

A regular meeting of the Town Board of the Town of Wallkill was held on February 12, 2009 at 7:30 pm at Wallkill Town Hall 99 Tower Drive. Members present Supervisor Ward, Councilman King, Councilman Valentin, Councilman Mulqueen, Councilwoman Neighmond . Also present were Chief Hertman, Mr. Ingrassia, Mr. Lippert, Mr. Jaques and Mr. McKay Attorney for the Town. The meeting was opened with the Pledge of Allegiance

There was no public comment on the agenda.

CORRESPONDENCE

To: Supervisor Ward and Town Board Members

From: Wendy Michaels, Court Administrator

A letter to let the Board know that new Parking clerk is doing a good job.

To: Supervisor Ward and Town Board Members

From: Town of Wallkill Little League

The Town of Wallkill Little League would like to request exclusive use to the complex on Little League Way. We would like to request the rights to all fields, concession stand and club house , also the storage bunkers for the year of 2009

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

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

To: Supervisor Ward and Town Board Members

I want to thank the Town of Wallkill for allowing us to use the facilities at the Town of Wallkill Golf Course to host our Advanced Activated Sludge Workshop on January 14 and 15 2009. The NYSDEC workshop was attended by 35 people with another 15 on a waiting list. The attendees included wastewater treatment plant operators, regulators and engineers from the lower Hudson area.

I want to recognize and thank two Town employees. First, Lou Ingrassia, Jr. for his assistance coordinating and scheduling the workshop. Also William Fedun Jr. was

instrumental in the room setup and making sure everything ran smoothly during our two days- including two delicious lunches.

The room provided a great central training location that allows us to reach many operators within the Orange, Rockland and Sullivan County area. I hope we can use your facilities again in the future.

Tim Miller
Facility Operations Assistance Section
BWC, Division of Water

To: Supervisor Ward
From: E. Jaques, Building Inspector

Would like permission to send W. Barrett, J Maresca, C Russell and myself to US Dept. of Energy- Solar Domestic Hot Water Training to be held at the Woodburne Firehouse on February 25, 2009 the cost is \$60.00

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

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

To: Supervisor Ward
From: E. Jaques, Building Inspector

Would like permission to send W. Barrett, J. Maresca, C Russell, D. Benedetto and myself to Flood Plain A Management Training in the Town of Newburgh to be held on March 4,2009. The cost is \$175.00.

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

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

To: Supervisor Ward
From: Charlie Romer

The commissioner of Public Works hereby requests authorization to advertise for public bid on (2) tandem axle trucks with plow, wing and spreader. The funds are established in the 2009 approved budget.

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

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting No

MOTION CARRIED

To: Supervisor Ward

From Mr. and Mrs. McGrady

Would like a extension of the permission to replace an old trailer on our property that was granted in September 2007.

Motion By: Mr. Ward to extend for six months.
Seconded By: Mr. Valentin

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

To: Supervisor Ward
From: M. Hunt, Planning Board Secretary

In reference to the Gordon Wallkill sanitary sewer performance bond as per site inspector D. Fritts the bond in the amount of \$48,225.70 may be released.

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

Supervisor Ward	Voting Aye
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Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

To: Supervisor Ward
From: D. Coates, Athletic Dir. Middletown City Schools

Annual request for the use of the Town of Wallkill Golf Course for the Boys and Girls Golf Teams. We would also like to request use of the Washington Heights field for boys JV baseball.

Motion By:	Mr. Ward to coordinate with Jay McClintock, Parks Superintendent
Seconded By:	Mr. Mulqueen

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

RESOLUTIONS

WHEREAS, The Town of Wallkill was notified that the Metropolitan Transit Authority is seeking to increase revenues through a new tax on employee earnings; and

WHEREAS, the Town of Wallkill Town Board wishes to oppose this tax as it will not benefit the Town residents; and

WHEREAS, the Town residents and businesses already contribute to five other taxes and/or fees to the MTA (sales tax, petroleum business tax, mortgage recording tax, a phone bill surcharge and maintenance of Metro North parking stations through charges to the County); and

WHEREAS, the Town of Wallkill Town Board feels the tax burden should be allocated based upon use and access to services rendered; and

WHEREAS, residents of the Town of Wallkill are already feeling the downturn in the economy and an additional tax will add to their current financial stress,

NOW, THEREFORE BE IT RESOLVED, that the members of the Town of Wallkill Town Board hereby adopts this resolution opposing the proposed MTA income tax and states its intent to distribute a copy of this resolution to the appropriate State representatives to make their “voices” heard.

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

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
SCHEDULING THE TIME AND PLACE FOR A PUBLIC HEARING
WITH RESPECT TO THE ADOPTION OF A LOCAL LAW GOVERNING
PEDDLING AND SOLICITING AND THE REVIEW OF SAID LOCAL LAW
PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY
REVIEW ACT (“SEQRA”)

WHEREAS, the Town Board wishes to make changes to Chapter 182 of the Town Code concerning peddling and soliciting; and

WHEREAS, the Town Board wishes to schedule a public hearing for February 26, 2008 at 7:25 pm to consider the adoption of the foregoing local law and to consider the potential environmental impacts of the same; and

WHEREAS, pursuant to, and in accordance with the provisions of §617.6 of the regulations implementing the New York State Environmental Quality Review Act (“SEQRA”), (the SEQRA regulations”), the Town Board hereby determines that the aforementioned proposed local law is an action subject to SEQRA and necessitates the holding of a public hearing; and

WHEREAS, the Town Board determines that it is, and will be the Lead Agency with respect to the consideration, review and determination of significance of the aforementioned local law pursuant to SEQRA regulation §617.6(b)(1)(1); and

WHEREAS, the Town Board hereby preliminarily classifies the aforementioned local law as an unlisted action pursuant to §617.4 of the SEQRA regulations; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law (SEQRA) and its implementing regulations contained in NYCRR Part 617, the Town Board of the

Town of Wallkill has authorized the preparation of a Short Environmental Assessment Form (EAF); and

WHEREAS, the Town Board will consider such information and comments as may be provided at the public hearing on the proposed local law in making its determination of significance as Lead Agency;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that a public hearing be held by the Town Board on February 26, 2008 at 7:25 p.m. with respect to the adoption of this proposed local law regarding Peddling and Soliciting and the review of said local law pursuant to the New York State Environmental Quality Review Act (“SEQRA”) at Wallkill Town Hall, 99 Tower Drive, Bldg. A, 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 and to forward a copy of this resolution to interested agencies and involved agencies

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

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

RESOLUTION MEMORIALIZING THE POLICY OF THE LEGISLATURE OF THE COUNTY OF ORANGE IN SUPPORT OF COMPLIANCE WITH THE ENFORCEMENT OF THE PROVISIONS OF GENERAL MUNICIPAL LAW SECTION 239-1,-M- AND -N- AND RELATED LAWS AND RULES

WHEREAS, the laws of the State of New York, including General Municipal Law Sections 239-1, 239-m and 239-n, provide that certain land use applications must be referred to and reviewed by the Orange County Planning Department prior to final determination by local boards; and

WHEREAS, as defined by such law, such applications include proposed uses of land within 500 feet of an adjacent municipality, parkland, county and state roads or highways, streams and drainage facilities, agricultural lands and other properties likely to be affected by such proposed use and vested with interests intended to be protected by the Orange County Planning Department review mandated by said laws; and

WHEREAS, the failure of the officials of local land use planning and municipal bodies to comply with the provisions of the General Municipal Law result in the inability of the Orange

County Planning Department to review such applications or provide guidance and advice and expose such adjacent lands to significant negative impacts; and

WHEREAS, in cases wherein Orange County officials with authority over the subject are aware of the failure of local officials to comply with such procedures as required by state laws, it is incumbent upon them to notify such local officials of same and to take all such actions as are appropriate and necessary to bring such local bodies into compliance with the law;

NOW, BE IT HEREBY RESOLVED, that the Town of Wallkill Town Board does hereby support the policies and procedures set forth in General Municipal Law Sections 239-1, m and n, same as being necessary to protect the interests of all citizens of Orange County in promoting proper land uses and planning practices and to prevent negative environment impacts upon adjoining properties.

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

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
APPOINTING JAMES MYERS AND WILLIAM ROE TO THE POSITION OF
WATER TREATMENT PLANT OPERATOR IN THE DEPARTMENT OF PUBLIC
WORKS WATER AND SEWER DEPARTMENT**

WHEREAS, there exists two vacancies in the Town of Wallkill Department of Public Works Water and Sewer Department as Water Treatment Plant Operator, and

WHEREAS, JAMES MYERS AND WILLIAM ROE fulfill the requirements of knowledge, skill, and experience for said positions; and

WHEREAS, it is the opinion of the Superintendent of the Water and Sewer Department that JAMES MYERS AND WILLIAM ROE are qualified to fill said positions;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints JAMES MYERS AND WILLIAM ROE to the position of Water Treatment Plant Operator to serve in said capacity at the Town of Wallkill Department of Public Works Water and Sewer Department; and be it further

RESOLVED, that said appointment shall be effective no earlier than February 13, 2009

Motion By: Mr. Ward

Seconded By: Mr. Mulqueen

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
APPROVING A PROPOSED COMMERCIAL CLUSTER SUBDIVISION

WHEREAS, Panattoni Development Company, LLC, has submitted to the Town of Wallkill Planning Board a plat for a proposed three-lot commercial subdivision of certain real property located on Ballard Road, Wallkill, New York, and identified on the Town Tax Map as Section 60, Block 1, Lot 120; and

WHEREAS, it has been proposed that the said subdivision be approved as a Cluster Subdivision under Town Law §281 (now renumbered as §278) and Town Code §249-2 ("Cluster Development") so as to allow the Planning Board to vary the bulk zoning regulations as shown on the said plat, such as minimum road frontage and maximum impervious coverage; and

WHEREAS, the applicant has submitted a set of plans prepared by Maser Consulting, P.A., dated October 7, 2008 with revisions through January 6, 2009 upon which the proposed subdivision is shown; and

WHEREAS, by resolution dated January 23, 2009, the Town Planning Board adopted a Negative Declaration under SEQRA and granted conditional approval of the proposed subdivision subject to the Town Board's authorization to approve the project as a Cluster Subdivision; and

WHEREAS, the Town Board finds that the flexibility of design permitted under Cluster Subdivision approval would, in this case, serve the best interests of the Town by enabling and encouraging the most appropriate use and development of the land;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board does hereby accept and adopt as its own the Negative Declaration under SEQRA adopted by the Planning Board; and
2. That the Town Board does hereby approve the proposed commercial cluster subdivision in accordance with New York State Town Law § 281 (now renumbered as § 278), and authorizes the Town of Wallkill Planning Board to process the proposed subdivision as Commercial Cluster Subdivision as per the aforesaid set of plans prepared by Maser Consulting, P.A., dated October 7, 2008 with revisions through January 6, 2009.

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

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE TOWN SUPERVISOR TO ENTER INTO A CONTRACT
WITH MALCOLM PIRNIE, INC. TO PROVIDE SUPPORT TO THE TOWN FOR
THE ONGOING ADMINISTRATION OF ITS INDUSTRIAL PRETREATMENT
PROGRAM

WHEREAS, the Town Board of the Town of Wallkill has previously entered into certain agreements with Malcolm Pirnie, Inc., Independent Environmental Engineers, Scientists and Consultants, for consultant services for the purpose of providing support to the Town for the ongoing implementation and administration of the Industrial Pretreatment Program in the Town of Wallkill; and

WHEREAS, Malcolm Pirnie, Inc. has submitted a proposal to continue to provide support to the Town of Wallkill through consultant services for the ongoing implementation and Administration of its Industrial Pretreatment Program, including, without limitation, coordination of the so-called first quarterly sampling event, by the Town, of the discharge from permitted industrial dischargers within the Town, implementation assistance regarding the second, third and fourth quarterly sampling events, development of related reports, and coordination of so-called as-needed services, all as set forth in a proposal letter to Louis J. Ingrassia, Jr., Superintendent of Water and Sewer for the Town of Wallkill, dated January 23, 2009; and

WHEREAS, the Town Board of the Town of Wallkill believes it is in the best interests of the residents of the Town of Wallkill to accept said proposal and enter into a contract for consulting services with Malcolm Pirnie, Inc.;

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor to enter into an agreement with Malcolm Pirnie, Inc. for consultant services for the purpose of providing support to the Town for the ongoing implementation and administration of the Industrial Pretreatment Program of the industrial wastewater treatment program within the Town of Wallkill, in an amount not to exceed \$ 24,500.00

Motion By:	Mr. Ward
Seconded By:	Mr. King

Supervisor Ward	Voting Aye
Councilman King	Voting Aye

Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL SETTING A TIME AND PLACE FOR A PUBLIC HEARING WITH RESPECT TO THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER A251 OF THE WALLKILL TOWN CODE TO ESTABLISH MINIMUM ACCEPTABLE STANDARDS OF CONSTRUCTION OF PRIVATE ROADS WITHIN THE TOWN OF WALLKILL AND THE REVIEW OF SAID PROPOSED AMENDMENT TO THE TOWN CODE PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

WHEREAS, the Town Board of the Town of Wallkill wishes to establish the minimum acceptable standards of construction for the development of private roads within the Town, such that private roads are safe for use and travel by private owners and the general public; and

WHEREAS, pursuant to, and in accordance with, the provisions of §617.6 of the regulations implementing the New York State Environmental Quality Review Act (SEQRA), (the SEQRA regulations), the Town Board hereby determines that the aforementioned proposed amendment to the Town Code is an action subject to SEQRA; and

WHEREAS, the Town Board hereby preliminarily classifies the aforementioned local law as an unlisted action, pursuant to §617.4 of the SEQRA regulations; and

WHEREAS, the Town Board determines that it is, and will be, the Lead Agency with respect to the consideration, review, and determination of significance of both the aforementioned local law pursuant to SEQRA regulations §617.6(b)(1)(I), because there are no other involved agencies; and

WHEREAS, the Town Board will consider such information and comments as may be provided at the public hearing on the proposed local law amending the Town Code in making its determination of significance as Lead Agency; and

WHEREAS, the Town Clerk is hereby authorized and directed to cause public notice of said hearings to be given as provided by law and to keep copies of the aforementioned proposed local law on file for public review; and

WHEREAS, the Town Board hereby authorizes and directs the Town Clerk, as a matter of courtesy, to forward a copy of this resolution declaring itself Lead Agency to interested agencies and other agencies as required by law; and

WHEREAS, the Town Board seeks public comment and suggestions regarding the adoption of said local law for the year 2009; and

WHEREAS, the Town Board seeks to review the potential environmental impacts of said local law pursuant to SEQRA; and

WHEREAS, the Town Board wishes to set a time and place for a public hearing to consider the adoption of the foregoing local law and to consider the potential environmental impacts of the same;

NOW, THEREFORE, IT IS HEREBY RESOLVED, that a public hearing be held by the Town Board with respect to the adoption of a local law governing private roads in compliance with federal and state guidelines and the review of local law pursuant to the New York State Environmental Quality Review Act (SEQRA) on April 23, 2009, at 7:25 p.m. at Wallkill Town Hall, 99 Tower Drive, Bldg. A, 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.

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

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

WHEREAS, Nicolosi Group, LLC (“the Petitioner”) has submitted a Petition to the Town Board of the Town of Wallkill seeking the extension of the Wallkill Consolidated Water District #1 in the Town of Wallkill to property owned by the Petitioner and know on the Tax map as Section 24 Block 1 Lot 51, which property is located at the intersection of Baker Road and Route 302 in the Town of Wallkill (“the Action”); and

WHEREAS, the Petitioner has submitted a Short Environmental Assessment form pursuant to the New York State Environmental Quality Review Act (“SEQRA”) and accompanying Regulations for the Action,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Wallkill determines that the Action is an unlisted action for purposes of SEQRA and the Town Board declares itself to be the Lead Agency with respect to the potential environmental impact of the Action.

Motion By: Mr. Ward
Seconded By: Mr. King

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

AT a meeting of the Town Board of the Town of Wallkill in the County of Orange, State of New York, held at Town Hall, Town of Wallkill, NY Orange County , 99 Tower Drive, Middletown, New York on the 12th day of February, 2009.

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In the matter of the Extension of the Wallkill Consolidated Water District No. 1 in the Town of Wallkill, County of Orange, State of New York

**ORDER
CALLING FOR
PUBLIC
HEARING**

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WHEREAS, a written petition, dated the 6th day of October 2008 in due form and containing the required signatures has been filed with the Town Clerk on the 15th day of January, 2009, which petition has been presented to and filed with the Town Board of the Town of Wallkill, County of Orange, State of New York, for the extension of the Wallkill Consolidated Water District No. 1 in the Town of Wallkill bounded and described in Exhibit "A" attached hereto, and

WHEREAS, there are no improvements required for the extension of the existing Wallkill Consolidated Water District No. 1 water supply facilities to provide water services to the property described in annexed Exhibit "A" as witnessed with the map, plan and report submitted with the petition, and now on file in the Office of the Town Clerk of the Town, and

WHEREAS, the capital cost of the service connection to the property in the district extension to the existing water main shall **not exceed \$5,000**, and

WHEREAS, the estimated cost of the district extension to the property is: **\$8,806.00** in the first year in which operation, maintenance, debt services and other charges and expenses are to be paid, calculated on annual bond recapture cost of **\$2,123.00**; one-time annual bond recapture cost of **\$2,368.00**; and annual water use charges of **\$4,315.00**; and **\$6,438.00** in the second year, calculated on annual usage of **\$4,315.00** and annual bond recapture cost of **\$2,123.00**;

.NOW, THEREFORE, BE IT RESOLVED that on the 12 day of March 2009, at 7:25 o'clock p.m. on said day the Town Board will meet and hold a public hearing to consider the extension of the Wallkill Consolidated Water District No. 1, including the environmental significance thereof, and to hear all persons interested in the subject therefore, and for such other and further action on the part of the Town Board in connection with this matter as may be appropriate, and be it

ORDERED that the Town Clerk is hereby directed to publish a certified copy of this Order at least once in the official newspaper of the Town not less than 10 nor more than 20 days prior to the date of the hearing, and be it

FURTHER ORDERED, that the Town Clerk is hereby directed to cause a certified copy of this Order to be posted on the sign board of the Town not less than 10 nor more than 20 days before the date of the hearing.

DATED: Town of Wallkill, New York
February 12, 2009.

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

Supervisor Ward Voting Aye
Councilman King Voting Aye
Councilman Valentin Voting Aye

Councilman Mulqueen
Councilwoman Neighmond

Voting Aye
Voting Aye

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
ADOPTING LOCAL LAW No. 1 OF 2009
ADOPTION OF A LOCAL LAW AMENDING CHAPTER 194 OF
THE TOWN CODE OF THE TOWN OF WALLKILL
ENTITLED “SEWERS AND SEWAGE DISPOSAL”

WHEREAS, the Town Board of the Town of Wallkill wishes to adopt a local law to amend the Town Code of the Town of Wallkill to eliminate the requirement of house traps within the Town of Wallkill; and

WHEREAS, the Town Board held a public hearing on January 22, 2009, at 7:15 p.m., at which the public was permitted to make comments and suggestions regarding the adoption of said need to eliminate the requirement of house traps; and

WHEREAS, the Town Board of the Town of Wallkill has determined that it is in the best interests of the health, safety and welfare of the residents of the Town of Wallkill to enact said local law;

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Town Board of the Town of Wallkill hereby adopts said Local Law No. 1 of 2009, entitled “A LOCAL LAW AMENDING CHAPTER 194 OF THE CODE OF THE TOWN OF WALLKILL ENTITLED “SEWERS AND SEWAGE DISPOSAL”, COUNTY OF ORANGE, ELIMINATING THE REQUIREMENT OF HOUSE TRAPS”, 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.

LOCAL LAW NO. 1 OF 2009

**A LOCAL LAW AMENDING CHAPTER 194 OF
THE CODE OF THE TOWN OF WALLKILL
ENTITLED “SEWERS AND SEWAGE DISPOSAL”, COUNTY OF ORANGE,
ELIMINATING THE REQUIREMENT OF HOUSE TRAPS**

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF WALLKILL AS

FOLLOWS:

Section 1.

The Town of Wallkill Code, Chapter 194, section 6(N), section 40 entitled “Interior Cleanout” and section 41 entitled “House Traps” shall be and hereby is amended by this Local Law as follows:

Chapter 194 section 6(N) is hereby deleted in its entirety.

Chapter 194, section 40 is hereby deleted in its entirety.

Chapter 194, section 41 is hereby amended as follows:

Delete entire text and replace with:

“Building (house) traps shall be prohibited, except where conditions necessitate such traps as required by the Town Building Inspector.”

Section 2. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Wallkill hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 4. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York

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

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

Committee Reports

Councilman King Code review working on Peddling Law.

Councilman Valentin Police committee meeting on February 18 2009 at 6pm

Councilman Mulqueen Happy about the water and sewer appointments.

Councilwoman Neighmond Is working on the building dept audit at this time.

Council Comments

Councilman King Thanks to the Parks Dept who helped the quilting club. Thanks to all for work on Peddlers Law.

Councilman Valentin Thanks for all the help at the Olivia Beam fundraiser. Thanks to Mr. Ingrassia for his detailed reporting to the Board. Happy *Valentins* Day.

Councilman Mulqueen Mr. King and Ms. Neighmond worked very hard on the solicitors law. Thanks to Mr. Ingrassia and Mr. Jaques for there work on the house trap law. President Lincoln tried to do the right thing for his country, Town Board tries to do the right thing for us.

Councilwoman Neighmond Still fighting NYRI. Some recent breakins in the fourth ward. Urges all to get involved with watch groups.

Supervisors comments

Has sent letters hoping to get some stimulus monies. A lot of graffiti happening right now. Time Warner Scholarships available, call his office for info.

Chief Hertman Thanks to all for Officer Kenny good wishes. On going community council and youth coalition activates.

Mr. Ingrassia Thanks for the hydrant help. Unannounced DEC inspection went well. Attended Rural Water conference funded by NY Rural Water.

Mr. Jaques No comment

PUBLIC PARTICIPATION

Mr. Cody Solicitors permits

M. Paduch free tax prepares, labor policy, IDA.

T. Bremia Solicitors, Mamakating

A. Crawford Solicitors permit concerns

S. Patch solicitors, signs on 211 .

Weathers Solicitors, veterans sign permits.

Ms. Neighmond We have tried very hard with the Solicitors Law. Cannot please all.

Motion By: Mr. Ward to adjourn at 8:50pm

Seconded By: Mr. Valentin

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

Louisa M. Ingrassia
Town Clerk