

NOVEMBER 12, 2013

HWY SUP'T AUTHORIZED TO SEEK BIDS FOR SALE OF A 1974 OSHKOSH MODEL 2025 4x4 COMPLETE WITH ONE-WAY PLOW AND WING.

MEMORANDUM OF UNDERSTANDING BETWEEN VILLAGE OF FLEISCHMANN'S, TOWN OF MIDDLETOWN AND THE DELAWARE SOIL AND WATER CONSERVATION DISTRICT APPROVED.

PETITION TO REDUCE SPEED LIMIT ON COUNTY ROUTE 37 AUTHORIZED TO BE FORWARDED TO NYS DEPT. OF TRANSPORTATION.

SCHEDULED PUBLIC HEARING FOR THURSDAY, DECEMBER 05, 2013 TO 4:00 P.M. - LOCAL LAW NO. 3 OF 2013 - ORDINANCE FOR OPERATION AND CONTROL OF THE ARKVILLE WATER DISTRICT AND A SECOND PUBLIC HEARING IMMEDIATELY FOLLOWING TO ANSWER QUESTIONS AND REVIEW PROCEDURE FOR THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT FOR OWNER OCCUPIED HOME REPAIR.

PROPOSED "NYC DEP" LAND ACQUISITION OF PROPERTY ID: 8671 - 3.8+/- ACRES OFF BSW ROAD 10 AND #8576 - 14.0+/- ACRES OFF JOHN TUTTLE ROAD REFERRED TO THE TOWN PLANNING BOARD.

CHANGE OF \$1000. BOND TO \$2500. TO THE REVOCABLE TEMPORARY LICENSE AGREEMENT BETWEEN DAVE RIORDAN AND THE TOWN APPROVED.

2014 PRELIMINARY BUDGET AMENDED AND ADOPTED.

The Town Board of the Town of Middletown, Delaware County, New York, held their regular Monthly Meeting on Tuesday, November 12, 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: Town Attorney John Fairbairn, Hwy Supt John Biruk, Beth Bush, Terry Johnson, Roger Davis, Linda Stoner, Janet Steiglehner, Ernie Steiglehner, Peg Ellsworth, Kent Manuel, Graydon Dutcher and Rick Weidenbach.

Supervisor Miller called the Town Board Meeting to order at 7:00 p.m.

Minutes of 10/03/13-2014 Tentative Budget Meeting/Special Meeting and 10/08/13-Town Board Meeting were approved as submitted, by a motion made by M. Miller, seconded by M. Finberg, carried by a vote of (5) ayes and (0) nays.

Supervisor's Monthly Financial Reports for 09/2013; Town Clerk's Monthly Reports for 09/2013; Building & Zoning Monthly Reports for 09/2013; Justice Court Monthly Reports for 09/2013; Quarterly Utility Billing Cash Receipts Reports for Arkville Water District - 08/20/12-01/29/13; 01/30/13-03/26/13; 03/27/13-06/26/13 and

06/27/13-09/30/13; Quarterly Water Rents for Halcottsville Water District - 07/01/12-09/30/12; 10/01/12-12/31/12; 01/01/13-03/31/13 and 04/01/13-06/30/13 were approved as submitted, by a motion made by M. Miller, seconded by M. Finberg, carried by a vote of (5) ayes and (0) nays.

Supervisor Miller opened the floor for public comment. Peg Ellsworth addressed the Board and requested a resolution to apply for the submission of a community development block grant application and to hold two Public Hearings before the December 20th deadline advising the public of how it runs. She also gave an update of two other programs that may be available which are the assistance to home buyers' program and the small business development fund for the grant loan program. Terry Johnson asked "Under Town Law 5.30, subparagraph C and D, Article VIII, §1, does this fall in the same category for the food pantry, historical society, etc. Supervisor Miller said "No". Ernie Steiglehner wanted to reinforce what he stated at the Public Hearing about the Preliminary Budget concerning salary increases and the monies allotted for the historical society, etc. No one else wished to address the Board.

Motion was made by M. Miller to authorize Hwy Supt John Biruk to seek bids by auction and to advertise in the Walton Reporter and County Shopper for the sale of a 1974 Oshkosh Model 2025 4x4 Complete With a One-Way Plow and Wing, VIN #14167 with a minimum bid of \$4500. 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 Supervisor Miller to execute the ATTACHED Memorandum of Understanding between Village of Fleischmanns, Town of Middletown and the Delaware County Soil and Water Conservation District. This motion was seconded by B. Sweeney and carried by a vote of (5) ayes and (0) nays.

Motion was made by M. Finberg to forward the ATTACHED Petition to Reduce Speed Limit on County Route 37 to NYS Dept. of Transportation, Binghamton, NY for review. This motion was seconded by B. Sweeney and carried by a vote of (5) ayes and (0) nays.

Motion was made by M. Miller to schedule a Public Hearing for Thursday, December 5, 2013 at 4:00 p.m. regarding the adoption of Local Law No. 3 of 2013 - Ordinance for Operation and Control of the Arkville Water District. This motion was seconded by J. Roucek and carried by a vote of (5) ayes and (0) nays. Motion was made by M. Miller to schedule a second Public Hearing immediately following the first Public Hearing to answer questions and review procedure for the submission of a Community Development Block Grant for owner occupied home repair in the Town of Middletown. This motion was seconded by J. Roucek and carried by a vote of (5) ayes and (0) nays.

Motion was made by M. Miller to refer the proposed Land Acquisition Project from "NYS DEP" for Parcel #8671 - 3.8+/- acres off BWS Road 10 and #8756 - 14.0+/- acres off John Tuttle Road to the Planning Board for their review and comment. This motion was seconded by M. Finberg and carried by a vote of (5) ayes and (0) nays.

Beth Bush stated that they closed out the loan for the Arkville Water project last Friday.

The Town Board reviewed the Revocable Temporary License Agreement prepared by Dennis Metnick and Councilman J. Rosa's ATTACHED email. Motion was made by M. Miller to change the \$1,000 bond to \$2,500. This motion was seconded by J. Roucek and carried by a vote of (4) ayes and (1) nay-J. Rosa.

The Town Board gave further consideration to the 2014 Preliminary Budget. Motion was made by M. Miller to make the following amendments to the Preliminary Budget and adopt the amended Preliminary Budget as the Town's 2014 Annual Budget: 1) Summary Sheet - General (1) under unexpended balance decrease \$50,000. to \$45,000. and 2) Page 6 - Under Mortgage Tax A3005 increase \$55,000. to \$60,000. This motion was seconded by M. Finberg and carried by a vote of (4) ayes and (1) nay-J. Rosa. (ADOPTED BUDGET ON FILE WITH TOWN CLERK).

Voucher #106 in the amount of \$8,000.00 to Toski & Co.; Voucher #107 in the amount of \$7,450.00 to Titan Drilling Corp. and Voucher #108 in the amount of \$7000.00 to Town of Middletown were approved for payment by a motion made by M. Miller, seconded by M. Finberg, 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 680-774, totaling \$225,633.55.

Motion for adjournment was made by M. Finberg, seconded by J. Rosa. This motion was carried by a vote of (5) ayes and (0) nays and the meeting was adjourned at 8:35 p.m.

DATED: November 21, 2013

PATRICIA F. KELLY
TOWN CLERK