

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

July 27, 2017

MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 27th day of July, 2017 at the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present:            Douglas Bloomfield        Supervisor  
                      George Lyons                Councilmember  
                      Kenneth Newbold         Councilmember  
                      John VanDerMolen        Councilmember

Absent:             Melissa Gallo                Councilmember

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 7:30 pm, followed by the Pledge of Allegiance.

**B.        AMENDMENT TO THE AGENDA**

Item #1 was added to the Executive Session.

**C.        PRIVILEGE OF THE FLOOR (agenda items only)**

None at this time.

**D.        REPORTS:**

**Councilperson Lyons:** Reporting for Highway; Roadway mowing continues daily. The loaner sweeper has continued to be out around Town. Our sweeper is still not repaired. A new member, Ken Cardini, joined the highway department as of 7/17/17. Final catch basin repairs and necessary culvert replacements have been completed along Pleasant Ridge Run. There is some minor purging to do inside the catch basins, the road will be ready for paving at the end of August. Work on Owens Road involved the removal of a rotten-galvanized abandoned culvert pipe and another one was removed and replaced with HDPE pipe. The most time consuming work performed this month has been the continued ditching of roads in West Division. Also ditching on Owens, Smith and the portion of Phillipsburg Road going to the Tetz plant. Hundreds of feet of additional shoulder were added and graded along sections of Hartley, Owens, and Smith Roads.

**Councilperson Van Der Molen:** Senior Citizens Commission will resume meetings at the end of September.

**Councilperson Newbold:** Met with Supervisor Bloomfield, Broderick Knoell and Joe Klopchin to review conditions and how to proceed with repairs in the water districts with the available funds. Secondly, well wishes extended to Tom May and Kevin Biondi in their retirement after many years with the Town Highway Dept.

**Supervisor Bloomfield:** Attended a meeting of County Officials, Mayors and Supervisors on resource sharing. The County Executive puts a plan together to be voted on by the leadership through-out the County for Legislature approval to send to Albany.

**E. OLD BUSINESS:**

**1. REVIEW AND DISCUSS COLEMAN ROAD CHANGE ORDER NO.1 AND FINAL PAYMENT NO.2 FOR THE COLEMAN ROAD CULVERT REPLACEMENT PROJECT AND AUTHORIZE THE SUPERVISOR TO SIGN SUPPORTING DOCUMENTS AND TO INITIATE FINAL PAYMENT OF \$34,287.61 TO NGS CONSTRUCTION, LLC.**

In 2011 Hurricane Irene and Tropical Storm Lee destroyed a major culvert on Coleman Rd. The Town received a grant from FEMA to replace the culvert. The original contract was \$194,999.70 plus the change order of \$ 2,499.95, totaled \$197,499.65. Previously billed \$163,212.04 leaving the amount due \$34,287.61 to NGS Construction, LLC.

Councilperson Lyons made the motion to authorize Change Order No.1 and to authorize the Supervisor to sign the associated final payment. Councilperson Newbold seconded the motion.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilperson, Kenneth Newbold	<u>AYE</u>
Councilperson, George Lyons	<u>AYE</u>	Councilperson, John Van Der Molen	<u>AYE</u>
Councilperson, Melissa Gallo	<u>ABSENT</u>		

Vote: Motion carried by a vote of 4 to 0.

**2. REVIEW AND DISCUSS DURLAND ROAD CHANGE ORDER NO.1 AND FINAL PAYMENT NO.2 FOR THE DURLAND ROAD CULVERT REPLACEMENT PROJECT AND AUTHORIZE THE SUPERVISOR TO SIGN SUPPORTING DOCUMENTS AND TO INITIATE FINAL PAYMENT OF \$54,687.26 TO NGS CONSTRUCTION, LLC.**

In 2011 Hurricane Irene and Tropical Storm Lee destroyed a major culvert on Durland Rd. The Town received a grant from FEMA to replace the culvert. The original contract was \$228,199.75 minus the change order of \$9,962.87, totaled adjusted contract \$218,236.88. Previously billed \$163,549.62 leaving the amount due \$54,687.26 to NGS Construction, LLC.

Councilperson Newbold made the motion to authorize Change Order No.1 and to authorize the Supervisor to sign the associated final payment. Councilperson Van Der Molen seconded the motion.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilperson, Kenneth Newbold	<u>AYE</u>
Councilperson, George Lyons	<u>AYE</u>	Councilperson, John Van Der Molen	<u>AYE</u>
Councilperson, Melissa Gallo	<u>ABSENT</u>		

Vote: Motion carried by a vote of 4 to 0.

**F. NEW BUSINESS:**

None at this time.

**G. FINANCE:**

Councilperson Newbold made the motion to authorize the Supervisor to pay Accounts Payable check run for 7/27/2017 in the amount of \$263,311.52. Councilperson Lyons seconded the motion.

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

## H. PRIVILEGE OF THE FLOOR

Comments regarding the Legoland project: There was a delay in putting the FEIS on the town web site. Therefore, the majority of those who spoke requested an *extension to the comment date* (5PM-8/4/2017), because of the length of the FEIS allowing time to read and process.

Questioned if the Comprehensive Plan bans amusement parks, why isn't this an illegal spot zoning? Response: is addressed in the FEIS. This is a court made law titled Common Law. Spot zoning applies to a small parcel of land not to the large amount of acres involved in this project. However, the zoning will have to be changed.

Referencing a book "The Psychology of Persuasion" by Robert Cialdini, PH.D. identified the 6 rules of persuasion. Opined that the Board has fallen victim to the rule of: "Consistency & Commitment".

Questioned the dust (added to the silica dust) from crushing rock/cement.

Wanted to know the difference between a work session and Town Board meeting. Answer: Legally there is no separate type of work session. Although a municipality governs how each meeting is held.

Who/why was the law banning amusement parks written? Requested when will the cost benefit analysis be completed?

Referenced RJ Smith (Monday's meeting) requested a zoning change for development. Answer: this plan was incomplete for review at this time.

Opined that the FEIS is lacking, ambiguous, full of contradictions and incomplete response to public comment. In comparing documents, has found 2,000 changes in the first part alone. Questioned that zoning changes should be going through the Zoning Board. Two people requested to be part of a new Comprehensive Plan team.

Councilperson Newbold interjected that he was offended by the comment that our Planning Board members are unethical. He noted that while others disagree with what is said, our Board Members are very open.

Attorney Golden stated for the record, "That the Orange County Partnership is providing no bullet points to anybody on the Board. Phil Dropkin's comments are all drafted by himself. I have not received any bullet points from the Orange County Partnership that is just a falsehood."

Opined that the Board does not follow the key principles of open government.

Belief that people were misled when the Planning Bd. Counsel set the deadline for FEIS comments.

Attorney Golden explained the Planning Board is mandated to adopt within 30 days the Findings Statement. This is an important document, because it outlines all of the mitigations.

## I. EXECUTIVE SESSION:

Councilperson Van Der Molen made the motion to enter into Executive Session to discuss the following;

1. Attorney Client Discussion

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

## J. ADJOURNMENT: 8:40PM

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Priscilla Gersbeck, Town Clerk