

A Regular Meeting of the Town Board of the Town of Goshen was held on the 12<sup>th</sup> day of April 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	George Lyons	Councilman
Louis Cappella	Councilman	Kenneth Newbold	Councilman

Absent: Philip Canterino, Councilman

Also Present: Dennis Caplicki, Town Attorney, David Spear and Adam Forman, Visiting High School Students from Washingtonville School District.

**A. CALL TO ORDER:** Supervisor Bloomfield called the meeting to order at 7.35 p.m. and asked David Spear to lead the Pledge of Allegiance.

**B. AMENDMENT TO THE AGENDA:** None

**C. PRIVILEGE OF THE FLOOR: (agenda items only)** No response.

**D. PUBLIC HEARINGS:**

**1. Continuation of Local Law #1 – “Vehicles and Traffic” Article II Stop Intersections”**

Supervisor Bloomfield opened the continuation of the Public Hearing that was held on March 22, 2007 at 7:50 p.m. and asked for comments from the public.

Doris Bialas said she would like to repeat what she had stated at the first Public Hearing. That some type of sign, such as “do not block the intersection” be placed near Minisink Trail so that someone coming out of the trail would be able to turn left onto Fletcher Street.

With no further comments from the public, Councilman Cappella made the Motion to close the Public Hearing. The Motion was seconded by Councilman Newbold. Motion carried 4 to 0.

Councilman Newbold made a Motion to adopt Local Law # one of 2007 as written. The Motion was seconded by Councilman Lyons for discussion. Councilman Lyons said that Reynell Andrews had asked at the previous Public Hearing to have the Police Chief's opinion on the situation. Councilman Lyons said Chief Marsh assessed the situation and agreed a stop sign was needed. Councilman Lyons said he was in favor of the ninety day trial period to see how the traffic would be on Minisink Trail and if it or anything else would be a problem.

Supervisor Bloomfield said he had received a letter from the Burke School expressing concern for safety and when the traffic study was started he particularly asked for an assessment of the schools. He said he also received concerns about parking along the road, blocking the road to the restaurant located at the end of Fletcher Street, safety for students and faculty. He called David Dubae, the traffic engineer who did the traffic study, and he agreed a stop sign would help on Fletcher Street and suggest another sign be put up, further up the street, saying caution stop sign ahead. Mr. Dubae said if nothing is done in this area, there probably will be an accident there in the future. Supervisor Bloomfield said he is in favor of the ninety day trail period.

Councilman Newbold said public safety is always the first concern and he is in favor of the stop sign.

Councilman Cappella said he is in favor of the stop sign, but very concerned that it could cause another problem there. He felt it needed to be monitored for the ninety days to see what impact it would have on Minisink Trail. He said he was on Minisink Trail at a peak traffic time and could not get out to make a left or right hand turn. He stated there is a lot of traffic there at peak times not related to school traffic and the stop sign might fix one problem and create another.

Supervisor Bloomfield called for the vote, Motion carried 4 to 0.

## NOICE OF ADDOPTION

**PLEASE TAKE NOTICE** that the Town board of the Town of Goshen at its regular meeting of April 12, 2007 approved proposed Local Law #1 of 2007 entitled “Amendment to the code of the Town of Goshen, chapter 89 entitled “Vehicles and Traffic, Article II Stop Intersections”. The complete text of said local law is as follows:

### ARTICLE II Stop Intersections

#### Section 89-5 Designation of Stop Intersections

The following highway intersections located within the Town of Goshen Town are hereby designated as stop intersections and stop signs shall be erected as follows:

<b>STOP ON</b>	<b>DIRECTION</b>	<b>AT INTERSECTION WITH</b>
Fletcher Street	North	Connector Road over Route 17

A copy of the aforementioned text of said local law is available for inspection And/or copying at the Town Clerk’s Office, Town Hall, 41 Webster Avenue, Goshen, New York, Monday through Friday during regular business hours.

This local law shall take effect immediately upon filing and posting as required by **law**.

Valma Eisma, Town Clerk  
Town of Goshen

## **2. Introduction of New Water/Sewer Rates**

Supervisor Bloomfield explained on February 13<sup>th</sup> he and Councilman Newbold met with all the Water/Sewer Districts and discussed the status of all the districts. He said at the end of that meeting he would have the Budget Officer William Standish to review all of the water/sewer rates during the month of March and the Board would hold a Public Hearing on any changes to these rates.

Councilman Cappella moved to open the Public Hearing, Councilman Newbold seconded the Motion. Motion carried 4 to 0.

Supervisor Bloomfield reviewed the following figures explaining most of the increase in rates are a direct result of the new sewer plant the Village is constructing. The Village is charging the Town for the increased costs of operating and building the new plant. This involves Hambletonian Park and Arcadia as they use Village sewer. The 2007 rates are based on one interest payment for the money borrowed to build the new system and the 2008 rates will be based on two interest payments. The Supervisor also explained the Town's operating costs have also gone up. He said he hopes that this rate increase will help to pay for the two rate increases in 2008. The Supervisor then proceeded to review the following rate sheets with the public.

SA - HAMBLETONIAN PARK - Sewer								
2007 RATE INCREASE PROPOSAL								
# Homes 163	CURRENT ACTUAL USAGE & RATES					2006 RATE	PER 1,000 GALS	COST/YR.
	Q2	Q3	Q4	Q1	TOT. GALS.			
(2006 Usage)								
-5,000 GALS.	37,114	54,043	45,325	56,094	192,576	\$ 8.50	192.58	\$ 1,636.90
0,001-10,000	411,615	357,860	291,890	346,845	1,408,210	\$ 9.00	1,408.21	\$ 12,673.89
0,001-15,000	405,283	484,635	404,966	524,133	1,819,017	\$ 9.25	1,819.02	\$ 16,825.91
5,001-20,000	609,771	559,601	691,680	599,824	2,460,876	\$ 9.50	2,460.88	\$ 23,378.32
0,000 →	785,356	762,532	983,002	629,396	3,160,286	\$ 9.75	3,160.29	\$ 30,812.79
	2,249,139	2,218,671	2,416,863	2,156,292	9,040,965		9,041	85,328

  

	CURRENT ACTUAL USAGE & RATES					2007 RATE	PER 1,000 GALS	COST/YR.
	Q2	Q3	Q4	Q1	TOT. GALS.			
-5,000 GALS.	37,114	54,043	45,325	56,094	192,576	\$ 14.50	192.58	\$ 2,792.35
0,001-10,000	411,615	357,860	291,890	346,845	1,408,210	\$ 15.75	1,408.21	\$ 22,179.31
0,001-15,000	405,283	484,635	404,966	524,133	1,819,017	\$ 16.00	1,819.02	\$ 29,104.27
5,001-20,000	609,771	559,601	691,680	599,824	2,460,876	\$ 16.25	2,460.88	\$ 39,989.24
0,000 →	785,356	762,532	983,002	629,396	3,160,286	\$ 16.50	3,160.29	\$ 52,144.72
	2,249,139	2,218,671	2,416,863	2,156,292	9,040,965		9,041	146,210

  

	CURRENT ACTUAL USAGE & RATES					CHANGE IN RATE	PER 1,000 GALS	COST/YR.	
	Q2	Q3	Q4	Q1	TOT. GALS.				
-5,000 GALS.	37,114	54,043	45,325	56,094	192,576	\$ 6.00	192.58	\$ 1,155.46	
0,001-10,000	411,615	357,860	291,890	346,845	1,408,210	\$ 6.75	1,408.21	\$ 9,505.42	
0,001-15,000	405,283	484,635	404,966	524,133	1,819,017	\$ 6.75	1,819.02	\$ 12,278.36	
5,001-20,000	609,771	559,601	691,680	599,824	2,460,876	\$ 6.75	2,460.88	\$ 16,610.91	
0,000 →	785,356	762,532	983,002	629,396	3,160,286	\$ 6.75	3,160.29	\$ 21,331.93	
	2,249,139	2,218,671	2,416,863	2,156,292	9,040,965		9,041	60,882	
	<b>NET AVERAGE INCREASE PER HOUSEHOLD PER QTR:</b>								<b>93.3</b>

**SC - HAMBLETONIAN PARK - Water**

**2007 RATE INCREASE PROPOSAL**

# Homes 163	CURRENT ACTUAL USAGE & RATES					2006 RATE	PER 1,000 GALS	CURRENT COST/YR.
	Q2	Q3	Q4	Q1	TOT. GALS.			
(2006 Usage)								
0-5,000 GALS.	37,114	54,043	45,325	56,094	192,576	\$ 9.75	192.58	\$ 1,877.62
5,001-10,000	411,615	357,860	291,890	346,845	1,408,210	\$ 10.75	1,408.21	\$ 15,138.26
10,001-15,000	405,283	484,635	404,966	524,133	1,819,017	\$ 11.25	1,819.02	\$ 20,463.94
15,001-20,000	609,771	559,601	691,680	599,824	2,460,876	\$ 11.75	2,460.88	\$ 28,915.29
20,000 →	785,356	762,532	983,002	629,396	3,160,286	\$ 12.50	3,160.29	\$ 39,503.58
	<u>2,249,139</u>	<u>2,218,671</u>	<u>2,416,863</u>	<u>2,156,292</u>	<u>9,040,965</u>		<u>9,041</u>	<u>105,899</u>

	CURRENT ACTUAL USAGE & RATES					2007 RATE	PER 1,000 GALS	CURRENT COST/YR.
	Q2	Q3	Q4	Q1	TOT. GALS.			
0-5,000 GALS.	37,114	54,043	45,325	56,094	192,576	\$ 12.25	192.58	\$ 2,359.06
5,001-10,000	411,615	357,860	291,890	346,845	1,408,210	\$ 13.25	1,408.21	\$ 18,658.78
10,001-15,000	405,283	484,635	404,966	524,133	1,819,017	\$ 13.75	1,819.02	\$ 25,011.48
15,001-20,000	609,771	559,601	691,680	599,824	2,460,876	\$ 14.25	2,460.88	\$ 35,067.48
20,000 →	785,356	762,532	983,002	629,396	3,160,286	\$ 15.00	3,160.29	\$ 47,404.29
	<u>2,249,139</u>	<u>2,218,671</u>	<u>2,416,863</u>	<u>2,156,292</u>	<u>9,040,965</u>		<u>9,041</u>	<u>128,501</u>

	CURRENT ACTUAL USAGE & RATES					CHANGE IN RATE	PER 1,000 GALS	CURRENT COST/YR.
	Q2	Q3	Q4	Q1	TOT. GALS.			
0-5,000 GALS.	37,114	54,043	45,325	56,094	192,576	\$ 2.50	192.58	\$ 481.44
5,001-10,000	411,615	357,860	291,890	346,845	1,408,210	\$ 2.50	1,408.21	\$ 3,520.53
10,001-15,000	405,283	484,635	404,966	524,133	1,819,017	\$ 2.50	1,819.02	\$ 4,547.54
15,001-20,000	609,771	559,601	691,680	599,824	2,460,876	\$ 2.50	2,460.88	\$ 6,152.19
20,000 →	785,356	762,532	983,002	629,396	3,160,286	\$ 2.50	3,160.29	\$ 7,900.72
	<u>2,249,139</u>	<u>2,218,671</u>	<u>2,416,863</u>	<u>2,156,292</u>	<u>9,040,965</u>		<u>9,041</u>	<u>22,602</u>
<b>NET AVERAGE INCREASE PER HOUSEHOLD PER QTR:</b>								<b>34.67</b>

**SB - ARCADIA HILLS - Sewer**

**2007 RATE INCREASE PROPOSAL**

# Homes 261	CURRENT ACTUAL USAGE & RATES					2006 RATE	PER 1,000 GALS	CURRENT COST/YR.
	Q2	Q3	Q4	Q1	TOT. GALS.			
(2006 Usage)								
0-12,000 GALS.	631,334	656,712	504,971	585,039	2,378,056	\$ 5.75	2,378.06	\$ 13,673.82
12,001-17,000	973,061	1,121,404	796,926	1,074,648	3,966,039	\$ 6.50	3,966.04	\$ 25,779.25
17,001-22,000	1,059,416	872,230	994,848	985,694	3,912,188	\$ 7.25	3,912.19	\$ 28,363.36
22,000 →	1,588,134	1,640,004	2,668,919	1,407,368	7,304,425	\$ 7.75	7,304.43	\$ 56,609.29
	<b>4,251,945</b>	<b>4,290,350</b>	<b>4,965,664</b>	<b>4,052,749</b>	<b>17,560,708</b>		<b>17,561</b>	<b>124,426</b>

	CURRENT ACTUAL USAGE & RATES					2007 RATE	PER 1,000 GALS	CURRENT COST/YR.
	Q2	Q3	Q4	Q1	TOT. GALS.			
0-12,000 GALS.	631,334	656,712	504,971	585,039	2,378,056	\$ 11.75	2,378.06	\$ 27,942.16
12,001-17,000	973,061	1,121,404	796,926	1,074,648	3,966,039	\$ 13.25	3,966.04	\$ 52,550.02
17,001-22,000	1,059,416	872,230	994,848	985,694	3,912,188	\$ 14.00	3,912.19	\$ 54,770.63
22,000 →	1,588,134	1,640,004	2,668,919	1,407,368	7,304,425	\$ 14.50	7,304.43	\$ 105,914.16
	<b>4,251,945</b>	<b>4,290,350</b>	<b>4,965,664</b>	<b>4,052,749</b>	<b>17,560,708</b>		<b>17,561</b>	<b>241,177</b>

	CURRENT ACTUAL USAGE & RATES					CHANGE IN RATE	PER 1,000 GALS	CURRENT COST/YR.
	Q2	Q3	Q4	Q1	TOT. GALS.			
0-12,000 GALS.	631,334	656,712	504,971	585,039	2,378,056	\$ 6.00	2,378.06	\$ 14,268.34
12,001-17,000	973,061	1,121,404	796,926	1,074,648	3,966,039	\$ 6.75	3,966.04	\$ 26,770.76
17,001-22,000	1,059,416	872,230	994,848	985,694	3,912,188	\$ 6.75	3,912.19	\$ 26,407.27
22,000 →	1,588,134	1,640,004	2,668,919	1,407,368	7,304,425	\$ 6.75	7,304.43	\$ 49,304.87
	<b>4,251,945</b>	<b>4,290,350</b>	<b>4,965,664</b>	<b>4,052,749</b>	<b>17,560,708</b>		<b>17,561</b>	<b>116,751</b>
	<b>NET AVERAGE INCREASE PER HOUSEHOLD PER QTR:</b>							<b>\$ 111.83</b>

**SD - ARCADIA HILLS - Water**

**2007 RATE INCREASE PROPOSAL**

# Homes 261	CURRENT ACTUAL USAGE & RATES					2006 RATE	PER 1,000 GALS	CURRENT COST/YR.
	Q2	Q3	Q4	Q1	TOT. GALS.			
(2006 Usage)								
0-12,000 GALS.	631,334	656,712	504,971	585,039	2,378,056	\$ 6.75	2,378.06	\$16,051.88
12,001-17,000	973,061	1,121,404	796,926	1,074,648	3,966,039	\$ 7.00	3,966.04	\$27,762.27
17,001-22,000	1,059,416	872,230	994,848	985,694	3,912,188	\$ 7.25	3,912.19	\$28,363.36
22,000 →	1,588,134	1,640,004	2,668,919	1,407,368	7,304,425	\$ 7.50	7,304.43	\$54,783.19
	<u>4,251,945</u>	<u>4,290,350</u>	<u>4,965,664</u>	<u>4,052,749</u>	<u>17,560,708</u>		<u>17,561</u>	<u>126,961</u>

	CURRENT ACTUAL USAGE & RATES					2007 RATE	PER 1,000 GALS	CURRENT COST/YR.
	Q2	Q3	Q4	Q1	TOT. GALS.			
0-12,000 GALS.	631,334	656,712	504,971	585,039	2,378,056	\$ 6.75	2,378.06	\$16,051.88
12,001-17,000	973,061	1,121,404	796,926	1,074,648	3,966,039	\$ 7.50	3,966.04	\$29,745.29
17,001-22,000	1,059,416	872,230	994,848	985,694	3,912,188	\$ 8.00	3,912.19	\$31,297.50
22,000 →	1,588,134	1,640,004	2,668,919	1,407,368	7,304,425	\$ 8.50	7,304.43	\$62,087.61
	<u>4,251,945</u>	<u>4,290,350</u>	<u>4,965,664</u>	<u>4,052,749</u>	<u>17,560,708</u>		<u>17,561</u>	<u>139,182</u>

	CURRENT ACTUAL USAGE & RATES					CHANGE IN RATE	PER 1,000 GALS	CURRENT COST/YR.
	Q2	Q3	Q4	Q1	TOT. GALS.			
0-12,000 GALS.	631,334	656,712	504,971	585,039	2,378,056	\$ -	2,378.06	\$ -
12,001-17,000	973,061	1,121,404	796,926	1,074,648	3,966,039	\$ 0.50	3,966.04	\$ 1,983.02
17,001-22,000	1,059,416	872,230	994,848	985,694	3,912,188	\$ 0.75	3,912.19	\$ 2,934.14
22,000 →	1,588,134	1,640,004	2,668,919	1,407,368	7,304,425	\$ 1.00	7,304.43	\$ 7,304.43
	<u>4,251,945</u>	<u>4,290,350</u>	<u>4,965,664</u>	<u>4,052,749</u>	<u>17,560,708</u>		<u>17,561</u>	<u>12,222</u>
	<b>NET AVERAGE INCREASE PER HOUSEHOLD PER QTR:</b>							<b>11.71</b>

**SE - STONEHEDGE - Water**

**2007 RATE INCREASE PROPOSAL**

# Homes 42	CURRENT ACTUAL USAGE & RATES					2006 RATE	PER 1,000 GALS	CURRENT COST/YR.
	Q2	Q3	Q4	Q1	TOT. GALS.			
(2006 Usage)								
0-12,000 GALS.	108,100	84,100	69,450	87,000	348,650	\$ 10.50	348.65	\$ 3,660.83
12,001-17,000	75,800	89,700	78,400	89,000	332,900	\$ 11.00	332.90	\$ 3,661.90
17,001-22,000	260,000	274,200	248,400	256,900	1,039,500	\$ 11.50	1,039.50	\$ 11,954.25
22,000 →	330,700	290,600	395,800	300,000	1,317,100	\$ 11.75	1,317.10	\$ 15,475.93
	<u>774,600</u>	<u>738,600</u>	<u>792,050</u>	<u>732,900</u>	<u>3,038,150</u>		<u>3,038</u>	<u>34,753</u>

	CURRENT ACTUAL USAGE & RATES					2007 RATE	PER 1,000 GALS	CURRENT COST/YR.
	Q2	Q3	Q4	Q1	TOT. GALS.			
0-12,000 GALS.	108,100	84,100	69,450	87,000	348,650	\$ 10.50	348.65	\$ 3,660.83
12,001-17,000	75,800	89,700	78,400	89,000	332,900	\$ 11.00	332.90	\$ 3,661.90
17,001-22,000	260,000	274,200	248,400	256,900	1,039,500	\$ 11.50	1,039.50	\$ 11,954.25
22,000 →	330,700	290,600	395,800	300,000	1,317,100	\$ 11.75	1,317.10	\$ 15,475.93
	<u>774,600</u>	<u>738,600</u>	<u>792,050</u>	<u>732,900</u>	<u>3,038,150</u>		<u>3,038</u>	<u>34,753</u>

	CURRENT ACTUAL USAGE & RATES					CHANGE IN RATE	PER 1,000 GALS	CURRENT COST/YR.	
	Q2	Q3	Q4	Q1	TOT. GALS.				
0-12,000 GALS.	108,100	84,100	69,450	87,000	348,650	\$ -	348.65	\$ -	
12,001-17,000	75,800	89,700	78,400	89,000	332,900	\$ -	332.90	\$ -	
17,001-22,000	260,000	274,200	248,400	256,900	1,039,500	\$ -	1,039.50	\$ -	
22,000 →	330,700	290,600	395,800	300,000	1,317,100	\$ -	1,317.10	\$ -	
	<u>774,600</u>	<u>738,600</u>	<u>792,050</u>	<u>732,900</u>	<u>3,038,150</u>		<u>3,038</u>	<u>-</u>	
	<b>NET AVERAGE INCREASE PER HOUSEHOLD PER QTR:</b>								<b>0.00</b>

**SF - SCOTCHTOWN - Water**

**2007 RATE INCREASE PROPOSAL**

# Homes 44	CURRENT ACTUAL USAGE & RATES					2006 RATE	PER 1,000 GALS	CURRENT COST/YR.
	Q2	Q3	Q4	Q1	TOT. GALS.			
(2006 Usage)								
0-12,000 GALS.	108,100	84,100	69,450	87,000	348,650	\$ 10.50	348.65	\$ 3,660.83
12,001-17,000	75,800	89,700	78,400	89,000	332,900	\$ 11.00	332.90	\$ 3,661.90
17,001-22,000	260,000	274,200	248,400	256,900	1,039,500	\$ 11.50	1,039.50	\$ 11,954.25
22,000 →	330,700	290,600	395,800	300,000	1,317,100	\$ 11.75	1,317.10	\$ 15,475.93
	<u>774,600</u>	<u>738,600</u>	<u>792,050</u>	<u>732,900</u>	<u>3,038,150</u>		<u>3,038</u>	<u>34,753</u>

	CURRENT ACTUAL USAGE & RATES					2007 RATE	PER 1,000 GALS	CURRENT COST/YR.
	Q2	Q3	Q4	Q1	TOT. GALS.			
0-12,000 GALS.	108,100	84,100	69,450	87,000	348,650	\$ 10.50	348.65	\$ 3,660.83
12,001-17,000	75,800	89,700	78,400	89,000	332,900	\$ 11.00	332.90	\$ 3,661.90
17,001-22,000	260,000	274,200	248,400	256,900	1,039,500	\$ 11.50	1,039.50	\$ 11,954.25
22,000 →	330,700	290,600	395,800	300,000	1,317,100	\$ 11.75	1,317.10	\$ 15,475.93
	<u>774,600</u>	<u>738,600</u>	<u>792,050</u>	<u>732,900</u>	<u>3,038,150</u>		<u>3,038</u>	<u>34,753</u>

	CURRENT ACTUAL USAGE & RATES					CHANGE IN RATE	PER 1,000 GALS	CURRENT COST/YR.
	Q2	Q3	Q4	Q1	TOT. GALS.			
0-12,000 GALS.	108,100	84,100	69,450	87,000	348,650	\$ -	348.65	\$ -
12,001-17,000	75,800	89,700	78,400	89,000	332,900	\$ -	332.90	\$ -
17,001-22,000	260,000	274,200	248,400	256,900	1,039,500	\$ -	1,039.50	\$ -
22,000 →	330,700	290,600	395,800	300,000	1,317,100	\$ -	1,317.10	\$ -
	<u>774,600</u>	<u>738,600</u>	<u>792,050</u>	<u>732,900</u>	<u>3,038,150</u>		<u>3,038</u>	<u>-</u>
	<b>NET AVERAGE INCREASE PER HOUSEHOLD PER QTR:</b>							<b>0.00</b>

Supervisor Bloomfield turned the Public Hearing over to the Public and announced William Standish, Town Budget Officer, was present to answer any questions the public might have.

Nick Petraglia asked why the increase for the sewer with the Town is \$93.00 per quarter and the increase for the Village is only \$70.00 per quarter. Supervisor Bloomfield said the Town is charged 110% in the contract the Town has with the Village. He explained the Town has to charge also for the Town's operating expenses as well as the Village charges. Councilman Lyons stated the special assessment for the Village is actually \$80.00.

With no further comment from the public, Councilman Cappella made a Motion to close the Public Hearing. The Motion was seconded by Councilman Lyons and carried 4 to 0.

Councilman Newbold made a Motion to accept the new water/sewer rates as written. The Motion was seconded by Councilman Lyons. Motion carried 4 to 0.

#### **E. OLD BUSINESS:**

##### 1. Approval of Minutes

Councilman Lyons made a Motion to approve the minutes of the Work Session of March 19, 2007 and the Regular Town Board Meeting Minutes of March 22, 2007 as written. The Motion was seconded by Councilman Cappella. Motion carried 4 to 0.

##### 2. Bond Resolution: Hambletonian Water Line:

Supervisor Bloomfield explained the Board had done a Bond Resolution for \$300,000.00 a short time ago for the Hambletonian Water Line. However, things did not go along as planned. There was a transfer of duties from one attorney to another and some things fell between the cracks so the process now needs to be started over. This now becomes a resolution to borrow up to \$900,000.00 to complete the project. The Attorney stated, to clarify this, the original resolution of May 11<sup>th</sup> was for \$600,000.00 and this resolution is an amendment to add an additional \$300,000.00.

Councilman Cappella made a Motion to adopt the Resolution as presented. The Motion was seconded by Councilman Newbold. Motion carried 4 to 0.

**BOND RESOLUTION OF THE TOWN OF GOSHEN, ADOPTED  
MAY 11, 2006, AND AMENDED APRIL 12, 2007, APPROPRIATING  
\$900,000.00 FOR THE IMPROVEMENT OF FACILITIES OF  
HAMBLETONIAN PARK WATER DISTRICT NO. 1 IN SAID TOWN  
AND AUTHORIZING THE ISSUANCE OF \$900,000.00, SERIAL BONDS  
TO FINANCE SAID APPROPRIATION**

**Recital**

**WHEREAS**, following preparation of a plan and report for reconstruction and improvement of facilities of Hambletonian Park Water District No. 1 (hereinafter called "District"), in the Town of Goshen (herein called "Town"), in the County of Orange, New York, consisting of the installation of replacement water mains, equipment, apparatus and materials, and after public hearings duly called and held, the Town

Board determined that it is in the public interest to so improve the facilities of the District, and ordered that such facilities be so improved; now, therefore

BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF GOSHEN IN THE COUNTY OF ORANGE, NEW YORK, (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of \$900,000.00 for the improvement of facilities of the District, all in accordance with the plan and estimate prepared by duly licensed engineers of the state of New York, on file in the office of the Town clerk and hereby approved. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$900,000.00 and the plan of financing includes the issuance of \$900,000.00 serial bonds of the Town and the assessment, levy and collection of special assessments upon the several lots and parcels of land in the District to pay the principal of said bonds and the interest thereon so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same and the establishment and collection of water rents, pursuant to the Town Law, to pay the principal of an interest on said bonds and the costs of operation, maintenance and report.

Section 2. Serial bonds of the Town are hereby authorized to be issued in the principal amount of \$900,000.00 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

- a) The period of probable usefulness applicable to the purpose for which said serial bonds herein authorized are to be issued, within the limitations of Section 11.00a. 1 of the Law, is forty (40) years.
- b) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

- c) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. The bonds authorized by this resolution and any bond anticipation notes in anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Sec. 52.00 of the Law and said bonds and any notes issued in anticipation of such bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property with Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest of said bonds and any notes issued in anticipation of said bonds, and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and notes to mature in each year and (b) the payment of interest to be due and payable in each year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Sec. 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, and of Sec.30.00 relative to the authorization of the issuance of bond anticipation notes and of Sec. 50.00 and Sec. 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to providing for substantially level or declining annual debt service, are hereby delegated to the Town supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose of which the Town is not authorized to expend money, or
- (b) the provisions of the law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

Section 8. The object or purpose described in Section 1 hereof has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, with respect to which said Town board has made a "Negative Declaration."

Section (B) The amendment of the bond resolution set forth in Section A of this resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as amended.

Section (C) After said bond resolution, as herein amended, shall take effect, the Town Clerk is hereby directed to cause said bond resolution as herein amended to be published, in summary, in the Independent Republican, a newspaper published in Goshen, New York, the official newspaper of said Town and having a general circulation therein, together with Notice attached in substantially the form as prescribed by Sec. 81.00 of the Local Finance Law of the State of New York.

Section (D) This resolution shall take effect immediately.

\* \* \* \* \*

The adoption of the foregoing resolution was seconded by Councilman Newbold and duly put to a vote on roll call, which resulted as follows:

AYES: { 4 }                      NAYES; { 0 }

This resolution was declared unanimously adopted.

**F. NEW BUSINESS:**

1. New Copy Machines: Supervisor Bloomfield explained the copy machines in the Town Hall are all old and in need of replacement. He said his secretary and Councilman Canterino called for bids. Upon reviewing the bids the Board decided on leasing four copiers from Xerox, Weatherhead/Dworkin who will pay off existing leases and remove the old machines. Maintenance and training will be included at 7 to 60 months at \$799.73. The one machine that had been donated to us will be kept and Toshiba, Mark Raisch will maintain and train for \$116.00 per month. Supervisor Bloomfield said the cost for the five machines would be \$916.00 a month and a savings of \$49.00 a month as we are currently paying \$965.00.

Councilman Cappella made a Motion to authorize the Supervisor to enter into contract with the Xerox Corporation for four copiers for \$799.73 a month and the Toshiba Corporation for \$116.00 per month. Councilman Lyons seconded the Motion for discussion. Councilman Lyons asked if the \$116.00 machine will be a new machine and if the Town was leasing them. Supervisor Bloomfield replied yes. Councilman Lyons asked about State Bid and Supervisor Bloomfield said Xerox State Bid is for purchases only and the Board has over the years decided leasing was more cost affective. Supervisor Bloomfield called for the vote, Motion carried 4 to 0.

2. Approve Thomas J. Burnham as Member of the ERB to fill one year term left by Board Member John Swift. Councilman Newbold made a Motion to approve the request of the ERB to appoint Thomas J. Burnham to the ERB to finish out the one year term left by John Swift.. Motion was seconded by Councilman Lyons.

## **G. FINANCE: `**

Councilman Lyons made a Motion to amend the March 22<sup>nd</sup> finance amount of Voucher #2007-0290 to Voucher ##2007-0545 amounting to \$412,022.18 to Voucher #2007-0290 to 2007-0546 amounting to \$399,459.27 as a result of removing one check and inserting another. The Motion was seconded by Councilman Cappella. Motion carried 4 to 0.

Councilman Lyons made a Motion to approve manual checks 07-00001-0700014 amounting to \$3,224,710.15. The Motion was seconded by Councilman Newbold. Motion carried 4 to 0.

Councilman Newbold made a Motion to authorize the Supervisor to pay Voucher #2007-0548 to Voucher #2007-0661 amounting to \$201,466.68. The Motion was seconded by Councilman Lyons. Motion carried 4 to 0

## **H. PRIVILEGE OF THE FLOOR**

Councilman Cappella announced the Spring Pickup done by Highway will begin on April 23<sup>rd</sup>. It will be done in the usual way, with the usual restrictions. Highway will be coming through only once and is asking everyone to have everything out on the 23<sup>rd</sup>.

Councilman Cappella also reported just after the budget was adopted this year one of Highway's trucks, a small dump truck was taken off the road. It was used with a plow to clear small spaces such as cul de sacs. With no money in the budget to replace it, Highway did without the truck and fortunately there was not a large amount of snow early in the year. He said we have now received a grant from Senator Larkin for \$40,000.00 and a \$10,000.00 grant from Annie Rabbitt so the truck can be purchased now without using taxpayer money.

Supervisor Bloomfield announced he has set up a meeting with the new Mayor to discuss items that are pertinent to both the Town and the Village.

Supervisor Bloomfield also reported he called the DEC in reference to the MTBEs, not in reference to the Highway and Police Departments, but rather the build out of the Town of

Goshen. He said a representative of the DEC, Mr. Traver, came down with his geologist to meet with him. The group discussed spills, etc. and Mr. Traver instructed the Supervisor to go on the Web site of the Attorney General of the State of New York, and compile all the costs to the Town caused by the MTBEs. He said to put all of this electronically into an area called spill reports, in which case it will be sent to the Attorney General's Office, who will then contact the DEC and Mr. Traver said he will sign off on it to reimburse us for those expenses. Mr. Traver also said they would put in two carbon filter systems for the two main water users, Highway and the Bakery Outlet.

John Kiersten asked what kind of time table the Board had for handling the Sullivan problem on Jessup Switch Road? Supervisor Bloomfield replied there is no time table, it is a legal matter at this point and the new attorney is gathering information on it now. It is on the docket, probably for the next work session. Mr. Kiersten said he was told that in January. Supervisor Bloomfield replied "this is not an easy issue and will be very costly to the taxpayer". The attorney reported there is a judgement in existence and acts as a lien against the property and to press on further with this the costs will have to be paid by the Town, with the hope of recovering to cost through liens and other legal actions. Many times the cost is never recovered. The Supervisor invited Mr. Kiersten to the next work session to hear what further steps the Board might take. However, since it is a legal matter some discussion may have to be held in Executive Session.

Nick Petraglia and Jerry Boss inquired about the MTBEs and if the Town has been found not responsible. A lengthy discussion ensued in reference to the County's part in the contamination and what the County is currently doing to correct the problem.

Doris Bialas asked if there would be a grace period when the stop sign was put up on Fletcher Street. The Board agreed that would be up to the Police Department.

- J. Adjournment:** With no further comment from the public Councilman Cappella made a Motion to adjourn. The Motion was seconded by Councilman Newbold. Motion carried 4 to 0.

Time: 8:35 p.m.

---

Valma Eisma, Town Clerk