

Village Board Meeting  
May 23, 2016

Members present: Mayor Roddey, Trustees Char, Gurda, Nuzzolese, and Smith

Also present: Attorney Donovan and Village Clerk Strobl

Mayor Roddey called the Meeting to order at 7:00 p.m. and led those present in the Pledge of Allegiance, and a Moment of Silence to honor the memory of Kyle Henesy-Kimiecik and Valma Eisma.

On a motion by Trustee Nuzzolese, seconded by Trustee Gurda, the Agenda was accepted with the following additions: Items of Business #3 – Wastewater Treatment Plant Operator Training; and #4 – Downtown Metered Parking.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

On a motion by Trustee Char, seconded by Trustee Gurda, the Minutes of the May 9, 2016 Village Board Meeting were accepted as submitted.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

On a motion by Trustee Gurda, seconded by Trustee Nuzzolese, the Minutes of the May 16, 2016 Village Board Work Session were accepted as submitted.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

#### Communications

Mayor Roddey reviewed a 30 day advanced notice from Stephen & Aldo, Inc., DBA Catherine's, advising of the renewal of their Liquor License.

Mayor Roddey read a letter from the Manager of the Goshen Farmers Market requesting use of the Heritage Trail parking lot for the vehicles of approximately 12 vendors. The need for parking space was caused by the closure of the Berkshire Bank side parking lot.

On a motion by Trustee Char, seconded by Trustee Nuzzolese, the request was approved contingent upon the Village Board revisiting the situation in a week.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

Mayor Roddey read a letter from Rebecca LaFargue, announcing her resignation from the Village Planning Board, effective immediately.

Items of Business

On a motion by Trustee Nuzzolese, seconded by Trustee Gurda, the Village Board of the Village of Goshen, hereby resolves to hold a Public Hearing on June 13, 2016, at 7:00 p.m., or as soon after as may be heard, for the consideration of adoption of: A Local Law amending Section 54-93 of the Code of the Village of Goshen entitled *Stop intersections* by the addition of the following stop intersection: Belmont Court at the intersection with Maiden Lane.

Char                    aye  
Gurda                 aye  
Nuzzolese            aye  
Smith                 aye

Meeting of the Board of Trustees of the  
Village of Goshen, in the  
County of Orange, New York  
May 23, 2016

\*           \*           \*

A regular meeting of the Board of Trustees of the Village of Goshen, in the County of Orange, New York, was held at the Village Hall, 276 Main Street, Goshen, New York, on May 23, 2016.

There were present:                    Hon. Kyle Roddey, Mayor; and

Trustees:                                 Edward Char  
   Christopher Gurda  
   Michael Nuzzolese  
   Peter Smith

Also present:                             Margaret G. Strobl, Village Clerk

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Trustee Char offered the following resolution and moved its adoption:

RESOLUTION OF THE VILLAGE OF GOSHEN, NEW YORK,  
ADOPTED MAY 23, 2016, AMENDING THE BOND RESOLUTION  
ADOPTED SEPTEMBER 8, 2014

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 construction of a new water storage tank at the Prospect reservoir, at the estimated total cost of \$1,000,000, 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 \$1,400,000, and it is in the public interest increase the principal amount of bonds authorized by \$400,000;

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 September 8, 2014, entitled:

“Bond Resolution of the Village of Goshen, New York, adopted September 8, 2014, authorizing the construction of a new water storage tank at the Prospect Reservoir, stating the estimated maximum cost thereof is \$1,000,000, appropriating said amount

for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$1,000,000 to finance said appropriation,”

is hereby amended to read as follows:

BOND RESOLUTION OF THE VILLAGE OF GOSHEN, NEW YORK, ADOPTED SEPTEMBER 8, 2014 AND AMENDED MAY 23, 2016, AUTHORIZING THE CONSTRUCTION OF A NEW WATER STORAGE TANK AT THE PROSPECT RESERVOIR, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,400,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,400,000 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 construct a new water storage tank at the Prospect reservoir. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,400,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of not to exceed \$1,400,000 bonds of the Village to finance said appropriation, and the levy and collection of taxes on 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. Bonds of the Village in the principal amount of not to exceed \$1,400,000 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 applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 1 of the Law, is forty (40) 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 for the purpose for which said bonds are authorized. 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. 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 of the Law relative to the authorization 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 Section 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 executing agreements for credit enhancement, 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, or a summary thereof, 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 of this resolution, to publish or cause to be published, in full, in the "*Goshen Independent*," 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 May 23, 2016, 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 September 8, 2014, which bond resolution, as amended, is entitled:

"Bond Resolution of the Village of Goshen, New York, adopted September 8, 2014 and amended May 23, 2016, authorizing the construction of a new water storage tank at the Prospect Reservoir, stating the estimated maximum cost thereof is \$1,400,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$1,400,000 to finance said appropriation,"

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

FIRST: AUTHORIZING said Village to construct a new water storage tank at the Prospect Reservoir; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,400,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of not to exceed \$1,400,000 bonds of the Village to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of not to exceed \$1,400,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is forty (40) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village 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 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: May 23, 2016

Margaret G. Strobl  
Village Clerk

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

\* \* \*

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 September 8, 2014 shall not be in any way affected and shall remain in full force and effect.

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

AYES: 4

NOES: 0

The resolution was declared adopted.

On a motion by Trustee Char, seconded by Trustee Nuzzolese, Timothy J. Cox, Water/Sewer 1, is approved to attend Wastewater Treatment Plant Operator Classes at SUNY Morrisville, in order to obtain a 3A sewer operator's license.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

Mayor Roddey noted that he would like to eliminate downtown metered parking on Saturdays.

On a motion by Trustee Smith, seconded by Trustee Gurda, Attorney Donovan is directed to draft a Local Law so that a Public Hearing on the topic can be scheduled.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

#### Mayor/Trustee Comments

Mayor Roddey expressed gratitude to Goshen in Bloom and the Goshen Garden Club for recent planting projects.

Mayor Roddey offered condolences to the Eisma family on the loss of Val Eisma, former long-time Clerk of the Town of Goshen.

Citizens' comments were received from Lisa Delvecchia.

On a motion by Trustee Char, seconded by Trustee Gurda, the Meeting was adjourned at 7:20 p.m.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye