

Village Board Meeting
September 27, 2010

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

Also present: Engineer Tully, Attorney Donovan, Attorney Donnelly, Planner Turner, and Deputy Village Clerk Goldberg.

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 Stewart, seconded by Trustee Mattheus, the agenda was accepted as presented.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

Public Hearing – Local Law #1, 2010 – Places of Worship Law

On a motion by Trustee Char, seconded by Trustee Roddey, and unanimously carried, Mayor Higgins opened the meeting to the public for Local Law # 1, 2010.

Reynell Andrews requested a description of the proposed Local Law, as it had been changed several times. Planner Stuart Turner summarized and gave a brief history of how the local had changed since it was first introduced. He stated that the most substantial change was that originally the Local Law included Greenwich Avenue, but now it did not.

Attorney Michael Donnelly stated that the Planning Board is in favor of the Local Law, but that they would like to see the Greenwich Avenue zoning effected as well.

As there were no further comments from the public Trustee Stewart made a motion to close the public hearing, seconded by Trustee Roddey, and unanimously carried.

Public Hearing – Local Law #2, 2010 – OBH Zone Expansion of Uses

On a motion by Trustee Mattheus, seconded by Trustee Char, and unanimously carried, Mayor Higgins opened the meeting to the public for Local Law # 2, 2010.

Bob Scherreik, a Trustee for Elant, Inc. spoke on their behalf. He stated that their property is located entirely within the OBH Zone, and they would like to see non-age restricted housing permitted in the zone. He added that Elant had been given approval for age restricted or senior multifamily residences, but that due to the down-turn in the real estate market it has been difficult to sell to seniors only.

Reynell Andrews asked for clarification on what will be permitted under the new conditional use called indoor recreation, and also if the heliport will continue to be permitted. He also asked if residential long term care is permitted. Planner Turner explained that some examples of permitted indoor recreation uses would be tennis, bowling, or racquet ball. Planner Turner clarified that the Local Law is not just for the specific property of the Medical Center, but incorporates all of the land within the OBH Zone, and clarified that long term care is a permitted use.

Kit Wallace inquired about deed restrictions that may be in place for the Medical Center property. Attorney Donovan stated that the Village is unable to enforce private restrictions or covenants, but that his review of the deed did not reveal any restrictive language.

Joel Markowicz stated that he was not in favor of the moratorium that was placed on the property, and he is not in favor of overly restrictive zoning. He suggested that more permissive zoning could make the property more economically desirable for future development.

As there were no further comments from the public Trustee Char made a motion to close the public hearing, seconded by Trustee Stewart, and unanimously carried.

Trustee Roddey stated that he felt some concerns about the proposed zoning being overly restrictive. He mentioned that 52% of Village property is currently tax exempt, and that the Board should consider zoning with the intention of encouraging development that could help to bear some of the tax burden. He said he would not be able to support the Local Law in its current text.

Mayor Higgins thanked the Board and the public for their comments and suggestions regarding both Local Laws.

Minutes

On a motion by Trustee Roddey, seconded by Trustee Stewart, the Minutes of the September 13, 2010 Village Board Meeting were accepted as submitted.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

Communications

Mayor Higgins read a letter from Joan O'Neil praising the Village of Goshen Police Department, specifically Officers Raab, Malgieri, and Sergeant Manna, for going above and beyond their call of duty on September 5th in assisting her with two flat tires.

Mayor Higgins read a letter from Patrick Lahiff from the Mid-Hudson St. Patrick's Day Parade Committee, requesting permission to hold the 2011 parade in the Village. The Board discussed the parade, and Trustee Mattheus commented that perhaps the County should offer to insure the event instead of the Village. Trustee Stewart made a motion to host the parade in the Village of Goshen, seconded by Trustee Mattheus. The customary assistance and cooperation will be requested from the Town and County.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

Mayor Higgins read an Alcoholic Beverage License Application Notice for LeBaron Enterprises at 40 Park Place.

Mayor Higgins read an Alcoholic Beverage License Renewal Letter for 170 West Main, LLC.

On a motion by Trustee Roddey, seconded by Trustee Stewart, bills as examined by members of the Board were approved in accordance with Abstracts 2010/2011 numbers 9, 10, 11, and 12, check numbers 104 through 483 in the amount of \$841,785.73.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

Items of Business

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

RESOLUTION OF BOND REDUCTION

WHEREAS, the developer of the project known as Village Place (aka) Carriage Park, (114-4-3.21, 3.22 & 1 and 111-10-17.2), has requested that the Village of Goshen reduce the funds currently being held in Performance Bonds; and

WHEREAS, Lanc & Tully Engineering & Surveying P.C., has recommended the bond reduction, based on observations at the site; and

WHEREAS, in a letter dated September 17, 2010, Lanc & Tully Engineering & Surveying P.C., has recommended that the Maintenance Bond be held at \$5,400.00 and the Landscaping Bond be held at \$6,370.00;

NOW, THEREFORE, IT IS HEREBY:

RESOLVED THAT, the Village Board of the Village of Goshen hereby determines that the Performance Bond be reduced by \$41,791.44 to \$11,770.00, in a form satisfactory to the Village Attorney.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

On a motion by Trustee Char, seconded by Trustee Mattheus, authorization is hereby given for the Village of Goshen Justice Department to apply for a 2010/2011 Justice Court Assistance Program Grant for up to the maximum amount available of \$30,000. Trustee Mattheus commented that Justice Clerk Leta Jagielski has been successful in obtaining these grants in the past and has always worked with the Friends of Maplewood Committee.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

On a motion by Trustee Mattheus, seconded by Trustee Roddey, authorization is hereby given for the creation of two (2) Part-time Water Meter Reader positions with the County of Orange Department of Personnel, at a salary of \$15.00 per hour. Mayor Higgins said that the creation of these positions will help to prevent estimated billing, and potentially generate revenue for the sewer fund. Trustee Mattheus added that new software is being implemented and more mechanized remote reading is being looked into to help make the billing process more efficient.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

On a motion by Trustee Stewart, seconded by Trustee Mattheus, the Village Board of the Village of Goshen hereby honors the request of the Goshen Central High School Men's Soccer Alumni Network & Foundation to rename the Erie Street Field in honor of Harold Innocent, longtime educator and soccer coach at Goshen High School.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

Mayor/Trustee Comments

Sewer

Trustee Roddey said there was nothing to report for the Joint Recreation Commission. He gave the sewer update and stated the following: a sewer main extension was installed from West Street to Grand Street, and crews have been cleaning and TVing the sewer pipes for the continuing infiltration investigation.

Police

Trustee Char said the recent Child Safety Seat event was very successful and thanked all who helped to make it possible. He also stated that the Goshen PBA will be hosting a free spaghetti dinner for the Goshen Seniors on October 27th at 6:00 PM at the Goshen Senior Center. Trustee Char congratulated Officers Vuksanovich and Raab for their participation in the 9-11 Tour De Force bicycle ride fundraiser. He also congratulated Sergeant Daniel Henderson for his graduation from the ten week FBI National Academy program, where he maintained a 4.0 grade point average and earned 17 college credits.

DPW

Trustee Stewart gave the following Department of Public Works report: crews have continued to blacktop, and worked with the Orange County DPW repainting double yellow lines on Village streets; parking meters have been emptied; and crews installed 30 mph signs in Harness Estates.

Water

Trustee Mattheus said that the Village has been working with the DEC to obtain a conditional permit for the CRV Well. She reported that the fall tree planting project continues, and is successful. Trustee Mattheus also stated that there have been complaints about the Harness Estates trucks, and the water in the road on Hill Top Drive. Attorney Donovan said that the Village Building Inspector is working on both of those matters.

Mayor Higgins reported that he received information from the Village Treasurer that the sewer fund is in bad shape. He warned that rates may be going up, and urged residents to implore the Town to pay for their fair share of the sewer services.

Citizen's Comments

Comments were received from Reynell Andrews, Neil Hickock, and Joel Markowicz. At the request of Mr. Andrews, Mayor Higgins agreed to have the Treasurer's memo about the sewer fund available at the next meeting. Trustee Stewart reminded the public that the next meeting will also be a Regular Meeting.

On a motion by Trustee Char, seconded by Trustee Stewart, the meeting was adjourned at 8:35 PM.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye