

APRIL 14, 2021

HWY DEPT. AUTHORIZED TO PURCHASE FROM THE 2021 STATE AND COUNTY BID CONTRACT.

BIDS AWARDED FOR RENTAL CONSTRUCTION EQUIPMENT WITH AND WITHOUT AN OPERATOR.

ANNUAL BIDS AWARDED FOR THE PURCHASE OF FUEL, MATERIALS AND SERVICES.

4 DAY/10 HOUR HWY WEEK FOR SUMMER SEASON APPROVED.

RE-APPOINTMENT OF GARY KUSEN AS MEMBER TO THE ZONING BOARD OF APPEALS FOR THE TERM 05/01/21-04/30/26 APPROVED.

SUPERVISOR AUTHORIZED TO EXECUTE AGREEMENT FOR PAYMENT OF FAIR COMPENSATION FOR PROPERTY ACQUISITION WITH MICHAEL MORIARTY AND THE TOWN OF MIDDLETOWN.

COLOR RENDERING OF GRAY SLATE ROOFING AND MATTE BLACK FOR THE NEW KINGSTON WWTF BUILDING APPROVED.

PUBLIC HEARING SCHEDULED FOR MAY 12, 2021 FOR LOCAL LAW NO. 1 OF 2021 - A LOCAL LAW TO ESTABLISH THE RESIDENCY REQUIREMENTS FOR THE APPOINTED OFFICE OF DEPUTY HIGHWAY SUPERINTENDENT OF THE TOWN OF MIDDLETOWN.

RESOLUTION #13 OF 2021 - A RESOLUTION AUTHORIZING THE TOWN BOARD OF THE TOWN OF MIDDLETOWN TO SOLICIT BIDS IN CONNECTION WITH THE CONSTRUCTION OF THE SEWER MAIN EXTENSION, PUMP STATION AND COLLECTION SYSTEM SERVING THE HAMLET OF HALCOTTSVILLE APPROVED.

PROPOSAL FROM CRAIG CHERRY/CHERRY FENCE CO. FOR LAWN CARE AND MAINTENANCE FOR \$2,450. AND PROPOSAL FROM CRAIG CHERRY/CHERRY FENCE CO. TO POWER WASH TOWN HALL BUILDING FOR \$2,500. APPROVED.

The Town Board of the Town of Middletown, Delaware County, New York, held their monthly meeting on Wednesday, April 14, 2021, at the Town Hall, located at 42339 State Highway 28, Margaretville, NY.

The following Board Members were connected:

Supervisor.....Carl P. Davis

Councilman Members.....Brian Sweeney, Julia Reischel, Christopher Dabritz and Nelson Delamater.

Also connected were: Hiram Davis, Michael Martin-Mountain Eagle, Jess Hilson-The Reporter, Steve Finkel, Mike Hill, Cassie Palen, Robin Williams, Todd Pascarella, Larry Reilly, Winifred Zubin and Rebecca Andre.

Supervisor Davis called the Town Board Meeting to order at 6:00 p.m.

ATTACHED Agenda prepared by Supervisor Davis and Town Clerk.

Supervisor Davis addressed the Board to rectify some criticism aimed at him during the March 10th meeting since he was not present. In regards to the Town's position to challenge the CRC's tax-exempt status if an agreement could not be reached for an easement to utilize a portion of the CRC's property for the Halcottsville Sewer District. Supervisor Davis commented he was concerned for the residents of Middletown. He did not want the Halcottsville taxpayers have to pay an annual fee to the CRC for the easement. Supervisor Davis stated "If standing up to a railroad or any non-profit that wants to get large sums of money from a sewer district to put lines on a piece of property for \$1 makes me a bully, guilty as charged. Supervisor Davis commented that the litigation was initiated by CWC on behalf of New York City, which is claiming it owes no taxes on the portion of the \$20 million building in Arkville that it leases from CWC. He further stated "If standing up to New York City and telling them to pay their fair share of taxes, considering they're generating over \$4 billion annually in water rents and spending less than one tenth of one percent of that in the entire watershed, makes me a bully, guilty as charged."

Motion was made by B. Sweeney, seconded by C. Dabritz to approve the Minutes of 03/10/21-Town Board Meeting, as submitted by the Town Clerk. **(5) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel; Christopher Dabritz and Nelson Delameter - (0) Nays.**

Supervisor's Monthly Report; Town Clerk's Monthly Report; Tax Collector-Collection Summary-Batches 34 thru 48; Building & Zoning Monthly Report; Justice Court Monthly Report and Arkville and Halcottsville Monthly Reports for 02/2021 were approved as submitted, by a motion made by B. Sweeney, seconded by J. Reischel. **(5) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel; Christopher Dabritz and Nelson Delameter- (0) Nays.**

Fleischmanns Mayor Winifred Zubin addressed the Town Board with her concerns about the Village adopting the Town's zoning laws to make enforcement consistent to the Middletown zoning as it does not address specific issues to the Village. Supervisor Davis proposed that Fleischmanns enact a one-year moratorium on all new building permits to allow for resolution of current issues and for a complete review of the Village's zoning laws. Supervisor Davis suggested that if Fleischmanns agrees to a moratorium, the Town would agree to keep the contract at \$16,000. instead of the proposed increase to \$20,000. Mayor Zubin was going to present this to the Fleischmanns Trustees.

Motion was made by N. Delameter, seconded by B. Sweeney to authorize Hwy Dept. to purchase from the ATTACHED 2021 State and County Bid Contract. **(5) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel; Christopher Dabritz and Nelson Delameter - (0) Nays.**

Motion was made by C. Dabritz, seconded by J. Reischel to award the bids for Proposal No. 1 of 2021 - Rental of Construction Equipment with and without an operator per the ATTACHED list prepared by Hwy Supt. John Biruk **(5) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel; Christopher Dabritz and Nelson Delameter - (0) Nays.**

Motion was made by N. Delameter, seconded by C. Dabritz to award the bids for fuel, materials and services per the ATTACHED list prepared by Hwy Supt. John Biruk. **(5) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel; Christopher Dabritz and Nelson Delameter - (0) Nays.**

Motion was made by C. Dabritz, seconded by N. Delameter to approve the ATTACHED Hwy Union's request for a 4 day/10 hour work day from May 3, 2021 thru September 30, 2021. **(5) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel; Christopher Dabritz and Nelson Delameter - (0) Nays.**

Motion was made by B. Sweeney, seconded by J. Reischel to re-appoint Gary Kusen as Member to the Zoning Board of Appeals for the term of 05/01/21-04/30/26. **(5) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel; Christopher Dabritz and Nelson Delameter - (0) - Nays.**

Supervisor Davis opened the floor to the public. Cassie Palen was concerned that generators for the New Kingston sewer district were being located in different locations than originally planned. Supervisor Davis told her to reach out to John Mathieson as he is the one in charge and he would also make calls to see if they could be relocated.

The Town Board reviewed the proposed Resolution Authorizing "No Parking" Signs along State Highway 28 in Arkville and decided to table it until next month when Sup't of Highways John Biruk could review it with them.

Motion was made by J. Reischel, seconded by B. Sweeney to authorize the Supervisor to execute the ATTACHED Agreement for payment of Fair Compensation for Property Acquisition with Michael Moriarty and the Town of Middletown. **(5) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel; Christopher Dabritz and Nelson Delameter- (0) - Nays.**

Motion was made by C. Dabritz, seconded by J. Reischel to approve the coloring rendering of Grey Slate Roofing and Matte Black for the New Kingston WWTF Building. **(5) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel; Christopher Dabritz and Nelson Delameter- (0) - Nays.**

Motion was made by C. Dabritz, seconded by B. Sweeney to schedule a Public Hearing for Wednesday, May 12, 2021 at 6:00 for Local Law No. 1 of 2021 - A Local Law to Establish the Residency Requirements for the Appointed Office of Deputy Highway Superintendent of the Town of Middletown. **(5) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel; Christopher Dabritz and Nelson Delameter- (0) - Nays.**

Motion was made by J. C. Dabritz, seconded by N. Delameter to approve the ATTACHED Resolution #13 of 2021 - A Resolution Authorizing the Town Board of the Town of Middletown to Solicit Bids in Connection with the Construction of the Sewer Main Extension, Pump Station and Collection System Serving the Hamlet of Halcottsville. **(5) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel; Christopher Dabritz and Nelson Delameter - (0) - Nays.**

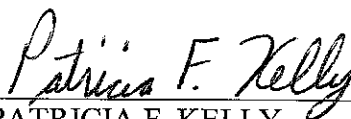
Motion was made by C. Dabritz, seconded by J. Reischel to approve the ATTACHED proposal from Craig Cherry/Cherry Fence Co. to provide lawn care and maintenance at the Town Hall in the amount of \$2,450. and the ATTACHED proposal from Craig Cherry/Cherry Fence Co. to power wash Town building in the amount of \$2,500. **(5) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel; Christopher Dabritz and Nelson Delameter - (0) Nays.**

Supervisor Davis advised the Board of a meeting concerning county-wide ambulance service. He felt that this could be an expensive proposition and detrimental to Middletown and Roxbury, which are currently well served by the Margaretville Hospital ambulance service and which the Town helps pay for the coverage.

The monthly vouchers were audited and ordered paid by a motion made by C. Dabritz, seconded by J. Reischel. **(5) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel; Christopher Dabritz and Nelson Delameter- (0) Nays.** Vouchers approved were #s 184-247, totaling \$135,084.24

Motion for adjournment was made by C.P. Davis, seconded by C. Dabritz. **(5) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel; Christopher Dabritz and Nelson Delameter - (0) Nays.** The meeting was adjourned at 8:01 p.m.

DATED: April 19, 2021



PATRICIA F. KELLY
TOWN CLERK