

A Public Hearing was held by the Town Board of the Town of Wallkill on September 10 2009 at 7:25 pm at Wallkill Town Hall 99 Tower Drive. Members present were, Councilman King, Councilman Valentin, Councilman Mulqueen and Councilwoman Neighmond Supervisor Ward was absent .The Clerk read the following notice.

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Wallkill on September 10, 2009, at 7:25 p.m. at Wallkill Town Hall regarding the adoption of a Local Law of the Town of Wallkill for the year 2009 which would amend Chapter 233-5 of the Town Code of the Town of Wallkill, to install a yield sign at the intersection of Overhill Road and Robertson Drive.

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
99 Tower Drive - Bldg. A
Middletown, NY 10941

The Town of Wallkill will make every effort to assure that the hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF WALLKILL.
Louisa Ingrassia Town Clerk

Councilman Mulqueen: Brought about by the concerns of area residents.

No public comment.

Motion By: Mr. Valentin to close hearing at 7:35pm
Seconded By: Mr. King

Supervisor Ward	Absent
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

A regular meeting of the Town Board of the Town of Wallkill was held on September 10, 2009 at 7:30 pm at Wallkill Town Hall 99 Tower Drive. Members present Councilman King, Councilman Valentin, Councilman Mulqueen and Councilwoman Neighmond. Also present were Sgt. Moskowitz, Mr. Ingrassia, Mr. Lippert, and Mr. McKay Attorney for the Town. The meeting was opened with the Pledge of Allegiance. A moment of silence was observed in remembrance of September 11th.

There is no public comment on the agenda.

CORRESPONDENCE

To: Supervisor and Town Board
From: John Lippert Commissioner of Public Works

Please declare the following items surplus. Minimum Bid amounts have been determined by Shop Foreman Charles Romer.

PLEASE INSERT LIST

Ms. Neighmond would like the list placed on the website.

Motion By: Mr. Valentin
Seconded By: Mr. King

Supervisor Ward	Absent
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

To: Town Board Members

From: Potter Bros. Ski Shop

Requesting permission for our annual Tent Sale and Swap on October 14-19th. We will place a temporary 40x80 tent on our parking area as we have in the past.

Motion By: Mr. Valentin
Seconded By: Mr. King

Supervisor Ward	Absent
Councilman King	Voting No
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting No
Councilwoman Neighmond	Voting Aye

MOTION FAILS

To: Town Board Members

From: April Shuback

Would like to attend the NYSHIP regional meeting on October 21st from 10am -3pm in Nanuet. The only cost involved would be my mileage.

Motion By: Mr. Valentin
Seconded By: Mr. King

Supervisor Ward	Absent
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

To: Town Board Members

From: David Coates, Middletown School District, Physical Ed Director

On Friday September 25, 2009 the Enlarged City School District of Middletown is organizing a kick off parade prior to our first home football game at faller field. The parade will commence at 4:30 pm from Twin Towers Middle School. The parade route will start on Irwin Avenue, turn right on Wisner and left onto Gardner Avenue extension and proceed to Faller Field. We are requesting the closure of Wisner Avenue between 4:30pm and 5:30pm on that evening. In addition, for safety purposes, we are requesting Police presence to protect the intersections.

Thank you for your time and consideration.

Motion By: Mr. Valentin
Seconded By: Mr. King

Supervisor Ward	Absent
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

To: Town Board Members

From: Eugene Jaques, Building Inspector

I am requesting permission to send Walter Barrett, Charles Russell and Frank Leva to the first of a four part series on the National green Building Standard on September 16,2009

at Honors Haven, Ellenville NY. The cost of the course is \$35.00 per person. This will count for 6 hours of the service credits towards the 24 hours of mandatory training.

Motion By: Mr. Valentin
Seconded By: Mr. King

Supervisor Ward	Absent
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

To: Town Board Members
From: E. Jaques, Bldg. Inspector

I am requesting permission to send jack Maresca, Nick Elia and Donald Benedetto to Fire Service Training class on September 23, 2009 at the Holiday Inn in Middletown. The course is \$35.00 per person for a total of \$ 105.00. This will count for 6 hours of in service credits towards the 24 hours of mandatory training.

Motion By: Mr. Valentin
Seconded By: Ms. Neighmond

Supervisor Ward	Absent
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

RESOLUTIONS

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE SUPERINTENDENT OF THE
DEPARTMENT OF WATER AND SEWER TO
ACCEPT BIDS FOR BIOMASS REMOVAL AND DISPOSAL**

WHEREAS, the Town's Sewage Treatment Plant requires maintenance in the form of sludge removal and disposal services for the efficient functioning of the plant; and

WHEREAS, the Town is required under New York State Law to award such a contract to the lowest responsible bidder; and

WHEREAS, bids for said sludge removal services for the Sewage Treatment Plant were solicited, opened and reviewed; and

WHEREAS, the lowest responsible bidder has been identified;

NOW, THEREFORE, LET IT BE HEREBY

RESOLVED, that the Town Board hereby authorizes and directs the Town of Wallkill Superintendent of the Department of Water and Sewer to accept the bid submitted by Synagro for sludge removal and disposal services in the sum of \$361,270.00 per annum.

Motion By: Mr. Valentin
Seconded By: Mr. King

Supervisor Ward	Absent
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	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 is authorized 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 it is in the best interest of the Town to amend the current schedule of fees, deposits, and costs of the attached services provided by or required by the Town;

NOW, THEREFORE, BE IT HEREBY RESOLVED

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

Motion By: Mr. Valentin
Seconded By: Ms. Neighmond

Supervisor Ward	Absent
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

WHEREAS, property known as 127 Sproat Street in the Town of Wallkill is presently serviced by water and sewer from the City of Middletown as part of the 1990 settlement of the Arfmann litigation; and

WHEREAS, the owners of 127 Sproat Street have applied to the Town of Wallkill Planning Board for a subdivision of that property; and

WHEREAS, the City of Middletown has indicated it would be willing to provide water and sewer service to the new lot, if the Town of Wallkill Planning Board approves the subdivision.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Wallkill, that the Town of Wallkill agrees that if the proposed subdivision of property known as 127 Sproat Street is approved by the Town of Wallkill Planning Board, then the Town of Wallkill is willing to have the City of Middletown supply water and sewer service to the new lot.

BE IT FURTHER RESOLVED, that the Supervisor of the Town of Wallkill is authorized to sign an Inter-Municipal Agreement with the City of Middletown allowing the provision of City of Middletown water and sewer service to the new lot.

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

Supervisor Ward	Absent
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE TOWN SUPERVISOR TO SIGN AGREEMENTS WITH THE
ORANGE COUNTY STOP-DWI PROGRAM**

WHEREAS, the Stop-DWI Program is a statewide traffic safety effort in existence in New York since 1981 for innovative enforcement, rehabilitation, and prevention programming, designed to ensure that no one part of the Driving While Intoxicated (DWI) system becomes overburdened as a result of increased enforcement; and

WHEREAS, the Town of Wallkill is a participating municipality in the Orange County Stop-DWI Program, and it is in the public interest, health, safety and welfare for it to continue its participation in the Orange County Stop-DWI Program; and

WHEREAS, as part of the Town of Wallkill’s participation in the Orange County Stop-DWI Program, it may be necessary for the Supervisor of the Town to sign agreements on behalf of the Town to ensure the Town’s continued participation;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor to sign agreements on behalf of the Town associated with the Orange County Stop-DWI Program, provided the same are acceptable in form and content with the Town’s attorney.

Motion By: Mr. Valentin
Seconded By: Mr. King

Supervisor Ward	Absent
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
ACCEPTING THE FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT
(FGEIS) AS COMPLETE AND READY FOR REVIEW AND PUBLIC COMMENT,
SCHEDULING A PUBLIC HEARING ON THE FGEIS AND A PROPOSED LOCAL
LAW AMENDING THE TOWN’S ZONING CODE AND TO REVIEW THE
POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS OF THE PROPOSED
LOCAL LAW IN ACCORDANCE WITH SEQRA

WHEREAS, in 2005, the Town Board of the Town of Wallkill revised its Town Comprehensive Plan; and

WHEREAS, in 2005 and 2007, the Town adopted comprehensive zoning changes in conformity with the Town’s revised Comprehensive Plan; and

WHEREAS, the Town Board of the Town of Wallkill wishes to adopt a local law for 2009 amending Chapter 249 of the Town Code, which law provides for revisions to the Town’s current conservation subdivision regulations; establishes a planned residential development overlay district; and which further amends and edits miscellaneous provisions of Chapter 249 of the Town Code; and

WHEREAS, in accordance with the provisions of § 617.6 of the regulations implementing the New York State Environmental Quality Review Act (“SEQRA”), (the “SEQRA regulations”), the Town Board previously determined that the aforementioned proposed amendment to the Town Code is an action subject to SEQRA; classified the

aforementioned local law as a Type 1 action pursuant to § 617.4 of the SEQRA regulations and designated itself as Lead Agency with respect to the consideration, review, and determination of significance of the aforementioned local law pursuant to SEQRA regulations § 617.6(b)(1)(I), because there are no other involved agencies; and

WHEREAS, the Town Board held a public hearing on June 11, 2009, to review the FGEIS and to review the proposed local law for the year 2009; and

WHEREAS, the Town Board has reviewed the comments made by the public at the June 11, 2009 public hearing and otherwise submitted by members of the public on the DGEIS and proposed local law; and

WHEREAS, the Town Board has revised the proposed local law based upon the comments made by the public at the June 11, 2009 meeting, and based upon the public comments has determined to eliminate proposed section 249-81, entitled “Water Resources Protection Law” and the related “Protection Guidelines for Water Resources” from the proposed local law; and

WHEREAS, the Town Board has been provided with a Final Generic Environmental Impact Statement (“FGEIS”); and

WHEREAS, pursuant to SEQRA regulation 16.9(a)(5)(ii)(a) and (b), the Town Board hereby determines that additional time was required to adequately prepare and file the within FGEIS and because issues raised at the prior public hearing required material reconsideration and modification of the action as originally proposed; and

WHEREAS, the Town Board has reviewed the FGEIS and finds that the FGEIS is adequate with respect to scope and content for the purpose of commencing public review and wishes to continue its environmental review pursuant to SEQRA; and

WHEREAS, the Town Board seeks to review the potential adverse environmental impacts of said amended proposed local law pursuant to SEQRA,

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that a public hearing be held by the Town Board to obtain public comment concerning the FGEIS and the adoption of the proposed local law pursuant to the New York State Environmental Quality Review Act (“SEQRA”) on October 8, 2009 at 7:25 p.m. at Wallkill Town Hall, 99 Tower Drive, Building A, Middletown, New York; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of the Notice of Completion of the FGEIS and notice of the acceptance of the FGEIS, shall file and distribute notices and/or the FGEIS as required by the SEQRA regulations and to cause public notice of said hearings to be given as provided by law and to keep copies of the aforementioned proposed local law on file for public review.

Motion By: Mr. Valentin
Seconded By: Mr. King

Supervisor Ward	Absent
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

COMMITTEE REPORTS

Councilman King: Will be getting information regarding mileage on Town vehicles. Speaking with Mr. Jaques regarding alternate energy fee adjustments.

Councilman Mulqueen: Ongoing specials at the Golf Course. Assessor the enhanced STAR applications will be mailed on October 1st.

Councilwoman Neighmond: Ongoing Finance meetings. Thanks to employees for looking for cost saving measures.

COUNCILMAN COMMENTS

Councilman King: Get well wishes to Frank Wall. Thanks to Harold Card for his hard work.

Councilman Mulqueen: Thanks to the Department heads for the open and frank discussions. Pleased with the response.

Councilwoman Neighmond: Echoes Kevin's comments. Good discussions with employees. Fourth ward polling sites have changed.

Deputy Supervisor Valentin: Will be meeting with the Chief on Wednesday. School is open please drive carefully. Thank you to employees and department heads, making excellent progress. John Ward will have more details. Thoughts to the families of 9/11 victims.

Ms. Neighmond: Attended Pine Bush School meeting. Complaints regarding bus route changes need to be made to the School District.

Mr. Lippert is on vacation.

Mr. Jaques is at a convention

Chief Hertman is attending school.

Sgt. Moskowitz: Ongoing community and youth Coalition events.

Mr. Ingrassia: Notice received regarding Turbidity Violation. At no time was the water unsafe to drink. The Laurie Anne water tanks are set to be removed on or about September 21st. Flushing of hydrants will begin on 10/12 thru 10/19. Budget meeting with board members, no increase indicated. The Biomass bid is with the same company that we have had a good working relationship with. Wayne Ct work is completed.

PUBLIC PARTICIPATION

M. Cody Veterans discount cards are available.9/11 service is set. Price Chopper is collecting can goods.

B. Ripaldo CSEA thanks to the union employees.

F.Rezac Resident 97 maple drive. Baker Bros. zone change. Provided copies to Board members. Would like to address Town Attorney.

K.Farrell Union family, supports unions. Baker zoning, no Building Dept presence, primary costs.

R. Stumpp Budget concerns, salary reductions, cell phones, attorney fees,water concerns.

D. Tulp Union pride. Leider resident for years, firetrucks. Stop harassing people.

D. Depew Proud Town resident. Working together, Precious Metals Law, Historical Association. Budget deficit where are we.

Ms. Neighmond Ongoing budget meetings, no percentages have been set.

Mr. King Unprofessional and unfair to state numbers regarding budget. Just starting the budget process.

A. Leider Resident, attorney, suggestions regarding pending cases. PBA issues.

Mr. Valentin Attorney fees have been reduced. We have to answer all cases.

Mr. Mulqueen All cases are individual. Disingenuous for an Attorney to say that we should not use our attorney.

M. Coyne: All are concerned with budget deficit.

V. Ferri: Attorney Leider, election fraud.

Motion By: Mr. Valentin to adjourn at 8:55pm

Seconded By: Mr. King

Supervisor Ward	Absent
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilwoman Neighmond	Voting Aye

MOTION CARRIED

Louisa Ingrassia
Town Clerk