

**TOWN OF GOSHEN**  
**TOWN BOARD COMBINED WORK SESSION AND REGULAR MEETING**  
**December 19, 2013**  
MINUTES

A work session of the Town Board of the Town of Goshen was held on the 19th day of December, 2013 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

**A. CALL TO ORDER**

The meeting was called to order by Supervisor Bloomfield at 7:30 pm, followed by the Pledge of Allegiance.

**B. AMENDMENT TO THE AGENDA**

Attorney Caplicki included in the executive session, item #2, an update on the "master status list" of tax certioraris

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

None at this time.

**D. REPORTS:**

**Councilman Canterino:** commented that "it has been a great year, because of our new Police Chief. He has done an absolutely stellar job....." . Councilman Canterino praised the new Police Chief (James McDowell) for performing his job with the utmost professionalism.

**Councilman Lyons:** Reporting for the JRC; The Christmas trip to Radio City Music Hall was a success with 56 people participating. The Zumba Classes (Thursdays) and Drama Kids Program (Tuesdays) are still going on at the Senior Center.

**Councilman Newbold:** Reflecting on 2013, thanked everyone on the Board for their cooperation on sharing all of the issues and the staff in the Town Hall for going above and beyond to assist the public.

**Councilman Cappella:** Congratulated and thanked the Highway Department for the great job they did in clearing the roads during the last snow storm. Many people commented on a job well done. Secondly: he noted for the public, that when the schools are closed - so is the Senior Center.

**Supervisor Bloomfield:** Along with Councilman Newbold, attended the public information meeting on the expansion of the Heritage Trail. The proposed expansion is going Northward in Middletown up to Ingrassia Road, substantially increasing the length of the Trail. Initially the Town was excluded from input, but has now been put on the notification list. He also commented and praised how efficient and productive all of the Town Departments have been working together during the 2013 year.

*{Well wishes from the Supervisor and Councilmen to all for a Merry Christmas and a Happy New Year}*

**E. OLD BUSINESS:**

**1. REVIEW ADC MAPLEWOOD DEVELOPERS AGREEMENT AND AUTHORIZE THE SUPERVISOR TO SIGN THE SAME**

Attorney Caplicki stated that from the Town's perspective the developers agreement is completed and we are waiting for the final text to be signed.

**2. DISCUSS AND APPROVE AL TURI LANDFILL TAX CERTIORARI STIPULATION**

Attorney Caplicki has not received a return call from the Al Turi Landfill's Attorney. No action to be taken at this time.

**3. DISCUSS PROPOSED TAX CERTIORARI SETTLEMENT WITH SHADE/BRANCOVANU AND AUTHORIZE THE SUPERVISOR TO SIGN THE SAME**

Attorney Caplicki reviewed the following resolution to settle the tax certiorari for Shade/Brancovanu.

**TOWN OF GOSHEN  
RESOLUTION**

**Settling of Tax Certiorari Claim; Shade/Brancoveanu, Inc. Section 18 Block 1  
Lot 33**

**INTRODUCED BY: Councilman Kenneth Newbold**

**SECONDED BY: Councilman George Lyons**

**DATED: December 19, 2013**

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 December, 2013

WHEREAS, Shade/Brancoveanu, Inc. have commenced a tax certiorari proceedings against the Town of Goshen et al in the Supreme Court of the State of New York, County of

Orange for the 2013-2014 tax assessment year bearing Orange County Supreme Court index numbers 6056/2013 and 6059/2013 and

WHEREAS, It appears from the recommendation(s) of the Town Assessor, the Town's appraiser and Dennis P. Caplicki Esq. , counsel for the Town of Goshen in the aforesaid proceedings, and upon a thorough investigation of the claims, that any further proceedings and litigation by the Town would involve considerable expense with the attendant uncertainty of the outcome and that the settlement of the above matter(s), as more fully set forth below, is reasonable and in the best interests of the Town; and

WHEREAS, Shade/Brancoveanu, Inc. is willing to settle these proceedings without interest, costs or disbursements, in the following manner;

- (1) That the proceeding for the 2013-14 tax year with respect to Section 18 Block 1 Lot 33 (Index No. 6056/2013) be confirmed at an assessment of \$109,390.
- (2) That the proceeding for the 2013-14 tax year With respect to Section 18 Block 1 Lot 62.1 ( Index No. 6059/2013) be confirmed at an assessment of \$51,466.

That petitioner's real property parcel(s) taxes for the year 2013-14 be adjusted accordingly and that the petitioner be reimbursed , if paid, for any overpayment ,without interest, if paid within ninety (90) days of notice of entry, or be credited with the corresponding decrease in taxes , as the case may be; and

That the petitioner agrees to waive the right to challenge the 2014-15, 2015-16 and 2016-17 real property tax year assessments pursuant to RPTL Section 727.

NOW, BE IT THEREFORE RESOLVED that the proposed settlement as set forth and described above is hereby accepted pursuant to Section 68 of the Town Law and it is further;

RESOLVED that the Assessor of the Town of Goshen, Dennis P. Caplicki Esq. Matthew Caplicki Esq. as Attorneys for the Town of Goshen, and Douglas Bloomfield, Supervisor of the Town of Goshen be and they are hereby authorized to take any and all steps and sign any and all documents necessary to effectuate the terms of this resolution;

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>AYE</u>		

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

**F. NEW BUSINESS:**

**1. DISCUSS THE N.Y. ASSOCIATION OF TOWNS AND VILLAGES SOS PROGRAM AND DETERMINE APPLICABILTY FOR THE TOWN OF GOSHEN**

Councilman Lyons referenced an article titled: "\$ave on \$ervices" he read in the Nov/Dec issue of Talk Of The Towns & Topics magazine. The \$ave on \$ervice (SOS) program provides a Town with a utility billing analysis that may save money on over billing of electric, gas, telephone, cable and street lights. The Village of Goshen has participated in this program. The Village has been refunded money on street lighting. In speaking with Mike Caton (Computel Consultant) the split is 60% to the municipality and 40% (for the first year) to Computel. If the municipality isn't due a refund, Computel collects nothing. It was decided to further explore this program.

Councilman Cappella made the motion to authorize Councilman Lyons along with Bill Standish our Budget Officer to work on this SOS program. Councilman Newbold seconded the motion.

On A Voice Vote,

the motion passed: 5 AYES Bloomfield, Canterino, Cappella, Lyons, Newbold  
0 NAYS

**2. INFORMATION: SEVERAL TOWN RESIDENTS QUALIFIED FOR ZERO INTEREST LOANS IN 2013 FOR THE COMMUNITY DEVELOPMENT HOUSING REHABILITATION PROGRAM TO THE AMOUNT OF \$48,392.00.**

As stated for information. The next funding cycle (2015) will begin in the Spring of 2014.

**3. SET DATE OF RE-ORGANIZATION MEETING**

Councilman Lyons made the motion to hold the re-organization meeting on Monday, January 6, 2014 in the Town Hall at 7:00pm. Councilman Canterino seconded the motion.

] On A Voice Vote,

the motion passed: 5 AYES Bloomfield, Canterino, Cappella, Lyons, Newbold  
0 NAYS

**G. PRIVILEGE OF THE FLOOR**

None at this time.

H. ADJOURNMENT: 8:05PM

**EXECUTIVE SESSION:**

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

1. STATUS UPDATE ON JEDI PROPOSAL
2. UPDATE ON TAX CERTIORARIS "MASTER STATUS LIST"
3. STATUS UPDATE ON PBA ARBITRATION REQUESTS (3)
4. STATUS UPDATE ON D. MARSH LITIGATION

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

*Noted for the Record:*

A discussion in the Executive Session resulted in an action taken to (1) Status Update on JEDI Proposal, to pen the following letter regarding Amy's Kitchen // Echo Lake Project.

December 20, 2013

Robert T. Armistead  
Chairman  
O.C. Industrial Development Agency  
4 Crotty Lane, Suite 100  
New Windsor, NY 12553

Re: Amy's Kitchen // Echo Lake Project

Dear Chairman Armistead and Board Members:

Please let this letter serve to confirm our support of the Amy's Kitchen organic food manufacturing facility proposed for the Echo Lake site off of NYS Route 17M in the Town of Goshen. The facility will be approximately 500,000 square feet in size, where Amy's Kitchen will make all of its product lines of frozen and prepared organic and natural foods. The project will also include a conference center that will support annual gatherings for talks and lectures on issues important to Amy's Kitchen's founders and community.

We are excited about this project as it fits well with the Town's strong agricultural heritage, and will likely provide a significant benefit to our region's farming community, as Amy's Kitchen looks to source many of its ingredients locally. In addition to the employment during construction, Amy's Kitchen conservatively estimates at least 600 permanent jobs within the facility.

The project appears to be consistent with the Town's zoning and we anticipate that the Planning Board will serve as lead agency for the SEQR review. We understand that Amy's Kitchen seeks to commence construction in early 2015, and that they are working diligently towards that goal.

We appreciate any assistance and incentives that the Orange County IDA may provide, including incentives such as the super-enhanced PILOT agreement.

Thank you for your consideration.

Sincerely,  
Douglas Bloomfield,  
Goshen Town Supervisor

Councilman Lyons made the motion to authorize the Supervisor to send the letter to the Orange County Industrial Development Agency in support of Amy's Kitchen organic food manufacturing facility. Councilman Cappella 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>AYE</u>		

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

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Priscilla Gersbeck, Deputy Town Clerk