

NOVEMBER 13, 2012

PUBLIC HEARING - LOCAL LAW NO. 6 OF 2012 – A LOCAL LAW CONCERNING THE PERMITTED USE OF THE TOWN OF MIDDLETOWN TRANSFER STATION REPLACING LOCAL LAW NO. 2 OF 2009.

BETH BUSH AUTHORIZED TO SEEK ADDITIONAL BIDS FOR REP SINGLE AUDIT.

2013 PRELIMINARY BUDGET AMENDED AND ADOPTED.

APPROVED CSEA COLLECTIVE BARGAINING AGREEMENT.

BIDS AWARDED FOR RENTAL EQUIPMENT.

ADOPTED RESOLUTION TO ADD WHITE ROAD EXTENSION TO HWY ROAD INVENTORY.

AUTHORIZATION TO SEEK BIDS FOR CONSTRUCTION RENOVATION OF TOWN HALL.

AUTHORIZATION TO SEEK BIDS FOR PURCHASE AND INSTALLATION OF NEW FURNACE FOR TOWN HALL.

APPOINTED TERRY J. MARKS, ASSESSOR TO REPLACE GARY MARKS EFFECTIVE JANUARY 1, 2013.

APPROVED DEP BUYOUT ON BRUSH RIDGE ROAD TO REMAIN OPEN FOR ALL HUNTING.

The Town Board of the Town of Middletown, Delaware County, New York, held their Public Hearing and regular Monthly Meeting on Tuesday, November 9, 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, Jake Rosa and John Roucek

Also present were: Hwy Supt John Biruk, Artie Zier, Frank Canavan, Robert Cairns - Walton Reporter, Roger Davis, Betty Martin, Geoff Samuels, Beth Bush, Bill Taylor, Colleen McDaniel, Gloria Zola-Mulloy, Susanna Finch, John Hoeko and Joyce St. George.

Supervisor Miller opened the Public Hearing at 7:00 p.m. The Town Clerk read the ATTACHED legal notice advertising the public hearing. The Town Board reviewed the Local Law and made the following changes: Page 2 under VI. Transfer Station - Section C, change January 1, 2012 to January 1, 2013; Page 9 - Section II. Commercial Permits Hauler Fees, change January 31<sup>st</sup> to March 31<sup>st</sup>; one ton to five tons; \$1,000.00. to \$600.00 and \$3200.00 to \$2400.00.

The floor was opened for public comment. Gloria Zola-Mulloy commented that she didn't know the difference from #2 and #4 plastics that get recycled. There were no other questions or comments from the public, and Supervisor Miller closed the Hearing at 7:29 p.m.

Supervisor Miller called the Town Board Meeting to order at 7:29 p.m. Minutes of 10/05/12-2013 Tentative Budget Meeting; 10/09/12-Town Board Meeting; 10/19/12-Special Meeting and 10/29/12-Emergency Meeting were approved as

submitted, by a motion made by J. Rosa, seconded by M. Finberg, carried by a vote of (5) ayes and (0) nays.

Supervisor's Monthly Financial Reports for 09/2012; Town Clerk's Monthly Reports for 09/2012; Building & Zoning Monthly Reports for 09/2012 and Justice Court Monthly Reports for 09/2012 were approved as submitted, by a motion made by M. Miller, seconded by J. Roucek, carried by a vote of (5) ayes and (0) nays.

Supervisor Miller opened the floor to the public. Gloria Zola-Mulloy stated she was here to see all you can to do to get the Bridge Street bridge back in Fleischmanns. No one else wished to address the Board.

Beth Bush asked the Town Board that since she received only one proposal for the RFP for a Single Audit of \$9800. from Toski & Co. if she should re-bid. Motion was made by J. Rosa to authorize Beth Bush to re-bid for the single audit. This motion was seconded by M. Finberg and carried by a vote of (5) ayes and (0) nays.

Motion was made by M. Miller to approve the ATTACHED memo dated November 7, 2012 with the amendments to the 2013 Preliminary Budget. This motion was seconded by J. Rosa and carried by a vote of (5) ayes and (0) ayes. Motion was made by B. Sweeney to adopt the 2013 Preliminary Budget, as amended, as the Town's 2013 Annual Budget. This motion was seconded by J. Roucek and carried by a vote of (5) ayes and (0) nays. (ADOPTED BUDGET ON FILE WITH TOWN CLERK).

Beth Bush gave an update of the Arkville Water Project stating that the project behind railroad station is a week away from coming on line, will raise the Pavilion Road well pump house in the spring and then we can close everything out.

Motion was made by M. Finberg to approve the ATTACHED CSEA Collective Bargaining Agreement for 01/01/12-12/31/15. 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 award the bids for the rental of equipment from 11/7/12 for a period of six months as per the ATTACHED list prepared by the Hwy Supt. This motion was seconded by M. Miller and carried by a vote of (5) ayes and (0) nays.

Motion was made by M. Miller to adopt the ATTACHED Resolution to Extend White Road Extension to hwy road inventory. This motion was seconded by M. Finberg and carried by a vote of (5) ayes and (0) nays.

Motion was made by M. Miller to seek bids for the ATTACHED proposal for construction renovation of a portion of the Town Hall through the NYSEG grant. This motion was seconded by M. Finberg and carried by a vote of (5) ayes and (0) nays. Motion was made by M. Miller to seek bids for the ATTACHED proposal for purchase and installation of a new furnace and all necessary piping and connections at Town Hall through the NYSEG grant. This motion was seconded by M. Finberg and carried by a vote of (5) ayes and (0) nays.

Colleen McDaniel addressed the Board and wanted to know if any decision was made on the DEP buyout concerning the usage of the Brush Ridge Road property. Susanna Finch addressed the Board and stated that the Town Planning Board reviewed this further, wanted to maintain as many uses as possible on DEP owned large parcels and felt it should remain open to hunting not just bowhunting. B. Sweeney said that the percentage hunted on DEP property is very low. M. Miller presented the ATTACHED 2011 Hunting Safety Statistics. M. Finberg disagrees with the fact that this is not necessarily a policy shift and due to the neighboring property owners concerns and potential density, rifle hunting should not be allowed. With the recommendation of the Town of Middletown Planning Board's ATTACHED letter, J. Rosa made a motion to leave the DEP Buyout on Brush Ridge Road open to all hunting. This motion was seconded by B. Sweeney and carried by a vote of (4) ayes and (1) nay - M. Finberg.

Motion was made by M. Miller to appoint Terry J. Marks, as Assessor effective January 1, 2013 to replace Gary Marks. This motion was seconded by B. Sweeney and carried by a vote of (5) ayes and (0) nays.

The Board referred the proposed Land Acquisition Project from NYC DEP for Project #3425 - 92.5+/- acres off New Kingston Road, #7671 - 92.28 +/- acres off County Route 36 and #8557 - 5+/- acres off Bragg Hollow Road Spur to the Town Planning Board.

Supervisor Miller opened the floor to the public again. Colleen McDaniel thanked the Board for their time and would have liked the property for hiking on and use for recreation not for hunting. No one else wished to address the Board.

Voucher #67 in the amount of \$20,630.60 to Hubbell, Inc.; Voucher #68 in the amount of \$40,138.45 to Stephan Miller General Cont.; Voucher #69 in the amount of \$8,942.11 to Adedge Technologies and Voucher #70 in the amount of \$4,258.20 to Cowan Excavating for the Arkville Water Project was approved for payment by a motion made by J. Roucek, seconded by J. Rosa, and carried by a vote of (5) ayes and (0) nays. The monthly vouchers were audited and ordered paid by a motion made by J. Rosa, seconded by B. Sweeney, and carried by a vote of (5) ayes and (0) nays. Vouchers approved were #s 694-798, totaling \$112,881.76.

Motion for adjournment was made by J. Rosa, seconded by J. Roucek. This motion was carried by a vote of (5) ayes and (0) nays and the meeting was adjourned at 8:40 p.m.

DATED: November 30, 2012

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PATRICIA F. KELLY  
TOWN CLERK