

Village Board Meeting
October 27, 2014

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

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

On a motion by Trustee Smith, seconded by Trustee Nuzzolese, the Meeting was called to order at 7:02 p.m.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

On a motion by Trustee Gurda, seconded by Trustee Smith, the Board entered into an Attorney-Client privileged discussion regarding the process involved in awarding of a Request for Proposals for Removal, Towing and Storage Services, at 7:03 p.m.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

On a motion by Trustee Smith, seconded by Trustee Char, the Board concluded the Attorney-Client privileged discussion at 7:12 p.m.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

At 7:30 p.m. Mayor Roddey welcomed members of the public and led those present in the Pledge of Allegiance.

On a motion by Trustee Char, seconded by Trustee Gurda, the Agenda was accepted with the following additions: Items of Business #15 – Seasonal Employment Extension; and an Executive Session, prior to adjournment, for a discussion of the Employment History of a Particular Employee.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

Public Hearing – Local Law #3, 2014

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 October 27, 2014, at 7:30 p.m., or as soon after as may be heard, to consider the adoption of Local Law #3 of 2014: Amending Chapter 54, Section 54-5 of the Code of the Village of Goshen, entitled: Removal of vehicles from streets.

On a motion by Trustee Char, seconded by Trustee Gurda, the Public Hearing on Local Law #3 of 2014 was opened at 7:31 p.m.

Char aye
Gurda aye
Nuzzolese aye
Smith aye

There was no comment from the public.

On a motion by Trustee Gurda, seconded by Trustee Nuzzolese, the Public Hearing on Local Law #3 of 2014 was closed at 7:32 p.m.

Char aye
Gurda aye
Nuzzolese aye
Smith aye

Minutes

On a motion by Trustee Char, seconded by Trustee Smith, the Minutes of the September 15, 2014 Village Board Work Session were accepted as submitted.

Char aye
Gurda abstain (absent on September 15, 2014)
Nuzzolese aye
Smith aye

On a motion by Trustee Nuzzolese, seconded by Trustee Smith, the Minutes of the September 22, 2014 Village Board Meeting were accepted as submitted.

Char aye
Gurda aye
Nuzzolese aye
Smith aye

On a motion by Trustee Char, seconded by Trustee Smith, the Minutes of the October 6, 2014 Village Board Work Session were accepted as submitted.

Char aye
Gurda aye
Nuzzolese aye
Smith aye

On a motion by Trustee Nuzzolese, seconded by Trustee Gurda, the Minutes of the October 20, 2014 Village Board Work Session were accepted as submitted.

Char aye
Gurda aye
Nuzzolese aye
Smith aye

Communications

Mayor Roddey read the following letter:

Officer John Manna,

I thank you for your invaluable work as an officer of the law. On September 24th you attended the nursing assistant program related to safety and talked with 22 senior students at Orange-Ulster BOCES.

When covering the safety unit related to fire drills and emergency preparedness, students had many specific questions. You immediately came to the classroom and provided an inspiring and educational presentation. Of particular concern, the teenagers wanted to discuss instances of hostile exposure. What is the best response with the lock down? What is the difference between a lock down and a lock out? Your calm, prioritized account of protocol was comforting. The logical best practice for current situations is a lesson we will all remember. You gave young people the opportunity to ask questions and to address their particular concerns.

The students and I wish to express our appreciation of your efforts to serve and protect us. Thank you for the special time you spent talking with us in class.

Sincerely, Billi McClintock RN, BSN, MA

Items of Business

Trustee Nuzzolese 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 18, 2015, for the following terms:

- One (1) Mayor for two (2) years
- Two (2) Trustees for two (2) years
- One (1) Village Justice for four (4) 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:

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

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

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 2016, in view of its use for municipal purposes.

Char aye
Gurda aye
Nuzzolese aye
Smith aye

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

Village of Goshen, New York Proclamation
RESOLUTION

Declaring the month of November "Pancreatic Cancer Awareness Month" in the Village of Goshen, New York.

WHEREAS in 2014, an estimated 46,420 people will be diagnosed with pancreatic cancer in the United States and 39,590 will die from the disease;

WHEREAS pancreatic cancer is one of the deadliest cancers, is currently the fourth leading cause of cancer death in the United States and is projected to become the second by 2020;

WHEREAS pancreatic cancer is the only major cancer with a five-year relative survival rate in the single digits at just six percent;

WHEREAS when symptoms of pancreatic cancer present themselves, it is generally late stage, and 73 percent of pancreatic cancer patients die within the first year of their diagnosis while 94 percent of pancreatic cancer patients die within the first five years;

WHEREAS approximately 2540 deaths will occur in New York in 2014;

WHEREAS the *Recalcitrant Cancer Research Act* was signed into law in 2013, which calls on the National Cancer Institute to develop a scientific framework, or strategic plans, for pancreatic cancer and other deadly cancers, which will help provide the strategic direction and guidance needed to make true progress against these diseases; and

WHEREAS it will be very difficult to leverage the opportunities that come out of the scientific framework developed as a result of the *Recalcitrant Cancer Research Act* unless sustained and adequate funding is provided to the National Institutes of Health and National Cancer Institute; and

WHEREAS federal funding for medical research is critical to job protection and creation in New York; and

WHEREAS the Pancreatic Cancer Action Network is the national organization serving the pancreatic cancer community in the Village of Goshen and nationwide through a comprehensive approach that includes public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer;

WHEREAS the Pancreatic Cancer Action Network and its affiliates in the Village of Goshen support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure;

WHEREAS the good health and well-being of the residents of the Village of Goshen are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments; therefore be it

RESOLVED that the Village of Goshen designate the month of November 2014 as "Pancreatic Cancer Awareness Month" in the Village of Goshen.



Mayor

Kyle F. Roddey

Char aye
Gurda aye
Nuzzolese aye
Smith aye

On a motion by Trustee Char, seconded by Trustee Gurda, 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 #3 of 2014.

Char aye
Gurda aye
Nuzzolese aye
Smith aye

On a motion by Trustee Nuzzolese, seconded by Trustee Char, the Board of Trustees of the Village of Goshen hereby adopts Local Law # 3 of 2014, a Local Law to modify the Village Code of the Village of Goshen by amending Chapter 54, Section 54-5: Removal of Vehicles from Streets.

Char aye
Gurda aye
Nuzzolese aye
Smith aye

On a motion by Trustee Gurda, seconded by Trustee Smith, bills as examined by members of the Board were approved in accordance with Abstract 2014/2015 number 6, check numbers 7639 through 7728, in the amount of \$444,971.13.

Char aye
Gurda aye
Nuzzolese aye
Smith aye

Trustee Nuzzolese offered the following resolution, and moved its adoption:

RESOLVED: To accept the lowest bid for the Department of Public Works 2014/2015 clothing allotment, obtained from Werner's True Value.

The foregoing resolution was seconded by Trustee Gurda, and a vote resulted as follows:

Char aye
Gurda aye
Nuzzolese aye
Smith aye

Mayor Roddey read a letter from Rabbi Meir Borenstein, of Chabad of Orange County, requesting to hold a community Menorah lighting on December 16, 2014, from 5:00 – 7:00 p.m.

On a motion by Trustee Smith, seconded by Trustee Gurda, approval for the event was granted, pending receipt of the necessary Insurance and Indemnification.

Char aye
Gurda aye
Nuzzolese aye
Smith aye

Mayor Roddey and Chief Watt reviewed a request from Orange County District Attorney David Hoovler for the Police Department to assign a member to the Orange County Drug Task Force. In order to make this assignment, a vacant patrolman position within the Department would have to be filled.

On a motion by Trustee Char, seconded by Trustee Smith, the Village of Goshen Police Department is hereby authorized to participate in the Drug Task Force being created by Orange County District Attorney David Hoovler.

Char aye
Gurda aye
Nuzzolese aye
Smith aye

On a motion by Trustee Char, seconded by Trustee Gurda, the Village of Goshen Chief of Police is authorized to fill a vacant Patrolman position within the Department, in order to facilitate the Village's participation in the Orange County Drug Task Force.

Char aye
Gurda aye
Nuzzolese aye
Smith aye

Mayor Roddey read a letter of petition for an amendment of the Zoning Code and Zoning Map, and offered the floor to Steven T. Esposito, RLA, who represents the applicant, Goshen Stagecoach Properties, LLC, (107-2-39.2).

Trustee Gurda left the meeting room due to a familial relationship with the applicant.

Mr. Esposito spoke about the request to rezone the property from R-1 (one family residential), to OB (office building).

On a motion by Trustee Char, seconded by Trustee Smith, the Board authorized the Village Attorney to prepare an introductory Local Law to amend the Zoning Code and the Zoning Map.

Char aye
Gurda recused
Nuzzolese aye
Smith aye

On a motion by Trustee Nuzzolese, seconded by Trustee Smith, the Board approved referral of the Local Law to the Village Planning Board, the Orange County Department of Planning, and a professional Planner.

Char aye
Gurda recused
Nuzzolese aye
Smith aye

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

RESOLUTION

WHEREAS, the Village of Goshen has heretofore solicited proposals pursuant to a "Request for Proposals" (hereinafter "RFP") duly issued October 7, 2014 wherein and whereby the Village invited the submission of proposals and statements of qualification from qualified tow companies for the purpose of providing 24-hours a day, 7 days a week service for the removal, towing and storage impoundment of certain motor vehicles as is more particularly described in the RFP; and

WHEREAS, towing services are services that require special skills and/or training and constitute an exception to competitive bidding requirements as provided by law and are therefore not subject to competitive bidding requirements and may be awarded in accordance with the procedures promulgated pursuant to Section 104-b of the *General Municipal Law*; and

WHEREAS, the Village of Goshen has publicly advertised a notice in the official newspaper of the Village seeking responses to the RFP from qualified towing companies and has also directly solicited certain towing companies so as to attempt to obtain multiple proposals so that the most qualified tow company could be selected to provide the required services to the Village; and

WHEREAS, the Village has further developed a process that provides for public solicitation of proposals, has established and disclosed the criteria for selection in writing prior to the solicitation of proposals and has publically opened such proposals and now desires to award this professional service contract as provided by law; and

WHEREAS, four firms have submitted proposals which firms include Hambletonian Towing, Inc.; Chet's Garage, Inc.; K-Team Towing and Recovery, Inc. and Adamis Towing, Inc.; and

WHEREAS, the Village Board has carefully analyzed each of the proposals that have been submitted to the Village of Goshen; and

WHEREAS, each proposal was examined pursuant to the criteria set forth in the RFP, with the following items being carefully considered:

- Experience, credentials and ability to provide a high level of service;
- Responsiveness to the requested proposals, including demonstrated commitment to customer service;
- Quality and performance of services offered based on previous experience and/or reference checks for the same or similar services;
- Completeness of proposal, including following direction and providing all requested information.
- Location, safety and security of storage yard; and

WHEREAS, Adamis Towing, Inc., possesses the experience, credentials and ability required by the Village and has provided a high level of service in connection with the towing services it has heretofore provided to the Village; and

WHEREAS, Adamis Towing, Inc., has demonstrated responsiveness to the requested proposal and has further demonstrated commitment to customer service; and

WHEREAS, Adamis Towing, Inc. has heretofore provided high quality services to the Village of Goshen; and

WHEREAS, the proposal submitted by Adamis Towing, Inc. is complete and has provided all pertinent requested information; and

WHEREAS, the safety and security of the Adamis Towing, Inc. storage yard meets all pertinent Village requirements; and

WHEREAS, Adamis Towing, Inc. possesses the only storage impoundment yard that is located in the Village of Goshen; and

WHEREAS, having a storage impoundment yard in the Village of Goshen represents a significant benefit as it reduces the distance that must be traveled to respond to a call for service from the Village; reduces the distance that must be travelled to place a vehicle in the storage impoundment yard and represents a significant benefit to those motor vehicle owners who have had their vehicles towed as they will be able to retrieve their vehicles from a location within the Village as opposed to being compelled to travel outside of the Village to retrieve their motor vehicle; and

WHEREAS, on balance, and after carefully evaluating all of the proposals that have been submitted, and upon due deliberation and for the reasons set forth herein, the Village Board finds that a contract award to Adamis Towing, Inc. is in the best interests of the Village;

NOW, THEREFORE, it is hereby

RESOLVED, that the three (3) year contract is awarded to Adamis Towing, Inc. upon the terms, provisions and conditions that are set forth in the RFP; and it is further

RESOLVED that the Mayor is duly authorized to affix his signature to said contract.

Upon a roll call vote with 4 Trustees voting in favor and 0 Trustees voting against the foregoing Resolution was duly adopted.

On a motion by Trustee Char, seconded by Trustee Gurda, the Board of Trustees of the Village of Goshen hereby adopts Local Law #4 of 2014, a Local Law amending the Zoning Map of the Village of Goshen to provide that those certain parcels of property heretofore annexed into the Village of Goshen from the Town of Goshen, pursuant to Local Law 2 of 2013, and the Resolutions duly adopted by the Village of Goshen and the Town of Goshen providing for the said annexation as being designated in the Zoning District known and designated in the Village of Goshen as "IP".

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

On a motion by Trustee Nuzzolese, seconded by Trustee Gurda, the Village Board of the Village of Goshen approves Option #2, five (5) annual payments of \$6,479.45 at 6.45% interest for a total cost after five years of \$32,397.25, as proposed by the Village Building Inspector, for the lease of a 2015 Ford Explorer for the Building Department.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

On a motion by Trustee Nuzzolese, seconded by Trustee Gurda, Daniel Slesinski is hereby promoted to the position of Working Leader, on the recommendation of Department of Public Works Superintendent Scott Birney. In accordance with the current contract between the Village of Goshen and the CSEA Daniel Slesinski will be placed on the 2014/2015 Step 11 of the pay scale for Working Leader, with an annual salary of \$76,385.

This appointment shall become effective October 29, 2014, and shall have a probationary period of 26 weeks.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

On a motion by Trustee Smith, seconded by Trustee Char, Full Time Seasonal Intern Laborer Philip Laspina's employment term is hereby extended for an additional thirty (30) days.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

Mayor/Trustee Comments

Trustee Nuzzolese reported for the Sewer Department that sewer jetting is being done throughout the Village, and that the wastewater treatment plant has been prepared for the winter.

Trustee Gurda noted the following activities of the Water Department: approximately 500 replacement radio read water meters have been installed; the reservoir is at -38"; Fall hydrant flushing has been completed; and meter reading for the December billing has started.

Trustee Char reported that the Police Department has been assisting with safety protocols at the schools.

Trustee Smith, reporting for the Department of Public Works, stated that leaf pick up has begun, and urged residents to rake leaves to the curb and not into the street.

Mayor Roddey thanked Goshen in Bloom for decorating the fountain so beautifully, and offered congratulations to Scoutmaster Jeffrey Albanese for his many years of contributions to Boy Scouts.

Mayor Roddey thanked Senator Bonacic for an additional Grant for repairs to Maplewood, and Madison Olivero for his recent Eagle Scout project at Maplewood.

Citizens' Comments

There were no comments.

On a motion by Trustee Gurda, seconded by Trustee Char, the Board entered into Executive Session at 8:03 p.m. for a discussion of the employment history of a particular employee.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

On a motion by Trustee Smith, seconded by Trustee Gurda, the Executive Session concluded and the Meeting was adjourned at 8:11 p.m.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye