

TOWN OF GOSHEN
TOWN BOARD MEETING
September 11, 2008

M I N U T E S

A regular meeting of the Town Board of the Town of Goshen was held on the 11th day of September, 2008 at 7:30pm at Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

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

Absent:	Philip Canterino	Councilman
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Also Present:	Dennis Caplicki	Attorney for the Town
	Priscilla Gersbeck	Deputy Town Clerk

A. CALL TO ORDER

The meeting was called to order by Supervisor Bloomfield at 7:35pm, followed by the Pledge of Allegiance and a moment of silence in remembrance of those who passed away on 09/11/2001.

B. AMENDMENT TO THE AGENDA

Under New Business, the resolution to extend BFJ Planning contract will be addressed. However, in light of new correspondence received today, an extension to this contract negotiating time and money will be added to the Executive Session.

C. PRIVILEGE OF THE FLOOR

No one made a request to be heard.

D. OLD BUSINESS

1. Otterkill/Black Meadow Creek and Tribs Priority Water Body List As Threatened

The entire Otterkill Stream/Black Meadow Creek and Tributaries, a water body consisting of 99.1 miles, has been officially listed on the State Priority Waterbodies List (PWL) as threatened. What causes it to be threatened are water level/flow and thermal changes. The sources are construction and habitat modification. The PWL is an important tool. It is considered a focus for the DEC Program activities. With limited resources, various DEC programs (monitoring, compliance, restoration and protection activities including grant funding) need to address those specific water quality issues – both statewide problems and site/water body-specific concerns. This will also benefit other municipalities, such as Chester and Hamptonburg who receive water from this source. Contributors to this study were the Orange County Water Authority, Orange County Water Quality Coordinating Committee, Orange County Health

E. NEW BUSINESS

1. D.P.W. Truck Body Replacement: Authorize Bid Procedures

TOWN OF GOSHEN
RESOLUTION

Authorization to Public Bid for Furnishing and Installing on an Existing Dump Truck
Chassis a Steel Dump Body

Introduced by: Councilman Louis Cappella
Seconded by: Councilman George Lyons
Dated: September 11, 2008

WHEREAS, 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 8th day of September, 2008 it was discussed and determined that it was necessary to obtain and have installed on an existing dump truck chassis a 400U 120" x 30" x 40" x 40' 6 to 8 yard steel dump body on a Town of Goshen Highway Department vehicle; and

WHEREAS, because the cost thereof for the furnishment and installation of said equipment will exceed the sum of \$10,000, it was authorized to proceed pursuant to public bid for said equipment, and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Goshen reconfirms the authorization to go out for bid for the aforementioned item of equipment and publish a notice thereof for advertisement for bids in the Town newspaper, it being understood that bids will be accepted at Town Hall, publicly opened and read aloud at 11:00a.m. on September 16, 2008 in the offices of the Town Clerk, Goshen Town Hall, 41 Webster Avenue, Goshen, New York.

Upon Roll Call Vote:

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

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

2. Resolution: Extend BFJ Planning Contract

Supervisor Bloomfield explained that the Town has contracted with Buckhurst, Fish & Jacquemart (BFJ) planning consultant services from NYC, who assisted Ed Garling and the Town Board to redo our Comprehensive Plan update, associated zoning amendments and SEQR. They completed the Draft Generic Environmental Impact Statement. The next step is to prepare the Final Generic Environmental Impact Statement.

**TOWN OF GOSHEN
RESOLUTION**

**Approval of Proposal for Planning and Environmental Consulting Services of BFJ
Planning for the Preparation of an Update to the Town Comprehensive Plan,
Amendments to the Zoning Law, and Associated State Environmental Quality Review Act
Documentation and Analysis**

Introduced by: Councilman George Lyons
Seconded by: Councilman Louis Cappella
Dated: September 11, 2008

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 11th day of September, 2008;

WHEREAS, the Town Board of the Town of Goshen is in the process of reviewing, updating and modifying its Comprehensive Plan and Zoning Laws, and

WHEREAS, the Town Board of the Town of Goshen requires certain planning and environmental consulting services in connection therewith, and

WHEREAS, the Town Board by previous Resolution adopted December 17, 2007 hired BFJ Planning of 115 Fifth Avenue, New York, New York to provide planning and environmental consulting services for the preparation of the update to the Town Comprehensive Plan, Amendments to the Zoning Law of the Town of Goshen and the associated State Environmental Quality Review Act documentation and analysis, and

WHEREAS, additional services are required of BFJ Planning of 115 Fifth Avenue, New York, New York to complete said work,

NOW, THEREFORE BE IT RESOLVED, that the Town of Goshen accept the proposed additional scope of services, fee and schedule for planning and environmental consulting services as submitted by BFJ Planning, a copy of which is annexed hereto, not to exceed \$15,000 for the preparation and completion of the final Environmental Impact Statement with respect to the proposed modifications of the Town's Comprehensive Plan and Zoning Ordinance(s).

Upon Roll Call Vote:

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

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

**3. Resolution: Institute New York State Deferred Compensation Plan
Town of Goshen Adoption of
The State of New York Deferred Compensation Plan**

WHEREAS, the Town of Goshen wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the "Plan") for the voluntary participation of all eligible employees; and

WHEREAS, the Town of Goshen is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law;* and

WHEREAS, the Town of Goshen has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

WHEREAS, the purpose of the Plan is to encourage employees to make and continue careers with the Town of Goshen by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement;

NOW, THEREFORE, it is hereby:

RESOLVED, that the Town of Goshen hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

RESOLVED, that the appropriate officials of the Town of Goshen are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and it is further

RESOLVED, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

Adopted the 11th day of September, 2008 at a meeting of the Town Board of the Town of Goshen.

I hereby certify that the Town of Goshen is a local public employer within the meaning of Section 5 of the State Finance Law and that the adoption of the Plan has received all required approvals of any local governing body or officer and otherwise complies with local law.

* A local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law includes: a county, city, town, village or other political subdivision as defined in Section 131 of the retirement and Social Security law or civil division of the State; a school district or other governmental entity operating a public school, college, or university; a public improvement or special district, a public authority, commission, or public benefit corporation; or any other public corporation, agency or instrumentality or unit of government which exercises governmental powers under the laws of the State.

Councilman Lyons made the motion to accept the Town of Goshen Adoption of The State of New York Deferred Compensation Plan. Councilman Newbold seconded the motion.

Discussion: Attorney Caplicki explained that this Plan came from the State Budget Office and it refers to *all* employees. It was directly a result from the Union negotiations for the Police Department. Now it will be extended to all employees. Councilman Lyons pointed out that this is not a cost to the taxpayers. It is deferred compensation. Therefore, if an employee wishes to take out a percentage of money from his/her paycheck, he/she wouldn't be taxed on it until it's put in use.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Cappella, Lyons, Newbold
0 NAYS

F. FINANCE

Councilman Newbold made a motion to authorize the Supervisor to pay check run dated September 11, 2008 amounting to \$101,747.01. Councilman Lyons seconded the motion.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Cappella, Lyons, Newbold
0 NAYS

G. PRIVILEGE OF THE FLOOR

John, a reporter from Mid-Hudson News, interviewed Supervisor Bloomfield, with reference to the Otterkill/Black Meadow Creek.

Geri Corey, a reporter from The Cronicle, asked for clarification on the BFJ contract extension.

H. EXECUTIVE SESSION

1. IWS Host Community Negotiations
2. Water/Sewer Department Personnel
3. Comprehensive Plan Litigation
4. 207C Negotiations Status
5. Al Turi Landfill Tax Cert Status
6. Fordham University – Litigation
7. Extension BFJ Planning Contract – New Memo

Councilman Newbold made a motion to enter into Executive Session to discuss the foregoing, With the intent to maybe return to the public meeting. Councilman Lyons seconded the motion.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Cappella, Lyons, Newbold
0 NAYS

The public meeting concluded at 8:20pm
The Executive Session did not reconvene.

Priscilla Gersbeck, Deputy Town Clerk