

DECEMBER 26, 2013

SPECIAL MEETING.

HWY SUPT AUTHORIZED TO SEEK BIDS FOR 2015 WESTERN STAR 4700SF - DD13 470HP - ALLISON AUTOMATIC AND MINIMUM SPECIFICATIONS FOR DUMP BODY SPREADER, SNOWPLOW AND WING SYSTEM, HYDRAULIC SYSTEM, SANDER AND HYDRAULIC CONTROLS AND HITCH.

2013 BUDGET AMENDMENTS APPROVED.

RESOLUTION #32 OF 2013 - ARKVILLE WATER PROJECT BUDGET MODIFICATION APPROVED.

RETAINER AGREEMENT FROM ATTORNEY FOR THE TOWN, LEONARD E. SIENKO, JR. APPROVED.

2014 TOWN PLANNING ADVISORY SERVICE (TPAS) BETWEEN DEL. CO. PLANNING BOARD AND THE TOWN IN THE AMOUNT OF \$3500.00 APPROVED.

ACKNOWLEDGED RECEIPT OF GOVERNMENTAL FUNDS FINANCIAL STATEMENTS AND INDEPENDENT AUDITORS' REPORT FOR 2012 FROM TOSKI & CO., P.C.

HONOR ROLL FOR 2013 APPROVED.

EXECUTIVE SESSION---EMPLOYMENT HISTORY OF AN INDIVIDUAL AND LITIGATION---NO BOARD ACTION TAKEN.

The Town Board of the Town of Middletown, Delaware County, New York, held a Special Meeting on Thursday, December 26, 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, Michael Finberg and Jake Rosa

Councilman John Roucek was not in attendance.

Also present were: Town Attorney John Fairbairn, Leonard E. Sienko, Jr., Lillian Browne - Walton Reporter, Beth Bush, Terry Johnson, Hwy Supt John Biruk and Ernest Steiglehner.

Supervisor Miller called the Meeting to order at 4:00 p.m.

ATTACHED Agenda prepared by Supervisor Miller.

Town Clerk placed the ATTACHED notice advertising the Special Meeting to finalize 2013 business; acknowledge receipt of Single Audit Report from Toski & Co., consider Hwy Superintendent John Biruk to purchase a 10-wheeler plow truck off Oneida County or Onondaga County contract and set date and time for a Public Hearing for

Local Law No. 1 of 2014, "A Local Law of the Town of Middletown, Delaware County, New York Enacting A Right-To-Farm Law" in the Catskill Mountain News.

Motion was made by M. Miller, seconded by M. Finberg that the Minutes of 12/05/13-Public Hearing, as submitted by the Town Clerk were approved. **(4) Ayes - Marjorie Miller; Mike Finberg; Brian Sweeney and Jake Rosa - (0) Nays.**

Motion was made J. Rosa, seconded by M. Miller to authorize Hwy Supt John Biruk to seek bids for a 2015 Western Star 4700SF - DD13 470HP - Allison Automatic and Minimum Specifications for Dump Body Spreader, Snowplow and Wing System, Hydraulic System, Sander and Hydraulic Controls and Hitch. **(4) Ayes - Marjorie Miller; Mike Finberg; Brian Sweeney and Jake Rosa - (0) Nays.**

Motion was made by M. Miller, seconded by B. Sweeney to approve the ATTACHED list of 2013 Budget Amendments. **(4) Ayes - Marjorie Miller; Mike Finberg; Brian Sweeney and Jake Rosa - (0) Nays.**

Motion was made M. Miller, seconded by J. Rosa to approve the ATTACHED Resolution No. 32 of 2013 - Arkville Water Project Budget Modification. **(4) Ayes - Marjorie Miller; Mike Finberg; Brian Sweeney and Jake Rosa - (0) Nays.**

Leonard E. Sienko, Jr. introduced himself to the Board. Motion was made by M. Finberg, seconded by B. Sweeney to authorize the Supervisor to execute the ATTACHED Retainer Agreement from the Attorney for the Town, Leonard E. Sienko, Jr. **(4) Ayes - Marjorie Miller; Mike Finberg; Brian Sweeney and Jake Rosa - (0) Nays.** Attorney John R. Fairbairn, III gave his ATTACHED Resignation to the Town Board.

Supervisor Miller tabled the scheduling of the Public Hearing for the Right-to-Farm Law until January or February of 2014.

Motion was made by M. Miller, seconded by B. Sweeney to approve the ATTACHED 2014 Town Planning Advisory Service (TPAS) between the Delaware County Planning Board and the Town of Middletown for the amount of \$3500.00. **(4) Ayes - Marjorie Miller; Mike Finberg; Brian Sweeney and Jake Rosa - (0) Nays.**

Motion was made M. Miller, seconded by M. Finberg to acknowledge receipt of the ATTACHED Governmental Funds Financial Statements and Independent Auditors' Report for 2012 from Toski & Co., P.C. **(4) Ayes - Marjorie Miller; Mike Finberg; Brian Sweeney and Jake Rosa - (0) Nays.**

Motion was made by M. Miller, seconded by M. Finberg to approve the ATTACHED Honor Roll for 2013. **(4) Ayes - Marjorie Miller; Mike Finberg; Brian Sweeney and Jake Rosa - (0) Nays.**

Motion was made by M. Miller at 6:00 p.m., seconded by M. Finberg to enter into Executive Session to discuss employment history of an individual and litigation. Included in the Executive were the Town Attorney and Leonard E. Sienko, Jr. **(4) Ayes - Marjorie Miller; Mike Finberg; Brian Sweeney and Jake Rosa - (0) Nays.** Motion for adjournment was made by M. Miller at 6:50 p.m., seconded by B. Sweeney. Mike Finberg was not present. **(3) Ayes - Marjorie Miller; Brian Sweeney and Jake Rosa - (0) Nays.** There was no Board action taken per the Executive Session.

Final 2013 vouchers were audited and ordered paid by a motion made by M. Miller, seconded by J. Rosa. **(4) Ayes - Marjorie Miller; Brian Sweeney and Jake Rosa - (0) Nays.** Vouchers approved were #s 834-861, totaling \$161,378.03.

Motion for adjournment was made M. Miller, seconded by B. Sweeney. **(3) Ayes - Marjorie Miller; Brian Sweeney and Jake Rosa - (0) Nays.** The meeting was adjourned at 6:53 p.m.

Dated: January 09, 2014

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PATRICIA F. KELLY  
TOWN CLERK