

TOWN OF GOSHEN
TOWN BOARD MEETING

January 10, 2019

M I N U T E S

A regular meeting of the Town Board of the Town of Goshen was held on the 10th day of January, 2019 at the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present:	Douglas Bloomfield	Supervisor
	Melissa Gallo	Councilmember
	George Lyons	Councilmember
	Kenneth Newbold	Councilmember
	John Van Der Molen	Councilmember

Also Present:	Richard Golden, Esq.	Attorney for the Town
	Priscilla Gersbeck	Town Clerk

A. CALL TO ORDER

The meeting was called to order by Supervisor Bloomfield at 7:31pm, followed by the Pledge of Allegiance.

B. AMENDMENT TO THE AGENDA

Addition Item #3, Matter of 6 Larchwood Drive.

C. PRIVILEGE OF THE FLOOR (agenda items only)

D. NEW BUSINESS:

- 1. DISCUSS AND PASS MOTION TO PARTICIPATE IN A JOINT TOWN BOARD MEETING WITH THE TOWN PLANNING BOARD AT 7:30PM, JANUARY 17, 2019. THE PURPOSE OF THE MEETING IS TO CONDUCT A PUBLIC HEARING ON THE SITE PLANS AND SPECIAL USE PERMIT APPLICATION FOR THE GLENMERE LAKE SOLAR, LLC PROJECT.**

Councilperson Newbold made the motion to conduct a joint hearing with the Planning Board on the site plans and Special Use Permit application for the Glenmere Lake Solar, LLC project at 7:30p.m. on Thursday, January 17, 2019. Councilperson Lyons seconded the motion.

On a Voice Vote, motion passed: 5 AYES: Bloomfield, Gallo, Lyons, Newbold, Van Der Molen
0 NAYS

- 2. ROBERT RAMETTA, TOWN OF GOSHEN TAX ATTORNEY, IS RECOMMENDING SETTLEMENT OF THE CHRISTOPHER B. KLEISTER TAX CERTIORARI.**

TOWN OF GOSHEN

RESOLUTION

Settling of Tax Certiorari Claim;
CHRISTOPHER B. KLEISTER v. TOWN OF GOSHEN, ET AL
Section 10 Block 1 Lot 28.3

INTRODUCED BY: Councilperson Melissa Gallo

SECONDED BY: Councilperson John Van Der Molen

DATED: January 10, 2019

At a meeting of the Town Board of the Town of Goshen, County of Orange, State of New York, held at Town Hall in said Town on the 10th day of January, 2019.

WHEREAS, claimant, CHRISTOPHER B. KLEISTER, having commenced a tax certiorari proceeding against the Town of Goshen in the Supreme Court of the State of New York, County of Orange for the 2018 assessment year bearing Orange County index number EF-008127-2018; and

WHEREAS, it appears from the recommendations of Alan W. Eskew, the Town Assessor, and Robert M. Rametta, Esq., Counsel for the Town of Goshen, in the aforesaid proceeding, and upon a thorough investigation of the claims, that any further proceedings and litigation by the Town would involve considerable expense with the attendant uncertainty of the outcome and that the settlement of the above matters, as more fully set forth below, is reasonable and in the best interests of the Town; and

WHEREAS, claimant, CHRISTOPHER B. KLEISTER, is willing to settle these proceedings without interest, costs or disbursements, in the following manner: As set forth in annexed Consent Order;

NOW, BE IT THEREFORE RESOLVED, that the proposed settlement as set forth and described above and as set forth in the annexed Consent Order is hereby accepted pursuant to Section 68 of the Town Law and it is further;

RESOLVED, that Alan W. Eskew, the Assessor of the Town of Goshen, and Robert M. Rametta, Esq., Special Counsel to the Town of Goshen; and Douglas Bloomfield, Supervisor of the Town of Goshen be and are hereby authorized to take any and all steps and sign any and all documents necessary to effectuate the terms of this resolution;

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilperson, Melissa Gallo	<u>AYE</u>
Councilperson, Kenneth Newbold	<u>AYE</u>	Councilperson, John Van Der Molen	<u>AYE</u>
Councilperson, George Lyons	<u>AYE</u>		

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

3. REPORT OF UNSAFE BUILDING AT 6 LARCHWOOD DRIVE (SBL 25-3-14)

In a report from the Building Inspector Neal Halloran, he stated; *"I returned at approximately 9:30 a.m. with Building Inspector Dominick Elia and Town Engineer Sean Hoffman. The front door was pried open to permit entry and we entered the house. There are several holes throughout the roof on the road side which allow for rain and snow to enter the premises and lead to further deterioration of the internal structure. Gutters and fascia are falling off the building allowing for the passage of animals and providing harborage for rodents and other wildlife. Sheetrock has fallen on the floor and materials are spread across the floor making walking difficult. Some of the floor sheathing was soft and flexed excessively when stepped on"*. With other issues, it was determined that the dwelling at 6 Larchwood Drive is an unsafe building.

TOWN OF GOSHEN

Resolution

DETERMINING THAT THE DWELLING AT 6 LARCHWOOD DRIVE IS UNSAFE AND ORDERING IT BE REPAIRED AND MADE SAFE OR DEMOLISHED AND REMOVED

INTRODUCED BY: Councilperson Kenneth Newbold

SECONDED BY: Councilperson George Lyons

DATED: January 10, 2019

WHEREAS, Town of Goshen Building Inspector Neal Halloran ("Building Inspector") has inspected the property at 6 Larchwood Drive, with the owner's permission, and rendered a report, dated January 10, 2019, notifying the Town Board of an unsafe building on the property, specifically, a vacant and abandoned single-family dwelling; and

WHEREAS, the Building Inspector has determined in the aforementioned report that the dwelling at 6 Larchwood Drive is unsafe and identified various conditions and photographs in support of this determination; and

WHEREAS, the Building Inspector has recommended that the Town Board declare the dwelling at 6 Larchwood Drive to be an unsafe building and order that it be repaired and made safe or demolished and removed;

NOW, THEREFORE, BE IT RESOLVED, that:

1. The above WHEREAS clauses are incorporated herein by reference as if set forth at length in this paragraph.
2. The dwelling at 6 Larchwood Drive is hereby declared an unsafe building in accordance with Town Law and Chapter 51 of the Code of the Town of Goshen and the owner is hereby ordered to repair and make safe or demolish and remove said building and to commence said work within 15 days of the service of the attached Notice of Unsafe Building and to complete it within 30 days thereafter.
3. The Town Clerk is directed to serve the owner with a Notice of Unsafe Building by registered mail, cause a copy of the same to be posted on the property, and file a copy with the Orange County Clerk.
4. It is hereby ordered that the Town Board will conduct a hearing at Town Hall on January 24, 2019 at 7:30 p.m. or as soon thereafter that the Town Board may hear the matter to receive testimony and other evidence to determine whether this resolution and order to repair or demolish and remove the building should be affirmed, modified or vacated.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilperson, John Van Der Molen	<u>AYE</u>
Councilperson, Melissa Gallo	<u>AYE</u>	Councilperson, Kenneth Newbold	<u>AYE</u>
Councilperson, George Lyons	<u>AYE</u>		

Vote: Vote: Resolution passed by a vote of 5 to 0

4. INFORMATION: THERE WERE THIRTY-EIGHT HOME BUILDING PERMITS ISSUED IN THE TOWN IN 2018.

As stated, for information only.

5. INFORMATION: CURRENTLY THERE ARE SIXTY-SEVEN HOMES COMPLETED OR UNDER CONSTRUCTION IN HERITAGE ESTATES, LEAVING EIGHT MORE TO BE SOLD AND BUILT.

As stated, for information only.

6. INFORMATION: THE TOWN OF GOSHEN FINANCIAL AUDIT FOR 2017 HAS BEEN RECEIVED.

As stated, for information only.

F. FINANCE:

Councilperson Gallo made the motion to authorize the Supervisor to pay Accounts Payable check run for 12-30-2018 in the amount of \$23,180.85 and Accounts Payable check run for 12-31-2018 in the amount of \$114,115.80 and Accounts Payable check run for 01-10-2019 in the amount of \$265,514.63. Councilperson Van Der Molen seconded the motion.

On a Voice Vote, motion passed: 5 AYES: Bloomfield, Gallo, Lyons, Newbold, Van Der Molen
0 NAYS

G. APPROVAL OF MINUTES:

Councilperson Van Der Molen made the motion to accept the minutes of the Town Board meeting of 12-31-2018 and combined work session & regular meeting of 12-17-2018 and Re-Organization meeting of 01-02-2019. Councilperson Lyons seconded the motion with one typo correction.

On a Voice Vote, motion passed: 5 AYES: Bloomfield, Gallo, Lyons, Newbold, Van Der Molen
0 NAYS

Councilperson Gallo noted that the Salesian Dog Park is temporarily closed. The excessive rain has made the entrance muddy and due to the pitch of the dog park the ground is dangerous.

H. PRIVILEGE OF THE FLOOR:

Nick Gallo verbally filed a complaint that work on the Legoland site behind his house continues to begin before 8:00am. This will be conveyed to the Town Building Inspector.

Reynell Andrews inquired what can be done about the unsightly dumping on the Cifuni property on Phillipsburg Road? This will be also be conveyed to the Building Inspector.

I. ADJOURNMENT: Time: 7:55PM

Councilperson Lyons made the motion to adjourn the meeting to enter into Attorney Client meeting with the intent not to return. Councilperson Newbold seconded the motion. Motion carried.

Priscilla Gersbeck, Town Clerk