

A Regular Meeting of the Town Board of the Town of Goshen was held on the 27th day of January 2005 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:

Honey Bernstein	Supervisor	Kenneth Newbold	Councilman
Douglas Bloomfield	Councilman	Louis Cappella	Councilman
Richard Roberts	Councilman		

Also Present: John Cappella

Public Hearings:

1. Road Inspection Fees: Supervisor Bernstein opened the Public Hearing at 7:30 p.m. Supervisor Bernstein explained that in the past every developer paid a certain percentage of the estimated cost of his subdivision road into a fund which was used to pay the Town Engineer to inspect the road as it is built. Sometimes it is too little or sometimes too much. She explained in many instances the Town was losing money as the estimates were too low or the roads were not constructed correctly to meet code and required multiple inspections. This plan would ask for a certain amount to be put in escrow that could be drawn down as needed. She said that if more was needed it could be added to or if money was left over it would be returned. The Supervisor asked if anyone would care to speak and there was no response. Councilman Cappella made a Motion to close the Public Hearing. The Motion was seconded by Councilman Newbold. Motion carried unanimously. Time: 7:37 p.m.

2. EMERGENCY NUMBERING LAW: Supervisor Bernstein opened the Public Hearing at 7:38 p.m. explaining that this law was requested of the Board by some of the firemen. She said the firemen felt it would make their job easier when responding by making the house numbers larger on streets that are 100 feet long or longer. They felt it would make the numbers more identifiable if they were larger. Supervisor Bernstein stated she has some questions about this that she would like to talk over with the Board. Councilman Roberts made a Motion to leave the Public hearing open and tabled until the next meeting which will be February 10th. The Motion was seconded by Councilman Bloomfield. Motion carried unanimously.

Time: 7:45 p.m.

3. OPEN SPACE LAW: Supervisor Bernstein opened the Public Hearing at 7:46 p.m. stating that this plan mirrors the Town's Open Space and Farmland Protection Plan. She said now that there is an Open Space Bond referendum, we need a law to administer it. Debbie Morone asked if there were changes made and the Supervisor replied yes. She explained that there is now an Open Space Committee in place and they have made some recommendations they would like to see implemented. Because of this Supervisor Bernstein suggested tabling this Public Hearing until the

Board could go over the changes. The Public Hearing was tabled to the February 22nd meeting. Time: 8:00 p.m.

A. CALL TO ORDER: Supervisor Bernstein called the regular meeting to order at 8:02 p.m.

B. AMENDMENT TO THE AGENDA: Supervisor Bernstein amended the agenda by adding #8 under Old Business: Road Inspection Fees

C. PRIVILEGE OF THE FLOOR:

John Lupinski, a member of the Planning Board, spoke in reference to #2 – a Resolution Authorizing Planning Board to Review Cluster Plan for Prochaska Subdivision. He said this involves a clustering in the Black Dirt area. Mr. Lupinski said this area is heavily involved in agriculture and he felt that allowing three houses to be built there was excessive. He felt there should be no more than two.

Debbie Morone referred to #6 Humane Society Lease saying that any internal work the Society had to do they should do internally, but she felt the lease should be extended.

Sharon Barbera, president of the Humane Society, said she hoped the Town would continue to support the Humane Society and that she would be happy to answer any questions or concerns the Board might have.

Jaimie Faerman, a senior at Goshen Central School, spoke explaining that she has been volunteering at the Humane shelter since June. She said she has learned so much and aspires to become a veterinarian. Ms. Faerman said she has watched Ms. Sandstrom (Dog Warden) and Dr. Corr treat the animals with the utmost care and compassion. Ms. Faerman said she is very familiar with how the animals are kept and cared for medically and has never seen anything that has troubled her. She said working at the shelter has made her realize that treating animals humanely does include euthanasia. Ms. Faerman said prolonging a sick animal's life or having it live its life in a cage is not humane.

Wanda Krasinski, a member of the Goshen Humane Society and a member of the American Society of Prevention of Cruelty to Animals. She said any group or organization that receives funding from the Town of Goshen must be able to demonstrate efficient and effective accountability. Ms. Krasinski said that the Board should be receiving ongoing accounting records, protocols, etc. An organization should be open to constructive criticism and the ability to recognize that what is currently in place may not be working and a time for change has come. She said the Town Board members are elected officials who make educated decisions about providing or denying funding to the Humane Society. She said she

was here to ask the Board to base their decision on the funding, not on hearsay, unsupported evidence, friendship or loyalty. She said she is counting on the Board

to base their decision on accurate information that can be verified with facts and figures that the Board is entitled to and should be demanding.

Laurene Sandstrom, Manager of the Humane Society, said she can show the Board her monthly reports which will show all the records are accurately kept. She said most people are very happy with the way things are being done at the shelter and she would hope the Board would continue to fund it.

D. REPORTS:

Councilman Cappella, liaison to Highway, reported that Highway was at the Salesian property securing the mansion and no trespassing signs have been ordered. He commended the Highway Superintendent and his men for the long hours and great work they have done in the recent heavy snows.

He said he would like to personally give thanks to Virgil Pascual, whose resignation from the Goshen Senior Citizen Commission will be accepted this evening. Councilman Cappella said he would like to thank him for his service and also his generosity toward the seniors through the years.

Councilman Cappella said since it is the first month of the new year he would like to give thanks to all the committees and boards that help run Goshen. He said these people put a lot of time in and very often go unnoticed. Councilman Cappella said it is the efforts of these people that make Goshen a better place.

Councilman Newbold agreed with Councilman Cappella and spoke of all the new committees that are being formed now. He reported on the Trail Committee that met last week and are finalizing a proposed trail system and are waiting for a grant that they feel they have a good chance of getting. Councilman Newbold reported that the committee had met with Chief Marsh to consider safety concerns on the trails.

Councilman Newbold stated there was no Humane Society meeting last month due to bad weather. He reported that the Planning Board is here till 12:00 p.m. almost every other Thursday, they are so busy. He stated that "if you do not have a development near you now, you can rest assured there will be one coming to your neighborhood soon.

Councilman Roberts reported he was working on several things now, one being the Town Hall painting. He said the people who will be doing the painting are on vacation and will return this weekend. He said he will serve as the liaison between the Town and the painters to assure them entrance to the building, etc. Councilman

Roberts said he has asked Councilman Cappella to aid him in coordinating Highway since they will be moving furniture, etc out of the way of the painters.

Councilman Roberts said the Supervisor had requested he find some type of storage facility for the salvageable items that have come from the Salesian Mansion. He said he purchased a storage unit that will be placed on the Highway property and should be delivered next week.

Councilman Roberts said he is the liaison for the Board with the Open Space Preservation Board. He said the Board has had three meetings that were delightful. He said the Board is made up of six or seven people who are all cooperating and helping each other. The Open Space Board has asked Councilman Roberts to ask the Town Board to approve a letter to be sent out to prospective, interested parties. Ralph Huddleston will compose the letter. Supervisor Bernstein said she would amend the agenda to make the approval of writing the letter to #9 under old business.

Councilman Bloomfield reported that he is the liaison between the Board and Joint Recreation. He said the goal of Recreation is to be self-funding in ten years. He said with the Supervisor's help he had met with those municipalities that share our School District and our recreation and requested that they help with the funding. So far none have responded. He said there was a frozen water pipe in the pavilion that caused some water damage and an insurance claim is being processed. He reported that the coordinator of recreation, Pam Lorenzo, has resigned as of the end of December. He said he would like to thank her for her hard work and years of service. He said she will be surely be missed. Councilman Bloomfield said the commission is in the process of finding a replacement.

Councilman Bloomfield said he is Commissioner of Finance for the Board and last year he did a review of all contracts. One of these was the computer support and to cut expenses a new company was hired. He said there have been some problems so he met with the employees at Town Hall and the Police Department and had everyone write down their problems. He sat down with the supplier and the employees and went over the lists and worked it out. He said this is a considerable savings to the Town.

Supervisor Bernstein reported that the Town Board met with the Scotchtown Water District. She explained that this is a privately owned district that the Board of Health has sited for many years and now has asked the Town to take over the district. Supervisor Bernstein said the meeting was an informational one and there is much more work to be done, but the Board is looking forward to taking over the district for the benefit of the residents.

The Supervisor stated that the Hambletonian Park residents are having brown water problems due to the iron and magnesium content in the water. She said the Board

is waiting for authorization from the Board of Health to treat this and hopefully over time it will eliminate the problem.

Supervisor Bernstein reported that the Water & Sewer Committee, made up of residents from all the water/sewer districts, has been meeting with the Board regularly. She said this has led to a better understanding of the problems and finances involved in running the districts between both the Board and the residents.

Supervisor Bernstein said she is very proud of the Open Space, the Trail and the Affordable Housing Committees. She said these committees are an integral part of the goals the Board set for 2005.

The Supervisor reported that storage space is a problem in the Town Hall and the additional basement space was wet. She explained that the Board hired B-Dry Systems to eliminate the water problem and now we can use this section for additional storage space.

Supervisor Bernstein said a meeting in December was held to unveil the plans for the Salesian Property. She said she is looking for someone to put it in exhibit form for public display. The Supervisor reported that the estimated total cost for the development of Salesian, without the building is somewhere between \$700,000.00 and two million dollars. She said this will be done over a period of ten to twelve years. Supervisor Bernstein said there are a number of grant requests in progress that will hopefully off set the cost of the development.

The Supervisor reported the Board has instituted a purchase order system which will give much greater accountability to the Town Board. She said in the past expenditures were approved after the purchase, now they must have prior approval by the Supervisor or Budget Officer. Supervisor Bernstein said it has been instituted in the two largest departments now, Highway and Police. When these are up and running it will be adopted by all departments in the Town.

Supervisor Bernstein said since 2002 the Board has been setting goals for the upcoming year. She reported the goals for this year are:

1. To get the Affordable Housing Policy up and working. This is now required and a policy and procedure needs to be put in place.
2. Open Space: now that the bond is in place, the open space needs to be reserved.
3. Continuation of improvements in the water/sewer districts.
4. Start the development of Salesian this spring.

5. New State guidelines are requiring a complete inventory of all assets belonging to the Town. This includes property, equipment, etc.
6. Improve inter and intra Board communications
7. Improved Financial Accountability

Supervisor Bernstein announced there will be a special meeting for the farmers and other large land owners in regard to PDR. Representatives from the American Farmland Trust and the Farm Credit Bureau will be there to address concerns. The meeting will be held at the Town Hall on February 12, 2005 at 8:30 a.m.

E. OLD BUSINESS:

1. Resolution – Authorizing Awarding Bid for Salesian Mansion – Netrix, Inc.

**TOWN OF GOSHEN
County of Orange, State of New York**

RESOLUTION

**AUTHORIZING AWARDING BID
FOR SALESIAN MANSION
ASBESTOS ABATEMENT AND DEMOLITION**

Introduced by: Councilman Douglas Bloomfield
Seconded by: Councilman Richard Roberts
Date of Adoption: January 27, 2005

WHEREAS, the Town Board in furtherance of its procurement policy has solicited bids for the Salesian Mansion demolition and asbestos abatement; and

WHEREAS, the Town has received six properly prepared bids for the work proposed; and

WHEREAS, the low bidder was Netrix, Inc. of Patterson, New Jersey, with a bid of \$312,197.00; and

WHEREAS, the Town in conjunction with the Town Engineering Consultant have reviewed the proposal and have checked references and determined that Netrix, Inc. is a qualified bidder; and

WHEREAS, in order to appropriately monitor and insure the demolition and asbestos abatement is completed in a proper manner, it is necessary to retain the

services of a qualified asbestos consultant, Quest Engineering, to conduct field investigations, material sampling, associated tests and field monitoring to ensure that any asbestos present on the site has been properly removed and disposed; and

WHEREAS, it will also be necessary for the Town's Engineering Consultant to conduct field investigations, structural analysis and associated engineering services should the demolition proceeds accordingly, it is anticipated that the cost of these services, including laboratory costs and contingency allowance will result in an additional cost of approximately \$40,000 to \$50,000, and

WHEREAS, on January 13, 2005, the Town Board adopted a Negative Declaration under SEQR for the Salesian Mansion demolition and asbestos abatement.

NOW, THEREFORE, BE IT RESOLVED

That the Town Board of the Town of Goshen hereby awards the bid for the Salesian Mansion asbestos abatement and demolition to Netrix, inc. of Patterson, New Jersey in the bid amount of \$312,197.00.

BE IT FURTHER RESOLVED

That the Town Supervisor is authorized to execute any contracts or agreements necessary to commence demolition

BE IT FURTHER RESOLVED

That the supervisor is hereby authorized to enter into contract with Quest Environment as asbestos abatement consultant and to engage the services of the Town engineering firm Dufresne-Henry to accomplish appropriate monitoring of the demolition work.

BE IT FURTHER RESOLVED

That the cost of the work authorized herein shall be shared equally between the Town and Village.

BE IT FURTHER RESOLVED

That the total cost of the demolition shall not exceed the amount of \$360,000.00, without separate or new authorize from this Town Board and Village Board of Trustees of the Village of Goshen.

UPON ROLL CALL VOTE:

Supervisor Bernstein AYE Councilman Newbold AYE

Councilman Roberts AYE Councilman Bloomfield AYE
Councilman Cappella AYE

Vote: Resolution carried by a vote of 5 to 0.

2. Gidaly Grant: Quality Communities

The Supervisor explained that Glen Gidaly is a professional grant writer and writes grants for municipalities all across the State. The following resolution will authorize the Town Board to hire Mr. Gedaly to write a grant at a cost of \$1,000.00 to 1,200.00.

RESOLUTION:

The Town Board of the Town of Goshen RESOLVED the following at a duly called meeting of the Town Board, held on January 27, 2005.

RESLOVED:

As the Town Board is committed to encouraging and promoting the planned development of the Salesian Property: and

As the Town has worked cooperatively with the Village of Goshen to secure and and plan for the use of the Salesian Property:

Be it RESOLVED that;

The Town Board is authorizing the submission of a grant, jointly with the Village of Goshen, to the New York State Department of State, Qualities Communities Program To request planning an implementation funds;

And that:

The Supervisor is authorized to file said Grant Proposal and act on behalf of the Town in all matters related to this financial assistance.

Councilman Newbold made a Motion to adopt the forgoing Resolution and Councilman Bloomfield seconded the Motion. Motion carried 5 to 0.

Supervisor Bernstein stated that there is another Grant, a Greenway Grant, that is specifically for connecting trails. The Grant would be up to \$10,000 and used to turn the gate area on the Salesian property into part of the trail system. Councilman Bloomfield made the Motion to authorize the Supervisor to hire Glen Gidaly to write the Grant for Greenway. The Motion was seconded by Councilman Newbold. Motion carried 5 to 0.

Councilman Newbold said he would like to thank Susan Cleaver who has obtained five or six grants for us at no cost to the taxpayers.

3. Correction to 1/13/05 Abstract: Councilman Bloomfield made the Motion to correct the abstract of 1/13/05 from \$194,273.33 to approve Voucher 2004-2808 to voucher #2004-3059 amounting to \$194,814.91. The Motion was seconded by Councilman Newbold. Motion carried 5 to 0.
4. Appoint the Following Members to the Affordable Housing Committee

Councilman Newbold moved to appoint the following members to the Affordable Housing Committee:

Supervisor Honey Bernstein	Michael Wilson
Thomas Boxman	Ann Garti
Veronica Degnan	Jean Rowe
Alice Dickinson	Rollie Peacock
Antonio Figueroa	Donna Case
James Thornton	Tom Fay
George Lyons	Jim Brooks
Neal Halloran	

The Motion was seconded by Councilman Roberts. Motion carried 5 – 0.

Supervisor Bernstein stated that there are various people on this Board that are not from Goshen and will not benefit from the program. She said how fortunate we are to have them volunteer to help us.

5. Appoint the Following Members to the Open Space Committee

Jim Caggiano – consultant	Barbara Strauss
John Gebhards – non resident	Ralph E. Huddleston
John Lupinski	Dick Durland – non resident
Hans Persoon	Richard Roberts
Nick Petraglia	

Councilman Bloomfield made a Motion to appoint the above to the Open Space Committee. The Motion was seconded by Councilman Cappella. Motion carried unanimously.

6. Humane Society Lease:

Councilman Richard Roberts made the Motion to reinstate the lease for the Humane Society. The Motion was seconded by Councilman Louis Cappella. Supervisor Bernstein stated that the Town Board voted to withhold 2005 funding to the Humane

Society because of its disapproval of what it considered to be excessive euthanasia. She said by doing this the Board, unintentionally, seriously impugned the reputation of the Humane Society and the veterinarian who performed euthanasia procedures. She said the Board, two weeks later at its Reorganization Meeting, appointed the Goshen Humane Society as its official animal shelter. The Supervisor stated that the vote to withhold funding was a violation of not only the basic rules of civility, but the Town's stated goals of 2005, which include improved communication between the Town Board members and the other various boards. Prior to this the Board did not express its displeasure to the Society nor was it invited to a Town Board meeting to communicate its position regarding this matter. The Supervisor stated that this was never discussed at any work session or regular meeting of the Town Board. She said she had no voice in this matter as she was not present at that meeting and would like her opinion stated for the record. She said she did not want her name associated with the action. She said the Town Board's December expedition into the internal affairs of the Humane Society violated the terms of the 2004 agreement between the Town Board and the Humane Society. She read from the agreement "that the Town shall have no involvement in any aspects of the administration or conduct of the Humane Society or its programs." The Supervisor stated that when the funding was increased in 2004 by \$10,000.00 it was verbally agreed the Society would use this money for spaying and neutering. She said she conducted her own investigation and found that the Society followed the proper procedures. The Supervisor said she would like to apologize to Dr. Corr and the Goshen Humane Society for the damage that has been done to their reputation.

Councilman Cappella said this is his first year and he did not know what the contract was all about and exactly how this \$ 25,000.00 was to be used. He said when he voted that night he did not vote on any issues, but wanted time to look into the situation and gather more information which he has done in the last six weeks. Councilman Cappella said he spoke to a lot of people, people have called him and he visited the Humane Society. He said that now that he obtained all the facts, he said he pointed out at the last work session what was in the contract and what was not. He said according to that contract there is nothing the Society is doing wrong. He said also he would like to applaud everyone involved and he supports the Humane Society.

Councilman Bloomfield said in 2003 Barbara Mensch came before the Board asking for a sizeable increase in the budget. He said at that time Barbara talked of a low kill operation and she stated that she had invested money of her own to keep the shelter going. He said he thought if these people were investing their own money and they were a low kill shelter the Town Board should help them and he proposed the \$10,000.00 increase. He said Councilman Newbold, liaison to the shelter, said he would approve if used for extended care and not euthanasia. He understood this was in the contract, however the attorney and the Supervisor have informed him this is not so, but he did not know that. He said the Motion was to hold the money pending more information. He said I am an animal lover and I would to say that every Humane Society person and everyone who donates money to the organization is a hero in my eyes. Councilman Bloomfield said that the Humane Society seems to have an A team and a B team. He said the Town Board wants the customers to be satisfied, the customers are the taxpayers of the Town

and Village. He said fences need to be mended, the two factions need to come together. He said he was told that between \$30,000.00 and \$45,000.00 is being withheld due to this problem and “you need this funding” otherwise you will be coming back to us for more funding.

Councilman Roberts said he was not present at that meeting, but if he had been he would have voted to withhold the money at that time. He said there was something that happened then that the Board did not know the answer to. He said since that meeting the Board has had some work sessions and have met with some members of the Humane Society and they are within their contract. Councilman Roberts said he thought as a result of withholding the money the Board and the Humane Society are closer now that both sides took the time to find out what is going on.

Councilman Newbold said that he made the Motion to withhold the funding. He said he has been an active member of the Humane Society since the beginning twelve years ago. He said the Town Board supplied the land for the building, supplied water and sewer, increased the funding, since he has been on the Board, from \$4,000.00 to \$25,000.00. He said every Supervisor and Town Board has wholeheartedly supported this Humane Society. Councilman Newbold said this Motion was made and I’m sorry if Honey Bernstein objects to the fact that I am asking for accountability. He said “Honey, in the past you have asked us to discuss this”. He said he was offended. He said in the past we contracted with the Humane Society for dog control in the Town of Goshen. He said his meeting with the Humane Society was ugly. He said the meeting put friend against friend, “it was an ugly, ugly meeting.” Councilman Newbold said the next day, when emotions were high, he talked with Councilman Bloomfield. He reported that he called the Humane Society President the next day and asked to set up a meeting. He said he is still waiting for an answer. He said he called another of the Board of Directors on the weekend and pleaded for them to “come and talk”. He said no one accused them of slaughtering animals, all they wanted was accountability. He said never to question his commitment to the Humane Society. He said the Board has been there for you in the past and will be there for you in the future and if anyone took offense “I’m sorry”.

Supervisor Bernstein called for a vote on the Motion to reinstate the funding to the Humane Society. Motion carried unanimously.

Councilman Roberts made a Motion to authorize the Supervisor to enter into a similar contract that was signed in 2004. The Motion was seconded by Councilman Cappella. Motion carried 5 – 0.

Supervisor Bernstein stated that Councilman Newbold has donated more time than anyone else to the Humane Society. She said he has donated his expertise in electrical work, as well as his own money. She said people involved in the Humane Society have a passion for it and that is probably why this whole problem erupted. The Supervisor said she hoped that all would look forward and get back to business.

7. Supervisor Bernstein reported that there are two vacancies on the Board of Assessment Review. Councilman Newbold made the Motion to appoint Peter Sulzbach and Chet Engley to the Board of Assessment Review. The Motion was seconded by Councilman Cappella. Motion carried unanimously.
8. Road Inspection Fees – Public Improvement Inspection Fee –

**TOWN OF GOSHEN
County of Orange**

RESOLUTION OF ADOPTION

Public Improvement Inspection Fee

Introduced by: Councilman Kenneth Newbold
 Seconded by: Councilman Douglas Bloomfield
 Date of Adoption: January 27, 2005

WHEAREAS, an introduction Local Law entitled “Public Improvement Inspection Fee” be and it was hereby introduced before the Town Board of the Town of Goshen on December 16, 2004, and upon notice duly published and posted, a hearing was held on January 27, 2005 before the Town Board; and

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law;

NOW, THEREFORE, BE IT RESOLVED, that the adoption of the introductory Local Law entitled “Public Improvement Inspection Fee” is hereby determined not to have a significant effect on the environment.

BE IT FURTHER RESOLVED, that the introductory Local Law entitled “Public Improvement Inspection Fee” of the Town of Goshen be and hereby is adopted as Local Law of the Town of Goshen on January 27, 2005.

Upon Roll Call Vote:

Supervisor Bernstein	AYE	Councilperson Roberts	AYE
Councilperson Newbold	AYE	Councilperson Bloomfield	AYE
Councilperson Cappella	AYE		

Vote: Resolution carried by a vote of 5 to 0.

9. Open Space Committee: Councilman Roberts made a request for Board Approval to compose a form letter to be sent out to applicants, farmers and

large land owners. The letter would solicit their interest in participating or selling their development rights. Councilman Roberts made a Motion to authorize the Open Space Committee to compose a letter to send out to applicants to solicit their interest in participating or selling their development rights. The Motion was seconded by Councilman Cappella. Motion carried unanimously.

F: NEW BUSINESS:

1. Set Public Hearings: Proposed Zoning Code Revisions
Small Scale Development

Attorney Cappello suggested combining the Proposed Zoning Code Revisions and the Small Scale Development into one local law. Councilman Cappella made a Motion that the Town Board schedule a Public Hearing on Zoning Text Revisions and Clarifications on February 22, 2005 at 7:30 p.m. The Motion was seconded by Councilman Newbold. Motion carried unanimously.

2. Accept With Regret Virgilio Pascual Resignation Goshen Senior Citizen Commissioner.

**TOWN OF GOSHEN
County of Orange**

**RESOLUTION
ACCEPTING RESIGNATION
OF VIRGILLO PASCUAL**

Introduced By: Councilman Louis Cappella
Seconded By: Councilman Richard Roberts
Date of Adoption: January 27, 2005

NOW, THEREFORE, BE IT RESOLVED:

That the Town Board of the Town of Goshen regretfully accepts the resignation of Virgilio Pascual from the Goshen Senior Citizens Commission.

Supervisor Bernstein	AYE	Councilman Newbold	AYE
Councilman Roberts	AYE	Councilman Bloomfield	AYE
Councilman Cappella	AYE		

Vote: Resolution carried by a vote of 5 to 0.

Supervisor Bernstein said that Virgil has been on the Goshen Senior Citizens Commission since its inception in 2000. He has always attended their meeting and has donated a lot of money and has done a lot for the seniors and will be missed by the Commission. The Supervisor said if there was anyone in the audience this evening interested in being on the Commission to please contact the Town Hall. A letter of regret will be sent to Mr. Pascual.

3. Authorize Town Clerk and Deputy to Attend Support Staff Course on February 16, 2005

TOWN OF GOSHEN
County of Orange, State of New York

**AUTHORIZIING TOWN CLERK AND
DEPUTY TOWN CLERK TO ATTEND THE
ORANGE COUNTY MUNICIPAL PLANNING
FEDERATION SEMINAR**

Introduced by: Councilman Bloomfield
Seconded by: Councilman Roberts
Date of Adoption: January 27, 2005

WHEREAS, Val Eisma, Town Clerk, and Linda Doolittle, Deputy Town Clerk, for the Town of Goshen have submitted a request to attend the Orange County Municipal Planning Federation Training Sessio/Seminar on February 16, 2005, which is a half-day session being offered for municipal staff support at a cost of \$30.00 per person.

NOW, THEREFORE, BE IT RESOLVED:

That the Town Board approves Val Eisma and Linda Doolittle's request to attend the Orange County Municipal Planning Federation Training Session/Seminar on February 16, 2005, at a cost not to exceed \$60.00

Vote: Resolution carried by a vote of 5 to 0.

3. Authorize Eileen Kelly, Town Assessor to Attend Association of Towns Meeting – February 20, through February 23,2005 – Registration Fee \$125.00.

TOWN OF GOSHEN
County of Orange, State of New York

AUTHORIZING EILEEN KELLY, ASSESSOR
TO ATTEND THE ASSOCIATION OF TOWNS MEETING

Introduced by: Councilman Douglas Bloomfield
Seconded by: Councilman Kenneth Newbold
Date of Adoption: January 27, 2005

Whereas, Eileen Kelly, Assessor, for the Town of Goshen has submitted a request to attend the Association of Towns training session/meeting on February 20, 2005 through February 23, 2005, at a cost of \$125.00 per person

NOW, THEREFORE, BE IT RESOLVED:

That the Town Board approves Eileen Kelly's request to attend the Association of Towns meeting on February 20, 2005, at a cost not to exceed \$125.00.

Vote: Resolution Carried by a vote of 5 to 0.

4. Resolutions Police Department: Luis Caquias to Full Time Police Officer

TOWN OF GOSHEN
County of Orange, State of New York

RESOLUTION
APPOINTING FULL TIME POLICE OFFICER

Introduced by: Councilman Douglas Bloomfield
Seconded by: Councilman Kenneth Newbold
Date of Adoption: January 27, 2005

WHEREAS, the Chief of Police, Dennis Marsh, has submitted a request to the Town Board to hire a full time police officer for the Town of Goshen; and

WHEREAS, the Chief of Police, Dennis Marsh, has submitted the name of Luis Caquias as the candidate to fill the position as full time police officer in the Town of Goshen.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Town Board approves the appointment of Luis Caquias as full time police officer, at Step 2 with a gross salary of \$37,121.00, such appointment to become effective February 13, 2005.

Vote: Resolution carried by a vote of 5 to 0.

6. Michael Imperio: Rehire to Part Time Police Officer

TOWN OF GOSHEN
County of Orange, State of New York

RESOLUTION
APPOINTING PART TIME POLICE OFFICER

Introduced by: Councilman Louis Cappella

Seconded by: Councilman Douglas Bloomfield

Date of Adoption: January 27, 2005

WHEREAS, the chief of Police, Dennis Marsh, has submitted a request to the Town Board to hire a part time police officer for the Town of Goshen; and

WHEREAS, the Chief of Police, Dennis Marsh, has submitted the name of Michael Imperio as the candidate to fill the position as part time police officer in the Town of Goshen.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Town Board approves the appointment of Michael Imperio as part time police officer, at an hourly rate of \$16.85 per hour, such appointment to become effective February 1, 2005.

Vote: Resolution carried by a vote of 5 to 0.

8. Resolution Authorizing Planning Board to Review Cluster Plan for Prochaska Subdivision

Attorney Cappello explained that applicant Fred Prochaska has requested the Board to authorize the Planning Board to review a cluster subdivision plan.

**TOWN OF GOSHEN
County of Orange, State of New York**

**RESOLUTION
AUTHORIZING PLANNING BOARD
TO REVIEW CLUSTER PLAN FOR
PROCHASKA SUBDIVISION**

Introduced by: Councilman Kenneth Newbold
Seconded by: Supervisor Honey Bernstein
Date of Adoption: January 27, 2005

WHEREAS, the applicant, Fred Prochaska has requested this Board to authorize the Planning Board to review a cluster subdivision plan for a maximum of 4 single family building lots on a V 17.2 acre parcel located in the A1 Zoning district: and

WHEREAS, the subject property is located on both sides of McNamara Lane in the Town of Goshen, designated on the Town of Goshen tax map as section 22 block 1 Lot 61;

WHEREAS, the Applicant has submitted a conventional subdivision plan to the Planning Board demonstrating that the Applicant could develop the entire property for at least 4 single family lots under the current zoning;

WHEREAS, the Applicant requests these clustering provisions to reduce the minimum lot size for one of the lots for this project to * square feet, with the other two (2) residential lots meeting the minimum lot acres and all other bulk requirements for the AI zoning district;

WHEREAS, the proposed cluster will also result in one large lot on the east side of McNamara Lane which will remain as agriculture land in perpetuity;

WHEREAS, the Planning Board has requested this Board authorize and to review said cluster plan;

WHEREAS, Town of Goshen Code Chapter 83 entitled Subdivision of Land §83-14 authorizes the Town Board by resolution to empower the Planning Board to modify Applicable provisions of the Zoning Law in accordance with provisions of §281 of the Town Law (now §278).

NOW, THEREFORE, BE IT RESOLVED:

That the Town of Goshen Town Board hereby authorizes the Planning Board to review the clustered subdivision application of the Lands of Prochaska and modify applicable provisions of the Zoning Law subject to the following restriction:

1. No more than 3 single family lots with the remainder of land used for agricultural purposes only; and
2. The minimum lot size for lot #3 * shall be not less than the acreage shown on the subdivision map. The two other residential lots shall have a minimum lot size of 80,000 square feet and the remainder lot shall remain as agricultural land in perpetuity.

UPON ROLL CALL VOTE:

Supervisor Bernstein	AYE	Councilman Newbold	AYE
Councilman Roberts	AYE	Councilman Bloomfield	AYE
Councilman Cappella	AYE		

Vote: Resolution carried by a vote of 5 to 0.

9. David A. Ramsey – BOCES School Resource Officer Beginning January 30, 2005

TOWN OF GOSHEN
County of Orange, State of New York

RESOLUTION

**APPOINTING FULL TIME POLICE OFFICER
FOR ORANGE – ULSTER BOCES**

Introduced by: Councilman Kenneth Newbold

Seconded by: Councilman Louis Cappella

Date of Adoption: January 27, 2005

WHEREAS, the Chief of Police, Dennis Marsh, has submitted a request to the Town Board to hire a full time police officer as the School Resources Officer for the Orange-Ulster BOCES program for the Town of Goshen; and

WHEREAS, the Chief of Police, Dennis Marsh, has submitted the name of David Ramsey as the candidate to fill the position as full time School Resources Officer for the Orange-Ulster BOCES program in the Town of Goshen.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Town Board approves the appointment of David Ramsey as the full time School Resources Officer for the Orange-Ulster program, at Step 5 with a gross salary of \$48,750.00, such appointment to become effective January 30, 2005.

Vote: Resolution carried by a vote of 5 to 0.

10. Appoint Joel Russell – MGD

TOWN OF GOSHEN
County of Orange, State of New York

RESOLUTION

**AUTHORIZING TOWN TO HIRE
OUTSIDE COUNSEL, JOEL RUSSELL, ESQ.
IN THE MATTER OF MGD**

Introduced by: Councilman Douglas Bloomfield

Seconded by: Councilman Kenneth Newbold

Date of Adoption: January 27, 2005

WHEREAS, the Planning Board is in need of substitute counsel to provide representation for the application of Ginsburg Development, LLC (MGD), Prospect Hill land use application; and

WHEREAS, Joel Russell, Esq. is available to provide representation in connection with the matter of MGD; and

WHEREAS, the Supervisor shall enter into a retention agreement prior to commencement of the services.

NOW, THEREFORE, BE IT RESOLVED:

That the Supervisor be, and hereby is, authorized to retain the services of Joel Russell, Esq. to provide legal representation to the Town of Goshen in the matter of MGD at an hourly rate of \$ 160.00.

Vote: Resolution carried by a vote of 5 to 0.

F. FINANCE:

Councilman Douglas Bloomfield made a Motion to authorize the Supervisor to pay Voucher #2004-3058 to 2004-3061 amounting to \$202,903.26. Councilman Richard Roberts seconded the Motion. Motion carried unanimously.

FREEDOM OF THE FLOOR:

Geoffrey E. Chanin stated he wanted to thank the Town Board for reinstating the money to the Humane Society. He said he was a resident of the Town and he feels

that elected officials are very much like umpires in a baseball game. He said it is rare to leave the stadium that we say the empire did a very good job.

Gerry Boss said he felt the Board should be congratulated. He said the Board disagreed, but the Board did their research and some admitted they were wrong, which takes a lot of courage. He said the Humane Society should use the example you have set and sit down and work things out.

Debra Corr asked where she might find the revisions to the zoning code and was informed she could pick them up in the Town Clerk's Office. She thanked the Board for starting a Trail Committee, but reminded them that there are professional trail designers out there that could help. She presented a book, entitled The Trial of Painted Ponies, describing a fund raiser whereby the horse statues are purchased and then decorated by local artists. She said sometimes the decorated horses are sold at auction. She said that many towns are doing this, one with goats and New York City with the apple.

Debbie Marone said with all the building going on she would like to recommend that when the perk tests for water be done in the driest season and when testing for sewer wettest season. The Supervisor assured her that our water protocols, which are very strict, and should address the problem; it would not be practical to ask a developer to wait for a certain season to test. Ms. Marone also said she has called the elected officials a number of times with questions she had on various subjects. She said whoever she spoke with gave her as much time as she needed to understand whatever it was she was questioning. She thanked the Board for their help.

Laurene Sandstrom thanked the Board for reinstating the funding for the Humane Society and asked if her title could be changed from Dog Warden to Animal Control Officer. The Board said they would discuss it.

Supervisor Bernstein stated that there was one more thing she would like to say. She said she would like to publicly state her disapproval of Board actions on two different matters to which she was neither privy to nor participated in. She said both of these actions occurred when she was out of town and distressed her as the actions, in her opinion were in direct conflict with the stated policies of the Town Board. The Supervisor said she was worried about the Board's credibility. She said she was distressed that the hard work and effort has been ignored. She said she wants the Goshen public to know her feelings on these two issues. The Supervisor said the first was the Humane Society which "has been beat to a pulp".

Supervisor Bernstein said she wanted to go on record with another issue. She said this concerns the appointment of a particular individual who was re-appointed to one of land use boards. She said in 2002 the Town Board instituted performance standards for members of these boards. The Supervisor said members of these boards receive a stipend from the taxpayers for their work are now required to meet minimum attendance and training standards. She said we were the only municipality in the

County to have such expectations from our appointees, in fact Goshen was held up as an example by the County Planning Commissioner at a County Planning Federation dinner. The Supervisor said she and the Town Board discussed together the re-appointment of a particular individual and found that he alone, among all seventeen of our land use board members, met neither the attendance nor the training performance standards and therefore would not be re-appointed. She said however, at a later meeting, that she did not attend, this individual was re-appointed. The Supervisor said she hoped the appointment was not related to the fact that the individual is a member of the Goshen Republican Committee, that he is a nice person or that it was based on promises about future performance. She said she feels the only standards a re-appointment should be based on is actual performance.

Reynold Andrews asked if this person was a member of the Goshen Republican Committee and the Supervisor replied yes. Mr. Andrews asked what is his name? The Supervisor said she would prefer not to say that it is a personnel matter, not subject to public disclosure.

Councilman Newbold said he was confused. He said the Supervisor stated that the Board agreed not to appoint this person. He said unless I'm wrong, "I thought we had asked one of the Councilmen to go and speak to this person to verify the facts that were given to us as to attendance and training." Councilman Newbold said the Councilman came back to the Town Board and business has to go on. He said the information the Councilman came back with was in "conflict with the information provided by yourself". He said the Board unanimously decided to re-appoint this person. He said he could understand the Supervisor's concerns about education. Councilman Newbold said he was sorry the Supervisor was disappointed with this Board, but he said "because if I am out of town I do not expect this Board not to function and I do not think you should expect if you are out of town that this Board should stop functioning because you are not here". Councilman Newbold said he was proud of the decision he made and thinks the gentleman will do a wonderful job, he has in the past and hopefully he will continue to serve the Town of Goshen.

Supervisor Bernstein stated business has to continue as long as there is a quorum. She said she felt the Board had made a mockery of our standards. She said all land use Board members have met these standards except for this one individual who missed 10 out of 23 meetings in 2002, in 2003 he missed 12 out of 25 meetings and in 2004 he missed 5 out of 16 meetings. She said "I just want the public to know that I am disappointed that our standards were not applied in making this decision".

Councilman Roberts said as Deputy Supervisor he conducted the meeting when the re-appointment was made. He said while Supervisor Bernstein was still here the information she shared with him was that this person missed half of the meetings which is 8 out of 16. He said he thought that was way too many and the person was not really interested in serving in that role. Councilman Roberts said afterwards he found out he did not miss 8, he missed 5. He said he very seldom takes exception to his fellow Board members, but "I have a problem with the Supervisor right now, I was not given

accurate information”. He said 30% is not 50% missed meetings, but it was based on that information that I originally agreed to not re-appoint him. He said he found out he did not miss 50% and had been doing better lately and had spent many, many years on the Board. He said that further research with the Building Inspector, revealed that this person was probably the most helpful person he had on that Board, he felt that as acting Supervisor that he should be re-appointed. He said he did this as a service to the community and there was absolutely nothing personal about it, “I do not care what his affiliation is”.

Councilman Cappella made the following statements: At a work session the Board discussed a multiple amount of people to be appointed. The information was given that the member missed 8 out of 17 meetings. He later found out that other things were not taken into consideration. He and the rest of the Board spoke of not re-appointing this member, but after hearing that the information they were given was not exact, he asked the Building Inspector to report on every person who is on any committee throughout the Town of Goshen. When he looked at that report for the current year the person only had 5, but what he felt was most important is there were people on different committees who had more absences than him and one of them who was re-appointed had more days out. But, he said “what really came to light was when he and Councilman Roberts came to sign vouchers and they saw the disappointment of Building Inspector Neal Hallaron”. The Building Inspector said he was disappointed because he relied on this person since there are a lot of new members on this Board, “he showed displeasure”. Councilman Cappella said he had to take this into consideration as Neal works with the Boards. He said the Board had a work session and discussed it. Councilman Bloomfield was the first one to speak saying “I have a change of heart in this” and as it has been said before this is a thankless job and people give up their time, this person has been giving more time lately and has been on the Board for many years. Councilman Cappella said the Board changed its mind based on information and facts.

Councilman Bloomfield agreed that what the Supervisor said about standards is very important. However, he said there were two different sets of data, there were two decisions made on the data the Board had before them. Councilman Bloomfield said he would like to reiterate that the Board does have a set of standards for training and attendance and the chairman of these committees should be keeping on top of attendance and training.

Councilman Cappella said he felt that people who are on these boards should not wait five years to tell people they are not doing the job. He said these things should be reviewed and talked about as they happen. He said the one thing he takes offence to is this has nothing to do with being a Republican, Democrat or Conservative.

Supervisor Bernstein said she would like to recognize Reynold Andrews, Planning Board member, for 0 absences in 2004 and John Lupinski only had two absences and both have fulfilled their training obligations.

Councilman Bloomfield moved to adjourn the meeting, seconded by Councilman Newbold. Motion Carried unanimously.

ADJOURNMENT: 9:40 P.M.

Valma Eisma, Town Clerk

