

JULY 10, 2012

MOTION AUTHORIZING SUPERVISOR TO EXECUTE LETTER OF INTENT FOR

APPOINTED CODE ENFORCEMENT OFFICER CARL P. DAVIS AS CRS COORDINATOR.

ADOPTED LOCAL LAW NO. 3 OF 2012 - A LOCAL LAW REPEALING LOCAL NO. 3 OF 2007 AND REPLACING IT IN ITS ENTIRETY WITH LOCAL LAW NO. 3 OF 2012 WITH THE SAME TITLE: "SEWER USE LAW".

ADOPTED LOCAL LAW NO. 4 OF 2012 - A LOCAL LAW PROVIDING THAT THE TOWN OF MIDDLETOWN MAY AWARD CONTRACTS PURSUANT TO THE "BEST VALUE" STANDARD.

SUPPORTING CARSKILL RECREATION CENTER

ANNUAL AGREEMENT WITH THE HEART OF THE CATSKILLS HUMANE SOCIETY – APPROVED.

APPROVED EWP PROJECTS FOR ARKVILLE TRAILER PARK, DRY BROOK ROAD, MARGARETVILLE SCHOOL, BAUER PROJECT, BULL RUN, VILLAGE OF FLEISCHMANN'S AND MILLBROOK ROAD.

RESIGNATION FROM MICHELLE SHAMRO AS ASSESSOR EFFECTIVE NOVEMBER 1, 2012.

EXECUTIVE SESSION - CSEA NEGOTIATIONS---- NO BOARD ACTION TAKEN.

The Town Board of the Town of Middletown, Delaware County, New York, held their regular monthly meeting on Tuesday, July 10, 2012 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 Carey Wagner, Hwy Supt John Biruk, Code Enforcement Officer Carl P. Davis, Artie Zier, Beth Bush, Robert Cairns - Walton Reporter, Don Kearney, Chuck Freas, Leonard Utter and Justin Kolb.

Supervisor Miller called the meeting to order at 7:00 p.m.

Minutes of 06/07/12-Special Meeting, 06/12/12-Town Board Meeting and 06/21/12-Public Hearing were approved as submitted, by a motion made by J. Rosa, seconded by M. Miller, carried by a vote of (4) ayes and (0) nays.

Supervisor's Monthly Financial Reports for 05/2012; Town Clerk's Monthly Reports for 05/2012; Building & Zoning Monthly Reports for 05/2012 and Justice Court Monthly Reports for 05/2012 were approved as submitted, by a motion made by J. Rosa, seconded by M. Miller, carried by a vote of (4) ayes and (0) nays.

Supervisor Miller opened the floor to the public. Leonard Utter said "as to Item 13 on the agenda, the swimming pool, he hopes the Town is given moral support not financial". M. Finberg replied "that the week earlier at the workshop, the Town Board determined that it would be only moral support not financial". No one else wished to address the Board.

Justin Kolb gave a presentation about the Phoenicia International Festival of the Voice.

Code Enforcement Officer Carl P. Davis gave a presentation as to the resolution to make application to enter the Community Rating System (CRS) Program. A motion was made by M. Finberg authorizing the Supervisor to execute the ATTACHED Letter of Intent for the Town of Middletown to become a member of the CRS Program. This motion was seconded by B. Sweeney and carried by a vote of (4) ayes and (0) nays. A motion was made by M. Finberg to appoint Code Enforcement Officer Carl P. Davis as CRS Coordinator. This motion was seconded by M. Miller and carried by a vote of (4) ayes and (0) nays.

Hwy Supt John Biruk advised the Board that the Hog Mountain Road repair was completed and opened to the public on July 3rd. He spoke to FEMA about Storm Irene and was told that payment was being processed today for the reimbursement of \$14,000. As to Millbrook, it was misplaced in April and reprocessed in May but they still do not know why we haven't been paid. Also, the Huckleberry Brook Project is completed.

Arkville Water Project Manager Beth Bush gave an update of the Arkville Water Project stating that original the \$475,000. loan turned into a grant, was approved for a \$195,000 grant to elevate the Pavilion pump house from the Southern Tier and that the loan will be for \$377,000. For 38 years at 2 1/2 % interest. Also, the new pump house is 80% done.

The Town Clerk gave the ATTACHED memo to Council Members, Brian Sweeney, Mike Finberg and John Roucek concerning the Public Hearing held on Thursday, June 21, 2012 for a Local Law Repealing Local Law No. 3 of 2007 And Replacing It In Its Entirety With Local Law No. 3 of 2012 With The Same Title: "Sewer Use Law" as they were not in attendance for the Public Hearing.

Motion was made by M. Miller to adopt the ATTACHED Local Law No. 3 of 2012 - A Local Law Repealing Local Law. No. 3 of 2007 And Replacing It In Its Entirety With Local Law. No 3 of 2012 With The Same Title: "Sewer Use Law". This motion was seconded by J. Rosa and carried by a vote of (4) ayes and (0) nays.

Motion was made by J. Rosa to adopt ATTACHED Local Law No. 4 of 2012 - A Local Law Providing That The Town of Middletown May Award Contracts Pursuant to The "Best Value" Standard. This motion was seconded by M. Miller carried by a vote of (4) ayes and (0) nays.

A motion was made by M. Sweeney to adopt the ATTACHED Resolution Supporting Catskill Recreation Center. This motion was second by B. Sweeney and carried a vote of (4) ayes and (0) nays. Jake Rosa wanted to make it clear that this is for moral support not financial support.

A motion was made by M. Miller to approve the ATTACHED EWP Project for Arkville Trailer Park. This motion was seconded by M. Finberg and carried by a vote of (4) ayes and (0) nays. A motion made was made by M. Miller to approve the ATTACHED EWP Project for Dry Brook Road. This motion was seconded by M. Finberg and carried by a vote of (4) ayes and (0) nays. A motion was made by M. Miller to approve the ATTACHED EWP Project for Margaretville Central School. This motion was seconded by M. Finberg and carried by a vote of (4) ayes and (0) nays. A motion was made by M. Miller to approve the ATTACHED EWP Project for the Bauer Project. This motion was seconded by M. Finberg and carried by a vote of (4) ayes and (0) nays. A motion was made by M. Miller to approve the ATTACHED EWP Project for the Bull Run. This motion was seconded by M. Finberg and carried by a vote of (4) ayes and (0) nays. A motion was made by M. Miller to approve the ATTACHED EWP Project for Village of Fleischmanns. This motion was seconded by M. Finberg and carried by a vote of (4) ayes and (0) nays. A motion was made by M. Miller to approve the ATTACHED EWP Project for Millbrook Road. 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 annual agreement with The Heart of the Catskills Humane Society for Control of Dogs. This motion was seconded by J. Rosa and carried by a vote of (4) ayes and (0) nays.

The Board tabled the review of the Administrative Procedure for Board and Committee Appointments until next month.

Michelle Shamro gave the ATTACHED resignation effective November 1, 2012 as Assessor.

Supervisor Miller opened the floor to the public again. Leonard Utter asked about Soil Nails. No one else wished to address the Board.

Motion was made by M. Miller to go into Executive Session to discuss CSEA negotiations. This motion was seconded by B. Sweeney and carried by a vote of (4) ayes

and (0) nays. The session began at 8:10 p.m. and included the Town Attorney and Town Clerk. Motion was made by J. Rosa to end the Executive Session at 8:30 p.m. This motion was seconded by M. Miller and carried by a vote of (4) ayes and (0) nays. There was no Board action per the Executive Session.

Voucher #16 for the Housing Rehab. Project in the amount of \$21,045.96 to Mark Project was approved for payment by a motion made by B. Sweeney, seconded by M. Finberg, and carried by a vote of (4) ayes and (0) nays.

Voucher #50 in the amount of \$14,289.88 to Lamont Engineers; Voucher #51 in the amount of \$24,865.12 to Cowan Excavating; Voucher #52 in the amount of \$17,100.00 to Avolio Brothers and Voucher #53 in the amount of \$18,857.50 to Hinkley Assoc. for the Arkville Water Project was approved for payment by a motion made by B. Sweeney, seconded by M. Finberg, and carried by a vote of (4) ayes and (0) nays.

The monthly vouchers were audited and ordered paid by a motion made by B. Sweeney, seconded by J. Rosa, and carried by a vote of (4) ayes and (0) nays. Vouchers approved were #s 422-504, totaling \$345,889.81.

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 8:45 p.m.

DATED: July 31, 2012

PATRICIA F. KELLY
TOWN CLERK