The Town Board of the Town of Wallkill held a Public Hearing on May 10, 2007 at 7:25 pm at Wallkill Town Hall, members present were Supervisor Ward, Councilman King, Councilman Valentin, Councilman Mulqueen and Councilman Mc Carey.

Supervisor Ward Explained that the Town Board would publicly accept the Stormwater management report.
There was no Town Board or Comment from the Public.

Motion By: Mr. Ward to close public hearing at 7:31 pm
Seconded By: Mr. King

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

MOTION CARRIED

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 on May 10, 2007 at 7:27 p.m. at Wallkill Town Hall regarding the adoption of a Local Law which would amend Chapter 3 Section 2 of the Town Code of the Town of Wallkill and which would designate and authorize the Town Building Inspector or his designee to issue and serve appearance tickets with respect to any violation of the Town Code of the Town of Wallkill.

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:

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

Supervisor ward explains the intent of this Local Law.

No comment by the Town Board.

Public Comment:

Mr. Ferri: Concerns with the legality of this law. He will address his concerns to the Department of State.

Motion By: Mr. Ward to close public hearing at 7:38pm
Seconded By: Mr. King

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

MOTION CARRIED

The Town Board of the Town of Wallkill held a regular meeting on May 10 ,2007 at 99 Tower Drive Bldg. At 7:30 pm. Members present were Supervisor Ward, Councilman King, Councilman Valentin, Councilman Mulqueen and Councilman McCarey. Also present were Mr. Smith, Mr. Jaques, Mr. Lippert, Mr. McKay and Town Clerk Louisa Ingrassia.

The meeting was opened with the pledge of allegiance led by Supervisor Ward.

Public Comment on the agenda

Mr. Ferri: Zoning/Planning, Peddlers Laws, Three way stop public hearing concerns.

CORRESPONDENCE

To: Chief Hertman

From: TD Banknorth

Thank you to the Department for their response to a situation at the bank. All should be commended for a job well done.

Linda Brady, Regional Security Officer TD Banknort

To: Chief Hertman
From: Chief Clarkstown, Police Dept.

Commend the actions of the Town of Wallkill PD staff for their actions during a Counter Terrorism training session on April 3rd, thanks for cooperation.

Peter Noonan, Chief of Police

To: Supervisor Ward
From: Time Warner Cable

Effective May 1, 2007 the Black Family Channel will cease operations, and will no longer be available. This will be replaced by the Gospel Music Channel.

Brenda Parks, Director of Public Affairs

Supervisor Ward alerted the public to the fact that the Bridge on Scotchtown Ave will be closed for approximately 124 days.

RESOLUTIONS

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL AUTHORIZING THE TOWN SUPERVISOR TO ENTER INTO A CONTRACT FOR BUS SERVICE FOR THE SUMMER RECREATION PROGRAM

WHEREAS, the Town of Wallkill Youth Summer Recreation Program requires the use of bus service to transport children for various field trips and other needs during the tenure of said Program in 2006; and

WHEREAS, NYS General Municipal Law §103 requires that contracts of this type are subject to competitive bidding; and

WHEREAS, only one bid received from contractors proposing to provide said service; and

WHEREAS, the Town is required under New York State Law to enter into said contract for such services with the lowest responsible bidder;

NOW, THEREFORE, LET IT BE

RESOLVED, that the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor to enter into a contract with Mid-City Transit of Middletown, NY, as the lowest responsible bidder, to provide bus service to transport children for various field trips and other needs during the tenure of Wallkill Youth Summer Recreation Program in 2007.

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

Supervisor Ward Voting Aye

Councilman King Voting Aye
Councilman Valentin Voting Aye
Councilman Mulqueen Voting Aye
Councilman McCarey Voting Aye

MOTION CARRIED
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL ADOPTING A LOCAL LAW AMENDING THE ZONING CODE OF THE TOWN OF WALLKILL, NEW YORK, SETTING TERMS OF SERVICE FOR TOWN PLANNING BOARD MEMBERS AND TOWN ZONING BOARD OF APPEALS MEMBERS

WHEREAS, a public hearing was held on the 12th day of April 2007 at which time the public provided comments to assist in the Town's consideration of the adoption of a local law to amend the Zoning Code of the Town of Wallkill, setting terms of service for members of the Town Planning Board and the Town Zoning Board of Appeals; and

WHEREAS, the Town Board of the Town of Wallkill has determined that the adoption of a local law setting the terms of service for members of the Town Planning Board and the Town Zoning Board of Appeals is in the best interests of the residents of the Town of Wallkill;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby adopts said Local Law No. _6_ of 2007, entitled A LOCAL LAW AMENDING THE ZONING CODE OF THE TOWN OF WALLKILL, NEW YORK, SETTING TERMS OF SERVICE FOR TOWN PLANNING BOARD MEMBERS AND TOWN ZONING BOARD OF APPEALS MEMBERS; 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.

UPON ROLL CALL VOTE AS LISTED ABOVE THE SUPERVISOR DECLARES THE RESOLUTION AS DULY ADOPTED

TOWN OF WALLKILL

LOCAL LAW NO.__6_ OF 2007

A LOCAL LAW AMENDING THE ZONING CODE OF THE TOWN OF WALLKILL, NEW YORK, SETTING TERMS OF SERVICE FOR TOWN PLANNING BOARD MEMBERS AND TOWN ZONING BOARD OF APPEALS MEMBERS

Be it enacted by the Town Board of the Town of Wallkill, County of Orange, State of New York, as follows:

Section 1. This Local Law as enacted will supercede certain parts of § 271. 4., § 271.5, and § 271.6. of the Town Law of the State of New York regarding the length of terms of Planning Board members and certain parts of § 267.4., § 267.5., and § 271.6. of the Town Law of the State of New York regarding the length of terms of members of a Zoning Board of Appeals.

Section 2. The Town of Wallkill Code **Chapter 249** be and hereby is amended by this Local Law as follows:

A. **§ 249-35 D. (1)**, eliminate "seven years" and replace with "three years".

B. § **249-43 D. (1)**, eliminate "five years" and replace with "three years".

Section 3. 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 4. 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 State Secretary of State in accordance with section 27 of the Municipal Home Rule Law and will apply to all new appointments approved on or after that date.

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

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

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL ADOPTING LOCAL LAW NO. __7___ OF 2007 AMENDING THE TOWN CODE OF THE TOWN OF WALLKILL REGARDING PEDDLING AND SOLICITING

WHEREAS, Chapter 182 of the Town Code of the Town of Wallkill requires licensing of peddlers and solicitors and sets forth the criteria and procedures for the issuance of those licenses; and

WHEREAS, a public hearing was held on the 26th day of April 2007 to assist in the Town's consideration of the need to make more selective, effective and efficient the process of licensing of those businesses or individuals engaged in peddling and soliciting in the Town of Wallkill; and

WHEREAS, the Town Board of the Town of Wallkill has determined that more selective, effective and efficient processing of licensing businesses or individuals engaged in peddling and soliciting is in the best interest of the general public safety and welfare;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby adopts said Local Law No. __7___ of 2007, entitled A LOCAL LAW AMENDING THE TOWN CODE OF THE TOWN OF WALLKILL, COUNTY OF ORANGE, NEW YORK, REGARDING PEDDLING AND SOLICITING IN THE TOWN OF WALLKILL, 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.

UPON ROLL CALL VOTE AS LISTED ABOVE THE SUPERVISOR DECLARES THE RESOLUTION AS DULY ADOPTED.

TOWN LAW

LOCAL LAW NO. _7__ OF 2007

A LOCAL LAW AMENDING CHAPTER 182 OF THE CODE OF THE TOWN OF WALLKILL, COUNTY OF ORANGE

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

FOLLOWS:

Section 1.

A. The Town of Wallkill Code, Chapter 182, Section 182-4. B., shall be amended as
follows:

Insert the following sentence after the second sentence ending with "...shall state the reasons therefor." and before the last sentence beginning with "Any license issued hereunder...": "In evaluating an application, the Clerk will consider criteria that include, but are not limited to, the following: site location in proximity to competing vendors and businesses; intended duration; site location as it impacts vehicular and pedestrian traffic flow; site location as it impacts any and all safety considerations; and any and all other relevant factors that the Town Clerk determines are necessary to conduct a complete evaluation."

B. The Town of Wallkill Code, Chapter 182, Section 182-4. E., shall be deleted.

C. The Town of Wallkill Code, Chapter 182, Section 182-4. G., shall be amended as
follows:

Insert the following sentence after the first sentence ending with "...for the location only." and before the last sentence beginning with "Any changes of location...": "Said permit for site specific sales or solicitation shall be subject
to approval by and issued by the Town Code Enforcement Officer or Building
Inspector."

D. The Town of Wallkill Code, Chapter 182, Section 182-4., shall be amended by the addition of subsection H, as follows:

"H. Any application that involves an intended site location in the parking lot of an establishment with which the applicant has a business relationship shall include a site plan sketch identifying that the applicant will not be utilizing more than thirty-five percent (35%) of the establishment's designated parking area. Any application that involves an intended site location in the parking lot of an establishment with which the applicant has no business relationship shall include a duly authorized consent by the owner of the establishment and shall also include a site plan sketch identifying that the applicant will not be utilizing more than twenty percent (20%) of the establishment's designated parking area."

E. The Town of Wallkill Code, Chapter 182, Section 182-8. B. shall be amended as
follows:

Replace the first word "Stand" with the word "Solicit" and delete the phrase
"within 200 feet of" and replace with "sold by".

Section 2. **Separability**

If any 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 of 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 State Secretary of State in accordance with section 27 of the Municipal Home Rule Law and will apply to all new applications submitted on or after that date.

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

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

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL ADOPTING A LOCAL LAW AMENDING THE ZONING CODE OF THE TOWN OF WALLKILL, NEW YORK, PROVIDING FOR MAINTENANCE OF ROADWAYS OFFERED FOR DEDICATION TO THE TOWN OF WALLKILL

WHEREAS, a public hearing was held on the 26th day of April 2007, at which time the public provided comments to assist in the Town's consideration of the adoption of a local law to amend the Zoning Code of the Town of Wallkill, providing for maintenance of roadways offered for dedication to the Town of Wallkill; and

WHEREAS, the Town Board of the Town of Wallkill has determined that the adoption of a local law providing for maintenance of roadways offered for dedication to the Town of Wallkill is in the best interests of the residents of the Town of Wallkill;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby adopts said Local Law No. _8_ of 2007, entitled A LOCAL LAW AMENDING THE ZONING CODE OF THE TOWN OF WALLKILL, COUNTY OF ORANGE, PROVIDING FOR MAINTENANCE OF ROADWAYS OFFERED FOR DEDICATION TO THE TOWN OF WALLKILL; 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.

TOWN LAW

LOCAL LAW NO. __8_ OF 2007

A LOCAL LAW AMENDING THE ZONING CODE OF
THE TOWN OF WALLKILL, COUNTY OF ORANGE
PROVIDING FOR MAINTENANCE OF ROADWAYS OFFERED
FOR DEDICATION TO THE TOWN OF WALLKILL

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

Section 1.

Town of Wallkill Zoning Code, Chapter 249, Article XI, Section 249-58(Q), shall be added, which shall provide as follows:

"Q.(1) Intent: It shall be the responsibility of an applicant for a building permit for a residential dwelling on a road which is offered, or to be offered, to the Town of Wallkill to maintain and keep open said road, at applicant's sole cost and expense, for emergency vehicles until such time as the road is accepted by the Town of Wallkill.

(2) Before a building permit may be issued for construction of a residential dwelling on a road offered or to be offered for dedication to the Town of Wallkill, the

applicant shall deposit with the Town of Wallkill a cash bond in the amount of $1,500 for each residential dwelling for which a building permit is sought, as security to assure that the applicant shall keep and maintain the road so offered, or to be offered, free of construction debris, plowed of snow, sanded, salted, and otherwise clear, in safe condition and open for use by emergency vehicles at all times. Said bond shall be in addition to any other bonding required under this Code.

(3) In the event that the applicant shall fail to maintain the road as required herein, the Building Inspector shall be authorized to issue a stop work order, pursuant to Code Section 249-58(P), or to issue a violation notice, pursuant to Code Section 249-53. In addition, in the event the Building Inspector, in his discretion, shall determine that the applicant has failed to maintain the road such that imminent threat to the public health, safety, convenience, or general welfare is presented, including particularly to the residents occupying dwellings on said road, then the Building Inspector shall advise the applicant forthwith and, in the event said imminent threat is not remedied within a period of not less than 24 hours, the Town of Wallkill shall be empowered, but not required, to enter upon the road, without further notice of any kind to applicant, to take whatever measures are appropriate to ensure that the road is kept free of construction debris, plowed of snow, sanded, salted, and otherwise clear, in safe condition and open for use by emergency

vehicles at all times. The applicant shall indemnify and hold the Town of Wallkill harmless from any measures taken to ensure that the road is free of construction debris, plowed of snow, sanded, salted, and otherwise clear, in safe condition and kept open for use by emergency vehicles, including the cost of contractors, materials, and labor, and cash bond(s) may be used by the Town of Wallkill to cover the cost of same. In the event that there is more than one applicant on said road, then each shall be liable jointly and severally for the cost of any and all measures taken by the Town of Wallkill under this section.

(4) In the alternative, in lieu of the Town of Wallkill entering upon the road to ensure that the road is kept free of construction debris, plowed of snow, sanded, salted, and otherwise clear, in safe condition and open for use by emergency vehicles at all times, after at least 24 hours notice from the building inspector, any resident occupying a residential dwelling on said road shall be empowered and entitled to take such action as may be deemed reasonably necessary to ensure that the road is maintained and kept open and the reasonable cost and expense actually incurred by said owner shall be the responsibility of and indemnified by the applicant.

(5) Prior to and as a condition of issuance of a certificate of occupancy for any residential dwelling on a road offered or to be offered to the Town of Wallkill, the applicant shall provide a temporary mail box, in form satisfactory to the United States Postal Service, in a location reasonably accessible to the owner of the residential dwelling and the United States Postal carrier, along the nearest adjacent public road.

Section 2. Separability

If any 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 for 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 State Secretary of State in accordance with section 27 of the Municipal Home Rule Law and will apply to all new building permit applications submitted on or after that date.

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

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

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL ADOPTING LOCAL LAW NO. __9___ OF 2007 AMENDING THE TOWN CODE OF THE TOWN OF WALLKILL SETTING A MAXIMUM TIME FOR CONSTRUCTION OF PROJECTS RECEIVING PLANNING BOARD FINAL APPROVAL

WHEREAS, Chapter 249, Section 249-41 of the Town Code of the Town of Wallkill sets a maximum time to commence construction of projects receiving Planning Board final approval; and

WHEREAS, a public hearing was held on the 12th day of April 2007 to assist in the Town's consideration of the need to set a maximum time for construction of projects receiving final approval from the Town of Wallkill Planning Board; and

WHEREAS, the Town Board of the Town of Wallkill has determined that setting a maximum time for construction of projects receiving final approval from the Town of Wallkill Planning Board is in the best interest of the residents of the Town of Wallkill;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby adopts said Local Law No. __9___ of 2007, entitled A LOCAL LAW AMENDING THE TOWN CODE OF THE TOWN OF WALLKILL, COUNTY OF ORANGE, NEW YORK, SETTING A MAXIMUM TIME FOR CONSTRUCTION OF PROJECTS RECEIVING PLANNING BOARD FINAL APPROVAL, 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.

TOWN LAW

LOCAL LAW NO. 9__ OF 2007

A LOCAL LAW AMENDING THE ZONING CODE OF THE TOWN OF WALLKILL, COUNTY

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

Section 1.

Town of Wallkill Zoning Code Article XI, Section 249-41, shall be amended to add sub-section F., which shall provide as follows:

> "F. All final *site plan* approvals shall be valid for a period not to exceed the following maximum times from the date of said final approval:
>
> 1. Site Plans of up to 20 units - 24 months;
> 2. Site Plans of more than 20 units and all commercial an Mixed use construction - 36 months.
>
> If the maximum period expires and at least one certificate of occupancy has not been obtained for at least one unit or structure on the site plan, then the site plan approval shall expire; and
>
> If the maximum period expires and at least one certificate of occupancy has been obtained, then the site plan shall expire as to any other or additional structures and/or units on the site plan, which require a

certificate of occupancy, but which have not received a building permit within the maximum period. In this event, the units and/or structures not having timely received a building permit shall be deemed deleted from the site plan; and

If any building permits, which are obtained within the maximum period, are permitted to subsequently expire without certificates of occupancy being issued within the time frame set forth elsewhere in this code, then, in addition to any other ramifications provided elsewhere in this code, the site plan shall expire as to those units or structures and the units and/or structures shall be deemed deleted from the site plan.

Notwithstanding the foregoing, the Town Board may grant a hardship extension

to any applicant or property owner, provided that no such application may be received after the date that a site plan shall be deemed to have expired or more than thirty days after the date that a unit and/or structure shall be deemed deleted

from the site plan, pursuant to the provisions of this law, and provided that only one application shall be permitted as to any site plan or unit or structure contained on that site plan.

A hardship extension minimally shall be granted only upon a finding by the Town Board as to the following issues: that the site plan remains compliant with all then-current specifications, codes, and other requirements as to the improvements contemplated therein, including without limitation, wetlands, water, sewer, drainage, roadways, curbing, building code, and so forth; that no outstanding violations of this Code exist at the time of the application, including that construction is compliant with the Code, the Planning Board's approvals, and the approved site plan; that the applicant and/or owner have proceeded diligently to complete the improvements contemplated by the site plan; that substantial construction of the improvements on the site plan already has been completed and is ongoing; and that the improvements and/or units and/or structures have not been completed timely through circumstances outside the control of the owner and/or applicant.

Section 2. Separability

If any 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 for 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 State Secretary of State in accordance with section 27 of the Municipal Home Rule Law and will apply to: (a) all pending Planning Board applications that receive final site plan approval on or after the effective date of this local law and (b) to all new applications submitted on or after the effective date of this local 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
Councilman McCarey	Voting Aye

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL ADOPTING A LOCAL LAW AMENDING THE TOWN CODE PROHIBITING PARKING IN CERTAIN AREAS OF CIRCLEVILLE PARK

WHEREAS, a public hearing was held on the 12th day of April 2007, at 7:25 p.m., at which time the public provided comments to assist in the Town's consideration of the adoption of a local law to install traffic control devices in order to limit or prohibit parking in certain areas of Circleville Park; and

WHEREAS, the Town Board of the Town of Wallkill has determined that the adoption of a local law to install traffic control devices in order to limit or prohibit parking in certain areas of Circleville Park is in the best interests of the residents of the Town of Wallkill

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby adopts said Local Law No. _10_ of 2007, entitled A LOCAL LAW AMENDING THE TOWN CODE PROHIBITING PARKING IN CERTAIN AREAS OF CIRCLEVILLE PARK; 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.

TOWN LAW

LOCAL LAW NO. __10_ OF 2007
A LOCAL LAW AMENDING CHAPTER 174 OF THE CODE OF THE TOWN OF WALLKILL, COUNTY OF ORANGE

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

FOLLOWS:

Section 1.

The Town of Wallkill Code, Chapter 174-8, shall be amended as follows:
The text of the section shall be deleted and replaced with the following
"The intention of this Article is to protect the safety and welfare of Town residents by restricting vehicle access within Circleville Park."

Section 2.

The Town of Wallkill Code, Chapter 174-9, shall be amended as follows:

The first sentence shall be amended by inserting the words "except for vehicles making business or commercial deliveries:
(a) on weekdays before 8:00 a.m. and after 5:00 p.m.; or
(b) on weekends before 10:00 a.m. and after 5:00 p.m."
after the words "in the recreation area".

The remainder of section 174-9 is deleted.

Section 3. Separability

If any 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 of 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 4. Repeal

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

Section 5. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law and will apply to all new applications submitted on or after that date.

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

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

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL AMENDING THE APPROPRIATE TOWN OF WALLKILL EMPLOYMENT SCHEDULES TO CREATE THREE NEW POSITIONS OF "POLICE OFFICER" AND ONE POSITION OF "SERGEANT"

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

THAT said Town Board hereby amends the appropriate Town of Wallkill employment schedules to create three additional positions of "Police Officer", as designated by the Orange County Department of Personnel; and

THAT said Town Board hereby amends the appropriate Town of Wallkill employment schedules to create the additional position of "Sergeant", as designated by the Orange County Department of Personnel.

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

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

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL SETTING TIME AND PLACE FOR A PUBLIC HEARING REGARDING THE ADOPTION OF A LOCAL LAW TO AMEND CHAPTER 233, SECTION 4 OF THE TOWN CODE OF THE TOWN OF WALLKILL TO DESIGNATE A STOP INTERSECTION AT ELISE DRIVE AND LYBOLT ROAD

WHEREAS, the Town Board of the Town of Wallkill may adopt a local law to amend the Town Code of the Town of Wallkill to designate a stop intersection and to permit the Commissioner of the Department of Public Works to install traffic control devices at the intersection of Elise Drive and Lybolt Road; and

WHEREAS, the Town Board of the Town of Wallkill is empowered by the State to adopt such local law pursuant to Section 1660 of the New York State Vehicle and Traffic Law; and

WHEREAS, the Town Board of the Town of Wallkill wishes to hold a public hearing to determine whether or not the designation of a stop intersection at Elise Drive and Lybolt Road is in the best interests of the public safety and welfare;

NOW, THEREFORE, it is hereby

RESOLVED, that a public hearing be held by the Town Board with respect to the adoption of the aforesaid Local Law shall be held at 7:__ p.m. on June 14, 2007, 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. King

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

Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL SETTING TIME AND PLACE FOR A PUBLIC HEARING WITH RESPECT TO ADOPTING A LOCAL LAW AMENDING CHAPTER 249 SECTION 53 OF THE TOWN CODE OF THE TOWN OF WALLKILL

WHEREAS, the Town Board of the Town of Wallkill wishes to set a time and place for a public hearing regarding adopting a local law which would amend Chapter 249 Section 53 of the Town Code of the Town of Wallkill, which would modify the time frame within which an individual is required to comply with an order of the Building Inspector, or his designee, and which would increase the penalties for non-compliance with written orders of the Building Inspector or his designee, with respect to any violation of the Town Code of the Town of Wallkill, so that the public may be heard;

NOW, THEREFORE, it is hereby

RESOLVED, that a public hearing be held by the Town Board regarding the adoption of a local law amending Chapter 249 Section 53 of the Town Code of the Town of Wallkill, at 7:25 p.m. on June 14, 2007, at Wallkill Town Hall, 99 Tower Drive, Bldg. A, Middletown, New York; 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.McCarey

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

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL AMENDING THE APPROPRIATE TOWN OF WALLKILL EMPLOYMENT SCHEDULES TO CREATE NEW POSITIONS FOR USE IN GOLF COURSE OPERATION

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

THAT said Town Board hereby amends the appropriate Town of Wallkill employment schedules to create Five (5) additional seasonal positions of "Park Attendant", as designated by the Orange County Department of Personnel; and

THAT said Town Board hereby amends the appropriate Town of Wallkill employment schedules to create Twelve (12) additional positions of "Food Service Helper", as designated by the Orange County Department of Personnel; and

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

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

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL AMENDING THE APPROPRIATE TOWN OF WALLKILL EMPLOYMENT SCHEDULES TO CREATE NEW POSITIONS FOR USE IN SUMMER CAMP PROGRAM

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

THAT said Town Board hereby amends the appropriate Town of Wallkill employment schedules to create Thirty-seven (37) seasonal positions of "Recreational Specialist", as designated by the Orange County Department of Personnel; and

THAT said Town Board hereby amends the appropriate Town of Wallkill employment schedules to create Eighty (80) seasonal positions of "Recreational Aide", as designated by the Orange County Department of Personnel; and

THAT said Town Board hereby amends the appropriate Town of Wallkill employment schedules to create Eight (8) seasonal positions of "Recreational Leaders", as designated by the Orange County Department of Personnel; and

THAT said Town Board hereby amends the appropriate Town of Wallkill employment schedules to create Ten (10) seasonal positions of "Asst. Recreational Director", as designated by the Orange County Department of Personnel; and

THAT said Town Board hereby amends the appropriate Town of Wallkill employment schedules to create One (1) seasonal positions of "Recreational Director", as designated by the Orange County Department of Personnel; and

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

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

MOTION CARRIED

BE IT HEREBY RESOLVED THAT THE CAPITAL PROJECT (HMB) GOLF MAINTENANCE BUILDING BE CLOSED IT THE ENTERPRISE FUND SINCE SAID PROJECT IS NOW COMPLETE AND THE REMAING MONIES BE BUDGETED AS FOLLOWS:

TO		**FROM**	
ER 7150.413	$ 4339	A 5031	$ 4339

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

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

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL XTENDING THE TIME PERIOD WITHIN WHICH THE TOWN BOARD, AS LEAD AGENCY, MUST FILE A FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS) PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

WHEREAS, the Town Board of the Town of Wallkill wishes to adopt a local law for 2007 amending chapter 249 of the Town Code, which law provides for comprehensive revisions to the Town's zoning regulations, including the modification of zoning district boundaries, creation of new zoning districts and district designations, and which further provides for the permissible uses and regulations applicable within all zoning boundaries and districts within the Town, and;

WHEREAS, the Town Board of the Town of Wallkill previously passed a resolution stating its intent to designate itself as the lead agency with respect to the adoption of a

local law for 2007 amending chapter 249 of the Town Code, which law provides for comprehensive revisions to the Town's zoning regulations, including the modification of zoning district boundaries, creation of new zoning districts and district designations, and which further provides for the permissible uses and regulations applicable within all zoning boundaries and districts within the Town, in accord with the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board of the Town of Wallkill passed a resolution on March 8, 2007, designating itself as lead agency with respect to the adoption of the aforementioned local law; and

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

WHEREAS, the Town Board reviewed the DGEIS and found that the DGEIS was complete with respect to scope and content and resolved that the same was adequate for public comment and review on March 22, 2007; and

WHEREAS, the Town Board held concurrent public hearings on the DGEIS and the proposed local law to adopt comprehensive zoning changes at 7:15 p.m. on April 26, 2007; and

WHEREAS, the Town Board heard comments from members of the public with respect to the DGEIS and local law on April 26, 2007, and reviewed written comments submitted thereto by members of the public; and

> **WHEREAS**, pursuant to section 617.9(5) of the State Quality Environmental Review Act (SEQRA), the Town Board must cause to be prepared and filed a final environmental impact statement (FEIS) no later than forty-five (45) days after the close of the public hearing; and
>
> **WHEREAS**, the Town Board has determined, based upon the comments received from the public, that pursuant to section 617.9(5)(ii)(a), the last date for the preparation and filing of the final environmental impact statement (FEIS) should be extended because additional time is needed to prepare the statement adequately;

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Town Board of the Town of Wallkill hereby extends the time within which a final environmental impact statement (FEIS) is to be filed for an additional forty-five (45) day period.

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

Supervisor Ward	Voting Aye
Councilman King	Voting Aye

Councilman Valentin Voting Aye
Councilman Mulqueen Voting Aye
Councilman McCarey Voting Aye

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ACCEPT BIDS FOR THE INSTALLATION OF A TRAFFIC SIGNAL AT TOWER DRIVE AND INDUSTRIAL DRIVE

WHEREAS, the Town Board of the Town of Wallkill intends to contract for the installation of a traffic signal at the intersection of Tower Drive and Industrial Drive in the Town of Wallkill; 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 directs the Town of Wallkill Commissioner of Public Works to advertise for and solicit bids from qualified parties for the installation of a traffic signal at the intersection of Tower Drive and Industrial Drive.

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

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

MOTION CARRIED

Councilman Comments

Councilman King Lights will be installed soon on Poets. Has received a letter from the Johnson family would like to replace an existing trailer on their property.

Motion By: Mr. King
Seconded By: Mr.Valentin

Supervisor Ward Voting Aye

Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

MOTION CARRIED

Committee Reports

Councilman King

Will be referring to the building department. Will be meeting with Mr. Jaques on Monday concerned with the increasing amount of trash on the roadways, would like to address this problem possibly with fines.

Councilman Valentin thanks to the Chief and the Deputy as well as Mr.McCarey for all their work on the Police committee. Glad the Board is proactive.

Councilman Mulqueen Golf Committee will be meeting on May 17th. Town resident Golf day is upcoming.

Councilman McCarey Hopes all will participate in the resident Golf day.Urges 4th ward residents to take advantage of Bulk Pick up.

COUNCILMAN COMMENTS

Councilman King Glad for the passage of several local laws this evening.

Councilman Valentin Happy with the passage of the time limit of approvals, long since needed.

Councilman Mulqueen Condolences to a family friend who passed away this week.

Councilman McCarey Condolences to the family of Toni Russo who passed away this week at the age of 89.

SUPERVISORS COMMENTS

CROC Day will be held on June 3rd at Circleville Park all are welcome. Bulk Pick up is going well. John Ward has been appointed to the Orange County Electrical licensing Board by the County Executive. Information in the Record regarding the lawsuit involving a dirty water complaint was not correct. We do notify residents when the hydrants are going to be flushed. Webmaster will be checking into placing the meeting tapes on the website.
Councilman King would like to designate June 3rd as CROC Day in the Town of Wallkill.

Chief Hertman thanks for the staff increase, next Community council Mtg will be June 7th at the CC .Youth Council game nite on May 25th at CC.

Mr. Smith No Comment

Mr. Lippertt FEMA will be looking at the requests for flood damage assistance. Bulk pick up is on the light side this year. Pickup is running a few days behind please be patient.

Mr. Jaques Trying to get Rte 211 cleaned up. He is grateful for the training in Rochester.

PUBLIC PARTICIPATION

Mr. Cody: watch for road workers, Memorial Day coming up.

Mr. Walker: Water bills, Smiley PDR costs, Echo Lake.

Mr.Ferri: Time of construction law, speed limit reductions, public notice of high curbs. Police support? Still without a contract, bulk pick up rules overly restrictive.

Councilman King: Lybolt/Elise area is a dangerous situation.

Supervisor Ward: The Police have been offered a very good contract.

Councilman Valentin: Term limit coincidence with the voting.

Mrs. Guenste: NYRI meeting to be held this Saturday at the Town Hall.

Mrs. Vavricka: Thanks for the speed reduction, young drivers to aggressive.

Motion By: Mr. Ward to adjourn at 8:59 pm
Seconded By: Mr.Valentin

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

MOTION CARRIED

Louisa M Ingrassia
Town Clerk