

TOWN OF GOSHEN
TOWN BOARD MEETING

March 22, 2018

MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 22nd day of March, 2018 at the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present: Douglas Bloomfield Supervisor
 George Lyons Councilmember
 Kenneth Newbold Councilmember
 John VanDerMolen Councilmember

Absent: Melissa Gallo Councilperson

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 7:32 pm, followed by the Pledge of Allegiance.

B. AMENDMENT TO THE AGENDA

Under New Business, set the date for water & sewer districts informational public hearing.

C. PRIVILEGE OF THE FLOOR (agenda items only)

D. REPORTS:

Councilperson Van Der Molen reported for Councilperson Gallo - JRC 3/13/18 meeting.

An Easter Egg Hunt is scheduled for March 24th, 11am, at Craigville Park. The parks will remain closed during snow storms due to dangerous conditions. Summer camp is gearing up with a change of hours to include extended drop off and pick up from 8:30-5 for parents who need it and a new art camp is being considered. Continue to investigate options for new sports fields (short/long term) as well as getting land options for a new Arcadia Hills basketball court.

Reporting for the Senior Commission: A St. Patrick's luncheon was held on March 15th, 12noon. It was well attended, and the food was delicious. AARP is offering a Defensive Driving class April 30th, 9am at the Senior Center. Two weeks ago, a senior citizen pulling into the parking lot accidentally struck the building sign. The Goshen High School Interact Club will host the senior prom on April 20th.

Councilperson Newbold stated the Town Board approved the purchase of new water meters for the water/sewer districts. Representing the Town of Goshen, he attended a meeting at the renovated County Building. Topics covered legal actions the Governor made to the court system that may/may not affect certain procedures by the town court.

Councilperson Lyons reported for the Highway Department. March had four, to date, snow storms. The largest snow volume nor'easter storm (3/7/18-3/8/18) dropped over 16" of heavy wet snow and required twenty-six hours of highway department labor to clear. Other than snow removal, the crew has been busy cold patching, brush cutting and tree removal from high winds during recent storms. One Highway Dept. employee has been out of work since March 8, 2018 with a non-work related hand injury.

Supervisor Bloomfield met with a realtor informing us that homes for sale in the Town of Goshen are hard to find.

As an example, in Heritage Estates over 50 homes out of seventy-five have building permits and are under construction. [*Orange County had one of the highest population growth rates from 2016 to 2017 in the state. The numerical increase was fifth-highest in New York, a state in which about half of the sixty-two counties lost population from 2016 to 2017.*] Secondly, Neal Halloran and himself met with Mr. Hecht, District Superintendent of BOCES relaying a message from the Chamber of Commerce that there is a need for hireable graduates in the food industry, maintenance and other related fields for businesses moving into Orange County. Lastly, the Berliner's were here to inspect progress clearing Amy's Kitchen site. To date, nine million has been spent preparing grounds for the plant and plans are to spend five million more in 2018. Three things scheduled for this year are: (1) to complete the turning lanes and signalization on Route 17M (2) to finish the bridge across the Walkkill River and (3) to finish the utilities for water and sewer from/to Middletown. In the meantime, a determination will be made as to what products will be made in the Goshen in addition to what equipment to install and the configuration of the plant.

E. NEW BUSINESS:

- 1. DISCUSS AND AUTHORIZE THE TOWN OF GOSHEN HIGHWAY SUPERINTENDENT TO USE NYS BIDS, COUNTY BIDS OR MUNICIPALITY BIDS TO PURCHASE TWO TRUCKS, A ONE TON OR ¾ TON (WHICHEVER IS AVAILABLE) AND A ½ TON, AT A COST NOT TO EXCEED \$75,000. THE COST OF PURCHASE IS INCLUDED IN THE 2018 DA HIGHWAY – TOWN WIDE CAPITAL BUDGET.**

Currently the amount in the DA fund is \$556,808.33. This includes money not spent last year. No vehicles were purchased in 2017. Presently, two trucks have limited road-worthy usage.

Councilperson Newbold made the motion to authorize the Town of Goshen Highway Superintendent to go out for bids as stated above. 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>ABSENT</u>	Councilperson, Kenneth Newbold	<u>AYE</u>
Councilperson, George Lyons	<u>AYE</u>		

Vote: Resolution carried by a vote of 4 to 0.

- 2. DISCUSS AND APPROVE TRANSFER OF AN EXCESS GOSHEN TOWN POLICE CAR (NO. 272) TO THE ORANGE COUNTY – TOWN OF GOSHEN ASSESSING GROUP.**

With the steady growth of new homes and businesses, the Assessing Group is busy data collecting on new construction. They have been using the Building Inspectors vehicle. If the vehicle is in use, the Assessing Group will use their personal car and charge mileage to the Town.

Councilperson Van Der Molen made the motion to approve the transfer an excess Goshen Town Police Car (No. 272) to the Orange County –Town of Goshen Assessing Group at a value delineated in the Kelly Bluebook automotive pricing guide. Councilperson Lyons seconded the motion.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Lyons, Newbold, Van Der Molen
 0 NAYS
 1 ABSENT Gallo

3. DISCUSS AND APPROVE TRANSFER OF AN EXCESS GOSHEN TOWN POLICE CAR (NO. 274) TO THE TOWN OF GOSHEN HIGHWAY DEPARTMENT AT A VALUE DELINEATED IN THE KELLY BLUEBOOK AUTOMOTIVE PRICING GUIDE.

The Highway Dept. car is used to travel to Town Hall to attend meetings, mail transfer, payroll, curb cut and driveway permits/bonds etc.

Councilperson Newbold made the motion to approve the transfer of an excess Goshen Town Police Car (No. 274) to the Town of Goshen Highway Department at a value delineated in the Kelly Bluebook Automotive pricing guide. Councilperson Lyons seconded the motion.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Lyons, Newbold, Van Der Molen
0 NAYS
1 ABSENT Gallo

4. SET A PUBLIC HEARING FOR THE ANNUAL WATER/SEWER DISTRICTS CAPITAL BUDGETS AND PROPOSED RATE CHANGES.

Councilperson Newbold made the motion to set the date for a public hearing for the annual review of the Water/Sewer Districts capital budgets and proposed rate changes on Monday, April 23, 2018. The public hearing will be held at 7:30 p.m. or as soon thereafter at the Town Hall, 41 Webster Ave. Goshen, NY. Councilperson Van Der Molen seconded the motion

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Lyons, Newbold, Van Der Molen
0 NAYS
1 ABSENT Gallo

F. OLD BUSINESS:

1. DISCUSS CITIZEN COMPLAINT REGARDING RESIDENCE ON JOHN DRIVE IN THE SCOTCHTOWN SUBDIVISION.

Notice was received from a citizen complaining of junk scattered along the front of a house located on John Drive in the Scotchtown subdivision. This house is in foreclosure. Therefore, Deutsche Bank, who is in receivership of the mortgage, will be apprised of the situation.

2. DISCUSS AND AGREE ON TOWN OF GOSHEN POSITION REGARDING USE OF "CASH BOND" VERSUS "SURETY BOND" OR SOMETHING IN BETWEEN FOR SOLAR PROJECTS.

This was discussed in detail at the meeting on 3-19-2018. A 25% tariff on imported steel and a 10% tariff on imported aluminum was enacted to revitalize U.S. manufacturing. However, it is harming the clean energy industry. Part of Cypress Creek Renewables decommission agreement requires a cash bond. The request from Cypress Creek Renewables was to put up a surety bond as opposed to a cash bond.

Supervisor Bloomfield called for comments from the Board.

Councilperson Van Der Molen believes that with technology changing so fast, it would be foolish not to take the cash bond.

Councilperson Newbold noted that Cypress Creek Renewables original request for a cash bond was passed. Now that the tariffs have been increased, they want us to change our Local Law. He wants the cash bond to remain.

Councilperson Lyons feels the tariff increase is a minimal expense for such a large business. He questioned the fact that they are a LLC coupled with a surety bond would be hard to collect on. We are better served to ask for a cash bond as stated in the original law.

Supervisor Bloomfield agreed with the Board. If something goes wrong with Davis Solar/Cypress Creek Renewables the Town will be responsible for decommission and reclamation costs.

Councilperson Newbold made the motion to ask Cypress Creek Renewables for a cash bond only. 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>ABSENT</u>	Councilperson, Kenneth Newbold	<u>AYE</u>
Councilperson, George Lyons	<u>AYE</u>		

Vote: Resolution carried by a vote of 4 to 0.

G. FINANCE:

Councilperson Van Der Molen made the motion to authorize the Supervisor to pay Accounts Payable check run as of March 22, 2018 in the amount of \$137,491.98. Councilperson Lyons seconded the motion.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Lyons, Newbold, Van Der Molen
0 NAYS
1 ABSENT Gallo

H. PRIVILEGE OF THE FLOOR (in summary)

Sandra Rothenberger read highlights from articles published on a 2018 marketing analysis for Legoland & Legos. She believes that it doesn't look too good for Legoland – financially.

Nick Gallo wanted to know why the Code Enforcement Officer, Neal Halloran, didn't return his call about a noise complaint. Secondly, asked for clarification of a written response from Dominic Cordisco, Esq. representing Legoland. Mr. Gallo is concerned about dead trees on the Legoland property leaning over/falling onto his backyard. For the safety of his family, he asked for those trees to be removed. (Inaudible) Legalities involving the Conservation Easement will be addressed.

Ellen Guerrera along with Debra Corr met with Supervisor Bloomfield and Neal Halloran. She received contact information for various State agencies in case they need to report any violations during the construction of Legoland to be helpful.

John Stein inquired how and when does the recent influx of money (Amy's Kitchen and Legoland) start to lower taxes? Ans: there was a decrease in Town taxes in 2018 which is only 12% of the tax bill. We have no control over the county, schools and fire dept. taxing entities. Hopefully, when Legoland gives the Town the Community Host Fee, that the Board at that time will use the additional income to lower taxes. On another issue; he feels that the Board doesn't pay attention to what the residents have been saying for the past two years. Views have been

expressed on how destructive the construction of Legoland will be for Goshen. The Town Board should be representing the constituents. People asked for a referendum to vote on Legoland. We were turned down. He feels the Town Representatives have turned their back on the people, on democracy and the democratic process.

Brad Barnhorst commented that Joe Percoco has been found guilty connected to various permits issued for CPV plant operations. Those permits should be revisited. Referencing an article in a NY newspaper dealing with off shore drilling, the Attorney General is threatening to sue the Feds. over off shore drilling permits opinioned detrimental to the public. The point to be made is that our County Attorney, Langdon Chapman, and our County Executive, Steve Neuhaus should follow that same advice. Turning to Governor Cuomo, his convicted aide's involvement in the CPV Plant permitting process that contributed to the plant operations which are detrimental to the County. He is requesting that the Board consider a letter to our State representatives to be more forceful to pull the CPV plant permits.

Councilperson Lyons noted several modifications to Legoland's original submission came about from the opponents as they scrutinized the documents. The people who were against Legoland did a great service to the overall project.

Councilperson Newbold contacted the State of NY asking them to clean-up the mess they created on 17M.

I. ADJOURNMENT:

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

Time: 8:35PM

Priscilla Gersbeck, Town Clerk