

May 11, 2005

The Town Board of the Town of Wallkill held a public hearing on May 11, 2005 at the Town Hall, 600 Route 211 East at 7:10 PM. 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 May 11, 2005 at 7:10 PM at Wallkill Town Hall to determine whether the buildings on the property of Kaleel Hanna, also identified as Section 3, Block 1, Lot 101 of the Town of Wallkill, as recorded by the County Clerk of the County of Orange, should be demolished.

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 10940.

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

PUBLIC COMMENT

G. Green stated buildings are safety hazard and should be torn down.

COUNCILMAN DEPEW: Stated Mr. & Mrs. Dempsey could not be here but express similar concern – Issue is long overdue and they should move forward.

SUPERVISOR WARD: Read Stipulation from Attorney for owner of property. Suggest keeping public hearing open.

COUNCILMAN DEPEW: Stated he feels they have waited long enough – Second public hearing for condemnation of property – Should move swiftly and do what is best for public safety.

COUNCILMAN VALENTIN: Stated he feels it is time to close public hearing and vote on it at next meeting.

J. McKay explained if Town Board holds public hearing open it will be addressed on the merits in two weeks preventing litigation.

COUNCILMAN DEPEW: Stated the only resolution is to bring buildings down as property is unsafe. Suggested leaving public hearing open for written comment only.

COUNCILMAN KING: Agrees on closing public hearing as building is eye sore and safety hazard, and it is time to act and get it over with.

COUNCILMAN VALENTIN: Asked purpose of keeping public hearing open.

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COUNCILMAN MULQUEEN: Asked if outcome will be different.

J. McKay: Explained by leaving public hearing open they will have two weeks to respond.

V. Ferri: Stated they have been given plenty of time – It is time to close the public hearing.

G. Green: Stated landowner has had sufficient notice – Discussed Town’s liability if someone get hurt on property.

J. McKay: Explained Town is in strong position of leaving public hearing open for two weeks for submissions.

G. Green: Discussed liability and asked that area be secured.

A. Green: Asked that the Board vote on this tonight as it was condemned by a previous Board.

J. Mattatal: Stated if they vote tonight it is a starting point when the Town can take action.

J. McKay: Explained property owner is required to commence demolition in certain time frame.

COUNCILMAN VALENTIN: Asked when was owner notified and then stated he has had ample time.

G. Green: Stated other Town Boards have addressed this and have had bad legal advice.

COUNCILMAN KING: Stated it is a safety hazard and they should worry about the rights of the people in this Town.

COUNCILMAN VALENTIN: Asked about responsibilities.

MOTION BY: Mr. Ward to close public hearing but leave open for written correspondence from anyone and will vote on May 26, 2005.

SECONDED BY: Mr. Mulqueen

Supervisor Ward Voting Aye

Councilman King Voting No

Councilman Valentin Voting Aye

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Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

The Town Board of the Town of Wallkill held a public hearing on May 11, 2005 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 May 11, 2005, at 7:20 PM at Wallkill Town Hall regarding the adoption of a Local Law of the Town of Wallkill for the year 2005, which would amend the Chapter 249, 249-41 of the Town Code of the Town of Wallkill for the purpose of setting a maximum time for construction of projects receiving final approval from the Town of Wallkill Planning Board.

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 10940.

By order of the Town Board of the Town of Wallkill, dated April 14, 2005.

SUPERVISOR WARD: Explained the law is adding the following to the Town Code:

“F. All final approvals shall be valid for a period not to exceed the following maximum times set for issuance of certificates of occupancy 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 and mixed use construction – 36 months.

If the maximum period expires and certificates of occupancy have not been issued, that remaining portion of the site plan approval shall be null and void.”

COUNCILMAN KING: Explained the law is so that developers would have to start projects within a certain time period.

PUBLIC COMMENT

V. Ferri stated the Planning Board should have a time in which to work on the approval. Suggested looking at length of time approval process takes.

S. Labruna suggested having a work session with the Planning Board to discuss this.

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COUNCILMAN DEPEW: Added County and State agencies sometimes hold up development long after approvals from Planning Board.

N. Guenste agreed there should be a start date and they should be allowed only one extension.

COUNCILMAN KING: Discussed time limits.

COUNCILMAN VALENTIN: Asked how you define start of construction. Stated it has to be better defined and extensions limited.

V. Ferri stated it should be clearly defined that substantial work has to have been done to complete project such as pouring concrete or, they will be responsible for restoring land.

MOTION BY: Mr. Ward to close public hearing at 7:57 PM.

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

The Town Board of the Town of Wallkill held a public hearing on May 11, 2005 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 May 11, 2005, at 7:25 PM at Wallkill Town Hall regarding the adoption of Local Law of the Town of Wallkill for the year 2005, which would set further qualifications for tow truck operators and the issuance of towing licenses in the Town of Wallkill.

May 11, 2005

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 10940

By order of the Town Board of the Town of Wallkill, dated April 14, 2005.

SUPERVISOR WARD: Explained law was put into effect many years ago for safety and protection of Town residents and law is addressing the following:

“M. No person having been convicted of any felony involving the theft, larceny, or conversion of motor vehicles either whole or in part, shall be permitted to hold a towing license in the Town of Wallkill nor shall be permitted to be a tow truck operator for a licensed owner.”

COUNCILMAN DEPEW: Commended Councilman King for bringing law which he supports.

PUBLIC COMMENT

M. Cody stated tow truck operators should have businesses in the Town.

V. Ferri stated when a person is sentenced, convicted and serves time, it is a clean slate and everyone has a right to earn a living.

COUNCILMAN MULQUEEN: Stated if you are convicted of converting a motor vehicle, you shouldn't be out there in a tow truck.

G. Green: Stated it should be extended to all felonies.

J. Mattatal agreed it should be extended to all felonies.

MOTION BY: Mr. Ward to close public hearing at 8:03 PM.

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

May 11, 2005

The Town Board of the Town of Wallkill held a regular meeting on May 11, 2005 at the Town Hall, 600 Route 211 East at 8:10 PM. 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

V. Ferri stated on the submission of vouchers if money is allocated it should be available to the vendor. Asked that legal shoulders be included on hazardous substances on highways. Stated he would like to be make sure people being promoted are qualified.

N. Guenste asked if Summer Camp bus service is put out to bid.

MOTION BY: Mr. Ward to adopt minutes of April 28, 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

CORRESPONDENCE

To: Sgt. Spano
From: Park Manor

I would like to take this opportunity to thank you for your time and patience in instructing both Valerie Michaels, RN and myself in the technique of fingerprinting.

Valerie and I have had the opportunity recently to put your instruction into practice. Everything went very smoothly due to your clear instruction and helpful hints.

May 11, 2005

Once again, thank you for your time and assistance.

To: Chief Robert Hertman
From: Police Chief's Association of Orange County

The awards committee has reviewed all of the award nominations that were submitted for the agencies throughout Orange County. The below listed individuals from your agency are slated to receive awards at this years' ceremony:

Antonino Spano – Award for Valor
Barry Weissman – Meritorious Service
Darrell Algarin – Award for Valor
John DiMilia – Meritorious Service
Kelly Boss – Meritorious Service
Michael Guedes – Award for Valor
Michael Minervini – Meritorious Service

The ceremony will commence promptly at 5 PM on May 21, 2005 at the police memorial, which is located at the Orange County Courthouse. Please ask the award recipients to be present no later than 4:45 PM. You, or your designee, are also cordially invited to recognize the efforts of your office. Following the ceremony, there will be a buffet dinner inside of the courthouse for all. We hope to see you there.

To: Chief of Police
From: Tom Martin

My name is Tom Martin. I am the assistant superintendent at the Scotchtown Cemetery located at the intersections of Blumel Road, Silverlake Scotchtown Road, Scotchtown Collabar Road and Goshen Turnpike. I think that covers them all. Thank you for your quick response in sending 2 of your units out to help us direct traffic on Tuesday, May 3rd, 2005 during a rather large funeral which was being held directly across the road at the Scotchtown Church. It was a gathering of more than 100 people and it was quite a job getting everybody into and out of the cemetery safely. Thanks to Officer Kelly Boss and Officer Tony Kuhn.

To: J. Ward
From: Babies R Us

I am requesting permission for the use of the store side parking lot for the Babies R Us Giggfest Event Tour on June 4, 2005.

May 11, 2005

The Giggfest event is designed to be a fun event for the parents and babies, to interact and share special moments. We are one of the few stores selected in the New York State area for this event.

The event will include 20 x 20 branded tent and parked next to the tent will be a 15 ft. box truck which transport the material for our fest and will function as a billboard. The Event is scheduled from 10 AM – 3 PM.

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

To: J. Ward

From: MaryLynn Hunt, Planning Board Secretary

Re: Site Work Bond for TCO for Red Robin Restaurant

Please be advised that per the attached memo from Eustance & Horowitz, the \$31,000.00 site work bond being held for the above noted application may be reduced to \$9,500.00.

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

RESOLUTIONS

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Wallkill for a public hearing to be held by said Governing Body on March 10, 2005, at 7:20 PM at Town Hall, 600 Route 211 East to hear all interested parties on a proposed Local Law entitled A LOCAL LAW AMENDING CHAPTER 242, SECTION 13 OF THE CODE OF THE TOWN OF WALLKILL, COUNTY OF ORANGE, providing for a surcharge to the property owner who fails to provide access to his/her property for change, modification, upgrade or altering of individual water meters; and

WHEREAS, notice of said public hearing was duly advertised in Times Herald Record, the official newspaper of said Town, on April 18, 2005, and

WHEREAS, said public hearing was duly held on March 10, 2005, at or about 7:20 PM at Wallkill Town Hal, 600 Route 211 East, Middletown, NY and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof, and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to the State Environmental Quality Review Act (SEQRA), it has been determined by the Town Board of said Town that adoption of said proposed Local Law is Type II action under SEQRA and requires no further review under SEQRA, and

WHEREAS, the Town Board of the Town of Wallkill, after due deliberation, finds it in the best interest of said Town to adopt said Local Law;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby adopts said Local Law No. 5 of 2005, entitled A LOCAL LAW AMENDING CHAPTER 242, SECTION 13 OF THE CODE OF THE TOWN OF WALLKILL, COUNTY OF ORANGE, 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.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

Supervisor Ward Voting Aye

Councilman King Voting Aye

May 11, 2005

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Wallkill for a public hearing to be held by said Governing Body on April 28, 2005, at 7:15 PM at Town Hall, 600 Route 211 East to hear all interested parties on a proposed Local Law entitled A LOCAL LAW ESTABLISHING A TIME FRAME FOR SUBMISSION OF VOUCHERS BY VENDORS TO THE TOWN OF WALLKILL, providing for a maximum time of one year within which vendors must submit vouchers for payment for goods or services delivered; and

WHEREAS, notice of said public hearing was duly advertised in Times Herald Record, the official newspaper of said Town, on April 18, 2005, and

WHEREAS, said public hearing was duly held on April 28, 2005, at or about 7:15 PM at Wallkill Town Hall, 600 Route 211 East, Middletown, NY and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof, and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to the State Environmental Quality Review Act (SEQRA), it has been determined by the Town Board of said Town that adoption of said proposed Local Law is an unlisted action under SEQRA and requires no further review under SEQRA, and

WHEREAS, the Town Board of the Town of Wallkill, after due deliberation, finds it in the best interest of said Town to adopt said Local Law;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby adopts said Local Law No. 6 of 2005, entitled A LOCAL LAW ESTABLISHING A TIME FRAME FOR SUBMISSION OF VOUCHERS BY VENDORS TO 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.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

May 11, 2005

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

MOTION CARRIED

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Wallkill for a public hearing to be held by said Governing Body on April 28, 2005, at 7:20 PM at Town Hall, 600 Route 211 East to hear all interested parties on a proposed Local Law entitled A LOCAL LAW AMENDING THE CODE OF THE TOWN OF WALLKILL, COUNTY OF ORANGE, TO PROHIBIT PLACEMENT OF OBSTRUCTIONS OR INJURIOUS SUBSTANCES ON A PUBLIC HIGHWAY, prohibiting the depositing on any public highway any substance that may be destructive, dangerous, or injurious, or which would interfere with the safe use of said public highway; and

WHEREAS, notice of said public hearing was duly advertised in Times Herald Record, the official newspaper of said Town, on April 18, 2005, and

WHEREAS, said public hearing was duly held on April 28, 2005, at or about 7:20 PM at Wallkill Town Hall, 600 Route 211 East, Middletown, NY and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof, and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to the State Environmental Quality Review Act (SEQRA), it has been determined by the Town Board of said Town that adoption of said proposed Local Law is an unlisted action under SEQRA and requires no further review under SEQRA, and

WHEREAS, the Town Board of the Town of Wallkill, after due deliberation, finds it in the best interest of said Town to adopt said Local Law;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby adopts said Local Law No. 6 of 2005, entitled A LOCAL LAW AMENDING THE CODE OF THE TOWN OF WALLKILL, COUNTY OF ORANGE, TO PROHIBIT PLACEMENT OF OBSTRUCTIONS OR INJURIOUS SUBSTANCES ON A PUBLIC HIGHWAY a copy of which is attached hereto and made a part of this resolution; and be it further

May 11, 2005

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.

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 wishes to apply for funds from the Orange County Community Development Block Grant Program in the year 2006; 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 for said proposed local law, so that the public may be heard;

NOW, THEREFORE, it is hereby

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 2006 at 7:20 PM on May 26, 2005, at Wallkill Town Hall, 600 Route 211 East, 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

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Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

WHEREAS, the Town of Wallkill acquired various pieces of equipment for use by town employees in execution of their jobs at the Town of Wallkill Golf Club Greens and Grounds Maintenance Department; and

WHEREAS, said equipment is no longer used for said purpose due to age, wear and tear and has been replaced; and

WHEREAS, it is no longer necessary for the Town of Wallkill to retain said property for the purpose for which it was acquired, thus making it surplus property, and

WHEREAS, it is the desire the Town Board of the Town of Wallkill to sell said equipment as surplus property in order to recoup funds to be returned to the Town budget and used for the good and welfare of the community;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill, in regular session duly convened, does hereby authorize and direct the Supervisor of said Town to cause said equipment, herein identified in Attachment A and identified as surplus property, be offered for public sale through the bidding process, as established and approved by the State of New York that the Town Board directs the Town Clerk of the Town of Wallkill to publish in the normal and legal manner a request for bids for the purchase of said property; and

RESOLVED, that the time for the opening of such bids be set at two o'clock in the forenoon of the day of Thursday, June 23, 2005.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

May 11, 2005

Councilman Depew Voting Aye

MOTION CARRIED

WHEREAS, there exists a vacancy in the Town of Wallkill Golf Club Greens & Grounds Department at the Laborer level; and

WHEREAS, Charles Benson 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 Charles Benson is qualified to fill said position;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Charles Benson to the position of Laborer, to serve in said capacity at the Town of Wallkill Golf Club Greens & Grounds Department; and be it further

RESOLVED, that said appointment shall be effective no earlier than May 16, 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

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

WHEREAS, Alan Moeller fulfills the requirements of knowledge, skills, and experience for the Mechanic position; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Alan Moeller to the position of Mechanic 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 16, 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 Heavy Equipment Operator (Level I) position; and

WHEREAS, Glenn Benson fulfils 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 Glenn Benson is qualified to fill said position;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Glenn Benson 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 16, 2005.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

Supervisor Ward Voting Aye

Councilman King Voting Aye

May 11, 2005

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, Thomas Hosburgh 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 Thomas Hosburgh is qualified to fill said position;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Thomas Hosburgh 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

RESOLVED, that said appointment shall be deemed effective no earlier than May 16, 2005.

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

May 11, 2005

WHEREAS, John Kanoff 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 John Kanoff is qualified to fill said position;

NOW, THEREFORE, BE IT

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

RESOLVED, that said appointment shall be effective no earlier than May 16, 2005.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Valentin

Supervisor Ward Voting Aye

Councilman King Voting No

Councilman Valentin Voting No

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

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 contract with MID-CITY TRANSIT, INC. of Middletown, NY, for the bus transportation services relative to the operation of the Town of Wallkill Summer Camp Program 2005.

MOTION BY: Mr. Valentin 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

WHEREAS, the Town Board of the Town of Wallkill (the “Town Board” and the “Town,” respectively), in the County of Orange, New York, has received a duly filed petition by the owner of a certain parcel of property in the Town, to establish a drainage district within said parcel to be known as Nicaj Subdivision; and

WHEREAS, said owner has proven to the satisfaction of the Town Board that it is the owner of all taxable real property situated within said proposed district; that there are no resident owners on said proposed district; and that said proposed district is located wholly within the Town; and

WHEREAS, petitioner did submit a map and plans showing the boundaries of the proposed district, a general plan of the proposed drainage system, all outlets and the terminus and course of each conduit and a Schedule showing the metes and bounds of the proposed district, said maps plans and description having been prepared by engineers and surveyors licensed by the State of New York; and

WHEREAS, the cost for the design and construction of said drainage system is to be paid by the property owners within the proposed district with no cost accruing to the Town;

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, 600 Route 211 East, Middletown, NY 10940, in the Town, on the 9th day of June, 2005, at 7:20 PM to consider said increase and improvement of facilities of the district and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law;

FURTHER ORDERED, that the Town Clerk publish at least once in Times Herald Record, a newspaper published in Middletown, New York, and hereby designated as the official newspaper of the Town for such publication, and posted on the signboard of the Town maintained pursuant to subdivision 6 of section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

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

WHEREAS, the Town Board of the Town of Wallkill (the “Town Board” and the “Town,” respectively), in the County of Orange, New York, has received a duly filed petition by the owner of a certain parcel of property in the Town, to establish a lighting district within said parcel to be known as Nicaj Subdivision; and

WHEREAS, said owner has proven to the satisfaction of the Town Board that it is the owner of all taxable real property situated within said proposed district; that there are no resident owners on said proposed district; and that said proposed district is located wholly within the Town; and

WHEREAS, petitioner did submit a map and plans showing the boundaries of the proposed district, a general plan of the proposed lighting system, all outlets and the terminus and course of each conduit and a Schedule showing the metes and bounds of the proposed district, said maps plans and description having been prepared by engineers and surveyors licensed by the State of New York; and

WHEREAS, the cost for the design and construction of said lighting system is to be paid by the property owners within the proposed district with no cost accruing to the Town;

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, 600 Route 211 East, Middletown, NY 10940, in the Town, on the 9th day of June, 2005 at 7:25 PM to consider said increase and improvement of facilities of the district and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law;

FURTHER ORDERED, that the Town Clerk publish at least once in Times Herald Record, a newspaper published in Middletown, New York, and hereby designated as the official newspaper of the Town for such publication, and posted on the signboard of the Town maintained pursuant to subdivision 6 of section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

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 has requested that the Town Supervisor file an application on behalf of the Town with the County of Orange for Federal Section 5307 and State Capital Assistance funds for the purchase of two (2) new 12-passenger (design-capacity), wheelchair lift-equipped buses with related equipment as replacement for two (2) existing Town dial-a-buses; and

WHEREAS, the Town Board of the Town of Wallkill wishes to take the appropriate action to progress this project with all possible haste to secure funding during Calendar year 2005 and acquisition during Calendar Year 2005; and

WHEREAS, the Town Board of the Town of Wallkill recognizes that the funding requirements for the capital cost of the buses require that 80% of the funding be Federal Section 5307, 10% State, and 10% Local (to be borne by the Town of Wallkill); and

WHEREAS, the Town Board of the Town of Wallkill further recognize that it will be responsible for all operating costs of the new buses above and beyond those funds realized through the fare box and through available State and Federal Operating Assistance.

NOW, THEREFORE BE IT RESOLVED, that the Supervisor of the Town of Wallkill is hereby authorized to file an application with the County of Orange for Federal Section 5307 Capital Assistance and State funds for the purchase of two (2) new 12-passenger (design-capacity) wheelchair lift-equipped buses with related equipment for replacement of two (2) existing Town of Wallkill dial-a-buses; and be it

FURTHER RESOLVED, that the Town of Wallkill agrees to pay the 10% Local Share of the cost of the two (2) new buses with related equipment up to a maximum of \$11,000.00 (Eleven Thousand Dollars).

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

WHEREAS, there exists a vacancy in the Town of Wallkill for a Full-Time Dial-A-Bus driver; and

WHEREAS, Joanne Biondo fulfills the required of knowledge, skill, and experience for the Dial-A-Bus Driver position; and

WHEREAS, it is the opinion of the Town Board of the Town of Wallkill that Joanne Biondo is qualified to fill said position;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Joanne Biondo to the position of Full-Time Dial-A-Bus driver, to serve in said capacity in the Town of Wallkill Dial-A-Bus program; and be it further

RESOLVED, that said appointment shall be deemed effective no earlier than May 16, 2005.

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

WHEREAS, Steven Russo fulfills the requirements of knowledge, skills, and experience for the laborer position; and

May 11, 2005

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Steven Russo to the position of Laborer, to serve in said capacity at the Town of Wallkill Department of Public Works, Parks Division; and be it further

RESOLVED, that said appointment shall be effective no earlier than May 16, 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, the Town Board of the Town of Wallkill has been made aware of a so-called “immunity provision” in the National Energy Bill, passed by the US House of Representatives last week and scheduled to go to the floor of the US Senate, which would no longer hold major oil companies responsible for clean-up and remediation costs associated with inflow, infiltration, and/or spills of MTBE in communities around the country; and

WHEREAS, MTBE – an oil industry concoction added to gasoline to provide oxygenation – has been classified as a toxic pollutant and suspected carcinogen that often insidiously migrates to water supplies in any given municipality; and

WHEREAS, clean-up costs involving MTBE often amount to millions of dollars, a cost that would be borne by the local municipalities and property owners – a cost currently borne by the specific oil company as the identified responsible party;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, by the Town Board of the Town of Wallkill, does hereby memorialize to the government of the United States our insistence that the section of the National Energy

Bill, passed by the US House of Representative and now before the US Senate, known as the “immunity clause”, effectively creating an immunity for Oil Companies from responsibility for clean-up and remediation costs relative to MTBE contamination, be immediately removed from said National Energy Bill prior to its approval by the United States Senate as being in the best interests and welfare of the residents of all municipalities in the United States, including those residents and taxpayers in the Town of Wallkill; and be it further

RESOLVED, that this resolution be conveyed to all officials of the United States representing any part of the Town of Wallkill, including President George W. Bush, with the request that all necessary steps be taken to eliminate the “immunity clause”, as defined above, in the National Energy Bill.

MOTION BY: Mr. Depew

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

COMMITTEE REPORTS

COUNCILMAN KING: Set Water & Sewer and Finance Committee meeting May 17, 2005 at 9 AM. On Wednesday Agenda – Bill issues will be discussed. Two upcoming public hearings – Driveway issues and driveway bond increase.

COUNCILMAN VALENTIN: Reported on meeting with Mr. Lippert – Discussed drainage and sewer projects. Will be looking at Bert Crawford Road tunnel. Thanked Highway Department for addressing handicap sign and line that needed repair. Discussed success with grants.

COUNCILMAN MULQUEEN: Code Review – Would like to consider process of how projects start in the Town. Discussed Bill which addresses inequity in assessments.

COUNCILMAN DEPEW: Police – Discussed notice received from District Attorney and Monitor on the consent decree. Asked that Police patrol Keasel Road. Explained two public hearings will be set at next Town Board meeting – One to address issue of

road dedication before Certificates of Occupancy and adoption of Shawangunk Kill overlay.

COUNCILMAN COMMENTS

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

SECONDED BY: Mr. Valentin

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

MOTION CARRIED

COUNCILMAN VALENTIN: Asked residents with water bill issues to forward them to him or Supervisor's Office so they can review them. Read ad from Mid-Hudson.com about tax exemptions for volunteer firefighters and ambulance workers. Reminded residents to curb dogs.

COUNCILMAN MULQUEEN: Announced Bulk Pickup 3rd Ward – May 23, 2005. May 17, 2005 School Budget Vote. Discussed school budget increases and article in Business Week Waging Ward on Hunger.

COUNCILMAN DEPEW: Announced Bulk Pickup 4th Ward – May 31, 2005. Discussed work of Conservation Commission. Wished his sister Happy Birthday.

SUPERVISOR'S COMMENTS

SUPERVISOR WARD: Announced golf course open but behind this year. Discussed tunnel from Galleria to Orange Plaza which is number one for air quality on Orange County Transportation Council list. Will talk about summer schedule at next meeting. Announced Bulk Pickup is on website. Tomorrow night is presentation on Master Plan at 7:30 PM. Discussed issue with Galleria on their assessment with possible settlement. Discussed public hearing on time limits.

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DEPUTY CHIEF QUINN: Announced Community Council meeting June 2nd at 7 PM with guest speaker Orange County District Attorney, Frank Phillips. Police week May 15th – May 21st. Announced two ceremonies – one May 17th 7 PM and one May 21st 5 PM. “Click it or Ticket” May 23rd to June 5th.

MR. LIPPERT: Announced 4th Ward Bulk Pickup won’t be picked up on Memorial Day. He will be attending meeting for FEMA. Thanked Board for setting public hearing for Community Development Block Grant and for appointments. Discussed graffiti, Keasel Road and rail trail.

PUBLIC PARTICIPATION

M. Cody stated a lot of people are on the telephone while driving. Encouraged everybody to come out for Memorial Day Services.

N. Guenste discussed speeding and timing of light at VanBurenville Road. Asked about work at new Town Hall.

V. Ferri discussed condo law. Asked about Homeland Security and how much Lachmann lawsuit is costing the Town. Discussed Town Attorney condemnation proceeding. Asked about progress on garbage district. Discussed trenching on Scotchtown Collabar Road. Stated he resents use of word God in the Pledge of Allegiance before meeting. Discussed hidden franchise tax. Discussed Town website about Master Plan meeting – objects to word draft which should be changed.

A. Vavricka discussed problem at corner of Route 211 and Ebert Road with trucks parked on road.

S. Labruna thanked Councilman Depew for comments about Conservation Commission and energy bill. Congratulated Harry Ross for appointment to Planning Board. Asked when affordable housing will be on Agenda for public hearing.

MOTION BY: Mr. Ward to adjourn at 9:50 PM.

SECONDED BY: Mr. Depew

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

May 11, 2005

Councilman Depew

Voting Aye

MOTION CARRIED

Meeting Adjourned at 9:50 PM

Louisa Ingrassia, Town Clerk

May 11, 2005