

JUNE 07, 2011

PUBLIC HEARING - DESIGNATION OF
HAMLET AREAS AND VILLAGE
EXTENSIONS AND WHETHER TO ALLOW
"NYCDEP" TO PURCHASE LANDS
WITHIN THESE AREAS

The Town Board of the Town of Middletown, Delaware County,
New York, held a Public Hearing on Tuesday, June 07, 2011, at the
Town Hall, located on State Route 28, Margaretville, NY.

The following Board Members were present:

Supervisor-----Len Utter

Council Members-----Jake Rosa, Mike Finberg, and John
Roucek

Councilman Brian Sweeney was not in attendance

Also present were: Town Attorney Carey Wagner, County Planner
Nicole Franzese, Special Attorney Kevin Young, and Watershed
Affairs Commissioner Dean Frazier. (SEE ATTACHED ATTENDANCE SHEET
FOR PUBLIC ATTENDANCE)

Supervisor Utter opened the public hearing at 7:04 p.m. The
Town Clerk read the ATTACHED legal notice advertising the public
hearing.

Special Attorney Kevin Young presented an overview and
background concerning the purchase of property by the NYCDEP since
the program began. He explained that the Town Board has the
opportunity to determine what parcels are to be included in the
hamlet and village extension areas as well as whether to prohibit
the NYCDEP from purchasing land there. He discussed and reviewed
the process involved, including: public notice, letters to
property owners, public hearing, comments, and Town Board action.

The floor was opened for public comment. Natale Curto said
that he owns 102 acres in Dunraven and wanted to know how it was
determined if a property was developable. County Planner Nicole
Franzese explained how parcels were included in the hamlet areas.
Mr Curto said that his land was on a side hill and was concerned
about whether he could subdivide and sell the portion outside the
hamlet area.

Susan Wagner asked if this was going to be revisited in (5)
years. Attorney Kevin Young said yes, that the Board could
consider again about protected areas, but not boundaries.

Hank Farrar said that he owns 320 acres in Dunraven and was
also concerned about weather he would be allowed to subdivide and
sell his property to the NYCDEP. He said that he has been' in
negotiations with the NYCDEP for (6) years on this matter. County
Planner Nicole Franzese said that she would check with the NYCDEP
as to why his name was not on their list of active negotiations
with property owners, which would be grandfathered.

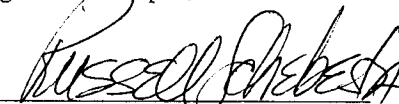
Margaretville Mayor Bill Stanton asked that the Board not
allow the NYCDEP to purchase lands within the village extension
areas.

There were (2) written comments received and they are
(ATTACHED). They were from Lauren Davis and Hank Farrar.

There were no further comments or questions from the public
and Supervisor Utter closed the hearing at 8:04 p.m.

DATED:

06/15/2011



RUSSELL SCHEBESTA
TOWN CLERK
TOWN OF MIDDLETOWN

Jun. 07, 2011

RESOLUTION - ADOPTION OF PARCELS AS DESIGNATED AREAS IN RELATION TO "NYCDEP" LAND PURCHASES AND CONSERVATION EASEMENTS.

RESOLUTION - PROHIBITING "NYCDEP" FROM ANY LAND ACQUISITION IN DESIGNATED AREAS.

APPROVAL OF TOWN'S RESPONSE TO "NYCDEP" PURCHASE OF 52.87 ACRE PARCEL ON BRUSH RIDGE.

SPECIAL MEETING TO BE HELD ON JULY 8TH AT 2:00 P.M. TO CONSIDER BID AWARDS FOR ARKVILLE WATER CONSTRUCTION PROJECT.

The Town Board of the Town of Middletown, Delaware County, New York, held their regular monthly meeting on Tuesday, June 14, 2011 at the Town Hall, located on State Route 28, Margaretville.

The following Board Members were present:

Supervisor-----Len Utter

Council Members-----Mike Finberg, Brian Sweeney, Jake Rosa, and John Roucek

Also present were: Hwy Supt John Biruk, Town Attorney Carey Wagner, Charles Freas, Terry Johnson, Beth Bush, Patty Kelly, Ernie Steighlener, Gershon Ron, Bill Stanton, County Planner Nicole Franzese, Bill Taylor, and Robert Griffiths.

Supervisor Utter called the meeting to order at 7:01 p.m. Minutes of 05/10 were approved as submitted, by a motion made by J. Rosa, seconded by J. Roucek, and carried by a vote of (5) ayes and (0) nays. Supervisor Utter opened the floor to the public. Nobody wished to address the Board.

Next, the Board gave consideration to (2) proposed resolutions in relation to designating hamlet and village extension areas in relation to NYCDEP land acquisitions and conservation easements. Motion was made by M. Finberg to adopt the ATTACHED resolution, adopting parcels in designated areas in relation to these land acquisitions and easements. This motion was seconded by J. Roucek, and carried by a vote of (5) ayes and (0) nays. Motion was made by J. Rosa to adopt the ATTACHED resolution prohibiting land acquisition in all designated areas as outlined in the previous resolution. This motion was seconded by J. Roucek and carried by a vote of (5) ayes and (0) nays.

Motion was made by J. Roucek to authorize the Town Supervisor to sign the ATTACHED Town response to the purchase of 52.87 acres on Brush Ridge by the NYCDEP. This motion was seconded by B. Sweeney and carried by a vote of (5) ayes and (0) nays.

Arkville Water Project Manager Beth Bush told the Board that most likely the bid awards for project construction would be on July 12th. The Board agreed to hold a special meeting on July 08th at 2:00 p.m. to consider bid awards. The Town Attorney said that the license with the Railroad has been rejected by the funding agency and is being changed to a lease in order to comply.

Next, the Board discussed the revised draft Comprehensive Plan. It was decided to invite consultant Nan Stolzenburg to the next workshop to continue reviewing and considering the document,

Supervisor Utter distributed his monthly financial report for the month of May 2011.

Supervisor Utter opened the floor again to the public. Nobody wished to address the Board.

Voucher #3 for the Housing Rehab Project, in the amount of \$26,912.80 was approved for payment by a motion made by J. Roucek, seconded by B. Sweeney, 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. Roucek, seconded by B. Sweeney, and carried by a vote of (5) ayes and (0) nays. The vouchers approved were #s 340 - 411, totaling \$146,068.15.

Motion for adjournment was made by J. Roucek, seconded by B. Sweeney. This motion was carried by a vote of (5) ayes and (0) nays and the meeting was adjourned at 8:25 p.m.

Jun. 14, 2011

Dated: 06/15/2011

Russell Sweeney
Town Clerk