

TOWN OF GOSHEN
PUBLIC HEARING & TOWN BOARD MEETING

June 13, 2019

MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 13th day of June, 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 7:32pm, followed by the Pledge of Allegiance.

A moment of silence was called to remember the passing of Robert V. Jones. He was active in many community organizations. He was Chief of the Goshen Fire District and received a commendation for his sixty years of volunteer service with the Dikeman Fire Company.

A moment of silence was also called to remember the passing of Paul Krutki, husband of Kathleen who works in the Building and Zoning Department.

B. AMENDMENT TO THE AGENDA

There is an addition to New Business from the Town Highway Department.

C. PRIVILEGE OF THE FLOOR (agenda items only)

D. PUBLIC HEARING:

1. **CONDUCT PUBLIC HEARING ON TOWN OF GOSHEN INTRODUCTORY LOCAL LAW NO. 2 OF 2019 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 Van Der Molen made the motion to open the public hearing on above said Introductory Local Law #2 of 2019. Councilperson Newbold seconded the motion.

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

Supervisor Bloomfield called for comments from the public.

Reynell Andrews asked if this has to do with 911. Ans: The Assessing Office did this in the past and some of the properties had duplicated numbers in Chester and Goshen. Therefore, it was determined for the Building Dept. to assign the numbers.

(With no further comments)

Councilperson Lyons motioned to close the public hearing for Introductory Local Law #2 of 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
1 ABSENT Gallo

Councilperson Van Der Molen made the motion to adopt Local Law #2 of 2019 as presented.

Councilperson Lyons seconded the motion.

Upon Roll Call Vote:

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

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

E. NEW BUSINESS:

1. REVIEW MARSHALL & STERLING MVP MEDICAL INSURANCE CONTRACT PROPOSAL FOR THE PERIOD 9/1/2019 THRU 8/31//2020 AND AUTHORIZE THE SUPERVISOR TO SIGN THE SAME.

Councilperson Lyons summarized the Town of Goshen MVP proposed insurance plan: Bronze 2. This is for the non-union employees, their family and the Highway Department. The Police Dept. has the Empire Plan. The total Premium is \$445,292.28 and the total HRA is \$223,080.00 totaling \$668,372.28 giving a savings to the Town of \$38,344.32.

Councilperson Lyons made the motion to approve the Bronze 2 EPO Plan under MVP Health Insurance from 9/1/2019 thru 8/31/2020. Councilperson Van Der Molen seconded the motion.

Upon Roll Call Vote:

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

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

2. START THE REVIEW PROCESS OF THE TOWN OF GOSHEN EMPLOYEE MANUAL IN PREPARATION FOR ISSUANCE OF AN UPDATED DOCUMENT.

Supervisor Bloomfield asked the Board to review the current Employee Manual. Suggested changes in yellow are required, updates and the areas in red are for review. Any proposed changes or questions can be given to Mary Riso. She will submit a list of changes for the Board to act on.

3. INFORMATION: THE BUILDING OFFICE HAS SENT FOUR REGISTERED LETTERS TO HOME OWNERS REGARDING UNKEMPT YARDS WHICH POSE SAFETY AND FIRE HAZARDS.

As stated, for information only.

4. REQUEST FROM THE HIGHWAY SUPERINTENDENT TO HIRE A PART TIME SUMMER DIAL-A-BUS DRIVER.

Presently, the Dial-A-Bus operates with one full time driver (Tom Speckman) and one part time driver (Terry McBride). DAB operates on a 10 hour day. Tom works four days and Terry works 2 days each per week. It is impossible for Tom to take his full vacation every year, because the part time driver would go over the 1040 hours maximum. Ann Marie Walker presently works as a full time school bus driver for Goshen Central Schools and was interested in some part time summer work. She has the necessary 19a DOT certified CDL license.

Councilperson Lyons made the motion to authorize the Highway Superintendent to hire Ann Marie Walker for a part time DAB driver to work approximately 20 hours (2 days) per week at a rate of \$21.23 per hour.

Councilperson Newbold seconded the motion.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield AYE
Councilperson, Melissa Gallo ABSENT
Councilperson, George Lyons AYE

Councilperson, John Van Der Molen AYE
Councilperson, Kenneth Newbold AYE

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

F. OLD BUSINESS:

1. DISCUSS AMENDED RESOLUTION OF CONDITIONAL APPROVAL SPECIAL PERMIT FOR DAVIS SOLAR, LLC.

Attorney Golden explained that previously the Town Board and the Planning Board approved a Special Permit for Davis Solar, LLC. The Planning Board reaffirmed its SEQRA Negative Declaration on this application on June 6th along with the County under G.M.L. § 239-m to authorize the site plan amendment. Now it is before the Town Board for approval.

Councilperson Van Der Molen made the motion to adopt the Amended Resolution of Conditional Approval Special Permit for Davis Solar, LLC as presented. Councilperson Newbold seconded the motion.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield AYE
Councilperson, Melissa Gallo ABSENT
Councilperson, George Lyons AYE

Councilperson, John Van Der Molen AYE
Councilperson, Kenneth Newbold AYE

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

2. DISCUSS RESOLUTION OF CONDITIONAL APPROVAL SPECIAL PERMIT FOR PULASKI HWY SOLAR, LLC.

This property is located along Pulaski Highway proposing a 1.65-megawatt solar facility with battery storage on 73.44 +/- acres. Said facility consists of fixed panel ground-mounted solar photovoltaic (PV) modules/panels, switchgear, battery storage, transformers, and underground and aerial power lines.

Attorney Golden explained that the Planning Board issued a Negative Declaration under SEQRA on June 6th. There was a joint public hearing on this application.

Councilperson Newbold made the motion to adopt the Resolution of Conditional Approval Special Permit For Pulaski Hwy Solar 1, LLC. Councilperson Van Der Molen seconded the motion.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield AYE
Councilperson, Melissa Gallo ABSENT
Councilperson, George Lyons AYE

Councilperson, John Van Der Molen AYE
Councilperson, Kenneth Newbold AYE

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

3. INFORMATION: THE TOWN HAS NOT APPROVED A COMPUTER COMPANY. THE BUDGET OFFICE CONTINUES TO SCREEN PROPOSALS AND PRICING.

At the last meeting the Board approved a vendor for computer services. However, the approval was subject to our Attorney's review of the contract. With review of the contract, our Attorney found several problems which needed modifications necessary for the Town's protection.

G. FINANCE:

Councilperson Van Der Molen made the motion to authorize the Supervisor to pay Manual A/P runs as of 05/31/2019 amounting to \$86,368.77 and Accounts Payable check run for 06/13/2019 amounting to \$140,284.53. Councilperson Lyons seconded the motion.

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

H. PRIVILEGE OF THE FLOOR

David K. Gordon Esq. representing Chris and Beth Pskowski who own property adjacent to Foxfire La Colina addressed the Board. His concerns centered on the on-going commercial/development activity and the lack of enforcement by the Town of violations. He opined several violations he would like addressed: [itemized for summary] (1) a recently held event, (2) clearing the parking area, (3) widened the entrance of the road, (4) clearing the driveway, (5) site clearing should not be done as it is part of SEQRA, (6) current activity prohibited by regulations in SEQRA as he read "A project sponsor may not commence any physical alteration related to an action until the provisions of SEQRA have been complied with". They cannot develop the property based on an application currently before the Planning Board, (7) allowed 5,000 sq. ft. for commercial space - are using 7,000 sq. ft., (8) original application use was for restaurant & catering which has primarily changed to events for large weddings, (9) cancelled the restaurant use and the catering is from off site. Now it is a use for events which is not allowed in the zoning code, (10) scheduling events, (11) has exceeded or failed stormwater management protocols, and (12) has not been upfront with the Town. He surmised the Town is accommodating the developer instead of enforcing the law. He questioned why the Town continues to allow Foxfire La Colina to proceed.

Attorney Golden responded: The Town was unaware of a recent event. The NOV has not been rescinded, it was amended. They have been told they cannot hold the events planned for July unless the application is satisfied. If they do not show proof that the scheduled event was moved elsewhere, they will be served a temporary restraining order. They have the right to do clearing & grading. The Code Enforcer has been on premises and in touch with the DEC. He calculated only one acre+ has been cleared. Currently Neal with our Engineer is assessing if a storm water prevention plan has to be submitted. Neal will determine if a stop work order has to be issued. No Planning Board approval has been issued, only a clearing & grading permit. We are knowledgeable about what is going on. We are protecting the Town and not doing any favors for the developer nor are we trying to punish the developer. Trying to proceed and enforce the law in a neutral and proper way for a proper governance.

Reynell Andrews asked how many people does the medical insurance cover. Ans: There are 31 people covered: 10 singles, 9 spouses, 3 children and 9 on the family plan. About 4 or 5 people opt out of the insurance coverage.

Joe Papisidero asked where the letters were sent to regarding unkempt yards (#3 New Business). The reason for this question is that he wanted to apprise the Board of a parcel located on the corner of John Drive & Scotchtown Rd. It is a cluttered mess with junk and an abandoned vehicle which adds to the obstruction of site distance when exiting the development.

I. ADJOURNMENT

Councilperson Newbold made the motion to adjourn the meeting to enter into Attorney Client meeting with the intent not to return. Councilperson Lyons seconded the motion. Motion Carried.

Time: 8:35PM

Priscilla Gersbeck, Town Clerk

