

A regular meeting of the Town Board of the Town of Wallkill was held on September 28, 2006 at 7:30 pm at
99 Tower Drive Bldg A
Middletown NY.

Present were Deputy Supervisor McCarey, Councilman King, Councilman Valentin and Councilman Mulqueen. Also present were E. Smith, E Jacques, Chief Hertman and attorney Joe McKay.

The meeting was opened with the Pledge of Allegiance.

Public Comment on the Agenda

D. Depew: would like to see support for the York Road bridge project.

Correspondence

To: Town Board Members
From: Manhattan Leather and Oak

Permission to hold a tent sale from October 13 thru the 15th in their parking lot.

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

Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

MOTION CARRIED

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO REQUEST
BIDS FOR RENOVATION OF THE YORK ROAD BRIDGE IN THE TOWN OF
WALLKILL**

WHEREAS, the Town Board of the Town of Wallkill intends to contract for the renovation of the York Road Bridge in the Town of Wallkill; and

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

NOW, THEREFORE, LET IT BE HEREBY

RESOLVED, that the Town Board hereby directs the Town of Wallkill Commissioner of Public Works to advertise for and solicit bids from qualified parties for the renovation of the York Road Bridge.

Motion By :	Mr. McCarey
Seconded By:	Mr. Mulqueen
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

MOTION CARRIED

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE TOWN SUPERVISOR TO COMMENCE NEGOTIATION
OF AN INTER-MUNICIPAL AGREEMENT WITH THE CITY OF
MIDDLETOWN REGARDING DEDICATION OF PROPERTY AS A PUBLIC
PARK FOR USE BY RESIDENTS OF THE CITY AND THE TOWN OF
WALLKILL**

WHEREAS, the City of Middletown has proposed to dedicate property it owns within the Town of Wallkill, located at section 49, block 1, lot 14.21, for use as a public park by both City and Town residents; and

WHEREAS, the Town of Wallkill held a public hearing concerning this matter on September 14, 2006; and

WHEREAS, there was no opposition by any member of the public to the dedication of the above property as a public park; and

WHEREAS, the Town Board of the Town of Wallkill believes it is in the best interests of the residents of the Town of Wallkill to permit the City of Middletown to dedicate the above property as a public park, provided that certain terms and conditions, including, but not limited to, the use, maintenance and insurance for the park, are agreed to with the City of Middletown;

NOW, THEREFORE, IT IS HEREBY RESOLVED,

THAT the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor to commence the negotiation of an inter-municipal agreement with the City of Middletown concerning terms and conditions, including, but not limited to, the use, maintenance and insurance for the park.

Motion By:	Mr. McCarey
Seconded By:	Mr. Valentin
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye

Councilman McCarey
MOTION CARRIED

Voting Aye

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
ADOPTING A LOCAL LAW AMENDING THE TOWN CODE REQUIRING
INSTALLATION OF TRAFFIC CONTROL DEVICES AT CERTAIN
INTERSECTIONS BY THE SUPERINTENDENT OF HIGHWAYS**

WHEREAS, Chapter 233 of the Wallkill Town Code provides for the installation of traffic control devices to protect the public safety and welfare of the residents of the Town of Wallkill whenever and wherever said dangerous conditions have been determined to exist; and

WHEREAS, a public hearing was held on the 14th day of September, 2006, at 7:22 p.m., to assist in the Town's consideration of the need for the installation of traffic control devices at the intersections of Industrial Drive and Tower Drive; and

WHEREAS, the Town Board of the Town of Wallkill has determined that the installation of "Stop" signs at these locations is in the best interests of the general public safety and welfare;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby adopts said Local Law No. 11 of 2006, entitled A LOCAL LAW AMENDING THE TOWN CODE OF THE TOWN OF WALLKILL, COUNTY OF ORANGE, NEW YORK REQUIRING INSTALLATION OF TRAFFIC CONTROL DEVICES AT CERTAIN INTERSECTIONS BY THE SUPERINTENDENT OF HIGHWAYS, 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.

**UPON ROLL CALL VOTE AS LISTED ABOVE THE SUPERVISOR
DECLARES THE RESOLUTION AS DULY ADOPTED.**

**TOWN OF WALLKILL
LOCAL LAW NO. 11 OF 2006**

A LOCAL LAW AMENDING THE TOWN CODE OF THE
TOWN OF WALLKILL, NEW YORK, DESIGNATING THREE-WAY STOP
AT THE INTERSECTION OF TOWER DRIVE AND INDUSTRIAL DRIVE

Be it enacted by the Town Board of the Town of Wallkill, County of Orange, State of New York, as follows:

Section 1. This Local Law is enacted pursuant to Section 1660 of the NYS Vehicle and Traffic Law for the purpose of effecting public safety at the intersection of Tower Drive and Industrial Drive.

The Town of Wallkill Code **Chapter 233. VEHICLES AND TRAFFIC.**

Section 233-4. Stop Intersections shall be and hereby is amended by this Local Law as follows:

Add to the list of enumerated locations the following text:

“Name of Street	Direction of Travel	At Intersection of
Industrial Drive	Southerly	Tower Drive
Tower Drive	Easterly	Industrial Drive
Tower Drive	Westerly	Industrial Drive”

Section 2. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Wallkill hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3. Repeal

All ordinances, local laws or parts thereof inconsistent with this Local Law are hereby repealed.

Section 4. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home rule Law

Motion By: Mr. McCarey

Seconded By: Mr. Valentin

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman McCarey Voting Aye

MOTION CARRIED

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
ADOPTING A LOCAL LAW AMENDING CHAPTER 178 OF THE TOWN
CODE OF THE TOWN OF WALLKILL, COUNTY OF ORANGE,
PROHIBITING SMOKING ON TOWN PROPERTY IN DESIGNATED AREAS**

WHEREAS, a public hearing was held on the 14th day of September, 2006, at 7:23 p.m., at which time the public provided comments to assist in the Town's consideration of the adoption of a local law to prohibit smoking within sixty-five (65) feet of the buildings comprising Town Hall; and

WHEREAS, the Town Board of the Town of Wallkill has determined that the adoption of a local law prohibiting smoking within sixty-five (65) feet of the buildings comprising Town Hall is in the general welfare of the residents of the Town of Wallkill;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby adopts said Local Law No. 12 of 2006, entitled **A LOCAL LAW AMENDING CHAPTER 178 OF THE**

**TOWN CODE OF THE TOWN OF WALLKILL, COUNTY OF ORANGE,
PROHIBITING SMOKING ON TOWN PROPERTY IN DESIGNATED AREAS;**
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.

**UPON ROLL CALL VOTE AS LISTED ABOVE THE SUPERVISOR
DECLARES THE RESOLUTION AS DULY ADOPTED.**

**TOWN LAW
LOCAL LAW NO. 12 OF 2006**

**A LOCAL LAW AMENDING CHAPTER 178 TO THE
TOWN CODE OF THE TOWN OF WALLKILL, COUNTY OF ORANGE,
PROHIBITING SMOKING ON TOWN PROPERTY IN DESIGNATED AREAS**

**BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF WALLKILL AS
FOLLOWS:**

Section 1.

The Town Code of the Town of shall be amended by adding Article II to Chapter 178, which shall provide as follows:

“§ 178-7. **Definitions.**

For the purposes of this article, the terms used herein are defined as follows:
TOWN HALL - Buildings known as “A” and “B”, located at 99 Tower Drive in the Town of Wallkill.

§ 178-8. **Smoking prohibited.**

No person shall smoke cigars, cigarettes, or any other tobacco products inside said buildings or within sixty-five feet (65) of the buildings comprising the Town Hall.

§178-9. **Penalties for offenses.**

For each violation of the provisions of Article II, the person violating the same shall be subject to a fine of not more than two hundred fifty dollars (\$250.00).

Section 2. **Separability**

Motion By : Mr. McCarey

Seconded By: Mr. Valentin

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

MOTION CARRIED

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE TOWN SUPERVISOR TO ENTER INTO A LEASE
AGREEMENT WITH E-Z-GO TEXTRON FOR THE LEASE OF GOLF CARTS**

WHEREAS, the Town Board of the Town of Wallkill previously entered into an agreement with E-Z-GO Textron for the lease of golf carts for the Town of Wallkill Golf Club; and

WHEREAS, E-Z-GO Textron is offering a five-year lease at a reduced cost to the Town of Wallkill; and

WHEREAS, the Town Board of the Town of Wallkill has reviewed the proposed lease; and

WHEREAS, the Town Board of the Town of Wallkill believes it is in the best interest of the Town of Wallkill Golf Club to enter into this lease agreement with E-Z-GO Textron;

NOW, THEREFORE, IT IS HEREBY RESOLVED,

THAT the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor to enter into a five-year full service lease agreement with E-Z-GO Textron for the lease of 70 golf carts in the Town of Wallkill Golf Club.

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

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

MOTION CARRIED

At a Meeting of the Town Board of the Town of Wallkill in the County of Orange, State of New York, held at Town Hall, Tower Drive, Town of Wallkill, NY, on the 28th day of September, 2006.

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In the Matter of the Extension of Wallkill Consolidated Sewer District in the Town of Wallkill, County of Orange, State of New York

ORDER CALLING FOR PUBLIC HEARING

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WHEREAS, a written Petition, dated and acknowledged the 6th day of July, 2006 in due form and containing the required signatures, has been filed with the Town Clerk on or about the 3rd day of August, 2006, on or about which date the Petition has been presented to and filed with the Town Board of the Town of Wallkill, County of Orange, State of New York, for the extension of the Wallkill Consolidated Sewer District in the Town of Wallkill bounded and described in a metes and bounds survey by Lanc and Tully and in the Tax Map included with the Petition, and

WHEREAS, the improvements proposed consist of the extension of the existing Wallkill Consolidated Sewer District sewage treatment facilities to provide sewage treatment services to the property bounded and described in a metes and bounds survey by Lanc and Tully and in the Tax Map, all in accordance with the map, plan and report submitted with the Petition and now on file in the office of the Town Clerk of the Town, and

WHEREAS, it is the intention of the Petitioner to construct the improvements proposed to be installed in the district extension at its sole cost, which cost includes all costs in connection with the extension of the sewer district, and

WHEREAS, the estimated cost of hookup fees to the typical property in the district extension is \$200.00 and the estimated cost of hookup fees to the typical one- or two-family home in the district extension is \$200.00, and

WHEREAS, the estimated cost of the district extension to the typical property therein is \$800.00 in the first year in which operation, maintenance, debt services and other charges and expenses are to be paid, and the estimated cost of the district extension to the typical one- or two-family home therein is \$347.00 in the first year in which operation, maintenance, debt services and other charges and expenses are to be paid, and

WHEREAS, a detailed estimation of the manner by which those costs were computed, including the said estimated costs of hookup fees and first year costs to the typical property and typical one- or two-family homes within said district extension, has been filed in the Office of the Town Clerk where the same is available during regular office hours for examination by any person interested in the subject matter thereof.

NOW, THEREFORE, BE IT RESOLVED that on 28th day of September, 2006 at 7:25 o'clock P.M. on said day the Town Board will meet and hold a public hearing to consider the extension of the Wallkill Consolidated Sewer District, including the environmental significance thereof, and to hear all persons interested in the subject therefore, and for such other and further action on the part of the Town Board in connection with this matter as may be appropriate, and be it

FURTHER ORDERED that the Town Clerk is hereby directed to publish a certified copy of this Order at least once in the official newspaper of the Town not less than 10 nor more than 20 days before the date of the hearing, and be it

FURTHER ORDERED that the Town Clerk is hereby directed to cause a certified copy of this Order to be posted on the sign board of the Town not less than 10 nor more than 20 days before the date of the hearing.

Councilman Mulqueen makes a motion to table the Resolutions regarding the Federal fund matching for Randall Airport.

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

Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

MOTION CARRIED

COMMITTEE REPORTS

Councilman King: Highway Dept. is working hard to catch up on projects. Patience is requested by residents. Asks that residents show respect for all Town Workers. Bulk Yard is open on Saturdays.

Councilman Valentin:

Motion to allow G. Jacques to attend a Storm water Conference on October 17,2006

Seconded by Councilman McCarey. All Ayes.

Sarah Lane park equipment is ready to be installed. Halloween hayride is upcoming.

Councilman Mulqueen:

Golf committee met on the 26th. The Golf Course is preparing for the Halloween festivities.

Councilman McCarey:

Will be meeting with the Building Inspector regarding Fire code. The light on Mud Mills Rd is functioning. Golf Course revenues are up.

COUNCILMAN COMMENTS

Councilman King: Thanks to the Police Dept for the speeding enforcement.

Councilman Valentin: College sited in Newburgh, concerns with site.

Councilman Mulqueen: Attended stop NYRI meeting, encourages all to get involved. Complaints re: TV races at Randall Airport, speed a concern on Schutt Rd.

Councilman McCarey: Congratulations to John Ward attending family wedding out of state.

Copy of Montgomery ATV law for board members to review.

Mr. Jaques: Tent sale concerns, Storm Water Law needs a work session. Fire Prevention week.

Mr. Smith: Oct16-Oct 29 Hydrant flushing.

Chief Hertman: Community Council to meet on October 5th at 7pm. 10/24 Youth Group meeting at community center.

Public Participation:

D. Depew: 60 yr anniversary of his grandparents. Scotchtown/Collabar speed issues. Community College concerns, meeting with O.C D P W on Monday re: Collabar Rd speed concern.

N. Guenste: Pavement sealing issues, college concerns. N Y R I auction.

M. Cody: Smoking Law, York Rd Bridge, Veterans Day services.

Motion By: Mr.McCarey to audit claim, pay bills and adjourn.
Seconded By: Mr.Valentin

Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

MOTION CARRIED

Louisa Ingrassia
Town Clerk