

Village Board Meeting
March 11, 2024

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

Also present: Attorney Donovan, Village Clerk Maria Darby, and Chief Ryan Rich

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

On a motion by Trustee Gurda, seconded by Trustee Wohl, the March 11, 2024 Village Board Meeting Agenda was accepted with the modification of moving the February 16, 2024 approval of minutes to the March 25, 2024 meeting.

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

On a motion by Trustee Gurda, seconded by Trustee Hand, the Minutes of the February 12, 2024, Village Board Meeting were accepted.

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

On a motion by Trustee Wohl, seconded by Trustee Gurda, the Minutes of the February 26, 2024, Village Board Meeting were accepted.

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

Public Hearings

1. Local Law #4 of 2024: Amending Article XIII of Appendix A [Zoning] of the Code of the Village of Goshen to the extent of amending section 13.3.1 to reduce the time within which the zoning board of appeals public hearing notice must be published from 15 days to 5 days prior to the hearing.

On a motion by Trustee Gurda, seconded by Trustee Hand, the Public Hearing for Local Law #4 was opened at 7:02 pm.

Attorney Donovan summarized the proposed local law by sharing that the purpose is to shorten the Public Hearing notice for ZBA applications to be published in the Goshen Independent from 15 to 5 days. This will help applicants have their applications heard in a timelier manner.

There were not any comments received from the public.

On a motion by Trustee Gurda, seconded by Trustee Hand, the Public Hearing for Local Law #4 was closed at 7:03 pm.

2. Local Law #5 of 2024: Authorizing the Joint Recreation Commission ("JRC") to establish rules and regulations regarding Village Parks.

On a motion by Trustee Gurda, seconded by Trustee Wohl, the Public Hearing for Local Law #5 was opened at 7:03 pm.

Attorney Donovan briefly summarized that this is a request from the JRC as there have been instances in the parks and there aren't any laws in place to enforce. There are three provisions to this law: they are able to promulgate rules and regulations relative to operation of parks within the Village, set hours, and limit people in the parks doing commercial enterprises. Attorney Donovan shared that the Town of Goshen will also be adopting a local law that mirrors that of the Village of Goshen.

Trustee Gurda shared that this has been well received from the JRC.

There were not any comments received from the public.

On a motion by Trustee Gurda, seconded by Trustee Hand, the Public Hearing for Local Law #5 was closed at 7:06 pm.

Items of Business

1. Local Law #4 of 2024: Amending Article XIII of Appendix A [Zoning] of the Code of the Village of Goshen to the extent of amending section 13.3.1 to reduce the time within which the zoning board of appeals public hearing notice must be published from 15 days to 5 days prior to the hearing.

Motion to adopt a Negative Declaration for Local Law #4 of 2024 by Trustee Wohl and seconded by Trustee Hand. The vote was 4 ayes to 0 nays with 0 abstentions. The Mayor declared the Negative Declaration adopted on March 11, 2024.

RESOLUTION 23 of 2024

A RESOLUTION TO APPROVE LOCAL LAW NO. 4 OF 2024: A LOCAL LAW AMENDING ARTICLE XIII OF APPENDIX A [ZONING] OF THE CODE OF THE VILLAGE OF GOSHEN TO THE EXTENT OF AMENDING SECTION 13.3.1 TO REDUCE THE TIME WITHIN WHICH THE ZONING BOARD OF APPEALS PUBLIC HEARING NOTICE MUST BE PUBLISHED FROM 15 DAYS TO 5 DAYS PRIOR TO THE HEARING

WHEREAS, the Village of Goshen Attorney has amended a local law; and

WHEREAS, a Public Hearing was scheduled and took place on March 11, 2024; and

NOW, THEREFORE, IT IS HEREBY,

RESOLVED, of the following:

Section 1. Title

A local law Amending Article XIII of Appendix A [Zoning] of the Code of the Village of Goshen to the extent of amending section 13.3.1 to reduce the time within which the zoning board of appeals public hearing notice must be published from 15 days to 5 days prior to the hearing.

Section 2. Purpose and Intent:

Currently, the Village Code requires that the public hearing notice for a matter before the Zoning Board of Appeals must be published at least 15 days before the public hearing is held. Because the official newspaper of the Village is published on a weekly basis, and further because applications to the Zoning Board of Appeals are accepted up to 15 days before the next meeting of the Board, applicants are often forced to wait an inordinate amount of time for their applications to be heard by the Board. This code amendment will therefore reduce the waiting time for applicants to have their application heard by the Board.

Section 3. Amendment to Code

Section 13.3.1 of the Village Code is hereby deleted in its entirety and replaced with the following:

Sec. 13.3.1 – The Board of Appeals shall not decide upon any appeal for a variance or interpretation of this ordinance without first holding a public hearing, a notice of which hearing and other substance of the appeal or application shall be provided by the Board of Appeals for publication in the official newspaper of the Village at least five days before the date of such hearing. In addition to such published notice, the applicant(s) shall cause such notice to be mailed at least five days before the hearing to the following: all owners within 100 feet of the boundary lines of the applicant’s property, and any other property owners that the Board of Appeals may deem advisable.

Section 4. Severability

Any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered and the remaining provisions shall remain in full force and effect.

Section 5. SEQRA

This local law constitutes an Unlisted Action under the State Environmental Quality Review Act.

Section 6. Effective Date

This local law shall take effect upon the filing of certified copies thereof with the Office of the Secretary of State in accordance with New York Municipal Home Rule Law.

Motion to adopt by Trustee Hand and seconded by Trustee Gurda. The vote was 4 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on March 11, 2024.

2. Local Law #5 of 2024: Authorizing the Joint Recreation Commission (“JRC”) to establish rules and regulations regarding Village Parks.

Motion to adopt a Negative Declaration for Local Law #5 of 2024 by Trustee Wohl and seconded by Trustee Gurda. The vote was 4 ayes to 0 nays with 0 abstentions. The Mayor declared the Negative Declaration adopted on March 11, 2024.

RESOLUTION 24 of 2024

A RESOLUTION TO APPROVE LOCAL LAW NO. 5 OF 2024: A LOCAL LAW AUTHORIZING THE JOINT RECREATION COMMISSION (“JRC”) TO ESTABLISH RULES AND REGULATIONS REGARDING VILLAGE PARKS.

WHEREAS, the Village of Goshen Attorney has amended a local law; and

WHEREAS, a Public Hearing was scheduled and took place on March 11, 2024; and

NOW, THEREFORE, IT IS HEREBY,

RESOLVED, of the following:

Section 1. Title

A local law authorizing the Joint Recreation Commission (“JRC”) to establish rules and regulations regarding Village Parks as well as establish hours of operation for Village Parks and regulate the activities of commercial enterprises within Village Parks.

Section 2. Purpose and Intent:

The Village of Goshen has heretofore established a Joint Recreation Commission (“JRC”) to manage and operate parks located within the Village of Goshen. The purpose of this local law is to authorize the JRC to promulgate rules and regulations as may be necessary to effectuate and implement the provisions of the Village Code relative to the operation, management and maintenance of Village Parks. For the safety of park users, this local law further establishes hours of operation for Village Parks and provides for the regulation of the activities of commercial enterprises within Village Parks.

Section 3. Amendments to Village Code

A. The Goshen Code is hereby amended to add the following provision, to be designated as Section 2-79(m):

(m) The JRC is hereby authorized to promulgate rules and regulations as may be necessary to effectuate and/or implement the provisions of this chapter so as to provide for the health, safety, and welfare of all users of the parks and to regulate activities permitted in the parks through the implementation of time, place and manner restrictions regarding activities permitted in the parks.

B. The Goshen Code is further amended to add the following provisions, to be designated as Sections 2-83 and 2-84:

Sec. 2-83. Park hours of operation

(a) No person shall enter or remain in a public park in the Village of Goshen between sunset and sunrise the following day, except where a person is a spectator or participant in an event or activity under the direct supervision of or sponsored by the JRC, or an event or activity expressly authorized and allowed in the park by the JRC, when the hours of said event or activity extend beyond sunset. Any person found in a park after sundown, except in the circumstances described above, shall be in violation of this article.

(b) For the safety of residents and park users, the JRC may close, restrict or render unavailable for access or use parks or any portion or portions thereof and park facilities for such interval of time as may be deemed appropriate or necessary. Such closing may be accompanied by the posting of notices and/or signs to such effect upon the affected property and/or facilities, and otherwise may best give notice of same to the public.

Sec. 2-84. Commercial enterprises.

No person, firm or corporation shall sell or offer for sale within the public parks any property, activity or privilege whatsoever unless authorized by the joint recreation commission. This requirement for prior authorization by the JRC shall include photography sessions, athletic clubs or training, and all other commercial business.

Section 4. Severability

Any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall be

confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered and the remaining provisions shall remain in full force and effect.

Section 5. SEQRA

This local law constitutes an Unlisted Action under the State Environmental Quality Review Act.

Section 6. Effective Date

This local law shall take effect upon the filing of certified copies thereof with the Office of the Secretary of State in accordance with New York Municipal Home Rule Law.

Motion to adopt by Trustee Gruda and seconded by Trustee Hand. The vote was 4 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on March 11, 2024.

3. Abstract of Voucher #8 for FY 2023-2024

RESOLUTION 25 OF 2024

A RESOLUTION EXAMINING ABSTRACT NUMBER 8 FOR FISCAL YEAR 6/1/23 – 5/31/24 FOR CHECK NUMBERS 23006 THROUGH 23089 TOTALING \$340,236.75

WHEREAS, bills as examined by members of the Board were approved in accordance with Abstract Number 8 for fiscal year 2023/2024; and

NOW, THEREFORE, IT IS HEREBY,

RESOLVED, that the following were approved:

1. Check numbers 23006 through 23089; and
2. Abstract number 8 in the amount of \$340,236.75.

Motion to adopt by Trustee Gurda and seconded by Trustee Hand. The vote was 4 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on March 11, 2024.

4.OC STOP-DWI Program

RESOLUTION 26 of 2024

RESOLUTION APPROVING THE STOP DWI PROGRAM SERVICES AGREEMENT WITH THE COUNTY OF ORANGE FOR THE PERFORMANCE OF OVERTIME POLICE ROAD PATROLS TO DETECT AND DETER IMPAIRED OR INTOXICATED DRIVERS FOR THE PERIOD OF MARCH 10, 2024 TO JANUARY 1, 2025 AND AUTHORIZING THE VILLAGE MAYOR TO EXECUTE SAID AGREEMENT

WHEREAS, the County of Orange has appropriated monies for the implementation of a Stop DWI Program to be made available to Cities, Towns and Villages in Orange County to assist in the detection and deterrence of impaired and intoxicated drivers throughout the County; and

WHEREAS, the County has prepared an Agreement covering the period beginning March 10, 2024 and running to January 1, 2025, in which it provides funding to municipalities based upon the number of hours of additional road patrols each municipality dedicates to the Program; and

WHEREAS, the aforesaid period is further divided into three (3) campaign periods with the first being from March 10, 2024 to June 1, 2024, with the second and third periods to be subsequently identified; and

WHEREAS, the funding proposed to be provided to the Village of Goshen under the STOP DWI Program Services Agreement for reimbursement of eligible expenses for the first period of March 10, 2024 to June 1, 2024 shall not exceed the sum of \$2,532.00; and

WHEREAS, the Village shall be notified in writing by the County as to the amounts for the subsequent periods; and

WHEREAS, the Board of Trustees of the Village of Goshen wishes to approve the Stop DWI Program Services Agreement with the County of Orange to partially reimburse the Village for overtime police road patrols to detect and deter impaired and/or intoxicated drivers in the Village of Goshen and to authorize the Village Mayor to execute the same.

NOW, THEREFORE, IT IS RESOLVED that the Board of Trustees of the Village of Goshen hereby approves the Stop DWI Program Services Agreement with the County of Orange for the partial reimbursement of the costs of performing overtime police road patrols to detect and deter impaired and/or intoxicated drivers in the Village of Goshen for the period of March 10, 2024 to January 1, 2025 and authorizes the Village Mayor to execute said Agreement.

IT IS FURTHER RESOLVED that the Village Clerk is hereby authorized to forward a certified copy of this resolution to the County of Orange.

Upon a motion made by Trustee Wohl seconded by Trustee Gurda, the resolution was adopted by 4 ayes and 0 nays with 0 abstentions and 1 absence. The Mayor declared the resolution adopted on March 11, 2024.

Department Head Comments

Chief Rich started by reporting that the Mid-Hudson St. Patrick's Day Parade was a success, and thanked the Department of Public Works, Fire Police and other agencies that helped make the parade a success. In addition, Chief reported that there have been an increase in DWI's that occurs with the weather getting warmer. Lastly, Chief Rich reminded everyone that there is a car seat check at the Minisink Firehouse on March 23rd.

DPW Superintendent Birney reported on the following, which represents the major activities of the Department of Public Works from February 25, 2024 through March 11, 2024:

STREETS

1. Started renovation of Paint Trailer
2. Spot salt streets on 3/8 due to rain and subsequent freezing
3. Cold asphalt patching of streets throughout Village
4. Collected and maintained parking meters
5. Started winter cleanup of parks
6. Saint Patrick's Parade preparation, setup and takedown
7. Barricade maintenance, construction and painting

WATER

1. Continue removing tree stumps from power line right-of-way at Greenhill reservoir to facilitate mowing
2. Remove dead and downed trees at Prospect Reservoir to facilitate dam access

SEWER

1. Continue Jetting of Sewer Mains throughout Village
2. Trimming of various sewer main rights-of-way throughout Village

Village Clerk Darby reported on the following activities in her office:

1. Water sewer billing – out and receiving payments
2. Preparing for election – have met all deadlines and have started receiving absentee ballots; polls will be open on March 19th from 9am – 9pm
3. Website updates – including Bulk Pick Up
4. Funding for Water Plant Upgrades – assisting to keep on task
5. Submitting required reports
6. Registrar duties
7. April 4th Recycling Program @ Goshen Public Library
8. Liaison for insurance for claims
9. Confirmed that Local Law #s 1-3 were filed with the Department of State
10. Records management grant – submitted this morning (\$27k)

Mayor/Trustee Comments

Trustee Wohl was happy to report that the Village of Goshen is now a Tree City USA city, which hasn't occurred since 2007. He thanked the Forestry Council and Mayor O'Donnell for their support with this initiative and looks forward to helping celebrate Arbor Day on April 26th. Mayor O'Donnell thanked Trustee Wohl, the Forestry Council and the DPW for all of their efforts with this.

Mayor O'Donnell extended her appreciation for all departments and agencies involved helping to make the Mid-Hudson St. Patrick's Day Parade a huge success.

Citizens' Comments

There were not any comments received from the public.

On a motion by Trustee Gurda, seconded by Trustee Wohl, the Meeting was adjourned at 7:19 pm.

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