

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

April 25, 2019  
MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 25th day of April, 2019 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 Van Der Molen Councilmember

Absent: Melissa Gallo 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 7:33 pm, followed by the Pledge of Allegiance.

**B. AMENDMENT TO THE AGENDA**

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

Comments referenced item # 4 (Old Business); opinioned dissatisfaction in the Court ruling on Legoland, Article 78 and with the Town's legal representation.

**D. REPORTS:**

**Councilperson George Lyons** reporting for Highway Department: the snow equipment has been removed and the summer equipment is ready. Ditching work has been done on Reservoir, Lovette, Goshen Trail, Hartley, and Knoell Roads. A large ditch along Jessup Switch Road was stabilized with shot rock. A crew spent a couple of days cleaning outside Town Hall and installing new mulch around the plantings. Belgian block curb repairs have been made on Valley View Road and are ongoing along Northgate. The sweeper started its yearly journey on April 4<sup>th</sup>. Equipment and asphalt millings were used on Indiana Road in an attempt to make the item 4/dirt road smoother for the agricultural vehicles. Adding the millings will temporarily take some of the shock out of the potholes until a reclaiming contractor can be scheduled. The asphalt plant is open and we are able to use hot mix for patching. Patching was accomplished on Jessup Switch, Arcadia, and where water main breaks had occurred on Upper Magic Circle and Good Time Court.

**Councilperson Kenneth Newbold:** keeping the lines of communication open with newly elected government officials, he continues his request for grant monies for the salt shed. He thanked Supervisor Bloomfield, Sean Hoffman P.E., Christine and Mary for working on updating the grants. The Town Hall lobby floor has been redone as part of the ADA installation grant.

**Councilperson John Van Der Molen** reporting for the Senior Commission: On May 6 from 9Am – 4PM an AARP Defensive Driving Class will be offered. The cost is \$20.00 for AARP Members and \$25.00 for non-members. The class is limited to 35 attendees. On Friday, May 24<sup>th</sup> a book discussion will be on "The Ambassador's Wife" by Jennifer Steil. Family Court Judge, Maria Patrizio, will be the guest speaker at the May 13<sup>th</sup> Senior Club Meeting. She will be discussing a book she wrote "Successfully Navigating Family

Court In New York” and providing a free lunch to all Senior Club members. The Goshen Senior Club Board will be hosting a Mother’s Day and Father’s Day buffet dinner catered by Catherine’s Restaurant on Wednesday, May 22<sup>nd</sup>. This event is opened to dues paid members only. Lastly, many residents of the Northgate apartment complex have been parking at the Senior Center. To solve the problem, 18 “No Parking” signs have been posted, allowing for Seniors attending programs available parking.

**Supervisor Bloomfield** attended the mandatory employee training session for CPR, Defibrillator, and AED procedures. He was impressed with the proper techniques in administering first aid to choking/CPR babies and children. He attended a meeting with Deputy County Executive Harry Porr, Amy’s project manager, reps. from the County DPW, and our Engineer. This meeting was to discuss connecting water & sewer pipes to Middletown along the Heritage Trail for Amy’s facility. The County DPW and the Engineers are addressing issues associated with installing the pipes crossing three bridges along the Trail. On another note, fire broke-out in the Town of Chester DPW garage destroying most of the equipment. The Town will follow-up on their investigation to be sure our DPW garage is safe from fire. On April 23<sup>rd</sup> we held our annual water & sewer informational meeting. There are no rate increases and one decrease (-5%) in the Scotchtown water district.

**E. OLD BUSINESS:**

**1. HOLD HEARING FOR OWNER INPUT FOR THREE PROPERTIES IDENTIFIED BY THE BUILDING INSPECTOR AS BEING UNSAFE AND IN NEED OF REPAIR OR DEMOLITION.**

▶ **SBL 20-1-152.2 STATE ROUTE 17A (3 STRUCTURES)**

▶ **6 LARCHWOOD**

▶ **100 FLETCHER STREET**

Councilperson Newbold made the motion to open the hearing for three properties identified as being unsafe and in need of repair or demolition. Councilperson Lyons seconded the motion.

On A Voice Vote, the motion passed: 4 AYES Bloomfield, Lyons, Newbold, Van Der Molen  
0 NAYS

Supervisor Bloomfield asked for comments from the public and/or comments from representatives of the properties. (No responses.)

Councilperson Lyons made the motion to close the hearing for 6 Larchwood and 100 Fletcher Street properties. Councilperson Newbold seconded the motion.

On A Voice Vote, the motion passed: 4 AYES Bloomfield, Lyons, Newbold, Van Der Molen  
0 NAYS

Councilperson Newbold made the motion to continue the hearing for SBL 20-1-152.2, State Route 17A until May 9, 2019 at 7:30 p.m., or as soon thereafter, at Goshen Town Hall, 41 Webster Avenue, Goshen, NY. Councilperson Lyons seconded the motion.

On A Voice Vote, the motion passed: 4 AYES Bloomfield, Lyons, Newbold, Van Der Molen  
0 NAYS

Councilperson Van Der Molen made the motion to affirm the Board’s prior resolutions regarding 6 Larchwood and 100 Fletcher Street identified as unsafe buildings. They have until May 19, 2019 to correct the deficiencies. Councilperson Newbold seconded the motion.

On A Voice Vote, the motion passed: 4 AYES Bloomfield, Lyons, Newbold, Van Der Molen  
0 NAYS

**2. SCHEDULE A JOINT PUBLIC HEARING WITH THE TOWN OF GOSHEN PLANNING BOARD REGARDING "833 PULASKI HIGHWAY GOSHEN SOLAR" AND "DAVIS SOLAR".**

Councilperson Lyons made the motion to hold a joint public hearing with the Town Planning Board regarding 833 Pulaski Highway Goshen Solar and Davis Solar on May 16, 2019 at 7:30 p.m., or as soon thereafter, at Goshen Town Hall, 41 Webster Avenue, 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

**3. REVIEW RICHARD WALLS vs TOWN OF GOSHEN, NY AND DOUGLAS BLOOMFIELD STIPULATION OF DISCONTINUANCE WITH PREJUDICE.**

Attorney Golden summarized that Mr. Walls began the Article #78 lawsuit against the Town of Goshen, arguing that he was entitled to retirement identification. The Town defended their position that he was not entitled under the conditions of a prior settlement. The Attorney for Mr. Walls failed to file a notice of claim on time. Therefore, the suit was discontinued in its entirety, with prejudice.

**4. REVIEW COURT DECISION ON LEGOLAND - TOWN OF GOSHEN ON ARTICLE 78. THE DEFENDANTS PREVAILED.**

The entire lawsuit was dismissed on various legal and factual grounds. The license agreement issued by the Town to Merlin allowed Merlin to work on Town land to install culverts across the emergency access pathway at its intersection with the Otterkill. This work was not part of the site plan. The DEC requested this work after the site plan approval to improve the Otterkill's effectiveness, unrelated to the actual project. Merlin's soil and erosion plans were approved by the Planning Board and the DEC.

**F. NEW BUSINESS:**

**1. THE TOWN OF GOSHEN POLICE DEPARTMENT IS NOW PARTICIPATING IN THE "HOPE NOT HANDCUFFS" DRUG AND ALCOHOL ADDICTION ASSISTANCE PROGRAM OF THE HUDSON VALLEY.**

Supervisor Bloomfield announced that the Town Police Dept. will be participating in the "Hope Not Handcuffs" program. Any person requesting help with their addiction will immediately be screened by a law enforcement officer for potential participation. The officer will immediately contact the Hope Not Handcuffs Angel coordinator by phone that an intake is occurring. Upon arrival, the Angel will meet with the officer who will provide a brief summary of the circumstances and provide the Angel with the intake form. Angels interacting with the person suffering from addiction will assure the participant that the goal is to assist them exploring treatment options and attempt to identify a program or facility which can assist them.

**2. A MEETING HAS BEEN SCHEDULED WITH JESSICA ADKINS - AMY'S CORPORATE DIRECTOR OF COMMUNICATIONS, THE GOSHEN TOWN SUPERVISOR, O/U BOCES DISTRICT SUPERINTENDENT, ASSISTANT SUPERINTENDENT AND THE DIRECTOR OF SPECIAL EDUCATION TO EXPLORE EMPLOYMENT OPPORTUNITIES WITH AMY'S.**

Supervisor Bloomfield explained that most of the special needs children will age-out at age 21. He would like to explore job opportunities for these children at the Amy's production facility. Perhaps some of the special needs graduates can qualify for employment, get a paycheck and retire from there and have net worth.

3. **INFORMATION: THE TOWN AND VILLAGE OF GOSHEN ARE HOSTING THE MAY 2019 ASSOCIATION OF CITIES, TOWNS AND VILLAGES MEETING AT THE LIMONCELLO RESTAURANT MAY 28<sup>TH</sup>. CONTACT MARY RISO IF YOU PLAN TO ATTEND.**

As stated, for information only.

4. **INFORMATION: SEE ATTACHED LETTER TO THE VILLAGE MAYOR REGARDING ADA IMPROVEMENTS AND AIR CONDITIONER REPLACEMENT AT THE SENIOR CENTER AND REPAIR OF FENCING SURROUNDING SALESIAN PARK.**

As stated, for information only.

#### **G. FINANCE:**

Councilperson Newbold made the motion to authorize the Supervisor to pay Accounts Payable check run for 4/25/2019 in the amount of \$159,608.06. Councilperson Lyons seconded the motion.

On A Voice Vote, the motion passed: 4 AYES Bloomfield, Lyons, Newbold, Van Der Molen  
0 NAYS

#### **H. APPROVAL OF MINUTES:**

Councilperson Lyons made the motion to approve minutes of the Town Board Meeting on 03-14-2019 and Town Board meeting on 03-28-2019. Councilperson Van Der Molen seconded the motion.

On A Voice Vote, the motion passed: 4 AYES Bloomfield, Lyons, Newbold, Van Der Molen  
0 NAYS

#### **I. PRIVILEGE OF THE FLOOR**

**Male resident** asked the Board what can be done about his neighbor letting their dog run without a leash. He is frightened that this dog may attack him. Unfortunately the Town doesn't have a leash law. Many supportive suggestions were given to help him solve the issue.

**Robert Smith** asked for clarification as to who is paying for the fence repair at Salesian Park. Park expenses are shared between the Town and Village. Ans: Monies in Fund A come from Village and the Town taxes. Whereas monies in Fund B are from Town taxes only. The fence repair will come from the co-mixed Fund A. On another subject, he objects to lowering the building permit fee for Science of the Soul. He stated, "Why wasn't this done before"? To lower fees per-applicant, especially large corporations, doesn't look good.

**Debra Corr** suggested that if fee changes are to be made, it should be done in the zoning regulations. She believes that the Town will "open up Pandoras Box" by providing special treatment for large corporations. She highly suggests against specialty spot (fees) zoning.

**Nick Gallo** commented that at previous meetings, discussion covered "certain" builders (projects) habitually breaking permit promises. There is nothing in the code that if promises are broken, the Town has no recourse. He believes that there should be something added in our code *soon* allowing the permit to be pulled/process stopped. He is worried about Legoland creating dust preparing for construction. He predicts calling Neal or calling the DEC who will administer a nominal fine, and the dust will continue on. Response: Legoland has begun spreading water to minimize dust. When a permit is issued it simply can't be taken away. The permit carries a property right. The key is *enforcement*. A "stop work order" can achieve the same result as pulling a permit.

**Christine Miele** She has nothing against Legoland. "Obviously it's not the right site." Large corporations have no morality. She doesn't think Legoland can fix the environmental problems it has created not only in Goshen, but throughout the whole Valley. Response: Legoland has been hydro-seeding for the past three days to stabilize runoff.

Reynell Andrews questioned why the Town can't repair the Salesian fence. Ans: the availability of our Highway employees is not there.

**J. ADJOURNMENT: 8:40PM**

Councilperson Newbold made the motion to adjourn the meeting to enter into Attorney Client meeting. Councilperson Van Der Molen seconded the motion. Motion carried.

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Priscilla Gersbeck, Town Clerk