

TOWN OF GOSHEN
TOWN BOARD MEETING

January 24, 2019

MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 24th 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 7:30 pm, followed by the Pledge of Allegiance.

B. AMENDMENT TO THE AGENDA

Change to item #2 – New Business

C. PRIVILEGE OF THE FLOOR (agenda items only)

D. REPORTS:

Councilperson Melissa Gallo reporting for the Joint Recreation Commission: The JRC met on January 8th. Representing the Goshen Art League, Gloria Bonelli is interested in putting murals on fences at Salesian Park in an attempt to beautify the blight. Local artist would be used. Many details will have to be worked out. This topic was tabled for the next meeting. The parks are mainly closed due to the weather. The Dog Park is still closed due to unsafe weather conditions –ice/mud. A grant was put in for bike racks in and around the parks. The budget meeting was postponed for a lack in attendance. Discussion of projects for the 2019 wish list included: Arcadia Pocket Park, Bathroom facilities at Erie Park, Skate Park possibly at Bruen Park and a long term plan for a JRC Community Center.

Councilperson George Lyons reporting for Highway Department: Continued service of maintaining safe roads in snow and ice conditions. After snow storms all of the trucks are washed to reduce the corrosive effects of salt. Snow occurrences this month included 1/8, 1/18, 1/19, and icy roads 1/24. When weather permits, we cut brush/trees along roadways, cold patch potholes, replace downed signage, remove dead deer from roadways, perform maintenance on trucks/equipment, and clear drainage piping and catch basins of leaves and snow prior to rain or melting conditions. On another note, along with Supervisor Bloomfield negotiations with the CSEA continue.

Councilperson John Van Der Molen reporting for the Senior Commission: Along with the Goshen Lions Club, the Senior Center is hosting a pajama drive until February 15th. Pajamas for needy children can be donated to a bin in the lobby. The annual Valentine's Day Pizza Party will take place on Monday, February 11th at 12 noon. Reservations are required before February 8th. On February 25th the Senior Club will have a guest speaker, Trish Huggins, Certified Work Based Coordinator for Orange-Ulster BOCES Career & Technical Education Center. She will be discussing a new program to provide free manicures and hand massage to all interested seniors

starting in March. On January 3rd a new class began called Body Grace for seniors. This combines elements of yoga and Tai Chi through gentle movement and meditation. The next meeting of the Senior Club will be on January 28th.

Councilperson Kenneth Newbold submitted a list of grants that he has been involved with. In summary: Town Hall ADA Doors, Town Hall Roof Replacement, Sr. Ctr. ADA Doors, Ham. Park Sewer, Webster Ave. Doors, Salt Shed and Orange & Rockland LED project. Also looking into cleaning the ducts in the Town Hall. He met with three newly elected officers: Hon. Jen Metzger, Hon. Colin Schmitt and Hon. James Skoufis to keep the lines of communication open for the Town of Goshen.

Supervisor Bloomfield reported that the paving of the Town Hall parking lot was completed with the help of grant money. The total cost was \$107,142.86 in which we received \$75,000.00 (70% of cost) from a DASNY grant. Great job to Councilperson Newbold who was the overseer on this project. In a press release from the DEC it was noted that an Environmental Conservation Police Officer (ECO) responded to a complaint from the Town of Goshen Highway Dept. Superintendent pertaining to trash bags dumped on town property. After inspection of the bags, a ticket was issued for unlawful disposal of solid waste. The ticket is returnable to the Town of Goshen Court in February. A report came in today from tech support stating that the RDP server in Highway had at least half a dozen hacking attempts from Moscow, Russia. However, the Untangle server blocked all of the attempts to login. Beware if you receive an email in which you are unfamiliar with or don't recognize, don't open it. Late today a call came in from the owner of the Crystal Run building on Hatfield Lane. With the heavy rain, the creek behind the building was overflowing to the building. Our Highway Dept. was gone for the day and the caller was directed to phone the Fire Dept. and/or the Village Clerk.

E. NEW BUSINESS:

1. DISCUSS AND APPROVE A TYPE II SEQRA REVIEW IN SUPPORT OF A \$50,000 SAM GRANT (PROJECT 13108) FOR REPLACEMENT OF WINDOWS IN TOWN HALL.

Councilperson Newbold made the motion to approve a Type II SEQRA review in support of a \$50,000.00 SAM Grant (Project 13108) for replacement of windows in the Town Hall. Councilperson Lyons seconded the motion.

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

2. CONDUCT PUBLIC HEARING TO RECEIVE TESTIMONY AND OTHER EVIDENCE TO DETERMINE WHETHER THE RESOLUTION AND ORDER TO REPAIR OR DEMOLISH AND REMOVE THE HOME AT 6 LARCHWOOD DRIVE SHOULD BE AFFIRMED, MODIFIED OR VACATED.

The registered/certified letter was tracked and has not been picked up. It is noted that the owner does not have notice of this hearing.

Councilperson Gallo made the motion to cancel the said Public Hearing. Councilperson Van Der Molen seconded the motion.

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

3. INTRODUCE LOCAL LAW 1 OF 2019 AMENDING TOWN CODE CHAPTER 51 TO CONFORM TO STATE LAW.

Councilperson Van Der Molen made the motion to introduce Introductory Local Law 1 of 2019 amending Town Code Chapter 51 to conform with State Law. Councilperson Lyons seconded the motion.

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

4. MOTION TO TYPE THE ACTION OF INTRODUCTORY LOCAL LAW 1 OF 2019 AS AN UNLISTED ACTION, ASSUME LEAD AGENCY AND MAKE A DETERMINATION OF A NEGATIVE DECLARATION.

Councilperson Newbold made the motion based upon SEQRA Environmental Assessment Form, to type the SEQRA action as an Unlisted Action, assume SEQRA Lead Agency, and make a determination of significance as a Negative Declaration. Councilperson Lyons seconded the motion.

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

5. SET A PUBLIC HEARING REGARDING INTRODUCTORY LOCAL LAW 1 OF 2019.

Councilperson Gallo made the motion to set a Public Hearing to be held before the Town Board of the Town of Goshen at Town Hall on Thursday the 14th day of February, 2019, at 7:30 p.m., or as soon thereafter to consider Introductory Local Law No. 1 of 2019. The purpose of this local law is to amend Chapter 51 of the Code of the Town of Goshen ("Dangerous Buildings") to conform with the procedures in New York Town Law §130(16) for the removal or repair of unsafe buildings. Councilperson Van Der Molen seconded the motion.

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

6. REVIEW AND APPROVE THE STANDARD WORK DAY AND REPORTING RESOLUTION FOR TOWN OF GOSHEN ELECTED AND APPOINTED OFFICIALS.

The Town of Goshen establishes a set of hours as standard work days for elected and appointed officials and reports the work days worked to the New York State and Local Employees' Retirement System based on the record of activities.

Councilperson Lyons made the motion to approve the Standard Work Day and Reporting Resolution for Elected and Appointed Officials as corrected and presented. Councilperson Newbold seconded the motion.

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

7. DISCUSS REQUEST BY AL MUHLRAD TO SUPPORT HIS APPLICATION TO THE OC IDA FOR FINANCIAL ASSISTANCE WITH HIS 134 JESSUP SWITCH ROAD LLC PROJECT. REVIEW ATTACHED LETTER TO THE OC IDA FROM THE TOWN AND AUTHORIZE THE SUPERVISOR TO SIGN THE SAME.

The IDA refused Mr. Muhlrads application, because he started construction of one of two buildings.

The attached letter states; *"the Muhlrad entities have approximately 226,000 square feet under cover consisting of, among other things, manufacturing, office, recreational, and warehouse space. They pay over \$400,000 per year in taxes to the county, the Town, and to the Goshen and Florida school districts. They employ or have otherwise created in excess of 200 full-time jobs in the Town."* *"Specifically, he seeks OCIDA financial assistance for Phase I of a plan to construct additional office, manufacturing, and warehouse space in the Town: Phase I to consist of 60,000 square feet and a possible Phase II to consist of another building of 70,000 square feet, each with associated parking and requisite infrastructure and which have been reviewed and approved by the Town of Goshen Planning Board (including SEORA)."*

Councilperson Lyons made the motion to authorize the Supervisor to sign the letter to the IDA on behalf of said project. Councilperson Gallo seconded the motion.

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

8. INFORMATION: THE BUDGET PROPOSED BY GOVERNOR CUOMO ELIMINATED AIM (AID AND INCENTIVES TO MUNICIPALITIES) FUNDING FOR VILLAGES AND TOWNS. TOWN OF GOSHEN WAS SCHEDULED TO RECEIVE \$33,200 THIS COMING SEPTEMBER. NEEDLESS TO SAY, ASSEMBLYMAN COLIN SCHMITT AND SENATOR JEN METZGER ARE ACTIVELY WORKING TO ENSURE THE LEGISLATURE AND SENATE WILL RESTORE THE ORIGINAL FUNDING.

Supervisor Bloomfield met with Senator Metzger expressing how important the AIM funding is to the Town of Goshen and to seek her support to restore AIM funding. Assemblyman Schmitt wrote a lengthy letter to Governor Cuomo asking to fully restore AIM funding in this year's budget. Councilperson Lyons attended a press conference given by Assemblyman Schmitt. He reported that many elected officials from local municipalities, as well as himself, had the opportunity to speak. In the Town of Goshen, monies from AIM go to improvements for our roads. He questioned why monies are taken away from municipalities in Orange and Rockland Counties and given to the cities. "It seems so arbitrary".

Councilperson Newbold learned from the staff at Assemblyman Schmitt office that he passed his first co-sponsored Bill in Assembly to extend property tax payment for furloughed govt. workers. Bill goes to Senate next. "He's out there working for us, that's why I like to keep the line of communications open".

Councilperson Lyons announced that Congressman Sean Maloney will hold a Town Hall Meeting at the 911 Center on Saturday, 1pm – 2pm covering ways to help the furloughed govt. workers and anything else the public wants to bring up.

F. OLD BUSINESS:

1. CHARTER COMMUNICATIONS IS REQUESTING RENEWAL OF THEIR FINANCIAL AGREEMENT WITH THE TOWN OF GOSHEN. THEY WANT TO DISCUSS AND NEGOTIATE RENEWAL PROCEEDINGS OUTLINED IN THE CABLE ACT WITH TOWN REPRESENTATIVES. THE CURRENT CONTRACT EXPIRES NOVEMBER 29, 2021. (SEE ATTACHED LETTER DATED 01/12/2019).

Councilperson Van Der Molen asked if we can negotiate with Charter Communications to negotiate the renewal details of the contract. Councilperson Lyons was asked to negotiate the contract.

2. **INFORMATION: THE GLENMERE SOLAR, LLC PUBLIC HEARING IS CONTINUED AND WILL BE ADJOURNED TO FEBRUARY 21, 2019 AT 7:30PM.**

As stated, for information only.

3. **DISCUSS AND ACT ON A RESOLUTION TO PROVIDE A SIX MONTH EXTENSION FOR CONDITIONAL APPROVAL OF A SPECIAL USE PERMIT PREVIOUSLY GIVEN TO DAVIS SOLAR. THIS EXTENSION PROVIDES FOR SEAN HOFFMAN, H2M, TO REVIEW THE INFORMATION SUBMITTED BY THE APPLICANT.**

TOWN OF GOSHEN
Resolution
AUTHORIZING 6 MONTH EXTENSION OF THE CONDITIONAL APPROVAL
FOR A SPECIAL PERMIT FOR DAVIS SOLAR, LLC.

INTRODUCED BY: Councilperson George Lyons
SECONDED BY: Councilperson Kenneth Newbold
DATED: January 24, 2019

WHEREAS, on January 25, 2018 the Town conditionally approved a special permit for Davis Solar, LLC to construct a two-megawatt solar facility; and

WHEREAS, said Conditional Approval is set to expire on January 25, 2019; and

WHEREAS, Davis Solar, LLC's submitted materials which are being reviewed by the Town's Engineer for compliance with said Conditional Approval

NOW, THEREFORE, BE IT RESOLVED, that the Town of Goshen extends said Conditional Approval for six months, which shall expire on July 25, 2019, unless so extended by the Town Board.

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.

G. FINANCE:

Councilperson Gallo made the motion to authorize the Supervisor to pay Accounts Payable check run for 01/24/2019 in the amount of \$245,046.22. Councilperson Van Der Molen seconded the motion.

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

H. PRIVILEGE OF THE FLOOR

Richard Krabbe, Knoell Rd., inquired as to who is monitoring the wells along his road that were put in by the Heritage Estates developer? Ans: The developer has the responsibility to check the wells.

One well (#6) has a high sulfur content and will have to be addressed. The new testing will begin when the development reaches 64 certificates of occupancy. The testing is geared to occupancy. This will be soon. It was suggested to speak with the Building Inspector to contact the Town Engineer to list your well for testing.

Reynell Andrews, asked what has been done about the unsightly dumping on the Cifuni property on Phillipsburg Road? Ans: Ask Neal Halloran to confer with the Attorney as to what can be done to order the removal of illegal fill. Neal did catch the trucker who is from New Jersey unloading the fill. He called for a police officer to assist in identifying the person. Most likely this will be handled by our Town Attorney.

J. ADJOURNMENT: 8:45PM

Councilperson Van Der Molen made the motion to adjourn to enter into Attorney Client meeting. Councilperson Gallo seconded the motion. Motion carried.

Priscilla Gersbeck, Town Clerk