

July 28, 2005

The Town Board of the Town of Wallkill held a public hearing on July 28, 2005, 7:15 PM 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 July 28, 2005, at 7:15 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 of the Town Code of the Town of Wallkill setting terms of service for Town Planning Board members and Town Zoning Board of Appeals members at three years.

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.

SUPERVISOR WARD: Explained law is to change terms for Planning Board members from 7 years to 3 years and ZBA members from 5 years to 3 years.

PUBLIC COMMENT

J. Mattatall explained it takes time to learn functions of Boards and training is an issue – Terms are staggered to function in a consistent manner. He feels this is a bad idea.

TOWN BOARD COMMENT

COUNCILMAN DEPEW: Asked if proposal for Planning Board members is from 7 years to 3 years or 5 years.

SUPERVISOR WARD: Stated it is the same law.

MOTION BY: Mr. Ward to close public hearing at 7:21 PM.

SECONDED BY: Mr. Valentin

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

July 28, 2005

MOTION CARRIED

The Town Board of the Town of Wallkill held a public hearing on July 28, 2005, 7:22 PM 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 stated public hearing is regarding a petition for a water district in the area of County Route 78 at 7:20 PM.

SUPERVISOR WARD: Explained the Town Board has a petition from residents and is required by law to create a water district over on County Route 78 where 8 or 9 homes will be using City of Middletown water.

NO COMMENTS FROM PUBLIC OR TOWN BOARD

MOTION BY: Mr. Ward to close public hearing at 7:23 PM.

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

The Town Board of the Town of Wallkill held a public hearing on July 28, 2005, 7:25 PM 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 stated public hearing is regarding a petition for a sewer district also in the area of County Route 78 at 7:25 PM.

SUPERVISOR WARD: Explained this is the same development as the water district.

PUBLIC COMMENT

D. Makan asked if resolution will be adopted tonight.

COUNCILMAN KING: Questioned selling without water & sewer status.

MR. SMITH: Explained Mr. Loeb recommended a district be formed.

COUNCILMAN DEPEW: Concerned with water & sewer specifications.

COUNCILMAN KING: Concerns with people selling before approvals done.

MOTION BY: Mr. Ward to close public hearing at 7:29 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 regular meeting on July 28, 2005, 7:30 PM 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.

Pledge of Allegiance led by Councilman Depew.

Presentation by Nancy Koslowski of Big Brothers Big Sisters about a job readiness project in the City of Middletown and the Town of Wallkill. Welcomed residents to visit website – www.communityyouthmapping.org.

PUBLIC COMMENT ON AGENDA

I. Townsend read statement on 2005 Comprehensive Plan – Asked that all vote against new Master Plan and revise it making it fair for everyone with balanced growth.

E. Fogarty discussed cluster building and suggested sticking to basic plan. She stated she is against restrictions – Urged Town Board to hold off on voting for plan and laws.

V. Ferri questioned how law can be voted on without SEQRA process. Stated more thought has to be considered as it is an unfair tax burden to property owners inviting Article 78.

T. Lloyd stated plan geared toward developers with lack of concern for small property owners.

S. Labruna recommends Town Board follow advice of County Planning Board. Discussed wetlands law and protection of Shawangunk Kill. Stated Conservation Commission has a draft for a townwide wetlands protection ordinance.

R. Sullivan thanked all for work, input and consideration and people who read plan. Stated people are confusing plan and zoning changes.

MOTION BY: Mr. Ward to accept minutes of June 23, 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: J. Ward
From: Hospice of Orange & Sullivan Counties

July 28, 2005

Request to use Circleville Park for a Dog Walk on June 3, 2006 or June 10, 2006 rain date.

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

To: J. Ward

From: MaryLynn Hunt, Planning Board Secretary

Re: Drago Subdivisiion Bond

Please be advised that per the attached memo from Eustance & Horowitz the \$124,403.00 site work bond being held for the above noted application may be reduced to \$75,216.40.

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

To: J. Ward

From: Pine Bush Central School District

Request use of soccer fields at Circleville Park for games only with proper insurance.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Valentin

July 28, 2005

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: E. Smith

I would like permission to advertise to receive bids for the installation of a new stand-by generator at the Crystal Run Water Treatment Facility and the relocation of the existing generator from Crystal Run to Kosuga Well Field. I would like to set the bid opening for 11 AM August 30, 2005 at the Town Hall.

Upon completion of the project the entire water system, with the exception of Woodland Acres and Wallkill Heights will have stand-by power available.

The estimated cost for this project is \$375,000.00. \$230,000.00 was provided in the budget in account number SW18320.200. We will have to transfer \$45,000.00 from account number SW28330.200 and \$100,000.00 from account number SW18340.200.

If you have any questions, please contact me at your convenience.

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

July 28, 2005

To: J. Ward
From: George Glasgow

Thank you to Andrea Soll and Betty Pepper in the Dial-A-Bus program for help.

To: L. Ingrassia
From: Rayewood RV Centers

Request to use Gander Mountain parking lot from August 1st to September 6th from 8 AM to 7 PM for 30 recreational vehicles.

SUPERVISOR WARD: Explained they are working with people who have Farmers Market who will have no more than 20 vehicles there.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Valentin

COUNCILMAN VALENTIN: Request inspector be sent out to make sure they stay within 200 feet by 50 feet.

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Abstain

MOTION CARRIED

To: J. Ward
From: K104

On behalf of K104 and our entire staff, we would like to thank you for the opportunity to be part of your annual fireworks celebration.

We look forward to working with you for years to come and continuing to bring phenomenal experiences to the Hudson Valley.

Best wishes for your continued success.

July 28, 2005

To: J. Ward
From: Legion Fireworks Co., Inc.

As per my conversation with Stephanie, please accept my sincerest apologies for the duration of this year's show.

Your town has been a loyal customer of mine and I appreciate this opportunity to prove to you my commitment in correcting this unfortunate event. I guarantee that your display next year will be 40 minutes.

Once again, I thank you for your understanding in this matter. Should you have any concerns or questions, please feel free to contact me at the above mentioned telephone number.

To: J. Ward
From: J. McClintock

I am requesting to attend a one-day seminar entitled, Winning Fields on A Limited Budget at Goshen Central School.

Enclosed please find a copy of the seminar topics. I have highlighted some of the ones that I feel would be very beneficial to our operation.

Total cost for the seminar is \$60.00.

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

To: J. Ward
From: New Plan

Thank you from owners of Walkkill Plaza to Planning Dept., Building Dept. & Fire Dept. in the opening of Ashley Furniture and AJ Wright.

July 28, 2005

To: R. Evans
From: L. Ingrassia

Attached are the results of the Bid Opening on June 23, 2005 for the Surplus Equipment. I have forwarded a copy of the results to the Town Board.

1989 GMC HD 2500 PICKUP W/PLOW - \$965.00 - WESTAR TECH SERVICES
PO BOX 988, MDTN 10940

1991 TURFCAT T422D - \$625.50 – FRANK CONKLIN,
699 ROUTE 49, MDTN 10940

SUPERVISOR WARD: There are still a number of items not bid on – 1991 Cushman Topdresser, Air Hydraulic Equipment Lift and 1992 Mule 3000 Equipment Lift.

MOTION BY: Mr. Ward to put these items out to bid again.

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: Town Board
From: Barbara Jordan

Request for a Basketball Tournament event September 3rd at noon at Poet’s Corner Park.

MOTION BY: Mr. Ward

SECONDED BY: Mr. King

COUNCILMAN KING: Asked Mr. Lippert about work being done there.

Supervisor Ward Voting Aye

Councilman King Voting Aye

July 28, 2005

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

To: J. Ward
From: Buon Appetito

We are proud to announce that we have reached the fifth year of operations at our deli, Buon Appetito. In the spirit of celebration, we would like to have a low key cook out on Friday, August 12th from approximately 11 – 1:30 PM.

We would like to have a small canopy covering two parking spaces in front of our deli.

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

To: J. Ward
From: Jean Hudson, Commissioner of Health

A reminder of the West Nile situation this year. For more information, call the Health Department at 291-2332.

To: R. McGoey
From: Eustance & Horowitz
Re: Waterview Village (Greens at Wallkill Bond Reduction)

Recent site inspections and observations at the Waterview Village (Greens at Wallkill) project have resulted in the attached list of items to be completed. The list is quite

July 28, 2005

extensive even though many of the items on the list would not be considered major items if they had been completed prior to certificates of occupancy being issued and homeowners moving into their homes. Of the 23 homes proposed, 22 have been issued certificates of occupancy.

Recommend that bond be reduced one-half to \$215,566.50.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

SUPERVISOR WARD: Explained there are three bonds, and this bond was not reduced prior where it should have been

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: Wallkill East Rotary Club

Our local Rotary Club is looking to build on the tremendous success of last year's Wiffle for Kids tournament by following up with an ever greater event this year. The tournament will still benefit three of our community's premier youth service agencies: Town of Wallkill Boys & Girls Club, Sarah Wells Girl Scout Council, and the YMCA of Middletown.

We would like to schedule this year's event for Saturday, September 24th, 2005. In order to improve the appeal of the overall tournament and the accompanying family festival, we're hoping to simply hold a one-day event this year (as opposed to the two-day event held last year). To do so, we are respectfully asking that the Town Board approve the Wallkill East Rotary Club's requests to:

Use the Town of Wallkill Little League Fields facilities on 9/24/05.

Begin the tournament at 9 am and complete the event by 9 pm (facility cleared by 9:30 pm).

Use the grounds to create a family festival environment (featuring face painting, speed pitch machine, concession stand, etc.) from approximately 10 am to 6 pm.

July 28, 2005

Provide live music entertainment during the early afternoon hours of the event.
Use portable light unit to continue tournament activities in the early evening.

Our entire membership is very proud of the work our Club has done to benefit the Town of Wallkill community and we appreciate the constant support from the Town Board that has enabled us to do so.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Valentin

COUNCILMAN VALENTIN: Concerned with portable light unit.

SUPERVISOR WARD: Explained it will be on the back of the field not affecting any homes, and they will be out by 9:30.

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 June 25, 2005 at 7 PM at Town Hall, 600 Route 211 East to hear all interested parties on the adoption of a proposed revised Comprehensive Master Plan for the Town of Wallkill; and

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

WHEREAS, said public hearing was duly held on June 25, 2005 at or about 7 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 revised Comprehensive Master Plan for the Town of Wallkill; and

WHEREAS, under the State Environmental Quality Review (SEQR process, the Town of Wallkill declared itself Lead Agency for purposes of SEQR and has completed an Environmental Assessment Form (EAF) pursuant to 6 NYCRR 617.6(a)(2), determining that there would be no adverse environmental impacts resulting from adoption of the revised Comprehensive Master Plan; and

WHEREAS, the Town Board of the Town of Wallkill, after due deliberation, finds it in the best interests of said Town to adopt said proposed revised Comprehensive Master Plan;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, by the Town Board of the Town of Wallkill, that it is determined that the adoption of the revised Comprehensive Master Plan for the Town of Wallkill will have no significant adverse effects pursuant to NYCRR 617.7 and said adoption be given a negative declaration under SEQR, and be it further

July 28, 2005

RESOLVED, that the revised Comprehensive Master Plan for the Town of Wallkill, as presented at the June 25, 2005 public hearing, is hereby adopted in its entirety, and be it further

RESOLVED, that the Town Supervisor and all Departments within the Town of Wallkill are directed to take any and all actions permitted or required by law to carry out the goals and specifications of the Comprehensive Master Plan, as herein adopted.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Valentin

MOTION BY: Mr. Ward to ask David Church to read memo from Orange County Department of Planning.

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

D. Church read the following memo:

This updates our prior review and is based on additional information received as well as on discussions with representatives of both the Town Board of the Town of Wallkill and the Town's planning consultant. In our earlier July 19, 2005 review of the Draft Comprehensive Plan, this Department raised a number of questions and concerns that together suggested that the Town should take additional time prior to adoption. This request to take additional time was also in the context of our receipt over the past two (2) weeks of various, proposed local laws to amend the Town zoning code – some of which we recommended technical correction and some of which were confusing and/or not clearly consistent with the proposed Draft Comprehensive Plan. We also raised a concern that, at the time, no SEQRA environmental review documentation was known or available relevant to the proposed new Plan. We have since received copies of a Full Environmental Assessment Form with supplemental narrative for the Plan.

Based on above, the Department appreciates that the Town Board and its planning consultant have done tremendous work in a relatively short time period and that they have considered and shown due diligence in analyzing our earlier review. As such we

July 28, 2005

amend our prior review, restate that we ask the Town to be confident that they have considered our prior comments, and recommend adoption of the Draft Comprehensive Plan as a matter for Local Determination.

In this context, the Department also strongly recommends that the Town take additional time to review all of the various proposed local laws amending various provisions of the zoning code to insure that any and all of these laws are well crafted and are clearly consistent with the new Comprehensive Plan once adopted.

Finally, for clarification – a proposed local law to “protect river and stream corridors” was referred to and reviewed by this Department. We recommend disapproval of that proposal. However, we have since learned that the Town is also considering a distinct and separate local law addressing land use and protection along the specific Shawangunk Kill. This Department has not received or reviewed in any way this second proposal – but in concept we are highly supportive of such an effort in support of one of our region’s important resources.

SUPERVISOR WARD: Explained there will be no planned vote for zoning tonight, and this resolution will adopt the Master Plan as modified.

COUNCILMAN VALENTIN: Thanked Mr. Church and the Master Plan Committee.

COUNCILMAN KING: Thanked Master Plan Committee for a project that started three years ago and accepts what Mr. Church read.

COUNCILMAN MULQUEEN: Appreciates response of County Planning Department and thanked all volunteers.

COUNCILMAN KING: Thanked all who showed up from the Town.

COUNCILMAN DEPEW: Explained there are a lot of misunderstandings, but he feels it is a good plan which he supports.

COUNCILMAN VALENTIN: Thanked colleagues for time with residents and Planner.

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

July 28, 2005

WHEREAS, heretofore the Town Board has discussed the installation of a new eight inch gravity sewer main to serve existing houses on Bert Crawford Road, and

WHEREAS, this is an action subject to SEQR and before proceeding to authorize the project the Town Board directed that a short Environmental Assessment Form be prepared,

WHEREAS, the Town Board has before it a short Environmental Assessment Form including the provision for borrowing the funds, and

WHEREAS, the Town Board is the sole Involved Agency,

NOW, THEREFORE, BE IT RESOLVED as follows:

That after considering all of the facts and circumstances in connection with the installation of the new eight inch gravity sewer main, borrowing the necessary funds and following a review of the short EAF the Town Board determines that the proposed action will not result in any significant environmental impacts and authorizes the short EAF to be executed by the Supervisor checking the appropriate box on Part III.

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, heretofore the Town Board has discussed the installation of sewage pump station at several existing residential houses on Johns Road, and

WHEREAS, this is an action subject to SEQR and before proceeding to authorize the project the Town Board directed that a short Environmental Assessment Form be prepared,

WHEREAS, the Town Board has before it a short Environmental Assessment Form including the provision for borrowing the funds, and

WHEREAS, the Town Board is the sole involved Agency,

July 28, 2005

NOW, THEREFORE, BE IT RESOLVED as follows:

That after considering all of the facts and circumstances in connection with the installation of sewage pump station at several existing residential houses on Johns Road, borrowing the necessary funds and following a review of the short EAF the Town Board determines that the proposed action will not result in any significant environmental impacts and authorizes the short EAF to be executed by the Supervisor checking the appropriate box on Part III.

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

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 Modification Agreement on behalf of the Town of Wallkill with the CSEA, Town of Wallkill Supervisor Unit I, modifying the January 1, 1999 to December 31, 2003 Collective Bargaining Agreement relative to said Unit I effective from January 1, 2004 through December 31, 2007, under further terms as described in the attached letter from the President of CSEA Unit #1 dated June 29, 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

July 28, 2005

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 Silver Lake Ridge Estates subdivision; and

WHEREAS, said owner has proven to the satisfaction of the Town Board that it is the owner of all taxable 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 25th day of August, 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. 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 (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 Silver Lake Ridge Estates 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 plan 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 25th day of August, 2005, at 7:15 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 T own 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 T own Clerk, the first publication thereof and said posting to be not less than (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 Depew Voting Aye

MOTION CARRIED

WHEREAS, the Town of Wallkill purchased real property and the buildings at 99 and 111 Tower Drive, Middletown, New York for the purposes of relocating the existing Wallkill Town offices; and

WHEREAS, the aforesaid buildings are in need of certain renovations prior to the relocation of the Wallkill Town offices, and

WHEREAS, the Town Board of the Town of Wallkill wishes to contract for various services to be provided in the renovation of 99 and 111 Tower Drive; and

WHEREAS, the Town is required under New York State Law to make said purchase of such services from the lowest responsible bidder;

NOW, THEREFORE, LET IT BE RESOLVED,

THAT the Town Board of the Town of Wallkill hereby authorizes the advertising for and soliciting of bids from qualified parties for the following materials and services to be provided in the renovation of 99 and 111 Tower Drive:

1. Sale, delivery and installation of Steel Beams;
2. Plumbing services including, but not limited to indoor sprinkler systems;
3. HAVC services;
4. Electrical services;
5. Flooring installation and finishing;
6. Ceiling installation;
7. Taping, compounding, plastering and sheet rocking services;
8. Any miscellaneous items or services required at 99 and 111 Tower Drive having a price or value greater than \$19,999.00, and be it further

RESOLVED, that all of the foregoing items advertised for public bidding specifically include the delivery of labor and materials, and be it further

RESOLVED, that the advertising for and soliciting of the aforesaid bids be accomplished in such a time frame so as to provide ample opportunity for all qualified and interested bidders to participate in the bidding process and so as to avoid delay in the awarding of said accepted bids, which is in the public interest, and be it further

RESOLVED, that all bids shall be made by the taken in accordance with New York's "Wicks Law" which mandates separately bid contracts for Construction, Electrical, HVAC and Plumbing on publicly funded projects over \$50,000, and be it further

RESOLVED, that the Town Board shall formally accept all winning bids prior to the awarding of any contracts called for pursuant to this resolution, and be it further

July 28, 2005

RESOLVED, that upon acceptance of any bids made pursuant to this resolution, the Town Supervisor shall be and hereby is authorized to enter into such appropriate contracts encompassing the accepted bids.

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, Town Board of Wallkill may adopt a local law to amend Chapter 249 of the Town Code of the Town of Wallkill to eliminate accessory buildings and structures termed and defined as Garden House (greenhouse) as a prohibited use when operated for profit in all districts; and

WHEREAS, the Town Board of Wallkill is empowered by the State to adopt such local law pursuant to Municipal Home Rule Law; and

WHEREAS, said zoning changes are listed as Type I Actions under 617.5 of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, in compliance with SEQRA, the Wallkill Town Board wishes to assume lead agency status and 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 with respect to the adoption of the aforesaid Local Law at 7:22 PM on August 25, 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. King

Supervisor Ward Voting Aye

July 28, 2005

WHEREAS, the Town Board further finds that the county-wide enhanced emergency response system (E-011) affects the safety and welfare of the residents of the Town of Wallkill and an integral component of the success of E-011 is the correct identification of street names, and

WHEREAS, certain streets within the Town of Wallkill must be renamed to insure that said streets are readily identifiable under the county-wide enhanced emergency response system (E-911),

NOW, THEREFORE, LET IT BE RESOLVED,

THAT the Town Board of the Town of Wallkill hereby directs that the following streets be remained forthwith:

1. RESTORATIVE ROAD SHALL BE RENAMED: RESTORATIVE LANE;
2. LONGOBARDI LANE SHALL BE RENAMED: CASA DAVI COURT.

And be it further

RESOLVED, that the Highway Department of the Town of Wallkill is hereby directed to change the signage on said streets to reflect the new names of said streets forthwith.

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, Ronstein Construction Corp. has failed to perform the obligations as set forth in a certain performance bond, for a subdivision known as "Silo Estates Section II" and failed in all respects to comply with its obligations with respect to the aforesaid performance agreement resulting in the Town Supervisor John Ward signing on August 26, 2004 an Irrevocable Letter of Credit Demand drawn under Union State Bank Letter of Credit No. 1761 dated August 30, 1999 for the amount of \$68,502.50 and;

July 28, 2005

WHEREAS, Ronstein Construction Corp. has failed to perform the obligations as set forth in a certain performance bond, for a subdivision known as "Silo Estates Section III" and failed in all respects to comply with its obligations with respect to the aforesaid performance agreement resulting in the Town Supervisor John Ward signing on August 26, 2004 an Irrevocable Letter of Credit Demand drawn under Union State Bank Letter of Credit No. 1825 dated September 8, 2000 for the amount of \$102,000.00 and;

WHEREAS, on behalf of the Town of Wallkill, David Brodsky, Esq. obtained a one-year extension of the above letters of credit to expire on August 26, 2005, yet Ronstein Construction Corp. has continued to fail in all respects to meet the aforesaid performance agreements,

NOW, THEREFORE IT IS HEREBY,

RESOLVED, that the Town Board authorizes James Bacon, Esq. To proceed on behalf of the Town to present the above three letters of credit to Union State Bank for immediate payment.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Valentin

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valetnin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

WHEREAS, heretofore the Attorneys for the Town of Wallkill contacted United Development, BBL Construction Services LLC and Kingston Equipment notifying them of the Town's claim against them in connection with the Masonic Creek Trunk Sewer project, and

WHEREAS, the parties have negotiated a settlement in this matter,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby agree to settle the claim for a payment of \$25,000.00 paid by Kingston Equipment and/or its liability insurance carrier on behalf of the above defendants and

July 28, 2005

BE IT FURTHER RESOLVED that the Supervisor be and he hereby is authorized to execute any settlement documents on behalf of the Town.

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

MOTION BY: Mr. Ward to authorize Chief to hire full-time dispatcher, Melissa Courtney.

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

MOTION BY: Mr. Ward to authorize Chief to hire part-time dispatcher, Edward Duffy.

SECONDED BY: Mr. Depew

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

July 28, 2005

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

COMMITTEE REPORTS

COUNCILMAN KING: Asked residents to conserve water.

MOTION BY: Mr. King to set public hearing September 8, 2005 at 7:21 PM to establish lighting district for Sandburg and Chaucer Courts.

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

COUNCILMAN VALENTIN: Parks – Congratulated Town of Wallkill Little League on winning District 19 Championships. Stated Dundee Circle swings were removed and will be replaced. Town of Wallkill Summer Camp ends August 5th – has been a success. Next Town of Wallkill Police Community Council meeting August 4th at 7 PM. August 2nd National Night Out Against Crime at Town of Wallkill Little League Park from 6 – 10 PM. Thanked J. McClintock and J. Lippert for being responsive to parks. Also thanked Michelle at Highway Dept. for grant money and W. Barrett for help with problem on Greenway Terrace.

COUNCILMAN MULQUEEN: Read the following Human Rights Commission Positive Statement on Galleria restriction:

The Town of Wallkill Human Rights Commission, with unanimous agreement of its members, objects to the policy at the local Galleria shopping mall that restricts access by young men and women 17 years old and younger. This policy, that requires older persons escort certain teens during critical hours, denies basic human rights and freedom of access to a significant portion of our young citizens.

July 28, 2005

The policy tends to punish and limit independent movement to innocent or non-involved members of our community because of alleged misbehavior of some unruly persons. Even if this police supposedly results in intended reduction of misbehavior, the ends do not justify the means. Control of unruly young persons is only achieved at the denial of basic rights of the many well behaved.

Instead, this problem should be addressed by dealing directly and specifically with the perpetrators, a procedure normally used to enforce law breaking. An unfair broad approach is not desirable for this community and its young citizens who deserve the same human rights granted to the general population.

Other local retail establishments – Sears, Walmart, Best Buy, convenient stores, mini-malls, etc, could adopt the Galleria’s restriction policy. Thus, local teens would face a daunting obstacle course of unreasonable restrictions.

MOTION BY: Mr. Mulqueen to forward statement to Galleria.

SECONDED BY: Mr. Ward

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

MOTION CARRIED

COUNCILMAN DEPEW: Thanked Parks & Recreation and Water & Sewer Dept. for the work they do. Asked that spraying for weeds be refined. Concerned about visibility problem on County Rt. 78. Set meeting on Shawangunk Kill law August 22nd 7 PM.

COUNCILMAN COMMENTS

COUNCILMAN KING: Announced Farmers Market Saturdays 2 – 7 at Gander Mountain parking lot. Thanked Marie Ulrich for work.

COUNCILMAN VALENTIN: Thanked Master Plan Committee and Conservation Commission. Thanked and wished E. Steenrod best of luck on retirement. Introduced new Building Inspector, Gene Jaques. Discussed Galleria Mall restrictions, which he feels was much needed. Request Mr. Smith notify Councilmen of water main breaks.

July 28, 2005

COUNCILMAN MULQUEEN: Discussed communications and calls on quality of life issues. Encouraged residents to take part in community organizations. Concerned about quality of conversation on Town website. He encourages e-mails without attachments.

COUNCILMAN DEPEW: Stated comment about website worthy to discuss at work session. Stated fireworks show was short. Thanked all who call with concerns. Asked for prayers for 3 family members who are ill.

SUPERVISOR COMMENTS

SUPERVISOR WARD: Stated Golf course revenue even with last year and Ward 1 most bulk garbage. Also stated book written by Town of Wallkill Police Officer, Robert McLemore. Announced Hazardous Waste Day August 6th at Orange County Airport. Announced award to Jeanette Webus. Sales tax \$671,641.52 received. Explained resolution for Silo Estates. Stated he is satisfied with Master Plan – appreciates work done to update in positive manner but will hold off on zoning. Announced August 3rd public hearing to extend moratorium for 4 months. Announced he will be going to Maine August 12th – August 22nd to umpire in Little League World Series. Also announced he has a new granddaughter, Casandra Wentzel.

CHIEF HERTMAN: Announced Community Council meeting August 4th 7 PM and events for National Night Out Against Crime August 2nd at Town of Wallkill Little League Park.

MR. LIPPERT: Discussed Derby Road bridge which is being monitored by Orange County. Also Crotty Road culvert has been replaced. Trophy presented to Councilman King for bulk pickup award.

PUBLIC PARTICIPATION

(COUNCILMAN KING LEFT MEETING)

E. Weisbeck discussed Galleria Mall restrictions which he feels is harassment and not right.

M. Cody stated Veterans Memorial Park got a \$2000.00 grant. Announced display at Middletown Armory open September 9th, 10th & 11th and service September 11th at 8 AM at Veterans Park. September 10th is Middletown parade.

V. Ferri asked who decides what is proper speech on website. Discussed zoning and Master Plan and stated Master Plan improper procedure without SEQRA process. Asked about franchise tax and Galleria certiorari. Stated kids have a right to be there and it is discrimination.

N. Hermann asked about Silo Estates bonds.

E. Fogarty asked if modifications are in the Comprehensive Plan and when will it be available.

K. Kurachek offended kids are categorized and parents are being blamed.

Councilman Valentin explained restriction is only Friday and Saturday nights – major issue which needs to be addressed.

C. Squillace welcomed new Building Inspector. Stated gangs and problems should be addressed.

M. Walker asked who is Oral Smith. Discussed golf course revenue. He wants to be tax exempt.

R. Sullivan asked that they look at big picture of Master Plan and be an informed resident. Stated Galleria is hangout for down time and good kids need to be protected. She asked for donation from Galleria for program for kids.

M. Hernandez asked what lighting district is and for Children At Play sign.

D. Penell thanked residents of the Town of Wallkill for accepting his family and for the Greens of Wallkill.

C. McLean thanked Town Board and people responsible for July 4th event. Concerned about speed on Bert Crawford Road and people coming out of McDonald's and Party City and crossing Rt. 211 to make U-Turn at Dunning Road light.

S. Najac thanked Master Plan Review Committee and discussed issues with things for kids to do – nothing convenient where kids can walk.

MOTION BY: Mr. Ward to adjourn and audit claims at 10:22 PM.

SECONDED BY: Mr. Depew

Supervisor Ward Voting Aye

Councilman King Absent

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

July 28, 2005

MOTION CARRIED

Meeting Adjourned at 10:22 PM

Louisa Ingrassia, Town Clerk