

DECEMBER 14, 2022

2023 ORGANIZATIONAL MEETING SCHEDULED FOR WEDNESDAY, JANUARY 4, 2023 AT 6:00 P.M.

ANNUAL AUDIT OF TOWN OFFICERS FOR FISCAL YEAR 2022 SCHEDULED FOR WEDNESDAY, JANUARY 18, 2023 AT 6:00 P.M.

RESOLUTION #20 OF 2022 - RESOLUTION OF THE TOWN BOARD OF MIDDLETOWN TO PARTICIPATE IN CATSKILL MOUNTAINS SCENIC BYWAY EXTENSION APPROVED.

RESOLUTION #21 OF 2022 - RESOLUTION FOR AMENDMENT TO THE INCOME LEVEL IN RELATION TO THE PARTIAL TAX EXEMPTION FOR PERSONS 65 YEARS OF AGE OR MORE APPROVED.

EXECUTIVE SESSION--- PENDING LITIGATION--- NO ACTION TAKEN.

PAYMENT OF \$5,000. TO THE ARKVILLE FIRE DEPARTMENT FOR A 40 YEAR LICENSE AGREEMENT TO PLACE A PROPOSED NEW WELL OFF PAVILION ROAD FOR THE ARKVILLE WATER DISTRICT APPROVED PENDING PAPERWORK TO BE PREPARED FOR NEXT MONTH'S MEETING.

BID PROPOSAL FROM WOODFORD BROS. IN THE AMOUNT OF \$10,228.23 FOR REPAIRS AT THE TRANSFER STATION APPROVED.

2022 BUDGET AMENDMENTS APPROVED.

ANNUAL AGREEMENT WITH SKENE MEMORIAL LIBRARY FOR \$10,000. APPROVED.

ANNUAL AGREEMENT WITH FAIRVIEW LIBRARY FOR \$15,000. APPROVED.

ANNUAL AGREEMENT WITH HISTORICAL SOCIETY OF THE TOWN OF MIDDLETOWN FOR \$2,500. APPROVED.

The Town Board of the Town of Middletown, Delaware County, New York, held their regular Monthly Meeting on Wednesday, December 14, 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.....Brian Sweeney, Nelson Delameter and Robin Williams

Council Member Christopher Dabritz was not in attendance.

Also present was: Jesse Hilson-The Reporter, Mike Martin-The Mountain Eagle, Carol O'Beirne, Phil O'Beirne, Cassie Palen, Winifred Zubin, John Hubbell and Hiram Davis.

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

ATTACHED Agenda prepared by Supervisor Davis and Town Clerk.

Minutes of 11/02/22-Public Hearing/Monthly Workshop Meeting and 11/09/22-Town Board Meeting were approved as submitted by a motion made by N. Delameter, seconded by R. Williams. **(4) Ayes - Carl P. Davis; Brian Sweeney; Nelson Delameter and Robin Williams - (0) Nays.**

Supervisor's Monthly Financial Reports; Town Clerk's Monthly Reports; Building & Zoning Monthly Reports; Justice Court Monthly Report and Arkville and Halcottsville Monthly Water Reports for 10/2022 were approved as submitted, by a motion made by B. Sweeney, seconded by N. Delameter. **(4) Ayes - Carl P. Davis; Brian Sweeney; Nelson Delameter and Robin Williams- (0) Nays.**

The Town Board reviewed the ATTACHED Arkville-Halcottsville Monthly Action Report for October and November 2022 prepared by Cedarwood Engineers.

Motion was made by B. Sweeney, seconded by R. Williams to hold the 2023 Organizational Meeting on Wednesday, January 4, 2023 at 6:00 p.m. **(4) Ayes - Carl P. Davis; Brian Sweeney; Nelson Delameter and Robin Williams - (0) Nays.**

Motion was made by N. Delameter, seconded by B. Sweeney to hold the Annual Audit of Town Officers for Fiscal Year 2022 on Wednesday, January 18, 2023 at 6:00 p.m. **(4) Ayes - Carl P. Davis; Brian Sweeney; Nelson Delameter and Robin Williams - (0) Nays.**

Carol O'Beirne presented the Town Board the ATTACHED key definitions for Scenic Byway and stated Scenic Byway designation does not overrule home rule authority and is the best way to preserve our area to make it a great place to live. Motion was made by R. Williams, seconded by B. Sweeney to approve the ATTACHED Resolution #20 of 2022 - Resolution of the Town Board of the Town of Middletown to Participate in Catskill Mountains Scenic Byway Extension. **(3) Ayes - Brian Sweeney; Nelson Delameter and Robin Williams - (1) Nays - Carl P. Davis.**

Motion was made by B. Sweeney, seconded by R. Williams to approve the ATTACHED Resolution #21 of 2022 - Resolution for Amendment to the Income Level in Relation to the Partial Tax Exemption for Persons 65 Years of Age or More. **(4) Ayes - Carl P. Davis; Brian Sweeney; Nelson Delameter and Robin Williams - (0) Nays.**

Motion was made by N. Delameter, seconded by R. Williams to enter into Executive Session at 6:26 p.m. to discuss pending litigation. Included in the Session was the Town Clerk. **(4) Ayes - Carl P. Davis; Brian Sweeney; Nelson Delameter and Robin Williams - (0) Nays.** Motion for adjournment was made by R. Williams, seconded by B. Sweeney; and the Executive Session was adjourned at 6:49 p.m. **(4) Ayes - Carl P. Davis; Brian Sweeney; Nelson Delameter and Robin Williams - (0) Nays.** There was no Board action per the Executive Session.

The Town Board discussed 40 year license agreement for a proposed well to be placed on property owned by Arkville Fire Department. Motion was made by N. Delameter, seconded by R. Williams to move forward paying the Arkville Fire Department \$5,000. for the 40 year license agreement to place a proposed new well off Pavilion Road for the Arkville Water District pending paperwork to be prepared for next month's meeting.

Motion was made by C.P. Davis, seconded by R. Williams to approve the ATTACHED bid proposal from Woodford Bros. in the amount of \$10,228.23 for repairs at the transfer station. **(4) Ayes - Carl P. Davis; Brian Sweeney; Nelson Delameter and Robin Williams - (0) Nays.**

The Town Board reviewed the ATTACHED letter dated October 24, 2022 from Mitchell Hull and the ATTACHED email from Jason Merwin dated November 28, 2022 asking the Town to consider participating in the CWC Cluster Septic Program in Clovesville. The Town Board asked the Town Clerk to reply stating they have decided not to proceed with the project.

Motion was made by N. Delameter, seconded by B. Sweeney to approve the ATTACHED 2022 Budget Amendments. **(4) Ayes - Carl P. Davis; Brian Sweeney; Nelson Delameter and Robin Williams - (0) Nays.**

Motion was made by R. Williams, seconded by N. Delameter to approve the ATTACHED Annual Agreement with the Skene Memorial Library for \$10,000. **(4) Ayes - Carl P. Davis; Brian Sweeney; Nelson Delameter and Robin Williams - (0) Nays.**

Motion was made by B. Sweeney, seconded by R. Williams to approve the ATTACHED Annual Agreement with the Fairview Library for \$15,000. **(4) Ayes - Carl P. Davis; Brian Sweeney; Nelson Delameter and Robin Williams - (0) Nays.**

Motion was made by N. Delameter, seconded by R. Williams to approve the ATTACHED Annual Agreement with the Historical Society of the Town of Middletown for \$2,500. **(4) Ayes - Carl P. Davis; Brian Sweeney; Nelson Delameter and Robin Williams - (0) Nays.**

The Town Board reviewed the ATTACHED letter dated November 28, 2022 from Glenn and Erica Ancona asking the Town Board to reconsider the commercial permit fees. The Town Board asked the Town Clerk to send a letter stating that the current Zoning and Building Fee Schedule effective September 13, 2018 is fair and that there is no reason to change it.

The monthly vouchers were audited and ordered paid by a motion made by B. Sweeney, seconded by R. Williams. **(4) - Carl P. Davis; Brian Sweeney; Nelson Delameter and Robin Williams - (0) Nays.** Vouchers approved were #s 652-726, totaling \$305,346.94.

Motion for adjournment was made by C.P. Davis, seconded by N. Delameter. **(4) Ayes - Carl P. Davis; Brian Sweeney; Nelson Delameter and Robin Williams.** The meeting was adjourned at 8:32 p.m.

DATED: December 22, 2022

  
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PATRICIA F. KELLY  
TOWN CLERK