

## Town Board Meeting Agenda

TOWN OF WALLKILL  
October 26, 2017

TOWN BOARD MEETING  
TIME: 7:30 PM

Moment of Silence – James Edwin Steenrod, Father of Ed Steenrod past Building Inspector.  
39 Year Member of the Howells Fire Company, Danny Osborne

### 7:25 – Public Hearings

- Public Hearing to Amend Regulations in the Town Towing Law.
- Public Hearing for 2018 Benefit Assessment Roll
- Public Hearing for 2018 Water and Sewer Rates
- Public Hearing for 2018 Preliminary Budget

### 1. PUBLIC PARTICIPATION ON AGENDA ITEMS BELOW ONLY (3 MINUTES EACH INDIVIDUAL)

#### 2. CORRESPONDENCE:

- Gary Lake Thank You
- 64 Abrahamson Road
- Thank You Stewart Military Appreciation Day Picnic Committee
- Otisville Country Fair Thank You

#### 3. RESOLUTIONS:

1. Resolution Rescheduling the Regular November Meeting of the Town Board to November 16, 2017.
2. Resolution Directing the Assessor to Forward to the Orange County Tax Department a List of Town Properties to be Assessed for Non-Payment of Refuse Removal Fees.
3. Resolution to approve the Town of Wallkill Benefit Assessment Roll for the fiscal year 2018.
4. Resolution to approve the Town of Wallkill Water and Sewer Rates for the fiscal year 2018.
5. Resolution appointing Ryan Sinclair to the position of full-time Police Officer of the Town of Wallkill.

#### 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

**TOWN OF WALLKILL**

**LOCAL LAW NO. \_\_ OF 2017**

**A LOCAL LAW AMENDING CHAPTER 225 OF THE TOWN OF WALLKILL CODE  
ENTITLED "TOWING"**

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

**Section 1. Purpose.**

This Local Law is enacted for the purpose of amending regulations in the Town Towing Law to set forth in detail the process by which criminal background checks for applicants for a towing license within the borders of the Town are conducted, inclusive of the requirement that applicants shall be responsible for the costs associated with such criminal background checks. In addition, the amendment provides for the Towing List to be updated on a quarterly, rather than semi-annual basis.

**Section 2. Amendment.**

The portion of the Town of Wallkill Town Code entitled **Chapter 225. TOWING** shall be and hereby is amended by this Local Law as follows:

**I. Section 225-4, entitled: "Additional eligibility requirements; regulations" is hereby amended as follows:**

Delete and replace current subsection (M) with the following:

**M. No person having been convicted of any felony, including, but not limited to those involving the theft, larceny, dismantling, alteration of vehicle identification numbers or conversion of motor vehicles, either in whole or in part, any violent felony, or is a person who is currently registered as a sex offender within the State of New York, shall be permitted to hold a towing license in the Town of Wallkill or to be a tow truck operator for a licensed owner. The Town of Wallkill shall conduct a criminal background check upon all applicants for a towing license, along with all towing operators who will work for the applicants, using the following procedure:**

**1. The applicant shall provide to the Town, its name, the names of its principals if a corporate entity, and the names of its tow truck operators. Failure for the applicant to comply with this requirement shall result in a rejection of the application.**

2. If a licensee obtains a new tow truck operator, principal, etc., it must provide the name of said individual to the Town for a background check before said individual can participate in any towing operation within the Town of Wallkill. Failure for the licensee to comply with this requirement shall result in a suspension of the license.

3. All fees associated with the criminal background check shall be borne by the applicant, or licensee, and shall be paid to the Town at the time the application, or updated information, is submitted to the Town for review.

4. Failure for a licensee to suspend a tow truck operator from operating within the Town of Wallkill upon learning of said operator's conviction for a disqualifying felony shall result in an immediate suspension of the licensee's towing license.

II. Section 225-7, entitled: Duty to prove eligibility; updating of towing list" is hereby amended as follows:

Delete the second sentence and replace with the following:

Following the establishment of the initial towing list, the town will update the list, based upon any new applications, on a quarterly basis, January 1, April 1, July 1 and October 1 of each year.

Section 3. Severability

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. Authority

This Local Law is enacted pursuant to the Municipal Home Rule Law. This Local Law shall supersede the provisions of Town Law to the extent it is inconsistent with the same, and to

the extent permitted by the New York State Constitution, the Municipal Home Rule Law, or any other applicable statute.

**Section 5. Effective Date**

This law shall become effective upon filing with 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>Acting Supervisor</i> <b>Mr. Valentin</b>				
<i>Councilman</i> <b>Mr. Coyne</b>				
<i>Councilman</i> <b>Mr. Meyer</b>				
<i>Councilman</i> <b>Mr. Johnson</b>				
<b>TOTAL</b>				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
RESCHEDULING THE REGULAR NOVEMBER MEETING OF THE TOWN BOARD  
TO NOVEMBER 16, 2017**

**WHEREAS**, due to the Thanksgiving holiday, it is necessary to reschedule the regular November Town Board meeting from November 23, 2017 to November 16, 2017;

**WHEREAS**, during said rescheduled meeting, the Town Board will vote to adopt the 2018 Preliminary Town Budget as same may be amended

**WHEREAS**, the Town Board of the Town of Wallkill is empowered to schedule meetings for any lawful purpose,

**NOW, THEREFORE, IT IS HEREBY**

**RESOLVED**, that the regular meeting of the Town Board of the Town of Wallkill presently scheduled on November 23, 2017 shall be rescheduled to November 16, 2017 at 7:30 p.m. to consider adoption of the 2018 Preliminary Town Budget, as same may be amended, along with any other lawful and necessary Town business, and it is further

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

**TOWN OF WALLKILL  
NOTICE OF RESCHEDULED TOWN BOARD MEETING**

**PLEASE TAKE NOTICE, THAT** the regular meeting of the Town of Wallkill Town Board, which is presently scheduled for November 23, 2017, has been rescheduled to Thursday November 16, 2017 at 7:30 p.m. at Wallkill Town Hall, 99 Tower Drive, Bldg. A, Middletown, New York 10941. During this regular meeting, the Town Board will consider adoption of the 2018 Preliminary Town Budget and conduct any other lawful Town business.

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

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

Dated: October 26, 2017

Louisa Ingrassia,

Town Clerk of the  
Town of Wallkill

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL DIRECTING THE TOWN ASSESSOR TO FORWARD TO THE ORANGE COUNTY TAX DEPARTMENT A LIST OF TOWN PROPERTIES TO BE ASSESSED FOR NON-PAYMENT OF REFUSE REMOVAL FEES**

**WHEREAS**, pursuant to Town Code Section 200-15, any property owner or occupant having been duly notified in writing upon seven days' notice to remove refuse, inclusive of overgrown lawns and vegetation, and/or garbage from his property and having failed to do so shall be responsible for any costs incurred by the Town of Wallkill in removing said refuse or garbage, and said costs shall be assessed against the property and shall appear as a lien on the next real property tax bill; and

**WHEREAS**, the attached list sets forth the properties by address, tax map designation, the names of the owners and the amounts incurred by the Town to maintain the properties during the calendar year 2017, which amounts have been billed to said owners yet remain unpaid; and

**WHEREAS**, the Town Board wishes to recover the refuse removal/property maintenance costs in the total amount of \$16,745.02 set forth in the attached list from the property owners pursuant to the Town Code,

**NOW, THEREFORE, BE IT HEREBY**

**RESOLVED**, that the Town Board of the Town of Wallkill hereby directs the Town Assessor to forward to the Orange County Tax Department and Orange County Legislature the attached list of Town properties to be assessed for non-payment of refuse removal fees in the total amount of \$16,745.02, with such assessments to be levied against said properties on the appropriate 2017 Town and County Tax bills which shall state the amount of the tax in a separate column in the annual tax rolls for the year 2018.

Town of Walkill Unkempt Properties 2017

Date	Owners Name	Street Address	S/B/L	Mailing Address	Total Amount Due
06/06/17 (can be cut)	David Hernandez	75 Brown Road	(3-1-29)	75 Brown Road, Middletown, NY 10941	\$600.00
06/06/17 (can be cut)	James Givans	13 Conning Avenue	27-3-6	13 Conning Avenue, Middletown, NY 10941	\$300.00
6/15/2017	Fannie Mae	19 Elizabeth Ave	27-2-6	14221 Dallas Pkwy Ste 100, Dallas, TX 75254	\$300.00
6/14/2017	Jason Westrick	725 Silver Lake Schwn Road	27-3-18	Middletown, NY 10941	\$600.00
6/16/2017	Honore Elissant	731 Silver Lake Schwn Road	27-3-17	81 Berkman Drive, Middletown, NY 10941	\$300.00
8/9/2017	Anthony DeCandia	280 Scotchtown Collabar Rd	29-1-10	280 Scotchtown Collabar Road, Middletown, 10941	\$234.10
6/15/2017	Liz Bay Real Estate Group, L.L.C.	30 Reservoir Road	32-2-25.2	147 Prince Street, Ste. 17, Brooklyn, NY 1121	\$600.00
1/11/2017	Estate of Ruth Young	840 Route 211 West	32-1-32	Middletown, NY 10940	\$233.02
6/14/2017	Ruth Young Estate of	840 Route 211 West	32-1-32	840 Route 211E, Middletown, NY 10940	\$600.00
8/1/2017	Ramchand Deoki	24 Drago Lane	36-1-87	Middletown, NY 10940	\$1,889.82
6/14/2017	Eddie Davila	234 Commonwealth Ave	38-10-3.5	234 Commonwealth Ave, Middletown, NY 10940	\$300.00
6/14/2017	Marian Doloway	50 Rhode Island Avenue	38-6-1	Middletown, NY 10940	\$300.00
6/13/2017	HODSHBEHOD LLC	459 Route 17M	39-15-7	P.O. Box 149, New York, NY 10018-0003	\$300.00
5/30/17 (can be cut)	MTGLQ Investors, LP	1991 Goshen Turnpike	43-1-12	1100 Virginia Drive, Ste 100, Fort Washington, PA 19034	\$300.00
6/16/2017	Victor Franco	20 Third Street	52-2-1.22	20 Third Street, Middletown, NY 10940	\$300.00
1/11/2017	Deirose Morris	6 Cherry Street	58-3-2	Middletown, NY 10940	\$208.08
6/01/17 (can be cut)	Jean Porchette	28 Stratton Avenue	58-2-10	28 Stratton Avenue, Middletown, NY 10940	\$300.00
8/8/2017	Ruth McCoy Bennett	50 Woodlawn Ave	74-3-23	Middletown, NY 10940	\$300.00
6/14/2017	Michael Leroy	36 Anthony Street	75-12-27	32 Anthony Street, Middletown, NY 10940	\$300.00
06/06/17 (can be cut)	John Phillipot	26 Avenue A	77-1-18	261 Schutt Road, Middletown, NY 10940	\$900.00
6/14/2017	Galio Maldonado	31 Avenue D	77-5-2	HC2 Box 7468, Las Piedras, PR 00771	\$300.00
6/28/2017	Joseph Picciano	14 Dominick Street	84-1-7	14 Dominick Street, Middletown, NY 10941	\$300.00
6/16/2017	Melinda Merriman	42 Sandburg Court	87-1-123	42 Sandburg Court, Middletown, NY 10941	\$300.00
6/14/2017	Brahms Placencia	83 Rolling Meadows Road	89-1-4	Middletown, NY 10940	\$600.00
6/21/2017	Alfred Lecorchick	32 Silo Lane	89-3-15	32 Silo Lane, Middletown, NY 10949	\$5,980.00
8/25/2017	Marc Rotanz	874 Route 211 West	33-4-6	Middletown, NY 10940	\$300.00

\$16,745.02



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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
APPROVING THE BENEFIT ASSESSMENT ROLL FOR THE YEAR 2018**

**WHEREAS**, on October 26, 2017, at 7:25 p.m., the Town Board of the Town of Wallkill held a public hearing on the proposed 2017 Benefit Assessment Roll for the special districts within the Town, accepted public comment and closed the public hearing after inviting public comment, and

**WHEREAS**, the proposed Benefit Assessment Roll is reasonable and benefit the users of said special districts,

**NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:**

1. The Town Board hereby approves the Benefit Assessment Roll for the Year 2018 presently on file in the Office of the Town Clerk; and
2. The Town Clerk is hereby directed to forward said Benefit Assessment Roll to the Office of the Town Assessor without amendment or modification.

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
APPROVING THE TOWN WATER AND SEWER RATES  
FOR THE FISCAL YEAR 2018**

**WHEREAS**, on October 26, 2017 at 7:25 p.m., the Town Board of the Town of Wallkill held a public hearing to discuss proposed changes in the rates for water and sewer usage for properties within and outside the boundaries of the Town’s water and sewer districts; and

**WHEREAS**, the Town Board of the Town of Wallkill believes that the proposed rates are in the best interests of the residents of the Town of Wallkill and should be approved;

NOW, THEREFORE, IT IS HEREBY

**RESOLVED**, that as of January 1, 2018, the following water and sewage usage rates for properties within and outside the boundaries of the Town’s water and sewer districts shall take effect:

- Water in District: \$2.60/1000 gal.
- Water out of District: \$5.20/1000 gal.
- Sewer in District: \$2.90/1000 gal.
- Sewer out of District: \$5.80/1000 gal., and it is further

**RESOLVED**, that the Commissioner of Public works is hereby directed to notify all appropriate Town Personnel and Officials that the aforesaid rates shall go into effect on January 1, 2018 for billing and notification purposes; and it is further

**RESOLVED**, that the Town Clerk is hereby authorized and directed to cause public notice of said rate increases 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>Acting Supervisor</i> <b>Mr. Valentin</b>				
<i>Councilman</i> <b>Mr. Coyne</b>				
<i>Councilman</i> <b>Mr. Johnson</b>				
<i>Councilman</i> <b>Mr. Meyer</b>				
<b>TOTAL</b>				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
APPOINTING RYAN SINCLAIR 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**, Ryan Sinclair 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 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 Ryan Sinclair is qualified to fill said position;

**NOW, THEREFORE, BE IT HEREBY**

**RESOLVED**, that the Town Board of the Town of Wallkill hereby appoints Ryan Sinclair 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 appointments shall be deemed effective upon receipt by the Town of complete and satisfactory physical, psychological and criminal background checks, and subject to the submission and acceptance of all appropriate documentation by the Orange County Department of Human Resources.