

A Public Hearing was held by the Town Board of the Town of Wallkill on April 23 2009 at 7:25 pm at Wallkill Town Hall 99 Tower Drive. Members present were Supervisor Ward, Councilman King, Councilman Valentin, Councilman Mulqueen, Councilwoman Neighmond was absent. The Clerk read the following notice.

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Wallkill, New York on Thursday, April 23, 2009 at 7:25 p.m. at the Town Hall, 99 Tower Drive - Building A, Middletown, New York 10941 regarding the adoption of a Local Law of the Town of Wallkill for the year 2009 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 SEQRA.

PLEASE TAKE FURTHER NOTICE that the environmental significance of said proposed Local Law will be reviewed by the Town Board of the Town of Wallkill incident to and as a part of said public hearing.

PLEASE TAKE FURTHER NOTICE that, pursuant to Part 617.6(b) of the implementing regulations pertaining to Article 8 of the state Environmental Conservation Law (State Environmental Quality Review Act, "SEQRA"), the Town of Wallkill Town Board has determined that it should act as the lead agency for all environmental review of the proposed section described below and shall coordinate environmental review pursuant to Article 8 of said Environmental Conservation Law and implementing regulations.

Any resident of the Town of Wallkill or other interested party is entitled to be heard upon said proposed Local Law at such public hearing. Copies of said proposed Local Law are available for review at:

Town of Wallkill  
99 Tower Drive - Bldg. A  
Middletown, New York 10941

The Town of Wallkill will make every effort to assure that the hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF WALLKILL, NEW YORK

Louisa Ingrassia, Town Clerk  
Town of Wallkill

Supervisor Ward explains the intent of the Local Law.

Councilman King comments that he feels all roads should be built to Town standards.

Councilman Valentin comments that the proper construction of Town roads benefits EMS as well as all residents.

Councilman Mulqueen comments on a meeting he attended regarding County planning and zoning, was the consensus of all in attendance that all roads should be built to Town specifications.

Motion By: Mr. Ward to close the Public Hearing at 7:35pm.  
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**

A regular meeting of the Town Board of the Town of Wallkill was held on April 23, 2009 at 7:30 pm at Wallkill Town Hall 99 Tower Drive. Members present Supervisor Ward, Councilman King, Councilman Valentin, Councilman Mulqueen, Councilwoman Neighmond was absent. 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. Followed by a moment of silence for the passing of Victor Guida, husband of court employee Marilyn Guida.

Mr. Valentin introduces members of the youth coalition who are present with Mr. Larry Bennett, Owner-operator of the rte 211 McDonalds. Mr. Bennett presents a check in the amount of \$1000.00 to the Youth Coalition proceeds from a fund raiser held at McDonalds. Barbara Alvarez presents a certificate of appreciation to Mr. Bennett and his organization.

### **CORRESPONDENCE**

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

On Monday April 6<sup>th</sup> at 11:00am bids were opened and read aloud for Waterborne Traffic Paint. We have thoroughly reviewed those bids, and on the basis of our review we recommend awarding the bid to the following lowest responsible bidders.

For Yellow and White Paint	The Sherwin Williams Company P.O.Box 888 Manchester GA 31816
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For Black Paint

Ennis Paint  
P.O.Box 404  
Ennis Texas 75120

Motion By:  
Seconded By:

Mr. Ward  
Mr. King

Supervisor Ward  
Councilman King  
Councilman Valentin  
Councilman Mulqueen  
Councilwoman Neighmond

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Absent

**MOTION CARRIED**

To: Supervisor Ward and Town Board Members  
From: L. Ingrassia, Superintendent Water Sewer

Earlier this year the following was declared surplus and offered out to the highest bidder

1-1974 Penco tank Trailer  
Serial number 21187824

We have received no bids on this item. I request the Town Board allow me to declare this as scrap and dispose of this item. Thank you.

Motion By:  
Seconded By:

Mr. Ward  
Mr. Mulqueen

Supervisor Ward  
Councilman King  
Councilman Valentin  
Councilman Mulqueen  
Councilwoman Neighmond

Voting Aye  
Voting Aye  
Voting Aye  
Voting Aye  
Absent

**MOTION CARRIED**

To: Supervisor Ward and Town Board Members  
From: Carol Voss, Assessor

I will be attending a one day course on Condominium valuation in Fishkill Ny on April 19, 2009. the cost of the course is \$ 95.00. this is part of my continuing education credits.

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

Re: Alexandria S/D Bond reduction

Based on a site visit by Dave Fritts on March 11, 2009 he has recommended that the Public Improvement Bond being held in the amount of \$286,236.00 may now be reduced to \$135,000.00. His letter requests the Town Board to authorize the Town's Attorney to perform a lien search against the referenced property to assure that there are no current outstanding liens prior to approval for the reduction.

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: Supervisor Ward  
From: Goshen Christian School

Please accept this letter as a formal request of our intent to use Circleville Park for our baseball team. Baseball practice will be from 3pm-6:30 pm on Tuesday and Thursdays. We sincerely appreciate your support in helping our schools athletic program.

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: Supervisor Ward  
From: Holy Cross Greek Church

Our annual festival is coming up again this year, on June 4,5,6,7 and we are asking again for permission to set up signs at: Middletown Motel, on Rte 211, Americana Diner on Rte 211, the Deli on the corner of Goshen Turnpike and 211, and the exit off Rte 17 and East Main Street. You have graciously given this permission in the past while waiving fees and we ask again that you extend this courtesy again.

Thank you  
Father Chris Talleos

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: Supervisor Ward  
From: Chief Hertman

The undersigned is requesting authorization for food and lodging for P.O.Garcia while attending DARE training in Sewell New Jersey. The training dates are June 1-12 2009. the nearby Fairfield Inn discount rate is \$99.99/night.the current Town allowance for meals is \$40.00 per day.

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 WALLKILL TOWN BOARD SETTING TIME AND PLACE FOR A PUBLIC HEARING WITH RESPECT TO THE 2010 APPLICATION FOR FUNDING UNDER THE ORANGE COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

**WHEREAS**, the Town Board of the Town of Wallkill wishes apply for funds from the Orange County Community Development Block Grant Program in the year 2010; and

**WHEREAS**, the Town Board wishes to identify projects within the Town eligible for such funding; and

**WHEREAS**, the Town Board seeks public comment and suggestions regarding projects for consideration for funding under said program; and

**WHEREAS**, the Town Board wishes to set a time and place for a public hearing to solicit information from the public with respect to identifying appropriate projects;

NOW, THEREFORE, BE IT HEAREBY RESOLVED, that a public hearing be held by the Town Board in order to receive comments and suggestions regarding projects to be considered for funding under the Orange County Community Development Program 2010 at 7:25 p.m. on May 14, 2009, at Wallkill Town Hall, 99 Tower Drive, 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. 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 General Fund has a due from Enterprise for the month of February 2009 in the amount of \$ 60,969.00

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 DESIGNATING ITSELF AS LEAD AGENCY WITH RESPECT TO A PROPOSED LOCAL LAW TO AMEND THE TOWN'S ZONING CODE, ACCEPTING THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DGEIS) AS COMPLETE AND READY FOR REVIEW AND PUBLIC COMMENT, AND SCHEDULING A PUBLIC HEARING ON THE DGEIS AND PROPOSED LOCAL LAW AND TO REVIEW THE POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS OF THE PROPOSED LOCAL LAW IN ACCORDANCE WITH SEQRA

**WHEREAS**, in 2005, the Town Board of the Town of Wallkill revised its Town Comprehensive Plan; and

**WHEREAS**, in 2005 and 2007, the Town adopted comprehensive zoning changes in conformity with the Town's revised Comprehensive Plan; and

**WHEREAS**, the Town Board of the Town of Wallkill wishes to adopt a local law for 2009 amending Chapter 249 of the Town Code, which law provides for revisions to the Town's current conservation subdivision regulations; establishes water resources protection regulations; establishes a planned residential development overlay district; and which further amends and edits miscellaneous provisions of Chapter 249 of the Town Code; and

**WHEREAS**, the Town Board has been provided with a Draft Generic Environmental Impact Statement (DGEIS) for its review; and

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

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

**NOW, THEREFORE, IT IS HEREBY RESOLVED, THAT:**

1. 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

2. The Town Board preliminarily classifies the aforementioned local law as a Type 1 action, pursuant to § 617.4 of the SEQRA regulations; and

3. 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

4. The Town Board has reviewed the DGEIS and finds that the DGEIS is complete with respect to scope and content and that the same is adequate for public comment and review; and

5. A public hearing be held by the Town Board to obtain public comment concerning the DGEIS and the adoption of the proposed local law pursuant to the New York State Environmental Quality Review Act (“SEQRA”) on May 14, 2009 at 7:25 p.m. at Wallkill Town Hall, 99 Tower Drive, Building A, Middletown, New York; and

6. The Town Clerk is hereby authorized and directed to cause public notice of the Notice of Completion of the DGEIS and notice of the acceptance of the DGEIS, shall file and distribute notices and/or the DGEIS as required by the SEQRA regulations and 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.

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 PART-TIME FIRE INSPECTOR**

**WHEREAS**, there exists a vacancy in the Town of Wallkill Building Department for a Part-Time Fire Inspector; and

**WHEREAS**, Dominic Elia fulfills the requirements of knowledge, skill, and experience for such position; and

**WHEREAS**, it is the opinion of the Town Supervisor and the Town Board that Dominic Elia is qualified to fill said position;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Wallkill hereby appoints Dominic Elia to the position of a Part-Time Fire Inspector to serve in said capacity at the Town of Wallkill Building Department; and be it further

**RESOLVED**, that said appointment shall be effective upon the receipt of the MSD 222 (Duty Statement) from the County of Orange Civil Service

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  
APPROVING SALARY INCREASES AT GOLF CLUB**

**WHEREAS**, the Town Board of the Town of Wallkill is authorized to set salaries for all town employees;

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that salaries for personnel in the Town of Wallkill Golf Club be set as attached for 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	Absent

**MOTION CARRIED**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL AUTHORIZING  
THE SUPERINTENDENT OF THE  
DEPARTMENT OF WATER AND SEWER TO**

ACCEPT BIDS FOR THE RYKOWSKI WATER TREATMENT PLANT

**WHEREAS**, the Town Board of the Town of Wallkill is in need of construction and electrical services for the Rykowski Water Treatment Plant; and

**WHEREAS**, the Town is required under New York State Law to award such a contracts to the lowest responsible bidders; and

**WHEREAS**, bids for said Rykowski Water Treatment Plant were solicited, opened and reviewed; and

**WHEREAS**, the lowest responsible bidders have been identified;

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

**RESOLVED**, that the Town Board hereby authorizes and directs the Town of Wallkill Superintendent of the Department of Water and Sewer to accept the bids submitted for the Rykowski Water Treatment Plant as follows:

<u>Bid Item #1 - General Construction</u>	<u>Bid Amount</u>
Rapid Pump & Meter Service	\$637,890.00
<u>Bid Item #2 - Electrical</u>	<u>Bid Amount</u>
Harry F. Rotolo & Son	\$39,989.00

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	Absent

**MOTION CARRIED**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
AUTHORIZING THE TOWN SUPERVISOR TO ENTER INTO A CONTRACT  
WITH ROUTE MATCHSOFTWARE, INC**

**WHEREAS**, the Town Board of the Town of Wallkill has determined that it is in the best interest of the Town to upgrade the software for the Dial-A-Bus scheduling;

**NOW THEREFORE BE IT HEREBY**

**RESOLVED**, that the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor to enter into an agreement Route Match Software for the Advanced

Transportation Management Software (ATMS) solution, which includes implementation and consulting services; and be it further

**RESOLVED**, that the contract shall be acceptable in form and content to the Town Attorney.

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**

SETTING A TIME AND PLACE FOR A PUBLIC HEARING WITH RESPECT TO THE ADOPTION OF A LOCAL LAW GOVERNING FLOOD DAMAGE PREVENTION IN COMPLIANCE WITH FEDERAL AND STATE GUIDELINES AND THE REVIEW OF SAID LOCAL LAW PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (“SEQRA”)

**WHEREAS**, the Town of Wallkill is required by New York State to enact and enforce regulations concerning flood damage prevention; 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 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 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 sad 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 flood damage prevention 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 May 14, 2009 at 7:25 p.m. at Wallkill Town Hall, 99 Tower Drive, Building 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. 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:** Speaking with Mr. Lippert regarding personnel issues. Will be speaking with Mr. Ingrassia in regard to water towers that are no longer in use.

**Councilman Valentin:** The Little League Parade was a great event. Thanks to Hannaford for providing hot dogs and soda for the event. We should support local

business as they support the community. Thanks to the Parks personnel for a job well done. Will be setting up a Police committee meeting.

**Councilman Mulqueen:** There will be mothers day specials at the Golf Course. Grill Room is open for dinner call for reservations. Golf Clinics are set call the course for times and availability.

**Ms. Neighmond** is out of town on business.

### **Council Comments**

**Councilman King** None

**Councilman Valentin:** Summer is coming. Please have as much information when asking for Police response.

**Councilman Mulqueen:** Olivia Beam fundraiser at Golds Gym. Attended the Orange County Human rights Dinner, a dear friend Helen Ulrich was honored. Commission protects rights of people in need.

### **Supervisors Comment**

Route 17 construction ongoing. Golf Links Rd will be closed for the moving if a water line. We are having bulk pickup hope to start on May 11. more details soon.

**Chief Hertman:** Ongoing Youth and Community Council events.

**Mr. Ingrassia:** Hydrant flushing is ongoing. Local Fire Personnel will train on hydrants. New employees are showing dedication. Braeside equipment is complete. Thank you for the Bidding on the Rykowski Wells. I&I in ongoing C. Najac and M.Baker are inspecting all manholes. Sewer line at the ORMC site needs to be moved work will be done at night. There will be another DEC training seminar at our Golf Course they were pleased last time. Had a tour from OCCC at the plant today all seemed impressed with the operation.

**Mr. Lippert:** Bulk pick up is coming. Detour on County Rte 78 rail crossing for about a week. Cottage Street Bridge is waiting on delayed guiderails. Community Center will be getting a new roof work will be done by the Parks Dept using grant funds.

**Mr. Jaques:** Thanks for the Fire Inspector. ORMD will be building a facility in the Town we can not inspect these.

### **PUBLIC PARTICIPATION**

**M. Cody:** Egg Hunt, Memorial Park, roadside cleaning.

**S. McNamara** Flag Burning ceremony at Memorial Park.

**D. Depew** Little League Parade parks look great, Orange County Precious Metals Law in committee right now. Passing of Dan Withers great member of the community. NYRI is officially dead. Meeting with seniors to discuss energy issues. Needs a letter from Town to engage discussion of stop light on High Barney Road.

**B. Alvarez** Community Council meets on May 7<sup>th</sup> all are welcome.

**Mr. Ingrassia** thanks Mr. Depew and Mr. Paduch for there assistance in the County allowing night work on the East Main project.

Motion By: Mr. Ward to audit claims pay bills and adjourn.  
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**

*Louisa M. Ingrassia*  
Town Clerk