

**Town of Goshen
Town Board Meeting
August 26, 2021
41 Webster Avenue
Goshen, New York 10924
Minutes**

A meeting of the Town Board of the Town of Goshen was held on the 26th day of August, 2021, at Goshen Town Hall, 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

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

Also Present:	Richard Golden	Town Attorney
	Sean Hoffman	Town Engineer
	Tanya McPhee	Minutes Recorder

The Town Board meeting was opened with the Pledge of Allegiance at 7:35 pm by Supervisor Bloomfield.

Old Business

Review current status of project to reduce brown water in Hambletonian Park.

Mr. Hoffman delivered a submission via hand delivery to the Department of Health on 8/25/2021. He is awaiting an estimated time on completion of their review.

Review current status of highway garage repairs and roof maintenance.

The highway garage requires structural repairs and a structural engineer has made two visits to the site. A temporary shoring plan has been provided. A meeting with TAM Enterprises to discuss feasibility of the plan is planned. The shoring plan is extensive.

Whereupon, there was a discussion of a supplemental insurance claim and a second visit by the insurance adjuster.

Review current status report for Town acceptance of Heritage Estates infrastructure.

Mr. Hoffman stated there have been a number of meetings with the developer. A punch-list inspection has been performed. The remaining items are in the report provided to the Board which include a catch basin repair, adequacy of manhole connection from the Village of Goshen, confirmation of water treatment building for identification in case of emergency as it is hidden from the road, and drainage complications at 54 Laurel Circle due to a lack of installed catch basin which will be installed shortly. A follow-up meeting with the developer is scheduled for September 15, 2021.

A summary of the \$1.9 million bond status was provided.

Review current status report for Town acceptance of Woodland Estates infrastructure.

Mr. Hoffman met with the developer, Dave Higgins, developer's engineer, Superintendent Knoell and Building Inspector Halloran to go through the punch list. Mr. Higgins provided a status report of different items to Mr. Hoffman. Some items are being coordinated with the developer's attorney. Preparation of as-builts are being developed and will be provided. Mix designs for the top course are anticipated and Superintendent Knoell will identify any areas of pavement that need to be repaired before the final pavement course.

Whereupon, Supervisor Bloomfield invited questions from members of the audience.

Joseph Gelardi, 3 Abbe Road, inquired as to timelines and follow up for paving. Mr. Hoffman would like to see the developer pave before November. The developer has an interest in turning over the development to the Town with expediency with all work completed properly.

Jeremy Zweig, 4 Abbe Road, inquired about unpermitted structures. Mr. Hoffman stated the right-of-way parcel is currently owed by the developer. He is aware of two structures constructed in the right of way. The recommendation to the Town is to not accept roads that have unpermitted structures. Mr. Hoffman advised the developer to work with residents to get the structures permitted.

Tom Howe, 6 Boxwood Road, inquired about the catch basin on Laurel Circle. Mr. Hoffman discussed the transition from the French drain to the catch basin was unclear. It will be repaired according to plan and an easement provided to the Town for any future issues that may arise.

Supervisor Bloomfield inquired about well #6. Mr. Hoffman stated it requires treatment. The developer was given comments in November 2020 and those comments will be addressed.

Overview of recent information available for allowing review and voting on proposed Introductory Local Law No. 3 of 2021

Rick Golden, Esq. gave a brief overview of recent information regarding deadlines for voting to opt out of licensing and establishing retail cannabis dispensaries and on-site cannabis consumption establishments within the Town. Also explained were the requirements of a permissive referendum and a special election if necessary. The law, if passed, would not take effect until 45 days have passed.

The law was unclear to the attorney as to whether the vote had to be taken before the December 31 deadline or the law had to be effective before December 31. The conservative choice puts tonight as the deadline. If a proper petition is filed for a permissive referendum, a special election will be necessary.

Review and vote on Proposed Introductory Local Law No. 3 of 2021. A negative declaration was approved by the Board at the July 8, 2021 meeting.

Whereupon, there was a discussion on the negative declaration, tax ratables, business opportunities, the SEQRA process, other conversations with the public, conversations with the police chief, and other municipalities' choices.

VOTE BY PROPER MOTION, made by Councilperson Canterino, seconded by Councilperson Lyons, the Town of Goshen Town Board moved to adopt Introductory Law No. 3 of 2021 of the Town of Goshen opting out of licensing and establishing retail cannabis dispensaries and on-site cannabis consumption establishments within the Town of Goshen. Motion carried 3-2.

Supervisor Bloomfield	Aye	Councilperson Canterino	Aye
Councilperson Florio	Nay	Councilperson Lyons	Aye
Councilperson Newbold	Nay		

Information: DASNY has notified the Town that the \$100,000 Arcadia Hills Water Storage Tank grant has been approved. A Grant Distribution agreement has been signed by the Supervisor and payment should be forthcoming.

Information: DASNY has also notified the Town that the \$50,000 Town Hall Window Replacement Grant has been approved. A Grant Distribution agreement has been signed by the Supervisor and payment should be forthcoming.

Information regarding two remaining grant requests, \$100,000 for Town Hall roof replacement and \$50,000 for Highway Department Salt Shed capacity increase, have been compiled and forwarded to DASNY.

Late yesterday, the \$50,000 for the Highway Department Salt Shed had been granted. Town Engineer Hoffman will prepare the documents, the Supervisor will sign, and it will be sent to Albany. In total, \$200,000 in grants have been received in the last week.

There is some confusion regarding the roof grant. Another request may have to be made.

Review and authorize the Supervisor to sign a Stormwater Control Facility Maintenance Agreement with Oxford Commerce Center Warehouse, the driveway that connects with Police Drive.

Attorney Golden reviewed the Agreement with the Board. The cost is paid for by the applicant.

Whereupon, there was a discussion on truck traffic on Police Drive.

VOTE BY PROPER MOTION, made by Councilperson Newbold, seconded by Councilperson Florio, the Town of Goshen Town Board moved to authorize the Supervisor to sign the Stormwater Control Facility Maintenance Agreement with Oxford Commerce Center Warehouse. Motion carried unanimously.

Supervisor Bloomfield	Aye	Councilperson Canterino	Aye
Councilperson Florio	Aye	Councilperson Lyons	Aye
Councilperson Newbold	Aye		

Review and approve minutes of the August 12, 2021 Town Board Meeting.

VOTE BY PROPER MOTION, made by Councilperson Canterino, seconded by Councilperson Newbold, the Town of Goshen Town Board moved to approve the minutes of the August 12, 2021 Town Board meeting as presented. Motion carried with three ayes and two abstentions.

Supervisor Bloomfield	Aye	Councilperson Canterino	Aye
Councilperson Florio	Abstained	Councilperson Lyons	Abstained
Councilperson Newbold	Aye		

New Business

Review and accept letter of resignation, dated August 9, 2021 from Town of Goshen part-time Police Officer Chris Tabachnick.

Supervisor Bloomfield stated Officer Tabachnick is coming back from Afghanistan this month and will be moving to South Carolina.

VOTE BY PROPER MOTION, made by Councilperson Florio, seconded by Councilperson Newbold, the Town of Goshen Town Board moved to accept the resignation of Officer Tabachnick. Motion carried unanimously.

Supervisor Bloomfield	Aye	Councilperson Canterino	Aye
Councilperson Florio	Aye	Councilperson Lyons	Aye
Councilperson Newbold	Aye		

Supervisor Bloomfield stated that all the part-time police officers are retired from senior police positions. They are all very well trained and experienced officers.

Review and approve a request by Police Chief James McDowell to hire Bernard J. Rivers as a part-time Goshen Police Officer effective September 6, 2021.

Mr. Rivers is the Division Director of all DEC Police in the State of New York. He has been to the FBI Academy. He is a well-trained and experienced Police Officer.

Supervisor Bloomfield stated that seven Police Officers in the Town of Goshen speak, read, and write Spanish.

VOTE BY PROPER MOTION, made by Councilperson Canterino, seconded by Councilperson Lyons, the Town of Goshen Town Board moved to approve the request to hire Bernard J. Rivers as a part-time Town of Goshen Police Officer effective September 6, 2021. Motion carried unanimously.

Supervisor Bloomfield	Aye	Councilperson Canterino	Aye
Councilperson Florio	Aye	Councilperson Lyons	Aye
Councilperson Newbold	Aye		

The Orange County Department of Public Works is holding a Household Hazardous Collection Event October 1 and October 2 at the Orange County Transfer garage.

Information will be placed on the Town Website. Oil-based paints, fluorescent lightbulbs, and pharmaceuticals are some of the materials that will be accepted.

Sarah Wells Trail (O.C. Road No. 8) will be closed approximately seven days beginning August 23 near the Kipp Road intersection for bridge maintenance of Kipp Station Bridge. Detour routes will be prominently marked.

Information will be placed on the Town Website.

Craigville Road will be closed for approximately five days beginning August 30th near the intersection of Hulsetown Road to conduct required maintenance at the Middletown/New Jersey railroad crossing. Detour routes will be prominently marked.

Information will be placed on the Town Website.

Review a request from Christine Cavaliere, Town Budget Officer, to attend NYCOM Training School September 20th through September 23rd at an estimated cost of \$1560. The cost of this training is included in the 2021 Budget.

VOTE BY PROPER MOTION, made by Councilperson Newbold, seconded by Councilperson Lyons, the Town of Goshen Town Board moved to approve the request for Christine Cavaliere to attend NYCOM Training School. Motion carried unanimously.

Supervisor Bloomfield	Aye	Councilperson Canterino	Aye
Councilperson Florio	Aye	Councilperson Lyons	Aye
Councilperson Newbold	Aye		

Information: Orange County is holding a Senior Health & Fitness Day at Thomas Bull Memorial Park from 10:00 am to 2:00 pm September 14, 2021.

Information: Orange & Rockland Utilities will be conducting tree maintenance to protect power lines beginning September 6th.

Locations include Gate Schoolhouse Road, Route 6 & 17M, Hartley Road, Echo Lake Road, Owens Road, Phillipsburg Road, Smith Road, Wood Road, Scotchtown Road, Axworthy Lane, and associated streets. Nelson Tree Service will be doing the work.

Finance

Discuss and approve a motion to authorize the Supervisor to pay accounts payable check run for August 26, 2021 in the amount of \$711,913.68.

VOTE BY PROPER MOTION, made by Councilperson Canterino, seconded by Councilperson Florio, the Town of Goshen Town Board moved to authorize the Supervisor to pay accounts payable check run for August 26, 2021 in the amount of \$711913.68. Motion carried unanimously.

Supervisor Bloomfield	Aye	Councilperson Canterino	Aye
Councilperson Florio	Aye	Councilperson Lyons	Aye
Councilperson Newbold	Aye		

Discuss and approve a motion to authorize the Supervisor to pay Workman’s Comp claims in the amount of \$77.95.

VOTE BY PROPER MOTION, made by Councilperson Florio, seconded by Councilperson Newbold, the Town of Goshen Town Board moved to authorize the Supervisor to pay Workman’s Comp claims in the amount of \$77.95. Motion carried unanimously.

Supervisor Bloomfield	Aye	Councilperson Canterino	Aye
Councilperson Florio	Aye	Councilperson Lyons	Aye
Councilperson Newbold	Aye		

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

VOTE BY PROPER MOTION, made by Councilperson Florio, seconded by Councilperson Newbold, the Town of Goshen Town Board moved to approve the year-to-date budget transfers as requested by the Budget Officer. Motion carried unanimously.

Supervisor Bloomfield	Aye	Councilperson Canterino	Aye
Councilperson Florio	Aye	Councilperson Lyons	Aye
Councilperson Newbold	Aye		

Information: Christine Cavaliere conducted an accounts payable audit for August 26, 2021. See attached.

Presentation by Ellen Coulon of Social Island, 939 Pulaski Highway.

Ellen Coulon appeared before the board requesting a letter of approval from the Town Board for 21 temporary beer, wine, and cider permits. The State Liquor Authority grants 4 (four) permits per location, per year. With the approval of both the Town of Goshen Police and the Town of Goshen as required by the State Liquor Authority, she wishes to secure 21 permits. The Town Police already have granted approval.

Ms. Coulon is the co-owner and manager of Social Island located at 939 Pulaski Highway. Social Island is a small, agritainment location with over 27 acres of land and a large parking lot that backs to a family-owned sod farm consisting of 150 acres. Social Island offers pumpkin picking, a six-acre corn maze, a vegetable stand and hayrides that offers recordings of area history.

Ms. Coulon provided detailed packets to the Board including photographs for the Town's review.

Supervisor Bloomfield spoke to both the Building Department and the Chief of Police and both departments were satisfied with the request.

VOTE BY PROPER MOTION, made by Councilperson Lyons, seconded by Councilperson Canterino, the Town of Goshen Town Board moved to authorize the Supervisor to draft a Letter of Support of the application made by Ellen Coulon for Social Island for 21 permits for the sale of beer, wine, and cider per year to the State Liquor Authority. Motion carried unanimously.

Supervisor Bloomfield	Aye	Councilperson Canterino	Aye
Councilperson Florio	Aye	Councilperson Lyons	Aye
Councilperson Newbold	Aye		

Privilege of the Floor

Diane Blanton inquired when the Board was up for re-election. Ms. Blanton asked Mr. Canterino why he has abstained from voting on items when he had not been present at other meetings. She stated Mr. Canterino was absent for the public hearing on Local Law No. 3 yet voted tonight. Mr. Canterino stated he listened to the meeting online. He stated he was at the following meeting and spoke to many more people who were not at the meeting.

Ms. Blanton also asked why he is not listening to constituents. She also asked why it was okay to give a liquor license but opted out of marijuana businesses. Mr. Canterino stated the license was already granted for the liquor sales and he voted to increase the number. He didn't see a problem with it. She stated she doesn't understand how the Board is okay with alcohol, yet marijuana is a problem.

Zachary Constantine stated that liquor stores are not banned because of alcoholics and bars are not banned because people choose to drink and drive. He respects the board's personal anecdotes about why cannabis is disliked, he feels this is irrelevant. Mr. Constantine went on to state statistics related to cannabis use compared to alcohol. When cannabis became legal in the State of New York, the State gave residents the right to choose cannabis. Mr. Constantine stated the choice should be for business owners to choose to open business in the Town and residents to choose where and how to spend their money. He believes the board chose to opt out due to its personal prejudices and limited experiences. He feels the board is short sighted. He stated constituents were misled at the public hearing with constituents feeling that the board would not opt out.

Gloria Bonelli questioned the Boards lack of technology for meetings and why the community cannot participate virtually for the meeting. She stated there are gateway substances for everything, not just drugs.

Caroline Devenney stated that illegal drug dealers are making money in the Town dealing pot laced with other drugs. Legal, regulated marijuana would be safer. By opting out, other Towns who have not opted out will get our tax dollars because our residents will be afraid to buy it on the streets. She

stated it is incredibly easy to get a medical card. She had a virtual meeting, and her card is in the mail. She wants to protect our children, so they don't buy it on the street.

Rachel Losee thanked the Board for the ability to speak at this portion of the meeting. She stated she was disappointed in the way Councilperson Canterino voted tonight considering the amount of overwhelming support to not opt out. She stated she has friends who were "pot heads" who are now doctors at major teaching hospitals in New York. One is a respected CPA. She hopes the constituents can speak for themselves come November.

Bob Smith stated marijuana is still illegal Federally. Mr. Smith stated if anyone disagrees with the Board just get the signatures to get a permissive referendum. He also stated the issue was not settled at the last meeting. This vote was not a surprise on the agenda.

Councilperson Lyons, stated at the last Association of Towns meeting he contacted an individual from Orange and Rockland and Eric Fuentes called back and is willing to set up a meeting regarding storage batteries and energy storage facilities. The Board was in favor of the meeting to be set up.

Supervisor Bloomfield stated he would like to go into Executive Session to discuss a legal matter with the intent not to return.

VOTE BY PROPER MOTION, made by Councilperson Canterino, seconded by Councilperson Lyons, the Town of Goshen Town Board moved to go into Executive Session with no intent to return thereby adjourning the meeting. Motion carried unanimously.

Supervisor Bloomfield	Aye	Councilperson Canterino	Aye
Councilperson Florio	Aye	Councilperson Lyons	Aye
Councilperson Newbold	Aye		

Meeting adjourned 9:03 pm.