

TOWN OF GOSHEN
TOWN BOARD WORK SESSION

January 22, 2018
M I N U T E S

A work session of the Town Board of the Town of Goshen was held on the 22nd day of January, 2018 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 VanDerMolen	Councilmember

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

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

With the recent Norovirus outbreaks and deaths associated with this virus, Supervisor Bloomfield explained that anyone can get infected with the Norovirus. It spreads quickly and easily by people having physical contact with a person infected with Norovirus, eating food or drinking liquids that are contaminated with this virus, can be air-borne, and touching surfaces or objects with Norovirus on them. Protect yourself by cleaning and disinfecting contaminated surfaces, wash contaminated clothing or linens using disposable gloves, above all wash your hands often.

1. CONTINUE DISCUSSION OF OPTIONS FOR TAXING SOLAR AND WIND FARMS UNDER REAL PROPERTY TAX LAWS 485-b AND 487. THE TOWN NEEDS TO DECIDE ON A TAXING MODALITY FOR THE ASSESSING OFFICE TO UTILIZE.

John McCarey, OCRP Director, explained the financial distribution between a RPTL 487-PILOT, a 485-b and a *modified* 485-b agreement. Using tax rates for 2017, he presented spread sheets estimating total taxes paid covering the county rate, town/hwy rate, school, and fire district under a 485-B agreement. Calculations were based on a 650,000 assessed value over 10 years and the other sheet calculated over modified 15 years.

Councilperson Van Der Molen made the motion to authorize Attorney Richard Golden to draft a letter for a Town signatory to Cypress Creek Renewables, in accordance with the State Statue, that the Town wants to enter into a PILOT and or other tax arrangement with respect to the taxes to be paid. Councilperson Lyons seconded the motion.

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

2. PUBLIC HEARING CONTINUED: ON TOWN OF GOSHEN INTRODUCTORY LOCAL LAW NO. 1 OF 2017 MODIFYING VARIOUS SECTIONS OF THE CODE OF THE TOWN OF GOSHEN TO OMIT TYPOGRAPHICAL ERRORS AND AMEND PROVISIONS TO ENSURE CONSISTENCY AND CLARITY.

- ▶ REVIEW COMMENTS FROM THE TOWN OF GOSHEN PLANNING BOARD
- ▶ CLOSE PUBLIC HEARING AND VOTE ON PROPOSED LAW

Councilperson Newbold made the motion to continue the public hearing on Introductory Local Law 1 of 2017. Councilperson Lyons seconded the motion.

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

► **REVIEW COMMENTS FROM THE TOWN OF GOSHEN PLANNING BOARD**

The Planning Board submitted the comments discussed at their meeting on January 18, 2018. The comments have been reviewed. The modifications will be included in the adoption of the Local Law.

► **CLOSE PUBLIC HEARING AND VOTE ON PROPOSED LAW**

Councilperson Newbold made the motion to close the public hearing on Introductory Local Law 1 of 2017 modifying various sections of the Code of the Town of Goshen to omit typographical errors and amend provisions to ensure consistency and clarity. Councilperson Gallo seconded the motion.

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: Resolution carried by a vote of 5 to 0.

Councilperson Newbold made the motion to adopt Introductory Local Law 1 of 2017 as Local Law 1 of 2018, to include all of the comments from the Planning Board meeting which was held on 1-18-2018. Councilperson Lyons seconded the motion.

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: Resolution carried by a vote of 5 to 0.

3. DISCUSS THE ORANGE COUNTY PLANNING DEPARTMENT REPLY OF INTRODUCTORY LOCAL LAW NO. 2 OF 2017. THE §239-1, m, & n. REPORT IS ATTACHED.

► **CONTINUE DISCUSSION ON PROPOSED LAW**

Orange County Dept. Of Planning submitted a report in accordance with Section 239, paragraphs l and m. In this report it was determined "no evidence that significant intermunicipal or countywide impacts would result from its approval". According to Attorney Golden one out of five developments has received a Conditional Final Approval. This applicant requests not to be held up during the term of the moratorium. Hence, a compromise to consider would be to exempt this applicant from the moratorium provided that they are *subject to modifications* that the local law ultimately will have, agreeing that there will be no increase in the number of affordable units (3) approved. This Local Law was entered into to change the formula making a house affordable, and not to increase the affordable housing requirements.

It was decided to add to SECTION 3: MORATORIUM IMPOSED; APPLICABILITY,

"Any residential development that would otherwise be subject to this moratorium shall be exempt from its application if (1) it has received final subdivision approval, with or without conditions, at the time of the adoption of this moratorium, and (2) the owner agrees in writing, in a form acceptable to the Attorney for the Town, to be bound by any modifications to Town Code § 97-24 that may occur as a result of the review of this law for the purposes noted above, and waiving any legal challenges thereto, provided that the number of affordable unit requirements shall not be increased for such residential development."

Councilperson Lyons made the motion to introduce the aforementioned modified version into Introductory Local Law 2 of 2017. Councilperson Gallo seconded the motion.

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

Councilperson Newbold inquired as to the ownership of Harriman Drive? If the State owns the road, they are responsible for plowing. Why is Harriman Dr. closed from Elant down? A lengthy discussion debated the legalities and boundaries of Harriman Dr. which is owned by the State. However, at the last snow storm, a private contractor was observed plowing Harriman Drive. Is there an agreement with the state allowing a private contractor to plow Harriman Dr.? Councilperson Newbold would like answers pertaining to boundary ownership, maintenance, and closure permits associated with Harriman Drive.

4. ADJOURNMENT:

Councilperson Van Der Molen made the motion to adjourn the meeting to enter into Attorney Client discussion with the intent not to return. Councilperson Gallo seconded the motion. Motion carried.

Time: 8:35PM

Priscilla Gersbeck, Town Clerk