

MAY 14, 2013

RESOLUTION NO. 6 OF 2013 - RESOLUTION TO  
EXTEND SEWER DISTRICT IN ARKVILLE -  
CATSKILL RECREATION CENTER APPROVED.

PROPOSAL FROM CARL TUCKER FOR  
CONSTRUCTION RENOVATION - TOWN HALL  
APPROVED.

TOWN RESPONSE TO PROPOSED "NYC DEP" LAND  
ACQUISITIONS OF PROPERTY ID: #3112 - 14.85+/-  
ACRES OFF NYS ROUTE 30 AND #3029 - 230+/-  
ACRES OFF COUNTY HIGHWAY 3 APPROVED.

VOTED BILL LAYTON, JOHN VAN BENSCHOTEN  
AND KEITHA COUYAN AS ALTERNATES; CARL  
STUENDEL AND BRUCE DOLPH AS REGULAR  
MEMBERS OF THE EXECUTIVE COMMITTEE OF  
THE COALITION OF WATERSHED TOWNS.  
SPECIAL MEETING TO BE SCHEDULED WHEN  
COUNCILMAN JOHN ROUCEK IS AVAILABLE TO  
BREAK TIE BETWEEN PETER BRACCI AND  
MARJORIE MILLER.

RESOLUTION NO. 4 OF 2013 - ENDORSING THE  
REDISTRICTING OF DELAWARE COUNTY  
REGARDING PUBLIC WORKS PREVAILING WAGE  
APPROVED.

RESOLUTION NO. 5 OF 2013 - RESOLUTION TO PAY  
OFF GRADER BOND APPROVED.

SET PUBLIC HEARING FOR A LOCAL LAW OF THE  
TOWN OF MIDDLETOWN, DELAWARE COUNTY,  
NEW YORK ENACTING A RIGHT-TO-FARM LAW  
FOR TUESDAY, JUNE 11, 2013.

RE-APPOINTMENT OF KURT HOLCHERR TO  
ZONING BOARD OF APPEALS.

The Town Board of the Town of Middletown, Delaware County, New York, held their regular monthly meeting on Tuesday, May 14, 2013 at the Town Hall, located on #42339 State Route 28, Margaretville, NY.

The following Board Members were present:

Supervisor.....Marjorie Miller

Council Members.....Michael Finberg, Jake Rosa and Brian Sweeney

Councilman John Roucek was not in attendance.

Also present were: Town Attorney John Fairbairn, Code Enforcement Carl P. Davis, Susanna Finch, Terry Johnson, Lillian Browne - Walton Reporter, Roger Davis, Geoff Samuels, Chuck Freas, Don Kearney, Ernest Steiglehner and Janet Steiglehner.

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

Minutes of 04/02/13-Public Hearing and 04/09/13-Town Board Meeting were approved as submitted, by a motion made by M. Miller, seconded by M. Finberg, carried by a vote of (4) ayes and (0) nays.

Supervisor's Monthly Financial Reports for 03/2013; Town Clerk's Monthly Reports for 03/2013; Building & Zoning Monthly Reports for 03/2013 and Justice Court Monthly Reports for 03/2013 and the 2012 Annual Financial Report as being received by the Town Board were approved as submitted, by a motion made by M. Miller, seconded by M. Finberg, carried by a vote of (4) ayes and (0) nays.

Supervisor Miller opened the floor to the public. Chuck Freas asked about the issue of the County divesting itself from some responsibilities to maintain roads and have the Middletown highway department take the responsibilities over from the County and he wanted reassurance that this is a dead issue. Supervisor Miller stated "It is". No one else wished to address the Board.

Town Attorney John Fairbairn reviewed his ATTACHED letter dated May 7, 2013 with the Town Board concerning the changing of the 2012 Sewer Use Law. Also, the Town Board asked the Town Attorney to prepare a resolution to support the ATTACHED Town Clerk's complaint to the Inspector General when she receives the complaint number.

Code Enforcement Officer Carl P. Davis reviewed the sewer extension to include Catskill Recreation Center. Motion was made by M. Miller to approve the ATTACHED Resolution No. 6 of 2013 - Resolution to Extend Sewer District in Arkville - Catskill Recreation Center. This motion was seconded by B. Sweeney and carried by a vote of (4) ayes and (0) nays.

Motion was made by M. Finberg to award the ATTACHED proposal for construction renovation - Town Hall to Tucker Construction for \$14,000. This motion was seconded by M. Miller and carried by a vote of (4) ayes and (0) nays.

The Board referred the proposed Land Acquisition Project from NYS DEP for Parcel #5651 - 95.07+/- acres - Dimmick Mountain Road to the Planning Board. Motion was made by M. Finberg to approve the ATTACHED Community Review Town Responses Forms for proposed "NYC DEP" Land Acquisition of Property ID: #3112 - 14.85+/- acres off NYS Route 30 and #3029 - 230+/- acres off County Highway 3. This motion was seconded by B. Sweeney and carried by a vote of (4) ayes and (0) nays.

The Town Board voted for Bill Layton, John Van Benschoten and Keitha Couyan as Alternates; Carl Stuedel and Bruce Dolph as Regular members of the Executive Committee of the Coalition of Watershed Towns. There was a tie between Peter Bracci and Marjorie Miller as the third Regular member. The Town Board agreed that they would schedule a Special Meeting when Councilman John Roucek would be available.

Motion was made by M. Miller to approve the ATTACHED Resolution No. 4 of 2013 - Endorsing the Redistricting of Delaware County Regarding Public Works Prevailing Wage. This motion was seconded by M. Finberg and carried by a vote of (4) ayes and (0) nays.

Motion was made by M. Finberg to approve the ATTACHED Resolution No. 5 of 2013 - Resolution to Pay Off Grader Bond. This motion was seconded by M. Miller and carried by a vote of (4) ayes and (0) nays.

Motion was made by M. Miller to set Public Hearing for Tuesday, June 11, 2013 for a Local Law of the Town of Middletown, Delaware County, New York Enacting a Right-To-Farm Law. This motion was seconded by B. Sweeney and carried by a vote of (4) ayes and (0) nays.

Motion was made by M. Miller to re-appoint Kurt Holcherr to the Zoning Board of Appeals. This motion was seconded by M. Finberg and carried a vote of (4) ayes and (0) nays.

The Town Board discussed and tabled until next month the changing of the term from a 3 year term to a 5 year term for Ingrid van der Leeden - Fairview Public Library until Town Attorney John Fairbairn could review the ATTACHED letter from the State Education Department stating March 20, 2012 as the effective date of the charter amendment.

Supervisor Miller opened the floor to the public again. Janet Steiglehner wanted to know how often a Town Board member has to attend a meeting. Geoff Samuels asked for some clarification as to where does the money come from if the renovation goes over \$35,000. Lillian Browne wanted to see the Sewer Use Law, minutes and/or a copy of the tape for the previous workshop and when will the Farm-To-Use Law be available, etc.

The monthly vouchers were audited and ordered paid by a motion made by M. Finberg, seconded by M. Miller, and carried by a vote of (4) ayes and (0) nays. Vouchers approved were #s 263-336, totaling \$146,512.53.

Motion for adjournment was made by M. Miller, seconded by B. Sweeney. This motion was carried by a vote of (4) ayes and (0) nays and the meeting was adjourned at 8:45 p.m.

DATED: May 29, 2013

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PATRICIA F. KELLY  
TOWN CLERK