

**GOSHEN
TOWN BOARD MEETING**

February 25, 2021

MINUTES

A meeting of the Town Board of the Town of Goshen was held on the 25th day of February, 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, P.E.	Town Engineer
	William Canavan, PG, LSRP	President Hydro Environmental Solutions, Inc.
	Priscilla Gersbeck	Town Clerk
	Mary Riso	Clerk to the Supervisor

CALL TO ORDER

Councilperson Canterino motioned to open the meeting at 7:30 pm and was seconded by Councilperson Lyons. Motion carried.

PUBLIC HEARING:

**Conduct a Public Hearing of Local Law 1 of 2021 to create a Battery Storage Energy Overlay District.
This Public Hearing will remain open to March 25th since we have not received comments from
Orange County Planning Department or the Town of Goshen Planning Board.**

Councilperson Newbold made the motion to open the public hearing on the above-said Introductory Local Law #1 of 2021. Councilperson Lyons seconded the motion.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilperson, George Lyons	<u>AYE</u>
Councilperson, Philip Canterino	<u>AYE</u>	Councilperson, Kenneth Newbold	<u>AYE</u>
Councilperson, Rick Florio	<u>AYE</u>		

Vote: Motion carried by a vote of 5 to 0.

Attorney Golden explained why the Town is creating a Battery Storage Energy Overlay District. In summary, an application was submitted to place a battery storage facility in a residential area. The Town Board imposed a moratorium to allow time to look at this issue, to study it and understand it to determine how to regulate it because it is not recognized under the code. Also, where in the town would be a suitable location(s) for such a facility. A map was put together for the Town Board and for public comments as to locating the overlay district. The Local Law will regulate these type of facilities.

Sean Hoffman, P.E summarized the technical aspects of the Local Law. He also reviewed the requirements of a battery energy storage system classified as Tier 1 or Tier 2 Battery Storage System. Basically, a Tier 1 system has an aggregate energy capacity less than or equal to 600 kWh and, if in a room or enclosed area, consist of only a single

energy storage system technology. Tier 2 has an aggregate energy capacity greater than 600 kWh or are comprised of more than one storage battery technology in a room or enclosed area. This would require site plan approval from the Planning Board and a special permit from the Town Board.

Supervisor Bloomfield called for comments from the public.

The following is a *summary* of residents who spoke during the hearing:

1. Erin Curtin, works for a battery storage developer/owner operator in Albany, NY. Submitted written comments to add another location (north) adjacent to the Orange Rockland substation.
2. Heritage of Goshen resident questioned if the facilities make an unusual amount of noise and if a building permit would be required.
3. Bruce Wiegand, resident on Owens Rd. wants his property included in this overlay district, suggesting that any property that borders the substation should be included.
4. Scott, East Point Energy associate, agreed with Mr. Wiegand to use his property for a battery storage facility.

Supervisor Bloomfield thanked those who spoke for their comments.

Comments from the Board Members:

Councilperson Newbold would like to hear more about the projects referred to. It was suggested for the representatives from the solar companies make a presentation to the Board. They can address why the overlay district could be modified one way or another.

Councilperson Lyons wants to clean-up housekeeping issues such as changing the decommissioning bond to a cash bond and not a letter of credit. He had trouble reading page 5 and page 6 of the Local Law. Attorney Golden explained both articles in question. All of the changes will be made after the public hearing is closed.

As stated in the beginning, the public hearing on Local Law #1 of 2021 will be continued on the March 25th Town Board meeting.

OLD BUSINESS:

1. **Review the final Hambletonian Park fecal/coliform ground water study conclusion and approve the recommendation for Dye Testing the force main (see attached email from Bill Canavan and Savin Engineers proposal for dye testing).**

Bill Canavan, PG reviewed the proposal from Savin Engineering, P.C. to investigate the force main for signs of leakage. A map showed the locations of sampling stations (streams, sewers, manholes) to be tested. Dye will be injected into the pump station near Meadowbrook Lane. Field crews will follow the dye as it travels through the force main, looking for signs of leakage. The length of the force main is estimated to be approximately 3,600 linear feet. Sean Hoffman, P.C. provided the background for this study. Elevated total and fecal coliform bacteria were found in streams that flow through Hambletonian & Arcadia sewer districts. The locations were selected based on results from sampling conducted in 2019 by the Town where elevated coliform bacteria levels were found. The cost proposed by Savin Engineers to conduct the dye testing is in the amount of \$5,040.

Councilperson Florio made the motion to authorize the spending of \$5,040 for Savin Engineering P.C. to perform dye checking of our force main from Hambletonian Park to the Village. Councilperson Lyons seconded the motion.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield AYE
Councilperson, Philip Canterino AYE
Councilperson, Rick Florio AYE

Councilperson, George Lyons AYE
Councilperson, Kenneth Newbold AYE

Vote: Motion carried by a vote of 5 to 0.

2. **Information: Hear the final status regarding lining Hambletonian Park and Arcadia Hills sewer lines.**

Sean Hoffman, P.C. stated Arcadia Hills sewer lining has been completed. In Hambletonian Park, additional lining is scheduled to be done.

3. **VER Realty, LLC has agreed to utilization of an escrow and replenishing agreement to support the application for zoning change submitted and discussed at the Town Board meeting on February 11, 2021. Attached is a proposed agreement developed by Kelly Naughton, Esq., for our consideration and approval.**

Attorney Golden explained this is a request to change the zoning to accommodate a particular parcel also be relevant to more than that particular parcel. The property owner agrees that whenever the amount remaining in the escrow account drops to 25% or less than the original escrow fee, the property owner will replenish the escrow account within ten days from the date of the mailing of the notice.

Councilperson Newbold made the motion to authorize the Supervisor to sign the Escrow Replenishment Agreement with VER Realty LLC. Councilperson Lyons seconded the motion.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilperson, George Lyons	<u>AYE</u>
Councilperson, Philip Canterino	<u>AYE</u>	Councilperson, Kenneth Newbold	<u>AYE</u>
Councilperson, Rick Florio	<u>AYE</u>		

Vote: Motion carried by a vote of 5 to 0.

4. **Information: A final draft of the Town of Goshen Police Reform & Reinvention Plan was posted on the Town website for citizen comment. The Town's Police Reform and Reinvention Collaborative Action Committee is holding a public comment listening session on the draft Plan on Monday March 1, 2021 at 7:00pm via Zoom, and written comments will be accepted through March 5, 2021.**

As stated, for information only.

NEW BUSINESS:

1. **Orange County Planning has found a Federal CARE source of funding up to 100% for the Goshen/Chester Dial-A-Bus (see attached letter dated February 23, 2021 from Rob Parrington, O.C. Senior Transit Planner).**

What this means is the Goshen-Chester Dial-A-Bus should be fully reimbursed for all of its operating expenses for the majority of 2020 and all of 2021, thanks to the CARES funding. The CARES Act from 2020 allows Federal CARES funding to be used up to a level of 100% reimbursement for transit operating assistance. The traditional operating assistance only allows for 50% reimbursement of these expenses.

2. **Information: Conducted first information sharing meeting with JCO, our new water/sewer operations contractor.**

JCO came up with a list of items they are concerned about. In April we will review our capital budget to see if we can include some of the items.

FINANCES:

1. **Councilperson Canterino made the motion to authorize the Supervisor to pay Accounts Payable check run on February 25, 2021 in the amount of \$391,357.52. Councilperson Newbold seconded the motion.**

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilperson, George Lyons	<u>AYE</u>
Councilperson, Philip Canterino	<u>AYE</u>	Councilperson, Kenneth Newbold	<u>AYE</u>
Councilperson, Rick Florio	<u>AYE</u>		

Vote: Motion carried by a vote of 5 to 0.

2. **Councilperson Lyons made the motion to authorize the Supervisor to pay Manual Workman's Comp run for \$120.46. Councilperson Florio seconded the motion.**

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilperson, George Lyons	<u>AYE</u>
Councilperson, Philip Canterino	<u>AYE</u>	Councilperson, Kenneth Newbold	<u>AYE</u>
Councilperson, Rick Florio	<u>AYE</u>		

Vote: Motion carried by a vote of 5 to 0.

3. **Councilperson Newbold made the motion to approve year-to-date budget transfers requested by the Budget Officer for 12/31/2020 and 2/25/2021. Councilperson Lyons seconded the motion.**

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilperson, George Lyons	<u>AYE</u>
Councilperson, Philip Canterino	<u>AYE</u>	Councilperson, Kenneth Newbold	<u>AYE</u>
Councilperson, Rick Florio	<u>AYE</u>		

Vote: Motion carried by a vote of 5 to 0.

4. **Information: Budget Officer, Christine Cavaliere, conducted as accounts payable audit for 2/25/2021. (Attached)**

As stated, for information only.

After thoughts:

Councilperson Lyons & Councilperson Newbold tried to open the Senior Center to assist in tax preparation. However, a spokesperson from AARP made other arrangements in Chester.

AARP wants to open the Senior Center to help seniors get on the computer to register for the COVID-19 vaccination. We are waiting for the okay.

Councilperson Newbold would like to open our land board meetings for public attendance. Currently, open meetings law allows for a certain % to attend. The meeting would have to be cancelled if more than the % attends.

ADJOURNMENT:

Councilperson Lyons made the motion to adjourn the meeting. Councilperson Newbold seconded the motion. Motion carried.

Time: 8:45PM

Priscilla Gersbeck, Town Clerk