

TOWN OF GOSHEN
PUBLIC HEARING & TOWN BOARD MEETING

APRIL 27, 2017

MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 27th day of April, 2017 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 Van Der Molen	Councilmember

Also Present:	Richard Golden, Esq.	Attorney for the Town
	Kelly Naughton, Esq.	Attorney
	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

Addition: Item #2 to Old Business

C. PRIVILEGE OF THE FLOOR (agenda items only)

Question: Are all of the Conservation Easements listed on the agenda for Amy's Kitchen project? Answer: Yes

D. PUBLIC HEARING

(1) REGARDING PUBLIC INPUT TO POTENTIAL PROJECTS FOR THE ORANGE COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT, 2018.

Councilperson Gallo made the motion to open the public hearing on Community Development Block Grant projects. Councilperson Lyons seconded the motion.

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

Discussion: Supervisor Bloomfield explained that under this program a variety of physical improvements are eligible for funding depending on the economic needs of the community such as: (1) public works, public facilities or site improvements, (2) clearance, demolition and rehabilitation for public use or economic development (3) Special Projects for Elderly & Handicapped including removal of architectural barriers restricting accessibility and more.

Supervisor called for suggestions from the public.

Debbie Corr: Requested if an abandoned cemetery across from her home can be addressed under his grant? Answer: If the cemetery (Case Family) is truly abandoned, Town law states that the Town will take it over. This will be researched in the Clerk's office.

Jerry Boss commented that a study was done on all Town cemeteries and should be listed in a Town file/Code Book.

Sandra Rothenberger: Asked if this grant will assist the Town of Goshen to join *Tree City of New York*. Some of the surrounding towns have joined. One of the items this organization explores is to survey old trees in the community.

Answer: We would like to see more information. This particular request does not qualify under this grant.

(With no further comments)

Councilperson Lyons motioned to close the public hearing for Community Development Block Grant projects. Councilperson Gallo seconded the motion.

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

(2) DISCUSS AND PASS RESOLUTION AUTHORIZING APPLICATION OF THE IDENTIFIED PROJECT(S) CHOSEN BY THE BOARD AND AUTHORIZE THE SUPERVISOR TO SIGN ALL ASSOCIATED DOCUMENTATION

Supervisor Bloomfield commented that the Community Senior Center would benefit from installing automated/electronic doors replacing the entrance door for easy access to include necessary painting.

Councilperson Newbold made the motion to discuss and pass resolution authorizing application of the above identified project (CDBG) and authorize the Supervisor to sign all associated documentation.

Councilperson Lyons seconded the motion. Motion carried.

TOWN OF GOSHEN
Resolution
RESOLUTION AUTHORIZING APPLICATION FOR ORANGE COUNTY COMMUNITY DEVELOPMENT
BLOCK GRANT 2018

INTRODUCED BY: Councilperson Kenneth Newbold

SECONDED BY: Councilperson George Lyons

DATED: April 27, 2017

WHEREAS, the Town Board of the Town of Goshen actively pursues grant opportunities for the betterment of the Town, and

WHEREAS, the Town Board finds it in the best interest of its residents to seek funds under the Orange County Community Development Block Grant for improvements to the Community of Goshen Senior Center; and

WHEREAS, the application must be submitted to Orange County by April 28, 2017 to be eligible for consideration of this grant.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board is hereby submitting its Application for consideration under the FY-2018 Orange Urban County Consortium Community Development Program and that the chief elected official or executive officer is hereby authorized to submit this Application. They further certify that they have read and understood the Orange Urban County Consortium Community Development Guidelines for the FY-2018 program year, and have met all of its applicable requirements and that the information contained in the Application is accurate and true to the best of their knowledge.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield AYE

Councilperson, Melissa Gallo AYE

Councilperson, George Lyons AYE

Councilperson, John Van Der Molen AYE

Councilperson, Kenneth Newbold AYE

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

E. REPORTS:

Supervisor Bloomfield: Last weekend the Goshen Chamber of Commerce hosted a Home & Garden Show at Palacio Conference Center. Dozens of vendors from the Goshen area promoted their services to benefit the Goshen Historic Track Auxiliary. The Town Code Enforcer (Building Office) distributed educational materials about Storm Water Management (MS4) project. The Water & Sewer group handed out information on lead testing of water in private homes. The Town is responsible for testing water for lead in the districts. Secondly, the County DPW has informed us that a portion of Quarry Road will be closed for ninety-one (91) days. Approximately 390 feet (0.07 miles) from Jessup Switch Rd. to Pulaski Hwy. will be closed to excavate, repair, pave and do all such work required in connection with the "Orange Farms Bridge #2 Replacement".

Councilperson Van Der Molen: Reporting for the Senior Center: April 21st, the Goshen High School Interact Club hosted their annual Senior Prom at the Senior Center from 5:00 – 7:00pm. On June 9th the Girl Scouts will host their prom at the Center from 4:00 – 6:00pm. The Senior Commission has applied for a grant to replace banquet tables in the dining hall through representatives from Senator Patrick Maloney's office.

Councilperson Newbold: He is in the process of getting estimates for repairs to the Town Hall roof.

Councilperson Lyons: Reporting for Highway – There was a total lack of frost this winter season. Therefore, crews spent many days repairing (top soil & seed) damage to lawns from plowing. Truck #14 had exterior work completed (sanded, primed & painted) to help prolong its' usefulness. Item 4 section of Indiana Road was in bad condition, even though it is maintained each year. Consequently, the decision was made to reclaim the road prior to final grading and rolling. This allowed for the application of stabilizing calcium chloride at a higher rate before the compaction was done. The yearly grading and compaction of Cedar Swamp Road was finished in four days. Also, four days were spent applying item 4 material and grading to well/sewer roads in Arcadia Hills. Finally, bulk pick-up started on April 24th and is proceeding well.

Councilperson Gallo: Reporting for Joint Recreation – Park rental applications are coming in for the season. Proposals are under consideration to update the volleyball court at Craigville Park. Plans are being made to hold Friday night movies at Salesian Park – dates TBD. The JRC is now accepting registration for summer camp season. Another project in the preliminary stage is the possibility of putting a basketball court in Arcadia Hills. A special thanks to Broderick Knoell and the employees of the Town DPW for their hard work in servicing the residents of Goshen.

F. OLD BUSINESS:

1. DISCUSS AND APPROVE REQUEST BY HAMBLETONIAN MARATHON, HALF MARATHON AND GOOD TIME TROTTERS RELAY TO BE HELD SUNDAY, OCTOBER 15, 2017. SEE ATTACHED LETTER.

A letter of request was received from Robert Dickover Esq., Associate Race Director. The 2017 Hambletonian Marathon, Half Marathon and Good Time Trotters Relay is scheduled for October 15, 2017. The race will begin and end at the Historic Track. A portion of the 26.2 mile course will traverse town roads. A formal request is for permission to traverse on town roads. The necessary insurance coverage and Hold Harmless Agreement is included.

Councilperson VanDerMolen made the motion to approve the aforesaid request submitted by Robert Dickover, Esq. Associate Race Director. Councilperson Gallo seconded the motion.

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

2. DISCUSS AND APPROVE PROPOSAL TO HIRE CONTRACTOR TO CLEAN-UP PROPERTY AT 143 OLD MINISINK TRAIL

A memo from Neal Halloran, Building & Zoning, listed quotes from three local businesses on a price to clean up property at 143 Old Minisink Trail that was destroyed by fire over a year ago. Both owners are deceased. The property must be cleared, it is unsightly and can become a public hazard. The proposals are:

TAM Enterprises	\$7,500
Mulch Mart	\$5,027
Chet's Garage	\$4,210 + additional as per proposal

Two are "non-responsive bids" in which a basic price is submitted pending additional fees. The true conclusive proposal is from TAM Enterprises.

Councilperson Newbold made the motion to award the clean-up of 143 Old Minisink Trail to TAM Enterprises not to exceed \$7,500. Councilperson Lyons seconded the motion.

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

G. NEW BUSINESS:

1. DISCUSS AND APPROVE REQUEST BY CHIEF JAMES MCDOWELL TO HIRE POLICE OFFICER JONATHAN KITOS AS A PART-TIME POLICE OFFICER EFFECTIVE MAY 1, 2017. THE RATE OF PAY WILL BE IN ACCORDANCE WITH THE GOSHEN PBA CONTRACT

Police Chief James McDowell sent a memo requesting the hire of a part-time police officer. Over the last 6 months several part-time officers have limited available time to work. Officer Thomas recently was hired for a full time position in Beacon. Officer Besser was hired by O.R.M.C. and Officer Mendez is applying for social security. Likewise, there are numerous open shifts that will require overtime to fill. To alleviate overtime, a request is presented to hire Police Officer Jonathan Kitos part-time.

Councilperson Van Der Molen made the motion to authorize the Police Chief to hire Jonathan Kitos as a part-time Police Officer effective May 1, 2017. Councilperson Gallo seconded the motion.

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

2. DISCUSS AND APPROVE THE FOLLOWING RESOLUTIONS AND AUTHORIZE THE SUPERVISOR TO SIGN THE SAME TO INCLUDE REQUIRED TAX FORMS.

- » *AGRICULTURE CONSERVATION EASEMENT OFFERED BY RADHA SOAMI SOCIETY BEAS-AMERICA*
(The Strong Farm 96 +/- Acres, Section 10, Block 1, Lot 11.2 on the Town of Goshen Tax Map.)
- » *CONSERVATION EASEMENT OFFERED BY HUDSON VALLEY AREA, LLC,*
(Consisting of 26.8 +/- Acres, Section 12, Block 1, Lots 1.222 & 19.2 on the Town of Goshen Tax Map.)
- » *CONSERVATION EASEMENT OFFERED BY HUDSON VALLEY AREA, LLC,*
(Consisting of 26.2 +/- Acres, Section 12, Block 1, Lots 1.41 and 1.5 on the Town of Goshen Tax Map.)
- » *CONSERVATION EASEMENT OFFERED BY ECHO LAKE NY, LLC,*
(Consisting of 35.5 +/- Acres, Section 1, Block 1, Lot 40 on the Town of Wawayanda Tax Map and
63.53 +/- Acres, Section 12, Block 1, Lots 23.2 and 24.2 on the Town of Goshen Tax Map)
- » *CONSERVATION EASEMENT OFFERED BY HUDSON VALLEY AREA, LLC*
(Consisting of 5.3 +/- Acres, Section 12, Block 1, Lot 1.3 on the Town of Goshen Tax Map)

Supervisor Bloomfield referenced the above five Conservation Easements that will be dedicated to the Town of Goshen by Amy's Kitchen and Science of the Soul.

Attorney Naughton explained the five Conservation Easements detailed on a map handed out. The total acreage involved is 242.61 acres. [The Conservation Easements can be viewed in the Clerk's Office.] Four of the Conservation Easements are basically the same. The agriculture easement (Strong Property) allows for agricultural activity on the property.

Discussion:

Councilperson Newbold asked Attorney Naughton to define conservation easement to the public. Answer: The property is to be conserved in its natural state except for the agricultural easement.

Councilperson Lyons noted that the Lipoff Wells can be used in an emergency per agreement. As holder of easement property in the Town of Wawayanda – the Town of Goshen can maintain that easement. Lastly, explain the legal requirement of an Estoppel Certificate on the agreements. Answer. Stops someone from asserting a truth that is defined as contradictory to an already established truth.

Councilperson Newbold made the motion to accept the Agricultural Conservation Easement on the Strong farm along with the four Conservation Easements listed above subject to the attorney's approval as to form of easement. Councilperson Lyons seconded the motion.

Upon Roll Call Vote:

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

Vote: Resolution carried by a vote of 5 to 0

H. FINANCE:

Councilperson Newbold made the motion to authorize the Supervisor to pay Accounts Payable check run for 4/27/2017 amounting to \$203,606.02. Councilperson Gallo 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:

Comments regarding the proposed Legoland project: Since February, a request was made to the Board to test Town waterways/tributaries to have a recorded environmental baseline. Inquired an update on said testing to tributaries especially the Otterkill, Black Meadow, Rio-Grand, and those in and around the Merlin property. Testing will provide proof if an environmental problem is "allegedly" caused by Legoland. Response: The Moodna Committee will take at least a year to hire (via grant) the necessary engineers to accurately test the Moodna Creek. Supervisor Bloomfield suggested the testing should be done by Legoland as part of their DEIS. (*Testing of the Moodna Creek is not in the DEIS*) This is a Planning Board issue - to deal with the environmental consultants on both sides of the ledger to decide where they are going to take the test, and what they are going to test for etc. Jason West's grant pertained to testing the Walkkill River.

Comment made on a report submitted by John McCarey (Real Property Service) regarding the potential impact to residences within a mile radius of the proposed Legoland site seemed unconvincing. The locations he used as comps (comparisons) did not take into consideration the community prior to the theme park opening and the area after the theme park was established. Believes that there will be jobs, but not *good* jobs.

A report was submitted regarding archeological sites listed on Legoland DEIS. "Avoidance of listed areas is not possible given the desire to preserve wetland areas on the site and topographical constraints of the project." After reading John McCarey's report, an opinion is that "he is not an unbiased person". Requested an outside opinion – not someone in this town.

Referencing the CPV Plant, the downside of this plant are all of the environmental issues that will compromise the way of life for many residents causing people to simply walk away from home mortgages and prospective owners to turn away. Concerned this will happen to Goshen when Legoland comes in. Instead of Legoland we need a grocery store or to upgrade the Heritage Trail.

Questioned why the Master Plan was written (*"to save Goshen"*) and why is it different now? Believes that Goshen will not be able to sustain Legoland, then what becomes of the area? "If this thing comes, it will be the end of Goshen."

A comparison was made of Lee's Summit, MO. to Goshen. In 2007 the city of Lee's Summit did cost benefit analysis for Legoland. Legoland was looking at a 200 acre site for a multi-use complex. In conclusion, the cost benefit analysis was feasible and a great asset for the area. However Legoland was turned down, because the analysis of future sustainability was not in the best interest of the city.

Another concern is the potential traffic impact on Reservoir Road. There is no confirmation that a portion of Lower Reservoir Rd./Reservoir Rd. has weight restrictions. This would need to be confirmed by the Town before large construction trucks / associated vehicles traverse those roads.

Cautioned the Town to think about the added expense of providing adequate police protection. The police officers will need more training to handle the volume of people coming to Goshen per day with the possibility of more accidents, thefts and assaults etc. Lastly, Our Comprehensive Plan states that no amusement parks are allowed in Goshen.

On another topic: A resident of Arcadia Hills asked if lead testing has been done to their water. Answer: the lead comes from solder in older home water pipes. The water districts are monitored. If a person doesn't live in a water district, or has a home with old water pipes, then the water should be tested. There is literature at the Town Hall as to how to go about this.

J. EXECUTIVE SESSION:

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

1. Stop Payment of Property Tax Bill

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

K. ADJOURNMENT: 8:50PM

Priscilla Gersbeck, Town Clerk