

TOWN OF GOSHEN  
PUBLIC HEARING & TOWN BOARD MEETING  
October 25, 2018  
MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 25th day of October, 2018 at 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  
                  Priscilla Gersbeck      Town Clerk

**A. CALL TO ORDER**

The meeting was called to order by Supervisor Bloomfield at 7:30pm, followed by the Pledge of Allegiance.

**B. AMENDMENT TO THE AGENDA**

**C. PRIVILEGE OF THE FLOOR (agenda items only)**

Nick Gallo, Sandra Rothenberger, Debra Corr referenced Item #2 under New Business; asked to define the Town-owned properties and type of culverts the DEC required to install/replace on Merlin-owned property. A request was made for a public hearing on this topic. Debra Corr reported on a meeting she attended of the Moodna Creek, finding out there is a lack of communication to this group concerning pollution in the Otterkill.

**D. REPORTS**

**Councilperson Melissa Gallo** reporting for the JRC, the Halloween Party scheduled for Saturday at Craigville Park is cancelled due to impending rain event and will not be rescheduled. November 1<sup>st</sup> tickets will go on sale (on-line only) for the Christmas Spectacular at Radio City. She thanked the Highway Dept. for an excellent job repairing the second entrance at Craigville Park.

**Councilperson George Lyons** reporting for the Highway Dept., who have been busy road mowing and sweeping. Drainage ditching work was conducted along Greencrest Road. An eighteen inch crossover pipe was replaced on Greencrest Road. A collapsed galvanized driveway pipe was replaced at #235 Reservoir Road. Asphalt patching was done on Florican Lane, Upper Magic Circle, Fox Road, and on Arcadia Road between 17M and the 17 overpass. Seven catch basins were repaired – five in Arcadia Hills and two in Northgate. A crew performed catch basin and interconnecting culvert inspections at the Hills of Goshen development off of Arcadia Road. This development is looking to dedicate the roads to the Town this year. Asphalt millings and cold patch was brought out to the second entrance of Craigville Park. Many deep potholes were filled in.

**Councilperson Kenneth Newbold** reported on the Moodna Creek meeting he attended. Presentations regarding pollution of the Otterkill and Chester Greens waterways will prompt letters to be written to the Town of Goshen and the Town of Chester of their concerns. On another note, he continues to work on final stages of grants to be done and pending grant applications.

**Councilperson John Van Der Molen** reporting for the Senior Center. On October 15<sup>th</sup> the Center hosted an AARP Defensive Driving Class which was well attended. On October 22<sup>nd</sup> a Senior Barbeque was put on by Elsie's Restaurant, sponsored by James O'Donnell candidate for Congress. About 85 people attended. On October 26<sup>th</sup> a Women's Book Discussion will take place from 11 to 1PM. The book titled "The Wide Saragasso Sea" by Jean Rhys is featured. November 7<sup>th</sup> a bus trip to the Sands Casino is offered at a cost of \$25.00 per person. All participants will receive \$30.00 in slot play and \$5.00 voucher for food. This year's Thanksgiving luncheon will be on Thursday, November 15<sup>th</sup>. Catherine's Restaurant will cater the traditional Dinner at a cost of \$15.00 per person. Advanced reservations are required.

**Supervisor Bloomfield** attended several meetings regarding Amy's Kitchen permits. One permit is between the City of Middletown and the DEC. Representatives from the DEC, Mayor DeStefano, and representatives from Amy's Kitchen will meet tomorrow to resolve issues and finalize pending construction.

The grant for the Town Hall roof was accidentally pulled in Albany. With the help of Senator Bonacic's staff this has been resubmitted. The parking lot ADA entrance doors have not been ordered, because of a problem between Fusco Engineering and the company that provided the doors. The parking lot pavement has been delayed, because of the rain. Hopefully, the parking lot will be completed before Election Day, November 6<sup>th</sup>.

**E. PUBLIC HEARING:**

**1. CONDUCT PUBLIC HEARING OF THE TOWN OF GOSHEN BUDGET FOR 2019.**

Councilperson Van Der Molen made the motion to open the public hearing as published in the Independent Republican for the Town of Goshen 2019 budget along with the proposed fiscal 2019 salaries of the elected Town of Goshen Officers. Councilperson Newbold seconded the motion.

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

Following is a summary of the approaches in budgeting for 2019.

**Town of Goshen Financial Planning Goals:** Maintain fund balances, financial stability-live within our means, protect jobs, protect services and achieve the NYS 2% tax levy cap or annual inflation rate (2.00%), whichever is lower.

**Budget Planning Strategies:** Utilize a 5 year strategic plan: buy used equipment, pay cash – no borrowing, develop and improve functioning capability of organization, focus on continued cost reduction, increase effort to resolve tax certiorari, increase funding for road construction, grow assessable base and utilize grant opportunities.

**Debt Reduction:** Pay cash – No borrowing – reduce debt.

	<u>12/31/2006</u>		<u>12/31/2018</u>
Total Debt	\$4,588,922		\$1,864,999
Reduction		-\$2,723,923 or -59%	
Debt Payment	\$677,492		\$211,050
Reduction		-\$466,442 or -69%	

**Continued Cost Reductions.** New Reductions 2018 are as follows:

Shared Services: Village of Florida – Spring Clean-Up, Shared Services: Village of Goshen – Road Grindings.

**Carry-over From 2006-2017:** Contracting Assessing Service with Orange County, Contracting Dog Control with Goshen Humane, Head Count Reduction -20%, Full Time to Part Time – P.D. 3, Debt Payment Reduction, Used Equipment Purchases and Sundry Reductions.

**Funding for Road Construction:** Asphalt and the application used in road construction has increased from the amount spent in 2006, \$231,223 and projected figures for 2018, \$1,094,000 and projected figures for 2019, \$1,000,000. [2018 included Budget Transfer of \$300,000; 2019 includes projected Budget Transfer of \$300,000.]

**Assessable Base:** for 2012 the assessable base total was \$567,124,658 and for 2018 the assessable base total is \$620,271,189. Therefore the growth total in assessable base is \$53,146,531 or 9.4%. [2018 to 2019: 1.71%]

**Grants:** monies received are as follows: (1) Cupola Grant-Town Hall \$50,000 [completed] (2) Parking Lot Rehabilitation Grant –Town Hall \$70,000 [2018] (3) Handicap assessable Doors-Town Hall \$50,000 [2018] (4) Town Hall Roof Restoration \$50,000 [2018] (5) Salt Shed \$50,000 [2018] and Durland and Coleman Road Culverts \$415,736 [completed]. The total of grant monies to be received from the government amounts to \$685,736.

**Budgeted Revenues:**

	<u>2018 Budget (\$M)</u>	<u>Actual (\$M)*</u>	<u>2019 Budget (\$M)</u>
Mortgage Tax	\$ 270	\$ 320	\$ 300
Justice Court Revenue	\$ 240	\$ 220	\$ 220
Sales Tax	\$ 1,200	\$ 1,300	\$ 1,250
Franchise Fees (including Time Warner Cable)	\$ 100	\$ 115	\$ 110
Totals	\$ 1,810	\$ 1,955	\$ 1,880

\*estimated

**Cost Increase Summary:**

(1) Al Turi Certiorari, +\$101,199 (2) Healthcare, +\$149,000 (3) Labor Contracts, TBD PBA/ CSEA, (4) Sand, Salt & Plowing, +\$38,000 (5) Town Hall Parking Lot, +\$30,000 & Handicap Accessible Doors, +\$10,000 and (7) Miscellaneous (Police PR Coverage), +\$15,000.

**Cost of Employee Benefits:**

	<u>2006</u>	<u>2012</u>	<u>2018</u>
<b>Police:</b> Average Salary	\$62,122	\$68,588	\$77,221
Total With Benefits	51.05%	63.83%	73.14%
<b>Other Employees:</b> Average Salary	\$42,260	\$46,659	\$54,636
Total With Benefits	59.91%	72.25%	78.17%

**Tax Rate Changes:**

Town-wide	-1.08%	Village only	-1.92%
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**Tax levy change for home with \$200,000 Assessed Value:**

	<u>2018*</u>	<u>2019*</u>	<u>Δ</u>
Town Resident Bill	\$ 1,398.20	\$1,383.10	-\$15.10
Village Resident Bill	\$ 491.58	\$ 482.14	-\$9.44

\*Assessed Value is 62% of Fair Market Value.

The Town Standard & Poors Bond Rating is AA which is high.

Supervisor Bloomfield called for comments from the public. [Comments in summary]

- ▶ Inquired as to what year will the Town be debt free? Ans: estimated by 2028
- ▶ Explain what contributes to the assessable base? Ans: It is the construction of *many* new businesses such as Amy's Kitchen, Legoland, the flex building and several large warehouses etc.
- ▶ Questioned the effect of PILOTS on the assessable base. Suggested to consolidate the Town & Village services to save money/lower taxes. [Inaudible]
- ▶ Regarding new warehouse construction – factors determining the use, is it environmentally safe, and how often will the contents be inspected. Ans: Inspection is done once every two years and/or according to code.
- ▶ Referencing a Legislator meeting – Orange County is known as the 'warehouse county'. Where does the water come from for the new warehouse construction? Ans: Determined at the Planning Bd. application review.
- ▶ In the summer of 2017 two million dollars was deposited, where is it shown in the budget? Ans: it doesn't show up in the budget, because it is a transfer from one account to another. It is on a fund balance sheet.
- ▶ Why don't we use monies in the funds to replace the Town Hall roof and other projects? Ans: because we would rather use grant money instead of taxpayer money.

Supervisor Bloomfield called for comments from the Board.

Councilperson Newbold voiced his opinion on the subject of salaries. He would prefer to see salary *position* adjustments for elected officials occur next year, after the Supervisor's election. He did not see salary justification for the Superintendent of Highways who is now responsible for another department - the Water Dept. "He does a lot of work with no compensation" Lastly, he has never seen a harder working staff. He believes everyone should receive the same percentage raise.

Councilperson Lyons has no problem with the salary increase for the Supervisor position this year. He is concerned that when a new Supervisor is elected and the position changes to part-time, then the

salary should reflect the change in hours. This would go before a referendum. As a Board we are protected in case that situation occurs. However, the Supervisor position should be designated as full time to avoid a salary conflict.

Councilperson Van Der Molen made the motion to close the public hearing for the Town of Goshen 2019 budget. Councilperson Lyons seconded the motion.

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

**F. OLD BUSINESS:**

**1. DISCUSS AND PASS MOTION TO ACCEPT THE BUDGET FOR 2019 AS PRESENTED AND/OR MODIFIED.**

Councilperson Lyons made the motion to adopt the Town of Goshen 2019 budget as presented. Councilperson Van Der Molen seconded the motion.

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 4 to 1

**2. DISCUSS PROPOSED CONTRACT WITH H2M ENGINEERING TO PROVIDE PLAN REVIEW AND INSPECTION SERVICES FOR TOWN OF GOSHEN PROJECTS. THESE SERVICES ARE IN ADDITION TO THOSE ALREADY PROVIDED AS TOWN ENGINEERING SUPPORT.**

Council reviewed the contract and the revised 2018 Fee Schedule. Discussion covered contract conditions pertaining to expenses, liability, mediation, arbitration and law suits. The fees are not coming from the taxpayers' money. The fees are charged to the applicant. [Contract is available in the Town Clerk's office]

Councilperson Newbold made the motion to accept the H2M Engineering proposed contract to supplement the current contract and to authorize the Supervisor to sign the same. Councilperson Gallo 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>AYE</u>	Councilperson, Kenneth Newbold	<u>AYE</u>
Councilperson, George Lyons	<u>AYE</u>		

Vote: Motion carried by a vote 5 to 0.

**3. DISCUSS ORANGE AND ROCKLAND NEED FOR AN EASEMENT FROM THE TOWN OF GOSHEN IN ORDER TO RUN POWER SERVICES TO THE GOSHEN LIBRARY.**

Attorney Golden identified, on a map, the location of the easement for power services to the Library. A paragraph read into the record states: "Notwithstanding the above, this Easement shall not prohibit construction or use of existing driveways or of any driveway planned for construction prior to the Date of this Easement Grant."

Councilperson Lyons made the motion to authorize the granting of an easement, as modified, by the Town to Orange and Rockland Utilities in connection with the need to run power services to the Goshen Library, and to authorize the Supervisor to sign the modified easement, subject to a proper form to the satisfaction of the Town Attorney. Councilperson Newbold 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>AYE</u>	Councilperson, Kenneth Newbold	<u>AYE</u>
Councilperson, George Lyons	<u>AYE</u>		

Vote: Motion carried by a vote 5 to 0.

**4. INFORMATION: THE OFFICE OF STATE SENATOR JOHN J. BONACIC HAS RESUBMITTED THE SAM GRANT FOR THE TOWN HALL ROOF REPLACEMENT.**

A stated, for information only.

**G. NEW BUSINESS:**

**1. REVIEW AND APPROVE RESOLUTION TO RELEVY UNPAID WATER/SEWER CHARGES AND A PROPERTY CLEAN-UP CHARGE FOR 2018 INTO THE 2019 GOSHEN TOWN TAXES.**

TOWN OF GOSHEN RESOLUTION  
RELEVY OF UNPAID WATER AND SEWER CHARGES

BE IT RESOLVED that the following charges for water and/or sewer service remaining unpaid as of the date of this resolution be relevied upon the 2019 real property tax rolls:

**Levy of Unpaid Utilities**

<u>NAME</u>	<u>DISTRICT</u>	<u>AMOUNT</u>
Hambletonian Park	District 1 Water	\$18,319.72
	District 1 Sewer	\$34,116.73
	Subtotal	\$52,436.45
Arcadia Hills	District 2 Water	\$46,306.33
	District 2 Sewer	\$91,701.78
	Subtotal	\$138,008.11
Stone Hedge	District 3 Water	\$4,181.09
Scotchtown	District 4 Water	\$3,610.55

TOTAL LEVY OF UNPAID UTILITIES \$198,236.20

On a motion by Councilperson Melissa Gallo, seconded by Councilperson George Lyons, the resolution was adopted on a vote of 5 Ayes, 0 Nays.  
The Supervisor declared this resolution adopted. Dated 10-25-2018

**2. REVIEW AND APPROVE LICENSE AGREEMENT AUTHORIZING MERLIN ENTERTAINMENTS TO INSTALL/REPLACE CULVERT(S) ON TOWN PROPERTY AT THEIR EXPENSE.**

The DEC ordered Merlin to install/replace three culverts on Lot 66, Town owned property, to support environmental factors such as allowing animals to pass through. "The DEC reasoned that the improved culverts will increase the ability of wildlife in moving around the area." This has nothing else do with the Town only to allow Merlin to step on Town owned property to satisfy DEC orders. Whatever is done to Town owned land has to be restored. [License Agreement & map is available in the Town Clerk's office]

Councilperson Gallo made the motion to allow Merlin Entertainments to improve the three culverts located on Lot 66 at the request of the DEC, to increase the ability of wildlife to move about the area. 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>AYE</u>	Councilperson, Kenneth Newbold	<u>AYE</u>
Councilperson, George Lyons	<u>AYE</u>		

Vote: Motion carried by a vote 5 to 0.

**3. INFORMATION: ARNOLD SILVER IS RESIGNING HIS POSITION AS ASSESSOR IN THE TOWN OF GOSHEN EFFECTIVE NOVEMBER 2, 2018.**

Arnold Silver has other business interests preventing him from fulfilling his position as Assessor. John McCarey, Director of O.C. Real Property Tax Service is working on a replacement.

**H. FINANCE:**

Councilperson Van Der Molen made the motion to authorize the Supervisor to pay Accounts Payable check run for 10/25/2018 amounting to \$255,619.22. Councilperson Lyons seconded the motion.

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

**I. PRIVILEGE OF THE FLOOR**

Topics discussed covered: the legalities of Item #10 in the License Agreement allowing Merlin Entertainments to improve certain existing culverts, is there a Bond covering the work to be done

on the Legoland property, protecting the Otterkill, affordable housing council vote, Legoland property is highly visible with foliage down, Legoland construction polluting the air with dust, and the extra charge using a credit card to pay taxes.

**Building Inspector**, Neal Halloran, explained the reason for and the size of the culverts questioned to be installed/replaced on the Legoland property.

He asked for several items: (1) two TV screens to be mounted in front area of the court room. This will enable the applicants to present their projects to the Board(s) and to the public so that everyone can see what is being discussed (2) another car (used police car) for the other building inspector to conduct site inspections and (3) a part-time person to assist with the work overload in his office. The Supervisor asked for a detailed job description for publication.

## **J. ADJOURNMENT**

Councilperson Lyons made the motion to adjourn to enter into Attorney Client meeting to discuss PBA preparations and a bid contract for air conditioning at the Senior Center. Councilperson Gallo seconded the motion. Motion carried.

Time: 9:35 PM.

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Priscilla Gersbeck, Town Clerk