

Council Meeting  
April 24, 2008

TOWN OF GOSHEN  
**TOWN COUNCIL MEETING**  
April 24, 2008

MINUTES

A regular meeting of the Town Council of the Town of Goshen was held on the April 24, 2008 at 7:30 p.m. 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    Town Attorney  
Valma Eisma            Town Clerk

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

**B. AMENDMENT TO THE AGENDA:** Attorney Caplicki said he might have two additions, but was not sure, saying it depended on the appearance of certain people. Supervisor Bloomfield said he may possibly need to set a Public Hearing date. The amendments will be added if needed.

**C. PRIVILEGE OF THE FLOOR:** agenda items only: No response

**D. PUBLIC HEARING: Proposed Local Law #2 of 2008 entitled "Driveways and Street Obstructions":**

Councilman Canterino made the Motion to open the Public Hearing for the proposed Local Law #2 entitled "Driveways and Street Obstructions". The Motion was seconded by Councilman Lyons. Time: 7:45 p.m.

Attorney Caplicki explained it amends Chapter 82 of the Town's code and adds provisions for not only driveways, but curb cuts and road openings, increasing the fees for the processing of the permits and applications. He said in addition it increases the bonds and maintenance fees and also sets forth, in an attachment, the schedule, so the Council will no longer have to go through a local law process, but fees can be changed with a simple Motion.

With no comment from the public, Councilman Cappella made the Motion to close the Public Hearing. The Motion was seconded by Councilman Canterino. Motion carried unanimously.

Councilman Cappella made a Motion to accept Local Law #2 entitled "Driveways and Street Obstructions". The Motion was seconded by Councilman Lyons.

Supervisor Bloomfield asked for discussion and Councilman Lyons said the increases were a result of a memo from the Building Inspector stating the current fees were not covering the costs.

Roll Call Vote:

Supervisor Bloomfield	AYE	Councilman Canterino	AYE
Councilman Lyons	AYE	Councilman Newbold	AYE
Councilman Cappella	AYE		

Vote: 5 to 0

**E. REPORTS:**

**COUNCILMAN CANTERINO:** Councilman Canterino stated he would give his report in Executive Session as it related to a personnel problem.

**COUNCILMAN LYONS:** Councilman Lyons reported John Higgins is now the Village liaison to the Joint Recreation Commission. He has worked for many years with Joint Recreation and will be a great asset. He stated he had reported before, that Joint Recreation had filed for two grants, and they received word that the Commission will be receiving \$3,000.00 from the Orange Arts Grant in support of the Salesian Park Summer Concert Series. He said dates will be announced later as to when the concerts will be held.

Councilman Lyons said he went on the Joint Recreation web site, Goshen Recreation.org, and complimented Bonnie Mayefsky on the fantastic job she has done creating it. The web now has the summer theme camps, summer youth sports camps, recreation day camp and adult summer sports. All of these can be registered for on the web. He said there have been requests to extend the day camp to 5:30 and there will be a trial period to see how well it is received.

Councilman Lyons also reported the Workmen's Comp escrows that had to be set up are in place with Key Bank and it will be funded by \$10,000 per quarter. However, it has not been transferred over yet, but will be soon.

**COUNCILMAN NEWBOLD:** Councilman Newbold thanked Supervisor Bloomfield for the informative meeting held on Tuesday evening for the Water/Sewer Districts to inform them of the rate increases. He also thanked the Budget Officer Standish for putting all the numbers together, not an easy task and not easy to present them to the people. However, he felt it was very informative, and there was a lot of feedback from the residents of the Water/Sewer districts.

He reported the building was having a lot of problems with the Fire Alarm system and he and some co-workers got together and it was repaired in a matter of minutes, saving the taxpayers thousands of dollars.

**COUNCILMAN CAPPELLA:** Councilman Cappella reported Highway will start its spring pickup on Monday, April 28, 2008, for hopefully two weeks. He said after the cleanup the street sweeping will begin in all the subdivisions. After this Highway, probably the third week in May, will be fixing the culvert on Everett Road, meaning the road will probably be closed for a week. He said after that Highway will proceed to do the culvert on Durland Road.

He reported he met with the Senior Commission and every thing seems to be going well, and the rentals are up. He also reported the County is in the process of purchasing a couple of new Dial-A-Buses, and hopefully we will be getting a new Dial-A-Bus as ours are very old.

**SUPERVISOR BLOOMFIELD:** Supervisor Bloomfield reported the Town received two checks this week, one for approximately \$13,000 from the insurance company for roof and elevator damage that occurred in the last ice storm. He said two checks are from the State of New York, one for \$50,000 from a grant from Senator Larkin and \$4,500 from Anne Rabbit. The \$50,000 was for the INS study for Hambletonian Park, and the \$4,500 was for Phase One of the fuel dispensing system for Highway.

Supervisor Bloomfield also reported he and Councilman Newbold met with Congressman John Hall to ask his help for the Water/Sewer Districts. He said it went well and will be done under the Clean Water Act, if successful the people will not have to be assessed for the costs.

He reported the DEC and the County have dictated that no fire permits be issued until further notice due to the dry weather.

**F. OLD BUSINESS:**

**1. Intent To Be Lead Agency For SEQR Review For Proposed Comprehensive Plan:**

**TOWN OF GOSHEN  
RESOLUTION**

**Declaration of Lead Agency**

Introduced By: Councilman Louis Cappella  
Seconded By: Councilman Philip Canterino  
Dated: April 24, 2008

Resolution is to notice that the Town of Goshen Town board is lead agency under the New York State Environmental Review Act (SEQA) Section 617.6(b)(1), for the proposed adoption of updates to the 2004 Comprehensive Plan, including the associated Zoning Code amendments.

Declaration of lead agency is solely for the purpose of notifying interested agencies of the Town Board's intent to consider revisions to the 2004 Comprehensive Plan, including the associated Zoning Code amendments.

Upon roll Call Vote:

Supervisor Bloomfield	AYE	Councilperson Canterino	AYE
Councilperson Cappella	AYE	Councilperson Newbold	AYE
Councilperson Lyons	AYE		

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

**TOWN OF GOSHEN TOWN BOARD  
NOTICE OF DESIGNATION OF LEAD AGENCY**

Please take notice that, according to the provisions of 6 NYCRR Part 617.7, the Town of Goshen Town Board has declared itself to be lead agency for the purposes of review of and action on the project named below. The Town of Goshen Town Board shall act as lead agency and shall follow the provisions of 6 NYCRR Part 617.7 governing determination of significance of the proposed action.

**Contact Person/Address:** Honorable Douglas Bloomfield, Supervisor  
Town of Goshen  
Town Hall – 41 Webster Avenue  
Goshen, New York 10924

**NAME OF PROJECT:** **Comprehensive Plan Amendments**  
**Introductory Local Law No. 3 of 2008**

**Location:** Town Wide – Town of Goshen, County of Orange

**Tax Map Parcel** Town Wide

**SEQRA Status:** Type 1; Amendments to Comprehensive Plan of the  
Town of Goshen

**Project Description:**

The Town Board has reviewed the existing Comprehensive Plan of the Town of Goshen. Based upon this review and the coordination with and review of proposed changes embodied in Town of Goshen Local Laws

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Nos. 2 (Zoning Map Amendments) and 3 (Zoning Text Amendments) of 2007; review of the town-wide traffic study as prepared by Stantec Consulting Services, Inc. dated December, 2006; and review of the Town of Goshen's Open Space Plan, it was determined that certain changes in the Town of Goshen Comprehensive Plan are required.

**Date of Action:** April 24, 2008

**Date of Mailing:** April 28, 2008

The Notice will be mailed to the involved agencies and interested agencies/parties on April 28, 2008.

Supervisor Bloomfield asked Attorney Caplicki if he could give the public a time line on the proposed Comprehensive Plan. Attorney Caplicki stated the changes to the Comprehensive Plan should be finalized in early May and the Public Hearings should be set some time in June and July. He said at this point we are ahead of schedule. He said the Local Law should be finalized in August.

## **2. Approval of Minutes:**

Councilman Lyons made a Motion to accept the minutes of the Work Session of April 7, 2008 and the Regular Meetings of March 27<sup>th</sup> and April 10<sup>th</sup> with the correction of the duplication in the April 10<sup>th</sup> meeting. Councilman Cappella seconded the Motion. Motion carried unanimously.

## **G. NEW BUSINESS:**

**1. R. J. Smith Proposed Business Park Development:** R. J. Smith approached Council to discuss a proposed business park plan. R. J. explained he has been working for a few years with the Town of Walkill on their Echo Lake property. The property consists of just under 200 acres, and it is located next to the Mid-Hudson Psychiatric Center and across the river near the Al Turi Landfill. He explained there is limited access to Route 17M from the property, so they purchased property adjoining the Psychiatric Center which gave them access to Route 17M. R.J. said the entrance onto Route 17M is across the road to the entrance to the Orange County Transfer Station, but the entrances are off set from each other. The Psychiatric Center has had problems entering Rt. 17M during shift changes due to the heavy traffic and has asked the DOT for help as there have already been a few accidents there. R. J. showed the Council, on a map, where the entrance to Route 17M would be using a proposed access road. He explained he has contacted everyone involved, the Psychiatric Center, Orange County Department of Planning the N Y S. DOT. He said the DOT representative thought the plan was a very good one as there are no turning lanes into the County Transfer Station and there is a lot of truck traffic there. After conferring with all parties concerned the best proposed access improvements to the site would be the goal of granting the Town of Goshen a small parcel of land, about 1/3<sup>rd</sup> of an acre, with frontage on Route 17M, located on the corner of the State Psychiatric Center, for highway purposes. By doing this it would allow for the entrances of the proposed industrial park and the County Transfer Station to be directly across from each other and will make turning lanes possible and perhaps a traffic light in the future. He said all costs associated with building the road, etc. would be paid for by the developer of the industrial park. He said there was a meeting of all agencies involved which our Building Inspector and Planner attended. R.J. reported every agency and municipalities that attended and others he has contacted regarding this have expressed their approval.

Mr. Smith said it was decided the easiest way to do this would be through the OGS, Office of General Services, a state agency. This agency has the authority to transfer property to a municipality for highway purposes. R. J. presented the Council with a list of suggestions that were given to him to begin the process to when the Town would accept the Road. He went through all of them with the Council. He stated his purpose tonight was to ask the Council to provide the State with an explanation/ request letter and a Town Resolution to start the process.

Councilman Canterino was concerned about the length of the access road the Town would have to maintain. R.J. replied the access road would be approximately 2000 feet, about 600 to 800 feet before the business park would begin. The park will consist of possibly four parcels with one point five million square feet accommodating four different size buildings. The advantages and disadvantages were discussed at length. Other concerns of the Council was the water supply to the business park, additional traffic, maintenance of the access road, the large amount of sand and gravel on the property.

Mr. Smith answered most of the concerns and explained the Town of Walkill will be supplying the water for the business park from the wells on the site and is also preserving them for public use in the future. Supervisor Bloomfield thanked Mr. Smith for addressing the Council and the resolution will be placed on an upcoming agenda. Attorney Caplicki suggested the Council may want to negotiate impact fees. Supervisor Bloomfield replied he would put it on the agenda for the next work session for further study.

**2. Hire Patricia Pomposello, Justice Clerk:** Councilman Newbold made a Motion to hire Patricia Pomposello as a part time Justice Clerk at \$12.76 per hour effective April 14, 2008, contingent upon satisfactory background check, blood test and bonding. Councilman Cappella seconded the Motion. In discussion Councilman Lyons stated there would be no fringe benefits. Motion carried unanimously.

**3. Hire Heather Charbouneau, Justice Clerk:** Councilman Canterino made a Motion to hire Heather Charbouneau as a part time Justice Clerk at \$12.76 per hour effective April 14, 2008, contingent upon satisfactory background check, blood test and bonding. Councilman Lyons seconded the Motion saying no fringe benefits for either clerk. Motion carried unanimously.

**4. Resolution: Establish New Water/Sewer Rates Effective May 1, 2008:**

**TOWN OF GOSHEN  
RESOLUTION  
April 24, 2008**

Introduced by: Councilman Philip Canterino  
Seconded by: Councilman Kenneth Newbold  
Date of Adoption: April 24, 2008

**ESTABLISHMENT OF NEW WATER/SEWER RATES  
EFFECTIVE MAY 1, 2008**

**WHEREAS**, the Town Board of the Town of Goshen met with the public on April 22, 2008 to discuss and exchange information in regard to the establishment of water rates in respect to the Town of Goshen water districts,

**WHEREAS**, it is required annually to establish set rates, be it resolved that the rates as set forth in schedule A attached, setting the Water/ Sewer rates for Hambletonian Park and Arcadia Hills, the Water rates for Stonehedge and Scotchtown districts be adopted.

Upon Roll Call Vote:

Supervisor Douglas Bloomfield	AYE	Councilman Philip Canterino	AYE
Councilman George Lyons	AYE	Councilman Kenneth Newbold	AYE
Councilman Louis Cappella	AYE		

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

## Schedule A

### (SA) HAMBLETONIAN PARK SEWER

		Gallon Schedule	2007 Rates	2008 Rates	Change In Rate
		0-5000	\$ 14.50	\$ 20.50	+\$ 6.00
3% Increase for 2008	\$ 3,500	5,001-10,000	\$ 15.75	\$ 21.75	+\$ 6.00
Deficit Fund Balance	\$ 25,000	10,001-15,000	\$ 16.00	\$ 22.00	+\$ 6.00
Village Sewer Charge	<u>\$ 44,000</u>	15,001-20,000	\$ 16.25	\$ 22.25	+\$ 6.00
Increase for 2008	\$ 72,500	20,001 and up	\$ 16.50	\$ 22.50	+\$ 6.00

### (SC) HAMBLETONIAN PARK WATER

		Gallon Schedule	2007 Rates	2008 Rates	Change In Rate
New Water Line	<u>\$ 35,760*</u>	0-5000	\$ 12.25	\$ 12.25	\$ -
Increase For 2008	<u>\$ 35,760</u>	5,001-10,000	\$ 13.25	\$ 13.25	\$ -
			\$ 13.75	\$ 13.75	\$ -
			\$ 14.25	\$ 14.25	\$ -
			\$ 15.00	\$ 15.00	\$ -

\*Financed for 20 years

**New Water Lines (Flat Rate/Home/yr) \$219.39**  
**New Water Lines (Flat Rate/Home /Qtr) \$ 54.85**

### (SB) ARCADIA HILLS SEWER

		Gallon Schedule	2007 Rates	2008 Rates	Change In Rate
		0-12,000	\$ 11.75	\$ 20.50	+\$ 8.75
3% Increase For 2008	\$ 5,500	12,001-17,000	\$ 13.25	\$ 22.00	+\$ 8.75
Deficit Fund Balance	\$100,000	17,001-22,000	\$ 14.00	\$ 22.75	+\$ 8.75
Village Sewer Charge	<u>\$ 63,000</u>	22,000 and up	\$ 14.50	\$ 23.25	+\$ 8.75
Increase for 2008 =	\$168,500				

### (SD) ARCADIA HILLS WATER

		Gallon Schedule	2007 Rates	2008 Rates	Change In Rate
		0-12,000	\$ 6.75	\$ 7.25	\$ .50
		12,001-17,000	\$ 7.50	\$ 8.00	\$ .50
3% Increase For 2008	\$ 4,840	17,001-22,000	\$ 8.00	\$ 8.50	\$ .50
Well Upgrades	<u>\$ 20,000*</u>	22,000 and up	\$ 8.50	\$ 9.00	\$ .50
	\$ 24,840				

\* Financed for 1 year

**New Well Upgrades (Flat Rate/Home/Yr) \$76.63**  
**New Well Upgrades (Flat Rate/Home/Qtr) \$19.16**

**(SE) STONEHEDGE WATER**

		<u>Gallon Schedule</u>	<u>2007 Rates</u>	<u>2008 Rates</u>	<u>Change In Rate</u>
		0-12,000	\$ 10.50	\$ 10.50	\$ --
		12,001-17,000	\$ 11.00	\$ 11.00	\$ --
3% Increase-2008	\$ 800	17,001-22,000	\$ 11.50	\$ 11.50	\$ --
New Well (20,000)	<u>\$ 10,000*</u>	22,000 and up	\$ 11.75	\$ 11.75	\$ --
Increase For 2008	\$10,800				

\* Financed for 2 years

**New Well Upgrades (Flat Rate/Home/Yr) \$238.10**  
**New Well Upgrades (Flat Rate/Home/Qtr) \$ 59.53**

**(SF) SCOTCHTOWN WATER**

		<u>Gallon Schedule</u>	<u>2007 Rates</u>	<u>2008 Rates</u>	<u>Change In Rate</u>
3% Increase-2008	\$ 1,100	0-12,000	\$ 10.50	\$ 15.50	\$ 5.00
Deficit Fund Bal.	\$10,000	12,001-17,000	\$ 11.00	\$ 16.00	\$ 5.00
Water Tank (\$35K)	<u>\$11,667*</u>	17,001-22,000	\$ 11.50	\$ 16.50	\$ 5.00
Increase For 2008	\$ 22,767	22,000 and up	\$ 11.75	\$ 16.75	\$ 5.00

\* Financed for 3 years

**New Well Upgrades (Flat Rate/Home/Yr) \$ 259.27**  
**New Well Upgrades (Flat Rate/Home/Qtr) \$ 64.82**

Supervisor Bloomfield called attention to the information he attached to the water rate increase for the Council, which reads as follows:

PROPOSED INFRASTRUCTURE IMPROVEMENTS - GOSHEN WATER DISTRICTS

<u>DISTRICT / ITEM</u>	<u>ESTIMATED COST</u>
A. HAMBLETONIAN PARK	NONE
B. ARCADIA HILLS: REPIPE WELLHOUSES REHAB WELLS	\$20,000
C. SCOTCHTOWN PARK: REPLACE WATER STORAGE TANK	\$35,000
D. STONEHEDGE: DEVELOP BACK-UP WELL	\$20,000

BOARD ACTIONS

1. SEEKING GRANTS FROM FEDERAL GOVERNMENT UNDER "CLEAN WATER ACT". CONGRESSMAN HALL HAS AGREED TO WRITE LETTER OF SUPPORT.

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2. SEEKING FUNDING FROM NEW YORK STATE SENATOR WILLIAM LARKIN. HE HAS FUNDED SIMILAR ITEMS IN THE PAST.

3. WATER DISTRICTS WILL BE ASSESSED IF FEDERAL AND/OR STATE FUNDS ARE NOT AVAILABLE.

**ADDED AGENDA ITEM-**

**HERITAGE ESTATES:** Attorney Caplicki stated this is where he would like to insert his amendment to the agenda. He said the Town is in receipt of an application from Heritage Estates to establish a water district and a sewer district which would service its project on Old Chester Road. He suggested the Council wait until the next meeting to possibly set up a Public Hearing date after he gathers some further information. Councilman Canterino stated this would require a package plant, which the Council was frowning on. The Council has not had the opportunity to study this and would like to do so at the next work session.

**H. FINANCE:** Councilman Newbold made a Motion to authorize the Supervisor to pay Check Run of 4/24/2008, amounting to \$52,224.60. The Motion was seconded by Councilman Cappella. Motion carried 5 to 0.

**I. PRIVILEGE OF THE FLOOR:** Doris Bialas spoke regarding the million dollar grant for trails. Supervisor Bloomfield stated this is a matching grant and money was not available at this time and the Town does not have the property. He said the council has until 2010 to make a decision or put together a plan in reference to the acceptance of the grant and how they can be connected.

Leslie Cosgrove asked if the changes in the zoning will be given to the public. Supervisor Bloomfield stated all changes will be available to the public at the Public Hearing.

**J. EXECUTIVE SESSION:**

Councilman Cappella made a Motion to go into Executive Session, with the intent not to return to public meeting, to discuss:

1. Caggiano Status Negotiations
2. Indiana Road Legal Clarifications
3. IWS Negotiations status
4. Sullivan Litigation
5. Arcadia Residence Violation
6. Liberty Motors Violations

The Motion was seconded by Councilman Canterino. Motion carried unanimously.

Adjournment: 8:45 p.m.

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Valma Eisma, Town Clerk