

April 28, 2005

The Town Board of the Town of Wallkill held a Public Hearing on April 28, 2005 at 7:10 PM at the Town Hall, 600 Route 211 East. Board members present were Supervisor Ward, Councilman King, Councilman Valentin, Councilman Mulqueen and Councilman Depew. Also present was J. McKay, Attorney for the Town.

The Town Clerk read the following Public Hearing Notice:

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Wallkill on April 28, 2005, at 7:10 PM at Wallkill Town Hall regarding the adoption of a Local Law to amend Chapter 242 of the Town Code of the Town of Wallkill for the purpose of setting a penalty surcharge related to the installation of new water meters in the Town of Wallkill.

Any resident of the Town of Wallkill is entitled to be heard upon said proposed Local Law. Copies of said proposed Local Law are available for review at: Wallkill Town Hall, 600 Route 211 East, Middletown, NY.

By Order of the Town Board of the Town of Wallkill, dated March 30, 2005

SUPERVISOR WARD: Explained they are installing new automatic water meters and need to get into homes or there will be a surcharge of \$25 on each billing cycle.

PUBLIC COMMENT

V. Ferri asked mechanism for proving they came by three times. Stated fine, penalty or surcharge should be assigned.

MOTION BY: Mr. Ward to close Public Hearing at 7:13 PM.

SECONDED BY: Mr. Mulqueen

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

MOTION CARRIED

April 28, 2005

The Town Board of the Town of Wallkill held a Public Hearing on April 28, 2005 at 7:15 PM at the Town Hall, 600 Route 211 East. Board members present were Supervisor Ward, Councilman King, Councilman Valentin, Councilman Mulqueen and Councilman Depew. Also present was J. McKay, Attorney for the Town.

The Town Clerk read the following Public Hearing Notice:

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Wallkill on April 28, 2005, at 7:15 PM at Wallkill Town Hall regarding the adoption of a Local Law of the Town of Wallkill for the year 2005, which would establish a time frame for the submission of vouchers for goods or services provided to the Town of Wallkill by all vendors.

Any resident of the Town of Wallkill 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: Wallkill Town Hall, 600 Route 211 East, Middletown, NY.

By Order of the Town Board of the Town of Wallkill, dated March 30, 2005.

SUPERVISOR WARD: Explained law is for those performing a service or selling goods to the Town – They must submit a voucher within one year for payment.

PUBLIC COMMENT

V. Ferri stated if money is allocated payment should be made whether it comes in late or not.

MOTION BY: Mr. Ward to close public hearing at 7:17 PM.

SECONDED BY: Mr. Mulqueen

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

MOTION CARRIED

April 28, 2005

The Town Board of the Town of Wallkill held a Public Hearing on April 28, 2005 at 7:20 PM at the Town Hall, 600 Route 211 East. Board members present were Supervisor Ward, Councilman King, Councilman Valentin, Councilman Mulqueen and Councilman Depew. Also present was J. McKay, Attorney for the Town.

The Town Clerk read the following Public Hearing notice:

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Wallkill on April 28, 2005, at 7:20 PM at Wallkill Town Hall to consider a Local Law entitled "A Local Law Amending the Code of the Town of Wallkill, County of Orange Prohibiting Placement of Obstructions or Injurious Substances on a Public Highway", which would add Section 150-3(F) to the Town of Wallkill Code.

Any resident of the Town of Wallkill is entitled to be heard upon said proposed Local Law. Copies of said proposed Local Law are available for review at: Wallkill Town Hall, 600 Route 211 East, Middletown, NY.

By Order of the Town Board of the Town of Wallkill, dated March 30, 2005.

SUPERVISOR WARD: Explained law is because of snow pushed into the roadways in the Town during the snow season causing a hazardous condition as well as other items included in the law.

TOWN BOARD COMMENT

COUNCILMAN KING: Asked if snow is considered trash.

PUBLIC COMMENT

M. Cody asked about cars parked on the road when they're plowing which is also a hazard.

V. Ferri stated obstructions on shoulders should also be included.

MOTION BY: Mr. Ward to close public hearing at 7:24 PM.

SECONDED BY: Mr. King

Supervisor Ward Voting Aye

Councilman King Voting Aye

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Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

The Town Board of the Town of Wallkill held a regular meeting on April 28, 2005 at 7:30 PM at the Town Hall, 600 Route 211 East. Board members present were Supervisor Ward, Councilman King, Councilman Valentin, Councilman Mulqueen and Councilman Depew. Also present was J. McKay, Attorney for the Town.

Pledge of Allegiance led by Councilman Depew.

PUBLIC COMMENT ON AGENDA

M. Walker asked about Resolution to have New York State recognize Town Council Members as Full Time Employees.

V. Ferri asked about Resolution concerning Casinos or Gaming Facilities in Sullivan County and Homeland Security. Stated he is opposed to Town Board members as full-time employees. Also asked about Resolution to support William G. Knibbs Jr. to end his Military Tour. Asked for Resolution opposing the war in Iraq.

MOTION BY: Mr. Ward to adopt minutes of April 14, 2005.

SECONDED BY: Mr. Depew

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

April 28, 2005

To: Town of Wallkill
From: Orange County Department of Emergency Services Division of Emergency Management

Orange County has become eligible for federal disaster assistance. The number is FEMA-1589-DR NY.

More information will be on the website.

To: John Ward
From: Randall Airport

Letter tabled at last meeting – Request to have ATV Drag Races May 14, 15, 2005, July 16, 17, 2005, August 27, 28, 2005 and September 24, 25, 2005.

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 Depew Voting Aye

MOTION CARRIED

To: Town Board
From: J. Lippert

On Wednesday, April 20, 2005 at 2 PM we opened and read aloud bids received for waterborne traffic paint. We have thoroughly reviewed those bids, and on the basis of our review, we recommend awarding following lowest responsible bidders:

Franklin Paint Company
259 Cottage Street
Franklin, MA 02038

The bids are on file at the Town Clerk's Office if you wish to review them. Please feel free to contact me if you have any questions. Thank you.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

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

MOTION CARRIED

RESOLUTIONS

WHEREAS, the Town Board of the Town of Wallkill has abandoned the Town highway designated as 2nd Street under operation of NYS Highway Law 205.1; and

WHEREAS, a certain property owner has requested transfer of the property to his ownership for consideration in order to construct a two-lane access road to said owner proposed residential development; and

WHEREAS, said parcel is significantly and nearly completely composed of wetlands; and

WHEREAS, the Wallkill Town Board is desirous of input from appropriate advisory bodies before any decision on the sale of said property for said purpose;

NOW, THEREFORE, it is hereby

RESOLVED, by the Town Board of the Town of Wallkill that the Wallkill Conservation Commission is directed to investigate the Town-owned property formerly known as Second Street and deliver to the Town Board a report on the environmental impact of such proposed project, particularly as said project impacts the wetland areas of the property, as so defined by the Commission in its interpretation of Federal, State, and local definitions of wetlands and to report back to the Town Board as expeditiously as possible.

MOTION BY: Mr. Ward

SECONDED BY: Mr. King

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

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Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

WHEREAS, the New York State and Local Retirement System office requires the establishment of a standard workday for the position of Town Board member for reporting purposes;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, by the Town Board of the Town of Wallkill, that said Town Board hereby establishes six (6) hours as the standard workday for town board members for reporting purposes to the New York State and Local retirement Systems.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

COUNCILMAN DEPEW: Stated he is not supporting resolution – feels it is being pushed through.

COUNCILMAN KING: Stated he has questions regarding resolution. Feels they haven't spoken enough about it.

MOTION BY: Mr. King to table.

SECONDED BY: Mr. Mulqueen

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting No

MOTION CARRIED

WHEREAS, there exists a vacancy in the Town of Wallkill Department Public Works at the Heavy Equipment Operator (Level I) position; and

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WHEREAS, William Brewster fulfills the civil service requirements of knowledge, skills, and experience for the Heavy Equipment Operator (Level I) position and is situated on the civil service list in a place where he may be hired to fill said position; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints William Brewster to the position of Heavy Equipment Operator (Level I), 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 May 2, 2005.

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 Depew Voting Aye

MOTION CARRIED

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

WHEREAS, Daniel Reilly fulfills the civil service requirements of knowledge, skills, and experience for the Mechanical Equipment Operator position; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Daniel Reilly to the position of Mechanical Equipment Operator, to serve in said capacity at the Town of Wallkill Department of Public Works; and be it further

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RESOLVED, that said appointment shall be deemed effective no earlier than May 2, 2005.

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 Depew Voting Aye

MOTION CARRIED

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

WHEREAS, Richard DePaolo 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 Richard DePaolo is qualified to fill said position;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Richard DePaolo 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 deemed effective no earlier than May 2, 2005.

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 Depew Voting Aye

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

THAT said Town Board hereby authorizes the Town Supervisor to enter into a licensing agreement and general agreement with the United States General Services Administration for lease of the premises owned by the Town at 8 Wes Warren Drive in the Town of Wallkill for use by the US Department of Homeland Security/Citizen and Immigration Services (DHS/CIS) in the event of an emergency, as determined by the DHS/CIS.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

WHEREAS, the Town Board of the Town of Wallkill is aware of and has considered New York State legislation proposing the establishment of legalized gambling and gaming casinos to be located in Sullivan County, State of New York; and

WHEREAS, the Town Board of the Town of Wallkill is situate in close proximity to the proposed gaming facilities, and since the State Route 17 and Interstate 84 highway corridors that facilitate transportation to the proposed gaming locations run directly through the Town of Wallkill; and

WHEREAS, the establishment of legal gaming or gambling facilities will bring with them a dramatic increase in traffic over both the State Route 17 and Interstate 84 highway corridors, with said traffic causing an increase in pollution, congestion, litter, refuse and garbage being deposited along those routes and within the Town of Wallkill. having a detrimental effect on the bucolic landscape and pristine rivers located within the Town of Wallkill; and

WHEREAS, the Town Board of the Town of Wallkill is familiar with studies concluding that the introduction of legalized gaming and gambling establishments negatively impact local economics by causing the closure of small businesses; and

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WHEREAS, the Town Board of the Town of Wallkill is familiar with the studies concluding that the introduction of legalized gaming and gambling establishments extract considerable economic and social costs from both local and national economics as a result of increased crime, criminal activity, and family and social ills associated with the introduction of gaming; and

WHEREAS, the Town Board of the Town of Wallkill finds that the establishment of legalized gambling or gaming facilities in Sullivan County, New York will have a detrimental impact upon the environment and residents of the Town of Wallkill; and

BE IT HEREBY RESOLVED, by the Town Board of the Town of Wallkill, THAT said Town Board hereby resolves that it is opposed to any legislation that would legalize gaming or gambling and/or establish gaming or gambling casinos or facilities in the County of Sullivan, State of New York, and that the Town Board further resolves and requests that any New York State Legislator or other public official having authority in the area, to oppose any such proposed legislation as said legislation would have a negative impact on the residents of the Town of Wallkill.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

COUNCILMAN DEPEW: Stated he is concerned about air quality and affects on the environment. Will vote yes on resolution.

COUNCILMAN KING: Stated casinos will affect us negatively with traffic especially Route 17K.

COUNCILMAN MULQUEEN: Discussed other casinos. Concerned officials are taking easy way out. Stated people will get employment because of other people's suffering, which is not the way it should be. Will be supporting resolution.

COUNCILMAN VALENTIN: Stated Route 17 is a mess from Easter through the end of summer. Will be voting to support resolution.

SUPERVISOR WARD: Stated traffic is a big issue in the Town of Wallkill. He can't support resolution as written.

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

MOTION CARRIED

WHEREAS, William G. Knibbs, Jr., is a resident of the County of Orange, State of New York; and

WHEREAS, William G. Knibbs, Jr., is a United States Army Specialist, that was to serve his country in Iraq from April 2003 through October 2003, and whose time of service was extended through July 2004, for a total of fifteen months; and

WHEREAS, William G. Knibbs, Jr. is currently stationed in Germany, and

WHEREAS, William G. Knibbs, Jr.'s tour of duty was to end in July of 2005, but he has now received word that his tour may once again be extended and that he may be required to return to Iraq and serve in Iraq for a period of up to one additional year; and

WHEREAS, William G. Knibbs, Jr.'s family, including his mother, his sisters and his newborn niece have petitioned this Board for assistance in having his record reviewed and having appropriate action taken such that William G. Knibbs, Jr.'s tour as a Specialist in the United States Army ends in or before July of 2005; and

WHEREAS, the Town Board of the Town of Wallkill based upon the petition of William G. Knibbs, Jr.'s family finds that William G. Knibbs, Jr., has honorably served his country in active duty since April of 2003 and that William G. Knibbs, Jr.'s honorable service should end in or before July of 2005;

BE IT HEREBY RESOLVED, by the Town Board of the Town of Wallkill, that the Town Board hereby requests that the United States Army or any other authorities having the power to bring to an end the active duty tour for William G. Knibbs, Jr., take all appropriate actions to cause the active duty tour of William G. Knibbs, Jr., a resident of the County of Orange, State of New York, to come to an end in or before July of 2005 and that such actions be taken with all deliberate speed to that end.

(RESOLUTION ALREADY VOTED ON)

WHEREAS, heretofore the Town acting through Edward A. Smith, Superintendent of Water and Sewer, in accordance with the provisions of the Wallkill Code has notified RIJ Pharmaceutical Corporation (hereinafter "RIJ") that it is and has been in violation of RIJ's discharge permit for Chemical Oxygen Demand and Carbonaceous Biological Oxygen Demand, and

WHEREAS, after considerable discussion between the Town and RIJ, RIJ submitted a proposal dated April 22, 2005, setting forth a timetable for achieving compliance, a copy of that letter is attached hereto as Exhibit "A", and

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WHEREAS, in response to that letter Edward A. Smith, Superintendent of Water and Sewer wrote a letter to RIJ dated April 13, 2005, indicating his concern as to one portion of the proposal set forth in the RIJ letter of April 11, 2005; a copy of Mr. Smith's letter is attached hereto as Exhibit "B",

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board after reviewing the information presented to it and the letter From RIJ dated April 11, 2005, and the letter from Mr. Smith to RIJ April 13, 2005, does by this resolution accept the timetable for compliance as set forth in the RIJ letter of April 11, 2005 subject to the contents of Mr. Smith's letter of April 13, 2005, and
2. That a copy of this resolution of acceptance be forwarded to RIJ.

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 Depew Voting Aye

MOTION CARRIED

COMMITTEE REPORTS

COUNCILMAN KING: Set Highway meeting with Mr. Lippert May 4, 2005 at 6:45 PM.

COUNCILMAN VALENTIN: Reminded residents youth activities have started so please drive carefully. Read article about Officer Kleveno and thanked him.

COUNCILMAN COMMENTS

MOTION BY: Mr. King to appoint Harry Ross to the Planning Board.

SECONDED BY: Mr. Valentin

SUPERVISOR WARD: Explained an applicant will be interviewed May 5th.

MOTION BY: Mr. Mulqueen to table.

SECONDED BY: Mr. Ward

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

COUNCILMAN KING: Stated Planning Board has been ten months without full staff. Request this be final interview. Set public hearing May 26, 2005 to amend Local Law pertaining to length of term for Planning Board and Zoning Board members.

SECONDED BY: Mr. Mulqueen

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

COUNCILMAN VALENTIN: Discussed projects in Town of Wallkill presently coming before the Planning Board May 4th. Wants to encourage smart and wise growth. Asked that garbage not be put out yet for bulk pickup.

COUNCILMAN MULQUEEN: Discussed projects looked at during work session. Wants to insure that Town of Wallkill is the best it can be.

COUNCILMAN DEPEW: Discussed new energy bill before Congress and ground water pollution, which he will bring up at next meeting. Also discussed Planning Board terms.

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COUNCILMAN KING: Explained in different Towns Planning Board terms are not 7 but 3 to 5 years.

COUNCILMAN VALENTIN: Discussed problems with water bills which will be discussed at work session.

SUPERVISOR COMMENTS

SUPERVISOR WARD: Reported \$613,127,58 sales tax check received. Thanked Circleville Fireman, Ted Youngs, Jr., for saving a child from drowning. Announced next meeting will be May 11th. May 12th will be Master Plan Review Informational meeting at 7:30 PM. Work session will be May 5th.

MOTION BY: Mr. Ward to have a special meeting May 10th at 7 PM to go over Agenda.

SECONDED BY: Mr. Depew

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

SUPERVISOR WARD: Announced he attended meeting concerning Community Development Block Grant which will be used for playground equipment, mulch, trees and drainage. Discussed tree on Brown Road. Met with residents about litter cleanup in the Town. Announced May 5th CJ Hooker School meeting on flooding at 9 AM. Read letter of resignation from Zoning Board member, Richard Schoenberg.

MOTION BY: Mr. Ward appointing Oral Smith back to the Zoning Board of Appeals.

SECONDED BY: Mr. Depew

COUNCILMAN VALENTIN: Stated motion is improper, unprofessional and should be discussed at work session.

MOTION BY: Mr. King to table and discuss on May 5th.

SECONDED BY: Mr. Valentin

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

MOTION CARRIED

CHIEF HERTMAN: Announced Community Council meeting May 5th 7 PM. Next meeting will be June 2nd – Orange County District Attorney will speak. Announced May 23rd to June 5th New York Buckle Up Campaign.

MR. SMITH: Stated annual water quality report has been mailed out to residents.

MR. LIPPERT: Thanked Board for resolution defining snow and ice as hazard. Discussed projects pending - Washington Heights Park and Stephen Avenue Park. Announced bulk pickup coming up with date change order.

PUBLIC PARTICIPATION

M. Cody announced May 30th Memorial Day Parade – Looking for donations of flowers. Meetings for Veterans every Monday at American Legion.

J. Hutchinson asked for explanation on water bill increase.

E. Smith explained purpose of meter and reason for discrepancies in bills. Suggested looking at average of last four bills.

M. Walker asked what franchise fee is for and wants to be exempt from taxes.

V. Ferri discussed hidden tax on residents and energy bill. Requested Town Board oppose illegal war in Iraq. Asked for a garbage district for big businesses. Discussed MKA Project and dangerous corridor between Route 211 and Silverlake Scotchtown Road. Stated Master Plan review doesn't address any problems.

S. Labruna asked about landscape architect.

MOTION BY: Mr. Ward to adjourn and audit claims at 9:04 PM.

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SECONDED BY: Mr. Mulqueen

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

Meeting Adjourned at 9:04 PM

Louisa Ingrassia, Town Clerk