

June 9, 2005

The Town Board of the Town of Wallkill held a public hearing on June 9, 2005 at the Town Hall, 600 Route 211 East at 7:25 PM. Board members present were Supervisor Ward, Councilman King and Councilman Mulqueen . Councilman Valentin and Councilman Depew were absent.

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 June 9, 2005 at 7:25 PM at Wallkill Town Hall regarding the adoption of a Local Law in the Town of Wallkill for the year 2005 which would establish a drainage district within that parcel in the Town of Wallkill known as the Nicaj Subdivision.

Any resident of the Town of Wallkill is entitled to be heard upon said proposed local law at such public hearing. Copies of said proposal of law are available for review at Wallkill Town Hall, 600 Route 211 East, Middletown, NY.

Please take further notice that the environmental significance of the proposed local law, if any, will be reviewed at said public hearing.

By order of the Town Board of the Town of Wallkill.

SUPERVISOR WARD: Explained subdivision is on Sands Road for a drainage district.

NO COMMENTS FROM PUBLIC OR TOWN BOARD

MOTION BY: Mr. Ward to close public hearing at 7:27 PM.

SECONDED BY: Mr. Mulqueen

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Mulqueen Voting Aye

MOTION CARRIED

June 9, 2005

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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 June 9, 2005 at 7:27 PM at Wallkill Town Hall regarding the adoption of a Local Law in the Town of Wallkill for the year 2005 which would establish a lighting district within that parcel within the Town of Wallkill known as the Nicaj Subdivision.

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

Please take further notice that environmental significance of the proposed Local Law, if any, will be reviewed at said public hearing.

By order of the Town Board of the Town of Wallkill.

SUPERVISOR WARD: Explained this is same subdivision on Sands Road for a lighting district.

NO COMMENTS FROM PUBLIC OR TOWN BOARD

MOTION BY: Mr. Ward to close public hearing at 7:28 PM.

SECONDED BY: Mr. King

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Mulqueen Voting Aye

MOTION CARRIED

June 9, 2005

The Town Board of the Town of Wallkill held a regular meeting on June 9, 2005 at the Town Hall, 600 Route 211 East at 7:30 PM. Board members present were Supervisor Ward, Councilman King, Councilman Mulqueen and Councilman Depew. Councilman Valentin was absent.

The meeting was opened with a Pledge of Allegiance.

PUBLIC COMMENT ON AGENDA

N. Guenste stated more time should be allotted for public hearing on Master Plan.

Resident asked if public hearing on water and sewer district on County Rt. 78 can be held before July 28th.

MOTION BY: Mr. Ward to accept minutes of May 26, 2005.

SECONDED BY: Mr. King

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Mulqueen Voting Aye

MOTION CARRIED

CORRESPONDENCE

To: John Ward
From: KJ's Restaurant

Request to have a flea market in their parking lot every Saturday and Sunday in June, July and August which was read at the last meeting.

MOTION BY: Mr. Ward to deny request.

SECONDED BY: Mr. Mulqueen

Supervisor Ward Voting Aye

Councilman King Abstained

Councilman Mulqueen Voting Aye

June 9, 2005

MOTION FAILED

To: J. Ward
From: Orange-Ulster BOCES

On behalf of the Orange-Ulster CTEC Center, thank you for your participation I our Work Experience Program during the 2004-2005 school year. Your organization's involvement has provided a beneficial learning environment for our students.

Thank you for your support and cooperation in the School-to-Work Partnership. We look forward to working with you in the future.

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 Car Seat Safety Check-up Events scheduled for July 9th and September 24th, 2005 between 12 PM and 4 PM. These events will be given by New York State Certified Child Passenger Safety Technicians (Alamo EMS). This event is a service that Babies R Us provides to all our parents in the community.

The event will include 15 x 15 tent, which will be used to cover Technicians and their safety material for our car seat safety check-up.

On the 24th of September, I am currently trying to include the local fire dept to bring out their fire truck, as well as other Welcare Health Care Group who may bring out their health van for health screening.

I hope that the City of Wallkill Police Dept. will also participate in this event. Any questions regarding these events, please feel free to contact me at (845) 956-4050.

MOTION BY: Mr. Ward **SECONDED BY:** Mr. King

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Mulqueen Voting Aye

MOTION CARRIED

(COUNCILMAN DEPEW ARRIVED)

June 9, 2005

To: J. Ward & Town Board
From: Richard Evens

I am requesting permission for Jay McClintock and I to attend the Cornell Turf & Landscape Management Field day on June 21, 2005 in Ithaca, New York.

This is a unique opportunity for Jay and I to participate in professionally narrated interactive tours of turf grass plots, sports fields, tree, shrub and ornamental research sites at Cornell University.

The cost to register for the field day is \$50.00 per person. This includes a ticket to the morning and afternoon research tours, research booklet, lunch and trade show access.

MOTION BY: Mr. Ward

SECONDED BY: Mr. King

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

To: J. Ward
From: Scotchtown Presbyterian Church

The church will be having a Vacation Bible School from July 18th through July 22nd, 2005. For the safety of the children, we would like permission to close Mils Road from 8:30 AM to noon, the hours of our Vacation Bible School. We have done this in the past as a safety measure for the children. We request two Department of Highway barriers to place at the intersection. We will put them up and take them down at the times indicated. Thank you for your consideration.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Mulqueen

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

SUPERVISOR WARD: Reminder June 1st until June 30th residents can dispose of tires free of charge – limit of 5 tires per resident, 17” or smaller off rims – At New Hampton facility – Any questions call Orange County Department of Public Works.

MR. LIPPERT: Announced tires will be accepted at the Department of Public Works – Monday through Thursday and Saturday mornings.

COUNCILMAN DEPEW: Suggested putting ad in Times Herald Record.

MOTION BY: Mr. King to allow residents to dispose of five tires, 17” or smaller off rims Monday through Thursday and Saturday mornings up to June 30th plus advertising.

SECONDED BY: Mr. Ward

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

MOTION CARRIED

To: J. Ward
From: Office of the Vice President

The Vice President has asked me to reply to your letter expressing your thoughts on the Energy Bill passed by the House. Your comments have been carefully noted.

Vice President Cheney was pleased that you let him know of your views. Thank you for taking the time to write.

RESOLUTIONS

BE IT RESOLVED, that the Town of Wallkill is hereby submitting its Application for the Sarah Lane Park Improvements for consideration under the FY-06 Orange Urban County Consortium Community Development Program, and that the Supervisor is hereby authorized to submit this Application. Be it further certified that Town officials have read and understood the Orange Urban County Consortium Community Development Guidelines for the FY-06 program year, and have met all of its applicable requirements

and that the information contained in the Application is accurate and true to the best of their knowledge.

MOTION BY: Mr. Ward

SECONDED BY: Mr. King

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

BE IT RESOLVED, that the Town of Wallkill is hereby submitting its Application for the Marlboro Commons Park Improvements for consideration under the FY-06 Orange Urban County Consortium Community Development Program, and that the Supervisor is hereby authorized to submit this Application. Be it further certified that Town Officials have read and understood the Orange Urban County Consortium Community Development Guidelines for the FY-06 program year, and have met all of its applicable requirements and that the information contained in the Application is accurate and true to the best of their knowledge.

MOTION BY: Mr. Ward

SECONDED BY: Mr. King

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

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 2005; and

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

June 9, 2005

WHEREAS, at least three bids were received from contractors proposing to provide said service; and

WHEREAS, the Town is required under New York State Law to enter in to 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 2005.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

WHEREAS, the Town of Wallkill Police Department advertised for bids for a video system for all patrol cars owned and operated by the Department; and

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

WHEREAS, at least three bids were received from contractors proposing to provide said equipment and support service; and

WHEREAS, the Town is required under New York State Law to enter in to 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 MPH Industries, as the lowest responsible bidder, to provide a video system for all Town of Wallkill Police Department patrol cars.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Mulqueen

June 9, 2005

Supervisor Ward	Voting Aye
Councilman King	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, Monsey Development, LLC, of a certain parcel of property in the Town located at tax map number Section 69, Block 2, Lots 1 through 10, to establish a Water and Sewer District; 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 of 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 28th day of July, 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

June 9, 2005

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

MOTION CARRIED

WHEREAS, the Town Board of Wallkill has accepted a proposed comprehensive master plan drafter by the Town Master Plan Committee and currently is considering the adoption of said plan; and

WHEREAS, the adoption of a municipality's master plan is listed as a Type I Action under 617.4 of the State Environmental Quality Review Act (SEQRA) and is subject to further review under SEQRA; and

WHEREAS, the Wallkill Town board wishes to set a time and place for a public hearing regarding the adoption of said master plan, so that the public may be heard;

NOW, THEREFORE, it is hereby

RESOLVED, that the Town board of the Town of Wallkill declares itself lead agency in the action adopting a revised master comprehensive plan for the Town of Wallkill; and be it further

RESOLVED, that a public hearing be held by the Town Board and Master Plan Committee regarding the adoption of the aforesaid Local Law and comprehensive master plan at 7:00 PM on June 23, 2005, at Wallkill Town Hall, 600 Route 211 East, 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. Depew

COUNCILMAN MULQUEEN: Stated plan has been created by tremendous public input and hard work of dedicated volunteers.

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Mulqueen	Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

WHEREAS, the Town Board of Wallkill is considering the adoption of various amendments to the Wallkill Zoning Code in implementation of the adopted revised master plan; and

WHEREAS, the adoption of zoning code changes as being considered is listed as a Type I Action under 617.4 of the State Environmental Quality Review Act (SEQRA) and is subject to further review under SEQRA; and

WHEREAS, the Wallkill Town board wishes to set a time and place for a public hearing regarding the amending of the Zoning Code of the Town of Wallkill, so that the public may be heard;

NOW, THEREFORE, it is hereby

RESOLVED, that the Town board of the Town of Wallkill declares itself lead agency in the action amending portions of the Zoning Code of the Town of Wallkill; and be if further

RESOLVED, that a public hearing be held by the Town board regarding the adoption of the aforesaid Local Law and subsequent amendment to Zoning Code of the Town of Wallkill at 7:15 PM on June 23, 2005, at Wallkill Town Hall, 600 Route 211 East, 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. Mulqueen

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

June 9, 2005

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 an agreement with Key Government Finance, Inc. for equipment acquisition for the Golf Maintenance Department.

COUNCILMAN MULQUEEN: Explained he has looked at lease agreement and can live with the costs and interest rate in today's market.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

BE IT HEREBY RESOLVED THAT THE FOLLOWING BUDGET TRANSFER BE MADE: (For Capital Improvements in the Park)

TO	FROM
A7110.300 \$100,000	A5031 \$100,000

MOTION BY: Mr. Ward

SECONDED BY: Mr. Mulqueen

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

June 9, 2005

WHEREAS, the Secretary of the US Department of Housing and Urban Development (“HUD”) authorized, under Title I of the Housing and Community Development Act of 1974, as amended and Title II of the National Affordable Housing Act of 1990, as amended to make grants to states and other units of general local government to help finance Community Development and Affordable Housing Programs; and

WHEREAS, it is desirable and in the public interest that the Town of Wallkill participate in aforesaid Community Development and Home Programs for the program year commencing Federal Fiscal Years 2006-2008, (and successive three year qualification period); and

WHEREAS, Section 99-h of the General Municipal Law of the State of New York grants to any municipal corporation the power, either individually or jointly with one or more other municipal corporations, to apply for, accept and expend funds made available by the Federal Government either directly or through the state, pursuant to the provisions of any Federal Law which is not inconsistent with the statutes or constitution of this state, in order to administer, conduct or participate with the Federal Government in programs relating to the general welfare of the inhabitants of such municipal corporation; and

WHEREAS, applications for grants to finance Community Development and affordable Housing Programs under the Housing and Community Development Act of 1974, as amended and the National Affordable Housing Act of 1990, as amended and any “eligible Activities” there under are not inconsistent with the statutes or constitution of this state; and

WHEREAS, Town of Wallkill shall take all required actions to comply with the Urban County’s certification required by Section 104(b) of the Title I of the Housing and Community Development Act of 1974 as amended, and with the provisions of the National Environmental Police Act of 1969, Title VI of the Civil Rights Act of 1964, prohibits discrimination because race, color or national origin under any program or activity receiving Federal financial assistance, Title VIII of the Civil Rights Act of 1968, Executive Order 11988, Section 109 of Title 1 of the Housing and Community Development Act of 1974, the Fair Housing Act, the Americans with Disability Act of 1990 Uniform Relocation Act, Sec. 504 of the Rehabilitation Act of 1973, and other applicable laws.

FURTHER, Urban County funding is specifically prohibited for activities in, or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction, or that impedes that County’s action to comply with its fair housing certification.

WHEREAS, the Town of Wallkill as a cooperating unit of local government has adopted and is enforcing:

- A) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
- B) A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within jurisdictions.

WHEREAS, participation by the County of Orange, as an urban county in the Community Development and Home programs require that the Town of Wallkill and the County of Orange cooperate in undertake in or assisting in undertaking, community renewal and lower income housing assistance activities, pursuant to said Act specifically those activities authorized by statutes and pursuant to Articles 9 and 17 of the New York State Constitution; and

WHEREAS, the County and Town of Wallkill will cooperate in developing Community Development and Affordable Housing Programs and applications for the community Development Block Grant Entitlement Program and the Home Investment Partnership (“Home Program”) which will be designed primarily for the purpose of meeting the priority needs and objectives of the participating localities based upon an inventory of the community development and housing needs developed mutually by local and County officials;

WHEREAS, this Town Board deems it to be in the public interest for the Town of Wallkill to enter into an Agreement to the existing Cooperation Agreement dated July 8, 1993, as amended, with the County of Orange for the aforesaid purpose;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and he hereby is authorized and directed to execute a Cooperation Agreement Amendment between the Town of Wallkill and the County of Orange for the purpose of undertaking Community Development and Home Programs pursuant to the Housing and Community Development Act of 1974, as amended and Title II of the National Affordable Housing Act of 1990, as amended, for the program year commencing Federal Fiscal Years 2006 – 2008 (and successive three year qualifications periods).

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

June 9, 2005

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 such contracts as may be required to facilitate the establishment and operation of the 2005 Farmer's Market to be held in the Town of Wallkill.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

COMMITTEE REPORTS

COUNCILMAN KING: Thanked J. McClintock and men for work with park improvements.

COUNCILMAN DEPEW: Thanked workers in the Town – Parks and Water & Sewer and for Eagle Scout project.

COUNCILMAN COMMENTS

COUNCILMAN KING: Congratulated all graduates. Attended event at Circleville Park for CROC (Citizens Reunited to Overcome Cancer) – A great organization.

COUNCILMAN MULQUEEN: Attended Greek Festival – Great cultural resources in the Town of Wallkill.

COUNCILMAN DEPEW: Asked community to keep an eye out for new church on M & M Road with spray painting. Asked that Board meet to discuss affordable housing to keep Orange County residents in Orange County. Thanked participants in Memorial Day ceremony.

SUPERVISOR'S COMMENTS

SUPERVISOR WARD: Reported on Human Rights Summit held May 31st. Also reported on bulk pickup. Discussed Town's water rates which are substantially less than City of Middletown. Also discussed status of new Town Hall.

DEPUTY CHIEF QUINN: Reported on inspection by monitor – Holding Police Department to highest level. Announced next Community Council meeting August 4th – Will have new executive Board. Discussed traffic with Orange Classic on Sunday.

MR. LIPPERT: Thanked Town Board and reported on Cornell Highway School. Discussed composting road kill.

PUBLIC PARTICIPATION

S. Crowe thanked Board and asked about lights on Chaucer and Sandburg Courts. Asked about June 18th cleanup in that area.

M. Cody reminded residents Flag Day coming up – Put flags out for troops.

Supervisor Ward thanked Mike Cody for great job with Memorial Day parade.

D. Mercado asked about plan to discuss litter on roads and left over bulk pickup items.

N. Guenste asked for copies of the Master Plan and Conservation Zoning. Also asked about fireworks July 4th.

C. McLean commended Town Board and Master Plan Review Committee for work with Master Plan.

D. Mercado discussed need for basketball courts near Patio Road.

MOTION BY: Mr. Ward to adjourn meeting at 8:30 PM.

SECONDED BY: Mr. Depew

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

June 9, 2005

MOTION CARRIED

Meeting Adjourned at 8:30 PM

Louisa Ingrassia, Town Clerk
