

TOWN BOARD MEETING AGENDA

TOWN OF WALLKILL
DATE: June 12, 2014

TOWN BOARD MEETING
TIME: 7:30 PM

7:25 Public Hearing regarding no Parking in Prosperous Valley Rd. in the area of Jay's Lake

1. PUBLIC PARTICIPATION ON AGENDA ITEMS BELOW ONLY (3 MINUTES EACH INDIVIDUAL)
2. CORRESPONDENCE:
3. RESOLUTIONS:

Resolutions

- 1.) Resolution authorizing the Commissioner of Public Works to advertise for bids for the Wallkill Consolidated Water District Water System Modernization, General Construction contract and electrical construction contract.
- 2.) Resolution authorizing the acceptance of a stormwater drainage easement agreement for 253 and 256 Route 211 East within the Town,
- 3.) Resolution authorizing the Town Supervisor to execute an agreement with Orange and Rockland Utilities with regard to the municipal street light portal program.
- 4.) Resolution authorizing the commissioner of public works to advertise for bids for the Wallkill Consolidated water district water system modernization, general construction contract and electrical construction contract.
- 5.) Resolution authorizing the Town Supervisor to execute an agreement for the lease of postage equipment.
- 6.) Resolution authorizing the Supervisor to execute a contract modification agreement with the New York State Division of Homeland Security with Emergency Services.
- 7.) Resolution authorizing the transfer of surplus highway funds to the highway operating budget for partial payment of the 2013 Highway Equipment bond anticipation note.
- 8.) Resolution authorizing the demand upon a performance bond posted with the Town by CMC Construction Group, Inc. and accepting the notice of incomplete items by the Town's consulting engineers with respect to the Town Salt Storage Shed project.
- 9.) Resolution authorizing the Town Supervisor to execute license agreements with respect to the Gordon Road Box Culvert Replacement Project.
- 10.) Resolution authorizing the Town Supervisor to execute an amendment to agreement for the lease of copying equipment.
- 11.) Resolution authorizing the Town Supervisor to enter into an agreement for the design and construction of the 211 Sidewalk Project.
- 12.) Resolution authorizing the acceptance of a sewer line easement and offer a cession agreement for property on Tower Drive within the Town.
- 13.) Resolution adopting local law No. 7 of 2014 amending the Town code of the Town of Wallkill to establish a no parking area on Prosperous Valley Rd. in the vicinity of Jay's Lake.
- 14.) Resolution adopting local law No.6 of 2014 amending the Town Code of the Town of Wallkill to establish stop intersections at 1.0 Loch Invar Lane and Edinburgh Road; and 2.) Dundee Circle and Edinburgh Rd.
- 15.) Resolution of the Town Board of the Town of Wallkill authorizing the disposition of surplus property.
- 16.) Resolution scheduling time and place for a public hearing with respect to amending Chapter 249 of the Town Code-Zoning.
- 17.) Resolution authorizing the Town Supervisor to execute a letter of intent for the sale of Town Property.
- 18.) Resolution appointing persons to the position of part-time police dispatcher.
- 19.) Resolution approving Water District Bond
- 20.) Resolution approving Sewer District Bond

4. COMMITTEE REPORTS:
5. COUNCILMAN'S COMMENTS
6. SUPERVISOR'S COMMENTS:
7. TOWN CLERKS COMMENTS:
8. COMMISSIONERS/POLICE CHEIF REPORTS:
9. PUBLIC PARTICIPATION (5 MINUTES EACH INDIVIDUAL)
10. MOTION TO ADJOURN.

Lacey Pirog

From: Judy Goldberg <jgoldberg711@yahoo.com>
Sent: Monday, June 09, 2014 4:12 PM
To: Lacey Pirog
Subject: Duckling Rescue
Attachments: ducklingrescue.MOV; mecfd1.jpg; mecfd2.jpg; mecfd3.jpg

TBM
corp.

Hi Lacey,

It was so nice to meet you today! So here's the story of the duckling rescue...

When I arrived at Planet Fitness in Middletown this morning I noticed a duck at the end of the parking lot, quacking and pacing back and forth. I'm a real animal lover, so much so that I don't eat them. When I saw the duck was still over there quacking when I left the gym over an hour later, I went to investigate and to my great dismay I saw a few ducklings down at the bottom of a storm drain! I tried to get the cover off the drain to climb down and rescue them, but needless to say that thing would not budge. I went in to inform the staff at Planet Fitness, but some other good samaritan had beat me to it and just then the Mechanicstown Fire Department arrived!

These three gentlemen battled that drain cover for probably 15 minutes with pry bars and sledge hammers before they could remove it. By this time mama duck was circling overhead quacking loudly, surely distressed.

One firefighter climbed down the drain while another lowered a nylon bag on a rope to him. He placed the ducklings (9 or 10) in the bag and they pulled them up and let them loose on the lawn, where mama joined them and led them down the hill.

This experience MADE MY DAY and I want to let the town know how appreciative I am of what these gentlemen accomplished. In addition they were kind enough to let me watch and take some photos.

Please pass my gratitude on to Dan. Feel free to contact me if you have any questions.

Thank you!
Judy Goldberg (Mrs. Mark Goldberg haha)
845-800-1248







**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> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ADVERTISE FOR
BIDS FOR THE WALLKILL CONSOLATED WATER DISTRICT
WATER SYSTEM MODERNIZATION, GENERAL CONSTRUCTION CONTRACT
AND ELECTRICAL CONSTRUCTION CONTRACT**

WHEREAS, the Town Engineers, KC Engineering and Land Surveying, P.C. have prepared Plans and Specifications for the Wallkill Consolated Water District Water System Modernization, General Construction Contract and Electrical Construction Contract; and

WHEREAS, it is necessary to solicit bids for the project in order to insure that the Town selects the lowest responsible bidder in accordance with New York State law,

NOW, THEREFORE, LET IT BE HEREBY

RESOLVED, as follows:

1. That the Town Board hereby authorizes and directs the Commissioner of Public Works to solicit bids from vendors to furnish all labor, equipment and materials necessary to complete the Wallkill Consolated Water District Water System Modernization, General Construction Contract and Electrical Construction Contract;
2. Such bids shall be opened on or around Augsut 14, 2014 at 11:00 AM at the Town Hall;
3. The Commissioner of Public Works shall thereafter report back to the Town Board with the results of said bids.

**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> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE ACCEPTANCE OF A STORMWATER DRAINAGE EASEMENT
AGREEMENT FOR 253 AND 256 ROUTE 211 EAST WITHIN THE TOWN**

WHEREAS, 281 Route 211 East, LLC and 253 Route 211 East, LLC (“Grantors”) own certain parcels of land on Route 211 East within the Town known as SBL 50-1-24 and 50-1-23.2 and

WHEREAS, Grantors obtained site plan approval from the Town of Wallkill Planning Board on March 5, 2014 to develop a shopping plaza, which required the Grantors to convey a stormwater drainage easement to the Town; and

WHEREAS, Grantors have proposed an easement agreement to provide the Town with future access to the aforesaid properties for Town purposes, including but not limited to, installation, maintenance and operation of certain stormwater control devices, including pipelines, to be used for the collection and drainage of storm water through such devices; and

WHEREAS, the Town’s acceptance of the proposed easement agreement is in the best interest of the Town, its citizens, and the public, health, safety and welfare of the same;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town Board of the Town of Wallkill accepts the easement agreement proposed by 281 Route 211 East, LLC and 253 Route 211 East, LLC and authorizes the Town Supervisor, or his designee, to execute any necessary documents associated with the same, provided the final version of the aforementioned Stormwater Drainage Easement Agreement is acceptable in form and content to the Town’s Consulting Engineers and Town Attorney.

**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> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE AN AGREEMENT WITH
ORANGE AND ROCKLAND UTILITIES, INC. WITH REGARD TO THE MUNICIPAL
STREET LIGHT PORTAL PROGRAM**

WHEREAS, Orange & Rockland Utilities, Inc. ("O&R") has developed and implemented a Municipal Street Light Portal that will permit electronic communication between O&R and the Town regarding street light related matters, including, but not limited to, the reporting of outages, making changes to existing lights and requesting new lights; and

WHEREAS, the Town Board has determined that it is in the best interests of the Town to enter into an Agreement with O&R with respect to the Municipal Street Light Portal Program,

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board hereby authorizes the Supervisor, or his designee, to execute and deliver an Agreement with Orange & Rockland Utilities, Inc. with respect to the Municipal Street Light Portal Program, subject to the approval of said Agreement in form and content by the Town Attorney.

**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> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE AN AGREEMENT FOR
THE LEASE OF POSTAGE EQUIPMENT**

WHEREAS, the Town of Wallkill is presently in need of a revised postage equipment lease agreement; and

WHEREAS, Pitney Bowes has made a proposal to provide the Town with enhanced equipment and services from those that are presently provided to the Town at a cost of \$395.81 per month; and

WHEREAS, Town Board has determined that it is in the overall best interests of the residents of the Town to enter into the aforesaid lease agreement with Pitney Bowes,

NOW THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor to execute a lease agreement with Pitney Bowes for the Town's postage equipment needs pursuant to the annexed proposal for a sixty (60) month period, subject to review and approval by the Town Attorney.

**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> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT MODIFICATION
AGREEMENT WITH THE NEW YORK STATE DIVISION OF HOMELAND
SECURITY AND EMERGENCY SERVICES**

WHEREAS, the Town Board of the Town of Wallkill, previously entered into a contract with the New York State Division Of Homeland Security And Emergency Services to receive grant funds through FEMA for the preparation of the Town's Hazard Mitigation Plan Update; and

WHEREAS, the grant period of performance expired on October 30, 2013 but FEMA has approved an extension of said grant period to June 30, 2014; and

WHEREAS, in order to effectuate the grant period extension, it is necessary to enter into a Contract Modification Agreement;

WHEREAS, the Town Board has determined that it is in the best interest of the citizens of the Town to authorize the Supervisor to execute the Contract Modification Agreement,

NOW THEREFORE, IT IS HEREBY

RESOLVED, that the Town Supervisor is hereby authorized and submit the Contract Modification Agreement with the New York State Division Of Homeland Security And Emergency Services with respect to the Town's Hazard Mitigation Plan Update grant through FEMA, subject to the approval of said Contract Modification Agreement in form and content by the Town Attorney.

**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> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE TRANSFER OF SURPLUS HIGHWAY FUNDS TO THE
HIGHWAY OPERATING BUDGET FOR PARTIAL PAYMENT OF THE 2013
HIGHWAY EQUIPMENT BOND ANTICIPATION NOTE**

WHEREAS, the Town Board wishes to make a payment in the amount of \$134,000.00 towards reducing the amount of the 2013 Bond Anticipation Note ("BAN") issued for the purchase of Highway Department equipment; and

WHEREAS, there are sufficient funds in the 2014 Town Highway Budget surplus to make said payment; and

WHEREAS, it is the opinion of the Town Board that it is in the best interests of the Town residents to utilize available surplus funds to make the aforesaid BAN payment,

NOW, THEREFORE, LET IT BE HEREBY

RESOLVED, that the Town Board hereby authorizes and directs the appropriate Town Officials to make a payment towards reducing the balance of the 2013 BAN issued for the purchase of Highway Department equipment in an amount not to exceed \$134,000.00 by transferring said sum from the Town Highway Surplus Fund to the Town Highway Department Operating Budget.

**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> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE DEMAND UPON A PERFORMANCE BOND POSTED WITH
THE TOWN BY CMC CONSTRUCTION GROUP, INC. AND ACCEPTING THE
NOTICE OF INCOMPLETE ITEMS BY THE TOWN'S CONSULTING ENGINEERS
WITH RESPECT TO THE TOWN SALT STORAGE SHED PROJECT**

WHEREAS, CMC Construction Group, Inc. ("CMC") posted with the Town of Wallkill Performance Bond # B10 015 536 issued by Aegis Security Insurance Company in the amount of \$568,075.00 for the construction of a salt storage shed on the grounds of the Town Highway Department; and

WHEREAS, to date, neither CMC, nor any person or entity acting on its behalf, have completed the project to the satisfaction of the Town Board and McGoey, Hauser & Edsall Consulting Engineers, P.C. ("MHE") as evidenced by a letter dated May 5, 2014 from MHE; and

WHEREAS, certain subcontractors of CMC have reported to the Town that they have not been paid for services rendered in connection with the salt barn project and other subcontractors have filed mechanics' liens against Town property as a result of CMC's failure to make payment to them; and

WHEREAS, CMC has failed to cure the deficiencies noted above despite due demand from the Town and despite assurances that all steps would be taken by CMC to cure said deficiencies; and

WHEREAS, the Town Board of the Town of Wallkill has determined that it is necessary and in the best interests of the Town to make demand upon the aforementioned Bond to **finalize** the salt barn project,

Resolution No. : _ of 2014

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Town Board of the Town of Wallkill authorizes the Town Supervisor, or his authorized designee, and the Town Attorneys, Blustein, Shapiro, Rich & Barone, LLP, to make demand and commence all legal proceedings necessary upon Performance Bond # # B10 015 536 issued by Aegis Security Insurance Company in an amount not to exceed \$568,075.00, LLC with regard to the salt barn project; and
2. The Town Board authorizes the Town Supervisor, or his authorized designee, to execute any necessary documents associated with the making of such a demand and commencement of necessary legal proceedings, subject to the review and approval of the same by the Town Attorney; and
3. The Town Board further accepts and endorses the letter of incomplete work prepared by McGoey, Hauser & Edsall Consulting Engineer's P.C.; and
4. The Town Board hereby states and affirms that the aforementioned salt barn project has not been completed to date.

**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> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE LICENSE AGREEMENTS
WITH RESPECT TO THE GORDON ROAD BOX CULVERT REPLACEMENT
PROJECT**

WHEREAS, The Town of Wallkill is preparing to undertake a project to install an Aluminum Metal Box Culvert, to replace a culvert that was destroyed on Gordon Road during hurricane Irene ("The Culvert Project"); and

WHEREAS, the project requires the Town and its contractors to perform field work at 25 Gordon Road, Middletown, New York, Tax Map No. 12-1-2.2 and 453 Lybolt Road, Middletown, New York, Tax Map No. 12-1-2.31; and

WHEREAS, the owners of the aforesaid properties have agreed to permit The Town to enter onto said properties to perform all work necessary to complete The Culvert Project; and

WHEREAS, in the interest of public safety, the Town is willing to enter into License Agreements with the property owners to effectuate completion of The Culvert Project,

NOW THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor to execute License Agreements with the owners of the properties located at 25 Gordon Road, Middletown, New York, Tax Map No. 12-1-2.2 and 453 Lybolt Road, Middletown, New York, Tax Map No. 12-1-2.31, which Agreements shall be subject to review and approval by the Town Attorney.

Resolution No. :_of 2014

**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> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE AN AMENDMENT TO
AGREEMENT FOR THE LEASE OF COPYING EQUIPMENT**

WHEREAS, the Town of Wallkill is presently in need of an upgraded copy machine at the Town Highway Garage; and

WHEREAS, Bell Copiers has made a proposal to provide the Town with an upgraded copier at a cost of \$\$169.00 per month; and

WHEREAS, Town Board has determined that it is in the overall best interests of the residents of the Town to enter into the aforesaid agreement with Bell Copiers,

NOW THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor to execute an amendment to the existing lease agreement with Bell Copiers for an upgraded copier at the Town Highway Garage pursuant to the annexed proposal for a sixty three (63) month period, subject to review and approval by the Town Attorney.

**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> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE TOWN SUPERVISOR TO ENTER INTO AN AGREEMENT FOR
THE DESIGN AND CONSTRUCTION OF THE 211 SIDEWALK PROJECT**

WHEREAS, the Town Board of the Town of Wallkill is in need of professional engineering consulting services for the design and construction of the NYS Route 211 sidewalk project to be funded through previously approved grants; and

WHEREAS, HVEA Engineers of Beacon, New York has submitted a proposal to perform the aforesaid engineering planning services; and

WHEREAS, the Town Board of the Town of Wallkill believes it is in the best interests of the residents of the Town of Wallkill to accept said proposal and enter into a contract for consulting services with HVEA Engineers of Beacon, New York,

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby authorizes the Town Supervisor execute and deliver the Design and Construction Consulting Agreement relating to the NYS Route 211 Sidewalk Project between the Town of Wallkill and HVEA Engineers of Beacon, New York, subject to review and approval by the Town Attorney.

**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> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE ACCEPTANCE OF A SEWER LINE EASEMENT AND OFFER
OF CESSION AGREEMENT FOR PROPERTY ON TOWER DRIVE WITHIN THE
TOWN**

WHEREAS, JEGG Realty ("Grantor") own certain parcels of land on Tower Drive and Route 211 East within the Town known as SBL 41-1-39.4, 41-1-39.52, 41-1-124, 41-1-125, 41-1-39.11 and 41-1-39.32 and

WHEREAS, Grantor obtained site plan approval from the Town of Wallkill Planning Board to develop its property, which required the Grantors to convey a sewer line easement and emergency vehicle access to the Town; and

WHEREAS, Grantor has proposed a Sewer Line Easement agreement and a Declaration of Covenants, Easements and Irrevocable Offer of Cession to the Town with future access to the aforesaid properties for Town purposes, including but not limited to, installation, maintenance and operation of certain sewer lines, including pipelines, as well as emergency vehicle access; and

WHEREAS, the Town's acceptance of the proposed easement agreement is in the best interest of the Town, its citizens, and the public, health, safety and welfare of the same;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town Board of the Town of Wallkill accepts the Sewer Line Easement agreement and a Declaration of Covenants, Easements and Irrevocable Offer of Cession proposed by JEGG Realty and authorizes the Town Supervisor, or his designee, to execute any necessary documents associated with the same, provided the final version of the aforementioned Agreements are acceptable in form and content to the Town's Consulting Engineers and Town Attorney.

**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> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE WALLKILL TOWN BOARD ADOPTING LOCAL LAW NO. 7
OF 2014 AMENDING THE TOWN CODE OF THE TOWN OF WALLKILL TO
ESTABLISH A NO PARKING AREA ON PROSPEROUS VALLEY ROAD IN THE
VICINITY OF JAY'S LAKE**

WHEREAS, Chapter 233-7 of the Town Code of the Town of Wallkill regulates "no parking" areas in the Town of Wallkill; and

WHEREAS, a public hearing was held on June 26, 2014 at 7:25 p.m. to assist in the Town's consideration of the need to establish a no parking area on Prosperous Valley Road in the vicinity of Jay's Lake; and

WHEREAS, the Town Board of the Town of Wallkill has determined that establishing the aforesaid no parking area is in the best interest of the general public safety and welfare; and

WHEREAS, this action is not an action subject to review under the State Environmental Quality Review Act ("SEQRA") pursuant to Part 617.5(c)(16) and (27) of the regulations implementing SEQRA;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby adopts said Local Law No. 7 of 2014, entitled "A LOCAL LAW AMENDING CHAPTER 233, SECTION 7 OF THE TOWN CODE OF THE TOWN OF WALLKILL, NEW YORK, DESIGNATING NO PARKING AREAS ON PROSPEROUS VALLEY ROAD IN THE TOWN OF WALLKILL", a copy of which is attached hereto and made a part of this

Resolution No. :_of 2014

resolution; and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Wallkill and to give due notice of the adoption of said Local Law to the Secretary of State of New York; and be it further

RESOLVED, that upon the effective date of this Local Law, the Commissioner of Public Works/Superintendent of Highways is hereby directed to install all appropriate signage to effectuate the intent of this Local Law.

TOWN OF WALLKILL

LOCAL LAW NO. 7 OF 2014

**A LOCAL LAW AMENDING CHAPTER 233, SECTION 7
OF THE TOWN CODE OF THE TOWN OF WALLKILL, NEW YORK,
DESIGNATING NO PARKING AREAS ON PROSPEROUS VALLEY ROAD
IN THE TOWN OF WALLKILL**

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

Section 1. This Local Law is enacted pursuant to Section 1660 of the NYS Vehicle and Traffic Law for the purpose of effecting public safety on Prosperous Valley Road.

The Town of Wallkill Code **Chapter 233. VEHICLES AND TRAFFIC.**
Section 233-7. Parking Prohibited Certain Locations shall be and hereby is amended by this Local Law as follows:

Amend reference to Prosperous Valley Road to read as follows:

STREET	SIDE	LOCATION
Prosperous Valley Road	Both	From a point 1,000 feet westerly from Bloomingburg Road (County Road No. 76) to a point 2,000 feet from said Bloomingburg Road in the area known as Jay's Lake

Section 2. 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 3. Repeal

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

Section 4. 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>Supervisor</i> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE WALLKILL TOWN BOARD ADOPTING LOCAL LAW NO. 6
OF 2014 AMENDING THE TOWN CODE OF THE TOWN OF WALLKILL TO
ESTABLISH STOP INTERSECTIONS AT 1) LOCH INVAR LANE AND EDINBURGH
ROAD; AND 2) DUNDEE CIRCLE AND EDINBURGH ROAD**

WHEREAS, Chapter 233-4 of the Town Code of the Town of Wallkill regulates stop intersections in the Town of Wallkill; and

WHEREAS, a public hearing was held on June 12, 2014 at 7:25 p.m. to assist in the Town's consideration of the need to establish stop intersections at the intersections of: 1) Loch Invar Lane and Edinburgh Road; and 2) Dundee Circle and Edinburgh Road; and

WHEREAS, the Town Board of the Town of Wallkill has determined that establishing the aforesaid stop intersections is in the best interest of the general public safety and welfare; and

WHEREAS, this action is not an action subject to review under the State Environmental Quality Review Act ("SEQRA") pursuant to Part 617.5(c)(16) and (27) of the regulations implementing SEQRA;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby adopts said Local Law No. 6 of 2014, entitled "A LOCAL LAW AMENDING CHAPTER 233, SECTION 4 OF THE TOWN CODE OF THE TOWN OF WALLKILL, NEW YORK, DESIGNATING THE INTERSECTIONS OF: 1) LOCH INVAR LANE AND EDINBURGH ROAD; AND 2) DUNDEE CIRCLE AND EDINBURGH ROAD AS STOP INTERSECTIONS IN THE TOWN

Resolution No. :_of 2014

OF WALLKILL”, a copy of which is attached hereto and made a part of this resolution; and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Wallkill and to give due notice of the adoption of said Local Law to the Secretary of State of New York; and be it further

RESOLVED, that upon the effective date of this Local Law, the Commissioner of Public Works/Superintendent of Highways is hereby directed to install all appropriate signage to effectuate the intent of this Local Law.

Resolution No. :_of 2014

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. 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 hereby determines that the aforementioned proposed amendments to the Town Code are actions subject to SEQRA regulations; and
2. The Town Board preliminarily classifies the aforementioned actions as Type I, pursuant to § 617.4 of the SEQRA regulations; and
3. The Town Board determines that it is, and will be, the Lead Agency with respect to the consideration, review, and determination of significance of the proposed zoning changes pursuant to SEQRA regulations, because there are no other involved agencies at this juncture; and
4. The Town Clerk is directed to notify all interested agencies of the Town Board’s Lead Agency Declaration in accordance with SEQRA regulations; and
5. The Town Clerk is directed to refer this matter to the Orange County Planning Department, pursuant to General Municipal Law Section 239-l and 239-m, for review and comment accompanied by the Notice of Public Hearing; and
6. The Town Clerk is directed to refer this matter to the Town Planning Board for proceedings consistent with Town Code Section 249-49; and
7. That the public hearing notice shall specify that any applications presently pending before the Town Board, Planning Board and/or Zoning Board of Appeals, which have not yet received final approval, shall be subject to any amendments to the Town Code which may be adopted as a result of said public hearing and further proceedings pursuant to applicable law; and it is further
8. That a public hearing be held by the Town Board on August 21, 2014 at 7:25 p.m. with respect to amending Chapter 249 of the Town Code; and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law, including Town Code Section 249-49(B).

TOWN OF WALLKILL

LOCAL LAW NO. 6 OF 2014

**A LOCAL LAW AMENDING CHAPTER 233, SECTION 4
OF THE TOWN CODE OF THE TOWN OF WALLKILL, NEW YORK,
DESIGNATING THE INTERSECTIONS OF:
1) LOCH INVAR LANE AND EDINBURGH ROAD; AND
2) DUNDEE CIRCLE AND EDINBURGH ROAD
AS STOP INTERSECTIONS IN THE TOWN OF WALLKILL**

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

Section 1. This Local Law is enacted pursuant to Section 1660 of the NYS Vehicle and Traffic Law for the purpose of effecting public safety at the intersection of Edinburgh Road and Loch Invar Lane and Edinburgh Road and Dundee Circle.

The Town of Wallkill Code **Chapter 233. VEHICLES AND TRAFFIC.**
Section 233-4. Stop Intersections shall be and hereby is amended by this Local Law as follows:

Add to the list of enumerated locations the following text:

Stop Sign on	Direction of Travel	At Intersection of
Loch Invar Lane	Easterly	Edinburgh Road
Dundee Circle	Westerly	Edinburgh Road
Edinburgh Rd	Both	Loch Invar Lane
Edinburgh Rd	Both	Dundee Circle

Section 2. 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 3. Repeal

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

Section 4. 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.

ROLL CALL VOTE

**THE TOWN OF WALLKILL
TOWN BOARD**

Names	Ayes	Noes	Abstain	Absent
<i>Supervisor</i> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

The following was presented

By _____

Sec'd by _____

Date of Adoption _____

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE DISPOSITION OF SURPLUS PROPERTY**

WHEREAS, the Town of Wallkill has acquired certain vehicles which have been designated by the Town Police Department as impounded and unclaimed; and

WHEREAS, diligent efforts were made to locate the vehicle owners in order to have said vehicles retrieved from impoundment with no success; and

WHEREAS, said vehicles do not serve any Town purpose; and

WHEREAS, it is no longer necessary for the Town of Wallkill to retain said vehicles, thus making them surplus property; and

WHEREAS, it is the desire of the Town Board of the Town of Wallkill to dispose of said vehicles;

NOW THEREFORE, IT IS HEREBY

RESOLVED, that the Town Board of the Town of Wallkill hereby declares that the vehicles described in Schedule "A" annexed hereto be classified as surplus property and either be sold via Auctions International or other reputable auction company, destroyed or otherwise disposed of in a manner deemed appropriate by the Commissioner of Public Works.

Resolution No. :_of 2014

SCHEDULE A
DISPOSITION OF SURPLUS PROPERTY

Plate Number	Year	Make	Model	Body	Color	VIN #
54YS89	2002	Honda	TRX 400 EX	ATV	Red	478TE230X24217355
	2001	Honda	HR100r	Dirt Bike		JH2HE03041K013167
n/a	2004	Yamaha	Banshee	ATV	Black	3GG-246824
n/a	1972	Suzuki	125	Dirt bike	Yellow	n/a
n/a	2000	Honda	70	Dirt bike	Red	n/a

**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> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
SCHEDULING TIME AND PLACE FOR A PUBLIC HEARING WITH RESPECT TO
AMENDING CHAPTER 249 OF THE TOWN CODE-ZONING**

WHEREAS, the Town Board of the Town of Wallkill wishes to amend certain sections of Chapter 249 of the Town Code to 1) require that all real property taxes be current on those parcels which are the subject of Planning Board or Zoning Board of Appeals applications; 2) extend the validity period of variances from six to twelve months with a permissible six month extension without the need for a public hearing; 3) extend the validity period of site plans without the need for a public hearing; 4) increase the size of sheds from 120 to 144 square feet in certain zones without the need for a permit; 5) increase the size of accessory structures, including barns, in the RA Zone without the need for a permit and setting forth appropriate setbacks for such structures; 6) establish limits on clear cutting without a permit; and 6) such other changes to the Chapter 249 of Town Code as deemed appropriate and specified in the Notice of Public Hearing to be published in accordance with this Resolution, including those which may assist in the continued economic development of the Town; and

WHEREAS, the Town Board wishes to schedule a public hearing for September 25, 2014 at 7:25 pm to consider the adoption of the foregoing proposed amendments to the Town Code and to consider the potential adverse environmental impacts of the same; and

WHEREAS, the Town Board of the Town of Wallkill hereby initially determines that the aforementioned proposed amendments to the Town Code are Type I actions subject to SEQRA regulations and determines that it will be the Lead Agency with respect to the consideration, review, and determination of significance of the proposed zoning changes pursuant to SEQRA regulations,

Resolution No. :_of 2014

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. 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 hereby determines that the aforementioned proposed amendments to the Town Code are actions subject to SEQRA regulations; and
2. The Town Board preliminarily classifies the aforementioned actions as Type I, pursuant to § 617.4 of the SEQRA regulations; and
3. The Town Board determines that it is, and will be, the Lead Agency with respect to the consideration, review, and determination of significance of the proposed zoning changes pursuant to SEQRA regulations, because there are no other involved agencies at this juncture; and
4. The Town Clerk is directed to notify all interested agencies of the Town Board’s Lead Agency Declaration in accordance with SEQRA regulations; and
5. The Town Clerk is directed to refer this matter to the Orange County Planning Department, pursuant to General Municipal Law Section 239-1 and 239-m, for review and comment accompanied by the Notice of Public Hearing; and
6. The Town Clerk is directed to refer this matter to the Town Planning Board for proceedings consistent with Town Code Section 249-49; and
7. That the public hearing notice shall specify that any applications presently pending before the Town Board, Planning Board and/or Zoning Board of Appeals, which have not yet received final approval, shall be subject to any amendments to the Town Code which may be adopted as a result of said public hearing and further proceedings pursuant to applicable law; and it is further
8. That a public hearing be held by the Town Board on September 25, 2014 at 7:25 p.m. with respect to amending Chapter 249 of the Town Code; and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law, including Town Code Section 249-49(B).

**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> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL
AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE A LETTER OF INTENT
FOR THE SALE OF TOWN PROPERTY**

WHEREAS, the Town Board of the Town of Wallkill has determined that the former Town Hall property it currently owns on Route 211 East, also known as Section 14, Block 1, Lot 60, no longer serves the needs of the Town; and

WHEREAS, the Town is presently in negotiations with a prospective purchaser to sell the aforesaid property; and

WHEREAS, the Town Board wishes to authorize the Supervisor to execute a Letter of Intent to enter into a contract of sale for the property for adequate consideration provided that the initial terms are acceptable to the Town Board,

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to execute a Letter of Intent to sell the former Town Hall property on Route 211 East, also known as Section 14, Block 1, Lot 60 following the completion of initial negotiations.

**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> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
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, Peter Graziano and Christine Kohlberger 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 **Peter Graziano and Christine Kohlberger** to the positions of part-time Dispatcher to serve in said capacity at the Town of Wallkill Police Department, provided that: 1) the Chief of Police approves said appointees 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.

WHEREAS, such increase and improvement proposed for such Water District consists of modernizing the water system, including the acquisition and installation of water system equipment, including water system monitoring and control equipment, climate control equipment and pump station interior renovations and pump equipment, for the Consolidated Water District, at an estimated maximum cost of \$2,800,000, including incidental expenses in connection therewith; and

WHEREAS, the maximum amount proposed to be expended for said improvements is \$2,800,000, 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 Water District; 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 May 22, 2014, 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 \$2,800,000, 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 June 12, 2014, at _____ 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 _____, 2014, and a copy of such order was posted on _____, 2014, 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 Wallkill, 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 improve the facilities of the Consolidated Water District in the Town of Wallkill, Orange County, New York, consisting of modernizing the water system, including the acquisition and installation of water system equipment, including water system monitoring and control equipment, climate control equipment and pump station interior renovations and pump equipment, at a maximum estimated cost of \$2,800,000.

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 June 26, 2014, 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 June ____, 2014.

Town Clerk

(SEAL)

Resolution No. _____ of 2014

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE				
-----------------------	--	--	--	--

The following was presented

By _____

Sec'd by _____

Date of Adoption June 26, 2014

Names	Ayes	Noes	Abstain	Absent
<i>Supervisor</i> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,800,000 BONDS OF THE TOWN OF WALLKILL, ORANGE COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE CONSOLIDATED WATER DISTRICT IN AND FOR SAID TOWN.

BOND RESOLUTION DATED JUNE 26, 2014.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,800,000 BONDS OF THE TOWN OF WALLKILL, ORANGE COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE CONSOLIDATED 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 Consolidated Water District in the Town of Wallkill, Orange County, New York, consisting of modernizing the water system, including the acquisition and installation of water system equipment, including water system monitoring and control equipment, climate control equipment and pump station interior renovations and pump equipment, including incidental expenses in connection therewith, there are hereby authorized to be issued \$2,800,000 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 \$2,800,000, and that the plan for the financing of the aforesaid class of objects or purposes is by the issuance of the \$2,800,000 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 Wallkill, 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 Consolidated 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 Wallkill, 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 Walkill, 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 June 26, 2014, 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:

<u>Newspaper and/or other news media</u>	<u>Date given</u>
------------------------------------------	-------------------

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 June ____, 2014

Town Clerk

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 the June 26, 2014 at 7:30 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 Consolidated Sewer
District in the Town of Wallkill,
Orange County, New York

PUBLIC INTEREST ORDER

WHEREAS, the Town Board of the Town of Wallkill, Orange County, New York, has duly caused to be prepared a plan and an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Consolidated Sewer District of said Town, 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 increase and improvement proposed for such Sewer District consists of the acquisition and installation of a bar screen and related improvements to the Wastewater Treatment Plant for the Sewer District, at an estimated maximum cost of \$1,100,000, including incidental expenses in connection therewith; and

WHEREAS, the maximum amount proposed to be expended for said improvements is \$1,100,000, which amount shall be allocated and charged as the cost of increasing and improving the facilities of the Consolidated Sewer District and shall be borne by the Sewer District; 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 May 22, 2014, 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 Sewer District in said Town at an maximum estimated cost of \$1,100,000, 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 June 12, 2014, at 7:10 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 _____, 2014, and a copy of such order was posted on _____, 2014, on the signboard maintained by the Town Clerk of the Town of Wallkill, 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 improve the facilities of the Consolidated Sewer District in the Town of Walkill, Orange County, New York, consisting of the acquisition and installation of a bar screen and related improvements to the Wastewater Treatment Plant for the Consolidated Sewer District, including incidental expenses in connection therewith, at a maximum estimated cost of \$1,100,000.

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 Walkill, 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 June 26, 2014, 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 June ____, 2014.

Town Clerk

(SEAL)

Resolution No. _____ of 2014

**THE TOWN OF WALLKILL
TOWN BOARD**

ROLL CALL VOTE

The following was presented

By _____

Sec'd by _____

Date of Adoption June 26, 2014

Names	Ayes	Noes	Abstain	Absent
<i>Supervisor</i> Mr. Depew				
<i>Councilman</i> Mr. Carr				
<i>Councilman</i> Mr. Valentin				
<i>Councilman</i> Mr. Rotundo				
<i>Councilman</i> Mr. Tulp				
TOTAL				

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,100,000 BONDS OF THE TOWN OF WALLKILL, ORANGE COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE CONSOLIDATED SEWER DISTRICT IN AND FOR SAID TOWN.

BOND RESOLUTION DATED JUNE 26, 2014.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,100,000 BONDS OF THE TOWN OF WALLKILL, ORANGE COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE CONSOLIDATED SEWER 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 specific object or purpose of paying the cost of the increase and improvement of the facilities of the Consolidated Sewer District in the Town of Wallkill, Orange County, New York, consisting of the acquisition and installation of a bar screen and related improvements to the Wastewater Treatment Plant for the Sewer District, including incidental expenses in connection therewith, there are hereby authorized to be issued \$1,100,000 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 specific object or purpose is \$1,100,000, and that the plan for the financing of the aforesaid specific object or purpose is by the issuance of the \$1,100,000 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 specific object or purpose is thirty years, pursuant to subdivision four 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 not paid from the collection of assessments against benefited property in the Consolidated Sewer 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 Walkill, 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 June 26, 2014, 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 June ____, 2014.

Town Clerk