SEPTEMBER 10, 2014

PUBLIC HEARING - LOCAL LAW NO. 2 OF 2014 - LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c.

2014 ANNUAL INVENTORY OF HIGHWAY EQUIPMENT RECEIVED FROM TOWN HWY SUPT. JOHN BIRUK.

RESOLUTION NO. 15 OF 2014 - RESOLUTION BY THE TOWN BOARD IN RELATION TO CONTROL OF SNOW ON COUNTY HIGHWAYS SECTION 135-A OF THE HIGHWAY LAW FOR A FOUR YEAR PERIOD APPROVED.

LOCAL LAW NO. 2 FOR THE YEAR 2014 - A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c ADOPTED.

APPOINTMENT OF PHYLLIS WHITEHOUSE FROME AND KYLE HOLDEN AS ALTERNATE MEMBERS OF THE TOWN PLANNING BOARD FOR A TWO YEAR TERM.

RE-APPOINTMENT OF MARGARET C. KEARNEY AS MEMBER OF THE BOARD OF ASSESSMENT REVIEW FOR A FIVE YEAR TERM.

PERMISSION GRANTED TO DAVID RIORDAN TO REMOVE THREE DEAD AND TWO BROKEN TREES FROM TOWN PROPERTY.

TOWN RESPONSE TO PROPOSED "NYC DEP" LAND ACQUISITION OF PROPERTY ID: 4590 – 47.0+/- ACRES OFF NEW KINGSTON MOUNTAIN AND THOMPSON HOLLOW ROADS APPROVED.

SCHEDULED PUBLIC HEARING FOR THURSDAY, OCTOBER 2, 2014 AT 4:00 P.M. FOR HEART OF THE CATSKILLS COMMUNICATIONS INC. d/b/a MTC CABLE REQUEST FOR APPROVAL OF A CABLE TELEVISION FRANCHISE IN THE TOWN OF MIDDLETOWN.

AUTHORIZED SUPERVISOR MILLER TO ADVERTISE FOR A DEPUTY HALCOTTSVILLE AND ARKVILLE WATER SUPERINTENDENT.

DESIGNATED LARAINE CALIRI, DVM OF BROOKSIDE VETERINARY HOSPITAL FOR VETERINARY SERVICES.

APPLICATION FOR USE OF TOWN HALL BY THE MARGARETVILLE AREA TEA PARTY GROUP FOR TUESDAY, SEPTEMBER 30, 2014 APPROVED.

APPLICATION FOR USE OF TOWN HALL BY THE DEMOCRATIC COMMITTEE FOR THURSDAY, SEPTEMBER 18, 2014 APPROVED.

SCHEDULED SPECIAL MEETING FOR THURSDAY, OCTOBER 2, 2014 IMMEDIATELY FOLLOWING PUBLIC HEARING FOR THE TOWN BOARD TO RECEIVE THE 2015 TENTATIVE BUDGET.

The Town Board of the Town of Middletown, Delaware County, New York, held their Public Hearing and regular Monthly Meeting on Wednesday, September 10, 2014 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 and Mike Finberg

Councilmen Jake Rosa and John Roucek were not in attendance.

Also present were: Hwy Supt John Biruk, Lillian Browne - Walton Reporter, Susanna Finch, Sharon Abrams, Charles Kowalski, Jon Adams, David Riordan and Terry Johnson.

ATTACHED Agenda prepared by Supervisor Miller.

Supervisor Miller opened the Public Hearing at 5:00 p.m. The Town Clerk read the ATTACHED legal notice advertising the public hearing. The Town Board discussed and reviewed the Local Law #2 of 2014.

The floor was opened for public comment. Sharon Abrams expressed her concern about the cost of her flood insurance and her tax assessment and would like to see that taxes don't go up. No one else wished to comment. Supervisor Miller closed the Hearing at 5:05 p.m.

Supervisor Miller called the Town Board Meeting to order at 5:05 p.m.

Minutes of 08/12/14 -Town Board Meeting were approved as submitted, by a motion made by M. Miller, seconded by B. Sweeney. **(3) Ayes - Marjorie Miller; Mike Finberg and Brian Sweeney - (0) Nays.**

Supervisor's Monthly Financial Reports for 07/2014; Town Clerk's Monthly Reports for 07/2014; Building & Zoning Monthly Reports for 07/2014 and Justice Court Monthly Reports for 07/2014 were approved as submitted, by a motion made by M. Finberg, seconded by B. Sweeney. **(3) Ayes - Marjorie Miller; Mike Finberg and Brian Sweeney - (0) Nays.**

Supervisor Miller opened the floor for public comment. Susanna Finch was concern about agenda #15 - Democratic Committee usage of Town Hall. She noticed they published in last week's newspaper when their meetings would be held in advance of it being approved by the Board. She knew there was some problem with the Tea Party and they have to put in the application each month. She has no problem with them using the Town Hall as she feels it is a community room. Councilman Sweeney stated that Lisa Tait advertised the meeting in advance as the meeting would not have been advertised as it was too close to the Board Meeting. Supervisor Miller said the Democratic Committee will have to put an application in each month just like the Tea Party does.

No one else wished to address the Board.

Motion was made by M. Miller, seconded by M. Finberg to accept the ATTACHED 2014 Annual Inventory of Highway Equipment as submitted by the Town Hwy Supt. **(3) Ayes - Marjorie Miller; Mike Finberg and Brian Sweeney - (0) Nays.**

Motion was made by M. Finberg; seconded by M. Miller to approve the ATTACHED Resolution #15 of 2014 - Resolution by the Town Board in Relation to Control of Snow on County Highways Section 135-A of the Highway Law for a four year period. **(3) Ayes - Marjorie Miller; Mike Finberg and Brain Sweeney - (0) Nays.**

Motion was made by M. Miller, seconded by B. Sweeney to adopt the ATTACHED Local Law No. 2 of the Year 2014 - A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c. **(3) Ayes - Marjorie Miller; Mike Finberg and Brian Sweeney - (0) Nays.**

Motion was made by M. Finberg, seconded by M. Miller to appoint Phyllis Whitehouse Frome and Kyle Holden as Alternate Members of the Town Planning Board for a two year term. **(3) Ayes - Marjorie Miller; Mike Finberg and Brian Sweeney - (0) Nays.**

Motion was made by M. Miller, seconded by B. Sweeney to re-appoint Margaret C. Kearney as Member of Board of Assessment Review for a five year term. **(3) Ayes - Marjorie Miller; Mike Finberg and Brian Sweeney - (0) Nays.**

Motion was made M. Miller, seconded by B. Sweeney to allow Dave Riordan to remove three dead and two broken trees on the Town's property either by himself as long as his insurance covers the Town or by some professional identity. **(3) Ayes - Marjorie Miller; Mike Finberg and Brian Sweeney - (0) Nays.**

Kevin Brown of Zippy Solutions LLC gave a presentation to the Town Board for a new phone system for the Town Hall.

Motion was made by B. Sweeney, seconded by M. Finberg to approve the ATTACHED "NYC DEP" Land Acquisition #4590 - 47.0+/- acres off New Kingston Mountain and Thompson Hollow Roads. **(3) Ayes - Marjorie Miller; Mike Finberg and Brian Sweeney - (0) Nays.**

Motion was made by M. Miller, seconded by B. Sweeney to schedule a Public Hearing for Thursday, October 2, 2014 at 4:00 p.m. to take comments from the public concerning approval of the proposed cable franchise in the Town of Middletown from the Heart of the Catskills Communications, Inc. d/b/a MTC Cable. **(3) Ayes - Marjorie Miller; Mike Finberg and Brian Sweeney - (0) Nays.**

Motion was made by M. Miller, seconded by B. Sweeney to have Supervisor Miller advertise for a Deputy Halcottsville and Arkville Water Superintendent. **(3) Ayes - Marjorie Miller; Mike Finberg and Brian Sweeney - (0) Nays.**

Motion was made by M. Miller, seconded by B. Sweeny to designate Dr. Laraine Caliri, DVM of Brookside Veterinary Hospital for veterinary services.

Supervisor Miller said Peg Ellsworth of the MARK Project asked that the Town Board appoint a Community Development Block Grant (CDBG) Committee. The Town Board appointed Brian Sweeney, Kyle Holden, Hiram Davis, Marjorie Miller and one other will be chosen by the MARK Project. There were no objections.

Motion was made by M. Finberg, seconded by B. Sweeney to approve the ATTACHED Application For Use of Town Hall by the Margaretville Area Tea Party Group for Tuesday, September 30, 2014. **(3) Ayes - Marjorie Miller; Mike Finberg and Brian Sweeney - (0) Nays.**

Motion was made by M. Miller, seconded by M. Finberg to approve the ATTACHED Application For Use of Town Hall by the Town of Middletown Democratic Committee for Thursday, September 18, 2014. **(3) Ayes - Marjorie Miller; Mike Finberg and Brian Sweeney - (0) Nays.**

Motion was made by M. Miller, seconded by B. Sweeney to schedule a Special Meeting immediately following the Public Hearing on Thursday, October 2, 2014 for the Town Board to receive the 2014 Tentative Budget. **(3) Ayes - Marjorie Miller; Mike and Brian Sweeney - (0) Nays.**

The monthly vouchers were audited and ordered paid by a motion made by M. Finberg, seconded by B. Sweeney. **(3) Ayes - Marjorie Miller; Mike Finberg and Brian Sweeney - (0) Nays.** Vouchers approved were #s 502-554, totaling $215,684.41.

Motion for adjournment was made by M. Miller, seconded by M. Finberg. **(3) Ayes - Marjorie Miller; Mike Finberg and Brian Sweeney - (0) Nays.** The meeting was adjourned at 6:15 p.m.

DATED: September 24, 2014

Patricia F. Kelly

PATRICIA F. KELLY
TOWN CLERK