

Village Board Meeting
April 9, 2012

Members present: Mayor Roddey, Trustees Brady, Char, Smith, and Stewart

Also present: Attorney Donovan, Engineer Tully, and Village Clerk Strobl

Mayor Roddey called the meeting to order at 7:30 p.m. and led those present in the Pledge of Allegiance.

On a motion by Trustee Char, seconded by Trustee Smith, the Agenda was accepted as presented.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

On a motion by Trustee Stewart, seconded by Trustee Char, the Minutes of the March 26, 2012 Village Board Meeting were accepted as submitted.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

On a motion by Trustee Brady, seconded by Trustee Smith, the Minutes of the April 2, 2012 Village Board Reorganization Meeting were accepted as submitted.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

Public Hearing – 2012/2013 Budget

Mayor Roddey introduced the proposed 2012/2013 Budget and pointed out some significant areas of change from the preliminary version.

On a motion by Trustee Brady, seconded by Trustee Smith, the Public Hearing on the 2012/2013 Budget was opened at 7:40 p.m.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

Joel Markowitz asked if the public comment period would remain open. Written public comment will be accepted for one week.

Joel Markowitz asked what is anticipated for tax certiorari through the next year, and whether everything that had been settled was paid off.

Ray Rooney asked about the Joint Recreation Commission funding, which remained the same as the previous year.

Reynell Andrews questioned a Zoning Board of Appeals training line, which showed no funding.

Joel Markowitz suggested that the Environmental Review Board be provided regular counsel.

Ray Rooney noted that the Police electricity and gasoline lines may have been budgeted too low.

Reynell Andrews stated that the line including the billing for town sewer service should be lower.

Joel Markowitz asked about future utility billing for BOCES, and what the Board's assumptions were. He also asked if the debt service was on or off the budget.

Reynell Andrews asked what the School District gives the Village towards a garbage truck, and whether or not it pays to have the service or to have it privatized.

On a motion by Trustee Stewart, seconded by Trustee Smith, the Public Hearing was concluded at 8:05 p.m., remaining open for written comment for one week.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

Communications

Mayor Roddey read a letter from the Goshen Fire Department requesting placement of a temporary sign publicizing the Triennial Fire and Float Parade near the five corners.

On a motion by Trustee Smith, seconded by Trustee Char, permission was granted for the temporary sign.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

Mayor Roddey read a letter from the Goshen Fire Department regarding plans for the September 8, 2012 Triennial Fire and Float Parade. The Department's request for a contribution of \$1,500.00 to help with expenses was discussed.

On a motion by Trustee Brady, seconded by Trustee Smith, approval was granted for the contribution.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

Mayor Roddey read a letter from the Great American Weekend Committee requesting that the Village once again be a joint sponsor and provide the required insurance coverage under the Village policy.

On a motion by Trustee Smith, seconded by Trustee Char, the Board agreed to the request.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

Items of Business

On a motion by Trustee Stewart, seconded by Trustee Smith, the Mayor is hereby authorized to sign an agreement between the Village of Goshen and the Law Firm of Thomas, Drohan, Waxman, Petigrow & Mayle, LLP, for the services of Labor Attorney Stuart S. Waxman, for the 2012/2013 fiscal year, at a fee of \$200.00 per hour.

Brady aye
Char aye
Smith aye
Stewart aye

On a motion by Trustee Smith, seconded by Trustee Char, bills as examined by members of the Board were approved in accordance with Abstract 2011/2012 number 23, check numbers 3036 through 3264, in the amount of \$1,868,213.65.

Brady aye
Char aye
Smith aye
Stewart aye

**RESOLUTION IN OPPOSITION
ORANGE COUNTY BOARD OF ELECTIONS
CHARGE BACK ITEMS**

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

WHEREAS, the Village of Goshen hereby joins and wholeheartedly agrees that the Orange County Association of Towns, Villages and Cities, once again, needs to strongly express their concerns regarding the increased number of charge back items that are again to be assessed upon the Towns, Villages and Cities by the County of Orange, which due to increased expenditures by the Orange County Board of Elections, have resulted in a large increase in expenses being assessed upon the Towns, Villages and Cities, and

WHEREAS, there will be three (3), possibly four (4), Primary Elections that will be held during the year of 2012 resulting in an even higher amount of expenditures that will be charged back to the Towns, Villages and Cities, and

WHEREAS, this is another unfunded mandate into which the Towns, Villages and Cities have no input or oversight into the budgetary process that has resulted in a very significant increase in charge back items that we are expected to pay and that we at the Town, Village and City level can ill afford, and

WHEREAS, the Town, Villages and Cities are currently struggling to meet the demand of unfunded mandates from the State and Federal Governments mandates in their 2012 budgets, mandates that are already creating a hardship on our residents.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Goshen, along with the Orange County Association of Towns, Villages and Cities does hereby lend strong voice in opposition to this increase in charge backs and do hereby prevail upon the Orange County Executive, the Orange County Legislature and the Orange County Board of Elections to remove these charge backs from assessments upon the Towns, Villages and Cities in the 2012 budget, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to the Orange County Executive, Edward A. Diana, Chairman of the Orange County Legislature, Michael Pillmeier, Members of the Orange County Legislature and the Orange County Board of Elections.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

**VILLAGE OF GOSHEN, ORANGE COUNTY, NY
RESOLUTION IN FAVOR OF AN
AMENDMENT TO THE INTEREST ARBITRATION PROVISIONS
OF THE TAYLOR LAW**

The following was moved by Trustee Smith, and seconded by Trustee Char:

WHEREAS, We, the Village Board of the Village of Goshen, representing the constituents who reside in the Village of Goshen, in the County of Orange, New York, feel it is time to speak out about the urgent matter of the need for an amendment to the Taylor Law, specifically, to amend the interest arbitration provisions of said law; and

WHEREAS, upon reaching an impasse in collective bargaining negotiations either party may petition the Public Employee Relations Board (“PERB”) to refer the impasse to a public arbitration panel, with said arbitration panel to consist of three (3) members, one(1) appointed by the public employer, one(1) appointed by the employee organization and one(1) public member chosen jointly by the two parties, however, if the two parties cannot agree on the public member PERB provides the parties with a list of “qualified disinterested persons” for the selection of the public member and that is when the inherent problems begin since it is the public member who ultimately determines the interest arbitration award; and

WHEREAS, there is nothing in the Taylor Law that governs who may serve as a public member of an arbitration panel, other than the requirement that the list be comprised of “qualified disinterested persons”, however, it is PERB’s policy to require individuals who may serve to have been admitted to, and must have done significant work on, the agency’s ah hoc mediation, fact-finding and voluntary grievance arbitration panels before they will be considered for membership on its roster of public interest arbitrators; and

WHEREAS, PERB’s roster of public interest arbitrators are not employees of the State of New York, but are self employed labor relations professionals who set their own fees, some as high as \$1,600.00 per day, equally borne by the public employer and the employee association, and it is our contention that these arbitrators may render interest arbitration awards based upon what is most likely to result in their continuing to receive appointments, as opposed to what is most equitable to all involved based on relevant facts; and

WHEREAS, negotiated settlements of bargaining units throughout the State have resulted in salary increases that range from 0% to 2%, while interest arbitration awards have resulted in salary increases in the range of 3% to 4%, which we feel indicates that the current procedure for choosing public arbitration panels is definitely not working, and in these crucial economic times for the State, as well as the Towns, Villages and Cities we feel it is imperative to make a change that will allow all of us to operate in a fiscally responsible manner.

WHEREAS, the fact that New York State Governor Cuomo proposed Pension Reform which created a Tier VI in the New York State Retirement System, which may provide some relief to municipalities in the future, gives credence to the fact that reform is definitely needed, however, amending the interest arbitration provisions of said Taylor Law will provide local municipalities with a means of dealing with interest arbitration awards in the present. It is needed NOW.

NOW, THEREFORE, BE IT RESOLVED that the Orange County Association of Towns, Villages and Cities gives strong voice to a change whereby the public members of interest arbitration panels should be chosen from a list of fulltime state employed hearing officers in order to ensure that interest arbitration awards are rendered by individuals who truly have no interest, whatsoever, in the outcome of the proceeding, and we further implore that the State of New York give serious consideration to this fiscally responsible recommendation as a means of alleviating one of many “unfunded mandates” on local municipalities since the Taylor Law imposes interest arbitration on municipalities and then requires the municipality to pay extremely high arbitrator fees, and

BE IT FURTHER RESOLVED that it is the contention of the Village of Goshen that an Amendment to the Interest Arbitration Provisions of the Taylor Law is in the best interest of all of the people of the State of New York.

Trustee Brady	aye
Trustee Char	aye
Trustee Smith	aye
Trustee Stewart	aye

COPIED TO: Hon. Andrew Cuomo, New York State Governor. Hon. Dean Skelos, Senate Majority Leader, Hon. Sheldon Silver, Speaker of the Assembly, New York State Senators, Hon. William J. Larkin, Jr., Hon John Bonacic, Hon. David Carlucci, NYS Assemblywomen, Hon. Annie Rabbitt, Hon. Nancy Calhoun, Hon. Eileen Gunther

On a motion by Trustee Char, seconded by Trustee Smith, the Village Board hereby approves the Eagle Scout Service Project Proposal submitted by Jonathan Search for repair improvements to the handicap ramp at Village Hall.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

On a motion by Trustee Stewart, seconded by Trustee Smith, the Village Board hereby resolves to hold a Public Hearing on April 23, 2012, at 7:30 p.m., for the consideration of adoption of Local Law # 2 of 2012: A Local Law to override the limit on the amount of real property taxes that may be levied by the Village of Goshen, pursuant to General Municipal Law 3-c.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

Mayor/Trustee Comments

Trustee Brady reported the following major activities of the Water Department: the DPW will be assisting a contractor this week with a leak detection survey of the distribution system; on Thursday, March 29th crews repaired a 6" water main break on Woodhills Drive; and crews will be flushing hydrants the week of April 16th.

Trustee Stewart reported the following activities of the Department of Public Works: crews have completed cutting brush and trees near the Greenhill Reservoir dam; crews have been cleaning up and mulching all public parks; a new catch basin and 80' of drainage was installed on St. James Place; and Spring bulk clean up week is scheduled for the week of April 23rd.

Trustee Char welcomed Trustee Brady to the Village Board.

Mayor Roddey reported that the sewer trunk line replacement project has been successfully completed.

Citizens' Comments

Comments were received from Reynell Andrews, Joel Markowitz, and Ray Rooney.

On a motion by Trustee Char, seconded by Trustee Smith, the meeting was adjourned at 8:25 p.m.

Brady	aye
Char	aye
Smith	aye
Stewart	aye