

Town Board Meeting Agenda

TOWN OF WALKKILL
July 26, 2018

TOWN BOARD MEETING
TIME: 7:30 PM

Pledge of Allegiance

7:25 Public Hearing Local Law Establishing a Commercial Cluster Subdivision

Moment of Silence:

- Barbara Alvarez President of Town of Walkkill Police Community Council.
- Charles Berry Dept. of Public Works Retiree

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

2. CORRESPONDENCE:

- Thank you SRO
- Thank you Director Camp Lakota
- Thank you Bus Stop Sign
- Thank you Officer DeAngelis

3. RESOLUTIONS:

1. Resolution Adopting Local Law For Commercial Cluster Subdivision.
2. Resolution Appointing Persons to the Position of Part-Time Dispatcher.
3. Resolution Appointing Persons to the Position of Part-Time Police Officer.

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>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
ADOPTING A LOCAL LAW ESTABLISHING A PROPOSED COMMERCIAL
CLUSTER SUBDIVISION AT MED PARC ROAD AND EAST MAIN STREET**

WHEREAS, Med Parc LLC/Devitt has submitted to the Town of Wallkill Planning Board a plat for a proposed two-lot commercial subdivision of certain real property located at 20 Med Parc Road, Tax Map # 78-1-94.1; and

WHEREAS, it has been proposed that the said subdivision be approved as a Cluster Subdivision under Town Law §278 and Town Code §249-2 ("Cluster Development") so as to allow the Planning Board to vary the bulk zoning regulations as shown on the said plat, such as minimum road frontage and maximum impervious coverage; and

WHEREAS, the applicant has submitted a set of plans prepared by Engineering & Surveying Properties dated August 22, 2016 and last revised on January 20, 2017 upon which the proposed subdivision is shown; and

WHEREAS, by resolution dated July 11, 2018, the Town Planning Board adopted a Negative Declaration under SEQRA and granted conditional approval of the proposed subdivision subject to the Town Board's authorization to approve the project as a commercial cluster subdivision; and

WHEREAS, the Town Board finds that the flexibility of design permitted under commercial cluster subdivision approval would, in this case, serve the best interests of the Town by enabling and encouraging the most appropriate use and development of the land;

Resolution No. :_of 2018

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board does hereby accept and adopt as its own the Negative Declaration under SEQRA adopted by the Planning Board;
2. That the Town Board does hereby approve the proposed commercial cluster subdivision in accordance with New York State Town Law § 278, and authorizes the Town of Wallkill Planning Board to process the proposed subdivision as a commercial cluster subdivision as per the aforesaid set of plans prepared by Engineering & Surveying Properties dated August 22, 2016 and last revised on January 20, 2017.
3. The Town Board hereby adopts Local Law No. 5 of 2018, entitled “Local Law No. 5 Of 2018 Establishing A Commercial Cluster Subdivision Within The Town Of Wallkill For A Certain Property Located At Med Parc Road And East Main Street Pursuant To New York State Town Law Section 278.”
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;

TOWN OF WALLKILL

LOCAL LAW NO. 5 OF 2018 ESTABLISHING A COMMERCIAL CLUSTER SUBDIVISION WITHIN THE TOWN OF WALLKILL FOR A CERTAIN PROPERTY LOCATED AT MED PARC ROAD AND EAST MAIN STREET PURSUANT TO NEW YORK STATE TOWN LAW SECTION 278

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

Section 1. Authority:

This Local Law is enacted pursuant to NYS Town Law §278, which authorizes the Wallkill Town Board to adopt local laws authorizing the Town of Wallkill Planning Board to approve cluster developments; and

Section 2. Purpose

The Town Board of the Town of Wallkill received a request by 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.

Section 3. Commercial Cluster Subdivision Authorized

This local law establishes a commercial cluster subdivision at East Main Street and Med Parc Drive identified as Tax Map # 78-1-94.1 consisting of 43.10 acres as more fully depicted on a plan prepared by Engineering & Surveying Properties dated August 22, 2016 and last revised on January 20, 2017 to include a hotel and other commercial properties.

Section 4. Planning Board Authority

- A. The Town of Wallkill Planning Board is authorized, but not required, to approve a commercial cluster development application involving the land identified in Section 3 of this Local Law, but the number of building lots proposed for the site shall not exceed the number of lots conforming to minimum lot size and density under the current zoning law, or change the permissible use of the lands provided in the current zoning law.
- B. This authorization shall direct the Town of Wallkill Planning Board to relax, waive, or modify the required lot area requirements, as otherwise would apply to the subject property in the Office Research District set forth in the Town of Wallkill Zoning Code, in furtherance of the purposes of and pursuant to New York State Town Law Section 278.

C. Notwithstanding the foregoing, should the property be developed in any manner that deviates from the approvals given by the Town Planning Board, as determined by the Town Building Inspector, the Chairman of the Town Planning Board or the Town Board, this Local Law may be repealed by the Town Board.

Section 5. **Separability**

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 6. **Repeal**

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 7. **Effective Date**

This Local Law shall take effect immediately upon filing in 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>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
APPOINTING PERSONS TO THE POSITION OF PART-TIME POLICE DISPATCHER**

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

WHEREAS, Lauren Nunez, Jessica Sanchez and Louis Almeida all fulfill the civil service requirements of knowledge, skills, and experience for the part-time Dispatcher positions; and

WHEREAS, the Town of Wallkill Police Department has a need for part-time Police Dispatchers 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 positions;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints **Lauren Nunez, Jessica Sanchez and Louis Almeida** to the position of part-time Dispatchers to serve in said capacity at the Town of Wallkill Police Department, effective as of July 23, 2018 provided that: 1) the Chief of Police approves said appointee following a final employment interview; 2) all background checks are satisfactorily completed; and 3) all appropriate documentation is submitted and accepted by the Orange County Department of Human Resources-Civil Service Department.

**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
APPOINTING PERSONS TO THE POSITION OF PART-TIME POLICE OFFICER**

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

WHEREAS, Nicole Dolan and Francisco M. Malave fulfill the civil service requirements of knowledge, skills, and experience for the part-time Police Officer positions; and

WHEREAS, the Town of Wallkill Police Department has a need for part-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 individuals are qualified to fill said positions;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby appoints **Nicole Dolan and Francisco M. Malave** to the position of part-time Police Officers to serve in said capacity at the Town of Wallkill Police Department; and be it further

RESOLVED, that said appointments shall be deemed effective as of July 9, 2018 and subject to the submission and acceptance of all appropriate documentation by the Orange County Department of Human Resources as well as receipt of satisfactory background checks.