

Village Board Meeting
April 25, 2011
Goshen Senior Center

Members present: Mayor Roddey, Trustees Char, Smith, and Stewart. Absent: Trustee Mattheus.

Also present: Attorney Donovan, Engineer Tully, Accountant Vernieri, and Village Clerk Strobl.

Mayor Roddey led those present in the Pledge of Allegiance.

Mayor Roddey gave a power point presentation explaining the fiscal status of the Village, which concluded with his contact information.

On a motion by Trustee Stewart, seconded by Trustee Char, the Public Hearing to consider increasing the special sewer assessment was opened at 7:45 p.m.

Char	aye
Mattheus	absent
Smith	aye
Stewart	aye

Mayor Roddey read names from the sign in to speak list, and the following spoke to the Board:

Joel Sasser, Property Manager at Carriage Hill and Fletcher Street apartments questioned how units are determined, and said that he would have to increase each rent by \$30.00. He said that costs are forcing people out.

Evelyn Ortiz noted that the assessment was not very good news for the senior population, all of whom are on fixed incomes.

Ken Hazard, resident of Northgate, explained that in 2006 rents were increased by \$25.00 per month to cover the sewer assessment, and questioned how much the landlord would increase rents now. He called the assessment very unfair to seniors.

G. Sullivan asked where the incentive to stay in the Village was.

Susan Bloom asked if there was an exemption for Seniors, and whether or not usage costs were being raised. She also asked if the Board was talking to developers in the Town, and if they were convinced that there will be enough money to remove the landfill. She noted that it would be easier to pay water/sewer bills monthly, rather than quarterly.

Laura Metzger stated that she works for Rand Realty, and would be in favor of putting the increase on tax bills, perhaps instituting a tax on new residents, similar to one that Warwick has. She also noted that something should be done with the Salesian property.

Betty Daniels said that she had been a 30-year resident of Arcadia Hills and that their bills are way too high.

Jon Stein stated that he has been a resident for many years and that this town still doesn't have supermarket causing people to have to pay for gas to drive to the market. He predicted that Goshen will become a ghost town.

Joel Markowitz noted that one thing not being discussed tonight is that it can be done through usage. He said that the mechanism is in place to pay for usage and that it is the only equitable way to do this, having the least effect on the business community.

Chris O'Connell said that we should make decisions and not the State, and that the Village should repair sewer overflows. He asked if the project cost more because of hiring issues.

Daniel McMann, of the Comfort Inn, stated that the increased assessment would not be fair to residents or to other businesses, and that the assessment at his hotel would be increased by \$10,000.

Mayor Roddey announced a five minute break in order for residents who arrived late to sign up to speak.

Jim Horan asked if the Board had thought about privatizing, claiming that it couldn't be worse than it is now.

Nan Gill thanked the Board for the opportunity to voice her opinions, and said that it seems like a prior administration dropped the ball. She also asked if you can get a Bond to move the soil, could you get one to use instead of the unit charge. She then recommended a Community Sewer Day to raise funds.

Bob Chaffee stated that he had looked into sewer rates throughout New York State, and that out of district rates are generally much higher than here.

Jim Lord urged the Board to look into privatization.

Fred Nowak asked if the assessment is the same for businesses, and urged stricter adherence to recycling rules in an effort to save costs.

Christine Sullivan said that she has two units, and feels the increase should be based on usage.

Brian Mitchell asked whether new sewer flow would have an effect on infrastructure problems, and whether or not he could have his own well. He noted that the Village of Sloatsburg no longer has a police department and shouldn't we do the same.

Gabriel Alfonso stated that everyone is blaming Albany, and could we get something from the State in writing about what they really want.

Meg Bailey asked what percentage of use the wastewater treatment plant is at, and whether service has been offered to other municipalities, such as Kiryas Joel.

Steve O'Sullivan asked if some street lights could be turned off to save money, which could then be put into the sewer fund.

Richard Quinlan asked questions about what units are.

Doug Sanders urged residents to call County officials and ask why they are sending jail sewage all the way to Florida instead of using Goshen. He also asked if the water and sewer funds could go bankrupt without affecting the general fund.

Mayor Roddey thanked everyone for attending, and explained that the Public Hearing would be closed, but that no vote would be taken, particularly without the full Board.

On a motion by Trustee Char, seconded by Trustee Stewart, the Public Hearing was closed at 9:05 p.m.

Char	aye
Mattheus	absent
Smith	aye
Stewart	aye

On a motion by Trustee Char, seconded by Trustee Stewart, the Agenda was accepted as presented.

Char	aye
Mattheus	absent
Smith	aye
Stewart	aye

On a motion by Trustee Stewart, seconded by Trustee Char, the Minutes of the April 4, 2011 Village Board Meeting were accepted as submitted.

Char	aye
Mattheus	absent
Smith	aye
Stewart	aye

Communications

On a motion by Trustee Char, seconded by Trustee Smith, bills as examined by members of the Board were approved in accordance with Abstract 2010/2011 number 26, check numbers 1501 through 1564 in the amount of \$237,284.25.

Char	aye
Mattheus	absent
Smith	aye
Stewart	aye

Items of Business

Trustee Char moved the following, which was seconded by Trustee Stewart:

Whereas, the preliminary budget for the year 2011/2012 has been duly presented to the Village Board of Trustees and a duly advertised public hearing has been held on April 11, 2011;

Resolved: pursuant to Section 5-508(4) of the Village Law, that the said preliminary budget, as changed, altered, and revised, be and hereby is adopted as the budget of the Village of Goshen for the year 2011/2012.

Char	aye
Mattheus	absent
Smith	aye
Stewart	aye

On a motion by Trustee Char, seconded by Trustee Smith, the following rates for current part-time employees will become effective June 1, 2011. These rates reflect a 4% increase.

Court Officer	13.87
Dispatcher	15.17
Police Officer – PT	20.68

Char	aye
Mattheus	absent
Smith	aye
Stewart	aye

Trustee Char offered the following resolution and moved its adoption:

RESOLUTION OF THE VILLAGE OF GOSHEN, NEW YORK, ADOPTED APRIL 25, 2011, AMENDING THE BOND RESOLUTION ADOPTED FEBRUARY 14, 2011

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF GOSHEN, IN THE COUNTY OF ORANGE, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Board of Trustees) AS FOLLOWS:

Recitals

WHEREAS, the Board of Trustees of the Village of Goshen, in the County of Orange, New York, has heretofore duly authorized the issuance of serial bonds to finance the abandonment of a refuse disposal area, consisting of the removal and disposal of stockpiled landfill material, including engineering and planning costs, at the estimated total cost of \$7,000,000, which amount was appropriated for such purpose by said Board of Trustees; and

WHEREAS, the Board of Trustees has now determined that the estimated cost of such project shall be \$10,000,000, and it is in the public interest increase said appropriation by \$3,000,000;

Now, therefore, be it

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF GOSHEN, IN THE COUNTY OF ORANGE, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Board of Trustees) AS FOLLOWS:

Section (A) The bond resolution of the Village of Goshen duly adopted by the Board of Trustees on February 14, 2011, entitled:

“Bond Resolution of the Village of Goshen, New York, adopted February 14, 2011, authorizing the abandonment of a refuse disposal area, consisting of the removal and disposal of stockpiled landfill material, stating the estimated maximum cost thereof is \$7,000,000, appropriating said amount for such purpose, and authorizing the issuance of \$7,000,000 serial bonds of said Village to finance said appropriation,”

is hereby amended to read as follows:

BOND RESOLUTION OF THE VILLAGE OF GOSHEN, NEW YORK, ADOPTED
FEBRUARY 14, 2011 AND AMENDED APRIL 25, 2011, AUTHORIZING THE
ABANDONMENT OF A REFUSE DISPOSAL AREA, CONSISTING OF THE REMOVAL
AND DISPOSAL OF STOCKPILED LANDFILL MATERIAL, STATING THE ESTIMATED
MAXIMUM COST THEREOF IS \$10,000,000, APPROPRIATING SAID AMOUNT FOR
SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$10,000,000 SERIAL
BONDS OF SAID VILLAGE TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF GOSHEN, IN THE COUNTY OF ORANGE,
NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of
said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Goshen, in the County of Orange, New York (herein called the “Village”), is hereby authorized to abandon a refuse disposal area, consisting of the removal and disposal of stockpiled landfill material, including engineering and planning costs. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$10,000,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$10,000,000 serial bonds of the Village to finance said appropriation and the levy and collection of taxes upon all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Village in the principal amount of \$10,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 6-b of the Law, is twenty (20) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village without limitation of rate or amount. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published in the "*Independent Republican*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF GOSHEN, NEW YORK

PLEASE TAKE NOTICE that on February 14, 2011, the Board of Trustees of the Village of Goshen, in the County of Orange, New York, adopted a resolution amending the bond resolution adopted by said Board of Trustees on February 14, 2011, which bond resolution, as amended, is entitled:

"Bond Resolution of the Village of Goshen, New York, adopted February 14, 2011 and amended April 25, 2011, authorizing the abandonment of a refuse disposal area, consisting of the removal and disposal of stockpiled landfill material, stating the estimated maximum cost thereof is \$10,000,000, appropriating said amount for such purpose, and authorizing the issuance of \$10,000,000 serial bonds of said Village to finance said appropriation,"

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Goshen to abandon a refuse disposal area, consisting of the removal and disposal of stockpiled landfill material, including engineering and planning costs; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$10,000,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of \$10,000,000 serial bonds of the Village to finance said appropriation, and the levy of taxes upon all the taxable real property within the Village to pay the principal of said bonds and the interest thereon;

SECOND: AUTHORIZING the issuance of \$10,000,000 serial bonds of the Village pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is twenty (20) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: April 25, 2011

Margaret G. Strobl
Village Clerk

Section 8. The Village Clerk is hereby authorized and directed to cause said amending bond resolution to be published, in summary, after said amending bond resolution shall take effect, in the newspaper hereinabove referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

* * *

Section (B) The amendment of the bond resolution set forth in Section (A) of this resolution shall in no way affect the validity of any prior liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as amended.

Section (C) Said bond resolution, as amended, is subject to a permissive referendum as therein provided. In the event that a valid petition protesting against said bond resolution and requesting that it be submitted to the electors of said Village for their approval or disapproval is filed and the Proposition submitted is defeated, the validity of the bond resolution adopted February 14, 2011 shall not be in any way affected and shall remain in full force and effect.

The adoption of the foregoing resolution was seconded by Trustee Smith and duly put to a vote on roll call, which resulted as follows:

AYES: 4

NOES: 0

The resolution was declared adopted.

Mayor/Trustee Comments

Mayor Roddey, reported on the following sewer issues: crews are working on the grit removal system at the plant; crews have been working with surveyors relating to

upcoming sewer projects; and manholes have been repaired at the O.C. Government Center parking lot and Dikeman Drive.

Citizens' Comments

Susan Bloom asked the Board to meet with the County to provide Village water to three families on Police Drive who have contaminated well.

In discussing the Budget, Susan Bloom noted her objections to employees receiving a 4% salary increase, and her opinion that fuel and gas had been underestimated. She also said that employees have to start contributing to health care.

Neil Hickok told the Board that they should start running diesel vehicles on cooking oil. He also wished everyone a merry junk week.

Joel Markowitz explained that Westchester County had successfully converted from diesel to cooking oil. He also asked what the total amount of the budget was.

Reynell Andrews asked if he could obtain an abstract by filling out a freedom of information form.

On a motion by Trustee Stewart, seconded by Trustee Char, the meeting was adjourned at 9:35 p.m.

Char	aye
Mattheus	absent
Smith	aye
Stewart	aye