

Village Board Meeting
February 13, 2017

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

Also present: Attorney Donovan and Village Clerk Strobl

Mayor Roddey called the Meeting to order at 7:00 p.m. and led those present in the Pledge of Allegiance.

On a motion by Trustee Gurda, seconded by Trustee Char, the Agenda was accepted as submitted.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

On a motion by Trustee Nuzzolese, seconded by Trustee Gurda, the Minutes of the January 9, 2017 Village Board Meeting were accepted as submitted.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

Communications

Mayor Roddey read a letter from Associate Race Director Robert Dickover, announcing plans for the 2017 Hambletonian Marathon, Half Marathon, and Good Time Trotters Relay. An Insurance Certificate was included.

On a motion by Trustee Char, seconded by Trustee Smith, the event was approved, pending acceptance of an executed Indemnification Agreement.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

The Board reviewed the amounts of unpaid water and sewer bills as of February 10, 2017.

The Board reviewed a notice of removal, from Howells Sunflower Café to the State Liquor Authority, due to a re-location.

Mayor Roddey read a request from the Goshen Chamber of Commerce to erect a sign in the Village Square announcing the upcoming Goshen Community Home & Garden Show.

On a motion by Trustee Nuzzolese, seconded by Trustee Char, the request was approved.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

Items of Business

On a motion by Trustee Gurda, seconded by Trustee Smith, the Mayor is hereby authorized to sign a contract between the Village of Goshen Police Department and the Orange County Department of Social Services Investigation Unit, for the assignment of a Police Officer for the period of October 1, 2016 through September 30, 2021.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

On a motion by Trustee Smith, seconded by Trustee Char, bills as examined by members of the Board were approved in accordance with Abstract 2016/2017 number 6, check numbers 11555 through 11851, in the amount of \$1,579,158.70, and wire transfer #62 in the amount of \$43,107.50, for a grand total of \$1,621,981.70.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

On a motion by Trustee Char, seconded by Trustee Gurda, Cynthia Ceconello, Manuel Orellana, Manuel A. Orellana, and Brian Ritchings are hereby authorized to attend the New York Rural Water Association Wastewater/Water Training Session on Simple Microscope Applications, in New Hampton NY on April 20, 2017. The total cost is \$64.00 and the NYS DEC is expected to award 6.0 contact hours toward recertification.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

Attorney Donovan reviewed a Developer's Agreement, proposed by Wainco Goshen 1031, LLC, (111-10-17.2), "Village Place".

The following was moved by Trustee Char, and seconded by Trustee Smith; subject to the installation of a fire sprinkler detector check assembly with a water meter at Building #1, to remedy an outstanding violation/non-conforming condition:

WHEREAS, Wainco Goshen 1031, LLC, ("Wainco") a duly constituted New York Limited Liability Company having an office for the transaction of business at 75 South Orange Avenue, Suite 218, South Orange, New Jersey, is the owner of certain unimproved real property located in the Village of Goshen which property is more particularly described on the tax map as Section 111, Block 10, Lot 17.2 ("the property"); and

WHEREAS, the property is contained within and is encumbered by that certain site plan approval issued by the Village of Goshen Planning Board in November of 2006 pursuant to which site plan approval was issued providing for the creation of 48 age-restricted condominiums; and

WHEREAS, the age restriction requirement was subsequently removed in 2009 by a decision and resolution duly issued by the Village of Goshen Zoning Board of Appeals; and

WHEREAS, the property is further encumbered by a condition in the site plan approval resolution providing that all of the density allocable to the property is fully and completely transferred to the other tax parcel shown on and subject to the site plan approval thereby eliminating any unit density from the property; and

WHEREAS, in addition to the transfer of the density, a further condition of the site plan approval was an Irrevocable Offer of Dedication of the property to the Village for potential future municipal purposes; and

WHEREAS, after the lapse of nearly 10 years, no municipal purpose has been identified for the parcel in question; and

WHEREAS, Wainco has now approached the Village Board to determine if the Irrevocable Offer of Dedication could be released so as to allow the potential development of this parcel by the construction of additional residential apartment units subject to any and all required approvals from the Village Zoning Board of Appeals, Village Planning Board as well as any other municipal board or agency having jurisdiction; and

WHEREAS, the Village has undertaken due diligence in an attempt to ascertain the monetary value that may be associated with the release of the Irrevocable Offer of Dedication; and

WHEREAS, the due diligence undertaken has resulted in the the conclusion that it is not feasible to objectively assign a value to the release of an Irrevocable Offer of Dedication to a parcel of property that currently is not able to be built upon as a result of the prior site plan approval; and

WHEREAS, accordingly the Village and Wainco have entered into negotiations wherein and whereby Wainco has agreed to offer value for the release of the Irrevocable Offer of Dedication and the Village of Goshen hereby determines to accept said offer in view of the fact that the parcel is not required for any municipal purpose and further in accordance with the terms, provisions and conditions of that certain document entitled "Developer Agreement" attached hereto and made part hereof;.

NOW, THEREFORE, it is hereby

RESOLVED, that the Mayor is authorized to execute on behalf of the Village of Goshen the attached Developer Agreement wherein and whereby the Village agrees to release the Irrevocable Offer of Dedication conditioned upon the payment by Wainco to the Village of the sum of \$60,000.00 pursuant to the terms of the attached Developer Agreement.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye

Mayor/Trustee Comments

Trustee Nuzzolese commended the DPW for the great job removing snow downtown over the weekend.

Trustee Gurda noted that the Water Department is running smoothly.

Trustee Char announced that August 5, 2017 is the date for Goshen's "Slide the City" event, and that tickets will go on sale Wednesday, February 15th.

Trustee Smith thanked the DPW for their handling of the recent snow storms, and noted that they were busy all weekend.

Mayor Roddey provided information on the 2017 Community Video Program, offered by CGI Communications, Inc., and asked members to review prior to the next Meeting.

On a motion by Trustee Char, seconded by Trustee Gurda, the Meeting was adjourned at 7:15 p.m.

Char	aye
Gurda	aye
Nuzzolese	aye
Smith	aye