

The Town Board of the Town of Wallkill held a regular meeting on September 27, 2007 at 7:30pm at Wallkill Town Hall 99 Tower Dr. Middletown NY. Present were Supervisor Ward, Councilman Valentin, Councilman Mulqueen and Councilman McCarey. Also present Chief Hertman, Mr. Smith, Mr. Lippert and Mr. Jaques. Mr. McKay attorney for the Town was also present.

The Meeting was opened with the Pledge of Allegiance led by Supervisor Ward.

Councilman King will be absent this evening.  
There was no public comment on the Agenda.

**CORRESPONDENCE**

To: Chief Hertman  
From: J.O'Connor

I wanted to thank you and officer's Confield and Covey for the wonderful job the Wallkill Police are doing for the residents of Patio Rd. In a short period of time your Officer's took an out of control situation and turned it around. Because of the efforts of your Officers the young people who may have been a little out of hand are now acting like young neighbors and citizens. I am proud of them and of the Wallkill Police force for being able to work together to resolve the past situation.

To: Town Board  
From: Potter Bros Ski Shops

I am writing to request permission to have a Tent sale at our store on Rte 211 east on October 19-21<sup>st</sup>. the tent will go up on the 17<sup>th</sup> and will be removed on the 22<sup>nd</sup>. I apologize for not sending a letter for our September sale, it was an over site on my part. We have always complied with the Town requirements and have never been cited or fined. Hopefully our attempt to rectify this thru our previous email and this letter will be accepted. Thank you for your time.

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

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

**MOTION CARRIED**

To: Town Board  
From: Our Lady of Mt. Carmel Church

I am writing to you to request the closure of Euclid Ave in the vicinity of our grounds on two dates. On Saturday October 13,2007 from 1:00pm until 4:30pm we would like to close Euclid Ave from the end of our property toward Webb rd to Wawayanda Ave. this closure is needed to provide safety for children who will be participating in activities on the school playground and the soccer field across the street during this period. On Monday October 29 we would like to close Euclid Ave. in the same locations from approximately 6:30pm-9:00pm this closure is to ensure the safety of Cardinal Egan and clergy who will be processing from our Parish Center at the end of the Mass. If you could provide us with barricades, as you have in the past, it would be greatly appreciated.

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

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

### **MOTION CARRIED**

To: Chez Rotundo, Orange County Dept. of Public Works

From: John Lippert

I have received several requests for a 3-way Stop sign at the intersection of Wawayanda Avenue (County Rte 49) and Euclid Avenue. I believe the main need for the request is two-fold.

1. That excessive speed occasionally makes it difficult for traffic to exit onto County Rte 49
2. During Church events and school dismissal traffic on the side street backs uop while motorists attempt to exit County Rte 49 one at a time.

The Mount Carmel School officials and resident Mr. Ron Stump can be contacted for more information. Thank you for looking into this matter.

To: Town Board Members  
From: John Lippert

Your authorization is hereby requested to allow me to travel out of town to Cornell College on October 30, 2007. Cornell University has asked me to participate in a

curriculum evaluation forum, the expenses will be minimal, meals only, and no overnight lodging will be required.

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

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

**MOTION CARRIED**

To: Town Board  
From: E. Smith, Water and sewer Superintendent

I would like permission to advertise to accept bids at 11:00 am November 1, 2007 for the replacement of the Bell Vernon Avenue sewage pumping station. The estimated cost of the construction is \$210,000.00 Money for this project was reserved in the 2007 budget in account number SS18120.2W.

The existing Pump station was constructed in the early 1980's. I have reached a point where continued repairs are no longer feasible.

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

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

**MOTION CARRIED**

To: Town Board  
From: E. Smith Water and Sewer Superintendent

As per Supervisor Ward's memo to me dated August 30<sup>th</sup> enclosed is a proposal from Malcolm Pirnie to assess the impact of recent construction on the collection system for the purpose of reducing inflow and infiltration. Based on the proposal, I would anticipate that the cost would not exceed \$ 25,000.00

The Board has received a proposal from Stearns and Wheeler Inc. to provide the same services at a cost of \$54,000.00

I recommend that the Board accept the proposal from Malcolm Pirnie.

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

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

**MOTION CARRIED**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
SCHEDULING A PUBLIC HEARING ON A PROPOSED LOCAL LAW  
TO AMEND CHAPTER 216 OF THE TOWN CODE OF THE TOWN OF WALLKILL  
AUTHORIZING A REAL PROPERTY TAX EXEMPTION  
FOR COLD WAR VETERANS**

**WHEREAS**, the Town Board of the Town of Wallkill is aware of Senate Bill Number 4697 entitled “AN ACT to amend the real property tax law, in relation to authorizing a real property tax exemption for Cold War veterans”; and

**WHEREAS**, this State legislation is intended to provide Cold War Veterans, who served in the United States Armed Forces for more than one year during the time period from September 2, 1945 to December 26, 1991, and who were discharged or released under honorable conditions, and who have been awarded the federal “Cold War Recognition Certificate”, with a real property tax exemption; and

**WHEREAS**, this State legislation authorizes each county, city, town or village to adopt a local law to provide, among other things, that qualifying residential real property shall be exempt from taxation to the extent of either: (i) ten percent (10%) of the assessed value of such property, provided, however, that such exemption shall not exceed eight thousand dollars (\$8,000) or the product of eight thousand dollars (\$8,000) multiplied by the latest state equalization rate of the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less, or; (ii) fifteen percent (15%) of the assessed value of such property, provided, however, that such exemption shall not exceed twelve thousand dollars (\$12,000) or the product of twelve thousand dollars (\$12,000) multiplied by the latest state equalization rate of the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less; and

**WHEREAS**, the Town Board of the Town of Wallkill believes it would be in the best interest of its resident Cold War Veterans to establish a real property tax exemption for Cold War Veterans and to provide them with the maximum allowable exemption under the New York State Tax Law,

**NOW, THEREFORE, BE IT HEREBY**

**RESOLVED**, that a public hearing be held by the Town Board of the Town of Wallkill concerning the adoption of a local law amending Chapter 216 of the Town Code of the Town of Wallkill, authorizing a real property tax exemption for Cold War Veterans, on **December 13, 2007, at 7:27 p.m.** at Wallkill Town Hall, 99 Tower Drive, Bldg. A, Middletown, New York; and be it 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. Valentin

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

**MOTION CARRIED**

Mr. Mulqueen would like an estimate of the impact of this exemption.

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
CREATING THE POSITION OF  
WATER TREATMENT PLANT OPERATOR**

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

**THAT** said Town Board hereby amends the appropriate Town of Wallkill employment schedules to create an additional position of Water Treatment Plant Operator in the Town of Wallkill Department of Public Works, Water/Sewer Department, as designated by the Orange County Department of Personnel.

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

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

**MOTION CARRIED**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL**

**CREATING THE POSITION OF WASTEWATER TREATMENT PLANT OPERATOR**

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

**THAT** said Town Board hereby amends the appropriate Town of Wallkill employment schedules to create an additional position of Wastewater Treatment Plant Operator in the Town of Wallkill Department of Public Works, Water/Sewer Department, as designated by the Orange County Department of Personnel.

**Motion By:** Mr. Ward

**Seconded By:** Mr. Valentin

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

**MOTION CARRIED**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL APPOINTING ZACK MOBERG TO THE POSITION OF ASSISTANT GOLF COURSE SUPERINTENDENT**

**WHEREAS**, there exists a vacancy in the Town of Wallkill Department of Public Works for an Assistant Golf Course Superintendent; and

**WHEREAS**, Zack Moberg fulfills the requirements of knowledge, skills, and experience for the position of Assistant Golf Course Superintendent; and

**WHEREAS**, it is the opinion of the Commissioner of Public Works that Zack Moberg is qualified to fill said position;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Wallkill hereby appoints Zack Moberg to the position of Assistant Golf Course Superintendent to serve in said capacity at the Town of Wallkill Department of Public Works; and be it further

**RESOLVED**, that said appointment shall be deemed effective no earlier than September 28, 2007.

**Motion By:** Mr. Ward

**Seconded By:** Mr. McCarey

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

**MOTION CARRIED**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
APPOINTING CAROL VOSS TO THE POSITION OF TAX ASSESSOR**

**WHEREAS**, there exists a vacant full-time position of Tax Assessor for the Town of Wallkill; and

**WHEREAS**, Carol Voss fulfills the requirements of knowledge, skill, and experience for the position; and

**WHEREAS**, it is the opinion of the Town Board of the Town of Wallkill that Carol Voss is qualified to fill said position;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Wallkill hereby appoints Carol Voss to the position of Tax Assessor for the Town of Wallkill, to be effective no earlier than October 1, 2007.

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

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

**MOTION CARRIED**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
SETTING THE TIME AND PLACE FOR A PUBLIC HEARING  
WITH RESPECT TO THE REMOVAL, REPAIR, OR MAKING SAFE OF  
STRUCTURES LOCATED AT 703 ROUTE 17M, MIDDLETOWN, NEW YORK**

**WHEREAS**, unsafe structures pose a threat to the life and property in the Town of Wallkill; and

**WHEREAS**, it is the purpose of the Town of Wallkill to provide for the safety, health, protection and general welfare of persons and property in the Town of Wallkill by requiring that such unsafe structures be repaired or demolished and removed; and

**WHEREAS**, the Town of Wallkill Building Inspector has made an inspection of the premises located at 703 Route 17M, Middletown, New York, also known as Orange County Tax Map No. Section 36 Block 2 Lot 16, and has reported in writing to the Town Board his findings that the buildings are unsafe and dangerous and has made recommendations regarding their repair, removal and/or demolition; and

**WHEREAS**, the Building Inspector has requested that the Town order the repair, removal and/or demolition of the structures located on the premises; and

**WHEREAS**, the Town Board of the Town of Wallkill is empowered by Chapter 86 of the Town Code of the Town of Wallkill to order the repair, removal and/or demolition of the structures located within the Town of Wallkill that become dangerous or unsafe to the general public;

**NOW, THEREFORE**, it is hereby

**RESOLVED**, by the Town Board of the Town of Wallkill, that a public hearing by held by the Town Board at 7:27 p.m. on December 13, 2007, at Wallkill Town Hall, 99 Tower Drive, Bldg. A, Middletown, New York, to determine whether the structures located on the premises, also identified as Section 36, Block 2, Lot 16 of the Town of Wallkill, as recorded by the County Clerk of the County of Orange, should be repaired, removed and/or demolished;

**RESOLVED**, that a notice be served upon said persons pursuant to Chapter 86 of the Town Code of the Town of Wallkill; and, 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. McCarey

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

**MOTION CARRIED**

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
SETTING TIME AND PLACE FOR A PUBLIC HEARING WITH RESPECT TO  
THE TOWN BUDGET FOR THE FISCAL YEAR 2008

**BE IT HERE BY RESOLVED**, that a public hearing be held by the Town Board of the Town of Wallkill with respect to the adoption of the Town Budget for the Fiscal Year 2008 on October 25, 2007, at 7:15 p.m. at Wallkill Town Hall, 99 Tower Drive, Building A, 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. Valentin

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

**MOTION CARRIED**

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
TO SET A TIME AND PLACE FOR A PUBLIC HEARING REGARDING THE  
AMENDMENT OF LOCAL LAW #5-2007 TO EXTEND THE MORATORIUM  
ON THE ESTABLISHMENT OF NEW SEXUALLY-ORIENTED BUSINESS USES  
AND THE ENLARGEMENT OF EXISTING SEXUALLY-ORIENTED BUSINESS  
USES IN THE TOWN OF WALLKILL THROUGH MARCH 31, 2008

**WHEREAS**, the Town Board of the Town of Wallkill is in the process of adopting amendments to Chapter 249 and Chapter 59 of the Town Code that will modify the permissible districts within which sexually-oriented businesses may operate within the Town of Wallkill and which will modify the regulations applicable within said districts; and

**WHEREAS**, on March 22, 2007, the Town Board of the Town of Wallkill adopted Local Law #5-2007 instituting a moratorium on the establishment of new sexually-oriented business uses and/or the enlargement of existing sexually-oriented business uses in the Town of Wallkill for a period of six months, which law became effective April 16, 2007; and

**WHEREAS**, it is expected that the completion of the SEQRA review and potential adoption of the local law to modify the permissible districts within which sexually-oriented businesses may operate within the Town of Wallkill and which will modify the

regulations applicable within said districts cannot be completed within the time frame covered by the Town's existing moratorium; and

**WHEREAS**, permitting the moratorium to expire prior to the completion of the SEQRA review and subsequent adoption of the proposed local law could frustrate the purpose of enacting the moratorium and would not be in the best interests of the residents of the Town of Wallkill;

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that a public hearing be held by the Town Board on October 11, 2007 at 7:27 p.m. at Wallkill Town Hall, 99 Tower Drive, Bldg. A, Middletown, New York, regarding the adoption of an amendment to Local Law #5-2007 to extend the moratorium on the establishment of new sexually-oriented business uses and the enlargement of existing sexually-oriented business uses in the Town of Wallkill through March 31, 2008; and be it 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. Valentin

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

**MOTION CARRIED**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
AUTHORIZING THE TOWN SUPERVISOR TO APPLY FOR A GRANT FROM THE  
NEW YORK STATE 2007 JUSTICE COURT ASSISTANCE PROGRAM**

**WHEREAS**, the Town Board of the Town of Wallkill wishes to submit an application for a grant from the New York State 2007 Justice Court Assistance Program to obtain funds to purchase equipment for the Town of Wallkill Justice Court; and

**WHEREAS**, the Town Board of the Town of Wallkill believes it is in the best interest of the Town of Wallkill to submit an application for the aforesaid grant in order to offset the costs associated with the administration of the Town Justice Court;

**NOW, THEREFORE, IT IS HEREBY RESOLVED,**

**THAT** the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor to apply for a grant from the New York State 2007 Justice Court Assistance Program.

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

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

### **MOTION CARRIED**

### **COMMITTEE REPORTS**

**Mr. Valentin** Police Meeting Wednesday at 6:30pm Thanks to officers Confield and Covey for their work on Patio Rd. concerns with Woodstock Park they are being addressed.

**Mr. Mulqueen** Golf revenues greens fees \$560,368.69 63 % of Budget. Carts \$228,000.00 70 % of Budget Grill Rm \$138,000.00 88% of Budget.

**Mr. McCarey** Impressed with the work on Patio rd. Golf Committee meeting 4pm on October 23<sup>rd</sup>.

### **COUNCILMAN COMMENTS**

**Mr. Valentin** Best wishes to Molly on her retirement. Good luck Carol Voss.

**Mr. Mulqueen** Happy circumstances when we find the right person for the job. Always good to promote from within. AHRC Group home placement.

**Mr. McCarey** Congratulations to both Molly and Carol. New ShopRite good thing, 45 yrs in the Town of Wallkill.

### **SUPERVISORS COMMENTS**

There are questions regarding the garbage service. County waste has taken over the refuse hauling for all residential in the Town. Middletown School District will be hlding a meeting in early October regarding Gangs. STAR rebate letters are in the mail easy to apply online.

Motion to set a special meeting on October 3, 2007 at 7:30 pm for the Clerk to present the Preliminary budget to the Town Board

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

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

### **MOTION CARRIED**

Franchise fees for Time Warner are being looked at. Harold and Kathleen Card will be giving their property to the Town. A presentation will be held at their residence, 74 VanBurenville Rd on October 5<sup>th</sup> at 11am. All are welcome.

PILOT School tax amounts for the Galleria Middletown \$1,510,579.76 and Goshen \$2,592,764.62

Talks are beginning regarding the Rte 17 k Sewer project.

**Chief Hertman** Community Council will meet on October 4, 2007 at Community Center 7pm. Youth Coalition October 17, 2007 7pm.

**Mr. Smith** Congratulations to Carol Voss, Hydrant flushing will begin on October 15, 2007.

**Mr. Lippert** Exit 118 is closed should be reopened soon. Congratulations to Carol Voss. October 25<sup>th</sup> pumpkin carving at the Golf Course. October 26<sup>th</sup> Hayride volunteers are needed.

**Mr. Jaques** Congratulations to Carol Voss. Flood Plain Maps are in his office needs to get together with our attorney in re: to the Cemetery Rd area.

### **PUBLIC PARTICIPATION**

**M. Cody** sidewalks have been redone at Memorial Park. Statue committee has made downpayment on statues.

**V. Ferri** Not all present at the Nite Out, no Board help to the Police Dept. Town should pay resident water bill. M. Paduch in favor of Unions.

**R. Stump** Speed trailer on Wawayanda Avenue needed. Letter to County regarding stop sign. Used a corporate expression at last meeting. Letters to Supervisor not read. *Reads letters* ( no copy provided). Questions regarding Ethics Committee.

**R. Rumpf** Stop sign on Slaughter Rd.

Motion by Supervisor Ward to Audit claims pay bills and adjourn at 8:33 pm

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

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

**MOTION CARRIED**

Meeting adjourned

*Louisa M. Ingrassia*  
Town Clerk