

APRIL 12, 2023

HWY DEPT. AUTHORIZED TO PURCHASE FROM THE 2023 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 EXCEPT THE BID FROM PLATTERKILL MINE LLC AS IT HAD NO NON-COLLUSIVE CERTIFICATE.

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

RE-APPOINTMENT OF KURT HOLCHERR AS MEMBER TO THE ZONING BOARD OF APPEALS FOR THE TERM 05/01/23-04/30/28 APPROVED.

PROPOSAL FROM SIEMENS INDUSTRY FOR WORK TO BE DONE ON THE BOILER AT THE HWY DEPT. IN THE AMOUNT OF \$12,698. APPROVED.

PROPOSAL FROM CRAIG CHERRY/CHERRY FENCE CO. FOR LAWN CARE AND MAINTENANCE FOR \$2,550. AND PROPOSAL FROM CRAIG CHERRY/CHERRY FENCE CO. TO POWER WASH TOWN HALL BUILDING FOR \$2,500. APPROVED.

EXECUTIVE SESSION--- PERSONNEL MATTER---NO ACTION TAKEN.

The Town Board of the Town of Middletown, Delaware County, New York, held their monthly meeting on Wednesday, April 12, 2023, at the Town Hall, located at 42339 State Highway 28, Margaretville, NY.

The following Board Members were present:

Deputy Supervisor.....Brian Sweeney

Councilman Members.....Christopher Da britz, Nelson Delameter and Robin Williams

Supervisor C.P. Davis was not in attendance.

Also present were: Jesse Hilson-The Reporter, John Biruk, Colleen Martin, Beth Kapps, Steve Sines, Connie Spielman, John Gebert, Brian Suozzo, John Beers, Annie Pevear, Glen Faulkner, Cassie Palen and Bill Malango.

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

ATTACHED Agenda prepared by Supervisor Davis and Town Clerk.

Motion was made by C. Dabritz, seconded by R. Williams to approve the Minutes of 03/08/23-Town Board Meeting, as submitted by the Town Clerk. **(4) Ayes - Brian Sweeney; Christopher Dabritz; Nelson Delameter and Robin Williams - (0) Nays.**

Supervisor's Monthly Report; Town Clerk's Monthly Report; Tax Collector-Collection Summary-Batches 35 thru 50; Building & Zoning Monthly Report; Justice Court Monthly Report and Arkville and Halcottsville Monthly Reports for 02/2023 were approved as submitted, by a motion made by N. Delameter, seconded by R. Williams. **(4) Ayes - Brian Sweeney; Christopher Dabritz; Nelson Delameter and Robin Williams- (0) Nays.**

The Town Board reviewed the ATTACHED Arkville-Halcottsville Water Monthly Action Report for March 2023 prepared by Cedarwood Engineers. **(4) Ayes - Brian Sweeney; Christopher Dabritz; Nelson Delameter and Robin Williams - (0) Nays.**

Motion was made by C. Dabritz, seconded by N. Delameter to authorize Hwy Dept. to purchase from the ATTACHED 2023 State and County Bid Contract. **(4) Ayes - Brian Sweeney; Christopher Dabritz; Nelson Delameter and Robin Williams - (0) Nays.**

Motion was made by R. Williams, seconded by C. Dabritz to award the bids for Proposal No. 1 of 2023 - Rental of Construction Equipment with and without an operator per the ATTACHED list prepared by Hwy Supt. John Biruk. **(4) Ayes - Brian Sweeney; Christopher Dabritz; Nelson Delameter and Robin Williams - (0) Nays.**

Motion was made by C. Dabritz, seconded by N. Delameter to award the bids for fuel, materials and services per the ATTACHED list prepared by Hwy Supt. John Biruk except the bid from Platterkill Mine LLC as it had no Non-Collusive Certificate. **(4) Ayes - Brian Sweeney; Christopher Dabritz; Nelson Delameter and Robin Williams - (0) Nays.**

Motion was made by N. Delameter, seconded by R. Williams to approve the ATTACHED Hwy Union's request for a 4 day/10 hour work day from May 1, 2023 thru September 28, 2023. **(4) Ayes - Brian Sweeney; Christopher Dabritz; Nelson Delameter and Robin Williams - (0) Nays.**

Motion was made by R. Williams, seconded by C. Dabritz to re-appoint Kurt Holcherr as Member to the Zoning Board of Appeals for the term of 05/01/23-04/30/28. **(4) Ayes - Brian Sweeney; Christopher Dabritz; Nelson Delameter and Robin Williams - (0) - Nays.**

Deputy Supervisor Sweeney opened the floor to the public. Steve Sines, president of the highway department employees' union, reviewed the ATTACHED request from the employees to consider opening the contract between the CSEA bargaining unit and the Town. The purpose is to negotiate raises to retain experienced employees and obtain new hires to replace employees who are retiring. Connie Spielman Gebert and John Gebert reviewed their ATTACHED email expressing their opposition to the "land swap" on County Highway 38 (adjacent to their property) owned by NYCDEP. They feel that it is not a good proposal as there has been enough development on this road such as the low income housing development, the CRC, the CWC/NYCDEP building and the Water Discovery Museum which increased the amount of traffic on a one mile road. Deputy Supervisor Sweeney stated that the Town hasn't heard anything from the NYCDEP and the Town is looking at all options.

Motion was made by C. Dabritz, seconded by R. Williams to approve the ATTACHED proposal from Siemens Industry for work to be done on the boiler at the Hwy Department in the amount of \$12,698. **(4) Ayes - Brian Sweeney; Christopher Dabritz; Nelson Delameter and Robin Williams - (0) - Nays.**

John Biruk, Hwy Sup't brought up for discussion the County Snow Removal Contract which expires in August 2023 as the County has asked for full winter maintenance on their roads instead of the Town just plowing. He pointed out coordination problems between the Town and County where sometimes the County has sanded roads ahead of the plows instead of behind them. He also stated he wasn't sure how he will be able to do the Town's 150 miles of roads along with the current contract with the County as he wouldn't have enough employees if some retired or went elsewhere.

The Town Board reviewed the ATTACHED Liquor License Application and to Waive the 30-Day Advanced Notice Period from Yeonghoon Kim - Catskills Mornings LLC. There was no objection.


Motion was made by C. Dabritz, seconded by N. Delameter 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 \$2,550. and the ATTACHED proposal from Craig Cherry/Cherry Fence Co. to power wash Town building in the amount of \$2,500. **(4) Ayes - Brian Sweeney; Christopher Dabritz; Nelson Delameter and Robin Williams - (0) - Nays.**

Motion was made by B. Sweeney seconded by R. Williams to enter into Executive Session at 7:04 p.m. to discuss a personnel matter. Included in the Session was the Town Clerk. **(4) - Brian Sweeney; Christopher Dabritz; Nelson Delameter and Robin Williams- (0) Nays.** Motion for adjournment was made by C. Dabritz, seconded by R. Williams and the Executive Session was adjourned at 7:31 p.m. **(4) Ayes - Brian Sweeney; Christopher Dabritz; Nelson Delameter and Robin Williams - (0) Nays.** There was no Board action per the Executive Session.

The monthly vouchers were audited and ordered paid by a motion made by R. Williams, seconded by C. Dabritz. **(4) Ayes - Brian Sweeney; Christopher Dabritz; Nelson Delameter and Robin Williams- (0) Nays.** Vouchers approved were #s 185-246, totaling \$165,305.02.

Motion for adjournment was made by C. Dabritz, seconded by R. Williams. **(4) Ayes - Brian Sweeney; Christopher Dabritz; Nelson Delameter and Robin Williams- (0) Nays.** The meeting was adjourned at 8:45 p.m.

DATED: April 21, 2023

  
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PATRICIA F. KELLY  
TOWN CLERK