

MAY 12, 2021

PUBLIC HEARING ON 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.

PUBLIC HEARING SCHEDULED FOR JUNE 09, 2021 FOR LOCAL LAW NO. 2 OF 2021 - A LOCAL LAW CONCERNING THE PERMITTED USE OF THE TOWN OF MIDDLETOWN TRANSFER STATION REPLACING LOCAL LAW NO. 6 OF 2012.

RESOLUTION #14 OF 2021 - A RESOLUTION CONCERNING PARKING SIGNS ON STATE HIGHWAY 28 AND CHURCH STREET IN ARKVILLE APPROVED.

PROPOSAL FROM KURT FLACHS PLUMBING AND HEATING TO AUTHORIZE PARTIAL PAYMENT FOR MATERIALS IN THE AMOUNT OF \$4,400. TO BE USED TO REPAIR THE HIGHWAY BOILER APPROVED.

ONE MONTH EXTENSION OF THE AGREEMENT WITH THE VILLAGE OF FLEISCHMANN'S FOR BUILDING INSPECTION SERVICES AND SERVICES OF A ZONING ENFORCEMENT OFFICER APPROVED

RESOLUTION #15 OF 2021 - A RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT IN CONNECTION WITH THE HALCOTTSVILLE SEWER DISTRICT PROJECT BETWEEN THE CATSKILL REVITALIZATION CORPORATION AND THE TOWN OF MIDDLETOWN TO INSTALL AND OPERATE TRANSMISSION PIPELINE ON CRC FOR A ONE TIME PAYMENT OF \$40,000. APPROVED.

AUTHORIZATION TO SOLICIT PROPOSALS FROM QUALIFIED SOLAR PV PROVIDERS TO DESIGN AND BUILD A ROOF-MOUNTED SOLAR PHOTOVOLTAIC ON THE TOWN HALL BUILDING APPROVED.

RESOLUTION #16 OF 2021 - A RESOLUTION ADOPTING 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 APPROVED.

AUTHORIZED SUPERVISOR TO EXECUTE THE LEGAL SERVICES AGREEMENT TO APPOINT COUGHLIN & GERHART TO PROVIDE LEGAL SERVICES TO THE TOWN OF MIDDLETOWN APPROVED.

EXECUTIVE SESSION---LITIGATION MATTER AND
PERSONNEL ISSUE---NO ACTION TAKEN.

The Town Board of the Town of Middletown, Delaware County, New York, held their Public Hearing and regular monthly meeting on Wednesday, May 12, 2021 at the Town Hall, located on #42339 State Route 28, Margaretville, NY.

The following Board Members were present:

Supervisor.....Carl P. Davis

Council Members.....Brian Sweeney; Julia Reischel and Nelson
Delameter

Council Member Christopher Dabritz was not in attendance.

Also present were: Colleen Martin, Steve Finkel, Michael Martin-Mountain Eagle, Jesse Hilson-The Reporter, Cassie Palen, Winifred Zubin and Larry Reilly.

ATTACHED Agenda prepared by Supervisor Davis and Town Clerk.

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

Supervisor Davis opened the floor to the public. No one wished to comment. Supervisor Davis closed the Hearing at 6:02 p.m.

Supervisor Davis called the Town Board Meeting to order at 6:02 p.m.

Motion was made by B. Sweeney, seconded by J. Reischel to approve the Minutes of 04/14/2021-Town Board Meeting, as submitted by the Town Clerk. **(4) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel and Nelson Delameter - (0) Nays.**

Supervisor's Monthly Report; Town Clerk's Monthly Report; Tax Collector-Collection Summary-Batches 49 thru 59; Building & Zoning Monthly Report; Justice Court Monthly Report and Arkville and Halcottsville Monthly Reports for 03/2021 were approved as submitted, by a motion made by N. Delameter, seconded by B. Sweeney. **(4) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel and Nelson Delameter- (0) Nays.**

Motion was made by B. Sweeney, seconded by J. Reischel to schedule a Public Hearing for Wednesday, June 09, 2021 at 6:00 for Local Law No. 2 of 2021 - A Local Law Concerning the Permitted Use of the Town of Middletown Transfer Station Replacing Local Law No. 6 of 2012. **(4) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel and Nelson Delameter- (0) - Nays.**

Motion was made by N. Delameter, seconded by J. Reischel to approve the ATTACHED Resolution #14 of 2021 - A Resolution Concerning Parking Signs on State Highway 28 and Church Street in Arkville. **(4) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel and Nelson Delameter- (0) - Nays.**

Motion was made by N. Delameter, seconded by B. Sweeney to approve the ATTACHED proposal from Kurt Flachs Plumbing and Heating to authorize partial payment for materials in the amount of \$4,400. to be used to repair the highway boiler. **(4) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel and Nelson Delameter - (0) Nays.**

Supervisor Davis opened the floor to the public. Fleischmanns Mayor Winifred Zubin stated she looked into the moratorium recommendation of last month and felt a moratorium is not good or in the best interest of the Village of Fleischmanns and that the Village was exploring other options including hiring their own code enforcement officer. She asked the Board for an additional one month extension of the current agreement between the Village of Fleischmanns and the Town of Middletown for building inspection services and services of a zoning enforcement officer while the Village continues to look into options. Motion was made by J. Reischel, seconded by C.P. Davis to approve a one month extension of the agreement. Nelson Delameter said he was not in favor because of the ongoing difficulties expressed by Code Enforcement Officer Hiram Davis. **(3) Ayes - Carl P. Davis; Brian Sweeney and Julia Reischel - (1) Nay - Nelson Delameter.**

Motion was made by J. Reischel, seconded by B. Sweeney to approve the ATTACHED Resolution #15 of 2021 - A Resolution Authorizing the Supervisor to Execute A License Agreement in Connection with the Halcottsville Sewer District Project Between the Catskill Revitalization Corporation and the Town of Middletown to Install and Operate Transmission Pipeline on CRC for a One Time Payment of \$40,000. **(4) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel and Nelson Delameter - (0) - Nays.**

Motion was made by B. Sweeney, seconded by N. Delameter to Solicit Proposals from Qualified Solar PV Providers to Design and Build a Roof-Mounted Solar Photovoltaic on the Town Hall building. **(4) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel and Nelson Delameter - (0) - Nays.**

Motion was made by N. Delameter, seconded by J. Reischel to approve the ATTACHED Resolution #16 of 2021 - A Resolution Adopting 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. **(4) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel and Nelson Delameter - (0) - Nays.**

Motion was made by B. Sweeney, seconded by J. Reischel to authorize Supervisor Davis to execute the ATTACHED Legal Services Agreement to appoint Coughlin & Gerhart to provide legal services to the Town. **(4) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel and Nelson Delameter - (0) - Nays.**


Motion was made by C.P. Davis, seconded by N. Delameter to enter into Executive Session at 7:04 p.m. to discuss a litigation matter and a personnel issue. Included in the Session was the Town Clerk. **(4) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel and Nelson Delameter - (0) Nays.** Motion for adjournment was made by C.P. Davis, seconded by N. Delameter; and the Executive Session was adjourned at 8:01 p.m. **(4) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel and Nelson Delameter - (0) Nays.** There was no Board action per the Executive Session.

CDBG Voucher #005 in the amount of \$15,230.00 was audited and ordered paid by a motion made by N. Delameter, seconded by J. Reischel. **(4) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel and Nelson Delameter - (0) - Nays.**

The monthly vouchers were audited and ordered paid by a motion made by B. Sweeney, seconded by J. Reischel. **(4) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel and Nelson Delameter- (0) Nays.** Vouchers approved were #s 248-318, totaling \$186,666.66

Motion for adjournment was made by C.P Davis, seconded by N. Delameter. **(4) Ayes - Carl P. Davis; Brian Sweeney; Julia Reischel and Nelson Delameter - (0) Nays.** The meeting was adjourned at 8:23 p.m.

DATED: May 14, 2021



PATRICIA F. KELLY
TOWN CLERK