

JUNE 10, 2008

DISCUSSION ON PLANNING BOARD  
REQUEST CONCERNING STUDY OF  
"HORIZON PROTECTION".

SMART GROWTH GRANT PROJECTS  
FOR TOWN ARE APPROVED.

LETTER OF SUPPORT FOR CATSKILL  
REVITALIZATION CORPORATION SMART  
GROWTH GRANT PROJECT.

WATERFRONT REVITALIZATION GRANT  
APPLICATION RESOLUTION IS APPROVED.

TOWN COMMENTS IN RELATION TO  
PROPOSED "NYCDEP" CONSERVATION  
EASEMENT ON NYC ROUTE 30A.

KURT HOLCHERR APPOINTED TO TOWN  
ZONING BOARD OF APPEALS.

COUNCILMEN KEARNEY AND SWEENEY TO  
SERVE ON UNION NEGOTIATION TEAM

"SEQR" RESOLUTION IN RELATION TO  
MILLBROOK ROAD "FEMA" PROJECT.

RESOLUTION APPROVING THE  
ABANDONMENT OF DAVE TAYLOR ROAD.

ANNUAL AGREEMENT WITH HUMANE  
SOCIETY FOR THE CONTROL OF DOGS.

EXEC SESSION - PERSONNEL MATTER.

The Town Board of the Town of Middletown, Delaware County, New York, held a public hearing and their regular monthly meeting on Tuesday, June 10, 2008 at the Town Hall, located on State Route 28, Margaretville.

The following Board Members were present:

Supervisor-----Len Utter

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

Also present were: Attorney for the Town Carey Wagner, Peggy Kearney, Jake Rosa, Terry Johnson, Bill Taylor, John Biruk, Hwy Supt Bill Russell, Dave Riordan, Pete Palen, Joy Cure, Jose Martinez, Carolyn Konheim, and Charles Freas.

Supervisor Utter called the meeting to order at 7:00 p.m. Minutes of the 05/13 Monthly Meeting 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. Nobody wished to address the Board.

Next, the Board discussed the recent request from the Town Planning Board asking for direction in relation to studying "Horizon Protection". Planning Board member Pete Palen was present for discussion and to answer questions from the Board. There was much discussion on the need for "Horizon Protection" regulations. The Board consensus was that public input was needed as well as the number of permits and parcels that would be involved. The Board made no decisions in relation to the ATTACHED formal request made by the Planning Board on this matter.

Next, the Board discussed that ATTACHED letter from the Catskill Revitalization Corp. asking for a letter of support for their efforts to seek "Smart Growth" grant funding. Motion was made by M. Finberg that this project was a benefit to the Town and to approve a "letter of support" per this request. This motion was seconded by B. Sweeney and carried by a vote of (5) ayes and (0) nays. Motion was made by M. Finberg to support the ATTACHED list of the Town's "Smart Growth" projects as benefiting the Town. This motion was seconded by B. Sweeney and carried by a vote of (5) ayes and (0) nays. (RS)

Next, Carolyn Konheim addressed the Board with a proposed resolution to approve applying for a "Waterfront Revitalization Grant". Motion was made by M. Finberg to adopt this resolution with the addition of 1) There shall be no cost to the Town, and 2) The Town Supervisor is authorized to sign the grant application and related documents. Motion was seconded by D. Kearney and carried by a vote of (5) ayes and (0) nays. (FORMAL RESOLUTION ATTACHED)

(150)

Motion was made by J. Roucek to approve the ATTACHED Town response in relation to the proposed NYCDEP purchase of a conservation easement of +/- 89 acres on NYC Route 30a. 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 appoint Kurt Holcherr to fill the vacancy on the Zoning Board of Appeals. This motion was seconded by J. Roucek and carried by a vote of (5) ayes and (0) nays.

Councilmen Kearney and Sweeney will be representing the Board in the upcoming union negotiations with the Town Hwy Dept. The current contract expires 12/31/2008.

The ATTACHED resolution concerning SEQR and the Town's Millbrook Road Relocation project was motioned approved by L. Utter, seconded by J. Roucek, and carried by a vote of (5) ayes and (0) nays.

The Board discussed the ATTACHED report that Delaware County had prepared on the condition and rehabilitation of the county bridge in Halcottsville.

Motion was made by L. Utter to approve the abandonment of Dave Taylor per the following conditions: 1) All of Dave Taylor road is to be included, 2) The concerns of John Reynolds of the Dela Co DPW outlined in his ATTACHED letter dated 06/02/08 are included, and 3) the property owners are to provide access to the VanBenschoten family cemetery. This motion was seconded by M. Finberg and carried by a vote of (5) ayes and (0) nays.

Motion was made by J. Roucek to approve the ATTACHED annual agreement with the Humane Society for the control of dogs. This motion was seconded by B. Sweeney and carried by a vote of (5) ayes and (0) nays.

The Supervisor distributed his monthly financial report for the month of May 2008.


Supervisor Utter opened the floor again to the public. Terry Johnson said that it is not simple to locate homes and septic tanks on a 5 acres parcel in relation to possible horizon protection requirements. Terry gave a report on the recent water storage tank inspection in Arkville.

Motion was made by L. Utter to enter into executive session to discuss a personnel matter. This motion was seconded by M. Finberg and carried by a vote of (5) ayes and (0) nays. The executive session began at 8:33 p.m. and included: John Biruk, Bill Russell, Carey Wagner, and the Town Clerk. Motion to end the executive session was made by L. Utter, seconded by M. Finberg, and carried by a vote of (5) ayes and (0) nays. The executive session ended at 9:10 p.m. and there were no Board decisions made.

Next, the Board audited the monthly vouchers. Motion was made by M. Finberg to approve payment of the vouchers. This motion was seconded by D. Kearney and carried by a vote of (5) ayes & (0) nays. Vouchers approved were #s 352-418, totaling \$64,322.32.

Motion for adjournment was made by B. Sweeney and seconded by J. Roucek. This motion was carried by a vote of (5) ayes and (0) nays, and the meeting was adjourned at 9:20 p.m.

Dated: 07/01/08

  
Town Clerk