

TOWN OF GOSHEN
PUBLIC HEARING & TOWN BOARD MEETING

APRIL 28, 2016

MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 28th day of April, 2016 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 VanDerMolen	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 7:30pm, followed by the Pledge of Allegiance.

B. AMENDMENT TO THE AGENDA

C. PRIVILEGE OF THE FLOOR (agenda items only)

D. PUBLIC HEARING:

**LOCAL LAW #3 OF 2016 AMENDING SECTION 89-19 OF THE TOWN CODE
("DESIGNATION OF WEIGHT LIMITS ON TOWN ROADS") TO REMOVE THE
WEIGHT LIMIT ON HARTLEY ROAD.**

Councilman Newbold made the motion to open the public hearing on Local Law #3 of 2016 – Section 89-19 to remove the weight limit on Hartley Road. Councilman Lyons seconded the motion.

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

Supervisor Bloomfield noted that the businesses domiciled along this road have vehicles in excess of 5 tons. The road is *constructed* to accommodate large vehicles with adequate passage. However, the road itself is in disrepair from the use of heavy weight vehicles.

Comments from the public: None.

Councilman Newbold motioned to close the public hearing for Local Law #3 of 2016. Councilwoman Gallo seconded the motion.

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

Councilman Lyons made the motion to adopt LL#3 of 2016, amending Section 89-19 of the Town Code to remove the weight limit on Hartley Road. Councilman VanDerMolen seconded the motion.

Upon Roll Call Vote:

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

Motion Passed 5 to 0

E. REPORTS:

Councilman VanDerMolen the Senior Commission April meeting was cancelled. Therefore, nothing to report.

Councilman Newbold reported highway is busy with spring cleanup around town.

Councilman Lyons reported for the Highway Dept. that the bulk cleanup is progressing without incident. Both the Villages of Goshen and Florida have provided several days of help allowing for the use of their garbage trucks. Chet's towing supplied a 40 yard-roll-off dumpster and truck. The Highway Superintendent is using a new company (RustKote) products to rust proof highway vehicles. The Products are environmentally friendly, non-toxic and non-hazardous. On another note, in a meeting with Mrs. Bogdanski, representing Frontier Communications, there is a possibility that two choices: Time Warner Cable & Frontier will be available to the public in the near future.

Councilwoman Gallo reporting for the JRC, the 2016 chess program: Tuesdays to June 14, free and open to all skill levels. Zumba class: Tuesdays at the Senior Center 6:30pm to 7:30pm. Summer Day Camp runs from June 27th to August 12th. Registration for all activities/programs is available on line-www.goshenrecreation.com. The parks are now open and busy with Little League and soccer. A clean-up day is planned for Lyons Park on May 14th.

Supervisor Bloomfield thanked the Villages of Goshen and Florida for assisting us in bulk pickup week. The Town Hall will be getting a new phone system. The system is electronic, not copper wired, with a savings of \$700 per month. Secondly, a *financial one-time opportunity* is available to refinance debts, saving the Town \$10,000 per year for the next twelve years.

F. OLD BUSINESS:

1. COLEMAN AND DURLAND ROADS CULVERT PROJECT – IDDP INSTRUCTIONS

Attorney Golden explained IDDP (Irrevocable Directive of Draw Proceeds). It is a new type of bonding program (payment bond & performance bond) required for contractors and bonded projects. Project accounting provides risk mitigation benefit to the surety and to the Town as the bond obligee by helping to ensure that liens are avoided and the project proceeds to completion. It also allows additional products to the contractor clients, including project disbursement, credit and supplier discount services. Basically, the Town agrees that when an invoice comes in from the contractor, the Town pays the "Surety" for NGS Construction, LLC as a requirement by Cinium Risk accountant to control disbursement of payments in reference to the Coleman Road & Durland Road culvert replacements project.

Attorney Golden asked if there was opposition to the IDDP. It is legal and guarantees payment to the contractors. Board Members agreed with using the IDDP bonding program.

**2. INFORMATION: COLEMAN RD & DURLAND RD CULVERT REPLACEMENT
PRE-CONSTRUCTION CONFERENCE**

A memorandum from H2M, Sean Hoffman PE., summarized the pre-construction conference details and responsibilities of the contract before NGS begins the culver project.

G. NEW BUSINESS:

**1. DISCUSS REQUEST FROM WRENEGADE SPORTS, LLC TO TRAVERSE ON TOWN
ROADS AS PART OF USA CYCLING EVENT "FARM TO FORK FONDO" ON
JUNE 26, 2016. STARTS AND FINISHES AT PENNINGS FARM IN WARWICK.**

This is the second year for the Farm to Fork Fondo cycling event. The event is filled with culinary delights made from ingredients sourced from the farms along the route. The course traverses the Black Dirt farmland with GPS timed segments, wonderful views and farm stop aid stations featuring locally sourced treats. This event will begin and end in Warwick at the Pennings Farm. According to the map, the Heaven Hill Farm – Vernon NJ marks 5 miles, Kezialain Bicentennial Farm – Westtown NY marks 15 miles, Piersons Farm – Middletown NY marks 32 miles, Soons Orchards – New Hampton NY marks 46 miles, 5 Spoke Creamery – Goshen NY marks 51 miles and Bellvale Farms Creamery – Warwick NY marks 78 miles. The paper work is in order including the proper insurance coverage and Hold Harmless Agreement. The Police Chief will receive a packet for review.

Councilman Newbold made the motion to approve the request from Wrenegade Sports, LLC to traverse on Town roads as part of the USA cycling event "Farm to Fork Fondo" on June 26, 2016. Councilman VanDerMolen seconded the motion.

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

H. FINANCE

Councilwoman Gallo made the motion to authorize the Supervisor to pay Accounts Payable check run for 04/28/2016 amounting to \$19,756.87. Councilman Lyons seconded the motion.

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

I. PRIVILEGE OF THE FLOOR:

Susan Shapiro inquired as to what progress has been made to lift the Solar Energy Moratorium which was enacted at the December 21, 2015 meeting. She was approached to lease acres for solar

production, and has a contract drawn for her protection. She also asked not to extend the moratorium. The timing is very important.

Supervisor Bloomfield responded that certain issues have been looked into such as: financing for protection, installation security, negative impacts to neighborhoods etc. He is also looking at solar power laws in other municipalities. Hopefully, this will be on the next work session for discussion.

Hans Persoon was also concerned that opportunities will pass, by prolonging the moratorium. He wanted to know what the Town has done on this issue.

Supervisor Bloomfield noted that the whole state is dealing with solar issues, we're not the only municipality. Our Engineer/Planner, Dennis Lindsay, was asked to research what other municipalities are doing about solar energy production for his presentation to the Board. Our Building Inspector, Neal Halloran, formulated a series of questions for the industry. He is preparing the answers for his presentation to the Board.

Attorney Golden noted that the six month moratorium is not up yet. The date (January 6, 2016) begins with the filing date of Local Law #2 of 2015 as recorded in the office of State Records and Law Bureau.

J. EXECUTIVE SESSION:

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

1. Turi Tax Certiorari Negotiations Update
2. Walkkill, Tetz Goshen Litigation Update

with the intent not to return. The motion was seconded by Councilman Lyons. Motion carried.

K. ADJOURNMENT: 8:15PM

Priscilla Gersbeck, Town Clerk