

The Town Board of the Town of Wallkill held a regularly scheduled meeting on March 13, 2008 at 7:30 at Wallkill Town Hall 99 Tower Drive, Middletown NY. Members present were Supervisor Ward, Councilman King, Councilman Valentin , Councilman Mulqueen. Councilwoman Neighmond was attending a constituent meeting. Also present were chief Hertman, Mr. Smith , Mr. Jaques , Mr. Lippert and Attorney Joe McKay.

The meeting was opened with the pledge of allegiance.

Town Clerk Louisa Ingrassia administered the oath of office to new Police Officers Jason Farningham and Christopher DaNapoli as well as Detective Daniel Covey and Sgt. Richard Procak.

There was no public comment on the agenda.

CORRESPONDENCE

To: Town Board
From: Mental Health Association of Orange County

Dear Chief Hertman

Thank you for facilitating the appearance of Detective McLymore as a guest speaker at our Volunteer training workshop.

Detective McLymore is a gifted and engaging speaker who provided our volunteers with quality information about law enforcement's role in sexual assault cases.

Again we would like to thank you and the Department for your continued support and active interest in working with our community.

Sincerely,
Tharicia McZorn

A letter was received from Circleville Elementary School regarding Officer Fantasia and the DARE program it will be passed along through the Chief.

To: Town Board Members
From: Brenda Potts, TOWLL

Would like to request permission to hold the annual Little League Parade on Saturday April 12th. They will follow their usual route.

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 Absent

MOTION CARRIED

To: Town Board Members
From: E. Smith, Water and Sewer Superintendent

Requesting permission for myself, Frank Call and Tim Grogan to attend NY rural Water conference at the Hudson Valley Resort and Spa May 19th thru the 22nd. Registration fees are \$100.00 per person and lodging will be \$213.40 per person per day and will include meals.

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 Absent

MOTION CARRIED

To : Town Board
From: E. Smith, Water and Sewer Superintendent

On November 24, 2004 the Town was notified by the NYSDOH that five of the six Braeside wells were determined to be under the direct influence of surface water. This determination was made after reviewing the raw water laboratory analysis of the Braeside wells. Under the federal Surface Water Treatment Rule of 1993, the Town must provide adequate treatment or abandon the wells.

Over the past several years I have worked with the DOH and Eustance and Horowitz to develop a plan for adequate treatment of the wells. This will involve the introduction of Alum into the raw water prior to the existing green sand filters and the installation of ultra-violet disinfection equipment in the final effluent water, at an estimated cost of \$700,000.00.

I would like permission to advertise to accept bids for the supply and installation of all equipment on Tuesday April 8, 2008 at 11:30 am at the town Hall.

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	Absent

MOTION CARRIED

To: Town Board Members
From: Marylynn Hunt

Pleased be advised that as per the attached letter from McGoey, Hauser and Edsall a maintenance bond in the amount of \$32,900.00 may now be established with the Town of Walkkill for one year.

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	Absent

MOTION CARRIED

To: Town Board Members
From: J. Lippert, Commissioner of Public Works

Requesting permission for myself and Charlie Romer to attend the NYS Truck and Safety Conference in Albany April 9, 10. The cost of the Conference including a one night Hotel stay is \$548.00. The funds are available in the 2008 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	Absent

MOTION CARRIED

Mr. Valentin would like Mr. Lippert to report back on his attendance to the conference.

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
ACCEPTING THE PROPOSED DISPOSITION OF DISCIPLINARY MATTER
#01-2008**

WHEREAS, pursuant to New York State Town Law §§ 154 and 155, and pursuant to Town of Wallkill Local Law #2 of 2007, the Town Board of the Town of Wallkill is required to make a final determination with respect to any matters concerning the discipline of members of the Wallkill Police Department; and

WHEREAS, the Town Board has reviewed disciplinary matter #01-2008;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby imposes the disciplinary penalty proposed by the Chief of Police with respect to disciplinary matter #01-2008.

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	Absent

MOTION CARRIED

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO SOLICIT
BIDS FOR IMPROVEMENTS TO THE TOWN OF WALLKILL COMMUNITY
CENTER**

WHEREAS, the Town of Wallkill has received a grant of \$40,000.00 from the New York State Office of Children and Family Services for the purpose of making renovations to the Town of Wallkill Community Center; and

WHEREAS, the Town Board of the Town of Wallkill intends to contract with vendors to perform renovation work at the Town of Wallkill Community Center; and

WHEREAS, the Town is required under New York State Law to award such a contract to the lowest responsible bidder;

NOW, THEREFORE, LET IT BE HEREBY

RESOLVED, that the Town Board hereby authorizes and directs the Town of Wallkill Commissioner of Public Works to advertise for and solicit bids from qualified parties for the renovation of the Town of Wallkill Community Center.

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	Absent

MOTION CARRIED

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
APPOINTING KIMBERLY LESZYNSKI TO CUSTODIAL POSITION**

WHEREAS, there exists a vacancy in the Town of Wallkill Department of Public Works at the custodial level; and

WHEREAS, Kimberly Lesczynski fulfills the requirements of knowledge, skills, and experience for the custodial position; and

WHEREAS, it is the opinion of the Commissioner of Public Works that Kimberly Lesczynski is qualified to fill said position;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Kimberly Lesczynski to the position of custodian to serve in said capacity at the Town of Wallkill Department of Public Works; and be it further

RESOLVED, that said appointment shall be effective no earlier than March 14, 2008.

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	Absent

MOTION CARRIED

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
APPOINTING THOMAS GLOSTER TO LABORER POSITION**

WHEREAS, there exists a vacancy in the Town of Wallkill Department of Public Works at the laborer level; and

WHEREAS, Thomas Gloster fulfills the requirements of knowledge, skills, and experience for the laborer position; and

WHEREAS, it is the opinion of the Commissioner of Public Works that Thomas Gloster is qualified to fill said position;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Thomas Gloster to the position of laborer to serve in said capacity at the Town of Wallkill Department of Public Works; and be it further

RESOLVED, that said appointment shall be effective no earlier than March 21, 2008.

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	Absent

MOTION CARRIED

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
STATING THE TOWN'S SUPPORT FOR THE PREPARATION OF A MAP,
PLAN AND REPORT TO DETERMINE THE FEASIBILITY OF THE
CONSTRUCTION OF A MULTI-MUNICIPALITY SEWER PROCESSING
PLANT TO PROVIDE SEWER SERVICES TO PRIVATELY-OWNED
DEVELOPMENT PARCELS IN THE VICINITY OF EXIT 116 TO ROUTE 17**

WHEREAS, representatives of the Town of Wallkill, the Town of Crawford and the Village of Bloomingburg recently met with representatives of the Orange County Partnership to discuss possible interest in providing sewer service to certain privately-owned development parcels in the vicinity of Exit 116 to Route 17; and

WHEREAS, the Town Board of the Town of Wallkill believes it is in the best interests of the Town of Wallkill to continue exploratory discussions for planning a multi-municipality sewer processing plant; and

WHEREAS, it has been proposed that, in order to continue the process of exploring the feasibility of such a multi-municipality sewer processing plant, interested private developers should jointly submit a petition, in the form of a letter of interest, to the respective Town and Village Boards, requesting that the said municipalities prepare a map, plan and study which would outline the alternatives available for sewer services, the costs of such alternatives, and the funding of such costs; and

WHEREAS, it is necessary and appropriate for said joint letter of interest from said proposed developers to include a statement that costs of the preparation of said map, plan and study be paid for by the developers/land owners; and

WHEREAS, it is the understanding and belief of the Town Board of the Town of Wallkill that the cost of such a map, plan and study is estimated to be between six thousand (\$6,000.00) and eight thousand (\$8,000.00) dollars, which cost would be equally divided among the said private developers/land owners;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby states the Town’s support for the preparation of a map, plan and report, the cost of which is to be paid by private developers/land owners, to determine the feasibility of the construction of a multi-municipality sewer processing plant to provide services to privately-owned parcels in the vicinity of Exit 116 to Route 17.

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	Absent

MOTION CARRIED

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE TOWN SUPERVISOR TO SIGN AGREEMENTS WITH
THE ORANGE COUNTY STOP-DWI PROGRAM**

WHEREAS, the Stop-DWI Program is a statewide traffic safety effort in existence in New York since 1981 for innovative enforcement, rehabilitation, and prevention programming; and

WHEREAS, the Town of Wallkill is a participating municipality in the Orange County Stop-DWI Program, and it is in the public interest, health, safety and welfare for it to continue its participation in the Orange County Stop-DWI Program; and

WHEREAS, as part of the Town of Wallkill's participation in the Orange County Stop-DWI Program, it may be necessary for the Supervisor of the Town to sign agreements on behalf of the Town to ensure the Town's continued participation;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor to sign agreements on behalf of the Town associated with the Orange County Stop-DWI Program, subject to final review by the Attorney to the Town.

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	Absent

MOTION CARRIED

BE IT HEREBY RESOLVED, that the Town of Wallkill Golf course will use Provident Bank for all banking activities pertaining to the Golf Course including cash and credit card deposits.

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	Absent

MOTION CARRIED

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE A FUNDING
AGREEMENT, CONSERVATION EASEMENT AND MONITORING AGREEMENT,
AND PURCHASE AGREEMENT ASSOCIATED WITH THE
SMILEY FARM PDR**

WHEREAS, there is currently an application pending for the Town of Wallkill with the New York State Department of Agriculture and Markets on behalf of the Smiley family for the purchase of development rights (PDR) associated with its farm located in the Town of Wallkill;
and

WHEREAS, as part of and in furtherance of that PDR application, the Town must enter into a Funding Agreement, Conservation Easement and Monitoring Agreement, and Purchase Agreement;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor to execute the Funding Agreement, Conservation Easement and Monitoring Agreement, Purchase Agreement, and any other necessary associated documents; and be it further

RESOLVED, that all of the foregoing documents shall be acceptable in form and content to the Town Attorney.

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	Absent

MOTION CARRIED

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
TO SET A TIME AND PLACE FOR A PUBLIC HEARING REGARDING ITS
CONSIDERATION OF A CHANGE IN ZONING DESIGNATION FROM RA-1 TO
RA FOR TAX MAP PARCEL # 61-1-2 AND FOR A LOCAL LAW AMENDING THE
TOWN'S ZONING MAP FOR TAX MAP PARCEL # 61-1-2**

WHEREAS, there is currently an application pending for the Town of Wallkill with the New York State Department of Agriculture and Markets on behalf of the Smiley family for the purchase of development rights (PDR) associated with its farm located in the Town of Wallkill;
and

WHEREAS, the Smiley family desires to preserve its ability to build an additional single-family residence on farmland that it now owns, and the Smiley family has submitted a request to the Town Board for a change in the current zoning designation from RA-1 to RA for tax map parcel #61-1-2, which it owns; and

WHEREAS, such a request by its nature also contemplates a change to the Town's zoning map;

NOW, THEREFORE, it is hereby

RESOLVED, that a public hearing be held by the Town Board on March 27, 2008 at 7:25 p.m. at Wallkill Town Hall, 99 Tower Drive, Bldg. A, Middletown, New York, regarding its consideration of a change in zoning designation to RA from RA-1 for tax map parcel # 61-1-2 and of a local law amending the Town's zoning map for tax map parcel # 61-1-2; and be it 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. Valentin

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

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL ACCEPTING DEED TO LANDS DEDICATING A PORTION OF SCHUTT ROAD TO THE TOWN FOR HIGHWAY WIDENING PURPOSES

WHEREAS, a certain forty (40') foot-wide parcel of land in the Town of Wallkill has been offered on January 3, 2008, for dedication to the Town of Wallkill for highway widening purposes by the Regency Club at Wallkill, LLC, the owner of said land, as described in Schedule A annexed hereto, and as shown on a certain site plan entitled "Regency Club at Wallkill, LLC," prepared by T.M. Depuy Engineering & Land Surveying, P.C., dated June 24, 2002, last revised November 19, 2002, and as also shown on an a Road Dedication Map prepared by T.M. DePuy on July 28, 2005; and

WHEREAS, the Commissioner of Public Works - Town Superintendent of Highways of the Town of Wallkill has recommended acceptance of said parcel for dedication for highway widening purposes; and

WHEREAS, a policy of title insurance relating thereto has been offered; and

WHEREAS, all transfer, recording fees, and taxes will be/have been paid by the Regency Club at Wallkill, LLC; and

WHEREAS, the Town’s Consulting Engineer, McGoey Hauser & Edsall has indicated that the bearings and distances in the legal description and on the Road Dedication Map close within industry standards; and

WHEREAS, the Regency Club at Wallkill, LLC has provided an irrevocable letter of credit in the amount of \$15,000 to serve as a maintenance bond for this dedication in accordance with Section 209-11D of the Town Code;

NOW, THEREFORE, IT IS RESOLVED THAT:

1. The Town Board agrees to accept the deed of dedication for said lands; and
2. The Town Supervisor is authorized to execute all necessary documents to effectuate the transfer of said property; and
3. All documents associated with the transfer of said property are to be recorded in the Office of the Orange County Clerk and thereafter filed with the Town Clerk of the Town of Wallkill; and
4. The Town Board consents to the issuance by the Commissioner of Public Works – Town Superintendent of Highways of an Order accepting the aforesaid dedication for highway purposes and to the filing with the Town Clerk of said Order and the Release and Dedication executed by the Regency Club at Wallkill.

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	Absent

MOTION CARRIED

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
APPOINTING JASON FARNINGHAM AS FULL-TIME POLICE OFFICER
IN THE TOWN OF WALLKILL**

WHEREAS, the Town of Wallkill, in compliance with the laws of the State of New York and in compliance with the terms of the Judgment issued by the U.S. District Court relative to the Town of Wallkill Police Department, canvassed and/or interviewed those individuals who are on the current civil service list for Police Officer; and

WHEREAS, applying both the New York State Civil Service standards of selection as well as the requirements of the Judgment of the U.S. District Court, **Jason Farningham** has been found qualified in knowledge, skill, and experience and has indicated acceptance of appointment to said position;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints **Jason Farningham** to the position of full-time Police Officer in the Town of Wallkill Police Department in accordance with both the New York State Civil Service Law and the requirements set by the United States District Court; and be it further

RESOLVED, that said appointment shall be deemed effective no earlier than March 14, 2008.

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	Absent

MOTION CARRIED

COMMITTEE REPORTS

Councilman King Will be bringing some proposed amendments to Zoning before the board. Highway employee G. Benson was injured on the job not seriously wishes him well. Thanks to all employees for jobs well done during the last storm. Thanks to local Fire companies for the help with the pumpouts. Behan Planners will be at a work session on April3rd.

Councilman Valentin Met with Chief Hertman ongoing training for Detectives as well as officers. Read a list of projects that are planned for this year in the parks department.

Councilman Mulqueen Thank you to Mr. Smith for his prompt response to questions. The Golf course is tentatively set to open on March 28th. Call 361-1022 for further information.

COUNCILMAN COMMENTS

Councilman King Attended the Senior Luncheon today a good time was had by all. Attended the Historical Association meeting last week a great presentation by “Uncle

Pecky” about the Ingrassia black dirt farm. Encourages all to try to attend a meeting good information is shared. Recently attended and made a presentation to Pvt. 1st class Albert Edwards III .

Councilman Valentin Boys and Girls club discussion regarding Camp rates for 2008, hopes to reduce busing costs. Thanks to all the for the hard work during the last storm. Good luck to the new officers great to see the Department growing.

Councilman Mulqueen Congratulations to the new Police Officers and to those that have been promoted. Thanks to all that helped at the Corned Beef Dinner for the seniors. Sad time for NYS looks forward to the new Governor.

Supervisor Ward: Have received the latest franchise fees \$131,711.35. Councilwoman Guenste is handling a constituent matter this evening. Orange County has a program in place for Lead Poisoning. Rob W from Water Department did a good deed in helping an injured motorist. Will be giving Mike Cody money for the Statue committee, private donations and some funds from the Town. Reads list of employees and others that helped at the Senior Dinner. Moose Mills who recently retired attended and was recognized.

Chief Hertman: Police Officers lost the Basketball game to the kids 50-46.many upcoming events for the community council.

Mr. Smith: Malcolm Pirnie has set meters to see the effects of the Inflow and Infiltration study. Concerns about pharmaceuticals in drinking water information may be obtained from American Waterworks 303-734-3410. If residents see anyone dumping in storm drains please contact him.

Mr. Lippert: Thanks to his personnel for their hard work during the recent rains. Also thanks the volunteer firefighters for their hard work will be opening bids for the upcoming bulk pickup on March 22nd. Reminds all of the Easter Egg Hunt next Saturday.

Mr. Jaques: ORMC has received its highway permits, heavy equipment will be on the site on Monday. Projst expected to take 3 years.

PUBLIC PARTICIPATION

T. Youngs: thanks to his crews and the Police for their help during the recent rains,

E. Smith: Unhappy with Mr. Mulqueens comments re: union contracts.

Mr. Ward feels to place blame on the Board is unfair, they have offered contracts to the Police.

Motion By: Mr. Ward to adjourn to executive session for the possible discipline or dismissal of an employee.

Seconded By: Mr. Valentin

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

MOTION CARRIED

Mrs. Neighmond arrives at 8:45 pm

Motion By: Mr. Ward to adjourn the regular meeting at 8:55pm

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

Louisa M Ingrassia
Town Clerk