

Village Board Meeting
July 26, 2010

Members present: Mayor Higgins, Trustees Char, Mattheus, Roddey, and Stewart.

Also present: Attorney Donovan, Engineer Tully, and Village Clerk Strobl.

Mayor Higgins called the meeting to order at 7:30 p.m. and led those present in the Pledge of Allegiance.

On a motion by Trustee Roddey, seconded by Trustee Stewart, the agenda was modified by the addition of Items of Business #4 – Lease Agreement with First Presbyterian Church, and an Executive Session to discuss litigation.

Char	aye
Mattheus	nay
Roddey	aye
Stewart	aye

On a motion by Trustee Mattheus, seconded by Trustee Roddey, the Minutes of the July 12, 2010 Village Board Meeting were accepted as submitted.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

On a motion by Trustee Char, seconded by Trustee Stewart, the Minutes of the July 19, 2010 Village Board Work Session were accepted as submitted.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

Communications

On a motion by Trustee Stewart, seconded by Trustee Roddey, bills as examined by members of the Board were approved in accordance with Abstract 2010/2011, numbers 4, 5, 6, and 7, numbers 36519 through 36672 in the amount of \$495,629.22.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

Mayor Higgins read a letter from resident Nino Novellino which thanked the Village Police for their recent prompt and professional response to a medical emergency.

Mayor Higgins read a letter of thanks from Dean Ouderkirk, in which he praised Police Officers Smoulcey and Malgieri for saving his life by their skilled use of a department defibrillator.

A letter from the Goshen Rotary Club was reviewed in which permission was requested for the 23rd annual Tour de Goshen.

On a motion by Trustee Roddey, seconded by Trustee Mattheus, permission for the event was granted, subject to adherence to comments provided by Chief Watt.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

Items of Business

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

WHEREAS, Joseph Passalacqua and Janice Passalacqua have heretofore filed a proceeding in the Supreme Court of Orange County pursuant to Article 7 of the Real Property Tax Law seeking to contest the assessment imposed on their real property located at 5 Corral Lane in the Village of Goshen which property is designated on the tax map as Section 127, Block 2, Lot 3; and

WHEREAS, the duties of assessing real property in the Village for purposes of real property taxation are vested with the Assessor's office for the Town of Goshen; and

WHEREAS, the Town of Goshen and their Assessor have heretofore determined that it is in the best interests of all parties that the proceeding commenced by Joseph Passalacqua and Janice Passalacqua, be settled and compromised; and

WHEREAS, the Village is in receipt of a Consent Judgment duly signed and approved by the attorneys representing the Town of Goshen, the attorneys representing the Petitioner and the Office of the Orange County Attorney which Consent Judgment has been approved by the Honorable John R. La Cava, Supreme Court Justice; and

WHEREAS, pursuant to the terms and provisions of said Consent Judgment the Village is obligated to refund certain tax amounts heretofore paid by Joseph Passalacqua and Janice Passalacqua;

NOW, THEREFORE, it is hereby

RESOLVED, that pursuant to said Consent Judgment the Village Board hereby directs the Village Treasurer to issue a check in the amount of \$346.20 and to deliver the same to Joseph Passalacqua and Janice Passalacqua as provided for in said Consent Judgment.

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

On the nomination of Mayor Higgins, Rebecca A. Lafargue is hereby appointed to the Village of Goshen Planning Board to fill an unexpired term. This term will expire in 2011.

Char	aye
Mattheus	nay
Roddey	aye
Stewart	aye

All of the Board Members discussed the difficulty involved in choosing an appointment from the five excellent candidates.

Trustee Mattheus based her objection on the appointment on the fact that the candidate is a licensed realtor.

On the nomination of Mayor Higgins, Francis M. Wolter, Jr. is hereby appointed to the Goshen Senior Center Board of Directors for a term of three years.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

Mayor Higgins gave a brief background of the history of the request by the First Presbyterian Church for a lease between the Church and the Village for use of the village square.

On a motion by Trustee Stewart, seconded by Trustee Roddey, Mayor Higgins is hereby authorized to sign the unmodified lease, (dated May, 2010) between the First Presbyterian Church and the Village of Goshen.

Trustee Stewart stated that the church owns the property and that the lease, which was drawn up by the Village's attorney, would formalize the arrangement.

Trustee Roddey noted his agreement and the fact that he would vote in favor of signing the lease.

Trustee Char said he agreed with the legal aspect, but that he could not agree with the particular lease being discussed as the church refused to include the Village's right to "first refusal" should the property be sold, as well as an automatic renewal clause.

Trustee Mattheus stated that she would absolutely vote no to giving up the Village green after maintaining the property for over 100 years.

Mayor Higgins called for a roll call vote.

Char	nay
Mattheus	nay
Roddey	aye
Stewart	aye
Higgins	aye

Mayor/Trustee Comments

Trustee Roddey reported for the sewer department that the generator at the plant operated without any problems on July 21st when power was lost in a severe storm, and that crews are prepping five locations for sewer flow monitors.

Trustee Char noted that 3 subjects were recently arrested and charged with trespass after they were found inside the fence at the old school building at Salesian Park.

Trustee Char offered the following statistics from the Police Department: since July 12th there have been 21 arrests, 64 uniform traffic tickets, 108 parking summonses issued, and 10 motor vehicle accidents investigated.

Trustee Stewart reported the following recent activities of the Department of Public Works: crews have completed yellow street painting and have started with white; parking meters have been emptied; streets are being prepped for microsealing and paving; and crews are repairing catch basins.

Trustee Mattheus urged water conservation, although the reservoir is still at a safe level, and noted that crews tapped the water main on Parkway for a new house which is being built.

Mayor Higgins announced that on August 26th the 2nd annual Eddie Ryan Golf Tournament will be held at the Monroe Country Club. Proceeds from the event will assist Sgt. Ryan, a local Marine wounded in Iraq.

Citizens' Comments

Comments were received from Neil Hickok and Joel Markowitz.

On a motion by Trustee Char, seconded by Trustee Roddey, the Board entered into Executive Session at 8:20 p.m. for a discussion of litigation.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

On a motion by Trustee Char, seconded by Trustee Roddey, the Board concluded the Executive Session and the Meeting at 8:50 p.m.