

**TOWN OF GOSHEN**  
**TOWN BOARD WORK SESSION**  
**September 27, 2010**  
**MINUTES**

A Work Session of the Town Board of the Town of Goshen was held on the 27<sup>th</sup> day of September, 2010 at 7:30 p.m. 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	Town Attorney
	Valma Eisma	Town Clerk

The meeting was called to order by Supervisor Bloomfield at 7:35 p.m. who led the Pledge of Allegiance.

**AGENDA ITEMS:**

**1. PUBLIC HEARING: CONTINUATION OF PUBLIC HEARING TIMBER TRAIL, LLC  
SPECIAL USE PERMIT:**

Councilman Canterino made a Motion to open the continuation of the Timber Trail, LLC Public Hearing. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

Supervisor Bloomfield said he would like to give anyone who has not spoken before, the opportunity to speak first. He then asked that the people who have spoken before, if they have something new the Board would be happy to hear it, however, he asked that they not repeat statements made at prior meetings, as this information is already on record.

Supervisor Bloomfield asked if the applicant would like to speak first. Attorney Benjamin Ostrer, Attorney representing the Shapiros stated they would rather hear the public comments, and then he would like to speak.

Regina Leone, 32 Everett Road, said she had spoken before against the development, and hoped the Board would agree that it is not a good idea. She said her question tonight was that at a past meeting, it was requested by the Town of Hamptonburgh for time to review the project and its effect on their township. She asked if the Board had heard from them. Supervisor Bloomfield replied "we have not."

Arthur Marten, 39 Shale Lanes, said he had a question for the Board. He asked "I am curious as to what is the advantage for a developer to be proposing a Planned Adult Community?" He said it appears there are a large number of them appearing before the Board. He said the one in the Village failed to attract enough buyers, so now they have been granted a zoning waiver, and are

now able to rent the units. Supervisor Bloomfield replied it is not for the Board to answer the question, as they are here tonight just to hear the comments as to why to, or not to build it.

Mr. Marten asked if there was "some advantage in a building or zoning requirement to proposing a PAC instead of other projects, such as getting approvals, being allowed more units or the process moving along faster?"

Attorney Caplicki explained that Public Hearings are just to receive public comments, and not an information meeting. He said the Board cannot speculate as to why the applicant wants to present his project, he said the applicant could answer this question, but probably would not want to.

Mr. Marten said he is opposed to the project.

Joy Decker, 2036 Route 207, made these statements: She just found out about this project today. She did some research on the geo-thermo energy efficiency, etc. Her husband just recently retired from the Plumbers and Fitters Union and they have actually installed some geo-thermo projects. They just recently came back from a trip to California, and while there, they visited a residential housing area that was geo-thermo. There are many impressive things about it, and there were negative things too. The negative things are what she is most concerned about and among them are: geo-thermo is a new thing, and there are big concerns environmentally, the location where it is planned is a highly dense shale area, geo-thermo is done in one of two ways. You either have to drill wells or lay down the pipe in a lateral manner if you are going to drill wells. "I am concerned that the only way you are going to get heat out of the earth over there is to go down at least 300 feet, which means you will have to blast." This causes environmental issues such as asbestos and hydrogen sulfate. Who is going to protect the workers and the residents who live nearby? Other concerns are traffic, effect on wells, and the number of units being built. California said their biggest problem was that their geo thermo resources are drying up.

Dr. Elsa Pasquale, 3302 route 207, looking at the map to the project, made the following comments: "Where are my boundaries, and where are yours? "I am probably your closest neighbor". The last project she had heard of, a "fishery or something like that" had environmental issues as that area up north is very wet. She has been trying to get some relief from taxes on this piece of property, as that area, fifty acres or so is very wet, and they are not allowed to use it. She and her husband are opposed to the project, and that the Board be diligent in their studies to be sure there are no environmental, hazardous materials going into this wet lands to hurt the environment. The Planned Adult Communities that have been built do not seem to remain just for Senior Citizens.

Emma Gonzalez, Reservoir Road, made the following comments: She was concerned about the increased cost of living which makes it more difficult for a senior citizen and young families to afford to live in Goshen. A project like this would give them more opportunities to remain in Goshen without having to go somewhere else where the cost of living is cheaper. "I like the fact that it is a clustered development, because it enables the developer to maintain open space, and maintain the rural character of the community. We had an opportunity to vote on an open space plan that very narrowly passed, and that was sad. "We all like to maintain the rural character of Goshen." "As an architect and a lead accredited professional I am quite familiar with geo-thermal wells." "Geo-thermal is nothing new; geo thermal has been around for a very long time". "I am unaware of any environmental hazards related to geo-thermal energy." Geo-thermal is renewable, and you can't run out of geo-thermal energy. You harvest water out of the earth with a constant temperature of 55 degrees. You capture it in a loop, and nothing can get out of that loop. Whether you go vertically or horizontally, that is the decision of the designer.

Edward Chain, Everett Road, stated: When you start talking going down 300 ft. for the wells, our wells are shallow around there, one hundred fifty at the most. If they go down to 300 ft. they will drain our wells. His is only fifty feet and his son's is fifty feet. There is not an endless amount of water, many areas are drying up. We were told early on about the wonderful water that flows through their property, that the effluent would go out on. "I have taken pictures of that wonderful property." Mr. Chain submitted the pictures to the clerk. "They are bone dry, there is nothing there, in the summer they dry up and in the winter it freezes over and where that water is going to go I have no idea. "I am not going to be drained out of my water, and I'm not going to smell your stinking project there, that is for sure."

Mr. Chain said he also had pictures of route 207 which shows how bad traffic conditions are, and how dangerous this road is in the area where the project is to be. There is no way you can put this thing up there. We elected you, we told you how we feel, this is the fourth Public Hearing, these are really to their benefit "if we don't come here for these meetings, they are going to pull the rug out from under us." I'm really upset. "I don't think it is fair. I don't want this project."

"I don't want this project, you need to do what is right, they speak of everything green, but the only green I see is the green in their pockets because, as you know there are a lot of federal grant money out there. They come up from Rockland County, and they think we are a bunch of uneducated people, and can be outcasts." They are wrong we are educated people and know what we want." He asked if they are suing the Town yet. The supervisor replied "yes." Mr. Chain replied "We are better off fighting that lawsuit." With what it will cost us in school taxes, and everything involved with this, it will cost us more in the long run than that law suit. "If they want to sue us, let them." "We are not going to give up on this thing, we don't need it in our neighborhood, we don't need it in the Town of Goshen." "I hope you make a decision, and we don't have to come back here again, repeating the same old things."

Supervisor Bloomfield said this one has been a little longer than most Public Hearings, usually there is one Public Hearing, you may continue it once, and then the Public Hearing would be closed. For some reason this has gone to three, and it will probably be closed this evening. He said the point you are trying to make "will you listen to us", this Board will listen to every word you say, and everyone else, it is all in the record, and will be part of the decision making process.

Mr. Chain asked that the Supervisor and the Board take into consideration all the problems this project will create. He said they say they are not asking for anything special, but they are asking for a special permit, aren't they? He asked if anyone there would like this in their back yard. He said just say no, "we have enough against them to say no."

Terry Bou, 35 Everett Road, stated the following: "In response to Ms. Gonzalez talking about putting the onus on the property owners, I used to be partners in an assisted living facility in the State of New York and as such you have to prove need in an area in order to build or expand, or anything of the sort. In this case the onus should go to the developer to prove a need. I own five acres, and I only am allowed to have three horses, and had to put a fence around the wet lands in front of the yard, in case the horses drink, stir up some silt and kill a frog down the road. I am a little confused how effluent waste is a better option than allowing three horses on five acres. I am also confused as to how they are going to treat that, I hope you address that tonight, I know you can treat the bacteria now, but I was wondering about treating household chemicals that get flushed or washed in the laundry. I guess the bottom line is I don't believe we need this, I don't think it is a bit advantageous to our community, and I am vehemently opposed, as is my husband, who could not make it here tonight."

Dr. Elsa Pasquale stated: "I just want you to look into several years of your resolutions. One of them was in 1967 when my property was first sold to the Jewish Congregation. They wanted to

put a retreat house on the property, but it was meant to house one thousand residents every weekend. The Jewish congregation was not permitted to build this project for two reasons, water supply and traffic congestion for Route 207. The Jewish congregation abandoned the place in 1969 because they could not do anything with the property they bought in 1967.”

? Bjorkman, 33 Kipp Road stated: He was concerned about the traffic on Route 207, he said he lives where Kipp Road meets Route 207, and has seen a lot of accidents there. My dad, who is a volunteer fireman in Goshen, has responded to countless accidents there, and says the same thing. He said some of his friends have had accidents on Route 207, and he does not feel that Route 207 can support an entrance to a community the size of 160 to 200 houses.

Ramona Harrigan, 24 Everett Road, stated the following: I am concerned again about the zoning and the density, and the quality of life, the rural character of our community. I don't consider 200 plus units of PAC housing or any other type of apartment dwelling to be in the character of our neighborhood. I understand across the street they have a four acre farm, I believe our zoning is three to six acres, residential zoning. I am all for environmental protection, such as geo- thermal, however to say that nothing will ever happen, we all know there are break downs in all systems, given enough time, such as those happening in Hambletonian Park. I would like to reiterate the salt runoff, and other runoff. I understand there is a problem off of Ruby Lane where there is salt run off and no one can build there as it would contaminate the water in the wells. We do not need this high density housing that is what everyone here is against.

(Mrs. Harragin spoke at the July 22<sup>nd</sup> Public Hearing at the end of one disc and the beginning of the second disc. Some how her comments were inadvertently left out of those minutes. With an apology from the Town Clerk for the omission, I am inserting those comments in this meeting, so that they will be considered in the decision making of the Board. I am unable to insert them in the July 22<sup>nd</sup> meeting, as those minutes have been approved by the Board.)

July 22, 2010 Public Hearing for Timber Trail:

Ramona Harragin, 24 Everett Road, stated the following: “I have grave concerns about this project. I want to reiterate some of the concerns with the project being rental units that are not in character with our neighborhood. An adult community based on age 55, and the youngest age could be 19 and up, I am in social work, and let me tell you there are a lot of grandparents raising their grandchildren these days, and in our school district some of the most expensive funding comes from special ed, which covers people up to twenty one year old. Lots of the grandparents that are raising grandchildren are due to parents having drug problems, alcohol problems, etc. These children often have some severe disabilities that need to be addressed by school districts, which raise school taxes.”

“The turnout here shows that we say no as a community, we don't want a special use permit for this. It is not in character with how we are living, I see a few little vegetables there, I grew up with fruit trees, a garden and all kinds of that, I would not begin to say my place was a farm. Growing some vegetables in a green house, to me that is not a farm.”

“Green technologies, I understand there is a lot of funding now for Adult PAC communities, I can see there might be a need. I remember when your husband stopped, and spoke to my husband about green technology, and was amazed that my husband had already put in a system, and he had not done one yet. I don't know how efficient and well developed this is going to be. These systems still need electricity; you are talking geo- thermal in the ground, and using the ground temperature, which is 55 degrees, so you still need to use energy.”

"Wet lands are fragile eco systems and this property is surrounded with wet lands. I am concerned with the salt run off with the road maintenance and draining into the wet lands, effluent, smells, etc.'

"Basically I have not heard where this is a benefit to our community, I haven't heard anyone here talk about it being a benefit, so I guess what I say is "I vote no." I would like to thank you as Board Members for your consideration in this matter, and hearing what the public is saying, thank you."

Sean Sullivan, 21 Everett Road, stated: "I want to address the need for this project in this community. Night after night, after night, after night, community members have again and again gotten up to this microphone in opposition to this plan. We have spoken of one mind and one voice. If there is such a need for why is there no one speaking for it, we have heard only two voices for it. One who lives nowhere near it, and will not have to live with it, and the developer, who wants to cash in on it. Cash in on it at the expense of our quality of life, at the expense of our property values, and the environmental concerns over the traffic on 207, at the expense of our safety. Again, this is being billed over and over again as an environmental project. We are talking about geo thermal energy; we are talking about the best way to flush three hundred toilets into a dry creek. It does not matter, there is nothing environmentally sound about over development. So here we are on the fourth night, and you have heard from the community on this, and really we are just counting on you to represent the community, to do what is in the community's best interest, not in the best interest of the developer, who will over develop this property at the expense of the community, so I just want to say we are counting on you."

John Harrigan, 24 Everett Road, wanted to mention the following: "the traffic that will increase because of the project will cause additional fuel emissions and will eclipse any green benefits the project will produce. You present it as green, but I feel it will have the opposite effect."

Jerry Boss, 223 Craigville Road: I don't want to be accused of discriminatory practices, but I am against all of these developments. There are at least four or five of these in the hopper ready to go. There have been a number of traffic studies done, by the Town, County and others. We need to look at the cumulative effect."

Mike Chain: 18 Everett Road: "My well is only 35 feet, it will not take much to take these shallow wells down, and when you start drilling through shale you run the risk of sulfur water. I don't have that, nor do I want it." He asked if the County was doing another traffic survey. There are black tubes across the road in various places. Supervisor Bloomfield said he did not know.

Ben Ostrer, Attorney for the petitioner, addressing some of the comments, stated the following: The PAC ordinance was adopted as a counter balance to some of the up zoning to decrease the overall density of the Town. It was felt that the adult community would not have an impact on the school district, and demands on certain services within the community. The developer did commence a law suit, and that law suit is mooted. The law suit was filed because prior to any Public Hearings, the Town Board denied the special use permit for the project. The Town Board reconsidered the project, and said their decision was a bit premature, and granted the Public Hearing. At that point, part of the law suit was dismissed.

He continued: "Many times a developer comes to a Town, and push as many units into a parcel as they can, feeling that they will be asked to lower the number along the way. The Shapiros, in filing their application, are submitting only two units where they could be submitting three. The property under the existing zoning would have supported almost 250 units, their overall plan provide for 163 units. That is not something typically done. There are some unanswered questions, but that is what SEQRA is for. There is no traffic study, as we are at the very earliest stages of an application. Even if it is approved to go to the Planning Board we would have to demonstrate to the lead agency, probably the Planning Board, what the environmental impacts would be for the project, as we outlined it. It would only be after an in depth review by the Planning Board answering many of your questions. We have wells that can produce almost 90 gallons per minute of water and the project will require 21 gallons per minute of water, and it will be a self contained system within the property. There are concerns about the effluent; there are a variety of ways to treat the effluent. There are thirty seven acres of identified wet lands within the Town of Goshen that we are not going to touch. There are three acres of steep slopes that we are not going to touch. Out of an almost 131 acres of property the actual disturbed area will be only about thirty acres out of 131 acres."

He continued stating: "The way to determine the proper way for a town to handle geo-thermal wells is to have at the developer's expense information submitted to answer the questions you are asking. Otherwise, a Town cannot regulate thermo wells; the Town of Goshen Code has no regulation pertaining to thermo wells."

Continued: "Government sometimes gives incentives to do things, you build an adult community, you can build more units per acre. This is something the Town of Goshen sets; this is not something the Shapiros set. Whether there is a need, projects can be phased. One Senior Citizen housing complex in Goshen has a waiting list; another Senior Citizen's complex could not rent out. You build your buildings, as you fill them. Everything has to be addressed as the Planning Board tests these things to be sure the project is environmentally sound. If you look at the equivalent that the Shapiros are proposing, we far exceed what we need to develop in terms of water resource on the property. We are not proposing to develop to the maximum allowed by the Statute, we are trying to present ourselves here as a responsible developer. That does not mean that we will receive the 163 units, 200 units or 250 units, we are going to get those units that may be approved by the Planning Board, once we can demonstrate what the traffic thresholds are. We have engaged an expert to do a traffic study that the Town can test, accept or reject. We are hoping this Public Hearing is closed and the Board will receive the comments from the Planning Board, and allow us to prove this is a responsible project."

Mr. Ostrer continued: Asked to have a letter from Thomas B. Olley, P.E., P.L.L.C. dated August 10, 2009 submitted and added to the record. The letter, a request for the Special Use Permit, and a description of the project, plus a map of the project. (See File) "The Orange County Department of Planning, I believe recently determined that this was a local action and not finding any evidence of significant Intermunicipal or County wide impacts."

Susan Shapiro stated the following: She is "one of the people proposing this project, and many of you and the Board has heard a lot of rumors that have been spread about this project. There was a letter put in mailboxes that the project was going to be a strip mall, that there was not water. These rumors are false, and I really hope you do not listen to them. I am sorry that these things were spread to the people in the community; it created a fear of the project that are not true. In regard to the geo-thermo we are not planning any kind of blasting or any kind of

hazardous materials. It will be a closed loop system, and that is something we will develop as we go along. The concern that there will be school age children and increased taxes, that is false. The reality is that this is a win, win situation, which may be one of the reasons you included the PACs in this zone, because PACs bring taxes, with no children to the school district, which could help everyone reduce taxes. It will be bringing recreation facilities that are lacking in the area, we will have a community center, tennis courts, swimming pool, there are none of these on our end of town. Our intention is not, was not, nor ever will be to build Mc Mansions. We have no desire to put a big footprint on this land."

Ms. Shapiro continued: "It is our wish to build saving energy homes; the cost of energy is constantly going up. Because it is a rental, we feel this kind of housing is needed. The units are one and two bedroom apartments, it cannot be turned into regular housing, and they are not big enough for a family. We are not asking for anything special, we have followed your code exactly. We are now asking you to follow the code. All we want is your permission to go to the Planning Board, so that all these issues can be discussed." "Let your Code work, follow the Code."

Robert Fields, 3295 Route 207, directly across from the project, stated the following: The Code that was mentioned specifically says "The Planned Adult Community must be connected to existing Town water and sewer district, or must be included in new water & sewer districts crated by the Town. I am confused about the geo-thermal and water when it specifically in the Code that they want to follow. I am confused whether the Town Board, this body makes the decision, or whether it is passed on to the Planning Board."

Joy Decker stated the following: they are long time residents, it is her husband' home town. "We, as very concerned, long term residents, do not want to be guinea pigs for a geo-thermal system that they don't know enough about. "We don't want this to go to the Planning Board. Years ago Halliburton went around saying the same thing about natural gas, it was going to save energy bill etc., and life was going to be better." Now people are dying from contaminated drinking water from natural gas well. "We don't want our kids, or our grandkids to suffer for a decision that is being made here and now. I think the solar power has some issues also. When I researched this today, on the yahoo web site home page \$330,000,000 grant available for geo-thermal research. There is a financial incentive here. You are not doing this out of the goodness of your heart."

John Harrigan: "The people involved in this project have stated their extensive experience as developers, and have done successful projects elsewhere. Can the Town ask for a list of these projects, so that the residents could evaluate them?"

Ed Chain: Stated the following: "207 is a state road, you can not regulate it." He said two months ago the County Executive said he did not know what to do about the traffic. He said the Town should talk to the County Executive about this. Supervisor Bloomfield replied he did not feel a need to talk with anyone about traffic, as the town paid a lot of money for its own traffic study and each developer has to do its own traffic study as part of the process. Mr. Chain said it is a state highway, and the actual survey has to come from the state.

Gary Dostal 29 Everett Road stated: He would like to remind Mr. Field of what he said at another meeting. That any project cannot adversely affect the property values of the surrounding homes.

He said the Shapiros cannot look any of us in the face and tell us this project will not adversely affect the value of these homes. You are talking about handball courts and baseball diamonds that will bring in a bunch of youths to "jimmy our cars, and stuff like that". Our homes are our greatest investment, the effect on our home' value will reduce significantly with the problems of a road like 207. I would not have a problem with Mc Mansions; everyone has a right to develop their property.

Kathy Haller, 25 Everett Road, asked for some kind of clarification about the fact that they are only using so many acres. "To me looking at that map they are completely covering the buffer zone. It looks like they are using 99% of the land that they can possible use behind my house. I think the land that is not being used is on the other side of the road." Supervisor Bloomfield asked Susan Shapiro if she would like to answer the question. Ms. Shapiro answered there will be 101 acres left untouched in the Town of Goshen. She said some of it is on the other side of the road, as that is where the wells are. She said if they did the six acre zoning you would use all the land as we would have to put in roads, etc. Councilman Canterino made a Motion to close the Public Hearing and Councilman Newbold seconded the Motion. Motion carried unanimously.

**2. A & L ACRES REQUEST FOR EXTENSION OF PHASE II OF THEIR SUBDIVISION PER SECTION 5 OF LOCAL LAW #4 OF 2009:** Michael S. Blustein, Esq. spoke representing the applicant. Mr. Blustein referred to Local Law #4 of 2009 that grandfathered in certain projects. He explained they were granted a nine month extension of time to October 28, 2009, as they had preliminary approval for phase II of their subdivision. They are asking for another extension so that they can market Phase I, consisting of 20 residential lots, in the spring of 2011. He explained that one home has been sold and another spec home is in the process of being built. He stated that due to market conditions, there is nothing selling, and as a result they cannot obtain a Letter of Credit from their bank because of the economy.

Mr. Blustein, Esq said the owners of the project are requesting that given the unprecedented economic conditions, the absorption rate is anticipated to be slow and therefore, another extension would allow Phase I continued relief under the zoning exemption.

Supervisor Bloomfield asked Attorney Caplicki to explain the Local Law Mr. Blustein is referring to. Attorney Caplicki replied stating the Local Law basically provides at this time, that this Town Board has the authority to grant or not grant extensions of Preliminary Approval, and authority was added in a subsequent Local Law to specifically give this Board that flexibility. Supervisor Bloomfield said the Board decided last time they extended the Preliminary Approval that activity would be a major factor in regard to any further extension requests. He said he knows of some subdivisions that have had no activity.

Supervisor Bloomfield stated he is aware that this subdivision has built a couple of houses, and have been building road. He said I know you have been spending a lot of money. Attorney Caplicki said one of the reasons these people were given exemptions originally was to give applicants that had obtained a certain level status some protection, and it was clearly stated at that time that the Board did not want to continue this "old zoning" indefinitely. He said it was up to the applicants to demonstrate interest and activity in their application.

Supervisor Bloomfield asked what Phase II would consist of? Mr. Blustein replied that it will consist of nine houses that have Preliminary Approval, and the Preliminary Approval technically

can go on forever, however they would lose the grandfathering of the project. Mr. Blustein stated that Phase I has twenty houses that have Conditional Final Approval and the roads are under construction.

Councilman Canterino asked what length extension you are looking for. Mr. Blustein replied he would ask for one year from October to give us time to come back and ask for Conditional Final Approval. Supervisor Bloomfield said there is no doubt that this project is moving along and at great cost to the applicant. Councilman Canterino said there is no question that these small subdivisions have fallen on hard times with this economy and with its activity; he would have no problem approving this extension.

Attorney Caplicki suggested the Board not make a decision this evening, but consult with the engineers and Planning Board before approving the extension.

Councilman Newbold asked what is happening in Phase II. Mr. Blustein replied there are two project names, one is Goshen Properties and the other is A & L ACRES. They are now moving equipment from Goshen Properties to the A & L ACRES site. Supervisor Bloomfield stated he would place the request for extension on the Agenda for Thursday's meeting, September 30, 2010. In the meantime Supervisor Bloomfield, the Building Inspector and the Attorney will meet to try to set up a criteria for the extension requests.

**3. REVIEW 2011 BUDGET SCHEDULE AND UPDATE CURRENT STATUS:** William Standish, Budget Officer joined the Board. He reviewed the dates involved in creating and presenting the budget. Supervisor Bloomfield reported that he along with Councilman Canterino, have been meeting with the Budget Officer many times to further define and refine this budget. Mr. Standish reported the following: The preliminary tax increase as it stands today is 3.9 %, which is a tremendous down shift from two weeks ago at almost 21%. They completely reviewed all fund balances, which are all in the black. This is nice in view of the tax certs, engineering, and attorney fees this year which have been enormous. We expect that will occur again next year with all the tax certioraris that have yet to be addressed. Because of this the attorney and engineering lines had to be increased severely to handle those tax cert problems.

He said he was able to apply some fund balance for the A Fund, which is both Town and Village residents. However, not with the strength that we did last year. We will be losing about \$75,000 worth of application there. Typically the State recommends that municipalities have on hand about 12 to 15 percent of their appropriations each year as a fund balance, we do not have that in any of the funds due to the 2010 tax certs. We do have some to apply, however we have to be more careful.

He continued saying: As we go through, just as an overview of the entire budget process, our fund balances, the A Fund came into this year with \$329,000, we are going to apply \$200,000 to the tax process, which will only leave us with \$130,000 next year, which is far below what the State would recommend us to have. However, it is in the black and we think and hope that with the increases we put in here, that will level us out. Hopefully by 2012 or 2013 those can come out and we can begin to build that fund balance back.

Mr. Standish said this year we are also losing parkland fees we can apply because what we had on hand last year we gave back to the taxpayer which is a good thing to do. Parkland fees have not come in on new projects so we don't have them this year. There is a chance of some

potential parkland fees filtering in, but the Budget Officer will not know about them until he speaks to the Building Inspector.

Mr. Standish continued: looking at the A and D Funds, which are the two that affect both Town and Village residents, are the two combinations that will take the hit this year. The combined A, DA, and PDR, which we don't have this year, which helps us out, those numbers look high for A and DA, but combined together with the decrease of PDR leaves it still a very strong 34% for the Town and Village residents at this point, and overall 3.9% for Town residents because the B & D funded very well, we did not have the hit in those two funds.

The Budget Officer continued: If you look at the DA Fund I want you to look at Highway Capital Equipment you see \$105,000 budgeted for 2010, that \$25,000 should say \$125,000 that was a typo. This does not affect the rate. Looking at the B Fund, revenues haven't changed much, we made a few changes we took some money out of the Police Line, some cuts in Workers' Comp, and that created a bigger decrease in the B Fund, which brings them down to show a 20% decrease for this coming year. DB not much change, exactly what it was two weeks ago. We budgeted \$190,000 Capital Improvement last year and are pushing it up to \$300,000 this year. that was a big hit, partially offset by additional fund balance applied in the DB Fund this year.

Mr. Standish stated that if all things are equal, and we run exactly to budget in 2011, if nothing extraordinary happens, the Town will end up with some balances, not where we should be, but in the black. He said we will be one of the few municipalities in Orange County that have fund balances.

He said second good news is that the debt service is way down, and Supervisor Bloomfield stated the Board has not borrowed money for five years. The Budget Officer stated he has about four or five more anticipation notes to pay, and he said he had about twenty when he came here to work. He said it has been a little of a pinch on everyone, but in the long run it pays off for everyone and the taxpayer.

#### **4. DISCUSSION AND RESOLUTION FOR TOWN OF GOSHEN TO JOIN THE MOODNA**

**CREEK COUNCIL:** Attorney Caplicki explained this is a Resolution approving the execution of an agreement to become a member of the Moodna Creek Watershed Intermunicipal Council. He said there is tremendous concern in the County about the Moodna Creek Watershed, which basically covers a space of 160,000 acres and encompasses twenty two Cities, Towns and Villages in the County. The County wants to set up an Intermunicipal Council to development rules and regulations governing the watershed. He reviewed the Memorandum of Agreement (to review it in it's entirety, it is on file in the Town Clerk's.

Supervisor Bloomfield said he would have it placed on the September 30<sup>th</sup> agenda.

**5. RECAP OF WALLKILL RIVER FLOOD CONTROL PROJECT:** Supervisor Bloomfield reported that Attorney Caplicki, Councilman Canterino, the Building Inspector and he met with the County Executive, Core of Engineers, etc. He reviewed the agenda with the Board Members stating that number five referred to Goshen. #5.. Status of Short Term Project – action items at Pellet's Island reach of River (tree removal) (OC Soil & Water). He said they discussed this and shared with the County Executive and all the people there that we are willing to pursue this, and asked the County for an application for what they want to do. He said if they are going to remove trees, etc. the Town needs a letter from the DPW Engineer saying it won't have any negative impact on the residents down stream. The Supervisor said once we have that, the Building Inspector will issue the permit.

**6. JESSUP SWITCH ROAD REHAB START DATE IS CHANGED FROM 9/27 TO 9/29.**

Supervisor Bloomfield explained that the work was supposed to start today, however it will start on Wednesday, due to the inclement weather.

**7. HIGHWAY REQUEST TO SELL 2010 SURPLUS EQUIPMENT:** Will be placed on Thursday's agenda.

Attorney Caplicki asked to have two items be added to the Executive Session, Rettberg litigation and Meadows of Goshen litigation.

With no further business Councilman Canterino made a Motion to go into Executive Session to discuss the following:

1. Diane Riddick Water/Sewer Bill
2. Tax Certiorari Schedule Update
3. Retttberg Litigation
4. Meadows of Goshen litigation

with intent not to return. The Motion was seconded by Councilman Newbold. Motion carried unanimously.

Time: 9:35 p.m.

---

Valma Eisma, Town Clerk