

Village Board Meeting  
April 26, 2021  
Via Zoom

Members present: Mayor Smith, Trustees Gurda, Henderson, Scotto, and Wohl

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

On a motion by Trustee Henderson, seconded by Trustee Gurda, the Agenda was accepted as presented.

Gurda        aye  
Henderson   aye  
Scotto       aye  
Wohl         aye

Minutes

On a motion by Trustee Henderson, seconded by Trustee Scotto, the Minutes of the March 22, 2021 Village Board Meeting were accepted as submitted.

Gurda        aye  
Henderson   aye  
Scotto       aye  
Wohl         aye

On a motion by Trustee Wohl, seconded by Trustee Henderson, the Minutes of the April 5, 2021 Annual Reorganization Meeting were accepted as submitted.

Gurda        aye  
Henderson   aye  
Scotto       aye  
Wohl         aye

Public Hearing – Local Law #1 of 2021 – Payment of Fees in Lieu of Parkland

On a motion by Trustee Wohl, seconded by Trustee Gurda, the Public Hearing on Local Law #1 of 2021 was opened at 7:03 p.m.

Gurda        aye  
Henderson   aye  
Scotto       aye  
Wohl         aye

**A LOCAL LAW MODIFYING CHAPTER 46 AND APPENDIX A, ENTITLED  
“ZONING”, TO THE EXTENT OF MODIFYING THE AMOUNT OF THE PAYMENT  
AND FEES IN LIEU OF PARKLAND**

**BE IT ENACTED** by the Village Board of the Village of Goshen as follows:

**SECTION 1 - TITLE**

A Local Law amending modifying Chapter 46 and Appendix A, entitled “Zoning” to the extent of modifying the amount of the payment and fees in lieu of parkland.

## SECTION 2 – PURPOSE & INTENT

As is more fully developed in the report issued by Lanc & Tully Engineering and Surveying, P.C., the Village Engineers and Planners, an increase in the payment of fees in lieu of parkland is required in order to meet the growing needs of the greater Goshen community. The current amount, \$2,500.00, was established in 2003 and land and capital costs related to the acquisition and/or improvement of parkland has increased over the past 18 years requiring an increase in the amount of the payment in lieu of parkland in order to adequately provide for the parkland needs of Goshen residents.

## SECTION 3 – AMENDMENT TO VILLAGE CODE SECTION 46-143(d) IS HEREBY AMENDED TO READ AS FOLLOWS:

(d) *Payment of Fees in Lieu of Parkland:* Pursuant to the applicable provisions of the New York State Village Law, as may amended from time to time, the fee in lieu of parkland which may be imposed as provided by law is established by the Village Board of Trustees in the amount of \$3,500.00 for each new residential unit approved by the Planning Board. Future amendments to the fee in lieu of parkland may be implemented by resolution of the Village Board and the amount of such fee shall be set forth in the Village fee schedule.

Additionally, Appendix A – Zoning at Article V, “Supplementary Regulations,” is hereby amended by the addition of a new provision, numbered Section 5.8 which shall be as follows:

Sec. 5.8 Payment of Fees in Lieu of Parkland. Pursuant to the applicable provisions of the New York State Village Law, as may be amended from time to time, the fee in lieu of parkland which may be imposed as provided by law is established by the Village Board of Trustees in the amount of \$3,500.00 for each new residential unit approved by the Planning Board. Future amendments to the fee in lieu of parkland may be implemented by resolution of the Village Board and the amount of such fee shall be set forth in the Village fee schedule.

## SECTION 4 - VALIDITY

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

## SECTION 5 - EFFECTIVE DATE

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Mayor Smith gave a summary of the proposed Law to increase payment of fees in lieu of parkland from the current \$2,500.00, which was established in 2003, to \$3,500.00, the amount currently assessed by the Town.

There were no comments from the public.

On a motion by Trustee Gurda, seconded by Trustee Scotto, the Public Hearing was closed at 7:05 p.m.

Gurda        aye  
Henderson   aye  
Scotto       aye  
Wohl         aye

Items of Business

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

Whereas, the preliminary budget for the fiscal year 2021/2022 has been duly presented to the Village Board of Trustees, and a duly advertised public hearing has been held on April 5, 2021;

Resolved: pursuant to Section 5-508(4) of the Village Law, that the said preliminary budget, as changed, altered, and revised, be and hereby is adopted as the budget of the Village of Goshen for the year 2021/2022.

Gurda        aye  
Henderson   aye  
Scotto       aye  
Wohl         aye

Mayor Smith thanked Trustee Henderson and Treasurer Winters for their good job with the Budget, and keeping it below the tax cap.

The Board reviewed a letter requesting an amendment of the Office Building zone, to include some of the permitted uses that are, by right, in the Central Shopping zone.

Mayor Smith turned the Meeting over to Mary Israelski, Associate Broker of Rand Realty and representative of the owners of 218 and 224 Main Street, Vhalabhai Amin Properties, LLC.

Mrs. Israelski noted that she had met with the Building Inspector, and was now asking for added uses in the OB zone, by special permit.

On a motion by Trustee Wohl, seconded by Trustee Scotto, the Board agreed to refer the petition to the Planning Board for review and a report back to the Village Board.

Gurda        aye  
Henderson   aye  
Scotto       aye  
Wohl         aye

On a motion by Trustee Gurda, seconded by Trustee Henderson, Building Inspector Theodore L. Lewis, III is hereby authorized to attend the NYSBOC Rockland County Chapter Seminar, to be held September 28, 29, and 30, 2021 at the Rockland County Fire Training Center, Pomona, New York.

The cost for this mandatory in-service training is \$300.00.

Gurda        aye  
Henderson   aye  
Scotto       aye  
Wohl         aye

A discussion was held regarding a proposed Local Law to permit "Bed and Breakfasts" and "Short Term Rentals" within the Village. The Law would establish regulations, permitting, and enforcement procedures, and fees for application and annual inspection.

Mayor Smith stated that the topic will be addressed at the next meeting.

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

Effective immediately, and until further notice, the Village Board Member serving as the Police Commissioner will serve as the 207-C Claims Manager

Gurda            aye  
Henderson      aye  
Scotto           aye  
Wohl             aye

On a motion by Trustee Gurda, seconded by Trustee Scotto, 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 2021.

Gurda            aye  
Henderson      aye  
Scotto           aye  
Wohl             aye

On a motion by Trustee Gurda, seconded by Trustee Scotto, the Board of Trustees of the Village of Goshen hereby adopts Local Law #1 of 2021, a Local Law modifying Chapter 46 and Appendix A, entitled "Zoning", to the extent of modifying the amount of the payment of fees in lieu of parkland.

Gurda            aye  
Henderson      aye  
Scotto           aye  
Wohl             aye

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

RESOLVED: To re-levy on the 2021-2022 Village of Goshen Property Taxes, the amount of \$232,459.79, reflecting the total amount of unpaid water/sewer bills for 2020.

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

Gurda            aye  
Henderson      aye  
Scotto           aye  
Wohl             aye

On a motion by Trustee Henderson, seconded by Trustee Gurda, the hourly rates for part-time Police Officers are to be increased by 2% effective, June 1, 2021.

Gurda            aye  
Henderson      aye  
Scotto           aye  
Wohl             aye

On a motion by Trustee Wohl, seconded by Trustee Gurda, bills as examined by members of the Board were approved in accordance with Abstract 2020/2021 number 10, check numbers 18889 through 18983 in the amount of \$427,057.10.

Gurda	aye
Henderson	aye
Scotto	aye
Wohl	aye

#### Mayor/Trustee Comments

Mayor Smith expressed thanks to the Joint Recreation Commission for their recent successful clean-up day.

Trustee Henderson noted that fire hydrants throughout the Village are being painted.

Trustee Scotto reported that some manhole covers are being sealed to address infiltration problems, and that preliminary planning has begun for a new water treatment plant.

Trustee Wohl announced that the Senior Center will be re-opening in the near future.

Trustee Gurda commended the JRC for their clean-up efforts, and reminded those present that Spring cleanup week has started.

Chief Watt informed the Board that there have been numerous reports from residents of Unemployment Benefits being falsely filed in their names. He also noted many reports of trespassing at, and on, the Village reservoirs.

Mayor Smith explained that more signage will be erected at the properties.

#### Citizen's Comments

Comments were received from Wendy Bynum-Wade.

On a motion by Trustee Henderson, seconded by Trustee Gurda, the Meeting was adjourned at 7:53 p.m.

Gurda	aye
Henderson	aye
Scotto	aye
Wohl	aye