

The Regular Meeting of the Town Board of the Town of Goshen was held on the 25<sup>th</sup> day of January, 2007 at 7:30 p.m. in the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

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

Absent: Louis Cappella, Councilman

Also Present: Dennis Caplicki, Town Attorney.

**A. Call to Order:** Supervisor Bloomfield called the meeting to order at 7:30 p.m. and asked Susan Bloom to lead the Pledge of Allegiance.

**B. Amendment to the Agenda:** None

**C. Privilege of the Floor (agenda items only)**

Debbie Marone thanked the Board for the purchase of the Knoell Farm and the North Star Farm through the Open Space program and the recent award from the County to buy the Myruski Farm. She reminded the Board of the February date deadline for the next round of County Open Space funds and expressed the desire that the Town submit additional parcels. She also stated she would like to have the Board “follow in the footsteps of Warwick and research the Preservation Act”.

**D. Reports:**

Councilman Newbold reported the bathroom facilities that were installed for the Water/Sewer Department’s use are finished and the Department sends it’s thanks to the Board.

He reported he and the Supervisor have been overlooking the work being done in Hambletonian Park. They have met with the contractor and the engineer a number of times. He said, on the coldest day of the year so far, there were three water main breaks in the Park. Councilman Newbold said his hat is off to those men from our department working there till 1:30 or 2:00 am in the morning in such cold conditions, having started at one in the afternoon.

Councilman Newbold said he would like to commend the staff in the Town Clerk’s Office for helping a young couple, scheduled for a second tour of Iraq, schedule their wedding. He explained when he heard about it he called upon the

County Executive's Office and a representative presented the couple with a free night at a bed & breakfast. He notified the papers, the veterans, and John Hall's office. As a result representatives from the veterans, Laura and Peter Rollens attended, they are arranging a honeymoon for the couple when they come home, the local papers, the Chronicle provided flowers and the Times Herald Record took pictures along with Clerk Vilma Lawla, from the Town Clerk's office, who took many pictures and presented the couple with the camera. Deputy Town Clerk Susan Maysels served as Matron of Honor and Supervisor Bloomfield as Best Man. Other employees of the Town Hall attended along with others doing business in the building. Councilman Newbold thanked the Town Clerk and her staff for holding a small reception in her office while the licenses were signed, etc. Councilman Newbold said "I have never been so thrilled and proud as a Councilman, as last week and what we did for these young people".

Councilman Canterino reported Joint Recreation's on-line registration process is working excellently. He commended Bonnie Mayefsky for the work she has done setting the on-line registration and the website in place. He said there was a truck at the Town Garage that Joint Recreation felt they could use, it will not run properly now and will not pass inspection. Councilman Canterino said he is waiting to see if BOCES will commit to putting this truck in very good working condition before it is sold to or transfer it to the Joint Recreation Department.

Councilman Canterino also reported on the lights on the Salesian property saying the lights are now under the control of the Village. He said the Village was supposed to make duplicate keys for the Town, but he went to Village Hall and no one could find the keys. Councilman Canterino said the Town had received a bill from Orange & Rockland for the lights, the bill was for \$41.00 for seventy eight days worth of electricity. He said he called Orange & Rockland about the bill and was told they estimated the bill as they could not gain access to the box. He said this seems to be an ongoing problem, but he will continue to follow it up.

Councilman Lyons reported the Board had talked about the Workplace Violence Program at Monday's work session. He said Chief Marsh took the template and tailored it for the Town of Goshen and rewrote it as the Town of Goshen policy. He gave a copy to the Town Clerk, asking her to make copies for the Board. He asked the Board and the attorney review it. Supervisor Bloomfield asked if this included the Right to Know training? Councilman Lyons replied the Right to Know is a separate thing, the County Office of Risk Management runs the seminars, all the police officers have had that training. He stated this is required for all employees and arrangements will have to be made to set up a seminar.

Councilman Lyons reported the Police Department has received five complete mobile data tracks units. He reported this was the result of a non-matching funding grant from the Governor's Office of Traffic Safety. He stated the grant was approximately \$34,000.00 in equipment and mobile data terminals will be placed in five patrol vehicles.

Councilman Lyons reported a letter of thanks from Officer James Thornton, a member of the Chester Police Department who resides in the Town of Goshen, thanking Officer Brian Prisco for finding Officer Thornton's front door open on his residence and checking the premises to be sure everything was safe.

Councilman Lyons also reported the Farm Worker's Community Center sent a letter of thanks to the Police Department stating "your donation of toys was greatly appreciated by the more than three hundred children who attended our annual Christmas Party".

Supervisor Bloomfield said he had heard the department was given money for a bullet proof vest. Councilman Lyons replied yes, the department received a check for \$368.00 for a vest from the Office of Criminal Justice Services and is part of one of the other grants.

Supervisor Bloomfield reported on PDR saying the Town closed on the Rhodes property in December, in January the closing of the Knoell Farm took place and it was just announced by the County Executive the Brookfield Farm was accepted in this last Open Space Round of matching funds. He said the applications for additional properties are due at the County by 5:00 p.m. on the 21<sup>st</sup> of February. He said the Board decided at their work session to go back and visit the original twenty applicants, from which the first six were chosen. The Supervisor said the Board asked him to start at the top of the list and interview the applicants to see if they are still interested in participating. He said there is definitely the interest among them to participate. However, some of these do not have appraisals done on them, but this is not necessary to start the process. He will continue to consult with the prospective applicants and will ask the farm that was not selected if they would want to be submitted again. Supervisor Bloomfield said the Board will be submitting two candidates as they have done in the past.

Supervisor Bloomfield announced we are running out of space in our Town Hall parking lot during the work days. He said a letter was drafted and sent to the adjacent businesses along the street asking their co-operation in encouraging their customers and clients to use the completed village parking lot adjacent to Quick Stop which has built bridges for people to cross over to do business on St. John

Street. He explained when the Court is in session there is no room for people to park and the State Police sometimes have to park in the street. He said warnings will be given, but our Police Department will begin to enforce our parking rules.

Supervisor Bloomfield thanked Councilman Newbold for his work on Hambletonian Park. He has been out there every day and the Supervisor said he would let Councilman Newbold tell the public what is happening there when the report on Hambletonian Park is given later.

**E. OLD BUSINESS:**

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| <b>1. Approval of Minutes:</b> | Re-organization Meeting | January 8, 2007  |
|                                | Work Session            | January 8, 2007  |
|                                | Regular Meeting         | January 11, 2007 |

Councilman Newbold made the Motion to accept the minutes of the Re-organization Meeting of January 8, 2007; the minutes of the Work Session of January 8, 2007 and the Regular Meeting of January 11, 2007. The Motion was seconded by Councilman Lyons. Motion carried 4 to 0.

**2. Report on Hambletonian Park:** Supervisor Bloomfield stated the work is being done on the 6,000 foot water main line in Hambletonian Park. The job was put out to bid and the Sita Corporation was awarded the job, after coming in as the lowest bidder. He reported since the weather has been so good they are half way through. They have done very well, but have run into some problems, mainly rock. He asked Councilman Newbold, who is overlooking the project daily, to give the public the status of the project. Councilman Newbold said the rock situation is bad, there are some days the contractor can only get in 20 to 30ft. He said it is necessary to pound the rock to remove it and one of the recent three water main breaks was a direct result of this pounding. He said he met with Al Fusco last week to discuss the Board's concerns for the overruns caused by the rock. He said the Board is still trying to pursue the \$300,000.00 promised by Representative Sue Kelly last year.

Supervisor Bloomfield said the total cost of the repairs was initially approximately \$600,000.00. He said there is a caveat in the contract, if the project ran into rock, the cost would be \$300.00 a ton to move the rock and haul it away. He said at this point there has been \$125,000.00 spent on rock removal. The job is half finished and there is a chance the Town could run into more rock before the job is finished. The \$300,000.00 promised by Representative Kelly last year was supposed to be available to us in August. However, the design was

not ready and therefore we could not take the money at that time. He said it took until November to get the plan approved by the Health Department. He said the work began in December and the Supervisor asked the Budget Officer to write and inquire how the Town could access the money. The Budget Officer wrote the letter and made calls and could not obtain a response. Supervisor Bloomfield and Councilman Newbold approached John Hall, who now fills Sue Kelly's place as Representative of the 19<sup>th</sup> District, if he could assist the Town in finding out where the money is and if the Town will receive it or not. He says it appears the Town might not be receiving it. Representative Hall said he will look into it. Supervisor Bloomfield said he will report to the Board Representative Hall's response upon hearing from him.

**D. Healey Driveway:** Supervisor Bloomfield reported the Board has received a request from Mr. Healey that the Town consider selling to him a piece of property owned by the Town that intersects with his property. The piece is a "stub" road which the Town owns and uses to access the Stone Hedge water facilities. As the road is not well kept and is rather unsightly and Mr. Healey has built a new garage near it he would like to improve the road and surrounding area. Supervisor Bloomfield said the Board asked Attorney Caplicki to contact Mr. Healey's attorney to inform Mr. Healey the Town is not opposed to him improving the road at his expense, however, the Town's heavy equipment and the snowplows, etc. will still have to have access with no liability to the Town. Attorney Caplicki is working on the negotiations and will report back to the Board.

Councilman Newbold stated it did not make sense to him to allow a resident to use Town property to enhance the value of their home. Attorney Caplicki reported the two adjacent properties near him were in favor of the proposal as it will enhance the whole area. The Board discussed at length the location and the fact the road is an eyesore. Attorney will continue to investigate the request and will report back to the Board.

**F. NEW BUSINESS:** None

**G. FINANCES:** Councilman Canterino made a Motion to authorize the Supervisor to amend December 14, 2006 Abstract from \$463,557.75 to \$464,057.78, a \$500.03 adjustment. Councilman Lyons seconded the Motion. Motion carried 4 to 0.

Councilman Canterino made a Motion to authorize the Supervisor to pay Voucher #2006-3275 to Voucher #2006-3359 amounting to \$743,078.17. The Motion was seconded by Councilman Lyons. Motion carried 4 to 0.

## H. PRIVILEGE OF THE FLOOR

Supervisor Bloomfield asked the newspaper reporters present to please, when quoting him to please be accurate as there was a recent error made and accuracy of information is very important.

Nick Patraglia asked about Hambletonian Park's water problems and the fact they will probably lose the \$300,000.00, asking if the residents of the Park will have to pay the cost, with no impact on the other residents in the town. The Supervisor replied this is true and Councilman Canterino explained Hambletonian Park is a special district, as Arcadia Hill and Stone Hedge and each is responsible for its own expenses by law.

Jerry Boss asked how many attorneys were interviewed before the new attorney was hired? The Supervisor replied one. Mr. Boss asked what the attorney's retainer is. The Supervisor replied "he does not have one." Mr. Boss asked what the attorney's hourly rate would be? The Supervisor replied \$125.00 per hour. Mr. Boss asked why the other attorneys were replaced and the Supervisor reported they were experiencing a lot of conflict of interest, as they were representing a good number of applicants coming before the Planning Board. The expense of the attorneys past and present was discussed.

Mr. Boss asked about the Salesian park and asked if it is a park? The Supervisor explained when it was purchased it was to make part of it a park, however, at that time the library was interested in doing something with the school building and there were other considerations. The Supervisor stated if we call it a park and accept the \$250,000.00 grant money the land stays in the footprint that it is now there and nothing else can be done with the property. This is why the Town has not accepted the money yet, we have ten years to accept this grant. The Town will not act on the grant until the entire plans are complete.

Beverly Jappen thanked the Board for their services and said she thought they were doing a great job. She asked about the stockpile of telephone poles she is seeing in the Village and warned that it looks like Orange and Rockland will be coming through and cutting trees as they did on Arcadia Road. Councilman Canterino will look into Orange & Rockland's intentions.

She also asked the Board to continue to submit other parcels to the County for PDR. Ms. Jappen encouraged the Board to address again the transfer tax that could be used to fund the purchase of additional land. Supervisor Bloomfield

explained the long process required to do this and gave the history of it. He said if the residents wanted to pursue this, he wished they would, as the Board is busy doing other things at this time. He said the Town is pursuing open space with PDR, in the zoning laws and by accepting conservation easements. He said a lot of this is free of charge to the tax payer.

Susan Bloom asked if the results of the Traffic Study had been given to the Planning Board? Supervisor Bloomfield said the Board just received it and will be using the study to start on an infrastructure plan that has to be done for our Master Plan. He said at that time the intersections rated F will have to be addressed, but the Village, County and State are involved in this. Ms. Bloom said developers should have to deal with this before building can begin for public safety.

Debbie Marone addressed the Board asking for clarification as to what could be done with the footprint if the Board accepted money from the grant. Supervisor Bloomfield explained the strings attached to the grant again and the flexibility that will be lost if it is accepted at this time. Ms. Marone said the property was mandated to be a park, and the five million dollar referendum mandated the residents feelings about purchasing open space. She also said the Board needs to consider affordable housing.

Pat Sherlock asked with all this growth have charter schools been considered? Councilman Lyons, liaison to the School District said there is no talk currently about building another school on a different location, as this would be very expensive. However, he said there are plans to expand some of the schools.

Discussions continued on PDR, Open Space , Orange & Rockland taking of trees and cell towers.

Councilman Lyons said he would like to comment on the passing of two people, both were remarkable people, who contributed not only to the Town of Goshen, but the County of Orange. He said Spencer McLaughlin, an Orange County legislator, was a very articulate, bright man who was a pleasure to work with.

Patricia Hugerth was past captain of the Goshen Volunteer Ambulance Corp and a twenty five year member. Councilman Lyons said Ms. Hugerth gave thousands and thousands of hours to the Village and Town of Goshen. Councilman Lyons said we are fortunate to have such dedicated, remarkable people in our Town and it is one of the things that makes him proud to be a representative of the Town of Goshen.

**I. ADJOURNMENT:** Supervisor Bloomfield made a Motion to go into Executive Session to discuss possible pending litigation with intent not to return. The Motion was seconded by Councilman George Lyons. Motion carried.

Time: 9:15 p.m.

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Valma Eisma, Town Clerk