

TOWN OF GOSHEN
TOWN BOARD WORK SESSION

July 10, 2017
M I N U T E S

A work session of the Town Board of the Town of Goshen was held on the 10th day of July, 2017 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
	Kelly Naughton, Esq.	Attorney
	Priscilla Gersbeck	Town Clerk

The meeting was called to order by Supervisor Bloomfield at 7:31pm, followed by the Pledge of Allegiance.

- 1. DISCUSS AND AUTHORIZE THE TOWN BOARD TO ENGAGE THE SERVICES OF A CONSULTANT TO PROVIDE A COST BENEFIT ANALYSIS IN CONNECTION WITH THE IMPACTS OF THE LEGOLAND PROJECT.**

Attorney Golden explained the following resolution.

TOWN OF GOSHEN
Resolution

AUTHORIZING THE TOWN BOARD TO ENGAGE THE SERVICES OF A CONSULTANT TO PROVIDE A COST BENEFIT ANALYSIS IN CONNECTION WITH THE IMPACTS OF THE LEGOLAND PROJECT

INTRODUCED BY: Councilperson Kenneth Newbold
SECONDED BY: Councilperson Melissa Gallo
DATED: July 10, 2017

WHEREAS, the Town Board finds it in the best interest of the Town to hire an independent consultant to perform an analysis of the fiscal impacts (projected economic impacts) to the Town should the Merlin Entertainments' LEGOLAND New York project be approved and constructed within the Town; and

WHEREAS, the Town Board has determined that it would be appropriate to provide to the consultant a scope of services that defines the cost benefit analysis desired, and

WHEREAS, the desired scope is one that is focused on the estimated direct economic benefits and costs to the Town of Goshen (not including the Village of Goshen) resulting from a potential LEGOLAND New York project, and which will not study the more speculative benefits (such as estimated tourist or LEGOLAND New York monies spent in or using Town businesses, the creation of new Town businesses, educational programs for schoolchildren, etc.) or the more speculative costs (such as expanding the police or Sheriff

departments of other municipal jurisdictions, New York State maintenance costs for the new roadway improvements, oil spills from traffic accidents, foreign policy and defense costs of protecting the supply of imported oil, etc).

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Goshen authorizes the obtaining of estimates and hiring of a consultant, at an amount later to be determined, to prepare a 30-year cost/benefit analysis report for the LEGOLAND New York project, and hereby sets the following scope of work:

Recognizing of the underlying realities noted below, the consultant shall estimate and identify in detail the total direct economic benefits to the Town of Goshen that the LEGOLAND New York Park will produce as required by law and contract (e.g., real property tax [as reduced by the proposed PILOT agreement], sales tax, Host Community Benefit Agreement, etc.) and compare that with an estimate, identified in detail, of the direct, consequential costs that will likely be incurred by the Town of Goshen (e.g., any increased staffing levels of Town Departments such as Police, Highway, and Building, any increased equipment needs, etc.). These revenues and costs shall be broken down into Years 1-10, 11-20 and 21-30 of the operation of the Park. The cost/benefit report shall take into account the following:

1. New businesses and residential developments in the Town of Goshen inevitably burden certain Town services to some degree, including wear and tear on Town roadways, incidental police services, etc. Indeed, new businesses and residential developments outside of the Town of Goshen also burden those Town of Goshen services when people using those out-of-Town businesses and developments visit or pass through the Town of Goshen. In a similar fashion, Town of Goshen residents burden similar services of other municipalities that they visit or travel to or through for business or pleasure. Such municipal burdens are inevitable in a society where freedom of movement/travel between and among our many municipalities throughout the country is protected as a constitutional right. There is no accurate mechanism to quantify and compare the economic impact of such cross-municipal burdens to any reasonable degree of certainty and should not be estimated as part of this cost/benefit analysis.
2. The Goshen Fire District is a separate municipal entity, distinct from the Town of Goshen, and is legally exempt from the reach of any Orange County IDA PILOT agreement. As a result, the Goshen Fire District will receive, beginning year one, 100% of the real property taxes it levies on the LEGOLAND project, based upon full valuation of the property. The Goshen Fire District can fully fund any needed equipment, etc. through such monies. There is no direct economic cost or benefit to the Town of Goshen as a result.
3. The Goshen School District is a separate municipal entity, distinct from the Town of Goshen, which, although it will receive less than their full taxation revenue under the proposed IDA PILOT agreement, also will endure fewer impacts from the project than a residential development, because the project will not directly result in additional school children. There are also proposed benefits to school teachers and school children proposed by LEGOLAND. There is no direct economic cost or benefit to the Town of Goshen as a result.

4. Harriman Drive, the road leading to the LEGOLAND entrance, is presently maintained in part by the Town of Goshen Highway Department. There will be substantial improvements to this road by the LEGOLAND developer at its own cost, including road widening, drainage, and increasing its length. After completion of these improvements the entirety of Harriman Drive will be repaired and maintained by the State of New York, causing no additional expense, and some modest savings, to the Town of Goshen as a result.
5. The Village of Goshen will provide water and sewer services for the project, with the developer paying full water and sewer user fees, and paying for all necessary initial infrastructure improvements. There is no direct economic cost or benefit to the Town of Goshen as a result.

Upon Roll Call Vote:

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

Vote: Resolution carried by a vote of 5 to 0.

2. INTRODUCE THE 2ND REVISED LOCAL LAW NO.6 OF 2016 WHICH IS INTENDED TO CLARIFY TWO PROVISIONS OF THE LAW AND TO REDUCE THE REACH OF THE COMMERCIAL RECREATION OVERLAY DISTRICT.

Attorney Golden explained the reasoning for this revision. (1) "This revised introductory local law reduces the reach of the Commercial Recreation Overlay District by providing for a 100-foot no-Commercial Recreation Overlay District zoning buffer along the outside perimeter of the area of the affected properties when combined, while allowing access to a Commercial Recreation Facility through such zoning buffer."

(2) "Clarifies that the boundaries of the Commercial Recreation Overlay District encompass only those properties specifically set forth in the introductory local law." (3) "This revision is to ensure that the scope of the introductory local law conforms to the highly technical nomenclature referenced in Town Law Section 274-a, i.e., that a subdivision containing site plan elements shall not be subject to review as a site plan, but only as a subdivision."

In summary, the minor changes do not prompt a public hearing. The impact of the overlay zone is reduced by 100 feet. The other two changes pertain to language and the clarification of boundaries.

Councilperson Lyons made the motion to introduce the Second Revision to Introductory Local Law No. 6 of 2016. Councilperson Gallo seconded the motion.

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

3. DISCUSS AND APPROVE ESTABLISHMENT OF AN AFFORDABLE HOUSE REVIEW BOARD. THE BOARD WILL BE RESPONSIBLE FOR ADMINISTRATION OF THE TOWN OF GOSHEN AFFORDABLE HOUSING PROGRAM OUTLINED IN SECTION 97-24, ITEM K OF THE TOWN CODE.

Two subdivisions that will be involved in affordable housing: (1) The Heritage of Goshen and (2) Rolling Ridge. The Resolution as follows.

TOWN OF GOSHEN
Resolution
RESOLUTION APPOINTING A HOUSING REVIEW BOARD FOR THE TOWN OF GOSHEN

INTRODUCED BY: Councilperson John Van Der Molen
SECONDED BY: Councilperson George Lyons
DATED: July 10, 2017

WHEREAS, Section 97-24(K) of the Town Code establishes a Housing Review Board, which is responsible for the administration of the affordable housing program, and

WHEREAS, the Town Board desires to appoint three members to the Housing Review Board to carry out the duties and responsibilities of Section 97-24(K)(1)-(10).

NOW, THEREFORE, BE IT RESOLVED that the Town of Goshen hereby appoints the following three individuals to the Town of Goshen Housing Review Board in accordance with Section 97-24 of the Zoning Code:

1. Melissa Gallo
2. Howard Weiss
3. Allison Graesser

Upon Roll Call Vote:

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

Vote: Resolution carried by a vote of 5 to 0.

4. DISCUSS A NEED TO BUILD A SECOND SALT STORAGE SHED AND AUTHORIZE THE TOWN OF GOSHEN HIGHWAY SUPERINTENDENT AND THE TOWN SUPERVISOR TO WORK WITH FUSCO ENGINEERING TO APPLY FOR A \$100,000 GRANT FROM THE NYS MUNICIPAL FACILITIES CAPITAL PROGRAM.

Highway Superintendent, Broderick Knoell, addressed the Board. He stated that with the additional dedicated Town roads there is a need to order more salt storage for the winter season. Three sides of the existing salt barn is bowing from the constant pressure of salt. It holds all of the salt and holds about 1/4 to 1/3 salt/sand mixture. One storm can conceivably use the entire supply of salt/sand mixture. This salt barn will need to be repaired. To build a structure like the one presently used, will be expensive. Hoop barns have a fabric stretched over semi-circle metal poles mounted in a concrete frame which are less expensive.

Councilperson Van Der Molen made the motion for the Town of Goshen to assume Lead Agency status, to type the action as unlisted with no significant adverse impact (Negative Declaration). Councilperson Lyons seconded the motion.

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

Councilperson Newbold made the motion to authorize the Town Supervisor and/or the Superintendent of Highways to sign the administrative paperwork pertaining to the NYS Municipal Facilities Program grant. Councilperson Lyons seconded the motion.

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

5. DISCUSS AND APPROVE RESOLUTION TO SELL SURPLUS TOWN OF GOSHEN PROPERTY THROUGH GOVDEALS.COM

The Schedule A items to sell are: Cassette/Radio Player, Card File, CD Recorder, Time Card Holder, Four Wooden Chairs, and a 9 foot Christmas tree. The Resolution as follows:

TOWN OF GOSHEN
Resolution
DECLARING SURPLUS TOWN PROPERTY AND AUTHORIZING THE SALE
OF SURPLUS PROPERTY AT AUCTION THROUGH GOVDEALS.COM

INTRODUCED BY: Councilperson John Van Der Molen
SECONDED BY: Councilperson George Lyons
Dated: July 10, 2017

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 10th day of July, 2017, the following resolution was introduced:

WHEREAS, the Town owns property that is surplus and not currently in use; and

WHEREAS, the Town Board desires to declare certain Town-owned property surplus and to utilize the services of GovDeals.com, an Internet on-line auction service, to sell the surplus property;

NOW, THEREFORE, BE IT RESOLVED, that the Town-owned property pictured and described on the attached Schedule A is hereby declared to be surplus and no longer necessary to the operation of the Town of Goshen; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Goshen hereby authorizes the Town Supervisor, or his designee, to sell the surplus property pictured and described on Schedule A at auction through Gov.Deals.com.

Upon Roll Call Vote:

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

Vote: Resolution carried by a vote of 5 to 0.

6. FINANCE

Councilperson Gallo made the motion to authorize the Supervisor to pay Manual A/P runs as of 5/31/17 amounting to \$245,299.99 and Manual A/P runs as of 6/30/17 amounting to \$17,678.79. Councilperson Newbold seconded the motion.

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

EXECUTIVE SESSION:

Councilperson George Lyons made the motion to enter into Executive Session to discuss the following:

1. Review CSEA negotiating results

with the intent to return to the regular meeting to approve MOA regarding proposed contract. The motion was seconded by Councilperson Melissa Gallo. Motion Carried 5 to 0.

Councilperson George Lyons made the motion to re-enter the regular meeting. The motion was seconded by Councilperson John Van Der Molen. Motion Carried 5 to 0.

Councilperson Kenneth Newbold made the motion to approve the Memorandum of Agreement regarding the CSEA contract for 2016-2018 and to authorize the Supervisor to sign the same. The motion was seconded by Councilperson George Lyons. Motion Carried 5 to 0.

ADJOURNMENT:

Councilperson Kenneth Newbold made the motion to adjourn the meeting. The motion was seconded by Councilperson George Lyons. Motion Carried 5 to 0.

Priscilla Gersbeck, Town Clerk