

NOVEMBER 09, 2022

HWY SUPT AUTHORIZED TO USE FUNDS FROM WRECKED TRUCK TO PURCHASE A 1-SMITH SERIES IV-PICK-UP SPREADER AND 1-SMITH-SSV-MD-8 SPREADER FROM CHEMUNG SUPPLY CORPORATION FOR \$18,468.

HWY SUPT AUTHORIZED TO PURCHASE A 2025 INTERNATIONAL HV507 4X4 CAB & CHASSIS AND SNOW PLOW EQUIPMENT FROM THE ONONDAGA #BID 8996 FROM ZWACK INC FOR \$267,865.02.

RETURNED WATER RENTS FOR ARKVILLE AND HALCOTTSVILLE APPROVED FOR 2023 TAX ROLL.

2023 TOWN BUDGET ADOPTED.

EXECUTIVE SESSION--- PENDING LITIGATION---  
TOWN BOARD AGREED TO APPEAL THE CWC LITIGATION PILOT OFFER.

The Town Board of the Town of Middletown, Delaware County, New York, held their regular Monthly Meeting on Tuesday, November 09, 2022 at the Town Hall, located on #42339 State Route 28, Margaretville, NY.

The following Board Members were present:

Supervisor.....Carl P. Davis

Council Members.....Christopher Dabritz, Nelson Delameter and Robin Williams

Council Member Brian Sweeney was not in attendance.

Also present were: Colleen Martin, William Malanga, Mike Martin-The Mountain Eagle, Alisha Finch, Beth Bush, Hwy Sup't John Biruk, Carol O'Beirne, Phil O'Beirne, John Hubbell, Greg Murad and Brian Suozzo.

ATTACHED Agenda prepared by Supervisor Davis and Town Clerk.

Supervisor Davis called the meeting to order at 6:00 p.m.

Minutes of 10/05/22-Public Hearing/Monthly Workshop Meeting and 10/12/22-Town Board Meeting were approved as submitted, by a motion made by N. Delameter, seconded by C. Dabritz. **(4) Ayes - Carl P. Davis; Christopher Dabritz, Nelson Delameter and Robin Williams - (0) Nays.**

Supervisor's Monthly Financial Report; Town Clerk's Monthly Report; Building & Zoning Monthly Report; Justice Court Monthly Report; Arkville and Halcottsville Monthly Water Reports for 09/2022 were approved as submitted, by a motion made by R. Williams, seconded by N. Delameter. **(4) Ayes - Carl P. Davis; Christopher Dabritz; Nelson Delameter and Robin Williams - (0) Nays.**

The Town Board reviewed the ATTACHED Arkville-Halcottsville Water District Monthly Water Reports for August and September 2022 prepared by Cedarwood Engineers. Brian Suozzo of Cedarwood Engineers reported the flushing of hydrants was being performed in Halcottsville with Arkville completed.

The Town Board discussed possibly creating a Capital Fund for the 2024 Town budget for purchasing equipment. Motion was made by N. Delameter, seconded by C. Dabritz to authorize Hwy Supt Biruk to use the funds from the wrecked truck to purchase the ATTACHED a 1-Smith Series IV-Pick-Up Spreader and 1-Smith-SSV-MD-8 Spreader from Chemung Supply Corporation for \$18,468. **(4) Ayes - Carl P. Davis; Christopher Dabritz; Nelson Delameter and Robin Williams - (0) Nays.** Motion was made by C. Dabritz, seconded by R. Williams to authorize Hwy Supt Biruk to purchase the ATTACHED 2025 International HV507 4x4 Cab & Chassis and Snow Plow Equipment from the Onondaga Bid # 8996 from Zwack Inc for \$267,865.02. **(4) Ayes - Carl P. Davis; Christopher Dabritz; Nelson Delameter and Robin Williams - (0) Nays.**

The Town Board reviewed the ATTACHED written Complaint regarding the dog warden from Gregory Murad concerning his neighbor's dogs.

Robin Williams and Carol O'Beirne gave an update concerning the Catskill Mountains Scenic Byway (CMSB) and asked that the Board support and agree to participate in the cooperative development of a nomination to extend the CMSB on State Route 30 from the Town's boundary with the Town of Andes northward to the Town of Roxbury's northern boundary on State Route 30, and on the entirety of Delaware County Highway 38, as well as along State Route 23, east and west of Grand Gorge to the Town of Roxbury's boundaries. The goal is to enhance tourism in the area by putting routes and resources on the map for those traveling to the area.

Supervisor Davis opened the floor to the public. Colleen Martin thanked Nelson Delameter for finally being part of the Margaretville Hospital Board.

Motion was made by N. Delameter, seconded by C. Dabritz to approve the ATTACHED lists of returned water rents for Arkville and Halcottsville to be added to the 2023 tax roll. **(4) Ayes - Carl P. Davis; Christopher Dabritz, Nelson Delameter and Robin Williams- (0) Nays.**

The Town Board gave further consideration to the 2023 Preliminary Budget. Motion was made by C. Dabritz, seconded by R. Williams to adopt the Preliminary Budget as the Town's 2023 Annual Adopted Budget for a 3.939% tax increase. **(4) Ayes - Carl P. Davis; Christopher Dabritz, Nelson Delameter and Robin Williams - (0) Nays.** (ADOPTED 2023 BUDGET ON FILE WITH TOWN CLERK).

Motion was made by N. Delameter, seconded by C. Dabritz to enter into Executive Session at 7:05 p.m. to discuss pending litigation. Included in the Session was the Town Clerk. **(4) - Carl P. Davis; Christopher Dabritz; Nelson Delameter and Robin Williams - (0) Nays.** Motion for adjournment was made by C.P. Davis, seconded by C. Dabritz and the Executive Session was adjourned at 7:30 p.m. **(4) Ayes - Carl P. Davis; Christopher Dabritz; Nelson Delameter and Robin Williams - (0) Nays.** Per the Executive Session, motion was made by C. Dabritz, seconded by N. Delameter to appeal the CWC litigation pilot offer. **(3) Ayes - Carl P. Davis; Christopher Dabritz and Nelson Delameter - (1) Nay - Robin Williams.** Councilperson Williams felt she was not given the necessary information to review in advance to render a decision.

The monthly vouchers were audited and ordered paid by a motion made C.P. Davis, seconded by N. Delameter. **(4) Ayes - Carl P. Davis; Christopher Dabritz, Nelson Delameter and Robin Williams- (0) Nays.** Vouchers approved were #s 555-651, totaling \$193,163.18.

Motion for adjournment was made by C. Dabritz, seconded by C.P. Davis. **(4) Ayes - Carl P. Davis; Christopher Dabritz, Nelson Delameter and Robin Williams- (0) Nays.** The meeting was adjourned at 7:53 p.m.

DATED: November 14, 2022

  
PATRICIA F. KELLY  
TOWN CLERK