

**TOWN OF GOSHEN
SPECIAL TOWN BOARD MEETING
HOST COMMUNITY BENEFIT AGREEMENT
May 15, 2017
MINUTES**

A Special Meeting of the Town Board of the Town of Goshen was held on the 15th day of May, 2017 at the Orange County Emergency Services Center located at 22 Wells Farm Road, Town 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

1. CALL TO ORDER

The meeting was called to order by Supervisor Bloomfield at 7:33pm, followed by the Pledge of Allegiance.

Supervisor Bloomfield explained the order in which people who have signed in, will be called. Starting with the town of Goshen residents then the non-residents, everyone will be given 3 minutes to speak.

In his opening remarks, Attorney Golden paraphrased what the Town is voting on tonight. He explained that tonight's vote on the Host Community Benefit Agreement is not a vote for the Legoland project. It is a vote to bind Merlin to certain monetary obligations to benefit the Town and provide other benefits for the Goshen residents if, and only if, the Town Board adopts the pending comprehensive plan and zoning changes. Also if the Planning Board approves the Legoland application. This agreement is in addition to all of the other obligations and required payments of monies, including PILOT payments, real property tax payments, fees, etc.

2. PRIVILEGE OF THE FLOOR

Attorney Golden read the names starting with the Goshen residents first.

Councilperson Newbold cautioned the audience to be civil and to conduct themselves as gentlemen and ladies.

Approximately 34 proponents/opponents reiterated comments pertaining to the proposed Legoland Park and comments pertaining to the proposed Host Community Benefit Agreement.

[Verbatim copy of this meeting is on file in the Clerk's office.]

3. DISCUSS A PROPOSED HOST COMMUNITY BENEFIT AGREEMENT BY AND BETWEEN MERLIN ENTERTAINMENTS GROUP US HOLDINGS INC. AND THE TOWN OF GOSHEN AND VOTE TO AUTHORIZE THE SUPERVISOR TO SIGN THE SAME.

Councilperson Van Der Molen made the motion to discuss a proposed Host Community Benefit Agreement by and between Merlin Entertainments Group US Holdings Inc. and the Town of Goshen. Councilperson Gallo seconded the motion. [Copy of said Agreement is on file in the Clerk's office.]

Discussion:

Councilperson Lyons noted there were two attorneys along with John Van Der Molen and himself working on this agreement. In his opinion, this agreement has been negotiated to the satisfaction of all parties involved. He reviewed a few things of importance. (1) Two host community days, TBD, works out to be about \$53,000 per year. (2) the 20th to the 30th year, Legoland will be paying full taxes and based on the 2 million figure, almost \$2,900,000 will go to the Town of Goshen (3) asked Attorney Golden to clarify the meaning of ambiguities (pg.10) and (4) asked Attorney Golden to explain force majeure (pg. 14) for the people in the audience.

Councilperson Gallo also questioned the contractual implications of "force majeure".

Councilperson Newbold is skeptical of this "Host" agreement. He mentioned past host agreements that never "lived up" to their promises, such as: Al Turi landfill and the transfer station on Hartley Road. He questioned why we need a host agreement from Merlin? Nobody has offered a host agreement to other communities in Orange County. His objection is that Merlin will give us everything we ask for as long as we change our master plan.

Councilperson Van Der Molen was on the renegotiating committee and feels that Merlin is treating the Town fairly and is in favor of the proposed Host Community Benefit agreement.

Supervisor Bloomfield is monitoring the finances for the future of our community under the 2% tax cap. Change is going to happen whether we're ready for it or not. He believes that this host agreement is "a little more sophisticated than what we had with Al Turi landfill."

Upon Roll Call Vote;

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

Vote: Motion carried by a vote of 4 to 1

ADJOURNMENT:

Councilperson Gallo made the motion to adjourn the meeting. Councilperson Newbold seconded the motion. Motion carried. Adjourned: 9:20PM.

Priscilla Gersbeck, Town Clerk