

Village Board Meeting
January 28, 2013

Members present: Mayor Roddey, Trustees Brady (7:40 p.m.), Char, Smith, and Stewart

Also present: Attorney Donovan, Engineer O'Rourke, and Village Clerk Strobl

Mayor Roddey called the meeting to order at 7:30 p.m. and led those present in the Pledge of Allegiance.

On a motion by Trustee Char, seconded by Trustee Smith, the Agenda was amended by the addition of Items of Business #9: Industrial Site Annexation.

Brady	absent at time
Char	aye
Smith	aye
Stewart	aye

Mayor Roddey read the following:

LEGAL NOTICE

NOTICE IS HEREBY GIVEN, that the Board of Trustees of the Village of Goshen, New York, will hold a Public Hearing at Village Hall, 276 Main Street, Goshen, New York, on January 28, 2013, at 7:30 p.m., or as soon after as may be heard, to consider the adoption of a Local Law to override the tax levy limit established in General Municipal Law 3-c.

The Village of Goshen will make every effort to assure that the Public Hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or accommodations should contact the Village Clerk.

On a motion by Trustee Stewart, seconded by Trustee Char, the Public Hearing on proposed Local Law #1 of 2013 was opened at 7:32 p.m.

Brady	absent at time
Char	aye
Smith	aye
Stewart	aye

There was no public comment.

On a motion by Trustee Char, seconded by Trustee Smith, the Public Hearing was closed at 7:33 p.m.

Brady	absent at time
Char	aye
Smith	aye
Stewart	aye

On a motion by Trustee Stewart, seconded by Trustee Smith, the Minutes of the January 7, 2013 Village Board Work Session were accepted as submitted.

Brady	absent at time
Char	aye
Smith	aye
Stewart	aye

On a motion by Trustee Char, seconded by Trustee Smith, the Minutes of the January 14, 2013 Village Board Meeting were accepted as submitted.

Brady	absent at time
Char	aye
Smith	aye
Stewart	aye

The Board reviewed an accounting of outstanding water/sewer accounts, scheduled to be re-levied on Village taxes if not paid by February 28, 2013.

On a motion by Trustee Smith, seconded by Trustee Stewart, bills as examined by members of the Board were approved in accordance with Abstract 2012/2013 number 10, check numbers 4644 through 4975, in the amount of \$1,716,400.46, and wire transfers in the amount of \$245,977.59, for a grand total of \$1,962,378.05.

Brady	absent at time
Char	aye
Smith	aye
Stewart	aye

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

WHEREAS, Section 2019-a of the Uniform Justice Court Act requires that town and village justices annually provide their court records and dockets to their respective town and village auditing boards, and that such records then be examined or audited and that fact be entered into the minutes of the board's proceedings; and

WHEREAS, the Unified Court System's *Action Plan for the Justice Courts*, announced November 2006, includes initiatives to improve accountability and controls over Justice Court finances and records, including an increased monitoring of town and village board compliance with section 2019-a; now, therefore,

BE IT RESOLVED, that the Village Board of the Village of Goshen acknowledges that the required audit has been conducted by Nugent & Haeussler, P.C., and delivered to the Village on January 15, 2013.

Brady	absent at time
Char	aye
Smith	aye
Stewart	aye

On a motion by Trustee Stewart, seconded by Trustee Char, the Village Board hereby resolves to hold a Public Hearing on February 11, 2013, at 7:30 p.m., or as soon after as may be heard, for the consideration of adoption of: A Local Law to amend Section VII of Appendix A of the Code of the Village of Goshen – Sign Regulations.

Brady	absent at time
Char	aye
Smith	aye
Stewart	aye

The following was moved by Trustee Char, and seconded by Trustee Smith:

WHEREAS, Frank Zellner, the owner of certain real property located at 41 Prospect Avenue in the Village of Goshen which property is designated on the tax map as Section 111, Block 21, Lot 24 has heretofore made application to the Village Planning Board for certain land use approvals; and

WHEREAS, pursuant to Chapter 2 of the Code of the Village of Goshen applicants for land use approvals are responsible to pay certain fees in the amounts, including professional consultants fees, as set forth therein; and

WHEREAS, pursuant to Section 2-163 of the Village Code, the Village Board is empowered to relevy any unpaid fees; and

WHEREAS, multiple attempts have been made to collect the fees due from Mr. Zellner who has at all times refused and neglected to pay the amounts rightly due and owing to the Village of Goshen;

NOW, THEREFORE, it is hereby

RESOLVED, that the Village determines to relevy the unpaid fees owed by Mr. Zellner to the Village of Goshen on his Village tax bill next upcoming regarding the real property known and designated as Section 111, Block 21, Lot 24 and the Village is hereby empowered to take any and all actions necessary and required to effectuate this Resolution.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

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

WHEREAS, the Village of Goshen has received two bid proposals for the Goshen Water Meter Replacement Project; and

WHEREAS, the lowest bid, in the amount of \$248,599.00, was received from Badger Meter Inc., Milwaukee, WI; and

WHEREAS, Badger Meter Inc. is the lowest responsible bidder for the Water Meter Replacement Project, having submitted all required documentation and bidding certification to consider their bid in the amount of \$248,599.00 complete; and

WHEREAS, Lanc & Tully Engineering and Surveying, P.C. has determined that the proposed equipment to be supplied for the project has been reviewed and discussed with the manufacturers to ensure general compliance with the technical specifications to the fullest extent practical;

NOW, THEREFORE, it is hereby

RESOLVED, that the Goshen Water Meter Replacement Project be awarded to Badger Meter Inc., Milwaukee WI.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

On a motion by Trustee Smith, seconded by Trustee Char, the Mayor is hereby authorized to sign a proposal from Melick-Tully and Associates, P.C., for Geotechnical Engineering Consultation Services at the Goshen Reservoir No. 1 Dam. The total cost for the services will not exceed \$23,800.

Brady aye
Char aye
Smith aye
Stewart aye

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

WHEREAS, the Village of Goshen is the owner of certain unimproved real property consisting of approximately 113.6 acres and having an address of 2500 New York State Route 17M, Goshen, New York; and

WHEREAS, the said property is located within both the Town of Goshen and the Village of Goshen with the parcel located in the Town of Goshen being designated on the tax map as Section 10, Block 1, Lot 63 and consisting of approximately 60.4 acres while the parcel located in the Village being designated as Section 117, Block 1, Lot 11 and consisting of approximately 53.2 acres; and

WHEREAS, the premises are not required for any municipal purpose and are presently being actively marketed for sale in an attempt to generate revenue both through sale proceeds and future tax revenues; and

WHEREAS, to facilitate the sale of the premises and to avoid a segmented review process regarding the land use approvals that will be required for the ultimate development of the premises, the Village finds that it is in the overall public interest to annex that portion of the said premises located in the Town of Goshen into the Village of Goshen;

NOW, THEREFORE, it is hereby

RESOLVED, that the Village finds that the annexation of the premises known and designated as Section 10, Block 1, Lot 63 from the Town of Goshen into the Village of Goshen is in the overall public interest; and it is further

RESOLVED, that the Mayor of the Village of Goshen is hereby empowered and authorized to communicate this position to the Town of Goshen and is further authorized to take whatever steps are appropriate and necessary on behalf of the Village Board to complete the annexation of the premises described herein into the Village.

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, as lead agency, hereby issues a negative declaration pursuant to the applicable provisions of the State Environmental Quality Review Act, set forth at 6NYCRR Part 617 *et seq.*, in the action: adoption of Local Law #1 of 2013.

Brady aye
Char aye
Smith aye
Stewart aye

On a motion by Trustee Stewart, seconded by Trustee Char, the Board of Trustees of the Village of Goshen hereby adopts Local Law #1 of 2013, a Local Law to override the limit on the amount of real property taxes that may be levied by the Village of Goshen, pursuant to General Municipal Law 3-C.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

On a motion by Trustee Smith, seconded by Trustee Brady, the Board entered into Executive Session at 7:55 p.m. for a discussion of the proposed sale of real property.

Brady	aye
Char	aye
Smith	aye
Stewart	aye

On a motion by Trustee Char, seconded by Trustee Stewart, the Executive Session was concluded, and the meeting was adjourned at 8:07 p.m.

Brady	aye
Char	aye
Smith	aye
Stewart	aye