

GOSHEN
TOWN BOARD MEETING
March 11, 2021
MINUTES

A meeting of the Town Board of the Town of Goshen was held on the 11th day of March 2021 at the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York via videoconference due to the recent Covid-19 pandemic.

Present:	Douglas Bloomfield	Supervisor
	Philip Canterino	Councilmember
	Richard Florio	Councilmember
	George Lyons	Councilmember
	Kenneth Newbold	Councilmember

Also Present:	Richard Golden	Attorney for the Town
	Mary Riso	Clerk to the Supervisor
	Kirsten Santangelo	Deputy Town Clerk

CALL TO ORDER

Councilperson Canterino motioned to open the meeting at 7:31 pm and was seconded by Councilperson Florio. Motion carried.

Supervisor Bloomfield began the meeting with clarification about Town Board Meetings and Town Hall being open to the public. Due to the pandemic, Town Hall was closed to the public in March 2020. The authority to close down public space is set by OSHA and not the governor. It is therefore decided by the Supervisor (who has authority for the safety of Town Hall, its employees, and the public) that Town Hall will continue to be opened to the public by appointment only for the safety of the employees and the public. Town Board meetings are currently being held virtually until the end of March, which could be rescinded by the governor. If we are allowed to have live meetings in Town Hall, only 1/3 admittance to the meeting room is allowed, which would lead the Town to shut down the meeting if attendance exceeds 1/3 capacity. Privilege of the Floor will be allowed starting tonight, with one (1) comment per person at the end of the meeting.

Old Business

1. Discuss and review Indemnification of Hold Harmless Agreement to Access, Construction and Maintenance Agreement in connection with the Southside Commerce project, requesting the ability to locate a sewer force main/line within Police Drive and authorize Supervisor to sign the same. (The easement area is outlined in purple on the attached map.)

This is a warehouse project in the Village. Supervisor Bloomfield summarized the request to install a force main/sewer line leading from this property to Police Drive. Attorney Golden further explained how the force main/line in the Town portion of the property will tie into the system. The easement allows for the ability to maintain the line through a driveway and right to do so, to tie into the system to maintain it and access it if repairs need to be made.

Motion to accept the Indemnification of Hold Harmless Agreement to Access, Construction and Maintenance Agreement in connection with the Southside Commerce project was made by Councilperson Lyons and seconded by Councilperson Florio.

Councilperson Lyons asked what will be going into the warehouse. It will be a 112,00 square foot flex-space warehouse for various tenants, as per Larry Torro of Civil Tec Engineering. No concrete tenants. Councilperson Newbold asked if anyone else can tap into the force main . Answer: Mr. Torro stated it is a privately-owned force main but if approached, something may be able to be worked out. Attorney Golden said if a private concern needed to get into the force main, they would have to ask the Town for permission to access the road. It doesn't affect the Town or its sewer department.

Upon Roll Call Vote:

Supervisor Bloomfield:	<u>AYE</u>	Councilperson Lyons	<u>AYE</u>
Councilperson Canterino:	<u>AYE</u>	Councilperson Florio	<u>AYE</u>
Councilperson Newbold:	<u>AYE</u>		

Motion carried 5-0.

2. Information: The draft Town of Goshen Police Reform and Reinvention Collaborative Plan was reviewed with the public for their comment March 1, 2021. Their input will be used by the Action Committee to develop the final plan which will be reviewed for Board approval on March 25, 2021.

As stated, for information. Supervisor Bloomfield noted that the committee that worked on the plan was dynamic and brought so much experience to the work that was done on the plan.

3. Review and approve a generic Town of Goshen "Public Employer Health Emergency Preparedness Plan for the Town of Goshen" to be utilized as needed in the event another health crisis occurs. This plan was requested by Governor Cuomo's office. This plan has been reviewed by the CSEA and PBA for their input.

A similar plan was developed last year by the Town department heads and Supervisor Bloomfield in response to the Governor of New York's mandate for a plan from municipalities due to the pandemic in 2020. The governor further mandated a plan from municipalities in case of another pandemic for the sake of emergency preparedness. The current plan is based on last year's plan, which worked very well for the Town.

Motion to approve a generic Town of Goshen "Public Employer Health Emergency Preparedness Plan for the Town of Goshen" and authorize the Supervisor to sign it was made by Councilperson Newbold and seconded by Councilperson Canterino.

Upon a Roll Call Vote:

Supervisor Bloomfield:	<u>AYE</u>	Councilperson Lyons:	<u>AYE</u>
Councilperson Canterino	<u>AYE</u>	Councilperson Florio:	<u>AYE</u>
Councilperson Newbold	<u>AYE</u>		

Motion carried 5-0.

4. Review and approve Town of Goshen-Chester Dial-A-Bus Substance Abuse Policy that was reviewed by an auditor for New York State. The policy has been revised to comply with the most recent federal updates.

Supervisor Bloomfield noted that the Town’s Dial-A-Bus liaison , Michele Radakovits reviewed the plan and found it to be satisfactory.

Motion to approve the Town of Goshen-Chester Dial-A-Bus Substance Abuse Policy was made by Councilperson Newbold and seconded by Councilperson Lyons.

Upon a Roll Call Vote:

Supervisor Bloomfield:	<u>AYE</u>	Councilperson Lyons:	<u>AYE</u>
Councilperson Canterino:	<u>AYE</u>	Councilperson Florio:	<u>AYE</u>
Councilperson Newbold:	<u>AYE</u>		

Motion carried 5-0.

5. Information: The following three DASNY grants are complete and awaiting consideration to be awarded:

<u>NO.</u>	<u>Grant Purpose</u>	<u>Requested Amount</u>
15575	Town Hall Roof Replacement	\$50,000
13108	Town Hall Window Replacement	\$50,000
23848	Arcadia Hills Water Tank	\$100,000

As noted, for information.

6. Information: Phase 1 construction of Amy’s Kitchen is scheduled to begin mid-April. The big issue at this point is cost and availability of construction materials.

As noted, for information.

7. Review and approve minutes of February 11, 2021 virtual Town Board meeting.

Motion to approve the minutes of the February 11, 2021 Town Board meeting was made by Councilperson Canterino and seconded by Councilperson Lyons.

Upon a Roll Call Vote:

Supervisor Bloomfield:	<u>AYE</u>	Councilperson Lyons:	<u>AYE</u>
Councilperson Canterino:	<u>AYE</u>	Councilperson Florio:	<u>ABSTAIN</u>
Councilperson Newbold:	<u>AYE</u>		

Motion carried 4-0.

New Business

1. Discuss the Joint Recreation Committee 2020 year-end report and their recommendations and concerns:

- Increase Parkland fee

Motion was made to increase Parkland Fee from \$3,000 to \$3,500 by Councilperson Florio and seconded by Councilperson Lyons.

Upon a Roll Call Vote:

Supervisor Bloomfield:	<u>AYE</u>	Councilperson Lyons:	<u>AYE</u>
Councilperson Canterino:	<u>AYE</u>	Councilperson Florio:	<u>AYE</u>
Councilperson Newbold:	<u>AYE</u>		

Motion carried 5-0.

- Finance and build a 40' x 60' open air pavilion at Urbanski Park

The Board decided that engineering is needed to safely build a pavilion in Urbanski Park. There were concerns about the number of campers during the summer and if building the pavilion is necessary when it would not be utilized during non-summer camp months. It cannot be determined if the pavilion could be built in time for June 30, 2021 as the JRC had requested. Supervisor Bloomfield suggested that the JRC members come in to discuss at the next meeting for clarification. It was also suggested that the pavilion could be used for other uses besides the summer camp and about water and sewer usage if there are increased campers. The council feels that an engineering study is needed to determine amount of usage, cost of materials to build it, usage besides summer camp besides day camp, as well as water and sewer availability.

Motion was made to authorize the Joint Recreation Committee to hire an engineer to assess costs to design a pavilion and for water and sewer usage estimates was made by Councilperson Lyons, seconded by Councilperson Florio.

Upon a Roll Call Vote:

Supervisor Bloomfield:	<u>AYE</u>	Councilperson Lyons:	<u>AYE</u>
Councilperson Canterino:	<u>AYE</u>	Councilperson Florio:	<u>AYE</u>
Councilperson Newbold:	<u>AYE</u>		

Motion carried 5-0.

Attorney Golden asked how the pavilion would be funded; it would be funded through parkland fees, through the Town. He stated that there is no mechanism to force the Village to fund the pavilion; the Town can fully fund it. If this is the case, the JRC can state that the Village is no longer part of the discussion. It was noted by the Supervisor that the JRC has asked the Village to do other things, such as build bathrooms at the Erie Park. The Town will fund the engineering for estimates of materials and design of the pavilion and the next step when it gets built. Attorney Golden suggests getting estimates for the engineering.

- Salesian School demolition and future plan for the site

As stated in previous meetings, it has been decided that the Salesian building needs to come down. Supervisor Bloomfield stated municipalities are going to be receiving funds from the Federal Government for Covid-19 relief (\$1.9 trillion) and perhaps the Village would be willing to use some of their allotment towards the demolition. It was decided to hold off on this discussion until there is a meeting with the Village to discuss and how much money the Town will be receiving from the Federal government.

- JRC liability insurance

JRC currently pays \$31,000 per year for liability insurance. There are three policies dealing with aspects of the covering JRC (JRC, Town and Village); for land ownership and for activities that take place. The Town has to have a policy to cover the land portion and not for the activities. If the Town and Village go to their insurance agents to combine land and activities, the premiums may increase. It may be more cost-effective to continue with the current three policies, as per the Town insurance agent. It was decided the Councilperson Lyons will continue to work with the JRC and the Village, along with the insurance agents to find a suitable solution.

2. Information: JCO is going to flush water lines in April and a schedule will follow.

A schedule will be sent out to property owners in the water districts. Further, Supervisor Bloomfield discussed that he wrote a letter to the Town Engineer, Sean Hoffman to be the lead on working with the Orange County Health Department about discolored water and how to possibly treat it with chemicals to clear up the discoloration.

3. Review and approve Access and Maintenance Easement for LEGOLAND (Merlin Entertainment) to maintain headwalls and culvert of Lots 49.23 and 66 and authorize the Supervisor to sign the same.

As described by Attorney Golden, the Town had granted a license agreement in 2018 to Legoland to allow access to one of the noted properties in order to install a culvert and wind wall that the DEC had requested be installed. There is now a need to go onto an adjacent Town parcel to fully maintain and repair the same culvert. No new work. This is an amendment to the prior license agreement.

Motion to approve the Amendment 1 license agreement to Legoland in order to allow activities on Town property related to DEC required culvert on the emergency access road of Legoland was made by Councilperson Canterino, seconded by Councilperson Florio.

Councilperson Newbold asked what "activities" means? Answer: Attorney Golden explained that it was written fairly broadly back when the first agreement was approved; this amendment clarifies that access is allowed to include Lot 49 for the purpose of maintaining and repairing culvert(s).

Upon a Roll Call Vote:

Supervisor Bloomfield:	<u>AYE</u>	Councilperson Lyons:	<u>AYE</u>
Councilperson Canterino:	<u>AYE</u>	Councilperson Florio:	<u>AYE</u>
Councilperson Newbold:	<u>AYE</u>		

Motion carried 5-0.

4. Review and approve the landscaping plan for the Town easement on the LEGOLAND berm (see attached map).

After discussion, this topic was tabled until the next meeting because there were no visible landscape notes describing the plan.

5. Review and approve an application by Brian Martin to be hired as a part-time police officer following approval from Orange County.

Discussion regarding Mr. Martin's prior positions in law enforcement were led by Supervisor Bloomfield.

Motion to approve the hiring of Brian Martin as a Part-Time Police Officer in the Town of Goshen was made by Councilperson Canterino, seconded by Councilperson Lyons.

Councilperson Newbold asked what Officer Martin's responsibilities would be, as he hadn't been on patrol for some time. Answer: he would be a police officer performing general police duties.

Upon a Roll Call Vote:

Supervisor Bloomfield:	<u>AYE</u>	Councilperson Lyons:	<u>AYE</u>
Councilperson Canterino:	<u>AYE</u>	Councilperson Florio:	<u>AYE</u>
Councilperson Newbold:	<u>AYE</u>		

Motion carried 5-0

Finances

1. Discuss and approve a motion to authorize the Supervisor to pay accounts payable check run on March 11, 2021 in the amount of \$2,579,891.12. Part of this payment will be made to the Goshen Fire Department (\$2,018,350.72)

Motion to authorize the Supervisor to pay accounts payable check run on March 11, 2021 in the amount of \$2,579,891.12 was made by Councilperson Newbold, seconded by Councilperson Lyons.

On a Roll Call Vote:

Supervisor Bloomfield:	<u>AYE</u>	Councilperson Lyons:	<u>AYE</u>
Councilperson Canterino:	<u>AYE</u>	Councilperson Florio:	<u>AYE</u>
Councilperson Newbold:	<u>AYE</u>		

Motion carried 5-0.

2. Discuss and approve a motion to authorize the Supervisor to pay manual A/P for Worker's Comp Claims in the amount of \$696.45.

Motion to authorize the Supervisor to pay manual A/P for Worker's Comp Claims in the amount of \$696.45 was made by Councilperson Florio and seconded by Councilperson Canterino.

Upon Roll Call Vote:

Supervisor Bloomfield:	<u>AYE</u>	Councilperson Lyons:	<u>AYE</u>
Councilperson Canterino:	<u>AYE</u>	Councilperson Florio:	<u>AYE</u>
Councilperson Newbold:	<u>AYE</u>		

Motion carried 5-0.

3. Approve year-to-date budget transfers requested by the Budget Officer for 12/31/20 and 3/11/2021.

Motion to authorize year-to date budget transfers requested by the Budget Officer for 12/31/20 and 3/11/2021 was made by Councilperson Newbold and seconded by Councilperson Florio.

Upon Roll Call vote:

Supervisor Bloomfield:	<u>AYE</u>	Councilperson Lyons:	<u>AYE</u>
Councilperson Canterino:	<u>AYE</u>	Councilperson Florio:	<u>AYE</u>
Councilperson Newbold:	<u>AYE</u>		

Motion carried 5-0.

4. Information: Christine Cavaliere conducted an account payable audit for March 11, 2021. See attached.

As noted, for information.

Privilege of the Floor

A member of the Heritage of Goshen HOA reserved his time for another meeting.

Brad Barnhorst thanked the Town Board for the opportunity to speak; he asked that everyone to please stay safe.

Nick Gallo asked about the public meeting and exceeding capacity in Town Hall and still having Zoom meetings. Supervisor Bloomfield noted that 1/3 capacity would be enforced. Attorney Golden stated there might be a possibility of having a “hybrid” type of meeting in a case like this, in person as well as on-line. He stated it’s an awkward way to have a meeting and not effective. He doesn’t recommend it but it’s a possibility if the Town Board wants to do it this way. It is to be determined.

Motion to adjourn the meeting was made by Councilperson Newbold and seconded by Councilperson Canterino.

On a Roll Call vote:

Supervisor Bloomfield:	<u>AYE</u>	Councilperson Lyons:	<u>AYE</u>
Councilperson Canterino:	<u>AYE</u>	Councilperson Florio:	<u>AYE</u>
Councilperson Newbold:	<u>AYE</u>		

Motion Carried 5-0. Meeting adjourned at 8:52 PM.

Kirsten Santangelo
Deputy Town Clerk