

TOWN OF GOSHEN
PUBLIC HEARING & TOWN BOARD WORK SESSION

APRIL 23, 2018

MINUTES

A work session of the Town Board of the Town of Goshen was held on the 23rd 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
	Kenneth Newbold	Councilmember
	John Van Der Molen	Councilmember

Also Present:	Richard Golden, Esq.	Attorney for the Town
	Priscilla Gersbeck	Town Clerk

The meeting was called to order by Supervisor Bloomfield at 7:31pm, followed by the Pledge of Allegiance.

1. PUBLIC HEARING

Councilperson Newbold made a motion to open the Public Hearing for the annual review of water & sewer districts capital budgets and proposed rate changes. Councilperson Lyons seconded the motion.

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

Supervisor Bloomfield addressed the public, introducing the "Water/Sewer Team". They are: the present members of the Town Board, Broderick Knoell M.E.-Dept. Head, Joe Klopchin-Water/Sewer Operator, David Doty & David Ortiz-Public Works Maintenance, Mary Riso & Christine Cavaliere-Administrative Support, Douglas Bloomfield & Kenneth Newbold-Water/Sewer Co-Commissioners. The 2018 water/sewer informational packet is available in the Town Hall.

Supervisor Bloomfield recapped the progress made in the water & sewer districts from 2017 to 2018 YTD. In addition, he outlined the 2018 capital projects for each of the districts. A summary of the 2018 planned actions are as follows:

Hambletonian Park Sewer District:

(1) Line patching and /or replacement of sewer lines reducing inflow/infiltration at a cost of \$60,000.

Arcadia Hills Sewer District:

(1) Line patching and/or replacement of sewer lines reducing inflow/infiltration at a cost of \$60,000.

(2) Replace 7,000 feet of force main at an estimated cost \$700,000*.

* Paid for by Merlin Entertainment

Hambletonian Park Water District:

(1) No items at this time

Arcadia Hills Water District:

(1) Apply for NYS or Federal grant to rehabilitate water storage tank - grant money provided \$500,000

(2) Replace two additional wells on-line at a cost of \$200,000**.

** Paid for by Merlin Entertainment – pending

Stonehedge Water District:

(1) Apply for NYS Federal grant to replace water storage tank (35,000 gallons) - \$75,000

Scotchtown Water District:

(1) No Items at this time

As a result of what has been addressed above, the expenditures planned for capital projects are as follows: subtotal in cash \$120,000, subtotal in grants \$575,000, subtotal by Merlin Entertainment \$900,000 and total improvements amount to \$1,595,000.

To conclude, the following is a table showing the water/sewer rate changes.

2017 YE Fund Bal. (000) unaudited	Actual (Cumulative) 2013 through 2016	Actual 2017	Proposed 2018
\$275 Ham. Park Sewer	-9%	+5%	+5%
(\$56) Ham. Park Water	-5%	+10%	+5%
\$123 Arcadia Hills Sewer	-7.5%	+5%	+5%
\$92 Arcadia Hills Water	-10%	+5%	+5%
\$25 Stonehedge Water	-15%	+5%	+5%
\$62 Scotchtown Water	-25%	no change	no change

Supervisor Bloomfield called for comments from the public.

Nancy Larkin, Arcadia Hills, questioned if Merlin will ever have access to the sewer force main since they are paying \$700,000 to replace 7,000 feet. Ans: The lines are separate, therefore Merlin will not have access.

Rose Wright, Arcadia Hills, questioned both the water and sewer belong to Arcadia Hills and will both never be tapped by Merlin? Ans: correct

Tom Larkin, Arcadia Hills, Arcadia subdivision has \$123,000 in the bank. Why is the Town planning to raise the rate (+5%) for line patching/replacement amounting to \$60,000? Ans: to have money saved for an emergency.

Nick Gallo, Arcadia Hills, is the replacement of the force main because of Legoland Construction? Ans: No. The main is marked and has to stay operational. Secondly, Merlin "plans" to test and place two additional wells on-line in the amount of \$120,000. Explain the extra expenses amounting to \$200,000.

Ans: the additional expenses are for fracking, land around well-head, system hook-up/electrical panels etc.

Female Speaker, Heritage, She made a request for community help in obtaining the grants from the State? Ans: Write to your senator/congressman for grants. Another option is to create an informational face-book page for the residents of Heritage.

Danny, Hambletonian Park, inquired why the Town is raising their water/sewer rate by 5% if there is enough money in the bank to cover \$60,000. Ans: future patching and lining lines will need adequate funds. In addition he asked why there is a 5,000 gallon (water) minimum per quarter? There is a minimum charge for maintenance of the system, electricity for the pumps, line repair etc.. Those who use more water pay additional money.

Councilperson Gallo made the motion to close the Public Hearing for the annual review of water/sewer districts. Councilperson Lyons seconded the motion.

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

2. DISCUSS AND PASS MOTION TO APPROVE the 2018 WATER/SEWER RATE CHANGES AS DISCUSSED IN THE PUBLIC HEARING.

Councilperson Newbold made the motion to approve water/sewer rate changes as discussed. Councilperson Van Der Molen seconded the motion.

Upon Roll Call Vote:

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

Vote: Resolution passed by a vote of 5 to 0.

3. DISCUSS RESOLUTION TO REQUEST FURTHER INVESTIGATION OF THE CPV POWER PLANT PERMITTING PROCESS BY THE NYS GOVERNMENT.

Attorney Golden reviewed the following resolution.

TOWN OF GOSHEN
Resolution

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF GOSHEN URGING THE GOVERNOR OF THE STATE OF NEW YORK AND THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) TO INVESTIGATE THE CPV PROJECT IN WAWAYANDA TO DETERMINE IF ANY CRIMINAL OR OTHER INAPPROPRIATE CONDUCT OCCURRED THAT WOULD RISE TO THE LEVEL OF A FINDING THAT THE PERMITEE IS CONSIDERED UNSUITABLE OR A BAD ACTOR AND, IF SO, TO REVOKE ALL PERMITS IN ACCORDANCE WITH DEC POLICY.

INTRODUCED BY: Councilperson Melissa Gallo
SECONDED BY: Councilperson Kenneth Newbold
DATED: APRIL 23, 2018

WHEREAS, in March 2018, the Governor's former executive deputy secretary, Joseph Percoco was convicted for soliciting and accepting more than \$300,000 in cash bribes in return for taking action on behalf of the State of New York; and

WHEREAS, it was reported that some of those bribes came from Competitive Power Ventures (CPV); and

WHEREAS, the Town Board finds that developers for State projects that have been directly tied to bribery and other criminal conduct by public officials should not be allowed to benefit from such actions, and the DEC has policies in place to investigate criminal activities and determine if such activities were present in

connection with the CPV project in Wawayanda, or otherwise, to invoke DEC guidance policies to modify, deny, suspend, condition or revoke any permits issued to such facility,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Goshen hereby urges the Honorable Andrew Cuomo, Governor of the State of New York, and the Commissioner of the DEC, to investigate CPV and, if adequate grounds exist, to invoke DEC policy to modify, deny, suspend, condition or revoke any permits issued to the CPV project in Wawayanda, Orange County, New York

BE IT FURTHER RESOLVED, that the Clerk of the Town of Goshen forward a certified copy of this Resolution to the Honorable Andrew Cuomo, Governor of the State of New York, Commissioner, New York State Department of Environmental Conservation, the Speaker of the New York State Assembly, the Majority Leader of the New York State Senate, and all Senators and Assembly Members whose Legislative Districts are in Orange County, and to U.S. Senators Charles E. Schumer and Kirsten E. Gillibrand, U.S. Congressman Sean Patrick Maloney, and to the Commissioners of the Federal Energy Regulatory Commission.

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 Passed by a vote of 5 to 0.

4. DISCUSS TOWN OF GOSHEN COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION AND AUTHORIZE THE SUPERVISOR TO SIGN THE SAME.

A CDBG application requirement is that the Board adopts a resolution (1) certifying the application guidelines have been read & understood (2) has met the requirements and (3) the application is correctly stated. After speaking with Supervisor Bloomfield and Councilperson Newbold, Sean Hoffman, P.E. identified upgrades to the Town Hall front entrance to include ADA doors for the handicapped. The estimated grand total for submission is in the amount of \$35,000.

TOWN OF GOSHEN
Resolution

RESOLUTION APPROVING AND AUTHORIZING THE SUPERVISOR TO SIGN AN APPLICATION FOR ORANGE URBAN COUNTY CONSORTIUM COMMUNITY DEVELOPMENT PROGRAM MONIES, FY-2019

INTRODUCED BY: Councilperson Kenneth Newbold
SECONDED BY: Councilperson George Lyons
DATED: APRIL 23, 2018

WHEREAS, the Town desires to secure available funding from the FY-2019 Orange Urban County Consortium Community Development Program for qualifying projects to further the health, safety, and community needs of Town residents,

NOW, THEREFORE, BE IT RESOLVED that the Town of Goshen Town Board hereby authorizes the submission of an Application for funding for certain Town of Goshen projects to the Orange Urban County Consortium Community Development Program, FY-2019, certifies that it has read and understands the Orange County Consortium Community Development Guidelines for the FY-2019 program year, has met all of its applicable requirements, and that the information contained in the Application is accurate and true to the best of its knowledge; and

BE IT FURTHER RESOLVED that Douglas Bloomfield, the Supervisor of the Town of Goshen, or his lawfully designated appointment, is hereby authorized to sign and submit said Application on behalf of the Town, and to sign all necessary other documents associated therewith.

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 passed by a vote of 5 to 0.

5. DISCUSS REQUEST BY THE CENTRAL ORANGE COUNTY ITALIAN AMERICAN ASSOCIATION TO WAIVE A THIRTY (30) DAY NOTICE FOR AN "EATING PLACE BEER LICENSE" APPLICATION WITH THE NYS LIQUOR AUTHORITY.

Councilperson Gallo made the motion to approve a request by Central Orange County Italian American Association for the Town Board to waive a 30 day waiting period in regard to applying for a liquor license from the NY State Liquor Commission. Motion was seconded by Councilperson Van Der Molen.

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

6. DISCUSS A TOWN OF GOSHEN AFFORDABLE HOUSING ANALYSIS AND RECOMMENDED ACTIONS.

Attorney Golden noted that the final analysis hasn't been completed. Approximately 4,000 Town parcels to determine whether or not it would satisfy the code requirements for types of affordable housing. The types of property and the size of the acreage are also taken into consideration. The previous formula doesn't work.

Councilperson Gallo made a resolution extending the Affordable Housing moratorium to October 22, 2018. Councilperson Van Der Molen seconded.

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 passed by a vote of 5 to 0.

7. **INFORMATION: THE VILLAGE OF GOSHEN IS HOLDING A "NEWCOMERS NIGHT" FOR NEW VILLAGE RESIDENTS, MAY 24TH, AT 6:00PM IN VILLAGE HALL. TOWN RESIDENTS ARE INVITED AS WELL.**

As stated, for information only.

8. **INFORMATION: THE GOSHEN ART WALK WILL BE HELD FRIDAY, JUNE 1ST FROM 6:00-9:00 PM AT THE WEBSTER AVENUE PARK.**

As stated, for information only.

ADJOURNMENT: 8:50PM

Councilperson Gallo made the motion to adjourn the meeting for an attorney client meeting. Councilperson Lyons seconded the motion. Motion carried.

Priscilla Gersbeck, Town Clerk