

Town Board Meeting Agenda

TOWN OF WALLKILL

TOWN BOARD MEETING

December 17,2020

TIME: 7:25 PM

Pledge of Allegiance

- Public Hearings:**
1. Water District Extension Petition-1089 Rte. 211
 2. Sewer District Extension Petition-1089 Rte. 211
 3. Local Law Amending Town Code-Electronic Signs

1. Public Participation-Agenda Items Only (3 minute limit per individual)

2. Resolutions:

- A) Resolution Extending Water District-1089 Route Rte. 211
- B) Resolution Extending Sewer District-1089 Route Rte. 211

3. Committee Reports/Councilmen Comments

4. Commissioners/Police Chief Reports

5. Town Clerk's Comments

6. Supervisor's Comments/Announcements

7. Public Comment (5 minute limit per individual)

8. Motion To Adjourn

At a meeting of the Town Board of the
Town of Wallkill, Orange County,
New York, held in said Town on the
17th day of December, 2020.

-----X

In the Matter

of

Petition to Extend Town of Wallkill Consolidated Water
District, in the Town of Wallkill, Orange County, New York

RESOLUTION AND
ORDER EXTENDING
DISTRICT PER TOWN
LAW ARTICLE 12

To Include Tax Map Section 44, Block 1, Lot 25.12
Known as 1089 Route 211 East, Middletown, New York

-----X

PRESENT: Frank DenDanto, III, Supervisor
Eric Johnson, Councilmember
Eric Valentine, Councilmember
Neil Meyer, Councilmember
Mark Coyne, Councilmember

WHEREAS, a petition along with a map, plan and report have been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Wallkill, relating to the extension of the existing Town of Wallkill Consolidated District (“Water District”) in said Town to include Tax Map Section 44, Block 1, Lot 25.12 known as 1089 Route 211 East, Middletown, New York; and

WHEREAS, such petition, map, plan and report have been duly filed in the Town Clerk’s Office in said Town; and

WHEREAS, said map, plan and said report were prepared by Lanc & Tully Engineering and Surveying, P.C., an engineering firm duly licensed by the State of New York, showing the

boundaries of the proposed extension of the district, a general plan of the said system and a report of the proposed method of operation; and

WHEREAS, an Order was duly adopted by the Town Board of the Town of Wallkill, on November 19, 2020, reciting the filing of said petition, map, plan and report, the improvements proposed, the boundaries of the proposed extension of the district, that no capital expenses nor borrowings would be necessary, the cost to the typical property owner included in the extension, the fact that the petition, map, plan and report describing the same are on file in the Town Clerk's Office for public inspection, and stating all other matters required by law to be stated, and specifying December 17, 2020 at 7:25 pm on that day, as the time via videoconference due to the coronavirus pandemic as the method by which the said Town Board would meet to consider such petition, map, plan and report, and to hear all persons interested in the subject thereof concerning the same, and to take such action thereon as is required or authorized by law; and

WHEREAS, such order was duly published and posted as required by law; and

WHEREAS, a hearing on said matter was duly held by said Town Board on December 17, 2020 at 7:25 pm on that day, via public video remote access and said hearing and full discussion of the matter having been had, and all persons desiring to be heard, having been duly heard, in support and/or opposition to the petition and after due consideration; and

WHEREAS, pursuant to said petition, it is the intention of the petitioner to construct the entirety of the water system improvements solely at its own expense; and

WHEREAS, permission of the State Comptroller to create such district is not required because the cost is not to be financed by bonds, notes or other evidence of indebtedness;

NOW, upon the evidence given upon such hearing, after due deliberation, and upon motion of Mr. _____, seconded by Mr. _____, it is hereby

RESOLVED, DETERMINED AND ORDERED:

- (a) That the petition has been signed and acknowledged as required by law, and is otherwise sufficient, and that the notice of hearing was published and posted as required by law;
- (b) That all property and property owners, within the proposed extension, are benefitted thereby;
- (c) That all the property and property owners benefitted are included within the limits of the proposed extension;
- (d) That it is in the public interest to extend said Consolidated Water District in the Town of Wallkill pursuant to the subject petition and accompanying map, plan and report;
- (e) That the action is an Unlisted Action, being fully discussed and analyzed in a Full Environmental Assessment Form (“EAF”) dated and accepted by the Town of Wallkill Planning Board, as lead agency, and in a Findings Statement adopted by the Town of Wallkill Planning Board on November 4, 2020 (the “Findings Statement”) both of which this Board have fully reviewed; and
- (f) That this Board hereby adopts the Findings Statement in its entirety as its own without comment, which Findings Statement is hereby incorporated by reference as if it is fully set forth herein, as well as their own SEQRA Findings incorporated below, determining that the proposed action will not have any significant adverse impacts on the environment and/or that any potential impacts will be avoided or have been sufficiently mitigated to the maximum extent practicable as provided for in the Findings Statement, specifically:

- With the incorporation of the mitigation measures in the Findings Statement, the potential environmental will be minimized to the maximum extent practicable; no significant adverse impacts are anticipated to the aquifer;
- Based upon the conditions established by the Town Planning Board and other mitigation measures as discussed in length in the Findings Statement, water supply, sanitary sewer, other utility and infrastructure impacts have been minimized to the maximum extent practicable;
- All other potential impacts, including, but not limited to, environmental impact(s) on any:
 - Unique or unusual land forms;
 - Water bodies designated as protected;
 - Non-protected existing or new bodies of water;
 - Surface groundwater quality or quantity;
 - Drainage flows or patterns or surface water runoff;
 - Air quality;
 - Threatened or endangered species;
 - Non-threatened or non-endangered species;
 - Agricultural land resources;
 - Aesthetic resources;
 - Structure or land of historic, pre-historic or paleontological importance;
 - Quantity or quality of existing or future open spaces of recreational opportunities;
 - Existing transportation systems;
 - Community's sources of fuel or energy;
 - Objectionable odors, noise or vibration;

- Public health and safety;
- Character of the existing community;

have been deliberated on by this Board, and this Board finds that based upon the mitigation measures contemplated in the Findings Statement, any potential adverse impacts will be avoided or have been minimized to the maximum extent practicable and/or no significant adverse impacts are anticipated unless noted in the Findings Statement and as further detailed therein; and it is

FURTHER RESOLVED, DETERMINED AND ORDERED, that the extension of the existing Town of Wallkill Consolidated Water District as set forth in said map, plan and report be approved; and such extension shall be bounded and described as set forth in Exhibit “A” annexed; and it is

FURTHER RESOLVED AND ORDERED, that the boundaries described are intended to include all property within said extended boundaries as shown in the map on file in the Town Clerk’s Office, and it is

FURTHER RESOLVED AND ORDERED, that this Resolution and Order is conditioned upon the Petitioner securing approval from the Orange County Department of Health to extend the water main and all appurtenances to the extension area; and it is

FURTHER RESOLVED AND ORDERED, that all expenses attendant upon the extension of this district, shall be the responsibility of the owner of the premises within such extension and all such expenses shall be paid prior to hook-up to the system; and it is

FURTHER RESOLVED AND ORDERED, that the Town Clerk is hereby authorized and directed to file a certified copy of this resolution and order to be duly recorded in the Office of the Clerk of the County of Orange, New York; and such Clerk shall also, within ten (10) days after

the adoption of this order, cause a certified copy thereof to be filed in the Office of the State Department of Audit and Control at Albany, New York in accordance with Town Law Section 194.

The adoption of the foregoing was duly put to a vote and upon roll call, was adopted as witnessed by the signatures of a majority of the Town Board.

Councilmember Mark Coyne _____

Councilmember Eric Valentin _____

Councilmember Neil Meyer _____

Councilmember Eric Johnson _____

Supervisor Frank DenDanto, III _____

STATE OF NEW YORK)
)ss.:
COUNTY OF ORANGE)

I, Louisa M. Ingrassia, the duly elected and acting Town Clerk of the Town of Wallkill, hereby certify that I have compared the foregoing copy of the Resolution and Order Extending the Town of Wallkill Consolidated Water District with the original thereof filed in my office and that the same is a true copy thereof. In witness whereof I have set my hand and the seal of the Town of Wallkill this ___ day of December, 2020

Louisa M. Ingrassia, Town Clerk

At a meeting of the Town Board of the
Town of Wallkill, Orange County,
New York, held in said Town on the
17th day of December, 2020.

-----X

In the Matter

of

Petition to Extend Town of Wallkill Consolidated Sewer
District, in the Town of Wallkill, Orange County, New York

RESOLUTION AND
ORDER EXTENDING
DISTRICT PER TOWN
LAW ARTICLE 12

To Include Tax Map Section 44, Block 1, Lot 25.12
Known as 1089 Route 211 East, Middletown, New York

-----X

PRESENT: Frank DenDanto, III, Supervisor
Eric Johnson, Councilmember
Eric Valentine, Councilmember
Neil Meyer, Councilmember
Mark Coyne, Councilmember

WHEREAS, a petition along with a map, plan and report have been prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Wallkill, relating to the extension of the existing Town of Wallkill Consolidated District (“Sewer District”) in said Town to include Tax Map Section 44, Block 1, Lot 25.12 known as 1089 Route 211 East, Middletown, New York; and

WHEREAS, such petition, map, plan and report have been duly filed in the Town Clerk’s Office in said Town; and

WHEREAS, said map, plan and said report were prepared by Lanc & Tully Engineering and Surveying, P.C., an engineering firm duly licensed by the State of New York, showing the

boundaries of the proposed extension of the district, a general plan of the said system and a report of the proposed method of operation; and

WHEREAS, an Order was duly adopted by the Town Board of the Town of Wallkill, on November 19, 2020, reciting the filing of said petition, map, plan and report, the improvements proposed, the boundaries of the proposed extension of the district, that no capital expenses nor borrowings would be necessary, the cost to the typical property owner included in the extension, the fact that the petition, map, plan and report describing the same are on file in the Town Clerk's Office for public inspection, and stating all other matters required by law to be stated, and specifying December 17, 2020 at 7:25 pm on that day, as the time via videoconference due to the coronavirus pandemic as the method by which the said Town Board would meet to consider such petition, map, plan and report, and to hear all persons interested in the subject thereof concerning the same, and to take such action thereon as is required or authorized by law; and

WHEREAS, such order was duly published and posted as required by law; and

WHEREAS, a hearing on said matter was duly held by said Town Board on December 17, 2020 at 7:25 pm on that day, via public video remote access and said hearing and full discussion of the matter having been had, and all persons desiring to be heard, having been duly heard, in support and/or opposition to the petition and after due consideration; and

WHEREAS, pursuant to said petition, it is the intention of the petitioner to construct the entirety of the Sewer system improvements solely at its own expense; and

WHEREAS, permission of the State Comptroller to create such district is not required because the cost is not to be financed by bonds, notes or other evidence of indebtedness;

NOW, upon the evidence given upon such hearing, after due deliberation, and upon motion of Mr. _____, seconded by Mr. _____, it is hereby

RESOLVED, DETERMINED AND ORDERED:

- (a) That the petition has been signed and acknowledged as required by law, and is otherwise sufficient, and that the notice of hearing was published and posted as required by law;
- (b) That all property and property owners, within the proposed extension, are benefitted thereby;
- (c) That all the property and property owners benefitted are included within the limits of the proposed extension;
- (d) That it is in the public interest to extend said Consolidated Sewer District in the Town of Wallkill pursuant to the subject petition and accompanying map, plan and report;
- (e) That the action is an Unlisted Action, being fully discussed and analyzed in a Full Environmental Assessment Form (“EAF”) dated and accepted by the Town of Wallkill Planning Board, as lead agency, and in a Findings Statement adopted by the Town of Wallkill Planning Board on November 4, 2020 (the “Findings Statement”) both of which this Board have fully reviewed; and
- (f) That this Board hereby adopts the Findings Statement in its entirety as its own without comment, which Findings Statement is hereby incorporated by reference as if it is fully set forth herein, as well as their own SEQRA Findings incorporated below, determining that the proposed action will not have any significant adverse impacts on the environment and/or that any potential impacts will be avoided or have been sufficiently mitigated to the maximum extent practicable as provided for in the Findings Statement, specifically:

- With the incorporation of the mitigation measures in the Findings Statement, the potential environmental will be minimized to the maximum extent practicable; no significant adverse impacts are anticipated to the aquifer;
- Based upon the conditions established by the Town Planning Board and other mitigation measures as discussed in length in the Findings Statement, water supply, sanitary sewer, other utility and infrastructure impacts have been minimized to the maximum extent practicable;
- All other potential impacts, including, but not limited to, environmental impact(s) on any:
 - Unique or unusual land forms;
 - Water bodies designated as protected;
 - Non-protected existing or new bodies of water;
 - Surface groundwater quality or quantity;
 - Drainage flows or patterns or surface water runoff;
 - Air quality;
 - Threatened or endangered species;
 - Non-threatened or non-endangered species;
 - Agricultural land resources;
 - Aesthetic resources;
 - Structure or land of historic, pre-historic or paleontological importance;
 - Quantity or quality of existing or future open spaces of recreational opportunities;
 - Existing transportation systems;
 - Community's sources of fuel or energy;
 - Objectionable odors, noise or vibration;

- Public health and safety;
- Character of the existing community;

have been deliberated on by this Board, and this Board finds that based upon the mitigation measures contemplated in the Findings Statement, any potential adverse impacts will be avoided or have been minimized to the maximum extent practicable and/or no significant adverse impacts are anticipated unless noted in the Findings Statement and as further detailed therein; and it is

FURTHER RESOLVED, DETERMINED AND ORDERED, that the extension of the existing Town of Wallkill Consolidated Sewer District as set forth in said map, plan and report be approved; and such extension shall be bounded and described as set forth in Exhibit “A” annexed; and it is

FURTHER RESOLVED AND ORDERED, that the boundaries described are intended to include all property within said extended boundaries as shown in the map on file in the Town Clerk’s Office, and it is

FURTHER RESOLVED AND ORDERED, that this Resolution and Order is conditioned upon the Petitioner securing approval from the Orange County Department of Health to extend the Sewer main and all appurtenances to the extension area; and it is

FURTHER RESOLVED AND ORDERED, that all expenses attendant upon the extension of this district, shall be the responsibility of the owner of the premises within such extension and all such expenses shall be paid prior to hook-up to the system; and it is

FURTHER RESOLVED AND ORDERED, that the Town Clerk is hereby authorized and directed to file a certified copy of this resolution and order to be duly recorded in the Office of the Clerk of the County of Orange, New York; and such Clerk shall also, within ten (10) days after

the adoption of this order, cause a certified copy thereof to be filed in the Office of the State Department of Audit and Control at Albany, New York in accordance with Town Law Section 194.

The adoption of the foregoing was duly put to a vote and upon roll call, was adopted as witnessed by the signatures of a majority of the Town Board.

Councilmember Mark Coyne _____

Councilmember Eric Valentin _____

Councilmember Neil Meyer _____

Councilmember Eric Johnson _____

Supervisor Frank DenDanto, III _____

STATE OF NEW YORK)
)ss.:
COUNTY OF ORANGE)

I, Louisa M. Ingrassia, the duly elected and acting Town Clerk of the Town of Wallkill, hereby certify that I have compared the foregoing copy of the Resolution and Order Extending the Town of Wallkill Consolidated Sewer District with the original thereof filed in my office and that the same is a true copy thereof. In witness whereof I have set my hand and the seal of the Town of Wallkill this ___ day of December, 2020

Louisa M. Ingrassia, Town Clerk