

Village Board Meeting
October 22, 2012

Members present: Mayor Roddey, Trustees Brady, Char, Smith, and Stewart

Also present: Attorney Donovan, Engineer Tully, Chief Watt, and Village Clerk Strobl

Twelve Boy Scouts from Troop 63 were in attendance to fulfill a requirement for the Citizenship in the Community Merit Badge.

Mayor Roddey called the meeting to order at 7:30 p.m. and invited the Boy Scouts to lead the Pledge of Allegiance.

On a motion by Trustee Char, seconded by Trustee Smith, the Agenda was modified by the removal of Items of Business #10 and #11: Negative Declaration – Local Law #7 of 2012 and Adoption – Local Law #7, 2012 – Property Maintenance; and by the addition of an Executive Session for a discussion of the employment history of a particular employee.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

Minutes

On a motion by Trustee Stewart, seconded by Trustee Smith, the Minutes of the September 24, 2012 Village Board Meeting were accepted as submitted.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

On a motion by Trustee Smith, seconded by Trustee Stewart, the Minutes of the October 1, 2012 Village Board Work Session were accepted as submitted.

Brady	aye
Char	abstain (absent on October 1, 2012)
Smith	aye
Stewart	aye

On a motion by Trustee Char, seconded by Trustee Smith, the Minutes of the October 15, 2012 Village Board Work Session were accepted as submitted.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

Communications

Mayor Roddey reviewed a memo from the Joint Recreation Commission announcing the annual 5K Turkey Trot scheduled for November 17, 2012 beginning at 11:00 a.m.

Mayor Roddey read a letter from Rabbi Meir Borenstein, of Chabad Center of Orange County, requesting menorah lightings to be held December 9th and 10th, 2012.

On a motion by Trustee Smith, seconded by Trustee Char, the events were given conditional approval, pending receipt of the necessary insurance and indemnification.

Brady aye
Char aye
Smith aye
Stewart aye

Items of Business

Mayor Roddey introduced Scout Jonathan Search, and presented him with a certificate of appreciation for rebuilding the handicap ramp at Village Hall as his Eagle Scout project.

Mayor Roddey recognized all the scouts in attendance, and introduced members of the Board and staff to them.

Trustee Smith offered the following Resolution, and moved its adoption:

WHEREAS, the Board of Trustees must designate by Resolution and publish the offices which are to be filled in the Village election, and the terms thereof;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Goshen designates the following offices vacant at the end of the current official year, to be filled at the Village election to be held on March 19, 2013, for the following terms:

One (1) Mayor for two (2) years
Two (2) Trustees for two (2) years

IT IS FURTHER RESOLVED, that the Village Clerk is hereby directed to publish this Resolution in full in the Goshen Independent. This Resolution will take effect immediately.

The foregoing Resolution was seconded by Trustee Char, and a vote resulted as follows:

Brady aye
Char aye
Smith aye
Stewart aye

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

WHEREAS, The Village of Goshen owns property designated as:

13-1-32.61	Town of Goshen
15-1-8	Town of Goshen
15-1-48	Town of Goshen
15-1-50	Town of Goshen
61-1-43	Town of Walkkill

AND, WHEREAS, the above described property is used by the Village of Goshen for water supply purposes for its residents and others who use State and County facilities within the Village, and

WHEREAS, the County Legislature has exempted the described properties from County Taxation in years past,

NOW, THEREFORE, BE IT RESOLVED, that the Village of Goshen is requesting the Legislature of Orange County to exempt the described property from County taxation, for the year 2014, in view of its use for municipal purposes.

Brady aye
Char aye
Smith aye
Stewart aye

On the nomination of Mayor Roddey, and with the approval of the Village Board of Trustees, Paul F. Heppes is hereby appointed to the Joint Recreation Commission, to fill the unexpired term of Tricia Sherlock. This term will expire in October, 2015.

Brady aye
Char aye
Smith aye
Stewart aye

On a motion by Trustee Stewart, seconded by Trustee Smith, bills as examined by members of the Board were approved in accordance with Abstract 2012/2013 numbers 7 and 8, check numbers 4250 through 4330, and 4392 through 4450 in the amount of \$420,865.32.

Brady aye
Char aye
Smith aye
Stewart aye

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

The Village Board of the Village of Goshen hereby authorizes the Advertisement for Bids for a PREVIOUSLY OWNED TRUCK MOUNTED COMBINATION VACUUM/FLUSH MACHINE, and sets the bid opening for Wednesday, November 14, 2012 at 11:00 a.m. at Village Hall, 276 Main Street, Goshen NY.

Brady aye
Char aye
Smith aye
Stewart aye

On a motion by Trustee Char, seconded by Trustee Smith, the Village Board of the Village of Goshen hereby accepts funds allocated by the New York State Office of Children & Family Services as processed locally through the Orange County Youth Bureau.

The approved funding for the 2013 application, as submitted by the Joint Recreation Commission, is \$3,217.00 for Recreation and \$2,885.00 for Service.

Brady aye
Char aye
Smith aye
Stewart aye

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

WHEREAS, Goshen Corp. and Meinwald Realty Corp. f/k/a 619 Realty Corp. have heretofore filed a proceeding in the Supreme Court of Orange County pursuant to Article 7 of the Real Property Tax Law seeking to contest the assessment imposed on their real property located in the Village of Goshen, which property is designated on the tax map as Section 109, Block 5, Lot 37; Section 108, Block 7, Lot 17.2, 17.3; Section 109, Block 3, Lot 6.2; Section 109, Block 3, Lot 3; Section 109, Block 3, Lot 4.2; Section 111, Block 14, Lot 2; and Section 111, Block 14, Lot 1; and;

WHEREAS, the duties of assessing real property in the Village for purposes of real property taxation are vested with the Assessor's office for the Town of Goshen; and

WHEREAS, the Town of Goshen and their Assessor have heretofore determined that it is in the best interests of all parties that the proceeding commenced by Goshen Corp. and Meinwald Realty Corp. f/k/a 619 Realty Corp., be settled and compromised; and

WHEREAS, the Village is in receipt of a Consent Judgment duly signed and approved by the attorneys representing the Town of Goshen, the attorneys representing the Petitioner and the Office of the Orange County Attorney which Consent Judgment has been approved by the Honorable Catherine M. Bartlett, Supreme Court Justice; and

WHEREAS, pursuant to the terms and provisions of said Consent Judgment the Village is obligated to refund certain tax amounts heretofore paid by Goshen Corp. and Meinwald Realty Corp. f/k/a 619 Realty Corp.;

NOW, THEREFORE, it is hereby

RESOLVED, that pursuant to said Consent Judgment the Village Board hereby directs the Village Treasurer to issue a check in the amount of \$159,290.40 and to deliver the same to Schroder & Strom, LLP, as attorneys for Petitioners, as provided for in said Consent Judgment.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

Trustee Brady moved the following, which was seconded by Trustee Smith:

WHEREAS, Riya Goshen, LLC has heretofore filed a proceeding in the Supreme Court of Orange County pursuant to Article 7 of the Real Property Tax Law seeking to contest the assessment imposed on their real property located at 20 Hatfield Lane, in the Village of Goshen, which property is designated on the tax map as Section 126, Block 1, Lot 4.1; and

WHEREAS, the duties of assessing real property in the Village for purposes of real property taxation are vested with the Assessor's office for the Town of Goshen; and

WHEREAS, the Town of Goshen and their Assessor have heretofore determined that it is in the best interests of all parties that the proceeding commenced by Riya Goshen, LLC, be settled and compromised; and

WHEREAS, the Village is in receipt of a Consent Judgment duly signed and approved by the attorneys representing the Town of Goshen, the attorneys representing the Petitioner and the Office of the Orange County Attorney which Consent Judgment has been approved by the Honorable Catherine M. Bartlett, Supreme Court Justice; and

WHEREAS, pursuant to the terms and provisions of said Consent Judgment the Village is obligated to refund certain tax amounts heretofore paid by Riya Goshen, LLC;

NOW, THEREFORE, it is hereby

RESOLVED, that pursuant to said Consent Judgment the Village Board hereby directs the Village Treasurer to issue a check in the amount of \$44,330.24, and to deliver the same to Riya Goshen, LLC, as provided for in said Consent Judgment.

Brady aye
Char aye
Smith aye
Stewart aye

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

WHEREAS, the owners of Olde Yorke Subdivision, (112-5-1.2 and 3), are in the process of filing of the subdivision maps with the Orange County Clerk's office; and

WHEREAS, the applicant is required to establish bonding and inspection fees as recommended by Lanc & Tully Engineering and Surveying, P.C., based on estimates prepared by Esposito and Associates;

NOW, THEREFORE, it is hereby

RESOLVED, that the Village Board of the Village of Goshen hereby declares that the applicant be required to establish and maintain, with the Village, a performance bond in a form satisfactory to the Village Attorney, in the amount of \$341,033.50, a maintenance bond, prior to dedication in the amount of \$133,168.45, and inspection fees in the amount of \$66,584.23.

It is also understood, that the Village Board will receive a contribution, in lieu of the construction of sidewalks, in an amount to be proposed by the applicant, and approved by the Village Engineer.

Brady aye
Char aye
Smith aye
Stewart aye

On a motion by Trustee Brady, seconded by Trustee Char, the Village Board hereby resolves to hold a Public Hearing on November 26, 2012, at 7:30 p.m., or as soon after as may be heard, for the consideration of adoption of: A Local Law to amend Chapter 58 of the Code of the Village of Goshen – Sewer Use Ordinance.

Brady aye
Char aye
Smith aye
Stewart aye

Trustee Brady moved the following, which was seconded by Trustee Smith:

The Village Board of the Village of Goshen hereby authorizes the Advertisement for Bids for selective harvesting of approximately 665 trees on Village property known as the Goshen Industrial site, and sets the bid opening for Tuesday, November 13, 2012 at 10:00 a.m. at Village Hall, 276 Main Street, Goshen NY.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

Mayor / Trustee Comments

Trustee Brady reported for the water department that the brush around Hilltop Drive pump station has been cut and the fencing has been replaced. He also noted that the Joint Recreation Commission's Halloween Party would be held Saturday, the 27th, from 1:00 – 4:00 at Salesian Park.

Trustee Stewart gave the following report for the Department of Public Works: Hatfield Lane catch basins were repaired, the road was milled, and then it was repaved; crews repaired a 4" water main on South Church Street; crews assisted a contractor on South Church Street with a water main replacement; and the leaf equipment is ready for the season with leaf removal starting immediately.

Trustee Char reported for the Police Department that night patrols have inventoried all street lights, compiled a list of lights that are out, and forwarded it to Orange and Rockland and the Village DPW for repairs.

Trustee Smith offered accolades to the Police Department for all of the activities reflected in the recognition letters attached to the Board Report. He thanked Chief Watt for keeping the Village safe.

Mayor Roddey reported for the sewer department that the scheduled maintenance on the clarifiers is complete, and that crews have been working with a contractor TVing the sewer mains.

Mayor Roddey congratulated the Leukemia and Lymphoma Society for the success of the recent "Light the Night" event, which was held in the Village.

Citizens' comments were received from Joel Markowitz.

On a motion by Trustee Char, seconded by Trustee Smith, the Board entered into Executive Session at 8:25 p.m. for discussion of the employment history of a particular employee.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

On a motion by Trustee Stewart, seconded by Trustee Smith, the Executive Session and the Meeting adjourned at 8:55 p.m.

Brady	aye
Char	aye
Smith	aye
Stewart	aye