

Village Board Meeting
November 25, 2013

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

Also present: Robert Dickover, Esq., Engineer Tully, 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 Stewart, the Agenda was accepted as presented.

Char	aye
Gurda	aye
Smith	aye
Stewart	aye

Minutes

On a motion by Trustee Char, seconded by Trustee Gurda, the Minutes of the October 28, 2013 Village Board Meeting were accepted as submitted.

Char	aye
Gurda	aye
Smith	aye
Stewart	aye

On a motion by Trustee Stewart, seconded by Trustee Gurda, the Minutes of the November 4, 2013 Village Board Work Session were accepted as submitted.

Char	aye
Gurda	aye
Smith	aye
Stewart	aye

On a motion by Trustee Char, seconded by Trustee Smith, the Minutes of the November 18, 2013 Village Board Work Session were accepted as submitted.

Char	aye
Gurda	aye
Smith	aye
Stewart	aye

Communications

Mayor Roddey read a letter from Peter G. Botti, Esq. regarding a zone change petition for Scotchtown Office Park, LLC, (104-2-59).

The amended petition, to change the zone from OB to R-3, would be followed by a request for approval of a planned adult community floating zone for a twenty unit project.

On a motion by Trustee Char, seconded by Trustee Smith, the Village Board voted to refer the updated request to the Village Planning Board, and the Orange County Planning Department for comment.

Char aye
Gurda aye
Smith aye
Stewart aye

Items of Business

On a motion by Trustee Smith, seconded by Trustee Gurda, bills as examined by members of the Board were approved in accordance with Abstract 2013/2014 number 9, check numbers 6253 through 6303, for a total of \$193,975.96.

Char aye
Gurda aye
Smith aye
Stewart aye

EXTRACT OF MINUTES

Meeting of the Village Board of the Village of Goshen in the County of Orange, New York, November 25, 2013.

A regular meeting of the Village Board of the Village of Goshen, in the County of Orange, New York, was held in the Village Hall on November 25, 2013.

There were present:

Honorable Kyle Roddey, Mayor

Trustees: Edward Char
 Christopher E. Gurda
 Peter Smith
 H. Malcolm Stewart, III

There were absent:

There were present: Margaret Strobl, Village Clerk and

 Robert J. Dickover

Trustee Char offered the following resolution and moved its adoption;

Trustee Smith seconded its adoption. It was duly put to a vote on roll call which resulted as follows:

	Aye	No
Edward Char	X	
Christopher E. Gurda	X	
Peter Smith	X	
H. Malcolm Stewart, III	X	

The resolution, having received at least two-thirds vote of the members of the Village Board, was declared by the Mayor to be adopted.

BOND RESOLUTION OF THE VILLAGE OF GOSHEN, ADOPTED NOVEMBER 25, 2013 AUTHORIZING THE PAYMENT OF A SETTLED CLAIM, STATING THAT THE ESTIMATED MAXIMUM COST THEREOF IS

\$160,000.00, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$160,000.00 SERIAL BONDS TO FINANCE SAID APPROPRIATION

WHEREAS, all conditions precedent to the financing of the payment of a settled claim hereinafter described, having been satisfied and

WHEREAS, it is now desired to authorize the financing of the payment of said settled claim;

NOW THEREFORE,

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

Section 1. The Village is hereby authorized to borrow as hereinafter provided for the purpose of paying a settled claim in the matter of *Dicembri v. the Village of Goshen, et.al.* The estimated maximum cost of the borrowing to pay said settled claim is \$160,000.00 and the said amount is hereby appropriated therefore. The plan of financing is the issuance of \$160,000.00 serial bonds to finance said appropriation and the levy of a tax on all taxable real property within the Village to pay the principal of said bonds and interest thereon as the same shall become due and payable.

Section 2. Serial bonds in the principal amount of \$160,000.00 are hereby authorized to be issued pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

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

a) The period of probable usefulness applicable to the purpose for which said serial bonds herein authorized are to be issued, within the limitations of Section 11.00(a)(33) (a)(2) of the Law, is five (5) years.

b) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

c) 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 of 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.

Section 4. The bonds authorized by this resolution and any bond anticipation notes in anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Sec. 52.00 of the Law and said bonds and any notes issued in anticipation of such bonds, shall be general obligations of the Village, payable as to both principal and interest by a 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 the interest of said bonds and any notes issued in anticipation of said bonds, and provisions shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and notes to mature in each year and (b) the payment of interest to be due and payable in each year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Sec. 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, and of Sec. 30.00 relative to the authorization of the issuance of bond anticipation notes and of Sec. 50.00 and Sec. 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Village Board relative to authorizing bond anticipation notes and prescribing the terms, from and contents 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 relative to providing for substantially level or declining annual debt service, are hereby delegated to the Mayor, 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 said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose of which the Village is not authorized to expend money, or
- (b) the provisions of the 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 resolution shall take effect immediately.

Section 8. The object or purpose described in Section 1 hereof has been determined to be and Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, with respect to which said Village Board has made a "Negative Declaration."

Trustee Char offered the following resolution and moved its adoption:

RESOLVED BY THE VILLAGE BOARD OF THE VILLAGE OF GOSHEN IN THE
 COUNTY OF ORANGE, NEW YORK AS FOLLOWS:

Section 1. The Village Clerk is hereby authorized and directed to publish the forgoing bond resolution, in summary, in THE GOSHEN INDEPENDENT, a newspaper published in Goshen, New York, the official newspaper of said Village and having a general circulation therein, together with Notice attached in substantially the form as prescribed by Sec.81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

* * * * *

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

AYES: [4] NOES: [0]

This resolution was declared unanimously adopted.

On a motion by Trustee Gurda, seconded by Trustee Smith, Thomas Lane, Manuel Orellana, Manuel A. Orellana, and Brian Ritchings are hereby authorized to attend the Chemical Addition for W/WW Treatment training session at the Orange County Fire Training Center in New Hampton on December 11, 2013. The total cost of this seminar is \$68.00 and the NYS DEC/NYS DOH are expected to grant 6 contact hours toward license recertification.

Char	aye
Gurda	aye
Smith	aye
Stewart	aye

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

The Village Board of the Village of Goshen hereby authorizes the Advertisement for Bids for “Front Porch Restoration at Maplewood” and sets the bid opening for Monday, January 6, 2014 at 11:00 a.m. at Village Hall, 276 Main Street, Goshen NY.

Char	aye
Gurda	aye
Smith	aye
Stewart	aye

On a motion by Trustee Smith, seconded by Trustee Gurda, the Village Board hereby resolves to hold a Public Hearing on December 9, 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 Article III of Section 38 of the Code of the Village of Goshen – Recycling.

Char	aye
Gurda	aye
Smith	aye
Stewart	aye

Mayor/Trustee Comments

Trustee Gurda reported the following recent activities of the Water Department: a 6” water main was repaired November 21st on South Church Street; a motor was replaced on a finished water pump; and water leaks on West Main Street and Wickham Avenue were repaired.

Trustee Gurda also noted that the Village has declared a water emergency and that the CRV well will be functioning by the middle of next week.

Trustee Stewart reported for the Department of Public Works that crews are continuing to pick up leaves left at the curb, but that the cutoff date will be December 1st.

Mayor Roddey reported that the sewer main replacement on St. John Street is running on schedule.

Mayor Roddey offered congratulations to the Cornerstone Arts Alliance for the great job on their recent play.

On a motion by Trustee Char, seconded by Trustee Stewart, the Village Board voted to enter into Executive Session at 7:48 p.m. for a discussion of the employment history of a particular employee.

Char	aye
Gurda	aye
Smith	aye
Stewart	aye

On a motion by Trustee Smith, seconded by Trustee Gurda, the Executive Session was concluded and the Meeting was adjourned at 8:05 p.m.

Char	aye
Gurda	aye
Smith	aye
Stewart	aye