

A regular meeting of the Town Board of the Town of Wallkill was held on July 23, 2015 at Wallkill Town Hall, 99 Tower Drive. Present were Supervisor Depew, Councilman Carr, Councilman Valentin, and Councilman Rotundo.

Pledge of Allegiance and moment of silence for Marines who were killed in Chattanooga, Tennessee.

AGENDA COMMENTS

None.

CORRESPONDENCE

Request for use of soccer fields from Pine Bush School District.

Letter from Robert Hunt thanking Mr. Rotundo for helping to make the community safe on Fairfax Avenue.

Letter from NYMIR regarding attendance of Jill Mendoza and Deputy Chief Spano at a seminar on June 11th.

Letter from Al Crawford thanking the Town for new Disabled American Veterans sign in the Town.

Letter from NYSDOT notifying the Town of a bridge replacement on 17K near Stone Schoolhouse Road.

Letter from NYSDOT notifying the Town of replacement of a culvert on Route 211 towards Montgomery.

Letter from Principal James Baxter of Valley Central School District thanking the Town for their help with the regatta.

RESOLUTIONS

RESOLUTION #1

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL

- 1) APPROVING THE SITE IMPROVEMENT BOND TO BE POSTED BY OLD DOMINION FREIGHT LINE, INC. FOR THE CONSTRUCTION OF SITE IMPROVEMENTS ON CRYSTAL RUN ROAD IN MIDDLETOWN; AND**

- 2) ACCEPTING THE OFFER OF DEDICATION OF A PORTION OF REAL PROPERTY LOCATED ON BALLARD ROAD**

WHEREAS, Old Dominion Freight Line, Inc. (“Old Dominion”) has been required to post a certain Performance Bond with the Town to serve as a security for the completion of certain site improvements at the warehouse/distribution project site located at 300 Ballard Road, Middletown, New York within the Town, which improvements were required by the Town of Wallkill Planning Board’s Special Use Permit and Conditional Site Plan Approval for said project; and

WHEREAS, McGoey, Hauser & Edsall Consulting Engineers, P.C., the Town’s Consulting Engineer, has advised that the proposed bond amount specified below is sufficient; and

WHEREAS, a certain .17 acre portion of a parcel of land developed and built in the Town of Wallkill (SBL 60-1-120.3), has been offered for dedication to the Town of Wallkill for highway purposes by Old Dominion in connection with the warehouse/distribution project in order to insure that the Town maintains a 25 foot right of way on Ballard Road, a public highway; and

WHEREAS, in furtherance of the Old Dominion project, and as required by the approval issued by the Town Planning Board, Old Dominion has tendered an Irrevocable Offer of Dedication to the Town with respect to the aforesaid .17 acre parcel; and

WHEREAS, the Commissioner of Public Works and the Superintendent of Highways have recommended the acceptance of said parcel for dedication for highway purposes; and

WHEREAS, a policy of title insurance relating thereto shall be offered to the Town with respect to the subject parcel; and

WHEREAS, the Town’s Consulting Engineer has found that the legal description for the dedication parcel close within industry standards,

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. The Town Board agrees to accept the Old Dominion Offer of Dedication; and
2. The Town Board authorizes the recordation of the Offer of Dedication, and related documents in the Office of the Orange County Clerk; and
3. The Town Supervisor or his designee is authorized to execute any necessary documents associated with the foregoing, once any unpaid inspection fees, professional fee invoices or other unpaid fees due to the Town are paid;
4. That the Town Board of the Town of Wallkill hereby approves the Performance Bond for Site Improvements # 09181149 in the amount of \$5,696,924.86 issued by Fidelity and Deposit Company of Maryland with respect to the aforesaid project; and
5. None of the foregoing shall be binding upon the Town until all required documentation has been approved in final form by the Town attorney and Town Consulting Engineer.

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	Absent

RESOLUTION #2
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
APPROVING THE FORM OF A LETTER OF CREDIT TO BE POSTED BY
FRASSETTO FAMILY LIMITED PARTNERSHIP II, LLC FOR THE
QUICKWAY INDUSTRIAL PARK SUBDIVISION

WHEREAS, Frassetto Family Limited Partnership II, LLC, for the improvements known as Lot I-three lot subdivision for the Quickway Industrial Park Subdivision has sought permission to post with the Town of Wallkill a performance bond in the form of Irrevocable Standby Letter of Credit from Columbia Bank in the amount of \$711,674.79; and

WHEREAS, the Town Board consents to the posting of said Letter of Credit, subject to the form and content being acceptable to the Town Attorney,

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that The Town Board of the Town of Wallkill authorizes the Town Supervisor, or his authorized designee, to accept an Irrevocable Letter of Credit issued by Columbia Bank to be posted by Frassetto Family Limited Partnership II, LLC in the amount of \$711,674.79, with respect to the Quickway Industrial Park Subdivision, the form and content of said Irrevocable Letter of Credit being 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	Absent

**RESOLUTION #3
BUDGET TRANSFER**

BE IT HEREBY RESOLVED THAT THE following budget transfers be made:

General Fund Balance:				
From:			\$1,600.00	
To:	3120.291	Weapons		\$1,600.00

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 Absent

RESOLUTION #4
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
APPROVING THE SITE IMPROVEMENT BOND TO BE POSTED BY GAS
LAND PETROLEUM, INC. FOR THE CONSTRUCTION OF SITE
IMPROVEMENTS ON CRYSTAL RUN ROAD IN MIDDLETOWN

WHEREAS, Gas Land Petroleum, Inc. has been required to post a certain Performance Bond with the Town to serve as a security for the completion of certain private improvements at the gasoline station project site located at 7-31 Crystal Run Road, Middletown, New York within the Town, which improvements were required by the Town of Wallkill Planning Board's final conditional site plan approval for said project; and

WHEREAS, McGoey, Hauser & Edsall Consulting Engineers, P.C., the Town's Consulting Engineer, have advised that the proposed bond amount specified below is sufficient;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby approves the Performance Bond for Site Improvements # SUR51000080 in the amount of \$667,055.20 issued by Ironshore Indemnity, Inc. with respect to the aforesaid project; and be it further

RESOLVED, that the Town Board shall accept such Performance Bond for posting upon review and approval of the form and content of same by the Town Attorney and Town Consulting Engineer.

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	Absent

**RESOLUTION #5
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
APPOINTING AN INDIVIDUAL TO THE POSITION OF PART-TIME
PARKING ENFORCEMENT AGENT FOR THE TOWN OF WALLKILL
POLICE DEPARTMENT**

WHEREAS, there exists a vacancy for a part-time parking enforcement agent in the Town of Wallkill Police Department; and

WHEREAS, Harvey Gregory fulfills the requirements of knowledge, skill, and experience for the position; and

WHEREAS, it is the opinion of the Town Board of the Town of Wallkill that Harvey Gregory is qualified to fill said positions;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Harvey Gregory to the position of “part-time parking enforcement agent” in the Town of Wallkill Police Department, to be effective following receipt of complete and satisfactory background checks and provided that all appropriate documentation is submitted and accepted by the Orange County Department of Human Resources-Civil Service Department.

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	Absent

RESOLUTION #6

BE IT HEREBY RESOLVED THAT THE following budget amendments be made:

Amendments				
From:	A1680.477	Software	\$2,540.00	
To:	A3120.211	Hardware		\$2,540.00
From:	A7021.426	Rec. Bldg. Elect.	\$2,500.00	
From:	A7021.428	Rec. Bldg. Propane	\$2,000.00	
To:	A7110.428	Park Propane		\$4,500.00
From:	A9710.7	Interest on Indebtedness Bonds	\$327.00	
To:	A9730.7	Interest on Indebtedness – BAN		\$327.00
From:	SWA9710.7	Interest on Indebtedness Bonds	\$103.00	
To:	SWA9730.7	Interest on Indebtedness-BAN		\$103.00

Amend General Fund Contingency budget to cover expenses for repairs to Central Garage building:

General Fund				
From:	A9095.8	General Contingency	\$2,000.00	
To:	A5132.4616	Central Garage Bldg. Repairs		\$2,000.00

Amend General Fund Contingency budget to cover the cost of Geofeedia (social network linking software program) for Police:

General Fund				
From:	A9095.8	General Contingency	\$3,750.00	
To:	A3120.445	Coplogic/Geofeedia		\$3,750.00

Amend General Fund Contingency budget to cover the cost of new security equipment for the Police Department:

General Fund				
From:	A9095.8	General Contingency	\$6,160.00	
To:	A3120.26	Police Equipment		\$6,160.00

Amend Highway (DA) Fund Balance to supplement the budget and cover upcoming winter expenses:

Highway Funds				
From:	DA599	Highway Fund Balance	\$60,000.00	
To:	DA5142.12	Snovertime		\$20,000.00
To:	DA5142.41132	Salt		\$40,000.00

Amend existing Capital Town Hall (HT) fund balance to spend on Town Hall projects:

Capital Town Hall				
From:	HT599	Cap Town Hall Fund Balance	\$28,092.42	
To:	HT5121.41	Cap Town Hall Supplies & Materials		\$28,092.42

Transfer from Lorelei Maintenance expense to Lorelei Taxes on Real Property, for tax expenses:

Lorelei Maintenance				
From:	SWC8310.4216	Mgmt. Maint. Exp.	\$2,949.00	
To:	SWC1950.4	Contractual		\$2,949.00

Transfer from Lorelei to Consolidated Water for Lorelei expenses:

Lorelei				
From:	SWC9950.9	Interfund Trans. To Consol. Water	\$3,551.00	
To:	SWC200	Lorelei Cash		\$3,551.00
From:	SWA200	Cons. Water Cash	\$3,551.00	
To:	SWA5031	Interfund Trans. From Lorelei Water		\$5,551.00

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 Absent

RESOLUTION #7
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
APPOINTING A PERSON 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, Anthony Weed 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 the aforesaid person is qualified to fill said position;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints Anthony Weed 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 background checks, and subject to the submission and acceptance of all appropriate documentation by 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	Absent

RESOLUTION #8
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE SUPERVISOR TO EXECUTE AN INSURANCE
COVERAGE AGREEMENT WITH A TOWN EMPLOYEE

WHEREAS, John Lippert (“Lippert”) is a full-time employee with the Town of Wallkill Department of Public Works presently serving as Deputy Commissioner and Superintendent of Highways; and

WHEREAS, Lippert is not a member of any Unit of CSEA and is not covered by any Collective Bargaining Agreement (“CBA”); and

WHEREAS, Lippert commenced employment with the Town on January 9, 2003 and has not yet accrued fifteen (15) consecutive years of service time with the Town which would make him eligible to retire with full medical benefits at no cost to him, as set forth in the Town of Wallkill Employee Handbook; and

WHEREAS, Lippert, wishes to resign from his position at this time without forfeiting his eligibility to receive full medical benefits from the Town during the period after which his resignation becomes effective and the date that he is eligible to receive Medicare benefits; and

WHEREAS, in an effort to save the cost of Lippert’s annual salary and non-medical benefit contributions, the Town is willing to accept Lippert’s resignation, provide Lippert with certain part-time employment opportunities and continue his family plan insurance coverage available to other full time employees who retire with fifteen years of consecutive service to the Town; and

WHEREAS, Lippert is agreeable to the foregoing pursuant to the terms and conditions of a certain written agreement negotiated between the Town and Lippert; and

WHEREAS, the execution of said agreement is in the best interest of the Town,

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor, or his authorized designee, to execute an Early Retirement Agreement with respect to Town employee John Lippert, provided that said document is acceptable in form and content to 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	Absent

COMMITTEE REPORTS & COUNCILMAN COMMENTS

Councilman Carr: Chief Hertman is on extended vacation after graduation from law school. The Police Department has been extremely busy and compliments to Deputy Chief Spano on handling the load. Congratulations to John Lippert on his retirement. Town's bond rating has been increased to AA.

Councilman Valentin: Bond rating increase is an amazing thing. Will allow the Town to secure loans at lower interest rates. Congratulations to John Lipper. Good luck to Chief Hertman on his upcoming bar exam. Congratulations to Police Officers Frank Skala and Dennis Rolon on their provisional appointments to Detective. The Town continues to interview and search for full-time and part-time Police Officers and Dispatchers. Please let the Town know if there are any abandoned properties that need yard maintenance.

Councilman Rotundo: The next Human Rights Commission will attend the National Night Out Against Crime on Tuesday, August 4th, in lieu of its monthly meeting. The Commission will be handing out bags at the event. Members are still being sought for the Commission. Installation of new UV disinfection system is complete. Minor electrical issues have been resolved and is operating well. Raw sewage pump station project is complete and in operation. Wastewater treatment plant was inspected and graded satisfactory, the highest grade. The fireworks on July 3rd was a great success. Thank you to all who participated. Good luck to John Lippert on his retirement.

SUPERVISOR'S COMMENTS

The Town will forward a letter received from Brown Road/Yereance Lane area regarding noise issues from Route 17 to Senators Bonacic and Gunther. The Town employees have worked very hard to completely turned around the Town's finances to receive the AA rating. The fireworks were wonderful this year. Thank you to everyone who volunteered. Budget season is in full swing and Department Heads are working on their budgets. The beach at Circleville Park is open.

Madam Clerk Ingrassia: The Town Clerk's office is collecting rulers, protractors, and calculators for Backpacks for Hope until August 12th. The Pine Bush Community Band will be holding a free concert on Sunday, August 9th, at Washington Heights Park. Farmers Market cards are available at the Town Clerk's office. TARA spay certificates are available at the Town Clerk's office. Condolences on the loss of Mrs. Beach at the age of 104 and Flo Santini, Town of

Deerpark Town Clerk, on the loss of her husband. Thank you to the Police Department for handling incidents on Ingrassia Road.

Deputy Chief Spano: The 14th Annual National Night Out Against Crime will be held on Tuesday, August 4th, from 6:00-10:00pm. There will be some road closures in the area. The next Police Community Council meeting will be on Thursday, August 6th, at 7:00pm at the Community Center, and there will be a guest speaker. A Youth Coalition meeting will be held on Tuesday, August 18th, and the trip to the Renegades game will be on Thursday, August 27th. Tickets for middle and high school students are available from Mary Olsen at the Police Department.

Mr. Jaques: Construction is very abundant in the Town with six major commercial buildings being built in addition to the Planning Board having two hotels looking to be constructed. All commercial buildings are going to be required to have carbon monoxide detectors which will put a strain on the Building Department. Fireworks are not legal in New York State, only sparkling devices.

Commissioner Ingrassia: It is a very busy season for the DPW and roadwork is being performed all over the Town. Thank you to the residents for their patience. At least ten roads are being repaved. The beach has been done over at Circleville Park. Exit 122 construction is ongoing and there are traffic delays, but will be well worth it when completed. Schutt Road roundabout is under construction. A clock tower will be installed in the center of the roundabout and has been donated by Baker Brothers/Maple Fields. Cottage Street underpass will be repaired in September. The tunnel project is well underway and work is ongoing. The solar farm at the landfill will get the Town \$400,000 over the years. Thank you to John Lippert for his years of service.

PUBLIC PARTICIPATION

Mr. Coyne: Congratulations to the Town Board on the AA rating. Thank you to the DPW for having the pothole on Freezer Road filled.

Mr. Perrino: Appreciates the work that the Town is doing. Thank you to the Town for their work during the past difficult winter. Congratulations to Lou Ingrassia III on his scholar-athlete achievement at Cazanovia College.

Rob: Thank you to the Town for addressing the quality of life issues in the Fair Oaks area.

Motion By: Mr. Depew motion to adjourn.

Seconded By: Mr. Rotundo

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

MOTION CARRIED

Louisa Ingrassia
Town Clerk