

## Work Session Agenda

TOWN OF WALLKILL  
DATE: September 30,2020

Work Session  
TIME: 7:00 PM

- Topics:
  1. Budget Submittal
  2. Slatewood
  
- Announcements: NONE
  
- Resolutions:
  1. Resolution Of the Town Board Of The Town Of Wallkill Adopting Local Law No. \_\_\_\_\_ Of 2020 Amending The Town's Zoning Map and Issuing A Negative Declaration And Findings In Accordance With Seqra
  2. Resolution Of The Town Board Of The Town Of Wallkill Authorizing The Supervisor To Execute A Permanent Easement Agreement With Homeland Towers,LLC
  3. Resolution Of The Town Board Of The Town Of Wallkill Authorizing The Transfer Of Funds
  
- Executive Session:
  
- Motion to Adjourn:

Resolution No. : \_\_\_ of 2020

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
ADOPTING LOCAL LAW NO. \_\_ OF 2020 AMENDING THE TOWN'S ZONING MAP  
AND ISSUING A NEGATIVE DECLARATION AND FINDINGS IN ACCORDANCE  
WITH SEQRA**

**WHEREAS**, the Town Board of the Town of Wallkill wishes to adopt a local law for 2020 amending Chapter 249 of the Town Code, to designate certain real property located at County Route 67 (Tax Map #'s 78-1-52.12) within the Town as an R-AH floating zone pursuant to the Petition of Warwick Properties, Inc.; 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 an Unlisted 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

**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 August 19, 2020 from the Orange County Department of Planning recommending approval of the proposed zoning change; 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; and

**WHEREAS**, the Town Board held a public hearing on July 23, 2020, to review the proposed local law for the year 2020; and

Resolution No. : \_\_\_ of 2020

**WHEREAS**, the Town Board has reviewed the comments made at the public hearing on the proposed local law; and

**WHEREAS**, the Town Board previously reviewed the Short EAF 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 Short EAF, the comments received on the 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 the 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. \_\_\_ of 2020, which modifies Chapter 249 of the Town Code as set forth in the proposed local law, to designate the property located at County Route 67 (Tax Map #'s 78-1-52.12) within the Town as an R-AH floating 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 if required.

**THE TOWN OF WALLKILL  
TOWN BOARD**

**ROLL CALL VOTE**

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By  
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Date of Adoption

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<i>Councilman</i> <b>Mr. Meyer</b>				
<i>Councilman</i> <b>Mr. Johnson</b>				
<i>Supervisor</i> <b>Mr. DenDanto III</b>				
<b>TOTAL</b>				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
AUTHORIZING THE SUPERVISOR TO EXECUTE A PERMANENT EASEMENT  
AGREEMENT WITH HOMELAND TOWERS, LLC**

**WHEREAS**, in or about 2017, the Town of Wallkill entered into a ground lease with Homeland Towers, LLC (“Homeland”) with respect to a portion of the Town-owned property located at 351 Conners Road, Tax Map # 24-1-7.1 for the purpose of permitting Homeland to erect a cellular communications tower; and

**WHEREAS**, Homeland has requested that the Town convert the subject lease into a permanent easement agreement in exchange for a payment of \$475,000.00; and

**WHEREAS**, it is the opinion of the Town Board that it is in the best interest of the residents of the Town to enter into such a permanent easement agreement with Homeland due to the economic benefits to the Town as well as to ensure the availability of continued enhanced cellular phone communication services within the Town.

**NOW, THEREFORE, LET IT BE HEREBY**

**RESOLVED**, that pursuant to the provisions of Section 64, Subdivision 2 of the Town Law of the State of New York, the Town Board hereby authorizes and directs the Town Supervisor, or his designee, to execute a permanent easement agreement with Homeland Towers for the current lease area located at 351 Conners Road, Tax Map # 24-1-7.1 within the Town in consideration of the amount of \$475,000.00, which price is not less than its fair market value, and to execute any and all documents to effectuate the intent of this Resolution, subject to the approval of the Town Attorney; and it further

**RESOLVED**, that this resolution is adopted subject to a permissive referendum and that the Town Clerk is directed to publish and post the notice of adoption of this resolution in accordance with Article 7 of the Town Law.

Resolution No. :\_of 2020

**THE TOWN OF WALLKILL  
TOWN BOARD**

**ROLL CALL VOTE**

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<i>Councilman</i> <b>Mr. Johnson</b>				
<i>Supervisor</i> <b>Mr. DenDanto</b>				
<b>TOTAL</b>				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
AUTHORIZING THE TRANSFER OF FUNDS**

**IT IS HEREBY RESOLVED**, that the Town Board hereby authorizes and directs the Town Comptroller to transfer funds with respect to the 2020 Town Budget as follows:

1)

From:	DA5130.41	Highway Machinery Repair	\$3,252.00	
To:	DA5142.467	Highway Snow Plow Blades		\$3,252.00

This will transfer funds to purchase snow plow parts for new Highway trucks.

Resolution No. :\_of 2020

**THE TOWN OF WALLKILL  
TOWN BOARD**

**ROLL CALL VOTE**

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