

APRIL 10, 2019

PUBLIC HEARING - LOCAL LAW NO. 1 OF 2019 -  
LOCAL LAW ENACTING THE NEW KINGSTON  
SEWER USE LAW GOVERNING THE USE OF THE  
NEW KINGSTON SEWER DISTRICT'S  
WASTEWATER COLLECTION SYSTEM AND  
TREATMENT FACILITY.

PRE-TRIAL PUBLIC HEARING - PROPOSED  
NEW KINGSTON SEWER DISTRICT.

RE-SCHEDULED A PUBLIC HEARING ON THE  
PROPOSED NEW KINGSTON SEWER DISTRICT  
FOR WEDNESDAY, MAY 8, 2019 AT 6:00 P.M.

APPOINTMENT OF FRANK CANAVAN AS MEMBER  
TO THE ZONING BOARD OF APPEALS FOR THE  
TERM 05/01/19-04/30/24 APPROVED.

BID OF \$138,600. FROM GIORGI CONTRACT FOR  
PROPOSAL NO. 2-19-NEW SALT SHED ROOF  
REJECTED.

AUTHORIZED HWY SUPT JOHN BIRUK TO RE-BID  
NEW SALT SHED ROOF.

RESOLUTION #8 OF 2019-RESOLUTION  
AUTHORIZING "NO PARKING" SIGNS ON HILL  
STREET APPROVED.

RESOLUTION #9 OF 2019-RESOLUTION  
AUTHORIZING "NO PARKING" SIGNS ON CHURCH  
STREET APPROVED.

ASSESSORS, JOSEPH TODD, JR., MIGUEL  
MARTINEZ AND MEGANNE BALCOM  
AUTHORIZED TO ATTEND THE SEMINAR ON  
APPRAISAL PRINCIPLES & PROCEDURES IN  
ITHACA, NY ON JULY 14-19, 2019.

The Town Board of the Town of Middletown, Delaware County, New York, held their regular Monthly Meeting on Wednesday, April 10, 2019 at the Town Hall, located on #42339 State Route 28, Margaretville, NY.

The following Board Members were present:

Deputy Supervisor.....Brian Sweeney

Council Members.....Julia Reischel and Christopher Dabritz

Supervisor Carl P. Davis and Council Member Kenneth Taylor were not in attendance.

Also present were: Town Attorney Carey Wagner, Hwy Supt John Biruk, Steve Finkel, Dan Flanagan, Lisa Tait, Mike Martin-Mountain Eagle, Joan Lawrence Bauer-Catskill Mountain News, Sally Fairbairn, Cassie Palen, Frank Canavan, Glen Faulkner, Bill Russell, Tim Wickham, Helen Urban, Peter Urban, Samantha Costa-CWC, John Mathiesen-CWC, Kevin Young-CWC, Henry Lamont-Lamont Engineers, Chris Yacobucci-Lamont Engineers, Jason Merwin-Lamont Engineers, Jack Richardson, Anne Sanford, Roy Todd, Rosamond Welchman, Larry Reilly and Winifred Zubin.

Deputy Supervisor Sweeney opened the first Public Hearing at 6:00 p.m. The Town Clerk read the ATTACHED legal notice advertising the Public Hearing.

The floor was opened for public comment. Sally Fairbairn, Chair of the Watershed Agricultural Council (WAC) read the ATTACHED Memo explaining that the property where the New Kingston Wastewater Collection System and Treatment Facility is being considered, has a WAC easement on it and it will have to be addressed and she has a duty to uphold WAC as it stands up for our farmers and our easements. She stated "We want to preserve farmland for future generations and that the 17 acres identified as the absorption bed is also the best site on the farm to grow crop". She also stated "the citizens of Middletown should ask themselves why they are going to be responsible for a 300 acre property when only 17 area is required for the community waste water project." Glen Faulkner felt that this was a chance to improve the environment and hopes the hamlet works together. He also stated that he hopes this will lead to funding for a variety of other improvements in the hamlet. Steve Finkel questioned the economics of spending more than five million dollars on a community septic system and felt a smaller amount of funds could be used to upgrade or improve the existing septic systems. Tim Wickham had some questions as to what the individual homeowner will be paying for this. Attorney Kevin Young addressed the public and stated that no contract has been negotiated with the land owner as the Town must first create the sewer district before a purchase can be made and the Town is not committed to the property in question so if somebody has other property and they're willing to let us test, we would jump on it. No one else wished to address the Board.

Deputy Supervisor Sweeney closed the Hearing at 7:03 p.m.

Per the request of Attorney Kevin Young, Deputy Supervisor Sweeney opened the second "Pre-Trial" Public Hearing at 7:04 p.m. The Town Clerk read the ATTACHED legal notice advertising the Public Hearing, which was not advertised in the newspaper due to a publication issue.

The floor was opened for public comment. Attorney Kevin Young addressed the public and stated that that within 45 to 60 days of May 8<sup>th</sup>, there will be a vote in which property owners in the proposed district will each get a vote. If the hamlet chooses to establish the district, the cost for residential properties will be \$100 per year for three years and after that the cost would be adjusted for inflation. If the hamlet rejects the proposal, the residents will be apply to apply to CWC for septic repairs. John Mathiesen of CWC commented that if the district is rejected, New Kingston applicants will be put on the bottom of the list and will be responsible for paying out of pocket for septic repairs and CWC couldn't guarantee reimbursement as this is a situation that Phoenicia is dealing with now. Cassie Palen commented that properties in the district can change as the map was drawn before her house was built. No one else wished to address the Board.

Deputy Supervisor Sweeney closed the Hearing at 7:10 p.m.

Deputy Supervisor Sweeney called the regular Town Board Meeting to order at 7:13 p.m.

Motion was made by C. Dabritz, seconded by J. Reischel that the Minutes of 03/06/19-Monthly Workshop Meeting and 03/13/19-Town Board Meeting, as submitted by the Town Clerk, were approved. **(3) Ayes - Brian Sweeney; Julia Reischel and Christopher Dabritz - (0) Nays.**

Supervisor's Monthly Financial Reports for 02/2019; Town Clerk's Monthly Reports for 02/2019; Tax Collector-Collection Summary-Batches 37 thru 50 for 2/2019; Building & Zoning Monthly Reports for 02/2019; Justice Court Monthly Report for 02/2019 and Arkville and Halcottsville Monthly Water Reports for 02/2019 were approved as submitted, by a motion made by J. Reischel, seconded by C. Dabritz. **(3) Ayes - Brian Sweeney; Julia Reischel and Christopher Dabritz - (0) Nays.**

Motion was made by C. Dabritz, seconded by J. Reischel to re-schedule the Public Hearing for Proposed New Kingston Sewer District for Wednesday, May 8, 2019 at 6:00 p.m. **(3) Ayes - Brian Sweeney; Julia Reischel and Christopher Dabritz - (0) Nays.**

Motion was made by J. Reischel, seconded by C. Dabritz to appoint Frank Canavan as Member to the Zoning Board of Appeals for the term 05/01/19-04/30/24. **(3) Ayes - Brian Sweeney; Julia Reischel and Christopher Dabritz - (0) Nays.**

Motion was made by C. Dabritz, seconded by J. Reischel to reject the Proposal No. 2-19-New Salt Shed Roof from Giorgi Contracting in the amount of \$138,600. **(3) Ayes - Brian Sweeney; Julia Reischel and Christopher Dabritz - (0) Nays.** Motion was made by J. Reischel, seconded by C. Dabritz to authorize Hwy Supt John Biruk to re-bid New Salt Shed Roof. **(3) Ayes - Brian Sweeney; Julia Reischel and Christopher Dabritz - (0) Nays.**

Motion was made by C. Dabritz, seconded by J. Reischel to approve the ATTACHED Resolution #8 of 2019 - Resolution Authorizing "No Parking" Signs on Hill Street. **(3) Ayes - Brian Sweeney; Julia Reischel and Christopher Dabritz - (0) Nays.**

Motion was made by J. Reischel, seconded by C. Dabritz to approve the ATTACHED Resolution #9 of 2019 - Resolution Authorizing "No Parking" Signs on Church Street. **(3) Ayes - Brian Sweeney; Julia Reischel and Christopher Dabritz - (0) Nays.**

The Town Board tabled Resolution #10 of 2019- Resolution Authorizing "No Parking" Signs on Halcottsville Road until next month after the Hwy Supt John Biruk, Council Members Julia Reischel and Christopher Dabritz meets with the residents of Halcottsville to discuss further.

Motion was made by J. Reischel, seconded by C. Dabritz to authorize the Assessors, Joseph Todd, Jr., Miguel Martinez and MegAnne Balcom to attend the Seminar on Appraisal Principles & Procedures in Ithaca, NY on July 14-19, 2019. **(3) Ayes - Brian Sweeney; Julia Reischel and Christopher Dabritz - (0) Nays.**

The monthly vouchers were audited and ordered paid by a motion made by J. Reischel, seconded by C. Dabritz. **(3) Ayes - Brian Sweeney; Julia Reischel and Christopher Dabritz - (0) Nays.** Vouchers approved were #s191-254, totaling \$227,838.54.

Motion for adjournment was made by C. Dabritz, seconded by J. Reischel. **(3) Ayes - Brian Sweeney; Julia Reischel and Christopher Dabritz - (0) Nays.** The meeting was adjourned at 8:15 p.m.

DATED: April 24, 2019

  
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PATRICIA F. KELLY  
TOWN CLERK