

Village Board Meeting
January 24, 2011

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 Char, the Agenda was accepted as submitted.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

On a motion by Trustee Roddey, seconded by Trustee Mattheus, the Minutes of the January 10, 2011 Village Board Meeting were accepted as submitted.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

Communications

Mayor Higgins reviewed an alcoholic beverage license renewal from Howell's Deli Café for informational purposes.

Mayor Higgins read a letter from Vili Mirtchev, requesting reimbursement for damage to a mailbox. Consensus of the Board was to adhere to past practice of not reimbursing as mailboxes that are placed according to postal regulations are beyond reach of the plows.

Items of Business

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

WHEREAS, the Village of Goshen, hereinafter referred to as the "Village," heretofore engaged the services of Carlin Contracting, Inc., hereinafter referred to as "Carlin," to act as general contractor in connection with the construction of the new Village Waste Water Treatment Plant; and

WHEREAS, a dispute has arisen between the Village and Carlin regarding said contract; and

WHEREAS, as a result of said dispute, Carlin has elected to commence litigation against the Village seeking damages in the amount of \$690,000.00; and

WHEREAS, the Village has interposed a counterclaim in said litigation seeking damages from Carlin; and

WHEREAS, the parties have now reached a settlement of this matter whereby the Village has agreed to pay the sum of \$50,000.00 in full satisfaction of the \$690,000.00 claimed by Carlin and the Village has further agreed to withdraw its counterclaim thereby compromising, resolving and terminating the litigation between the parties;

NOW, THEREFORE, it is hereby

RESOLVED, that the Village of Goshen shall withdraw its pending counterclaim and shall pay to Carlin Contracting, Inc., the sum of \$50,000.00 in full satisfaction of any and all claims that Carlin has or may have against the Village; and it is further

RESOLVED, that the parties shall exchange general releases and the Mayor is hereby empowered to execute a general release on behalf of the Village of Goshen as well as sign all necessary and appropriate documents required to effectuate the settlement herein authorized.

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

Board members called the result a huge victory and commended Norton & Christensen for their defense of the Village.

A discussion of funding of land remediation was put on hold pending further information from the Village's Bond Counsel.

Mayor/Trustee Comments

Trustee Mattheus reported that the reservoir is currently at -14", and urged residents to keep sidewalks cleaned up to avoid accidents.

Trustee Stewart noted that DPW crews have kept up well with the many snowstorms that have occurred recently. Trustee Stewart reminded residents that in hazardous weather conditions crews are needed for snow plowing and are then unavailable for garbage or recycling collections. These collections will be done on the next regularly scheduled day.

Mayor Higgins commended the DPW for the fantastic job done dealing with the recent snowstorms.

Trustee Char urged motorists to slow down in school zones. A recent traffic enforcement detail concentrated on school speed zone violations, issued 36 uniform traffic tickets.

Trustee Roddey commented on the great conclusion reached in the litigation against the Village brought about by Carlin Contracting, Inc.

Citizens' comments were received from Neil Hickok and Joel Markowitz.

On a motion by Trustee Stewart, seconded by Trustee Char, the meeting was adjourned at 7:50 p.m.

Char	aye
Mattheus	aye
Roddey	aye
Stewart	aye

