

AUGUST 09, 2011

DRAFT COMPREHENSIVE PLAN REFERRED TO
DELAWARE COUNTY PLANNING BOARD FOR
239-m REVIEW.

STIPULATION OF SETTLEMENT -
MARGARETVILLE WASTEWATER PLANT TAX
LITIGATION.

SPECIAL MEETING FOR SEPTEMBER 6, 2011 TO
AUDIT AND APPROVE ARKVILLE WATER PROJECT
VOUCHERS.

MARGARETVILLE BOWL TO RENEW LIQUOR
LICENSE AND WAIVE 30 DAY NOTICE.

APPOINT GLENNA HERZ TO PLANNING BOARD
AND APPOINT RYAN TRAPANI AS ALTERNATE ON
THE PLANNING BOARD.

The Town Board of the Town of Middletown, Delaware County, New York, held their regular monthly meeting on Tuesday, August 09, 2011 at the Town Hall, located on State Route 28, Margaretville.

The following Board Members were present:

Supervisor.....Len Utter

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

Also present were: Hwy Supt John Biruk, Beth Bush, Roger Davis, Andy Straut, Connie Spielman, Robert Sweeney, John Gebert, Ernest Steiglehner, Gershon Ron, Sue Finch, George Griffin, Linda Bradbury, Charlene Bode, Robert Griffiths and Bill Taylor.

Supervisor Utter called the meeting to order at 7:00 p.m. Minutes of the 07/12/2011 monthly meeting and 07/29/2011 special meeting were approved as submitted, by a motion made by J. Rosa, seconded by B. Sweeney, and carried by a vote or (5) ayes and (0) nays. Supervisor Utter opened the floor to the public. Nobody wished to address the Board.

Robert Sweeney of the Arkville Fire Dept. requested an update of the Dry Brook stream project at the Arkville Pavilion. Supervisor Utter said he would get a progress report from the Delaware County Planning Board and Soil & Water Management.

Linda Bradbury wanted the Town Board to be aware of the fact that she feels the Transfer Station closes occasionally before 4:30 p.m. Supervisor Utter presented time cards which showed otherwise. She wants to see the time cards for July 24, 2011 as she claimed to be there at 4:25 p.m. Supervisor Utter told her that he would get that for her.

Arkville Water Project Manager Beth Bush gave an update and presented the ATTACHED Form E-Rural Development (RD) Project Budget/Cost Certification which shows \$180,000 grant and \$377,000 loan. Public Hearing and Special Meeting to consider an Order of Interest and Bond Resolution will be Monday, August 15, 2011.

Motion was made by M. Finberg to send the Draft Comprehensive Plan to the Delaware County Planning Board for the required 239-m review. This motion was seconded by J. Roucek and carried by a vote of (5) ayes and (0) nays.

As per the ATTACHED letter dated August 9, 2011 from Robert L. Beebe, LLC, motion was made by J. Roucek to authorize Robert Beebe to execute the Stipulation of Settlement between the City of New York and Town of Middletown concerning the Margaretville Wastewater Plant. This motion was seconded by B. Sweeney and carried by a vote of (5) ayes and (0) nays.

Motion was made by J. Rosa to hold Special Meeting after the workshop on Tuesday, September 6, 2011 to audit and approve Arkville Water Project vouchers. This motion was seconded by M. Finberg and carried by a vote of (5) ayes and (0) nays.

As per the ATTACHED notice from Margaretville Bowl concerning their intent to renew their liquor license and the ATTACHED request to waive the 30 day notice requirement, the Town Board had no objections. M. Finberg abstained as he is an interested party.

J. Roucek and M. Finberg advised the Board that Richard Andersen was no longer interested in being a member of the Town Planning Board. Motion was made J. Roucek to appoint Glenna Herz to the Town Planning Board to replace Richard Andersen. This motion was seconded by M. Finberg and carried a vote of (5) ayes and (0) nays. Motion was made by J. Rosa to appoint Ryan Trapani to replace Glenna Herz as Planning Board alternate. Motion was seconded by B. Sweeney and carried a vote of (5) ayes and (0) nays.

The ATTACHED Ambulance Profit and Loss Analysis was given to the Town Board for informational purposes only.

A proposed NYC Land Acquisition of 38.02+/- acres on Sprague Road will be referred to the Planning Board for review and comment.

The Supervisor distributed his monthly financial report for the month of July 2011.

Supervisor Utter opened the floor again to the public. Sue Finch addressed the Board and asked what happens if the public doesn't agree with the Town Board and Delaware County Planning Board concerning the Draft Comprehensive Plan? Supervisor Utter said we would be having a Public Hearing so at that time the public could give their input. Ernest Steiglehner requested a copy of the Ambulance Profit and Loss Analysis which L. Utter said he could pick up at the Clerk's Office.

Motion was made by L. Utter at 7:58 p.m. to enter into Executive Session to discuss union negotiations. This motion was seconded by J. Rosa and carried by a vote of (5) ayes and (0) nays. Included in the Executive Session was the Deputy Town Clerk. Motion was made by L. Utter at 8:25 p.m. to close the Executive Session. Motion was seconded by B. Sweeney and carried by a vote of (5) ayes and (0) nays. There were no Board decisions per the Executive Session.

Voucher #5 for the Housing Rehab. Project in the amount of \$8,642.00 was approved for payment by a motion made by J. Rosa, seconded by J. Roucek, and carried by a vote of (5) ayes and (0) nays.

The monthly vouchers were audited and ordered paid by a motion made by J. Roucek, seconded by M. Finberg, and carried by a vote of (5) ayes and (0) nays. Vouchers approved were #s 471-540, totaling \$229,280.74.

Motion for adjournment was made by J. Rosa and seconded by J. Roucek. This motion was carried by a vote of (5) ayes and (0) nays, and the meeting was adjourned at 8:30 p.m.

Dated: September, 06, 2011

Deputy Town Clerk