

**TOWN OF GOSHEN**  
**TOWN BOARD MEETING**

April 12, 2018  
MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 12th day of April, 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  
                      John Van Der Molen    Councilmember

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

**B.      AMENDMENT TO THE AGENDA**

**C.      PRIVILEGE OF THE FLOOR (agenda items only)**

Sandra Rothenberger asked why does the Town of Goshen have to buy eight parcels in Arcadia Hills when the Town already owns nine parcels? Response: this will be addressed under New Business.

**D.      NEW BUSINESS:**

**1. DISCUSS AND APPROVE A REQUEST BY THE TOWN BUDGET OFFICER TO OPEN NEW HIGHER YIELDING INVESTMENT ACCOUNTS WITH NYCLASS.**

Budget Officer, Christine Cavaliere, read from her memo: "Now that interest rates are rising, there is more opportunity for the Town to invest in higher yielding bank instruments. All three of our banks do not charge us for any transactions or service charges. M & T holds our Payroll and Accounts payable checking accounts. They do not charge us for checks, even the special order checks. We do need to keep some balances in these banks, so that we can continue our relationship with them, and so that they will continue to bid on our BANs (Hambletonian Park Water mains). While at the GFOA Conference last month, I picked up some information on an Investment Pool designed specifically for public-sector funds. NYCLASS (New York Cooperative Liquid Assets Securities System) is a short-term, highly liquid investment program available only to municipal corporations or special purpose districts, including cities, towns, villages, school districts, etc." Some of the attributes: "It provides the opportunity to invest funds on a cooperative basis in short term investments to provide maximum safety and liquidity while generating a competitive yield. Daily rate on April 9<sup>th</sup> was 1.55%" and so forth. She is requesting permission to register the Town as a participant and set up a New York Cooperative Liquid Assets Securities System account.

TOWN OF GOSHEN  
Resolution

RESOLUTION APPROVING AND AUTHORIZING THE SUPERVISOR TO SIGN A COOPERATIVE INVESTMENT AGREEMENT

INTRODUCED BY: Councilperson Melissa Gallo  
SECONDED BY: Councilperson John Van Der Molen  
DATED: April 12, 2018

**WHEREAS**, New York General Municipal Law, Article 5-G, Section 119-o empowers the Town of Goshen to enter into, amend, cancel and terminate agreements for the performance among themselves of their respective functions, powers and duties on a cooperative or contract basis"; and

**WHEREAS**, the Town of Goshen desires to assure the safety and liquidity of certain of its investment funds and to invest certain of these funds in cooperation with other municipal corporations and/or districts pursuant to a municipal cooperation agreement,

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Goshen Town Board hereby authorizes the Supervisor to sign and deliver the Cooperative Investment Agreement of the New York Cooperative Liquid Assets Securities System ("NYCLASS") in the name and on behalf of the Town of Goshen; and

**BE IT FURTHER RESOLVED** that the Key Contact for the Town of Goshen for NYCLASS shall be the Budget Officer for the Town of Goshen; and

**BE IT FURTHER RESOLVED** that the Town of Goshen Investment Policy, adopted January 3, 2018, is hereby amended to add the NYCLASS investment pool to the Designation of Depositories

*Discussion: Councilperson Gallo commented that after reading through the documents she believes this is a great thing and thanked Christine Cavaliere for being pro-active.*

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>ABSENT</u>
Councilperson, George Lyons	<u>AYE</u>		

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

**2. INFORMATION: THE TOWN HAS BEEN GRANTED \$263,571 BY THE STATE OF NY HIGHWAY CHIPS AND EXTREME WINTER RECOVERY PROGRAM FOR WORK TO BE COMPLETED 4/1/2018 THRU 3/31/2019. COMPARISON OF 2017 AND 2018 AS FOLLOWS:**

<u>2017</u>	<u>2018</u>
	\$650,000 Original Budget
	\$300,000 Added by Resolution
	<u>\$205,603</u> CHIPS + Pave NY + Extreme Winter Recovery
<u>\$819,736</u>	\$1,155.603

As stated, for information only.

**3. DISCUSS PROCESS FOR PROPOSED PURCHASE OF EIGHT (8) PARCELS (3.175 ± ACRES) IN ARCADIA HILLS FROM ORANGE COUNTY FOR \$15,001.82. THE PARCELS ARE ON LINDENWOOD DRIVE AND WOULD BE PURCHASED WITH PARKLAND FEE ACCOUNT FOR THE JOINT RECREATION COMMITTEE. ONE OF THE INTENDED USES WOULD BE FOR A POCKET-PARK BASKETBALL COURT. THE PARCELS INVOLVED ARE IN THE FLOOD PLAIN AND SHOULD BE DEVELOPED ACCORDINGLY.**

- FOUR MOTIONS ARE REQUIRED:**  
**(1) ASSUMING LEAD AGENCY**  
**(2) TYPING THE ACTION AS UNLISTED UNDER SEQRA**

**(3) ISSUING A NEGATIVE DECLARATION**

**(4) ADOPTION OF THE RESOLUTION**

**THE ORANGE COUNTY LEGISLATURE HAS TO APPROVE THE SALE OF THE PROPERTY FOR IT TO BE FINAL.**

Supervisor Bloomfield noted that the parcels are in a flood plain, therefore unbuildable. The Town was looking into purchasing one lot, an offer was made to purchase the row of eight parcels from the County. Joint Park & Recreation will be able to utilize the property during "good" times, not during a year when flooding occurs.

**(1) NOTICE OF ASSUMPTION OF LEAD AGENCY STATUS**

The Town Board of the Town of Goshen, hereby assumes Lead Agency Status for the expenditure of Town funds for the purchase of the properties located along Lindenwood Drive, known on the Town tax maps as section 27, Block 9, Lots 2-9, consisting of 3.175 acres of land located in the Town of Goshen.

Motion was made by Councilperson George Lyons, seconded by Councilperson John Van Der Molen.

On a Voice Vote, motion passed:

4 AYES: Bloomfield, Gallo, Lyons, Van Der Molen

0 NAYS

1 ABSENT: Newbold

**(2) TYPING THE ACTION AS UNLISTED UNDER SEQRA**

Motion was made by Councilperson Melissa Gallo, seconded by Councilperson George Lyons.

On a Voice Vote, motion passed:

4 AYES: Bloomfield, Gallo, Lyons, Van Der Molen

0 NAYS

1 ABSENT: Newbold

**(3) ISSUING A NEGATIVE DECLARATION**

The proposed action is not anticipated to result in any adverse environmental impacts, because expending \$15,001.82 to purchase eight tax parcels, and transferring them to the Goshen Joint Recreation Commission will not significantly and adversely affect any of the criteria under 6 NYCRR§ 617.7.

Motion was made by Councilperson John Van Der Molen, seconded by Councilperson George Lyons.

On a Voice Vote, motion passed:

4 AYES: Bloomfield, Gallo, Lyons, Van Der Molen

0 NAYS

1 ABSENT: Newbold

**(4) ADOPTION OF THE RESOLUTION**

**TOWN OF GOSHEN**

**Resolution**

**AUTHORIZATION TO PURCHASE CERTAIN REAL PROPERTY AND TRANSFER SAID PROPERTY TO THE JOINT RECREATION COMMISSION**

INTRODUCED BY: Councilperson Melissa Gallo

SECONDED BY: Councilperson John Van Der Molen

Dated: April 12, 2018

At a meeting of the Town Board of the Town of Goshen, County of Orange, State of New York, held at Town Hall in said Town on the 12th day of April, 2018, the following resolution was introduced:

WHEREAS, the Town desires to purchase certain real property in the Town for municipal purposes, including for recreational purposes, and

WHEREAS, the Town finds that the purchase of certain real property in the Town for municipal purposes to be a justifiable public purpose, and

WHEREAS, the intended real property has been offered by the County of Orange to the Town at a value of fifteen thousand one dollar and eighty-two cents (\$15,001.82), representing the outstanding taxes due and owing on the properties, and

WHEREAS, the Supervisor requires the authorization of the Town Board in order to negotiate the purchase of said property and execute all necessary documents to effectuate such purchase,

NOW, THEREFORE, BE IT RESOLVED that the Town of Goshen, pursuant to New York Town Law § 64, General Municipal Law § 244-a and other laws of the State of New York, hereby authorizes the Supervisor to negotiate a purchase price upon the most beneficial terms to the Town, and thereafter execute and file any contract and other documents that, in the opinion of the Town Attorney, are necessary to finalize the purchase of the real property known on the Town of Goshen tax maps as Section 27, Block 9, Lots 2, 3, 4, 5, 6, 7, 8 and 9, and the transfer of said properties to the Goshen Joint Recreation Commission.

BE IT FURTHER RESOLVED that the purchase price for said property shall not exceed of fifteen thousand one dollar and eighty-two cents (\$15,001.82), which purchase price the Town Board has determined to be within the exercise of their fiduciary responsibilities and with no reasonable expectation that the use of eminent domain procedures would enable the Town to acquire the property at a lesser cost.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilperson, Kenneth Newbold	<u>ABSENT</u>
Councilperson, George Lyons	<u>AYE</u>	Councilperson, John Van Der Molen	<u>AYE</u>
Councilperson, Melissa Gallo	<u>AYE</u>		

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

#### **E. OLD BUSINESS:**

##### **1. DISCUSS AND APPROVE PROPOSED TOWN OF GOSHEN 2017 BUDGET TRANSFERS**

Christine Cavaliere, Budget Officer, presented a listing of expenditure accounts that have exceeded their budgeted amounts. Therefore, she is requesting an approval to make year-end budget transfers in all funds to cover Expenditure Accounts that have exceeded their budgeted amounts. These transfers will be funded by Contingency Account budgets from accounts with excess budgeted amounts available for transfer and from Fund Balance Accounts where necessary. [Listing of budget transfer are available in the Clerk's Office during regular business hours].

Councilperson Lyons made the motion to authorize the Budget Officer to make year-end budget transfers in all funds to cover expenditures as presented. Councilperson Gallo seconded the motion.

On a Voice Vote, motion passed:

4 AYES: Bloomfield, Gallo, Lyons, Van Der Molen  
0 NAYS  
1 ABSENT: Newbold

#### **F. FINANCE:**

Councilperson Van Der Molen made the motion to authorize the Supervisor to pay Accounts Payable check run on 04/12/18 in the amount of \$272,016.83 and Manual A/P runs written 03/01/18 through 03/31/18 in the amount of \$16,129.14.

Councilperson Gallo seconded the motion.

On a Voice Vote, motion passed:

4 AYES: Bloomfield, Gallo, Lyons, Van Der Molen  
0 NAYS  
1 ABSENT: Newbold

### G. APPROVAL OF MINUTES:

Councilperson Lyons made the motion to accept the minutes of the work session on March 19, 2018 and regular meetings on March 8, 2018 and March 22, 2018. Councilperson Gallo seconded the motion.

On a Voice Vote, motion passed:

4 AYES: Bloomfield, Gallo, Lyons, Van Der Molen

0 NAYS

1 ABSENT: Newbold

### H. PRIVILEGE OF THE FLOOR:

**Jared Quattrini** presented to the Board a binder titled "Save The Children". A collection of articles pertaining to studies connecting adverse health issues with rural gas compressor pollution and the effects of said contaminants/air toxins on neighboring communities. Mr. Quattrini also presented a copy of a resolution distributed to surrounding municipalities which are considering passing this resolution to protect their community from the adverse health and environmental impacts of the CPV Power Plant. In addition, the municipalities would also ask the Governor & DEC to act accordingly to rescind / revoke all state permits pertaining to this power plant.

He gave an overview of the beginning of CPV Power Plant to the current state of operations. This "soft target" contains nearly a one-million gallon diesel storage tank under the facility for back-up fuel. This will be needed if the amount of fracked gas wells do not generate the necessary capacity to operate. The power plant also contains a fifteen-thousand gallon-19% ammonia tank. According to the EPA, if the ammonia tank were to be compromised the impact zone would be up to twenty-four miles. As of this date, no hazmat plan has been released. It is believed that this plant has been built on bribes legally and illegally as noted in the recent news media.

He is asking the Town of Goshen "to join this united front created by the County, River Keepers, Protect Orange County, the surrounding towns & villages and the growing wave of outraged and concerned citizens to demand social and environmental justice," to uphold your moral obligation to protect their health and wellbeing for now and years to come. He would like to see this resolution put on an agenda for a vote.

**Alicia Weissman** agreed with and supports what Jared said. She questioned what happened to the 2009 Comprehensive Plan? She would like to see a plan that "we can actually live by". Ans: Revisions have been done such as wind & solar energy systems. In 2015 we started revising our Comprehensive Plan. After putting it on hold, we are planning to restart the plan. Dennis Lindsay P.E. has been hired to lead us through the process of updating the comprehensive plan.

It is a slow process with many public hearings for input along the way.

**Scott Martens** reinforced the negative health issues and the compromised citizens' quality of life associated with CPV Power Plant, as noted by Jared Quattrini. He stressed how important it is to take action now – "We have an opportunity as leaders in our respective towns to join forces and right a monumental wrong". "These town resolutions are the voice of the people."

**Sandra Rothenberger** commented on the purchase of the eight parcels in Arcadia Hills. She believes that because they are in a flood plain, they will be in perpetual repair. Secondly; "PILOTS don't work, because big business will never pay their full share of taxes for the life of the PILOT, and when the PILOT ends they go elsewhere." She believe "this Board tossed Goshen's Comprehensive Plan in the gutter and changed the zoning". Her comparison is the Greens of Chester, in the Town of Chester, where there is a weak or no comprehensive plan. Also the Village of Chester has no comprehensive plan. She questioned why our comprehensive plan was ignored for the approval of Legoland.

**Joey Seymour** representing the World Mission Society Church of God in New Windsor announced that they will be hosting a blood drive on 4-22-18. He is asking for support to make this a success.

**Lorenzo Blanton** also from the World Mission Society Church of God, added that there is a website at the bottom of the flyer to RSVP to join the blood drive. This is a world-wide event.

**David Figueroer**, supporter of Protect Orange County, noted the people were led to trust the government and the DEC to build the CPV Power Plant. However, the leaders have been bending and stretching the laws to meet their own needs, until it no longer resembles the original intent. He asked for the Board to read the documentation available which was presented by Jared. "It's a matter if it (CPV) will have an impact, negatively or positively on Orange County and the surrounding areas."

**Jessica Corr**, recalled that the Town of Goshen is on record calling CPV "a bad idea". Secondly, she would have liked prior knowledge detailing the proposed purchase of the eight parcels in Arcadia Hills as discussed in item #3. She questioned why the Town believes the parcels are worth the investment. She believes that parcels already owned by the Town would better serve for a pocket-park. Supervisor Bloomfield stated that one of the reasons for the purchase is to get this land out of the system - sold and unsold. She also noted that the eight parcels share an adjacent property line with Legoland. **Beth**, wanted the Board to be aware that the eight parcels are in a protected wetland. She believes that between lots 4 & 5 is a pond. She believes that according to the Town building code, this land could never be developed into a park. In addition, she questioned why the people in this area were not given the opportunity to make a public statement. There are two sides of that street (Lindenwood Drive) and both sides of that street are empty, because they are undevelopable.

**I. ADJOURNMENT:**

Councilperson Lyons made the motion to adjourn the meeting to enter into Attorney Client meeting with the intent not to return. Councilperson Gallo seconded the motion.

Time: 8:45PM

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Priscilla Gersbeck, Town Clerk