

TOWN OF GOSHEN
TOWN BOARD WORK SESSION
December 5, 2016
M I N U T E S

A work session of the Town Board of the Town of Goshen was held on the 5th day of December, 2016 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
	Priscilla Gersbeck	Town Clerk

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

Best wishes were extended to Chronicle reporter Geri Corey who will be exclusively reporting for the Village of Goshen.

Amendment to the agenda; item #2- Home on 143 Old Minisink Trail destroyed by fire.

1. DISCUSS AND APPROVE RESOLUTION REGARDING WATER AND SEWER CONNECTION FEES

The Building Inspector believes that the \$1,000 for residential/commercial connection to the town water/sewer district is reasonable to cover the costs of the issuance, inspection and enforcement of permits.

TOWN OF GOSHEN
Resolution
AMENDING SCHEDULE OF TOWN CODE FEES

INTRODUCED BY: Councilperson Kenneth Newbold

SECONDED BY: Councilperson George Lyons

Dated: December 05, 2016

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 5th day of December, 2016, the following resolution was introduced:

WHEREAS, Section 49C-16 of the Town Code authorizes the Town Board to establish and amend a schedule of fees related to various activities of the Town Building Department, including permit application and permit issuance fees for various activities, and

WHEREAS, the Town Board desires to establish and clarify certain fees to be paid to the Town related to receiving the services accompanying the inclusion of residential and/or commercial development into a Town improvement district, and

WHEREAS, the Town Board has determined that, based upon advice from the Building Inspector, the present \$1,000 fee for residential/commercial unit connection to a public water supply system chargeable under Town Code Section 93-7 (restated below under Town Code Section 85-1) is a reasonable fee (in addition to Town Engineer services) to cover the costs of the issuance, inspection and enforcement of permits by the Building Inspector/Code Enforcement Officer related to the connection of an individual or sewerage system for inclusion into a Town Sewer District

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Goshen hereby amends Town Code Section 85-1 ("Schedule of Fees"), effective immediately and applicable to all pending applications and projects, by adding to the category noted "Building Permits" the following:

Sewer Building Permit Connection Fee for all work in furtherance of an individual or sewage system connection for inclusion into a Town Sewer District \$1,000/lot

Water Building Permit Connection Fee for all work in furtherance of an individual or water supply system connection for inclusion into a Town Water District \$1,000/lot

Discussion: Councilwoman inquired if this applies for new developments? Answer: Effective immediately and Applicable to all pending applications and projects.

Upon Roll Call Vote:

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

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

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

2. HOME AT 143 OLD MINISINK TRAIL, DESTROYED BY FIRE THREE YEARS AGO.

At the request of neighbor Paul Lavan; is there anything that can be done to clean-up the property next door (143 Old Minisink Trail) that was destroyed by fire about three years ago? With some discussion, it was decided that the Building Inspector will assess the situation to see what can be done.

3. DISCUSS AND APPROVE HIRING M.J. GOFF AS SECRETARY OF THE GOSHEN TOWN PLANNING BOARD.

Councilman Van Der Molen made the motion to approve the hiring of M.J. Goff as Secretary to the Planning Board at \$16.01 per hour effective December 6, 2016. Councilwoman Gallo seconded the motion.

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

4. DISCUSS REQUEST BY JEWISH FAMILY SERVICES OF ORANGE COUNTY TO PROVIDE SPACE IN TOWN HALL FOR TRAINING OF VOLUNTEERS (SEE ATTACHED LETTER AND RESPONSE TO PRIOR REQUEST).

A letter received from Paula Blumenau (Outreach Coordinator Jewish Family Service of Orange County) requested the use of the Town Hall for training volunteers who could help older adults who are homebound.

In 2005 a similar request was presented to the Board by a representative of the Jewish Family Services organization. As then and now, the Town supports the Senior Center and Dial-A-Bus. The volunteer program would best be served by coordinating with the Senior Center. Councilman Van Der Molen will take a copy of the letter to the Senior Center to see if they are interested.

5. DISCUSS AND APPROVE MOTION TO PAY \$163,212.04 TO NGS CONSTRUCTION, LLC FOR COLEMAN ROAD CULVERT REPLACEMENT PROJECT. ALL EXPENDITURES FOR THIS PROJECT WILL BE REIMBURSED TO THE TOWN OF GOSHEN BY NYS DHSES.

The Town will be reimbursed for this project under the FEMA Public Assistance Program. Attached is a letter from H2M, Sean Hoffman, P.E. detailing the expenditures.

Councilman Newbold made the motion to authorize payment in the amount of \$163,212.04 to NGS Construction, LLC. Councilman Lyons seconded the motion.

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

6. DISCUSS AND PASS RESOLUTION TO ACKNOWLEDGE THE TOWN OF GOSHEN JUSTICE DEPARTMENT HAD BEEN AUDITED BY OUTSIDE INDEPENDENT AUDITORS FOR YEARS 2014 AND 2015. THE RESOLUTION AND AUDITS WILL BE FORWARDED TO THE NYS DEPARTMENT OF JUSTICE

Section 2019-a of the State of New York Uniform Justice Court Act requires an annual examination of the Town Justice court records and dockets. The audit for the year of 2014 was submitted on February 1, 2016. The audit for 2015 was submitted on September 8, 2016.

TOWN OF GOSHEN Resolution

ACKNOWLEDGING THAT AN EXAMINATION OF THE TOWN
JUSTICE COURT RECORDS AND DOCKETS WAS CONDUCTED

INTRODUCED BY: Councilperson John Van Der Molen

SECONDED BY: Councilperson Kenneth Newbold

Dated: December 05, 2016

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 5th day of December, 2016, the following resolution was introduced:

WHEREAS, Section 2019-a of the State of New York Uniform Justice Court Act requires an annual examination of the Town Justice court records and dockets; and

WHEREAS, the Town of Goshen has provided such records and dockets from 2014 and 2015 to be examined and audited by the firm of Nugent & Haeussler, P.C., certified public accountants; and

WHEREAS, the firm of Nugent & Haeussler, P.C. has performed such examination and audit for the year 2014 and submitted a report thereon to the Town Board dated February 1, 2016; and

WHEREAS, the firm of Nugent & Haeussler, P.C. has performed such examination and audit for the year 2015 and submitted a report thereon to the Town Board dated September 8, 2016; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Goshen hereby acknowledges that the 2014 and 2015 Town Justice Court records and dockets have been duly examined pursuant to the requirements of Section 2019-a of the State of New York Uniform Justice Court Act.

Upon Roll Call Vote:

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

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

7. DISCUSS AND APPROVE REDUCTION OF PERFORMANCE BOND FOR MEADOWS OF GOSHEN IN THE AMOUNT OF \$268,240.00. THE TOWN WILL RETAIN \$125,160.00 TO ENSURE COMPLIANCE WITH THE CODE FOR MAINTENANCE GUARANTEE

There were three items to be completed before Mr. Makan is to receive the amount of \$268,240.00. Item (1) payment to the Orange County Commissioner of Finance in the amount of \$40,517.65 to cover taxes owed on three parcels-completed, (2) Quality report on water in one of the wells-completed, (3) finish planting/landscaping of trees at the entrance to Howard Court-in progress.

Councilman Newbold motioned for discussion. Councilwoman Gallo seconded the motion. Councilman Lyons questioned when the dedication of the road will be done. Residents in the development have repeatedly complained that the road wasn't plowed during the winter and driving conditions, have at times, been dangerous. The school bus and the mailman will not enter the development until the road is dedicated. Residents have appeared before the Board stating their complaints to the developer (Makan) have not been addressed and calls have not been returned. Councilman Lyons believes that if the money is returned, Mr. Makan will not dedicate the road.

Mr. Makan noted that the papers to dedicate the road have been in our files when the map was filed and "everything is 100% ready". Councilman Lyons stressed that there is a list of items to complete, such as a title search, deed, etc. for the offer of dedication. Our Attorney will review the papers to see what else needs to be done and will contact our engineer to see if his requirements are completed.

Vote was taken to approve the reduction of the performance bond and return the amount of \$100,000 to Mr. Makan.

Upon Roll Call Vote:

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

Vote: Approval denied by a vote of 0 to 5.
This will be addressed at the next meeting on Thursday.

8. APPROVAL OF MINUTES:

Councilman Newbold made the motion to accept the work session minutes of November 7, 2016 and the meeting minutes of November 10, 2016. Councilwoman Gallo seconded the motion.

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

9. FINANCE:

Councilman Newbold made the motion to authorize the Supervisor to pay Manual A/P runs as of November 30, 2016 in the amount of \$11,995.99. Councilman Van Der Molen seconded the motion

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

EXECUTIVE SESSION:

Councilwoman Gallo made the motion to enter into Executive Session to discuss the following:

1. PBA CONTRACT FINALIZATION
2. MORITZ LITIGATION UPDATE
3. MATTERS LEADING TO POTENTIAL PROMOTION
4. MATTERS LEADING TO EMPLOYMENT/APPOINTMENT

with the intent not to return. The motion was seconded by Councilman Van Der Molen. Motion carried.

ADJOURNMENT: 8:25PM

Priscilla Gersbeck, Town Clerk