

Village Board Meeting
January 23, 2023

Members present: Mayor Wohl, Trustees Gurda and O'Donnell

Also present: Village Clerk Darby, Attorney Donovan, Village Planner Kristen O'Donnell, and Chief Watt

Mayor Wohl called the meeting to order at 7:00 pm, and led those present in the Pledge of Allegiance.

Public Hearing

Local Law #1 of 2023: Escrow Fees Becoming Part of Village Fee Schedule

On a motion by Trustee O'Donnell and seconded by Trustee Gurda, the Public Hearing for Local Law #1 of 2023 was opened at 7:02 pm.

Mayor Wohl summarized the proposed local law as amending Village Code Sections 2-163(2) and (3) by deleting the references to the professional escrow fees established therein and making those fees a part of the Village Fee Schedule.

There were no comments received from the public.

On a motion by Trustee O'Donnell and seconded by Trustee Gurda, the Public Hearing for Local Law #1 of 2023 was closed at 7:02 pm.

On a motion by Trustee Gurda, seconded by Trustee O'Donnell, the Agenda of the January 23, 2023 Village Board Meeting was accepted as presented.

Gurda	aye
O'Donnell	aye
Rouis	absent
Scotto	absent
Wohl	aye

On a motion by Trustee Gurda, seconded by Trustee O'Donnell, the Minutes of the January 9, 2023 Village Board Meeting were accepted as presented.

Gurda	aye
O'Donnell	aye
Rouis	absent
Scotto	absent
Wohl	aye

Communications

1. E. Boles Water/Sewer Bill

Mayor Wohl read a letter from Mr. Boles about his higher than usual water/sewer bill for the 4th period of 2022. With the help of DPW Superintendent, the problem of the high-water usage was able to be identified. Mr. Boles was asking for consideration on part of his water/sewer bill as a result of his doubled bill. Mayor Wohl was not able to grant the request as this would set a precedence for other Village residents. However, Mayor Wohl was willing to offer a reasonable payment plan to the resident. Mayor Wohl also said this was a good time to remind everyone to address leak letters they may receive or visible leaks as they can quickly lead to a higher than usual water/sewer bill.

2. Orange County Recycling

Mayor Wohl discussed the recent occurrence where Village DPW workers were told that additional charges would be accrued for more than 10% of contaminated recycling that was brought to the County DPW. Discussions took place that the information should be received in writing, and that perhaps a meeting with the County Executive and County Legislature would be setup to discuss further.

3. OBH Zoning Discussion

Village Planner O'Donnell shared that efforts have been made to propose local law #2 of 2023 that would amend the existing Table of Use Regulations and Bulk Requirements applicable to the Office Building Hospital (OBH) Zoning District. These changes would allow for a broader, more contemporary range of medical uses and additional commercial uses that are deemed appropriate to reflect the changes that have occurred to the uses currently permitted in the zoning district over the years, specifically the closure of Arden Hill Hospital which was previously the dominant use in the OBH Zoning District.

The purpose of this change is to not only take into account the closure of the hospital but also an attempt to incorporate and allow for additional uses that are appropriate given the changing nature of certain adjacent uses, particularly the construction of the LEGOLAND New York Theme Park and associated improvements to the surrounding road network.

New uses to be permitted as of right include: ambulatory and other outpatient care centers; medical spa; healing or rehabilitation centers operated by licensed medical professionals; medical teaching or training facility; medical or biotechnology research centers and other health science educational facilities; technical, vocational and/or professional training facilities. New uses to be permitted by special permit of the planning board will include: hotels, gas stations, as well as restaurants without drive-thru facilities.

The Village Board agreed to refer the local law and accompanying documents to the Village of Goshen Planning Board and Orange County Planning for their review.

Items of Business

1. Local Law #1 of 2023

RESOLUTION 6 of 2023

A RESOLUTION TO APPROVE LOCAL LAW #1 OF 2023: AMENDING VILLAGE CODE SECTIONS 2-163(2) AND (3) TO THE EXTENT OF DELETING THE REFERENCED TO THE PROFESSIONAL ESCROW FEES ESTABLISHED THEREIN AND MAKING THOSE FEES A PART OF THE VILLAGE FEE SCHEDULE

WHEREAS, the Village of Goshen Attorney has modified a local law; and

WHEREAS, a Public Hearing was scheduled and took place on January 23, 2023; and

NOW, THEREFORE, IT IS HEREBY,

RESOLVED, that the law titled, amending Village Code Sections 2-163(2) and (3) to the extent of deleting the references to the professional escrow fees established therein and making those fees a part of the Village Fee Schedule; and it is further

RESOLVED, of the following:

Section 1. Title

1.1 A Local Law amending Village Code Sections 2-163(2) and (3) to the extent of deleting the references to the professional escrow fees established therein and making those fees a part of the Village Fee Schedule.

Section 2. Purpose and Intent

2.1 The purpose and intent of this Local Law is to increase administrative efficiency and lower Village expense. To accomplish this objective, the Village determines it to be in overall public interest to amend Sections 2-163(2) and (3) of the Village Code which established the professional consultant escrow fees and make those fees a part of the Village Fee Schedule. This schedule may be changed by Resolution from time-to-time as deemed appropriate by the Village Board without the expense incurred by conducting public hearings which require the publication of associated legal notices and without the expense necessary to print updates to the Village Code.

Section 3. Amendment to Village Code Section 2-163(2)

3.1 Village Code Section 2-163(2) is repealed in its entirety and replaced with the following:

(2) an initial escrow amount to cover the costs of obtaining and securing professional consultations, hearing notices and other services as deemed appropriate by the Board and as necessary to insure proper review of proposals before the Board shall be established in the Village Fee Schedule which may be amended from time-to-time by Resolution of the Village Board.

Section 4. Amendment to Village Code Section 2-163(3)

4.1 Village Code Section 2-163(3) is repealed in its entirety and replaced with the following:

(3) Escrow accounts:

Professional escrow fees as set forth in the Village Fee Schedule shall be paid in full at the time of the submittal of the application to the Village. Replenishment of escrow account shall be accomplished in accordance with the Village Fee Schedule. At no time shall the planning board entertain or approve an application that does not have a positive escrow balance. Failure to have a minimum escrow balance as established by the Village Fee Schedule shall result in an application being removed from the planning board agenda and said application shall not be heard by the planning unless and until the professional escrow fees are replenished as required by the Village Fee Schedule.

Section 5. Severability

5.1 If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. Effective Date

6.1 This local law shall take effect upon the filing of certified copies thereof with the Office of the Secretary of State in accordance with the Municipal Home Rule Law.

Motion to adopt by Trustee O'Donnell and seconded by Trustee Gurda. The vote was 3 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on January 23, 2023.

2. Transfer of Joint Recreation Committee Books

RESOLUTION 7 of 2023

A RESOLUTION TO TRANSFER THE JOINT RECREATION EMPLOYEES TO THE TOWN OF GOSHEN

WHEREAS, the Chairman of the Joint Recreation Commission requested that the employees and books be moved to the Town of Goshen as the Village of Goshen managed same for a number of years; and

WHEREAS, according to Chapter 32, Section 9 of the Town Code, the fiscal officer of the Joint Recreation Commission must alternate between the Town and Village every two years; and

WHEREAS, as of this date, the Village has been handling the JRC budget since January 1, 2010; and

NOW, THEREFORE, IT IS HEREBY,

RESOLVED, that the Village of Goshen is transferring the Joint Recreation Committee finance and payroll administration to the Town of Goshen, effective 1/1/23 per Chapter 32, Section 9 of the Town Code.

Motion to adopt by Trustee O'Donnell and seconded by Trustee Gurda. The vote was 3 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on January 23, 2023.

3. Appointment of Building Department Clerk

RESOLUTION 8 of 2023

A RESOLUTION TO APPOINT TRISH SHERLOCK AS BUILDING DEPARTMENT CLERK

WHEREAS, a vacancy has been made by the retirement of the Planning Board Secretary; and

NOW, THEREFORE, IT IS HEREBY,

RESOLVED, that the Village Board of the Village of Goshen hereby accepts the hiring of Ms. Trish Sherlock for the position of Building Department Clerk;

and it is further

RESOLVED, that the hiring of the above individual is specifically subject to the following:

1. An annual salary of \$58,000

Motion to adopt by Trustee O'Donnell and seconded by Trustee Gurda. The vote was 3 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on January 23, 2023.

4. Purchase of DPW Truck

RESOLUTION 9 of 2023

A RESOLUTION TO PURCHASE A NEW SMALL DUMP TRUCK WITH PLOW AND SPREADER FOR A TOTAL AMOUNT OF APPROXIMATELY \$95,754 FROM ROBERT GREEN TRUCK

WHEREAS, pursuant to applicable law, the Village Board is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interests in property, leases and easements necessary to the functions or operations of the Village; and

WHEREAS, the Village Board has determined that certain equipment, with said equipment being more particularly described as a 2003 Chevrolet 3500 small mason dump truck with a plow and 2006 airflow spreader, is needed by the Village Department of Public Works in order for the Department to adequately serve the needs of the Village of Goshen residents; and

WHEREAS, the said equipment needed by the Village is available by way of a centralized contract consistent with state and local procurement requirements, guidelines and practices; and

NOW, THEREFORE, it is hereby

RESOLVED that the Village is hereby authorized to acquire a small dump truck with plow and spreader for a total sum of \$95,754 based on a price from Robert Green Truck; and it is further

RESOLVED that the annual payment for a 7-year in arrears municipal lease payment is \$17,153, the annual payment for a 5-year in arrears municipal lease payment is \$22,732 - both based on an estimate of current rates at 6%; and it is further

RESOLVED that if the truck is ordered now, it will be deliverable after June 1, 2023 which based on a payment in arrears schedule, the first payment will come due in the 2024/2025 budget year; and it is further

RESOLVED that the Mayor is authorized to execute any and all Agreements that may be required to effectuate this resolution.

Motion to adopt by Trustee Gurda and seconded by Trustee O'Donnell. The vote was 3 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on January 23, 2023.

5. Code Enforcement Officer Training – Continuing Education

RESOLUTION 10 of 2023

A RESOLUTION TO ALLOW CONTINUING EDUCATION FOR EDMUND GIBBS, CODE ENFORCEMENT OFFICER, IN THE AMOUNT OF \$350

WHEREAS, Code Enforcement Officer, Edmund Gibbs, is required to complete education hours each year to continue as Code Enforcement Officer; and

NOW, THEREFORE, IT IS HEREBY,

RESOLVED, that the Village Board of the Village of Goshen hereby accepts the request for Mr. Gibbs to continue his education

and it is further

RESOLVED, that the education associated with Mr. Gibbs' request contains the following:

1. Membership fee for New York State Building Officials Conference – Rockland County Chapter: \$50.00

2. Three-day seminar with at least 21 hours of NYS in-service credit hours, 5/2/23 – 5/4/23 \$300
3. Estimated travel cost – 70 miles per day x3 days: \$139
4. Total: Estimate \$489.00

Motion to adopt by Trustee O'Donnell and seconded by Trustee Gurda. The vote was 3 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on January 23, 2023.

6. LoCAP Grant – Downtown Revitalization – authorized signatories

RESOLUTION 11 of 2023

A RESOLUTION ALLOWING THE VILLAGE OF GOSHEN MAYOR AND VILLAGE CLERK TO SIGN DOCUMENTS FOR THE LOCAL COMMUNITY ASSISTANCE PROGRAM (LoCAP) GRANT, DASNY GRANT NUMBER 25391

WHEREAS, a grant in the amount of \$100,000.00 has been awarded for downtown revitalization in the Village of Goshen; and

WHEREAS, the signatures of authorized officials are required to complete necessary paperwork for the grant process; and

NOW, THEREFORE, it is hereby

RESOLVED, that the Village of Goshen Mayor and Village Clerk are hereby authorized to sign any necessary paperwork for the LoCAP Grant, DASNY Grant Number 25391.

Motion to adopt by Trustee O'Donnell and seconded by Trustee Gurda. The vote was 3 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on January 23, 2023.

Mayor/Trustee Comments

Trustee O'Donnell did not have any comments.

Trustee Gurda congratulated Trish Sherlock on her appointment to the Building Department and was very happy for her.

Mayor Wohl shared that Ms. Sherlock would also continue her part-time responsibilities with the JRC, which attendees at the meetings were grateful for, as one of her highlights is the incredibly successful camp program, she runs each summer.

Department Head Reports

Chief Watt congratulated Ms. Sherlock on her appointment. Chief Watt wanted to clarify reports of a vehicle fire that was said to have caused an explosion, which did not occur it was a high intensity vehicle fire that often has loud pops. In addition, Chief Watt reported that a meeting is scheduled with the parade organizers for the St. Patrick's Day Parade that will take place on March 12, 2023.

On a motion by Trustee Gurda, seconded by Trustee O'Donnell, the Meeting was adjourned at 7:19 pm.

Gurda	aye
O'Donnell	aye
Rouis	absent
Scotto	absent
Wohl	aye