

## TOWN BOARD MEETING AGENDA

TOWN OF WALLKILL  
DATE: October 24, 2013

TOWN BOARD MEETING  
TIME: 7:30 PM

7:25 – Public Hearing on the 2014 Benefit Assessment Roll  
Public Hearing on the 2014 Budget

Moment of Silence for:  
Mike Landsberry of Sparks, Nevada  
Colleen Ritzer of Danvers, Massachusetts

Presentation of Certificates of Appreciation for Highway Dept. Members

1. PUBLIC PARTICIPATION ON AGENDA ITEMS BELOW ONLY (3 MINUTES EACH INDIVIDUAL)
2. CORRESPONDENCE:
3. RESOLUTIONS:

### A.) Resolutions

- 1.) Resolution authorizing the Commissioner of Public Works to accept a bid for a backhoe for the Town Water and Sewer Department.
- 2.) Resolution authorizing the sale of surplus property.
- 3.) Resolution authorizing the Commissioner of Public Works to solicit bids for suppliers of highway materials for the calendar year 2014.
- 4.) Resolution appointing All County Abstract, Inc. to perform real property title and lien searches on behalf of the Town.
- 5.) Resolution promoting employees to the position of motor equipment operator.
- 6.) Resolution directing the Town Clerk to forward to the Orange County Tax Department a list of Town Properties to be assessed for non-payment of water and sewer usage statements.
- 7.) Resolution directing the Town Assessor to forward to the Orange County Tax Department a list of Town Properties to be assessed for non-payment for refuse removal fees.
- 8.) Resolution accepting a deed to lands along Fortune Rd. West from Sunrise Gardens Housing Development fund company, Inc. and Occupations, Inc.

4. COMMITTEE REPORTS:
5. COUNCILMANS' COMMENTS
6. SUPERVISOR'S COMMENTS:
7. TOWN CLERK'S COMMENTS:
8. COMMISSIONERS/POLICE CHIEF REPORTS:
9. PUBLIC PARTICIPATION (5 MINUTES EACH INDIVIDUAL.)
10. MOTION TO AUDIT BILLS AND MAKE CLAIMS
11. MOTION TO ADJOURN.

## Lacey Pirog

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**From:** Diana Rossi <drossi@BASGov.com>  
**Sent:** Thursday, October 24, 2013 9:54 AM  
**To:** Dan Depew  
**Cc:** Lacey Pirog  
**Subject:** Website Calendar Issue

Hi Dan,

I'm so sorry for the inconvenience that the calendar issue has created! Upon investigation, it looks like there was an error within the Town Board Meeting repeat so it wasn't appearing properly on the calendar display. I'm not sure how this happened, however we recently ran maintenance updates on the website and it is possible that it may have occurred during that time.

I've gone in and fixed this issue and it seems to be resolved, as the Town Board Meeting is repeating properly on the second and fourth Thursday of each month. If you have any questions or if I can be of any further assistance, please let me know. Again, I'm sorry for this inconvenience and any trouble that this may have caused.

Thanks,  
Diana

### **Diana Polle Rossi**

Website Designer

[Business Automation Services, Inc.](#)

661 Plank Road, Clifton Park, NY 12065

T (518) 371-6869 | F (518) 371-8207 | [Remote Assistance](#)

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**DAVID COATES**  
Director for Physical Education,  
Health & Athletics  
*dcoates@csdshs.org*

Our people making the difference.



MIDDLETON HIGH SCHOOL  
24 Gardner Avenue Extension  
Middletown, NY 10941-3540  
Phone (845) 336-1532  
Fax (845) 320-1018  
[www.middletownschools.org](http://www.middletownschools.org)

October 21, 2013

Dear Residents:

The Middletown City School District would like to notify you of our upcoming weekend festivities. Beginning Friday, November 15, 2013 through Sunday, November 17, 2013 we will be hosting the NYS Boys' Soccer Championships. All games including the semi-final and final games will be played on our High School and Twin Tower's soccer fields.

The District is expecting a large turnout for the weekend championships as 20 teams from around the State meet right here in Middletown. Please be advised that the following streets will see an increased volume of traffic and spectators: **Gardner Ave. Ext., Fairlawn Ave. and Cherry St.** In an attempt to accommodate our visiting team busses, we will utilize a portion of Gardner Ave. Ext. and Cherry St. for parking. The Orange County Fairgrounds will be utilized as free parking to help alleviate overflow spectator parking in our neighborhood. A fairgrounds shuttle bus will also be running for spectator convenience. Signs will be placed out on our local streets indicating how to access the free parking as well. Temporary no parking signs will be placed out on **Gardner Ave. ext., Fairlawn Ave., Cherry St., and Stratton Ave.** to help alleviate congestion in our neighborhood.

Please contact me if you are experiencing any problems during the weekend or have any questions or concerns. This notice is to ensure that you will experience the least amount of disruption. We will continue to notify you of any further highly- attended events in this manner.

Attached is the weekend playing schedule for your review. We look forward to your attendance and apologize for any inconvenience this may cause you.

Go Middies!

Sincerely,

A handwritten signature in black ink, appearing to read "David V. Coates".

David V. Coates  
Director for Physical Education, Health, and Athletics

## HOWARD AND ELIZABETH STORMS

---

40 Dundee circle  
Middletown N.Y. 10941  
845-695-1505

To. Supervisor Town of Walkill Mr. Dan Depew  
Commissioner of Public Works Mr. Lou Ingrassia jr.  
Councilman Mr. Eric Valentin

Subject; Appreciation;

Gentlemen;

After spending a year seeking assistance for a dangerous situation at our home of 40 years created by Irene Lee and least of all Sandy. We applied to advertised federal agencies and legislators We received only lip service, mostly with no replies. We turned to our local Town Government for advice .Without hesitation Mr. Depew, Ingrassia and Valentin investigated and resolved our problem. They are to be commended. They represent a fine example of what local government in action should be. We are most appreciative and thankful to you Gentlemen for your efforts on our behalf.

Sincerely

*Howard & Elizabeth Storms*  
*Elizabeth W. Storms*



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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ACCEPT A BID  
FOR A BACKHOE FOR THE TOWN WATER AND SEWER DEPARTMENT**

**WHEREAS**, the Town Board of the Town of Wallkill previously authorized the Commissioner of Public Works (“DPW”) to solicit bids from vendors for a replacement backhoe for the Water and Sewer Division of DPW; 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 following bid for the replacement backhoe for the Water and Sewer Division of DPW:

H.O. Penn Machinery Co., Inc.      \$115,000.00

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.

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
AUTHORIZING THE SALE OF SURPLUS PROPERTY**

**WHEREAS**, the Town of Wallkill acquired certain vehicles and equipment for use by the Town's Public Works Department; and

**WHEREAS**, said equipment is no longer used for its intended purpose due to age, wear, and tear and has been replaced; and

**WHEREAS**, it is no longer necessary for the Town of Wallkill to retain said equipment for the purpose for which it was acquired, thus making it surplus property; and

**WHEREAS**, it is the desire of the Town Board of the Town of Wallkill to sell said equipment as surplus property in order to recoup funds to be used for Town purposes.

**NOW THEREFORE, IT IS HEREBY**

**RESOLVED**, that the Town Board of the Town of Wallkill hereby authorizes the Commissioner of Public Works or his designee to cause the equipment identified in the accompanying schedule to be declared and classified as surplus property, to be offered for public sale, at the minimum bid specified for said item of equipment in said schedule, through the bidding process and directs the Town Clerk of the Town of Wallkill to publish in the normal and legal manner a request for bids for the purchase of said equipment including placing sale notices with Auctions International and Valley Municipal Purchasing Group, and be it further

**RESOLVED**, that the Commissioner of Public Works is authorized to dispose of the surplus property listed in the accompanying schedule provided that the minimum bid amount for said item of equipment has been received.

Resolution No. : of 2013

**SCHEDULE OF VEHICLES AND EQUIPMENT  
DECLARED TO BE SURPLUS PROPERTY**

1. 1999 Samsung SE210LC-2 Track Excavator  
6572 Hours  
VIN # 27688  
**Minimum Bid: \$10,000.00**

**THE TOWN OF WALLKILL  
TOWN BOARD**

**ROLL CALL VOTE**

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO  
SOLICIT BIDS FOR SUPPLIERS OF HIGHWAY MATERIALS FOR THE CALENDAR  
YEAR 2014**

**WHEREAS**, the Town of Wallkill is in ongoing need of highway materials; and

**WHEREAS**, the Town intends to contract with suppliers for highway materials as follows:

1. Culvert Pipe
2. Fuel Oil for Diesel Equipment
3. Gasoline
4. Crushed Stone
5. Crushed Gravel
6. Chain Link Fence
7. Geotextile Fabric
8. K-Crete Trench Backfill
9. Precast Concrete Catch Basins
10. Manhole and Catch Basin Risers
11. Cast Iron Frames and Grates
12. Signage Materials
13. Mulch Hay, Straw & Silt Fence
14. Bagged Concrete & Mortar Mix; and

**WHEREAS**, the Town is required under New York State Law and the Town Code to purchase such highway materials from the lowest responsible bidders,



Resolution No. :\_of 2013

**NOW, THEREFORE, LET IT BE HEREBY**

**RESOLVED**, that the Town Board hereby authorizes and directs the Town of Wallkill Commissioner of Public Works to advertise for and solicit bids from qualified suppliers of highway materials for the Town and to thereafter report back to the Town Board with the results of said bids.

**THE TOWN OF WALLKILL  
TOWN BOARD**

**ROLL CALL VOTE**

The following was presented  
By \_\_\_\_\_  
Sec'd by \_\_\_\_\_  
Date of Adoption \_\_\_\_\_

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
APPOINTING ALL COUNTY ABSTRACT, INC. TO PERFORM REAL PROPERTY  
TITLE AND LIEN SEARCHES ON BEHALF OF THE TOWN**

**BE IT HEREBY RESOLVED THAT:**

The Town Board of the Town of Wallkill hereby appoints All County Abstract, Inc. to perform real property title and lien searches from time to time on an as needed basis at the discretion of the Town Board with respect to real property located within the Town, effective immediately.

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
PROMOTOING EMPLOYEES TO THE POSITION OF MOTOR EQUIPMENT  
OPERATOR**

**WHEREAS**, there exists vacancies in the Town of Wallkill Department of Public Works for Motor Equipment Operators; and

**WHEREAS**, Anthony Figura and Rick DePoalo are presently employed by the Town of Wallkill in the Department of Public Works as Laborers; and

**WHEREAS**, Anthony Figura and Rick DePoalo fulfill the civil service requirements of knowledge, skills, and experience for the Motor Equipment Operator position; and

**WHEREAS**, the Town of Wallkill Department of Public Works has a need for additional Motor Equipment Operators for the effective functioning of that Department; and

**WHEREAS**, it is the opinion of the Commissioner of Public Works and the Town Board that Anthony Figura and Rick DePoalo are qualified to fill said positions,

**NOW, THEREFORE, BE IT HEREBY**

**RESOLVED**, that the Town Board of the Town of Wallkill hereby promotes and appoints Anthony Figura and Rick DePoalo to the position of Motor Equipment Operator to serve in said capacity at the Town of Wallkill Department of Public Works; and be it further

**RESOLVED**, that said appointments shall be deemed effective as of October 28, 2013, 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
<i>Supervisor</i> <b>Mr. Depew</b>				
<i>Councilman</i> <b>Mr. Carr</b>				
<i>Councilman</i> <b>Mr. Valentin</b>				
<i>Councilman</i> <b>Mr. Rotundo</b>				
<i>Councilman</i> <b>Mr. Tulp</b>				
<b>TOTAL</b>				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL DIRECTING  
THE TOWN CLERK TO FORWARD TO THE ORANGE COUNTY TAX  
DEPARTMENT A LIST OF TOWN PROPERTIES TO BE ASSESSED FOR NON-  
PAYMENT OF WATER AND SEWER USAGE STATEMENTS**

**WHEREAS**, numerous property owners within the Town of Wallkill have failed to pay invoices presented to them for municipal water and/or sewer usage; and

**WHEREAS**, said charges must now be assessed against the properties which received such water and/or sewer services and appear as a lien on the next real property tax bill,

**NOW, THEREFORE, BE IT HEREBY**

**RESOLVED**, that the delinquent water statements submitted to the Town Board by the Town Clerk from the Water and Sewer Department pursuant to Town Law Sec. 198-3 (d) shall be filed with the Orange County Legislature by the Supervisor so that the County Legislature shall levy such sums against the property which is liable for said delinquent water statements and shall state the amount of the tax in a separate column in the annual tax rolls for the year 2014, and it is further

**RESOLVED**, that a copy of this resolution with the delinquent water statements shall be immediately transmitted to the Clerk of the Orange County Legislature for immediate action.

**THE TOWN OF WALLKILL  
TOWN BOARD**

**ROLL CALL VOTE**

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<i>Councilman</i> <b>Mr. Valentin</b>				
<i>Councilman</i> <b>Mr. Rotundo</b>				
<i>Councilman</i> <b>Mr. Tulp</b>				
<b>TOTAL</b>				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL DIRECTING  
THE TOWN ASSESSOR TO FORWARD TO THE ORANGE COUNTY TAX  
DEPARTMENT A LIST OF TOWN PROPERTIES TO BE ASSESSED FOR NON-  
PAYMENT OF REFUSE REMOVAL FEES**

**WHEREAS**, pursuant to Town Code Section 200-15, any property owner or occupant having been duly notified in writing upon seven days' notice to remove refuse, inclusive or overgrown lawns and vegetation, and/or garbage from his property and having failed to do so shall be responsible for any costs incurred by the Town of Wallkill in removing said refuse or garbage, and said costs shall be assessed against the property and shall appear as a lien on the next real property tax bill; and

**WHEREAS**, the attached list sets forth the properties by address, tax map designation, the names of the owners and the amounts incurred by the Town to maintain the properties during the calendar year 2013, which amounts have been billed to said owners yet remain unpaid; and

**WHEREAS**, the Town Board wishes to recover the refuse removal/property maintenance costs set forth in the attached list from the property owners pursuant to the Town Code,

**NOW, THEREFORE, BE IT HEREBY**

**RESOLVED**, that the Town Board of the Town of Wallkill hereby directs the Town Assessor to forward to the Orange County Tax Department and Orange County Legislature the attached list of Town properties to be assessed for non-payment of refuse removal fees, with such assessments to be levied against said properties on the appropriate 2014 Town and County Tax bills which shall state the amount of the tax in a separate column in the annual tax rolls for the year 2014.

**THE TOWN OF WALLKILL  
TOWN BOARD**

**ROLL CALL VOTE**

The following was presented  
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<i>Councilman</i> <b>Mr. Rotundo</b>				
<i>Councilman</i> <b>Mr. Tulp</b>				
<b>TOTAL</b>				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
ACCEPTING A DEED TO LANDS ALONG FORTUNE ROAD WEST FROM SUNRISE  
GARDENS HOUSING DEVELOPMENT FUND COMPANY, INC. AND  
OCCUPATIONS, INC.**

**WHEREAS**, a certain parcel of land consisting of approximately 0.05 acres along Fortune Road West within the Town of Wallkill has been offered for dedication to the Town by Fortune Road West from Sunrise Gardens Housing Development Fund Company, Inc. and Occupations, Inc. in connection with the construction of the Occupations Residential Housing Project ("The Project"), as shown on a Map # 6-12 filed in the Orange County Clerk's Office on February 14, 2012 and certified to the Town of Wallkill by Pietrzak & Pfau Engineering & Surveying, PLLC in accordance with the Final Conditional Subdivision Approval issued by the Town Planning Board for The Project; and

**WHEREAS**, the Commissioner of Public Works of the Town of Wallkill has recommended the acceptance of said parcel for dedication; and

**WHEREAS**, a policy of title insurance relating thereto will be offered; and

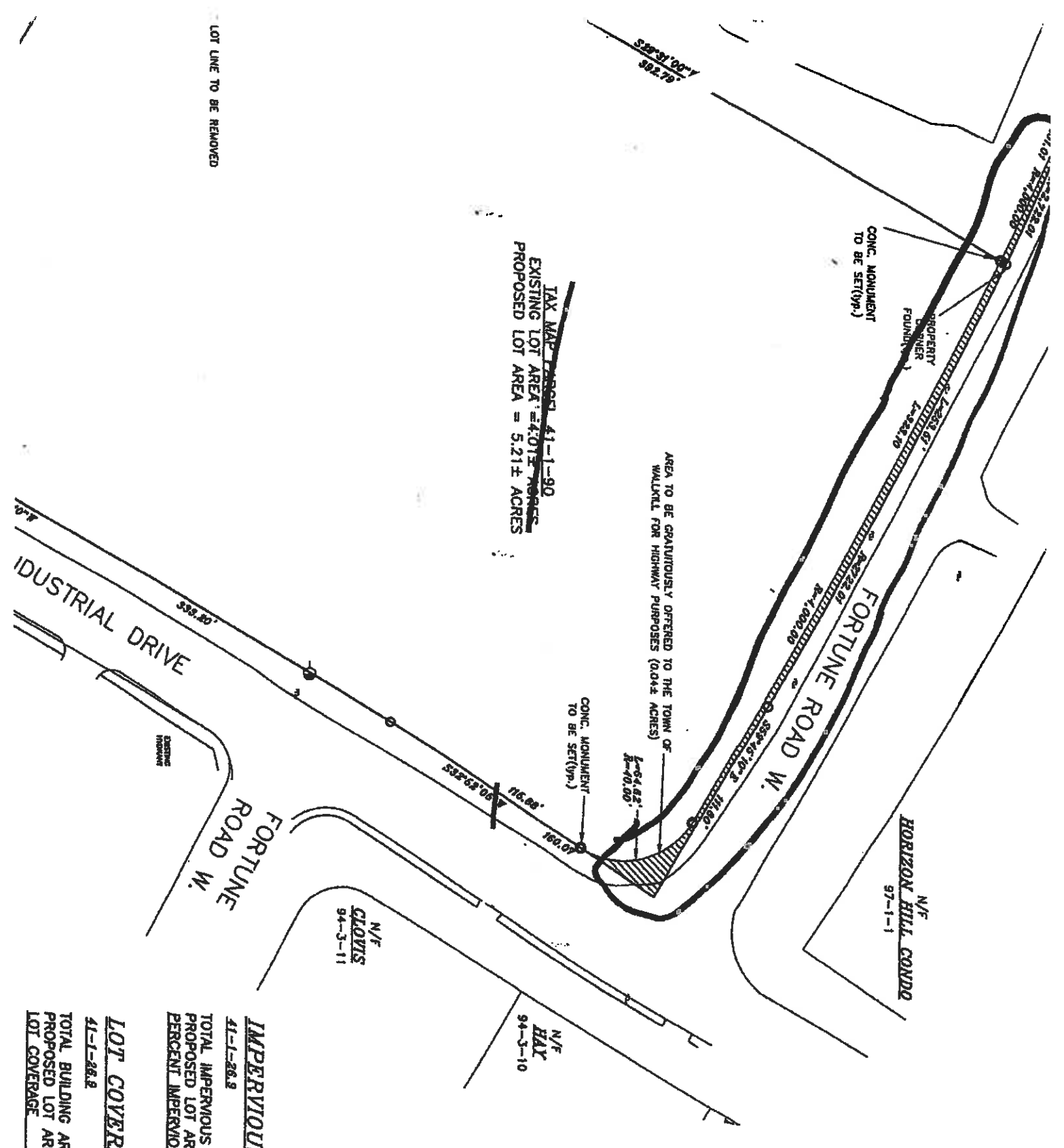
**WHEREAS**, the Town's Consulting Engineer has found that the legal description for the parcel of land closes within industry standards; and

**WHEREAS**, Sunrise Gardens Housing Development Fund Company, Inc. and Occupations, Inc. have executed all appropriate dedication documents with respect to the subject parcel of land,

Resolution No. :\_of 2013

**NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:**

1. The Town Board agrees to accept the deeds of dedication for said land; and
2. The Town Supervisor or his designee is authorized to execute all necessary documents to effectuate the transfer of title; and
3. The Town Board authorizes the recordation of the deed of dedication and related documents for parcel of land in the Office of the Orange County Clerk.



LOT LINE TO BE REMOVED

TAX MAP SECTION 41-1-90  
 EXISTING LOT AREA = 4.01± ACRES  
 PROPOSED LOT AREA = 5.21± ACRES

AREA TO BE GRANTUOUSLY OFFERED TO THE TOWN OF  
 WALKMILL FOR HIGHWAY PURPOSES (0.04± ACRES)

**B**  
**R-AH RESIDE**  
 41-1-90

LOT AREA (AC.  
 FRONT YARD (F'  
 REAR YARD (F'  
 SIDE YARD (F'  
 BOTH SIDE YA.  
 LOT WIDTH (F'

LOT COVERAGE  
 BLDG. HEIGHT

**B**  
**ENT-L1**  
 41-1-26.9

LOT AREA (SQ  
 FRONT YARD (F'  
 REAR YARD (F'  
 SIDE YARD (F'  
 LOT DEPTH (F'  
 LOT WIDTH (F'

LOT COVERAGE  
 IMPERVIOUS CC  
 BLDG. HEIGHT

**IMPERVIOUS COVER CALCU**

41-1-26.9  
 TOTAL IMPERVIOUS COVER = 95,235 sq.ft.  
 PROPOSED LOT AREA = 163,660 sq.  
 PERCENT IMPERVIOUS COVER = 58%

**LOT COVERAGE CALCULATI**

41-1-26.9  
 TOTAL BUILDING AREA = 34,163 sq.ft.  
 PROPOSED LOT AREA = 163,660 sq.ft.  
 LOT COVERAGE = 21%