

AUGUST 14, 2012

HWY SUPT AUTHORIZED TO SEEK BIDS FOR GMC 3000 4x4 CAB AND CHASSIS.

HWY SUPT AUTHORIZED TO SEEK BIDS FOR 1) INSTALLED DUMP BODY AND CENTRAL HYDRAULIC SYSTEM; 2) OPTIONS: A) INSTALLED 9' HD FISHER SNOWPLOW SYSTEM; B) INSTALLED 9'6" SS XTREAM FISHER V-PLOW SYSTEM AND C) PINTAL HITCH WITH 2" BALL AND TWO D-RINGS.

ADOPTED RESOLUTION FOR QUALIFIED ABANDONMENT OF CAMP PARADISE ROAD.

NOMINATED SUSANNA FINCH AS CHAIRPERSON OF THE PLANNING BOARD.

CREATED AGRICULTURAL/NATURAL RESOURCE POSITION ON THE PLANNING BOARD.

APPOINTED JOYCE GRAY AS MEMBER OF THE PLANNING BOARD.

ADOPTED RESOLUTION TO AUTHORIZE SUPERVISOR TO SEEK BIDS FOR EMERGENCY WATERSHED PROTECTION PROGRAM.

ADOPTED RESOLUTION ACCEPTING PROPOSED LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT.

SCHEDULED PUBLIC HEARING FOR TUESDAY, SEPTEMBER 04, 2012 FOR LOCAL LAW NO. 5 OF 2012 – LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT.

RESIGNATION OF TOWN ATTORNEY CAREY WAGNER. APPOINTMENT OF JOHN FAIRBAIRN AS ATTORNEY FOR THE TOWN PER DIEM.

EXECUTIVE SESSION - SOLE ASSESSOR AND ASSESSOR'S OFFICE DYSFUNCTION ---- AUTHORIZED LETTER TO BE SENT TO BOARD OF ASSESSORS.

The Town Board of the Town of Middletown, Delaware County, New York, held their regular monthly meeting on Tuesday, August 14, 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 Mike John Roucek was not in attendance.

Also present were: Hwy Supt John Biruk, Artie Zier, Robert Cairns - Walton Reporter, Don Kearney, Roger Davis, Betty Martin, Timothy Cox - CWC, Susanna Finch, Abigail Sanford - Catskill Mountain News and Bill Taylor.

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

Minutes of 07/05/12-Public Hearing and 07/10/12-Town Board Meeting were approved as submitted, by a motion made by J. Rosa, seconded by M. Finberg, carried by a vote of (4) ayes and (0) nays.

Supervisor's Monthly Financial Reports for 06/2012; Town Clerk's Monthly Reports for 06/2012; Building & Zoning Monthly Reports for 06/2012 and Justice Court Monthly Reports for 06/2012 were approved as submitted, by a motion made by M. Finberg, seconded by B. Sweeney, carried by a vote of (4) ayes and (0) nays.

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

Timothy Cox of CWC gave a presentation about the Tax Litigation Avoidance Program Participation as per his ATTACHED letter dated July 31, 2012.

A motion was made by M. Finberg to authorize the Hwy Supt to seek bids for a GMC 3000 4x4 Cab and Chassis. This motion was seconded by M. Miller and carried by a vote of (4) ayes and (0) nays. A motion was made by M. Finberg to authorize the Hwy Supt seek bids for 1) Installed Dump Body and Central Hydraulic System; 2) Options: A) Installed 9' HD Fisher Snowplow System; B) Installed 9'6" SS Xtream Fisher V-Plow System and C) Pintal Hitch With 2" Ball and Two D-Rings. This motion was seconded by M. Miller and carried by a vote of (4) ayes and (0) nays. A motion was made by B. Sweeney to adopt the ATTACHED Resolution for Qualified Abandonment of Camp Paradise Road. This motion was seconded by B. Sweeney and carried by a vote of (3) ayes and (1) nay - Councilman J. Rosa

Motion was made by M. Miller to nominate Susanna Finch as Chairperson of the Planning Board to replace John Sanford. 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 create an agricultural/natural resource position on the Planning Board. 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 appoint Joyce Gray as agricultural/natural resource member of the Planning Board. 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 adopt the ATTACHED Resolution to authorize Supervisor to seek bids for Emergency Watershed Protection Program. This motion was second by B. Sweeney and carried a vote of (4) ayes and (0) nays.

The Town Board tabled review of transfer station policy and fees until they have spoken to all of the commercial haulers about a hauler's fee and a price increase of the out-of-town users.

A motion was made by M. Miller to adopt the ATTACHED Resolution Accepting Proposed Local Law to Override the Tax Levy Limit. 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 schedule a Public Hearing for Tuesday, September 4, 2012 at 7:00 p.m. before the Workshop to discuss the proposed Local Law. This motion was seconded by M. Finberg and carried by a vote of (4) ayes and (0) nays.

The Town Board reviewed the draft of Middletown's Administrative Procedures and tabled until next month.

The Town Board discussed the ATTACHED letter from Agnes Freas, Secretary of the Fairview Public Library which the Fairview Public Library Board of Trustees appointed James R. Gohlke as member of Fairview Library Board of Directors to replace Jane Miller's term to expire March 09, 2015. The Town Board asked the Town Clerk to write the ATTACHED letter to Fairview Public Library to ask them to get a letter from the Board of Regents stating the effective date as to when the present By-Laws were finalized. After receipt of that, the Town Board will consider extending Ingrid van der Leeden's term of service from a three year to a five year.

Town Attorney Carey Wagner gave the ATTACHED resignation effective August 31, 2012 as Town Attorney. A motion was made by M. Miller to abolish the position of the Town Attorney. The motion was seconded by M. Finberg and carried by a vote of (4) ayes and (0) ayes. A motion was made by M. Miller to appoint John Fairbairn as Attorney for the Town per diem effective September 1, 2012 through December 31, 2012 at \$150./hour. This motion was seconded by J. Rosa and carried by a vote of (4) ayes and (0) nays.

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

Motion was made by M. Miller to go into Executive Session to discuss possibly going to sole assessor and the dysfunction of the Assessor's Office. This motion was seconded by M. Finberg and carried by a vote of (4) ayes and (0) nays. The session began at 8:50 p.m. and included the Town Clerk. Motion was made by M. Miller to end the Executive Session at 9:10 p.m. This motion was seconded by M. Finberg and carried

by a vote of (4) ayes and (0) nays. As per the Executive Session, a motion was made by M. Miller to write the ATTACHED letter to the Middletown Board of Assessors. This motion was seconded by M. Finberg and carried by a vote of (4) ayes and (0) nays.

Voucher #55 in the amount of \$11,284.26 to Lamont Engineers; Voucher #56 in the amount of \$76,410.40 to Stephan Miller General Contractor; Voucher #57 in the amount of \$20,947.50 to Hinkley Assoc. and Voucher #58 in the amount of \$11,970.00 to Avolio Bros. for the Arkville Water Project was approved for payment by a motion made by M. Miller, seconded by B. Sweeney, 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 505-583, totaling \$173,274.53.

Motion for adjournment was made by M. Miller, seconded by M. Finberg. This motion was carried by a vote of (4) ayes and (0) nays and the meeting was adjourned at 9:25 p.m.

DATED: August 31, 2012

PATRICIA F. KELLY
TOWN CLERK