

## **Town Board Meeting Agenda**

TOWN OF WALLKILL  
February 28, 2019

TOWN BOARD MEETING  
TIME: 7:30 PM

Pledge of Allegiance

Moment of Silence – Martin Miner Memmelaar, Welding Business  
· Charles W. Culver Sr. retired from the Town as the  
Parks Supervisor in 1995

7:25 · Public Hearing Zone Change 281 Route 211 East

1. PUBLIC PARTICIPATION ON AGENDA ITEMS BELOW ONLY (3 MINUTES EACH INDIVIDUAL)
  
2. RESOLUTIONS:
  1. Resolution Authorizing Supervisor to Accept Bid for Automatic Gate Closer Highway Department.
  2. Resolution Scheduling Time & Place for a Public Hearing with Respect to the 2020 Orange Urban Community Development Program.
  3. Resolution Scheduling Time & Place for a Public Hearing Amending Chapter 233 of Town Code Establishing a No Parking Zone at Evans Court.
  4. Resolution Authorizing the Supervisor to Sign an Intermunicipal Agreement for 2019/2020 Orange County Stop-DWI Program.
  5. Resolution Authorizing the Addition of Adjacent Parcels to Construct a Warehouse/Manufacturing Facility on Sullivan Lane.
  
3. COMMITTEE REPORTS
4. COUNCILMAN'S COMMENTS:
5. SUPERVISOR'S COMMENTS:
6. TOWN CLERK'S COMMENTS:
7. COMMISSIONERS/POLICE CHIEF REPORTS:
8. PUBLIC PARTICIPATION (5 MINUTES EACH INDIVIDUAL)
9. MOTION TO ADJOURN

## TOWN OF WALLKILL NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Wallkill on February 28, 2019 at 7:25 p.m. at Wallkill Town Hall to consider the petition of 281 Route 11 East, LLC and 560 Route 17M, LLC seeking the adoption of a local law to rezone portions of the following parcel of real property within the Town as set forth below from HC-Highway Commercial to R-1:

<u>Address:</u>	<u>Tax Map ID #</u>
265 Route 211 East	50-1-24
11 Certified Drive	50-1-25.1
Fitzgerald Drive	50-1-27.22

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act/SEQRA), a SEQRA public hearing will be held by the Town Board of the Town of Wallkill at the aforesaid time for the purposes of reviewing any SEQRA impacts relative to the potential zoning change.

**NOTICE IS HEREBY ALSO GIVEN** that, pursuant to Article 8 of the Environmental Conservation Law (SEQRA) and its implementing regulations contained in NYCRR Part 617, the Applicant has prepared a Short Environmental Assessment Form (EAF) associated with the above proposed actions; and the Town Board has preliminarily classified this as an Unlisted action; has determined that it shall act as Lead Agency for the purposes of SEQRA review; will coordinate environmental review as may be required pursuant to Article 8 of the ECL and the implementing regulations with any other interested and involved agencies; and will conduct said SEQRA review. For additional information related to the SEQRA review of this proposed action, please contact Louisa Ingrassia, Town Clerk, at the address or telephone number below.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Article 8 of the ECL and its implementing regulations, any resident of the Town of Wallkill is entitled to be heard upon the Town Board's SEQRA review of this action. Copies of the Short EAF are available for review at:

Town of Wallkill  
99 Tower Drive - Bldg. A  
Middletown, New York 10941

The Town of Wallkill will make every effort to assure that the hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF WALLKILL, NEW YORK.

DATED: January 16, 2019

Louisa M. Ingrassia, Town Clerk

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
AUTHORIZING THE SUPERVISOR TO ACCEPT A BID FOR AN AUTOMATIC  
GATE CLOSER AT THE TOWN OF WALLKILL'S HIGHWAY DEPARTMENT**

**WHEREAS**, the Town Board of the Town of Wallkill solicited proposals from companies for the purchase and installation of an automatic gate closer for use at the Town of Wallkill's Highway Department; and

**WHEREAS**, the Town is required under New York State Law to award such contract to the lowest responsible bidder; and

**WHEREAS**, bids to provide the automatic gate closer to the Town were solicited, opened and reviewed on February 15, 2019; and

**WHEREAS**, the lowest responsible bidder has been identified,

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

**RESOLVED**, that the Town Board hereby authorizes and directs the Town of Wallkill Supervisor, or his designee, to accept the bid of Ketcham Fencing Inc., 19 Borden Street, Otisville, New York 10963 to furnish and install an automatic gate closer for use at the Town of Wallkill's Highway Department at a cost not to exceed \$22,670.00 and to execute any and all documents to effectuate acceptance of said bid, 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>Councilman</i> <b>Mr. Coyne</b>				
<i>Councilman</i> <b>Mr. Valentin</b>				
<i>Councilman</i> <b>Mr. Meyer</b>				
<i>Councilman</i> <b>Mr. Johnson</b>				
<i>Supervisor</i> <b>Mr. Diana</b>				
<b>TOTAL</b>				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
SCHEDULING TIME AND PLACE FOR A PUBLIC HEARING  
WITH RESPECT TO THE 2020 ORANGE URBAN COUNTY CONSORTIUM  
COMMUNITY DEVELOPMENT PROGRAM**

**WHEREAS**, the Town Board of the Town of Wallkill, has determined that it is in the best interests of the residents of the Town of Wallkill to apply for and if approved, enter into an inter-municipal agreement with the County of Orange for the 2020 Orange Urban County Consortium Community Development Program in the maximum sum of One Hundred Twenty Five Thousand dollars (\$125,000); and

**WHEREAS**, the Town Board wishes to schedule a public hearing for March 28, 2019 at 7:25 pm to consider the foregoing grant application; and

**WHEREAS**, the foregoing is listed as a Type II Action under Section 617.5 of the State Environmental Quality Review Act (SEQRA) and is not subject to further review under SEQRA

**NOW, THEREFORE, IT IS HEREBY**

**RESOLVED**, that a public hearing be held by the Town Board on March 28, 2019 at 7:25 p.m. with respect to participating in 2020 Orange Urban County Consortium Community Development Program; and it is further

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

**THE TOWN OF WALLKILL  
TOWN BOARD**

**ROLL CALL VOTE**

The following was presented

By: \_\_\_\_\_

Sec'd by: \_\_\_\_\_

Date of Adoption: \_\_\_\_\_

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
SCHEDULING TIME AND PLACE FOR A PUBLIC HEARING WITH RESPECT TO  
AMENDING CHAPTER 233 OF THE TOWN CODE RELATING TO ESTABLISHING  
A NO PARKING ZONE AT THE DEAD END OF EVANS COURT**

**WHEREAS**, the Town Board of the Town of Wallkill wishes to amend Section 233-7 of the Town Code to establish a no parking zone at the dead end of Evans Court in order to preserve said area for its intended purpose of a turnaround area for cars and trucks, including Town road maintenance vehicles; and

**WHEREAS**, the Town Board wishes to schedule a public hearing for March 28, 2019 at 7:25 p.m. to consider the adoption of the foregoing proposed amendment to the Town Code; and

**WHEREAS**, said code change is listed as a Type II Action under Section 617.5 (c)(22) of the State Environmental Quality Review Act (SEQRA) and is not subject to further review under SEQRA

**NOW, THEREFORE, IT IS HEREBY**

**RESOLVED**, that a public hearing be held by the Town Board on March 28, 2019 at 7:25 p.m. with respect to amending Section 233-7 of the Town Code; and it is further

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

**TOWN OF WALLKILL**

**LOCAL LAW NO. \_\_\_ OF 2019**

**A LOCAL LAW AMENDING THE TOWN CODE OF THE TOWN OF WALLKILL,  
NEW YORK, ESTABLISHING A NO PARKING ZONE AT THE DEAD END OF  
EVANS COURT**

Be it enacted by the Town Board of the Town of Wallkill, County of Orange, State of New York, as follows:

Section 1.

This Local Law is enacted pursuant to Section 1660 of the NYS Vehicle and Traffic Law for the purpose of effecting public safety on Evans Court in order to preserve said area for its intended purpose of a turnaround area for cars and trucks, including Town road maintenance vehicles, as well as to deposit plowed snow when necessary.

Section 2.

The Town of Wallkill Code **Chapter 233. VEHICLES AND TRAFFIC.**  
**Section 233-7. Parking prohibited certain locations** is amended by this Local Law as follows:

Amend the list of said locations by inserting the following:

<b>Name of Street</b>	<b>Location</b>
Evans Court	In and around the dead end area of the road

Section 3. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Wallkill hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 4. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 5.    Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule 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>Councilman</i> <b>Mr. Coyne</b>				
<i>Councilman</i> <b>Mr. Valentin</b>				
<i>Councilman</i> <b>Mr. Meyer</b>				
<i>Councilman</i> <b>Mr. Johnson</b>				
<i>Supervisor</i> <b>Mr. Diana</b>				
<b>TOTAL</b>				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
AUTHORIZING THE TOWN SUPERVISOR TO SIGN AN INTERMUNICIPAL  
AGREEMENT FOR THE 2019/2020 ORANGE COUNTY STOP-DWI PROGRAM**

**WHEREAS**, the Stop-DWI Program is a statewide traffic safety effort in existence in New York since 1981 for innovative enforcement, rehabilitation, and prevention programming, designed to ensure that no one part of the Driving While Intoxicated (DWI) system becomes overburdened as a result of increased enforcement; and

**WHEREAS**, the Town of Wallkill is a participating municipality in the Orange County Stop-DWI Program, and it is in the public interest, health, safety and welfare for the Town to continue its participation in the Orange County Stop-DWI Program; and

**WHEREAS**, as part of the Town of Wallkill's participation in the Orange County Stop-DWI Program and to receive the allocated grant funding, it is necessary for the Town Supervisor to sign an Intermunicipal Agreement with Orange County on behalf of the Town to ensure the Town's continued participation;

**NOW, THEREFORE, IT IS HEREBY**

**RESOLVED**, that the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor, or his designee, to sign an Intermunicipal Agreement on behalf of the Town associated with the 2019/2020 Orange County Stop-DWI Program, subject to final review by 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>Councilman</i> <b>Mr. Coyne</b>				
<i>Councilman</i> <b>Mr. Valentin</b>				
<i>Councilman</i> <b>Mr. Meyer</b>				
<i>Councilman</i> <b>Mr. Johnson</b>				
<i>Supervisor</i> <b>Mr. Diana</b>				
<b>TOTAL</b>				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL PURSUANT TO TOWN CODE §249-26.2(C)(13) and (14) AUTHORIZING THE ADDITION OF ADJACENT PARCELS TO THE APPLICATION FOR A SPECIAL USE PERMIT TO CONSTRUCT OF A WAREHOUSE/MANUFACTURING FACILITY ON SULLIVAN LANE WITHIN THE TOWN**

**WHEREAS**, by Town Board Resolution adopted on April 26, 2018, Holiday Lake LLC was authorized by to apply to the Town Planning Board to construct and operate a warehouse/manufacturing facility within the Town of Wallkill (the “Project”) on a 46 acre parcel of land located in the Office and Research (OR) District of the Town on Sullivan Lane known as Tax Map # 60-1-41 (the “Project Site”); and

**WHEREAS**, Holiday Lake LLC has entered into contracts to acquire additional parcels on Sullivan Lane identified as Tax Map #'s 60-1-42 and 60-1-44 (the “Additional Parcels”) and now seeks permission from the Town Board to include said Additional Parcels in the warehouse/manufacturing facility project site plan; and

**WHEREAS**, the development of a warehouse/manufacturing facility in the OR District of the Town is a special permit use which must be approved by the Town Planning Board; and

**WHEREAS**, in accordance with Town Code §249-26.2(C)(13) and (14), as a condition precedent to filing a special use permit application with the Town Planning Board, the applicant must obtain a resolution supporting the proposed use from the Town Board with respect to any parcels to be included in the project site plan; and

**WHEREAS**, the Town Board does not object to the proposed Project, the development of same at the Project Site or the inclusion of the Additional Parcels in the site plan; and

Resolution No. :\_of 2019

**WHEREAS**, notwithstanding the Town Board's support, the Project must continue to comply with the local planning, zoning and relevant environmental review processes for any required approvals in order to ensure the protection of the health, safety and welfare of the residents of the community; and

**WHEREAS**, the continued support of the Town Board for the project is conditioned upon the continued adherence by the applicant of each of the criteria set forth in the prior Resolution of Approval adopted on April 26, 2018,

**NOW THEREFORE, IT IS HEREBY**

**RESOLVED**, that the Town Board of the Town of Wallkill continues to support the application filed by Holiday Lake LLC with the Town Planning Board to construct and operate a warehouse/manufacturing facility within the Town of Wallkill on land located in the Office and Research (OR) District of the Town on Sullivan Lane known as Tax Map # 60-1-41, and it is further

**RESOLVED**, that the Town Board hereby approves the inclusion of Tax Map #'s 60-1-42 and 60-1-44 in the aforesaid project site plan, and it is further

**RESOLVED**, that the applicant shall continue to adhere to each of the criteria set forth in the prior Resolution of Approval adopted by the Town Board on April 26, 2018 with respect to the instant Project and failure to do so will result in a rescission of this Resolution and the April 26, 2018 Resolution, and it is further

**RESOLVED**, that in the event that the special use permit application is denied by Town Planning Board for any reason, this Resolution shall become null and void upon such denial, and it is further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this Resolution to the Chairman of the Town of Wallkill Planning Board.