

MAY 13, 2014

AMENDED 2014 AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS APPROVED.

BID AWARDED FOR VLY CREEK CHANNEL AND BANK STABILIZATION, EMERGENCY WATERSHED PROTECTION SITES 2, 3 & 5 - VILLAGE OF FLEISCHMANN'S TO LASTING IMPRESSION LANDSCAPE IN THE AMOUNT OF \$23,105.

AUTHORIZED SUPERVISOR TO EXECUTE NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT.

PROPOSED "NYC DEP" LAND ACQUISITION OF PROPERTY ID: 4590 - 47+/- ACRES OFF NEW KINGSTON MOUNTAIN AND THOMPSON HOLLOW ROADS REFERRED TO THE TOWN PLANNING BOARD.

TOWN RESPONSE TO PROPOSED "NYC DEP" LAND ACQUISITION OF PROPERTY ID: 8645 - 235.01+/- ACRES OFF COUNTY ROUTE 6, DAVIS & MILLER ROADS APPROVED.

RESOLUTION APPOINTING THE TOWN SUPERVISOR AS A MEMBER OF THE STORM WATER REVIEW COMMITTEE FOR THE TOWN OF MIDDLETOWN & DESIGNATING THE TOWN CEO AS ALTERNATE Tabled UNTIL NEXT MONTH.

RESOLUTION CONFIRMING THE MAINTENANCE AGREEMENT BETWEEN THE TOWN AND NYC DEP WITH REGARD TO FLOOD BUY-OUT PROPERTIES Tabled UNTIL NEXT MONTH.

PROPOSAL FROM GOODCHILD CONSTRUCTION FOR VESTIBULE ENCLOSURE - TOWN HALL FOR \$23,900. APPROVED.

RESOLUTION NO. 10 OF 2014 - RESOLUTION APPROVING THE SPENDING OF UNALLOCATED FUNDS - 2011 SINGLE AUDIT APPROVED.

The Town Board of the Town of Middletown, Delaware County, New York, held their regular monthly meeting on Tuesday, May 13, 2014 at the Town Hall, located on #42339 State Route 28, Margaretville, NY.

The following Board Members were present:

Supervisor.....Marjorie Miller

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

Councilman Michael Finberg was not in attendance.

Also present were: Terry Johnson, Lillian Browne - Walton Reporter, Kent Manual - Delaware County Planning, Lisa Tait, Hwy Supt John Biruk, Don Kearney and Ernest Steiglehner.

Supervisor Miller called the meeting to order at 5:02 p.m.

ATTACHED Agenda prepared by Supervisor Miller.

Minutes of 04/08/14-Town Board Meeting were approved as submitted, by a motion made by M. Miller, seconded by B. Sweeney. **(3) Ayes - Marjorie Miller; Jake Rosa and Brian Sweeney - (0) Nays.**

Supervisor's Monthly Financial Report for 03/2014; Town Clerk's Monthly Report and Town Clerk's Revised Monthly Report for 03/2014; Building & Zoning Monthly Report for 03/2014 and Justice Court Monthly Reports for 03/2014 and Halcottsville Water Report for 10/01/13-12/31/13 were approved as submitted, by a motion made by M. Miller, seconded by B. Sweeney. **(3) Ayes - Marjorie Miller; Jake Rosa and Brian Sweeney - (0) Nays.**

Supervisor Miller opened the floor to the public. No one wished to address the Board.

Motion was made by M. Miller, seconded by B. Sweeney to approve the ATTACHED 2014 Amended Agreement for the Expenditure of Highway Moneys. **(3) Ayes - Marjorie Miller; Jake Rosa and Brian Sweeney - (0) Nays.**

Motion was made by M. Miller, seconded by J. Rosa to award the ATTACHED bid for the Vly Creek Channel and Bank Stabilization, Emergency Protection Sites 2, 3 & 5 - Village of Fleischmanns to Lasting Impression Landscape for \$23,105. **(3) Ayes - Marjorie Miller, Jake Rosa and Brian Sweeney - (0) Nays.**

Motion was made by B. Sweeney, seconded by J. Rosa to authorize Supervisor Miller to execute the ATTACHED New York State Community Development Block Grant Agreement. **(3) Ayes - Marjorie Miller, Jake Rosa and Brian Sweeney - (0) Nays.**

Motion was made by M. Miller, seconded by B. Sweeney to refer the proposed Land Acquisition Project from "NYC DEP" for Parcel #4590 - 47+/- acres off New Kingston Mountain and Thompson Hollow Roads to the Planning Board for their review and comment. **(3) Ayes - Marjorie Miller; Jake Rosa and Brian Sweeney - (0) Nays.**

Motion was made by B. Sweeney, seconded by J. Rosa to approve the ATTACHED "NYC DEP" Land Acquisition #8645 - 235.01+/- acres off County Route 6, Davis & Miller Roads. **(3) Ayes - Marjorie Miller; Jake Rosa and Brian Sweeney - (0) Nays.**

The Town Board reviewed the proposed Resolution Appointing the Town Supervisor as a Member of the Storm Water Review Committee for the Town of Middletown & Designating the Town CEO as Alternate. J. Rosa said he definitely was in favor in having someone on the committee but felt Code Enforcement Officer Pat Davis should be the one as he is well educated in flood plain management, all rules and regulations pertaining to the Town. Supervisor Miller said Pat Davis wanted the buffer and that she would have him attend all meetings with her. B. Sweeney said that Pat was the man to do this stuff and if Pat thinks that this is the way it works, he would agree. J. Rosa said that he asked Pat if he would be willing to serve on the committee and he said yes he would if this is what the Town Board wants. Motion was made by M. Miller, seconded by B. Sweeney to approve the Resolution but since J. Rosa was not in favor, Supervisor Miller tabled it until next month when M. Finberg will be present.

The Town Board reviewed the proposed Resolution Confirming the Maintenance Agreement Between the Town and NYC DEP With Regard to Flood Buy-Out Properties. J. Rosa was concerned about the maintenance of the property after NYC DEP purchase and would like to see the lawns mowed. Supervisor Miller stated that we already agreed to not having the lawns mowed per the Memorandum of Agreement dated October 10, 2013. B. Sweeney was concerned how the parcels will look and thinks it could be an issue. Supervisor Miller stated that this Resolution was a requirement in order to close the FEMA flood buyout properties. Motion was made by M. Miller, seconded by B. Sweeney to approve the Resolution. **(2) Ayes - Marjorie Miller and Brian Sweeney - (1) Nay - Jake Rosa.** Supervisor Miller tabled it until next month.

Motion was made by B. Sweeney, seconded by M. Miller to award the ATTACHED proposal for vestibule enclosure - Town Hall to Goodchild Construction for \$23,900. **(3) Ayes - Marjorie Miller; Jake Rosa and Brian Sweeney - (0) Nays**

Motion was made by B. Sweeney, seconded by M. Miller to approve the ATTACHED Resolution No. 10 of 2014 - Resolution Approving the Spending of Unallocated Funds - 2011 Single Audit. **(3) Ayes - Marjorie Miller; Jake Rosa and Brian Sweeney - (0) Nay.**

Councilman John Roucek came at 5:55 p.m.

Kent Manuel of Delaware County Planning reviewed the revisions to the local zoning ordinances with the Town Board.

The monthly vouchers were audited and ordered paid by a motion made by M. Miller, seconded by B. Sweeney. **(4) Ayes - Marjorie Miller; Jake Rosa; Brian Sweeney and John Roucek - (0) Nays.** Vouchers approved were #s 246-310, totaling \$147,067.27.

Motion for adjournment was made by J. Roucek, seconded by J. Rosa. **(4) Ayes - Marjorie Miller; Jake Rosa; Brian Sweeney and John Roucek - (0) Nays.** The meeting was adjourned at 6:25 p.m.

DATED: May 27, 2014

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PATRICIA F. KELLY  
TOWN CLERK