

DECEMBER 10, 2013

BID AWARDED FOR 1974 OSHKOSH MODEL 2025
4x4 COMPLETE WITH ONE-WAY PLOW AND WING.

RESOLUTION NO. 28 OF 2013 - RESOLUTION
APPROVING THE SUBMISSION OF A COMMUNITY
DEVELOPMENT BLOCK GRANT APPLICATION
APPROVED.

AUTHORIZED SUPERVISOR MILLER TO SEND
LETTER TO EXTEND CONSULTING AGREEMENT
BETWEEN TOWN AND THE MARK GROUP FOR
ANOTHER TWO YEARS.

RESOLUTION NO. 29 OF 2013 - RESOLUTION TO
REDUCE SPEED LIMIT ON COUNTY ROUTE 37
APPROVED.

RESOLUTION NO. 30 OF 2013 - RESOLUTION
SALUTING THE 70TH WEDDING ANNIVERSARY OF
RUTH & RALPH SMITH APPROVED.

RESOLUTION NO. 31 OF 2013 - RESOLUTION
URGING THAT ALL 19 DELAWARE COUNTY
TOWNS ACHIEVE 100% ASSESSED VALUATION
APPROVED.

LOCAL LAW NO. 3 OF THE YEAR 2013 -
ORDINANCE FOR OPERATION AND CONTROL OF
THE ARKVILLE WATER DISTRICT - TOWN OF
MIDDLETOWN, DELAWARE COUNTY, NEW YORK
REPLACING ORDINANCE NO. 1 OF 1985 ADOPTED.

LOCAL LAW OF THE TOWN OF MIDDLETOWN,
DELAWARE COUNTY, NEW YORK ENACTING A
RIGHT-TO-FARM TABLED.

FEES IN SCHEDULE "B" FOR LOCAL LAW NO. 6 OF
2012 REMAIN AS WRITTEN.

SPECIAL MEETING SET FOR THURSDAY,
DECEMBER 26, 2013 AT 4:00 P.M. TO FINALIZE 2013
BUSINESS; ACKNOWLEDGE RECEIPT OF SINGLE
AUDIT REPORT FROM TOSKI & CO. AND
CONSIDER HWY SUPERINTENDENT JOHN BIRUK
TO PURCHASE A 10-WHEELER PLOW TRUCK OFF
ONEIDA COUNTY OR ONONDAGA COUNTY
CONTRACT.

2013 ORGANIZATIONAL MEETING SET FOR
TUESDAY, JANUARY 7, 2014 AT 5:00 P.M.

ANNUAL AUDIT OF TOWN OFFICER'S FOR FISCAL
YEAR 2013 SET FOR THURSDAY, JANUARY 16, 2014
AT 5:00 P.M.

SUPERVISOR M. MILLER AND COUNCILMAN M.
FINBERG AUTHORIZED TO ATTEND THE ASSOC.
OF TOWN IN NYC IN FEBRUARY 2014.

EXECUTIVE SESSION---CONTRACT
NEGOTIATIONS; EMPLOYMENT HISTORY OF
SEVERAL INDIVIDUALS AND FEMA BUYOUT---NO
BOARD ACTION TAKEN.

The Town Board of the Town of Middletown, Delaware County, New York, held their regular Monthly Meeting on Tuesday, December 10, 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 and Jake Rosa

Councilman John Roucek was not in attendance.

Also present were: Town Attorney John Fairbairn, Hwy Supt John Biruk, Terry Johnson, Roger Davis, Janet Steiglehner, Ernie Steiglehner, Glenn Graves - Walton Reporter, Billy Haynes and Frank Canavan.

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

ATTACHED Agenda prepared by Supervisor Miller.

Minutes of 11/06/13-Public Hearing and 11/12/13-Town Board Meeting were approved as submitted, by a motion made by M. Miller, seconded by B. Sweeney, carried by a vote of (4) ayes and (0) nays.

Supervisor's Monthly Financial Reports for 10/2013; Town Clerk's Monthly Reports for 10/2013; Building & Zoning Monthly Reports for 10/2013 and Justice Court Monthly Reports for 10/2013 were approved as submitted, by a motion made by B. Sweeney, seconded by M. Miller, carried by a vote of (4) ayes and (0) nays.

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

Motion was made by M. Miller to award the ATTACHED bid to David A. Young for Bid #1 - 1974 Oshkosh Model 2025 4x4 Complete With a One-Way Plow and Wing, VIN #14167 in the amount of \$3150. This motion was seconded by M. Finberg and carried by a vote of (4) ayes and (0) nays.

Motion was made by M. Miller to approve the ATTACHED Resolution No. 28 of 2013 - Resolution Approving the Submission of a Community Development Block Grant Application. This motion was seconded by J. Rosa and carried by a vote of (4) ayes and (0) nays.

Per ATTACHED letter from MARK Project dated December 4, 2013, motion was made by B. Sweeney to authorize Supervisor Miller to send a letter to the MARK Project to extend the Consulting Agreement between the Town of Middletown and the MARK Project for another two years. 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. 29 of 2013 - Resolution to Reduce Speed Limit on County Route 37. 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 approve the ATTACHED Resolution No. 30 of 2013 - Resolution Saluting the 70th Wedding Anniversary of Ruth & Ralph Smith. This motion was seconded by M. Finberg and carried by a vote of (4) ayes and (0) nays.

Motion was made by M. Miller to approve the ATTACHED Resolution No. 31 of 2013 - Resolution Urging That All 19 Delaware County Towns Achieve 100% Assessed Valuation. This motion was seconded by B. Sweeney and carried by a vote of (4) ayes and (0) nays.

The Town Board gave further consideration to the Local Law No. 3 of 2013 and made the following changes: Page 1 - SECTION 1(a) - Delete second sentence - "All money in payment for permits or services shall be paid to the Town Clerk at the Town Offices, Margaretville, New York."; in the following sentence before Clerk take out "Town" and put in "Water"; Page 1 - SECTION 1(b) - after District take out "and" and add "via the" and take out "at each regular meeting" and add "quarterly". Since the changes were minor and not substantive, motion was made by M. Miller to adopt the ATTACHED Local Law No. 3 of 2013 - Ordinance for Operation and Control of the Arkville Water District - Town of Middletown, Delaware County, New York Replacing Ordinance No. 1 of 1985. This motion was seconded by B. Sweeney and carried by a vote of (4) ayes and (0) nays.

The Town Board reviewed and discussed Local Law No. 4 of 2013 - A Local Law of the Town of Middletown, Delaware County, New York Enacting A Right-to-Farm Law. Motion was made by M. Miller to table it until the Special Meeting on Thursday, December 26, 2013 so the Town Board could clarify forestry activities. This motion was seconded by M. Finberg and carried by a vote of (4) ayes and (0) nays.

The Town Board reviewed and discussed the ATTACHED Commercial Hauler Report. The Town Board asked the Town Clerk to send a letter to James Lamborn advising him that he will need to obtain a commercial hauler permit. Motion was made by M. Miller to have the fees in Schedule "B" of Local Law #6 of 2012 remain as written. This motion was seconded by J. Rosa and carried by a vote of (4) ayes and (0) nays.

Motion was made by M. Miller to hold a Special Meeting on Thursday, December 26, 2013 to at 4:00 p.m. to finalize 2013 business; consider Hwy Superintendent John Biruk to purchase a 10-wheeler plow truck off Oneida County or Onondaga County contract and acknowledge receipt of Single Audit Report from Toski & Co. This motion was seconded by M. Finberg and carried by a vote of (4) ayes and (0) nays.

Motion was made by M. Miller to hold the 2013 Organizational Meeting on Tuesday, January 7, 2014 at 5:00 p.m. This motion was seconded by M. Finberg and carried by a vote of (4) ayes and (0) nays.

Motion was made by M. Miller to hold the Annual Audit of Town Officer's for Fiscal 2013 on Thursday, January 16, 2014 at 5:00 p.m. This motion was seconded by M. Finberg and carried by a vote of (4) ayes and (0) nays.

Motion was made by B. Sweeney to authorize Supervisor M. Miller and Councilman M. Finberg to attend the Association of Towns in NYC in February 2014. This motion was seconded by J. Rosa and carried by a vote of (4) ayes and (0) ayes.

Motion was made by M. Miller to have the Town Clerk send a letter to Delaware County Board of Supervisors asking for a complete breakdown of the Town charges for the ATTACHED Resolution No. 202 - Levy of Town Accounts.

Motion was made by M. Miller at 8:18 p.m. to enter into Executive Session to discuss contract negotiations; employment history of several individuals and the FEMA Buyout. Included in the Executive Session was the Town Attorney. This motion was seconded by M. Finberg and carried by a vote of (4) ayes and (0) nays. Motion for adjournment was made by M. Miller and seconded by M. Finberg. This motion was carried by a (4) ayes and (0) nays, and the Executive Session was adjourned at 9:18 p.m. There was no Board action taken per the Executive Session.

Voucher #109 in the amount of \$3,500.00 to Orrick was approved was approved for payment by a motion made by M. Miller, seconded by J. Rosa, and carried by a vote of (4) 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 (4) ayes and (0) nays. Vouchers approved were #s 775-833, totaling \$806,174.15.

Motion for adjournment was made by J. Rosa, seconded by M. Finberg. This motion was carried by a vote of (4) ayes and (0) nays and the meeting was adjourned at 9:28 p.m.

DATED: December 18, 2013

PATRICIA F. KELLY
TOWN CLERK