

ANNUAL BID'S AWARDED FOR THE PURCHASE OF FUEL, MATERIALS, SERVICES, ETC.

HWY SUPT AUTHORIZED TO PURCHASE FROM STATE AND COUNTY BID CONTRACT.

REQUEST TO HAVE TAYLOR ROAD ABANDONED.

AGREEMENT TO SPEND HWY FUNDS IS AMENDED.

"NIMS" NAT'L INCIDENT MGT SYSTEM IS ADOPTED AND COUNTY COMPREHENSIVE EMERGENCY MGT PLAN IS APPROVED.

PROPOSAL'S FROM CHERRY FENCING TO REPLACE FENCE AT TRANSFER STATION AND PROVIDE LAWN CARE, ETC. AT THE TOWN HALL ARE ACCEPTED.

DELTA ENGINEERING CONTRACT AND GOING TO BID ON DRY BROOK PROJECT ARE APPROVED SUBJECT TO "FEMA" APPROVAL OF MODIFIED PROJECT.

PROPOSAL FROM KURT FLACHS FOR HEATING SYSTEM WORK AT THE TOWN HALL IS APPROVED.

REPRESENTATIVE AND ALTERNATE APPOINTED TO CENTRAL CATSKILL COLLABORATIVE.

BOARD APPROVES COMMENTS TO PROPOSED "NYCDEP" LAND ACQUISITION ON HUCKLEBERRY BROOK ROAD.

EXECUTIVE SESSION - PERSONNEL MATTER-----NO BOARD DECISIONS.

The Town Board of the Town of Middletown, Delaware County, New York, held their regular monthly meeting on Tuesday, April 08, 2008 at the Town Hall, located on State Route 28, Margaretville.

The following Board Members were present:

Supervisor-----Len Utter

Council Members-----Brian Sweeney, John Roucek, Mike Finberg, and Donald Kearney

Also present were: Hwy Supt Bill Russell, Attorney for the Town Carey Wagner, Henry Friedman, Terry Johnson, Joe Moskowitz, Chris Erickson, Diane Galusha, Mr & Mrs Robert Slauson, Peggy Kearney, Jake Rosa, Bill Taylor, Rich Bell, Diane Amundsen, Brian Ketchum, Carolyn Konheim, Dick liddle, Charles Freas, Willis Sanford, John Erickson, Julia Green, Natalie Ormiston, Fred Travis, John Biruk, Anthony Camillone, Charles Fuchs, Sal Patini, and Bear Ormiston.

Supervisor Utter called the monthly meeting to order at 7:02 p.m. Minutes of 03/04 and 03/11 were approved as submitted, by a motion made by J. Roucek, seconded by D. Kearney and carried by a vote of (5) ayes and (0) nays.

Supervisor Utter opened the floor to the public. Fred Travis from Halcottsville expressed concern over the county's plans to replace the bridge there. His concerns will be addressed under agenda item #6.

Next, the Board considered annual bids for fuel, materials and services. The Town Clerk notified the Board that Mirabito's "firm" bid prices were 18 cents higher than their bid of last week. Motion was made by M. Finberg to award annual bids for fuel, materials, services, etc, per the ATTACHED listing prepared by the Hwy Supt. This motion was seconded by D. Kearney and carried by a vote of (5) ayes and (0) nays. Next year, the Board will be considering opening and awarding bids on the same day. (NOTE: BID'S OPENED AT LAST WEEK'S WORKSHOP AND ATTACHED) *NOTE: BIDS DESTROYED 11/20/11 (RS)*

Motion was made by L. Utter to authorize the Hwy Supt to purchase items from State and County bid contract per the ATTACHED listing as prepared by the Hwy Supt. This motion was seconded by J. Roucek and carried by a vote of (5) ayes and (0) nays.

Next, the Board discussed the county's proposed bridge replacement project in Halcottsville. Supervisor Utter provided some background on the matter and said that the bridge is a county bridge and that the Town has nothing to do with it. He said that the bridge was "red flagged" by the State DOT and scheduled for replacement by the county this summer. He opened up the floor for comment from the public. Fred Travis said that this is an important issue and his main concern is the process to be followed and the effect this will have on the hamlet. He spoke about the matter in representing Jim and Susan Kelly per the ATTACHED written statement. Supervisor Utter said there are no plans to straighten the road as part of the project. He said that the county realizes the Kelly's concerns in relation to being a historic place and ascetics. He said that Mr Kelly has been uncooperative. John Erickson expressed concerns that the Town Hwy trucks have been going past his place in the Town of Roxbury in route to the gravel bank on River Road. He asked if the trucks would be traveling over the new bridge and not by his house if the bridge is replaced. Hwy Supt Russell said that the trucks will be going both ways. Anthony Camillone of Halcottsville said that there is an extra ten minutes of response time for emergency vehicles going to Bragg Hollow and it is time to replace the bridge. Diane Galusha of the Historical Society provided the ATTACHED handout expressing her concerns with the proposed bridge replacement project. Dick Liddle asked and was told by Supervisor Utter that anyone wanting to make comments on the matter should address them to the Commissioner of Public Works for Delaware County. Supervisor Utter said his biggest concern was to provide emergency services to the folks on the other side of the bridge.

The Town Clerk read the ATTACHED letter from Donna Hollon and Mike Moriarty, requesting that the Town abandon Dave Taylor Road. Attorney Wagner will be making contact with their attorney to work out concerns in relation to easements and the cemeteries there.

Motion was made by L. Utter to approve the ATTACHED Amended 2008 Agreement to Spend Highway Funds. This motion was seconded by M. Finberg and carried by a vote of (5) ayes and (0) nays.

Next, Rich Bell, County Coordinator of Emergency Services, addressed the Board concerning the National Incident Management System (NIMS). He explained the new federal program as well as a proposed resolution for the Board to consider, which would implement the system. He also discussed an agreement with the County where the Town would utilize the county's Comprehensive Emergency Management Plan. Motion was made by L. Utter to adopt the proposed resolution on "NIMS". This motion was seconded by M. Finberg and carried by a vote of (5) ayes and (0) nays. The proposed agreement with the County was motioned approved by B. Sweeney, seconded by J. Roucek, and carried by a vote of (5) ayes and (0) nays.

Carolyn Konheim, representing Community Consulting Services, next addressed the Board. She outlined the ATTACHED proposal to amend the Town Comprehensive Plan. Supervisor Utter said that input from the Planning Board was needed before anything is done.

Motion was made by M. Finberg to accept the ATTACHED proposal from Cherry Fencing to replace the fencing at the Transfer Station. Their proposal was in the amount of \$8,660 and was the only response to the Town's RFP. This motion was seconded by D. Kearney and carried by a vote of (5) ayes and (0) nays. (RFP AND PROPOSAL ATTACHED)

Motion was made by M. Finberg to accept the ATTACHED proposal from Cherry Fencing to provide lawn care and maintenance at the Town Hall for 2008. This motion was seconded by D. Kearney and carried by a vote of (5) ayes and (0) nays. The price of \$2,485 was the same as last year.

The Supervisor and Town Clerk explained the ATTACHED proposal to provide engineering services by Delta Engineers. This proposal is for continued engineering services for the Dry Brook FEMA Project. Motion was made by L. Utter to approve this proposal, contingent upon obtaining FEMA approval of the reduced scope of work for the project. This motion was seconded by D. Kearney and carried by a vote of (5) ayes and (0) nays. Motion was made by D. Kearney to approve the invitation to bid for this project, also contingent to FEMA approval for the project reduction. This motion was seconded by J. Roucek and carried by a vote of (5) ayes and (0) nays.

The Board had no objections to the ATTACHED notice of liquor license renewal from the Oakley's Place.

The ATTACHED response to the proposed land acquisition by the NYCDEP off of Huckleberry brook road was motioned approved by D. Kearney, seconded by J. Roucek, and carried by a vote of (5) ayes and (0) nays.

(continued)

MINUTES OF APRIL 08, 2008 - Continued

Motion was made by J. Roucek to accept the ATTACHED proposal from Kurt Flachs for work on the Town Hall heating system. This motion was seconded by B. Sweeney and carried by a vote of (5) ayes and (0) nays. The proposal was in the amount of \$1,600.

Motion was made by J. Roucek to appoint Councilman Kearney as Regular Member, and Councilman Finberg as Alternate Member, to the Central Catskill Collaborative. This motion was seconded by L. Utter and carried by a vote of (5) ayes and (0) nays.

Councilman Roucek said that twice he has seen people scavenging in the metal bin at the Transfer Station. Supervisor Utter said that next time he should stop them from doing so.

Supervisor Utter distributed his monthly financial report for the month of March 2008.

Councilman Kearney suggested that the Town give consideration to the new "Cold War" veteran's exemption. Supervisor Utter asked that Councilman Kearney act as a committee of one and look into the matter for the Board.

Councilman Sweeney said that he was approached by Jim Kelly concerning the Halcottsville bridge replacement matter. He said that every precaution should be taken not to jeopardize the property and business there. There was much discussion on this matter and Supervisor Utter said that the county will try to minimize impact and take this into consideration. Attorney Wagner suggested that further Board discussion on this matter should end, as it is an issue between the county and a taxpayer.


Supervisor Utter opened the floor to the public. Arkville Water Supt Terry Johnson told the Board that flooding has raised his concern for the protection of the well at the Arkville Pavilion. He said that some 100 feet of property is gone. This matter is going to be looked into by Terry and Supervisor Utter. Peggy Kearney asked about the progress being made on the proposed Trooper Brinkerhoff Memorial at the Town Hall. Supervisor Utter said he is waiting for plans from Heather Gockel. John Erickson asked if Supervisor Utter's comment that the road will not be straightened in the proposed county bridge replacement in Halcottsville. Supervisor Utter said he didn't know. Fred Travis said that there was no county response to a letter from Jim Kelly on the Halcottsville Bridge matter. He said that making Mr. Kelly the sole villain in this matter is incorrect and unfair. He said that as a result that nobody knows what the current proposal is on the project. Supervisor Utter responded and there was a disagreement between him and Mr. Travis over the content and meaning of the letter from Mr. Kelly to the county.

Motion was made by M. Finberg to enter into executive session to discuss a personnel matter. This motion was seconded by L. Utter and carried by a vote of (5) ayes and (0) nays. The session began at 9:00 p.m. and included the Town Attorney and Town Clerk. Motion was made by J. Roucek to end the executive session at 9:31 p.m. This motion was seconded by D. Kearney and carried by a vote of (5) ayes and (0) nays. There were no Board decisions per the executive session.

The monthly vouchers were audited and ordered paid by a motion made by J. Roucek, seconded by B. Sweeney, and carried by a vote of (5) ayes & (0) nays. Vouchers approved were #s 222 - 282, totaling \$145,175.92.

Motion for adjournment was made by M. Finberg and seconded by B. Sweeney. This motion was carried by a vote of (5) ayes and (0) nays, and the meeting was adjourned at 9:41 p.m.

Dated: 05/05/08


Town Clerk