

**Town of Goshen  
Town Board Meeting  
July 28, 2022  
Minutes**

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A meeting of the Town Board of the Town of Goshen was held on the 23<sup>rd</sup> day of July 2022 at Goshen Town Hall, 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present:        Joseph Betro            Town Supervisor  
                 Douglas Bloomfield    Councilmember  
                 Philip Canterino        Councilmember  
                 George Lyons            Councilmember  
                 Richard Florio          Councilmember

Also Present:   Rory Brady                Town Attorney  
                 Mary Riso                 Town Clerk

**VOTE BY PROPER MOTION**, made by Councilmember Lyons, seconded by Councilmember Florio, the Town of Goshen Town Board moved to open the meeting at 7:30 pm. Approved unanimously.

Supervisor Betro	Aye	Councilmember Bloomfield	Aye
Councilmember Canterino	Aye	Councilmember Lyons	Aye
Councilmember Florio	Aye		

**Items for Discussion/Action**

Whereupon, there was no public comment on the agenda.

**Discussion and approval for Tax Certiorari Settlement for 20 Hatfield Lane, Goshen (the Comfort Inn & Suites Hotel).**

Rob Rametta, Esq., was present and reviewed the petition. Whereupon, there was a discussion on the remodeling, the decline of room, and legal fees.

**TOWN OF GOSHEN RESOLUTION**

**Settling of Tax Certiorari Claim;**

**CH HARRISBURG, LLC, et al**

**Section 126 Block 1 Lot 4.1**

INTRODUCED BY: Councilmember Philip Canterino

SECONDED BY: Councilmember Douglas Bloomfield

DATED: July 28, 2022

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 28th day of July, 2022;

WHEREAS, claimant, CH HARRISBURG, LLC, having commenced tax certiorari proceedings against the Town of Goshen in the Supreme Court of the State of New York, County of Orange for the 2020 and 2021 assessment years bearing Orange County Index Numbers EF003490/2020 and EF004643/2021; and

WHEREAS, it appears from the recommendations of Alan W. Eskew, the Town Assessor, and Robert M. Rametta, Esq., Special Counsel for the Town of Goshen, in the aforesaid proceedings, and upon a thorough investigation of the claims, that any further proceedings and litigation by the Town would involve considerable expense with the attendant uncertainty of the outcome and that the settlement of the above matters, as more fully set forth below, is reasonable and in the best interests of the Town; and

WHEREAS, claimant, CH HARRISBURG, LLC, is willing to settle these proceedings without interest, costs or disbursements, in the following manner: As set forth in annexed Consent Judgment;

NOW, BE IT THEREFORE RESOLVED, that the proposed settlement as set forth and described above and as set forth in the annexed Consent Judgment are hereby accepted pursuant to Section 68 of the Town Law and it is further;

RESOLVED, that Alan W. Eskew, the Assessor of the Town of Goshen, and Robert M. Rametta, Esq., Special Counsel to the Town of Goshen; and Joe Betro, Supervisor of the Town of Goshen be and are hereby authorized to take any and all steps and sign any and all documents necessary to effectuate the terms of this resolution;

Upon Roll Call Vote:

Supervisor, Joe Betro	<u>Aye</u>	Councilperson, Philip Canterino	<u>Aye</u>
Councilperson, Douglas Bloomfield	<u>Aye</u>	Councilperson, Richard Florio	<u>Aye</u>
Councilperson, George Lyons	<u>Aye</u>		

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

**Discussion and presentation of Alturus Solar, a 5.0 MWat solar array project proposed to be potentially sited on the Al Turi Landfill at 73 Hartley Road in Goshen.**

Ryan McCune and Liza Schepps, Business Development Managers for Nexamp were present for applicant. Mr. McCune reviewed the project for the Board. In summary, they gave a brief history of the company, the wetlands, gas collection, noted DEC standards will be more stringent than the Town, no underground conduit, and may need a variance for the stone under the arrays. Whereupon, there was a discussion on profitability, composition of the panels, noted currently manufactured in Korea, and they are quite a way from building on this property, not committing to this make and model at this time. They were advised by the Board to check on the status of any pending litigation with the Turi Landfill.

**Discussion and presentation by TAM Enterprises on the formation of a transportation corporation and associated wastewater treatment plant to service the same.**

Councilmember Florio recused himself from the dais at 8:07 pm.

Jason Pitingaro, PE, was present for TAM Enterprises Transportation Corporation. Brian Cutler, TAM Enterprises, distributed letters of support for the project to the Board. Also present was Tony Lasaponara, TAM Enterprises. Dan Depew, Holt Construction, representing Milmar Food Group. Paul Healey representing Healey Auto Dealership. Mark Coleman, Director of Operations for Orange-Ulster BOCES. In summary, Engineer Pitingaro was looking for feedback from the Board and to answer any questions the Board may have.

Whereupon, there was a discussion on the shortage of water, concerns of BOCES, Healey Dealership and Milmar. There was concern over the Town having to take it over and possible odor issues. These issues were addressed. Noted that there was an aggressive build out plan for the 17M corridor and the need for a study. Building a water district was discussed. It was noted that Mr. Lasaponara is willing to provide both water and sewer. It was further noted that the service would be restricted to commercial use only.

Engineer Pitingaro requested that the Board give an acknowledgment that a public hearing would be set in the future and that would give them the confidence to invest further in the project. The Board agreed that for purposes of their presentation tonight, they were in favor of the Transportation Corporation.

Whereupon, there was a discussion on obtaining a special permit and zoning amendments.

Councilmember Florio returned to the dais at 9:18 pm.

**Review and discuss projects proposed on Route 17M west of the Village of Goshen and the potential impacts to traffic, water and sewage.**

Neal Halloran and Frank Leva, Building Inspectors, were present. Mr. Halloran reported to the Board in regards to the watershed along 17M from Hartley Road and the western side of the village. In summary, this is one watershed out of fourteen in the Town. Currently there is a lot of commercial development being proposed. There was a water study done back in 2003 by Schoor DePalma. This was noted as watershed 50 and had a remaining of 40,000 gallons. They recommended one house in every 22 acres. Based on the growth proposed before the Town currently the withdrawal is roughly 100,000 gallons. Mr. Halloran cautioned the Town to do something to deal with the water issue because it will be a real problem for all the businesses. Suggested the Town either stop development in that watershed or figure out how to get water into that watershed.

Whereupon, there was a discussion on getting an updated report. Looking at alternative wells and water sources. Mr. Halloran was concerned about the speed of making these decisions. Mr. Hoffman noted that the study is from 2003; he would have a hard time using the study. Recommends that the Town restudy the problem. A work session will be scheduled to discuss this.

**Review and approval for the 35<sup>th</sup> Annual Tour de Goshen to take place on Sunday, August 21, 2022.**

Whereupon, there was a discussion on the Annual Tour de Goshen, noted that this is the last year Mr. Dunleavy will be running it.

**VOTE BY PROPER MOTION**, made by Councilmember Florio, seconded by Councilmember Lyons, the Town of Goshen Town Board moved to approve the 35<sup>th</sup> Annual Tour De Goshen, pending approval of insurance by Attorney Brady, on August 21, 2022. Approved unanimously.

Supervisor Betro	Aye	Councilmember Bloomfield	Aye
Councilmember Canterino	Aye	Councilmember Lyons	Aye
Councilmember Florio	Aye		

**Review and approval of July 14, 2022 Minutes.**

**VOTE BY PROPER MOTION**, made by Councilmember Lyons, seconded by Councilmember Canterino, the Town of Goshen Town Board moved to approve the July 14, 2022 Minutes. Approved unanimously with one abstention.

Supervisor Betro	Abstained	Councilmember Bloomfield	Aye
Councilmember Canterino	Aye	Councilmember Lyons	Aye
Councilmember Florio	Aye		

**Salt Shed: Declare the Board's intent to be lead agency and declare this project an unlisted action under SEQRA.**

**VOTE BY PROPER MOTION**, made by Councilmember Bloomfield, seconded by Councilmember Florio, the Town of Goshen Town Board assumed lead agency on this project and declared it an unlisted action under SEQRA. Approved unanimously.

Supervisor Betro	Aye	Councilmember Bloomfield	Aye
Councilmember Canterino	Aye	Councilmember Lyons	Aye
Councilmember Florio	Aye		

**Schedule Joint Public Hearing with the Planning Board and Zoning Board for the Broadlea Road/Vivian Lane Solar on Thursday, August 18, 2022 at 7:30 pm.**

**VOTE BY PROPER MOTION**, made by Councilmember Bloomfield, seconded by Councilmember Lyons, the Town of Goshen Town Board moved to schedule a Joint Public Hearing with the Planning Board and Zoning Board for the Broadlea Road/Vivian Lane Solar on Thursday, August 18, 2022 at 7:30 pm.

Supervisor Betro	Aye	Councilmember Bloomfield	Aye
Councilmember Canterino	Aye	Councilmember Lyons	Aye
Councilmember Florio	Aye		

Whereupon, there was a discussion on the probability of having an outside study of the solar projects in the Town of Goshen. In summary, discussed how many solar farms would be allowed, the subdivision of property, the scenic overview, preservation of farms, incentives from the State, and to study this more with the engineer and attorney.

**Finance**

**VOTE BY PROPER MOTION**, made by Councilmember Bloomfield, seconded by Councilmember Canterino, the Town of Goshen Town Board moved to authorize the Supervisor to pay accounts payable check run on July 28, 2022 in the amount of \$172,519.58. Approved unanimously.

Supervisor Betro	Aye	Councilmember Bloomfield	Aye
Councilmember Canterino	Aye	Councilmember Lyons	Aye
Councilmember Florio	Aye		

**VOTE BY PROPER MOTION**, made by Councilmember Canterino, seconded by Councilmember Bloomfield, the Town of Goshen Town Board moved to authorize the Supervisor to pay Workman's Comp claims in the amount of \$2,235.38. Approved unanimously.

Supervisor Betro	Aye	Councilmember Bloomfield	Aye
Councilmember Canterino	Aye	Councilmember Lyons	Aye
Councilmember Florio	Aye		

**Information: Christine Cavaliere conducted an account payable audit for July 19, 2022 (see attached).**

**Privilege of the Floor**

Mr. Howe asked for an update on Heritage. It was noted that all documentation and easements, title insurance are completed and we are waiting for the plans on the water treatment.

**VOTE BY PROPER MOTION**, made by Councilmember Florio, seconded by Councilmember Canterino, the Town of Goshen Town Board moved to close the meeting. Approved unanimously.

Supervisor Betro	Aye	Councilmember Bloomfield	Aye
Councilmember Canterino	Aye	Councilmember Lyons	Aye
Councilmember Florio	Aye		

Meeting adjourned at 10:14 pm.

Submitted by Mary Riso, Town Clerk.