

April 22, 2004

The Town Board of the Town of Wallkill held a regular meeting on April 22, 2004 at 7:30 PM at the Town Hall, 600 Route 211 East, Middletown, NY. Board members present were Supervisor Ward, Councilman King, Councilman Valentin, Councilman Mulqueen and Councilman Depew.

Pledge of Allegiance led by Councilman Depew. Moment of silence for the Ruiz family.

Presentation given by Brian Doherty of the New York State Department of Transportation on the status of the I-86 project.

CORRESPONDENCE

To: John Ward

From: Rev. Francis Dixon, Our Lady of Mt. Carmel Parish

I am the pastor of Our Lady of Mt. Carmel Parish. As you know Our Lady of Mt. Carmel Parish is a non-profit organization. We have approximately 2,200 local families registered in the parish. We are in the process of applying for a building permit for a new parish center. The proposed parish center will provide much needed meeting facilities not only for the members of this parish, but will enable us to better serve the local community through our parish outreach programs. It will also serve as a fathering area for groups such as the Boy and Girl Scouts and a parenting group which serve the needs not only of our parishioners, but of the wider community. I truly believe that the new parish center will not only benefit our parish community, but will also benefit the ever growing needs of the larger community of the Town of Wallkill and the surrounding area. In light of this and because of our limited financial resources, I am writing to you to respectfully request that the Town of Wallkill waive the building permit fee for our new parish center.

I thank you for considering our request and want to assure you that we appreciate your dedicated service and all that you do for our local community.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Valentin

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

To: Supervisor John Ward & Town Board Members
From: MaryLynn Hunt, Planning Board Secretary
Re: Northrup SD Bond - Drainage Ditch (Ferrante)

On March 29, 2004 the above noted bond was lowered from \$1500.00 to \$500.00 by the approval of the Town Board. Based on a telephone conversation between Eustance & Horowitz and myself on 4/15/04, I would like to recommend release of the remaining \$500.00.

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

To: John Ward, Supervisor
From: MaryLynn Hunt, Planning Board Secretary
Re: Kabro Traffic Signal/Roadway Improvements Bond

Attached for your review is a memo from McGoey, Hauser & Edsall. It is their recommendation that a performance bond in the amount of \$230,000.00 be established with the Town for the traffic signal and roadway improvements of Mud Mills Road and Cottage Street extension.

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

To: John Ward
From: McGoey, Hauser & Edsall
Re: Alexandra Performance Bond Estimate

In line with request the undersigned of our office performed a review of the public improvement cost estimate for subject project. In line with our review we found that several items of work have not been included and some items of work have not been priced at prevailing wage.

The cost for water quality management ponds, wetland mitigation area, roadway clearing and grubbing and roadway cuts and fills have not been added to the cost estimate. In addition, we have marked up the cost estimate showing the unit cost we have used for other projects for roadway construction and storm drainage piping which should be incorporated in your cost estimate.

Upon receipt of the revised cost estimate our office will prepare a recommendation for the Town Board for establishing a bond amount. If you should have any questions, please contact our office.

SUPERVISOR WARD: This comes down to \$288,946.70.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Valentin

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

To: John Ward
From: McGoey, Hauser & Edsall
Re: Baum Subdivision Roadway Performance Bond, Vanamburgh Road

Please be advised the undersigned of our office reviewed the cost estimate prepared by Joseph Gottlieb, P.E. dated 12 March 2004, a copy of which has been attached for the bond estimate for subject subdivision. In line with our review we offer the following:

Based on our review of the cost estimate we have added the regrading of the slopes and construction of swales along VanAmburgh Road as required on the approved plans which did not appear on the cost estimate. We estimated this cost at \$10,000.00 increasing the total engineers estimate from \$149,000.00 to \$159,000.00.

On the basis of the above we recommend that a performance bond be established in the amount of \$159,000.00 to guarantee the completion of the public improvements to construct the roadway of the subject subdivision.

If you should have any questions please contact our office.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Valentin

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

MOTION CARRIED

To: John Ward & Town Board members
From: Louisa M. Ingrassia, Town Clerk
Re: Crane Road Surplus Property Bid Opening

On Thursday, April 15, 2004 Bids were opened for the following:

Crane Road 87-1-155.1
Attached are the results.

SUPERVISOR WARD: There were two bids. Motion to accept higher bid of \$75,111.00 by KJG Properties in Middletown, New York.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Valentin

COUNCILMAN VALENTIN: Stated he will be voting no. Asked Town Clerk to provide him with bids.

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting No

Councilman Mulqueen Voting No

Councilman Depew Voting Aye

MOTION CARRIED

SUPERVISOR WARD: Explained letter from Department of Transportation on the paving of Route 211 starting by the Post Office to the trailer park on 211 which will begin this summer. People should be award of delays.

To: John Ward
From: John Lippert

Rollin Lybolt (343-1264) stopped by the other day representing the Lion's Club. They will be planting two "Thunderdeud Plum" trees at Veteran's Park for Arbor Day.

Parks will assist the planting which is also being coordinated with Mike Cody and the Veterans.

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

To: John Ward & Town Board Members

From: Louisa Ingrassia, Town Clerk

In accordance with Section 4-104 of the New York State Election Law it is necessary to provide the Board of Elections with a list of Polling Places for 2004.

Please at your meeting of April 22, 2004 approve the attached list of Polling Places for this year.

The list is the same as prior years with no changes. The Board of Elections requires this list be in their hands by May 1, 2004.

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

RESOLUTIONS

WHEREAS, Town Board of the Town of Wallkill may adopt a local law to amend Chapter 200 of the Town Code of the Town of Wallkill to require a public hearing before setting the maximum fees to be charged to town residents for garbage collection by commercial garbage collectors within the town; 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 code change is listed as a Type II Action under 617.4 of the State Environmental Quality Review Act (SEQRA) and is not subject to further review under SEQRA;
and

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

NOW, THEREFORE, it is hereby

RESOLVED, that a public hearing be held by the Town Board with respect to the adoption of the aforesaid Local Law at 7:15 PM on June 10, 2004, at Wallkill Town Hall, 600 Route 211 East, Middletown, New York; and it is further

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

MOTION BY: Mr. Ward

SECONDED BY: Mr. Depew

COUNCILMAN VALENTIN: Asked how law will be enforced.

SUPERVISOR WARD: Attorney will prepare necessary papers to bring actions to court.

MR. McLAUGHLIN: Explained resolution is to set fees. He will check with litigation department on status of action against haulers.

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 wishes to apply for funds from the Orange County Community Development Block grant Program in the year 2004; and

WHEREAS, the Town Board wishes to identify projects within the Town eligible for such funding; and

WHEREAS, the Town Board seeks public comment and suggestions regarding projects for consideration for funding under said program; and

WHEREAS, the 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 in order to receive comments and suggestions regarding projects to be considered for funding under the Orange County Community Development Program 2004 at 7:10 PM on May 13, 2004, at Wallkill Town Hall, 600 Route 211 East, Middletown, New York; and it is further

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

MOTION BY: Mr. Ward

SECONDED BY: Mr. King

SUPERVISOR WARD: Asked for ideas for projects to be considered for funding under the Community Development Block Grant Program.

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 Board has discussed the installation of sewage pump station at several existing residential houses on Johns Road, and

WHEREAS, this is an action subject to SEQR and before proceeding to authorize the project the Town Board directed that a short Environmental Assessment Form be prepared,

WHEREAS, the Town Board has before it a short Environmental Assessment Form, and

WHEREAS, the Town board is the sole Involved Agency,

NOW, THEREFORE, BE IT RESOLVED as follows:

That after considering all of the facts and circumstances in connection with the installation of sewage pump station at several existing residential houses on Johns Road and following a review of the short EAF the Town Board determines that the proposed action will not result in any significant environmental impacts and authorizes the short EAF to be executed by the Supervisor checking the appropriate box on Part III.

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, heretofore the Town Board has discussed the installation of a new eight inch gravity sewer main to serve existing houses on Bert Crawford Road, and

WHEREAS, this is an action subject to SEQR and before proceeding to authorize the project the Town Board directed that a short Environmental Assessment Form be prepared,

WHEREAS, the Town Board has before it a short Environmental Assessment Form, and

WHEREAS, the Town Board is the sole Involved Agency,

NOW, THEREFORE, BE IT RESOLVED, as follows:

That after considering all of the facts and circumstances in connection with the installation of the new eight inch gravity sewer main and following a review of the short EAF the Town Board determines that the proposed action will not result in any significant environmental impacts and authorizes the short EAF to be executed by the Supervisor checking the appropriate box on Part III.

MOTION BY: Mr. Ward

SECONDED BY: Mr. Valentin

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting Aye

MOTION CARRIED

MOTION BY: Mr. Ward

SECONDED BY: Mr. Mulqueen

That Richard Schoenberg be appointed to the Zoning Board of Appeals for a four-year term.

COUNCILMAN DEPEW: Explained he tabled this at last meeting as there are no representatives from the 4th Ward on the Zoning Board of Appeals. He will be voting no.

COUNCILMAN VALENTIN: Questioned need for representation in 4th Ward. Discussed vote on Planning Board appointment. Stated Boards represent entire Town.

COUNCILMAN DEPEW: Explained reason for vote on Planning Board appointment. Stated there should be equal representation as more than five experienced people applied from the 4th Ward.

COUNCILMAN MULQUEEN: Explained every person interviewed brought great qualities. Stated most important is to appoint the best people to represent the entire Town.

SUPERVISOR WARD: Explained his reason he is voting no.

COUNCILMAN VALENTIN: Discussed the candidate's qualifications and that some were conflicts.

Supervisor Ward Voting No

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew Voting No

MOTION CARRIED

COMMITTEE REPORTS

COUNCILMAN KING: Set Personnel meeting next Wednesday at 2:00. Set meeting with Mr. Smith next Tuesday at noon. Water & Sewer - Explained I & I Study ongoing. Discussed golf course.

COUNCILMAN VALENTIN: Parks - Reported on Little League Parade and opening day for Soccer Club. Thanked volunteers, Parks and Highway Department for their work and time. Townley Hall improvements will be ready for summer camp. Discussed new soccer field. Announced August 3rd National Night Out Against Crime - Howard Drive Park will be open. Bulk Pickup 2nd Ward will be first week in May.

COUNCILMAN MULQUEEN: Finance - Set meeting next Wednesday morning 9:00 to discuss purchasing issues.

COUNCILMAN DEPEW: Thanked Highway and Parks for openings. Thanked Jeremy Berkowitz for work at cemetery on VanBurenville Road. Thanked Maples Farm and businesses for donations. Announced Sunday morning there will be garbage cleanup on Decker Road. Announced School Board meeting next Thursday at 6:00.

COUNCILMAN COMMENTS

COUNCILMAN KING: Thanked coaches and Parks Dept. Announced Community Garden will be starting - Call Town Hall. Asked why soccer field was started and not completed.

COUNCILMAN VALENTIN: Asked Mr. Lippert to finish work started at 718 Silverlake Scotchtown Road. Thanked Water & Sewer Dept. for work on Scotchtown Place. Discussed Walmart project and that he found out about it that day.

SUPERVISOR WARD: Stated he received a call from Walmart at 9:00 Monday morning and called Councilmen.

COUNCILMAN VALENTIN: Asked who is paying for legal representation at press conference.

MOTION BY: Mr. Valentin

SECONDED BY: Mr. Depew

That no press releases be given without complete notification to all Town Board members.

SUPERVISOR WARD: Motion to table

TABLED

COUNCILMAN VALENTIN: Discussed procedure for getting information to the Town Board. Asked that Town Board act on issue brought up about conflict with a Board member.

COUNCILMAN MULQUEEN: Discussed how to remedy problem with Patio Road cameras.

MR. McLAUGHLIN: Explained remedy and how retroactive bids would have to be put out.

MOTION BY: Mr. Mulqueen

SECONDED BY: Mr. Ward

To seek informal bids described in the matter of the Patio Road cameras.

Supervisor Ward Voting Aye

Councilman King Voting Aye

Councilman Valentin Voting Aye

Councilman Mulqueen Voting Aye

Councilman Depew

Voting Aye

MOTION CARRIED

COUNCILMAN MULQUEEN: Announced his upcoming marriage.

COUNCILMAN DEPEW: Congratulated Councilman Mulqueen. Announced his girlfriend, Megan Melrose, has been accepted into the Occupational Therapy Master's Program. Also congratulated Judge Robert Freehill for being honored by the Sullivan County Fraternal Order of Police. Asked for extra patrols on Dosen Road due to concerns of speeding and running stop sign. Thanked Police Department for response at Imperial Ridge.

SUPERVISOR COMMENTS

SUPERVISOR WARD: Announced Bulk Pickup schedule. Discussed soccer fields - Estimate being prepared on what is needed and cost so that they can move forward.

COUNCILMAN KING: Asked about the truck entrance.

SUPERVISOR WARD: Explained a contractor wants to do work on County Rt. 78 and donate land for a park to be used for a soccer field. Thanked volunteers in Little League and Soccer. Discussed the Walmart project being pulled out of Wallkill. Assured residents expenditures will be reimbursed by Walmart. Explained he has the right to submit a Press Release with no binding vote. Discussed new procedure for meetings allowing public comment before the Board's vote.

MOTION BY: Mr. Mulqueen

SECONDED BY: Mr. Valentin

To rescind Resolution of March 28, 2002 regarding motions by the Board.

SUPERVISOR WARD: Explained reason for Resolution is to allow time for research before voting on something.

COUNCILMAN MULQUEEN: Stated he feels a motion to table should require a second and majority vote.

COUNCILMAN DEPEW: Explained what the Resolution is about and what the change would be. He stated it will take the power away from the Councilman so that something could be pushed through without discussion. Motion to table.

TABLED

COUNCILMAN VALENTIN: Explained Resolution was put in place after he asked that a Resolution regarding benefits be tabled and it wasn't. He stated government should run the way it is supposed to run and with good reason to table something, it should be tabled.

SUPERVISOR WARD: Stated it will work if the Board honestly only tables when they do not have enough information to vote on something. Town Board has the right to set up rules to run meeting.

COUNCILMAN KING: Stated political party should not be brought up. They are working for the people of the Town and should adhere to the business of the Town.

COUNCILMAN VALENTIN: Questioned Crane Road bids. Asked Councilman King to keep close eye on project.

COUNCILMAN KING: Explained he has received phone calls that the area is an eye sore and there is dumping.

SUPERVISOR WARD: Explained two sealed bids came in the same day and procedure was followed.

CHIEF HERTMAN: Announced August 3rd National Night Out Against Crime at Little League Park. Accepting applications for Town of Wallkill Police Department Community Council.

MR. LIPPERT: Announced Bulk Pickup rules. Yard waste facility open Saturdays 8 to 12 - Wood chips available.

PUBLIC PARTICIPATION

K. Farrell asked about Verizon's plan for a variance. Requests Zoning Board and Planning Board meetings be televised.

M. Cody explained pictures of Veterans in Iraq. Announced Memorial Day services at 8:00. Thanked Lyons Club for trees. Asked for donations of flowers. Announced Memorial Day parade starts 9:00. Asked Town Board for equipment for parade.

N. Guenste questioned Mr. McGoey's bills of \$50,000.00. Discussed garbage bill, bids for bulk pickup, Conservation Commission and purchase of cameras.

V. Ferri agreed with equal representation on Planning Board and Zoning Board. Discussed re-appointment of Zoning Board and Planning Board members, article in Times Herald Record on Walmart and press conference. Expressed concerns of Economic Development Officer.

Discussed 4-lot subdivision on Lybolt Road and Valley Central School taxes. Asked about FOILS filed with Building Department. Would like more accurate notes from Zoning Board. Discussed FOIL on used car lots. Discussed properties with no C.O. on buildings. Questioned what is Town business. Discussed negotiations for new Town Hall in Town of Greenberg. Discussed benefits for combat veterans.

Resident of Ridge Road discussed status of complaint about abandoned trailer on Ridge Road - Residents want trailer condemned. Asked about dirt bikes and noise ordinance. Thanked Mr. Lippert for fixing holes in the road.

C. Coleman, representing Town of Wallkill Soccer Club, thanked Parks Dept. and Town Board for work at Little League Park. Asked that soccer be given priority and debris removed.

Mr. Walker asked about tax free property for combat veterans. Asked about stipends and money lost in law suits. Asked about FOIL for accident ten years ago and how many jobs attorney has.

E. Valentin pleased to see soccer fields being taken care of. As a camp worker, he stated it is hard to keep kids from blocked areas. Asked that debris and bathrooms be taken care of.

N. Hermann asked about bald eagle spotted on Prosperous Valley Road near condemned property. Asked about other condemned property. Asked who establishes parking signs and about cleaning up Prosperous Valley Road. Discussed comment made about benefitting the Town with cost to the Town.

D. Reid asked if Human Rights Commission letter was received and about light on Ontario Avenue.

E. Lachmann asked why Building Inspector not in attendance. Discussed his hiring and why he is on the job as he doesn't live in the Town.

M. Cody stated Veteran wall for all veterans.

V. Ferri discussed appointments to Planning Board and Zoning Board and the closing of a previous Town Board meeting. Discussed refunding building fees on repair and renovations.

N. Guenste in favor of public participation during agenda. Concerned about bulk pickup for 4th Ward during Memorial Day. Asked about old equipment in parks.

J. Farnell asked that website be updated if delays with bulk pickup schedule.

MOTION BY: Mr. Ward to adjourn and audit claims at 10:55 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

Meeting Adjourned at 10:55 PM

Louisa Ingrassia, Town Clerk