

JANUARY 15, 2013

2013 AGREEMENT FOR THE EXPENDITURE  
OF HIGHWAY MONEYS IS APPROVED.

PERMISSION FOR GRAVEL BANK  
EXPLORATION APPROVED.

NYMIR PROGRAM APPROVED.

2013 TOWN PLANNING ADVISORY SERVICE (TPAS)  
BETWEEN DEL. CO. PLANNING BOARD AND THE  
TOWN IN THE AMOUNT OF \$3500.00 APPROVED.

SUPERVISOR M. MILLER AND COUNCILMAN M.  
FINBERG AUTHORIZED TO ATTEND THE ASSOC.  
OF TOWNS IN NYC ON FEB. 17-20, 2013.

ASSESSORS TERRY MARKS AND DAVID  
GOODCHILD AUTHORIZED TO ATTEND THE  
ETHICS TRAINING IN ALBANY, NY ON MARCH 8,  
2013.

CARL P. DAVIS AUTHORIZED TO ATTEND THE  
ANNUAL CONFERENCE FOR 24 HOUR SERVICE  
CREDIT FOR CEO IN LIVERPOOL, NY ON APRIL 2-5,  
2012.

RETAINER AGREEMENT FROM TOWN ATTORNEY,  
JOHN R. FAIRBAIRN, III APPROVED.

AUTHORIZED THE PURCHASE OF AN AD IN THE  
SNOW BALL PROGRAM IN HONOR OF KINGDOM  
GOULD IN THE AMOUNT OF \$200.00.

2012 BUDGET AMENDMENTS ARE APPROVED.

EXECUTIVE SESSION---EMPLOYMENT HISTORY OF  
A PARTICULAR PERSON---NO BOARD ACTION  
TAKEN.

The Town Board of the Town of Middletown, Delaware County, New York, held their regular monthly meeting on Tuesday, January 15, 2013 at the Town Hall, located on #42339 State Route 28, Margaretville, NY.

The following Board Members were present:

Supervisor.....Marjorie Miller

Council Members.....Brian Sweeney, Mike Finberg, Jake Rosa and  
John Roucek

Also present were: Hwy Supt John Biruk, Town Attorney John R. Fairbairn, III, JR Lawrence, Susan O'Rorke, Don Kearney and Geoff Samuels.

Supervisor Miller called the meeting to order at 7:00 p.m.

Minutes of 12/11/12-Town Meeting and 12/27/12-Special Meeting were approved as submitted, by a motion made by J. Rosa, seconded by M. Finberg, carried by a vote of (5) ayes and (0) nays.

Supervisor's Monthly Financial Reports for 11/2012; Town Clerk's Monthly Reports for 11/2012; Building & Zoning Monthly Reports for 11/2012 and Justice Court Monthly Reports for 11/2012 were approved as submitted, by a motion made by M. Finberg, seconded by M. Miller, carried by a vote of (5) ayes and (0) nays.

Patty Kelly, Town Clerk/Tax Collector distributed the ATTACHED 2013 Collector Warrant from the Board of Supervisors to the Board.

Supervisor Miller opened the floor to the public. Geoff Samuels asked for clarification of Item 11 on the agenda. No one else wished to address the Board.

Motion was made by M. Miller to approve the ATTACHED Agreement for the Expenditure of Highway Moneys for 2013. This motion was seconded by J. Roucek and carried by a vote of (5) ayes and (0) nays. Hwy Supt asked permission to go ahead with the gravel bank exploration. Motion was made by M. Miller to authorize the Hwy Supt to pursue the gravel bank exploration. This motion was seconded by M. Finberg and carried by a vote of (5) ayes and (0) nays.

JR Lawrence of Mang Insurance and Susan O'Rorke of NY Municipal Insurance Reciprocal gave a presentation on the NYMIR Program. A motion was made by M. Miller to execute the ATTACHED proposal to join the NYMIR Program. This motion was seconded by M. Finberg and carried by a vote of (5) ayes and (0) nays.

Motion was made by M. Miller to approve the ATTACHED 2013 Town Planning Advisory Service (TPAS) between the Delaware County Planning Board and the Town of Middletown for the amount of \$3500.00. This motion was seconded by J. Roucek and carried by a vote of (5) ayes and (0) nays.

Supervisor Miller presented the ATTACHED Complaint Form to the Board and the Board decided if and when a complaint is received that each Board member should get a copy.

Motion was made by M. Miller to authorize Supervisor Miller and Councilman M. Finberg to attend the Assoc. of Towns in NYC from February 17-20, 2013. This motion was seconded by J. Roucek and carried by a vote of (5) ayes and (0) nays.

Motion was made by M. Finberg to authorize Assessors Terry Marks and David Goodchild to attend the Ethics Training in Albany on March 8, 2013. This motion was seconded by M. Miller and carried by a vote of (5) ayes and (0) nays.

Motion was made by M. Miller to authorize Code Enforcement Officer Carl P. Davis to attend the Annual Conference for 24 Hour Service Credit for CEO in Liverpool from April 2-5, 2013. This motion was seconded by J. Roucek and carried a vote of (5) ayes and (0) nays.

Patty Kelly, Town Clerk distributed the ATTACHED notification from the Fairview Public Library of their officers' election.

Motion was made by B. Sweeney to authorize the Supervisor to execute the ATTACHED Retainer Agreement from Town Attorney, John R. Fairbairn, III. This motion was seconded by J. Rosa and carried by a vote of (5) ayes and (0) nays.

Motion was made by M. Miller to authorize the purchase of an ad in the Snow Ball Program in honor of Kingdom Gould in the amount of \$200.00. This motion was seconded by M. Finberg and carried by a vote of (5) ayes and (0) ayes.

Motion was made by M. Miller to approve the ATTACHED list of 2012 Budget Amendments. This motion was seconded by M. Finberg and carried by a vote of (5) ayes and (0) nays.

Supervisor Miller opened the floor to the public again. Don Kearney asked if the voucher for Veteran's organizational support can be paid before Memorial Day to cover the flags for cemetery graves and possibly due to the increase of flags and cost, if next year the Town could increase the amount. Supervisor Miller said just put the voucher in and it can be paid and next year at budget time, let her know about the amount being increased.

Motion was made by M. Miller at 8:00 p.m. to enter into Executive Session to discuss the employment history of a particular person. Included in the Executive Session were the Town Clerk and Town Attorney. This motion was seconded by J. Rosa and carried by a vote of (5) ayes and (0) nays. Motion for adjournment was made by M. Miller and seconded by J. Rosa. This motion was carried by a vote of (5) ayes and (0) nays, and the Executive Session was adjourned at 8:57 p.m. There were no Board decisions per the Executive Session.

Voucher #78 in the amount of \$1,000.00 to Cowan Excavating; Voucher #79 in the amount of \$9,480.00 to Avolio Bros.; Voucher #80 in the amount of \$16,593.65 to Stephan Miller General Cont.; Voucher #81 in the amount of \$1,219.97 to Terry Johnson; Voucher #82 in the amount of \$2778.92 to USA Blue Book; Voucher #83 in the amount of \$23.00 to Airgas; #84 in the amount of \$63.95 to Wadler Bros. and Voucher #85 in the amount of \$264.95 to USA Blue Book for the Arkville Water Project was approved for

payment by a motion made by M. Miller, seconded by B. Sweeney, and carried by a vote of (5) ayes and (0) nays.

The monthly vouchers were audited and ordered paid by a motion made by M. Miller, seconded by B. Sweeney, and carried by a vote of (5) ayes and (0) nays. Vouchers approved were #s 001-050, totaling \$102,637.57.

Motion for adjournment was made by M. Miller, seconded by M. Finberg. This motion was carried by a vote of (5) ayes and (0) nays and the meeting was adjourned at 9:07 p.m.

DATED: February 8, 2013

---

PATRICIA F. KELLY  
TOWN CLERK