

Work Session Agenda

TOWN OF WALLKILL
DATE: June 20, 2018

WORK SESSION
TIME: 7:30 PM

Topics:

- Donna Depoalo
- Red-Light Cameras
- Frontier – Claudia Maroney Director of Operations
- Med Parc LLC Recommendation to TB/Zoning Amendment Report.
- Rombom Associates
- Fairways
- Boys & Girls Club

Resolutions:

1. Accept Bid For Un-kempt Properties.
2. Resolution Authorizing Collection of Performance Bond For Fairways at Wallkill Project.
3. Resolution Standard Workday.
4. Resolution Amending Zoning Map Golden Triangle
5. Resolution Setting Public Hearing-Devitt/Med Parc Hotel Commercial Cluster Subdivision.

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
AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO
ACCEPT A BID FOR UNKEMPT PROPERTY MAINTENANCE SERVICES**

WHEREAS, the Town Board of the Town of Wallkill previously authorized the Commissioner of Public Works to solicit bids from vendors to supply unkempt property maintenance services to the Town; and

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

WHEREAS, bids for said services were solicited, opened and reviewed; and

WHEREAS, one bid was received and the bidder identified;

NOW, THEREFORE, LET IT BE HEREBY

RESOLVED, that the Town Board hereby authorizes and directs the Town of Wallkill Commissioner of Public Works to accept the following bids:

Unkempt Property Maintenance Services: Westar Tech Services Corp. of Middletown, New York; and it is further

RESOLVED, that the Town Supervisor, or his designee, is hereby authorized to execute all documentation necessary to effectuate this Resolution, subject to approval of the form and content of such documentation by the Town Attorney.

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

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 By: _____
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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 THE COLLECTION OF A PERFORMANCE BOND IN THE FORM
OF A LETTER OF CREDIT FOR THE FAIRWAYS AT WALLKILL PROJECT**

WHEREAS, Ginsburg Development Companies LLC committed to perform certain obligations as set forth in certain Letters of Credit issued by Sterling National Bank under Letter of Credit Numbers 00101146 (999) in the amount of \$10,000.00 and 00101147 (1003) in the amount of \$240,668.00 related to the construction of the Fairways at Wallkill residential development within the Town; and

WHEREAS, the aforesaid Letters of Credit expire on July 1, 2018 and Sterling National Bank has notified the Town that same will not be renewed; and

WHEREAS, Ginsburg Development Companies LLC, has failed to complete the required work items associated with the development including, but not limited to, the following:

1) Interim as-built drawings have been submitted to the Town’s Consulting Engineer’s office for review and comment. Once Water Quality Basin #2 has been constructed, as-built drawings must be provided for review and comment. Final as-built drawings incorporating review comments must be submitted for final review and comment. Once approved, final stamped, signed and sealed as-built drawings will be required.

2) Water Quality Basin #2, to be constructed in accordance with the approved plans or approved revisions and applicable as-built drawings provided..

3) Final Engineer’s certification is to be provided indicating that all the constructed storm water management devices/facilities throughout the overall project have been constructed in substantial conformance with the approved plans, SWPPP and design intent.

Resolution No. :_of 2018

4) Landscaping buffer for retention basin #1 to be constructed in accordance with approved revision.

5) Notice of Termination to be filed with the MS-4 and NYSDEC. Proof of filing to be provided to the Town of Wallkill

6) Any/all outstanding fees owed to the Town are to be paid in full; and

WHEREAS, the Town Board of the Town of Wallkill has determined that it is necessary to undertake the collection of funds secured by the aforesaid Letters of Credit to insure that the open items with respect to the Fairways at Wallkill development are properly completed without expense to the Town residents,

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill authorizes the Town Supervisor, or his designee, to execute a demand draft for the total amount of \$270,000.00 from the irrevocable Letters of Credit noted above issued by Sterling National Bank, as amended and/or renewed with respect to the Fairways at Wallkill development; and it further

RESOLVED, that the Town shall utilize the drawn funds in the most efficient manner to insure full completion of the Fairways project to the satisfaction of the Town's Consulting Engineers.

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
ADOPTING LOCAL LAW NO. 4 OF 2018 AMENDING THE TOWN'S ZONING MAP
AND ISSUING A NEGATIVE DECLARATION AND FINDINGS IN ACCORDANCE
WITH SEQRA**

WHEREAS, upon the petition of Rombam Associates, Inc., Michael Jeremias, Meshuga Enterprises, Inc., Brazelton Brazilian Assoc. and Danann Equity Associates dated May 2, 2018 as amended by letter dated June 6, 2018, the Town Board of the Town of Wallkill wishes to adopt a local law for 2018 amending Chapter 249 of the Town Code, to rezone certain parcels of real property within the Town as set forth below from Town Center District to Light Enterprise District:

<u>Address:</u>	<u>Tax Map ID #</u>
Silver Lake Scotchtown Road	40-1-16
Silver Lake Scotchtown Road	40-1-35
NYS Route 17	41-1-45
NYS Route 17	50-1-62; and

WHEREAS, 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 previously determined that the aforementioned proposed amendment to the Town Code is an action subject to SEQRA; classified the aforementioned local law as a Type I action pursuant to § 617.4 of the SEQRA regulations and designated itself as Lead Agency with respect to the consideration, review, and determination of significance of the aforementioned local law pursuant to SEQRA regulations § 617.6(b)(1)(I); and

Resolution No. :_of 2018

WHEREAS, the Town Board has referred this proposed zoning map change to the Orange County Department of Planning for review and comment pursuant to General Municipal §239-m and has received a letter dated May 22, 2018 from the Orange County Department of Planning indicating that the proposed zoning change is a local determination; and

WHEREAS, the Town Board has referred this proposed zoning map change to the Town of Wallkill Planning Board in accordance with the Town Code and no objections were received from the Planning Board, which held a public information hearing on June 6, 2018 and issued a report to the Town Board dated June 19, 2018 supporting the petition; and

WHEREAS, the Town Board held a public hearing on May 24, 2018, to review the proposed local law for the year 2018; and

WHEREAS, the Town Board previously reviewed the Full EAF submitted by the petitioner and determined that same was adequate with respect to scope and content for the purpose of commencing public review and continued its environmental review pursuant to SEQRA; and

WHEREAS, the Town Board has reviewed the Full EAF, the record of the proceedings with respect to the public hearing on proposed local law and Short EAF, and the criteria for determining significance set forth section 617.7 (c)(1)(i)-(xii), (2)(i)-(iii), and (3)(i)-(vii) of the SEQRA regulations; and

WHEREAS, the Town Board has reviewed, weighed and balanced the relevant environmental impacts and has provided a rationale for its decision to adopt the proposed local law and to issue a negative declaration for the same, solely for the zoning change and not for any proposed project to be built at the effected property, which is subject to further review by the Town Planning Board,

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Town Board hereby certifies that it has complied with the requirements of Part 617 of the SEQRA regulations;
2. The Town Board hereby finds that the proposed local law has no significant adverse environmental impacts and issues a negative declaration for the same, with said negative declaration to be reviewed and approved by the Town Attorney; and
3. The Town Board hereby adopts Local Law No. 4 of 2018, which modifies Chapter 249 of the Town Code as set forth in the proposed local law, to designate the following properties:

Resolution No. :_of 2018

<u>Address:</u>	<u>Tax Map ID #</u>
Silver Lake Scotchtown Road	40-1-16
Silver Lake Scotchtown Road	40-1-35
NYS Route 17	41-1-45
NYS Route 17	50-1-62

within the Town as being in the Light Enterprise zone, a copy of which is attached hereto and made a part of this resolution; and

4. The Town Clerk is hereby directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Wallkill; to give due notice of the adoption of said Local Law to the Secretary of State of New York; to publish said Local Law to the public in a newspaper of general circulation; and to publish the Town Board's negative declaration for the proposed action in the Environmental Notice Bulletin of the Department of Environmental Conservation.

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

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<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
LOCAL LAW ESTABLISHING A COMMERCIAL CLUSTER SUBDIVISION
WITHIN THE TOWN OF WALLKILL**

WHEREAS, the Town Board of the Town of Wallkill is considering the application of Med Parc LLC/Devitt for the adoption of a local law establishing a proposed two-lot commercial cluster subdivision of certain real property located at 20 Med Parc Road, Tax Map # 78-1-94.1

WHEREAS, the Town Planning Board has granted the site plan application of the applicant to develop a 93 room hotel at said property provided that the commercial cluster subdivision is established by the Town Board under Town Law §278 and Town Code §249-2 in accordance with the Recommendation Memorandum to the Town Board dated June 19, 2018; and

WHEREAS, the Town Board wishes to set a time and place for a public hearing to consider the adoption of the foregoing local law;

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. That a public hearing be held by the Town Board on July 26, 2018 at 7:25 p.m. with respect to creating the aforesaid commercial cluster subdivision; and
2. That the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law, and to keep copies of the aforementioned local law on file for public review.