

Village Board Meeting  
September 25, 2023

Members present: Mayor O'Donnell, Trustees Gurda, Hand, Rouis, and Wohl

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

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Mayor O'Donnell called the meeting to order at 7:00 pm and led those present in the Pledge of Allegiance.

Mayor O'Donnell asked for a moment of silence in memory of Jack Deshler and expressed her appreciation for his lifetime of public service.

On a motion by Trustee Rouis, seconded by Trustee Gurda, the September 25, 2023 Village Board Meeting Agenda was accepted as modified by adding an item of business to the top of the items of business list.

Gurda        aye  
Hand        aye  
O'Donnell   aye  
Rouis        aye  
Wohl        aye

On a motion by Trustee Gurda, seconded by Trustee Wohl, the Minutes of the September 11, 2023, Village Board Meeting were accepted.

Gurda        aye  
Hand        aye  
O'Donnell   aye  
Rouis        aye  
Wohl        aye

### **Public Hearing**

1. Agreement with Charter Communications

On a motion by Trustee Gurda, seconded by Trustee Hand, the Public Hearing for the Charter Communications agreement was opened at 7:01 pm.

There were not any comments received from the public.

On a motion by Trustee Wohl, seconded by Trustee Gurda, the Public Hearing for the Charter Communications agreement was closed at 7:02 pm.

### **RESOLUTION 111 of 2023**

#### **A RESOLUTION APPROVING AN AGREEMENT BETWEEN CABLE TELEVISION SPECTRUM NORTHEAST, LLC / CHARTER AND THE VILLAGE OF GOSHEN FOR A PERIOD OF 10 YEARS**

**STATE OF NEW YORK  
Village of Goshen  
County of Orange**

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In the Matter of the Granting of a Cable Television Franchise Held by **Spectrum Northeast LLC** in the **Village of Goshen, County of Orange**, New York

### **RESOLUTION**

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An application has been duly made to the Village Board of the **Village of Goshen, County of Orange**, New York, by **Spectrum Northeast LLC**, a subsidiary of Charter

Communications, Inc. (hereinafter referred to as "Charter"), for the approval of a renewal agreement for Charter's cable television franchise for ten (10) years commencing with the date of approval by the Public Service Commission. The Cable Franchise Renewal Agreement ("Renewal Agreement") would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, the regulations of the Federal Communications Commission, the regulations of the New York Public Service Commission and certain court rulings.

A public hearing was held in the Village of Goshen, New York on September 25, 2023, at 7:00 P.M. and notice of the hearing was published in The Independent on September 20, 2023.

**NOW, THEREFORE**, the Village Board of the Village of Goshen finds that:

1. Charter has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Charter has the financial, legal and technical ability to provide cable services, facilities and equipment as set forth in its proposal attached; and
3. In consideration of the terms and conditions of the Agreement, Charter can reasonably meet the Village's future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

**BE IT FURTHER RESOLVED** that the Village Board of the Village of Goshen hereby grants a renewal of the cable television franchise of Charter in the Village of Goshen for ten (10) years commencing with the date of approval by the Public Service Commission and expiring ten (10) years hence.

**BE IT FURTHER RESOLVED** that the Village Board of the Village of Goshen hereby approves the Renewal Agreement.

Motion to adopt by Trustee Gurda and seconded by Trustee Wohl. The vote was 5 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on September 25, 2023.

### **Items of Business**

#### **1. Special Recognition**

Mayor O'Donnell and Chief Watt recognized the following First Responders and Dispatcher for their incredible and exceptional efforts with the fatal bus accident earlier in the month:

Officer Harter, K9 Walker, Investigator Jake Manna, Detective Kozlowski, and Dispatcher Dunham.

#### **2. Sgt. Scolza 25 years of Service**

Mayor O'Donnell read a memo from Chief Watt recognizing Sgt. Scolza's 25 years of service to law enforcement, with 24 of those years being with the Village of Goshen. Sgt. Scolza added that finding someone with 25 years of law enforcement is unusual these days, and happy that he's continuing his career in his new position. Sgt. Scolza was presented with a certificate from the Mayor, PBA and a service bar from Chief Watt. Sgt. Scolza thanked everyone that helped get him to this point, and making him what he is today.

#### **3. Hiring of Full-Time Police Officer L. T. Esposito**

### **RESOLUTION 112 of 2023**

**A RESOLUTION HIRING FULL-TIME POLICE OFFICER LEEGAN T. ESPOSITO**

**WHEREAS**, there is a full-time vacancy for a police officer available at the Village of Goshen Police Department; and

**NOW, THEREFORE, IT IS HEREBY,**

**RESOLVED**, that the Village Board of the Village of Goshen hereby accepts the hiring of Leegan T. Esposito,

and it is further

**RESOLVED**, that the hiring of the above individual is specifically subject to the following:

- 1. An annual salary of \$64,606.00;
- 2. This appointment includes a probationary period of 78 weeks;
- 3. Effective September 25, 2023.

Motion to adopt by Trustee Wohl and seconded by Trustee Rouis. The vote was 5 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on September 25, 2023.

4. Designate Minority Business Officer

**RESOLUTION 113 of 2023**

**A RESOLUTION DESIGNATING THE MAYOR AS THE MINORITY BUSINESS OFFICER AND THE DEPUTY MAYOR AS THE ALTERNATE MINORITY BUSINESS OFFICER FOR THE VILLAGE OF GOSHEN**

**WHEREAS**, there is a requirement for some funding opportunities, specifically for the Filter Plant Upgrade Project, to designate a Minority Business Officer and Alternate Minority Business Officer;

**NOW, THEREFORE, IT IS HEREBY,**

**RESOLVED**, that the Village of Goshen Mayor has been designated as the Village of Goshen’s Minority Business Officer and the Deputy Mayor shall be the Alternate Minority Business Officer.

Motion to adopt by Trustee Rouis and seconded by Trustee Gurda. The vote was 5 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on September 25, 2023.

5. Halloween Curfew

**RESOLUTION 114 of 2023**

**2023 HALLOWEEN CURFEW:**

**EACH DAY FROM FRIDAY, OCTOBER 27, 2023 THROUGH WEDNESDAY, NOVEMBER 1, 2023 FROM 8:00 PM – 6:00 AM**

**WHEREAS**, the Village of Goshen Police Department has instituted a Halloween Curfew for the last several years to keep everyone safe; and

**NOW, THEREFORE, IT IS HEREBY,**

**RESOLVED**, that the Village of Goshen will institute an 8:00 pm – 6:00 am Halloween Curfew each day from Friday, October 27, 2023 through Wednesday, November 1, 2023.

Motion to adopt by Trustee Wohl and seconded by Trustee Rouis. The vote was 5 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on September 25, 2023.

6. McNally Street and Crescent Drive Annual Block Party

**RESOLUTION 115 of 2023**

**A RESOLUTION TO APPROVE PROPOSED BLOCK PARTY ON MCNALLY STREET AND CRESCENT DRIVE ON SUNDAY, OCTOBER 1, 2023, FROM 2PM TO 5PM, WITH A RAINDATE OF OCTOBER 8, 2023**

**WHEREAS**, Mrs. Terry Escobar asked the Village Board for permission to hold the 33<sup>rd</sup> Annual Block Party on McNally Street and Crescent Drive; and

**NOW, THEREFORE, IT IS HEREBY,**

**RESOLVED**, that the Village Board approves the block party, with the understanding that all Village Codes and Laws will be adhered to;

and it is further

**RESOLVED**, that Mrs. Escobar will adhere to any conditions set forth by the Village of Goshen Board of Trustees.

Motion to adopt by Trustee Rouis and seconded by Trustee Gurda. The vote was 5 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on September 25, 2023.

7. Set Public Hearing for Local Law #5 RE: Lot line change

**RESOLUTION 116 of 2023**

**A RESOLUTION TO SET A PUBLIC HEARING FOR LOCAL LAW #5 OF 2023 ON OCTOBER 23, 2023, AT 7:00PM: A LOCAL LAW FOR WHICH WILL AMEND CHAPTER 46 OF THE CODE OF THE VILLAGE OF GOSHEN [SUBDIVISION] TO THE EXTENT OF ADDING A NEW ARTICLE ENTITLED "LOT LINE CHANGES"**

**WHEREAS**, it is the purpose of this local law to Amend Chapter 46 of the Code of the Village of Goshen [Subdivision] to the extent of adding a new Article entitled "Lot Line Changes."; and

**WHEREAS**, a Public Hearing must be scheduled; and

**NOW, THEREFORE, IT IS HEREBY,**

**RESOLVED**, that local law #5 will be heard at a Public Hearing on October 23, 2023 at 7:00 pm.

Motion to adopt by Trustee Gurda and seconded by Trustee Rouis. The vote was 5 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on September 25, 2023.

8. Set Public Hearing for Local Law #6 RE: Parking

**RESOLUTION 117 of 2023**

**A RESOLUTION TO SET A PUBLIC HEARING FOR LOCAL LAW #6 OF 2023 ON OCTOBER 23, 2023, AT 7:00PM: A LOCAL LAW FOR WHICH WILL AMEND SECTION 54 RELATED TO PARKING OF THE CODE OF THE VILLAGE OF GOSHEN**

**WHEREAS**, it is the purpose of this local law to Amend Chapter 54 of the Code of the Village of Goshen related to parking; and

**WHEREAS**, a Public Hearing must be scheduled; and

**NOW, THEREFORE, IT IS HEREBY,**

**RESOLVED**, that local law #6 will be heard at a Public Hearing on October 23, 2023 at 7:00 pm.

Motion to adopt by Trustee Wohl and seconded by Trustee Rouis. The vote was 5 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on September 25, 2023.

9. Set Public Hearing for Local Law #7 RE: Hotel/Motel Tax

**RESOLUTION 118 of 2023**

**A RESOLUTION TO SET A PUBLIC HEARING FOR LOCAL LAW #7 OF 2023 ON OCTOBER 23, 2023 AT 7:00PM: AMEND THE VILLAGE CODE OF THE VILLAGE OF GOSHEN TO ADD A NEW ARTICLE IV TO CHAPTER 50 ENTITLED "TAXATION"**

**WHEREAS**, it is the purpose of this amendment of the local law to impose a 5% tax on all hotel, motel, and other overnight stays; and

**WHEREAS**, a Public Hearing must be scheduled; and

**NOW, THEREFORE, IT IS HEREBY,**

**RESOLVED**, that local law #7 will be heard at a Public Hearing on October 23, 2023 at 7:00 pm.

Motion to adopt by Trustee Wohl and seconded by Trustee Hand. The vote was 5 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on September 25, 2023.

10. Energy Bid

Michele Ries from M&R Energy provided the Board with the bids received for energy costs as our current contract would expire November 1<sup>st</sup>. Discussion took place on the various bids and what was included in them. Ms. Ries was not at liberty to make recommendations on the energy supplier to choose. After much discussion, the Village Board chose Direct Energy as their energy supplier for a period of one year. Ms. Ries will setup a market watch for the Village of Goshen that if the rates shall decrease below the chosen bid, the Village of Goshen will have the opportunity to lock in the rate at the conclusion of the current annual bid.

**RESOLUTION 119 of 2023**

**A RESOLUTION ALLOWING THE VILLAGE OF GOSHEN MAYOR TO SIGN AN ENERGY AGREEMENT WITH DIRECT ENERGY THROUGH M&R ENERGY RESOURCES CORPORATION FOR A RATE THAT SHALL NOT EXCEED \$0.08732 PER kWh**

**WHEREAS**, M&R Energy Resources Corporation has collected usage data, capacity tags, and other necessary information in order to provide the Village of Goshen with various quotes for energy; and

**NOW, THEREFORE,** it is hereby

**RESOLVED**, that the Village of Goshen Mayor is hereby authorized to sign the energy agreement with Direct Energy for a rate that shall not exceed \$.08732 per kWh for one year.

Motion to adopt by Trustee Gurda and seconded by Trustee Wohl. The vote was 5 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on September 25, 2023.

11. Authorize Proposal with Edmunds for Miscellaneous Payments

**RESOLUTION 120 of 2023**

**A RESOLUTION ALLOWING THE VILLAGE OF GOSHEN MAYOR TO SIGN A SERVICE AGREEMENT WITH EDMUNDS GOV TECH TO ALLOW ADDITIONAL ONLINE CREDIT CARD PAYMENTS FOR \$986.00 PER YEAR FOR THREE YEARS**

**WHEREAS**, a need has been identified where credit card payments are needed for other Village fees, besides water, sewer and tax payments; and

**WHEREAS**, a module exists with the Village's current online payment module; and

**NOW, THEREFORE, IT IS HEREBY,**

**RESOLVED**, that Mayor O'Donnell is authorized to sign the agreement with Edmunds Gov Tech to accept miscellaneous online payments for a total of \$986.00 per year for three years.

Motion to adopt by Trustee Rouis and seconded by Trustee Gurda. The vote was 5 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on September 25, 2023.

12. Authorize Mayor to be Signatory for Grant Award

**RESOLUTION 121 of 2023**

**A RESOLUTION ALLOWING THE VILLAGE OF GOSHEN MAYOR AS THE AUTHORIZED GMS SIGNATORY FOR THE DIVISION OF CRIMINAL JUSTICE SERVICES GRANT: LIVESCAN EQUIPMENT PROGRAM**

**WHEREAS**, a GMS signatory must be identified, which has the signing authority on behalf of the municipality; and

**WHEREAS**, the signatory must be an executive officer, or authorized by municipal charter; and

**NOW, THEREFORE, IT IS HEREBY,**

**RESOLVED**, that Mayor O'Donnell is authorized to be the GMS Signatory for the Criminal Justice Services Grant: Livescan Equipment Program.

Motion to adopt by Trustee Wohl and seconded by Trustee Gurda. The vote was 5 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on September 25, 2023.

**Mayor/Trustee Comments**

Trustees Gurda, Hand, and Rouis did not have any comments to share. Trustee Wohl congratulated Chief Watt on the recent grants received by the Police Department.

Chief Watt thanked Mayor O'Donnell for the moment of silence in memory of Jack Deshler.

Mayor O'Donnell shared that the October 9, 2023 meeting is cancelled due to the holiday.

**Citizen Comments**

There were not any comments received from the public.

On a motion by Trustee Rouis, seconded by Trustee Gurda, the Meeting was adjourned at 7:53 pm.

Hand	aye
Gurda	aye
O'Donnell	aye
Rouis	aye
Wohl	aye