

TOWN OF GOSHEN
TOWN BOARD MEETING

October 26, 2017

MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 26th day of October, 2017 at the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

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| Present: | Douglas Bloomfield | Supervisor |
| | Melissa Gallo | Councilmember |
| | George Lyons | Councilmember |
| | Kenneth Newbold | Councilmember |
| | John VanDerMolen | 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 7:33 pm, followed by the Pledge of Allegiance.

B. AMENDMENT TO THE AGENDA

C. PRIVILEGE OF THE FLOOR (agenda items only)

D. REPORTS:

Councilperson Gallo: Reporting for JRC, Visits are continuing to Arcadia Hills, looking for potential locations to build a basketball court. Other projects involve finding new sports fields for soccer and Lacrosse etc.

Councilperson Lyons: Reporting for Highway, Three catch basins in Arcadia Hills, two on Virginia Lane and one on Hampton Hills Drive were rehabilitated. Ditching and clearing of drainage easements were done in Hambletonian Park and Arcadia Hills. Milling was done on John Drive, Fran Road and Ruby Lane to correct profile issues that existed from the original road installation. Full depth reclamation of Southgate was completed on 10/23/17. The reclaimed road has additionally been stabilized with calcium chloride in preparation for November paving. Two driveway culverts were replaced on Dobson Lane and Cedar Swamp Road. The boom mower rented on a yearly basis will be out on a daily basis mowing brush and branches along the banks of our roads.

Councilperson Newbold: Complimented our DPW employees on the hard work they do. "Thank you for a great job". He is working with Assemblyman James Skoufis to address the problem of "zombie polls". Update on Town Hall improvements/repairs, Al Fusco, P.E. is currently in charge of a grant project to install the lobby ADA doors.

Councilperson Van Der Molen: Received a police report from 9/1/2017 to 10/26/2017. There were numerous motor vehicle accidents, break-ins, animal incidents etc. Report is on file in the Clerk's office.

Supervisor Bloomfield: Spent a great deal of time this week trying to solve the problem with The Heritage water situation. Greater detail will be given when we discuss agenda item #4.

E. NEW BUSINESS:

1. DISCUSS AND APPROVE HIRING SCOTT LEMIN AS AN MEO IN THE GOSHEN HIGHWAY DEPARTMENT.

The Highway Dept. will soon have its third retirement vacancy (David Myruski) this year. Scott Lemin possesses a class B-CDL license and has worked the past three years for the NYS DOT.

Councilperson Lyons made the motion to approve hiring Scott Lemin as an MEO in our Highway Department at a rate specified in the current CSEA contract. Councilperson Gallo seconded the motion.

On A Voice Vote, the motion passed: 5 AYES Bloomfield, Gallo, Lyons, Newbold, Van Der Molen
0 NAYS

2. DISCUSS AND ACCEPT THE RESIGNATION OF DR. KRISTOPHER BAKER FROM THE PLANNING BOARD.

Dr. Baker has a complicated schedule, as a professor, and has found it increasingly difficult to attend meetings.

Councilperson Gallo made the motion to accept the resignation of Dr. Kristopher Baker from the Planning Board effective 10/25/2017. Councilperson Van Der Molen seconded the motion.

On A Voice Vote, the motion passed: 5 AYES Bloomfield, Gallo, Lyons, Newbold, Van Der Molen
0 NAYS

3. DISCUSS AND APPOINT MS. CYNTHIA HAND, ESQ. TO THE PLANNING BOARD TO REPLACE DR. BAKER.

Cynthia Hand Esq. has been an alternate on the Planning Board contributing regularly since her appointment. As people have been absent or have recused themselves. She would serve the remainder of Dr. Baker's term (Dec. 2017).

Councilperson Newbold made the motion to appoint Ms. Cynthia Hand, Esq. to the Planning Board replacing Dr. Baker. Councilperson Lyons seconded the motion.

Discussion: Councilperson Gallo stated she has worked with both Dr. Baker and Ms. Hand Esq. on the ERB and as an alternate on the Planning Board. "They are both remarkable people and happy that Ms. Hand Esq. will be on the Planning Board".

On A Voice Vote, the motion passed: 5 AYES Bloomfield, Gallo, Lyons, Newbold, Van Der Molen
0 NAYS

4. DISCUSS RESOLUTION TO ACCEPT FOR OPERATIONAL PURPOSES ONLY, THE HERITAGE SUBDIVISION WATER AND WASTEWATER FACILITIES, SUBJECT TO CERTAIN CONDITIONS.

Supervisor Bloomfield introduced the people who worked for the Town on The Heritage water and wastewater

project: Broderick Knoell (Superintendent of DPW), Joe Klopchin (Water/Sewer Operator), Sean Hoffman, P.E. (Professional Civil Engineer), Neal Halloran (Building Inspector) and Steven Gagnon, P.E. (not present)(OC Dept. of Health Senior Public Health Engineer).

In communication dated today, Mr. Gagnon, P.E. gave an update on the Completed Works Approval for The Heritage. He received a verbal from Joe Klopchin that the treatment plant sample was negative for coliform and was waiting for the test results from the lab by the end of the day. He spoke to the NYS Dept. of Health and since that treatment plant sample will finalize everything they are waiting for, they are willing to draft the Completed Works Approval, when the test results are received. Hence the approval will be issued on 10/27/2017.

Sean Hoffman, P.E. noted he received confirmation from the Village of Goshen that they are ready to accept wastewater and the necessary fees have been paid to the Village.

Based on the above communications the Board will vote on the following Resolution.

TOWN OF GOSHEN

Resolution

RESOLUTION ACCEPTING FOR OPERATIONAL PURPOSES ONLY THE HERITAGE ESTATES
SUBDIVISION WATER AND SEWER FACILITIES, SUBJECT TO CERTAIN CONDITIONS

INTRODUCED BY: Councilperson Kenneth Newbold

SECONDED BY: Councilperson John Van Der Molen

DATED: October 26, 2017

WHEREAS, a Developer's Agreement exists between the Town of Goshen and New York Farms, LLC in connection with the Heritage Estates subdivision, located along Old Chester Road, dated June 14, 2012, concerning the water and sewer systems; and

WHEREAS, the Town Board agreed in said Agreement to accept "for operation" the water and sewer distribution system infrastructure as soon as it was completed, inspected and tested, and recommended as ready for use by the Town Engineer and Water Superintendent.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Goshen Town Board, pursuant to the terms of the Developer's Agreement with New York Farms, LLC, hereby accepts for operational purposes only, the Heritage Estates water and sewer facilities, subject to the approval of the Town Engineer and Water Superintendent, and any conditions of their approval that they may have.

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 AYE

Vote: Resolution passed by a vote of 5 to 0.

F. OLD BUSINESS:

- 1. DISCUSS AND APPROVE RESOLUTION TO RELEVY UNPAID WATER AND SEWER CHARGES FOR 2017 INTO THE 2018 GOSHEN TOWN TAXES.**

Resolution as follows.

TOWN OF GOSHEN RESOLUTION

RELEVY OF UNPAID WATER AND SEWER CHARGES

BE IT RESOLVED that the following charges for water and/or sewer service remaining unpaid as of the date of this resolution be relevied upon the 2018 real property tax rolls:

Levy of Unpaid Utilities

| NAME | DISTRICT | AMOUNT |
|---------------------------------------|------------------|---------------------|
| Hambletonian Park | District 1 Water | \$21,391.30 |
| | District 1 Sewer | \$42,398.03 |
| | <i>Subtotal</i> | \$63,789.33 |
| Arcadia Hills | District 2 Water | \$45,799.15 |
| | District 2 Sewer | \$93,020.73 |
| | <i>Subtotal</i> | \$138,819.88 |
| Stone Hedge | District 3 Water | \$2,432.29 |
| Scotchtown | District 4 Water | \$1,696.68 |
| TOTAL LEVY OF UNPAID UTILITIES | | \$206,738.18 |

On a motion by Councilperson Kenneth Newbold, seconded by Councilperson George Lyons, the resolution was adopted on a vote of 5 Ayes, 0 Nays.

The Supervisor declared this resolution adopted.

Dated: 10/26/2017

- 2. DISCUSS AND APPROVE RESOLUTION TO RELEVY PROPERTY "CLEANUP" OF RESIDENCE, 143 OLD MINISINK TRAIL, WHICH WAS DESTROYED BY FIRE.**

Councilperson Gallo made the motion to approve a resolution to relevy the amount of \$7,500 for the clean-up work that was authorized and completed pursuant to Chapter 75 of the Code of the Town of Goshen, against the property located at 143 Old Minisink Trail. Councilperson Lyons seconded the motion.

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 AYE

Vote: Resolution passed by a vote of 5 to 0.

G. FINANCE

Councilperson Newbold made the motion to authorize the Supervisor to pay Accounts Payable check run as of 10/26/2017 amounting to \$189,035.61. Councilperson Lyons seconded the motion.

On A Voice Vote, the motion passed: 5 AYES Bloomfield, Gallo, Lyons, Newbold, Van Der Molen
 0 NAYS

H. PRIVILEGE OF THE FLOOR

Jerry Boss reported on his attendance at the Conservation Advisory Commissioners meeting. Discussion covered the purchase of a monitor for the Otterkill. Funding/approval, he believes, will go through the County Attorney’s Office. Perhaps a phone call to Mr. Langdon Chapman, Esq. might help to expedite the funding. A very informative meeting for all in attendance. He also attended the Moodna Creek Watershed Intermuniciple Council meeting. Debra Corr will follow-up on this meeting.

Susan Cleaver (inaudible) distributed material from the Office of the State Comptroller dated December 2016. Attached is a list of the average estimated cost thresholds in determining whether approval of the State Comptroller is necessary for certain special district actions in the year 2017. Her focus was on hook-up fees to be used to generate revenue for town district improvements or operations. The answer is “No, one-time hook-up fees are limited to costs incurred by the town with respect to the connections of users in the district and not to be used or defray costs of capital improvements or operations of the district.

Robert Garloch thanked the Building Inspector for a recent visit to evaluate the situation created by his neighbor’s land clearing project. However this week it has gotten worse. The neighbor dug a pit with an earthen dam around it to control water runoff. He estimates the pit is capable of holding 1,000 to 1,500 gallons of water which when filled has nowhere to go. The dam will give way and release the water creating a hazardous condition to the roadway. A letter will be sent to the neighbor asking for his plan to resolve this problem.

Nick Gallo inquired if the Town has looked into monitoring devices to measure noise. Answer: the one available to the Town is out dated. The devices are so sophiscated that a specialized contractor would be required. This still has to be determined.

Bob Torsello spoke about his concerns about the petition for a permissive referendum. Attorney Golden stated that there is no Town money being spent on the litigation challenge for the petition for a permissive referendum.

Ellen Guerrera addressed each member of the Board. Her poignant comments covered benches at the dog park, political signs, and opinioned support for Legoland’s FEIS.

Debra Corr along with Jerry Boss attended the Moodna Creek Watershed Intermuniciple Council meeting. Discussion covered monitoring/monitor of the Otterkill, Mr. Ted Fink’s Green Plan report, DEC dam project (Village of Goshen Reservoir #2 dam?), and plans of the DEC to do a visual inspection of the Otterkill.

In addition, Ms. Corr discussed setbacks of the proposed Maplewood subdivision, because of the proximity to agriculture properties. "It is very important that you respect the buffer zone of an agricultural district of a working farm."

Sandra Rothenberger noted that she is confused over money transactions (\$18,000,000) between Governor Cuomo, Merlin/Legoland and the all of the taxpayers in New York State.

John Stein questioned the representation by elected officials. Does the Board represent the people of Goshen or Merlin?

ADJOURNMENT:

Councilperson Lyons made the motion to adjourn the meeting for an attorney client discussion.

Councilperson Van Der Molen seconded the motion. Motion carried.

Meeting Adjourned 9:00PM.

Priscilla Gersbeck, Town Clerk

