

The Town Board of the Town of Wallkill held a public hearing at the Town Hall, 600 Route 211 East at 7:10 PM. Board members present were Supervisor Ward, Councilman King, Councilman Valentin, Councilman Mulqueen and Councilman Depew.

SUPERVISOR WARD: Would the Town Clerk please read the notice of the Public Hearing.

TOWN CLERK, LOUISA INGRASSIA: PLEASE TAKE NOTICE that the Town Board of the Town of Wallkill will hold a public hearing on the 26th day of August, 2004 at 7:10 o'clock PM at Town Hall, 600 Route 211 East, Town of Wallkill, New York, on the adoption of the Enforcement and Implementation Plan relating to industrial users of the Town's wastewater treatment plant.

The Town Board proposes to adopt the Plan as a policy of the Town. Copies of the Enforcement and Implementation Plan are on file in the office of the Supervisor at Town Hall and with the Superintendent of Water and Sewer, 52 Golf Links Road, Middletown, New York, and area available for examination by interested members of the public during regular business hours.

The Town Board will at the above date, time and place hear all persons interested in the subject matter hereof. Persons may appear in person or by agent. All written communications addressed to the Board must be received by the Board at or prior to the public hearing.

By Order of the Town Board

SUPERVISOR WARD: Explained how Local Law for wastewater system will be implemented.

MR. SMITH: Explained they are working on developing permits for industrial users and options for the Town Board to take.

SUPERVISOR WARD: Asked for comments from Town Board and public. Stated notices were sent to all industrial users.

MR. SMITH: Stated copies of the plan were mailed certified mail.

MOTION BY: Mr. Ward to close public hearing at 7:26 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 at the Town Hall, 600 Route 211 East at 7:15 PM. Board members present were Supervisor Ward, Councilman King, Councilman Valentin, Councilman Mulqueen and Councilman Depew.

SUPERVISOR WARD: Would the Town Clerk please read the notice of the public hearing.

TOWN CLERK, LOUISA INGRASSIA: PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Wallkill on August 26, 2004, at 7:15 PM at Wallkill Town Hall regarding the adoption of a Local Law of the Town of Wallkill for the year 2004, amending the Zoning Code, by which crematories would be designated as an illegal use in the Town of Wallkill.

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

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

SUPERVISOR WARD: Explained local law was brought by Mr. King eliminating crematories from being brought into the Town of Wallkill.

COUNCILMAN KING: Explained with growth in Town they have to be more selective. He asked that they be able to vote on the law tonight.

COUNCILMLAN VALENTIN: Stated he doesn't have a problem voting but doesn't see the urgency.

SUPERVISOR WARD: Asked for comments from public.

PUBLIC COMMENT

N. Guenste asked if accessory use will also be excluded.

MOTION BY: Mr. Ward to close public hearing at 7:30 PM

SECONDED BY: Mr. Depew

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

SUPERVISOR WARD: The public hearing on the moratorium is cancelled.

The Town Board of the Town of Wallkill held a regular meeting on August 26, 2004 at 7:35 PM at the Town Hall, 600 Route 211 East, Middletown, NY. Present were Supervisor Ward, Councilman King, Councilman Valentin, Councilman Mulqueen and Councilman Depew.

Pledge of Allegiance led by Councilman Depew

Special presentation by Eagle Scout, Jeremy Berkowitz for work at Pine Hill Cemetery. Thanked Supervisor Ward and Councilman Depew for their help. He presented the Town Board with a book.

PUBLIC COMMENTS ON AGENDA

N. Guenste thanked Board for resolution to correct name of Conservation Commission. Asked that budget transfers be made available.

V. Ferri asked that budget transfers be listed. Asked about resolution to authorize Drake, Sommers, Loeb, Tarshis, Catania & Liberth to proceed with litigation.

Resident asked that moratorium public hearing be in another place.

MOTION BY: Mr. Ward to accept minutes of July 22, 2004.

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

CORRESPONDENCE

To: John Ward
From: Edward A. Garrett

I would like to extend my sincere appreciation, on behalf of my wife, myself and the residents of Beverly Drive, for the speedy & efficient response, by yourself, Walt Barrett and the Town employees, in resolving the deplorable & unsightly conditions of the property on the north/west corner of Beverly Drive & Route 302.

To: John Ward
From: Deborah A. Grosso

On Saturday, September 25, 2004 Our Lady of Mt. Carmel School is sponsoring our annual "Marathon Day" and would like to close off a part of Euclid Avenue to assure the safety of our children. The part of Euclid Avenue directly behind the school would need to be closed from 9 AM – 2 PM while the other ends of Euclid would remain open. I hope you will approve this proposal at your next town board meeting.

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: Chief Hertman
From: Sue Crowe

Thank you for your support to making Sandburg Court a safe and caring neighborhood for our families.

To: John Ward
From: Boys & Girls Club

I am writing on behalf of the local Wallkill East Rotary Club to request your assistance for an upcoming fundraiser event. Our fundraising committee has planned an exciting and different event entitled "Wiffle for Kids." The concept is a Wiffle Ball tournament which will accept teams of up to five people, ages 14 and above. The event, which will also include a Home Run Derby, will be held over the course of two days and is scheduled for September 25th and 26th. We would be very grateful if you would allow us to use the Town of Wallkill Little League Fields for this event.

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

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

MOTION CARRIED

To: Town Board
From: John E. Lippert

As you know, we received a grant from the Orange County Community Development Office in the amount of \$55,000.00 to be spent making substantial improvements to the Washington Heights Park. Some of these improvements include new playground equipment, construction of a soccer field, and lining the park with trees. The purpose of this letter is to request the Board's authorization to advertise and solicit bids for these improvements.

Additionally, we would further request your authorization to award the bids to the lowest qualified bidder subject to approval by Orange County Community Development, and subject to the low bid amount being within the budget limits established for this project.

With your permission, we will advertise for bids in the Times Herald Record within the next few weeks and open bids mid-September. Assuming that everything goes as planned, we anticipate completing the work this fall.

Thank you for your consideration, if you have any questions, please give me a call.

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: John Ward
From: MaryLynn Hunt, Planning Board Secretary
Re: United Development/Performance Bond

Please be advised that per a conversation with David Fritz of McGoey, Hauser and Edsall, the above noted Bond can be released. All site work has been satisfactorily as per the attached letter.

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

MOTION BY: Mr. Ward to allow Pine Bush Central School District JV Soccer and Harmony Christian School to use the soccer fields.

SECONDED BY: Mr. Valentin

COUNCILMAN MULQUEEN: Stated the purpose is for soccer for both schools.

MOTION BY: Mr. Ward not to allow the use of football by Pine Bush.

SECONDED BY: Mr. Depew

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

MOTION CARRIED

To: John Ward
From: Children's Cancer Fund

We are writing to ask your support and help with an important local event.

On Saturday, September 25, 2004, our family will be hosting "Mini Walk for Michael", a fundraiser for the Children's Cancer Fund; a non-profit organization whose mission is to foster research in childhood cancer and to provide support services which improve the quality of life for children with cancer and their families. We have benefited directly from the research and kindness of this dedicated group. The event is in honor of our two-year old son, Michael Maraldo, who was diagnosed with Acute Lymphoblastic Leukemia on April 1, 2003. He has undergone a year of intensive chemotherapy treatments and continues to receive chemotherapy monthly at the Westchester Medical Center. Thankfully, he is currently in remission, but we have a long way to go before we can consider him cured of his cancer.

The walk will be held in Circleville, beginning with Registration at the Pakanasink Elementary School at 9:30 AM, walk beginning at 10:30 AM and ending up at Pavilion 2 of the Circleville Park, following the same route as the annual Fourth of July Parade. To ensure the success of this event, we are counting on the support of our community, church, friends and local police department in the form of participation, donations and security and safety assistance. We would greatly appreciate if you could help us keep our walkers safe by arranging police coverage along the walk route and advise us of any

permits that might be required by the town. We have also contacted the Circleville Fire Company to assist us with leading the walk.

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

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

To: Town Board
From: John E. Lippert

Per the Town Boards direction, the bids for pavilions were revised, re-bid and opened on August 5, at 2 PM. One bidder, Brescia Building Corporation has offered bids, summarized as follows:

	W/concrete floor	Without concrete floor
Howard Drive (large)	\$22,263.00	\$18,664.00
Howard Drive (small)	\$14,244.00	\$12,040.00
Belmont Park	\$14,244.00	\$12,040.00

I am recommending that we go with the concrete floors on all three pavilions for ease of maintenance. The combined total would be \$50,751.00, this would not require a budget transfer as the funds are in the 2004 Parks budget.

Your authorization is hereby requested to award the bid to Brescia Building Corp. If you have any questions, please give me a call. Thank you.

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 allow Pine Bush Schools to use 50% of the tennis courts at Circleville Park.

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: Town Board
From: Edward A. Smith

Bids were received and opened on August 17, 2004 for the painting of the Chlorine Contact Tank and Iron and Manganese filters and the Braeside Treatment Facility. A total of five bids were received ranging from \$49,000.00 to \$84,700.00.

I recommend that you accept the low bid of \$49,000.00 as submitted by JNP Construction, 50 Lewis Court, PO Box 1907, South Hackensack, NJ 07606.

If you have any questions, please feel free to 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

August 26, 2004

To: John Ward & Town Board
From: Mr. & Mrs. Charles McLean

We would like to bring to your attention the most commendable actions of four of your police department's officers and the courteous and swift action of your dispatcher and extend to them our deep gratitude for all their help on August 16th and 17th. Officers Algarin and Parisi, who were the first responders to our request of assistance and Officers Scheuering and Guedes who were here to guide us through to a successful conclusion, were professional, helpful, comforting, concerned, knowledgeable, courteous and caring. And especially Officer Kelly Scheuering for her continuing offers of encouragement, assistance and understanding.

We hope this letter will be added to their personnel files and serve as notice to their superiors and the Town of Walkkill citizens that in our opinion they represented the entire police department in a most distinguished and professional manner.

To: John Ward
From: MaryLynn Hunt
Re: Performance Bond – Aldi's

Please be advised that per a conversation with Davit Fritz of McGoey, Hauser and Edsall, the above noted bond in the amount of \$11,025.00 can be released. All site work has been satisfactorily as per the attached letter.

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

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

MOTION CARRIED

To: John Ward
From: MaryLynn Hunt
Re: Completion Bond – Gander Mountain

Please be advised that per a conversation with David Fritz of McGoey, Hauser and Essall, the above noted Bond in the amount of \$25,000.00 can be released. All site work has been satisfactorily completed per the attached letter.

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 Abstained

MOTION CARRIED

To: John Ward
From: Richard D. McGoey

Please be advised that the undersigned of our office performed a review of the preliminary construction cost estimate prepared by Roger J. Ferris Engineering and Land Surveying, as submitted to our office on 12 August 2004.

In line with our review, we have revised the performance bond estimate enclosed.

Based on our review of the estimate. We found that several of the unit prices utilized were not based on prevailing wage and additional items of work have been added, including the demolition of an existing dwelling unit and the preparation of As Built plans. We have also added a 10% construction contingency. The total has therefore increased from \$152,500 up to \$261,030.

On the basis of the above, we are recommending that the Town Board approve a performance bond for this project in the amount of \$261,000.

Should you have any questions regarding this matter, please contact our office.

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: Chief of Police
From: Patricia Popstein

I wanted to take the time to thank two of your officers, Officer Parisi and Officer Algarin.

They were very helpful in my recent loss and retrieval of my bracelet. The loss occurred at Shop-Rite on Route 211 in Wallkill.

I am convinced that without their perseverance, my bracelet would not have been retrieved.

Again, I thank them for their assistance and professionalism.

MOTION BY: Mr. Ward to appoint James Masi as a part-time police dispatcher.

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

RESOLUTIONS

WHEREAS, it appears that properties owned now or formerly by Michael Martine located at 487 Route 211 East and Route 17M and Fair Oaks Road are apparently being operated in violation of the provisions of the Town of Wallkill zoning law, and

WHEREAS, past attempts to address and correct the violations have not been successful, and

WHEREAS, it now appears that the Town should proceed to seek injunctive relief in the Supreme Court addressing each of the properties,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby authorize Drake, Sommers, Loeb, Tarshis, Catania & Liberth, PLLC to proceed with an action or actions in the Supreme Court of the State of New York to secure injunctive relief to prevent the continuing violations of the Town of Wallkill zoning law on properties at 487 Route 211 East and Route 17M and Fair Oaks Road, all within the Town of Wallkill, County of Orange, State of New York.

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

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

WHEREAS, 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 July 22, 2004, at 7:20 PM at Town Hall, 600 Route 211 East to hear all interested parties on a proposed Local Law entitled A Local Law amending the Town Code of the Town of Wallkill, County of Orange, New York regarding procurement policy, amending limits of guidelines for purchasing and awarding public works contracts; and

WHEREAS, notice of said public hearing was duly advertised in Times Herald Record, the official newspaper of said Town, on July 8, 2004, and

WHEREAS, said public hearing was duly held on July 22, 2004 at or about 7:20 PM at Wallkill Town Hall, 600 Route 211 East, Middletown, NY and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof, and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Town Board of said Town that adoption of said proposed Local Law is a Type II Action under SEQRA and no further action under SEQRA is required, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby adopts said Local Law No. 7 of 2004, entitled A Local Law amending the Town Code of the Town of Wallkill, County of Orange, New York regarding procurement police, a copy of which is attached hereto and made a part of this resolution; and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Wallkill, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

MOTION BY: Mr. Ward

SECONDED BY: Mr. King

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Wallkill for a public hearing to be held by said Governing Body on July 22, 2004, at 7:05 PM at Town Hall, 600 Route 211 East to hear all interested parties on a proposed Local Law entitled A Local Law amending the Town Code of the Town of Wallkill, County of Orange, New York regarding payment of certain sewer inspection fees, setting the permit and building lateral sewer inspection fee at \$250; and

WHEREAS, notice of said public hearing was duly advertised in Times Herald Record, the official newspaper of said Town on July 8, 2004, and

WHEREAS, said public hearing was duly held on July 22, 2004 at or about 7:05 PM at Wallkill Town Hall, 600 Route 211 East, Middletown, NY and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof, and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Town Board of said Town that adoption of said proposed Local Law is a Type II Action under SEQRA and no further action under SEQRA is required, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby adopts said Local Law No. 8 of 2004, entitled A Local Law amending the Town Code of the Town of Wallkill, County of Orange, New York regarding payment of certain sewer inspection fees, a copy of which is attached hereto and made a part of this resolution; and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Wallkill, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

MOTION BY: Mr. Ward

SECONDED BY: Mr. King

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

WHEREAS, the Town Board of the Town of Wallkill has been petitioned by Ginsburg Development LLP, for approval for construction of a temporary sales office for the Fairways residential project in the Town of Wallkill; and

WHEREAS, the proposed appearance of said temporary sales offices, including quality landscaping, shown as attached herein, will not be a visual detriment to the neighboring community; and

WHEREAS, said temporary sales office will be used only until completion of construction of the first townhouse building adjacent to the entrance, within 60 days of which the temporary sales office will be removed; and

WHEREAS, the Town of Wallkill determines that said request is reasonable, within the purview of good business practices; and presents no threat to the good and welfare of the residents of the Town, particularly because of its temporary nature;

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

THAT Ginsburg development, LLC, is hereby approved for the construction of a temporary sales office on the location of the entrance to its Fairway residential project,

PROVIDED said office is constructed, landscaped, and maintained in accordance with the attached rendering at the sole determination of the Town Board of Wallkill, and

PROVIDED said office is of a temporary nature, this approval extending no more than two years from the date of this resolution or until such time as the sales office may be moved to a finished residential building on site, whichever occurs first.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

COUNCILMAN VALENTIN: Asked about a conflict but has no problem with the trailer.

COUNCILMAN KING: Asked that temporary trailer goes through same inspections.

COUNCILMAN MULQUEEN: Stated he doesn't plan on voting for it at this time.

MOTION BY: Mr. Mulqueen to table.

SECONDED BY: Mr. Ward

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Abstain

Councilman Mulqueen Voting Aye

Councilman Depew Voting No

MOTION CARRIED

WHEREAS, Louis Heimbach and Charlotte Neugarten have presented a petition to the Town Board, made pursuant to Town Law Section 191, verified on July 19, 2004 seeking an extension of the Town of Wallkill Consolidated Water District to include lands described in said Petition being part of tax parcel 36-2-67 (65 acres) and a contiguous 7.89 acre parcel being all of tax parcel 36-2-27.3, both parcels lying in the vicinity of Maples Road and The Lane, and

WHEREAS, said petition does not call for the installation of any improvements with respect to the proposed extension and does not propose the expenditure of any funds with respect to the proposed extension, and, as such, will not cause these properties or any other in the Consolidated Water District to incur any debt or obligation with respect thereto, and

WHEREAS, the Town Board does wish to schedule and hold a public hearing upon said petition in the manner required by Section 193 of the Town Law,

NOW THEREFORE ON MOTION OF SUPERVISOR WARD, SECONDED BY COUNCILMAN DEPEW, IT IS ORDERED AS FOLLOWS:

That the Town Board hold a public hearing upon the aforesaid petition on the 9th day of September 2004 at 7:05 PM of that date in the Wallkill Town Hall, 600 Rt. 211 East, Middletown, NY and at such time shall hear all those interested in the subject of said petition.

That the Town Clerk give notice of this public hearing in the manner required by Section 193 (1) of the Town Law by publishing and posting a certified copy of this Order within the times set forth in said section of law.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

COUNCILMAN VALENTIN: Questioned why they are going through this to set a public hearing.

SUPERVISOR WARD: Explained they have submitted a petition.

COUNCILMAN DEPEW: Explained the intent of the resolution is to hold a public hearing. Motion to call the question.

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Abstained

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

COUNCILMAN VALENTIN: Discussed Councilman Depew calling the question.

WHEREAS, Edward Maddamma have presented a petition to the Town Board, made pursuant to Town Law Section 191, verified on December 16, 2003 seeking an extension of the Town of Wallkill Consolidated Water District to include lands described in said petition being part of tax parcel 40-1-18.2 on Mud Mills Road.

WHEREAS, said petition does not call for the installation of any improvements with respect to the proposed extension and does not propose the expenditure of any funds with respect to the proposed extension, and, as such, will not cause these properties or any

other in the Consolidated Water District to incur any debt or obligation with respect thereto, and

WHEREAS, the Town Board does wish to schedule and hold a public hearing upon said petition in the manner required by Section 193 of the Town Law,

NOW, THEREFORE ON MOTION OF SUPERVISOR WARD, SECONDED BY COUNCILMAN DEPEW, IT IS ORDERED AS FOLLOWS:

That the Town Board hold a public hearing upon the aforesaid petition on the 9th day of September, 2004 at 7:10 PM of that date in the Wallkill Town Hall, 600 Route 211 East, Middletown, NY and at such time shall hear all those interested in the subject of said petition.

That the Town Clerk give notice of this public hearing in the manner required by Section 193(1) of the Town Law by publishing and posting a certified copy of this order within the times set forth in said section of law.

MOTION BY: Mr. Ward

SECONDED BY: Councilman Depew

COUNCILMAN VALENTIN: Explained he has sat on the Board for several years and has never seen a request for a public hearing like this.

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Abstained

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

WHEREAS, Town Board of Wallkill may adopt a local law to amend the Town Code of the Town of Wallkill for the purpose of establishing a moratorium on certain residential construction within the Town of Wallkill; 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 moratoria are listed as Type II Actions under 617.5 of the State Environmental Quality Review Act (SEQRA) and, as such, are not subject to review under SEQRA; and

WHEREAS, the Wallkill Town Board wishes to set a time and place for a public hearing for said proposed local law, so that the public may be heard;

NOW, THEREFORE, it is hereby

RESOLVED, that a public hearing be held by the Town Board with respect to the adoption of the aforesaid Local Law at 7:15 PM on September 9, 2004, 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. 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 contract with Cit-e Net, Inc. for implementation of a software system that will allow customers of the Town of Wallkill Water Department the ability to pay their respective bills on line at a cost not to exceed \$4,000 for one-time set-up costs and an annual fee of no more than \$1,250.

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, Town Board of Wallkill may adopt a local law to amend Chapter Twelve of the Town Code of the Town of Wallkill for the purpose of changing the name of the Town Conservation Committee to the Town Conservation Commission; 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 enactment is an unlisted action under the State Environmental Quality Review Act (SEQRA) and, as such, is not subject to review under SEQRA; and

WHEREAS, the Wallkill Town Board wishes to set a time and place for a public hearing for said proposed local law, so that the public may be heard;

NOW, THEREFORE, it is hereby

RESOLVED, that a public hearing be held by the Town Board with respect to the adoption of the aforesaid Local Law at 7:25 PM on September 23, 2004, 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. 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, that the following budget transfers be made:

TO		FROM	
D5112.419	\$71,000	D5110.415	\$17,000
D5112.417	48,000	D2803	48,000
SS18130.406	30,000	SS18120.200	30,000

MOTION BY: Mr. Ward

SECONDED BY: Mr. Valentin

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

WHEREAS, the Town Board of the Town of Wallkill finds it necessary to amend the fee schedule for the issuance of water service connection permits for the Town of Wallkill Municipal Water System; and

WHEREAS, said action setting the fees to be paid for all water service connection permits is the responsibility of the Town Board under Town of Wallkill Code, Chapter 242, 242-7.B.;

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

THAT said Town Board, in compliance with Town Code 242-7.B., hereby sets the following fees to be paid to the Town of Wallkill at the time the application for a water service connection permit is filed: a permit and building lateral water inspection fee of \$250.00.

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, a certain parcel of land developed and built as a roadway known as Meadows Lane in the Mt. Joy Meadows Subdivision in the Town of Wallkill has been

offered for dedication to the Town of Wallkill for highway purposes by Whitewater Corporation of Sugar Loaf, Inc. the owner of said land, as shown on a plan prepared by McDougall Engineering Assoc., dated April 2, 2003; and

WHEREAS, the Commissioner of Public Works of the Town of Wallkill has recommended acceptance of said parcel for dedication for highway purposes, upon the completion of construction of said roadway in accordance with Town specifications; and

WHEREAS, the Commissioner of Public Works has indicated road construction has been completed to his satisfaction; and

WHEREAS, a policy of title insurance relating thereto has been issued; and

WHEREAS, all transfer and recording fees will be paid by Whitewater Corporation of Sugarloaf, Inc.;

NOW, THEREFORE, it is hereby

RESOLVED by the Town Board of the Town of Wallkill in regular session duly convened that, upon notification from the Town Attorney that the title insurance policy has been issued and upon approval and recommendation of the Commissioner of Public Works, the Town Board agrees to accept the deed of dedication on the said lands, authorizing the Town Supervisor to execute all necessary documents to effect transfer of said property, and directs the same be recorded in the Office of the Orange County Clerk, thereafter filed with the Town Clerk of the Town of Wallkill.

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

COMMITTEE REPORTS

COUNCILMAN KING: Set Finance Committee meeting August 31, 2004 at 8:30 AM. Discussed giving notice to Planner to be dismissed.

COUNCILMAN VALENTIN: Set Parks Committee meeting August 30, 2004 at 4:30 PM and Highway Committee meeting at 5:30 PM.

COUNCILMAN DEPEW: Had two Personnel Committee meetings – Discussed ADP Payroll System which will be completed shortly. Set Police Committee meeting September 2, 2004 at 6 PM to discuss the speed trailer.

COUNCILMAN VALENTIN: Added he would like to discuss adding additional police officers.

COUNCILMAN COMMENTS

COUNCILMAN VALENTIN: Congratulated Jeremy Berkowitz on future Eagle Scout Award. Reminded residents of tax free week and that with school starting be aware of kids walking to school buses.

COUNCILMAN MULQUEEN: Announced Rabies Clinic sponsored by Middletown Humane Society August 28, 2004 10:30 AM to 12 noon at Town of Wallkill Community Center. Announced vacancies on Planning Board, Zoning Board and Conservation Commission. Impressed with all people who responded during blackout. Discussed code enforcement issues on Bellvernon Avenue.

COUNCILMAN DEPEW: Announced Vietnam Veterans Memorial Wall committee holding September 11th services at Town of Wallkill Veterans Memorial Park at 7 AM to 2 PM. Thanked Mike Cody for his work.

MOTION BY: Mr. Ward to close Highland Avenue and Station Road on September 11, 2004 for services.

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

SUPERVISOR'S COMMENTS

SUPERVISOR WARD: Discussed sales tax in Orange County – Check received from County for \$632,826.01.

Announced Thrall Library has budget out – There will be a public hearing September 8, 2004 at 7 PM with vote October 5, 2004.

Discussed change to Town law on towing to identify and eliminate people on list who may be felons.

Discussed grant for being able to do fingerprints and send to Albany.

Discussed article on non-compliance of consent decree for Police Department. Explained article is misleading – They are taking it very seriously and are working very hard to correct it properly for the safety of the Town.

CHIEF HERTMAN: Discussed power failure and thanked agencies who helped. Explained grant received for fingerprint system.

PUBLIC PARTICIPATION

N. Collins asked for stop sign on Rockwell Avenue and Carls Place.

N. Guenste thanked Chief for Night Out Against Crime.

M. Cody announced September 11th services 8 AM and 7 AM to 2 PM pictures on display with donations accepted and parade at 2 PM.

Supervisor Ward announced his wife's nephew will be home from Iraq on October 1st.

V. Ferri discussed Councilman Depew calling the question and article on Police Department. Stated Town Board has to be more committed and respond to needs of Police Department. Discussed proposed new Town Hall issues, Time Warner franchise tax and Scarano zoning change.

A. Vavricka asked about Times Herald Record article on Town's water.

Mr. Smith discussed testing of wells, Health Department letter and health risks.

Town Board will meet with Mr. Smith on September 1st.

MOTION BY: Mr. Ward to adjourn and audit claims at 9:15 PM.

SECONDED BY: Mr. King

August 26, 2004

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

Meeting Adjourned 9:15 PM

Louisa Ingrassia, Town Clerk