

TOWN OF GOSHEN  
**TOWN BOARD WORK SESSION**

March 9, 2015  
M I N U T E S

A work session of the Town Board of the Town of Goshen was held on the 9th day of March, 2015 at the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present:	Philip Canterino	Councilman
	Louis Cappella	Councilman
	George Lyons	Councilman
	Kenneth Newbold	Councilman
Absent:	Douglas Bloomfield	Supervisor
Also Present:	John Swift, Esq.	Special Counsel to Town Board
	Priscilla Gersbeck	Deputy Town Clerk

The meeting was called to order by Deputy Supervisor Lyons at 7:30 pm, followed by the Pledge of Allegiance.

**1. DISCUSS OR. CO. SOIL AND WATER CELERY AVENUE ROCK LEDGE PROJECT AND NEED FOR A PERMIT FROM THE TOWN OF GOSHEN BEFORE WORK BEGINS**

Correspondence from Neal Halloran, Building & Zoning Inspector, referenced plans for the rock ledge removal by Celery Avenue. There are concerns about the impact that it might have on Celery Ave. up and downstream of the site. Also about the impact it might have on the landfill property, stability and leachate flow. Mr. Halloran is seeking opinion from professionals. Councilman Newbold will attend a meeting on Wednesday to discuss this issue. He will report to the Board at the next meeting.

**5. DISCUSS MILMAR FOOD GROUP, LLC. GOSHEN EXPANSION AND REQUEST FOR MUNICIPAL WATER AND SEWER**

Milmar, located on 6 ½ Station Rd., manufactures and distributes frozen food. Currently, this business generates: \$46 million annual sales, \$108,000 property/school tax, \$1 million in utilities payments, 275 full-time and 125 part-time jobs and an \$11 million annual payroll. The expansion will encompass \$6 million building and improvements, 21,000 sq.ft. new freezer/dry storage/loading docks and 7,500 sq.ft. renovated space for testing/boxing. Deputy Supervisor Lyons read the expansion benefits:

In 2015 > 47 full-time and 26 part-time jobs	By 2020 > 692 total jobs
> \$2.3 million new payroll	> \$20 million payroll
> \$6 million new annual sales	> \$85 million annual sales

Milmar Food Group, LLC is asking for the approval for expansion, to tie into existing town water and town sewer, an IDA property and construction tax abatement, ESD funds, job credits and low cost loans. However, the Town doesn't provide water and sewer services to that part of town. The jail is the only

entity which receives water/sewer services. There are other businesses in that area who would like to receive municipal water and sewer services. This is tabled until Supervisor Bloomfield returns.

**2. DISCUSS A PROPOSED BUILDING PERMIT FEE FOR A BUILDING TO BE BUILT BY RICK MINKUS. AT ISSUE IS THE QUESTION OF "AGRICULTURE" VERSUS "NON-AGRICULTURE" IN REGARD TO INTENDED USE**

Owner, Rick Minkus addressed the Board. Currently he owns 1,000+ acres of which he grows produce such as onions and lettuce. His farm is on Celery Avenue where he packs the vegetables raised on his property. This location is prone to flooding as the Wallkill River rises. To expand his family business, he has obtained site approval from the Planning Board to construct an agriculture-related warehouse/packing facility. This building will be located on Co. Rt. 37 (Maple Ave.). Mr. Minkus's expansion is required to follow the standards set by Agriculture & Markets and Food & Safety guidelines in order to package and sell produce to grocery stores. The size of the proposed \$2 million building is approximately 40,000 sq. ft. He will use 75% of his own produce and purchase about 25% from the west coast.

Questions raised by the Board Members pertained to the use of the building. If the building is determined to be a non-agriculture use, a building permit would cost \$23,581.75. If the building is determined to be an agriculture use, then the building permit is zero. The request is to make a determination if a portion of the building could be classified under agriculture and a portion under non-agriculture. Mr. Minkus is willing to provide the Town with information to facilitate a decision so he can break ground this spring.

**3. BEGIN PROCESS OF DISCUSSING CODE AND ZONING CHANGES AND SOLICIT ITEMS THE BOARD WANTS TO INCLUDE IN ANALYSIS AND RECOMMENDATIONS. ADDITIONALLY, ESTABLISH A CRITICAL PATH SCHEDULE FOR THE PROCESS AND A GOAL DATE FOR COMPLETION.**

We are waiting for information from Riddick Associates. They were asked for input as to code provisions and possible revisions.

**4. INFORMATION: THE AMY'S KITCHEN PROJECT UPDATE HAS BEEN POSTPONED UNTIL MARCH 23.**

As stated, for information only.

**6. DISCUSS AND DECIDE WHETHER TO CONSIDER A RESOLUTION TO REQUEST REFORMING THE NYS TAX CAP LAW.**

Correspondence was received from Or. Co. Association of Towns, Village & Cities requesting a resolution to the Governor and our NYS representatives to give serious consideration in reforming the Tax Cap Law. Currently the tax cap makes it impossible for Towns, Village and Cities to abide by the laws due to mandated expenses such as pensions and health care. The present tax cap law restricts elected officials from performing their fiduciary duties to their residents such as: infrastructure improvements, road maintenance & upkeep, capital projects in utilities, and so forth. There was discussion as to relief from mandates and how that would be beneficial to the Town. It was decided to formally pass a resolution at the next meeting.

7. **INFORMATION: TOWN ENGINEERS, RIDDICK ASSOCIATES, HAS REVIEWED FINAL PLANS FOR THE KIKKERFROSCH BREWERY IN REGARD TO IMPACT OF STORM WATER MANAGEMENT ON NEARBY BIRD SANCTUARY, WETLANDS AND OPEN SPACE. ONLY RECOMMENDATION MADE IS FOR SWPP REPORTS BE PROVIDED TO THE TOWN BUILDING INSPECTOR DURING CONSTRUCTION.**

As stated, for information only.

8. **INFORMATION: THE GOSHEN TOWN COURT HAS BEEN AWARDED A GRANT OF \$11,079.96**

Under the Justice Court Assistance Program, the Goshen Town Court is one of 390 courts receiving funding this year. The awarded funds will be distributed as follows: \$1,079.96 for furniture (chairs) in the court room and \$10,000.00 for a security (surveillance system).

9. **INFORMATION: YALE WHIFFENPOOF ALUMNI AND N.Y. SWING EXCHANGE BAND TO PERFORM AT PALACIO CATERING – SATURDAY APRIL 25 AT 6:30PM. BENEFIT PROCEEDS TO SUPPORT OR. CO. ARTS COUNCIL.**

As stated, for information only.

10. **INFORMATION: I HAVE ASKED THE TOWN BUILDING OFFICE TO PROVIDE TOWN BOARD MEMBERS ADVANCED AGENDAS OF PLANNING BOARD MEETINGS.**

As stated, for information only.

11. **INFORMATION: 2014 PAYMENTS TO THE COUNTY FOR SCAR AND CERTIORARI HAVE BEEN MADE TO ORANGE COUNTY FROM TOWN AND FIRE DEPARTMENT TAX LEVY RECEIPTS. THIS IS PER PRIOR AGREEMENT WITH THE COUNTY.**

As stated, for information only.

**EXECUTIVE SESSION:**

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

1. AL TURI LANDFILL LITIGATION - STATUS UPDATE
2. P.D. PERSONNEL CASE LITIGATION – STATUS UPDATE
3. POTENTIAL LITIGATION – PROPERTY TAX SALE

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

**ADJOURNMENT: 8:10PM**

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Priscilla Gersbeck, Deputy Town Clerk