

Town Board Meeting Agenda

TOWN OF WALLKILL
July 13, 2017

TOWN BOARD MEETING
TIME: 7:30 PM

7:25 – Public Hearing Woodland Acres Water District Bond 500.

Moment of Silence – Howard Mills

1. PUBLIC PARTICIPATION ON AGENDA ITEMS BELOW ONLY (3 MINUTES EACH INDIVIDUAL)
2. CORRESPONDENCE:
3. RESOLUTIONS:
 1. Resolution Authorizing the Commissioner of Public Works to Solicit Proposals for the Towing of Town Vehicles.
 2. Resolution Appointing Jonathan Gomez to the Position of Full-Time Police Officer.
 3. Resolution Promoting Daniel Ward to the Rank of Sergeant in the Police Department.
 4. Resolution Woodland Acres Water District-\$500,000 Bonds.
4. COMMITTEE REPORTS
5. COUNCILMAN'S COMMENTS:
6. SUPERVISOR'S COMMENTS:
7. TOWN CLERK'S COMMENTS:
8. COMMISSIONERS/POLICE CHIEF REPORTS:
9. PUBLIC PARTICIPATION (5 MINUTES EACH INDIVIDUAL)
10. 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>Acting Supervisor</i> Mr. Valentin				
<i>Councilman</i> Mr. Coyne				
<i>Councilman</i> Mr. Johnson				
<i>Councilman</i> Mr. Meyer				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO
SOLICIT PROPOSALS FOR THE TOWING OF TOWN VEHICLES**

WHEREAS, the Town Board is of the opinion that it is in the best interest of the Town to solicit proposals from interested vendors to tow Town owned vehicles when the need arises; and

WHEREAS, it is necessary to solicit proposals from interested parties for the towing of said vehicles in order to insure that the Town selects the proposal that is most financially beneficial to the Town in accordance with local and New York State law,

NOW, THEREFORE, IT IS HEREBY

RESOLVED as follows,

1. That the Town Board hereby authorizes and directs the Town of Wallkill Commissioner of Public Works to solicit proposals from interested parties for the towing of Town owned vehicles with said proposals to be submitted no later than August 10, 2017, and
2. To thereafter report back to the Town Board with the results of said proposals.

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
APPOINTING JONATHAN GOMEZ TO THE POSITION OF FULL-TIME POLICE
OFFICER**

WHEREAS, there exists a vacancy in the Town of Wallkill Police Department for a full-time Police Officer; and

WHEREAS, Jonathan Gomez fulfills the civil service requirements of knowledge, skills, and experience for the full-time Police Officer position; and

WHEREAS, the Town of Wallkill Police Department has a need for full-time Police Officer 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 Jonathan Gomez is qualified to fill said position;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Jonathan Gomez to the position of full-time Police Officer to serve in said capacity at the Town of Wallkill Police Department; and be it further

RESOLVED, that said appointment shall be deemed effective as of July 11, 2017 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>Acting Supervisor</i> Mr. Valentin				
<i>Councilman</i> Mr. Coyne				
<i>Councilman</i> Mr. Johnson				
<i>Councilman</i> Mr. Meyer				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
PROMOTING DANIEL WARD TO THE RANK OF SERGEANT IN THE TOWN
POLICE DEPARTMENT**

WHEREAS, there exists a vacancy in the Town of Wallkill Police Department at the rank of Sergeant; and

WHEREAS, Daniel Ward fulfills the requirements of knowledge, skills, and experience for said position; and

WHEREAS, it is the opinion of the Town Board that Daniel Ward is qualified to fill said position;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby promotes Daniel Ward to the rank of Sergeant to serve in said capacity at the Town of Wallkill Police Department; and be it further

RESOLVED, that said appointment shall become effective immediately, subject to all appropriate documentation being submitted and accepted by the Orange County Department of Human Resources-Civil Service Department.

VIA EMAIL supervisor@townofwallkill.com

July 12, 2017

William A. Frank, Esq.
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Re: Town of Wallkill, Orange County, New York
Woodland Acres Water District – 202-b - \$500,000 Bonds
File 10604750.203

Dear Will:

Pursuant to your request, I have prepared and enclose the following:

- (a) Form of order determining the project to be in the public interest.

Within ten days of adoption of the Public Interest Order a certified copy should be recorded with the County Clerk.

- (b) Form of bond resolution for adoption by the affirmative vote of at least four of the five members of the Town Board. This bond resolution is effective immediately.
- (c) Form for the publication of the Legal Notice of Estoppel .

There is a 20-day estoppel period. The estoppel period does not begin until publication of the Legal Notice of Estoppel.

When available please return the following:

- (a) Certified copy of the Order Calling the Public Hearing;
- (b) Original printer's affidavit of publication of the Notice of the Public Hearing;
- (c) Town Clerk's affidavit of posting of the Notice of the Public Hearing;
- (d) Certified copy of the Public Interest Order;
- (e) Proof of recording of the Public Interest Order in the County Clerk's office;
- (f) Certified copy of the bond resolution; and
- (g) Original printer's affidavit of publication of the legal notice of estoppel.

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William Frank, Esq.
July 12, 2017
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 NORTON ROSE FULBRIGHT

Please do not hesitate to call if you have any questions.

Very truly yours,

Randolph J. Mayer

RJM:jv
Enclosure

At a regular meeting of the Town Board of the Town of Wallkill, Orange County, New York, held at the Town Hall, 99 Tower Drive, in Middletown, New York, in said Town, on July 13, 2017 at 7:10 o'clock P.M., Prevailing Time.

PRESENT:

Supervisor

Councilman

Councilman

Councilman

Councilman

In the Matter
of
the Increase and Improvement of the
Facilities of the Woodland Acres Water
District in the Town of Wallkill, Orange
County, New York

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PUBLIC INTEREST ORDER

WHEREAS, the Town Board of the Town of Wallkill, Orange County, New York, has duly caused to be prepared a map, plan and an estimate of cost, prepared by KC Engineering and Land Surveying, P.C., engineers licensed in the State of New York, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Woodland Acres Water

District of said Town as described herein, which plan and estimate of cost are on file in the office of the Town Clerk where they are available for public inspection during normal business hours; and

WHEREAS, such proposed increase and improvement includes the installation of a PVC water main connection to the Consolidated Water District No. 1 Water Main at Orchard Hill Road, with an aggregate estimated maximum cost of \$500,000; and

WHEREAS, the maximum amount proposed to be expended for said improvements is \$500,000, which amount shall be allocated and charged as the cost of increasing and improving the facilities of the Consolidated Water District and shall be borne by the Woodland Acres Water District, except to the extent reimbursed or otherwise paid from Federal or State of New York grants; and

WHEREAS, the capital project heretofore described, based on information supplied to the Town Board, has been determined to be an "Unlisted" Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which will not result in any significant environmental effects; and

WHEREAS, at a meeting of said Town Board duly called and held on June 28, 2017, an order was duly adopted by it and entered in the minutes specifying that the said Board would meet to consider the increase and improvement of the facilities of Consolidated Water District in said Town at an maximum estimated cost of \$500,000, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, 99 Tower Drive, in Middletown, New York, in said Town, on July 13, 2017, at 7:25 o'clock P.M., Prevailing Time; and

WHEREAS, the said order duly certified by the Town Clerk was duly published and posted as required by law, to-wit: a duly certified copy thereof was published in the official newspaper of this Town, on _____, 2017, and a copy of such order was posted on _____, 2017, on the signboard maintained by the Town Clerk of the Town of Walkill, pursuant to Section 30, subdivision 6 of the Town Law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Walkill, Orange County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improvement of the facilities of the Woodland Acres Water District in the Town of Walkill, Orange County, New York, within said Town, including the installation of a PVC water main connection to the Consolidated Water District No. 1 Water Main at Orchard Hill Road, at a maximum estimated cost of \$500,000.

Section 2. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call which resulted as follows:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The order was thereupon declared duly adopted.

* * *

STATE OF NEW YORK)
) ss.:
COUNTY OF ORANGE)

I, the undersigned Clerk of the Town of Wallkill, Orange County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town
Board of said Town, including the order contained therein, held on July 13, 2017, with the
original thereof on file in my office, and that the same is a true and correct transcript therefrom
and of the whole of said original so far as the same relates to the subject matters therein
referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open
Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public
notice of the time and place of said meeting to be given to the following newspapers and/or
other news media as follows:

Newspaper and/or Other News Media

Date Given

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of Posted Notice

Date of posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, on _____, 2017.

Town Clerk

(SEAL)

Resolution No. _____ of 2017

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE				
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The following was presented

By _____

Sec'd by _____

Date of Adoption July 13, 2017

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

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE TOWN OF WALLKILL, ORANGE COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF WOODLAND ACRES WATER DISTRICT IN AND FOR SAID TOWN.

BOND RESOLUTION DATED JULY 13, 2017.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE TOWN OF WALLKILL, ORANGE COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF WOODLAND ACRES WATER DISTRICT IN AND FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

BE IT RESOLVED, by the Town Board of the Town of Wallkill, Orange County, New York, as follows:

Section 1. For the class of objects or purposes of paying the cost of the increase and improvement of the facilities of the Woodland Acres Water District in the Town of Wallkill, Orange County, New York, within said Town, including the installation of a PVC water main connection to the Consolidated Water District No. 1 Water Main at Orchard Hill Road, and incidental expenses in connection therewith, there are hereby authorized to be issued \$500,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of said class of objects or purposes is \$500,000, and that the plan for the financing of the aforesaid class of objects or purposes is by the issuance of the \$500,000 bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision one of paragraph a of Section 11.00 of the Local Finance Law. The maximum maturity of the bonds authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor,

the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Walkill, Orange County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. To the extent no paid from the collection of assessments against benefited property in the Woodland Acres Water District, an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Walkill, Orange County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he or she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said

bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in the *Times Herald Record*, the official newspaper of the Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing order was duly put to a vote on roll call which resulted as follows:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The order was thereupon declared duly adopted.

STATE OF NEW YORK)
) ss.:
COUNTY OF ORANGE)

I, the undersigned Clerk of the Town of Wallkill, Orange County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town
Board of said Town, including the resolution contained therein, held on July 13, 2017, with the
original thereof on file in my office, and that the same is a true and correct transcript therefrom
and of the whole of said original so far as the same relates to the subject matters therein
referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open
Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public
notice of the time and place of said meeting to be given to the following newspapers and/or
other news media as follows:

Newspaper and/or other news media

Date given

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of Posted Notice

Date of posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town

on _____, 2017

Town Clerk

LEGAL NOTICE OF ESTOPPEL

NOTICE IS HEREBY GIVEN that the resolution, a summary of which is published herewith, has been adopted by the Town Board of the Town of Walkill, Orange County, New York, on July 13, 2017, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A summary of the aforesaid resolution is set forth below. The resolution provides as follows: that the faith and credit of the Town of Walkill, Orange County, New York (the "Town"), are irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable; that an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year; that the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds authorized by such resolution, including renewals of such notes, is delegated to the Supervisor; that all other matters, except as provided in such resolution, relating to the bonds authorized, including the date, denominations, maturities and interest payment dates, within the limitations prescribed in such resolution and the manner of the execution of the same and also including the consolidation with other issues, and the authority to issue such obligations on the basis of substantially level or declining annual debt service, is delegated to and shall be determined by the Supervisor; and that this LEGAL NOTICE shall be published.

The summary of the bond resolution follows:

BOND RESOLUTION DATED JULY 13, 2017.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE TOWN OF WALLKILL, ORANGE COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF WOODLAND ACRES WATER DISTRICT IN AND FOR SAID TOWN.

The period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision one of paragraph a of Section 11.00 of the Local Finance Law.

THE FULL TEXT OF THIS BOND RESOLUTION IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE TOWN CLERK LOCATED AT 99 TOWER DRIVE, MIDDLETOWN, NEW YORK, DURING NORMAL BUSINESS HOURS.

Dated: Middletown, New York
 _____, 2017

Town Clerk