

A regular meeting of the Town Board of the Town of Wallkill was held on March 14, 2013 at Wallkill Town Hall, 99 Tower Drive. Present were Supervisor Depew, Councilman Carr, Councilman Valentin, Councilman Rotundo, and Councilman Tulp.

Pledge of Allegiance.

AGENDA COMMENTS

None.

CORRESPONDENCE

Letter from Carol Ann commending Building Dept. and DPW.

EXECUTIVE SESSION

Discussion regarding personnel.

RESOLUTIONS

RESOLUTION #1 RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL ADOPTING AN AMENDED FEE SCHEDULE

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; and

WHEREAS, the Town Board has determined that the schedule of fees, deposits, and costs for services provided by the Town Building Department in connection with the new construction of residential and commercial projects, multi-family building inspections, commercial inspections, commercial changes in occupancy, re-inspections and certain other Building Department functions should be amended,

NOW, THEREFORE, BE IT HEREBY RESOLVED

That the schedule of fees, deposits, and costs is hereby amended pursuant to the attached schedule, effective immediately.

Motion By: Mr. Depew
Seconded By: Mr. Tulp

Mr. Depew Voting Aye
Mr. Carr Voting Aye
Mr. Valentin Voting Aye
Mr. Rotundo Voting Aye
Mr. Tulp Voting Aye

MOTION CARRIED

**RESOLUTION #2
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
APPOINTING RICHARD B. GOLDEN AS HEARING EXAMINER FOR
CERTAIN EMPLOYEE DISCIPLINARY MATTERS**

BE IT HEREBY RESOLVED THAT:

The Town Board of the Town of Wallkill hereby appoints Richard B. Golden, Esq. to serve as a Hearing Examiner from time to time at the discretion of the Town Board with respect to certain employee disciplinary matters, effective immediately.

Motion By: Mr. Depew
Seconded By: Mr. Tulp

Mr. Depew Voting Aye
Mr. Carr Voting Aye
Mr. Valentin Voting Aye
Mr. Rotundo Voting Aye
Mr. Tulp Voting Aye

MOTION CARRIED

**RESOLUTION #3
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
APPROVING THE FORM OF A GREASE TRAP INTERCEPTOR CONTRACT
AND AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE SAID
CONTRACT WHEN NECESSARY**

WHEREAS, the Town of Wallkill's has determined that it is in the best interests of the Town wish to insure that new food service establishments that wish to open for business within the Town agree to provide for the long term maintenance of grease trap/interceptor systems in said establishments; and

WHEREAS, the Town Board has reviewed the attached form of agreement relating to such systems between the Town and applicants seeking to open such new food service establishments and approves of the form and content of said agreement,

NOW THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board of the Town of Wallkill:

1. Hereby approves the form of agreement for the long term maintenance of grease trap/interceptor systems in food service establishments to be constructed within the Town;
2. Directs that all applicants to any Town agency seeking to open a new food service establishment be presented with attached form agreement which shall be part of the application package and must be executed prior to approval of the proposed new establishment;
3. Authorizes the Town Supervisor to execute this form agreement when same is presented for signature by any Town Agency or Department Head, subject to review and approval by the Town Attorney.

Motion By: Mr. Depew
Seconded By: Mr. Rotundo

Mr. Depew	Voting Aye
Mr. Carr	Voting Aye
Mr. Valentin	Voting Aye
Mr. Rotundo	Voting Aye
Mr. Tulp	Voting Aye

MOTION CARRIED

**RESOLUTION #4
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE TOWN SUPERVISOR TO ENTER INTO A
CONTRACT FOR RECREATION SERVICES**

BE IT HEREBY RESOLVED, by the Town Board of the Town of Wallkill,

THAT said Town Board hereby authorizes the Town Supervisor to enter into a contract with the Boys and Girls Club of Wallkill for summer recreational services in the Town of Wallkill for the year 2013 in the form annexed hereto, subject to the approval of the Town Attorney.

Motion By: Mr. Depew
Seconded By: Mr. Tulp

Mr. Depew Voting Aye
Mr. Carr Voting Aye
Mr. Valentin Voting Aye
Mr. Rotundo Voting Aye
Mr. Tulp Voting Aye

MOTION CARRIED

**RESOLUTION #5
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE TOWN SUPERVISOR TO ENTER INTO A
CONTRACT FOR RECREATION SERVICES**

BE IT HEREBY RESOLVED, by the Town Board of the Town of Wallkill,

THAT said Town Board hereby authorizes the Town Supervisor to enter into a contract with the Boys and Girls Club of Wallkill for summer recreational services in the Town of Wallkill for the year 2013 in the form annexed hereto, subject to the approval of the Town Attorney.

Motion By: Mr. Depew
Seconded By: Mr. Carr

Mr. Depew Voting Aye
Mr. Carr Voting Aye
Mr. Valentin Voting Aye
Mr. Rotundo Voting Aye
Mr. Tulp Voting Aye

MOTION CARRIED

**RESOLUTION #6
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
APPOINTING FULL-TIME POLICE OFFICERS**

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

WHEREAS, Patrick Marcial, Aneudi Hernandez and Joseph McKinstrie fulfill the civil service requirements of knowledge, skill, and experience for the full-time Police Officer position; and

WHEREAS, the Town of Wallkill Police Department has a need for additional full-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 position,

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Patrick Marcial, Aneudi Hernandez and Joseph McKinstry to the position of Police Officer 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 background checks, and subject to the submission and acceptance of all appropriate documentation to the Orange County Department of Human Resources.

Motion By: Mr. Depew
Seconded By: Mr. Valentin

Mr. Depew	Voting Aye
Mr. Carr	Voting Aye
Mr. Valentin	Voting Aye
Mr. Rotundo	Voting Aye
Mr. Tulp	Voting Aye

MOTION CARRIED

RESOLUTION #7
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
PROMOTING A LIEUTENANT TO THE RANK OF
DEPUTY CHIEF IN THE TOWN OF WALLKILL POLICE DEPARTMENT

WHEREAS, there exists a vacancy in the Town of Wallkill Police Department at the Deputy Chief level which must be filled for the efficient functioning of said Department; and

WHEREAS, Antonio Spano is presently employed by the Town of Wallkill as a Police Lieutenant; and

WHEREAS, upon applying the New York State Civil Service standards of selection, and the requirements of a permanent injunction issued by the United States District Court, and upon the recommendation of the Chief of the Town of Wallkill Police Department,

Police Sergeant Antonio Spano has been found qualified in knowledge, skill, and experience for appointment to the position of Deputy Chief in the Town of Wallkill Police Department,

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town of Wallkill Town Board hereby appoints Police Lieutenant Antonio Spano to the position of Deputy Chief in the Town of Wallkill Police Department, in accordance with New York State Civil Service Law, subject to the following criteria:

1. That said appointment may be made by utilization of the existing Police Chief Eligibility List as confirmed by the Orange County Department of Human Resources;
2. That said appointment shall be a salaried, supervisory position without eligibility for overtime compensation, which is not included in the existing Collective Bargaining Agreement between the Town of Wallkill and the Civil Service Employees Association, Inc. on behalf of the Town of Wallkill Police Benevolent Association;
3. That the salary for said Deputy Chief's position shall be the same as the amount currently being earned by Antonino Spano as a Lieutenant in the Town of Wallkill Police Department.

Motion By: Mr. Depew
Seconded By: Mr. Valentin

Mr. Depew	Voting Aye
Mr. Carr	Voting Aye
Mr. Valentin	Voting Aye
Mr. Rotundo	Voting Aye
Mr. Tulp	Voting Aye

MOTION CARRIED

RESOLUTION #8

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE A NO FEE LEASE
AGREEMENT WITH ORANGE COUNTY WITH RESPECT TO VEHICLES TO
BE UTILIZED IN THE TOWN'S DIAL-A-BUS PROGRAM**

WHEREAS, the County of Orange has made available to the Town of Wallkill two new 2013 buses at no cost to be used in the Town's Dial-A-Bus program; and

WHEREAS, in order to accept the buses, which is owned by Orange County it is necessary for the Town of Wallkill to execute a lease, which shall be a no cost lease for the vehicles themselves, with the Town remaining responsible for fuel, insurance, maintenance and repair costs; and

WHEREAS, the Town Board of the Town of Wallkill believes it is in the best interests of the Town of Wallkill to authorize the Town Supervisor to take all steps necessary to acquire the subject buses from the County of Orange,

NOW, THEREFORE, IT IS HEREBY

RESOLVED by the Town Board of the Town of Wallkill that the Town Supervisor is hereby authorized and directed to accept the subject 2013 bus from the County of Orange and execute all documents to effectuate the acceptance of the buses, including, but not limited to, a no fee lease agreement with the County of Orange, subject to the approval of the Town Attorney.

Motion By: Mr. Depew
Seconded By: Mr. Rotundo

Mr. Depew Voting Aye
Mr. Carr Voting Aye
Mr. Valentin Voting Aye
Mr. Rotundo Voting Aye
Mr. Tulp Voting Aye

MOTION CARRIED

**RESOLUTION #9
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
DESIGNATING ITSELF AS LEAD AGENCY WITH RESPECT TO THE
PROPOSED CONSTRUCTION OF A RECREATION CENTER AT
CIRCLEVILLE PARK, AND SCHEDULING A PUBLIC HEARING TO REVIEW
THE POTENTIAL ENVIRONMENTAL IMPACTS OF THE PROPOSED
PROJECT IN ACCORDANCE WITH SEQRA**

WHEREAS, the Town Board of the Town of Wallkill wishes to construct a new recreation center at Circleville Park within the Town; and

WHEREAS, the Town Board seeks to review the potential environmental impacts of said project pursuant to SEQRA,

NOW, THEREFORE, IT IS HEREBY RESOLVED, THAT:

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 amendment to the Town Code is an action subject to SEQRA; and

2. The Town Board preliminarily classifies the aforementioned project as an Unlisted Action, 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 project pursuant to SEQRA regulations § 617.6; and
4. A public hearing be held by the Town Board to obtain public comment concerning the project pursuant to the New York State Environmental Quality Review Act (“SEQRA”) on March 28, 2013 at 7:25 p.m. at Wallkill Town Hall, 99 Tower Drive, Building A, Middletown, New York; and
5. The Town Clerk is hereby authorized and directed to cause public notice of the hearing to be given as provided by law.

Motion By: Mr. Depew
Seconded By: Mr. Carr

Mr. Depew Voting Aye
Mr. Carr Voting Aye
Mr. Valentin Voting Aye
Mr. Rotundo Voting Aye
Mr. Tulp Voting Aye

MOTION CARRIED

**RESOLUTION #10
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
EXTENDING THE TOWN OF WALLKILL CONSOLIDATED SEWER
DISTRICT TO CERTAIN PROPERTY WITHIN THE TOWN OF WALLKILL**

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Wallkill for a public hearing to be held by said Governing Body on February 28, 2013 at 7:25 p.m. at Town Hall, 99 Tower Drive, Building A, Middletown, New York 10940, to hear all interested parties concerning a petition to the Board by Sustainable Properties, LLC and Frieda C. Luth (“the Petitioners”), c/o Steven Michalski, PO Box 298, New Paltz, New York 12561, regarding the extension of the Town of Wallkill Consolidated Sewer District to their property known on the Tax Map as Section 72 Block 1 Lots 13.1 and 13.2 not presently served by said district; and

WHEREAS, notice of said public hearing was duly advertised in the Times Herald Record, the official newspaper of said Town, and

WHEREAS, said public hearing was duly held on February 28, 2013, at or about 7:25 p.m. at Wallkill Town Hall, 99 Tower Drive, Building A, Middletown, New York 10940, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said extension of the Town of Wallkill Consolidated Sewer District, and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act (SEQRA), it has been determined by the Town Board of said Town that the proposed sewer extension application is an Unlisted Action under SEQRA and the Town Board has considered the Short Form Environmental Assessment form submitted by the applicant and finds that there will be no adverse environmental impacts by granting the instant application; and

WHEREAS, the petitioner has complied with all the requirements under Town Law §194 and Chapter 195 of Law #2, Town of Wallkill in the year 2000 for said sewer district extensions, and

WHEREAS, the Town Board of the Town of Wallkill, after due deliberation, finds it in the best interest of said Town to extend said district to the property as petitioned;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby extends the Wallkill Consolidated Sewer District to said property as further identified in the attached map and description, and it is further

RESOLVED, that the Town Board hereby issues a negative declaration with respect to any potential adverse environmental impacts and authorizes the Town Supervisor to execute the Short Form EAF and accompanying negative declaration on behalf of the Town, as Lead Agency pursuant to Part 617, Article 8 of the State Environmental Quality Review Act (SEQRA), and it is further

RESOLVED, that the Town Clerk is hereby directed to provide certified copies of this Resolution to the Town Assessor, the Town Water and Sewer Department and the Town Planning Board.

**UPON ROLL CALL VOTE AS LISTED ABOVE THE SUPERVISOR
DECLARES THE RESOLUTION AS DULY ADOPTED.**

Motion By: Mr. Depew
Seconded By: Mr. Tulp

Mr. Depew Voting Aye
Mr. Carr Voting Aye

Mr. Valentin Voting Aye
Mr. Rotundo Voting Aye
Mr. Tulp Voting Aye

MOTION CARRIED

**RESOLUTION #11
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ADVERTISE
FOR BIDS FOR THE TOWN OF WALLKILL RECREATION CENTER
AT CIRCLEVILLE PARK PROJECT**

WHEREAS, the Town Engineers, KC Engineering and Land Surveying, P.C. have prepared Plans and Specifications for the Town of Wallkill Recreation Center at Circleville Park Project; and

WHEREAS, it is necessary to solicit bids for the project in order to insure that the Town selects the lowest responsible bidder in accordance with New York State law,

NOW, THEREFORE, LET IT BE HEREBY

RESOLVED, as follows:

1. That the Town Board hereby authorizes and directs the Commissioner of Public Works to solicit bids from vendors to furnish all labor, equipment and materials necessary to complete the Town of Wallkill Recreation Center at Circleville Park Project;
2. Such bids shall be opened on April 23, 2013 at 11:00 AM at the Town Hall;
3. The Commissioner of Public Works shall thereafter report back to the Town Board with the results of said bids.

Motion By: Mr. Depew
Seconded By: Mr. Valentin

Mr. Depew Voting Aye
Mr. Carr Voting Aye
Mr. Valentin Voting Aye
Mr. Rotundo Voting Aye
Mr. Tulp Voting Aye

MOTION CARRIED

COMMITTEE REPORTS

Councilman Carr: Cash flush; paid off \$1.4 million TAN. All departments are under budget. Board continues to try to bolster Police Department and improving the way we communicate with the community. Chief will be patrolling every other Friday night, 4pm-12midnight.

Councilman Valentin: Police Committee meeting 3/19, 6:30pm. Finance Committee meeting 3/20, 6:30pm. Hiring police officers; training takes almost a year. Trail around park is almost done. Contact Jay McClintock at 361-2422 to reserve ballparks. Little League opening day – April 6.

Councilman Rotundo: Human Rights Commission meeting 4/1; joint meeting with Community Council. Water & Sewer has been busy replacing pipes – thanks for their hard work. Tim Grogran taking well-deserved time off.

Councilman Tulp: Be careful of Highway workers on road as well as O&R workers. Call Michelle Baker at 361-1106 for We Care program; picnic set for 4/20. Trail work continues at park. John Lippert will be attending stormwater training in Middletown. Congratulations to Mr. Gloster on completing wastewater treatment operator training. Routine hydrant flushing dates will be posted on website. Golf course will open for season on Saturday, 3/16. Monday Night Ladies looking for new members – call Pro Shop at 361-1022.

COUNCILMAN COMMENTS

Councilman Tulp: Reminder to log in to Town website to sign up for newsletter and emergency alerts. Happy St. Patrick's Day.

Councilman Rotundo: Thanks to all who volunteered for the senior luncheon. Thanks to Jill Bocard and Nick Elia for training. Red Cross Blood Drive on 3/16 at Church of Jesus Christ of Latter Day Saints. Happy St. Patrick's Day.

Councilman Valentin: Happy St. Patrick's Day.

Councilman Carr: Howard Mills' Historical Society discussion on website. Senior luncheon was awesome. Happy St. Patrick's Day

SUPERVISORS COMMENTS

Happy St. Patrick's Day. Good time at senior luncheon. Thanks to all who volunteered and ShopRite. Happy Birthday to son, Ben. Good luck to brother, Ray, who is moving to Houston, Texas to work for a growing energy company. Tremendous job by Jill Bocard, Nick Elia and Harold Card with training programs. 2012 = year of fiscal responsibility.

2013 = year of employees. Sign up for newsletter and alerts on website. Commend Commissioner Ingrassia for idea of forming committee for input on vehicle purchases. Issues with County Waste billing charges – call if any problems. Thanks to all who helped with the seniors' corned beef luncheon.

Ms. Ingrassia: Condolences to Charlie Romer and wife on the loss of her dad. Rabies clinic at the Humane Society on April 6th, 1:30-2:30. Edible Arrangements will donate 50% of sales on Wednesday, 3/20, to the Boys & Girls Club. Thanks to Jay McClintock, Gary Lake, Steve Russo, Mike Nye, Danny Ebeneter, Bill Bruster, and Lee Cornell for hard work on the seniors' corned beef luncheon. Happy Birthday to Supervisor Dan.

Supervisor Depew: Recognizing Roseanne Sullivan, new County Legislator for Town of Wallkill and Town of Crawford, in attendance.

Mr. Jaques: Thanks to Barbara for getting the fee structure done. Blasting permits have been issued for East Main Street and Riverside Drive. Bassett Furniture and Bowser's Florist to be demolished to make way for CVS. Change batteries in smoke detectors. Replace smoke detectors after 10 years.

Mr. Ingrassia: Contact Highway Dept. for potholes that need immediate attention. Working on Gordon Road bridge. Bids are out for new salt shed at the Highway Dept. Bid opening will be on 3/25. CHIPS funding OK. Exit 122 work going on. Mike Aumick will take photos of construction at Circleville Park to post on website. Joe Andre appointed as Coordinator of OEM.

PUBLIC PARTICIPATION

Mr. Cody: Egg Hunt at Circleville Park on 3/30, rain or shine. Touch a Truck at Circleville Park on 4/20. Sign wooden sections at Veterans Park on 5/4; then they will be wrapped on aluminum. Will be unveiled on Memorial Day.

Ms. Sullivan: Excited about new job – here in the spirit of friendship. Here to help. Please call any time.

Mr. Memmelaar: How are bids decided? Little League opening day, 4/6, great day. Howard Mills' Historical Association talk was phenomenal. Another Touch a Truck event at Orange County Fairgrounds, 6/9.

Mr. Stump: Used to come with boxing gloves, now all concerns are listened to and answers given – amazing transfer over the past year. A pleasure to be in the Town. Mall tunnel status. Animal control officer.

Supervisor Depew: Animal Control getting ready to roll 4/1. Tunnel – DOT takeover, should start next year.

Motion By: Mr. Depew to adjourn meeting at 8:50pm.
Seconded By: Mr. Tulp

Mr. Depew	Voting Aye
Mr. Carr	Voting Aye
Mr. Valentin	Voting Aye
Mr. Rotundo	Voting Aye
Mr. Tulp	Voting Aye

MOTION CARRIED

Louisa M. Ingrassia
Town Clerk