

Work Session Agenda

TOWN OF WALLKILL
DATE: February 8, 2018

WORK SESSION
TIME: 7:00 PM

Topics:

- Senior Horizons at Silver Lake Refinance: Consent by Town as Supervising Agency
- Stop Sign Black Stallion Court & Columbine Court
- Court Request

Resolutions:

1. Resolution Authorizing the Supervisor to Enter into a Municipal Agreement with Orange County for the Fiscal Year 2018 Community Development Block Grant Program.
2. Resolution Authorizing the Town to Enter Into an Amendment to the Existing Cooperation Agreement Dated July 8, 1993 Undertaking Community Development & Home Programs.
3. Resolution Setting Public Hearing for Cold War Veterans Tax Exemption.
4. Resolution Setting Public Hearing for Low Income Disabled Persons Tax Exemption.
5. Resolution to Set Application Schedule for Resource Recovery Center.
6. Resolution to Approve Refinance Senior Horizons.
7. Resolution to Approve Red Light Camera Legislation.
8. Resolution to Approve Dial A Bus Drug & Alcohol Policy.
9. Resolution Authorizing the Supervisor to Approve CDBG Project Progress Payments.

Executive Session:

Motion to Adjourn:

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

The following was presented
 By: _____
 Sec'd by: _____
 Date of Adoption: _____

Names	Ayes	Noes	Abstain	Absent
<i>Supervisor</i> Mr. Diana				
<i>Councilman</i> Mr. Coyne				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Meyer				
<i>Councilman</i> Mr. Johnson				
TOTAL				

**RESOLUTION AUTHORIZING THE TOWN OF WALLKILL SUPERVISOR
TO ENTER INTO A MUNICIPAL SUBRECIPIENT AGREEMENT WITH
ORANGE COUNTY FOR THE FISCAL YEAR 2018 COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM**

WHEREAS, under Title 1 of the Housing and Community Development Act of 1974, as amended, the New York State Housing Trust Fund Corporation is authorized to administer and distribute Community Development Block Grant (“CDBG”) funds to local governments within the State of New York to assist in qualified municipal projects; and

WHEREAS, the proposed Municipal Agreement, annexed hereto, allows the Town to use available CDBG funds to pay the non-Federal share or local match funds required in connection with certain Federal grant-in-aid programs undertaken as part of CDBG activities; and

WHEREAS, Section 99-h of the General Municipal Law of the State of New York grants to any municipal corporation the power, either individually or jointly with one or more other municipal corporations, to apply for, accept and expend funds made available by the Federal government either directly or through the state, pursuant to the provisions of any Federal Law which is not inconsistent with the statutes or constitution of this state, in order to administer, conduct or participate with the Federal government in programs relating to the general welfare of the inhabitants of such municipal corporation; and

WHEREAS, the Town of Wallkill applied for and received funding for the 2018 Fiscal Year for Drainage and Pavement Improvements to Brookline Avenue; and

WHEREAS, it is desirable and in the public interest that the Town of Wallkill participate in the aforesaid CDBG program,

Resolution No. _of 2018

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Town Supervisor, or his designee is hereby authorized and directed to execute a Municipal Agreement with Orange County for the purpose of obtaining CDBG funds for the 2018 Fiscal Year for Drainage and Pavement Improvements to Brookline Avenue, subject to approval of the Town Attorney with respect to the form and content of said Agreement.

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

The following was presented
 By: _____
 Sec'd by: _____
 Date of Adoption: _____

Names	Ayes	Noes	Abstain	Absent
<i>Supervisor</i> Mr. Diana				
<i>Councilman</i> Mr. Coyne				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Meyer				
<i>Councilman</i> Mr. Johnson				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
 AUTHORIZING THE TOWN OF WALLKILL TO ENTER INTO AN AMENDMENT
 TO THE EXISTING COOPERATION AGREEMENT DATED JULY 8, 1993, AS
 AMENDED, WITH THE COUNTY OF ORANGE FOR THE PURPOSE OF
 UNDERTAKING COMMUNITY DEVELOPMENT AND HOME PROGRAMS FOR
 THE PROGRAM YEAR COMMENCING FEDERAL FISCAL YEARS 2018, 2019, 2020
 (AND FOR SUCCESSIVE THREE YEAR QUALIFICATION PERIODS AS PROVIDED
 FOR IN THE AUTOMATIC RENEWAL PROVISION) PURSUANT TO THE HOUSING
 AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED AND TITLE II OF
 THE NATIONAL AFFORDABLE HOUSING ACT OF 1990, AS AMENDED.**

WHEREAS, the Secretary of the U.S. Department of Housing and Urban Development ("HUD") authorized, under Title 1 of the Housing and Community Development Act of 1974, as amended and Title II of the National Affordable Housing Act of 1990, as amended to make grants to states and other units of general local government to help finance Community Development and Affordable Housing Programs; and

WHEREAS, it is desirable and in the public interest that the Town of Wallkill participate in aforesaid Community Development and HOME Programs for the program year commencing Federal Fiscal Years 2018, 2019, 2020, (and successive three year qualification period); and

WHEREAS, the Town of Wallkill understands that by executing this Cooperation Agreement it becomes an included unit of general local government in the Urban County CDBG Entitlement Program, HOME Program and ESG Program and that it:

- a) May not apply for grants under the Small Cities for State CDBG Programs from appropriations for fiscal years during the period in which it is participating in the

Resolution No. :_of 2018

Urban County's CDBG Program; and

- b) May not participate in a HOME Program consortium except through the Urban County, regardless of whether the Urban County receives a HOME formula allocation; and
- c) May not receive a formula allocation under the ESG Program except through the Urban County.

WHEREAS, this **Town Board** deems it to be in the public interest for the **Town of Wallkill** to enter into an Amendment to the existing Cooperation Agreement dated July 8, 1993, as amended, with the County of Orange for the aforesaid purpose;

NOW, THEREFORE, BE IT

RESOLVED, that the **Supervisor** be and **he** hereby is authorized and directed to execute a Cooperation Agreement Amendment between the **Town of Wallkill** and the County of Orange for the purpose of undertaking Community Development and HOME Programs pursuant to the Housing and Community Development Act of 1974, as amended and Title II of the National Affordable Housing Act of 1990, as amended, for the program year commencing **Federal Fiscal Years 2018, 2019, 2020** (and successive three year qualification periods).

Edward A. Diana, Supervisor

Date

STATE OF NEW YORK)
COUNTY OF ORANGE)
OFFICE OF THE CLERK OF THE TOWN OF WALLKILL)

THIS IS TO CERTIFY THAT I, **LOUISA INGRASSIA**, Clerk of the Town of Wallkill have compared the foregoing copy of the resolution with the original resolution now on file in my office and which was passed by the **Town Board** of the Town of Wallkill on the ____ day of **February, 2018**, and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of said **Town Board** this _____ day of **February, 2018**.

S E A L

Louisa Ingrassia
Clerk of the **Town of Wallkill**

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

The following was presented
By: _____
Sec'd by: _____
Date of Adoption: _____

Names	Ayes	Noes	Abstain	Absent
<i>Supervisor</i> Mr. Diana				
<i>Councilman</i> Mr. Coyne				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Meyer				
<i>Councilman</i> Mr. Johnson				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
SCHEDULING TIME AND PLACE FOR A PUBLIC HEARING WITH RESPECT TO
AMENDING CHAPTER 216 OF THE TOWN CODE WITH RESPECT TO
EXTENDING COLD WAR VETERANS TAX EXEMPTIONS**

WHEREAS, the Town Board of the Town of Wallkill wishes to amend Chapter 216, Article IV of the Town Code to remove the ten-year limitation on the real property tax exemption provided to Cold War Veterans authorized by Real Property Tax Law Section 458-b; and

WHEREAS, the Town Board wishes to schedule a public hearing for February 22, 2018 at 7:25 pm to consider the adoption of the foregoing proposed amendment to the Town Code,

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that a public hearing be held by the Town Board on February 22, 2018 at 7:25 p.m. with respect to amending Chapter 216, Article IV of the Town Code; 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.

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

The following was presented

By: _____

Sec'd by: _____

Date of Adoption: _____

Names	Ayes	Noes	Abstain	Absent
<i>Supervisor</i> Mr. Diana				
<i>Councilman</i> Mr. Coyne				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Meyer				
<i>Councilman</i> Mr. Johnson				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
SCHEDULING TIME AND PLACE FOR A PUBLIC HEARING WITH RESPECT TO
AMENDING THE TOWN CODE TO CREATE REAL PROPERTY TAX EXEMPTIONS
FOR DISABLED PERSONS WITH LIMITED INCOMES**

WHEREAS, the Town Board of the Town of Wallkill wishes to amend the Town Code to create certain tax exemptions for eligible disabled persons with limited incomes as authorized by Real Property Tax Law Section 459-c; and

WHEREAS, the Town Board wishes to schedule a public hearing for February 22, 2018 at 7:25 pm to consider the adoption of the foregoing proposed amendment to the Town Code,

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that a public hearing be held by the Town Board on February 22, 2018 at 7:25 p.m. with respect to establishing such real property tax exemptions; 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.

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

The following was presented
 By: _____
 Sec'd by: _____
 Date of Adoption: _____

Names	Ayes	Noes	Abstain	Absent
<i>Supervisor</i> Mr. Diana				
<i>Councilman</i> Mr. Coyne				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Meyer				
<i>Councilman</i> Mr. Johnson				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
ESTABLISHING A SCHEDULE PURSUANT TO TOWN CODE CHAPTER 160 WITH
RESPECT TO THE APPLICATION OF RESOURCE RECOVERY CENTER OF
ORANGE COUNTY, LLC FOR THE ESTABLISHMENT OF A REHABILITATION
FACILITY WITHIN THE TOWN OF WALLKILL**

WHEREAS, in accordance with Town Code Chapter 160, Resource Recovery Center Of Orange County, LLC has applied to the Town Board for permission to establish and operate a residential detoxification and rehabilitation facility at 68 Crystal Run Road within the Town; and

WHEREAS, the Town Board wishes to schedule a public information meeting and subsequent public hearing with respect to the proposed facility as well as establish a timetable for processing the application; and

WHEREAS, the Town Board wishes to encourage public input with respect to the proposed facility;

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the following schedule be established, subject to change as may be necessary:

Public Information Meeting:	Thursday February 22, 2018 at 7:25 p.m.
Public Hearing:	Thursday March 22, 2018 at 7:25 p.m.
Public Written Comment Period Deadline:	Wednesday March 28, 2018
Town Board Application Decision Deadline:	March 30, 2018

and it is further

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

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

The following was presented
 By: _____
 Sec'd by: _____
 Date of Adoption: _____

Names	Ayes	Noes	Abstain	Absent
<i>Supervisor</i> Mr. Diana				
<i>Councilman</i> Mr. Coyne				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Meyer				
<i>Councilman</i> Mr. Johnson				
TOTAL				

**RESOLUTION AUTHORIZING THE TOWN OF WALLKILL SUPERVISOR
TO CONSENT TO THE MORTGAGE REFINANCING OF SENIOR
HORIZONS AT SILVER LAKE, LLC**

WHEREAS, Senior Horizons at Silver Lake, LLC (“Senior Horizons”) is in the process of refinancing the mortgage on its existing affordable senior citizen development at 141 Bert Crawford Road within the Town; and

WHEREAS, the original financing was accomplished with a Private Housing Finance Law Article V Redevelopment designation, under which the Town was classified as the “Supervising Agency”; and

WHEREAS, Senior Horizons is required to obtain the consent of the Supervising Agency for all refinancing; and

WHEREAS, the refinancing will not result in any change of use of the property and the income and rent restrictions will remain in place for the residents. The income guidelines and oversight by New York State’s office of Homes and Community Renewal (NYS HFA) will remain unchanged. Senior Horizons will remain subject to its Regulatory Agreement with New York State, which implements all of the existing restrictions. Furthermore, there will be no change to the Senior Activity fee that Senior Horizons has been paying annually to the Town, pursuant to the original approvals; and

WHEREAS, under these circumstances, the Town Board has no objection to the refinancing,

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Town Supervisor, or his designee is hereby authorized and directed to execute a consent to the Senior Horizons refinancing, subject to approval of the Town Attorney with respect to the form and content of said Consent Form.

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

The following was presented
 By: _____
 Sec'd by: _____
 Date of Adoption: _____

Names	Ayes	Noes	Abstain	Absent
<i>Supervisor</i> Mr. Diana				
<i>Councilman</i> Mr. Coyne				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Johnson				
<i>Councilman</i> Mr. Meyer				
TOTAL				

RESOLUTION OF THE WALLKILL TOWN BOARD IN SUPPORT OF NEW YORK STATE SENATE BILL S.1696 AND ASSEMBLY BILL A.883 AMENDING THE GENERAL MUNICIPAL LAW AND THE VEHICLE AND TRAFFIC LAW IN RELATION TO OWNER LIABILITY FOR FAILURE OF OPERATOR TO COMPLY WITH TRAFFIC-CONTROL INDICATIONS

WHEREAS, the Town Board is of the opinion that, in the interest of public safety, the Town of Wallkill is in need of red light cameras to be installed at strategic locations on Route 211 within the Town; and

WHEREAS, the Town Board held a Public Information Meeting on Thursday, March 12, 2015, with respect to the red light camera issue and received public input in order to determine whether or not to petition the New York State Legislature for a home rule request to permit red light cameras within the Town of Wallkill; and

WHEREAS, by Resolution dated April 9, 2015, the Town Board authorized the Town Supervisor, or his designee, to initiate proceedings and take all necessary steps to seek an amendment to Title 7, Article 24 of the New York State Vehicle and Traffic Law to authorize and empower the Town to adopt a local law establishing a program to install and use red light cameras for imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications in the Town; and

WHEREAS, current New York State Senate Bill S.1696 and New York State Assembly Bill A.883 have been introduced during the current legislative session which would amend the New York State Vehicle and Traffic Law and General Municipal Law to allow the Town to adopt a local law establishing the aforesaid program; and

Resolution No.:_of 2018

WHEREAS, it is the opinion of the Town Board, that in the interest of public safety, it is necessary to support the passage of the pending Senate and Assembly bills and move forward with the installation of red light cameras on NYS Route 211,

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Town of Wallkill Town Board, in its capacity as governing body of the Town of Wallkill, does hereby support and recommend the passage of New York State Senate Bill S.1696 and New York State Assembly Bill A.883 amending the New York State Vehicle and Traffic Law and General Municipal Law to authorize and empower the Town to adopt a local law establishing a program to install and use red light cameras for imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications in the Town; and it is further

RESOLVED, that the Town Supervisor and/or the Town Clerk, or their designees, are hereby directed to execute and deliver the appropriate Home Rule Requests to the State Senate and State Assembly and forward certified copies of this Resolution to the New York State Senate, the New York State Assembly and the Office of the Governor of the State of New York.

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

The following was presented

By: _____

Sec'd by: _____

Date of Adoption: _____

Names	Ayes	Noes	Abstain	Absent
<i>Supervisor</i> Mr. Diana				
<i>Councilman</i> Mr. Coyne				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Meyer				
<i>Councilman</i> Mr. Johnson				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL ADOPTING
AN UPDATED DRUG AND ALCOHOL POLICY FOR THE TOWN'S DIAL-A-BUS
PROGRAM**

WHEREAS, Federal Law requires that the Town of Wallkill adopt and adhere to a Drug and Alcohol Testing Policy with respect to the Town's Dial-A-Bus program; and

WHEREAS, the Town Board of the Town of Wallkill believes it is in the best interests of the Town of Wallkill to adopt such a policy in the interest of public welfare and safety,

NOW, THEREFORE, IT IS HEREBY

RESOLVED that the Town Board of the Town of Wallkill hereby adopts the attached, updated Drug and Alcohol Testing Policy for the Town's Dial-A-Bus program, and it is further

RESOLVED that copies of the aforesaid policy be distributed to each Town employee that is covered by the policy and to the appropriate CSEA representatives.

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

The following was presented
 By: _____
 Sec'd by: _____
 Date of Adoption: _____

Names	Ayes	Noes	Abstain	Absent
<i>Supervisor</i> Mr. Diana				
<i>Councilman</i> Mr. Coyne				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Meyer				
<i>Councilman</i> Mr. Johnson				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE TOWN SUPERVISOR TO APPROVE PROGRESS PAYMENTS
AND FINAL PAYMENT FOR PROJECTS UNDERTAKEN BY THE TOWN WITH
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

WHEREAS, certain projects, such as the Washington Heights Sidewalk Project and the upcoming Brookline Avenue Drainage and Paving Improvement Project, are being partially funded by an Orange County Community Development Block Grant (the "CDBG Projects"), which projects must be completed within a short time frame, and which require rapid progress payments to the contractors; and

WHEREAS, under these circumstances, it is necessary to authorize the Town Supervisor to approve contractor progress and final payment invoices as they are received and the legitimacy of said project reports and contractor invoices are confirmed by the Town's Consulting Engineers,

NOW, THEREFORE, LET IT BE HEREBY

RESOLVED, that the Town Board hereby authorizes the Town Supervisor, or his designee, to approve contractor progress and final payment invoices as they are received and the legitimacy of said project and final reports and contractor invoices are confirmed by the Town's Consulting Engineers with respect to the CDBG Projects, and it is further

RESOLVED, that the Supervisor is directed to provide regular project updates to the Town Board.