

JUNE 10, 2014

TOWN RESPONSE TO PROPOSED "NYC DEP" LAND ACQUISITION OF PROPERTY ID: 2580 - 178.51+/- ACRES OFF BRAGG HOLLOW ROAD SPUR APPROVED.

AUTHORIZED SUPERVISOR TO EXECUTE AGREEMENT BY AND BETWEEN TOWN OF MIDDLETOWN AND THE MARK PROJECT INC.

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

AMENDMENT TO THE APPENDIX 1-WORKPLACE VIOLENCE INCIDENT REPORT OF THE WORKPLACE VIOLENCE PREVENTION POLICY APPROVED.

APPLICATION FOR USE OF TOWN HALL BY THE MARGARETVILLE AREA TEA PARTY GROUP FOR TUESDAY, JUNE 24, 2014 APPROVED.

The Town Board of the Town of Middletown, Delaware County, New York, held their regular monthly Meeting on Tuesday, June 10, 2014 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: Terry Johnson, Ernest Steiglehner, Charles Kowalski, Hwy Sup't John Biruk and Lauren Davis.

ATTACHED Agenda prepared by Supervisor Miller.

Supervisor Miller called the Town Board Meeting to order at 5:00 p.m.

Supervisor Miller stated that she contacted the attorney for the Assoc. of Towns and the two Resolutions which were written, 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 and Resolution Confirming the Maintenance Agreement Between the Town and NYC DEP With Regard to Flood Buy-Out Properties were voted down so they were not approved so they cannot be tabled and need to reflect they were voted down. Motion was made by M. Miller, seconded by M. Finberg to amend the Minutes of 05/13/14-Town Board Meeting by stating the Resolutions were not approved or motion didn't carry. **(4) Ayes - Marjorie Miller; Mike Finberg; Jake Rosa and Brian Sweeney - (0) Nays.** Minutes of 05/30/14-Special Meeting were approved as submitted, by a motion made by M. Miller, seconded by B. Sweeney. **(4) Ayes - Marjorie Miller; Mike Finberg; Jake Rosa and Brian Sweeney - (0) Nays.**

Supervisor's Monthly Financial Reports for 04/2014; Town Clerk's Monthly Reports for 04/2014; Building & Zoning Monthly Reports for 04/2014 and Justice Court Monthly Reports for 04/2014 were approved as submitted and the Tax Collector Settlement Sheet was acknowledged as received by the Town Board, by a motion made by M. Miller, seconded by M. Finberg. **(4) Ayes - Marjorie Miller; Mike Finberg; Jake Rosa and Brian Sweeney - (0) Nays.**

Supervisor Miller opened the floor to the public. Ernie Steiglehner asked about the spending of unallocated funds and was wondering if some of those funds can be used to purchase sand and gravel, etc. Supervisor Miller said they cannot be used to offset anything in the budget. He also wanted to clarify that the pool is not being taken over by

the Town as rumor has it. Supervisor Miller stated that it is a privately owned and built facility. Charles Kowalski wanted to know why ORDA isn't taken any responsibility of the pool. Terry Johnson said in reference to Resolution #11 that he is concerned about the maintenance of those properties located in the hamlet boundaries and feels the Town needs to hold NYC accountable to maintain them. Charles Kowalski said in Resolution #11, that minimal management should be defined. No one else wished to address the Board.

Motion was made by M. Finberg, seconded by J. Rosa to approve the ATTACHED "NYC DEP" Land Acquisition #2580 - 178.51+/- acres off Bragg Hollow Road Spur. **(4) Ayes - Marjorie Miller; Mike Finberg; Jake Rosa and Brian Sweeney - (0) Nays.**

Motion was made by B. Sweeney, seconded by M. Finberg to authorize Supervisor Miller to execute the ATTACHED Agreement By and Between Town of Middletown and the MARK Project Inc. for the local housing rehabilitation program to be funded with Community Development Block Grant (CDBG) and B. Sweeney would be the MARK representative on the CDBG sub-committee. **(4) Ayes - Marjorie Miller; Mike Finberg; Jake Rosa and Brian Sweeney - (0) Nays.**

Supervisor Miller reviewed the ATTACHED proposed Resolution #11- Confirming the Maintenance Agreement Between the Town and NYC DEP With Regard to Flood Buy-Out Properties, ATTACHED page 6 of the MOA and ATTACHED letter from NYC DEP supporting the Resolution with the Town Board. Motion was made by M. Miller, seconded by B. Sweeney to table it until next month. **(4) Ayes - Marjorie Miller; Mike Finberg; Jake Rosa and Brian Sweeney - (0) Nay.**

The Town Board reviewed the Workplace Violence Prevention Policy. Motion was made by M. Miller, seconded by J. Rosa to amend the last sentence of the Appendix 1-Workplace Violence Incident Report to read "Provide information on preventative actions taken or under consideration as a result of the incident to prevent further like occurrences:". **(4) Ayes - Marjorie Miller; Mike Finberg; Jake Rosa and Brian Sweeney - (0) Nay.**

Motion was made by M. Finberg, seconded by J. Rosa to approve the ATTACHED Application For Use of Town Hall by the Margaretville Area Tea Party Group for Tuesday, June 24, 2014. **(4) Ayes - Marjorie Miller; Mike Finberg; Jake Rosa and Brian Sweeney - (0) Nay.**

The monthly vouchers were audited and ordered paid by a motion made by M. Miller, seconded by M. Finberg. **(4) Ayes - Marjorie Miller; Mike Finberg; Jake Rosa and Brian Sweeney - (0) Nay.** Vouchers approved were #s 311-379, totaling \$424,186.25.

Motion for adjournment was made by J. Rosa, seconded by B. Sweeney. **(4) Ayes - Marjorie Miller; Mike Finberg; Jake Rosa and Brian Sweeney - (0) Nay.** The meeting was adjourned at 6:10 p.m.

DATED: June 24, 2014

PATRICIA F. KELLY
TOWN CLERK