

TOWN OF GOSHEN
TOWN BOARD MEETING
July 25, 2019
MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 25th day of July, 2019 at the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present:	Douglas Bloomfield	Supervisor
	Kenneth Newbold	Councilmember
	John Van Der Molen	Councilmember

Absent:	George Lyons	Councilmember
	Melissa Gallo	Councilmember

Also Present:	Richard Golden, Esq.,	Attorney for the Town
	Kirsten Santangelo	Deputy Town Clerk

A. CALL TO ORDER

The meeting was called to order by Supervisor Bloomfield at 7:33 pm, followed by the Pledge of Allegiance.

B. AMENDMENT TO THE AGENDA

Under New Business, a letter from Sean Hoffman of H2M regarding the Town's DASNY grant regarding the replacement of the windows in this building and the heating will be discussed.

C. PRIVILEGE OF THE FLOOR (agenda items only)

There was no discussion.

D. REPORTS

Councilperson Van Der Molen reported for the Senior Center. There was no meeting this month. There was nothing to note from the Police Department. **Councilperson Newbold** remarked that he was over at the Senior Center and saw the new system that is being used to check in the members, much like a library system and swiping a card will keep track of the activities the seniors are involved with. Councilperson Van Der Molen noted that the newsletter advises of the new services at the Senior Center. **Supervisor Bloomfield** reported that Conklingtown Road was renumbered because there was a problem with about twenty homes between the Town of Goshen and the Town of Chester. The Building Department worked in tandem with the 911 Center; Building and Zoning sent a letter on Wednesday, July 24th to inform them of the renumbering. A copy of all letters were sent to Congressman Sean Maloney as well, without the names of the homeowners, as per the

congressman's request due to a resident complaint. The homeowners have thirty (30) days in which to change their addresses. The Highway Department put the final layer of asphalt on Hasbrouck Road. Yesterday they finished the final layer of asphalt on Lower Reservoir Road. Today, they started grinding up the asphalt on Yankee Maid Lane and Florican Lane. Broderick is looking to put the new asphalt on these roads on Monday.

E. OLD BUSINESS:

- 1. REMINDER: PLEASE REVIEW THE EMPLOYEE MANUAL PER INSTRUCTIONS GIVEN AT THE JUNE 13, 2019 MEETING AND FORWARD COMMENTS, CHANGES OR CONCERNS TO MARY RISO. SHE WILL COMPILE A LIST OF CHANGES FOR OUR APPROVAL IN PREPRATION FOR ISSUANCE OF OUR UPDATED MANUAL.**

Supervisor Bloomfield stated that the employee relations manual was looked at by professionals, who highlighted in yellow the items that are mandatory by law. They also highlighted in red, the things that we cannot do by law. He would like everyone to take a look at the manual and get the comments to Mary Riso so she can compile a list of changes. Once she has all the information, we will issue the new manual to the Town employees.

- 2. INFORMATION: JOHN S. BURKE CATHOLIC HIGH SCHOOL IS TAKING THE LEAD ON RAZING DAMAGED / HAZARDOUS BUILDING ON THE LAKEVILLE INN PROPERTY.**

Supervisor Bloomfield and Neal Halloran, the Building Inspector, went to the Lakeville Inn property to look at a building that was caving in. The Town hasn't heard from the Archdiocese of New York regarding this matter. Supervisor Bloomfield looked at another building on the property and noted that the windows are pushed in. Both the Supervisor and Building Inspector noted that there is a lot of damage to these structures. They stopped in to Burke High School and spoke to the operations principal, who was happy that Town officials had stopped in, as he is meeting with the Real Estate Department of the Archdiocese on Monday, July 29th, as Burke would like the first building taken down. The operations principal is taking charge of this situation. It appears that all of the buildings will be taken down by the Archdiocese. This would take a lot off of the Town's list of responsibilities.

- 3. REVIEW AND APPROVE REQUEST FROM BUILDING DEPARTMENT TO HIRE A LAWN CARE SERVICE TO MOW THE GRASS AT 1 BROOKSIDE DRIVE AND TO RE-LEVY THE COST TO THE PROPERTY TAX ACCOUNT.**

The Building and Zoning Department sent a letter to the owner of 1 Brookside Drive to mow the grass and clean it up and have not heard back on it. Neal Halloran wrote a memo to the Town Board, asking for a lawn service to mow the grass at 1 Brookside Drive and to re-levy the cost to the property tax account. Councilperson Newbold made the motion to hire a lawn service to mow the grass at 1 Brookside Drive. Councilperson Van Der Molen seconded the motion.

On a Voice Vote, the motion passed:

3 AYES: Bloomfield, Newbold Van Der Molen
0 NAYS
2 ABSENT: Lyons and Gallo

F. NEW BUSINESS:

1. REVIEW A PROPOSED CONTRACT WITH THE ORANGE COUNTY REAL PROPERTY TAX OFFICE FOR YEARS 2020, 2021 AND 2022 AND AUTHORIZE THE SUPERVISOR TO SIGN THE SAME.

As stated at the last Town Board Meeting on July 11th, Supervisor Bloomfield has been negotiating with John McCarey of the Orange County Real Property Tax Service Agency. He pointed to the summary sheet that has the dollar amount for 2019 for Orange County to do our assessment work and the monies that would be saved through the year 2022 by using this service. A few reasons for the savings: Arnold Silver, the previous Assessor was not truly replaced; Alan Eskew was promoted and does the job. The Town used to have its own employee in the office but the function of that job is handled by another County employee. Our savings to the Town since this program has been used approached almost \$700,000, as the County fills these job functions with part-time employees. The fee may go up by \$.50 per parcel in 2022 because the Real Property Office may get behind in some of the assessing work; this work would be brought into the office at the County building to be completed.

Motion to authorize the Supervisor to sign the proposed contract with the Orange County Real Property Tax Office for the years 2020, 2021 and 2022 made by Councilperson Van Der Molen and seconded by Councilperson Newbold.

Upon a Roll Call Vote, the motion passed:

Councilperson Newbold: AYE
Councilperson Van Der Molen: AYE
Supervisor Bloomfield AYE
0 NAYS
2 ABSENT Lyons and Gallo

Motion carried by a vote of 3 to 0

2. DISCUSS AND APPROVE THE PROPOSED COMMUNITY ENERGY SOLAR, LLC "CONFIDENTIALITY AGREEMENT" AND AUTHORIZE THE SUPERVISOR TO SIGN THE SAME.

This company is going to build the South Solar Energy Plant on the Makuen property. The company has come forward to ask for a confidentiality

agreement with the Town, asking that we don't speak about any specifics that we negotiate with them on any part of their contract, which would be between the Town, the School district and the Real Property Tax Office. John McCarey stated that he has no problem at all with this request. The School district has given the contract to their attorney – on page 4, Attorney Margo May noted that this isn't the Commonwealth of Pennsylvania, it needs to be changed to the State of New York. She noted other verbiage for actions that might be a conflict but they are fine with it but would like it agreed on before a PILOT is negotiated. Supervisor Bloomfield requested that the Company update the contract with the appropriate comments pointed out by Ms. May, Esq. but it has not been received as of today. Attorney Golden noted that there is a limitation of what any municipal board can keep confidential under the Freedom of Information Law. Any document submitted most likely is "FOILABLE" under the Freedom of Information Law. There are situations, however, that a company may ask for documents that are truly confidential or contain trade secrets – if the information is demanded, it may be challenged and presented before the court under FOIA. Ultimately, the courts would decide if the information would be released. Councilperson Newbold asked why a company wouldn't want the community to know confidential items; Attorney Golden answered that the proprietary sense is so the competition doesn't know the trade secrets.

Motion was made to accept this confidential agreement by Councilperson Van Der Molen and seconded by Councilperson Newbold.

Upon a Roll Call Vote:
Councilperson Newbold: AYE
Councilperson Van Der Molen; AYE
Supervisor Bloomfield: AYE
0 NAYS
2 ABSENT Lyons and Gallo

Motion carried by a vote of 3 to 0.

3. APPROVE AND ACCEPT THE RESIGNATION OF TOWN OF GOSHEN PART-TIME POLICE OFFICER JONATHAN KITSOS EFFECTIVE JULY 25, 2019. HE HAS ACCEPTED FULL- TIME EMPLOYMENT WITH THE ORANGE COUNTY SHERIFF'S DEPARTMENT.

Supervisor Bloomfield noted that Officer Kitsos worked Full-Time for the Town of Wallkill and Part-Time for the Town of Goshen. He will be joining the Orange County Sheriff's Department Full-Time. Councilperson Van Der Molen made the motion to accept the resignation of Officer Kitsos; Councilperson Newbold seconded the motion. Councilperson Newbold asked how long Officer Kitsos was with the Town; regarding reimbursement for uniforms, training, etc. in the contract.

Attorney Golden stated that this is usually a state law. He will look at the agreement; there is usually a reimbursement for training if the person is a new police officer.

Motion was made to accept the resignation of Officer Jonathan Kitsos, effective July 25, 2019 by Councilperson Van Der Molen, seconded by Councilperson Newbold.

On a Voice Vote, the motion passed.

3 AYES Bloomfield, Newbold, Van Der Molen

0 NAYS

2 ABSENT Lyons and Gallo

4. REVIEW THE REQUEST OF THE TOWN OF GOSHEN CHIEF OF POLICE JAMES MCDOWELL TO HIRE BRIAN BURGER AS A PART-TIME POLICE OFFICER EFFECTIVE JULY 25, 2019 AT A RATE OF PAY PRESCRIBED BY THE CONTRACT. (SEE APPLICATION FOR DETAILS).

Supervisor Bloomfield read from the memo from Police Chief: "Brian Burger is a fully-trained police officer with over three years' experience with the Town of Wallkill Police, he's highly-recommended by his past supervisor and co-workers to include Officer Kitsos. He has a reputation for being self-motivated and highly reliable. Chief McDowell feels that Mr. Burger would be an asset to the department. Mr. Burger has an Associate Degree in Criminal Justice from Dutchess County Community, has worked for the Town of Wallkill for the last 3 years, for the FBI and at Federal Plaza in New York City in the surveillance department, as well as for the NYS Department of Corrections.

Motion was made to approve Chief McDowell's request to hire Brian Burger as a Town of Goshen Police Officer by Councilperson Van Der Molen and seconded by Councilperson Newbold.

On a Voice vote, the motion passed.

3 AYES Bloomfield, Newbold, Van Der Molen

0 Nays

2 Absent Lyons and Gallo

For clarification: Attorney Golden noted that he looked at the PBA contract, which states that when an officer leaves the department, the officer has to return the uniforms that were given to him/her.

5. **INFORMATION: 2019 TOUR DE GOSHEN BIKE EVENT WILL OCCUR ON SUNDAY, AUGUST 18, 2019. WE ARE AWAITING PROPER INSURANCE COVERAGE AND HOLD HARMLESS INFORMATION FROM THE EVENT ORGANIZERS AND INSURANCE COMPANY FOR REVIEW AT THE AUGUST 8, 2019 MEETING.** For information.

6. **DASNY SAM GRANT – PROJECT SCOPE CHANGE**
Supervisor Bloomfield read a memo from Sean Hoffman, PE, Town Engineer regarding Councilperson Newbold’s DASNY SAM grant request to replace the town Hall windows. The original grant funds would be utilized to replace the windows, replace the furnace and install new thermostats. Since the cost of the windows will likely exceed the \$50,000 grant, there is no benefit to continue to incorporate the furnace and thermostat work in the forthcoming Grant Disbursement Agreement.

A motion was made by Councilperson Newbold to limit the grant, Grant #13108 Town Hall Window Replacement to only the Town Hall window replacement and seconded by Councilperson Van Der Molen.

Upon a Roll Call Vote, the motion passed.

Councilperson Newbold:	<u>AYE</u>
Councilperson Van Der Molen:	<u>AYE</u>
Supervisor Bloomfield:	<u>AYE</u>
0 NAYS	
2 Absent	Lyons and Gallo

G. **FINANCE:** Councilperson Newbold made the motion to authorize the Supervisor to Pay Accounts Payable Check run for 7/25/2019 in the amount of \$ 196,006.99. Councilperson Van Der Molen seconded the motion.

On a Voice Vote, the motion passed: 3 AYES Bloomfield, Newbold, Van Der Molen
0 NAYS
2 ABSENT Lyons and Gallo

H. PRIVILEGE OF THE FLOOR

There were no comments.

I. ADJOURNMENT: 7:55 PM

Councilperson Van Der Molen made the motion to adjourn the meeting to enter into Executive Session with the intent not to return. Councilperson Newbold seconded the motion. Motion carried.

Kirsten Santangelo, Deputy Town Clerk