

TOWN OF GOSHEN
TOWN BOARD MEETING

May 23, 2019
MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 23rd day of May, 2019 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
 Kenneth Newbold Councilmember
 John Van Der Molen Councilmember

Absent: George Lyons 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 7:30 pm, followed by the Pledge of Allegiance.

B. AMENDMENT TO THE AGENDA

Under Old Business, items #3 & #4 have been tabled for the next meeting.

C. PRIVILEGE OF THE FLOOR (agenda items only)

Reynell Andrews asked why the Town is searching for an IT company (item #1 New Business)

Ans: Our current company owner has retired. Seven companies were screened.

D. REPORTS:

Councilperson Gallo reporting for the JRC: noted that early registration for the camps is going on and filling up fast. If you want to get your child into a camp program, register now. The parks are in good shape. Proposed projects for the parks have been presented to the Village and Town Board for consideration.

Councilperson Kenneth Newbold: Nothing new to report for Water and Sewer Dept. Attended the Moodna Creek meeting. Announced the final payment was sent to close the Town Hall parking lot project.

Councilperson John Van Der Molen reporting for the Town Police Dept. The Police Chief received a very nice thank you letter from an Arcadia Road resident. During the November 2018 blizzard this resident experienced a cardiac event. A town police officer responded to the 911 call. He determined the ambulance was unable to timely navigate through the storm. He drove her and her husband to Orange Regional Hospital for treatment.

Secondly, reporting for the Senior Commission: On Friday, June 28th from 11-1PM the Women's Book Discussion Group will be reviewing "A Prayer for Owen Meany" by John Irving. The last Tai Chi class will be held on June 6th. Starting on June 27th, the Make and Take Crafts will be returning to Thursday's.

Supervisor Bloomfield reporting for Highway Department: Drainage ditching was done along Farmingdale, Knoell, Hampton, and Phillipsburg Roads. They have been out every day sweeping roads. The biggest task for this month was the spring cleanup which ran from 4/29/19 through 5/15/19. This was for the bulk items and brush. The offices and breakroom at Highway had some floor tiles breaking up. They found out via laboratory analysis that the flooring contain asbestos. FF Contracting NY was contacted to remove the tiles. FF Contracting will attain the necessary NYS permits to allow the asbestos removal. Hopefully this will begin soon and usually takes about two weeks. Councilperson Newbold suggested for the workers in Highway to be checked at a medical center to make sure their lungs are clear.

Supervisor Bloomfield reported that along with Councilperson Lyons and a representative from Marshall & Sterling, they are working on the medical insurance for employees. He summarized meetings he recently attended: Women of Distinction 2019 Award for the 99th Assembly District – our Town Historian Michelle Figliomeni, Ph.D was one of the recipients. He delivered meals via Big Wheels Deliver Meals program, sponsored by the County. He is on the Orange Co. Veterans Cemetery Board. They met to discuss a proposal to the County Executive to purchase much needed adjoining land. The cemetery is using up more space than originally anticipated. ADC Maplewood is also looking to purchase adjoining property. Lastly, he read a report regarding MS4 Stormwater to be filed with the DEC.

E. OLD BUSINESS:

- 1. NEXT PBA NEGOTIATION HAS BEEN SCHEDULED FOR 7/1/2019. HOPEFULLY THE NEGOTIATIONS MAY BE FINALIZED AT THIS SESSION.**

Supervisor Bloomfield stated there have been many PBA negotiations. With revisions to the contract provisions, hopefully a settlement will be reached at the July meeting.

- 2. THE FEDERAL GOVERNMENT HAS PAID THE TOWN OF GOSHEN AN ADDITIONAL \$37,439.61 RELATED TO DURLAND ROAD AND COLEMAN ROAD CULVERT.**

The New York State Division of Homeland Security and Emergency Services (DHSES) has sent a payment in the amount of \$37,439.61. This payment is related to Hurricane Irene declared on August 31, 2011.

- ~~**3. DISCUSS AND VOTE ON A RESOLUTION TO MODIFY THE DAVIS SOLAR, LLC SPECIAL USE PERMIT BASED ON NEW INFORMATION REGARDING USE OF STORAGE BATTERIES WITHIN THE FACILITY.**~~

- ~~**4. DISCUSS AND VOTE ON A RESOLUTION TO PROVIDE 833 PULASKI HIGHWAY GOSHEN SOLAR PROJECT A SPECIAL USE PERMIT TO OPERATE THE FACILITY.**~~

- 5. AUTHORIZE THE SUPERVISOR TO HIRE WILLIAM BUCHALTER, CERTIFIED APPRAISAL SERVICE, TO APPRAISE PRAG HOLDINGS, LLC, 15 MATTHEWS STREET, VILLAGE OF GOSHEN AT A COST OF \$2,500.**

The appraisal will be used by Robert Rametta, ESQ. in negotiating a tax certiorari settlement of a tax certiorari associated with PRAG Holding LLC.

Councilperson Van Der Molen made the motion to hire William Buchalter, Certified General Appraiser to appraise PRAG Holdings, LLC, in the amount of \$2,500. Councilperson Gallo seconded the motion.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Gallo, Newbold, Van Der Molen
0 NAYS
1 ABSENT Lyons

- 6. THE PLANNING BOARD HAS APPROVED A SITE PLAN AND ISSUED A NEGATIVE DECLARATION FOR GLENMERE SOLAR, LLC AT THE 5/16/2019 MEETING. THE TOWN BOARD NEEDS TO APPROVE THE ATTACHED SPECIAL USE PERMIT SO THE PLAN CAN MOVE FORWARD.**

Attorney Golden explained the process for the Special Permit – Resolution of Conditional Approval. A joint public hearing with the Planning Board was held for Glenmere Solar, LLC. Additional to the site plan approval, all solar facilities in the

Town of Goshen require a special permit from the Town Board. He summarized the Specific Conditions which are similar/identical to the Planning Boards' Site Plan approval. The General Conditions are those attached to every type of special permit, site plans, etc.

Councilperson Newbold made the motion to accept the Resolution of Conditional Approval Special Permit for Glenmere Lake Solar, LLC as presented. Councilperson Gallo seconded the motion.

Upon Roll Call Vote:

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

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

F. NEW BUSINESS:

1. REVIEW A LIST OF 3 COMPETING COMPANIES – ULSTER COMPUTERS

The Town has used Fred Lewis Computers (Firthcliffe Technologies, Inc.) for many years as our IT Company. Recently, Fred Lewis decided to retire and in doing so, dissolved the company. We had to rapidly move on selecting an IT Company. Budget Officer, Christine Cavaliere, reviewed the three IT companies she selected after screening seven candidates. The three companies are: (1) Ulster Computers, located in Marlboro & Ulster, has municipal experience, 3 techs + principle. Good response time, monitor backups & servers, 24 hour help desk etc. – \$24,000/year, on-boarding 30 hrs. \$3,000, add'l fee will come on-site for special projects & repairs.

(2) Alpha Tech located in Marlboro & Ulster, is a small operation, 1 hr. remote response, 2 hr. onsite, \$150/hr-2hr. response; \$120 same day, purchase 10 hrs. for \$1,000.

(3) BAS located in Albany is too far away for onsite assistance, 5PDs, help desk M-F 8:30-5: after hours support will respond within 30 mins., 1 hour after hours, \$11,988/year, add'l meals and mileage, \$143-mileage, \$45/hr travel time. onsite support extra \$120/hour.

In comparison, the agreement the Town had with Fred Lewis Computers was \$2,800/quarter= \$11,200 yearly. Included: 10 hrs. support each month. Add'l time was \$85/95 per hour and the average payment was \$18,000/year.

After careful consideration and discussion it was decided to contract with Ulster Computers.

Councilperson Gallo made the motion to hire Ulster Computers of Marlboro to backfill Fred Lewis Computer Services at a monthly rate of \$2,000 per month or \$24,000 per year. On-boarding – 30 hrs. at \$3,000 and \$3,000 for additional projects subject to Attorney review of the contract. Councilperson Van Der Molen seconded the motion.

Upon Roll Call Vote:

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

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

2. REVIEW AND DISCUSS THE PROPOSED CAPITAL PROJECTS FROM GOSHEN PARKS AND RECREATION FORWARDED TO THE VILLAGE AND TOWN BOARDS FOR OUR CONSIDERATION

Supervisor Bloomfield referenced a letter sent to the Town and Village from Maria Canterino, Chairperson, Joint Recreation Commission with recommendations for capital projects as identified by the JRC.

Councilperson Gallo noted a project not addressed by the letter. The project is the Arcadia Hills Pocket Park, because it was considered a 2017 project. To update, the area identified for the Pocket Park is off of Cherrywood Drive. The next step is to consider a public hearing and how the park will be funded.

She reviewed the immediate goals as addressed in the letter: (1) Bathroom at Erie Street Park (2) Skateboard Park and (3) Expansion of the Pavilion at Myron Urbanski Memorial Park. The long-term planning is for a Community Center at Salesian Park and additional athletic fields.

Question: what happened to the Pickle Ball Court? Ans: The public has lost interest.

Supervisor Bloomfield suggested to meet with the Village to see what funds are available for JRC projects.

3. REAPPOINT KEN NEWBOLD AS THE TOWN OF GOSHEN REPRESENTATIVE TO THE MOODNA CREEK WATERSHED INTERMUNICIPAL COUNCIL EXECUTIVE COMMITTEE FOR 2019.

Councilperson Gallo made the motion to appoint Kenneth Newbold to the Moodna Creek Watershed Intermunicipal Council Executive Committee for 2019 and to authorize payment of \$500.00 for annual membership dues. Councilperson Van Der Molen seconded the motion.

Upon Roll Call Vote:

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

Vote: Motion carried by a vote of 3 to 0.

4. AMY'S GROUNDBREAKING IS SCHEDULED FOR JUNE 21, 2019. THE TOWN BOARD IS INVITED TO ATTEND. MORE INFORMATION WILL BE FORTHCOMING.

As stated, for information only.

5. INTRODUCE INTRODUCTORY LOCAL LAW 2 OF 2019, A LOCAL LAW AMENDING SECTION 43-2 OF THE TOWN CODE ("AUTHORITY TO ASSIGN NUMBERS; NOTICE") TO DESIGNATE THE BUILDING DEPARTMENT AS THE ENTITY TO ASSIGN NUMBERS TO REAL PROPERTY WITHIN THE TOWN.

Councilperson Newbold made the motion to introduce Introductory Local Law 2 of 2019 amending Section 43-2 of the Town Code "Authority to Assign Numbers; Notice" to the Town of Goshen Building Department. Councilperson Van Der Molen seconded the motion.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Gallo, Newbold, Van Der Molen
0 NAYS
1 ABSENT Lyons

SET A PUBLIC HEARING REGARDING INTRODUCTORY LOCAL LAW 2 OF 2019.

Councilperson Van Der Molen made the motion to set a Public Hearing to be held before the Town Board of the Town of Goshen at Town Hall on Thursday the 13th day of June, 2019, at 7:30 p.m., or as soon thereafter to consider Introductory Local Law No. 2 of 2019. The purpose of this local law is to amend Section 43-2 of the Code of the Town of Goshen as stated above.

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

Attorney Golden noted this Local Law is not subject to SEQRA.

6. DISCUSS AND APPROVE CONTRACT SUBMITTED FROM FF CONTRACTING NY, INC. FOR REMOVAL OF EXISTING 9" X 9" FLOOR TILES IN HIGHWAY OFFICES/BREAKROOM THAT CONTAIN ASBESTOS FIBERS IN THE AMOUNT OF \$17,000.00.

The Highway Dept. offices and breakroom had some floor tiles breaking up. They found out via laboratory analysis that the flooring contain asbestos. FF Contracting NY was contacted to submit a proposal for removal. Attorney Golden commented that on the proposal in the lower left paragraph, "Owner to carry fire, tornado, and other necessary insurance" should be crossed out.

Councilperson Newbold made the motion to accept the proposal from FF Contracting NY, INC for asbestos removal from the Highway building as stated above in the amount of \$17,000.00, omitting the above stated sentence as noted by the Town Attorney. Councilperson Gallo seconded the motion.

Discussion: Councilperson Newbold asked if this company has the proper license to remove asbestos.

Ans: Listed on the proposal item #2, *All work to be done as per NYS Code #56 rules and regulations*, will cover the necessary license qualifications.

Councilperson Gallo asked what item "Air monitoring paid by others" means.

Ans: An objective second party will monitor the air during the removal process. This will be a separate cost when a proposal is submitted.

Upon Roll Call Vote:

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

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

7. INFORMATION: THE TOWN AND VILLAGE ARE SPONSORING THE ORANGE COUNTY ASSOCIATION OF TOWNS, VILLAGES & CITIES MEETING AT LIMONCELLO'S MAY 28, 2019.

As stated, for information only.

8. INFORMATION: ORANGE COUNTY WILL BE HOLDING A HOUSEHOLD HAZARDOUS WASTE AND PHARMACEUTICAL COLLECTION EVENT ON SATURDAY JUNE 8, 2019 FROM 9:00AM UNTIL 3:00PM AT PORT JERVIS HIGH SCHOOL LOWER PARKING LOT.

As stated, for information only.

9. INFORMATION: THE GOSHEN MEMORIAL DAY PARADE WILL BE HELD ON MONDAY, MAY 27TH AT 11:00 AM. PARADE LINE UP BEGINS AT 10:00 AM ON ERIE STREET.

As stated, for information only.

G. FINANCE:

Councilperson Gallo made the motion to authorize the Supervisor to pay Accounts Payable check run for 5/23/2019 in the amount of \$353,997.76. Councilperson Van Der Molen seconded the motion.

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

H. APPROVAL OF MINUTES:

Councilperson Gallo made the motion to approve the Town Board meeting minutes of April 11, 2019. Councilperson Van Der Molen seconded the motion.

On a Voice Vote, the motion passed: 3 AYES Bloomfield, Gallo, Van Der Molen
0 NAYS
1 ABSTAIN Newbold
1 ABSENT Lyons

Councilperson Van Der Molen made the motion to approve the Town Board meeting minutes of April 25, 2019. Councilperson Gallo seconded the motion.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Gallo, Newbold, Van Der Molen
0 NAYS
1 ABSENT Lyons

I. PRIVILEGE OF THE FLOOR

Debra Corr asked if the new IT group will turn on the Wi-Fi and provide a sign in code for guests to use it. She would also like the meetings live-stream for those unable to attend. She noted there were 18 trucks within 25 minutes leaving Legoland with top soil. They followed the trucks to Stony Ford Road. She believes the trucks are to leave in different cycles and to be washed. Response: this will be passed on and checked out. Ms. Corr commented that phone calls to Neal are never returned.

Nick Gallo inquired as to the replacement floor in the Highway Dept. after the asbestos tiles are removed. Secondly he asked if the stormwater from Legoland is to stay on the property or is it going into the Arcadia stormwater drains? Ans: Ask Neal Halloran who is the MS4 Coordinator. He is also concerned with the emergency access road violating the DEC protection buffer zone which involves 4 wells. Ans: the road will *only* be used for an emergency.

Robert Smith asked if anyone was checking the asbestos at Salesian. Ans: The asbestos is way down in the bottom of the building. It would be over a million dollars to take it down. Structurally, the exterior brick walls do not holdup the building. The walls are made of corrugated steel. Water from the roof travels down the corrugated walls. The building is beyond repair. Councilperson Gallo stated she was in that building recently. To her it looked a mess, but the walls seemed to be very solid.

Reynell Andrews asked how much money the Park & Recreation Commission has. Ans: ask our Budget Officer Christine Cavaliere. It is believed to be around \$300,000+.

Sandra Rothenberger asked who has control over the dust coming from Legoland truck traffic? Ans: The Building Office. How often is Neal on the Legoland site? Ans: there are multiple inspectors on that site from time to time.

J. ADJOURNMENT: 8:45PM

Councilperson Newbold made the motion to adjourn the meeting to enter into Executive Session with the intent not to return. Councilperson Van Der Molen seconded the motion. Motion carried.

Priscilla Gersbeck, Town Clerk