

**TOWN OF GOSHEN  
TOWN BOARD MEETING  
MARCH 24, 2011**

**MINUTES**

A regular meeting of the Town Board of the Town of Goshen was held on the 24<sup>th</sup> day of March, 2011 at Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York

Present:	Douglas Bloomfield	Supervisor
	Kenneth Newbold	Councilman
	Philip Canterino	Councilman

Also Present:	Dennis Caplicki	Town Attorney
	Valma Eisma	Town Clerk

Absent: Councilman Louis Cappella, Councilman George Lyons

**A. CALL TO ORDER:** Supervisor Bloomfield called the meeting to order at 7:30 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 CANTERIO** reported that he verified today, that the new car for the Police Department has been ordered, and delivery should be in the next couple of weeks. He said there was an incident, a helicopter had mechanical problems, and landed on Debbie Corr's field. He said there were no injuries, and everyone was safe. Outside of this all has been fairly quiet.

**COUNCILMAN NEWBOLD** reported there have been no new water/sewer problems, except for the Arbitration starting with the Village. He said he would like to report the passing of Deacon Luis Guillermo Baerga who served at St. John's, and was very popular and loved by everyone. He said he served the spiritual needs of the community, but also served the personal needs of the Hispanic community, as he spoke Spanish, and was very active in the community. Councilman Newbold said his passing will be a great loss to the Village and Town of Goshen.

**SUPERVISOR BLOOMFIELD** reported: He was the lead off witness for the Town in the arbitration hearing on Tuesday, and he was happy to state the Town's case, and to be heard.

**E. OLD BUSINESS:**

**1. DISCUSS REQUEST BY GOSHEN HUMANE SOCIETY OF NEW YORK, INC. CERTIORARI SETTLEMENT:** Supervisor Bloomfield said he had asked the Building Inspector, Neal Halloran, to interact with Rick Bossley regarding this request. Noise from the dogs was a concern of the Board. He asked the Building Inspector to address the Board.

Mr. Halloran said he talked with Mr. Bossley today by phone. Mr. Bossley said the dog population changes daily at the Humane Society. He said the dogs will be let out during the day while the staff is cleaning the cages, etc. If there are barkers among them, they will bring them back in. He said it was their hope that the dogs could be outside when someone is at the facility. He said the Humane Society will monitor the noise on a regular basis. If there are problems, they will address them.

Mr. Halloran stated the plans meet all the building requirements, etc. It would be fine in the location they want to put it in or would be allowed anywhere else. Councilman Newbold asked if this addition would be built with taxpayer money? Supervisor Bloomfield and Inspector Halloran replied no, it was a generous gift from a resident of Goshen.

Supervisor Bloomfield asked Attorney Caplicki if passing this would require a Resolution or could be approved with a Motion. He replied it could be passed with a Motion. Councilman Canterino felt he would rather the Board pass it with a formal Resolution, as he still has unanswered questions in reference to who will own the land? Is the Humane Society going to purchase the land from the Town, or are we leasing it to them. Building Inspector Halloran stated the facility is now on the Town of Goshen's land. The Board felt they would like to review how the land would be transferred, or if it would be leased, etc.

**2. DISCUSS AND APPROVE IWS TRANSFER SYSTEMS OF NEW YORK, INC.**

Supervisor Bloomfield asked Attorney Caplicki if the Board is ready to accept this settlement. Attorney Caplicki replied no, and he would like to have it moved into Executive Session. It will be moved to #6 in Executive Session.

**G. FINANCE:** Councilman Canterino made a Motion to authorize the Supervisor to pay Manual A/P Runs of 2/9 and 3/10/11 amounting to \$30,772.01, and Manual A/P Runs as of 3/15/2011 amounting to \$2,580,507.02. Also Accounts Payable Check Run for 03/24/2011 amounting to \$209,834.43. The Motion was seconded by Councilman Newbold. Supervisor Bloomfield explained the \$2,480,507.02 was because we paid off a bond and redid it. The Motion was seconded by Councilman Newbold. Motion carried 3 to 0.

**H. PRIVILEGE OF THE FLOOR:** Neal Hickok thanked the board for looking into banking with the Hudson Valley Credit Union. Councilman Canterino said they had, but like all credit unions they are unable to do business with municipalities.

Joel Markowitz asked if there was anything the Board could share with the public about the arbitration. Attorney Caplicki answered that the Village, in connection with that question, the issue is separation of powers, and whether that prohibits the arbitration from going forward. The Village has already filed its brief. He said the Town's response is due by next Thursday, March 31<sup>st</sup>. After that date, the Village will have another five days to reply to it, in the mean time they have supplemented their original brief with a further filing, and depending on what that decision is, that may or may not end the issue. He said he would imagine we will have a decision by the arbitrator on that issue, he would guess, by the first week of April, or at least by the 15<sup>th</sup> of April.

Jerry Boss asked if the Attorney was searching case law on Separation of Power. Attorney Caplicki

said he is doing that now, and is comfortable with what case laws he has found, and will be making our argument.

Councilman Canterino and Councilman Newbold thanked the Supervisor and Attorney Caplicki for all the work they have done on the arbitration.

**I. ADJOURNMENT:** Councilman Newbold made a Motion to adjourn the meeting, and go into Executive Session with intent not to return, to discuss the following:

1. Discuss Minolta, Inc. Tax Certiorari
2. Discuss Woodland Estates Tax Certiorari
3. Update Status of Village/Town Sewer Dispute Arbitration
4. Discuss Personnel Case
5. Review Proposed Cable Television Franchise Renewal contract
6. Discuss IWS Transfer Systems of New York, Inc. Certiorari Settlement.

The Motion was seconded by Councilman Canterino. Motion carried 3 to 0.

Time: 8:15 p.m.

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Valma Eisma, Town Clerk