

MAY 08, 2019

PUBLIC HEARING - PROPOSAL TO ESTABLISH THE
NEW KINGSTON SEWER DISTRICT.

RESOLUTION #10 OF 2019 - RESOLUTION OF THE
TOWN BOARD OF THE TOWN OF MIDDLETOWN
DETERMINING THAT THERE ARE NO ADVERSE
IMPACTS ON THE ENVIRONMENT FROM THE
DESIGN, CONSTRUCTION AND OPERATION OF THE
WASTEWATER MANAGEMENT PROJECT IN THE
HAMLET OF NEW KINGSTON APPROVED.

RESOLUTION #12 OF 2019 - RESOLUTION FOR
ESTABLISHMENT OF SEWER DISTRICT AFTER
PUBLIC HEARING APPROVED.

RESOLUTION #13 OF 2019 - RESOLUTION
ADOPTING THE NEW KINGSTON SEWER USE LAW
APPROVED.

2019 AMENDED AGREEMENT FOR THE
EXPENDITURE OF HIGHWAY MONEYS
APPROVED.

RESOLUTION #11 OF 2019 - RESOLUTION
AUTHORIZING "NO PARKING" SIGNS ON
HALCOTTSVILLE ROAD APPROVED.

ZONING ORDINANCE AMENDMENT TO ADD TO
SECTION 549; NO PARKING ON THE PUBLIC ROAD
AT ANY TIME AND ALL SHRUBBERY MUST BE
KEPT AT A HEIGHT OF 3' WITHIN 15' FROM THE
PUBLIC ROAD APPROVED.

BID AWARDED TO ALPINE ROOFING FOR
PROPOSAL 3-19-NEW SALT SHED ROOF IN THE
AMOUNT OF \$57,000.

The Town Board of the Town of Middletown, Delaware County, New York, held their regular monthly meeting on Wednesday, May 08, 2019 at the Town Hall, located at #42339 State Route 28, Margaretville, NY.

The following Board Members were present:

Supervisor.....Carl P. Davis

Council Members.....Brian Sweeney, Kenneth Taylor, Julia Reischel and
Christopher Dabritz

Also present were: Steve Finkel, Lisa Tait, Dan Flanagan, Henry Lamont, Samantha Costa, Nick Warner, Jason Merwin, Ernie Steiglehner, Eddie Donoghue-Catskill Mt. News, Todd Pascarella, Cassie Palen, Sue George, Gloria Zola-Mulloy, Richard Rossi, John Biruk, Glen Faulkner. Bill Russell, Carl Tucker, Rich Gulde, Phyllis Whitehouse Frome and Jeff Slauson.

Supervisor Davis opened the 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. Steve Finkel wanted some clarification as to the voting procedure as to an individual who owns more than one property, would they be allowed only one vote; he noticed that Bovina reviews their sewer fee every three years and the Town of Middletown stated two years and is concerned about additional fees being added; was also concerned that some homeowners were not getting their mail and he would be willing to pay to have the referendum sent by registered mail and if someone has a perfectly good septic system, do they have to

connect? Attorney Kevin Young clarified that if an individual owns more than one property, he or she can only vote once; the Town of Middletown sewer fee would be \$100. per year to start for the first three years and then the cost would go up or down based on inflation; it has never been a problem with mailing the referendum by regular mail and usually town officials canvass the neighborhood door to door the Saturday before the vote to make sure people get out and vote and if someone has a valid operating septic system, the Town Board will have the option to grant not being connected to the system but if you have a failed system, there is no option. Dan Flanagan asked for clarification as to a negative vote. Attorney Kevin Young commented that should residents reject the sewer district and then experience a septic issue, they would have to pay for repair or replacement out of pocket and then can be reimbursed from CWC but they would be placed at the bottom of the list. Bill Russell stated he has three neighbors, Kathy Birns, Joe Piesecki and Spook Squires, who would not come in but are in support of it along with himself. Glen Faulkner commented that he spoke with Tina Mole' of the Town of Bovina and the Bob Stanley of the Town of Shandaken and it was their impression it would be foolish not to move forward and also asked clarification as to the voting. Attorney Kevin Young answered that if you own more than one property, you get only one vote. Also, if there are multiple owners on a deed, each person gets a vote. No one else wished to address the Board.

Supervisor Davis closed the Hearing at 6:29 p.m.

Supervisor Davis called the regular Board Meeting to order at 6:29 p.m.

ATTACHED Agenda prepared by Supervisor Davis and Town Clerk.

Minutes of 04/03/19-Monthly Workshop Meeting and Minutes of 04/10/19-Public Hearing/Town Board Meeting were approved as submitted, by a motion made by C. Dabritz, seconded by B. Sweeney. **(5) Ayes - Carl P. Davis; Brian Sweeney; Kenneth Taylor; Julia Reischel and Christopher Dabritz - (0) Nays.**

Supervisor's Monthly Financial Report for 03/2019; Town Clerk's Monthly Report for 03/2019; Tax Collector-Collection Summary-Batches 51 thru 63 for 03/2019; Building & Zoning Monthly Report for 03/2019; Justice Court Monthly Reports for 03/2019; Arkville and Halcottsville Monthly Water Reports for 03/2019 and Arkville and Halcottsville Quarterly Report for 01/01/19-03/31/19 were approved as submitted, by a motion made by K. Taylor, seconded by J. Reischel. **(5) Ayes - Carl P. Davis; Brian Sweeney; Kenneth Taylor; Julia Reischel and Christopher Dabritz - (0) Nays.**

The Town Board reviewed the ATTACHED Arkville-Halcottsville Water Monthly Action Report for April 2019 prepared by LVDV Operations.

Supervisor Davis opened the floor to the public. Rich Gulde addressed the Board concerning his water bills at the trailer park he owns and stated that if he knew he had a leak, he would have repaired it and why can't he physically be able to monitor his own meter. Supervisor Davis commented that he could purchase the reader and asked Henry Lamont of Lamont Engineers to get the specs and company where he could purchase the equipment. Richard Rossi asked if anything can be done with the standing water at the transfer station. Supervisor Davis commented that it appears to be a plugged culvert which is maintained by NYSDOT and asked Highway Sup't John Biruk to contact them again to see if it can be ratified. Gloria Zola-Mulloy stated that in June, the County begins spraying and do you know what kind as everyone should have a healthy environment. Supervisor Davis commented that the County will use roundup which meets EPA regulations and is DEP approved and they will not be spraying in your area of County Hwy 37 as it is a large expense to weed eat verse spraying and that is why the County sprays. Ernie Steiglehner, Chairman of Board of Assessment Review thanked Supervisor Davis for sticking up for Mike Sabinsky, Director of Real Property Tax Services as he has always been respectful, helpful and responsive to their needs.

The Town Board reviewed the ATTACHED Full Environmental Assessment Form Part 2-Identification of Potential Project Impacts and Full Environmental Assessment Form Part 3-Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance. Motion was made by B. Sweeney, seconded by K. Taylor to approve the ATTACHED Resolution #10 of 2019 - Resolution of the Town Board of the Town of Middletown Determining That There Are No Adverse Impacts on the Environment From the Design, Construction and Operation of the Wastewater Management Project in the Hamlet of New Kingston. **(5) Ayes - Carl P. Davis; Brian Sweeney; Kenneth Taylor; Julia Reischel and Christopher Dabritz - (0) Nays**

Motion was made by C.P. Davis, seconded by K. Taylor to approve the ATTACHED Resolution #12 of 2019 - Resolution for Establishment of Sewer District

After Public Hearing. **(5) Ayes - Carl P. Davis; Brian Sweeney; Kenneth Taylor; Julia Reischel and Christopher Dabritz - (0) Nays**

Motion was made by K. Taylor, seconded by C. Dabritz to approve the ATTACHED Resolution #13 of 2019 - Resolution Adopting the New Kingston Sewer Use Law. **(5) Ayes - Carl P. Davis; Brian Sweeney; Kenneth Taylor; Julia Reischel and Christopher Dabritz - (0) Nays**

Motion was made by B. Sweeney, seconded by C. Dabritz to approve the ATTACHED Amended 2019 Agreement for the Expenditure of Highway Moneys. **(5) Ayes - Carl P. Davis; Brian Sweeney; Kenneth Taylor; Julia Reischel and Christopher Dabritz - (0) Nays.**

Motion was made by J. Reischel, seconded by C. Dabritz to approve the ATTACHED Resolution #11 of 2019 - Resolution Authorizing "No Parking" Signs on Halcottsville Road. **(5) Ayes - Carl P. Davis; Brian Sweeney; Kenneth Taylor; Julia Reischel and Christopher Dabritz - (0) Nays**

Motion was made by B. Sweeney, seconded by K. Taylor to approve the ATTACHED Town of Middletown Zoning Ordinance Amendment - ADD to Section 549: No Parking on the Public Road at Any Time and All Shrubbery Must be Kept at a Height of 3' Within 15' From the Public Road. **(5) Ayes - Carl P. Davis; Brian Sweeney; Kenneth Taylor; Julia Reischel and Christopher Dabritz - (0) Nays.**


Motion was made by C.P. Davis, seconded by C. Dabritz approved the ATTACHED bid for Proposal 3-19- New Salt Shed Roof from Alpine Roofing in the amount of \$57,000. **(5) Ayes - Carl P. Davis; Brian Sweeney; Kenneth Taylor; Julia Reischel and Christopher Dabritz - (0) Nays.**

The Town Board acknowledged receipt of the ATTACHED 2018 Annual Financial Report.

The monthly vouchers were audited and ordered paid by a motion made by B. Sweeney, seconded by C. Dabritz. **(5) Ayes - Carl P. Davis; Brian Sweeney; Kenneth Taylor; Julia Reischel and Christopher Dabritz - (0) Nays.** Vouchers approved were #s 255-311, totaling \$124,719.81.

Motion for adjournment was made by B. Sweeney, seconded by C. Dabritz. **(5) Ayes - Carl P. Davis; Brian Sweeney; Kenneth Taylor; Julia Reischel and Christopher Dabritz - (0) Nays.** The meeting was adjourned at 8:05 p.m.

DATED: May 22, 2019



PATRICIA F. KELLY
TOWN CLERK