

Minutes of a Regular Meeting of the Town Board of the Town of Thompson held at the Town Hall, 4052 State Route 42, Monticello, New York on **February 05, 2019.**

ROLL CALL:

Present: Supervisor William J. Rieber, Jr., Presiding
Councilman Peter T. Briggs
Councilman John A. Pavese
Councilman Scott S. Mace
Councilwoman Melinda S. Meddaugh

**DRAFT
APPROVED**

Also Present: Marilee J. Calhoun, Town Clerk
Michael B. Mednick, Attorney for the Town
Paula E. Kay, Deputy Town Attorney
Michael G. Messenger, Water & Sewer Superintendent
Glenn Somers, Parks & Recreation Superintendent
James L. Carnell, Jr., Director of Building, Planning, & Zoning
Melissa DeMarmels, Town Comptroller
Patrice Chester, Deputy Administrator
Richard L. Benjamin, Jr., Highway Superintendent
Richard McClernon, Zoning Board of Appeals Member
Michael J. Hoyt, Planning Board Member

PUBLIC HEARING: MELODY LAKE WATER DISTRICT – INCREASE MAXIMUM AMOUNT TO BE EXPENDED FOR IMPROVEMENTS FROM \$375,000.00 TO \$400,000.00

Supervisor Rieber opened the Public Hearing at 7:00 PM.
Town Clerk, Marilee J. Calhoun read the legal public notice and stated that she had an original affidavit of publication. Notice of said hearing was duly published in the Sullivan County Democrat on January 25, 2019 with same being posted at the Town Hall on January 23, 2019.

Supervisor Rieber explained the purpose for the public hearing, which is to increase the maximum expenditure for improvements to the Melody Lake Water District from \$375,000.00 to \$400,000.00.

Supervisor Rieber asked if the Board had any comments. No comments were made. Supervisor Rieber asked if anyone from the public would like to be heard on this matter. There was no public comment made.

After an opportunity for all persons to be heard Supervisor Rieber entertained a motion that the public hearing be closed.

A motion to close the Public Hearing at 7:08 PM was made by Councilwoman Meddaugh and seconded by Councilman Briggs.

PUBLIC HEARING: PROPOSED LOCAL LAW #01 OF 2019 – IMPOSE (6) MONTH MORATORIUM ON DEVELOPMENT APPROVAL FOR CAMPS, DORMITORIES, SCHOOLS OR BUNGALOW COLONIES IN THE TOWN OF THOMPSON

Supervisor Rieber opened the Public Hearing at 7:09 PM.

Town Clerk, Marilee J. Calhoun read the legal public notice and stated that she had an original affidavit of publication. Notice of said hearing was duly published in the Sullivan County Democrat on January 25, 2019 with same being posted at the Town Hall on January 23, 2019.

Supervisor Rieber explained the purpose for this public hearing, which is to consider the attached Proposed Local Law.

Town of Thompson

Proposed Local Law No. 01 of the Year 2019

A local law to temporarily suspend requirements to approve any mixed use development for camps, dormitories, schools, or bungalow colonies in the Town of Thompson while the Town considers changes to and clarification of the definitions for camps, dormitories, schools and bungalow colonies in its land use regulations in the Town of Thompson Code.

Be it enacted by the Town Board of the

Town of Thompson

Section 1. Legislative Purpose

The purpose of this local law is to temporarily suspend the requirements to approve residential or commercial developments of camps, dormitories, schools and/or bungalow colonies while the Town considers changes to and clarification of the definitions for camps, dormitories, schools, and bungalow colonies in its land use regulations in the Town Code. This local law is intended to allow the Town to amend its definitions in its land use regulations to provide for controlled growth that will not unduly impact the public welfare, community services, infrastructure, and to provide open space and plan for a proper mix of residential and commercial development. The Town is especially concerned about the impact on its summer developments which are mixed uses of camps, dormitories, schools, and bungalows. This stop gap or interim measure is intended to preserve the status quo pending adoption of new specific definitions within the planning and zoning regulations in order to define and clarify the difference in said types of mixed use developments. This local law will protect the public interest and welfare until amended definitions are adopted in the Town Code.

Section 2. SEQRA Status

This local law is declared to be a Type II action in accordance with 6 NYCRR §617.5(c)(30).

Section 3. Moratorium Imposed

A. For a period of six (6) months following the date of adoption of this local law, no development approval shall be granted in the Town of Thompson for camps, dormitories, schools, or bungalow colonies unless expressly exempted from this moratorium pursuant to Section 4 below. The term development approval shall mean any approval of a discretionary nature required for mixed use development of camps, dormitories, schools, or bungalows in the Town, including, without limitation, any approval of a subdivision, site plan, special permit, or variance application proposing mixed use development of a camps, dormitories, schools, or bungalow colonies. In addition, no such development approval shall be accepted and/or processed by the Town Planning Board, Town Zoning Board, or Town Board unless expressly exempted from this moratorium pursuant to Section 4 below. This local law is binding on all Town Boards, Officers and Employees and on all persons and property requiring such approval within the Town. The term residential development includes any development containing dwelling units, dormitories or bungalow units.

B. This moratorium may be extended by one (1) additional period of up to three (3) months by resolution of the Town Board upon a finding of the need for such extension.

C. During the period of the moratorium, the Town shall endeavor to work with the state agencies to develop a plan for water within the subdivision.

Section 4. Exceptions to Moratorium.

A. This moratorium shall not apply to applications for additions, alterations or rebuilding or construction of existing structures which result in no material change in such existing structures and which are not to accommodate any substantially different or new use of such existing structures.

B. Approval of a site plan or special permit application that has undergone SEQRA review and obtained a negative declaration from the Planning Board or acceptance of a Draft Environmental Impact Statement from the Planning Board prior to the date of adoption of this law as well as conditional approval or final approval from the Planning Board.

Section 5. Administrative Relief from the Moratorium

In order to prevent a taking of property, to prevent unnecessary injury and to prevent irreparable harm, the Town Board shall be permitted to grant limited relief from this moratorium pursuant to the requirements set forth herein. An applicant for relief from the moratorium shall be required to show by clear and convincing, credible, dollars and cents proof that it cannot have the reasonable use of its property for any of the uses permitted during the course of the moratorium, that such injury would be irreparable, and that it would be unreasonable, unjust and an unconstitutional taking of property not to grant relief from the moratorium. The relief granted by the Town Board shall be the minimum relief necessary. All such applications shall be deemed Type 1 actions pursuant to SEQRA. The Planning Board may be lead agency for such

applications if it deems it advisable. In the event relief from the moratorium is granted, the applicant shall proceed to the Planning Board for the development approvals needed in accordance with this law. The applicant or any other person aggrieved by a decision of the Town Board hereunder may apply to the Supreme Court pursuant to Article 78 of the Civil Practice Laws and Rules.

Section 6. Change in Zoning Requirements

This section provides notice to all applicants that although an application authorized in Section 4 above may proceed through the Planning Board and Zoning Board of Appeals review process, the applicant proceeds at its risk because such application may be impacted or denied because of a change in zoning requirements. A development approval shall not be granted unless the approval application complies with all zoning and other requirements in effect on the date of approval.

Section 7. Default Approvals Abolished.

Notwithstanding any law, rule, or regulation to the contrary, no development approval shall be granted, deemed granted, or dispensed with as a result of the passage of time. Any and all development approvals granted during the period of the moratorium shall require the affirmative vote of the reviewing boards with jurisdiction and endorsement of the plat or plan as otherwise required by law.

Section 8. Supersession of Inconsistent Laws, if any

The Town Board hereby declares its legislative intent to supersede any provision of any local law, rule, or regulation or provision of the Town Law inconsistent with this local law. The Town Law provisions intended to be superseded include all of Article 16 of the Town Law, §§261 to 285 inclusive and any other provision of law that the Town may supersede pursuant to the Municipal Home Rule Law and the Constitution of the State of New York. The courts are directed to take notice of this legislative intent any apply it in the event the Town has failed to specify any provision of law that may require supersession. The Town Board hereby declares that it would have enacted this local law and superseded such inconsistent provision had it been apparent.

Section 9. Severability

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other person or circumstances and the Town Board hereby declares that it would have enacted this local law or the remainder thereof had the invalidity of such provision or application thereof been apparent.

Section 10. Effective Date

This local law shall take effect immediately.

Supervisor Rieber said that the reason for this Moratorium is coming from the Sullivan County Planning Department through the Section 239 Review under NYS General Municipal Law. The Town has been knowledgeable about the fact that our definitions and codes relating to mixed use require updating. This applies particularly with the new trend of homes and mixing different types of uses on a single project. The County has asked the Town to review our code to make it clearer to better review when projects are sent to them for recommendations or approvals. This is not about stopping any particular individual project this is just about updating our regulations so that they are current and up to date with current needs and projects. Life and circumstances change and the type of construction for seasonal units vs. bungalows have changed. He reiterated that this is not about any individual particular project or group. It has more to do with updating the Town Code as expeditiously as we possibly can and take input from all interested parties that might be effected or have concerns.

Supervisor Rieber asked if the Board had any comments. The Board made comments as follows:

Councilman Mace said the reason why the Town is doing this so that we obtain those clear guidelines of what a definition of a camp is in this location, which is not the same thing as a definition of a camp in the Adirondacks or Syracuse areas. The Town needs to look at the community and make sure it fits based on what the residents here need.

Supervisor Rieber asked if anyone from the public would like to be heard on this matter. The following public comment was made:

Mr. John C. Cappello, Esq. of Jacobowitz and Gubits LLP Counselors at Law, an Attorney on behalf of the ICHUD Foundation presented a letter as part of the record regarding the matter. Attorney Cappello provided a brief summary of the letter submitted. Attorney Cappello's clients are looking for exemption to the pending application before the Planning Board to amend/modify a prior site plan approval. He provided further comments pertaining to the matter.

Mr. Abe Berkovic provided comments in opposition to the Moratorium and what the outcome of the new regulations might be. He provided some of the differences between the types of summer camps. He suggested that the Town Board consider the formation of a working committee comprised of Town and Community Representatives to discuss the proposed regulation changes and differences between camps, dormitories, schools and bungalow colonies. The Town might consider holding a series of workshops to obtain suggestions and further discuss the matter.

Ms. Marion Armstead of Monticello expressed support for the Moratorium. She recommended that Sullivan County look at the regulations for the entire County. She also expressed concern over the poor road conditions throughout the area.

Mr. Joel Rosenfeld of Liberty and a member of Jewish Community Council (JCC) of Sullivan County expressed opposition to the Moratorium and also suggested the establishment of a Zoning Committee to address the Town's concerns regarding present regulations. He said that this is very similar to how Town of Liberty handled their amendment. He said that maybe a Moratorium is not needed during the regulation amendment process.

Mr. Steven Barshov, Esq. of Sive Paget & Riesel, P.C., of New York City, an Attorney on behalf of the Jewish Community Council (JCC) provided his legal opinion regarding the law and legal basis of a Moratorium. He feels that there are no legal grounds supporting a Local Law to Impose a Moratorium unless there is some type of emergency or necessity. He continued to explain what a Moratorium does and the reason/purpose for a Moratorium. He encourages the Town to look at their current code regulations to make the necessary or appropriate changes. However in his opinion the Town would be acting unlawfully if the Town imposes a moratorium, because there is no emergency that has been articulated.

Ms. Donna Nestler of Columbia Hill, Monticello expressed support for the Moratorium; she felt that this Moratorium does constitute an emergency due to water and sewer issues that have been experienced.

After an opportunity for all persons to be heard Supervisor Rieber entertained a motion that the public hearing be closed, but left open for written comment as follows:

A motion was made at 7:35 PM to close and leave the Public Hearing open for written comment until 4:30 PM on 02/15/2019, motion made by Councilwoman Meddaugh and seconded by Councilman Mace.

REGULAR MEETING – CALL TO ORDER

Supervisor Rieber opened the meeting at 7:36 PM with the Pledge to the Flag. He welcomed the Participation in Government Students to the meeting.

MONTHLY REPORTS FOR JANUARY 2019 RECEIVED AND FILED

Building Department & Code Enforcement Officer's Report
Dog Control Officer's Report
Comptroller's Budgetary Report

APPROVAL OF MINUTES:

On a motion made by Councilwoman Meddaugh and seconded by Councilman Briggs the minutes of the January 22, 2019 Regular Town Board Meeting were approved as presented.

PUBLIC COMMENT:

There was no public comment given.

CORRESPONDENCE:

Supervisor Rieber reported on correspondence that was sent or received as follows:

- 1) **Freda C. Eisenberg, AICP, Commissioner, Sullivan County Division of Planning, Community Development & Real Property:** Letter dated 01/25/19 to Supervisor Rieber Re: GML-239 County Review – Proposed Local Law No. 01 of 2019 to Impose (6) Month Moratorium on Development Approval for Camps, Dormitories, Schools or Bungalow Colonies in the Town of Thompson.
- 2) **Town Clerk Calhoun:** Letter dated 01/23/19 to Mr. Chris Callinan, Tectonic Engineering Re: Response to (FOIL) Request for Property Records on 18 Joyland Road, Monticello, SBL # 23.-2-30.
- 3) **Town Clerk Calhoun:** Letter dated 01/24/19 to Ms. Martha Gale, Financial Administrator, Humane Society of Middletown, Inc. Re: Dog Shelter Services Agreement for 2019.
- 4) **Town Clerk Calhoun:** Letter dated 01/24/19 to Hon. Rita J. Sheehan, Town Clerk, Town of Bethel Re: Dog Shelter Services Agreement for 2019.
- 5) **Town Clerk Calhoun:** Letter dated 01/29/19 to Lebaum Company, Inc. Re: Notice of Entry – Robert A. Watson vs. Town of Thompson & Emerald Green Sewer District, Date of Loss: 03/14/2018.
- 6) **Town Clerk Calhoun:** Letter dated 01/30/19 to Lebaum Company, Inc. Re: Notice of Verified Complaint – Congregation Adas Yereim vs. County of Sullivan, Town of Thompson & Monticello Central School District.
- 7) **Laura Wigley, SR. Claims Adjuster, Trident Public Risk Solutions:** Letter dated 01/15/19 to Sobo & Sobo, LLP, Attn: Carl M. Learned Re: Response to Donnie Weston vs. Village of Monticello, Village of Monticello DPW and Town of Thompson & Town of Thompson Highway Dept., Date of Loss: 11/10/2018.
- 8) **Robert A. St. Jean, Examiner, Principal Claims, Trident Public Risk Solutions:** Letter dated 01/22/19 to Town Clerk Calhoun Re: Response to Donald E. Atterberry vs. Hon. Sharon L. Jankiewicz, USDC: Southern District of NY, Trident Claim # TNT-0151731, Date of Arrest: 09/13/18.
- 9) **SC IDA:** 2019 Distribution of PILOT Payments – Check #1229 for \$1,212.37 (Veteran NY 55 Sturgis, LLC).
- 10) **Charter Communications:** Letter dated 01/16/19 with Check #06822158 dated 01/18/19 for \$53,561.27 – 3rd Quarter Franchise Fee (07/01/18-09/30/18).

11) **NYS Dept. of Taxation and Finance:** Check #06932812 in the amount of \$546,513.24 – NYS Gaming Commission for Resorts World Distribution 3rd Quarter Payment.

AGENDA ITEMS:

1. ACTION: MELODY LAKE WATER DISTRICT – INCREASE MAXIMUM AMOUNT TO BE EXPENDED FOR IMPROVEMENTS FROM \$375,000.00 TO \$400,000.00

There are three proposed resolutions the first one is Declaring Negative Declaration, the second one Making Certain Determinations and the third one Preliminarily Approving the Proposed Increase in the Maximum Expenditure for Improvements to the Melody Lake Water District from \$375,000.00 to \$400,000.00 Subject to Permissive Referendum.

The Following Resolution Was Duly Adopted: Res. No. 106 of the Year 2019.

Resolved, that the Town Board of the Town of Thompson hereby Declare a Negative Declaration in connection with the Proposed Increase in the Maximum Expenditure for Improvements to the Melody Lake Water District from \$375,000.00 to \$400,000.00 pursuant to SEQRA as per the attached Negative Declaration Under SEQR.

Moved by: Councilman Mace Seconded by: Councilman Briggs

Vote: Ayes 5 Rieber, Pavese, Briggs, Sush and Mace

Nays 0

*****X

In the Matter of the MELODY LAKE
WATER DISTRICT of the Town of Thompson,
Sullivan County, New York, for an Increase in the
Maximum Amount to be Expended for an Improvement
of Facilities.

**NEGATIVE DECLARATION
UNDER SEQR**

*****X

1. The Town Board of the Town of Thompson, by resolution duly adopted at a regular meeting thereof, held on the 5th day of February, 2019, did determine that the increase in the maximum amount to be expended for an improvement of facilities of the Melody Lake Water District in the Town of Thompson, due to general increases in costs of labor and materials, from \$375,000.00 to \$400,000.00, will not have a significant effect on the environment.

2. Lead agency for such project is the Town Board of the Town of Thompson, whose address is 4052 Route 42, Monticello, New York 12701, the designation of which was

accomplished by resolution duly adopted at a regular meeting of the Town Board held on the 5th day of February, 2019.

3. The person to contact for further information is Supervisor William J. Rieber, Jr., whose address is 4052 Route 42, Monticello, New York 12701, telephone number 845-794-2500.

4. The cost to a typical property in the Melody Lake Water District will be increased from \$813.89 to approximately \$840.07 per year.

5. The basis for the negative declaration is as follows: that the increase in the maximum amount to be expended for improvement of facilities from \$375,000.00 to \$400,000.00 due to general increases in costs or labor and materials will not violate any of the criteria for determining environmental significance as set forth in Part 617 of the Regulations.

Dated: Monticello, New York
February 05, 2019

TOWN OF THOMPSON
Town Hall
4052 Route 42
Monticello, New York 12701

The Following Resolution Was Duly Adopted: Res. No. 107 of the Year 2019.

At a regular meeting of the Town Board of the Town of Thompson, Sullivan County, New York, held at the Town Hall in Monticello, New York, in the said Town, on the 5th day of February, 2019, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Rieber, and upon roll being called, the following were

PRESENT: William J. Rieber, Jr., Supervisor
Peter T. Briggs, Councilman
Scott S. Mace, Councilman
John A. Pavese, Councilman

Melinda S. Meddaugh, Councilwoman

ABSENT: None

The following resolution was duly moved and seconded, to wit:

RESOLUTION DATED FEBRUARY 05, 2019

A RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO A PROPOSED INCREASE IN THE MAXIMUM EXPENDITURE FOR IMPROVEMENTS TO THE MELODY LAKE WATER DISTRICT IN THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK

WHEREAS, the Town Board of the Town of Thompson, Sullivan County, New York, has heretofore duly caused an amended map, plan, and report to be prepared and filed in the office of the Town Clerk of said Town in relation to the proposed increase in the maximum expenditure for improvements to the Melody Lake Water District in said Town; and

WHEREAS, an Order was duly adopted by said Town Board on January 22, 2019 reciting the proposed increase in the maximum amount to be expended for said improvements; the proposed increased cost to the typical property owner within the District; and the fact that said amended map, plan, and report were on file in the Town Clerk's Office for public inspection and specifying the 5th day of February, 2019 at 7:00 P.M., Prevailing Time, at the Town Hall, 4052 Route 42, Monticello, New York, in said Town as the time when and the place where said Town Board would meet for the purpose of holding a Public Hearing to hear all persons interest in the subject thereof concerning the same; and

WHEREAS, such order was duly published and posted in the manner and within the time prescribed by Section 209-d of the Town Law, and proof of said publication and posting has been duly presented to said Town Board; and

WHEREAS, said Public Hearing was duly held at the time and place set forth in said

order, as aforesaid, at which all persons desiring to be heard were duly heard; and

WHEREAS, said Town Board has duly considered said amended map, plan, and report and the evidence given at said public hearing.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Thompson, Sullivan County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid Public Hearing, it is hereby found and determined as follows:

- a) The notice of the aforesaid Public Hearing was published and posted as required by law and is otherwise sufficient;
- b) All the property and property owners within said District are benefitted thereby;
- c) All the property and property owners benefitted are included within the limits of said District;
- d) The increase in maximum amount expended for improvements to the District is in the public interest.
- e) That the average estimated increased cost for the increase in maximum expenditure for improvements is below the State Comptroller threshold for Town special improvement water districts.
- f) That the requirements of the State Environmental Quality Review Act have been complied with.

Section 2. This resolution shall take effect immediately.

Motion by: Councilwoman Melinda S. Meddaugh

Seconded by: Councilman Peter T. Briggs

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

William J. Rieber, Jr.	VOTING	Aye
Peter T. Briggs	VOTING	Aye
Scott S. Mace	VOTING	Aye
John A. Pavese	VOTING	Aye
Melinda S. Meddaugh	VOTING	Aye

The resolution was thereupon declared duly adopted.

The Following Resolution Was Duly Adopted: Res. No. 108 of the Year 2019.

At a regular meeting of the Town Board of the Town of Thompson, Sullivan County, New York, held at the Town Hall in Monticello, New York, in the said Town on the 5th day of February, 2019, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Rieber, and upon roll being called, the following were

PRESENT: William J. Rieber, Jr., Supervisor
Peter T. Briggs, Councilman
Scott S. Mace, Councilman
John A. Pavese, Councilman
Melinda S. Meddaugh, Councilwoman

ABSENT: None

The following resolution was moved and seconded, to wit:

RESOLUTION DATED FEBRUARY 05, 2019

RESOLUTION PRELIMINARILY APPROVING AN INCREASE IN THE MAXIMUM EXPENDITURE FOR IMPROVEMENTS TO THE MELODY LAKE WATER DISTRICT FROM \$375,000.00 TO \$400,000.00, SUBJECT TO PERMISSIVE REFERENDUM

WHEREAS, the Town of Thompson had previously completed the creation of the Melody Lake Water District in 2016 and during the creation indicated the maximum amount to be expended for improvements, as stated in the map, plan and report, was not to exceed \$375,000.00; and

WHEREAS, the Town Board of the Town of Thompson, Sullivan County, New York, has heretofore duly caused an amended map, plan, and report to be prepared and filed with the Town Board of said Town in relation to the proposed increase in maximum amount to be expended for improvements to the Melody Lake Water District; and

WHEREAS, the Town Board wishes to increase the maximum amount to be expended for improvements from \$375,000.00 to \$400,000.00 due to general increases in costs of labor and materials; and

WHEREAS, by Order of the Town Board dated January 22, 2019 a Public Hearing date was set specifying February 05, 2019 at 7:00 P.M. at the Town Hall, 4052 Route 42, Monticello, New York as the time and place where said Town Board would meet for the purpose of holding a public hearing to hear all persons interested in the subject thereof concerning same; and

WHEREAS, a Notice of Public Hearing was duly published and posted in the manner and within the time prescribed in Section 209-d of the Town Law and proof of said publication and posting has been duly presented to said Town Board; and

WHEREAS, said Public Hearing was duly held at the time and place set forth in said Notice of Public Hearing, at which time all persons desiring to be heard were duly heard; and

WHEREAS, following said Public Hearing and based upon the evidence given thereat, said Town Board duly adopted a Resolution determining in the affirmative all questions set forth in Town Law Section 209(h) and authorized an increase in the maximum expenditure for improvements to the Melody Lake Water District from \$375,000.00 to \$400,000.00 which will increase the annual cost to the typical property owner from \$813.89 to approximately \$840.70; and

WHEREAS, it is now desired to adopt a further Resolution pursuant to subdivision (1) of Section 209-h of the Town Law preliminarily approving the increase of maximum amount to be expended, subject to permissive referendum.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of

Thompson, Sullivan County, New York, as follows:

Section 1. That after holding a Public Hearing the Board preliminarily approved an increase in the maximum amount to be expended for improvements to the Melody Lake Water District from \$375,000.00 to \$400,000.00.

Section 2. The cost to a typical property owner shall increase from \$813.89 to approximately \$840.70 per household.

Section 3. This Resolution is not subject to further State Comptroller approval since the amount to be expended for a typical property is below the State threshold for the average estimated costs for a town special improvement water district.

Section 4. After adoption of this Resolution, the Town Clerk is hereby directed to file certified copies of this Resolution in accordance with, and where required, by law.

Section 5. This Resolution is adopted subject to a permissive referendum.

Motion by: Councilman Peter T. Briggs

Seconded by: Councilman John A. Pavese

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

William J. Rieber, Jr.	VOTING	Aye
Peter T. Briggs	VOTING	Aye
Scott S. Mace	VOTING	Aye
John A. Pavese	VOTING	Aye
Melinda S. Meddaugh	VOTING	Aye

The resolution was thereupon declared duly adopted.

**NARRATIVE DESCRIPTION
OF PROPOSED MELODY LAKE WATER DISTRICT BOUNDARY**

Beginning at a Point being the northwest corner of tax parcel 62-1- 6 also being the common boundary of the Melody Lake Sewer District. Thence; traveling in a northerly direction across the right-of-way of Melody Lake Drive to the northerly right-of-way line of Melody Lake Drive as well as the southwesterly corner of tax parcel 62-1- 5.1 and a point along boundary of tax parcel 61-1- 41.3. Thence; in a northerly direction along the westerly boundary of tax parcel 62-1- 5.1 and the easterly boundary of tax parcel 62-1-41.3 to the Northwesterly corner of tax parcel 62-1-5.1. Thence; in a northeasterly direction along the northerly boundary of tax parcel 62-1- 5.1 also the Lakeshore of Melody Lake to the northeasterly corner of tax parcel 62-1- 5.1 also the westerly right-of-way line of Terrace Drive. Thence; in a southeasterly direction along the Westerly boundary of Terrace Drive and the easterly boundary line of tax parcel 62-1- 5.1 to the northeasterly corner of tax parcel 62-1- 5.2. Thence; in a southeasterly direction along the easterly boundary of tax parcel 62-1- 5.2 to the southeasterly corner of tax parcel 62-1- 5.2 also the westerly boundary line of Terrace Drive. Thence; in a southeasterly direction along the easterly boundary of tax parcel 62-1-5.1 to a point on the easterly boundary of tax parcel 62-1-5.1 and the westerly right-of-way line of Terrace Drive. Thence; in an easterly direction crossing the right-of-way of Terrace Drive to the southwesterly corner of tax parcel 62-1-3. Thence; in a northerly direction along the westerly boundary of tax parcel 62-1- 3 and the easterly right-of-way line of Terrace Drive to the northwesterly corner of tax parcel 62-1-3 and the southerly corner of tax parcel 61-1- 41.3. Thence; travelling in a northeasterly direction along the southerly boundary of tax parcel 61-1-41.3 and the northwesterly boundary of tax parcel 62-1-3, 2, 1.2, 1.1, 1.3, & 1.4 to the northwesterly corner of tax parcel 62-1-1.4 also the common boundary with tax parcel 61-1-41.3. Thence; travelling in an easterly direction along the northerly boundary of tax parcel 62-1-1.4 and the southerly boundary of tax parcel 61-1-41.3 to the northeasterly corner of tax parcel 62-1-1.4 and the westerly right of way boundary of Terrace Drive. Thence; travelling in an easterly direction to the centerline of Terrace Drive. Thence; travelling northerly along the centerline of Terrace

Drive to the end of the right of way where same intersects with southerly boundary of tax parcel 61-1-41.3. Thence; in an easterly direction along the right of way to Terrace Drive to the northwesterly corner of tax parcel 62-2-1.5 as well as the southerly boundary of tax parcel 61-1-41.3. Thence; travelling in an easterly direction along the northerly boundary of tax parcel 62-2-1.5 to the northeasterly corner of tax parcel 62-2- 1.5 and a point along the southerly boundary of tax parcel 61-1-41.3. Thence; travelling in a southerly direction along the easterly boundary of tax parcel 62-2-1.5 and the westerly boundary of tax parcel 61-1-41.3 as well as along the easterly boundary of tax parcel 62-2-1.4 and 62-2-1.3 to the northeasterly corner of tax parcel 62-2-1.2 also along the westerly boundary of 61-1-41.3. Thence; in an easterly direction along the northerly boundary of tax parcel 62-2-1.2 and 62-2-1.1 to the northeasterly corner of tax parcel 62-2-1.1 also along the southerly boundary of tax parcel 61-1-41.3. Thence; in a southwesterly direction along the easterly boundary of tax parcel 62-2-1.2 to the southeasterly corner of tax parcel 62-2-1.1 and the northerly right of way line of Cherry Lane. Thence; along the easterly boundary of the right of way of Cherry Lane to the northerly boundary of tax parcel 62-5-1. Thence; in a southeasterly direction along the northerly boundary of tax parcel 62-5-1 to the northeasterly corner of tax parcel 62-5-1 also the westerly boundary of tax parcel 61-1-41.3. Thence; in a southwesterly direction along the easterly boundary of tax parcel 62-5-1 to the northwesterly corner of tax parcel 61-1-41.1 continuing along the easterly boundary of tax parcel 62-5-1 to the southeasterly corner of tax parcel 62-5-1 also a point along the westerly boundary of tax parcel 61-1-41.1. Thence; continuing in a southwesterly direction to the northeasterly corner of tax parcel 62-5-2 and the southeasterly corner of tax parcel 62-5-1. Thence; in a southwesterly direction along the easterly boundary of 62-5-2, 62-5-3 and 62-5-4 also with the common boundary along 61-1-41.1 to the southeasterly corner of tax parcel 62-5-4 and the southwesterly corner of tax parcel 61-1-41.1 and the northerly right of way of Melody Lake Drive. Thence; in a southwesterly direction to the centerline of Melody Lake Drive. Thence; in a southeasterly direction along the centerline of Melody Lake Drive to the centerline of Rose Valley Road (Town Road 83) at a point opposite the easterly corner of tax parcel 62-6-8. Thence; following the centerline of Rose Valley Road in a southwesterly direction to the intersection of Hemlock Drive. Thence;

continuing in a southwesterly direction along the centerline to Rose Valley Road to a point where Rose Valley Road intersects with the Town of Forestburgh town line opposite the southeasterly corner of tax parcel 62-7-5. Thence; in a westerly direction along the common boundary with the Town of Forestburgh and the Town of Thompson to the westerly right of way line of Rose Valley Road and the southeasterly corner of tax parcel 62-7-5. Thence; in a westerly direction along the southerly boundary of tax parcel 62-7-5 and 62-7-6 also the common boundary with the Town of Forestburgh to the southwesterly corner of tax parcel 62-7-6 and the easterly right of way line of Maple Tree Lane. Thence; in a westerly direction along the southerly right of way line of Maple Tree Lane to the southeasterly corner of tax parcel 62-8-8 now or formerly the Town of Thompson and the common boundary with the Town of Forestburgh. Thence; continuing along the common boundary with the Town of Forestburgh in the Town of Thompson as well as the southerly boundary line of tax parcel 62-8-8 to the easterly right of way line of Pine Lane and the southwesterly corner of tax parcel 62-8-8. Thence; continuing westerly along the common boundary with the Town of Forestburgh to the westerly right of way line of Pine Lane and the southeasterly corner of tax parcel 62-1-11 now or formerly of the Town of Thompson. Thence; in a northerly direction along the westerly right of way line of Pine Lane along the easterly boundary of tax parcel 6-1-11 to the southeasterly corner of tax lot 62-1-15. Thence; in a northwesterly direction along the southerly boundary of tax parcel 62-1-15 to a point along the easterly boundary of tax parcel 62-1-11 now or formerly of the Town of Thompson. Thence; in a northeasterly direction along the westerly boundary of tax parcel 62-1-15 to the southwesterly corner of tax parcel 62-1-13 and the southeasterly corner of tax parcel 62-1-12. Thence; in a northwesterly direction along the southerly boundary of tax parcels 62-1-12 to the southwesterly corner of tax parcel 62-1-12 and its common boundary with tax parcel 62-1-11. Thence; westerly through a portion of tax parcel 62-1-11 to the southeasterly corner of tax parcel 62-1-10.2. Thence; in a northwesterly direction along the common boundary with tax parcel 62-1-11 and 62-1-10.2 to a point along the westerly boundary of tax parcel 62-1-10.2. Thence; in a northerly direction along the westerly boundary of tax parcel 62-1-10.2 and the common boundary with tax parcel 62-1-5.1 to the northwesterly corner of tax parcel 62-1-10.2 and the southwesterly corner of tax parcel 62-1-10.1. Thence; in a northerly direction along the common boundary with tax parcel 62-1-5.1 and the westerly boundary of tax parcels 62-1-10.1, 62-1-9, 62-1-8, 62-1-7, and 62-1-6 to the northwesterly corner of tax parcel 62-1-6 and the southerly right of way line of Melody Lake Drive also the Point or Place of Beginning.

2. DISCUSSION: PROPOSED LOCAL LAW NO. 01 OF 2019 – TO IMPOSE A (6) MONTH MORATORIUM ON DEVELOPMENT APPROVAL FOR CAMPS, DORMITORIES, SCHOOLS OR BUNGALOW COLONIES IN THE TOWN OF THOMPSON

There was no discussion held and no action regarding this matter. The matter will be rescheduled for discussion at a later date.

3. REVIEW & APPROVE FUEL SUPPLY INTERMUNICIPAL AGREEMENT BETWEEN TOWN OF THOMPSON, VILLAGE OF MONTICELLO & MONTICELLO FIRE DISTRICT

The Following Resolution Was Duly Adopted: Res. No. 109 of the Year 2019.

WHEREAS, this building is used to provide services to the County's homeless population including a soup kitchen five days a week, a food pantry twice a month, an emergency food pantry and as a warming center when temperatures become dangerously cold; and

WHEREAS, the Town has paid \$1,000 to Delaware Engineering, D. P. C., to conduct a site visit to evaluate the building; and

WHEREAS, Delaware Engineering determine that the overall building was structurally sound; and

WHEREAS, the Federation would like to make repairs to the major mechanical systems in the building;

NOW, THEREFORE, BE IT RESOLVED, that the Town hereby authorizes up \$15,000 of the NYS CDBG Program Income to be used for an engineering report to provide a detailed report outlining the deficiencies and that the remaining balance of the \$165,750.01 NYS CDBG Program Income after the engineering report be used for major mechanical improvements.

BE IT FURTHER RESOLVED, that the Supervisor be and hereby is authorized to execute any necessary agreements with the NYS Office of Community Renewal.

Adopted the 5th day of February, 2019

Moved by: Councilman John A. Pavese
Seconded by: Councilman Peter T. Briggs

The members of the Town Board voted as follows:

Supervisor WILLIAM J. RIEBER, JR.	Yes [X] No []
Councilman PETER T. BRIGGS	Yes [X] No []
Councilman SCOTT S. MACE	Yes [X] No []
Councilman JOHN A. PAVESE	Yes [X] No []
Councilwoman MELINDA S. MEDDAUGH	Yes [X] No []

6. TAX CERTIORARI SETTLEMENT: MONTICELLO HORIZON LEGACY LLC (4 OF 7 PARCELS, SBL #'S 118.-5-3.18, 3.26, 3.27 & 3.30) FOR 2018

The Following Resolution Was Duly Adopted: Res. No. 112 of the Year 2019.

Resolved, that agenda item #6 regarding the property tax settlement resolution for Monticello Horizon Legacy LLC (4 of 7 Parcels), SBL #'s 118.-5-3.18, 3.26, 3.27 & 3.30 hereby be tabled until the next Town Board Meeting to be held on Tuesday, 03/05/2019.

Moved by: Councilwoman Meddaugh Seconded by: Councilman Briggs

Vote: Ayes 5 Rieber, Pavese, Briggs, Meddaugh and Mace

Nays 0

7. TAX CERTIORARI SETTLEMENT: BRIDGEVILLE POINT CREEK LLC (2 PARCELS, SBL # 118.-5-3.20 & 3.23) FOR 2018

Attorney Mednick presented a Resolution on the above named property tax settlement proceeding. Attorney Mednick and Assessor Van B. Krzywicki recommended that the settlement be approved as per the provided Resolution. Attorney Mednick explained the settlement agreement. The Town Board took action on the settlement as follows:

The Following Resolution Was Duly Adopted: Res. No. 113 of the Year 2019.

RESOLUTION AUTHORIZING SETTLEMENT OF A PROCEEDING INSTITUTED UNDER ARTICLE 7 OF THE REAL PROPERTY TAX LAW AGAINST THE TOWN OF THOMPSON

WHEREAS, Bridgeville Point Creek LLC has instituted proceedings under Article 7 of the Real Property Tax Law to review the assessment of Tax Map Parcels 118-5-3.23 and 118-5-3.20 and which proceedings are pending in the Supreme Court of the State of New York, County of Sullivan, under Index No. 1494-2018; and

WHEREAS, the parties have appeared through counsel, to wit, Michael B. Mednick, Esq. on behalf of respondents, and Kalter, Kaplan, Zeiger & Forman on behalf of petitioner; and

WHEREAS, negotiations by and between the parties hereto have produced a proposed settlement of the issues and matters in dispute, and

WHEREAS, the proposed settlement will also result in a fair and equitable resolution of the complaint with respect to petitioner's 2018 assessment, to wit, a reduction in the assessment of petitioner's real property, **SBL 118-5-3.23** from \$89,400.00 to \$51,000.00; and

WHEREAS, the proposed settlement will also result in a fair and equitable resolution of the complaint with respect to petitioner's 2018 assessment, to wit, a reduction in the assessment of petitioner's real property, **SBL 118-5-3.20** from \$89,400.00 to \$51,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Thompson as follows:

1. That the settlement of the above referenced proceeding be, and the same hereby is in all respects approved and confirmed.
2. That Michael B. Mednick, Esq., attorney for the Town of Thompson, and Van B. Krzywicki, Assessor, be, and they hereby are authorized, empowered and directed to enter into and execute a formal written stipulation of settlement and to bind the Town thereto, such stipulation to be in form approved by the said attorneys.
3. That said Michael B. Mednick, Esq. and Van B. Krzywicki, Assessor, be, and they hereby authorized and empowered to execute any and all other documents and take such other

steps as may be reasonably necessary and incidental to effect and finalize the settlement of the subject proceeding.

Moved by: Councilman Peter T. Briggs
Seconded by: Councilwoman Melinda S. Meddaugh
and a roll call vote thereon as follows:

Supervisor William J. Rieber, Jr.	voting	Aye
Councilman Peter T. Briggs	voting	Aye
Councilman Scott S. Mace	voting	Aye
Councilman John A. Pavese	voting	Aye
Councilwoman Melinda S. Meddaugh	voting	Aye

8. HARRIS SEWER DISTRICT PROPOSED EXTENSION NO. 4 – THE CENTER FOR DISCOVERY, SBL #'S 7.-1-26.7 & 26.8 – FINAL ORDER TO APPROVING THE EXTENSION

The Following Resolution Was Duly Adopted: Res. No. 114 of the Year 2019.

-----X

In the Matter of Extension No. 4 of the
HARRIS SEWER DISTRICT
in the Town of Thompson, County of
Sullivan, State of New York.

**FINAL ORDER EXPANDING
HARRIS SEWER DISTRICT**

-----X

A resolution having been duly adopted by the Town Board of the Town of Thompson directing Town Engineers, McGoey, Hauser and Edsall Consulting Engineers, P.C., to supervise the preparation of a map, plan and report relating to the extension of the Harris Sewer District in the Town of Thompson, and said map, plan and report were duly filed in the office of the Town Clerk, and an order having been duly adopted by the said Town Board on October 02, 2018, reciting a description of the boundaries of the said proposed district, the improvements proposed, the maximum amount proposed to be expended for said improvements, the proposed method of financing to be employed, the fact that a map, plan and report were on file in the Town Clerk's Office for public inspection, and specifying the 5th day of November, 2018, at 7:30 o'clock, P.M., Prevailing Time, at the Town Hall, 4052 Route 42, Monticello, New York, in said Town,

as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to hear all persons interested in the proposal to expand the said sewer district and after due publication and posting of said order according to law, said hearing was duly held by said Board at such time and place, and the Town Board having considered said proposal and heard all persons interested in the same, and did on November 05, 2018 resolve and determine that the notice of hearing for November 05, 2018 was published and posted as required by law, and otherwise sufficient, that all the property and property owners within the created district would be benefitted thereby, that all property and property owners benefitted were included within the limits of the created district, and that it was in the public interest to grant and hold the relief sought, and it having been then and there further duly resolved that the creation of such district as proposed be approved subject to permissive referendum in the manner provided in Article 7 of the Town Law, and a certificate of the Town Clerk having been duly filed pursuant to subdivision 4 of Section 209-e of the Town Law certifying that no petition was filed requesting such a referendum, and it appearing to the satisfaction to the said Town Board that no application pursuant to Town Law Section 209-f is required to be made to the State Department of Audit and Control,

NOW, THEREFORE, IT IS HEREBY

ORDERED, that the Harris Sewer District, in the Town of Thompson, Sullivan County, New York, be, and the same hereby is, extended, to be bounded and described as more particularly set forth in Schedule "A" annexed hereto and made a part hereof; and it is further

ORDERED, that the Town Board, acting for and on behalf of the said Harris Sewer District, as extended be, and it hereby is, authorized to make such improvements in said district as may be required for the proposed operation thereof, provided that the required funds for the

same are made available or provided for; and it is further

ORDERED, that the entire amount to be expended for such improvements, including, but not limited to, costs of construction, engineering, administrative, legal and other fees and expenses, shall be borne solely and entirely by The Center for Discovery; and it is further

ORDERED, that the Town Clerk of the Town of Thompson be, and he hereby is, authorized and directed to cause a certified copy of this order to be duly recorded in the office of the Clerk of Sullivan County, in which the Town of Thompson is located, within ten (10) days after adoption of this order; and it is further

ORDERED, that the Town Clerk be, and she hereby is, authorized and directed to file a certified copy of this order in the office of the Department of Audit and Control, Albany, New York, within ten (10) days after the adoption hereof, if so required.

Dated: Monticello, New York
February 05, 2019

William J. Rieber, Jr., Supervisor

Peter T. Briggs, Councilman

Scott S. Mace, Councilman

John A. Pavese, Councilman

Melinda S. Meddaugh, Councilwoman

Motion by: Councilman Scott S. Mace

Seconded by: Councilman Peter T. Briggs

Adopted on Motion: February 05, 2019

Vote: Ayes 5 – Rieber, Pavese, Briggs, Meddaugh and Mace
Nays 0

Schedule A

Boundary Description
Harris Sewer District Ext. 4

BEGINNING at a point along the existing Harris Sewer District Boundary also being the center line of Holmes Road and extending in an easterly direction to the easterly right-of-way line of Holmes Road and the corner of tax parcel 7-1-26.6 and 7-1-26.7.

THENCE extending in an easterly direction along the northerly boundary of tax parcel 7-1-26.7 and the southerly boundary of tax parcel 7-1-26.6 to the most south easterly corner of tax parcel 7-1-26.7 and the south easterly corner of tax parcel 7-1-26.6; also being a point on the existing boundary of the Harris Sewer District and a point along the boundary of tax parcel 7-1-25.1.

THENCE in a southerly direction along the easterly boundary of tax parcel 7-1-26.7 and the northerly boundary of tax parcel 7-1-25.1 to the south easterly corner of tax parcel 7-1-26.7 and the north easterly boundary of tax parcel 7-1-26.8.

THENCE continuing in a southerly direction along the easterly boundary of tax parcel 7-1-26.8 to the south easterly corner of tax parcel 7-1-26.8; also a point along the boundary of tax parcel 7-1-25.1 and 7-1-26.9.

THENCE traveling along the existing boundary of the Harris Sewer District in a westerly direction also along the southerly boundary of tax parcel 7-1-26.8 and the northerly boundary of tax parcel 7-1-26.9 to the easterly right-of-way line of Holmes Road; also the south westerly corner of tax parcel 7-1-26.8 and the north westerly corner of tax parcels 7-1-26.9.

THENCE continuing in a westerly direction to the center line of Holmes Road.

THENCE traveling in a northerly direction along the center line of Holmes Road also being the existing boundary of the Harris Sewer District to the point or place of beginning.

9. DISCUSS ESTABLISHING A DATE FOR A SPRING SHRED DAY EVENT – COUNCILMAN SCOTT S. MACE

The Town Board discussed establishing a date for a Spring Shred Day Event. The Town Board is okay with either Saturday, May 11th or Saturday, May 18th dates if available. He will check with Confidential Shredding to see availability and report back at the next Town Board Meeting.

10. HIGHWAY DEPT.: AWARD BIDS FOR THE PURCHASE OF NEW 2019 OR NEWER HITACHI ZW180-6 WHEEL LOADER

Highway Superintendent Richard L. Benjamin, Jr. reported that (2) bids were received for the purchase of a New 2019 or Newer Hitachi ZW180-6 Wheel Loader as follows:

- 1) 2019 Hitachi ZW180-6 from Westchester Tractor, Inc. for \$156,341.00
- 2) 2019 Caterpillar 930M from H.O. Penn Machinery Company, Inc. for \$169,000.00

Supt. Benjamin is recommending that the bid be awarded to the low bidder Westchester Tractor, Inc. in the amount of \$156,341.00.

The Following Resolution Was Duly Adopted: Res. No. 115 of the Year 2019.

Resolved, that the bid of Westchester Tractor, Inc., for a New 2019 or Newer Hitachi ZW180-6 Wheel Loader in accordance with bid specifications, in the amount of

\$156,341.00, be, and the same hereby is, accepted, and the Town Clerk be, and she hereby is, directed to notify the successful bidder of the award thereof.

Moved by: Councilman Pavese Seconded by: Councilman Briggs

Vote: Ayes 5 Rieber, Pavese, Briggs, Meddaugh and Mace

Nays 0

HIGHWAY DEPT.: DECLARE SURPLUS EQUIPMENT – 2007 VOLVO WHEEL LOADER, VIN # L90FV68241

The Following Resolution Was Duly Adopted: Res. No. 116 of the Year 2019.

Resolved, that the following vehicles, equipment &/or items from the Highway Department hereby be declared surplus and that the Highway Superintendent be authorized to either sell at auction, bid or scrap said vehicles/equipment/items, whichever is best financially. The vehicles/equipment/items are listed as follows:

- 1) 2007 Volvo Wheel Loader, VIN # L90FV68241

Moved by: Councilman Pavese Seconded by: Councilwoman Meddaugh

Vote: Ayes 5 Rieber, Meddaugh, Pavese, Briggs and Mace

Nays 0

11. TOWN PARK PAVILION – APPROVE PROPOSED AMENDMENT TO INVOICE FROM MCGOEY, HAUSER & EDSALL CONSULTING ENGINEERS, DPC

The Following Resolution Was Duly Adopted: Res. No. 117 of the Year 2019.

Resolved, that amended invoice #19-324 from McGoey, Hauser & Edsall Consulting Engineers DPC dated 01/24/2019 in the amount of \$30,000.00, which is less a \$5,000.00 retainer amount still outstanding for Professional Engineering Services for the Town Park Pavilion Roof Replacement/New Pavilion Project hereby be approved for payment as submitted.

(Note: This invoice replaces previously sent invoice #'s 18-1390, 18-2218 and 18-2683.)

Moved by: Councilman Briggs Seconded by: Councilman Pavese

Vote: Ayes 5 Rieber, Pavese, Briggs, Meddaugh and Mace

Nays 0

12. REVIEW & APPROVE YMCA AGREEMENT – 2019 SUMMER YOUTH DAY CAMP PROGRAM

The Following Resolution Was Duly Adopted: Res. No. 118 of the Year 2019.

Resolved, that agenda item #12 regarding the YMCA Agreement for 2019 Summer Youth Day Camp Program hereby be tabled until the next Town Board Meeting to be held on Tuesday, 03/05/2019.

Moved by: Councilman Briggs Seconded by: Councilwoman Meddaugh

Vote: Ayes 5 Rieber, Pavese, Briggs, Meddaugh and Mace

APPROVAL OF CHALET ROAD DEDICATION RESOLUTION AND AGREEMENT
The Following Resolution Was Duly Adopted: Res. No. 123 of the Year 2019.

At a Regular Meeting of the Town Board of the Town
of Thompson held at the Town Hall, 4052 Route 42,
Monticello, New York on February 05, 2019

**RESOLUTION ACCEPTING DEDICATION OF ROADS, EASEMENTS, UTILITIES
AND OTHER PUBLIC IMPROVEMENTS CONSTRUCTED UPON TOWN HIGHWAY
KNOWN AS CHALET ROAD**

WHEREAS, the Town of Thompson Town Highway Chalet Road was part of a reconstruction project for the Adelaar Planned Report Development (“PRD”) which included a new casino, hotel, waterpark and golf course as constructed by EPR Concord II, LP, a Delaware limited liability company (hereinafter collectively referred to as “Applicant”); and

WHEREAS, Chalet Road was made part of the new Adelaar Resort Road District for the benefit of all properties contained within the Adelaar Planned Resort Development; and

WHEREAS, the Applicant has agreed to reconstruct Chalet Road with improvements to better fit and be utilized by the public as well as the proposed amenities within the PRD; and

WHEREAS, upon completion of the reconstructed Chalet Road, said improvements were to be dedicated to the Town of Thompson on behalf of the Adelaar Resort Road District, including the new roadway and all infrastructure; and

WHEREAS, Chalet Road has been constructed and all improvements are ready to be dedicated to the Town of Thompson; and

WHEREAS, the Town Board has determined it is in the best interest of the residents of the Town of Thompson to accept the roads, easements, utilities and other public improvements that have been constructed; and

WHEREAS, it is a requirement of the Town of Thompson that the Applicant is required to guarantee that the quality of workmanship of the improvements accepted by the Town will be free from defects in material and workmanship for a period of one (1) year from date of acceptance by the Town; and

WHEREAS, to guarantee the quality and workmanship of the public improvements, Applicant has provided the Town with a 12-month bond to insure against construction defects to the Chalet Road improvements in the amount of \$1.35 million.

NOW, THEREFORE, BE IT RESOLVED that:

1) The recitations set forth are incorporated in this Resolution as if fully set forth and adopted herein; and

2) The Town Board hereby determines that it is in the best interest of the residents of the Town of Thompson to accept the road improvements and all related easements, utilities, and other public improvements made and constructed; and

3) The Town Board accepts, pursuant to a separate Agreement by the parties, copy of which is attached hereto as Exhibit "A", filing of a maintenance bond in the amount of \$1.35 million to be held for 12 months to guarantee the quality and workmanship of the Chalet Road improvements shall be free of defects; and

4) That all ordinary maintenance of Chalet Road shall be completed by the Town on behalf of the Adelaar Resort Road District; and

5) That the newly constructed Chalet Road shall remain a Town Road and shall be included in the Town Highway inventory of Town Roads; and

6) That the Town Board approves the abandonment to the adjoining landowner of any portion of Old Chalet Road that was not included and made part of the new realigned Chalet Road which has been previously deeded to the Town of Thompson; and

7) That the Town Board hereby accepts dedication of all improvements to Chalet Road as have been confirmed that said roadway improvements have been constructed to meet all Town and Highway Law specifications and has been recommended to the Town Board for acceptance by the Highway Superintendent, subject to completion of the attached punch list of minor items to be finished by the general contractor (Exhibit "B"); and

8) That the Town Board authorizes the Supervisor to execute any and all documents and agreements and take whatever steps necessary to have any modified Public Infrastructure Easement Agreements for the new Chalet Road to be recorded with the Sullivan County Clerk.

Adopted the 5th day of February, 2019.

Moved by: Councilman John A. Pavese

Seconded by: Councilman Peter T. Briggs

The members of the Town Board voted as follows:

Supervisor WILLIAM J. RIEBER, JR.	Yes [X] No []
Councilman PETER T. BRIGGS	Yes [X] No []
Councilman SCOTT S. MACE	Yes [X] No []
Councilman JOHN A. PAVESE	Yes [X] No []
Councilwoman MELINDA S. MEDDAUGH	Yes [X] No []

16. BUDGET TRANSFERS & AMENDMENTS

There were no budget transfers or amendments requested for this meeting.

Nays 0

SUPERVISOR'S REPORT:

- No Report Provided.

COUNCILMEN & DEPARTMENT HEAD REPORTS:

Superintendent Messenger reported on the following:

1) Discussion with Ned Lang of EnviroVentures regarding Deb El Foods Facility requesting to discharge effluent wastewater into Kiamesha WWTP for the next 3 or 4 months. Discussion was held and the matter will be scheduled for further discussion at the next Town Board Meeting.

2) Energy Efficiency Program Proposal was received from NYSEG for Kiamesha WWTP.

3) Arbitration Proposal for Management Recovery Services to assist in the recovery of damages to Town Property such as streetlights, light poles, guardrails etc. Attorney Mednick will review the proposal and report back at the next Town Board Meeting. The matter will be rescheduled for the 03/05/2019 Town Board Meeting.

Superintendent Somers reported on a site inspection meeting with the representatives from McGoey, Hauser & Edsall Consulting Engineers on behalf of the Town scheduled to be held this Thursday, February 7th, 2019 at the Town Park regarding revisions to the Pavilion Project.

Deputy Administrator Chester reported on the following:

1) JCAP Grant Funds have been received; all purchases and bathroom renovations must be completed within 180 days.

2) Wal-Mart Community Grant Program – Requesting permission to submit application for grant funding towards youth programs/services for the Town of Thompson Summer Youth Day Camp.

The Following Resolution Was Duly Adopted: Res. No. 128 of the Year 2019.

Resolved, that the Town Board of the Town of Thompson hereby authorizes the submittal of an application to Wal-Mart for participation in the 2019 Community Grant Program in the amount of \$3,000.00 to be used towards youth programs/services for the Town of Thompson Summer Youth Day Camp and that the Town Supervisor hereby be authorized to execute said grant application.

Moved by: Councilman Pavese Seconded by: Councilman Briggs

Vote: Ayes 5 Rieber, Pavese, Briggs, Meddaugh and Mace

Nays 0

3) The application for participation in the 2019 Municipal Partnership Grant Program for a Matching-Fund Grant has been submitted to Sullivan Renaissance. The Town is

looking for an intern anyone that might be interested can apply through Sullivan Renaissance.

Director Carnell reported on the status of the unsafe buildings for Steven Moss Consessions, Inc. (Rock Hill Diner) and Diba Todorovic (Lanahan Road). The demolitions of unsafe buildings on both properties have been completed and the projects are almost cleaned up, there is still some site work remaining. There have been some new unsafe building violations on other properties issued this past week.

Councilman Pavese reported on comments that he received regarding the Town getting cleaned up.

Councilman Briggs reported on the annual Rock Hill Fire Department Pancake Breakfast to be held on Sunday, 02/10/2019, 7am to 12pm.

Councilwoman Meddaugh reported on the Dove Trail Sign Project. Upon the recommendation of Supt. Benjamin she spoke with Mr. Dennis Dietrich and obtained permission to display the Dove Sign at Collins Field located in Mongaup Valley just off of State Route 17B. The Town is going to apply for a second sign if approved.

PUBLIC COMMENT:

There was no public comment given.

ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION

- Appointments Needed: Conservation Advisory Council Member and Adopt-a-Road Coordinator.
- February 28th: Open Sodium Bi-Carbonate Bids at 2:00 PM.
- March 5th: Next Regular Town Board Meeting at 7:00 PM.

ADJOURNMENT

On a motion made by Councilwoman Meddaugh and seconded by Councilman Briggs the meeting was adjourned at 8:29 PM.

Respectfully Submitted By:



Marilee J. Calhoun, Town Clerk

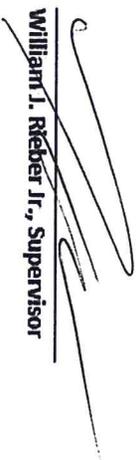


Town of Thompson
Warrant Report

Town of Thompson
Warrant Report

I hereby certify that the vouchers listed on the attached abstracts of prepaid and claims payable have been duly audited and are presented for payment to the Town Board of the Town of Thompson at the regular meeting there of, held on the 5th day of February 2019 in the amounts respectively specified. Authorization is hereby given and direction is made to pay each of the claimants in the amount as specified upon each claim stated.


Melissa DeMarnels, Comptroller


William J. Rieber Jr., Supervisor



Town of Thompson
Warrant Report

Fund	Fund Description	Unposted Batch Totals				Posted Batch Totals			
		Invoice Batch	Manual Checks	Purchase Cards	Total	Invoice Batch	Manual Checks	Purchase Cards	Total
Unposted Batch Grand Totals		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Fund	Fund Description	Invoice Batch		Manual Checks		Purchase Cards		Total	
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	Paid	Unpaid
A000	GENERAL FUND TOWN WIDE	\$132,047.03	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$132,047.03	\$0.00
B000	GENERAL TOWN OUTSIDE	\$95,780.98	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$95,780.98	\$0.00
DA00	HWY#3 / 4 - TOWN WIDE	\$147,474.14	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$147,474.14	\$0.00
DB00	HWY#1 - TOWN OUTSIDE	\$5,993.53	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,993.53	\$0.00
H000	CAPITAL PROJECTS	\$321,236.51	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$321,236.51	\$0.00
SAR0	ADELAAR RESORT SEWER DISTRICT	\$4,928.34	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,928.34	\$0.00
SHW0	HARRIS WOODS SEWER	\$1,350.88	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,350.88	\$0.00
SL01	ROCK HILL LIGHTING	\$768.79	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$768.79	\$0.00
SL02	LUCKY LAKE LIGHTING	\$216.76	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$216.76	\$0.00
SL03	LAKE LOUISE MARIE	\$583.58	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$583.58	\$0.00
SL04	PATIO HOMES LIGHTING	\$1,260.34	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,260.34	\$0.00
SL05	KIAMESHA SHORES LIGHTING	\$180.46	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$180.46	\$0.00
SL06	EMERALD GREEN LIGHTING	\$6,313.56	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6,313.56	\$0.00
SL07	TREASURE LAKE LIGHTING	\$39.24	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$39.24	\$0.00
SL08	CONGERO ROAD LIGHTING	\$122.90	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$122.90	\$0.00
SL09	YESHIVA/KIAM. LIGHTING DISTRICT	\$1,033.49	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,033.49	\$0.00
SL10	EMERALD CORP. PARK LD#10	\$361.19	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$361.19	\$0.00
SL11	ADELAAR	\$704.07	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$704.07	\$0.00
SSA0	ANAWANA SEWER DISTRICT	\$12,138.97	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$12,138.97	\$0.00
SSD0	DILLON SEWER DISTRICT	\$135.22	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$135.22	\$0.00
SSG0	EMERALD GREEN SEWER	\$28,753.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$28,753.50	\$0.00
SSH0	HARRIS SEWER DISTRICT	\$17,897.97	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$17,897.97	\$0.00
SSK0	KIAMESHA SEWER DISTRICT	\$54,558.05	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$54,558.05	\$0.00
SSM0	MELODY LAKE SEWER DISTRICT	\$2,713.81	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,713.81	\$0.00
SSR0	ROCK HILL SEWER DISTRICT	\$12,586.04	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$12,586.04	\$0.00
SSS0	SACKETT LAKE SEWER DISTRICT	\$8,229.60	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$8,229.60	\$0.00
SWA0	ADELAAR RESORT WATER DISTRICT	\$1,727.52	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,727.52	\$0.00
SWC0	COLD SPRING WATER	\$1,315.32	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,315.32	\$0.00
SWD0	DILLON WATER DISTRICT	\$308.49	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$308.49	\$0.00
SWK0	KIAMESHA RT42 WATER	\$50.64	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50.64	\$0.00
SWL0	LUCKY LAKE WATER DISTRICT	\$3,221.61	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,221.61	\$0.00



**Town of Thompson
Warrant Report**

Fund	Fund Description	Invoice Batch		Manual Checks		Purchase Cards		Total		
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	
SWM0	MELODY LAKE WATER	\$9,201.04	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$9,201.04	\$0.00	
T000	TRUST & AGENCY FUND	\$21,501.98	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$21,501.98	\$0.00	
Posted Batch Grand Totals		\$894,735.55	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$894,735.55	\$0.00	
Report Grand Totals										
A000	GENERAL FUND TOWN WIDE	\$132,047.03	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$132,047.03	\$0.00	
B000	GENERAL TOWN OUTSIDE	\$95,780.98	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$95,780.98	\$0.00	
DA00	HWY#3 / 4 - TOWN WIDE	\$147,474.14	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$147,474.14	\$0.00	
DB00	HWY#1 - TOWN OUTSIDE	\$5,993.53	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,993.53	\$0.00	
H000	CAPITAL PROJECTS	\$321,236.51	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$321,236.51	\$0.00	
SAR0	ADELAAR RESORT SEWER DISTRICT	\$4,928.34	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,928.34	\$0.00	
SHW0	HARRIS WOODS SEWER	\$1,350.88	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,350.88	\$0.00	
SL01	ROCK HILL LIGHTING	\$768.79	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$768.79	\$0.00	
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SL03	LAKE LOUISE MARIE	\$583.58	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$583.58	\$0.00	
SL04	PATIO HOMES LIGHTING	\$1,260.34	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,260.34	\$0.00	
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SL06	EMERALD GREEN LIGHTING	\$6,313.56	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6,313.56	\$0.00	
SL07	TREASURE LAKE LIGHTING	\$39.24	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$39.24	\$0.00	
SL08	CONGERO ROAD LIGHTING	\$122.90	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$122.90	\$0.00	
SL09	YESHIVA/KIAM. LIGHTING DISTRICT	\$1,033.49	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,033.49	\$0.00	
SL10	EMERALD CORP. PARK LD#10	\$361.19	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$361.19	\$0.00	
SL11	ADELAAR	\$704.07	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$704.07	\$0.00	
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SSG0	EMERALD GREEN SEWER	\$28,753.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$28,753.50	\$0.00	
SSH0	HARRIS SEWER DISTRICT	\$17,897.97	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$17,897.97	\$0.00	
SSK0	KIAMESHA SEWER DISTRICT	\$54,558.05	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$54,558.05	\$0.00	
SSM0	MELODY LAKE SEWER DISTRICT	\$2,713.81	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,713.81	\$0.00	
SSR0	ROCK HILL SEWER DISTRICT	\$12,586.04	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$12,586.04	\$0.00	
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SWA0	ADELAAR RESORT WATER DISTRICT	\$1,727.52	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,727.52	\$0.00	
SWC0	COLD SPRING WATER	\$1,315.32	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,315.32	\$0.00	
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SWK0	KIAMESHA RT42 WATER	\$50.64	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50.64	\$0.00	
SWL0	LUCKY LAKE WATER DISTRICT	\$3,221.61	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,221.61	\$0.00	
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T000	TRUST & AGENCY FUND	\$21,501.98	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$21,501.98	\$0.00	



Town of Thompson
Warrant Report

Grand Totals	\$894,735.55	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$894,735.55	\$0.00
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