

## Tentative Work Session Agenda

November 13, 2013

7:30 pm

### Resolutions

- 1.) Resolution adopting the Town Budget for the fiscal year 2014.
- 2.) Resolution authorizing the decrease in the amount of the letter of credit for the Route 211/Tower Drive Construction Project.
- 3.) Resolution authorizing the decrease in the amount of site work performance bond for the Pop-T Realty Project.
- 4.) Resolution authorizing the decrease in the amount of performance bonds for the Walkkill Gardens Construction Project.
- 5.) Resolution releasing the site work performance bond for the Crotty Road, LLC Project.
- 6.) Resolution appointing persons to the position of Part-Time Police Officer.
- 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 of refuse removal fees.
- 8.) 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.
- 9.) Resolution directing the Town Assessor to forward to the Orange County Tax Department the costs of remedial work at 40 Dundee Circle to be assessed on the property owners' 2014 Tax Bill.
- 10.) Resolution authorizing the Town Supervisor to enter into agreements for police services with local business's for the for the 2013 Holiday Season.
- 11.) Resolution setting time and place for a special meeting to audit and pay bills and claims.
- 12.) Resolution authorizing the acceptance of an easement agreement proposed by Alyssa J. Hallstead.
- 13.) Resolution authorizing the acceptance of a deed conveying certain land to the Town by Alyssa J. Hallstead.

### For Discussion

- 1.) Police Coverage for stores
- 2.) BAS proposal for Building Dept.
- 3.) On My Way Learning Center – update from Town Attorney
- 4.) Hambeltonian Marathon request for Rd. Closures
- 5.) Demolition of Home at 410 Sands Rd.
- 6.) Discussion of expired building permits
- 7.) Discussion of Not for Profit rental Costs for the Dennis Cosgrove Community Center
- 8.) Surplus Bicycle Request

### Executive Session

Contract Discussion

**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  
ADOPTING THE TOWN BUDGET FOR THE FISCAL YEAR 2014**

**WHEREAS**, pursuant to Town Law section 106, the Town Supervisor filed the tentative budget for 2014 with the Town Clerk on or before the 30<sup>th</sup> day of September 2013; and

**WHEREAS**, pursuant to Town Law section 106, the Town Clerk presented the tentative budget to the Town Board on or before the 5<sup>th</sup> day of October 2013; and

**WHEREAS**, pursuant to Town Law section 108, the Town Board held a public hearing on the preliminary budget on October 24, 2013, at 7:25 p.m. at Wallkill Town Hall, 99 Tower Drive – Bldg. A, Middletown, New York and heard public comment with respect to the same; and

**WHEREAS**, the Town Board of the Town of Wallkill believes that the preliminary budget as changed, altered and revised is in the best interests of the residents of the Town of Wallkill and should be adopted;

**NOW, THEREFORE, IT IS HEREBY**

**RESOLVED**, that, pursuant to Town Law section 109, the preliminary budget as changed, altered and revised is hereby adopted as the annual budget of the Town of Wallkill for the fiscal year beginning on January 1, 2014, and that the same shall be entered in the minutes of the Town Board.

**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 DECREASE IN THE AMOUNT OF THE LETTER OF CREDIT  
FOR THE ROUTE 211/TOWER DRIVE CONSTRUCTION PROJECT**

**WHEREAS**, Banta Management Services, Inc. has previously posted Letter of Credit No. 3 in the amount of \$118,645.00 drawn on the Bank of Millbrook with the Town of Wallkill to serve as a performance bond for the construction of the public improvements for the property located at Tower Drive and NYS Route 211 707 East Main Street, Middletown, New York as follows; and

**WHEREAS**, McGoey, Hauser & Edsall, P.C., the Town's Consulting Engineer, by way of correspondence dated October 31, 2013 has advised that because a portion of the required public improvements have been satisfactorily completed since the issuance of the Letter of Credit, it is appropriate to reduce the amount of the aforesaid Letter of Credit as set forth below; and

**WHEREAS**, the Town Board of the Town of Wallkill agrees with the recommendations of the Town's Consulting Engineer and is authorized to decrease the amount of the aforesaid Letter of Credit pursuant to Town Code Section 249-42(B)(6),

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

1. The Town Board of the Town of Wallkill hereby approves the decrease of the face amount of the Letter of Credit posted by Banta Management Services, Inc. from \$118,645.00 to \$25,000.00.
2. That said decreased Letter of Credit not be accepted by the Town Clerk until such time as the form and content of the modified Letter of Credit is found acceptable by the Town Attorney and all outstanding inspection fees are paid by the developer; and
3. The Town Supervisor or his designee is authorized to execute any necessary documents associated with the foregoing.

**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 DECREASE IN THE AMOUNT OF SITE WORK  
PERFORMANCE BOND FOR THE POP-T REALTY PROJECT**

**WHEREAS**, Fairbanks MFG LLC has previously posted cash in the amount of \$73,700.00 with the Town of Wallkill to serve as a performance bond for the construction of said entity's approved site at 79 Industrial Place Extension within the Town of Wallkill; and

**WHEREAS**, KC Engineering and Land Surveying, P.C., the Town's Consulting Engineer, by way of correspondence dated November 7, 2013 has advised that because a portion of the required improvements have been satisfactorily completed since the original project approval, it is appropriate to reduce the amount of aforesaid cash performance bond to \$15,000.00; and

**WHEREAS**, the Town Board of the Town of Wallkill agrees with the recommendation of the Town's Consulting Engineer and is authorized to decrease the amount of the required cash bond pursuant to Town Code Section 249-42(B)(6),

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

1. The Town Board of the Town of Wallkill hereby approves the decrease of the cash bond from \$73,700.00 to \$15,000.00 with respect to the 79 Industrial Place Extension project; and
2. The sum of \$58,700.00, less any outstanding inspection and or consulting fees, be returned to Fairbanks MFG LLC, leaving a cash balance on hand with the Town in the amount of \$15,000.00; and
3. The Town Supervisor or his designee is authorized to execute any necessary documents associated with the foregoing.

**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 DECREASE IN THE AMOUNT OF PERFORMANCE BONDS  
FOR THE WALLKILL GARDENS CONSTRUCTION PROJECT**

WHEREAS, Wallkill Gardens, LLC has previously posted the following performance bonds issued by Aegis Security Insurance Company with the Town of Wallkill to serve as performance bonds for the construction of the Wallkill Gardens residential development project located at 100-300 North Woods Road with the latest amounts of said bonds being as follows:

<u>Bond Type</u>	<u>Bond Number</u>	<u>Current Amount</u>
Streets	B10013300	\$ 425,065.00
Storm Drainage	B10013301	\$ 21,900.00
Sanitary	B10013303	\$ 2,316.00
Accessory	B10013304	\$ 15,533.33

WHEREAS, McGoey, Hauser & Edsall, P.C., the Town's Consulting Engineer, by way of correspondence dated October 28, 2013 has advised that because the majority of the required public improvements have been satisfactorily completed since the issuance of the bonds, it is appropriate to release certain bonds and retain the Sanitary Sewer Bond as set forth below; and

WHEREAS, the Town Board of the Town of Wallkill agrees with the recommendations of the Town's Consulting Engineer and is authorized to release and/or retain the aforesaid bonds pursuant to Town Code Section 249-42(B)(6),

**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 RELEASING  
THE SITE WORK PERFORMANCE BOND FOR THE CROTTY ROAD, LLC  
PROJECT**

**WHEREAS**, Crotty Road, LLC has previously posted cash in the amount of \$5,000.00 with the Town of Wallkill to serve as a performance bond for the construction of said entity's approved site at 135 Crotty Road within the Town of Wallkill; and

**WHEREAS**, McGoey, Hauser & Edsall, P.C., the Town's Consulting Engineers, the Town's Consulting Engineer, by way of correspondence dated November 7, 2013 has advised that because the required improvements have been satisfactorily completed since the original project approval in 2010, it is appropriate to release the aforesaid cash performance bond; and

**WHEREAS**, the Town Board of the Town of Wallkill agrees with the recommendation of the Town's Consulting Engineer and is authorized to decrease the amount of the required cash bond pursuant to Town Code Section 249-42(B)(6),

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

1. The Town Board of the Town of Wallkill hereby approves the release of the cash bond of \$5,000.00 with respect to the 135 Crotty Road project; and
2. That the sum of \$425.46 (inspection fees) be paid to the appropriate Town professionals from the cash bond; and
3. The sum of \$4,574.54 be returned to Crotty Road, LLC; and
4. The Town Supervisor or his designee is authorized to execute any necessary documents associated with the foregoing.

**NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:**

1. The Town Board of the Town of Wallkill hereby approves the release and retention of the bonds posted by Wallkill Gardens, LLC as follows:

<u>Bond Type</u>	<u>Bond Number</u>	<u>Amount of Bond</u>	<u>Action</u>
Streets	B10013300	\$ 425,065.00	RELEASE BOND
Storm Drainage	B10013301	\$ 21,900.00	RELEASE BOND
Sanitary	B10013303	\$ 2,316.00	RETAIN BOND
Accessory	B10013304	\$ 15,533.33	RELEASE BOND

2. That the bonds listed above that are to be released shall not be surrendered by the Town Clerk until such time as any outstanding fees owed to the Town have been paid in full by the developer; and
3. The Town Supervisor or his designee is hereby authorized to execute any necessary documents associated with the foregoing.

**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  
APPOINTING PERSONS TO THE POSITION OF PART-TIME POLICE OFFICER**

**WHEREAS**, there exists vacancies in the Town of Wallkill Police Department for part-time Police Officers; and

**WHEREAS**, Jay Barry, Robert Cintron, Francisco Malave, Louis Romano and Brian Smith fulfill the civil service requirements of knowledge, skills, and experience for the part-time Police Officers position; and

**WHEREAS**, the Town of Wallkill Police Department has a need for part-time Police Officers for the efficient and cost-effective functioning of that Department; and

**WHEREAS**, it is the opinion of the Chief of the Wallkill Police Department and the Town Board of the Town of Wallkill that the aforesaid persons are qualified to fill said positions;

**NOW, THEREFORE, BE IT HEREBY**

**RESOLVED**, that the Town Board of the Town of Wallkill hereby appoints Jay Barry, Robert Cintron, Francisco Malave, Louis Romano and Brian Smith to the positions of part-time Police Officers to serve in said capacity at the Town of Wallkill Police Department; and be it further

**RESOLVED**, that said appointments shall be deemed effective upon receipt by the Town of complete and satisfactory physical, psychological and background checks, and 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  
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 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 following schedule of properties within the Town of Wallkill:

Resolution No. of 2013

<u>Owners Name</u>	<u>Tax Map #</u>	<u>Street Address</u>	<u>Amount Due</u>
Lerriza DeLima	92-4-12	8 Frederick Street	\$643.23
Bruce DuBoise	98-1-7	548 SLSR	\$600.00
Kevin & Lillette Biggs	58-1-5	9 Stratton Ave	\$600.00
Jose & Hilda Vazquez	79-11-2	32 Scott Drive	\$600.00
John & Melanie Davis	27-2-6	19 Elizabeth Ave	\$300.00
Brenda Gill	27-3-22	10 Elizabeth Ave	\$600.00
John & Lisa Mastrorilli	43-3-2	20 Scotchtown Pl	\$600.00
John & Sally Guck	42-8-12	22 Blumel Road	\$600.00
Binky & Domingo Bautista	6-1-10	100 Howells Tpke	\$300.00
Mary Ann Hyjek	1-1-14.22	370 Route 17K	\$600.00
Ronald Moon	28-1-42	84 Patio Road	\$600.00
Diane Sieglitz	28-4-34	16 Hampton Ct	\$600.00
Norma Roman	28-4-35	18 Hampton Ct	\$600.00
Wells Fargo Bank	28-5-2	27 Greenway Terrace	\$300.00
Michael & Julie McLean	87-1-107	8 Sandburg Ct	\$300.00
Lakhwinder Kaur	86-1-29	42 Sheffield Dr	\$600.00
A Hamid Kermanshah	12-1-4.213	339 King Road	\$600.00
Donald & Beverly Conkling	68-2-9	134 High Barney Road	\$600.00
Ruth Baker	7-1-11.2	634 Goshen Tpke	\$600.00
Michael & Hildy Schwarz	7-1-6.1	600 Goshen Tpke	\$600.00
Fircy Nenez	55-1-6	5 Park Court	\$300.00
Amy Jo Williams	75-4-4	20 Brookline Ave	\$300.00
Alexander & Santa Zeno	81-2-16	578 SLSR	\$600.00
Irvin Dominguez	28-5-29	81 Greenway Terrace	\$600.00
Claude Brathwaite	81-9-11	21 Tammy Drive	\$600.00
James & Sharon Frost	7-2-21.4	1923 Route 302	\$300.00
Estate of Catherine Labianca	79-4-9	26 Stephen Ave	\$701.22
Christopher & Kathleen Dies	28-1-41	82 Patio Road	\$300.00
Herbert & Jeanette Williams	27-3-24	6 Peace Drive	\$300.00
Kim Tong	74-3-22	52 Woodlawn Ave	\$300.00
Benzion Bayer	74-2-16	39 Woodlawn Ave	\$300.00
James Dembeck	69-2-1.2	10 Weber Road	\$300.00
Thomas & Lorraine Buckley	86-1-55	85 Sheffield Drive	\$3,360.00
John Windle, Jr.	5-1-101	16 Heritage Crossing	\$300.00
Victor Otero	60-1-36.2	230 Mt. Joy Road	\$300.00
Deborah, Drew & Jason Webber	74-1-8	9 Gardner Avenue	\$300.00
Ramon Rosairo	68-1-10	45 Karen Drive	<u>\$300.00</u>

**TOTAL AMOUNT OF RELEVY:**

**\$20,304.45**

which properties shall 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, and it is further

**RESOLVED**, that this Resolution shall take effect 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 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, totaling \$401,729.88, 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), totaling \$401,729.88, 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 totaling \$401,729.88 shall be immediately transmitted to the Clerk of the Orange County Legislature for immediate action.

**THE TOWN OF WALLKILL  
TOWN BOARD**

**ROLL CALL VOTE**

The following was presented  
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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 ASSESSOR TO FORWARD TO THE ORANGE COUNTY TAX DEPARTMENT THE COSTS OF REMEDIAL WORK AT 40 DUNDEE CIRCLE TO BE ASSESSED ON THE PROPERTY OWNERS' 2014 TAX BILL**

**WHEREAS**, A stream extends through the real property located in the Town of Wallkill, County of Orange, State of New York known as tax map Section 42, Block 4, and Lot 3 and more commonly known as 40 Dundee Circle, Middletown, New York 10941 (the "Property"); and

**WHEREAS**, The stream overflowed during hurricane, heavy rain and extreme weather events over the past two years and, in the process, undermined the Property along the stream; and

**WHEREAS**, although the Town bore no liability or responsibility for causing or repairing the existing conditions, the Town determined that it was advisable to intervene on a one-time emergency basis in order to provide stone to the Property for placement on the stream bank on the Property to prevent future flooding, safeguard the stream and to safeguard and protect the general health, safety, and welfare of the properties adjacent to the stream and the public at large; and

**WHEREAS**, the Property owners were willing to bear all of the costs associated with delivering and placing the stone on the Property but were unable to pay the aforesaid costs at this time. Therefore, pursuant to a Town Board Resolution dated September 25, 2013, the Town entered into a License Agreement with the Property owners to effectuate the remedial work and the property owners consented to the assessment of such costs directly onto their 2014 Town and County Real Property Tax Bill; and

**WHEREAS**, the Town Board wishes to recover the costs of said remedial work set forth below,

**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 following schedule of properties within the Town of Wallkill:

<u>Owners Name</u>	<u>Tax Map #</u>	<u>Street Address</u>	<u>Amount Due</u>
Howard K. Storms, Jr. Elizabeth W. Storms	42-4-3	40 Dundee Circle	\$2,055.36

which property shall be assessed for non-payment of the above-described remedial work, with such assessment to be levied against said property on the appropriate 2014 Town and County Tax bill which 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 this Resolution shall take effect 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  
AUTHORIZING THE TOWN SUPERVISOR TO ENTER INTO AGREEMENTS FOR  
POLICE SERVICES WITH LOCAL BUSINESS FOR THE 2013 HOLIDAY SEASON**

**WHEREAS**, certain retail businesses within the Town experience large crowds during the holiday shopping season, particularly on days with special sales promotions; and

**WHEREAS**, Wal-Mart, Best Buy and Target have all expressed a desire to enter into agreements with the Town of Wallkill for a police presence of uniformed Town of Wallkill Police Officers at said retail locations on certain days of the holiday shopping season; and

**WHEREAS**, the Town of Wallkill is willing to enter into such agreements provided that all expenses associated therewith are paid by the merchant(s) and that such agreements will not interfere with normal police operations and patrol within the Town; and

**WHEREAS**, the Town Board believes that it is in the overall best interest and public safety of the residents of the Town to enter into such agreements,

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

**RESOLVED**, that the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor or his designated representative to enter into agreements for crowd control police services with Wal-Mart, Best Buy and Target for the 2013 holiday shopping season, which agreements shall be subject to the review and 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  
SETTING TIME AND PLACE FOR A SPECIAL MEETING TO AUDIT AND PAY  
BILLS AND CLAIMS**

**WHEREAS**, the Town Board of the Town of Wallkill wishes to schedule a special meeting to audit and pay bills and claims of the Town; and

**WHEREAS**, the outstanding bills and claims are due for payment prior to the next regularly scheduled Town Board meeting; and

**WHEREAS**, the Town Board of the Town of Wallkill is empowered to schedule a special meeting for any lawful purpose,

**NOW, THEREFORE, IT IS HEREBY**

**RESOLVED**, that a Special Meeting of the Town Board of the Town of Wallkill with respect to the auditing and payment of pending bills and claims, along with any other lawful and necessary Town business, shall be held at 4:45 p.m. on November 30, 2013, at Wallkill Town Hall, 99 Tower Drive, Bldg. A, Middletown, New York; and it is further

**RESOLVED**, that the Town Clerk is hereby authorized and directed to cause public notice of said Special Meeting 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> <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 ACCEPTANCE OF AN EASEMENT AGREEMENT PROPOSED  
BY ALYSSA J. HALLSTEAD**

**WHEREAS**, Alyssa J. Hallstead has proposed an easement agreement to provide the Town with future access to properties located on Bart Bull Road described as Tax Map Numbers 31-1-26.1 and 31-1-27 owned by Ms. Hallstead for Town purposes, including but not limited to, ingress and egress, and the repair, maintenance and/or construction of municipal water facilities located on the aforesaid properties; and

**WHEREAS**, the Town's acceptance of the proposed easement agreements in final form, containing the revisions by the Town's Consulting Engineers and Town Attorney are in the best interest of the Town, its citizens, and the public, health, safety and welfare of the same;

**NOW, THEREFORE, IT IS HEREBY RESOLVED** that the Town Board of the Town of Wallkill accepts the easement agreement proposed by Alyssa J. Hallstead and authorizes the Town Supervisor, or his authorized designee, to execute any necessary documents associated with the same, provided the final versions of the aforementioned easement agreement is acceptable in form and content to the Town's Consulting Engineers and 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 ACCEPTANCE OF A DEED CONVEYING CERTAIN LAND TO  
THE TOWN BY ALYSSA J. HALLSTEAD**

**WHEREAS**, Alyssa J. Hallstead has proposed conveying a deed to a certain 2.7832 acre parcel real property located along the Wallkill River as described in Exhibit "A" annexed hereto to the Town for Town purposes, including the maintenance protection and expansion of the Town's municipal water facilities located on the aforesaid properties; and

**WHEREAS**, the Town's acceptance of the proposed conveyance is in the best interest of the Town, its citizens, and the public, health, safety and welfare of the same;

**NOW, THEREFORE, IT IS HEREBY RESOLVED** that the Town Board of the Town of Wallkill accepts the conveyance of that certain 2.7832 acre parcel real property located along the Wallkill River as described in Exhibit "A" annexed hereto proposed by Alyssa J. Hallstead and authorizes the Town Supervisor, or his authorized designee, to execute any necessary documents associated with the same, subject to the review and approval of the Town Attorney.

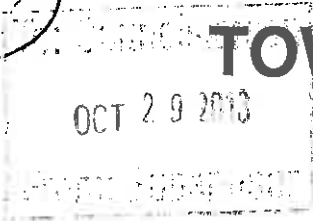


**"Transforming the way government works"**

661 Plank Road • Clifton Park • New York • 12065 • Phone 518-371-6869 • Fax 518-371-8207

W/S

10/28/2013



# TOWN OF WALLKILL

## IPS QUOTATION

**SOFTWARE/SERVICES:**

**6 Android Tablet Users:**

Android Tablet Mobile Application (\$1,500/APP)		\$9,000
Less 50% Allowance (- \$750/APP)		-\$4,500
	Subtotal:	\$4,500
System Configuration/Training: (N/C)		\$N/C
	<b>Total Software/Services:</b>	<b>\$4,500</b>
Annual Software Support, Hosting & Maintenance Fee: (\$200 annually/tablet)		\$1,200
	<b>Total 1<sup>st</sup> Year Investment:</b>	<b>\$5,700</b>

**Notes:**

- 1) BAS recommends an Android Tablet with 4G LTE connectivity from your Wireless Carrier of choice. Data plans and connectivity coverage varies in every area; BAS is not responsible for the device or the data connection only the BAS software application that will be installed for IPS field inspection use.
- 2) Please contact BAS for hardware recommendations prior to purchasing.
- 3) BAS relies on configuring the system with your IT Technician/Vendor; Training will be scheduled after the configuration and installation tests are successful.

Please Note: This Quote is Valid for 90 Days

## ***The Hambletonian® Marathon***

*c/o Robert J. Dickover*  
28 Bruen Place, P.O. Box 610  
Goshen, NY 10924  
Phone (845) 294-9447; Fax (845) 294-6553  
*dickover@dddblaw.com*

November 12, 2013

Supervisor Dan Depew  
Town Hall  
99 Tower Drive, Building A  
Middletown, NY 10941  
*Via US Mail & email to: [supervisor@townofwallkill.com](mailto:supervisor@townofwallkill.com) & [lpirog@townofwallkill.com](mailto:lpirog@townofwallkill.com)*

RE: The 2014 Hambletonian Marathon & Good Time Trotters Relay

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Dear Supervisor Depew,

I write on behalf of the organizational committee for the Hambletonian Marathon. Hambletonian Marathon, Inc. is the organizer of the event and is a New York State Not for Profit corporation. The Corporation is an affiliate member of the Road Runners Club of America ("RRCA") through which the Corporation derives its IRS 501(c) 3 nonprofit taxable status.

As you know the inaugural event was held on October 20, 2013 and was by all accounts a terrific success. The 2014 Hambletonian Marathon is scheduled to take place on October 19, 2014. The venue for the event is again at Historic Track in the Village of Goshen from which the race will start and finish.

A portion of the 26.2 mile course traverses your municipality. On behalf of the race committee please except this letter as our formal request to traverse your municipality on October 19, 2014. Appropriate liability insurance will be obtained and the municipality will be a named additional insured. A certificate naming the municipality will be provided prior to race day.

We acknowledge that in the event local police protection is requested that the added cost thereof will be a necessary expense of the Corporation.

If you have any further questions please feel free to contact the undersigned. Additional details follow after my signature for additional information.

Thank you for your anticipated consent.

Very truly yours,

ROBERT J. DICKOVER

ASSOCIATE RACE DIRECTOR

- Venue: Start - "Lawyers Row," near the intersection of Hill St. & Main Street, Goshen NY; Finish - Goshen Historic Track, 44 park Place, Goshen NY
- Features: Full 26.2 mile marathon and 3 person relay using the same course. Relay distances will be approximate 11.2 miles, 10 miles, and 5 miles. Finish line festival at the Historic Track.
- USATF Certified Course. Well marked, well supported course including water & sports drink every 2 miles (minimum) and junk food / gel stop(s). Live music on the course. Disposable chip timing.
- Website: [www.hambletonianmarathon.com](http://www.hambletonianmarathon.com)
- Contact: Kathleen Rifkin, Race Director at [\(845\) 527-3825](tel:8455273825) or [hambletonianmarathon@gmail.com](mailto:hambletonianmarathon@gmail.com) for more information

\* "Hambletonian" is a registered trademark of the Hambletonian Society, Inc. Use is by permission. All rights are reserved.



**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)

WILLIAM J. HAUSER, P.E. (NY, NJ & PA)

MARK J. EDSALL, P.E. (NY, NJ & PA)

JAMES M. FARR, P.E. (NY & PA)

MAIN OFFICE

33 Airport Center Drive

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New Windsor, New York 12553

(845) 567-3100

fax: (845) 567-3232

e-mail: mheny@mhepc.com

4 November 2013

Town of Wallkill  
Town Board  
99 Tower Drive  
Middletown, New York 10940

**ATTENTION: DAN DEPEW, SUPERVISOR AND TOWN BOARD**

**SUBJECT: 410 SANDS ROAD, TOWN OF WALLKILL /CONDITION REPORT**

Dear Supervisor Depew and Town Board,

Pursuant to your authorization the undersigned of our office with Frank Leva of the Building Department performed a field review of subject residence on 1 November 2013. The purpose of our field review was to determine the overall condition of the structures on the properties for consideration of action by the Building Department in regard to its condition. The following is a summary of our findings.

Upon field review we found that the property consists of a framed dwelling with both a one story and two story section of the house. The property also includes multiple sheds, a barn and an above ground swimming pool.

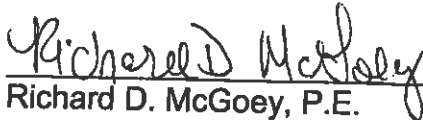
The roof of the one story addition to the framed dwelling unit has collapsed creating substantial structural and water damage to the interior of the dwelling unit. Although other portions of the dwelling unit were inaccessible, it appears that the dwelling unit has been abandoned for quite some time and has been subject to substantial water damage and other weather related damage throughout. The roof on the barn has collapsed and the barn is in eminent threat of total collapse. The framed sheds and metal sheds on the property are in disrepair and structurally uninhabitable with the exception of one shed to the rear of the dwelling unit which appears to be of recent construction and is in good condition. The above ground swimming pool was abandoned and is in total disrepair.

REGIONAL OFFICES

- 111 Wheatfield Drive • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

In summary the dwelling, barn and most sheds are uninhabitable and unsafe. It would be the recommendation of our office that the property owner be required to demolish the dwelling unit, barn, swimming pool and sheds with the exception of the shed of recent construction. Further, it is our opinion that the present condition of these structures on this property creates not only a dangerous condition to anyone who would enter the buildings but an attractive nuisance to the public. We would recommend that the demolition occur at the earliest possible date.

**McGoey, Hauser and Edsall  
Consulting Engineers, P.C.**



Richard D. McGoey, P.E.  
Engineer for the Town

Cc: Building Department

RDM/cl

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Town of Walkill  
**Police Department**

**Robert C. Hertman**  
Chief of Police

November 13, 2013

**From:** Chief Robert C. Hertman  
**To:** Town Supervisor Daniel Depew and Members of the Town Board  
**Subject:** SURPLUS BICYCLES

1. The undersigned is requesting that the following bicycles be declared surplus, which have remained unclaimed for more than three (3) Months:

<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>
Roadmaster	Evelation	K00K1079944
Crossroads	Specialized	N7B184656
Unknown	Monster High	

2. For your consideration.

  
Robert C. Hertman  
Chief of Police