

Village Board Meeting
July 14, 2014

Members present: Mayor Roddey, Trustees Char, Gurda, Nuzzolese, and Smith

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

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

On a motion by Trustee Char, seconded by Trustee Gurda, the Agenda was accepted with the following change: Item of Business #6 becoming #5, and #5 becoming #6.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

Recognition – Megan Farrell – Village of Goshen 2014 Scholarship Winner

Mayor Roddey introduced recent Goshen High School graduate Megan Farrell, and read her letter of thanks for the Village of Goshen scholarship. Ms. Farrell was presented with flowers and good wishes in her future endeavors.

Minutes

On a motion by Trustee Smith, seconded by Trustee Nuzzolese, the Minutes of the June 23, 2014 Village Board Meeting were accepted as submitted.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

On a motion by Trustee Char, seconded by Trustee Nuzzolese, the Minutes of the July 7, 2014 Village Board Work Session were accepted as submitted.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

Communications

Mayor Roddey reviewed a letter of resignation from the position of Dispatcher from Matthew Bucco. Mr. Bucco has accepted a position as Police Officer with the Metro Transit Police Department in Washington, D.C.

Items of Business

On a motion by Trustee Char, seconded by Trustee Gurda, bills as examined by members of the Board were approved in accordance with Abstract 2014/2015 number 2, check numbers 7199 through 7342, in the amount of \$448,350.18.

Char aye
Gurda aye
Nuzzolese aye
Smith aye

On a motion by Trustee Char, seconded by Trustee Smith, Jeremy Cohen is hereby appointed part-time Dispatcher for the Village of Goshen Police Department at a salary of \$16.25 per hour. This appointment is effective upon successful completion of a pre-employment physical exam, and pre-employment paperwork.

Char aye
Gurda aye
Nuzzolese aye
Smith aye

On a motion by Trustee Nuzzolese, seconded by Trustee Char, William F. Babcock III is hereby appointed part-time Dispatcher for the Village of Goshen Police Department at a salary of \$16.25 per hour. This appointment is effective upon successful completion of a pre-employment physical exam, and pre-employment paperwork.

Char aye
Gurda aye
Nuzzolese aye
Smith aye

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

WHEREAS, the Village of Goshen has heretofore determined to undertake a project known as the “New Prospect Water Storage Tank” which project is more fully described in a “Notice of Lead Agency Declaration” attached to this Resolution; and

WHEREAS, it is the intent of the Village Board of the Village of Goshen to be Lead Agency for the project pursuant to Part 617 of the implementing regulations of Article 8 of the Environmental Conservation law;

NOW, THEREFORE, it is hereby

RESOLVED, that the Village of Goshen Village Board declares its intent to be the Lead Agency in connection with the project known and described as the “New Prospect Water Storage Tank”; and it is further

RESOLVED, that the attached Notice of Lead Agency Declaration be circulated among all involved agencies identified in the attached Notice of Lead Agency Declaration; and it is further

RESOLVED, that the Village Board of the Village of Goshen shall become the Lead Agency unless one of the involved agencies, within the time allotted by law, properly notifies the Village of their intent to be Lead Agency at which time any dispute shall be resolved pursuant to law.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

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

WHEREAS, pursuant to the implementing regulations of Article 8 of the New York State *Environmental Conservation Law* set forth in the *New York Code of Rules and Regulations* at Part 617 et seq., the Board of Trustees for the Village of Goshen has heretofore been designated as Lead Agency in connection with the project known as the “Village of Goshen Wellfield Development”; and

WHEREAS, the Board of Trustees, as Lead Agency, has heretofore issued a negative declaration in connection with this project; and

WHEREAS, there has been no material change in circumstance regarding any relevant environmental issues related to this project since the adoption of the negative declaration; and

WHEREAS, there has been no material change in any proposed construction detail of the project except for the determination to cross the Walkkill River with the water line under the River as opposed to suspending the water line from the County bridge spanning the river; one; and

WHEREAS, absent any material change in circumstances the Village Board finds it in the overall public interest and duly appropriate and proper under the circumstances to re-affirm the negative declaration previously issued regarding his project; and

NOW, THEREFORE, it is hereby

RESOLVED, that the Village Board of the Village of Goshen, as Lead Agency, hereby re-affirms the adoption of the heretofore issued negative declaration regarding the project known and designated as the “Village of Goshen Wellfield Development” and further finds that accordingly no further review pursuant to the SEQRA regulations is needed or required.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

EXTRACT OF MINUTES

Meeting of the Board of Trustees of the

Village of Goshen, in the

County of Orange, New York

July 14, 2014

* * *

A regular meeting of the Board of Trustees of the Village of Goshen, in the County of Orange, New York, was held at the Village Hall, 276 Main Street, Goshen, New York, on July 14, 2014.

There were present: Hon. Kyle Roddey, Mayor, and

Trustees: Edward Char
Christopher Gurda
Michael Nuzzolese
Peter Smith

Also present: Margaret G. Strobl, Village Clerk

* * *

Trustee Char offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF GOSHEN, NEW YORK, ADOPTED JULY 14, 2014, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS FOR THE PURPOSE OF DEVELOPING A NEW GROUNDWATER SOURCE OF SUPPLY FOR THE VILLAGE WATER SYSTEM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,300,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,300,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF GOSHEN, IN THE COUNTY OF ORANGE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Goshen, in the County of Orange, New York (herein called the "Village"), is hereby authorized to construct improvements for the purpose of developing a new groundwater source of supply for the Village water system, including acquisition of land, testing, permitting and the construction of water supply, treatment and transmission facilities. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,300,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of not to exceed \$1,300,000 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$1,300,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 1 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village

by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancement, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the "*Goshen Independent*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF GOSHEN, NEW YORK

PLEASE TAKE NOTICE that on July 14, 2014, the Board of Trustees of the Village of Goshen, in the County of Orange, New York, adopted a bond resolution entitled:

“Bond Resolution of the Village of Goshen, New York, adopted July 14, 2014, authorizing the construction of improvements for the purpose of developing a new groundwater source of supply for the Village water system, stating the estimated maximum cost thereof is \$1,300,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$1,300,000 to finance said appropriation,”

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to construct improvements for the purpose of developing a new groundwater source of supply for the Village water system, including acquisition of land, testing, permitting and the construction of water supply, treatment and transmission facilities; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,300,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of not to exceed \$1,300,000 bonds of the Village to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of not to exceed \$1,300,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is forty (40) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: July 14, 2014

Margaret G. Strobl
Village Clerk

Section 8. The Village Clerk is hereby authorized and directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

* * *

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES: 4

NOES: 0

The resolution was declared adopted.

Mayor/Trustee Comments

Trustee Nuzzolese thanked all Village Departments for their efforts towards the success of the recent, successful Great American Weekend.

For the Sewer Department, Trustee Nuzzolese noted that sewer jetting continues throughout the village.

Trustee Gurda reported the following recent activities of the Water Department: the generator automatic transfer switch at the water plant has been repaired after a lightning strike; the North Church Street pump station is currently on manual operation due to a failed control; and a check valve at the pump station has been replaced.

Trustee Char offered congratulations to the Goshen High School Class of 2014, and wished good luck to village resident Jane Jonas, recipient of the Chief John H. Egbertson Memorial Scholarship.

Trustee Char noted that all members of the Police Department have been trained and certified to carry and administer Noxalone heroin overdose medication, and that the costs for training overtime and overdose kits were reimbursed through a grant from the NYS Attorney General's Office.

Trustee Smith reported the following recent activities of the Department of Public Works: crews have trimmed brush and trees at various intersections; parking meters have been emptied and repaired; and catch basin repairs are continuing.

Mayor Roddey thanked everyone who assisted with the 33rd annual Great American Weekend.

On a motion by Trustee Char, seconded by Trustee Gurda, the Board entered into Executive Session at 7:45 p.m. for a discussion of Litigation.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

On a motion by Trustee Smith, seconded by Trustee Nuzzolese, the Executive Session was concluded, and the Meeting was adjourned at 8:15 p.m.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye