

**TOWN OF GOSHEN
TOWN BOARD MEETING**

May 14, 2015
MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 14th day of May, 2015 at 7:30pm at Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present:	Douglas Bloomfield	Supervisor
	Philip Canterino	Councilman
	Louis Cappella	Councilman
	George Lyons	Councilman
Absent:	Kenneth Newbold	Councilman
Also Present:	John Swift, Esq.	Special Counsel to Town Board
	Priscilla Gersbeck	Deputy Town Clerk

A. CALL TO ORDER

The meeting was called to order by Supervisor Bloomfield at 7:34 pm, followed by the Pledge of Allegiance. The Town Board welcomed a Boy Scout attending as a requirement to earn a badge.

B. AMENDMENT TO THE AGENDA

Supervisor Bloomfield added item #4 to Old Business: Midway Road Bridge correspondence.

C. PRIVILEGE OF THE FLOOR (agenda items only)

None at this time

D. OLD BUSINESS

1. INFORMATION: BID OPENING FOR TOWN HALL CUPOLA RESTORATION WILL TAKE PLACE IN TOWN HALL, JUNE 3rd, AT 4:00PM

The Town has received a \$50,000 grant from Senator Bonacic to renovate the cupola. As stated, the bid opening will take place June 3rd at 4:00pm.

2. DISCUSS NEED FOR MORE OFF-SITE DOCUMENT STORAGE AND AUTHORIZE THE SUPERVISOR TO ENTER INTO A CONTRACT WITH IRON MOUNTAIN, INC. AT COST NOT TO EXCEED \$500. PER MONTH

Neal Halloran, Building & Zoning, sent a memo regarding the need for more storage in the Town Hall.

Files are expanding with the court office taking more room in the jury room, the budget office has the storage room by the elevator stacked with records to the point of being a fire risk, and his office is accumulating records at the rate of 1-1 ½ inches per house and much more for subdivisions, commercial development, and Board actions.

Mr. Halloran presented a proposal comparing off site storage facility at Orange-Ulster BOCES in Goshen to the Iron Mountain Facility in Chester NY. In summary, Iron Mountain is less expensive. They provide much more service for the cost, shredding and transportation of records to and from their facility. Each office can label their boxes according to their system and set up access and destruction limits. Board members discussed/reviewed/questioned the description of services for the "MEDIUM" package at a cost of \$455.00 per month.

Councilman Lyons made the motion to authorize the Supervisor to sign the contract with Iron Mountain, Inc. at a cost not to exceed \$500.00 per month. Councilman Cappella seconded the motion.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Canterino, Cappella, Lyons
0 NAYS
1 ABSENT Newbold

3. APPROVAL OF MINUTES:

Councilman Lyons made the motion to accept the minutes from work sessions of April 6th and April 20th, 2015 and regular meetings of April 9th and April 23rd, 2015. Councilman Cappella seconded motion.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Canterino, Cappella, Lyons
0 NAYS
1 ABSENT Newbold

4. MIDWAY ROAD BRIDGE CORRESPONDENCE

Supervisor Bloomfield received a phone call from Walkkill Supervisor Daniel Depew responding to a letter sent on Monday. In summary: the Town agrees Midway Road Bridge needs work, but does not want it closed. This would force Tetz trucks to use our local roads. According to Supervisor Depew, the Midway Bridge inspection which was done by the State of New York is labeled "code yellow". Apparently the vibration from damage to the underside has caused damage to the decking. Therefore, it is not possible to leave the bridge open while work is being done. By NYS law, if the bridge is closed, they have the right to use our roads, for one can't hold a business captive.

Supervisor Bloomfield will form a committee of: Superintendent of Highways, Town Engineer, Chief of Police and Councilman Canterino to work with the Town of Walkkill on this project. The main issues are: public safety, quality of life with added truck traffic and damage to our roads. Many details will have to be worked on such as: blind corners/sharp bends and the timing of school buses picking up and dropping off students, Councilman Canterino questioned how much damage the Tetz trucks will cause to our roads. There is a 5 ton limit, whereas the Tetz trucks are 45+ tons. He is requesting a bond be posted to assure that any damage to our roads, from the added truck traffic, will be repaired without any burden to our taxpayers.

Councilman Cappella noted that Phillipsburg Road has a very sharp bend. He recommends a flag man will be needed, as a large dump truck and car cannot safely pass each-other on the bend. This road was totally redone last year.

Supervisor Bloomfield requested that whatever has to be done to protect the citizens is a priority.

E. NEW BUSINESS

1. DISCUSS AND APPROVE NON-BINDING RESOLUTION OF SUPPORT FOR SCIENTIFIC HERBAL ADVANCES, INC. APPLICATION TO GROW MEDICAL MARIJUANA

Attorney John Cappello, representing the applicant, read the resolution to the Board. This is the first time the Board Members are reviewing this resolution, adding comments/changes to the document. The following resolution includes the requested changes.

**TOWN OF GOSHEN
RESOLUTION
OF THE TOWN BOARD OF THE TOWN OF GOSHEN, NEW YORK
IN SUPPORT OF THE APPLICATION OF INTEGRATED SCIENTIFIC HERBAL
ADVANCES (ISHA) TO DEVELOP AND OPERATE PURSUANT TO THE NYS
COMPASSIONATE CARE ACT A FACILITY ON LANDS WITHIN THE TOWN
TOWN OF GOSHEN TAX MAP SECTION 24, BLOCK 1, LOT 109**

Introduced by: Councilman Louis Cappella

Seconded by: Councilman George Lyons

Dated: May 14, 2015

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 14th day of May, 2015

WHEREAS, New York State, which legalized the use of medical marijuana in July 2014, has developed guidelines and procedures contained in Title 10 of the New York Codes, Rules and Regulations (The Compassionate Care Act) by which applicants may seek a license to become a “registered organization” with permission to construct and operate medical marijuana agricultural facilities within the State; and

WHEREAS, ISHA is interested in becoming a registered organization in order to develop and operate an agricultural facility for the cultivation and processing of medical marijuana pursuant to The Compassionate Care Act on a ± 9.1 acre parcel located within the Town of Goshen (the “Project”) on land located in the Agricultural-Industrial (AI) District of the Town at 873 Pulaski Highway designated as Tax Map #24-1-109 on the Town of Goshen Tax Map (the “Project Site”); and

WHEREAS, the Project Site has been used for agricultural facilities, over many generations and the use proposed is similar in scope to the historic agricultural use occurring on the property; and

WHEREAS, ISHA has stated an intent to file an application with New York State seeking a license to develop and operate a medical marijuana production facility at the Project Site, which has been determined to be a permitted use for the property under the Town’s Zoning Laws; and

WHEREAS, the Town Board, based upon the presentation, discussions, and representations made by ISHA at the Town Board meeting of May 11, 2015, and subject to the conditions set forth herein, adopts this resolution to demonstrate its support for ISHA's application; and

WHEREAS, any such project, even if approved by New York State, would still be required to comply with the local planning, zoning and relevant environmental review processes for any required approvals in order to ensure the protection of the health, safety and welfare of the residents of the community; and

WHEREAS, based upon the applicant's presentation and discussions to the Town Board on May 11, 2015, the Town Board recognizes the benefit of the Project to the Town and the community, and

WHEREAS, by supporting the development and operation of the Project at the Project Site by ISHA, the Town Board believes that the Project would have a positive impact on the Town through the expansion of employment opportunities for the citizens of the Town and Orange County and providing tax ratables to the Town and improving the quality of medical care for qualified patients; and

WHEREAS, the Town Board is in support of the Project and ISHA's Application to New York State to become a registered organization in order to develop and operate a medical marijuana agricultural facility at the Project Site; and

WHEREAS, the support of the Town Board is conditioned upon each of the representations and conditions set forth below being agreed to and carried out by ISHA.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Goshen supports the Application to be filed by ISHA with New York State to become a registered organization for the development and operation of a medical marijuana facility Project on the Project Site and supports the development and operation of the Project on the Project Site by ISHA subject to the following representations and conditions:

- ISHA, whether or not required under SEQRA or Town Zoning Code, shall submit a site plan of its operations to the Town of Goshen Planning Board for review.
- Although the use is determined to comply under the Town Zoning Code, the applicant will not seek any property tax exemptions based upon the use of the property for agricultural production nor will it seek any real estate tax exemptions or abatements from the Town of Goshen and/or Orange County IDA relating to the project. The applicant acknowledges that this representation was offered by the applicant as a proposed additional benefit of the Project and was not a condition of any approval imposed by the Town;
- The applicant represents, agrees and acknowledges that the applicant shall hold harmless the Town of Goshen from any potential liability, lawsuits, or claims arising out of or associated with the Town's support of this application and issuance of any necessary land

use approvals, building permits, etc., associated with said Project, including, but limited to, reasonable attorney's fees, disbursements, and costs;

- The only use of the Project Site shall be solely based on medical marijuana cultivation and production in full compliance with all provisions of the Compassionate Care Act and not for the cultivation for "recreational" uses if legalized by New York State in the future;
- ISHA shall pay all reasonable fees incurred by the Town for professional services rendered in connection with this Project.
- Applicant shall hold informational meetings within the Town of Goshen to inform the local residents of the benefit of this project.

BE IT FURTHER RESOLVED, that this Resolution is intended to be non-binding and to provide local support for the medical marijuana facility license applicant.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this Resolution to all appropriate state and local agencies.

Upon Roll Call Vote:

Supervisor Bloomfield	<u>AYE</u>	Councilperson Newbold	<u>ABSENT</u>
Councilperson Lyons	<u>AYE</u>	Councilperson Canterino	<u>AYE</u>
Councilperson Cappella	<u>AYE</u>		

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

2. DISCUSS THE REQUIREMENT TO INVENTORY TOWN OF GOSHEN FIXED ASSETS, AND AUTHORIZE THE SUPERVISOR TO SIGN A CONTRACT WITH ASSET WORKS APPRAISAL FOR \$4,500 TO PERFORM THE SAME

Quotes were received from two vendors for a Physical Inventory and for Annual Updating Services as follows: (1) American Appraisal Associates, Inc.: Physical Inventory-\$13,800/Annual Update-\$1,075 (2) Asset Works: Physical Inventory-\$4,500/Annual Update-\$1,500.

Councilman Lyons made the motion to authorize the Supervisor to enter into contract to retain AssetWorks for Fixed Asset Appraisal-Physical Inventory every five years not to exceed \$4,500 and with Annual Updates not to exceed \$1,500. Councilman Canterino seconded the motion.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Canterino, Cappella, Lyons
0 NAYS
1 ABSENT Newbold

(Councilman Cappella excused himself from the meeting responding to a family situation, a small brush fire behind his home)

3. INFORMATION: DISCUSS USE OF AN EDMUNDS & ASSOCIATES HUMAN RESOURCES SOFTWARE MODULE FOR OUR PAYROLL SYSTEM WITH AN ANNUAL MAINTENANCE FEE INCREASE OF \$2,205.00

Recently Budget Officer, Christine Cavaliere, attended the Edmunds webinar where an agreement was reached to install the Human Resources (HR) Module for the Town at no additional charge. The only fee would be \$2,205 in annual maintenance fees. Currently the Town is paying \$9,830 for the software maintenance. This HR Module accepts data from the Police Dept. time clock system to directly process the payroll. This module could produce numerous reports based on criteria we select, which would improve the accuracy and efficiency of auditing Police Department records. It can also keep track of benefits as insurance information, which would be helpful in complying with new Affordable Care Act Regulations. If it works out, it might be used in other departments.

Councilman Canterino made the motion to accept the fee for the annual maintenance of the Edmunds & Associates Human Resources Module for our payroll system not to exceed \$2,205. Councilman Lyons seconded the motion.

On a Voice Vote, the motion passed: 3 AYES Bloomfield, Canterino, Lyons
0 NAYS
2 ABSENT Cappella, Newbold

4. DISCUSS NEED FOR HIGHWAY DEPARTMENT AND TOWN HALL EMPLOYEES TO BE TRAINED ON CPR/AND DEFIBRILLATOR/AED PROCEDURE.

Quotes were obtained for the above training. The Hudson Valley CPR Learning Center is local and would cost \$60.00 per person for a three hour training session. Initially it was thought to train five people from Highway Dept. and five people from the Town Hall. Councilman Canterino preferred to ask for interested volunteers rather than choose people.

Councilman Canterino made the motion to allow volunteers who want to attend the training sessions for CPR, Heartstart Defibrillator, and AED procedure to do so at a cost of \$60.00 per person. Councilman Lyons seconded the motion.

On a Voice Vote, the motion passed: 3 AYES Bloomfield, Canterino, Lyons
0 NAYS
2 ABSENT Cappella, Newbold

5. DISCUSS AND APPROVE RENEWAL OF FRONTIER TELEPHONE CONTRACT FOR SENIOR CENTER

The current contract rate is \$75.76/month to expire on June 21, 2015. To add internet with the renewal phone service will cost \$74.79/month for a 24 month contract. The additional internet can serve as a backup for the Senior Center if the primary internet service from Time Warner Cable is down.

Councilman Lyons made the motion to authorize the Senior Center to enter into a contract with Frontier Telephone in the amount not to exceed \$74.79/ month for 24 months. Councilman Canterino seconded the motion.

On a Voice Vote, the motion passed: 3 AYES Bloomfield, Canterino, Lyons
0 NAYS
2 ABSENT Cappella, Newbold

6. DISCUSS AND APPROVE BUDGET OFFICER'S REQUEST TO ATTEND THE GFOA ELECTED OFFICIAL TRAINING SEMINAR

The request is to attend the GFOA Elected Officials Training Seminar on June 3, 2015 in Scarsdale, NY, at a cost of \$75.00, plus travel. The seminar will cover required policies, financial management, planning and budgeting, and financial reporting. Other topics will cover various samples of policies that local governments should have in place. Hopefully cyber-security will be one of them.

Councilman Canterino made the motion to authorize Budget Officer, Christine Cavalier, to attend the GFOA Elected Official Training Seminar on June 3, 2015 at a cost of \$75.00 plus travel. Councilman Lyons seconded the motion.

On a Voice Vote, the motion passed: 3 AYES Bloomfield, Canterino, Lyons
0 NAYS
2 ABSENT Cappella, Newbold

7. ACCEPT RESIGNATION OF JENNIFER HART, SECRETARY TO THE ENVIRONMENTAL REVIEW BOARD AND THE ZONING BOARD OF APPEALS

Due to a conflict in her schedule, Ms. Hart has submitted her resignation as secretary to the Environmental Review Board and the Zoning Board of Appeals.

Councilman Lyons made the motion to accept the resignation of Jennifer Hart effective May 8, 2015 as secretary to the above mentioned Boards. Councilman Canterino seconded the motion.

On a Voice Vote, the motion passed: 3 AYES Bloomfield, Canterino, Lyons
0 NAYS
2 ABSENT Cappella, Newbold

F. FINANCES

Councilman Canterino made the motion to authorize the Supervisor to pay A/P runs of 04/01/15 through 04/30/15 amounting to \$16,713.14 and Accounts Payable check run of 05/14/15 amounting to \$259,477.20. Councilman Lyons seconded the motion.

On a Voice Vote, the motion passed: 3 AYES Bloomfield, Canterino, Lyons
0 NAYS
2 ABSENT Cappella, Newbold

G. PRIVILEGE OF THE FLOOR

None at this time.

H. ADJOURNMENT: 8:50PM

I. EXECUTIVE SESSION

Councilman Lyons made the motion to enter into Executive Session to discuss the following,

1. P. D. Personnel Update

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

Priscilla Gersbeck, Deputy Town Clerk