

TOWN OF GOSHEN
TOWN BOARD REGULAR MEETING
July 14, 2011

MINUTES

A Regular Meeting of the Town Board of the Town of Goshen was held on the 14th day of July, 2011 at the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

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

Absent: Councilman Louis Cappella

Also Present:	Dennis Caplicki	Town Attorney
	Valma Eisma	Town Clerk

A. CALL TO ORDER: Supervisor Bloomfield called the meeting to order, and led the Pledge of Allegiance.

B. AMMENDMENT TO THE AGENDA:

Supervisor Bloomfield stated the Board needs to go into a brief Executive Session to discuss two personnel cases. Councilman Newbold made a Motion to enter into an Executive Session to discuss two personnel cases, with intent to return. The Motion was seconded by Councilman Lyons.

Time: 7:33 p.m.

Time: 7:40 p.m. Councilman Canterino made a Motion to reconvene the meeting, the Motion was seconded by Councilman Lyons. Motion carried 4 to 0.

C. PRIVILEGE OF THE FLOOR (agenda items only): No Response

D. OLD BUSINESS:

1. REVIEW AND APPROVE HIRING ALI CHAMOIS AS PART-TIME CLERK IN THE ASSESSOR'S OFFICE, EFFECTIVE JULY 15, 2011, AT A RATE OF \$13.80 PER HOUR

Councilman Canterino made a Motion to approve the hiring of Ali Chamois as part-time clerk in the Assessor's Office, effective July 15, 2011, at a rate of \$13.80. The Motion was seconded by Councilman Lyons. Motion carried 4 to 0.

2. DISCUSS AND APPROVE REQUEST BY THE GOSHEN ROTARY CLUB TO CONDUCT THE 24TH ANNUAL TOUR DE GOSHEN ON AUGUST 21, 2011. Councilman Lyons reported that at the Work Session, when the Board was discussing the race it was discovered that there was a clause that the Board did not approve of. Therefore, he spoke to John Carey, the representative of the Rotary Club, and asked him to remove the clause, and he did, and has submitted the corrected document. Councilman Lyons said that being done, everything seems to be in order. Councilman Canterino asked if any additional Police protection would be necessary, and the Board agreed it would not be needed.

Councilman Newbold made the Motion to approve the request from the Goshen Rotary Club to conduct the 24th Annual Tour De Goshen on August 21, 2011. The Motion was seconded by Councilman Canterino. Motion carried 4 to 0.

Supervisor Bloomfield suggested #3 on the agenda be addressed when the attorney arrives, and went on to #4 of the agenda:

4. DISCUSS STATUS OF REQUEST BY THE TOWN TO THE VILLAGE TO EXPAND HAMBLETONIAN PARK SEWER DISTRICT BY 75 ADDITIONAL SEWER CUSTOMERS:

Supervisor Bloomfield stated two or three weeks ago he wrote a letter to the Mayor in reference to the above, and his response was a letter, canceling the contracts with Hambletonian Park and Arcadia Hills. The Supervisor stated that since then he has sent a letter stating that the Mayor cannot do that. He said he went to speak with Mayor Roddey, and pointed out the benefits to the Village, such as 75 additional sewer customers, a potential over \$600,000 of upfront money, and Parkland fees, and this is not a time to be indecisive. He said there were other letters and other visits, and yet there is still nothing in writing to proceed on.

3. DISCUSS AND APPROVE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO RESCIND OR WITHDRAW FUNDING FOR THE WETLAND RESERVE PROGRAM IN NEW YORK STATE ON SUSTAINABLE AGRICULTURAL LANDS.

Supervisor Bloomfield explained the history of the program to the public, and stated the Board can see that if properly used it could work well. However, it will not work well where farmers are currently farming contiguously in an area of nearly 12,000 acres.

**TOWN OF GOSHEN
RESOLUTION**

**Resolution Requesting the Federal Government to Rescind or Withdraw
Funding For the Wetlands Reserve Program in New York State
Sustainable Agriculture Lands**

INTRODUCED BY: Councilman Kenneth Newbold
SECONDED BY: Councilman Phillip Canterino
DATED: July 14, 2011

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 14th day of July, 2011;

WHEREAS, the WRP, which is administered through the offices of the Natural Resource Conservation Service (NRCS), is a program that is intended to restore wetlands degraded by Agricultural production; and

WHEREAS, this practice may be a sound practice for some muckland areas, it would have severe and unintended consequences to Orange County's Black Dirt Region including, but not limited to, uncontrolled weed infestation, water drainage problems, insect and wildlife control issues and an overall weakening of the agricultural industry; and

WHEREAS, the Town of Goshen understands the importance of the Black Dirt Region for the purposes of agricultural production; and

WHEREAS, it is the firm belief and proven knowledge that the Black Dirt Region of Orange County is best suited for agricultural production where farmers currently farm contiguously in an area of nearly 12,000 acres; and

WHEREAS, this 12,000-acre known today as the Black Dirt Region, and provided it is properly drained and maintained, is ideal for agriculture because of its high organic matter content, its depth, its level gradient and that it is stone free; and

WHEREAS, with record high food prices today and having a fertile Black Dirt Region consisting of 12,000 contiguous acres located only an hour's drive from New York City; it makes very little common sense to apply the Wetlands Reserve Program here in Orange County on lands that are suitable for agricultural production.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Goshen highly recommends that the Federal Government, through the offices of the NRCS, withhold, withdraw or rescind the federal funds that have been allocated for the Wetlands Reserve Program (WRP) for any land that is suitable for agricultural production, and

BE IT FURTHER RESOLVED, copies of this Resolution shall be sent to the Federal and State of New York offices of the NRCS and the Orange County Farm Service Agency as well as to the appropriate federally elected officials as follows:

Hon. Charles Schumer
757 Third Avenue, Room 17-02
New York, NY 10017

Hon. Kirsten E. Gillibrand
780 Third Avenue, Suite 1600
New York, NY 10174

Hon. Nan Hayworth
Orange County Government Center

255 Main Street, Room 3232G
Goshen, NY 10924

Hon. Maurice D. Hinchey
City Hall
16 James Street, 3rd Floor
Middletown, NY 10940

Upon Roll Call Vote:

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

Vote: Resolution carried by a vote of 4 to 0.

E. NEW BUSINESS:

1. REVIEW AND APPROVE PROPOSED RESOLUTION TO SETTLE THE EASTGATE CERTIORARI: Attorney Caplicki explained this has been discussed in the past, and we have possibly come to a resolution. He said there should be formal Resolution on it by the next meeting.

2. REVIEW PROPOSAL OF INSURANCE FOR TOWN FUEL STORAGE TANKS:

Supervisor Bloomfield asked Councilman Lyons to address the Board on this. Councilman Lyons explained that there are certain things that have to go to different insurance companies. The fuel storage tanks are an environmental concern. There was an incident in 2006 that was covered by our current insurance company, the cost was quite extensive, and they would not cover the tanks this time. He said Greg Thompson went out to the market and found one, a subsidiary of Liberty Mutual, called Liberty Surplus Corporation. Councilman Lyons said the actual premium has more than doubled. The Board and the attorney will review the policy, and address it at the next work session.

3. RESOLUTION: AUTHORIZATION TO PLANNING BOARD TO UTILIZE SERVICES OF JASON TESAURO AS AN ENVIRONMENTAL CONSULTANT

Attorney Caplicki explained that at times the Planning Board has a need to consult with an environmental consultant. Mr. Tesauro comes highly recommended.

**TOWN OF GOSHEN
RESOLUTION**

**Authorization to Planning Board to Utilize Services of
Jason Tesauro as an Environmental Consultant**

INTRODUCED BY: Councilman Philip Canterino
SECONDED BY: Councilman George Lyons

DATED: July 14, 2011

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 14th day of July, 2011;

WHEREAS, THE Town Board of the Town of Goshen and Planning Board of the Town of Goshen are in numerous instances in need of advice and input from environmental consultants with respect to applications presented and/or submitted to the Town of Goshen for projects to be located within the Town; and

WHEREAS, the Town of Goshen and its municipal boards will require the services of an expert environmental consultant with respect to various projects submitted to and/or involving the Town of Goshen; and

WHEREAS, Jason Tesauro Consulting, LLC of Millbrook, New York, has agreed to provide such environmental consulting services at a rate of \$125 per hour.

NOW, THEREFORE, BE IT RESOLVED, that Jason Tesauro Consulting, LLC be hired/retained as the official environmental consultant for the Town of Goshen, including but not limited to, the Planning Board of the Town of Goshen as an environmental consultant to prepare such work as necessary and so determined by the Town, its boards and/or any of its agencies and/or officers.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilman, Philip Canterino	<u>AYE</u>
Councilman, Louis Cappella	<u>ABSENT</u>	Councilman, Kenneth Newbold	<u>AYE</u>
Councilman, George Lyons	<u>AYE</u>		

Vote: Resolution carried by a vote of 4 to 0.

F. FINANCE: Councilman Newbold made a Motion to authorize the Supervisor to pay Accounts Payable Check run for 7/14/2011 amounting to \$192,323.53. The Motion was seconded by Councilman George Lyons. Motion carried 4 to 0.

Councilman Newbold extended his condolences to Ralph Huddleston and his family on the death of his wife Mary. The Board extended their sympathies also.

G. PRIVILEGE OF THE FLOOR:

Albert Croyle, 21 Danielle Drive, Goshen, addressed the Board stating the following concerns he has with the Hills of Goshen where his home is located:

He questioned the ownership of the piece of property, that the Town owns, that is a part of the subdivision in which he lives. The Board agreed that it was owned by the Town, but not designated to be a recreational area. Mr. Croyle stated it belongs to the people by Eminent Domain.

He again questioned the cleanup of the Town owned parcel. Supervisor Bloomfield again explained how the Town Highway Superintendent and his department are clearing it when the weather permits. There is no hazardous material there, and the DEC Inspector that came down at your request, did not find anything either, and said "Case Closed".

He stated the fence that the Board told the Builder to put up around the unfinished homes, is not high enough. Supervisor Bloomfield replied he would send the Building Inspector up to check on the fencing.

Mr. Croyle again referred to the blue fire hydrants that do not contain water. The Board agreed this was also discussed before. After a lengthy discussion, Supervisor Bloomfield said he already has answered questions in relation to the blue fire hydrants.

Councilman Newbold made a Motion to adjourn the meeting, go into Executive Session, with intent not to return, to review correspondence from Alan Lipman regarding M/M Orange, INC. v Town of Goshen, Section 13, Block 1, Lot 70; discuss status of sewer negotiation with the Village, and discuss status of sewer arbitration with the Village. Motion seconded by Councilman Lyons. Motion carried 4 to 0.

Time: 8:30 p.m.

Valma Eisma, Town Clerk