliminary Approval as set forth by Resolution adopted by the Planning Board. The conditions will require action either in the affirmative or negative.

*Condition 1:* The current disposition of the Board with regard to formation of drainage districts.

Discussion/Response: The town does not want to have ownership of the drainage district. It is preferred to leave that up to the Homeowners Association. A Resolution will be required from the Planning Board on this.

*Condition 2:* The Town Board's willingness to accept a public pedestrian trail connection from the Craigville Park to Old Chester Road.

Discussion/Response: Even though this proposed pedestrian Trail would eventually connect Craigville Park close to the Heritage Trail, the Board Members want to review this in more detail.

*Condition 3:* Approve width and specifications of emergency access from Heritage Estates to Brookside Drive.

Discussion/Response: There was an agreement to provide a 50 ft. right-of-way with a Phase Two Design, using a break-away-gate.

*Condition 4:* Approve sidewalk plan including sidewalk from Heritage Estates to Brookside Drive and a sidewalk from Heritage Estates to Old Chester Road.

Discussion/Response: There was some concern over the maintenance issue of added sidewalks, other than those in the proposed development. This item is still open for review.

*Condition 5:* Final disposition of proposed open space adjacent to the Craigville Park and bridle path offer of dedication of a 50 foot right-of-way.

Discussion/Response: Mr. Esposito explained the proposed open space locations and possible uses. Ultimately the open space will be preserved. In the future, the Town will have the option to acquire a conservation easement over certain lands. This will be reviewed in more detail.

Additionally, the Owners are requesting an 18 month extension pursuant to Local Law #4 of 2009, Section 5. It is unlikely that the applicant will meet the conditions that would be required to achieve Conditional Final Approval within the six month period of the Law. The Town will address this at the next meeting.

#### **9. APPROVE BUDGET MODIFICATIONS FOR JUSTICE COURT**

The Town Justice Court has a request for shifting Fund A1110.401, A1110.454 and A1110.466 to A1110.200. In particular, three line items will be shifted (with no increase to the Budget) to cover the cost of the Court telephone system which was not budgeted for in the 2009 budget.

Councilman Cappella made a motion to allow the Town Justice Department to move monies as outlined in this request dated November 2, 2009 addressed to William Standish, the Budget Officer, for the purpose for making modifications to the Court telephone system and that these monies come from the Advertising, Interpreter/Reporter and Special Dept. Supplies lines in the amount of \$2,300.00 total. The motion was seconded by Councilman Lyons.

Discussion: Councilman Newbold inquired as to the purpose of this new telephone system. The Justice Dept. will have separate lines coming into the building. In the past, the fault line on the phone system returns the unanswered calls to the Clerk's Office. There are more and more calls being returned to the Clerk's Office. The new phone system will eliminate the confusion and provide for better service for those calling.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Cappella, Lyons, Newbold  
0 NAYS

Supervisor Bloomfield called for any other comments.

Councilman Newbold commented on the rising cost of the utility bills to the Town. The utility bills need to be addressed to conserve energy and costs. He also noticed that some of the Department Heads are not signing their vouchers. They are designating others to sign off on the vouchers. If someone other than the Department Head has signed a voucher, that voucher will be returned to the Department. The Department Heads are the *only* people responsible for approving a voucher.

Councilman Lyons has requested a meeting with a consultant from Time Warner Cable Company pertaining to the franchise renewal. Hopefully, this will take place during this week, weather pending. He also reported on a conversation he had with Village Trustee, Kyle Roddey, as to the progress of getting the RFP for the demolition of the Salesian building.

**EXECUTIVE SESSION:**

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

1. ADC Litigation Status
2. Owens Road Litigation Status
3. Sewer Negotiations With The Village Status
4. Tax Certiorari Status Review

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

Time: 9:27PM

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Priscilla Gersbeck, Deputy Town Clerk