

Village Board Meeting
May 22, 2023

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

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

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

Mayor O'Donnell added item of business number 11 to the end of the meeting. On a motion by Trustee Gurda, seconded by Trustee Rouis, the Agenda of the May 22, 2023 Village Board Meeting was accepted as modified.

Gurda aye
O'Donnell aye
Rouis aye
Wohl aye

On a motion by Trustee Gurda, seconded by Trustee Wohl, the Minutes of the May 8, 2023, Village Board Meeting were accepted, with two title changes.

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

Sgt. C. Smoulcey Retirement

Mayor O'Donnell, the Village Board, Chief Watt, Superintendent Kurtis Kotes, and PBA President Detective Kozlowski recognized Sgt. Smoulcey for his incredible work at the Village, and was pleased that he would be continuing his career as a part-time School Resource Officer.

Correspondence

Mayor O'Donnell reported that the Municipal Sanitary Sewer System Report (MS4) is available on the Village website, and further explained that it is sent to NYS so they can be sure the Village is properly maintaining the system.

Items of Business

1. Lanc & Tully – CDBG Proposal

RESOLUTION 65 of 2023

A RESOLUTION ACCEPTING LANC AND TULLY ENGINEERING AND SURVEYING, P.C.'S PROPOSAL TO PROVIDE SERVICES FOR THE PREPARATION OF AN APPLICATION FOR THE FY-2024 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

WHEREAS, Lanc and Tully are the engineering consultants for the Village of Goshen; and

WHEREAS, Lanc and Tully has prepared a cost estimate to provide services for the preparation of an application for the FY-2024 Community Development Block Grant (CDBG); and

NOW, THEREFORE, IT IS HEREBY,

RESOLVED, that the Village of Goshen accepts Lanc and Tully's proposal dated 4/28/23 to prepare an application for the FY-2024 Community Development Block Grant for a cost not to exceed \$2,000.00 without further approval.

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 May 22, 2023.

2. CDBG Fair Housing

RESOLUTION 66 OF 2023

CDBG FAIR HOUSING RESOLUTION TO ENSURE EQUAL OPPORTUNITY IN HOUSING FOR ALL PERSONS

WHEREAS, the Village of Goshen supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. It is the policy of the Village of Goshen to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8); and

WHEREAS, the Village of Goshen further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law,

NOW THEREFORE, IT IS HEREBY

RESOLVED, that within available resources, the Village of Goshen will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New York State Human Rights Law and the U.S. Department of Housing and Urban Development, as appropriate; and it is further

RESOLVED, that the Village of Goshen shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New York State Human Rights Law, and any local laws or ordinances; be it further

RESOLVED, that the Village of Goshen will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community bulletin board and placement on the Village's website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

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 May 22, 2023.

3. CDBG Application Submittal

RESOLUTION 67 OF 2023

VILLAGE OF GOSHEN SUBMITTING AN APPLICATION FOR CONSIDERATION UNDER THE FISCAL YEAR 2024 ORANGE URBAN COUNTY CONSORTIUM COMMUNITY DEVELOPMENT PROGRAM

WHEREAS, the Village of Goshen is hereby submitting its Application for consideration under the FY-2024 Orange Urban County Consortium Community Development Program; and

WHEREAS, input from citizens and groups has been solicited and considered at a public hearing and an application has been prepared which addresses any community concerns; and

WHEREAS, the Village Board further certifies that they have read and understand the Orange Urban County Consortium Community Development Guidelines for the FY-2024 program year and have met all of its applicable requirements and that the information contained in the Application is accurate and true to the best of their knowledge; and

WHEREAS, if awarded CDBG funds, the Village of Goshen shall implement the activities in a manner to ensure compliance with all applicable federal, state and local laws and regulations,

NOW THEREFORE, IT IS HEREBY

RESOLVED, that the Village of Goshen authorizes Village Mayor, Molly O'Donnell to submit this application for the Replacement of the Watermain in Ludlum Place as described in the proposal.

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 May 22, 2023.

4. Orange Bank & Trust

RESOLUTION 68 of 2023

A RESOLUTION FOR ORANGE BANK AND TRUST TO MANAGE THE MAJORITY OF THE VILLAGE'S ACCOUNTS

WHEREAS, the Village of Goshen currently has the majority of their funds in Webster Bank, formerly Sterling Bank; and

WHEREAS, the closest branch is in Florida, New York, which makes banking inconvenient and costly with staff performing deposits; and

NOW, THEREFORE, IT IS HEREBY,

RESOLVED, that the Village Board hereby allows Orange Bank and Trust, specifically the Goshen branch to manage the majority of their accounts.

Motion to adopt by Trustee Gurda and seconded by Trustee Hand. The vote was 4 ayes to 0 nays with 1 abstention. The Mayor declared the Resolution adopted on May 22, 2023.

5. Hiring of E. Tourish-Coleman

RESOLUTION 69 of 2023

A RESOLUTION TO HIRE ELAINE TOURISH-COLEMAN FOR THE POSITION OF DEPUTY TREASURER AT AN ANNUAL SALARY OF \$48,000.00

WHEREAS, there is a vacancy for in the Clerk's office for Deputy Treasurer; and

WHEREAS, Ms. Darby finds Mrs. Tourish-Coleman to be the best candidate for the Deputy Treasurer role; and

NOW, THEREFORE, IT IS HEREBY,

RESOLVED, that the Village Board of the Village of Goshen hereby accepts the hiring of Mrs. Tourish-Coleman for the position of Deputy Treasurer

and it is further

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

1. Mrs. Tourish-Coleman will have an annual salary of \$48,000.00, effective upon hire; and
2. A six-month probation period.

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 May 22, 2023.

6. Promotion of V. Rizzo

RESOLUTION 70 of 2023

A RESOLUTION TO PROMOTE VINCENT RIZZO TO THE COLLECTIVE BARGAINING AGREEMENT PAY SCALE FOR WATER/SEWER 2, STEP 4 FOR AN ANNUAL SALARY OF \$56,618.00

WHEREAS, Vincent Rizzo is a current VOG DPW employee; and

WHEREAS, Mr. Rizzo recently passed his certification for Sewer 2A; and

NOW, THEREFORE, IT IS HEREBY,

RESOLVED, that the Village Board of the Village of Goshen hereby accepts the elevated pay scale for Mr. Rizzo effective the date of this resolution;

and it is further

RESOLVED, that the elevated pay scale of the above individual is specifically subject to the following:

1. Mr. Rizzo will remain in his Orange County Civil Service Class as Laborer; and
2. In accordance with the current collective bargaining agreement between the Village of Goshen and CSEA, Vincent Rizzo will be placed on the 2022/2023 Step Four pay scale for Laborer with an annual salary of \$56,618.00, effective May 22, 2023.

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 May 22, 2023.

7. Munistat Agreement

RESOLUTION 71 of 2023

A RESOLUTION ACCEPTING MUNISTAT TO PROVIDE MUNICIPAL ADVISORY SERVICES TO THE VILLAGE OF GOSHEN

WHEREAS, Munistat currently provides the Village of Goshen with municipal advisory services;

NOW, THEREFORE, IT IS HEREBY,

RESOLVED, that the Village of Goshen accepts Munistat's agreement; and

IT IS FURTHER

RESOLVED, that the Village of Goshen Mayor may sign the agreement.

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 May 22, 2023.

8. Abstract of Vouchers #11

RESOLUTION 72 of 2023

A RESOLUTION EXAMINING ABSTRACT NUMBER 11 FOR FISCAL YEAR 6/1/22 – 5/31/23 FOR CHECK NUMBERS 21951 THROUGH 22078 TOTALING \$1,413,093.54

WHEREAS, bills as examined by members of the Board were approved in accordance with Abstract Number 11 for fiscal year 2022/2023; and

NOW, THEREFORE, IT IS HEREBY,

RESOLVED, that the following were approved:

1. Check numbers 21951 through 22078; and
2. Abstract number 11 in the amount of \$1,413,093.54.

Motion to adopt by Trustee Gurda and seconded by Trustee Rouis. The vote was 0 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on May 22, 2023.

9. Application for use of Village Property – Falun Gong

RESOLUTION 73 of 2023

A RESOLUTION TO APPROVE A RALLY FOR FALUN GONG ON JULY 22, 2023 ON THE VILLAGE GREEN

WHEREAS, Zhanglin Lin Cui, PhD on behalf of Falun Gong practitioners in Orange County requested permission from the Village Board to hold a Falun Gong rally on July 15, 2023; and

WHEREAS, Dr. Lin Cui provided information on Falun Gong; and

WHEREAS, Dr. Lin Cui states that all rules, laws and local regulations have been followed at similar events in the past; and

NOW, THEREFORE, IT IS HEREBY,

RESOLVED, that the Village Board approves the rally for Falun Gong on July 22, 2023, with the understanding that all Village Codes and Laws will be adhered to;

and it is further

RESOLVED, that Dr. Lin Cui has completed an application for use of Village property, and provided the required paperwork;

and it is further

RESOLVED, that Dr. Lin Cui will adhere to any additional conditions set forth by the Village of Goshen Board of Trustees.

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 May 22, 2023.

10. Hotel/Motel Tax Home Rule Request

RESOLUTION 74 OF 2023

RESOLUTION OF THE GOSHEN VILLAGE BOARD IN SUPPORT OF NEW YORK STATE SENATE BILL S6190A AND ASSEMBLY BILL A6202A AMENDING NEW YORK STATE TAX LAW ARTICLE 29, PART 1 AUTHORIZING THE VILLAGE OF

**GOSHEN TO ENACT A LOCAL LAW IMPOSING A TAX ON HOTEL ROOM
OCCUPANCY**

WHEREAS, the Village Board of the Village of Goshen is of the opinion that it would be beneficial to the economy of the Village if a local tax was imposed on hotel room occupancy; and

WHEREAS, it was necessary to petition the New York State Legislature for a home rule request to authorize local legislation to impose a hotel occupancy tax within the Village,

WHEREAS, current New York State Senate Bill S6190A and New York State Assembly Bill A6202A have been introduced during the current legislative session which would amend the New York State Tax Law to allow the Village to adopt a local law establishing the aforesaid hotel tax; and

WHEREAS, it is the opinion of the Village Board, that in the interest of fiscal responsibility, it is necessary to support the passage of the pending Senate and Assembly bills and move forward with the enactment of a local law establishing a hotel tax,

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Village of Goshen Village Board, in its capacity as governing body of the Village of Goshen, does hereby support and recommend the passage of New York State Senate Bill S6190A and New York State Assembly Bill A6202A amending Chapter 21, Article 1 of the New York State Tax Law to authorize and empower the Village of Goshen to enact a local law imposing a tax on hotel room occupancy; and it is further

RESOLVED, that the Village Mayor and/or the Village Clerk, or their designees, are hereby directed to execute and deliver the appropriate Home Rule Requests to the State Senate and State Assembly and forward certified copies of this Resolution to the New York State Senate, the New York State Assembly.

Motion to adopt by Trustee Rouis and seconded by Trustee Wohl. The vote was 5 ayes to 0 nays with 0 abstentions. The Mayor declared the Resolution adopted on May 22, 2023.

11. Hiring Sgt. Smoulcey

RESOLUTION 75 of 2023

**THE APPOINTMENT OF CHRISTOPHER S. SMOULCEY AS A PART-TIME
STUDENT RESOURCE OFFICER**

WHEREAS, there is a vacancy in the School Resource Officer Pool, and

NOW, THEREFORE, IT IS HEREBY,

RESOLVED, that upon Sgt. Smoulcey's retirement, he has advised he would still be willing to stay on as a part-time Student Resource Officer;

and it is further

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

1. The resolution and start date are contingent on the Administrative Office having all necessary information they need to make the appointment.

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 May 22, 2023.

Mayor/Trustee Comments

Trustee Gurda reported that things are being prepared by the DPW for the upcoming Memorial Day Parade, which will step off at 11am. The DPW is also working on mowing, weeding, and mulching areas.

Trustee Rouis advised that he was looking forward to the upcoming Memorial Day Parade.

Trustee Wohl reported that he had meeting with Pitingaro & Doetsch.

Chief Watt reported that there was a car show and food truck festival at the Harness Track over the weekend. A wedding band was found at the event and people were advised to call the police department to claim the missing ring if they found theres missing.

Mayor O'Donnell reported that she and Village Clerk Darby attended the NYCOM Annual Meeting and found it to be very informative. She added that she, Trustee Hand, and Village Clerk Darby attended the first Goshen Coalition meeting as well. Mayor O'Donnell thanked Wendy Bynum-Wade for organizing the group, and offered assistance from the Village in the future. Lastly, Mayor O'Donnell reported that Illuminate Goshen's Art Walk scheduled for June 2, 2023 will now be on the Village Green.

Citizen Comments

There were not any comments received from the public.

On a motion by Trustee Wohl, seconded by Trustee Gurda, an attorney/client session was opened at 7:21 pm to obtain attorney advice on the Glen Arden Pilot and Water/Sewer balances.

On a motion by Trustee Gurda, seconded by Trustee Rouis, the session ended at 7:39 pm.

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

On a motion by Trustee Wohl, seconded by Trustee Gurda, the Meeting was adjourned at 7:39 pm.

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