

October 13, 2005

The Town Board of the Town of Wallkill held a public hearing on October 13, 2005 at the Town Hall, 600 Route 211 East at 7:25 PM. Board members present were Supervisor Ward, Councilman King, Councilman Valentin, Councilman Mulqueen and Councilman Depew. Also present was J. McKay, Attorney for the Town.

The Town Clerk read the following public hearing notice:

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Wallkill on October 13, 2005, at 7:25 PM at Wallkill Town Hall, regarding the adoption of a Local Law of the Town of Wallkill for the year 2005, which would amend Chapter 249 of the Town Code of the Town of Wallkill for the purpose of ensuring continuity of maintenance of roads prior to acceptance of dedication by 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.

By order of the Town Board of the Town of Wallkill, dated September 22, 2005.

SUPERVISOR WARD & COUNCILMAN DEPEW: Explained proposed law – Allows Town to collect money by cash bond for plowing of roads not dedicated to the Town and addresses issue of mailboxes.

PUBLIC COMMENT

N. Guenste stated Certificate of Occupancy should not be issued until road is dedicated.

J. Lippert explained issues with law as presented. Asked that Board re-think whole thing.

COUNCILMAN DEPEW: Explained they cannot under NYS law limit CO's based on road dedication.

N. Hermann asked why building permits are issued before road is available.

C. McLean asked if roads can't be plowed is there any other solution.

MOTION BY: Mr. King to keep public hearing open for more information. To be discussed at work session next Wednesday at 7:30 PM.

SUPERVISOR WARD: Seconded.

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

MOTION CARRIED

The Town Board of the Town of Wallkill held a public hearing on October 13, 2005 at the Town Hall, 600 Route 211 East at 7:35 PM. Board members present were Supervisor Ward, Councilman King, Councilman Valentin, Councilman Mulqueen and Councilman Depew. Also present was J. McKay, Attorney for the Town.

The Town Clerk read the following public hearing notice:

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Wallkill on October 13, 2005, at 7:27 PM at Wallkill Town Hall regarding the adoption of a Local Law of the Town of Wallkill for the year 2005, which would amend Chapter 249 of the Town Code of the Town of Wallkill to eliminate accessory buildings and structures termed and defined as Garden House (greenhouse) as a prohibited use when operated for profit an RA district in the Town of Wallkill under certain conditions.

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.

By order of the Town Board of the Town of Wallkill, dated September 8, 2005.

SUPERVISOR WARD: Explained change to law.

COUNCILMAN KING: Explained change is wrong – It should be for agricultural use allowed in buildings.

COUNCILMAN DEPEW: Concerns about retail greenhouses.

PUBLIC COMMENT

N. Guenste questioned accessory use which should say garden house/greenhouse – Looking at a commercial greenhouse not accessory use. Law not fine tuned and should be looked at.

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COUNCILMAN VALENTIN: Stated law introduced by Mr. King – If intent incorrect, public hearing should be closed.

MOTION BY: Mr. Ward to close public hearing at 7:46 PM.

SECONDED BY: Mr. King

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

The Town Board of the Town of Wallkill held a regular meeting on October 13, 2005 at the Town Hall, 600 Route 211 East at 7:55 PM. Board members present were Supervisor Ward, Councilman King, Councilman Valentin, Councilman Mulqueen and Councilman Depew. Also present was J. McKay, Attorney for the Town.

Pledge of Allegiance led by Councilman Depew. Moment of silence for Frank Schumaci.

PUBLIC COMMENT ON AGENDA

M. Walker asked about resolutions hiring new people.

N. Guenste asked about other items not on Agenda and bid October 25th for playground equipment.

MOTION BY: Mr. Ward to accept minutes of September 22, 2005.

SECONDED BY: Mr. Mulqueen

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

MOTION CARRIED

CORRESPONDENCE

To: J. Ward
From: J. Quinn, Deputy Chief

Request to attend NYS Emergency Management Disaster Preparedness Conference in Albany, NY on October 24 – 25, 2005.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Mulqueen

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

MOTION CARRIED

To: J. Ward
From: Price Rite Boat & Camper Sales

Request to have an RV Show at Gander Mtn. October 14, 15, 16 & 17. They will provide proof of insurance.

MOTION BY: Mr. Ward

SECONDED BY: Mr. King

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

MOTION CARRIED

To: L. Ingrassia, Town Clerk
From: E. & P. Stockhofer

We had a family picnic on October 2, 2005 at Circleville Park. The security and park staff greeted us and they went out of their way to accommodate us. They also came by a few times to make sure everything was all right.

We just want you to know that you have a really great staff at the Circleville Park and we want to say thank you for making our family day even better.

RESOLUTIONS

WHEREAS, the Town has special districts with charges raised by benefit assessments, and

WHEREAS, the benefit assessment rolls for 2006 have been filed with the Town Clerk, and

WHEREAS, the Town Law mandates that a public hearing on the proposed benefit assessment rolls be held with publication of the notice of the completed roll and the public hearing not less than ten (10) nor more than twenty (20) days before the hearing, and

WHEREAS, the Town Board has been advised that it is necessary to mail notice of the public hearing to all property owners within the benefit assessment districts,

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby call a public hearing on the 2005 benefit district assessment rolls to be held on November 10, 2005 at 7:27 o'clock PM at Town Hall, 600 Route 211 East, Middletown, New York, and

BE IT FURTHER RESOLVED,

That due notice of the said public hearing be given by publication in the official newspaper of the Town which said publication includes notice of the completion of the roll and the date and time of the public hearing which publication shall be made not less than ten (10) nor more than twenty (20) days before the date of the hearing.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

MOTION BY: Mr. Ward to amend time to 7:25 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

VOTE ON RESOLUTION:

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 September 22, 2005 at 7:17 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 limiting parking on Maltese Drive, providing for limiting the length of time to park on Maltese Drive; and

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WHEREAS, notice of said public hearing was duly advertised in Times Herald Record, the official newspaper of said Town, on September 11, 2005, and

WHEREAS, said public hearing was duly held on September 22, 2005 at or about 7:17 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 the 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 requires no further review under SEQRA, 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. 10 of 2005, entitled A Local Law amending Town Code of the Town of Wallkill, County of Orange, New York, regarding limiting parking on Maltese Drive, 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. Mulqueen

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

WHEREAS, petition has been made to the Town of Wallkill for the establishment of a drainage district in the proposed subdivision known as Lake View Estates in the Town of Wallkill, and

WHEREAS, said petition has been deemed sufficient by this Board; and

WHEREAS, the Town Board of the Town of Wallkill is empowered by the State under NYS Town Law 194 to establish special drainage districts in the Town that it determines to be in the best interests of the public welfare of its citizens; and

WHEREAS, this board has determined that all property and property owners within the proposed district will be benefited thereby; and

WHEREAS, this board did hold a public hearing regarding the establishment of a drainage district within Lake View Estates on September 22, 2005, at 7:20 PM at the Town Hall, 600 Route 211 East, Middletown, NY 10940; and

WHEREAS, said establishment of drainage districts has been determined to be a Type II action under the State Environmental Quality Review Act (SEQRA) criteria;

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the Wallkill Town Board hereby declares the establishment of a drainage district in the proposed subdivision known as Lake View Estates as a Type II action under the State Environmental Quality Review Act (SEQRA) criteria; and
2. That the Town Board of the Town of Wallkill hereby establishes a drainage district in the proposed subdivision known as Lake View Estates; and
3. That the Town Clerk be directed to file a certified copy of this resolution with the office of the state department of audit and control at Albany, NY, together with all appropriate papers with appropriate signatures where needed; and
4. All boards, agencies, departments, and contracted professionals of the Town of Wallkill are hereby authorized and directed to effect or otherwise facilitate the implementation of said District.

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

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WHEREAS, petition has been made to the Town of Wallkill for the establishment of a lighting district in the proposed subdivision known as Lake View Estates in the Town of Wallkill, and

WHEREAS, said petition has been deemed sufficient by this Board; and

WHEREAS, the Town Board of the Town of Wallkill is empowered by the State under NYS Town Law 194 to establish special lighting districts in the Town that it determines to be in the best interests of the public welfare of its citizens; and

WHEREAS, this board has determined that all property and property owners within the proposed district will be benefited thereby; and

WHEREAS, this board did hold a public hearing regarding the establishment of a lighting district within Lake View Estates on September 22, 2005, at 7:22 PM at the Town Hall, 600 Route 211 East, Middletown, NY 10940; and

WHEREAS, said establishment of lighting districts has been determined to be a Type II action under the State Environmental Quality Review Act (SEQRA) criteria;

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the Wallkill Town Board hereby declares the establishment of a lighting district in the proposed subdivision known as Lake View Estates as a Type II action under the State Environmental Quality Review Act (SEQRA) criteria; and
2. That the Town Board of the Town of Wallkill hereby establishes a lighting district in the proposed subdivision known as Lake View Estates; and
3. That the Town Clerk be directed to file a certified copy of this resolution with the office of the state department of audit and control at Albany, NY, together with all appropriate papers with appropriate signatures where needed; and
4. All boards, agencies, departments, and contracted professionals of the Town of Wallkill are hereby authorized and directed to effect or otherwise facilitate the implementation of said District.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Mulqueen

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

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Councilman Depew

Voting Aye

MOTION CARRIED

WHEREAS, a petition has been made to the Town of Wallkill for the establishment of a drainage district in the proposed subdivision known as Hasbrouck in the Town of Wallkill, and

WHEREAS, said petition has been deemed sufficient by this Board; and

WHEREAS, the Town Board of the Town of Wallkill is empowered by the State under NYS Town Law 194 to establish special drainage districts in the Town that it determines to be in the best interests of the public welfare of its citizens; and

WHEREAS, this board has determined that all property and property owners within the proposed district will be benefited thereby; and

WHEREAS, this board did hold a public hearing regarding the establishment of a drainage district within Hasbrouck on September 22, 2005, at 7:25 PM at the Town Hall, 600 Route 211 East, Middletown, NY 10940; and

WHEREAS, said establishment of drainage districts has been determined to be a Type II action under the State Environmental Quality Review Act (SEQRA) criteria;

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the Wallkill Town Board hereby declares the establishment of a drainage district in the proposed subdivision known as Hasbrouck as a Type II action under the State Environmental Quality Review Act (SEQRA) criteria; and
2. That the Town Board of the Town of Wallkill hereby establishes a drainage district in the proposed subdivision known as Hasbrouck; and
3. That the Town Clerk be directed to file a certified copy of this resolution with the office of the state department of audit and control at Albany, NY, together with all appropriate papers with appropriate signatures where needed; and
4. All boards, agencies, departments, and contracted professionals of the Town of Wallkill are hereby authorized and directed to effect or otherwise facilitate the implementation of said District.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Valentin

COUNCILMAN VALENTIN: Asked about size of lots.

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

MOTION CARRIED

WHEREAS, petition has been made to the Town of Wallkill for the establishment of a lighting district in the proposed subdivision known as Hasbrouck in the Town of Wallkill, and

WHEREAS, said petition has been deemed sufficient by this Board; and

WHEREAS, the Town Board of the Town of Wallkill is empowered by the State under NYS Town Law 194 to establish special lighting districts in the Town that it determines to be in the best interests of the public welfare of its citizens; and

WHEREAS, this board has determined that all property and property owners within the proposed district will be benefited thereby; and

WHEREAS, this board did hold a public hearing regarding the establishment of a lighting district within Hasbrouck on September 22, 2005, at 7:27 PM at the Town Hall, 600 Route 211 East, Middletown, NY 10940; and

WHEREAS, said establishment of lighting districts has been determined to be a Type II action under the State Environmental Quality Review Act (SEQRA) criteria;

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the Wallkill Town Board hereby declares the establishment of a lighting district in the proposed subdivision known as Hasbrouck as a Type II action under the State Environmental Quality Review Act (SEQRA) criteria; and
2. That the Town Board of the Town of Wallkill hereby establishes a lighting district in the proposed subdivision known as Hasbrouck; and
3. That the Town Clerk be directed to file a certified copy of this resolution with the office of the state department of audit and control at Albany, NY, together with all appropriate papers with appropriate signatures where needed; and

4. All boards, agencies, departments, and contracted professionals of the Town of Wallkill are hereby authorized and directed to effect or otherwise facilitate the implementation of said District.

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, there exists a vacancy in the Town of Wallkill Building Department at the Assistant Building Inspector III level; and

WHEREAS, Walter Barrett fulfills the requirements of knowledge, skills, and experience for the Assistant Building Inspector III position; and

WHEREAS, it is the opinion of the Commissioner of Public Works that Walter Barrett is qualified to fill said position;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Walter Barrett to the position of Assistant Building Inspector III to serve in said capacity at the Town of Wallkill Building Department; and be it further

RESOLVED, that said appointment shall be effective no earlier than October 14, 2005.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Mulqueen

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

WHEREAS, the Town Board of Wallkill may adopt a local law for the purpose of extending the moratorium currently in effect on certain residential construction within the Town of Wallkill to fourteen months from the effective date of said moratorium currently in effect; 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 7:25 PM on November 10, 2005, at Wallkill Town Hall, 600 Route 211 East, Middletown, New York; and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

SUPERVISOR WARD: Explained moratorium expires December 4th, and they are currently working on law.

COUNCILMAN MULQUEEN: Explained he won't support extension of moratorium.

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting No

Councilman Depew Voting No

MOTION CARRIED

WHEREAS, the Town of Wallkill Golf Course and its appurtenant dining facilities require management and operation; and

WHEREAS, the Town Board of the Town of Wallkill wishes to contract for catering and restaurant management services for the operation of the dining room, bar, and grill facilities at the Town of Wallkill Golf Club on a seasonal or annual basis; and

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

NOW, THEREFORE, LET IT BE RESOLVED,

THAT the Town Board of the Town of Wallkill hereby authorizes the advertising for and soliciting of bids from qualified parties for the operation and maintenance of the dining, bar, and grill facilities of the Town of Wallkill Golf Club on an annual basis.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

WHEREAS, the Town Board of the Town of Wallkill, Orange County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of Consolidated Sewer District in the Town of Wallkill, Orange County, New York, consisting of the construction of approximately 1,300 linear feet of 8-inch gravity sewer main along Bert Crawford Road, intended to serve 18 existing homes along Bert Crawford Road currently served by sub-surface disposal systems, such new 8-inch main to tie in to the existing 30-inch Masonic Creek Trunk Sewer as it passes around Silver Lake, at a maximum estimated cost of \$370,000, and the replacement of 12 house laterals with simplex grinder stations on Johns Road, Badami Drive, Elizabeth Drive, Marcy Lane and Brookline, including motors, rail system, discharge piping, check valves and gate valves, the installation of a force main from each grinder pump to the sewer main in

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the street and the disconnection of the existing sewer house sewer server line at the sewer main and plugging of the existing tee, at a maximum estimated cost of \$415,000; and

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act; the Town Board serving as the Lead Agency and the only Involved Agency has determined that the actions will not have a significant effect on the environment and has issued a Negative Declaration; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of the said consolidated Sewer District in the manner described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Wallkill, Orange County, New York, as follows:

Section 1. A public hearing will be held at the Town Hall, 600 Route 211 East in the Town of Wallkill, New York, on October 27, 2005, at 7:27 o'clock PM, Prevailing Time, on the question of the increase and improvement of the facilities of Consolidated Sewer District in the Town of Wallkill, Orange County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the Times Herald Record, the official newspaper, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the following form and may be consolidated with similar such notices for publication purposes.

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, there exists a part-time vacancy in the Town of Wallkill at the custodial worker level; and

WHEREAS, Harry Malone fulfills the requirements of knowledge, skills, and experience for the part-time custodial worker position; and

WHEREAS, it is the opinion of the Town Board that Harry Malone is qualified to fill said part-time position;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Harry malone to the position of custodial worker, part-time, to serve in said capacity at the Town of Wallkill Community Center; and be it further

RESOLVED, that said appointment shall be effective no earlier than October 14, 2005.

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, there exists a vacancy in the Town of Wallkill Department of Public Works at the Automotive Mechanic level; and

WHEREAS, James Myruski fulfills the requirements of knowledge, skills, and experience for the Automotive Mechanic position; and

WHEREAS, it is the opinion of the Commissioner of Public Works that James Myruski is qualified to fill said position;

NOW, THEREFORE, BE IT

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RESOLVED, that the Town Board of the Town of Wallkill hereby appoints James Myruski to the position of Automotive Mechanic to serve in said capacity at the Town of Wallkill Department of Public Works; and be it further

RESOLVED, that said appointment shall be effective no earlier than October 14, 2005.

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, there exists a need in the Town of Wallkill for a Dial-A-Bus driver; and

WHEREAS, Ruth Larson fulfills the required of knowledge, skill, and experience for the Dial-A-Bus Driver position; and

WHEREAS, it is the opinion of the Town Board of the Town of Wallkill that Ruth Larson is qualified to fill said position;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby amends the appropriate Town of Wallkill employment schedules to create an additional position in the "Bus Driver" category, as designated by the Orange County Department of Personnel; and be it further

RESOLVED, that the Town Board of the Town of Wallkill appoints Ruth Larson to the position of Dial-A-Bus driver, to serve in said capacity in the Town of Wallkill Dial-A-Bus program; and be it further

RESOLVED, that said appointment shall be deemed effective no earlier than October 14, 2005.

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 233 of the Town Code of the Town of Wallkill regarding establishing a stop intersection and erecting a stop sign at Birch Place where it intersects with Turfler Terrace in the Town of Wallkill; and

WHEREAS, the Town Board of Wallkill is empowered by the State to adopt such local law pursuant to Section 1660 of the New York State Vehicle and Traffic Law; and

WHEREAS, the Town Board has determined that the creation of a stop intersection at this location is in the best interests of the public safety and welfare;

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 7:27 PM on November 10, 2005, at Wallkill Town Hall, 600 Route 211 East, Middletown, New York; and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

MOTION BY: Mr. Ward

SECONDED BY: Mr. 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 TRANSFER BE MADE:

TO	FROM
A 1680.200 \$2,000	A 1620.200 \$2000

SUPERVISOR WARD: Stated this is to Data Processing from new Town Hall building.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Valentin

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

MOTION CARRIED

WHEREAS, the Town of Wallkill has the necessary machinery and equipment to exercise snow control upon certain County Roads in the Town of Wallkill, and it will be beneficial to the County for said work to be performed by the Town of Wallkill; and

WHEREAS, the Town of Wallkill is willing to exercise the aforesaid control on the terms and conditions herein after set forth;

NOW, THEREFORE, pursuant to General Municipal Law, Article 5-G and in consideration of the mutual covenants herein contained, it is agreed between the parties hereto as follows:

1. The Town of Wallkill will, during the period of one year from the date hereof, perform all necessary work for the removal of snow and ice from the following designated County Roads or appendix described, located in the Town of Wallkill, and for sanding and otherwise treating them for the purposes of removing the danger of snow and ice, but not for the erection of snow fence, in accordance with rules and regulations as may be made by the Orange County Commissioner of Public Works.

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2. The Town of Wallkill will furnish all personnel, necessary highway tools and equipment and cause the said work to be performed in accordance with rules and regulations of the said Commissioner of Public Works.
3. For the above described snow control work, the County will pay to the Town of Wallkill on or before the 15th day of April, 2006 the sum of \$4,150.00 per mile for the following roads set forth in Schedule "A" annexed hereto and made a part hereof.
4. The Town of Wallkill shall forthwith, through its Town of Wallkill Superintendent, notify the said Commissioner of Public Works of any action, proceeding, claim, or demand against the Town of Wallkill arising from or out of the manner of performance of the functions under this Agreement.
5. The Town of Wallkill shall maintain the following insurance covering the Town of Wallkill and the County but only as it applies to the liability under this contract.
 - a. General Liability Insurance with a combined single limit of \$1,000,000.
 - b. Auto Liability Insurance with a combined single limit of \$1,000,000.
 - c. Workers' Compensation coverage as provided for under the Workers' Compensation Law.

The municipality shall furnish the County with a Certificate of Insurance. The Certificate of Insurance will name the County of Orange as an additional insured as respects this contract.

Any municipality that does not carry liability insurance will provide the County of Orange with a letter of indemnification subject to approval by the County Attorney or his designee, that holds the County of Orange harmless in the event of any action brought against the County of Orange pertaining to this contract.

Each insurance policy required by this contract shall be endorsed to state the coverage shall not be suspended, voided, cancelled, reduced in coverage or in limits except after sixty days prior written notice by certified mail, return receipt requested, to the County's Risk Management Division. Any insurance coverage replaced or renewed during the contract will be evidenced by a new Certificate of Insurance.

The municipality's insurance coverage or self-insurance deductible shall be primary insurance as respects the County, its officials, employees, or volunteers shall be excess of the municipality's insurance or self-insurance/deductible and shall not contribute with it.

The Municipality shall include any subcontractor as insured under its policies or shall furnish separate certificates for each subcontractor. Coverages for subcontractors shall be subject to all of the requirements stated herein.

6. The County will provide insurance with limits of \$2,000,000 in excess of "A" and "B" of Paragraph "5" that will cover the Town's liability as it applies under this contract.

7. Subject to provisions and limits of Paragraph "5" of this Agreement, the Town of Wallkill agrees to defend, indemnify and hold harmless the County, its officers, employees, agents and/or servants against any claim arising from or occasioned by the manner of performance or non-performance of the functions under this Agreement.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Mulqueen

COUNCILMAN VALENTIN: Explained Mr. Lippert getting increase from County.

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

WHEREAS, heretofore the Town of Wallkill entered into a certain contract with Malcolm Pirnie, Inc. dated March 2, 2005 in the amount of \$360,000.00, and

WHEREAS, Malcolm Pirnie, Inc. has requested an amendment to the contract to increase the amount by \$33,000.00,

NOW, THEREFORE, BE IT RESOLVED as follows:

That by this resolution the Town Board hereby approves the amendment in the amount of \$33,000.00 for additional services relating to Hulse Avenue, and be it

FURTHER RESOLVED,

That the Supervisor is authorized to execute the contract amendment on behalf of the Town of Wallkill.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Mulqueen

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye
Councilman Depew Voting Aye

MOTION CARRIED

COMMITTEE REPORTS

COUNCILMAN KING: Set Highway meeting 6:45 PM Wednesday night.

MOTION BY: Mr. King to reschedule public hearing on Greenhouses in RA District for November 10, 2005 at 7:21 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

COUNCILMAN VALENTIN: Reported on Community Council meeting – Good attendance. Read the following memo from J. Lippert:

As you may recall, the Town was awarded \$25,000.00 from the Community Development Block Grants for the installation of new playground equipment at Patio Road Park. We advertised and received bids for the new playground equipment and forwarded the results to the County for their review.

In accordance with the County guidelines, Joanne Fazzino has reviewed the bids and declared Miracle Recreation the lowest responsible bidder. Joanne has authorized us to proceed and schedule the contract signing. A copy of her letter is attached for your review. Here are the results of the bid opening to furnish and install the playground equipment: Miracle Recreation - \$24,301.70, Pat Corsetti, Inc. - \$24,000.00 & Louis Barbato Landscaping - \$33,000.00.

Thank you in advance for your support of this project. We anticipate completing the installation of the new playground equipment before the onset of winter weather in accordance with the Agreement between the Town and Orange County. If you have any questions, please feel free to call me.

MOTION BY: Mr. Valentin

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

COUNCILMAN DEPEW: Reported on meeting with Sal from the Conservation Commission – Discussed PDR – preserving open space and agriculture. Mailing being sent out to landowners. Congratulated W. Barrett. Discussed greenhouse on Prosperous Valley Road.

COUNCILMAN COMMENTS

COUNCILMAN KING: Condolences to Frank Schumaci’s family. Memo sent to Dept. heads that Town Board be notified of any catastrophic situation. Wished his neighbor the best – went to Westchester.

COUNCILMAN VALENTIN: Discussed success of Community Development Block Grants with improvements to parks. Congratulated H. Malone & W. Barrett. Asked permission to use Town Hall for neighborhood watch meetings. Wished happy holiday to Jewish residents.

COUNCILMAN MULQUEEN: Refreshing to see attendance at Community Council meetings. Asked Mr. Lippert to comment on lead pickup.

COUNCILMAN DEPEW: Condolences to Frank Schumaci’s family. Discussed Community Council meeting and issue with Redtown people. Thanked Officer Guedes with issues in Howells.

SUPERVISOR'S COMMENTS

SUPERVISOR WARD: Discussed County Law for volunteer exemptions and Mid-County Municipal Alliance. Announced East Main Street and Midway Road shut down due to flooding. Invited residents to come to Community Council meetings. Reported on status of new Town Hall buildings. Thanked Gary Lake and crew for work at 111 Tower Drive. Wished Jewish friends happy holiday.

MR. LIPPERT: Announced lead pickup November 1st until first snow – Schedule will be out next week. Also mulch available free to residents.

MR. SMITH: Announced starting Monday at 7 AM they will be flushing hydrants.

DEP. CHIEF QUINN: Announced next Community Council meeting November 3rd. Reported on School Resource Officers, issues in Howells and Galleria program. Stated Ari Moskowitz has returned safely from Iraq. Thanked Board for approving request for Emergency Management conference – Plan discussed.

Town Board discussed resource officer and City of Middletown.

MR. JAQUES: Congratulated W. Barrett.

PUBLIC PARTICIPATION

A. Moskowitz thanked Supervisor Ward for support – Presented acknowledgment of support from Dept. of Defense and US flag flown at US Embassy.

M. Paduch discussed volunteer exemption law before Legislature. Working on grant program for volunteers.

B. Kraham discussed law that exempts solar energy systems from County sales tax. Asked if new Town buildings can use solar systems.

Town Board has done research and Supervisor Ward will check with Architects.

N. Guenste announced Washington Heights Firemen selling reflective street signs – Call 343-2285 to order. Asked about Halloween festivities.

COUNCILMAN DEPEW stated it will be Thursday and Friday, Oct. 27 & 28 – Contact Nancy Lane at the Golf Course.

N. Guenste discussed issues to be resolved with greenhouses on Prosperous Valley Road coming before the Zoning Board.

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COUNCILMAN DEPEW explained project - Stating there is a lack of communication or misunderstanding.

M. Cody stated Halloween party information on bulletin board at Veteran's Memorial Park and he will give flyers to Town Clerk. Announced Veteran's Day services November 11th.

M. Walker asked if New York State is broke how can they tell him how much tax he has to pay.

J. Mattatal asked about road dedication resolutions and extension of moratorium. Stated there has no been no ZBA input on 27 amendments to code. Draft copies should be provided to officials.

C. McLean asked about resolution for contract with Malcolm Pirnie relating to services on Hulse Avenue and dedication of roads.

N. Hermann asked about James Clark Drive road dedication.

Mr. Lippert will check with the County.

N. Hermann asked if litigation has been resolved.

J. McKay will review.

MOTION BY: Mr. Ward to adjourn meeting at 9:50 PM.

SECONDED BY: Mr. King

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

Meeting Adjourned 9:50 PM

Louisa Ingrassia, Town Clerk

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