

Town of Middletown

July 8, 2020

Public Hearings and Town Board Meeting

- (1) Halcottsville Sewer District Formation Public Hearing
- (2) Halcottsville - Local Law No. 1 of 2020 - A Local Law to Amend its Sewer Use Law to Include the Halcottsville Sewer District
- (3) New Kingston – Eminent Domain

Supervisor: At this time we will call the public hearing on the proposal to establish the Halcottsville Sewer District.

Town Clerk: Notice is hereby given that a public hearing will be held before the Town Board of the Town of Middletown at the Middletown Town Hall, located at 42339 State Highway 28, Margaretville, NY 12455, on the 10th day of June, 2020 at 6:00 P.M. for the purpose of conducting a hearing upon a proposal to establish the Halcottsville Sewer District as hereinafter described at which time and place said Town Board will consider such proposal and hear all persons interested in the subject thereof concerning the same. The public will ...wait a minute I have the wrong one.

Supervisor: Bear with us, we have about three of them tonight ladies and gentlemen.

Town Clerk: The public will also have remote access to the public hearing as part of the Town's COVID-19 response plan using the following Zoom Meeting link or dial in phone number and conference ID: Topic, Time, Join by Zoom Meeting Link, Join by phone, Meeting ID and Password.

The general boundaries of the proposed Sewer District are as follows: those properties located in the Hamlet of Halcottsville delineated on the proposed Service Area Map on file with the Town Clerk. A copy of the Service Area Map will be made available for public inspection on the Town's website in advance of the public hearing. A copy of the Service Area Map is also available at the Town Clerk's Office during normal business hours for the purpose of inspection or procurement by interested persons.

The improvements proposed to be made are as follows: the operation and maintenance of a sewage collection system and pump station together with a sewer main transporting the sewage to the Margaretville Wastewater Treatment Plant. The Engineer's Report and Plan are on file with the Town Clerk.

The costs of forming the district and designing, permitting and constructing the infrastructure are funded by New York City pursuant to the Community Wastewater Management Program. The Town will not incur any expense in the formation of the proposed Sewer District and the construction of the public improvements (sewer collection and treatment system) to be

constructed within the Sewer District. During the process to form the Sewer District, the Town Board reserves the right to modify the boundaries of the proposed district to address the concerns raised during the public comment period and to serve the best interest of the Town.

The estimated cost of hook-up fees is zero and a detailed explanation of the annual operation and maintenance costs to residential and non-residential users is on file with the Town Clerk. If the Town Board, after the public hearings, determines to proceed with the Sewer District formation, the Town Board resolution establishing the District will be subject to a permissive referendum. The Town Board reserves the right to mandate a referendum. By Order of the Town Board.

Supervisor: Do we have any public comment? Do we have anyone linked in that would like to comment on this.

Todd Pascarella via Zoom: I have a letter to read, it's Todd Pascarella, if I could.

Supervisor: Yes sir. Go ahead.

Todd Pascarella: Thanks, you can hear me?

Supervisor: Yes sir.

Todd Pascarella: Ok Thank you. Here's my letter. Dear Supervisor Davis and Middletown Board. I am writing this letter with hope of beginning a discussion regarding a unique opportunity to create a public pedestrian walking, running, biking and skiing trail parallel to the existing railroad tracks during the restoration phase of the sewer main extension project between Arkville and Halcottsville. I raise the issue with councilwoman Richell previously who relayed the idea to the rest of the Town Board at the May meeting, however, it was dismissed and at the time by the Board and Lamont Engineers who designed the project. I believe that by providing the Town Board with some context, the need to at least do a serious feasibility analysis of creating such a trail parallel to the tracks where there is a window of opportunity will be clear. In early March I sat down with Wes Coates, General Manager of the Delaware and Ulster Railroad, Robin Moreau, Managing Woman's Cross Country and Track and Field Coach at SUNY Delhi and Ray Cucci, President of the Delaware County Chamber of Commerce. We discussed at length this very idea of taking advantage of the opportunity of the work happening along the rail line to add some accessible flat natural surface trail miles in Middletown where there are none similar to the Catskill Scenic Trail which ends in Roxbury currently. From the perspective of the railroad, Wes was very open to the idea of the Rails with Trails model being explored for this stretch of the train corridor. From the perspective of the Chamber, Ray and I – I should also say that I am also the current chairman of the Chamber of Commerce Board – Ray and I were very excited about the possible economic benefits of starting accessible pedestrian trail network in Middletown similar to the successful example of the neighboring towns and from the perspective of organized running, physical fitness and someone who has been a steward of the Bloomville to Roxbury Catskill Scenic Trail by organizing events and improvements along the trail, Rob was very excited

about the possibility of extending this asset into Middletown. Of the draft Catskill Recreation Plan, the Board should familiarize itself with this plan if it has not already. It is available on CWC's website. That's how I first heard about it. It takes a thoughtful and in depth look at the Catskill Region's recreation economy as compared to those of several other similar regions throughout the Northeast. What the plan says in a nutshell is that development of the economy here in the Catskills is lagging behind the other regions in part because of the lack of an accessible network of interconnected trails and amenities to offer visitors and residents alike. In a recent survey cited in the plan, about one-third of young adults are interested in some form of running, hiking or bicycling which all requires to take paths. As someone who has taken up running over the past two years, both for health reasons, but also for recreation, I can tell you that there are very few safe places to run or bike in Middletown. Most roads barely have any shoulder and sidewalks are literally few and far between. Plus, traffic is also a safety threat to those of us out there on the roads. State hiking trails are rocky and remote and offer little for runners or cyclists. To put the danger in terms of numbers that hit home, in 2019, in the US there were 6,590 pedestrians struck and killed by motor vehicles and this was the highest number in 30 years. Rail trails are not just a nice idea, they literally save lives. The engineers and Town Board cited cost if the reason for exploring a possibility of a Rails with Trails concept. In addition to costs challenges to a project such as this are often the unwillingness of the railroad to cooperate, safety and maintenance responsibilities. In 2013, the Rails to Trails Conservancy authored a resource document entitled America's Rails with Trails which addresses these issues and many more -- I attached a copy to my email that I sent. So hopefully you can read that or have read it already -- In addition to Conservancy itself, there are many potential local funding sources whose missions would align well with this type of project. As far as the railroad, they have indeed have interest and already have 26 miles of the Catskill scenic trail open to the public. When it comes to safety, there are plenty of measures which were widely employed to ensure pedestrian safety even with Rails and Trails typically less than 30 feet apart. We are talking about antique trains that creep along this stretch of tracks to begin with. Finally, when it comes to maintenance, a well designed and built trail requires very little and should not be a real concern as a prohibiting factor. In the existing stretch of the CST is a great example of that. All I am simply asking is that the Town Board have Lamont Engineers explore a plan to restore the land above where the buried sewer line will be to a surface which can be used as a trail by pedestrians. The small incremental cost of this project will create a viable asset such that our community has demonstrated need for and one which will not be easy to attain a loan apart from the construction of this project. To miss this opportunity now would be a shame. I offer my help in any way it may be useful to this process and thank you for your careful consideration and I thank you for your time.

Supervisor: Thank you Todd.

Lorraine via Zoom: Todd, I want to thank you for that letter that you wrote because those are my very same issues. We have a wonderful area here for people to take advantage of tourism and the rail trail from Roxbury to Bloomville is not conducive for a bike, let alone a wheelchair or a stroller. If you have ever done that, it is mostly dirt, grass and sometimes water and ruts in the

springtime or whenever its run. But I would love to see something like this in Middletown because as you said it is just not safe to ride a bike here and it is something that we have a wonderful resource to be able to use. Thank you, Todd.

Todd Pascarella: Thank you.

Town Clerk : That's Lorraine.

Supervisor: Do you have any other public comment regarding the establishment of the Halcottsville Sewer District?

-Inaudible-

Zoom Host: Patty could you have whoever is speaking to speak a little louder?

Supervisor: Very little noise and no odor. It's an electric pumps, Henry said to repeat what he said and they are buried underground and airtight. And they are air tested while we install them.

Henry Lamont: There are lots of them around the Catskill and other communities \_\_\_\_\_  
[inaudible]

Town Clerk: Can you hear him?

Zoom Host: No.

Supervisor: The question was what about one of the residents was asking about what about the noise and the odor from the pump and where the storage tank would be which is the far end of the Hamlet. Henry Lamont said and I repeat him that it is electric motor, it's not very loud and they are air-tight buried systems. So there is no odor and almost no noise. And there are many locations who have installed these that we could show people to show this.

Supervisor: Are there any other public comments? Anyone connected to us that would like to comment? If not, I will close this hearing at this time and we will move to open the next public hearing on Local Law No. 1 of 2020 - A Local Law to Amend its Sewer Use Law to Include the Halcottsville Sewer District

Town Clerk: Notice is hereby given that a public hearing will be held before the Town Board for the Town of Middletown at the Middletown Town Hall, located at 42339 State Highway 28, Margaretville, New York, on the 8<sup>th</sup> day of July, 2020, at 6:00 P.M., regarding the adoption of the Town of Middletown Sewer Use Law. The public will also have remote access to the public hearing as part of the Town's COVID-19 response plan using the following Zoom meeting link or dial in phone number and conference ID which I will not read [it's all in there].

The Town must amend its Sewer Use Law to include the Halcottsville Sewer District. The amended Sewer Use Law includes a Sewer Rent Law specifying the sewer rate structure and a Sewer Allocation Law defining the procedure for the Town Board to make decisions regarding future connections to the sewer system. This law is being amended as part of the community

planning measures taken by the Town in connection with the construction of a sewage collection system to convey the Hamlet of Halcottsville's wastewater to the NYC Margaretville WWTP and the creation of a sewer use district in the Hamlet of Halcottsville. The Project is funded under Community Wastewater Management Program, to be administered by the Catskill Watershed Corporation and sponsored by the City of New York. At such time and place all persons interested in the subject matter thereof will be heard concerning the same.

A copy of the proposed local law will be made available for public inspection on the Town's website in advance of the public hearing. Copies of the proposed law shall also be available at the Town Clerk's Office during normal business hours for the purpose of inspection or procurement by interested persons.

With respect to the proposed Halcottsville Sewer District, the proposed Town of Middletown Sewer Use Law establishes sewer use charges, procedures for new connections to the sewer collection system and a fee (and/or special benefit assessment) for new development connecting to the sewer system, and restrictions and procedures for using, connecting and discharging sewage to the community system for both residential and non-residential users of the Town sewage system. For residential users, the Law establishes an annual sewer use charge, and the methodology for calculating both the residential sewer use charge and calculating the household subsidy to be paid by the City of New York under its agreement with the Town of Middletown. For non-residential users, the Law establishes a method for calculating non-residential sewer use charges. By Order of the Town Board.

Supervisor: Do we have any public comment regarding Local Law No. 1 of 2020 – A Local Law to Amend its Sewer Use Law to Include the Halcottsville Sewer District? Do we have anyone connected that would like to speak on this? Are you sure there is no one who would like to speak on this. If not, we will close this hearing. We will move on to our next Public Hearing No. 3.

17:30-54.22 on Zoom Recording]

Town Clerk: Notice is hereby given that a public hearing will be held before the Town Board of the Town of Middletown at the Middletown Town Hall, located at 42339 State Highway 28, Margaretville, NY 12455 on the 8th day of July, 2020, pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York (EDPL), to consider the Town's acquisition by exercise of the power of eminent domain of property (in fee) in connection with the Town's New Kingston Sewer District and a feasible site for the construction of a community subsurface wastewater treatment facility. The public will also have remote access to the public hearing as part of the Town's COVID-19 response plan using the following Zoom Meeting link or dial in phone number and conference ID [which they are all there – I won't read them].

The lands under consideration for permanent acquisition are as follows:

- Fee Acquisition of a 21.7 acres portion of an 89.85 acres parcel identified on the Middletown Tax Map as Parcel No. 241.-1-1.1 (the 21.7 acre portion of the parcel to be acquired is hereinafter referred to as the “Fee Parcel”);
- Permanent Easement for access to the Treatment System over the remaining portion of Tax Map Parcel No. 241.-1-1.1 (“Easement Parcel”); and
- Termination of a Watershed Agricultural Council (“WAC”) Conservation Easement encumbering the Fee Parcel.

The portions of property comprising the Fee Parcel and Easement Parcel 2 are owned by Michael Moriarty (hereinafter, the “Property Owner”).

There is an existing deed of conservation easement affecting Tax Map Parcel 241.-1-1.1, which Property Owner conveyed to Watershed Agricultural Council of New York City Watersheds, Inc. (“WAC”) by deed of conservation easement dated October 27, 2006, filed in the Office of the Delaware County Clerk’s Office on November 2, 2006, and recorded in Deed Book 1158 at Page 261 (“WAC Easement”). The WAC Easement restricts use of the property comprising the Fee Parcel and property comprising the Easement Parcel and requires WAC approval before Tax Map Parcel 241.-1-1.1 can be subdivided for the Project. WAC subdivision approval has been denied.

The Town Board proposes a fee acquisition of the Fee Parcel where the Treatment System will be located and termination of the WAC Conservation Easement which encumbers the Fee Parcel.

The Town Board also proposes the acquisition of a required permanent access easement over the remaining portion of Tax Map as Parcel No. 241.-1-1.1 to install, inspect, operate, maintain and repair the Treatment System (including a waiver of WAC’s approval for the access easement).

The Project proposes to construct a community subsurface wastewater treatment facility, consisting of a manhole, a flow meter, an absorption bed dosing pump station and shallow absorption beds, and any ancillary piping or components, on property owned by Michael Moriarty. The purpose of this hearing is to outline the Project purpose, its proposed location, and to provide other pertinent information, including maps and property descriptions of the properties to be acquired and adjacent parcels.

Maps of the currently proposed Project are available for public examination and copying during business hours at the Middletown Town Hall, located at 42339 State Highway 28, Margaretville, NY, during the hours: Monday-Friday, 8:30 - 12:00. A copy of the proposed project will be made available for public inspection on the Town’s website in advance of the public hearing.

Any property owners who may subsequently wish to challenge the condemnation of their property by judicial review may do so only on the basis of issues, facts, and objections raised at the hearing. By Order of the Town Board.

Supervisor: Do we have any comments from the public on this one?

Paul Sheppard via Zoom: From Hinman Howard and Catel on behalf of the Watershed Agricultural Council. First off, I just want to ask to confirm the Board has received the letter that I emailed to Mr. Davis yesterday?

Supervisor: Have we received this?

Town Clerk: I did not get a copy.

Supervisor: I don't have a copy of that yet. I will confirm that we have received that sir.

Paul Sheppard: Ok, is there another email address other than the one that appeared in our notice to which it should be directed?

Supervisor: I will look and see if we received it. That's mine [Middsuper@catskill.net](mailto:Middsuper@catskill.net). Yes sir.

Paul Sheppard: The Attorney for Young and Sommer was also copied on the letter.

Supervisor: Did you see that Kevin? Kevin has no record of receiving it either. He is at this meeting.

Paul Sheppard: It was sent by email...

-inaudible-

Paul Sheppard: Secondly, before I get started, I would just note that under Section 203 of the Eminent Domain Procedural Law, the Board, the Town as condemnor is supposed to make its presentation before inviting comment from the public. I did not know if you wanted to do that...outlining the purpose, proposed location, alternative locations, and any other information that it deems relevant before we submit our public comment.

Supervisor: Kevin or Henry would you like to explain these locations that he is saying that normally under this law you would present the location sites before they are public comment?

Kevin Young: Let me explain to the Public meeting issue. So, I'm going to go back, a little bit, and I've done this before when we did this on this particular project. Again, in 1997 NYC adopted Watershed Rules and Regulations that basically stated cost prohibited for our residents to have wastewater treatment plant and made it very difficult for us to exist or expand these septic. They did that so they could protect their water supply. Part of that Agreement, the Town of

Middletown was a party to that Agreement. The City had provided a way that you could have a sustainable community and the way to have a sustainable community, given those regulations, was for the City to pay for the compliance for those regulations. And in the more rural areas, the City had to fund the CWC septic rehabilitation program that has been an enormous success. John, how many systems have you...

John Mathiesen: Well over 6,000 at this point.

Kevin Young: In communities that were more densely populated where septic systems were not the proper solution to the long-term solution, we had to fund wastewater treatment plants or community septic systems. And the problem with wastewater treatment plants or community septic systems for rural communities like ours, under the City's Regs, is again is cost prohibited. I think we are in New Kingston. What is the cost per household about of this entire project? Way over \$100,000.

Kevin Young: Which is about the assessed value of the homes. So, the City may not have paid for that, but they also have to pay...subsidize the operation and maintenance and that is in perpetuity. In this particular case, we asked that be about 90% of cost every year. This program was determined absolutely necessary for the survival and sustainability of the communities and there would have never have been an MOA with that and so the need for the Hamlet of New Kingston to have a community system was determined a long time ago. And this is a once in a lifetime chance. If the community doesn't proceed, then they're done and their ability to get access to the Septic Rehabilitation Fund will be limited. So we spent significant \_\_\_\_\_ [inaudible] with City money hundreds of thousands of dollars to locate the solution and this parcel was the only solution. So, Chris, can you explain how you got the solution.

Chris Yacobucci: This is a map of the site. This is the proposed site division of the property owned by Michael Moriarty. This is the entire property here. This is the piece that we would like to acquire for the project and we also would like to do an easement from County Route 6 using the existing Farm Road to the site that is on the other side of the creek. We did an extensive site selection process and I have all the maps and actually may have some over here from previous meetings.

Town Clerk: Did you want me to get them?

Chris Yacobucci: If you have them readily available. To create a site selection map and part of the site selection criteria.. there is a list of criteria that we look for to identify a suitable community septic system site. It includes a minimum acreage, it includes soil types that we have to have, have to have good soils that can perk, we have to be 100 feet from water courses, we have to take into consideration wetlands, archeological issues, various components all comprised of things that are not good or good for a community septic system. We then create a site selection criteria map. We have all of these things on here. We take the NRCS soil survey. We take all the good soils..we identify all the good soils...we identify all the bad soils. We take the FEMA flood maps, we overlay the \_\_\_\_\_ [inaudible] water courses and wetlands and we add

that to the mapping. What this does is starts wiping out areas that are suitable to community septic systems. We did this at a radius, I believe, a mile to a mile and a half outside of the Hamlet area of New Kingston. Again, I don't have the total number memorized. It has been a while since I have done this. We did this back in 2016, 17? Anyways, the result would not change today. Actually, she has the map right here. This is exactly what I am talking about. Thank you. Alright, so after we took all those layers and add them up, these yellow areas that you see here are areas that did not have any encumbrances. Did not have a 100 year flood plain, did not have an offset for wetlands, had good perking soil, was an acreage that would be enough for doing community septic system site for New Kingston. At the time we did not know, that there were no archeological issues on this particular site. We have gotten clearance from SHPO since. So basically, those are the sites that we identified. If you look in the Preliminary Engineering Report that we prepared, we reviewed each site. I can't remember exactly to the detail, why we crossed out each site, but basically there are many landowners that were not willing sellers. Site A, that was identified in the EFC report there was a house there...the Palens have a house there now so that site was out. Site B is also owned by the Palens. The Palens ended up not being willing sellers. We received a letter from them saying that they were not willing to sell their property, so we walked away from looking at that site. Initially, Michael Moriarty was not a willing seller because we were looking at using Site C, but he came back to us and said hey, I may consider you doing the community septic system on Site D, it would be away from my homestead and it will be out of sight and that was more favorable to him. Rather than giving us Site C, he preferred to give us Site D. Another thing with sites \_\_\_\_\_ [inaudible] the longer the force main, the bigger the pump station, etc. so Site D now with these other things considered, was the best site that was closest to the hamlet. We do have further sites located further away, but again it would cost more to pump to those sites. We, I believe Site E and Site F were owned by the City. They were not a willing seller, also. And Site G and Site H Van vanSchoken(sp?) – they were not willing sellers either. Those are site evaluations. One other thing I forgot to mention. Steep slopes are an issue. Cannot do a septic system on slopes greater than 15%. That was another site selection criteria that I left out that just came to mind. So, this is what we identified. Site D is the best site. There was a willing seller and that is the site we proceeded with.

TB Member: You should clarify that we are eminent domaining a property - it is not a sale.

Chris Yacobucci: Kevin do you want to discuss why you are eminent domaining?

Kevin Young: Just understand, the Town of Middletown in 1997 signed the Memorandum of Agreement. That Memorandum of Agreement created the WAC Conservation Easement. We the upstate communities had to agree to that. With that there was no WAC Conservation Easement program that provided for \$10 million at the start of that program. That agreement was negotiated over a period of years. We were very - we, the upstate communities – were extremely concerned about the impact of the City's Land Acquisition Program together with the WAC Conservation Easement Program on our communities. And we agreed to allow that to continue to happen, but the MOA provides this. The objective that the Land Acquisition Program would allow existing development to continue and future growth to occur that is consistent with existing community character and planning goals of the watershed communities and that the

City's land acquisition goals ensure \_\_\_\_\_ [inaudible] projected growth without adverse impact on water quality and without substantially changing the future population patterns in the watershed communities. The concept of the Community Septic system were for in Kingston as far back in 1999 and in 1999 the New York State Environmental Facilities Corporation conducted a study to find out what kind of solutions we were going to have. They identified this property as one of the properties for the community septic system. Yet in 2006, WAC went ahead and purchased a conservation easement on this property even though our program which was also part of the MOA, which was necessary for us to have a sustainable community and identified this as the potential location. So in 2017, Delaware County did a Comprehensive Evaluation of the Land Acquisition Program on the Towns in Delaware County and we are going to include that study, we are going to include the Preliminary Engineering Report, we are going to include the MOA, in the record for this public hearing and if you look at that study, you will see that it is highly questionable whether the land acquisition has achieved its objectives of not interfering with the ability of this community to continue.

Supervisor: So at this time, did you want to state your public comment.

Paul Sheppard: Yes. First off, I just checked my email and it was sent to both Mr. Young as well as the Superintendent. So, if you do not receive it or you do not have it, please contact me and let me know.

Supervisor: Yes sir, we will.

Paul Sheppard: Secondly, the public notice indicated that the project would be available on the website before the public hearing. I was unable to locate it on the website. Can you confirm that it is in fact posted on the website.

Town Clerk: It is on there. I would have to ask Beth on where she said she actually stuck it..put it on the website, but it is on there.

Paul Sheppard: Can you identify where on the website it is located.

Town Clerk: I don't know, I have to ask her. I don't do the website. I know Kevin Young's office sent her the stuff to put on there and she did.

Paul Sheppard: Alright. Ok so I just heard the explanation as to why this site was selected. It seems that the ultimate determination was that out of a number of potentially acceptable locations this one had a willing seller, and the other ones did not have willing sellers. WAC is not a willing seller. It feels that in its fiduciary and legal obligations, the elimination of its easement on this property should be a last resort, not a first choice. If you are going to have to take by eminent domain, we don't see why there isn't a reason that you can't acquire one of those other locations that would not affect WAC's easement rights. There is a concept known as prior public use in the State of New York actually throughout the entire country. If property is already devoted to a public use and WAC's easement is in fact voted to a public use, there cannot be

condemnation of that property without legislative directive unless certain conditions are met. With legislative, that means the Town of Middletown, that means the State of New York. We do not see that any of those exceptions apply and that therefore this concept of prior public use would in all likelihood prohibit this acquisition. It is typically true since there are alternatives that have not been included in the public notice, have not been explored beyond are you willing to sell or not. A couple of other points that I need to make and most of this is outlined in the letter, so I do not want to repeat myself. We have a question about the public hearing itself. The Eminent Domain Procedure Law is a State Law. Back in March, the Governor issued Executive Orders changing the rules for public hearings. Obviously because of the COVID situation. Most recently, those overriding orders were extended through yesterday, July 7. I do not believe that the Governor has issued an order permitting public hearings to be done remotely on July 8. What the legal affect of that will be is anybody's guess, but I just want to alert the board to that fact that it is possible that this hearing being conducted in this manner is not sufficient under the Eminent Domain Procedure Law.

TB Member [Steve]: People are invited to attend

Paul Sheppard: The notice of the hearing was for remote access.

TB Member: It was for convenience for people who do not want to attend, but attendance is certainly possible.

Paul Sheppard: Ok, that might take care of the problem. I'm not giving an opinion on that, I am just alerting you to that. Another issue that arises under the WAC's Deed of Conservation Easement is that in order to condemn the property, notice has to be given not only to WAC but also to the attorney and to the City of New York, I don't know whether that was done or not by certified mail or personal service. And finally, I was not able to confirm or see any indication as to how and when the notice of public hearing was published. I assume it was published in the local newspaper, but I was not able to see how many times it was published and on what dates it was published just by looking on the internet. You may want to put that on the record as well as to when the publication was done. Beyond that, I think that if you take a look at the letter, we have outlined all of these reasons. I think given the statement that was made on the record as to the site selection process and the availability of alternative locations, our position would be that one of those other locations should be condemned, not this location and that the prior public use of the property by WAC should be honored by one of the other alternatives selected in its stead.

Supervisor: Alright, thank you. Is there other public comment? Steve?

Steve [public]: I have a couple of questions. Concerning your letter. \_\_\_\_\_ [inaudible] How many were returned?

Town Clerk: We haven't got any returned.

Steve: So zero

Town Clerk: None

Chris Yacobucci: They are being sent back to our office

Supervisor: How many have you gotten?

Chris Yacobucci: I got two and I am meeting with two tomorrow and I would be happy to meet with any landowners that are having trouble with the survey.

Steve: So you have two of these returned?

Chris Yacobucci: Yup. Two returned and I am meeting with two landowners tomorrow. We will be happy to meet with anyone who is having trouble with the survey and help them fill it out.

Steve: The budget calls for \$55,000 \_\_\_\_\_ [inaudible]. Correct?

Henry Lamont: No, I believe that is the total budget to operate the system.

TB Member: Steve you are also addressing.. this hearing is specifically about the proposed \_\_\_\_\_ it is not about the budgetary issues of the system.

-inaudible-

Supervisor: How does this have anything to do with eminent domain. This public hearing is regarding the eminent domain of this parcel on the Moriarty property.

Kevin Young: Steve, I will address your questions later relating to the budget privately.

Supervisor: Yes, after the meeting, these guys would be happy to answer your questions about the project stuff because this is the public hearing on the eminent domain. Anything else? Are there any other public comments regarding this issue. Is there anyone else connected.

Paul Sheppard: I have one more thing, I am sorry I should have mentioned this earlier. Given that you got this willing seller issue going, WAC feels it is appropriate for the Board to be aware that under its easement agreements, it is entitled to 48% of any condemnation proceeds including whatever value you allocate to the Moriartys. So they may not be quite as willing to sell if they are aware of that. And then finally, while there has been some negotiations, while this may be premature, given that this is at the public hearing stage, ultimately a professional appraisal will have to be secured to value what is being taken, including what is being taken from WAC. So, I don't believe that has occurred as of yet.

Supervisor: Repeat that last statement.

Paul Sheppard: Ultimately a professional appraisal is required before an offer is made to WAC for its rights on the property that is being acquired. I don't believe that has occurred yet. Again, that is just information for the Board.

Kevin Young: So you are aware though that we submitted an offer to WAC, \_\_\_\_\_ [inaudible], then arrange for the appraisal, we would pay for the appraisal using their expert and WAC said that they would consider it. WAC also indicated \_\_\_\_\_ [inaudible], that they were not going to oppose the use. We do find this to be a little bit disingenuous. I'm sorry.

Paul Sheppard: It's not disingenuous. The only way that this...I'm having a hard time hearing you Mr. Kelly's view is frozen...it is not disingenuous. The only way that WAC's conservation easement can be extinguished is by eminent domain. Even the subdivision would not have accomplished what you are seeking to do. I am just pointing out to you that if you are going to do eminent domain, there are procedures that have to be followed including securing a professional appraisal, usually more than one and then offering the highest appraised value to the owner whose property is being taken and the fact that once that is done, 48% of that amount is going to go to WAC. This is something that might change the Moriarty's understanding of what it is that they are getting in exchange for what they are selling. It is something that the board should be aware of...yet another reason why we think that a different location would be more appropriate. We absolutely are not contesting the appropriateness or the need for the system itself. It is just the location that is an issue.

Supervisor: Mr. Moriarty is a retired attorney. I am sure he is aware of this.

Kevin Young: In fact in our \_\_\_\_\_ [inaudible] to the 48% we made reference to wanting to open up discussions about that and that we are prepared and our hope was that WAC would enter into discussions with us so that we would be able to come to some agreement on price. If we can't come to some agreement on price that kind of jeopardizes the project in some sense because we could go forward with the project, but we wouldn't know how much we would pay WAC.

TB Member: But haven't we already agreed upon a price?

Kevin Young: We have agreed on a price for Mr. Moriarty.

TB Member: So to followup on the question I had about all these prices. How were they come to if there wasn't an assessment.

TB Member: [Inaudible] this is price he could get for the property. So therefore we had to say how valuable is it to your community in New Kingston to have a project that has basically been mandated through the MOA and \_\_\_\_\_ [inaudible] substantial amount of money.

TB Member: Is it market rate?

TB Member: That I can't answer for you. [inaudible].

TB Member: Just for the record it is well above the market rate.

TB Member: I understand...everything we touch is above market rate.

Supervisor: You are touching it for a public project..it quadruples.

TB Member: One of the little kinks here is that an eminent domain proceeding has to ....

TB Member: No you are confused. The thing that it will ultimately be is that it has to get rid of the easement.

TB Member: So Moriarty's property is being eminent domainned.

Supervisor: No..it is the easement. You cannot remove a WAC easement without an eminent domain even if it is a friendly one.

Kevin Young: With the eminent domain process, we can eminent domain and make an offer. They can accept the offer, accept the money. Or they can accept the money and still submit the offer. If they submit the offer, they have that opportunity to commence an action and sue in the court for conditional compensation for the best price. If in fact we make an offer and the offer is fairly low, and they sue us and are successful they can also get \_\_\_\_\_ [inaudible].

Supervisor: Which is exactly why we wrote the letter to them and then explained to them that we were willing to use their appraiser, to pay for it and mention that 48%.

Kevin Young: [inaudible]

TB Member: Thank you for explaining that – it is super confusing.

Supervisor: OK is there any other comment. If not at this time, I will close the public hearing and we will move to open the Town Board Meeting of July 8, 2020.

The first item on the agenda is to amend and approve the minutes of June 10, 2020 board meeting

TB Member: So moved [Ryan]; Second [Julia]

Supervisor: Any questions or comments. All in Favor aye?

Town Board Members: Ayes

Supervisor: All against [none]

Supervisor: Motion carried.

Supervisor: The next item is to amend and approve the Supervisor's monthly financial report. The Town Clerk's monthly report, the Building and Zoning Monthly Report, the justice Court monthly report and the Arkville and Halcottsville monthly water reports for 5/20/20

TB Member: So moved [Ryan]; Second [Nelson]

Supervisor: Any questions or comment?

Supervisor: Any questions or comments. All in Favor aye?

Town Board Members: Ayes

Supervisor: All against [none]

Supervisor: Motion carried.

Supervisor: Next item is Bob Payne Water Superintendent update on Halcottsville and Arkville water districts. Before you do, I have to ask a question. We spoke. You told me it wasn't the pump. It was the pump, but we still have some electrical glitches?

Bob Payne: Yes, the pump shorted out, arched and burned out the electronics. [inaudible] I was hoping he would be here tomorrow afternoon to check it out. Otherwise we still [inaudible]. I'm assuming County \_\_\_\_\_. It would have popped. He would have heard it somewhere. [inaudible] As you know it has been months sometime before they come up,. Otherwise we are in good shape. It did not drop the tank during the fire that night. Not dangerous. It caught up fairly well even on the one pump.

[inaudible]

Bob Payne: They said they would get here tomorrow, but no guarantees. Coming from way up north from somewhere.

Supervisor: Anything else? Any questions for Bob.

TB Members: How much money is the sewer funds out for this pump.

Bob: I have not seen the bill on it....like \$13,000.

[inaudible]

Supervisor: It's about right for pumps.. a little over \$10,000.

Bob: The pump is fine... they tested it, they bypassed the [inaudible]

Supervisor: Any other questions for Bob. If not we will move on.

Supervisor: Next item is Resolution No. 15 of 2020. A Resolution of the Town Board of the Town of Middletown Determining that There are no Adverse Impacts on the Environment for the Design, Construction and Operation of the Wastewater Management Project in the Hamlet of Halcottsville. I have the full environmental assessment form here. We essentially just need to make a motion we agree that there is no adverse impacts.

Kevin Young: So the concept of SEQRA is [inaudible] you have to make a determination whether that project may have a significant adverse impact on the environment. If you do, then you have to prepare a draft environmental impact statement. If you determine it doesn't, then they call it a Negative Declaration. So in this particular case, to issue a Neg Dec you have to have what they call a recent elaboration as to why you concluded this is not a significant adverse impact. So on this project we have a Full Environmental Assessment Form and we have a Part II completed and we have a draft of reasoned elaboration as to looking at all the environmental impacts. That is all part of your package. If the Board agrees with that information, the Board can proceed to pass the Neg Dec. If the Board wants us to go over that item by item we can do that

Supervisor: I've run through it and I am assuming that you guys have looked at it.

Chris Yacobucci: \_\_\_ [inaudible] Board last month. I don't know if you guys shared it or not.

TB Member: I have not seen it.

Town Clerk: Did you send it to everybody?

Chris Yacobucci: I sent it to you guys, I don't know if you forwarded it or not.

Town Clerk: I don't know that I did because we did not do it last month.

Supervisor: We messed up on that public hearing deal. That's what messed us up.

TB Member: I'm ok if we don't have to go through it line by line. The upshot would be nice.

Kevin Young: The upshot?

Supervisor: You go item by item – and just describe the project and asks if it is historic, yes it is; have you checked with SHPO, yes we have.....stormwater. Do you want me to go through them? 13 pages.

Kevin Young: The reasoned elaboration

TB Member: That's what I was looking for, not sure that is in the packet?

Chris Yacobucci: It is – second to last page.

Kevin Young: What we did there was look at the impact on lands, impact on geological features, impacts on surface waters, impact on groundwater, impact on flooding, impact on air, [inaudible] – I believe there is no significant impacts.

Chris Yacobucci -Part 1 – when you are establishing the agency – we sent around Part 1 of the EAF to all involved agencies. Everyone involved and we got comments back if you open your packet that the Parks & Recreation says no effect to historical features. Then in the next packet are all of the comments I received from various agencies. Delaware County is in here, comments from Cynthia Garcia from DEP, DEC, DOT, Judy Latrol from NYS Ag & Markets provided comments. All that is right here. Anyone who has responded is in this packet. Martha Bellinger, DEC. There were a few minor comments. If you look in the Part 3. We did have to make a few adjustments to the Part 1. On the cover of Part 3 here, you will see corrections/revisions to Part 1. There are some revisions that had to occur based on comments received from agencies as there were some [inaudible] they felt should have been changed.

Supervisor: I'll make a motion for a Negative Declaration. Do I have a second [Ryan]. Do we have questions or comments regarding this? No questions or comments.

Supervisor: All in Favor aye?

Town Board Members: Ayes

Supervisor: All against [none]

Supervisor: Motion carried.

Chris Yacobucci: I have to have you sign

Supervisor: You want me to sign this one? Part 1, Page 13

Chris Yacobucci: I also need you to sign Part 3, second page.

Supervisor: Now did you need a copy of that?

Town Clerk: I have copies. I'll make you sign them.

Supervisor: OK Next Item No. 6 – Resolution #16 of 2020. Resolution for Establishment of Sewer District After Public Hearing.

Town Clerk: Second paragraph that wasn't changed...but will be changed when I do it. Should be the 8<sup>th</sup> of July.

Kevin Young: This is the resolution that forms the Halcottsville Sewer District and in order to pass this resolution, the board has to make a determination that the sewer district is in the best interest of the district and that only the people in the district are the ones who are benefitting from it – those are the primary criteria. So the Engineering Report, when you voted to start the process, together with the preliminary engineering report, is in essence kind of the business plan of the district which says this is where the money is coming, this is how much it is going to cost to operate the \_\_\_\_\_ [inaudible], these are the rules under which it would be operated by. So this is sort of a comprehensive engineering report and sort of a comprehensive business plan. You make a determination whether it is in the best interest of the community to form it based on the information in this report and the community engineering \_\_\_\_\_ [inaudible]. Now, there are two ways of doing this resolution. You just pass a resolution that is subject to permissive referendum which means that we have to publish notice of that and people within the district can petition to have an actual referendum if they submit a viable petition then we have to have an actual vote and we had that vote in New Kingston and I think it was 90% voted in favor. Or the Board can specify in the resolution itself to have a permissive referendum. In New Kingston you did that. In this draft we haven't proposed that because of COVID and the difficulties of trying to have people come and vote under the current conditions. So the Board can change that, but at this point it maybe given it wasn't public comment on Sewer Use Law or the Sewer District hearing, we may have a basis to proceed without mandating a permissive referendum.

Supervisor: If any of the residents feels strongly, just give us a petition and we will have a permissive referendum. Not a big deal. Walk down both sides of the street and you will get them.

Chris Yacobucci: We did quite some time ago. Over a year ago there was a survey questionnaire the same one that Steven was making reference to. It wasn't like a do you want to do this – just asking them questions about their property, where their well was and septic system. I believe we got all of them basically – if we did not get one we met with them.

Supervisor: I'll entertain a motion. Motion to approve from Bryan, Chris seconds it.  
Any questions or comment.

Town Clerk: I have a question for Kevin: Now we have to run a notice in the paper now. Are you going to be sending that to me. And how soon does it have to be put in. I have to have it by tomorrow because I am leaving Friday for vacation.

KMY : Yes, next week.

Supervisor: All in Favor aye?

Town Board Members: Ayes

Supervisor: All against [none]

Supervisor: Motion carried.

Supervisor: Resolution No. 17 of 2020 – Resolution Adopting the Sewer Use Law for the Town of Middletown. This will be adopting the Sewer Use Law with the amendment to include the Halcottsville Sewer District.

Kevin Young: Just to understand, this Sewer Use Law – Middletown has a Sewer Use Law that we had to adopt under a suit back in 2008 or 2006 when we did the sewer extension and that was a condition for the City funding the sewer extension. We are modifying that law. That law only applied to the area being served by the Margaretville Sewage Treatment Plant and the Village of Margaretville by its own Sewer Use Law is like identical. Now we are adding to that Sewer Use Law the Halcottsville area sewer district. Because it is also discharging to the Margaretville sewage treatment plant.

TB Member: So what changed in the text of this?

Kevin Young: When we get done with the redline track versions .....it may not have it..

TB Member: Still in here.

Kevin Young: In addition to the word Halcottsville....

Inaudible audience.

Kevin Young: The sewer use law under the preferred agreement for this program and under the sewer extension agreement had to be approved by DEP. Believe me, the attorney was still there during that negotiation and I was there during that negotiation. That was a painful 8 meetings. That was an extremely painful process to get to that suit. When that sewer use law – and the reason it has been \_\_\_\_\_ [inaudible] is because DEP enforce \_\_\_\_\_ [inaudible] of our law. Only if we do not enforce it. And that was a very painful thing to negotiate.

TB Member: One of the questions does this stipulate how much the City is subsidizing.

Kevin Young: That different. Thank you. The rest of the Middletown is served by the City. In Halcottsville it is not. Halcottsville we have to have a sewer rent law also approved by the City and under the contract we have with the City, the City \_\_\_\_\_ [inaudible] for households...that is a place where people stay on a regular basis. It includes Bed and Breakfasts. For households it is capped at \$100/year. So what we do with that is we allocate, we take our total budget and we allocate it between households and non-households and the household portion – the households pay \$100 and the City pays the rest. The non-households pay their fair share. I don't think in Halcottsville how many non-households were there?

TB Member: Fire Department, Post Office, Church, Art Studio I think?

Supervisor: Also have

TB Member: Café next to the art studio I think also... or it was...

Kevin Young: In the Engineering Report, we cost analysis this, we played it out what people would have charged. So typically, the non-households were charging \$250 and the households would be charge \$100 and after three years the households would go up with inflation. That sewer rent law is incorporated into this Law. There is also into this law something called sewer allocation. So with Halcottsville, the City is granting that district 14,075 gallons on a 30 day average. And what our experience has been, that's kind of a design number based on....let me say this...we design the systems based on the housing infrastructure. We are not necessarily designing the systems based on the current tenants or residents. The idea is that we are trying to have a sustainable community that is a property...it may just be a single family or a single person there...he sells it to a family of 4. So we design it based on the housing infrastructure. We come up with a design capacity based on that. And what we find is that is typically double what the actual flow is. And we have a lot of experience on that. So the district has excess capacity. That excess capacity has a value and that is a lot of value. And so the Board on behalf of the district under that law can allocate that capacity. And so somebody that is in the district and they want to connect up... it is called a special benefit assessment. If it is an existing.. there is no charge. If it is a new and they haven't given up a septic system the way the existing had, then they have to pay a charge.

Supervisor: We just see what the actual flow is versus what they allocated and that is the difference – that we work with.

Kevin Young: The agreement is written with the City. There is an Operation and Maintenance Agreement that is incorporated into the sewer use law. As a reference. That is a 30-year agreement that renews every 30 years. And that agreement allows us to petition the City for additional capacity if we determine a need for expanding along the pipeline and the City has agreed to provide that approval consistent with the MOA objectives that I just referenced early on. So we do have the ability to get more flow.

TB Member: At what point do we give you that – I know we talked about the transfer station being on there...

Kevin Young: The transfer station is part of the District.

TB Member: At what point ....

Kevin Young: Kelly Corners is another area that has been identified as needing community solution. And there is, I don't know John, there is money that is already allocated...

John: It is in a cluster area right now.

Kevin Young: And the O&M Agreement does specifically reference Kelly Corners as a possible connection at a later time. If there are individual houses along the way that want to connect up

then it is just us asking the City. It's different if we ask the City to go above 14,000...that's a different ask than just asking to a house along the way connect.

Supervisor: They are probably going to want to wait at least a year to see what normal flows are for a year to have enough data to say ok. We know we are only using 8,000 a day so we have 5,000 to 6,000 to work with.

TB Member: There is something in the O&M Agreement that says that there is another agreement... [inaudible question]

Kevin Young: So the operation and maintenance agreement that we are signing is for operation and maintenance and the operation and maintenance includes the operator....and what I am saying is the City subsidy applies is to those costs that cost to operate maintenance. Operation and maintenance does not include replacing the system. It does not include the replacing large sections of sewer mains. It does include repairs to sewer mains and replacement of small sections of sewer mains. So that's if there was a need to replace a piece of equipment that wasn't part of O&M and the City required that equipment, the City would enter into a separate agreement with us to pay for it. That's what that is for.

TB Member: Ok, so if something big breaks and not covered that City subsidy

Supervisor: Like a pump.

Kevin Young: a pump is covered.

Supervisor: A pump is covered we had that conversation. That used to be the conversation. We have done it before where we needed pumps and the separate agreement was for an additional pump to be purchased and held in stock until we needed it.

Kevin Young: As part of O&M you will have spare pumps.

Supervisor: That's part of a separate agreement. Not on this because we brought this up months ago to Kevin and we already spoke to them about this.

TB Member: Thank you.

Supervisor: Any other questions regarding Resolution No. 17? I'll entertain a motion?

Motion to approve from Julia, \_\_\_\_\_ seconds it.

Any questions or comments?

Supervisor: All in Favor aye?

Town Board Members: Ayes

Supervisor: All against [none]

Supervisor: Motion carried.

Town Clerk: Question I have for you. Does that have to be 20 days to be filed that local law?

Kevin Young: We should.

Town Clerk: Are you sending me that local law

Kevin Young: We will do the whole thing...not the whole thing.

Supervisor: You will send it to us.

Kevin Young: I have a question and I want to confirm that you were given email notice of today's public hearing and you specifically wanted to attend versus participating by Zoom. Is that correct. I wanted to confirm that you were given email notice by Patty of today's public hearing and that you chose to attend rather than to participate via Zoom.

Gentleman: That is correct

Kevin Young: And you told Patty that you want to participate.

Town Clerk: Today he didn't tell me that. He told me that last week.

Kevin Young: I just wanted to confirm. Correct

Gentleman: Yes.

Kevin Young: Is Steve still on the phone?

Supervisor: Paul? No, I don't think so...they are all off.

Zoom Host: Paul is still on.

Supervisor: Paul is on.

Kevin Young: Is just want to ask Paul, what is the public use; that you are saying that the lax use is a public use. What is the public use with the Moriarty Farm?

Paul Sheppard: The public use of the easement?

Kevin Young: Yeah, what is the

Paul Sheppard: It protects the watershed. That is the purpose of the easement.

Kevin Young: That is the same public use, part of the same MOA, in other words, ours is a little more important. You might say from a water quality point of view, the City is spending how many

million dollars? \$5.2 million to protect/build the system to protect their watershed. Probably you paid about \$36,000 to \$38,000 for a WAC easement on 21.7 acres. So wouldn't you think that from a public use point of view, if the public use is water quality and we are a municipality and we are putting this in to protect water quality and it is funded by the City of New York to protect their water quality and they are paying more than 10 times what you paid for the easement that you really don't have a public use argument?

Paul Sheppard: Are you asking me if I would agree with that? I would say that I'm sure you have a public use. It could be put in one of the alternate locations and then both public uses would proceed hand and hand.

Supervisor: Is that all? Ok thank you. Alright, I will entertain a motion on Resolution No. 18. Oh wait did I even bring it up? I'm sorry. I'm still trying to move to number 18. There we go. I'm sorry about that, you guys confused me here.

Supervisor: No. 8 – Resolution No. 18 of 2020 – A resolution authorizing the Chief Executive Officer to sign a contract for shared highway services on behalf of the Town of Middletown. I spoke with John Byroff about this last week. And Again this week this is for our shared services for doing a lot of oil and stone and now we would like to get that done and that way we can get as much of this and get reimbursed and everyone can and scheduling this year has been a little tight with the oil and everything. So if we can get this signed, this benefits us and the Towns we work with. Are there any questions regarding this?

In person Attendee: We have talked about this for years about is he tracking now.

Supervisor: He keeps tracks of this and every year he hands it in right at the budget when he does his budget he gives us our shared services. He lists the Towns he does it with and how we get it in return. So we have some form of record of it to show that.

Kevin Young: Can we leave now?

Supervisor: Yes you can gentlemen. We greatly appreciate. You have a good evening. Thank you.

TB Member: He does look like he has to do two times a year – reports.

Supervisor: He may. I remember getting them right before budget time. I mean it says a lot of things. We just started actually getting them four or five years ago. We just started doing this.

TB Member: I just wanted to make sure that \_\_\_\_ [inaudible] June and December.

Supervisor: I am sure he can. He keeps track of them. John's really good at documenting stuff.

Supervisor: Do we have a motion to approve? Do we have a second?  
Motion to approve from \_\_\_\_\_, Julia seconds it.

Any questions or comments?

Supervisor: All in Favor aye?

Town Board Members: Ayes

Supervisor: All against [none]

Supervisor: Motion carried.

Supervisor: Next item is Preauthorization to approve the payment of approximately \$260,000 to Vestal Asphalt for paving, oil and machinery for roads to be paved from 7/7/20 to 7/16/20. The voucher will need to be signed by July 29<sup>th</sup> and the check will need to be produced by July 30<sup>th</sup> for chips reimbursement in September. That's the reason this is coming this month. We want to make sure we get chips reimbursement and we have been told that is the deadline. So, I'll entertain a motion?

Supervisor: Any other questions regarding Resolution No. 17? I'll entertain a motion?

Motion to approve from Bryan, Chris seconds it.

Any questions or comments?

Supervisor: All in Favor aye?

Town Board Members: Ayes

Supervisor: All against [none]

Supervisor: Motion carried.

Supervisor: So at this time, open floor to the public. Barry stick around. Give me 10 minutes. Open floor to the public. Any public comment? No? No public comment. I will close the open floor to the public.

Supervisor: 11 – Other – Anyone have anything under other? Joe do you want to speak? Ok so, I'll do this very briefly, Joe and May come to me last week and said that they had a little bit of an issue. They felt that there was some inappropriate material that was put on the computer system. Said one of the assessors downloaded their google personal google account \_\_\_\_\_ [inaudible] ethics policy and stuff. It was a mistake and pretty simple, and Joe mentioned it to him and he mentioned it to me because that is what you are supposed to do. I mentioned it to Carey and the individual has already been spoken with Carey and essentially my thought talking with Carey was we should get it removed off of there and we should just simply make it clear that that sort of thing should not be put on Town property again. Ok. And what we are going to do is simply going to have that conversation after this meeting and all we wanted to do was just address this, make you ware of it and remove it off the computer. Alright? Ok. Anything else that we want to speak about? So then at this time is there anything other to come before the meeting? From anyone. Now you can go?

Supervisor: Next item is to audit and approve the monthly vouchers for payment. May I get a motion?

Motion to approve from \_\_\_\_\_, Chris seconds it.

Any questions or comments?

Supervisor: All in Favor aye?

Town Board Members: Ayes

Supervisor: All against [none]

Supervisor: Motion carried.

Town Clerk: Are you staying for the whole meeting?

Zoom Host: Is the meeting adjourned?

Town Clerk: No, we're doing audit and approve monthly vouchers and then we adjourn.

Zoom Host: I can stay on if you need it recorded.

Town Clerk: I don't need it recorded. When I do my minutes – It's fine.

Allyson Phillips: This is Allyson, just record the whole meeting because I think since we doing it remote – it might be a requirement under the Executive Order.

Zoom Host: Ok, you got it.

Supervisor: Motion for adjournment.

Motion to approve from \_\_\_\_\_; \_\_\_\_\_ Second it

Supervisor: All in Favor aye?

Town Board Members: Ayes

Supervisor: All against [none]

Supervisor: Motion carried.

Town Clerk: We're done

Zoom Attendees:

Arlene Weissman

Catherine Gorman

Lorraine Dunham (commented on first resolution – Halcottsville sewer district)

Paul Sheppard [WAC attorney] [Commented on New Kingston resolution]

Ryan Naatz

Rob Birdsall – WAC

Todd Pascarella [Read letter on first resolution re Halcottsville sewer district]

Paul and Steffie

Allyson Phillips (Attorney – Young/Sommer]

Betsy Wykes [Zoom Host – Young/Sommer]

Larry Reilly [Joined while Todd Pascarella was beginning to read his letter]

Dave Tobias