

Village Board Meeting  
December 9, 2019

Members present: Mayor Nuzzolese, Trustees Gurda, Henderson, Scotto, and Smith

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

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

On a motion by Trustee Henderson, seconded by Trustee Smith, the Agenda was accepted as presented.

Gurda	aye
Henderson	aye
Scotto	aye
Smith	aye

Presentation – Planner Kristen O’Donnell, Lanc & Tully Engineering and Surveying, P.C.  
Village of Goshen Zoning Amendments

Ms. O’Donnell presented an initial package of zoning amendments for the Board’s review, noting that the changes are mostly code errors, outdated language, and issues that regularly come up at the Planning Board.

Attorney Donovan stated that, at the Board’s request, he would prepare a Local Law, and a Public Hearing would be scheduled for January.

The proposed changes to the Code included the following Sections: Outdoor Dining; Planned Adult Community Floating Zone; Parking; Circular Driveways; Fishing License; Home Occupations; Bulk Requirements in the CS (Central Shopping) District; and the Environmental Impact Review.

On a motion by Trustee Smith, seconded by Trustee Gurda, the Village Board authorized the Village Attorney to prepare a Local Law to make the recommended changes to the Village Code.

Gurda	aye
Henderson	aye
Scotto	aye
Smith	aye

Ms. O’Donnell reviewed the next section proposed for revisions: Overnight Accommodations: Hotels, Motels and Bed and Breakfasts. She asked the Board to consider it for the next round of amendments.

On a motion by Trustee Smith, seconded by Trustee Henderson, the Minutes of the November 25, 2019 Village Board Meeting were accepted as submitted.

Gurda	aye
Henderson	aye
Scotto	aye
Smith	aye

Items of Business

The following was moved by Trustee Gurda, and seconded by Trustee Scotto:

**WHEREAS**, at a duly convened Village of Goshen Village Board Meeting held on February 13, 2017, the Village Board did adopt the attached Resolution wherein and whereby the Village agreed to relinquish the Irrevocable Offer of Dedication previously provided by the property owner (“Wainco”) regarding 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”) in exchange for payment in the amount of \$60,000.00 all for the reasons set forth in the previous Resolution of this Board; and

**WHEREAS**, the said prior Resolution of this Board authorized the Village Mayor to enter into a certain “Developer Agreement” made and entered as of the 19<sup>th</sup> day of August, 2016 which Agreement provided for payment of the sum of \$60,000.00 as consideration for the Village abandoning and relinquishing any and all rights in and to the above described property; and

**WHEREAS**, subsequent to the adoption of the prior Resolution, the said property received the approvals necessary from the Village Zoning Board of Appeals and the Village Planning Board to construct a 16-unit apartment complex on the said property; and

**WHEREAS**, during the course of obtaining said approvals, it became known that it would be necessary to install a new section of Village sewer main on the above described property so as to permit the said property to be developed as proposed by the property owner; and

**WHEREAS**, the location of the sewer main and the impact of the Project upon a portion of the Village sewer main was unknown at the time of the adoption of the prior Resolution and execution of the Developer Agreement; and

**WHEREAS**, as a result of this previously undiscovered condition, it is now necessary to install a new section of sewer main to allow the project to be constructed as proposed; and

**WHEREAS**, as a result of the foregoing, the parties have now agreed to amend the Developer Agreement dated August 16, 2019 to the extent of releasing and removing the requirement for the payment of the sum of \$60,000.00 as consideration for the installation of the new section of Village sewer main all as provided in the annexed first Amendment to the Developer Agreement; and

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the Resolution duly adopted by the Village Board on February 13, 2017 is hereby amended by deleting the requirement for the payment of the sum of \$60,000.00 in return for the relinquishment of the previously given Offer of Dedication; and it is further

**RESOLVED**, that consideration for the release of the Offer of Dedication shall be in the form of the installation of the new section of Village sewer main as is provided for in the First Amendment to the Developer Agreement; and

**RESOLVED**, that the Mayor is authorized to execute on behalf of the Village of Goshen the attached First Amendment to Developer Agreement wherein and whereby the Village agrees to release the Irrevocable Offer of Dedication conditioned upon the installation of the new section of Village sewer main pursuant to the terms of the attached First Amendment to the Developer Agreement.

Gurda            aye  
Henderson      aye  
Scotto           aye  
Smith            aye

On a motion by Trustee Smith, seconded by Trustee Gurda, Vincent P. Rizzo is hereby appointed Full Time Laborer for the Village of Goshen Department of Public Works at an annual salary of \$38,234.00, and with a probationary period of 52 weeks.

This appointment is effective upon successful completion of pre-employment physical, and all necessary paperwork. Employment shall not begin until the Orange County Department of Human Resources approves the appointment.

Gurda            aye  
Henderson      aye  
Scotto           aye  
Smith            aye

Mayor Nuzzolese read a letter of resignation received from Senior Water/Wastewater Plant Operator Brian Ritchings, effective January 27, 2020.

#### Mayor/Trustee Comments

Trustee Scotto noted that he has been working with Superintendent Birney on issues with the Rio Grande in preparation for the winter months.

Trustee Gurda said that Saturday's tree lighting was a real treat with a lot of work done by many different groups. He also thanked the DPW for the good job done cleaning up after the snow event last week.

Trustee Smith expressed how happy he was with the Police Department and the DPW during the storm. He asked Chief Watt to highlight recent activities of the PD.

Chief Watt warned residents about phone scams where callers attempt to gain personal information or have the victim wire them money, with some recent calls claiming to be NYSEG threatening to shut off the power. Residents are advised to not engage the caller and to immediately hang up the line.

He also reviewed a recent traffic stop which resulted in the driver being arrested and charged with DWAI-Drugs, a passenger being arrested for Unlawful Possession of Marijuana, and a third passenger being arrested on multiple felony charges for illegally possessing a loaded .45 caliber semi-automatic pistol and an illegal high capacity magazine.

Trustee Henderson thanked the Police Department and the DPW for their great work during the storm, and said that he was proud to be a resident.

#### Citizens' Comments

Comments were received from Michele Irizarry, Herard Joseph, and Emily Diaz.

On a motion by Trustee Henderson, seconded by Trustee Gurda, the Meeting was adjourned at 8:00 p.m.

Gurda	aye
Henderson	aye
Scotto	aye
Smith	aye