

TOWN OF GOSHEN
PUBLIC HEARING & TOWN BOARD MEETING

January 11, 2018

MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 11th day of January, 2018 at the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

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

Absent: Melissa Gallo 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

C. PRIVILEGE OF THE FLOOR (agenda items only)

D. NEW BUSINESS:

1. HEAR PRESENTATION BY JASON AND/OR KRISTIN TOUW, WAGON WHEEL FARM LLC, REGARDING A NEED FOR A LETTER OF SUPPORT FOR A FARM RELATED GRANT.

Jason Touw of Wagon Wheel Farm LLC addressed the Board distributing a pictorial of the farm. Wagon Wheel Farm LLC is located on Sarah Wells Trail in the Town of Goshen. It primarily operates within the Agricultural production-crops sector. Currently operations are summer-seasonal. The Touw family has long time goals for financial stability operating in all four seasons. He is applying for a New Farmers Grant from NYS Economic Development Counsel for infra-structure improvements. Recently the farm was approved for a mainline irrigation system to enhance transitional-organic crops... He is asking the Town Board for a letter of support to be included with his grant application.

2. APPROVE REQUEST BY TOWN OF GOSHEN BUDGET OFFICER TO ATTEND THE NYS ANNUAL GFOA CONFERENCE IN ALBANY, MARCH 21ST THROUGH MARCH 23, 2018.

Councilperson Newbold made the motion to approve the request by the Town Budget Officer to attend the NYS Annual GFOA Conference in Albany, March 21st through March 23, 2018 at a cost not to exceed \$650.00. Councilperson Lyons seconded the motion.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Lyons, Newbold, Van Der Molen
 0 NAYS
 1 ABSENT Gallo

3. INFORMATION: THE NEXT GOSHEN CHAMBER BREAKFAST IS JANUARY 17, 2018, 7:45AM – 9:00AM.

As stated, for information only.

E. PUBLIC HEARING:

1. CONDUCT PUBLIC HEARING ON TOWN OF GOSHEN INTRODUCTORY LOCAL LAW NO. 1 OF 2017 MODIFYING VARIOUS SECTIONS OF THE CODE OF THE TOWN OF GOSHEN TO OMIT TYPOGRAPHICAL ERRORS AND AMEND PROVISIONS TO ENSURE CONSISTENCY AND CLARITY.

Councilperson Newbold made the motion to open the public hearing on above said Introductory Local Law #1 of 2017. Councilperson Van Der Molen seconded the motion.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Lyons, Newbold, Van Der Molen
0 NAYS
1 ABSENT Gallo

Attorney Naughton noted changes for correction and read the Narrative for short EAF – Introductory LL1 of 2017:

“The Town of Goshen is proposing to adopt a local law to modify various sections of the Code of the Town of Goshen to omit typographical errors and amend various provisions to ensure that there is consistency and clarity. The Town Board of the Town of Goshen has been reviewing its Code for any errors and consistency and to confirm the clarity of the provisions therein. The Board has found there are certain items that should be corrected, including some clarification and consistency of the existing provisions to be beneficial for the public’s understanding, and others that would omit typographical errors. There will be no negative effect on environmental resources in the Town of Goshen from the proposed action.”

Comments from the public: (inaudible) Mr. Andrews inquired why minor changes to the Code are not included. Answer: this covers typos/changes for clarity. Revisions to the code will be addressed at another time.

Attorney Naughton noted that we are waiting for comments from the Planning Board who will meet on 1/18/18.

Councilperson Newbold made the motion to keep the public hearing open, waiting for input from the Planning Board. Councilperson Lyons seconded the motion.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Lyons, Newbold, Van Der Molen
0 NAYS
1 ABSENT Gallo

2. CONDUCT PUBLIC HEARING ON TOWN OF GOSHEN INTRODUCTORY LOCAL LAW NO. 2 OF 2017 INSTITUTING A MORATORIUM ON CERTAIN PERMITS, CERTIFICATES OF OCCUPANCY AND APPROVALS FOR RESIDENTIAL DEVELOPMENTS INVOLVING AFFORDABLE HOUSING UNITS PURSUANT TO TOWN CODE § 97-24.

Councilperson Newbold made the motion to open the public hearing on above said Introductory Local Law #2 of 2017. Councilperson Van Der Molen seconded the motion.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Lyons, Newbold, Van Der Molen
0 NAYS
1 ABSENT Gallo

Supervisor Bloomfield read Section 1: Purpose & Intent of Local Law 2 of 2017

"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* of certain residential development in the Town through April 23, 2018, while the Town Board analyzes and determines potential appropriate revisions and amendments to the Town of Goshen Code relative to affordable housing units."

Supervisor Bloomfield noted into the record, a letter received from Attorney Andrew Gilchrist of Tuczinski, Gilchrist, Cavalier, and Tingley, Attorneys at Law representing ADC Orange Inc. aka Maplewood Village subdivision. The letter referenced a binding Court Order that was entered into between ADC Orange and the Town, and any attempt by the Town to apply any zoning amendment pertaining to affordable housing units within this project will be a violation of the Court Order. The Maplewood Village plat pending before the Planning Board requires the creation of two units of affordable housing. The Town Attorney will look into this matter.

We are waiting for a reply from the County – Mandatory Review of Local Planning Action report #239.

Councilperson Newbold made the motion to close the public hearing on Introductory Local Law 2 of 2017. Councilperson Lyons seconded the motion.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Lyons, Newbold, Van Der Molen
0 NAYS
1 ABSENT Gallo

F. OLD BUSINESS:

**1. CONTINUE DISCUSSION OF OPTIONS FOR TAXING SOLAR AND WIND FARMS:
RPTL 485-b & RPTL 487**

Supervisor Bloomfield asked the Board Members to review the enclosed packets compiled by John McCarey, OCRP Director. According to Real Property Tax Law § 487, "a municipality that intends to request a developer enter into a Payment in Lieu of Taxes (PILOT) agreement must inform the developer of this intent within 60 days of receiving this notification." Whether a solar farm qualifies for a 485-b exemption is ultimately a question decided by the assessor. There is a great deal of information to question and prepare for, at the next meeting, regarding Solar and Wind Farms.

G. FINANCE:

Councilperson Van Der Molen made the motion to authorize the Supervisor to pay Accounts Payable check run for 12/18/17 amounting to \$505,226.29 and Manual A/P check runs as of 12/31/17 amounting to \$18,200.68. Councilperson Lyons seconded the motion.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Lyons, Newbold, Van Der Molen
0 NAYS
1 ABSENT Gallo

H. APPROVAL OF MINUTES

Councilperson Van Der Molen made the motion to accept minutes of the combination Work Session & Town Bd. meeting of 12/4/2017. Councilperson Newbold seconded the motion.

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

Councilperson Lyons made the motion to accept minutes of the combination Work Session & Town Bd. meeting of 12/18/2017 and the Re-Organization meeting of 1/3/2018 (as corrected). Councilperson Van Der Molen seconded the motion.

On a Voice Vote, the motion passed: 4 AYES Bloomfield, Lyons, Newbold, Van Der Molen
0 NAYS
1 ABSENT Gallo

I. PRIVILEGE OF THE FLOOR

Councilperson Newbold acknowledged the passing of Conrad "Buddy" Kroll. After 40 years, he retired as Superintendent from the Village of Goshen DPW and was a member of the Dikeman Engine and Hose Company.

J. ADJOURNMENT:

Councilperson Lyons made the motion to adjourn the meeting. Councilperson Newbold seconded the motion. Motion carried.

Time: 8:20PM

Priscilla Gersbeck, Town Clerk