

**TOWN OF GOSHEN  
TOWN BOARD WORK SESSION  
August 23, 2010**

A work session of the Town Board of the Town of Goshen was held on the 23<sup>rd</sup> day of August, 2010 at Town Hall at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present:	George Lyons	Deputy Supervisor
	Kenneth Newbold	Councilman
	Louis Cappella	Councilman
	Philip Canterino	Councilman

Absent:	Douglas Bloomfield	Supervisor
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Also Present:	Dennis Caplicki	Town Attorney
	Kelly Naughton	Planning Board Attorney

Deputy Supervisor Lyons opened the meeting at 7:40 and asked Attorney Caplicki to lead the Pledge of Allegiance.

**ITEMS DISCUSSED:**

**1. CONTINUE PUBLIC HEARING FOR TIMBER TRAILS, INC. REQUESTING A PLANNED ADULT COMMUNITY SPECIAL USE PERMIT:** Councilman Newbold made a Motion to open the Continuation of the Public Hearing on Timber Trails. The Motion was seconded by Philip Canterino. Motion carried 4 to 0.

Deputy Supervisor Lyons read into the minutes a letter the Board had received from Attorney David A. Donovan:

August 23, 2010

Douglas Bloomfield, Supervisor  
Town of Goshen Board Members  
41 Webster Avenue  
Goshen, NY 10924

RE: Application of Timber Trail

Dear Supervisor Bloomfield and Town Board Members:

Please be advised that the undersigned is counsel to the Town of Hamptonburgh.

I write to you on behalf of Town Supervisor Robert Jankowski and the Hamptonburgh Town Board Members regarding the above referenced project. We understand that this project, which is on the boundary of our two Towns, is the subject of a public hearing before your Board this evening. The Supervisor and Town Board members have asked that I write to convey their concerns regarding the potential adverse impacts that this project may have on the Town of Hamptonburgh.

At this time, we respectfully request that you refrain from taking any action on this proposal to allow the Town of Hamptonburgh and our Highway Superintendent and Town engineer to have sufficient opportunity to more fully study and analyze the potential adverse impacts that this project may have on our town infrastructure and our Town residents.

We thank you for your kind consideration of our request. Please feel free to contact me should you have any questions or concerns regarding the foregoing.

Very truly yours,

David A. Donovan

Deputy Supervisor Lyons addressed the public and instructed, prior to any one speaking, to please address the proposal with fresh objections, and not repeat objections already stated at the previous Public Hearings.

The following people spoke:

Tony Karlovich, 12 Everett Road, asked Ms. Shapiro if she was, along with her father, defending a law suit against a property known as Patrick Farm? Deputy Supervisor Lyons interrupted, and stated that Mr. Karlovich could make his statements, but would not be able to carry on separate conversation. Mr. Karlovich said he went on the internet, and there is a law suit where Susan Shapiro is representing Sandra Shapiro and Milton Shapiro in a law suit against the Town of Ramapo over a development of housing that is being built in their area. He said the law suit is much larger than what he is arguing against here, but some of her arguments are adequate water supply, dramatic change to the neighborhood and surrounding areas, projected population increase, danger of sewer runoff into wetland areas, etc. He said he had the entire law suit, and he presented it to the Board.

Laura Smith, Kipp Road, said she is concerned, as she has lived here a long time and has seen a lot of construction in this area. She said Kipp Road is a very short road, and over the years the traffic has steadily picked up, there are children and animals on this road, and it is low land also. She said another concern is the runoff, and she did not feel they need anymore of this kind of construction in the area. She referred to a large new development up off of Rt. 207, "it is a monstrosity, it has ruined the whole landscape of the community." "You have to put an end to it somewhere."

Al Bjorkman, 33 Kipp Road, said as a member of the Goshen Fire Department, that road is probably the most horrific exchange road that you could possibly have. He said we have had plenty of fatalities on that road, and it has been nicknamed dead man's corner. It is located just before where all of this is taking place. "I cannot imagine any body even thinking of having a road come out on 207 anywhere near that intersection." He said I hear a lot about green here, I don't know what that is about, but if you want it to be green, the best thing to do is leave it alone.

John Harrigan, 24 Everett Road said he had also found the Patrick Farm information on the internet. He said Ms. Shapiro does a great job arguing against this type of development. I urge everyone to do a search on Shapiro and Patrick Farm. He said it has a lot of good information and very much related to this situation. He said there is a lot of irony, and it is a bit amusing. Mr. Harrigan referred to the failed PAC project in the Village, and felt that the Board should look into this, as the Village has now opened that project up to what could be a burden to the School system, whereby we will all end up paying. He asked if the same thing could happen here?

Councilman Canterino intervened, explaining that this project is for rental units already. It was established that the project is a Planned Adult Community, but will be rentals, not sales. It was discussed that it could possibly be flipped to be open to every age at a later date, which could then affect the schools.

Ed Chain, 22 Campbell Hall, said that just recently he heard, on the news and the internet, that the State has suspended all studies on highways for the next five years, where does this come in to play regarding this parcel? If the State cannot do a study on Rt. 207, what is going to happen? He said they can't go any where with the project, until the State does a study.

Jerry Boss, Criagville Road, said when he spoke at the last meeting, he brought up the fact that there have been three traffic studies done. One by the County, and two by the Town Board of Goshen, therefore the Board has a good grasp on the traffic, and the infrastructure that all of these projects bring into our community. He said now there are many, many projects planned that are before our Planning Board, at least four or five, which will bring 200 to 300 more homes. "I don't believe our community can take this kind of traffic."

Carry Bou, 35 Everett Road, said she did not receive any notices, and wondered if there had been an environmental impact, etc. studies. Councilman Lyons explained that in the new Comprehensive Plan the Board changed the zoning for PACs (Planned Adult Communities). He said in order for the project to get to the Planning Board it has to come to the Town Board first for a special permit, and that is what this Public Hearing is for. Therefore, he said none of the SEQRA requirements are needed at this time.

Rosa Bentancourt, 3325 Rt. 207, said she moved here twelve years ago, and chose it for the beautiful landscape, great schools, and the small community feeling, and I have watched it change over the years. She said living, here she has seen a lot of accidents, her own daughter driving out of her driveway was in a bad accident. She said it is a 55 mile per hour road, with lots of curves. Many times her family have come out in the middle of the night to help people who have had accidents. She said it is a frightening to think of more traffic on this road, and if this development should have social issues, and the problems that can come if it is unsupervised it will overburden our police forces, etc. She said this is a beautiful town and she does not want to change that.

Carol Wonder, White Oak Terrace, off of Everett Road, said everyone is talking about the traffic on Rt. 207, how about Everett Road. She said Everett Road connects Rt. 207 to Hill Road, which is a short cut, it is a very twisting, winding road, basically a one and one half lane road. She said even now it is treated as a speedway, I was almost run off the road by a young man who felt I was going too slow for him. She said she did not attend the first meeting, as she was not advised of the meeting. She said she agreed with all that has been said, and if this project should change the age limit, and if there should be more children to be added to our overburdened school district how will it affect our school taxes.

Ms. Wonder said she is concerned about the fact it is a wet land area, and we are all worried about how this is going to affect our wells and septic systems. She said she really does not want to see a seventy five foot water tower when she looks outside..

John Bellows, 6 Everett Road, he said this is a very dangerous road, when he walks his dog, he said he has to stop when he hears cars coming, it is so dangerous. He said he has been living on Everett Road for about eight years, and there have been at least three accidents on his property. He said he lives on the corner as you come off of 207, and one of the accidents was on his property on Everett, and the other two were on Rt. 207. He also said he felt the project might contaminate his well.

Ilona Kegler, 3322 Rt. 207, she said she did a little research, and found Ms. Shapiro has a home in Spring Valley, so she wanted to know who was going to be over looking the property. She also was concerned about how many people would be able to live in each unit. She said in Spring Valley, a one bedroom apartment could have as many as four people living in it, and four people means four cars. She is very worried about the density, and the traffic.

Kathy Heller, 25 Everett Road, she said I will not rehash the water treatment facility, but it is near her house where the water is going to be dumped, in her back yard. She and her husband are concerned about the size of this community, that buffer zone is almost filled on that map. She said there is a lot of pavement and concrete, she said she would like to know the effect on run off. She said there is a stream that runs across the front of her property that starts at the end of Everett and goes to all the way down, and it is going to flood and affect the neighbors across the street. In the winter time the salt and sand will be running off in the wetlands, also the taking of trees will have an affect on the water table. She said she wants Goshen to stay the way it should be.

Jody Kopeck, 4 Shale Lane, asked how much weight does the environmental impact have as far as the wild life is concerned? He said when the other homes were built on Everett Road, there were wetlands and a stream. He said he lives right across the street where these homes were built. He said there were spotted turtles, box turtles, great horned owls, and red tailed hawks, etc., and he wondered if there was any type of study that would be done for these animals. Mr. Kopeck said when they wanted to build homes in back of him, Scotchtown, LLC., water tests were done, and they ran a test well for two days. There was a meter put on his well, and his well went down two feet, so he is concerned for his well.

Gary Dostal, 29 Everett Road, said he read the article about Ms. Shapiro in the newspaper today, and she sounded like a persecuted environmentalist, but this is not true. He said the fact remains that this is all about money. He said if you look at the DEC map the 100ft. buffer from the DEC wetlands, every single inch is being used. He said as Bob Field stated, last time we were here, zoning says that the property values must be maintained on all the surrounding homes, this is an impossibility. These surrounding homes will be negatively impacted. In the future the restrictions on this community will come off, and the rentals will be for everyone. "It will affect the school system in a huge way." He said the "significant stream" that flows near his home, has been completely, bone dry for over two months.

Laura Smith, 22 Kipp Road, said she just borrowed a map from someone, and looked at where some of the roads are coming out on Rt. 207. She pointed out where the Goshen and the Hamptonburgh lines are, and said that there was one person that wanted to put a driveway there for a one family home, they were denied saying it was unsafe. "Now you are going to have hundreds of people coming out in the unsafe location."

Arthur Martin, 39 Shale Lane, said he could rehash everything negative that everyone has said, but he feels the real question is "is this project going to bring anything positive to this community". "I fail to see that it is, and so I have to say that I am absolutely opposed to this."

John Harrigan returned to say, in reference to the Patrick Farms project, that there is misleading information as to the number of people who can live in this project, and Timber Trail. He said when he asked Ms. Shapiro what the number was, 200 was tossed around, but one of the things that comes up under the Patrick Farms project says 400+ people. He said it is a slap in the face to get deliberately misleading misinformation.

John Chain: Asked about business signs on Route 207, and are there permits for it? Deputy Lyons stated he would speak to the Building Inspector tomorrow.

Kathy McGrath, White Oak Terrace, said she concurred with all the other concerns expressed this evening. Her own concern was based on her own experience this past summer, she has a water contamination issue with her septic. She said there is no explanation as to where it is coming from, so when I think there is one single house that has an unexplained contamination, I think a project of this magnitude would definitely have an impact, mostly on the water. She said they have spent the summer investigating the problem, and have spent quite a sum of money in a purification system.

Michael Chain, 18 Everett Road, said a lot was said last week, but one thing that was not really discussed was the impact on the services that would be supplied by Goshen. That would be the police, the fire department, and the emergency medical, all of which would have to be impacted, as now you have another community that is on the far edge of the Town. This will impact Hamptonburgh too he said, as they have a volunteer fire department. He said is sure to put a burden on both townships.

Robert Fields, Rt. 207, said there are a lot of emotional feelings here, but he would prefer to go to the code book. Planned Adult Communities are permitted, by special permit use, or by the Town Board, in the HR District and the RU District. Mr. Fields stated the following: We are talking about an RU District, and the Code says, under the Establishment of Districts, the purpose of the rural district is to promote agriculture and compatible open space, and rural uses, and to guide residential development so that it protects blocks of the Town's open space.

He said if you look at the HR District, where you find most PACs, it says it is intended to provide suitable locations for clusters of residential development. The HR districts are generally located within close proximity of the village, and are designed to allow a location for more compact development densities that are permitted in the RU District.

Mr. Fields said common sense will tell you that a PAC is better suited to the HR District, not a RU District. If you look under the general provisions of the RU District it says: that the Town has therefore a vital interest in seeing that this land is either protected from development or developed in a manor that is consistent with the goals of the Comprehensive Plan. This is to ensure that development projects do not damage the quality nor the quantity of the Town's groundwater, protects the Town's environmental resources, and scenic views. Preserve significant tracts of intact open space, and maintain the Town's predominately rural appearance. He said this next part is particularly important as it speaks of the emotional feeling pertaining to traffic. "encourage the creation of safe and sociable neighborhoods in which alternative to the automobile are viable means of transportation, maintain property values.

Mr. Fields said under the consideration section the Code says: the Pac must be connected to existing Town Water and Sewer Districts, or must be included in new Water and Sewer Districts created by the Town. He said under these rules in the Code, he does not feel this project meets the qualifications of the Code.

With no more input from the public, Attorney Caplicki suggested that since the Board has not yet received the County' comments, the Public Hearing be left open. Councilman Canterino made a Motion to continue the Public Hearing on Timber Trail to September 16, 2010 at 7:30 p.m. or as soon thereafter. The Motion was seconded by Councilman Lyons. Motion carried 4 to 0.

## **2. CONTINUE PUBLIC HEARING FOR HAMBLETONIAN PARK "STOP SIGN PLAN" LOCAL LAW #1 OF 2010 – DECISION**

Councilman Newbold made a Motion to open the Public Hearing for Hambletonian Park "Stop Sign Plan" Local Law #1 of 2010. The Motion was seconded by Councilman Canterino. Motion carried 4 to 0.

Gerald Maxwell said he originally asked Supervisor Bloomfield to look into one Stop Sign on the corner of Oakwood and Fleetwood. He understood his request was turned over to the Police Department and the Chief recommended twelve. Mr. Maxell explained that he lives on Fleetwood, and when you come down Craigville, make the right on Oakwood, and come up to Fleetwood, you can either go left or right and there is no Stop Sign there. He said if you go left, it is treated more like a curve in the road than an intersection. "They come around the bend on Fleetwood and they get going pretty good." He said some time last year, he was riding his bike with his daughter, who was ahead of him, we came down off of Knapp, down the hill on to Fleetwood. He said a car came around the bend and almost hit his daughter. Mr. Maxwell said he followed the person to his house and told him he had to slow down. He said the person said there is no Stop Sign there.

Mr. Maxwell said he has spoken with the gentleman who lives on the corner of Fleetwood and Oakwood, and he said they ran his lawn over so many times because it is treated as a curve in the road, that he put up big rocks in front of his home. The same gentleman told Mr. Maxwell that he could hear cars hitting the rocks during the nights, until they got use to them being there. Mr. Maxwell said it is a matter of time before some child gets hit on Fleetwood. He said there are no street lights there and when the sun goes down it is dangerous. He said he really would like a Stop Sign put on the corner of Fleetwood and Oakwood.

Councilman Canterino reported that at his request Chief Marsh went out and did another review today and went over the list, and it is his opinion that traffic signals help regulate traffic, but he cited two areas that he felt needed a sign. He said the intersection of Meadowbrook Lane and Fleetwood Drive has very little sight distance for anyone traveling on either roadway, a Stop Sign should be placed at Meadowbrook.

Chief Marsh reported that bushes along a resident's property line prevents a clear view of Fleetwood Drive. The same concern presents it's self at the corner of Oakwood and Fleetwood because of limited sight distance. Because of this Chief Marsh felt these were the two intersections that should have traffic control devices.

John Mungo, 23 Fleetwood Drive, said he is all for safety, " I have lived in the park for seventeen years, my kids have grown up there, as have generations of kids before me." He said the kids do play in the street, and safety is of the utmost concern of all of the residents, including myself. I concur with Mr. Maxwell's point as far as the road traveling in on Oakwood, it is somewhat of a dangerous turn, in a sense that when you come on Oakwood and you make that left, you are making a quick look to the right to make sure no one is coming down Fleetwood over the hill, and if you don't look to the left quick enough you are right in the midst of a turn there. "I think Stop Signs have a place, I am not so sure that Stop Signs in this case will necessarily solve the problem." He said when you come in to Oakland Drive there is a single posted sign that says 20 miles per hour, it also states "Children at Play, Drive Carefully." "It is a sign, but that is all that it is, but enforcement is very important." He said for people who don't want to stop at that Stop Sign, they are not going to stop, unless there is enforcement. He said on Meadowbrook the bushes in front of that home have grown higher and higher, and if they would cut them it would improve the site distance there. He said I really feel enforcement is the answer.

Dan Matteo, 21 Knapp Terrace, said he could understand what Gerald was saying, and what the residents are worried about primarily is speed. He said he was happy the Chief brought the number of signs down to two, but his feeling is that he would like to see people stop at the intersection of Fleetwood and Oakland Drive. However, he did not think a Stop Sign would make people stop, they will just slow down, and if people are crossing the street and expecting them to stop, there could be a problem. Mr. Matteo said the speed limit in Hambletonian Park is 20 miles per hour, perhaps adding more signs stating the speed limit would help. He said Yankee Maid is another one that people gather speed on, as it is a straight a way.

Gerald Maxwell said Mr. Matteo said that people would ignore the sign and not stop, if they do that, they are choosing to break the law.

John Mungo said since the number of signs seems to still be questionable, more discussion is needed. He suggested a group from the park get together and discuss it further with the Chief and the Board. The Board approved of this concept. Mr. Mungo said he would follow through on this.

Deputy Supervisor Lyons reported he had discussed the agenda earlier with the Supervisor and the Supervisor said he understood that members of Hambletonian Park were going to sit down with the Chief and discuss the number of signs, and come up with a plan.

The Public Hearing will be continued till Thursday's meeting on August 26,2010

**3. DISCUSS AND AUTHORIZE THE HIGHWAY SUPERINTENDENT TO SIGN A MAINTENANCE SERVICE AGREEMENT WITH FUELMaster, INC.**

Deputy Supervisor Lyons reported the Board received two pieces of correspondence, and the one Highway Superintendent is recommending the Board accept is the \$918.75 plan. Councilman Cappella said he had just received it, and he would like time to review it. The Board decided to place this on the agenda for Thursday's meeting.

**4. RATIFY THE MOA WITH THE GOSHEN TOWN PBA PER ITEM 5 OF THE AGREEMENT:**

Deputy Supervisor Lyons said the Board had almost come to a conclusion in reference to the MOA with the Goshen Town PBA, and the Board had a copy of it in their packets. He stated he had talked to Councilman Canterino earlier in the day, and he and the rest of the Board would like more time to read it, and possibly pass it on Thursday. He asked the Board to look on page one, where it states the Board has until August 26<sup>th</sup> to do that.

Councilman Canterino said he still did not understand if the agreement came from the PBA, or if this came from our attorney. Attorney Caplicki suggested Councilman Canterino verify this. Councilman Lyons said that Judith Mayle, Esq. had received a copy of the MOA, as she was listed as one of the persons receiving a copy of the letter. However, he stated the letter was sent by Anthony V. Solfaro. It was agreed by the Board to address the matter and possibly pass this at Thursday's meeting on August 26<sup>th</sup>.

**5. ACCEPT THE RESIGNATION OF LINDA FINNIGAN, PART TIME CLERK FOR THE BUILDING & ZONING OFFICE, EFFECTIVE 8/31/2010:**

Deputy Supervisor Lyons explained that Ms. Finnigan was leaving to take a fulltime position. Councilman Newbold made the Motion to accept Linda Finnigan's resignation from the Building & Zoning Office, effective 8/31/2010. The Motion was seconded by Councilman Cappella. Motion carried 4 to 0. The Board requested a letter of recognition for her services be sent.

**6. ACCEPT THE RESIGNATION OF MARY RICE ISAELSKI, PLANNING BOARD MEMBER , EFFECTIVE SEPTEMBER 30, 2010:**

Councilman Canterino made a Motion to accept Mary Rice Isaelski's resignation from the Planning Board effective September 30, 2010. The Motion was seconded by Councilman Cappella. Motion carried 4 to 0. Councilman Canterino suggest a letter of recognition be sent.

**7. DISCUSS REQUEST BY ADC ORANGE, INC. FOR A PLANNED ADULT COMMUNITY AND SET PUBLIC HEARING DATE:** Attorney Caplicki explained that ADC Orange is the Maplewood Property, located on Craigville Road. He said they are asking for a mixed use, proposing a

Planned Adult Community, some single family homes along Craigville Road, another single family area along Coleman Road. Attorney Caplicki suggested placing it on Thursday's agenda to set a Public Hearing on the issue of the Board granting a special use permit for a PAC, and also establish lead agency or indicate you will share lead agency status on the Special Use application PAC, and the Planning Board on the site plan, coordinating the two so that it is not duplicative, the same as Timber Trail.

The Board discussed the date for a Public Hearing and September 27<sup>th</sup>, a Work Session, was agreed upon. The date will be set at Thursday's meeting.

**8. DISCUSS GOSHEN MEADOW REQUEST FOR DRAINAGE DISTRICT:** Deputy Supervisor Lyons read the following letter:

August 13, 2010

Town of Goshen  
Honorable Supervisor Douglas Bloomfield  
41 Webster Avenue  
Goshen, NY 10924

Re: Goshen Meadow

Dear Mr. Bloomfield:

This office currently has a project before the Town of Goshen Planners, known as Goshen Meadows. This is a 24-lot subdivision located along Maple Avenue and Gate School House Road.

One of the conditions of approval for this project is the formation of a drainage district. It is my understanding that a drainage district is not something the Town Board looks favorably on. In order to satisfy the consultants, I am requesting that the Town Board discuss whether or not they will entertain a drainage district for this property. If they are willing to entertain this district, then our attorneys will forward to your attorneys the necessary paperwork in order to have us move forward.

Thank you for your time and attention to this matter. If you have any questions or require additional information, please contact me.

Very truly yours,  
**MJS Engineering & Land Surveying, PC**

Michael J. Sandor, PE  
President

The Board discussed the project, and determined they were not familiar with the project at all. While the Board is not in favor of drainage districts that are not incorporated with a Home Owners Association, and have no desire to have the district fall back to become the Town's responsibility. The Board will suggest that Mr. Sandor meet with the Board at a Work Session to discuss the project further.

**9. JESSUP SWITCH ROAD REHABILITATION – STATUS:** Deputy Supervisor Lyons explained that the grant given the Town was for \$287,000.00 and the bid was awarded to Peckham Materials Corp for the sum of \$187,260.00. The question is, can the Town use the

excess funds to complete the whole road or does it have to be returned. It was decided to wait to hear from the County's representative who is now on vacation.

**10. DRAINAGE IMPROVEMENT PLAN FOR RESERVOIR ROAD – STATUS:** It was determined this is still a work in progress.

**11. WATER & SEWER DEPARTMENT SUMP PUMP INSPECTION – STATUS:** Deputy Supervisor Lyons reported that sixty five places have been inspected, one had to be disconnected. He said they were new to the development and had two hookups, one to the street and one to the sewer. The one going to the sewer was cut off and it will drain to the street now. He reported there are 429 houses total to be inspected, which includes Arcadia and Hambletonian Park.

**12. 2010 ROAD PAVING PLAN – STATUS:** Councilman Cappella reported Highway will be paving the following roads:

1. All of Ridge Road paving completed from Craigville Road to Hasbrouck Road about two weeks ago.
2. Portions of Old Minisink Trail from Scotchtown Avenue to Wood Road.
3. Wood Road has been completed from Minisink Trail to Axworthy Lane
4. Forthill Road from Conklingtown Road to last house on the right is completed Clark Road to Johnson's house.

Councilman Cappella said the only road not finished is Clark Road, and Highway will do as much as possible depending on what monies are left from the grant.

**13. ORANGE COUNTY MEETING 9/9/2010 WALLKILL RIVER FLOOD CONTROL:** Deputy Supervisor Lyons reported the County Executive is holding a meeting about the Wallkill River Flood Control and the Supervisor wanted the Board to know. The Board discussed the negativity of the whole Board attending together, and would it be considered a meeting. The Board will consider it after they receive more information about it.

**14. SECOND QUARTER SALES TAX RESULTS: \$260,605.90 ACTUAL VS. \$250,000 GOAL:** Deputy Lyons reported that the Town has received \$260,605.90 for the second quarter of sales tax, which was \$10,605.90 more than the Town had planned on. A nice surprise.

**15. AUTHORIZE THE TOWN CLERK TO RELEASE THE LIFETIME CONCEPT (ELANT) PERFORMANCE BOND AMOUNTING TO \$38,251.97:** Deputy Lyons reported that this facility is located in the Village of Goshen outside of this small emergency access driveway which is in the Town of Goshen. He said a bond was posted in 2006 for \$38,230 to cover the \$36,750 cost of resurfacing Harriman drive and the inspection fee of \$1,480.00 a total of \$38,230.00. After a lengthy discussion it was decided that the Board may release some of the funds and keep a maintenance bond. However, they will wait for further information to make a decision, and will at this time release none of the funds.

EXECUTIVE SESSION: Councilman Newbold made a Motion to adjourn the meeting and go into Executive Session to discuss:

1. Legal Action Requesting Arbitration with Village
2. Personnel Case – Status
3. JRC Litigation – Status
4. Sullivan Litigation – Status
5. Tax Certiorari – Status Update.

with intent not to return. The Motion was seconded by Councilman Cappella. Motion carried 4 to 0.

Time: 9:50 p.m.

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Valma Eisma, Town Clerk