

TOWN OF GOSHEN
TOWN BOARD MEETING

August 13, 2015
MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 13th day of August, 2015 at the 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
	Kenneth Newbold	Councilman

Also Present:	John Swift	Special Counsel to Town Board
	Robert Rametta	Special Counsel, Tax Certiorari
	Priscilla Gersbeck	Deputy Town Clerk

A. CALL TO ORDER

The meeting was called to order by Supervisor Bloomfield at 7:32 pm, followed by the Pledge of Allegiance.

B. AMENDMENT TO THE AGENDA

Supervisor Bloomfield announced that the Thursday meeting scheduled for 9-10-2015 will be *combined* with the Tuesday meeting on 9-8-2015. A primary election will be held on 9-10-2015 whereas the meeting room is used for certain voting districts.

C. PRIVILEGE OF THE FLOOR (agenda items only)

D. OLD BUSINESS:

1. DISCUSS AND APPROVE RESOLUTION TO SETTLE THE SCOTCHTOWN HOLDINGS, LLC TAX CERTIORARI

Attorney Rametta reviewed the resolution settling tax certiorari claims for Scotchtown Holdings, LLC a/k/a 84 Realty Scotchtown Holdings (39 Everett Rd). He explained the reason for refunds for the assessment years 2010 to 2015. The property was approved for building, and assessed accordingly. The water test yielded high levels of salt contamination. Consequently, the property is "unbuildable" with limited uses.

TOWN OF GOSHEN
RESOLUTION
Settling of Tax Certiorari Claims;

SCOTCHTOWN HOLDINGS, LLC A/K/A 84 REALTY SCOTCHTOWN HOLDINGS v. TOWN OF GOSHEN, ET AL

SECTION 2 BLOCK 1 LOT

INTRODUCED BY: Councilman Philip Canterino

SECONDED BY: Councilman Kenneth Newbold

DATED: August 13, 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 13th day of August, 2015;

WHEREAS, claimant, SCOTCHTOWN HOLDINGS, LLC A/K/A 84 REALTY SCOTCHTOWN HOLDINGS, having commenced tax certiorari proceedings against the Town of Goshen in the Supreme Court of the State of New York, County of Orange for the 2010, 2011, 2012, 2013, 2014 and 2015 assessment years bearing Westchester County Index Number 2010-16856 and Orange County Index Numbers 2011-6859, 2012-6251, 2013-6030, 2014-5671 and 2015-5706; and

WHEREAS, it appears from the recommendations of Arnold Silver, Town Assessor, and Robert M. Rametta, Esq., Counsel for the Town of Goshen in the aforesaid proceedings, and upon a thorough investigation of the claims, that any further proceedings and litigation by the Town would involve considerable expense with the attendant uncertainty of the outcome and that the settlement of the above matters, as more fully set forth below, is reasonable and in the best interests of the Town; and

WHEREAS, claimant, SCOTCHTOWN HOLDINGS, LLC A/K/A 84 REALTY SCOTCHTOWN HOLDINGS, is willing to settle these proceedings without interest, costs or disbursements, in the following manner: As set forth in annexed Consent Order;

NOW, BE IT THEREFORE RESOLVED, that the proposed settlement as set forth and described above and as set forth in the annexed Consent Order is hereby accepted pursuant to Section 68 of the Town Law and it is further;

RESOLVED, that the Assessor of the Town of Goshen and Robert M. Rametta, Esq., Special Counsel to the Town of Goshen; and Douglas Bloomfield, Supervisor of the Town of Goshen be and are hereby authorized to take any and all steps and sign any and all documents necessary to effectuate the terms of this resolution;

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilperson, Philip Canterino	<u>AYE</u>
Councilperson, Louis Cappella	<u>AYE</u>	Councilperson, Kenneth Newbold	<u>AYE</u>
Councilperson, George Lyons	<u>AYE</u>		

Vote: Resolution carried by a vote 5 to 0.

2. INFORMATION: HERITAGE ESTATES GOAL IS TO CONCLUDE ALL OUTSTANDING CONDITIONS FOR FINAL APPROVAL WITHIN 60 DAYS. MAPS COULD BE SIGNED IN OCTOBER.

As stated, for information only.

E. NEW BUSINESS:

1. DISCUSS AND APPROVE PROPOSAL TO APPOINT MELISSA GALLO AS TEMPORARY ALTERNATE TO THE PLANNING BOARD FOR PHIL DROPKIN EFFECTIVE IMMEDIATELY. THE EXPECTED DURATION IS THROUGH YEAR-END 2015

Supervisor Bloomfield noted that Phil Dropkin is a consultant for Amy's Kitchen and must (by law) recuse

himself from the Planning Board (to avoid a conflict of interest) when Amy's is discussed.

Councilman Newbold made the motion to appoint Melissa Gallo as temporary alternate to the Planning Board for Phil Dropkin effective immediately. Councilman Lyons seconded the motion.

On A Voice Vote, the motion passed: 5 AYES Bloomfield, Canterino, Cappella, Lyons, Newbold
0 NAYS

2. INFORMATION: A BUILDING PERMIT WAS ISSUED THIS WEEK TO MR. MUHLRAD TO BUILD A 40,000 SQ. FT WAREHOUSE ON 17A

As stated, for information only.

3. INFORMATION: THE TOWN HAS BEEN ASKED BY OUR CHAMBER OF COMMERCE FOR INFORMATION TO BE INCLUDED IN A PROPOSED "WELCOME BROCHURE"

Supervisor Bloomfield noted points to consider (1) History of the Webster Building (2) Route 17A, One Room School House and (3) Formation of the extensive amount of acres of black dirt for farming. He asked the Board to come up with ideas that would interest newcomers and businesses for the brochure. Councilman Cappella inquired if there was anything notable the past 10 years that can be included.

F. FINANCE:

Councilman Canterino made the motion to authorize the Supervisor to pay Manual A/P Check Runs of 07/01/2015 through 07/31/2015 amounting to \$99,930.08 and Accounts Payable Check Run for 08/13/2015 amounting to \$72,148.08. Councilman Lyons seconded the motion.

On A Voice Vote, the motion passed: 5 AYES Bloomfield, Canterino, Cappella, Lyons, Newbold
0 NAYS

G. PRIVILEGE OF THE FLOOR

None at this time

EXECUTIVE SESSION:

Councilman Newbold made the motion to enter into Executive Session to discuss the following:

1. HCC Response to Notice of Claim
2. FOIL Request Re: Laura Moritz Litigation

With the intent not to return. The motion was seconded by Councilman Cappella. Motion carried.

Adjournment: 7:58PM

Priscilla Gersbeck, Deputy Town Clerk