

**TOWN BOARD WORKSESSION
DECEMBER 11, 2006**

The Work Session Meeting of the Town Board of the Town of Goshen was held on the 11th Day of December 2006 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	Philip Canterino	Councilman
Kenneth Newbold	Councilman	George Lyons	Councilman
Louis Cappella	Councilman		

Also Present: Mark Starkman, Town Attorney; Dennis Marsh, Town Police Chief

Items Discussed:

- 1. TOWN INSURANCE REVIEW:** Raymond Malewicz and Brain Meaney of Dickerson & Meaney reviewed the Town's Insurance for the past five years that the company has handled the Town's Insurance. He explained for the first two years the Town was insured through Trident, however, for the other three Selective has served the Town. Mr. Meaney stated, over all Selective's increase this year is 2% due to inflation rates and some changes in automobile rates. Mr. Meaney suggested Selective come out to do an appraisal of the buildings. Mr. Meaney presented the Supervisor with a cost comparison between last year and this year and a statement of values for the Board's review. The purchase of Salesian and the Scotchtown Water District were discussed, as well as the MTBE problem at the Highway and Police Department site.
- 2. CELERY AVENUE:** Adina Bialas approached the Board stating the on-going problem of the trucks loading from the Sussex Sod farm on Celery Avenue is still happening. She said the residents of Celery Avenue are grateful for the repairs that were done to their road and said the residents were told they all have to do their part to keep it in good condition. However, she reported Sussex Sod Farm is still loading their trucks on the road leaving dirt and sod on the road which creates a safety problem as well as a traffic problem when they park the trucks on either side of the road. She stated the residents were told to call the police when an incident occurred and they have done this, but it appears nothing has changed. She said she would like to know the status of the situation. Chief Marsh approached the Board stating there is not an enforceable section of the law to cover this situation, only parking on the pavement. The officer has to be present to enforce this or a citizen must make a citizen complaint. He stated he has not really seen any damage. He said an officer has always responded to a call in regard to this area.

Mr. Glebocki, owner of the sod farm was present and stated he has a lot of road frontage and he has to be able to load his trucks. There was a heated discussion between the parties involved and Supervisor Bloomfield and Councilman Cappella instructed the parties to speak to the Board and not to each other. Supervisor Bloomfield said this is a Town Road and must be preserved. Therefore, he suggested the parties involved meet with the Police Chief, the Highway Superintendent and Councilman Cappella and resolve this problem to everyone's satisfaction. Councilman Cappella will organize the meeting. Supervisor Bloomfield stated hopefully it can be resolved or the Board will have to take other steps.

3. JUSTICE KIMBERLY VANHAASTER:

a. Plea Bargaining Attorney – Justice VanHaaster reported there is a possibility it may not be necessary to hire this attorney, as there is a chance the legislation will be changed and things will return to the police officers doing the plea bargaining. She suggested the Board wait until January to address this.

b. Resignation of Justice Clerk : Resolution will be prepared for Thursday's agenda to accept the resignation of Melissa McCourtney as Full-Time Justice Clerk.

c. Hiring of Justice Clerk: Resolution to hire Kajornsak Rangcityothin as Full-Time Justice Clerk will be placed on Thursday's agenda.

d. Part-Time Justice Clerk: A Resolution to hire Melissa McCourtney as Part-Time Clerk for the Justice Department starting December 12, 2006 will be placed on agenda.

e. Part-Time Justice Clerk: A Resolution to hire Heather Lewis as Part-Time Clerk for the Justice Department starting December 18, 2006 – Thursday's Agenda.

6. YEAR END BUDGET TRANSFERS: The Board reviewed the transfers and a Resolution will be prepared for Thursday's meeting.

7. ATTORNEY DENNIS CAPLICKI: PROPOSED ZONING & CODING REGULATIONS: Attorney Caplicki stated he wanted to give the Board a status report on the work he is doing in regard to zoning. He presented the Board with a memorandum describing the process required to modify certain aspects of the Zoning Law and a time frame for Phase 1. The Board will review the Memo and act on it at the January 8th and January 11th. meetings.

Supervisor Bloomfield introduced Bill Johnson who asked to speak to the Board about his concern regarding a new development which is being planned on one acre

zoning. He said there are many problems with the water and sewer meeting on one acre. He said he understands this development has been put on hold till January and he wondered if there was any way to delay it further. Supervisor Bloomfield replied the Board cannot be arbitrary. However, the Board is working with Special Counsel Caplicki to address these zoning issues. The Board will be meeting with him on the 8th and 11th of January. Supervisor Bloomfield said based on what counsel is telling the Board, there probably will be no final approvals any time soon.

Susan Cleaver said the Environmental Review Board is a very good place for the residents to take their concerns in regard to this development or any other development. She said their meetings are held on the second Wednesday of the month, at 6:30 p.m.

8. HIRING OF TEMPORARY TOWN CLERK (AS OF NOVE. 20, 2006 AT THE BUDGETED SALARY OF \$28,255.00) : Resolution will be prepared for Thursday's meeting.

9. COUNCILMAN NEWBOLD: SALESIAN FENCE, MANSION, FOUNDATION AND LIGHTS: Councilman Newbold reported the bid for fixing the points on the fence has been submitted showing various ways of eliminating the points. After discussing it, the Board decided to wait until January to make a decision. The lights were discussed, but there is a problem with the key to the power box. Councilman Newbold will contact a locksmith to open the box.

The stairs to no where were again discussed and have to be addressed. The Board decided to contact the Highway Superintendent and see what he might be able to do with highway equipment. The Board will also contact the Village DPW.

10. COUNCILMAN LYONS: WORKPLACE SAFETY PROGRAM: The Board received a request from the State saying they had passed a piece of legislature stating as a Town we need to come up with a plan to cope with various workplace safety problems. Councilman Lyons was asked to work on this and he reported the law was enacted, but has been pushed back. He presented the Board with an information packet and explained it is a law passed by the State Legislature and it has to be in effect by March 4th of 2007. The law is called the New York State Workplace Violence Prevention Law. Councilman Lyons stated there is training involved, etc. Supervisor Bloomfield said the Police have taken this training. The Board will review the information and will act on it in January.

11. DATE OF REORGANIZATION MEETING AND YEARLY SCHEDULE: Supervisor Bloomfield stated the Reorganization Meeting will be held on January 8th and will start at 7:00 p.m. and will be followed by the regular Work Session. The Board reviewed the yearly schedule and the clerk will publish it.

12. PAUL HEALEY – DRIVEWAY ON TOWN LAND: The Board discussed this at length. The Board would like to have more information. Supervisor Bloomfield will contact the Building Inspector for better clarification and information for the Board.

13. HIGHWAY: 19A CERTIFIED EXAMINER COURSE: will be placed on the Thursday's agenda.

REQUEST: TRUCK 6 AND STORAGE UNIT: The Board discussed this at length. Councilman Cappella reported one of the trucks had to be off the road and he reported Senator Larkin is obtaining \$50,000. for the Town. Highway is considering two vehicles, one smaller than the other. The plow will fit the smaller vehicle and will be the right size to handle subdivision turnarounds. The Board discussed the two trucks at length, the cost and size. If the larger truck is purchased it would require the purchase of a new plow. Supervisor Bloomfield said the money is not available at this time, so he will contact the Budget Officer and have him find out what the State Bid is for this particular truck. No decision was made on the storage unit.

The Board discussed the current problem with the Dial -A – Bus, which has been out of service and being repaired for a period of three months. Councilman Cappella said he felt since it still is not repaired, it is under warranty and only has 30,000 miles on it, the Board should ask for a new transmission. Councilman Canterino said he was told it would be ready by Friday, December 15th. Councilman Cappella said he is gathering the bills and wants the dealer to do something about them, since this has been going for so long, and the work is under warranty.

14. STATUS OF SCOTCHTOWN WATER DISTRICT: Attorney Starkman reported he had put in a couple of calls to the seller's attorney, but had not received a response. He said there is the problem of back taxes. Supervisor Bloomfield stated the Board has known this for some time, what is needed is a closing date. Supervisor Bloomfield said the money is in place to purchase the meters, but meters cannot be installed until the Town owns the district.

15. RIENZO WATER BILL: Mr. Rienzo owns a home in the Scotchtown Water District that was damaged when blasting was done in the area. The insurance company has now condemned the home and Mr. Rienzo and his family are living in New Windsor. The insurance company is suggesting tearing down the home and building new. Mr. Rienzo is saying, since he cannot live in the home, he does not want to pay for the water service. After a lengthy discussion and on advise of the attorney the Board determined it cannot release Mr. Rienzo from paying for the service connection and the meter, as he will benefit from these when his home is rebuilt. Attorney Starkman said by law water bills cannot be forgiven, arrangements can be made for over time payments if the Board should choose to do so. Attorney Starkman suggested Mr. Rienzo should talk to the tax assessor

and perhaps the assessed value could be changed, resulting in a lower tax amount. The Board thought that perhaps the insurance company might reimburse him for the water bill. The Board will consider forgiving the late penalty which is now on the bill.

18. **TRANSFER TAX:** Supervisor Bloomfield reported to the Board he had received a number of letters from taxpayers requesting a transfer tax be placed on properties sold in the Town, to raise money for PDR. This has been tried in the past and has to be introduced to the State Legislature by the State Senator and Representative. Neither showed any interest in doing so as there was a strong opposition to the tax by the real estate industry. After discussing the process and the fact that most of the Board has received a lot of negative input from the taxpayers previously. Supervisor Bloomfield will write to the concerned citizens and suggest they come in and talk to him and perhaps start the process themselves, as the Board does not have time for this now.
19. **STATUS OF ARCADIA INTERSECTIONS-STOP SIGNS:** Councilman Cappella said they are ordered.
20. **RESOLUTION, SAMPLE DRAFT-STEWART INTERNATIONAL AIRPORT:** The Board has been asked by the County Executive to pass a resolution to support his request that the Port Authority of New York and New Jersey handle operations at Stewart Airport. The sample resolution will be placed on Thursday's agenda.
21. **BUILDING INSPECTOR REQUESTS:**
 3. **HIRING CONSULTANT FOR PLANNING BOARD :** A resolution will be placed on Thursday's agenda to adjust the salary established in a previous meeting.
 2. **FULL TIME PERSONNEL:** Resolution will be prepared for Thursday moving Linda Finnigan from part time to full time.
22. **WATER TOWERS:** Building Inspector Neal Halloran asked for the Board's feelings on the height of the water towers that are coming before the Planning Board. The developers are proposing 60 to 80 feet high towers. The Board was unanimous in their feelings in not wanting the towers at all and hoped the developers could come up with a more creative approach.
23. **CONSERVATION EASEMENT – ESTATE OF DICKERSON:** Since this request came in late this afternoon the Board has not had time to examine the easement and therefore it will be addressed in January.

Councilman Cappella made a Motion to go into Executive Session to discuss possible pending litigation with no intent to return. The Motion was seconded by Councilman Canterino. Motion carried unanimously.

Time: 9:20 p.m.

Valma Eisma, Town Clerk