

Town Board Agenda

September 12, 2013

7:30 PM

Retirement Presentation

The Pledge of Allegiance, Moment of Silence in remembrance of September 11, 2001

Public Participation 3 Minutes agenda only

Correspondence

Resolutions

- 1.) Resolution to borrow funds from the Town of Walkkill Housing Authority to finance the costs associated with the demolition and removal of the structures located at 174 Shaw Rd. and 85 Sheffield Dr.
- 2.) Resolution setting time and place for a public hearing with respect to the Town Budget for the fiscal year 2014.
- 3.) Resolution adopting local law No. 3 of 2013 amending the town code of the Town of Walkkill to establish a stop intersection at the intersection of Rondack Road and Sharon Drive and at the southbound terminus of Sharon Dr.
- 4.) Resolution referring the Town zoning map amendment petition of Venda Properties, LLC to the Town of Walkkill Planning Board.
- 5.) Resolution authorizing the Town Supervisor to execute a real estate broker's agreement for the sale of town property.
- 6.) Resolution regarding abandonment/discontinuance and conveyance of a portion of Crystal Run Rd.
- 7.) Resolution setting time and place for a public hearing with respect to the benefit Assessment Roll for the Fiscal Year 2014.
- 8.) Resolution appointing a temporary purchasing technician
- 9.) Resolution appointing an administrative supervisor in the purchasing department.
- 10.) Resolution promoting employee to the position of Automotive Mechanic
- 11.) Resolution appointing Lisa Chutka to the Position of Town Assessor
- 12.) Resolution adopting an amended Fee Schedule to take effect September 13, 2013
- 13.) Resolution authorizing the Commissioner of Public works to accept a proposal for demolition of the structure located at 174 Shaw Rd. in the Town of Walkkill.

COMMITTEE REPORTS:

COUNCILMAN'S COMMENTS

SUPERVISOR'S COMMENTS:

Town Clerks Comments:

COMMISSIONERS/POLICE CHEIF REPORTS:



W/S
TBM

September 6, 2013

Mr. Dan Depew-Supervisor
Town of Wallkill
99 Tower Drive, Bldg. A
Middletown, NY 10941-2026

Dear Supervisor Depew:

This letter serves as confirmation of our continued support for the Town of Wallkill Police Department's enforcement of the New York State Vehicle and Traffic Law at the Galleria at Crystal Run.

As you know, we have supported the patrols and enforcement in the past, and believe it is important for them to continue in the future.

I look forward to continuing and strengthening our relationship.

Best Regards,
Pyramid
Management Group, LLC.

A handwritten signature in blue ink that reads "Bradford R. Freeman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Bradford R. Freeman
General Manager
Galleria at Crystal Run

August 19, 2013

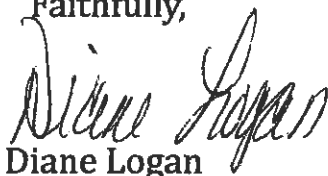
Town of Wallkill Police Dept.
99 Tower Drive
Middletown, NY 10941

Dear Community Member:

On behalf of the staff, volunteers, and visitors of The Guild of St. Margaret's Soup Kitchen, I would like to thank you for your generous donation to our soup kitchen.

Your generous support of our program is deeply appreciated and helps to ensure that members of our community do not go hungry.

Faithfully,



Diane Logan

Food Service Coordinator

12 Depot Street • Middletown • NY • 10940
Phone: (845) 344-0569 • Fax: (845) 343-8321
Email: soupkitchengrace@msn.com
www.stmargaretsoupkitchen.com

GUILD OF ST. MARGARET
SOUP
KITCHEN

Serving Hot
Meals Daily
To All

Monday - Friday
11 am - 12 pm
Sunday
3pm - 4pm

NOW
SERVING
BREAKFAST
Monday - Friday
7:00am - 8:30 am

Dear Town of Waukegan Police Department,

Although you will be receiving a formal thank you letter from our soup kitchen, I wanted to send a personal thanks for your generous donation of food to our program. Donations from organizations & individuals in our community enable us to keep feeding our neighbors. Thanks →

for everything you do for our community!

Faithfully,
Phyllis Guardino

Thanks Again! Director
Guild of St. Margaret

TBM
w/s
corps!

August 30, 2013

Lou Ingrassia Jr.
Mr. John Lippert

Commissioner of Public Works

I am organizing the Sweeney 5K Run/Walk on Sunday September 29th at Middletown High School. The Sweeney 5k was created in the fall of 2009 to honor a Middletown resident who at the time was battling ALL (Leukemia). His name was Kevin Sweeney, and sadly, he passed away in November of 2010. Kevin was a lifetime resident of Middletown and a graduate of Middletown High School. His father, Jim Sweeney is a retired Middletown City Fireman, and his mother and brother both work for ORMC. The proceeds from this event will help create a scholarship for a Cross Country runner, in Kevin's memory.

The majority of the 5K will be run on the Middletown High School Campus. The Mechanicstown Fire Police have volunteered to direct the roads during the 1 ½ hour time frame of the Sweeney 5K Run/Walk.

I am applying for permission to utilize 4 streets on September 29th from 9:30 to 11am around Middletown High School. They are Wisner Avenue from the Board of Education office entrance to Gardner Ave Ext, right toward the High School, down Gardner Ave Ext. to Fairlawn Ave, left down to Cherry Street, then right and toward the back entrance to the stadium.

I would appreciate the review of this letter at your next meeting. Please contact me for any questions or concerns. Thank You.

Sincerely,

Linda Knapp

Linda Knapp

845-597-5016

Jkik119@yahoo.com

**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. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
TO BORROW FUNDS FROM THE TOWN OF WALLKILL HOUSING AUTHORITY
TO FIANCE THE COSTS ASSOCIATED WITH THE DEMOLITION AND REMOVAL
OF THE STRUCTURES LOCATED AT 174 SHAW ROAD AND 85 SHEFFIELD DRIVE**

WHEREAS, by Resolution dated November 18, 2010, the Town Board unanimously voted to demolish and remove the structure located at the the premises known as 85 Sheffield Drive in the Town of Wallkill (also known as Section 86, Block 1, Lot 55) because said structure is unsafe and dangerous pursuant to Town Code Chapter 86; and

WHEREAS, by Resolution dated June 19, 2013, the Town Board unanimously voted to demolish and remove the structure located at the the premises known as 174 Shaw Road in the Town of Wallkill (also known as Section 24, Block 1, Lot 1.62) because said structure is unsafe and dangerous pursuant to Town Code Chapter 86; and

WHEREAS, pursuant to Section 86-10 of the Town Code, all expenses incurred by the Town in connection with the proceedings to secure, demolish and remove unsafe structures, including the cost of actually removing such structures, shall be assessed against the lands on which such structures are located and shall be levied and collected in the same manner as provided in Article 15 of the Town Law for the levy and collection of a special ad valorem levy; and

WHEREAS, the Town wishes to move forward with the demolition of the structures at the aforesaid properties; and

WHEREAS, the funds required for the demolition of the structures at the aforesaid properties are not contained in the 2013 Town Budget; and

Resolution No. :_of 2013

WHEREAS, the Town of Wallkill Housing Authority is in a liquid cash position and has voted to loan the Town the funds necessary to accomplish the aforesaid demolition projects; and

NOW, THEREFORE, it is hereby

RESOLVED, that the Town Board of the Town of Wallkill hereby agrees to borrow monies from the Town of Wallkill Housing Authority as follows:

Demolition of 85 Sheffield Drive: A sum not to exceed \$85,000.00;

Demolition of 174 Shaw Road: A sum not to exceed \$11,000.00; and it is further

RESOLVED, that the aforesaid sums shall be repaid to the Town of Wallkill Housing Authority within two years from the date of such loans with interest at the annual rate of 1%, and it is further

RESOLVED, that the Town Supervisor is authorized to execute any appropriate documents to effectuate the intent of this Resolution, all of which shall be subject to review and approval by the Town Attorney.

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

The following was presented
 By _____
 Sec'd by _____
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Names	Ayes	Noes	Abstain	Absent
<i>Supervisor</i> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
SETTING TIME AND PLACE FOR A PUBLIC HEARING WITH RESPECT TO
THE TOWN BUDGET FOR THE FISCAL YEAR 2014**

WHEREAS, the Town Board of the Town of Wallkill intends to schedule a public hearing for October 24, 2013 at 7:25 pm with respect to the adoption of the Town Budget for the Fiscal Year 2014 as required by Town Law Section 108,

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that a public hearing be held by the Town Board on October 24, 2013 at 7:25 p.m. with respect to the adoption of the Town Budget for the Fiscal Year 2014; 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 _____
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Names	Ayes	Noes	Abstain	Absent
<i>Supervisor</i> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE WALLKILL TOWN BOARD ADOPTING LOCAL LAW NO. 3
OF 2013 AMENDING THE TOWN CODE OF THE TOWN OF WALLKILL TO
ESTABLISH A STOP INTERSECTION AT THE INTERSECTION OF
RONDACK ROAD AND SHARON DRIVE AND AT THE SOUTHBOUND TERMINUS
OF SHARON DRIVE**

WHEREAS, Chapter 233-4 of the Town Code of the Town of Wallkill regulates stop intersections in the Town of Wallkill; and

WHEREAS, a public hearing was held on July 25, 2013 at 7:25 p.m. to assist in the Town's consideration of the need to establish stop intersections at the intersection of Rondack Road and Sharon Drive and at the southbound terminus of Sharon Drive; and

WHEREAS, the Town Board of the Town of Wallkill has determined that establishing the aforesaid stop intersections is in the best interest of the general public safety and welfare; and

WHEREAS, this action is not an action subject to review under the State Environmental Quality Review Act ("SEQRA") pursuant to Part 617.5(c)(16) and (27) of the regulations implementing SEQRA;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby adopts said Local Law No. 3 of 2013, entitled "A LOCAL LAW AMENDING CHAPTER 233, SECTION 4 OF THE TOWN CODE OF THE TOWN OF WALLKILL, NEW YORK, DESIGNATING THE INTERSECTION OF RONDACK ROAD AND SHARON DRIVE AND THE

Resolution No. :_of 2013

SOUTHBOUND TERMINUS OF SHARON DRIVE AS STOP INTERSECTIONS IN THE TOWN OF WALLKILL”, 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; and be it further

RESOLVED, that upon the effective date of this Local Law, the Commissioner of Public Works/Superintendent of Highways is hereby directed to install all appropriate signage to effectuate the intent of this Local 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. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
REFERRING THE TOWN ZONING MAP AMENDMENT PETITION OF VENDA
PROPERTIES, LLC TO THE TOWN OF WALKILL PLANNING BOARD**

WHEREAS, Venda Properties, LLC has filed a Petition with the Town Board for the amendment of the Town Zoning Map with respect to the 56.1 acre parcel of real property located in the Town of Wallkill on the west side of Goshen Turnpike identified as Tax Map Parcels 60-1-68.13, to change the current zoning classification of same from O/R to PRD (Planned Residential Development Overlay District); and

WHEREAS, Section 249-82(G) of the Wallkill Town Code requires that the subject Petition be referred to the Town Planning Board for a public hearing, report and advisory opinion to be delivered to the Town Board with findings related to the appropriateness of the proposed zoning change; and

WHEREAS, it is the opinion of the Town Board that the Petition should be referred to the Town Planning Board at this time,

NOW THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby refers the Petition of Venda Properties, LLC to the Town Planning Board for further action, proceedings and an advisory opinion pursuant to Town Code Section 249-82(G) and it is further

Resolution No. :_of 2013

RESOLVED, that with the consent of the Petitioner/Applicant, in addition to compliance with the customary publication and posting of notice once the Town Planning Board schedules the required public hearing, the Petitioner/Applicant shall serve written notice of said hearing by regular and certified mail, return receipt requested upon each property owner within a five hundred (500) foot radius of the real property parcels which are included in the Petition at least ten (10) days prior to the public hearing.

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

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<i>Supervisor</i> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE A REAL ESTATE
BROKER'S AGREEMENT FOR THE SALE OF TOWN PROPERTY**

WHEREAS, the Town Board of the Town of Wallkill has determined that the former Town Hall property it currently owns on Route 211 East, also known as Section 14, Block 1, Lot 60 ("The Property"), no longer serves the needs of the Town; and

WHEREAS, the Town wishes to engage the services of a real estate broker to market and produce potential purchasers of The Property; and

WHEREAS, the Town Board has determined to sell The Property for adequate consideration of no less than fair market value; and

WHEREAS, RJ Smith Realty has made a proposal to serve as the exclusive listing agent of the Town with respect to the brokerage of The Property, which proposal is acceptable to the Town Board,

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor to execute a listing agreement with RJ Smith Realty for the marketing and sale of the former Town Hall property it currently owns on Route 211 East, also known as Section 14, Block 1, Lot 60, a copy of said agreement being annexed hereto, along with any other appropriate documents, all of which shall be subject to review and approval by the Town Attorney.

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

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Sec'd by _____
Date of Adoption _____

Names	Ayes	Noes	Abstain	Absent
<i>Supervisor</i> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
REGARDING ABANDONMENT/DISCONTINUANCE AND CONVEYANCE OF
A PORTION OF CRYSTAL RUN ROAD
(Highway Law §171 and Town Law §64)**

WHEREAS, on August 28, 2012, an application was submitted by Crystal Run Crossing, LLC ("CRC") to the Town of Wallkill Highway Superintendent ("Highway Superintendent") requesting abandonment/discontinuance of a portion of a town highway known as Crystal Run Road in the Town of Wallkill ("Town"), contingent upon the relocation of Crystal Run Road ("Crystal Run Road Relocation") as part of the interchange improvement project at NYS Route 17 and Exit 122 (Project Identification Number 8006.72) ("Exit 122 Improvement Project") by the New York State Department of Transportation ("NYSDOT"), together with lands immediately adjacent thereto to the east owned by NYSDOT and to be conveyed to the Town upon completion of the Crystal Run Road Relocation; and

WHEREAS, in support of the application, CRC provided to the Town a Plan prepared by TM Depuy Engineering and Land Surveying, P.C., entitled "Survey Map of Parcels "A", "B" & "C" of Crystal Run Road Right of Way & Other Town Lands Abutting Tax Map Parcel Nos. 78-1-80.5, 80.6 to be Abandoned and Conveyed to Crystal Run Crossing LLC", dated August 28, 2012 and proposed legal descriptions; and

WHEREAS, in accordance with the NYS Highway Law, the Highway Superintendent requested the written consent of the Town Board to abandon/discontinue the portion of Crystal Run Road abutting CRC's property (Tax Map Parcel Nos. 78-1-80.5, 80.6 and 15), more particularly designated as Parcels A and B with legal descriptions in Exhibits 1 and 2 annexed hereto; and

Resolution No. :_of 2013

WHEREAS, upon completion of the Crystal Run Road Relocation, Parcels A and B, as shown in Exhibit 1, will be useless and unnecessary for highway purposes or serve the needs of the Town, and the additional adjoining land to the east (Parcel C), as shown and described in Exhibit 1, upon conveyance by NYSDOT to the Town, will be used for stormwater management purposes; and

WHEREAS, CRC will enter into a Stormwater Management Agreement with the Town in connection with future stormwater management facilities on Parcel C, in substantively the same form and content as attached hereto as Exhibit 3; and

WHEREAS, CRC owns all of the properties assessable for highway taxes that may be affected by the abandonment/discontinuance abutting that portion of Crystal Run Road, specifically Tax Map Parcel Nos. 78-1-80.6, 80.5 and 15; and

WHEREAS, CRC has submitted a release from all damages which may arise by the abandonment/discontinuance; and

WHEREAS, upon such abandonment, the Town will be relieved from future road maintenance obligations, plowing services, dangers of vehicles backing up and causing damages and maintenance of the future stormwater facilities and will gain additional tax revenue from the land being returned to the tax rolls and put to a productive use; and

WHEREAS, as a result of these benefits to the Town upon such abandonment, the Town Board believes that the fair market value of the property to be conveyed to CRC should take into account these benefits and wishes to enter into a formal contract with CRC for the purchase and sale of the above-described property; and

WHEREAS, there is no real estate broker that would be entitled to any commission with respect to this transaction; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Wallkill hereby:

1. Determines to issue a negative declaration pursuant to SEQRA for this unlisted action, as more fully set forth on the attached Determination of Significance and incorporated herein by reference.
2. Pursuant to Highway Law §171, authorizes and consents to an Order of abandonment/discontinuance of the Wallkill Highway Superintendent being made with respect to Parcels A, B and C, as shown and described on the attached Exhibits 1 and 2, said Order being contingent upon completion of the Crystal Run Road Relocation by NYSDOT.

Resolution No. :_of 2013

3. Authorizes the Wallkill Highway Superintendent to file the Order to discontinue the identified portion of Crystal Run Road and all appropriate documentation in the Town Clerk's Office, as required by Highway Law §171, upon receipt of notice of completion of construction of the Crystal Run Road Relocation by NYSDOT; and
4. After the filing of the Highway Superintendent's Order in the Town Clerk's Office, authorizes the Wallkill Town Supervisor to execute any and all documents, including, but not limited to, a purchase and sale agreement with CRC, and take any necessary action to give full force and effect to this Resolution for transferring the abandoned/discontinued portion of Crystal Run Road as set forth in Exhibits 1 and 2 (Parcels A and B) to CRC, subject to review and approval of all documents as to form and content by the Town Attorney.
5. After the filing of the Highway Superintendent's Order in the Town Clerk's Office, and upon the transfer of title of Parcel C from NYSDOT to the Town, authorizes the Wallkill Town Supervisor to execute any and all documents, including, but not limited to, a purchase and sale agreement with CRC, and take any necessary action to give full force and effect to this Resolution for transferring Parcels C, as set forth in Exhibits 1 and 2, to CRC, subject to the execution of a Stormwater Management Agreement in substantively the same form and content as attached in Exhibit 3, and subject to review and approval of all documents as to form and content by the Town Attorney.
6. This Resolution authorizing the abandonment and sale of Parcels A, B and C is subject to a permissive referendum pursuant to Town Law §64 and the Town Clerk is directed to publish and post the notice of adoption of this resolution in accordance with Article 7 of the Town 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. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
SETTING TIME AND PLACE FOR A PUBLIC HEARING WITH RESPECT TO
THE BENEFIT ASSESSMENT ROLL FOR THE FISCAL YEAR 2014**

WHEREAS, the Town Board of the Town of Wallkill intends to schedule a public hearing on October 24, 2013 at 7:25 pm with respect to the Benefit Assessment Roll comprising Town Consolidated Water District #1, The Town Consolidated Sewer District, All Town Lighting Districts, All Town Drainage Districts and Town Law Section 200 for the Fiscal Year 2014,

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that a public hearing be held by the Town Board on October 24, 2013 at 7:25 p.m. with respect to Benefit Assessment Roll for the Fiscal Year 2014; 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
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Sec'd by _____
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Names	Ayes	Noes	Abstain	Absent
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<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
APPOINTING A TEMPORARY PURCHASING TECHNICIAN**

WHEREAS, as of September 25, 2013, there will be a position available for a Temporary Technician in the Town of Wallkill Purchasing Department until December 23, 2013; and

WHEREAS, William Procopchak, a current Town employee, fulfills the civil service requirements of knowledge, skill, and experience for said position and will be available to serve as the Temporary Purchasing Technician; and

WHEREAS, the Town of Wallkill Purchasing Department has a need for a Temporary Technician for the efficient and cost-effective functioning of that Department; and

WHEREAS, it is the opinion of the Town Board of the Town of Wallkill that the aforesaid person is qualified to fill said position,

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints William Procopchak to the position of Temporary Purchasing Technician to serve in said capacity at the Town of Wallkill Purchasing Department; and be it further

RESOLVED, that said appointment shall be deemed effective from September 25, 2013 to December 23, 2013, subject to the submission and acceptance of all appropriate documentation by the Orange County Department of Human Resources.

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

The following was presented
 By _____
 Sec'd by _____
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Names	Ayes	Noes	Abstain	Absent
<i>Supervisor</i> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
APPOINTING AN ADMINISTRATIVE SUPERVISOR IN THE PURCHASING
DEPARTMENT**

WHEREAS, as of September 25, 2013, there will be a vacancy in the Town of Wallkill Purchasing Department for an Administrative Supervisor; and

WHEREAS, Mary Maimone fulfills the civil service requirements of knowledge, skill, and experience for said position; and

WHEREAS, the Town of Wallkill Purchasing Department has a need for an Administrative Supervisor for the efficient and cost-effective functioning of that Department; and

WHEREAS, it is the opinion of the Town Board of the Town of Wallkill that the aforesaid person is qualified to fill said position,

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Mary Maimone to the position of Administrative Supervisor to serve in said capacity at the Town of Wallkill Purchasing Department; and be it further

RESOLVED, that said appointment shall be deemed effective as of September 25, 2013, subject to the submission and acceptance of all appropriate documentation by the Orange County Department of Human Resources.

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

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By _____
Sec'd by _____
Date of Adoption _____

Names	Ayes	Noes	Abstain	Absent
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<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
PROMOTOING EMPLOYEE TO THE POSITION OF AUTOMOTIVE MECHANIC**

WHEREAS, there exists a vacancy in the Town of Wallkill Department of Public Works for an Automotive Mechanic; and

WHEREAS, Edward M. Cruz is presently employed by the Town of Wallkill in the Department of Public Works as a Mechanic Trainee; and

WHEREAS, Edward M. Cruz fulfills the civil service requirements of knowledge, skills, and experience for the Automotive Mechanic position; and

WHEREAS, the Town of Wallkill Department of Public Works has a need for an Automotive Mechanic for the effective functioning of that Department; and

WHEREAS, it is the opinion of the Commissioner of Public Works and the Town Board that Edward M. Cruz is qualified to fill said position,

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby promotes and appoints Edward M. Cruz 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 deemed immediately, provided that all appropriate documentation is submitted and accepted by the Orange County Department of Human Resources-Civil Service Department.

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

The following was presented
 By _____
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 Date of Adoption _____

Names	Ayes	Noes	Abstain	Absent
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<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
APPOINTING LISA CHUTKA TO THE POSITION OF TOWN ASSESSOR**

WHEREAS, Carol Voss, the former Town Assessor, retired from her position on November 30, 2012, and the vacancy created from said retirement has been filled by Lisa Chutka, who is serving out the remainder of Ms. Voss' term; and

WHEREAS, the interim appointment of Lisa Chutka expires on October 10, 2013; and

WHEREAS, Lisa Chutka fulfills the requirements of knowledge, skill, and experience for the position and has ably served as Assessor since her interim appointment; and

WHEREAS, it is the opinion of the Town Board of the Town of Wallkill that Lisa Chutka is qualified to fill said position, which must be filled for the efficient functioning of said Department,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Lisa Chutka to the position of Assessor for the Town, to be effective immediately and for a term that shall expire on October 10, 2018, provided that all appropriate documentation is submitted and accepted by the Orange County Department of Human Resources-Civil Service Department.

**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
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<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
ADOPTING AN AMENDED FEE SCHEDULE
TO TAKE EFFECT SEPTEMBER 13, 2013**

WHEREAS, the Town Board of the Town of Wallkill is authorized to set all fees, deposits, and costs by resolution of the Town Board pursuant to adopted local law,

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the schedule of fees, deposits and costs is hereby amended to add a fee of \$100.00 for the processing of Zoning Verification Letters by the Town of Wallkill Planning Department, as attached.

SCHEDULE OF FEES, DEPOSITS AND COSTS
 Adopted by Town Board Resolution on February 10, 2011

Dogs: Licenses and Fees

Annual fee for spayed or altered dogs..... \$ 5.00
 Annual fee for unsprayed or unaltered dogs..... \$15.00

Dogs: Impoundment Fees

.....\$100.00

Dogs: Penalties for Violations of Town Code Chapter 70

First Offense.....\$100.00
 Second Offense..... \$150.00
 Third Offense..... \$200.00

Building Department Fee Schedule

Residential (single and two family dwellings)	\$0.65 per sq ft
Multiple Family	\$0.70 per sq. ft
Commercial Building	\$0.75 per sq. ft. for the first 100,000 sq. ft and \$.25 per sq. ft over 100,000 sq. ft

Interior Alterations	\$0.35 per sq. ft. for Residential \$0.40 per sq. ft. for Commercial
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(Note: Minimum fee for alterations).....\$ 80.00

Garages and Pole Barns

Pole Barns	\$0.60 per sq ft
Attached	\$0.50 per sq ft
Detached	\$0.60 per sq ft

<u>Decks and Sheds</u> (up to \$7500.00 cost of construction)	\$ 80.00
Over \$7500.00 cost of construction	\$ 0.20 per sq ft

Pools:

Above ground	\$ 80.00
In ground (Vinyl)	\$0.35 per sq ft
In ground (Concrete)	\$0.42 per sq ft

(Note: Minimum Fee).....\$ 80.00

Re-inspection Fee (for inspection not ready) \$ 50.00 (paid before re-inspection)

Other Permits

Septic Permit	\$ 80.00
Well Permits	\$ 80.00
Demolition	\$130.00
Trailer Parks	\$ 35.00 per trailer
Junk Yard	\$175.00 a year
Oil Tanks	\$ 60.00
Electrical	\$ 40.00
Retaining Wall	\$ 80.00
Wood Stove	\$ 80.00
Outdoor Furnace	\$ 80.00

Explosives and Blasting Permit Fees \$175.00 for each permit

NOTE: ALL PERMITS REQUIRE ADDITIONAL \$ 20.00 FEE FOR CERTIFICATE OF OCCUPANCY/CERTIFICATE OF COMPLIANCE

Title Search Letters \$150.00

Housing Maintenance and Fire Inspection Fee's:

Housing Maintenance (Apartment Inspections)	\$80.00 per building and \$12.50 per unit
Commercial Building Fire Inspections	\$100.00 per building and \$12.50 per unit (up to 30,000 sq ft)
Commercial Buildings over 30,000 sq ft	\$250.00 and \$10.00 per unit

19 NYCRR PART 1203

(h) Fire safety and property maintenance inspections. Provisions shall be made for:

(1) fire safety and property maintenance inspections of buildings which contain an area of public assembly at intervals not to exceed one year;

(2) fire safety and property maintenance inspections of all multiple dwellings and all nonresidential occupancies at intervals consistent with local conditions, but in no event shall such intervals exceed one year for dormitory buildings and three years for all other buildings.

Application Fees:

Water, Sewer and Highway permits	\$30.00 application fee
Emergency Water, Sewer and Highway permits	\$30.00 application fee

Sign Permit Fees:

Cost of Sign	Fee
\$ 0.00 - \$ 5000.00	\$ 80.00
\$ 5001.00 - \$ 7000.00	\$ 105.00
\$ 7001.00 - \$10,000.00	\$ 165.00
\$ 10,000.00 and up	\$ 215.00

Operating Permits

Fee - \$125.00 Annually For All Public Assembly as per Title 19 Part 1203

19 NYCRR PART 1203

g) Operating permits.

(1) Operating permits shall be required for conducting the activities or using the categories of buildings listed below:

(i) manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Tables 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(4), of the Fire Code of New York State (see 19 NYCRR Part 1225);

(ii) hazardous processes and activities, including but not limited to, commercial and industrial operations which produce combustible dust as a byproduct, fruit and crop ripening, and waste handling;

(iii) use of pyrotechnic devices in assembly occupancies;

(iv) buildings containing one or more areas of public assembly with an occupant load of 100 persons or more; and

(v) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by the government or agency charged with or accountable for administration and enforcement of the Uniform Code.

(2) Parties who propose to undertake the types of activities or operate the types of buildings listed in paragraph (1) of this subdivision shall be required to obtain an operating permit prior to commencing such operation. An application for an operating permit shall contain sufficient information to permit a determination those quantities, materials, and activities conform to the requirements of the Uniform Code. Tests or reports necessary to verify conformance shall be required.

(3) An inspection of the premises shall be conducted prior to the issuance of an operating permit.

- (4) A single operating permit may apply to more than one hazardous activity.
- (5) Operating permits may remain in effect until reissued, renewed or revoked or may be issued for a specified period of time consistent with local conditions.
- (6) Where activities do not comply with applicable provisions of the Uniform Code, an operating permit shall be revoked or suspended

False Alarm Fines:

Number of False Alarms	Residential	Commercial
1	\$ 0.00	\$ 0.00
2	\$ 15.00	\$ 100.00
3	\$ 25.00	\$ 500.00
4	\$ 50.00	\$1000.00
5	\$100.00	\$2000.00

Mailing List for Building and Assessors Departments

Labels or Parcels	Fees
1-10	\$10.00
11-20	\$20.00
21-30	\$30.00
31-40	\$40.00
41-50	\$50.00
51-60	\$60.00
61-70	\$70.00

Planning Board:

Zoning Verification Letter: \$100.00

Zoning Board of Appeals Fee Schedule

Residential (decks, sheds, pools and fences)	\$ 50.00
All other residential (addition, accessory buildings etc.)	\$ 75.00
Signage	\$ 75.00
Commercial Building	\$500.00
Use Variance	\$500.00
Interpretation	\$300.00
ZBA Extension Residential (6 month only)	\$ 25.00
Extension Commercial (6 month only)	\$ 50.00
(6 month (249-48(f))	

Highway Department Driveway Bond:

Residential Driveway (no curbs)	\$1,500.00
Residential Driveway (curbs)	\$2,500.00
Commercial Driveway	\$2,500.00 per lane

Peddling and Soliciting

Application Fee	\$ 50.00
License Fee	\$ 50.00
Solicitors with vehicles, pushcarts and trailers	\$100.00 (each)
Photo ID replacement or additional ID's	\$ 5.00

Miscellaneous Fees for Police Department

<i>Police Accident Report Fee</i>	<i>\$.25</i>
<i>Non-Criminal Fingerprint</i>	<i>\$ 15.00</i>

Games of Chance License Fees

License fee for each license period.....	\$25.00
License fee for authorized organization—each license period (not to exceed one year)	\$18.75 per occasion

Parks: Pavilion Rates for Town of Walkkill Parks

Residents:	1) \$175.00	2) \$ 75.00	3) \$ 75.00
<i>Non Residents</i>	<i>1) \$225.00</i>	<i>2) \$125.00</i>	<i>3) \$125.00</i>

Sewers and sewage disposal: Building Laterals Connections and Fees

Permit and Sewer inspection fee.....	\$250.00
Permit and Water inspection fee.....	\$250.00 plus cost of meter

Street and Sidewalk Work Permit Fees, Deposits and Bonds

Permit fee (nonrefundable)	\$ 50.00
Deposit	\$ 25.00 per sq. ft.
(\$50.00 shall be for inspection and administrative costs of the town, which is not refundable)	
Bond Security Fee (in lieu of deposit) in the minimum amount of	\$1000.00

Residential Driveway	\$1,500.00
Commercial Driveway	\$2,500.00

Survey Monument Fees

Survey monument fee per unit or lot (as computed per §212-3.B of the Town Code) \$135.00

Towing Permit Fees

Annual Permit for one towing vehicle \$125.00
Each additional towing \$ 45.00

The following is added on July 27, 2006

Procedure for establishing Escrow Account for payment of Consultant Review Fees

Upon application to the Planning Board for any action or approval required in accordance with the procedures set forth by Town Law, the applicant shall post with the Town of Wallkill a deposit to cover all engineering/planning consulting fees deemed necessary by the Planning Board. This fee must be submitted to the Secretary of the Planning Board preferably before, but no later than the day of the initial scheduled work session for the project.

Amount shall be as follows:

- A. Residential Subdivisions: \$400.00 per lot up to 4 lots
\$100.00 for each additional lot
Over initial 4 lots*

- B. Lot Line Changes \$400.00 minimum or such amount
Up to maximum of \$400.00
As deemed by Town Engineer*

- C. Multi-Family S/P \$100.00 per unit up to forty units
25.00 for each additional unit over
Initial 40 units*

- D. Commercial Subdivision \$1000.00 per lot up to 4 lots
200.00 for each additional lot over
Initial 4 lots*

- E. Site Plan/Special Use Permit Applications - \$1000.00 minimum
Or up to a maximum of \$2000.00
As deemed appropriate at the time
Of application.*

- F. Planning Board Extension- Subdivision \$50.00
Preliminary- 6 month- Town Code 209-9(j)
Final Conditional- 6 months-Town Code 209-9 (J)
Final – 1 year- Town Code 249-41 (c)2*

- G. Planning Board Extension- Site Plan and/orSUP- \$100.00
Site plan- 1 year – Town Code 249-40(d)10 c*

SUP- 1 year—Town Code 249-38 (F) 2&3

ENGINEERING AND CONSULTANT FEES WITH THE TOWN ENGINEER ARE BILLED DIRECTLY TO THE APPLICANT. THESE FEES INCLUDE WORKSESSIONS AND/OR INSPECTION FEES IF APPLICABLE AND ARE NOT INCLUDED IN THE APPLICATION FEES. PLEASE REFER TO ATTACHED ESCROW SCHEDULE.

RESIDENTIAL

Residential Lot Line Change and Minor S/D (3 lots or less)
Application Fee \$250.00 plus \$50.00 per each lot.

Residential S/D – Major (4 lots and above)
Application Fee \$500.00 plus \$50.00 per each additional lot over 4)

NON-RESIDENTIAL CONSTRUCTION

Application Fee (Existing Space) \$250.00 in addition to the following:
\$.15 sq. ft. up to 10,000 sq. ft.
.05 sq. ft. up from 10,001 to 100,000
.01 sq. ft. above 100,001

Application Fee (New Construction) \$500.00 in addition to the following:
\$.15 sq. ft. up to 10,000 sq. ft.
.05 sq. ft. up from 10,001 to 100,000
.01 sq. ft. above 100,001

Public Hearing Fee \$ 150.00

Survey Monuments Fees (Local Law #4 of 1989)

- \$135.00 per Unit or Lot –
1. Subdivisions – one unit equals one approved subdivision lot.
 2. Multiple Family Development – one unit equals each individual Condominium, townhouse, apartment or dwelling unit approved.
 3. Industrial, commercial office or other such use – one unit shall equal 2,000 sq. ft. of building area approved.

Recreation Fees (Section 249-34 town Zoning Code (Local Law #1 of 2005)

For all developments and subdivisions, other than two lot minor subdivisions, if the Planning Board has required the incorporation of recreation fees by the developer on the site, the parkland fee shall be \$1250.00 per unit or lot. If the Planning Board has not required the incorporation of recreation facilities by the developer on his site, the parkland fee shall be \$2500.00.

Inspection Fee (Section 249-42)

The owner/developer is responsible for payment of all inspections, as built and related costs. Initially, an inspection fee of 4% of the amount of the construction costs shall be paid to the town prior to the time that the Chairman of the Planning Board signs the final plat or the start of any plat or the start of any site improvement work.

Contribution to Traffic Mitigation

Industrial & Office	\$1.00 sq. ft.
Warehouse	.50 sq. ft.
Retail	2.00 sq. ft.
Enclosed Malls	3.50 sq. ft.
Hotels/Motels	.75 sq. ft.
Apartments and Subdivisions	500.00 per unit

Chapter 248 ESCROW DEPOSITS:

Minimum deposits for:

Road Dedication	\$2000.00 when depleted to \$750.00 must be replenished
Maintenance Bonds	\$2000.00 when depleted to \$750.00 must be replenished
Drainage District	\$5000.00 when depleted to \$2000.00 must be replenished
Lighting Districts	\$5000.00 when depleted to \$2000.00 must be replenished
Developers Agreements	\$5000.00 when depleted to \$750.00 must be replenished
Commercial Cluster	\$5000.00 when depleted to \$750.00 must be replenished
Open Development	\$5000.00 when depleted to \$750.00 must be replenished
Miscellaneous	\$1000.00 when depleted to \$250.00 must be replenished

If amount is not replenished all work will stop until replenished

ATTORNEY ESCROW

A. Residential Subdivisions	\$ 350.00 per lot up to 4 lots \$ 425.00 for lots 5 thru 9 \$ 750.00 for lots 10 or more
B. Lot Line Changes	\$ 350.00
C. Multi Family/SP	\$ 250.00 1 st 4 units \$ 425.00 for units 5 thru 9 \$ 750.00 for 10 or more units
D. Commercial S/D	\$350.00 for the 1 st 4 Lots \$425.00 for lots 5 thru 9 \$ 750.00 for 10 or more
E.	\$ 750.00

ELECTRICAL INSPECTION FEES
Single and 1 & 2 Family – Residential Occupancy

Flat Rate Residential Inspection Fees

Per Square Feet	Visits	Fee	Notes
0 – 299 see note 1	2	\$80.00	1. Does not include a service
0 – 600	3	\$100.00	
700 - 1199	3	\$130.00	
1200 – 1799	3	\$160.00	
1800 – 2399	3	\$190.00	
2400 - 2999	3	\$220.00	
3000 – 4000	3	\$250.00	
Above 4000	TBD	Request Quote	“On a residential job inclusive of a service, and any additional work, the residential inspection fee category applies”

Service Only See Note 2

100 - 225 Amp	2	\$80.00	2. Additional visits are priced according to additional visit fee Schedule
225 – 400 Amp	2	\$100.00	
Swimming Pool	3	\$100.00	
Permanent Gen. Installation With transfer switch	2	\$80.00	
Residential Electrical Survey:	1	\$100.00	
Excessive Mileage		\$10.00	Each add'l 25 miles over 50 miles round trip

Special Fees:

A visit fee of \$50.00 will be charged for every additional visit over the total number of visits provided for within this schedule of fees.

A written request for a duplicate certificate will be granted for a fee of \$25.00.

Special Handling, processing, and overnight delivery of a certificate of compliance, \$50.00.

Applications not filed with all pertinent information are subject to a \$20.00 correction fee.

Stand-by-fee for Electrical Inspection Personnel will be charged at \$65.00 per hour

FEE FOR CLEANUP OF ABANDONED PROPERTY BY DEPARTMENT OF PUBLIC WORKS: \$300.00 PER CLEANUP VISIT

**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. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ACCEPT A
PROPOSAL FOR DEMOLITION OF THE STRUCTURE LOCATED AT 174 SHAW
ROAD IN THE TOWN OF WALLKILL**

WHEREAS, the Town Board of the Town of Wallkill previously authorized the Commissioner of Public Works (“DPW”) to solicit bids from vendors for the demolition and removal of the dangerous structure located at 174 Shaw Road in the Town of Wallkill (also known as Section 24, Block 1, Lot 1.62); and

WHEREAS, all submitted bids were opened and reviewed in accordance with applicable law; and

WHEREAS, as required under New York law and the Town Code, the lowest responsible bidder, which met all specifications set forth in the Request for Proposals, has been identified,

NOW, THEREFORE, LET IT BE HEREBY

RESOLVED, that the Town Board hereby authorizes and directs the Commissioner Of Public Works to accept the bid from Boyce Excavating, Inc. of Middletown, New York in the amount of \$8,295.00 to furnish the aforesaid structural demolition and removal services and for the appropriate Town Officials to execute all documents necessary to effectuate the acceptance of said bid and the contracts related thereto, subject to the approval of the Town Attorney.