

The Town Board of the Town of Wallkill held a regularly scheduled meeting on June 22,2006 at 600 Rte 211 East, Middletown NY at 7:30 pm. Present were Supervisor Ward, Councilman Valentin,Councilman Mulqueen and Councilman McCarey.Also present Chief Hertman,E. Smith, J. Lippert and Joe McKay Attorney for the Town.

The meeting was opened with the pledge of allegiance.  
Public comment on the agenda.

None.

**Motion by:** Mr. Ward to accept the minutes of the meeting of June 8, 2006.  
**Seconded By:** Mr. Valentin

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

### **Motion Carried**

### CORRESPONDENCE

To: Town Board Members  
From: Boys and Girls Club

Thank you for all your help with the Big Bonanza weekend.  
Regards, William Fiorivanti, Exec.Dir.

To: Town of Wallkill  
From: Aerodrome Development Corp.

Request to hold ATV drag races July 22<sup>nd</sup>&July 23 2006 and Sept. 16<sup>th</sup> & 17<sup>th</sup> at Randall Airport.

**Motion By:** Mr. Ward  
**Seconded By:** Mr. Mulqueen

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

**Motion Carried**

To: Town Board  
From: Mary Lynn Hunt, Planning Board Secretary

As per memo from McGoey, Hauser and Edsall the Off Site improvement work on Project No: 88-125.6; 02-120 is complete and the bond may be reduced to \$0.

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

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

**Motion Carried**

The Orange County DPW will be holding a Tire Collection event from August 1-31 at the New Hampton Facility.

Mr. Lippert announced the Town will accept 5 tires per resident at the Highway Dept during the month of August.

To: Town Board  
From: Middletown Police Dept.

Thank you for the assistance of the Town of Wallkill Police during the Classic 10 k Road race.

To: Town Board  
From: Mary Lynn Hunt, Planning Secretary

On recommendation of Eustance & Horowitz the Subdivision bond for the Prokopov/Monsey Bond in the amount of 219,661.00 be reduced to 22,000.00.

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

Supervisor Ward Voting Aye  
Councilman King Absent  
Councilman Valentin Voting Aye

Councilman Mulqueen      Voting Aye  
Councilman McCarey      Voting Aye

**Motion Carried**

**RESOLUTION OF THE WALLKILL TOWN BOARD SETTING TIME AND PLACE FOR A PUBLIC HEARING WITH RESPECT TO ADOPTING A LOCAL LAW FOR STORM WATER MANAGEMENT IN COMPLIANCE WITH FEDERAL AND STATE GUIDELINES**

**WHEREAS**, the Town of Wallkill is included on the New York State list of Automatically Designated Urban Areas and must comply with Storm water Phase II regulations; and

**WHEREAS**, to maintain compliance the Town must implement its Storm water Management Program by means of a local law that addresses the requirements of

- (a) Illicit discharge, detection, and elimination,
- (b) Construction site runoff control, and
- (c) Post-construction run-off control; and

**WHEREAS**, said local law will include provisions for inspection, performance guarantees and bonds, and enforcement and penalties, applicable to all land development activities that result in land disturbance of at least one acre, and require post-construction storm water measures to be included in the Town's Storm water Pollution Prevention Plan; and

**WHEREAS**, said local law, when enacted, by its nature is designed to have a significant positive environmental impact and is therefore not subject to review under Part 617.5 of SEQRA; and

**WHEREAS**, the Town Board seeks public comment and suggestions regarding the adoption of said local law for the year 2006; and

**WHEREAS**, the Town Board wishes to set a time and place for a public hearing for said action regarding said adoption, so that the public may be heard;

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that a public hearing is held by the Town Board in order to receive comments and suggestions regarding adopting local law **Storm water Pollution Prevention Plan** so as to be in compliance with State requirements at 7:25 p.m. on August 24, 2006, at Wallkill Town Hall, 99 Tower Drive, Middletown, New York; and it is further

**RESOLVED**, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

**Motion By:** Mr. Ward  
**Seconded By:** Mr. Mulqueen

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

**Motion Carried**

**BE IT RESOLVED**, that the Town of Wallkill is hereby submitting its Application for the Code Enforcement of the Patio Road Area for consideration under the FY-07 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-07 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. Valentin

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

**Motion Carried**

**RESOLUTION OF THE WALLKILL TOWN BOARD FOR THE ESTABLISHMENT OF A LIGHTING DISTRICT IN THE AREA KNOWN AS POETS COURT/CORNER**

**WHEREAS**, petition has been made to the Town of Wallkill for the establishment of a lighting district in the proposed in the area known as Poets Court/Corner in the Town of Wallkill as outlined and defined in attachment A of said petition to establish said district; and

**WHEREAS**, said petition has been deemed sufficient by this Board; and

**WHEREAS**, the Town Board of the Town of Wallkill is empowered by the State under NYS Town Law §194 to establish special lighting districts in the Town that it determines to be in the best interests of the public welfare of its citizens; and

**WHEREAS**, this board has determined that all property and property owners within the proposed district will be benefited thereby; and

**WHEREAS**, this board did hold a public hearing regarding the establishment of a lighting district within Poets Court/Corner on June 8, 2006, at 7:25 p.m. at the Town Hall, 600 Route 211 East, Middletown, NY 10940; and

**WHEREAS**, said establishment of lighting districts has been determined to be a Type II action under the State Environmental Quality Review Act (SEQRA) criteria;

**NOW, THEREFORE**, it is hereby

**RESOLVED**, as follows:

1. That the Wallkill Town Board hereby declares the establishment of a lighting district in the area known as Poets Court/Corner as a Type II action under the State Environmental Quality Review Act (SEQRA) criteria; and
2. That the Town Board of the Town of Wallkill hereby establishes a lighting district in the proposed area known as Poets Corner/Court; and
3. The Town Clerk be directed to file a certified copy of this resolution with the office of the state department of audit and control at Albany, NY, together with all appropriate papers with appropriate signatures where needed; and
4. Boards, agencies, departments, and contracted professionals of the Town of Wallkill are hereby authorized and directed to effect or otherwise facilitate the implementation of said District.

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

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

**Motion Carried**

PLEASE BE IT HEREBY RESOLVED THAT THE FOLLOWING BUDGET TRANSFER BE MADE:

**\$ 35,000**                      **TO**                      **FROM 120.200.100**  
**A1522 \$ 35,000**

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

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

**Motion Carried**

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL PROVIDING FOR THE DEMOLITION AND REPLACEMENT OF A CERTAIN MOBILE HOME ON STIVERS ROAD IN THE TOWN OF WALLKILL

**WHEREAS**, there exists on Stivers Road in the Town of Wallkill a derelict mobile home (trailer) owned by one Charles Maida; and

**WHEREAS**, Mr. Maida has written to the Town Board requesting that he be allowed to tear down the existing derelict mobile home and to purchase a new 2005 trailer to put in its place on an engineered slab, along with the other necessary improvements needed such as an engineered septic, drilled well, and electric; and

**WHEREAS**, Mr. Maida has committed to subject all work to the Town’s approval;

**NOW, THEREFORE, BE IT HEREBY**

**RESOLVED**, by the Town Board of the Town of Wallkill, that the removal and subsequent immediate construction of a mobile home on the property of Mr. Charles Maida by said owner is hereby approved, provided the provisions of Chapter 140 of the Wallkill Town Code are followed, any other pertinent laws are followed, and approval is granted by the Town of Wallkill Building Department.

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

Supervisor Ward	Voting Aye
Councilman King	Absent

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

**Motion Carried**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
CHANGING THE LOCATION OF TOWN BOARD MEETINGS AND PUBLIC  
HEARINGS**

**WHEREAS**, the Town Board of the Town of Wallkill has purchased real property located at 99 and 111 Tower Drive, Wallkill, New York for the purpose of relocating Town offices; and

**WHEREAS**, it is expected that the required renovations and improvements to those properties is set to be completed on or before July 27, 2006;

**NOW THEREFORE, BE IT HEREBY RESOLVED**, by the Town Board of the Town of Wallkill,

**THAT** beginning July 27, 2006, the second and fourth Thursday of each month shall be designated as regular Town Board meeting nights and that each Wednesday will be designated as regular Town Board work session nights. Those meetings shall be held at 99 Tower Drive, Town of Wallkill, and New York at 7:30 p.m.

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

Supervisor Ward                    Voting Aye  
Councilman King                    Absent  
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 TOWN SUPERVISOR TO ENTER INTO A CONTRACT  
WITH ADP FOR INSTALLATION OF SOFTWARE UPGRADES TO THE  
TOWN'S PAYROLL PROCESSING AND MANAGEMENT SERVICES SYSTEM**

**WHEREAS**, the Town Board of the Town of Wallkill has determined that the Town is in need of upgrading the software for its payroll processing and management services system; and

**WHEREAS**, the Town Board of the Town of Wallkill has determined that it is in the best interest of the Town to upgrade the software for its payroll processing and management services system;

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, by the Town Board of the Town of Wallkill,

THAT the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor to enter into an agreement ADP to upgrade the Town’s software for its payroll processing and management services system.

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

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

**Motion Carried**

**WHEREAS**, the Town of Wallkill, acting through Edward A. Smith, Superintendent of Water and Sewer, in accordance with the provisions of the Town of Wallkill Code has notified RIJ Pharmaceutical Corp. (hereafter “RIJ”) by Notices of Non-Compliance dated May 15, 2006 and June 6, 2006 that RIJ is and has been in violation of RIJ’s discharge permit for levels of COD, CBOD, Iron, Zinc, pH, Total Solids and Ammonia, and RIJ also has been in violation of its discharge permit for levels of CBOD, COD, Total Suspended Solids, Phenolic Compounds, Aluminum, Copper, Iron and Zinc pursuant to sampling conducted by the United States EPA on November 17, 2005, and

**WHEREAS**, by letters dated June 1, 2005, July 29, 2005 and August 29, 2005, RIJ indicated to the Town that RIJ was implementing procedures by which RIJ would be in compliance with the Town Code and RIJ’s discharge permit, and

**WHEREAS**, the procedures RIJ promised to implement have not brought them in compliance with the levels contained in RIJ’s discharge permit, and

**WHEREAS**, RIJ has agreed to conduct additional sampling and establish written procedures and protocols to bring RIJ into compliance with its discharge permit, and

**WHEREAS**, THE Town Board of the Town of Wallkill is willing to give limited additional time to RIJ to achieve full compliance with RIJ’s discharge permit.

**NOW, THEREFORE. BE IT RESOLVED**, by the Town Board of the Town of Wallkill

THAT RIJ, through a certified testing laboratory, must conduct daily 24 hour composite sampling of its wastewater discharge for a period of thirty business days commencing Monday, July 3, 2006 (or the next business day RIJ is open for business in the event RIJ is closed for the Independence Day holiday) and submit the results of each day's sampling directly and immediately from the laboratory to the Town's Superintendent for Sewer and Water.

**BE IT FURTHER RESOLVED,**

**THAT** RIJ must establish written procedures and protocols to bring RIJ into compliance with its discharge permit, with the written procedures and protocols to be submitted by July 3, 2006 to the Town's Superintendent for Water and Sewer and to the Town's attorney for water and sewer issues for their review and approval.

**BE IT FURTHER RESOLVED,**

**THAT** if the thirty day daily samplings show that RIJ is in compliance each and every day during that time period with its discharge permit, and if RIJ submits satisfactory written procedures and protocols to insure compliance with its discharge permit in the time period noted above, then the Town will take no further action against RIJ in connection with the Notice of Non-Compliance dated May 15, 2006 and June 6, 2006.

**BE IT FURTHER RESOLVED,**

**THAT** if RIJ is not in compliance with its discharge permit for any day during the thirty day period described above, or if RIJ does not submit satisfactory written procedures and protocols to insure compliance with its discharge permit in the time period noted above, then the Town Board directs the Town's attorney for water and sewer issues to commence any and all necessary and appropriate enforcement measures against RIJ including an injunction action in State Supreme Court, because of RIJ's noncompliance with its discharge permit.

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

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

**Motion Carried**

**Committee Reports**

**Mr. Valentin:** Police, discussed the Scotchtown initiative using increased patrols. Quality of life issues to be addressed.

**Mr. Mulqueen:** The Board is happy with the work of B. Fedun and R. Evans at the Golf Course. The billboard on 17 will be replaced and bag tags will be used.

**Mr. McCarey:** Information regarding the 2006 Golf Rates.

### **COUNCILMAN COMMENTS**

**Mr. Valentin:** Thanks to Mr. Mulqueen and Mr. McCarey for all their work regarding the Golf Course. Mr. King is at a family commitment tonite. Concerns with the format and attendees of the Orange County meetings regarding the Water Loop.

**Mr. Mulqueen:** Also concerned with County meeting. Asked that his absence be noted at the last meeting. Mr. Lippert addressed a constituent concern and will be taking care of it. The bocce court at the community Center is under repair.

**Mr. McCarey:** Attended the Orange county Water meeting with Mr. Smith. Reminds people to be careful of Golf Course during the Fireworks.

**Mr. Valentin:** Wants to let the residents know that the Police are utilizing all resources available to them in response to the recent violence in the area. Impressed with the Police work.

### **SUPERVISOR'S COMMENTS**

**Mr. Ward:** A moment of silence for the passing of Sam Mitchell. Who was a Councilman for many years and passed away a week ago. The Town has had official notification regarding the PDR and the Smiley Farm.

The Police Dept. is working closely with the other Police Agencies to address the recent shootings in the Town. Will be discussing a Business Improvement District in the Coming weeks. The Town is working to find solutions. The Fireworks are set for the Fourth of July at the Golf Course. NYRI has not been fast tracked.

Wishes a Happy Anniversary to his wife of 36 years.

**Chief Hertman:** A shooting today on Sherwood Dr. Scotchtown initiative to slow violence there. August 1<sup>st</sup> is the National Night Out. 6pm at the Little League facility persons who want to volunteer should contact Officer Besser.

**Mr. Lippert:** Tire Collection at the Highway Dept will begin August 1<sup>st</sup>; Bert Crawford Rd will be closed on Monday for paving. The Parks Dept. will be rebuilding the Bocce Courts at the Community Center.

**PUBLIC PARTICIPATION**

M.Walker: Golf Course issues, Police issues.

**Motion By:** Mr. Ward to audit and pay claims  
**Seconded By:** Mr. Mulqueen

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

**Motion Carried**

Meeting Adjourned

Louisa M. Ingrassia  
Town Clerk