

**TOWN OF GOSHEN**  
**TOWN BOARD MEETING**

June 8, 2017  
MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 8th day of June, 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
	John Van Der Molen	Councilmember

Absent	Kenneth Newbold	Councilmember
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Also Present:	Richard Golden, Esq.	Attorney for the Town
	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)**

Question: Asked why is the "Possible Sale of Town Owned Property" placed in the Executive Session?

Answer: Because the public discussion of the cost/benefit of such sale would substantially affect the value of the land. Legoland has placed a value on the properties, the Town is in the process of obtaining an independent appraisal with respect to what is on the properties and how to value them. This will give the Town a better position to negotiate with Legoland.

Question: When this becomes public, will it be out for public bid? Answer: No, because the valuation of the lands involved are between the two parties. The Town will follow provisions in the law to proceed.

Dialogue continued on the subject of other interested parties purchasing the properties at the valued amount or more. Also, opinioned: a portion of the subject lands for sale which belong to the Otterkill, around the Otterkill and other usable areas should be placed into a conservation easement and not sold.

**D. OLD BUSINESS:**

**1. REVIEW GRANT PROPOSALS, SEQRA DOCUMENTS, AND RESOLUTION AUTHORIZING APPLICATION FOR THE FOLLOWING GRANTS:**

- (1) HAMBLETONIAN PARK SEWER PATCHING/REPLACEMENT (2 YEARS)*
- (2) ARCADIA HILLS SEWER PATCHING/REPLACEMENT (2 YEARS)*
- (3) ARCADIA HILLS WATER STORAGE TANK REHABILITATION*
- (4) HAMBLETONIAN PARK ADDITIONAL 100,000 GAL WATER STORAGE TANK*
- (5) STONEHEDGE REPLACEMENT OF 35,000 GAL WATER STORAGE TANK*

Al Fusco, P.E. presented the above documents for review and gave a brief description of each project. There are three resolutions for each one of the projects: (1) to establish lead agency (2) negative declaration and (3) resolution authorizing the Supervisor to sign the grant documents, contract with

Fusco Engineering, authorize the Town Board to appropriate their shares for each of the projects and to submit the applications. The EAF's for each project will be submitted for review. Determination for each project will be acted upon at the next meeting.

**E. NEW BUSINESS:**

**1. DISCUSS AND APPROVE A \$24,500 ROAD PROTECTION BOND FOR THE ESTATES AT ROLLING RIDGE – 22 LOT SUBDIVISION.**

In a letter dated June 8, 2017, Sean Hoffman P.E. stated that the Estates at Rolling Ridge subdivision is approved for twenty-two residential lots on 67.81 acres. To protect Howard Court (Meadows subdivision) from construction related damage, part of the Planning Board's condition of approval required the developer to post a bond. The purpose of this bond is to protect the Town's assets from potential damage for the developer's use of Howard Court related to construction of the subdivision.

Councilperson Lyons made the motion to accept a \$24,500 Road Protection Bond for the Town Road-Howard Court by the developer of The Estates at Rolling Ridge subdivision. Councilperson Van Der Molen 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>ABSENT</u>		

Vote: Resolution carried by a vote of 4 to 0

**2. DISCUSS AND APPROVE REQUEST BY THE BUILDING OFFICE TO HIRE MARY RISO AS PLANNING BOARD MINUTE RECORDER AT \$125.00 PER MEETING AND \$5.00 PER PAGE AND TO ADJUST THE RATES OF PAY FOR THE ZBA & ERB MINUTE RECORDER TO BE ON A COMPARABLE BASIS.**

The Planning Board secretary resigned. The position has been advertised in the Times Herald Record and in the Goshen Independent with no responses. Stenographic services charge \$5.75 per page – appearance fee is \$250 for a 4 hour block. Mary Riso has experience as a recorder and is willing to take the minutes for \$125 for a 4 hour block and \$5.00 per page. This is more than we have paid in the past, but less than a service charge.

Neal Halloran is satisfied with the person who takes the minutes for the ZBA and the ERB. He suggested that we raise her rate of pay to \$60 per meeting up to 2 hours and \$5.00 per page. Both meetings last a shorter period of time than the Planning Board meetings.

Councilperson Gallo made the motion to hire Mary Riso as Planning Board minute recorder at \$125 per 4 hour block meeting and \$5.00 per page. To include a pay raise for the ZBA an ERB minute recorder to \$60 per 2 hour block meeting and \$5.00 per page. Councilperson Van Der Molen seconded the motion.

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

**3. DISCUSS AND APPROVE REQUEST OF THE BUILDING OFFICE TO SEARCH FOR A PART-TIME BUILDING INSPECTOR.**

Neal Halloran, Building & Zoning, is requesting permission to seek a qualified/certified part-time building inspector/code enforcement officer. His department is overwhelmed with the amount of work submitted. The salary/wage would be based on the qualifications.

Discussion:

Councilperson Van Der Molen asked if this would be per-diem hourly wage or hourly wage. Answer: This would depend on how it is set up.

Councilperson Lyons asked if this is a civil service position. Answer: no, because it is part-time position.

Councilperson Gallo made the motion to authorize the Building Inspector to search out hiring a part-time building inspector for the Town of Goshen. Councilperson Lyons seconded the motion.

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

**4. DISCUSS AND APPROVE RESOLUTION AMENDING THE SCHEDULE OF BUILDING, PLANNING AND ZONING APPLICATIONS AND INSPECTION FEES TO ACCOMMODATE SOLAR FARM APPLICATIONS.**

This is to include fees for the solar farm applications in the Town of Goshen code book.

TOWN OF GOSHEN

Resolution

RESOLUTION ADOPTING AN AMENDMENT TO THE SCHEDULE OF BUILDING, PLANNING AND ZONING APPLICATION AND INSPECTION FEES

INTRODUCED BY: Councilperson George Lyons

SECONDED BY: Councilperson Melissa Gallo

DATED: June 8, 2017

**WHEREAS**, Section 85-2 of the Town Code authorizes the Town Board to publish and modify a Schedule of Fees for various reviews performed in connection with the Building, Planning and Zoning Application and Inspection fees provisions of the Town Code, and

**WHEREAS**, the Town Board desires to modify the present schedule of fees, listed under Section 85-1 of the Town Code, to include an application fee and an escrow fee due for applicants that are seeking the issuance of a new site plan(s) or special use permit(s) in connection with approvals granted by the Planning Board and/or Town Board for solar energy projects, and

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Goshen hereby adopts the following as an amendment to Section 85-1 of the Town Code, the current Schedule of Building, Planning and Zoning Application and Inspection Fees, effective June 8, 2017, and applicable to all current applications:

§ 85-1. Schedule of fees.

Planning Board

Solar Energy Systems

\$55 per 1,000 square feet of panels

Escrow:

\$ 2,500 or ½ of the application fee, whichever is greater

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 ABSENT

Vote: Resolution carried by a vote of 4 to 0

**5. INFORMATION: GROUND BREAKING CELEBRATION FOR THE NEW GOSHEN PUBLIC LIBRARY WILL BE HELD SUNDAY, JUNE 11<sup>TH</sup> 2:00PM AT THE SALESIAN PARK SITE.**

As stated, for information only.

**6. INFORMATION: THE GOSHEN CHAMBER OF COMMERCE WILL HOLD A SPRING MIXER TO KICK- OFF THE GREAT AMERICAN WEEKEND ON WEDNESDAY, JUNE 21<sup>ST</sup>, 5:30 – 7:30PM AT THE STAGECOACH INN.**

As stated, for information only.

**7. REMINDER: THE FARM TO FORK FONDO BICYCLE EVENT WILL BE HELD THIS COMING SUNDAY, JUNE 11<sup>TH</sup> STARTING AT PENNINGS FARM MARKET IN WARWICK.**

As stated, for information only.

Councilperson Van Der Molen reported that on June 21<sup>st</sup> at the Goshen Chamber breakfast a formal announcement will be made of an Uncle Giuseppe’s Marketplace coming to Goshen in the Plaza.

**F. FINANCE:**

Councilperson Gallo made the motion to authorize the Supervisor to pay Accounts Payable check run as of 6/8/2017 amounting to \$106,080.15. Councilperson Lyons seconded the motion.

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

**G. PRIVILEGE OF THE FLOOR**

Comments regarding the Legoland project: Letter from Ann Marie Rollo, Arcadia Hills resident, was read into the record. [letter not submitted]. The letter covered the subject of time - "Ultimately the time lost created by Legoland will be infinite and terminal".

Legoland could be competing against the Town for waste water improvement grants -FEIS pg.776. An access road off Arcadia Road - FEIS pg.306 (none known). Property considered for sale that can be used for a water supply would be unethical.

The status of the Otterkill, as a "threatened" stream, has been inundated with sediment created from the recent heavy rains. [photo displayed] The source of the sediment is from a housing development on Old Chester Road. Point made: how the Otterkill can be impacted by negligence.

Wrong place to put an amusement park. A conservation easement should be added to every other parcel, limiting acres to be disturbed.

Opinioned: Legoland is needed for tourism and backed by the County. "Orange Outdoors" magazine has many activities to do in Orange County. A travel guide promotes Orange County sites which includes a detailed tour map. A resident seeking part-time employment requested to be considered for one of the two positions on the agenda (items 2 &3) which are not CSEA positions and have not listed the qualifications.

Also noted: the poor service Frontier communications is providing to the customers. Is there anything the Town can do to assure better service from Frontier? Answer: submit a letter to the Town to forward to the Public Service Authority. Also is there a guest code for Wi-Fi?

#### **H. EXECUTIVE SESSION:**

Councilperson Gallo made the motion to enter into executive session, with an intent not to return to an open meeting other than to adjourn, for the purpose of discussing the sale of certain Town-owned land, because the public discussion of the cost/benefit of such sale would substantially affect the value of the land

##### 1. DISCUSSION OF POSSIBLE SALE OF TOWN-OWNED PROPERTY

with the intent not to return. The motion was seconded by Councilperson Lyons. Motion carried

#### **I. ADJOURNMENT: 8:35PM**

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Priscilla Gersbeck, Town Clerk