

**GOSHEN
TOWN BOARD MEETING
MAY 13, 2021
MINUTES**

A meeting of the Town Board of the Town of Goshen was held on the 13th day of May, 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, Esq.	Attorney for the Town
	Sean Hoffman	Town Engineer
	Robert M. Rametta, Esq.	Town Attorney
	Broderick Knoell	Town Highway Superintendent
	Mary Riso	Clerk to the Supervisor
	Kirsten Santangelo	Deputy Town Clerk

CALL TO ORDER

Councilperson Florio motioned to open the meeting at 7:33 PM, seconded by Councilperson Canterino. Motion carried.

Public Hearing

Conduct a Public Hearing for Introductory Local Law 2-2021, a Local Law adopting Chapter 55A of the code of the Town of Goshen ("Dog Control"), which proposes restrictions and regulations upon the keeping or running of dogs off the premises of their owner or those to whom the owner has given permission to house or harbor such dogs.

Motion to open the public hearing 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.

Summation: One citizen weighed in on the proposed Local Law, saying that the first offense should be warning, then an escalating fee structure for subsequent offenses.

Councilperson Canterino felt that the first offense at \$500 was steep and recommended a scaled approach, up to \$100 for the first offense, and up to the discretion of the judge, based on the circumstances regarding the dog running loose. Second offense at \$250.

Councilperson Lyons weighed in that a fine of \$500 for the first offense was too steep and would like to see a fine of not more than \$500, so a judge could have discretion as to what the fine, if any, would be. A warning for the first offense would be advisable.

Councilperson Florio agreed, especially about a first warning.

Councilperson Newbold thought the version that both Councilpersons Canterino and Lyons detailed were good but was concerned about the farmers who have their dogs loose in the fields that are working.

Attorney Golden discussed a question about the Code from the April 22nd meeting; there is no leash law in the Town Code, other than if an owner is in a Town park, the dog must be leashed.

Public comment: Jeremy: pointed out that the two neighboring jurisdictions (Chester and the Village of Goshen) have fines of not more than \$250 per offense.

Susan Cleaver: Couldn't find the law posted online. Noted that she saw the law posted on the website a few hours before the Public Hearing. Agrees that the fine is excessive. She noted that she sees people in the park with leashed dogs who let them off their leashes – the Town should remind people that their dogs must stay on the leash while in the parks. She stated that this law shouldn't be voted on this evening until the public has a chance to weigh in, as it wasn't posted on the Town website, nor was the agenda posted until late today.

Thomas Murphy .: \$500 fine is excessive, the judge should have latitude to assess a fair fine, depending upon the circumstance.

Anthony: \$500 fine is excessive.

Wendy Bynum: noted the Goshen Independent was printed as a public notice in the May 5th edition as per the April 22nd Town Board meeting's instructions.

Brian Gallo: \$500 fine is steep and a judge should assess a fair penalty, if any.

Susan H. Shapiro: the fine is excessive.

Ms. Cleaver added that the agenda wasn't posted, the law wasn't posted and wondered how anyone from the public is supposed to question this. Suggested to leave the public hearing open until next meeting.

Attorney Golden noted that there is no obligation by the Town to publish an agenda or even have an agenda.

Motion to close the public hearing was made by Councilperson Newbold and seconded by Councilperson Lyons. Councilperson Lyons noted that the Local Law was brought up at the last meeting (April 22nd) and the whole law was put forth on Zoom for the public to see.

Upon a Roll Call Vote:

Supervisor Bloomfield: AYE

Councilperson Canterino: AYE

Councilperson Lyons: AYE

Councilperson Florio: AYE

Councilperson Newbold: AYE

Motion carried 5-0.

Old Business

1. Review report from Savin Engineers regarding dye testing of the Hambletonian Park force main.

PE Sean Hoffman explained the process of the dye testing. Previous inconclusive lab testing for fecal coliform led to the dye testing process of the force main. Savin Engineering conducted the dye testing at the end of April. No surfacing of dye, bubbling, no discolored liquids or odors were found. The length of the force main and photo-documented the results of no dye being found. Supervisor Bloomfield asked if perhaps wildlife issues may have contributed to higher levels of fecal coliform; Engineer Hoffman answered that as per Savin, Goshen is an agricultural area and there are many septic systems that could have contributed to higher levels but it wasn't through the force main.

2. Review an analytical study approach to better understand the causes and potential solutions to "brown water" in Hambletonian Park.

In response to complaints of brown water in Hambletonian Park, the Town's water service, JCO was asked to make suggestions on improving water quality. JCO initially thought it could be due to corroded pipes, which was a hunch. Engineer Hoffman met with JCO, who will perform laboratory testing on various items like piping, as well as the water tank. Supervisor Bloomfield brought up that there's an extremely high level of iron in the water and when mixed with chlorine, it makes ferric chloride, thus causing water discoloration. Engineer Hoffman noted that when JCO came on as the water treatment operator, they replaced the manual feed pumps with automatic feed pumps for the chlorination. Councilperson Lyons asked how many dead ends there are in Hambletonian Park; perhaps water quality issues could be circulating around the system because it's a loop system. He mentioned that dead ends are flushed more often in the Village. Mr. Hoffman replied that JCO flushes this system three times a year, as well as spot-flushes when needed. Dead ends get the best benefit from hydrant flushing. Supervisor Bloomfield said that he and the co-commissioner of the water/sewer districts decided to increase flushing last year because of the issue from two times a year to three times a year.

Jonathan Redeker commented that he fears that the report spoken of will take a long time to get back to residents. What is the timetable for reporting? Engineer Hoffman said he has met with the water operator to pre-plan and discussed contingencies for remediation, whether it's chemical treatment, line replacement, if it's a particular portion of the distribution system that's contaminating the system, or replacement of a water main. He hopes to have results in a few weeks. Mr. Redeker noted that the residents of Hambletonian park have suffered with the bad water for many years. He wanted to know if there is any plan for compensation for the filtration systems and pipe issues in homes due to the sediments in the water? Answer: Supervisor Bloomfield said that once we know what's in the water, the Town will be in a better position to comment on that issue.

3. Discuss and approve proposed tax certiorari settlement by Robert Rametta, Esq., for PM Property Group, LLC v Town of Goshen, A Municipal Corporation, its Assessor and Board of Assessment review (see attached).

There were three properties involved by the same owner. He explained that there were prior lawsuits (“arms-length transaction”) about the value of the properties. The properties had earnings, which led to the dispute of the taxes. A sliding scale was applied, as values rose from 2018-2020. A settlement was arrived at and Attorney Rametta conferred with the Town Assessor, Alan Eskew, who agreed with it. Attorney Rametta will be presenting this matter to Judge Onofry after gaining approval from the Town Board. Councilperson Lyons asked what the assessment will be in 2021 – answer: the Town is prohibited from raising or challenging the assessment in 2021, 2022, and 2023 as there is a moratorium from doing so., subject to certain conditions such as demolition of the property and such.

Motion to approve the proposed tax certiorari by Robert M. Rametta, Esq. for PM Property Group, LLC v Town of Goshen, A Municipal Corporation, its Assessor and Board of Assessment Review was made by Councilperson Lyons and seconded by Councilperson Newbold.

Upon a Roll Call Vote:

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

Motion carried 5-0.

- 4. Information: The Town of Goshen’s request for a \$500,000 Federal Grant for rehabilitation and/or replacement of the Hambletonian Park force main was found not to be competitive at this time due to more competitive projects (see letter dated April 28, 2021 from Ernest S. Klepis, District Director, U.S. House of Representative, 18th District, New York).**

As stated, for information.

- 5. The Town is being asked to abandon and remove the hammerhead along Angela’s way (a/k/a Pauline Place). As the roadway has been continued through to the adjacent property, the hammerheads have reverted back to the ownership of the adjacent property owners, but remain within the Town’s right-of-way. The Highway Superintendent has been consulted, and reported that there is no current plan or future planned municipal function for the hammerheads (such as snow storage), and the property owners can remove the pavement and re-seed the property. This is at no cost to the Town.**

A letter was received by the owners of the adjacent property (25 Maple Hill subdivision) about this matter. They would like the turnaround dug up and resurfaced so their yard will look like everyone else’s. According to the Town Attorney, Kelly Naughton, these properties have reverted back to the ownership of Mr. Herring and his neighbor. Instead of the Town taking care of this, Attorney Naughton stated that the property owner could take care of this, thus not incurring costs to the rest of Town. People have been parking in the hammerhead and this is the reason for this request. Attorney Golden noted that when subdivisions are being built, many times there is land that will be left to eventually connect to another subdivision, thus becoming a hammerhead. The Highway superintendent may use these hammerheads for snow storage during the winter during plowing season. Once the connection is made to the next subdivision, the land (where the hammerhead is) reverts back to the owner. The Town does have “Right-of Way” on portion of this land, so they cannot do anything to the right-of-way. The homeowner may do what they like to the hammerheads, except for the right-of-way. Supervisor Bloomfield asked if the homeowners knew this when they bought their homes and Attorney Golden said

they did. Councilperson Canterino noted that this isn't the first time that this matter has come to the attention of the Town. It was on the site plan as a "through road" with the Planning Board. Supervisor Bloomfield asked for clarity about the owners wanting to take the asphalt out, they can do so? Attorney Golden answered that they may. Councilperson Lyons asked how this situation can be addressed by the Town; Attorney Golden replied that nothing has to be done, as the road reverted to the property owner. The Town Board meeting serves as notice to this. Whatever is on their property line may be taken out. The Town Board agreed to write a letter to the owners, advising as such.

New Business

- 1. The Supervisor will be meeting with New York State Senator Michael Martucci and requesting two \$200,000 grants for sewer lining projects, one for Hambletonian Park and one for Arcadia Hills.**

Supervisor Bloomfield will be meeting with State Senator Martucci on Monday, May 17th at Town Hall to discuss these grants, as well as other grants that have been in Albany for some time, namely the roof grant and the window grant.

- 2. The Goshen Senior Center was given permission to open on Monday, May 3, 2021, by the OC Department of Health (see attached plan and guidelines for safely reopening).**

Bonnie Mayefsky, the Senior Center leader did a wonderful job of detailing all the safety measures to keep our seniors safe, in the wake of the global Covid-19 pandemic.

- 3. Review and approve a resolution that authorizes the Town of Goshen Police Chief to sign a document with the County of Orange to allow the Goshen Police Department to participate and be financially reimbursed for enforcement activities associated with the County-wide Stop DWI Program.**

Motion to approve a resolution that authorizes the Town of Goshen Police Chief to sign a document with the County Of Orange to allow the Goshen Police Department to participate and be financially reimbursed for enforcement activities associate with the County-wide Stop DWI Program was made by Councilperson Canterino and seconded by Councilperson Florio.

Upon a Roll Call Vote:

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

Motion carried 5-0.

- 4. Information: Two letters of appreciation have been received by the Town of Goshen Police Department from two citizens.**

The Town received two complimentary letters from two Town residents of color, describing their interactions with the Town Police Department on different occasions. One resident wrote a letter of appreciation for actions taken by Sergeant Boyd, who handled a situation with young people that necessitated the police. Sgt. Boyd was very kind and helpful and went out of his way with a home visit after the incident to make sure that everything went well. This lady appreciated everything Sgt. Boyd did for her family. A second letter received, involving a lady of color who had a problem with a damaged tire on her car, close to the police station. She called the station number and Sergeant Faust assisted her. Sgt. Faust ascertained that the tire couldn't be pumped up with air but directed her to drive over to

the Highway Department. Sgt. Faust told this lady that he was calling the mechanic at the Highway Dept. to assist her. Frank Rheinholz, our mechanic, checked the tire out, which was badly damaged and couldn't be fixed. Sgt. Faust got the spare tire out of the trunk of her car and Frank Rheinholz put it on the car for this lady. She was very grateful for their help. Supervisor Bloomfield noted that the "Police Reinvention" collaborative really sensitized our Police Department to situations with the public, especially those of color. Attorney Golden noted that the reinvention plan follows on the heels of what Governor Cuomo ordered with the Police Reinvention earlier this year.

5. Discuss and approve a request from the Town Budget Officer to dispose of obsolete vehicles (see attached memo).

Motion to approve the disposal of obsolete vehicles and to put out them out for competitive bid was made by Councilperson Canterino and seconded by Councilperson Newbold.

Upon a Roll Call Vote:

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

Motion carried 5-0.

6. Discuss and approve request by Broderick Knoell to purchase a 2007 Chevy 6 and a 2001 Dodge Flatbed from water/Sewer for a total amount of \$15,561 (see attached memo).

Motion to approve request by Broderick Knoell to purchase a 2007 Chevy 6 and a 2001 Dodge Flatbed from water/sewer for a total amount of \$15,561 was made by Councilperson Florio and seconded by Councilperson Newbold.

Upon a Roll Call Vote:

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

Motion carried 5-0.

7. Information: The Sales Tax revenue for 1Q 2021 was \$347,830 or \$72,830 more than budgeted. We're off to a good start!

As stated, for information.

8. Information: The 2021 Town of Goshen tentative assessable base increased \$9,493,168 or 1.42 percent over 2020. We're off to a good start!

As stated, for information.

Finance

1. Discuss and approve a motion to authorize the Supervisor to pay accounts payable check run on May 13, 2021 in the amount of \$83,973.78.

Motion to authorize the Supervisor to pay accounts payable check run on May 13, 2021 in the amount of \$83,973.78 was made by Councilperson Newbold and seconded by Councilperson Lyons.

Upon a Roll Call Vote:

Supervisor Bloomfield: AYE
Councilperson Canterino: AYE
Councilperson Lyons: AYE

Councilperson Newbold: AYE
Councilperson Florio: AYE

Motion Carried 5-0.

2. Discuss and approve a motion to authorize the Supervisor to pay Workman's Comp claims in the amount of \$3,004.99.

Motion to authorize the Supervisor to pay Workman's Comp claims in the amount of \$3,004.99 was made by Councilperson Lyons and seconded by Councilperson Florio.

Upon a Roll Call Vote:

Supervisor Bloomfield: AYE
Councilperson Canterino: AYE
Councilperson Lyons: AYE

Councilperson Florio: AYE
Councilperson Newbold: AYE

Motion Carried 5-0.

3. Discuss and approve a motion to authorize the Supervisor to pay Manual A/P run for April 1 to April 30, 2021 in the amount of \$18,421.20.

Motion to authorize the Supervisor to pay Manual A/P run for April 1 to April 30, 2021 in the amount of \$18,421.20 was made by Councilperson Florio and seconded by Councilperson Canterino.

Upon a Roll Call Vote:

Supervisor Bloomfield: AYE
Councilperson Newbold: AYE
Councilperson Canterino: AYE

Councilperson Lyons: AYE
Councilperson Florio: AYE

Motion Carried 5-0.

4. Approve year-to-date budget transfers by the Budget Officer.

Motion to approve year-to-date budget transfers was made by Councilperson Lyons and seconded by Councilperson Newbold.

Upon a Roll Call Vote:

Supervisor Bloomfield: AYE
Councilperson Newbold: AYE
Councilperson Canterino: AYE

Councilperson Lyons: AYE
Councilperson Florio: AYE

Motion Carried 5-0.

5. Information: Christine Cavaliere conducted an accounts payable audit for 5/13/21. See attached.

As stated, for information.

Additional Comments

Councilperson Newbold asked if Town Hall would be opened anytime soon. Answer: to be discussed at the next meeting.

Privilege of the Floor

Jeremy Zweig – thanked the Town Board for their work on the Dog Control issue.

Jonathan Redeker – would like to see future meetings that are held in person to be continued on Zoom, for community engagement purposes.

Rose Wright – thanked the Board for the opportunity to speak. She had a burglary issue at her home and instructed to take pictures of the issue. She didn't think she should have to be upset in her own neighborhood. Issues with her Ring camera being uninstalled. Supervisor Bloomfield said he was going to be speaking with the Police Chief regarding this matter.

Susan H. Shapiro – local organic farmer and environmental attorney. Stated she was upset that her application for her property on Rt. 207 to start an agro-business had stalled. Questioned why the project isn't going forward. Why this administration is blocking the project and instead should be facilitating the project. The Building Inspector is writing the Town Code and shouldn't be. She was concerned that this historic property will be ruined because nothing is happening.

Adjournment

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

Upon a Roll Call Vote:

Supervisor Bloomfield:	AYE	Councilperson Lyons:	AYE
Councilperson Canterino:	AYE	Councilperson Florio:	AYE
Councilperson Newbold:	AYE		

Motion Carried 5-0.

Meeting adjourned at 9:01 PM.

Kirsten Santangelo
Deputy Town Clerk