

TOWN OF GOSHEN
TOWN BOARD WORK SESSION
September 13, 2010
M I N U T E S

A work session of the Town Board of the Town of Goshen was held on the 13th day of September, 2010 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
	Philip Canterino	Councilman
	Louis Cappella	Councilman
	George Lyons	Councilman
	Kenneth Newbold	Councilman

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

The meeting was called to order by Supervisor Bloomfield at 7:33pm.

ITEMS FOR DISCUSSION:

1. CONCEPT REVIEW OF STORM WATER MANAGEMENT PLAN FOR GOSHEN MEADOWS PROJECT AND REQUEST TO ESTABLISH A STORM WATER DISTRICT

Michael Sandor, PE, representing MJS Engineering & Land Surveying addressed the Board. MJS has totally redesigned the subdivision of Meadows of Goshen (aka Goshen Meadows). This subdivision of 98.39+/- acres proposing 34 homes is located off of Maple Avenue and Gate School House Road. The first phase comes off Maple Avenue into a cul-de-sac. The second phase will come off Gate School House into a cul-de-sac. Both phases are called the Meadows of Goshen. The project has approval from the Orange County Department of Health for the proposed water supply and sewage facilities subject to a list of conditions. Mr. Sandor reviewed the subdivision map showing the proposed easements and storm water management plan. He explained the requirements from the DEC to install and maintain five basins/ponds for managing storm water drainage. Mr. Sandor is *requesting* that the Board consider creating "a Drainage District to benefit the lots on the project and all the properties affected by the drainage itself." If this is not granted, then Mr. Sandor will "go back to the planners." "These structures will become part of the easement for the various lots and those home owners would be required to maintain them." In case there is a problem, the easements would also belong to the Town.

Councilman Canterino and Councilman Lyons had several questions pertaining to the economics of maintaining the basins. Will the expense be included as a "fee for quarterly maintenance" in the deed or will a home owners association collect fees for this. Who will be responsible for basin maintenance if the homeowner reneges on this responsibility? The Town doesn't want to maintain the basins. Two of the five basins are shared. The other three basins are located on individual properties. Therefore, the property owner is responsible for the basin.

In summary, Supervisor Bloomfield stated that it is in the deed of the individual property owner who has the retention pond (basin) on their property to be responsible for the maintenance of that pond. The Town is denying the request to create a Drainage District. It is up to the builder to decide if a maintenance agreement should be included in the deed, or to create a Homeowners Association. Supervisor Bloomfield told Mr. Sandor to return to the Planning Board to proceed with his subdivision.

2. HAMBLETONIAN PARK CITIZEN COMMITTEE RECOMMENDATION FOR "STOP" SIGNS AND GOSHEN LOCAL LAW #1 OF 2010

Supervisor Bloomfield read a letter from Dan Matteo, Hambletonian Park Citizen Committee, who was unable to attend this meeting. Paragraph two of the letter stated: "The Committee is recommending placement of one stop sign on the corner of Oakwood and Fleetwood Drive. With this location, one stop sign will better serve the residents of the community." The Public Hearing on this topic was closed at the last Town Board meeting. Attorney Caplicki advised the Board Members to redact those portions of the proposed Local Law that are acceptable. A proper resolution will be voted upon at the next meeting.

[Change in agenda order]

3. PROPERTY RE-EVALUATION PROJECT STATUS UPDATE

JoAnn Soules, Assessor, presented packets to the Board Members. The packets included an outline of the work that has been done within the last two months relative to the 2012 reassessment, Assessment & Sales File Summaries, Inventory Data Mailer Explanations, Photography Update and a Project Revaluation Schedule. Ms. Soules stated "currently we are on target." Within a month or so, her office will complete the RPS data base which they are updating by checking all of the required information per parcel. A Public *Informational Meeting* date will be set in October inviting the Consultant Robert Hilbert and State Representatives from the office of Real Property to address the publics' concerns. There are approximately 5,500 parcels including vacant lands within the Town and Village. Of those a total of 3,500 photos will be taken of residence and commercial structures. Currently 2,523 photos have been taken leaving 977+/- remaining which may include retakes for various reasons. This re-evaluation is being done differently than the one done several years ago. This re-evaluation will be calculated using programmed computer software. This will enable the Assessor to reassess each year giving a current value instead of a value 3+ years old. Therefore the equalization rate will stay at 99-100%. Ultimately the inequalities will be corrected to each of the properties so everyone will be fairly assessed.

4. REVIEW FIRST DRAFT OF THE 2011 TOWN BUDGET

Bill Standish, Budget Officer, presented the Board Members with the Preliminary Budget for 2011. Mr. Standish reviewed, in detail, the tax increase, revenues, expenses and estimated ending balance in the A Fund – B Fund – DA Fund and in the DB Fund. The State mandates that the *preliminary* budget is to be available on the Clerk's desk as of September 30.

[First draft of the 2011 Budget Overview on file in the Clerks Office]

5. WATER/SEWER DEPARTMENT STATUS REVIEW OF EFFORTS TO REDUCE INFLOW AND INFILTRATION

Supervisor Bloomfield noted that the Town has inspected the sanitary sewer system of 107 homes out of the 422 homes in Hambletonian Park and Arcadia Hills. The remaining homes will be contacted for inspection. Also two companies have been contacted for manhole testing, cleaning and sealing. Once the manholes are sealed, a vacuum will be put on top to see exactly how secure the material is. This is to reduce groundwater from leaking into the sanitary sewer. The Water/Sewer and Highway Departments are working together to repair in-ground sewer line leaks on Gumwood Drive.

6. RE: 'ARBITRATION DEMAND', FROM TOWN OF GOSHEN TO VILLAGE REGARDING SEWER CHARGE DISPUTE

Supervisor Bloomfield sent a letter dated September 10, 2010 to the Village of Goshen. Titled Re: 'Arbitration Demand' informing the Village that the Town is demanding arbitration as opposed to a law suit. The Town is doing this for two reasons, one: arbitration is less costly than litigation and it is quicker. Within twenty (20) days after the Village is served this letter, the Village, pursuant to the provisions of Section 7503[©] of the N.Y.C.P.L.R., for a stay of the arbitration, the Village will thereafter be precluded from objecting that a valid agreement was not made or had not been compiled with and from asserting in court the bar of a limitation of time. This is to be discussed at the Village meeting tonight.

7. JESSUP SWITCH ROAD CONTRACT SIGNED AND WORK TO BEGIN MID-SEPTEMBER

Supervisor Bloomfield signed the contract last week. The work will begin in mid-September. Federal Stimulus money of \$287,000.00 will fund this project.

8. PARKER EXCAVATION, INC. HAVE SUBMITTED A \$2,500 OFFER FOR THE DPW 1994 GMC KODIAC DUMP TRUCK

Parker Excavating from Washingtonville placed a bid of \$2,500 for a 1994 Kodiak truck (single axle dump) that was stored in the Highway Department as surplus. Councilman Cappella contacted the Superintendent of Highways who will place this item on a new surplus list for bid. The listing will be published in the local papers.

9. REQUEST BY DANIEL RONGO FOR ROAD SAFETY IMPROVEMENTS IN FRONT OF HIS HOUSE

Mr. Rongo's home is located on Cheechunk along a curve. Apparently when it rains, cars tend to veer off of the curve into his front yard. Councilman Cappella spoke with the Superintendent of

Highways about putting up a guardrail. He would like to see some of the Board Members visit this site to see the curve in question. A double guard rail of 120-130 feet in length is estimated to cost around \$12,000+. The Superintendent of Highways will seek another estimate for a single guard rail, perhaps not as long, and then a decision will be made. This has been an on-going problem curve. People tend to speed around the bend. The Police Chief gives out a sufficient amount of tickets there, but it doesn't seem to help.

10. A & L ACRES REQUEST – INFORMATION DISCUSSION

Attorney Caplicki explained to the Board members that A & L Acres (along Route 17A) has a two phase subdivision: 20 lots and 9 lots. The 20 lot -phase one had conditional final approval. The 9 lot – had preliminary approval. Under State Law and our Code, conditional-final had to have been brought to a final condition within 360 days or by October 2, 2010. Within the last five months, The Daughters of the American Revolution, who have adjoining property, petitioned A & L Acres to relocate a boundary line, because property of a historic nature is involved. The applicant was kind enough to take the time to approach the Planning Board with an amended application, to donate this portion of the property to the Daughters of the American Revolution for free. The October 2, 2010 final date for phase one construction etc. is approaching. Hence, the applicant has asked the Planning Board to consider a procedural second amended conditional final application to be without a public hearing, SEQRA or additional fees. This will give the applicant another 360 days to get final approval. The Planning Board has no problem approving this, but wants the Town Board to be aware of this extension. There is no action to be taken at the Town Board level.

11. REQUEST BY TOWN JUSTICES TO HIRE LOIS YNTEMA TO FILL VACANCY

Councilman Kenneth Newbold made the motion to hire Lois E. Yntema as a part-time “Clerk to Town Justices” at a salary of \$13.80/hour (twenty hours per week), starting September 20, 2010. Councilman Louis Cappella seconded the motion.

Discussion: This person will be covering the afternoon shift from 1:00pm to 5:00pm.

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

12. DRAINAGE IMPROVEMENTS ON RESERVOIR ROAD STATUS

Nothing new at this time.

13. REQUEST FOR THE 1ST ANNUAL ROCK & RUN 5K RACE FUNDRAISER FOR THE FJR FOUNDATION (The Frank J. Romano Foundation)

In honor of Frank J. Romano, this foundation has awarded scholarships to Goshen High School students who pursue careers in public service as well as research for pancreatic cancer. The Town Board received a request from Amy Byers on behalf of the Frank J. Romano Foundation to grant the necessary permit(s) to use some of the Town roads for the 1st Annual Rock & Run 5K

fundraiser. Hopefully, this will be successful and be continued for such a worthy cause. The Board Members are supportive of this event, but would like to hear what the Village has to say since most off the routes are within the Village. We are also requesting the Town to be covered under their insurance policy.

EXECUTIVE SESSION:

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

1. Village Sewer Dispute Arbitration Request
2. Sullivan vs. Town Of Goshen Litigation Status
3. Personnel Grievance-Proposed Settlement
4. Time Warner Cable Franchise Contract Renewal Status
5. Tax Certiorari Update

with the intent not to return. The motion was seconded by Councilman Lyons. Motion Carried.

ADJOURNMENT: 9:20PM

Priscilla Gersbeck, Deputy Town Clerk