

The Town Board of the Town of Wallkill held a regular meeting on February 9, 2006 at Town Hall 600 Rte 211 East at 7:30 pm. Board members present were Supervisor Ward, Councilman King, Councilman Valentin, Councilman Mulqueen and Councilman McCarey. Also present J. McKay, Attorney for the Town. Mr. Lippert, Mr. Smith, Mr. Jacques and Chief Hertman. Pledge of allegiance led by Supervisor Ward followed by a moment of silence for the passing of Coretta Scott King.

**NO PUBLIC COMMENT ON THE AGENDA**

Motion by: Mr. Ward  
to accept the minutes of the January 26, 2006 meeting.

<u>Seconded by:</u>	Mr. King
Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

**MOTION CARRIED**

**CORRESPONDENCE**

To: J. Ward  
From: R. Boyce Vietnam Veterans of America

Request permission to hold two coin drops on May 6<sup>th</sup> and on Sept 9<sup>th</sup>. On Cty Road 78.

Motion By: Mr. McCarey  
to refer this request to the County for consideration of this request since this is a County owned road.

Seconded By:	Mr. Ward
Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

**MOTION CARRIED**

To: Mr. Ward  
From Cynthia Beckles  
Orange County Retired and Senior Volunteer Program (RSVP) will be honoring its volunteers on May 4, 2006 with a luncheon. Contact Supervisor Ward's office for further information.

To: Mr. Ward  
From: Jay McClintock, Parks Supervisor

Request permission for myself and Gary Lake to attend New Jersey Landscape Trade show on March 2, 2006 and for Jason Jaccarino to attend a seminar on infield skin maintenance on March 7, 2006.

Motion by:	Mr. Valentin
Seconded by:	Mr. Ward
Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

**MOTION CARRIED**

To: Mr. Ward  
From: Julia Sullivan, Project Linus  
Blanket making day February 18, 2006 at Dennis Cosgrove Community Center 10 am until Noon.  
Mr. King acknowledges the good works of Project Linus and encourages the community support.

To: Mr. Ward  
From: Y. Villanueva, Babies R Us

Request to hold Child Safety Seat events on April 29, July 29 and September 9 2006 in the parking lot at 88 Dunning Rd their store location.

Motion By:	Mr. Ward
Seconded By:	Mr. Valentin
Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

**MOTION CARRIED**

**RESOLUTIONS**

**WHEREAS**, this Town Board is concerned about the ever-increasing cost of primary and secondary public education which must be borne by the owners of real property in the Town of Wallkill and elsewhere in the State of New York, and

**WHEREAS**, this Town Board recognizes that although the members of the Board of Education of the Pine Bush, City of Middletown, Minisink, Valley Central and Goshen school districts and other school districts throughout the State of New York try to keep the tax rates within bounds, escalating costs of education are often not easily controllable and certainly result in tax rates which are rapidly becoming unreasonably burdensome, and

**WHEREAS**, it is apparent to this Town Board that the continued reliance on real property taxes to fund all or substantial portions of the costs of public primary and secondary education is a condition which cannot be permitted to continue, and

**WHEREAS**, this Town Board believes that the time for action on this problem is now,

**NOW, THEREFORE, BE IT RESOLVED** as follows:

That by this resolution the Town Board of the Town of Wallkill calls upon our elected leaders in Albany, the Governor, the New York State Senate and the New York State Assembly, together with the other State officials to address this problem once and for all to develop a solution which will provide adequate funds for public primary and secondary education for the Pine Bush, City of Middletown, Minisink, Valley Central and Goshen school districts and for all school districts in the State of New York without relying in whole or in substantial part on real property taxation.

That this Town Board directs that certified copies of this resolution be forwarded to the Governor, the Majority Leader of the New York State Senate, the Speaker of the New York State Assembly, together with such other public officials and bodies as may be appropriate under the circumstances.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Valentin

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

**MOTION CARRIED**

**BE IT HEREBY RESOLVED,** by the Town Board of the Town of Wallkill,

**THAT** said Town Board hereby adjusts the salary of Town of Wallkill employee Lillian Ayling from \$10,223.00 to \$10,130.00 annually.

Motion By:	Mr. Ward
Seconded By:	Mr. Valentin
Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

**MOTION CARRIED**

**BE IT RESOLVED,** by the Town Board of the Town of Wallkill pursuant to the State Environmental Quality Review Act ("SEQRA") and the Regulations of the Commissioner of the Department of Environmental Conservations ("Regulations") at 6 NYCRR Part 617, as follows:

1. The action is to develop a new well at Crystal Run designated as well field CR-4.
2. The action is an Unlisted Action pursuant to SEQRA.
3. An Environmental Assessment Form has been filed with the Town and with the Department of Environmental Conservation.
4. The Town Board determines that the taking of the actions set forth above will not result in a significant impact to the environment as set forth in the regulations.
5. The development of a new well should add to the reliability of the Town's existing public water supply system.
6. The action is not near a critical environmental area.
7. The action does not impair the character of any historical area or aesthetic resource or neighborhood character.
8. No change in energy use will occur.
9. The action will not create any hazard to human health and will in fact improve health.
10. There will be no changes to multiple elements of the environment that cumulatively would result in substantial adverse impacts.

Motion By:	Mr. Ward
Seconded By:	Mr. Valentin

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

**MOTION CARRIED**

**BE IT RESOLVED**, by the Town Board of the Town of Wallkill pursuant to the State Environmental Quality Review Act ("SEQRA") and the Regulations of the Commissioner of the Department of Environmental Conservations ("Regulations") at 6 NYCRR Part 617, as follows:

11. The action is to develop a new well at Crystal Run designated as well field CR-4.
12. The action is an Unlisted Action pursuant to SEQRA.
13. An Environmental Assessment Form has been filed with the Town and with the Department of Environmental Conservation.
14. The Town Board determines that the taking of the actions set forth above will not result in a significant impact to the environment as set forth in the regulations.
15. The development of a new well should add to the reliability of the Town's existing public water supply system.
16. The action is not near a critical environmental area.
17. The action does not impair the character of any historical area or aesthetic resource or neighborhood character.
18. No change in energy use will occur.
19. The action will not create any hazard to human health and will in fact improve health.
20. There will be no changes to multiple elements of the environment that cumulatively would result in substantial adverse impacts.

Motion By: Mr. Ward  
Seconded By: Mr. McCarey

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

**MOTION CARRIED**

**WHEREAS**, Chapter 233 of the Wallkill Town Code provides for the installation of traffic control devices to protect the public safety and welfare of the residents of the Town of Wallkill whenever and wherever said dangerous conditions have been determined to exist; and

**WHEREAS**, a public hearing was held on the 26<sup>th</sup> day of January, 2006, to assist in the Town's consideration of the need for the installation of a traffic control devices at the intersections of Mayer Drive at Moriah Lane, Moriah Lane at Mayer Drive and Evan Court, and Evan Court at Moriah Lane in the Town of Wallkill; and

**WHEREAS**, the Town Board of the Town of Wallkill has determined that the creation of a stop intersection at these locations is in the best interests of the general public safety and welfare;

**NOW, THEREFORE, BE IT HEREBY**

**RESOLVED**, that the Town Board of the Town of Wallkill hereby adopts said Local Law No. 1 of 2006, entitled **A LOCAL LAW AMENDING TOWN CODE OF THE TOWN OF WALLKILL, COUNTY OF ORANGE, NEW YORK, DESIGNATING STOP INTERSECTIONS**, a copy of which is attached hereto and made a part of this resolution; and be it further

**RESOLVED**, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of **Wallkill, and to** give due notice of the adoption of said Local Law to the Secretary of State of New York.

Motion By: Mr. Ward  
Seconded By: Mr. Mulqueen

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

**MOTION CARRIED**

**WHEREAS**, the Pine Bush Central School District serves the residents of the Town of Wallkill in the County of Orange in the State of New York; and

**WHEREAS**, said Pine Bush School District also serves the residents of the Towns of Crawford, Montgomery, and Mount Hope in the County of Orange, the Towns of Gardiner and Shawangunk in the County of Ulster, and the Town of Mamakating in the County of Sullivan; and

**WHEREAS**, the Board of Education of the Pine Bush Central School District has proposed to apply for funding from the NYS Shared Municipal Service Incentive Grant Program for the purpose of establishing a Community Fitness Facility in the Pine Bush

High School for the benefit of its students and other district residents through a Continuing Education offering; and

**WHEREAS**, such a facility would increase recreational offerings, and provide health benefits and fitness opportunities for the residents of the school district's seven townships, including the Town of Wallkill, at a cost savings to those residents, who take advantage of said offerings and opportunities; and

**WHEREAS**, the Board of Education of the Pine Bush Central School District has agreed to be responsible for the local share funds requirement associated with the award of any such grant

**NOW, THEREFORE, BE IT HEREBY**

**RESOLVED**, that the Town Board of the Town of Wallkill, pursuant to Article 5-G of NYS General Municipal Law, authorizes the Town Supervisor to enter into a cooperative agreement with the neighboring town boards of Crawford, Gardiner, Mamakating, Montgomery, Mount Hope, and Shawangunk, as well as the Board of Education of the Pine Bush Central School District, which shall act as the lead applicant, and Rose Marie Stark, Superintendent of Schools, acting as lead applicant contact person and overseer of the financial and administrative process relating to the grant; and be it further

**RESOLVED**, that the Supervisor is authorized to sign all documents necessary to effect said agreement and application.

Motion By: Mr. Ward  
Seconded By: Mr. McCarey

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

**MOTION CARRIED**

**WHEREAS**, the Town Board of Wallkill may adopt a local law to amend the Town Code of the Town of Wallkill to implement No Standing Zones at certain intersections and install traffic control devices; and

**WHEREAS**, the Town Board of Wallkill recognizes that this is the first step in a process that will involve input and approval from the State of New York; and

**WHEREAS**, the Town Board has determined that the implementation of No Standing Zones 500 feet West and 100 feet East of the intersection of M & M Road and NYS

Route 17M on NYS Route 17M and 500 feet West and 100 feet East of the intersection of Brown Road and NYS Route 17M on NYS Route 17M is in the best interests of the public safety and welfare;

**NOW, THEREFORE,** it is hereby

**RESOLVED,** that a public hearing be held by the Town Board with respect to the adoption of the aforesaid Local Law and subsequent request for State action shall be held at 7:25 p.m. on March 9, 2006, at Wallkill Town Hall, 600 Route 211 East, Middletown, New York; and it is further

**RESOLVED,** that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Mr. King: Residents complaining of roadside parking.

Motion By:	Mr. Ward
Seconded By:	Mr. King
Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

**MOTION CARRIED**

**WHEREAS,** the Town of Wallkill entered into a Consent Decree with the New York State Attorney General's Office in or about 2001 for the purpose of improving the operations of the Town of Wallkill Police Department; and

**WHEREAS,** pursuant to the Consent Decree, a Federal Monitor was appointed to oversee and restructure the operations of the Town of Wallkill Police Department; and

**WHEREAS,** the Honorable Colleen McMahon, United States District Court Judge for the Southern District of New York, has determined that the Town of Wallkill has fully complied with the provisions of its Consent Decree; and

**WHEREAS,** on February 6, 2006, Honorable Colleen McMahon issued an Order terminating the services of the Federal Monitor and terminating Federal oversight of the Town of Wallkill Police Department; and

**WHEREAS,** the Town Board of the Town of Wallkill wishes to continue certain hiring practices and wishes to maintain the strict requirements of eligibility for members of the

Town of Wallkill Police Department that were instituted during the term of the Consent Decree; and

**WHEREAS**, Section 58(2) of the New York State Civil Service Law permits the Town Board of the Town of Wallkill to set more restrictive requirements of eligibility with regard to its officers than the “minimum” Civil Service criteria;

***NOW, THEREFORE, BE IT HEREBY***

**RESOLVED**, that the Town Board of the Town of Wallkill, shall hereafter maintain, pursuant to the authority vested in it pursuant to Section 58 of the Civil Service Law, all eligibility requirements for members of the department which were in place through and including February 5, 2006; and be it further

**RESOLVED**, that the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor to execute and submit all necessary documents, applications and/or agreements required by the Orange County Department of Personnel, other agencies or departments, in order to maintain and keep in effect, with respect to the Town of Wallkill Police Department, all hiring policies and eligibility requirements that were in effect through and including February 5, 2006.

Motion By: Mr. Ward  
Seconded By: Mr. Valentin

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

**MOTION CARRIED**

**BE IT HEREBY RESOLVED**, by the Town Board of the Town of Wallkill,

THAT the law firm of MacVEAN, LEWIS, SHERWIN & McDERMOTT, and P.C. is hereby contracted as attorneys for the TOWN OF WALLKILL WATER & SEWER DEPARTMENT.

Mr. Ward: Feels the firm currently in place is the best in this field and should not be replaced.

Mr. McCarey: Supports the Supervisor in this matter.

Mr. Mulqueen: discussion took place in work session regarding this matter and action needs to be taken.

Motion By: Mr. Ward

Seconded By: Mr. Mulqueen

Supervisor Ward	Voting No
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting No

### **MOTION CARRIED**

Mr. Valentin: Thanks Mr. Loeb and his firm for their work.

### **COMMITTEE REPORTS**

**Mr. King:** Lighting District is progressing; petitions should be available in the next two weeks. Would like to have an informational meeting regarding the proposed Rail Trail.

**Mr. Valentin:** Parks Dept meeting February 22 at 6:30pm. Thanks to the Town Board and the Police Dept for all the good work on being released from the Federal Monitor.

**Mr. Mulqueen:** Golf committee met on Tuesday with the Golf Course staff. Encourages all to use the tremendous resources available to all at the Golf Course. Next meeting on February 28, 2006.

**Mr. McCarey:** Good information at the Golf Committee meeting. Revenues are down looking for ways to increase revenue at the Course. Will be meeting every two weeks with the staff to try to accomplish this.

### **COUNCILMAN COMMENTS**

**Mr. King:** Questions regarding ethics Board. Reach out to the public to fill vacancies on Boards.

**Mr. Valentin:** Work session with County Executive Diana and Legislators Paduch, Berkman, Pahucki regarding the water loop more information is needed. Happy *Valentin's Day*

**Mr. Mulqueen:** Motion for the Town Board to investigate an article 78 proceeding regarding the Hooters Restaurant approval

Motion By: Mr. Mulqueen  
Seconded By: Mr. King

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

### **MOTION CARRIED**

Does not have a good feeling about the Water Loop. More information is needed regarding the benefits of this project to our residents. Not enough communication regarding media events happening in Town Hall. Would like to be able to all celebrate good Government. More communication needed between Supervisor and the Board and the Clerk.

Motion By: Mr. McCarey to advertise for Catering at the Golf Course  
Seconded By: Mr. Ward  
Mr. King: Use golf periodicals to advertise

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

### **MOTION CARRIED**

### **SUPERVISOR COMMENTS**

Work is progressing at the Tower Drive site. Highway department will begin site work as weather permits. Bids to be advertised for Town Hall interior work in the first part of March. Concerns regarding u-turns on Ebert Road, Public Hearing may be needed to address placement of signage. Website update is ongoing; any ideas please contact Supervisors office. Thanks for a team effort regarding the release of Monitor. Openings exist on Ethics, Human Rights, IDA, Planning and Zoning Boards send letter of application to the Supervisor.

**Chief Hertman:** Team effort regarding the end of the Consent Decree.

**Mr. Smith:** Questions regarding Suspended Solids, the new Attorney for Water and Sewer issues. Questions regarding shared services meeting.

**Mr. Lippert:** Questions regarding Stop sign local law. No parking public hearing involves a County Road.

**Mr. Jacques:** No comment

**Ms. Ingrassia:** Would like to acknowledge the hard work of the Town Hall employees.

**PUBLIC PARTICIPATION**

N.Guenste: Coin drop on county road, no standing zone, school tax issue, golf course figures for 2005.

M.Cody: Easter Egg Hunt, Veterans statue.

L.Jaloszynski: Hooters concerns.

M. Paduch: Open Space award, PDR, informational Medicare meeting.

MOTION BY: Mr. Ward motion to adjourn at 8:50 pm

SECONDED BY: Mr. King

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman McCarey Voting Aye

**MOTION CARRIED**

Louisa Ingrassia, Town Clerk