

TOWN OF GOSHEN  
TOWN BOARD WORK SESSION  
**May 23, 2011**  
MINUTES

A work session of the Town Board of the Town of Goshen was held on the 23rd day of May, 2011 at Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

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| Present: | Douglas Bloomfield | Supervisor |
|          | Philip Canterino   | Councilman |
|          | Louis Cappella     | Councilman |
|          | George Lyons       | Councilman |
|          | Kenneth Newbold    | Councilman |

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| Also Present: | Dennis Caplicki    | Attorney for the Town |
|               | Priscilla Gersbeck | Deputy Town Clerk     |

The meeting was called to order by Supervisor Bloomfield at 7:36pm, followed by the Pledge of Allegiance.

**PUBLIC HEARING**

Councilman Lyons made a motion to open the public hearing for Local Law #1 of 2011, "Public Assemblies And Entertainment". Councilman Cappella seconded the motion.

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

Attorney Caplicki summarized the Local Law that he has been working on, adding Chapter 49D of the Code of the Town of Goshen. This Law will affect any assembly of people within the Town for a public assembly type activity and/or entertainment. The Law requires an application for a permit through the Town Clerk's office and to the Town Board for approval/disapproval. It's a regulatory act, requiring information for the Town Board to make an informed decision based on traffic, fire safety, public health etc. The Town has been receiving a number of requests for festivals, entertainment and filming. This Local Law is proposed to legislate and regulate applications on a fair and equal basis. At this point, revisions can be made to the whole application such as permit fees, time periods, sign off, review process etc.

Supervisor Bloomfield called for comments from the public.

Priscilla Gersbeck, Deputy Town Clerk, presented the Board Members with a packet that she has been working on. This includes the proposed Local Law with a few modifications and additions to help support the application process for a permit. One of the major changes would be to combine the Entertainment License with the Public Assemblies Permit, if that is possible. The Clerk's office issues licenses for requests to carry on some types of businesses or professions such as peddlers

and vendors, carters and haulers, dog licenses, etc. that pertain to a specific requirement and limited time of usage. Permits are issued to allow or make something possible. Permits regulate safety and are typically granted following inspection(s). Attorney Caplicki will review what is presented and advise the Board as to what is acceptable and defensible. Therefore, the Public Hearing will remain open.

Councilman Lyons made a motion to keep the public hearing for Local Law #1 of 2011, "Public Assemblies And Entertainment" open. Councilman Cappella seconded the motion.

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

**1. DISCUSS AND APPROVE THE HIGHWAY SUPERINTENDENT'S ROAD PAVING SCHEDULE**

Superintendent of Highways, Broderick Knoell, presented the Board Members with his Executive Summary of resurfacing Town roads in 2011. This will pertain to approximately 2.7 miles of road costing around \$392,470. Such funds will be taken from the highway budget of \$413,272 (\$300,000 Town fund plus the CHIPS money) received for 2011. This leaves a balance of \$20,802 used as either a contingency or applicable for other roads. Mr. Broderick reviewed new technologies, used for preserving roads, which are cheaper than applying new asphalt. One type is Cold-in-place recycling, which is the processing and treatment with bituminous and/or chemical additives of existing HMA pavements without heating to produce a restored pavement layer. A milling machine pulverizes a thin surface layer of pavement. This is further crushed and graded to produce the desired gradation and maximum particle size which is mixed with a binding additive. The pulverized, graded pavement and additive combination is placed back over the previously milled pavement and graded to the final elevation. Finally, the placed mixture is compacted to the desired density and sealed.

The hot-in-place recycling is a process of correcting asphalt pavement surface by softening the existing surface with heat, mechanically removing the pavement surface, mixing with recycling agent, possibly adding virgin asphalt and/or aggregate and replace it on the pavement without removing the recycled material from the original pavement site.

Chip sealing is a low-cost method of extending rural roads. Chip seal applies thin layers of oil and gravel instead of a thicker layer of asphalt. It provides good protection from cracking. He would consider crack sealing (filling in to prevent water from entering the base and sub-base) as part of patching certain roads.

Superintendent Knoell detailed the methods his Department will be using on the roads that are in need of resurfacing this year. It'll be nice to try different methods and build our own program saving the Town a great deal of money. He feels that the cost of asphalt will not go down in the foreseeable future.

**2. DISCUSS NYS DOT REQUEST FOR RELEASE OF PREFERENTIAL ACQUISITION**

Correspondence was received from the NYS Dept. of Transportation requesting release of the state preferential acquisition rights to property listed as 13-1-70. The DOT is designated as the official State agency to administer Section 18 of the Transportation Law as amended by Chapter

998 of the Laws of 1973. This statute allows state agencies, regional transportation authorities, and local governments the opportunity to acquire for public purposes, abandoned railroad transportation property. A formal release of preferential rights has been submitted for the property identified in the enclosed documents. Therefore, the Town of Goshen has the option to acquire the property and to respond by June 17, 2011.

Another letter was received from the law offices of Fabricant, Lipman & Frishberg, representing M/M Orange, Inc. who has been the owner of the referenced property since 2005. The property is vacant land, which M/M is about to refinance. The question is to determine whether the preferential right of acquisition is applicable to this property; if so, whether a release was given and if not, to request a release at this time.

The Board Members are looking for clarification as to the contents of the letter as it may affect the Board's decision and to the *exact* location of this property. Supervisor Bloomfield will speak with Attorney Lipman and report back to the Board at the next meeting.

**3. DISCUSS A HIRING GRANT PROPOSAL SPONSORED BY THE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES.**

Councilman Canterino explained that there is a grant (CHP) COPS Hiring Program which will provide 100 percent funding for approved entry-level salaries and benefits for 3 years for a newly-hired , full time sworn officer position or for rehired officers who have been laid off as a result of local budget cuts. There is no local match requirement or cap on the amount of funding that can be requested per officer position, but CHP grant funding will be based on the current entry-level salary and benefits packages. The deadline to file is May 25, 2011.

The Board Members comments were in agreement that this is not consistent with the Town's long-term strategy. Once this grant is in place, the Town is committed to retain the full-time police officer. Recently, a full time police officer transferred and will be replaced with a part-time officer(s).

**4. REVIEW AND AUTHORIZE THE SUPERVISOR TO SUBMIT TWO POTENTIAL APPLICATIONS FOR CDBG FUNDING**

As a result of the recent Public Hearing for the Community Development Block Grant, two potential projects were discussed for submission: one for the Senior Center and the other for the food pantry. The Senior Center project was mainly for maintenance items, not capital improvements. This would not meet the qualifications. Councilman Cappella confirmed that the maintenance items are not applicable. There are a few hundred dollars left over from the last grant. Perhaps the Center can use that money towards a refrigerator or something.

Supervisor Bloomfield has a call in to Mr. John Strobl to assist in applying for the grant to stock the food pantry. We are waiting for his reply.

Supervisor Bloomfield made the motion to authorize the Supervisor to submit an application to the Community Development Block Grant to support the Goshen food pantry. Councilman Newbold seconded the motion.

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

**5. ASSESSMENT GRIEVANCE DAY TOMORROW FROM 4:00 P.M. TO 6:00 P.M.  
AND 7:00 P.M. TO 9:00 P.M.**

Supervisor Bloomfield made this announcement to remind those who are planning to present a grievance about their assessment.

**6. MEDICAL INSURANCE COST REDUCTION STUDY**

Budget Officer, Bill Standish, met with Supervisor Bloomfield and Councilman Canterino to review Fund A. They discovered that the medical insurance premiums are higher than budgeted for. Councilman Lyons (Insurance Commissioner) will look into other options to reduce the medical insurance.

**7. EXECUTIVE SESSION:**

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

1. Sewer Dispute Arbitration Status Update
2. FBI Training – P.D. Personnel
3. P.D. Part Time Roster
4. MTBE – DEC Response
5. Riccardulli Driveway
6. Tax Certiorari Status Update
7. Attorney Input Expansion Hambletonian Park

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

**8. ADJOURNMENT: 9:20 PM**

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Priscilla Gersbeck, Deputy Town Clerk