

Work Session Agenda

TOWN OF WALLKILL
DATE: January 16, 2019

WORK SESSION
TIME: 7:30 PM

Topics:

- O'Connell Purchase Request
- Communication Tower
- Veterans Wall
- Planning Board Appointment Requests
- Lions Club Sign Request
- LED Lights
- Full Time Police Officers
- Part Time Police Officers
- Employee Handbook Review

Resolutions:

1. Resolution Scheduling Time & Place For A Public Hearing Zone Change.
2. Resolution In Support of NYS Senate & Assembly Bill to Enact a Local Law Imposing a Tax on Hotel Room Occupancy.
3. Resolution Renewing a Franchise With Charter Communications & Authorizing the Supervisor to Execute Franchise Agreement.
4. Resolution Authorizing Budget Amendments

Executive Session:

Motion to Adjourn:

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

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

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
SCHEDULING TIME AND PLACE FOR A PUBLIC HEARING TO CONSIDER A
CHANGE OF ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE
TOWN OF WALLKILL**

WHEREAS, the Town Board of the Town of Wallkill is considering the adoption of a local law to rezone portions of certain parcels of real property within the Town as set forth in the accompanying Petition of 281 Route 11 East, LLC and 560 Route 17M, LLC identified as Tax Map Section 50, Block 1, Lots 24, 25.1 and 27.22 from HC to R-1; and

WHEREAS, the Town Board seeks to review the potential adverse environmental impacts of said zoning change local law pursuant to SEQRA; and

WHEREAS, the Town Board of the Town of Wallkill hereby preliminarily determines that the aforementioned proposed amendment to the Town Code is an Unlisted action subject to SEQRA regulations and declares that it will be the Lead Agency with respect to the consideration, review, and determination of significance of the proposed the zone change pursuant to SEQRA regulations § 617.6(b)(1)(I); and

WHEREAS, the Town Board wishes to set a time and place for a public hearing to consider the adoption of the foregoing zoning change local law and to consider the potential environmental impacts of the same; and

WHEREAS, the Town Board seeks public comment and suggestions regarding the zoning change proposal; and

WHEREAS, the Town Board seeks to review the potential environmental impacts of said zoning change proposal pursuant to SEQRA; and

Resolution No. : _of 2019

WHEREAS, the Town Board will consider such information and comments as may be provided at the hearing on the proposed zoning change proposal in making its determination of significance as Lead Agency; and

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. In accordance with the provisions of § 617.6 of the regulations implementing the New York State Environmental Quality Review Act (“SEQRA”), (the “SEQRA regulations”), the Town Board hereby determines that the aforementioned proposed amendments to the Town Zoning Map is an action subject to SEQRA regulations; and
2. The Town Board preliminarily classifies the aforementioned action as Unlisted, pursuant to § 617.4 of the SEQRA regulations; and
3. The Town Board determines that it is, and will be, the Lead Agency with respect to the consideration, review, and determination of significance of the proposed zoning map amendment pursuant to SEQRA regulations, because there are no other involved agencies at this juncture; and
4. The Town Clerk is directed to notify all interested agencies of the Town Board’s Lead Agency Declaration in accordance with SEQRA regulations; and
5. The Town Clerk is directed to refer this matter to the Town of Wallkill Planning Board, pursuant to Town Code Section 249-49 for a public information hearing and report; and
6. That a public hearing be held by the Town Board on February 28, 2018 at 7:25 p.m. with respect to amending Chapter 249 of the Town Code; and
7. The Town Clerk is directed to refer this matter to the Orange County Planning Department, pursuant to General Municipal Law Section 239-l and 239-m, for review and comment accompanied by the Notice of Public Hearing; and
8. That the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law, including Town Code Section 249-49(B), and to keep copies of the aforementioned local law on file for public review

**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>Councilman</i> Mr. Coyne				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Meyer				
<i>Councilman</i> Mr. Johnson				
<i>Supervisor</i> Mr. Diana				
TOTAL				

RESOLUTION OF THE WALLKILL TOWN BOARD IN SUPPORT OF NEW YORK STATE SENATE BILL S. _____ AND ASSEMBLY BILL A. _____ AMENDING NEW YORK STATE TAX LAW ARTICLE 29, PART 1 AUTHORIZING THE TOWN OF WALLKILL TO ENACT A LOCAL LAW IMPOSING A TAX ON HOTEL ROOM OCCUPANCY

WHEREAS, the Town Board of the Town of Wallkill is of the opinion that it would be beneficial to the economy of the Town if a local tax was imposed on hotel room occupancy; and

WHEREAS, it was necessary to petition the New York State Legislature for a home rule request to authorize local legislation to impose a hotel occupancy tax within the Town,

WHEREAS, by Resolution dated November 16, 2017, the Town Board authorized the Town Supervisor, or his designee, to initiate proceedings and take all necessary steps to seek an amendment to Chapter 21, Article 1 of the New York State Tax Law to authorize and empower the Town to enact a local law imposing a tax on hotel room occupancy; and

WHEREAS, current New York State Senate Bill S. _____ and New York State Assembly Bill A. _____ have been introduced during the current legislative session which would amend the New York State Tax Law to allow the Town to adopt a local law establishing the aforesaid hotel tax; and

WHEREAS, it is the opinion of the Town Board, that in the interest of fiscal responsibility, it is necessary to support the passage of the pending Senate and Assembly bills and move forward with the enactment of a local law establishing a hotel tax,

Resolution No. :_of 2019

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Town of Wallkill Town Board, in its capacity as governing body of the Town of Wallkill, does hereby support and recommend the passage of New York State Senate Bill S. _____ and New York State Assembly Bill A. _____ amending Chapter 21, Article 1 of the New York State Tax Law to authorize and empower the Town of Wallkill to enact a local law imposing a tax on hotel room occupancy; and it is further

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

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

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

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL RENEWING
A FRANCHISE WITH CHARTER COMMUNICATIONS TO PROVIDE CABLE
TELEVISION SERVICES; AND AUTHORIZING THE TOWN SUPERVISOR TO
EXECUTE FRANCHISE AGREEMENT**

WHEREAS, Time Warner NY Cable LLC, now known as Charter Communications d/b/a Spectrum (“Spectrum”) has submitted an application to the Town of Wallkill for a cable franchise renewal to serve portions of the Town; and

WHEREAS, a Public Hearing was held with respect to said application by the Town Board on August 1, 2018; and

WHEREAS, the Town has the requisite authority to grant such franchise renewal; and

WHEREAS, the Town Board, after full consideration of the application and the results of the aforementioned Public Hearing, finds that Spectrum has the appropriate character, financial condition, and technical ability to continue to operate as a franchise within the Municipality and that the grant to Spectrum of the subject franchise renewal is in the best interests of the Municipal community,

NOW THEREFORE IT IS HEREBY

RESOLVED, that Time Warner NY Cable LLC, now known as Charter Communications d/b/a Spectrum (“Spectrum”) is granted a renewed franchise to provide cable services within the Town or as more particularly set forth in the annexed Franchise Agreement and that the Town Supervisor, or his designee, is hereby authorized on behalf of the Town to execute the Franchise Agreement retroactive to January 1, 2019, subject to review and approval of the form and content thereof by the Town Attorney.

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

The following was presented

By: Mr. Diana

Sec'd by: Mr. Coyne

Date of Adoption: January 16, 2019

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING BUDGET AMENDMENTS**

It is hereby resolved that the following amendment be made to the 2019 budget:

Transfer \$27,555

From:

A599	General Fund Balance	551.10	
A2710	BAN Premium		551.10
DA599	Highway Fund Balance	1,377.75	
DA2710	BAN Premium		1,377.75
SWA599	Water Fund Balance	20,390.70	
SWA9710	BAN Premium		20,390.70
SWC599	Lorelei Fund Balance	5,235.45	
SWC9710	BAN Premium		5,235.45

These funds were received on 1/12/18 as a premium on the Bond Anticipation Notes sold that day and was deposited as revenue at that time. We are amending the budget now to use this revenue toward the payment of the interest due on those BANs on 1/11/19. The total amount due is \$87,062.49, only \$59,507.49 is a 2019 Town of Wallkill budgeted expense. The rest will be covered by the premium.