

TOWN OF GOSHEN
TOWN BOARD MEETING

January 28, 2016
MINUTES

A regular meeting of the Town Board of the Town of Goshen was held on the 28th day of January, 2016 at the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present:	Douglas Bloomfield	Supervisor
	Melissa Gallo	Councilmember
	George Lyons	Councilmember
	Kenneth Newbold	Councilmember
	John VanDerMolen	Councilmember
Also Present:	Richard Golden, Esq.	Special Counsel to Town Board
	Priscilla Gersbeck	Town Clerk

A. CALL TO ORDER

The meeting was called to order by Supervisor Bloomfield at 7:34 pm, followed by the Pledge of Allegiance.

B. AMENDMENT TO THE AGENDA

An executive session was added to discuss a potential disciplinary matter and litigation.

C. PRIVILEGE OF THE FLOOR (agenda items only)

None at this time.

D. REPORTS:

Councilmember Gallo: Reporting for JRC; there are openings in the Chess Club and Zumba program. To find more information and registration, visit the Park & Recreation web site at www.goshenrec.com. The 2016 Summer Camp CIT application will be available on their web site the first week of February. A limited number of people will be chosen for the CIT program. The 2016 Summer Day Camp Employment Application will also be on line. Forms must be submitted before May 1. With help from Elmer Budd and the volunteer firemen, the portable ice rink has been set up at Erie Street Park.

Councilmember Lyons: Reporting for the DPW, complimented the DPW on the clean-up after Saturday's snow storm. Maintenance painting of the trucks and plows are underway. It was pointed out that there are four decommissioned vehicles housed on the DPW property, that can be put out for bid. They are DPW truck #4, P.D. Expedition, B & Z car and a Dial – A- Bus van. He suggested that surplus/decommissioned equipment in the Town Hall be included in this bid.

Councilmember Newbold: His report will be addressed later on in the meeting. He commended the DPW on a thorough job of clearing the roads after the snow storm. "Well done."

Councilmember VanDerMolen: Met with Police Chief McDowell introducing himself as the liaison to the Board. He is also the Town liaison on the Senior Commission. In the next few weeks, the seniors have the opportunity to take a bus trip to a casino. It is undecided as to which casino. Plans are being made for the seniors to attend an April "Senior Prom" hosted by the senior class at the High School. The seniors are also invited to attend a dress rehearsal-preview of the High School play. A small dinner will be included.

Supervisor Bloomfield: Asked Christine Cavaliere, Budget Officer, to update the Town Procurement Policy and Investment Policy. We are working with the NYS Comptroller Office to recoup monies we spent in 2006 to investigate the MTBE contamination. The Town of Goshen spent between \$25,000 to 30,000 on soil tests to determine the source of the contamination. It was later determined that the Town was not responsible for the MTBE contamination.

E. OLD BUSINESS:

1. DISCUSS AND APPROVE ADMINISTRATIVE REQUIREMENTS TO ACCEPT AND BOND ROADS IN THE REMINGTON RIDGE SUBDIVISION.

Attorney Golden reviewed the packet associated with the dedication of Valley View Road (Smith Hill Developers LLC). Included documents are: *Irrevocable Offer of Dedication* (for road), *Easement, Bargain and Sale Deed* and the following *Resolution*. As stated in the Resolution, the acceptance will be granted if two conditions are satisfied.

**TOWN OF GOSHEN
RESOLUTION**

**Acceptance of Deed, Offer and Associated Easements for Road Dedication
Valley View Road**

INTRODUCED BY: Councilperson George Lyons

SECONDED BY: Councilperson Melissa Gallo

Dated: January 28, 2016

At a meeting of the Town Board of the Town of Goshen, County of Orange, State of New York, held at Town Hall in said Town on the 28th day of January, 2016,

WHEREAS, Smith Hill Developers, LLC (hereinafter collectively "Owner") is the owner of the land known and designated as Valley View Road, as described in Schedule "A" attached to the Deed and Offer of Dedication, and which lands are situate within the boundaries of the Town of Goshen, and

WHEREAS, the Owner desires to convey to the Town of Goshen title to Valley View Road and easements over the associated drainage facilities located on Lots 1, 18, 19, 20 and 21, and

WHEREAS, Valley View Road has been fully constructed and offered for dedication to the Town of Goshen by Owner, pursuant to the relevant provisions of the Town Code and New York State Highway Law, and

WHEREAS, the Town Highway Superintendent and Town Engineer have recommended acceptance of said parcel of land for highway purposes, including the acceptance of easements

over the associated drainage and storm water facilities, upon the filing with the Town of a maintenance bond in the amount of \$134,000.00 to guarantee any maintenance and repairs required to Valley View Road by the Town for a period of one (1) year after acceptance by the Town of Goshen, and

WHEREAS, the Town Board desires to accept the dedication of Valley View Road in consideration of the transportation needs and demands of the Town, and finding that it is in the best interest its residents.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Goshen that, upon the satisfaction of the conditions noted below, the Town Board agrees to accept the deed and offer of dedication for Valley View Road, including the associated drainage easements, and authorizes the Supervisor to execute any and all documentation necessary to accept such offer of dedication, and directs the Town Clerk to record the Offer and Deed in the Orange County Clerk's Office.

This acceptance includes the drainage easements over Lots 1, 18, 19, 20 and 21 of the Remington Ridge subdivision (filed Map No. 792/04).

BE IT FURTHER RESOLVED THAT the closing in connection with this acceptance shall take place within 120 days from the date of this Resolution. Should the closing fail to take place within 120 days from the date of this Resolution, this Resolution shall be null and void, unless the Town Board, by resolution, grants an extension for such closing to take place.

CONDITIONS:

1. Notification that a title insurance policy for the parcel has been issued to the satisfaction of the Town Attorney. The title shall be unencumbered by taxes, liens or mortgages at the time of closing. (This includes providing the outstanding documents required and listed in the title report, completing the ALTA request form, and removing all outstanding mortgages from the title.)
2. Notification from the Town Clerk that a maintenance bond has been filed in the amount of \$134,000 to guarantee any maintenance and repairs necessary to Valley View Road, performed by the Town, for a period of one (1) year beginning from the date of closing.

Discussion: Councilman Lyons asked for clarification of rights to the easement. He also inquired as to the length of a 1 year maintenance bond. This will be opinioned by our Town Engineer.

Upon Roll Call Vote:

Supervisor, Douglas Bloomfield	<u>AYE</u>	Councilperson, John VanDerMolen	<u>AYE</u>
Councilperson, George Lyon	<u>AYE</u>	Councilperson, Melissa Gallo	<u>AYE</u>
Councilperson, Kenneth Newbold	<u>AYE</u>		

Vote: Resolution carried by a vote of 5 to 0

F. NEW BUSINESS:

- 1. INFORMATION: ON TUESDAY, FEBRUARY 2, 2016 BETWEEN THE HOURS OF 10:00AM AND 3:00PM THERE WILL BE A RISK MANAGEMENT ASSESSMENT OF TOWN BUILDINGS AND CONTENTS BY KEN HAVERLAND FROM HCC. GEORGE LYONS WILL BE KEN'S GUIDE FOR THE DAY**

Councilman Lyons will guide Mr. Haverland to assess our Parks, DPW, P.D. and Town Hall. The evaluation looks for "high priority" corrections pertaining to work safety.

- 2. INFORMATION: VILLAGE BILLING FOR TREATING SEWERAGE FOR HAMBLETONIAN PARK AND ARCADIA HILLS ARE IN HAND FOR CALENDAR YEAR 2015.**

	<u>2015 Actual</u>	<u>2015 Budget</u>	<u>Δ</u>
Hambletonian Park	68,805.24	110,000	-41,194.76 (under budget)
Arcadia Hills	99,811.20	125,000	-25,188.80 (under budget)

As stated for information only.

- 3. INFORMATION: NUGENT & HAEUSSLER, P.C. WILL BE ON SITE FEBRUARY 16, 2016 TO AUDIT THE TOWN AND THE TOWN JUSTICE COURT FOR THE YEAR 2015. AUDIT RESULTS SHOULD BE AVAILABLE BY APRIL 1ST. RESULTS OF AN EARLIER AUDIT OF THE TOWN DPW AND TOWN COURT FOR 2014 SHOULD BE AVAILABLE BY FEBRUARY 15TH**

As stated for information only.

- 4. INFORMATION: AN INVITATION HAS BEEN EXTENDED TO BE PRESENT AT A "SLAM DUNK; PAY IT FORWARD SHOWCASE." THIS FAMILY-FRIENDLY, FUN FILLED EVENT WILL BE HELD ON SATURDAY APRIL 16TH 2016, 11AM TO 1PM. IT WILL BE HELD AT THE KAPLAN RECREATION CENTER AT MOUNT SAINT MARY COLLEGE IN THE CITY OF NEWBURGH.**

This event features Orange County Community members and business executive basketball players, mascots and the semiprofessional - Hudson Valley Hype Basketball Team in a "slamtastic showcase" of skill and entertainment. Looking for someone to sign up or nominate a player.

G. FINANCE:

Councilman Newbold made the motion to authorize the Supervisor to pay Accounts Payable check run for 12/30/2015 and 1/28/2016 in the amount of \$796,226.55. Councilman VanDerMolen seconded the motion.

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

H. PRIVILEGE OF THE FLOOR

Robert Smith inquired if monies were intentionally budgeted into the fund balance for I & I and capital projects in general. Response: Yes.

Another question referenced the County's intent to sell property adjacent to the Valley View Nursing Home. He is skeptical of the plans *as they are presented*. Supervisor Bloomfield stated he will be at a meeting Monday morning with Legislator Phil Canterino, Councilman Lyons, Building Inspector Neal Halloran, and Attorney Richard Golden to discuss this issue. Legislator Phil Canterino will share information and details of this proposal.

I. EXECUTIVE SESSION:

Councilwoman Gallo made the motion to enter into Executive Session to discuss the following;

1. Potential P.D. Disciplinary Matter
2. Potential P.D. Litigation

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

ADJOURNMENT: 8:25PM

Priscilla Gersbeck, Town Clerk