

TOWN OF GOSHEN
TOWN BOARD MEETING
FEBRUARY 25, 2016
MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 25th day of February, 2016 at the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present: George Lyons Councilmember
 Kenneth Newbold Councilmember
 John VanDerMolen Councilmember

Absent: Douglas Bloomfield Supervisor
 Melissa Gallo Councilmember

Also Present: Richard Golden, Esq. Attorney for the Town
 Robert Rametta, Esq. Special Counsel, Tax Certiorari/Claims
 Priscilla Gersbeck Town Clerk

A. CALL TO ORDER

The meeting was called to order by Deputy Supervisor Newbold at 7:33pm, followed by the Pledge of Allegiance and a moment of silence observed for the passing of Barbara Bloomfield.

B. AMENDMENT TO THE AGENDA

A resolution is added under old business and a personnel matter in the Executive Session.

C. PRIVILEGE OF THE FLOOR (agenda items only)

None at this time.

D. REPORTS:

Councilman Lyons reported on the DPW: snow storms that required treatment and plowing occurred on the 5th, 9th, 15th and 23rd of February without incident. Last night's high wind and rain storm required crews to remove debris and remove down trees from the roadways.

Councilman VanDerMolen reported the Senior Citizens are invited to a St. Patrick's luncheon, March 15th, catered by Delancy's at the center. The cost is \$10.00 per person. Plans are being made for a bus trip to a casino in Pennsylvania and a trip to Ocean City, Maryland.

Councilman Newbold reported that plans are underway for a new roof on the Town Hall building.

E. OLD BUSINESS:

**1. DISCUSS AND APPROVE CONTRACT BETWEEN REGIONAL FOOD BANK
(DBA: FOOD BANK OF THE HUDSON VALLEY) AND THE TOWN OF GOSHEN**

Councilman Lyons gave a brief overview of what the Regional Food Bank has requested in the Memorandum of Understanding, which is before the Board for approval.

Councilman Lyons made the motion that the memorandum of understanding be approved by the Town of Goshen and the Regional Food Bank. Such approval will be contingent on the fact that the insurance is approved by our Broker and that the contract is acceptable to our Attorney. Councilman VanderMolen seconded the motion.

On A Voice Vote, the motion passed: 3 AYES Lyons, Newbold, VanDerMolen
2 ABSENT Bloomfield, Gallo
0 NAYS

F. NEW BUSINESS

1. DISCUSS AND APPROVE RESOLUTION AUTHORIZING THE RELEASE OF A PARCEL OF REAL PROPERTY IN GREENWOOD LAKE FROM JUDGMENT(S) AGAINST KENNETH SULLIVAN

Attorney Golden reviewed the following resolution.

**TOWN OF GOSHEN
RESOLUTION**

**Authorizing the Release of a Parcel of Real Property in Greenwood Lake
From Judgment(s) Against Kenneth Sullivan**

INTRODUCED BY: Councilman George Lyons
SECONDED BY: Councilman John VanDerMolen

Dated: February 25, 2016

WHEREAS, the Town of Goshen secured a Judgment against Kenneth Sullivan, dated April 17, 2006, in the amount of \$30,042.00, which judgment was duly docketed in the judgment book in the office of the Clerk of the County of Orange at Book 8034, Page 485 (File # 20060053326), and

WHEREAS, the Town of Goshen secured a Judgment against Kenneth Sullivan, dated October 20, 2006, in the amount of \$950.00, which judgment was duly docketed in the judgment book in the office of the Clerk of the County of Orange at Book 8042, Page 763 (File # 20070006584), and

WHEREAS, the Town of Goshen secured a duplicate Judgment against Kenneth Sullivan dated December 19, 2006, in the amount of \$950.00, which judgment was duly docketed in the judgment book in the office of the Clerk of the County of Orange at Book 8042, Page 1396 (File # 20070009628), and

WHEREAS, Kenneth Sullivan has agreed to pay to the Town of Goshen a partial payment in the amount of \$3,500.00 toward the reduction of the above-referenced Judgments for the sole and limited purpose of releasing the reach of these Judgments as to a certain parcel of real property ("the Subject Parcel") described below that a third party desires to purchase from Kenneth Sullivan,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Goshen does hereby authorize, upon the consideration set forth above, and other valuable consideration, the release of the Subject Parcel from the reach and attachment of the above-referenced Judgments. Said Subject Parcel is presently owned by Kenneth Sullivan, and more particularly described and known as:

Town of Warwick, Village of Greenwood Lake, Orange County, New York Tax Map No: Section 309, Block 6, Lot 10.2, located on Waterstone Road in the Village of Greenwood Lake, Town of Warwick,

Orange County, New York, in the name of Kenneth Sullivan by deed from the County of Orange dated October 29, 2004 and recorded in the Orange County Clerk’s Office on November 19, 2004 in Liber 11675 page 1501, and

BE IT FURTHER RESOLVED that the partial release of judgments authorized by this Resolution is expressly limited to the one and only real property parcel and infrastructure identified above as the Subject Parcel, and that the above-referenced Judgments and any other liens and encumbrances by the Town of Goshen as against Kenneth Sullivan, presently existing or to come into effect, shall continue or apply in full force and effect to any and all other property of Kenneth Sullivan properly subject to such Judgments, liens and other encumbrances, and

BE IT FURTHER RESOLVED that the partial release of judgments as against the Subject Parcel shall take effect only upon the payment by Kenneth Sullivan to the Town of Goshen of the above-referenced \$3,500.00, and

BE IT FURTHER RESOLVED, that the Supervisor, or in his absence the Deputy Supervisor, is hereby authorized to execute all documents necessary to effectuate said partial release on behalf of the Town of Goshen.

On A Voice Vote, the motion passed: 3 AYES Lyons, Newbold, VanDerMolen
 2 ABSENT Bloomfield, Gallo
 0 NAYS

2. INFORMATION: CLIMATE SMART COMMUNITIES TO HOST A WEBINAR THURSDAY, MARCH 10TH - 10:30AM, TITLED SOLAR POWER ON LANDFILLS: CASE STUDIES AND LESSONS LEARNED

As stated, for information only.

G. FINANCE:

Councilman Lyons made the motion to authorize the Supervisor to pay Accounts Payable check run for February 28, 2016 in the amount of \$484,617.08. Councilman VanDerMolen seconded the motion.

On A Voice Vote, the motion passed: 3 AYES Lyons, Newbold, VanDerMolen
 2 ABSENT Bloomfield, Gallo
 0 NAYS

H. PRIVILEGE OF THE FLOOR

Frank Marsiglio, Smith Road, referenced two construction projects in his part of town; (1) He is asking for more police presence on his road to curtail an increased amount of vehicles speeding through. Traffic has increased on Smith Road as a way to avoid a bridge construction project on Scotchtown Avenue. (2) He is concerned as to how the Town of Goshen will handle the over-weight truck traffic on weight restricted roads? Plans are made for the closing of Midway Rd. Bridge, in April, for repairs. The Tetz over-weight trucks will use Town roads as part of the detour while the bridge is closed. He is concerned about the possibility of over-weight vehicles using Smith Road and *safety issues* associated with the operation of the vehicles. He feels that whatever the alternate

designated routes are, there will be violations. His request is that the Town to be *pro-active in planning* the routes. He feels the residents should be notified of the alternate routes and the types of enforcement (signs, police presence) expected to keep their neighborhood safe. Answer: The police officers will be instructed to give out tickets to violators.

Estee Toth Rodriguez, Howard Court, inquired as to when will her street be dedicated. This development (Makan subdivision) receives no services from the Highway Dept. She is upset that she pays taxes and can't even get the street plowed during a snow storm. Answer: She was advised to join in with other residents to hire an attorney to help them address the issues to get the road dedicated. Ms. Rodriguez questioned if an access road will be built for the subdivision planned adjoining her development? She doesn't want to see construction traffic going through her neighborhood.

I. EXECUTIVE SESSION:

Councilman Lyons made the motion to enter into Executive Session to discuss the following;

1. Review proposed settlement of the Al Turi Certiorari Litigation
2. DPW Personnel Matter

with the intent not to return. The motion was seconded by Councilman VanDerMolen. Motion Carried

J. ADJOURNMENT: 8:25PM

Priscilla Gersbeck, Town Clerk