

Village Board Work Session  
June 15, 2009  
7:00 p.m.

Members present: Mayor Higgins, Trustees Char, Mattheus, Roddey, and Stewart.

Also present: Superintendent Nuzzolese, Village Clerk Strobl.

Trustee Char explained the background of a change in policy brought about by a recent amendment to Section 1806 of the New York State Vehicle and Traffic Law.

Based on the discussion, Mayor Higgins called the meeting to order at 7:14 p.m.

Trustee Char moved the following, which was seconded by Trustee Roddey:

**WHEREAS**, as a result of recent statutory amendments adopted by the New York State Legislature, it is now incumbent upon the Village Justice Court to establish a conference date prior to scheduling a trial date in connection with Uniform Traffic Tickets written by the Village of Goshen Police Department relative to alleged violations of the New York State Vehicle and Traffic Law; and

**WHEREAS**, the requirement for this conference date is in addition to any trial date that may subsequently be necessitated regarding the disposition of the said Uniform Traffic Ticket; and

**WHEREAS**, these statutory changes represent an unfunded mandate to the Village as they represent the very real potential of increasing the number of court appearances required by Village personnel with no corresponding mechanism to fund the costs associated with those increased court appearances; and

**WHEREAS**, by Resolution duly adopted by the Village Board on February 12, 2007, the Village Board has heretofore appointed counsel to prosecute Uniform Traffic Tickets written by the New York State Police requiring appearances in the Village of Goshen Justice Court; and

**WHEREAS**, the Village Board hereby determines that the costs associated with this unfunded mandate combined with the administrative efficiencies and overall benefit to all who may appear in the Village of Goshen Justice Court relative to Uniform Traffic Tickets justify and require the appointment of counsel to prosecute said tickets written by the Village of Goshen Police Department as well as those tickets written by the New York State Police;

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the office of Dickover, Donnelly, Donovan & Biagi, LLP is hereby appointed to prosecute Uniform Traffic Tickets written by the Village of Goshen Police Department in the Village of Goshen Justice Court; and it is further

**RESOLVED**, that this appointment is subject to the terms and provisions of the retainer agreement presently in place between the Village of Goshen and Dickover, Donnelly, Donovan & Biagi, LLP; and it is further

**RESOLVED**, that this appointment is subject to those provisions of New York State Law, both statutory and case law, which permit the Office of the Orange County District Attorney to Prosecute violations of the Vehicle and Traffic Law which result in death or serious physical injury which have not otherwise been prosecuted by way of a Superior Court Information; and it is further

**RESOLVED**, that this appointment is further subject to the exclusive prosecutorial authority retained by the Orange County District Attorney for any violation under Section 1192 of the Vehicle and Traffic Law.

*Upon a roll call vote with 4 Trustees voting in favor and 0 Trustees voting against the foregoing Resolution was duly adopted.*

#### Bicentennial Committee – Parade and Tree Dedication Request

A letter from Doris Obremski, Co-Chair of the Village of Goshen Bicentennial Committee, was reviewed. It was decided that the Committee would be asked to plant a tree in Village Square to replace the maple which is being taken down, rather than re-dedicating the newly-planted oak.

The requested procession from the square to the Historic Track, to precede the 19<sup>th</sup> Century County Fair, will be approved at the next regular meeting.

On a motion by Trustee Char, seconded by Trustee Mattheus, the Board voted to enter into Executive Session, for the discussion of a personnel issue, at 7:45 p.m.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

On a motion by Trustee Char, seconded by Trustee Roddey, the Board ended the Executive Session at 8:00 p.m.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

#### Joint Recreation Commission – Tricia Sherlock, Chairperson

At the Board's request, JRC Chair Sherlock answered questions about the Commission's plans for the Salesian property. A discussion was held regarding ways of making Salesian Park more active in order to better utilize the space, and to alleviate some of the overcrowding at Craigville Park.

It was agreed that a proposal for the youngest children to play soccer at Salesian will be provided to the Board by the July 6<sup>th</sup> Work Session.

The Work Session concluded at 8:45 p.m.