

TOWN OF GOSHEN
TOWN BOARD WORK SESSION
November 09, 2015

MINUTES

A Work Session of the Town Board of the Town of Goshen was held on the 9th day of November 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
	George Lyons	Councilman
	Kenneth Newbold	Councilman
	Louis Cappella	Councilman

Also Present:	John Swift	Town Attorney
	Richard Golden	Attorney
	Dennis Caplicki	Attorney
	Valma Eisma	Town Clerk

Supervisor Bloomfield called the meeting to order, and led the Pledge of Allegiance.

1. PUBLIC HEARING:

**REVIEW AND APPROVE THE TOWN OF GOSHEN
PRELIMINARY BUDGET FOR 2016**

Councilman Cappella made a Motion to open the Public Hearing, Councilman Canterino seconded the Motion. Motion carried unanimously.

Supervisor Bloomfield presented the 2016 Budget and a 2016 Budget Review starting with the Financial Planning Goals:

Maintain fund balances	Protect Jobs
Financial stability –live within our means	Protect Services
Achieve the NYS 2% tax levy cap or annual inflation rate (0.73, whichever is lower)	

Review of the 5 year Strategic Plan :

Supervisor Bloomfield stated this has not changed, the same as last year.

- Buy used equipment
- Pay cash – no borrowing – reduce debt
- Develop and improve functioning capability of organization
- Focus on continued cost reduction
- Settle Tax Certiorari
- JEDI
- Grow Assessable base

The Supervisor completed the review explaining how the Board will attempt to continue to abide by these principles. He reviewed the Budget and explained the many ways this Board has saved taxpayer money by paying down debt and improving our bond rating. (Complete review on file in the Clerk's Office).

The Supervisor asked for responses from the Public, and answered various questions.

Councilman Lyons questioned why he did not find the money for the Joint Recreation in the budget. He explained that the Town has, in the past, allowed the Joint Recreation \$80,000. After a discussion Councilman Canterino made a Motion to approve the annual budget of \$80,000.00 for Joint Recreation. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

Councilman Canterino made a Motion to approve and adopt the Town of Goshen 2016 Budget. The Motion was seconded by Councilman Lyons.

Upon a Roll Call Vote:

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

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

2. DISCUSS PROPOSAL "DOG PARK PROJECT" INITIATED BY GIRL SCOUT KELLY FELLENER AS PART OF HER GIRL SCOUT GOLD AWARD: Supervisor Bloomfield introduced Kelly Fellenzer, who was accompanied by her father, Mark Fellenzer. Kelly explained in detail how she came upon the idea of the Dog Park, and the need for one. She produced a map of the area, outlining the locations of the fenced-in area, the various pet stations, small dog and big dog stations, etc. She explained that this would be the first phase, to be followed by phase two and three. Ms. Kelly also gave the Board copies of the charts she made after interviewing 40+ people at a Harvest Festival. She stated that these show there is a need for the park, and those she spoke to were in favor, and would use the park.

The Board had numerous questions, which Ms. Fellenzer answered without hesitation. The Board all agreed they were very impressed with the work she had done to prepare her presentation. However, after a lengthy discussion, the Board felt it might be too aggressive a plan to start out with. The Board suggested she start out with a smaller plan to test the waters, and be sure the park would be a success. They spoke of the concern for trying to fund the cost with just donations. Councilman Cappella suggested the Board could perhaps offer a thousand Dollars, and the Village donate the same to get the project started.

Ms. Fellenzer stated she is a Junior, and would like to finish Phase one as the Scout projects are encouraged to be sustainable, hopefully to go forward, and grow. The Board complimented her on her presentation, and asked her to return when she had adjusted the size of the park.

3. REVIEW AND APPROVE UPDATE TO THE TOWN OF GOSHEN TOWING POLICY: Supervisor Bloomfield asked Attorney Caplicki to review the new policy with the Board. He briefly explained that he had addressed the changes the Board had previously discussed. He stated the policy is the intent of the Town of Goshen Police Department to establish fair and uniform Town Wide Towing Policies for the towing

industry and the needs of the Town of Goshen Police Force. The Board discussed and reviewed the policy and felt it was a good one.

Councilman Lyons made a Motion to approve and adopt the Town of Goshen Police Tow Service Policy as written, with a few minor corrections. Councilman Newbold seconded the Motion. Motion carried 5 to 0. The Policy will go into effect immediately;

4. DISCUSS REQUEST FROM THE HUDSON VALLEY FOOD BANK TO HAVE THEIR DELIVERY POINT AT THE DPW PARKING LOT. Supervisor Bloomfield explained that the Hudson Valley Food Bank meets at a certain location to transfer food, to be distributed to various points. They have lost their current location, and are asking to use the DPW parking lot to do their exchanges. He stated he had talked to the Highway Superintendent, and he had no objection. The exchanges are done every two weeks. The Board discussed the matter, and had no objections, and the Supervisor will inform the Building Inspector of the Boards approval.

5. DISCUSS POTENTIAL NEED FOR, AND APPROVE AS NECESSARY, A RESOLUTION TO CREATE A MORATORIUM ON BUILDING SOLAR FARMS : Supervisor Bloomfield explained that the Town of Goshen's Zoning Code does not address solar farms, and the Board is receiving a number of requests for them. He called on Attorney Golden to review the Resolution. Attorney Golden stated the moratorium gives the Board time to study and decide how they can adequately address this type of use. The Introductory Local Law #2 of 2015 is as follows:

INTRODUCTORY LOCAL LAW NO. 2 OF 2015

A LOCAL LAW ADOPTING A MORATORIUM ON CERTAIN SOLAR ENERGY USES

BE IT ENACTED by the Town Board of the Town of Goshen, Orange County, New York as follows:

SECTION 1. PURPOSE AND INTENT

The purpose of this Local Law is to protect the public health, safety and welfare of the residents of the Town of Goshen and to maintain the status quo as to certain solar energy uses, as the present zoning regulations in the Town do not adequately address this type of use. The moratorium will stop the processing of applications for, and the issuance of any permits, certificates of occupancy and approvals for certain land uses relating to solar energy, including but not limited to solar farms. The moratorium is for a period of six (6) months, allowing the Town Board to analyze and determine potential appropriate revisions and amendments to the Town of Goshen Zoning Code concerning this use.

SECTION 2. LEGISLATIVE FINDINGS

The Town of Goshen Town Board does hereby find that without a temporary halt on the processing, permitting, and approvals for certain solar land uses there is the potential that such uses could be located in unsuitable areas within the Town and/or on particular lots without adequate dimensional regulations in place. The potential for the unsuitable location of, and lack of proper dimensional regulations for, such uses would have materially adverse and irreversible impact on the Town.

The Town Board also finds that it is in need of time to perform the necessary analysis of the potential types of solar energy facilities that could be located in the Town. By maintaining the status quo regarding such uses the Town Board can provide for the planned orderly growth and development of the Town.

SECTION 3. MORATORIUM IMPOSED; APPLICABILITY

For a period of time of six (6) months following the effective date of the adoption of this Local Law no application may be processed, and no permits, certificates of occupancy, approvals, denials, determinations or interpretations may be issued or granted for any land uses relating to solar energy, including but not limited to solar farms.

The term "land uses relating to solar energy" shall be broadly constructed to include any facility designed to generate electric power to be marketed, sold or used for other than the power demands of the improvements on the property on which such facility is located. Not included within the scope of this moratorium are solar energy facilities designed to generate electric power solely for the use of the improvements located on the same property.

The term "solar farm" shall mean "a collection of solar panels covering one-quarter (1/4) acres or more of land that are designed to capture sunlight and transform it into electricity. This definition includes freestanding and ground pole-mounted photovoltaic and parabolic solar installations. This definition does not include photovoltaic panels that are mounted on or affixed to residential dwellings for their use, or municipal buildings, or existing panels mounted on commercial or industrial building.

This Local Law shall be binding on the Town Board, Planning Board, Zoning Board of Appeals, Building Inspector, all Town officials and employees, and any applicant or real property owner in the Town desiring to apply for or receive a permit, certificate of occupancy or approval in the Town of Goshen.

During the period of the moratorium, the Town Board shall endeavor to complete all reasonable and necessary review, study, analysis and, if warranted, revisions to the Town of Goshen Code. During the period of the moratorium, no applications will be accepted, nor permits, certificates of occupancy or approvals issued, which would authorize development within the Town for land uses relating to solar energy as described above.

SECTION 4: TERM

This moratorium shall be in effect for a period of six (6) consecutive months from its effective date.

This Local Law shall be subject to renewal for a cumulative period of up to an additional six (6) months, if necessary, by Resolution (s) of the Town Board.

SECTION 5: EFFECT ON OTHER LAWS

To the extent that any law, ordinance, rule or regulation, or parts thereof, are in conflict with the provisions of this Local Law, including all provisions of Article 16 of the New York State Town Law, including all provisions of article 16 of the New York State Town Law concerning special use permit, site plan, building permit and certificate of occupancy procedure and requirements, this Local Law shall control and supersede such law ordinance, rule or regulation.

SECTION 6: WAIVER

Owing to the limited scope and duration of this moratorium, there is no provision being made in this Local Law for any waivers to its applicability. However, the Town Board may, but is not obligated to, promulgate regulations by a Resolution of the Board authorizing a hardship waiver process to this moratorium.

SECTION 7: SEVERABILITY

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

SECTION 8: EFFECTIVE DATE:

This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with New York Municipal Home Rule Law.

Councilman Kenneth Newbold made a Motion to approve the Resolution to create a Moratorium, and set the Public Hearing. The Motion was seconded by Councilman Lyons. Motion carried 5 to 0.

Councilman Newbold made a Motion to set the Public Hearing for the creation of the Moratorium on building Solar Farms for December 21, 2015 at 7:30 p.m. at the Town Hall, located at 41 Webster Avenue, Goshen, New York . The Motion was seconded by Councilman George Lyons. Motion carried unanimously.

6. MEMO: BUDGET OFFICER RE: 2016 PAY PERIODS: Budget Officer Cavaliere explained that in 2016 there are 27 Pay Periods and January 1 Pay Day. She stated that she is requesting permission to pay salaried employees their annual salary divided by 27 each pay period, so that the annual salaries are not exceeded. Ms. Cavaliere said this only will affect the salaried employees. Since the first pay period of 2016 lands on January 1st, we will hand out paper checks on Thursday, December 31st, but the checks will be dated January 1st. Direct deposits payments will be available on Monday, January 4th. The Board had no objections, and gave the Budget Officer it's approval.

7. INFORMATION: Supervisor Bloomfield informed the Board that the Grant Application for \$100,000 to resurface the Town Hall parking lot and driveway has been forwarded to Honorable John Bonacic, our New York Senator.

8. INFORMATION: Supervisor Bloomfield informed the Board that FEMA has agreed to change the scope of the work order for two culvert projects. FEMA will create an amendment and approve an additional total amount of \$44,525.79. With this amendment the total approved amount for PW8636 will be \$194,143.00.

The Board discussed the publishing of the Joint Meeting to be held to appoint a successor to Legislator Shannon Wong. A letter will be sent out to confirm a meeting of the Town Boards of the Towns of Goshen,

Blooming Grove, and Wawayanda. The purpose of the meeting is to vote and appoint a successor legislator for the 21st district, filling the vacancy caused by the resignation of Shannon Wong.

Supervisor Bloomfield made a Motion to set a Joint Meeting of the Town Boards of the Towns of Goshen, Blooming Grove, and Wawayanda for November 18, 2015, at 7:00 pm, at Town Hall, 41 Webster Avenue for the purpose of appointing a successor Legislator for the 21st District, filling the vacancy caused by the resignation of Shannon Wong.

The Motion was seconded by Councilman Lyons. Resolution carried by a vote of 5 to 0.

Public Hearing Notice will be sent to Blooming Grove and Wawayanda, as well as the Newspaper and the Web.

Councilman Lyons made a Motion to adjourn the meeting, go into Executive Session, with intent not to return, to discuss:

1. PBA Negotiations
2. Turi Tax Certiorari

Time: 9:20 p.m.

Town Clerk