

The Town Board of the Town of Wallkill held a regularly scheduled meeting on July 27, 2006 at 99 Tower drive, 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. Supervisor Ward welcomed all to our new facility. There is an additional resolution added to tonight's agenda.

Public comment on the agenda.
None

CORRESPONDENCE

To: Town Board Members
From: H. Fried, Pine Bush Athletic Director

Requesting the use of the Circleville Park Soccer Fields for the 2006 season attached are the dates of use.

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

To: Town Board
From: W. Fioravanti, Boys & Girls Club

Request permission to use the Little League Facility for the "Wiffle for Kids" event on September 30, 2006. They will provide a certificate of insurance for the event.

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

From: TOWVAC
To: Town Board & Residents

On Saturday July 29, 2006 TOWVAC will welcome two new Ambulances with a “wetdown”. All are welcome from 12-5pm

Memo from McGoey, Hauser and Edsall was read in regard to the CM and Sons site.

The Orange County Department of Public Works will host a Hazardous waste day on August 19, 2006. Information is available at the Town Clerk’s Office.

To: Town Board
From: Office of Community Development
Please be advised that a grant has been received for rehabilitation of property located at 48 Sunrise Drive.

RESOLUTION OF THE WALLKILL TOWN BOARD SETTING TIME AND PLACE FOR A PUBLIC HEARING WITH RESPECT TO ESTABLISHING A LIGHTING DISTRICT

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 owners of a certain parcel of property in the Town, to establish a lighting district within said parcel to be known as Lands of Newman Subdivision; and

WHEREAS, said owners have proven to the satisfaction of the Town Board that they are the owners 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, petitioners 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 24 day of August 2006, at 7: 25p.m. 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 that ten (10) nor more than twenty (20) days before the date of such public hearing

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 WALLKILL TOWN BOARD SETTING TIME AND PLACE FOR A PUBLIC HEARING WITH RESPECT TO ESTABLISHING A DRAINAGE DISTRICT

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 owners of a certain parcel of property in the Town, to establish a drainage district within said parcel to be known as Lands of Newman Subdivision; and

WHEREAS, said owners have proven to the satisfaction of the Town Board that they are the owners 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, petitioners 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 24 day of August , 2006, at 7: 27 p.m. 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 that ten (10) nor more than twenty (20) days before the date of such public hearing.

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
APPOINTING ROBERT WALIGROSKI TO *LABORER* POSITION**

WHEREAS, there exists a vacancy in the Town of Wallkill Water and Sewer Department at the *Laborer* level; and

WHEREAS, Robert Waligroski fulfills the requirements of knowledge, skills, and experience for the *laborer* position; and

WHEREAS, it is the opinion of the Superintendent of the Water and Sewer Department that Robert Waligroski is qualified to fill said position;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Robert Waligroski to the position of *Laborer*, to serve in said capacity at the Town of Wallkill Water and Sewer Department; and be it further

RESOLVED, that said appointment shall be effective no earlier than July 28, 2006

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
AUTHORIZING THE TOWN SUPERVISOR TO ENTER INTO A LEASE
AGREEMENT WITH THE ORANGE COUNTY BOARD OF ELECTIONS**

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 lease agreement with the Orange County Board of Elections for the use of Townley Hall, the Town of Wallkill Community Center, and Town Hall as polling places during the time of

the Primary Election to take place on September 12, 2006 and the General Election to take place on November 7, 2006..

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 SUPPORTING AND CONCURRING IN THE APPLICATION OF THE TOWN OF WALLKILL THROUGH THE ORANGE COUNTY OPEN SPACE PROTECTION PROGRAM TO PURCHASE DEVELOPMENT RIGHTS FOR THE SMILEY FARM PROPERTY LOCATED AT 201 STAGE ROAD, MIDDLETOWN, NY.

Whereas, in 2004, the Orange County Legislature adopted the Orange County Open Space Plan, as an amendment to the County Comprehensive Plan, with the goal of preserving and protecting valuable open space and natural resources throughout the County;

Whereas, the Orange County Open Space Plan recommends the creation of the Orange County Open Space Protection Fund to provide funds to villages, towns, cities, qualified not-for-profits and individual property owners for the purchase of land, development rights or conservation easements that meet the objectives set forth in the Orange County Open Space Plan;

Whereas, William and Winifred Smiley wishes to convey, and the Town of Wallkill wishes to purchase, Development Rights to the land located at 201 Stage Road, Middletown, NY 10941 listed on the Town tax map as SBL 61-1-2 and 61-1-25.2;

Whereas, the Town of Wallkill intends to apply to the Orange County Open Space Protection Fund for funds in order to purchase the proposed Development rights;

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Wallkill, in its capacity as governing body of the Town does hereby support and concur in the application by the Town of Wallkill for funding in order to purchase the Development Rights from William and Winifred Smiley over their lands located at 201 Stage Road, Middletown, NY listed on the tax map as SBL 61-1-2 and 61-1-25.2.

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 AN AMENDED FEE SCHEDULE

WHEREAS, the Town Board of the Town of Wallkill authorizes said Town Board to set all fees, deposits, and costs by resolution of the Town Board pursuant to adopted Local Law; and

WHEREAS, the Town Board has determined that the fees, deposits, and costs of the attached services provided by the Town should be amended as in the best interests of the Town;

NOW, THEREFORE, BE IT HEREBY RESOLVED

That the fees, deposits, and costs as listed in the attached document are adopted by the Town Board until such time as further amended either in part or as a whole.

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 RATIFYING THE BID AWARD FOR INSTALLATION OF A SANITARY SEWER FOR THE TOWN OF WALLKILL TOWN HALL

WHEREAS, the Town Board of the Town of Wallkill previously authorized the advertising for and soliciting of bids from qualified parties for materials and services to be provided in the renovation of 99 Tower Drive, Buildings A and B, including soliciting bids for installation of a sanitary sewer line; and

WHEREAS, sealed bids have been received and opened and, after review, the lowest responsible bidder has been identified; and

WHEREAS, the Town Board was required to award said bid to the lowest responsible bidder before July 27, 2006; and

WHEREAS, in order to meet the deadlines imposed by law, the Town Board of the Town of Wallkill awarded said bid by resolution at its work session on July 19, 2006;

NOW, THEREFORE, LET IT BE

RESOLVED that the Town Board hereby confirms restates and ratifies the award of the bid for installation of a sanitary sewer line to Whispering Pines Development Corp. in the sum of \$101,900.00.

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

WHEREAS, the Town of Wallkill is proposing two inflow and infiltration (“I & I”) remediation projects to enhance and supplement sanitary sewer lines from Cottage Street to Silver Lake-Scotchtown Road and in the Hulse Avenue area near East Main Street, and

WHEREAS, Attorney Richard Guertin of MacVean, Lewis, Sherwin & McDermott, P. C., on behalf of the Town, has prepared the necessary documents to obtain easements from affected property owners and has submitted those documents to all affected property owners, and

WHEREAS, some property owners have signed the documents granting easements to the Town for the projects, while other property owners have not yet signed despite repeated efforts to have those property owners sign the documents, and

WHEREAS, the Town would like to solicit bids in the near future for the I & I projects but cannot do so until all easements have been obtained, and

WHEREAS, the Town has the right to pursue eminent domain proceedings to secure the easements for the projects.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WALLKILL THAT the law firm of MacVean, Lewis, Sherwin & McDermott, P. C., attorneys for the Town for water and sewer issues, is hereby authorized to commence and prosecute eminent domain proceedings on behalf of the Town in connection with the I & I projects and to take all appropriate steps to secure the easements necessary for the above-mentioned I & I projects, including the hiring of experts and/or appraisers in connection with the eminent domain proceedings.

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

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

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL APPOINTING DELORES VALVERDE TO THE POSITION OF ACCOUNT CLERK

WHEREAS, there exists a vacancy in the Town of Wallkill Buildings Department at the account clerk level; and

WHEREAS, Delores Valverde fulfills the requirements of knowledge, skills, and experience for the account clerk position; and

WHEREAS, it is the opinion of the Town Board that Delores Valverde is qualified to fill said position and should be promoted to said position;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby promotes and appoints Delores Valverde to the civil service position of account clerk to serve in said capacity at the Town of Wallkill Buildings Department; and be it further

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

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

MOTION CARRIED

RESOLUTION RESCINDING THE TOWN OF WALLKILL'S AGREEMENT TO PARTICIPATE IN THE ESTABLISHMENT OF A MID-COUNTY MUNICIPAL ALLIANCE

WHEREAS, the County of Orange had previously sought the Town of Wallkill's participation in the establishment of a Mid-County Municipal Alliance with the City of Middletown, the Village of Goshen, the Town of Wawayanda, and the Town of Goshen; and

WHEREAS, on April 12, 2006, the Town of Wallkill passed a resolution endorsing and supporting the creation of a Mid-County Municipal Alliance consisting of the aforesaid municipalities; and

WHEREAS, the Town of Wallkill's agreement to participate in the establishment of a Mid-County Municipal Alliance was conditioned upon representatives from the Town of Wallkill meeting at least monthly with representatives of the other participating municipalities to work cooperatively to develop an inter-municipal agreement that would establish the terms, conditions and framework for shared infrastructure and projects as the Mid-County Municipal Alliance shall agree upon; and

WHEREAS, the Town of Wallkill's agreement to participate was further conditioned upon all County legislators in all involved municipalities being invited to attend all such meetings; and

WHEREAS, these conditions have not been met;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby rescinds its prior resolution of April 12, 2006, and hereby withdraws its agreement to participate in the establishment of a Mid-County Municipal Alliance.

Mr. Mulqueen, Mr. Valentin and Mr. King voice their displeasure with Mr. Diana and the lack of communication. Mr. Ward and Mr. McCarey would like to continue participation in the alliance.

Motion By: Mr. Mulqueen
Seconded By: Mr. Valentin

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

MOTION CARRIED

COMMITTEE REPORTS

Mr. King: Highway meeting regarding upcoming sealing. The final mark outs for the Poets Lighting district are now taking place, residents are being notified.

Mr. Valentin: Reminds all to be respectful of the Parks security people. Great work by the Police Dept in light of all the incidents recently.

Mr. Mulqueen: The Golf Course is coming along nicely.

Mr. McCarey: Bag tags are being used at the Golf Course, a new billboard is up on 17.

COUNCILMAN COMMENTS

Mr. King: Thanks all the employees for hard work. Also would like to thank the building site committee.

Mr. Valentin: Appreciates the hard work of all, not enough thanks for Gary Lake.

Mr. Mulqueen: Thanks to all employees. Incident in Wawayanda regarding Council member is very disturbing.

Mr. McCarey: Thanks to all and Gary for all the hard work.

SUPERVISORS COMMENTS

Would like to thank all for a team effort in moving facilities. Looks forward to a grand opening in September.

Sales tax monies received for the second quarter \$836,345.52.

Concerns regarding the NYS Police not plea bargaining in traffic cases.

Library Budget vote October 3rd.

Congratulations to all Little League teams.

Chief Hertman: August 1st is the Nite Out. Thanks to all employees.

Mr. Smith: Has minutes of the Alliance meetings so far.

Mr. Lippert: Thanks to all for all the help especially the residents for their understanding. New Bocce court at Community Center. Fence should be completed soon at Washington Heights.

Mr. Jacques: Congratulations to Delores on her promotion, and to employees for all the hard work.

PUBLIC PARTICIPATION

A.Vavricka: Pine Bush Board meetings need to be televised thanks Mrs. Squillace for all her hard work.

M.Cody: Thanks to Highway dept for hard work. Statue in Memorial park fundraising has begun.

E.Warner: Petition sent to Board regarding a skateboard park.

C. Squillace: Is working to get the school Board meetings televised, collected 1600 signatures.

N. Guenste: Powerline, New Town hall.

M.Walker: Golf Course, Water Bill, Veterans Park.

M.Paduch: Orange County has pledged \$50,000 to help fight the Power line.

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

To audit claims pay bills and adjourn

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

Meeting Adjourned 8:50 pm

Louisa M. Ingrassia
Town Clerk