

Minutes of an Organizational/Regular Meeting of the Town Board of the Town of Thompson held at the Town Hall, 4052 State Route 42, Monticello, New York and held remotely via Zoom on **January 03, 2022.**

ROLL CALL:

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

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

Present via Zoom: Kelly M. Murrin, Deputy Town Clerk
Karen Schaefer, Supervisor's Confidential Secretary

ANNUAL FISCAL YEAR 2023 ORGANIZATIONAL MEETING – CALL TO ORDER

Supervisor Rieber called the Organizational Meeting to order at 7:00 PM with the Pledge to the Flag. Marilee J. Calhoun, Town Clerk read the legal notice for the meeting, which was advertised in the Sullivan County Democrat on December 23rd & 27th, 2022 and she had an original affidavit of publication. Notice of said meeting was also posted on the Town Hall Bulletin Board and Official Town Website. This meeting was held in person and remotely via Videoconferencing streamed live on the Zoom app, which is accessible to the public. The meeting is also being recorded for full transcription purposes should it be required.

Supervisor Rieber and the Town Board welcomed the Participation in Government students to the meeting.

TOWN OF THOMPSON
2023 Organizational Agenda

The Following Resolution Was Duly Adopted: Res. No. 01 of the Year 2023.

Resolved that Robert's Rules of Order are hereby adopted as the parliamentary rules for Town of Thompson Town Board Meetings for the Year 2023.

Moved by: Councilman Mace

Seconded by: Councilman Pavese

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

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Marilee Calhoun, Town Clerk/Registrar hereby appoints Kelly Murrin as Deputy Registrar of Vital Statistics for the Year 2023.

The Following Resolution Was Duly Adopted: Res. No. 06 of the Year 2023.

Resolved, that the Town Board hereby designates that the Deputy Registrar of Vital Statistics shall serve without additional compensation for the year 2023.

Moved by: Councilman Schock
Meddaugh

Seconded by: Councilwoman

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

Marilee Calhoun, Town Clerk/Registrar hereby appoints Lorraine Parry and Thomas J. Kelly, Sub Registrars of Vital Statistics subject to NYS DOH approval. Lorraine Parry shall be compensated at the rate of \$50.00 per incident. Thomas J. Kelly shall serve without additional compensation for the year 2023.

The Following Resolution Was Duly Adopted: Res. No. 07 of the Year 2023.

Resolved, that Logan E. Morey, Eric Horton, Brian Benzenberg and James L. Carnell, Jr. are hereby appointed as Sanitary Aide Inspectors and Zoning Officers for the Town of Thompson for the year 2023 and shall serve without additional compensation.

Moved by: Councilman Mace
Meddaugh

Seconded by: Councilwoman

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

The Following Resolution Was Duly Adopted: Res. No. 08 of the Year 2023.

Resolved, that Jeffrey Weinstein, M.D. be and is hereby appointed as Health Officer for the Town of Thompson for the term of one year commencing January 01, 2023 at an annual salary of \$4,497.00.

Moved by: Councilman Schock
Meddaugh

Seconded by: Councilwoman

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

The Following Resolution Was Duly Adopted: Res. No. 09 of the Year 2023.

Resolved, that Nancy Marinchak be, and is hereby appointed Dog Control Officer for the Town of Thompson for the Year 2023 at an annual salary of \$44,279.31.

Moved by: Councilman Mace

Seconded by: Councilman Schock

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

Richard Benjamin Highway Superintendent for the Town of Thompson hereby appoints Todd Mitchell as Acting Deputy Superintendent of Highways for the year 2023.

Melinda S. Meddaugh	Councilwoman	\$20,095.30
Scott S. Mace	Councilman	\$20,095.30
Ryan T. Schock	Councilman	\$20,095.30
John A. Pavese	Councilman	\$20,095.30
Heather Berg	Receiver of Taxes	\$38,483.94
Richard L. Benjamin, Jr.	Superintendent of Highways	\$114,829.63
Marilee J. Calhoun	Town Clerk	\$74,915.59

Moved by: Councilman Mace
Meddaugh

Seconded by: Councilwoman

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

The Following Resolution Was Duly Adopted: Res. No. 22 of the Year 2023.

Resolved, that the following Banks or Depositories are hereby designated as those in which certain Town Officers shall deposit the monies coming into their hands by virtue of their offices:

- Key Bank of Southeastern New York – Liberty Offices
- Chase – Monticello Office
- M&T Bank – Monticello Office
- Wayne Bank – Monticello Offices
- Catskill Hudson Bank – Monticello Offices
- TD Bank – Monticello Office
- Jeff Bank – Monticello Offices
- NY Class, LLC

Moved by: Councilman Schock

Seconded by: Councilman Pavese

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

The Following Resolution Was Duly Adopted: Res. No. 23 of the Year 2023.

The Town Supervisor, Town Clerk, Receiver of Taxes and Assessments shall deposit all monies coming into their hands by virtue of their offices into banks as designated by the Town Board for the year 2023.

Moved by: Councilman Mace

Seconded by: Councilman Schock

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

The Following Resolution Was Duly Adopted: Res. No. 24 of the Year 2023.

Pursuant to General Municipal Law Section #10, the Town Board authorizes the Chief Fiscal Officer to deposit or invest idle monies not required for immediate expenditures in an interest-bearing account and in accordance with the Town’s adopted investment policy. Said monies should not exceed the maximum amount of \$20,000,000.00 (twenty million) in any one bank.

Moved by: Councilwoman Meddaugh

Seconded by: Councilman Schock

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

Nays 0

The Following Resolution Was Duly Adopted: Res. No. 25 of the Year 2023.

Resolved, that the Town Board does hereby approve as to form, manner, execution and sufficiency of sureties the bonds of the following Town Officials as designated in the Town's insurance policy.

<u>NAME AND OFFICE</u>	<u>AMOUNT</u>	<u>EXPIRATION</u>
All Town of Thompson Employees	\$100,000.00	05/01/2024
William J. Rieber, Jr. Supervisor	\$100,000.00	05/01/2024
Melissa DeMarmels Comptroller	\$100,000.00	05/01/2024
Marilee J. Calhoun Town Clerk	\$100,000.00	05/01/2024
Kelly M. Murran Deputy Town Clerk	\$100,000.00	05/01/2024
Thomas J. Kelly Deputy Town Clerk	\$100,000.00	05/01/2024
Sharon L. Jankiewicz Town Justice	\$100,000.00	05/01/2024
Richard S. Baum Town Justice	\$100,000.00	05/01/2024
Richard L. Benjamin, Jr. Superintendent of Highways	\$100,000.00	05/01/2024
Todd Mitchell Acting Deputy Superintendent of Highways	\$100,000.00	05/01/2024
Heather Berg Receiver of Taxes	\$1,000,000.00 (Jan. thru March) \$100,000.00 (April thru Dec.)	05/01/2024
Glenn Somers Town Park Superintendent	\$100,000.00	05/01/2024

Moved by: Councilman Schock
Meddaugh

Seconded by: Councilwoman

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

The Following Resolution Was Duly Adopted: Res. No. 26 of the Year 2023.

Resolved, that the accounting firm of Waschitz Pavloff CPA, LLP hereby be designated as the Auditors for the Town of Thompson at the annual fee not to exceed \$38,500.00 for the year 2023.

Moved by: Councilman Mace Seconded by: Councilman Schock
Vote: Ayes 5 Rieber, Meddaugh, Pavese, Schock and Mace
Nays 0

The Following Resolution Was Duly Adopted: Res. No. 27 of the Year 2023.

Resolved, that the Town of Thompson enter into an agreement with the Senior Citizens Club Monticello, Inc., funding thereof by the Town of Thompson in the amount of \$5,000.00 for the year 2023 and the Supervisor be and is hereby authorized to execute the same for and on behalf of the Town.

Moved by: Councilman Schock Seconded by: Councilwoman
Meddaugh
Vote: Ayes 5 Rieber, Meddaugh, Pavese, Schock and Mace
Nays 0

The Following Resolution Was Duly Adopted: Res. No. 28 of the Year 2023.

Resolved, that Town Officers and employees who are required to use their personal automobiles for Town business be, and shall be, reimbursed for the use of their said vehicles used on official Town business, upon presentation of the proper documentation mileage voucher for said use, shall be reimbursed at the rate of \$.655 cents per mile.

Moved by: Councilman Schock Seconded by: Councilwoman
Meddaugh
Vote: Ayes 5 Rieber, Meddaugh, Pavese, Schock and Mace
Nays 0

The Following Resolution Was Duly Adopted: Res. No. 29 of the Year 2023.

Resolved, that all Town of Thompson employees shall be reimbursed for meals and incidentals on a per diem basis, of which the per diem reimbursement rates for meals and incidentals in 2023 shall be in accordance with U.S. General Services Administration's Fiscal Year 2023 Per Diem Rates (Standard Rate) for the area the employee is attending: <https://www.gsa.gov/travel/plan-book/per-diem-rates>.

Moved by: Councilman Schock Seconded by: Councilman Mace
Vote: Ayes 5 Rieber, Meddaugh, Pavese, Schock and Mace
Nays 0

The Following Resolution Was Duly Adopted: Res. No. 30 of the Year 2023.

Resolved, that the 2023 Road Maintenance Program as proposed by Highway Superintendent Richard L. Benjamin, Jr. be, and is hereby approved for the expenditure of funds as adopted in the 2023 approved budget under Repairs, Maintenance and Improvements. The total amount appropriated in the 2023 Budget is \$3,566,773.00.

Moved by: Councilman Schock
Meddaugh

Seconded by: Councilwoman

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

The Following Resolution Was Duly Adopted: Res. No. 31 of the Year 2023.

Resolved, that the following categories of charges may be paid upon authorization of the Comptroller and Town Supervisor prior to being audited and/or obtaining Board approval:

- (a) Electric Utility Invoices
- (b) Telephone Invoices
- (c) Federal and State Agencies for permits, fees, etc.
- (d) Sullivan County Clerk's Office: Filing fees
- (e) Insurance Premiums
- (f) Postage, freight and express charges
- (g) Bond or note Payments (Debt & Interest)
- (h) Charter Communications
- (i) Payroll liabilities
- (j) Garbage Refuse & Recycling Removal
- (k) Any payables to government agencies
- (l) Registration Fees

Moved by: Councilman Mace

Seconded by: Councilman Schock

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

The Following Resolution Was Duly Adopted: Res. No. 32 of the Year 2023.

Resolved, that the Town Board hereby authorizes interfund loans from "A" fund to "T" fund to prefund payroll withdrawals in amounts to be determined by the Comptroller and Town Supervisor. Any prefund amount remaining in T fund will be paid back to A fund by year end.

Moved by: Councilwoman Meddaugh

Seconded by: Councilman Schock

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

The Following Resolution Was Duly Adopted: Res. No. 33 of the Year 2023.

Resolved, that the Town Board hereby designates the Supervisor to pre-approve the attendance at conferences and training seminars by ALL Town Employees which must be submitted to the Supervisor on the standard conference/training request forms.

Moved by: Councilwoman Meddaugh

Seconded by: Councilman Mace

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

Be it Resolved, that the following rates be established for the annual billing of water rents for the 2023 fiscal year within each district as follows: Interest and penalties will be at the rate of 5% over thirty-days, and ½ of 1% for each month thereafter

District Name	O&M Rate per point	Capital Rate per point
Lucky Lake Water		\$50.35 \$.00
Dillon Water		\$54.99 .00
Cold Spring Water	\$33.01	.00
Route 42/Kiamesha Water	\$0.144 per thousand cubic ft.	.00
Cold Spring Water District		
Extension Parcels	\$33.01	\$3.02
Melody Lake Water	\$60.36	\$14.05
Moved by: Councilman Mace		Seconded by: Councilman Schock
Vote: Ayes 5 Rieber, Meddaugh, Pavese, Schock and Mace		
Nays 0		

The Following Resolution Was Duly Adopted: Res. No. 39 of the Year 2023.

Resolved, that the Town of Thompson hereby charge the following fees for the Year 2023:

Returned Check Fees	\$25.00
Photo Copies (General)	\$.50
Photo Copies (FOIL)	\$.25
Assessor’s Mailing Labels for General Public	\$.04 each
Labels provided to taxing entities of the Town	\$.0250
Moved by: Councilwoman Meddaugh Seconded by: Councilman Schock	
Vote: Ayes 5 Rieber, Meddaugh, Pavese, Schock and Mace	
Nays 0	

The Following Resolution Was Duly Adopted: Res. No. 40 of the Year 2023.

Resolved that Bryan Kaplan be hereby appointed Part-Time Prosecutor for the Town of Thompson for the year 2023 to handle Town of Thompson Traffic Court at an Annual Salary of **\$23,607.92.**

Moved by: Councilwoman Meddaugh Seconded by: Councilman Mace
 Vote: Ayes 5 Rieber, Meddaugh, Pavese, Schock and Mace
 Nays 0

The Following Resolution Was Duly Adopted: Res. No. 41 of the Year 2023.

Resolved that David Rasnick and Javier Corona hereby be appointed as the Court Officers in the Town of Thompson Justice Court as required by the Town Justices at an hourly rate of **\$21.74 per hour.** Said appointment shall be at the pleasure of the Town Board.

Moved by: Councilman Mace Seconded by: Councilman Schock
 Vote: Ayes 5 Rieber, Meddaugh, Pavese, Schock and Mace
 Nays 0

The Following Resolution Was Duly Adopted: Res. No. 42 of the Year 2023.

Moved by: Councilman Schock

Seconded by: Councilman Mace

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

Nays 0

The Following Resolution Was Duly Adopted: Res. No. 66 of the Year 2023.

Resolved, that the following shall be the process for auditing and paying invoices other than pre-pays.

- Invoices are to be checked and authorized by department heads
- Invoices are to be checked and entered by the bookkeeping staff who will then prepare vouchers for each vendor and prepare a warrant.
- Warrants shall be presented to the Town Board for approval for payment at a Board meeting
- The Comptroller shall review the approved warrant. The Comptroller is authorized to remove or reduce any item from the warrant that is deemed appropriate, reducing the amount of the warrant. Minor clerical changes are authorized as long as the amount on the warrant is not exceeded. The Comptroller is not authorized to exceed any amount for any invoice on the warrant that the Town Board approved for any reason. The Comptroller shall sign each voucher approving same. Actual or electronic signature is permitted.
- When the Comptroller has completed her review checks will be authorized, within the bookkeeping system, for printing.
- The Town Supervisor or other authorized signatory shall check the invoices, initial the vouchers and sign the checks and release same to vendors.
- The Town Board member responsible for auditing payments shall review all payments, which have been made and initial the attached vouchers within a reasonable time, but no later than the next Town Board meeting. If there are any issues found the board member shall immediately inform the Comptroller, bookkeeper and/or Town Supervisor.

Moved by: Councilman Mace

Seconded by: Councilman Schock

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

Nays 0

Supervisor Rieber hereby establishes a Supplemental Audit Committee comprised of Councilpersons –Scott S. Mace, John A. Pavese and Ryan T. Schock. They shall review and audit all bills to be paid. One Councilperson shall be responsible for auditing on a monthly basis; responsibility shall rotate equally between the three.

REGULAR MEETING – CALL TO ORDER

Supervisor Rieber opened the meeting at 7:38 PM with the Pledge to the Flag. This meeting was held in person and remotely via Videoconferencing streamed live on the Zoom app, which is accessible to the public. The meeting is also being recorded for full transcription purposes should it be required.

**PUBLIC HEARING: PROPOSED LOCAL LAW # 05 OF 2022 – AMEND/REPLACE
CHAPTER 113, ARTICLE VI OF TOWN CODE – “BUILDING CODE
ADMINISTRATION AND ENFORCEMENT”**

Supervisor Rieber opened the Public Hearing at 7:39 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 December 27, 2022 with same being posted at the Town Hall and Town Website on December 09, 2022.

**TOWN OF THOMPSON
NOTICE OF PUBLIC HEARING
ON PROPOSED LOCAL LAW**

NOTICE IS HEREBY GIVEN that there has been duly introduced at a meeting of the Town Board of the Town of Thompson, New York, held on December 06, 2022, a proposed Local Law No. 05 of 2022, entitled "A Local Law amending and replacing, in its entirety, Chapter 113, Article VI of the Town of Thompson Code, entitled “Building Code Administration and Enforcement”.

NOTICE IS FURTHER GIVEN that the Town Board of the Town of Thompson will conduct a Public Hearing on the aforesaid proposed Local Law at the Town Hall, 4052 Route 42, Monticello, New York, on January 03, 2023 at 7:00 P.M., or as soon thereafter as said Public Hearing shall be convened, at which time all persons interested will be heard.

Copies of the Local Law described above are on file in the office of the Town Clerk of the Town of Thompson, where the same are available to public inspection during regular office hours.

PLEASE TAKE FURTHER NOTICE, that all interested persons will be given an opportunity to be heard on said proposed Local Law at the place and time aforesaid.

NOTICE IS HEREBY GIVEN, pursuant to the requirements of the Open Meetings Law of the State of New York, that the Town Board of the Town of Thompson will convene in public meeting at the place and time aforesaid for the purpose of conducting a Public Hearing on the proposed Local Law described above and, as deemed advisable by said Board, taking action on the enactment of said Local Law.

Dated: December 06, 2022

BY ORDER OF THE TOWN BOARD
TOWN OF THOMPSON
MARILEE J. CALHOUN, TOWN CLERK

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Supervisor Rieber and Director Carnell explained the purpose of Proposed Local Law No. 5 of 2022. The Proposed Local Law is to amend/replace Chapter 113, Article VI of the Town Code entitled "Building Code Administration and Enforcement" to conform with NY State Code Regulations/Uniform NYS Building Code Regulations.

Supervisor Rieber asked if the Board had any comments. The Board had no comments.

Supervisor Rieber asked if anyone from the public would like to be heard on this matter. There were no public comments.

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 7:41 PM was made by Councilman Schock and seconded by Councilwoman Meddaugh.

The regular meeting was reconvened at 7:42 PM.

MONTHLY REPORT FOR DECEMBER 2022 RECEIVED AND FILED

Dog Control Officer's Report

APPROVAL OF MINUTES:

On a motion made by Councilman Pavese and seconded by Councilwoman Meddaugh the minutes of the December 20th, 2022 Regular Town Board Meeting were approved as presented.

Vote: Ayes 4 Rieber, Pavese, Meddaugh and Mace

Nays 0

Abstained 1 Schock

PUBLIC COMMENT:

Mr. Len Bernardo of Rock Hill, provided two comments regarding agenda item #9 as follows: 1) Asked for further explanation to public on Permissive Referendum process. 2) He asked for clarification of the sewer system blockages/improvements on Crescent View & Crescent Circle area. Supt. Messenger and Supt. Benjamin both replied to his comment. Supt. Benjamin said that the blockage was related to a storm sewer/culvert pipe and catch basin issue, which has been temporarily repaired until replacement in spring. Supt. Messenger advised that regarding the improvements, he has been in contact with the Engineers and NYS EFC to proceed with project. Supervisor Rieber said that it is moving along.

CORRESPONDENCE:

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

- **Julio Garaicoechea, Project Manager, SC IDA:** 2023 Distribution of PILOT Payments #1 – Check #2231, \$8,001.29 (Nonni’s Acquisition Company, Inc.).
- **NYS Dept. of Taxation & Finance:** Check #09078838 dated 12/20/22, payable to Town of Thompson in amount of \$64,261.90 for NYS DOT PAVENY-2022 Program & WIRP-2021 Extreme Weather Reimbursement Funding.
- **NYS Dept. of Taxation & Finance:** Check #09081309 dated 12/21/22, payable to Town of Thompson in amount of \$12,854.65 for NYS DOT WIRP-2022 Extreme Weather Reimbursement Funding Program.

AGENDA ITEMS:

1) RESOLUTION TO ENACT PROPOSED LOCAL LAW NO. 05 OF 2022 – AMEND/REPLACE CHAPTER 113, ARTICLE VI OF TOWN CODE ENTITLED “BUILDING CODE ADMINISTRATION AND ENFORCEMENT” (ADOPTED AS LOCAL LAW NO. 01 OF 2023)

The Following Resolution Was Duly Adopted: Res. No. 67 of the Year 2023.

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 January 03, 2023

RESOLUTION TO ENACT LOCAL LAW NO. 01 of 2023

WHEREAS, proposed Local Law No. 05 of the year 2022 entitled, "A Local Law amending and replacing, in its entirety, Chapter 113, Article VI of the Town of Thompson Code, entitled “Building Code Administration and Enforcement” was introduced to the Town Board at a meeting held December 06, 2022, at the Town Hall, Monticello, New York, to consider said proposed Local Law and Notice of Public Hearing having been duly published and posted as required by law, and said Public Hearing having been held and all persons appearing at said Public Hearing deeming to be heard having been heard, and

WHEREAS, said Local Law was duly adopted after a Public Hearing.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Thompson, New York, does hereby enact and adopt Local Law No. 01 for the year 2023, Town of Thompson, State of New York, which Local Law is annexed hereto and made a part hereof.¹

¹ ATTACHMENT: COPY OF ENACTED LOCAL LAW NO. 01 OF 2023.

Moved by: Councilman Scott S. Mace

Seconded by: Councilman John A. Pavese

Adopted on Motion January 03, 2023

Supervisor WILLIAM J. RIEBER, JR.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Councilman SCOTT S. MACE	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Councilman JOHN A. PAVESE	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Councilwoman MELINDA S. MEDDAUGH	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Councilman RYAN T. SCHOCK	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

2) APPROVE OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS FOR 2023
The Following Resolution Was Duly Adopted: Res. No. 68 of the Year 2023.

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 January 03, 2023

RESOLUTION TO APPROVE OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS

WHEREAS, it is required by law that the Town Board approve the Official Undertaking as to its form and manner of execution and the sufficiency of the insurance; and

WHEREAS, the Town Board of the Town of Thompson hereby requires the Supervisor, Town, Clerk, Receiver of Taxes, Town Justices, Town Comptroller and Highway Superintendent to execute said Official Undertaking as required by said law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Thompson approve the document entitled “Town of Thompson Official Undertaking of Municipal Officers” as to its form and manner of execution and the sufficiency of the insurance, and

BE IT FURTHER RESOLVED, that said Official Undertaking containing the notarized signatures of those named municipal officials be filed in the Office of the Town Clerk, as well as the original copies of the insurance policies indicating the sufficiency of the sureties to indemnify the Town against losses which may arise from failure of such officials to properly discharge their duties.

Moved by: Councilman Ryan T. Schock
Seconded by: Councilman John A. Pavese

Adopted the 3rd, day of January, 2023.

The members of the Town Board voted as follows:

1. The Town Board of the Town of Thompson, by Resolution duly adopted at a regular meeting thereof, held on the 3rd day of January, 2023, did determine that Extension No. 2 of the Consolidated Rock Hill-Emerald Green Sewer District in the Town of Thompson, 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 3rd day of January, 2023.

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 proposed extension of the Consolidated Rock Hill-Emerald Green Sewer District enables Avon Commercial Park at Rock Hill Towne Center to become part of the said district and to use the facilities of the Consolidated Rock Hill-Emerald Green Sewer Treatment Plant for the disposal of its sewage, the cost thereof being borne solely by the said property owners.

5. The basis for the negative declaration is as follows: that the administration and operation and maintenance of the sewer facilities and the use thereof by Avon Commercial Park at Rock Hill Towne Center will not violate any of the criteria for determining environmental significance as set forth in Part 617 of the Regulations.

Dated: Monticello, New York
January 03, 2023

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

Motion by: Councilman Ryan T. Schock
Seconded by: Councilwoman Melinda S. Meddaugh

The Members voted on the forgoing Resolution as follows:

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

**B) RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO
PROPOSED EXTENSION**

The Following Resolution Was Duly Adopted: Res. No. 77 of the Year 2023.

RESOLUTION DATED JANUARY 03, 2023.

A RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO PROPOSED EXTENSION NO. 2 OF THE CONSOLIDATED ROCK HILL-EMERALD GREEN SEWER 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 a general Map, Plan and Report to be prepared and filed in the office of the Town Clerk of said Town in relation to the proposed Extension No. 2 of the Consolidated Rock Hill-Emerald Green Sewer District in said Town; and

WHEREAS, an Order was duly adopted by said Town Board on September 20, 2022, reciting a description of the boundaries of 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 said map, plan and report were on file in the Town Clerk's Office for public inspection and specifying the 18th day of October, 2022, at 7:00 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 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 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 proposed district are benefitted thereby;
- c) All the property and property owners benefitted are included within the limits of said proposed district;
- d) The establishment of said proposed district is in the public interest;
- e) That the average annual cost for a typical single-family residence would be *Five Hundred Ninety-Eight and 80/100 (\$598.80) Dollars*; and
- 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 Ryan T. Schock

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
Scott S. Mace	VOTING	Aye
John A. Pavese	VOTING	Aye
Melinda S. Meddaugh	VOTING	Aye
Ryan T. Schock	VOTING	Aye

The resolution was thereupon declared duly adopted.

* * * * *

C) RESOLUTION APPROVING EXTENSION NO. 2 SUBJECT TO PERMISSIVE REFERENDUM

The Following Resolution Was Duly Adopted: Res. No. 78 of the Year 2023.

RESOLUTION DATED JANUARY 03, 2023

A RESOLUTION APPROVING EXTENSION NO. 2 OF THE CONSOLIDATED ROCK HILL-EMERALD GREEN SEWER DISTRICT IN THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK, AND FURTHER APPROVING THE CONSTRUCTION OF THE IMPROVEMENTS PROPOSED THEREFOR.

WHEREAS, the Town Board of the Town of Thompson, Sullivan County, New York, has heretofore duly caused a general Map, Plan and Report to be prepared and filed with the Town Board of said Town in relation to Extension No. 2 of the Consolidated Rock Hill-Emerald Green Sewer District in said Town; and

WHEREAS, an Order was duly adopted by said Town Board on September 20, 2022, 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 said Map, Plan and Report were on file in the Town Clerk's Office for public inspection, and specifying October 18, 2022 at 7:00 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 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, following said Public Hearing and based upon the evidence given thereat, said Town Board duly adopted a Resolution determining in the affirmative all of the questions set forth in subdivision 1 of Section 209-e of the Town Law; and

WHEREAS, it is now desired to adopt a further Resolution pursuant to subdivision 2(b) of Section 209-e of the Town Law approving the establishment of said district and the construction of the improvements proposed therefor; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Thompson, Sullivan County, New York, as follows:

Section 1. Extension No. 2 of the Consolidated Rock Hill-Emerald Green Sewer District in the Town of Thompson, Sullivan County, New York, to be bounded and described as hereinafter set forth, is hereby approved and authorized. The improvement proposed for said Consolidated Sewer District as extended, consisting of providing a means by which Avon Commercial Park at Rock Hill Towne Center (T/O Thompson Tax Map Parcel #'s 32-1-6, 32-1-7, 32-1-9.2 and 32-1-10) may obtain sewer service by becoming part of the said Consolidated Rock Hill-Emerald Green Sewer District, is likewise approved and authorized. The entire amount to be expended for such improvement, including, but not limited to costs of construction, engineering, administrative and

legal fees, shall be borne solely and entirely by the said landowners, namely Avon Commercial Park at Rock Hill Towne Center. Annual charges shall be on a user consumption basis or such other method as the Town Board of the Town of Thompson shall determine by Resolution.

Section 2. Said District shall be bounded and described as more particularly set forth in Schedule A annexed hereto and made a part hereof.

Section 3. After the 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 4. This Resolution is adopted subject to a permissive referendum.

Motion by: Councilman Ryan T. Schock

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
Scott S. Mace	VOTING	Nay
John A. Pavese	VOTING	Aye
Melinda S. Meddaugh	VOTING	Nay
Ryan T. Schock	VOTING	Aye

The resolution was thereupon declared duly adopted.

SCHEDULE A

DESCRIPTION OF DISTRICT EXTENSION

Rock Hill/Emerald Green Sewer District Ext. No. 1

August 2022

Beginning at a point on the bounds of the Rock Hill/Emerald Green Sewer District, being the northerly bounds of Rock Hill Drive (Town Road No. 51); Thence

1. Westerly, 973 feet more or less, along the northerly bounds of Rock Hill Drive, to a point, being the southeasterly corner of tax map parcel 32.-1-1; thence
2. Northeasterly and Easterly, 410 feet more or less along the common boundary of tax map parcel 32.-1-10 and tax map parcel 32.-1-11 to a point; thence
3. Northerly, 3,675 feet more or less, along the easterly boundary of tax map parcel 32.-1-10 to a point, said point being the northeast corner of tax map parcel 32.-1-10; thence
4. Westerly, 2,250 feet more or less, along the Northerly boundary of tax map parcels 32.-1-10, 32.-1-9.2, 32.-1-7 and 32.-1-6 to a point, said point being the northwest corner of tax map parcel 32.-1-6; thence
5. Southerly, 2,800 feet more or less, along the western boundary of tax map parcel 32.-1-6, to a point on the northerly boundary of the Rock Hill Drive R.O.W; thence
6. Southeasterly, 1,550 feet more or less, along the R.O.W. bounds of Rock Hill Drive to a point, said point being the southeast corner of tax map parcel 32.-1-7 and the southwest corner of tax map parcel 32.-1-8.2; thence
7. Northerly, easterly and southerly, 1,100 feet more or less, along the boundary of tax map parcels 32.-1-8.2 and 32.-1-8.1 to a point on the northerly R.O.W. of Rock Hill Drive; thence
8. Southeasterly, 179 feet more or less along the northerly R.O.W. of Rock Hill Drive to a point, said point being the southwesterly corner of tax map parcel 32.-1-9.1; thence
9. Northerly, easterly and southerly, 550 feet more or less, along the boundary of tax map parcel 32.-1-9.1 to a point on the northerly bounds of the Rock Hill Drive R.O.W.; thence
10. Southerly, 50 feet more or less, across Rock Hill Drive on a line perpendicular to the centerline of Rock Hill Drive, to a point on the southerly bounds of the Rock Hill Drive R.O.W.; thence
11. Southeasterly, 1,075 feet more or less, along the southerly boundary of Rock Hill Drive R.O.W. to a point on the western boundary of the Rock Hill/Emerald Green Sewer District; thence
12. Northerly, 50 feet more or less, across Rock Hill Drive on a line perpendicular to the center line of Rock Hill Drive to a point, said point being the point of beginning, containing 177 acres more or less.

10) HIGHWAY DEPARTMENT – PLANNED ROAD IMPROVEMENT PROGRAM FOR FISCAL YEAR 2023

Highway Superintendent Richard L. Benjamin, Jr. submitted a list of the planned road improvements for the year 2023 construction season. The number of roads improved can change due to weather, damages, scheduling, CHIPS Funding and the cost of materials. For informational purposes a copy of the list can be found appended to these minutes.³

³ ATTACHMENT: 2023 PLANNED HIGHWAY/ROAD IMPROVEMENT LIST

**11) PARKS & RECREATION DEPARTMENT: CONTINUED REVIEW & DISCUSSION
– PROPOSED YMCA CONTRACT PROPOSAL FOR 2023 SUMMER YOUTH DAY
CAMP PROGRAM**

Councilwoman Meddaugh reviewed 2021 & 2022 contracts to compare to this year's proposed 2023 contract. She explained some of the differences in the proposed contract vs. the prior contracts. Differences result in increased charges, increase insurance fees originally not charged, additional Director positions, increase in extended stay, increase in staffing, administration costs and additional swimming lessons program are some of the changes being proposed. Discussion ensued regarding this matter and no action was taken at this time.

12) BILLS OVER \$2,500.00 – HIGHWAY DEPARTMENT

The Following Resolution Was Duly Adopted: Res. No. 79 of the Year 2023.

Resolved, that the following bills over \$2,500.00 for the Highway Department be approved for payment as follows:

American Hydraulics

\$5,880.16 Total Cost

Invoice # 227706 – Rebuild pump on Dynapac Roller
(Procurement: Vehicle & Equipment Replacement Parts Bid, Res. No. 150 of 2022, Adopted on 03/15/2022.)

Moved by: Councilman Mace

Seconded by: Councilman Schock

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

Nays 0

12) BILLS OVER \$2,500.00 – WATER & SEWER DEPARTMENT

The Following Resolution Was Duly Adopted: Res. No. 80 of the Year 2023.

Resolved, that the following bills over \$2,500.00 for the Water & Sewer Department be approved for payment as follows:

Slack Chemical Co., Inc.

\$4,858.00 Total Cost

Invoice # 448648 – Purchase of 1,800 lbs. of Sta Flocc 8827 polymer for the Kiamesha Wastewater Treatment Facility.
(Procurement: Sole Source Procurement.)

Moved by: Councilman Schock

Seconded by: Councilwoman Meddaugh

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

Nays 0

13) BUDGET TRANSFERS & AMENDMENTS

There were no budget transfers or amendments.

14) ORDER BILLS PAID

The Following Resolution Was Duly Adopted: Res. No. 81 of the Year 2023.

Resolved, that all regular bills for the course of the month, which have been properly audited be approved for payment. A complete list of the regular bills as identified can be found appended to these minutes as per attached. ⁴

Moved by: Councilman Pavese Seconded by: Councilwoman Meddaugh
Vote: Ayes 5 Rieber, Pavese, Schock, Meddaugh and Mace
 Nays 0

OLD BUSINESS

There was no old business reported on.

NEW BUSINESS

1) REVIEW & ACCEPT SETTLEMENT OFFER: ADELAAR LIGHTING DISTRICT – CLAIM FOR LIGHT POLE DAMAGE IN THE AMOUNT OF \$17,280.16 DUE TO MVA ON 10/31/2022 AND AUTHORIZE SUPT. MESSENGER TO EXECUTE NECESSARY DOCUMENTS

The Following Resolution Was Duly Adopted: Res. No. 82 of the Year 2023.

Resolved, that the Town Board of the Town of Thompson hereby accepts the settlement offer of Total Recovery Resources and Coordination (TRRAC) in the amount of \$17,280.16 for reimbursement of property damage to a Light Pole and Fixture in the Adelaar Lighting District occurring on or about October 31st, 2022 at or near Resorts World Drive, Monticello involving (? Insurance Company). Further Be It Resolved, that Superintendent Messenger hereby be authorized to execute the Property Damage Release to accept said offer.

Motion by: Councilman Pavese Seconded by: Councilman Schock
Vote: Ayes 5 Rieber, Pavese, Schock, Meddaugh and Mace
 Nays 0

2) TAX CERTIORARI SETTLEMENT: JP MORGAN CHASE BANK – SBL # 116-1-1 (2020 FROM \$625,000.00 TO \$462,500.00), (2021 FROM \$625,000.00 TO \$447,000.00) & (2022 FROM \$625,000.00 TO \$385,000.00)

The Following Resolution Was Duly Adopted: Res. No. 83 of the Year 2023.

January 03, 2023

Res. No. 454/2023

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

WHEREAS, JP Morgan Chase Bank has instituted proceedings under Article 7 of the Real Property Tax Law to review the assessment of Tax Map Parcel 116-1-1 and which proceedings are pending in the Supreme Court of the State of New York, County of Sullivan,

⁴ ATTACHMENT: ORDER BILLS PAID

under Index Nos. E2020-888, E2021-1143 and E2022-1181; and

WHEREAS, the parties have appeared through counsel, to wit, Michael B. Mednick, Esq. on behalf of Respondents, and Henry Lacap, Esq. of the law firm of Janata, Lacap & Hazen, LLP, 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 **2020** assessment, to wit, a reduction in the assessment of Petitioner's real property, **SBL 116-1-1** from \$625,000.00 to \$462,500.00; and

WHEREAS, the proposed settlement will also result in a fair and equitable resolution of the complaint with respect to Petitioner's **2021** assessment, to wit, a reduction in the assessment of Petitioner's real property, **SBL 116-1-1** from \$625,000.00 to \$447,000.00; and

WHEREAS, the proposed settlement will also result in a fair and equitable resolution of the complaint with respect to Petitioner's **2022** assessment, to wit, a reduction in the assessment of Petitioner's real property, **SBL 116-1-1** from \$625,000.00 to \$385,000.00; and

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 proceedings.

Moved by: Councilman Scott S. Mace
Seconded by: Councilman Ryan T. Schock

and a roll call vote thereon as follows:

<i>Supervisor WILLIAM J. RIEBER, JR.</i>	<i>Voting</i>	<i>Aye</i>
<i>Councilman SCOTT S. MACE</i>	<i>Voting</i>	<i>Aye</i>
<i>Councilman JOHN A. PAVESE</i>	<i>Voting</i>	<i>Aye</i>
<i>Councilwoman MELINDA S. MEDDAUGH</i>	<i>Voting</i>	<i>Aye</i>
<i>Councilman RYAN T. SCHOCK</i>	<i>Voting</i>	<i>Aye</i>

REPORTS: SUPERVISOR, COUNCILMEN, & DEPARTMENT HEADS

Supervisor William J. Rieber, Jr.

- Hudson Valley Patterns for Progress Meeting that he attended last week in Orange County.

Deputy Administrator Patrice Chester

- The 2023 Winter Youth Program Registration has started and is doing well.

PUBLIC COMMENT

Mr. Len Bernardo of Rock Hill provided additional comments regarding agenda item #9, he said he is just trying to understand the project. He is for business, but there should be an estimated usage prior to proceeding with extension. You need to know the type of business proposed prior to granting approvals.

Ms. Marcie Wild of Rock Hill read a statement via Zoom that was provided to her by an anonymous individual experienced in sewer systems. The statement read took approximately 2-minutes regarding septic systems relevant to agenda item #9. She stated that she wanted the statement on the record. A copy of said statement was not provided as part of the record. If statement is provided it will be attached to these minutes and made part of the record.

ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION

- 01/17/23 at 7PM: Regular Town Board Meeting.

EXECUTIVE SESSION

On a motion made by Councilwoman Meddaugh and seconded by Councilman Schock the Town Board entered Executive Session at 8:19 PM with Attorney Mednick, Comptroller DeMarmels, Deputy Administrator Chester and Superintendent Messenger to discuss several Personnel Matters.

The Zoom Livestream Videoconferencing connection was disconnected.

Executive Session was held.

On a motion made by Councilwoman Meddaugh and seconded by Councilman Pavese the Town Board returned from Executive Session at 8:50 PM. There was no further action taken.

ADJOURNMENT

On a motion made by Councilman Pavese and seconded by Councilman Schock the meeting was adjourned at 8:51 PM. All board members voted in favor of adjourning the meeting.

The Zoom Livestream Videoconferencing connection was disconnected.

Respectfully Submitted By:

Marilee J. Calhoun

Marilee J. Calhoun, Town Clerk

(Use this form to file a local law with the Secretary of State)

REV2002

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Local Law No. 01 of 2023

A local law amending and replacing, in its entirety, Chapter 113, Article VI of the Town of Thompson Code, entitled 'Building Code Administration and Enforcement'."

Be it enacted by the Town Board of the Town of Thompson

1. Chapter 113, Article VI of the Code of the Town of Thompson entitled "Building Code Administration and Enforcement" is hereby amended and replaced as follows:

§113-37. PURPOSE AND INTENT

This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in the Town of Thompson. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law.

Except as otherwise provided in the Uniform Code, the Energy Code, other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions this local law.

§113-38. DEFINITIONS

In this local law, the following terms shall have the meanings shown in this section:

"*Assembly Area*" shall mean an area in any building, or in any portion of a building, that is primarily used or intended to be used for gathering fifty or more persons for uses including, but not limited to, amusement, athletic, entertainment, social, or other recreational functions; patriotic, political, civic, educational, or religious functions; food or drink consumption; awaiting transportation; or similar purposes.

"*Building Permit*" shall mean a building permit, construction permit, demolition permit, or other permit that authorizes the performance of work. The term "Building Permit" shall also include a Building Permit which is renewed, amended, or extended pursuant to any provision of this local law.

"*Certificate of Compliance*" shall mean a document issued by the Town of Thompson stating that work was done in compliance with approved construction documents and the Codes.

"Certificate of Occupancy" shall mean a document issued by the Town of Thompson certifying that the building or structure, or portion thereof, complies with the approved construction documents that have been submitted to, and approved by the Town of Thompson, and indicating that the building or structure, or portion thereof, is in a condition suitable for occupancy.

"Code Enforcement Officer" shall mean the Code Enforcement Officer appointed pursuant to subdivision B of Section 113-39 of this local law.

"Code Enforcement Personnel" shall include the Code Enforcement Officer and all Inspectors.

"Codes" shall mean the Uniform Code and Energy Code.

"Energy Code" shall mean the New York State Energy Conservation Construction Code adopted pursuant to Article 11 of the Energy Law.

"FCNYS" shall mean the 2020 Fire Code of New York State as currently incorporated by reference in 19 NYCRR Part 1225.

"Fire Safety and Property Maintenance Inspection" shall mean an inspection performed to determine compliance with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference.

"Hazardous Production Materials" shall mean a solid, liquid, or gas associated with semiconductor manufacturing that has a degree-of-hazard rating in health, flammability, or instability of Class 3 or 4, as ranked by NFPA 704 (Standard Systems for Identification of the Hazards of Materials for Emergency Response), and which is used directly in research, laboratory, or production processes which have, as their endproduct, materials that are not hazardous.

"Inspector" shall mean an inspector appointed pursuant to subdivision D of Section 113-39 of this local law.

"Mobile Food Preparation Vehicles" shall mean vehicles that contain cooking equipment that produces smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

"*Operating Permit*" shall mean a permit issued pursuant to Section 113-46 of this local law. The term "Operating Permit" shall also include an Operating Permit which is renewed, amended, or extended pursuant to any provision of this local law.

"*Order to Remedy*" shall mean an order issued by the Code Enforcement Officer pursuant to subdivision A of Section 113-53 of this local law.

"*Permit Holder*" shall mean the Person to whom a Building Permit has been issued.

"*Person*" shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

"*PMCNYS*" shall mean the 2020 Property Maintenance Code of New York State as currently incorporated by reference in 19 NYCRR Part 1226.

"*RCNYS*" shall mean the 2020 Residential Code of New York State as currently incorporated by reference in 19 NYCRR Part 1220.

"*Repair*" shall mean the reconstruction, replacement, or renewal of any part of an existing building for the purpose of its maintenance or to correct damage.

"*Stop Work Order*" shall mean an order issued pursuant to section 6 of this local law.

"*Sugarhouse*" shall mean a building used, in whole or in part, for the collection, storage, or processing of maple sap into maple syrup and/or maple sugar.

"*Temporary Certificate of Occupancy*" shall mean a certificate issued pursuant to subdivision D of Section 113-43 of this local law.

"*Town*" shall mean the Town of Thompson.

"*Uniform Code*" shall mean the New York State Uniform Fire Prevention and Building Code, Subchapter A of Chapter XXXIII of Title 19 of the NYCRR, adopted pursuant to Article 18 of the Executive Law.

§113-39. CODE ENFORCEMENT OFFICER AND INSPECTORS

A. The Office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code, and this local law. The Code Enforcement Officer shall have the following powers and duties:

(1) to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and the plans, specifications, and construction documents submitted with such applications;

(2) upon approval of such applications, to issue Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and to include in terms and conditions as the Code Enforcement Officer may determine to be appropriate Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits;

(3) to conduct construction inspections; inspections to be made prior to the issuance of Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits; fire safety and property maintenance inspections; inspections incidental to the investigation of complaints; and all other inspections required or permitted under any provision of this local law;

(4) to issue Stop Work Orders;

(5) to review and investigate complaints;

(6) to issue orders pursuant to subdivision A of Section 113-53 (Violations) of this local law;

(7) to maintain records;

(8) to collect fees as set by the Town Board of the Town of Thompson;

(9) to pursue administrative enforcement actions and proceedings;

(10) in consultation with the Town Attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code, and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code, or this local law; and

(11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.

B. The Code Enforcement Officer shall be appointed by the Town Board to serve at the pleasure of said Board at a compensation to be fixed by the Town Board. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

C. In the event that the Code Enforcement Officer is unable to serve as such for any reason, another individual shall be appointed by the Town Board to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of their appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.

D. One or more Inspectors may be appointed by the Town Board to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and each Inspector shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

E. The Inspector may not engage in any activity inconsistent with his duties for the Town, nor during the time of his employment shall he be engaged, directly or indirectly, in any building business, furnishing of labor, material or equipment for the construction, alteration or maintenance of a building, or the preparation of plans or specifications thereof, within the Town of Thompson, except only that this provision shall not prohibit such inspector from such activities in connection with the construction of a building or structure owned by him.

§113-40. BUILDING PERMITS.

A. Building Permits Required. Except as otherwise provided in subdivision B of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation, or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney, or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Town of Thompson.

B. Exemptions. No Building Permit shall be required for work in any of the following categories:

(1) construction or installation of one-story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses), which are used for tool and storage sheds, playhouses, or similar uses, provided the gross floor area does not exceed 144 square feet (13.38 square meters);

(2) Construction of temporary sets and scenery associated with motion picture, television, and theater uses;

(3) installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);

- (4) Installation of partitions or movable cases less than 5'-9" in height;
- (5) painting, wallpapering, tiling, carpeting, or other similar finish work;
- (6) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;
- (7) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or
- (8) repairs, provided that the work does not have an impact on fire and life safety, such as (i) any part of the structural system; (ii) the required means of egress; or (iii) the fire protection system or the removal from service of any part of the fire protection system for any period of time.

C. Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision B of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

D. Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

- (1) a description of the location, nature, extent, and scope of the proposed work;
- (2) the tax map number and the street address of any affected building or structure;
- (3) the occupancy classification of any affected building or structure;
- (4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and
- (5) at least 2 sets of construction documents (drawings and/or specifications) which (i) describe the location, nature, extent, and scope of the proposed work; (ii) show that the proposed work will conform to the applicable provisions of the Codes; (iii) show the location, construction, size, and character of all portions of the means of egress; (iv) show a representation of the building thermal envelope; (v) show structural information

including but not limited to braced wall designs, the size, section, and relative locations of structural members, design loads, and other pertinent structural information; (vi) show the proposed structural, electrical, plumbing, mechanical, fire-protection, and other service systems of the building; (vii) include a written statement indicating compliance with the Energy Code; (viii) include a site plan, drawn to scale and drawn in accordance with an accurate boundary survey, showing the size and location of new construction and existing structures and appurtenances on the site, distances from lot lines, the established street grades and the proposed finished grades, and, as applicable, flood hazard areas, floodways, and design flood elevations; and (ix) evidence that the documents were prepared by a licensed and registered architect in accordance with Article 147 of the New York State Education Law or a licensed and registered professional engineer in accordance with Article 145 of the New York State Education Law and practice guidelines, including but not limited to the design professional's seal which clearly and legibly shows both the design professional's name and license number and is signed by the design professional whose name appears on the seal in such a manner that neither the name nor the number is obscured in any way, the design professional's registration expiration date, the design professional's firmname (if not a sole practitioner), and, if the documents are submitted by a professional engineering firm and not a sole practitioner professional engineer, the firm's Certificate of Authorization number.

E. Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision D of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp, or in the case of electronic media, an electronic marking. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

F. Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

G. Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

H. Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

I. Time limits. A building permit shall become void six (6) months from the date of issuance. The building permit may be renewed, if substantial progress has been made since the date of issuance, for one additional six (6) month period upon authorization of the Inspector and upon payment of a fee as set by the Town Board. If the additional six (6) month renewal expires and the structure is not completed, a new application must be filed with the required fees in effect at that time. For those structures which exceed 5,000 square feet where substantial progress has been made since the date of the first permit renewal, upon payment of a fee as set by the Town Board, the permit may be extended for an additional six (6) month period. If the additional six (6) month renewal expires and the structure is not completed, upon application to the Town Board, the Town Board may authorize renewal of the building permit for additional six (6) month periods, at the Board's discretion, upon payment of a fee as set by the Town Board for each six (6) month renewal.

J. Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate, or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

K. Fee. The fee specified in or determined in accordance with the provisions set forth in Section 113-54 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

§113-41. CONSTRUCTION INSPECTIONS.

A. Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code

Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.

B. Elements of work to be inspected. The following elements of the construction process shall be inspected, where applicable:

- (1) work site prior to the issuance of a Building Permit;
- (2) footing and foundation;
- (3) preparation for concrete slab;
- (4) framing;
- (5) structural, electrical, plumbing, mechanical, fire-protection, and other similar service systems of the building;
- (6) fire resistant construction;
- (7) fire resistant penetrations;
- (8) solid fuel burning heating appliances, chimneys, flues, or gas vents;
- (9) inspections required to demonstrate Energy Code compliance, including but not limited to insulation, fenestration, air leakage, system controls, mechanical equipment size, and, where required, minimum fan efficiencies, programmable thermostats, energy recovery, whole-house ventilation, plumbing heat traps, and high-performance lighting and controls;
- (10) installation, connection, and assembly of factory manufactured buildings and manufactured homes; and
- (11) a final inspection after all work authorized by the Building Permit has been completed.

C. Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform construction inspections, a remote inspection may be performed in lieu of an in-person inspection when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or by such authorized Inspector that the elements of the construction process conform with the applicable requirements of the Uniform Code and Energy Code. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.

D. Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to the manner in which the work falls short of the requirements of the Code and Energy Code.

citation to the specific code provision or provisions that have not been met. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

E. Fee. The fee specified in or determined in accordance with the provisions set forth in Section 113-54 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

§113-42. STOP WORK ORDERS.

A. Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:

(1) any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

B. Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

C. Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

D. Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder, and any other Person performing, taking part in, or assisting in the work shall immediately cease all work which is the subject of the

Stop Work Order, other than work expressly authorized by the Code Enforcement Officer to correct the reason for issuing the Stop Work Order.

E. Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under Section 113-53 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

§113-43. CERTIFICATES OF OCCUPANCY AND CERTIFICATES OF COMPLIANCE

A. Certificates of Occupancy and Certificates of Compliance required. A Certificate of Occupancy or Certificate of Compliance shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy or Certificate of Compliance.

B. Issuance of Certificates of Occupancy and Certificates of Compliance. The Code Enforcement Officer shall issue a Certificate of Occupancy or Certificate of Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure, or work prior to the issuance of a Certificate of Occupancy or Certificate of Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy or Certificate of Compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy or Certificate of Compliance:

- (1) a written statement of structural observations and/or a final report of special inspections,
- (2) flood hazard certifications,

(3) a written statement of the results of tests performed to show compliance with the Energy Code, and

(4) where applicable, the affixation of the appropriate seals, insignias, and manufacturer's data plates as required for factory manufactured buildings and/or manufactured homes.

C. Contents of Certificates of Occupancy and Certificates of Compliance. A Certificate of Occupancy or Certificate of Compliance shall contain the following information:

(1) the Building Permit number, if any;

(2) the date of issuance of the Building Permit, if any;

(3) the name (if any), address and tax map number of the property;

(4) if the Certificate of Occupancy or Certificate of Compliance is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy or Certificate of Compliance is issued;

(5) the use and occupancy classification of the structure;

(6) the type of construction of the structure;

(7) the occupant load of the assembly areas in the structure, if any;

(8) any special conditions imposed in connection with the issuance of the Building Permit; and

(9) the signature of the Code Enforcement Officer issuing the Certificate of Occupancy or Certificate of Compliance and the date of issuance.

D. Temporary Certificate of Occupancy. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate of Occupancy allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate of Occupancy unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate of Occupancy, may be occupied safely, (2) that any required fire and life safety components, such as fire protection equipment and fire, smoke, carbon monoxide, and heat detectors and alarms are installed and operational, and (3) that all required means of egress from the structure have been provided. The

Code Enforcement Officer may include in a Temporary Certificate of Occupancy such terms and conditions as he or she deems necessary or appropriate to ensure the health and safety of the persons occupying and using the building or structure and/or performing further construction work in the building or structure. A Temporary Certificate of Occupancy shall be effective for a period of time, not to exceed six (6) months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate of Occupancy. During the specified period of effectiveness of the Temporary Certificate of Occupancy, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

E. Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy, Certification of Compliance, or a Temporary Certificate of Occupancy was issued in error or on the basis of incorrect information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

F. Fee. The fee specified in or determined in accordance with the provisions set forth in Section 113-54 (Fees) of this local law must be paid at the time of submission of an application for a Certificate of Occupancy, Certificate of Compliance, or for Temporary Certificate of Occupancy.

§113-44. NOTIFICATION REGARDING FIRE OR EXPLOSION.

The chief of any fire department providing firefighting services for a property within this Town shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney, or gas vent.

§113-45. UNSAFE BUILDINGS, STRUCTURES, AND EQUIPMENT AND CONDITIONS OF IMMINENT DANGER

Unsafe buildings, structures, and equipment and conditions of imminent danger in this Town shall be identified and addressed in accordance with the procedures established by Article 1 (Unsafe Buildings) of this Chapter 113, and any subsequent amendments thereto.

§113-46. OPERATING PERMITS.

A. Operation Permits required. Operating Permits shall be required for conducting any process or activity or for operating any type of building, structure, or facility listed below:

(1) manufacturing, storing, or handling hazardous materials in quantities exceeding those listed in the applicable Maximum Allowable Quantity tables found in Chapter 50 of the FCNYS.

(2) buildings, structures, facilities, processes, and/or activities that are within the scope and/or permit requirements of the chapter or section title of the FCNYS as follows:

(i) Chapter 22, "Combustible Dust-Producing Operations." Facilities where the operation produces combustible dust, regulated by Chapter 22 of the FCNYS;

(ii) Chapter 24, "Flammable Finishes." Operations utilizing flammable or combustible liquids, or the application of combustible powders regulated by Chapter 24 of the FCNYS;

(iii) Chapter 25, "Fruit and Crop Ripening." Operating a fruit- or crop-ripening facility or conducting a fruit-ripening process using ethylene gas, as regulated by Chapter 25 of the FCNYS;

(iv) Chapter 26, "Fumigation and Insecticidal Fogging." Conducting fumigation or insecticidal fogging operations in buildings, structures, and spaces, except for fumigation or insecticidal fogging performed by the occupant of a detached one-family dwelling, as required by Chapter 26 of the FCNYS;

(v) Chapter 31, "Tents, Temporary Special Event Structures, and Other Membrane Structures." Operating an air-supported temporary membrane structure, a temporary special event structure, or a tent where approval is required pursuant to Chapter 31 of the FCNYS;

(vi) Chapter 32, "High-Piled Combustible Storage." High-piled combustible storage facilities with more than 500 square feet (including aisles) of high-piled storage, as regulated by Chapter 32 of the FCNYS;

(vii) Chapter 34, "Tire Rebuilding and Tire Storage." Operating a facility that stores in excess of 2,500 cubic feet of scrap tires or tire byproducts or operating a tire rebuilding plant, as regulated by Chapter 34 of the FCNYS;

(viii) Chapter 35, "Welding and Other Hot Work." Performing public exhibitions and demonstrations where hot work is conducted, use of hot work, welding, or cutting equipment, inside or on a structure, except an operating permit is not required where work is conducted under the authorization of a building permit or where performed by the occupant of a detached one- or two-family dwelling, as required by Chapter 35 of the FCNYS;

(ix) Chapter 40, "Sugarhouse Alternative Activity Provisions." Conducting an alternative activity at a sugarhouse, as required by Chapter 40 of the FCNYS;

(x) Chapter 56, "Explosives and Fireworks." Possessing, manufacturing, storing, handling, selling, or using, explosives, fireworks, or other pyrotechnic special effects materials except the outdoor use of sparkling devices as defined by Penal Law section 270, as regulated by Chapter 56 of the FCNYS;

(xi) Section 307, "Open Burning, Recreational Fires and Portable Outdoor Fireplaces." Conducting open burning, not including recreational fires and portable outdoor fireplaces; and

(xii) Section 308, "Open Flames." Removing paint with a torch, or using open flames, fire, and burning in connection with assembly areas or educational occupancies.

3. energy storage systems, where the system exceeds the values shown in Table 1206.1 of the FCNYS or exceeds the permitted aggregate ratings in section R327.5 of the RCNYS.

4. buildings containing one or more assembly areas;

5. outdoor events where the planned attendance exceeds 1,000 persons;

6. facilities that store, handle or use hazardous production materials;

7. parking garages as defined in subdivision A of Section 113-49 of this local law;

8. buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Town Board of the Town of Thompson; and

9. other processes or activities or for operating any type of building, structure, or facility as determined by resolution adopted by the Town Board of the Town of Thompson.

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision A shall be required to obtain an Operating Permit prior to commencing such activity or operation.

B. Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

C. Multiple Activities. In any circumstance in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in their discretion, issue a single Operating Permit to apply to all such activities.

D. Duration of Operating Permits. Operating permits shall be issued for a specified period of time consistent with local conditions, but in no event to exceed as follows:

(1) for a period of time not to exceed one hundred eighty (180) days for tents, special event structures, and other membrane structures;

(2) for a period of time not to exceed sixty (60) days for alternative activities such as a sugarhouse;

(3) for a period of time not to exceed three (3) years for the activities, structures, and operations determined per paragraph (9) of subdivision A of this section, and

(4) for a period of time not to exceed one (1) year for all other activities, structures, and operations identified in subdivision A of this section.

The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.

E. Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.

F. Fee. The fee specified in or determined in accordance with the provisions set forth in Section 113-54 (Fees) of this local law must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

§113-47. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS

A. Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:

(1) at least once every twelve (12) months for buildings which contain an assembly area;

(2) at least once every twelve (12) months for public and private schools and colleges, including any buildings of such schools or colleges containing classrooms, dormitories, fraternities, sororities, laboratories, physical education, dining, or recreational facilities; and

(3) at least once every thirty-six (36) months for multiple dwellings and all nonresidential occupancies.

B. Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform fire safety and property maintenance inspections, a remote inspection may be performed in lieu of in-person inspections when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or such authorized Inspector that the premises conform with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.

C. Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the

Code Enforcement Officer or an Inspector authorized to perform fire safety and property maintenance inspections at any time upon:

(1) the request of the owner of the property to be inspected or an authorized agent of such owner;

(2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or

(3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist;

provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

D. OFPC Inspections. Nothing in this section or in any other provision of this local law shall supersede, limit, or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator or other authorized entity under Executive Law section 156-e and Education Law section 807-b.

(1) Notwithstanding any other provision of this section to the contrary, the Code Enforcement Officer may accept an inspection performed by the Office of Fire Prevention and Control or other authorized entity pursuant to sections 807-a and 807-b of the Education Law and/or section 156-e of the Executive Law, in lieu of a fire safety and property maintenance inspection performed by the Code Enforcement Officer or by an Inspector, provided that:

(i) the Code Enforcement Officer is satisfied that the individual performing such inspection satisfies the requirements set forth in 19 NYCRR section 1203.2(e);

(ii) the Code Enforcement Officer is satisfied that such inspection covers all elements required to be covered by a fire safety and property maintenance inspection;

- (iii) such inspections are performed no less frequently than once a year;
- (iv) a true and complete copy of the report of each such inspection is provided to the Code Enforcement Officer; and
- (v) upon receipt of each such report, the Code Enforcement Officer takes the appropriate action prescribed by Section 113-53 (Violations) of this local law.

E. Fee. The fee specified in or determined in accordance with the provisions set forth in Section 113-54 (Fees) of this local law must be paid prior to or at the time each inspection performed pursuant to this section. This subdivision shall not apply to inspections performed by OFPC.

§113-48. COMPLAINTS

A. The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law, ordinance or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

- (1) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;
- (2) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in Section 113-53 (Violations) of this local law;
- (3) if appropriate, issuing a Stop Work Order;
- (4) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

§113-49. CONDITION ASSESSMENTS OF PARKING GARAGES.

A. Definitions. For the purposes of this section:

(1) the term "condition assessment" means an on-site inspection and evaluation of a parking garage for evidence of deterioration of any structural element or building component of such parking garage, evidence of the existence of any unsafe condition in such parking garage, and evidence indicating that such parking garage is an unsafe structure;

(2) the term "deterioration" means the weakening, disintegration, corrosion, rust, or decay of any structural element or building component, or any other loss of effectiveness of a structural element or building component;

(3) the term "parking garage" means any building or structure, or part thereof, in which all or any part of any structural level or levels is used for parking or storage of motor vehicles, excluding:

(i) buildings in which the only level used for parking or storage of motor vehicles is on grade;

(ii) an attached or accessory structure providing parking exclusively for a detached one- or two-family dwelling; and

(iii) a townhouse unit with attached parking exclusively for such unit;

(4) the term "professional engineer" means an individual who is licensed or otherwise authorized under Article 145 of the Education Law to practice the profession of engineering in the State of New York and who has at least three years of experience performing structural evaluations;

(5) the term "responsible professional engineer" means the professional engineer who performs a condition assessment, or under whose supervision a condition assessment is performed, and who seals and signs the condition assessment report. The use of the term "responsible professional engineer" shall not be construed as limiting the professional responsibility or liability of any professional engineer, or of any other licensed professional, who participates in the preparation of a condition

assessment without being the responsible professional engineer for such condition assessment.

(6) the term "unsafe condition" includes the conditions identified as "unsafe" in section 304.1.1, section 305.1.1, and section 306.1.1 of the PMCNYS; and

(7) the term "unsafe structure" means a structure that is so damaged, decayed, dilapidated, or structurally unsafe, or is of such faulty construction or unstable foundation, that partial or complete collapse is possible.

B. Condition Assessments – general requirements. The owner operator of each parking garage shall cause such parking garage to undergo an initial condition assessment as described in subdivision (c) of this section, periodic condition assessments as described in subdivision (d) of this section, and such additional condition assessments as may be required under subdivision (e) of this section. Each condition assessment shall be conducted by or under the direct supervision of a professional engineer. A written report of each condition assessment shall be prepared, and provided to the Town, in accordance with the requirements of subdivision (f) of this section. Before performing a condition assessment (other than the initial condition assessment) of a parking garage, the responsible professional engineer for such condition assessment shall review all available previous condition assessment reports for such parking garage.

C. Initial Condition Assessment. Each parking garage shall undergo an initial condition assessment as follows:

(1) Parking garages constructed on or after August 29, 2018, shall undergo an initial condition assessment following construction and prior to a certificate of occupancy or certificate of compliance being issued for the structure.

(2) Parking garages constructed prior to August 29, 2018, shall undergo an initial condition assessment as follows:

(i) if originally constructed prior to January 1, 1984, then prior to October 1, 2019;

(ii) if originally constructed between January 1, 1984 and December 31, 2002, then prior to October 1, 2020; and

(iii) if originally constructed between January 1, 2003 and August 28, 2018, then prior to October 1, 2021.

(3) Any parking garage constructed prior to the effective date of the local law enacting this provision that has not undergone an initial condition assessment prior to that effective date shall undergo an initial condition assessment prior to no more than six (6) months after the effective date of this local law.

D. Periodic Condition Assessments. Following the initial condition assessment of a parking garage, such parking garage shall undergo periodic condition assessments at intervals not to exceed three (3) years.

E. Additional Condition Assessments.

(1) If the latest condition assessment report for a parking garage includes a recommendation by the responsible professional engineer that an additional condition assessment of such parking garage, or any portion of such parking garage, be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of such parking garage identified by the responsible professional engineer) to undergo an additional condition assessment no later than the date recommended in such condition assessment report.

(2) If the Town becomes aware of any new or increased deterioration which, in the judgment of the Town, indicates that an additional condition assessment of the entire parking garage, or of the portion of the parking garage affected by such new or increased deterioration, should be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of the parking garage affected by such new or increased deterioration) to undergo an additional condition assessment no later than the date determined by the Town to be appropriate.

F. Condition Assessment Reports. The responsible professional engineer shall prepare, or directly supervise the preparation of, a written report of each condition assessment, and shall submit such condition assessment report to the Town within thirty (30) days such other time frame as fixed by the Town. Such condition

assessment report shall be sealed and signed by the responsible professional engineer, and shall include:

- (1) an evaluation and description of the extent of deterioration and conditions that cause deterioration that could result in an unsafe condition or unsafe structure;
- (2) an evaluation and description of the extent of deterioration and conditions that cause deterioration that, in the opinion of the responsible professional engineer, should be remedied immediately to prevent an unsafe condition or unsafe structure;
- (3) an evaluation and description of the unsafe conditions;
- (4) an evaluation and description of the problems associated with the deterioration, conditions that cause deterioration, and unsafe conditions;
- (5) an evaluation and description of the corrective options available, including the recommended timeframe for remedying the deterioration, conditions that cause deterioration, and unsafe conditions;
- (6) an evaluation and description of the risks associated with not addressing the deterioration, conditions that cause deterioration, and unsafe conditions;
- (7) the responsible professional engineer's recommendation regarding preventative maintenance;
- (8) except in the case of the report of the initial condition assessment, the responsible professional engineer's attestation that he or she reviewed all previously prepared condition assessment reports available for such parking garage, and considered the information in the previously prepared reports while performing the current condition assessment and while preparing the current report; and
- (9) the responsible professional engineer's recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed. In making the recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed, the responsible professional engineer shall consider the parking garage's age, maintenance history, structural condition, construction materials, frequency and intensity of use, location, exposure to the elements, and any other factors deemed relevant by the responsible professional engineer in their professional judgment.

G. Review Condition Assessment Reports. The Town shall take such enforcement action or actions in response to the information in such condition assessment report as may be necessary or appropriate to protect the public from the hazards that may result from the conditions described in such report. In particular, but not by way of limitation, the Town shall, by Order to Remedy or such other means of enforcement as the Town may deem appropriate, require the owner or operator of the parking garage to repair or otherwise remedy all deterioration, all conditions that cause deterioration, and all unsafe conditions identified in such condition assessment report pursuant to paragraphs (2) and (3) of subdivision (f). All repairs and remedies shall comply with the applicable provisions of the Uniform Code. This section shall not limit or impair the right of the Town to take any other enforcement action, including but not limited to suspension or revocation of a parking garage's operating permit, as may be necessary or appropriate in response to the information in a condition assessment report.

H. The Town shall retain all condition assessment reports for the life of the parking garage. Upon request by a professional engineer who has been engaged to perform a condition assessment of a parking garage, and who provides the Town with a written statement attesting to the fact that he or she has been so engaged, the Town shall make the previously prepared condition assessment reports for such parking garage (or copies of such reports) available to such professional engineer. The Town shall be permitted to require the owner or operator of the subject parking garage to pay all costs and expenses associated with making such previously prepared condition assessment reports (or copies thereof) available to the professional engineer.

I. This section shall not limit or impair the right or the obligation of the Town:

(1) to perform such construction inspections as are required by Section 113-41 (Construction Inspections) of this local law;

(2) to perform such periodic fire safety and property maintenance inspections as are required by Section 113-47 (Fire Safety and Property Maintenance Inspections) of this local law; and/or

(3) to take such enforcement action or actions as may be necessary or appropriate to respond to any condition that comes to the attention of the Town by means of its own inspections or observations, by means of a complaint, or by any other means other than a condition assessment or a report of a condition assessment.

SECTION 113-50. CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA.

A. The Code Enforcement Officer shall determine the climatic and geographic design criteria for buildings and structures constructed within this Town as required by the Uniform Code. Such determinations shall be made in the manner specified in the Uniform Code using, where applicable, the maps, charts, and other information provided in the Uniform Code. The criteria to be so determined shall include but shall not necessarily be limited to, the following:

(1) design criteria to include ground snow load; wind design loads; seismic category; potential damage from weathering, frost, and termite; winter design temperature; whether ice barrier underlayment is required; the air freezing index; and the mean annual temperature;

(2) heating and cooling equipment design criteria for structures within the scope of the RCNYS. The design criteria shall include the data identified in the Design Criteria Table found in Chapter 3 of the RCNYS; and

(3) flood hazard areas, flood hazard maps, and supporting data. The flood hazard map shall include, at a minimum, special flood hazard areas as identified by the Federal Emergency Management Agency in the Flood Insurance Study for the community, as amended or revised with:

- (i) the accompanying Flood Insurance Rate Map (FIRM);
- (ii) Flood Boundary and Floodway Map (FBFM); and
- (iii) related supporting data along with any revisions thereto.

B. The Code Enforcement Officer shall prepare a written record of the climatic and geographic design criteria determined pursuant to subdivision (a) of this section, shall maintain such record within the office of the Code Enforcement Officer, and shall make such record readily available to the public.

SECTION 113-51. RECORD KEEPING.

A. The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

- (1) all applications received, reviewed and approved or denied;
- (2) all plans, specifications and construction documents approved;
- (3) all Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Stop Work Orders, and Operating Permits issued;
- (4) all inspections and tests performed;
- (5) all statements and reports issued;
- (6) all complaints received;
- (7) all investigations conducted;
- (8) all condition assessment reports received;
- (9) all fees charged and collected; and
- (10) all other features and activities specified in or contemplated by Sections 113-40 through 113-50 inclusive, of this local law.

B. All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

SECTION 113-52. PROGRAM REVIEW AND REPORTING

A. The Code Enforcement Officer shall annually submit to the Town Board of the Town of Thompson a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in Section 113-50 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.

B. The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this Town, on a form prescribed by the Secretary of State, a report of the activities of this Town relative to administration and enforcement of the Uniform Code.

C. The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, true and complete copies of the records and related materials this Town is required to maintain; true and complete copies of such portion of such records and related materials as may be requested by the Department of State; and/or such excerpts, summaries, tabulations, statistics, and other information and accounts of its activities in connection with administration and enforcement of the Uniform Code and/or Energy Code as may be requested by the Department of State.

SECTION 113-53: VIOLATIONS

A. Orders to Remedy. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. An Order to Remedy shall be in writing; shall be dated and signed by the Code Enforcement Officer; shall specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; shall specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; and shall include a statement substantially similar to the following:

"The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by _____ [*specify date*], which is thirty (30) days after the date of this Order to Remedy."

The Order to Remedy may include provisions ordering the person or entity served with such Order to Remedy (1) to begin to remedy the violations described in the Order to Remedy immediately, or within some other specified period of time which may be less than thirty (30) days; to continue diligently to remedy such violations until each such violation is fully remedied; and, in any event, to complete the remedying of all such violations within thirty (30) days of the date of such Order to Remedy; and/or (2) to take such other protective actions (such as vacating the building or barricading the area where the violations exist) which are authorized by this local law or by any other applicable statute, regulation, rule, local law or ordinance, and which the Code Enforcement Officer may deem appropriate, during the period while such violations are being remedied. The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to be served on the owner of the affected property personally or by

registered mail or certified mail within five (5) days after the date of the Order to Remedy. The Code Enforcement Officer shall be permitted, but not required, to cause the Order to Remedy, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other person taking part or assisting in work being performed at the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

B. Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

C. Penalties. In addition to such other penalties as may be prescribed by State law,

(1) any Person, having been served with a notice of violation, who shall fail to comply with such notice within thirty (30) days of such service or within the time fixed by the Code Enforcement Officer for compliance, whichever is greater, shall be punishable as follows: for a first offense, by a fine of not more than \$250.00 or imprisonment for not more than fifteen (15) days, or both; for a second offense, by a fine of not more than \$500.00 or imprisonment for not more than thirty (30) days, or both; and for a third and each supplemental offense, by a fine of not more than \$1,000.00 or imprisonment for not more than one (1) year, or both. Each day that a violation continues shall be deemed a separate offense; and

(2) any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to pay a civil penalty of not more than \$1,000.00 for each day or part thereof during which such violation continues. The civil penalties provided by this paragraph shall be recoverable in an action instituted in the name of this Town.

D. Injunctive Relief. An action or proceeding may be instituted in the name of this Town, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order,

Operating Permit, Order to Remedy, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Order to Remedy or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this Town, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Town Board of this Town.

E. Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in Section 113-42 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in Section 113-42 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

SECTION 113-54: FEES

A. A fee schedule shall be established by resolution of the Town Board of this Town. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

SECTION 113-55. INTERMUNICIPAL AGREEMENTS

A. The Town Board of this Town may, by resolution, authorize the Supervisor of this Town to enter into an agreement, in the name of this Town, with other governments to carry out the terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

SECTION 113-56. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 113-57. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

2. If any section, part or provision of this local law or the application thereof to any person, property or circumstance is adjudged invalid by any Court of competent jurisdiction, such judgment shall be confined in its operation to the section, part or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof.

3. Except as herein specifically amended, the remainder of Chapter 113 of such Code shall remain in full force and effect.

4. This local law shall take effect immediately upon filing with the Secretary of State.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only)

I hereby certify that the local law annexed hereto, designated as local law No. 01 of 2023 of the Town of Thompson was duly passed by the Town Board on January 03, 2023 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by Elective Chief Executive Officer*)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the County/City/Town/Town/Village of _____ was duly passed by the _____ on _____ 20__ and was (approved) (not approved) (repassed after disapproval) by the _____ on _____ and was deemed duly adopted on _____ 20__, in accordance with the applicable provisions of law.

3. (Final adoption by referendum)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the County/City/Town/Town/Village of _____ was duly passed by the _____ on _____ 20__ and was (approved) (not approved) (repassed after disapproval) by the _____ on _____. Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on _____ 20__, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the County/City/Town/Town/Village of _____ was duly passed by the _____ on _____ 20__ and was (approved) (not approved) (repassed after disapproval) by the _____ on _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20__ in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, chairman of the county legislative body, the mayor of a city or village or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

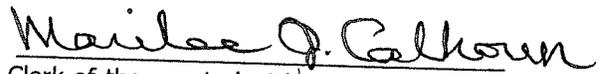
I hereby certify that the local law annexed hereto, designated as local law No. 01 of 2023 of the City of _____ having been submitted to referendum pursuant to the provisions of Sections 36/37 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at a special/general election held on _____ 20__ became operative.

6. (County local law concerning adoption of Charter)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20__ of the County of _____, State of New York, having been submitted to the electors at the General Election of November ____ 20__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide the appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.



~~Clerk of the county legislative body, city, Town, village clerk or officer designated by local legislative body~~

Date: January 09, 2023

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality)

STATE OF NEW YORK
COUNTY OF SULLIVAN

I, the undersigned, do hereby certify that the foregoing local law contains the correct text and that all proper proceeding have been had or taken for the enactment of the local law annexed hereto.

Date: January 09, 2023



Attorney for Town of Thompson

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Local Law No. 01 of 2023

A local law amending and replacing, in its entirety, Chapter 113, Article VI of the Town of Thompson Code, entitled 'Building Code Administration and Enforcement'."

Be it enacted by the Town Board of the Town of Thompson

1. Chapter 113, Article VI of the Code of the Town of Thompson entitled "Building Code Administration and Enforcement" is hereby amended and replaced as follows:

§113-37. PURPOSE AND INTENT

This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in the Town of Thompson. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law.

Except as otherwise provided in the Uniform Code, the Energy Code, other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions this local law.

§113-38. DEFINITIONS

In this local law, the following terms shall have the meanings shown in this section:

"Assembly Area" shall mean an area in any building, or in any portion of a building, that is primarily used or intended to be used for gathering fifty or more persons for uses including, but not limited to, amusement, athletic, entertainment, social, or other recreational functions; patriotic, political, civic, educational, or religious functions; food or drink consumption; awaiting transportation; or similar purposes.

"Building Permit" shall mean a building permit, construction permit, demolition permit, or other permit that authorizes the performance of work. The term "Building Permit" shall also include a Building Permit which is renewed, amended, or extended pursuant to any provision of this local law.

"Certificate of Compliance" shall mean a document issued by the Town of Thompson stating that work was done in compliance with approved construction documents and the Codes.

"Certificate of Occupancy" shall mean a document issued by the Town of Thompson certifying that the building or structure, or portion thereof, complies with the approved construction documents that have been submitted to, and approved by the Town of Thompson, and indicating that the building or structure, or portion thereof, is in a condition suitable for occupancy.

"Code Enforcement Officer" shall mean the Code Enforcement Officer appointed pursuant to subdivision B of Section 113-39 of this local law.

"Code Enforcement Personnel" shall include the Code Enforcement Officer and all Inspectors.

"Codes" shall mean the Uniform Code and Energy Code.

"Energy Code" shall mean the New York State Energy Conservation Construction Code adopted pursuant to Article 11 of the Energy Law.

"FCNYS" shall mean the 2020 Fire Code of New York State as currently incorporated by reference in 19 NYCRR Part 1225.

"Fire Safety and Property Maintenance Inspection" shall mean an inspection performed to determine compliance with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference.

"Hazardous Production Materials" shall mean a solid, liquid, or gas associated with semiconductor manufacturing that has a degree-of-hazard rating in health, flammability, or instability of Class 3 or 4, as ranked by NFPA 704 (Standard Systems for Identification of the Hazards of Materials for Emergency Response), and which is used directly in research, laboratory, or production processes which have, as their endproduct, materials that are not hazardous.

"Inspector" shall mean an inspector appointed pursuant to subdivision D of Section 113-39 of this local law.

"Mobile Food Preparation Vehicles" shall mean vehicles that contain cooking equipment that produces smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

"*Operating Permit*" shall mean a permit issued pursuant to Section 113-46 of this local law. The term "Operating Permit" shall also include an Operating Permit which is renewed, amended, or extended pursuant to any provision of this local law.

"*Order to Remedy*" shall mean an order issued by the Code Enforcement Officer pursuant to subdivision A of Section 113-53 of this local law.

"*Permit Holder*" shall mean the Person to whom a Building Permit has been issued.

"*Person*" shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

"*PMCNYS*" shall mean the 2020 Property Maintenance Code of New York State as currently incorporated by reference in 19 NYCRR Part 1226.

"*RCNYS*" shall mean the 2020 Residential Code of New York State as currently incorporated by reference in 19 NYCRR Part 1220.

"*Repair*" shall mean the reconstruction, replacement, or renewal of any part of an existing building for the purpose of its maintenance or to correct damage.

"*Stop Work Order*" shall mean an order issued pursuant to section 6 of this local law.

"*Sugarhouse*" shall mean a building used, in whole or in part, for the collection, storage, or processing of maple sap into maple syrup and/or maple sugar.

"*Temporary Certificate of Occupancy*" shall mean a certificate issued pursuant to subdivision D of Section 113-43 of this local law.

"*Town*" shall mean the Town of Thompson.

"*Uniform Code*" shall mean the New York State Uniform Fire Prevention and Building Code, Subchapter A of Chapter XXXIII of Title 19 of the NYCRR, adopted pursuant to Article 18 of the Executive Law.

§113-39. CODE ENFORCEMENT OFFICER AND INSPECTORS

A. The Office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code, and this local law. The Code Enforcement Officer shall have the following powers and duties:

(1) to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and the plans, specifications, and construction documents submitted with such applications;

(2) upon approval of such applications, to issue Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and to include in terms and conditions as the Code Enforcement Officer may determine to be appropriate Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits;

(3) to conduct construction inspections; inspections to be made prior to the issuance of Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits; fire safety and property maintenance inspections; inspections incidental to the investigation of complaints; and all other inspections required or permitted under any provision of this local law;

(4) to issue Stop Work Orders;

(5) to review and investigate complaints;

(6) to issue orders pursuant to subdivision A of Section 113-53 (Violations) of this local law;

(7) to maintain records;

(8) to collect fees as set by the Town Board of the Town of Thompson;

(9) to pursue administrative enforcement actions and proceedings;

(10) in consultation with the Town Attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code, and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code, or this local law; and

(11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.

B. The Code Enforcement Officer shall be appointed by the Town Board to serve at the pleasure of said Board at a compensation to be fixed by the Town Board. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

C. In the event that the Code Enforcement Officer is unable to serve as such for any reason, another individual shall be appointed by the Town Board to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of their appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.

D. One or more Inspectors may be appointed by the Town Board to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and each Inspector shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

E. The Inspector may not engage in any activity inconsistent with his duties for the Town, nor during the time of his employment shall he be engaged, directly or indirectly, in any building business, furnishing of labor, material or equipment for the construction, alteration or maintenance of a building, or the preparation of plans or specifications thereof, within the Town of Thompson, except only that this provision shall not prohibit such inspector from such activities in connection with the construction of a building or structure owned by him.

§113-40. BUILDING PERMITS.

A. Building Permits Required. Except as otherwise provided in subdivision B of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation, or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney, or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Town of Thompson.

B. Exemptions. No Building Permit shall be required for work in any of the following categories:

(1) construction or installation of one-story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses), which are used for tool and storage sheds, playhouses, or similar uses, provided the gross floor area does not exceed 144 square feet (13.38 square meters);

(2) Construction of temporary sets and scenery associated with motion picture, television, and theater uses;

(3) installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);

- (4) Installation of partitions or movable cases less than 5'-9" in height;
- (5) painting, wallpapering, tiling, carpeting, or other similar finish work;
- (6) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;
- (7) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or
- (8) repairs, provided that the work does not have an impact on fire and life safety, such as (i) any part of the structural system; (ii) the required means of egress; or (iii) the fire protection system or the removal from service of any part of the fire protection system for any period of time.

C. Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision B of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

D. Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

- (1) a description of the location, nature, extent, and scope of the proposed work;
- (2) the tax map number and the street address of any affected building or structure;
- (3) the occupancy classification of any affected building or structure;
- (4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and
- (5) at least 2 sets of construction documents (drawings and/or specifications) which (i) describe the location, nature, extent, and scope of the proposed work; (ii) show that the proposed work will conform to the applicable provisions of the Codes; (iii) show the location, construction, size, and character of all portions of the means of egress; (iv) show a representation of the building thermal envelope; (v) show structural information

including but not limited to braced wall designs, the size, section, and relative locations of structural members, design loads, and other pertinent structural information; (vi) show the proposed structural, electrical, plumbing, mechanical, fire-protection, and other service systems of the building; (vii) include a written statement indicating compliance with the Energy Code; (viii) include a site plan, drawn to scale and drawn in accordance with an accurate boundary survey, showing the size and location of new construction and existing structures and appurtenances on the site, distances from lot lines, the established street grades and the proposed finished grades, and, as applicable, flood hazard areas, floodways, and design flood elevations; and (ix) evidence that the documents were prepared by a licensed and registered architect in accordance with Article 147 of the New York State Education Law or a licensed and registered professional engineer in accordance with Article 145 of the New York State Education Law and practice guidelines, including but not limited to the design professional's seal which clearly and legibly shows both the design professional's name and license number and is signed by the design professional whose name appears on the seal in such a manner that neither the name nor the number is obscured in any way, the design professional's registration expiration date, the design professional's firmname (if not a sole practitioner), and, if the documents are submitted by a professional engineering firm and not a sole practitioner professional engineer, the firm's Certificate of Authorization number.

E. Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision D of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp, or in the case of electronic media, an electronic marking. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

F. Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

G. Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

H. Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

I. Time limits. A building permit shall become void six (6) months from the date of issuance. The building permit may be renewed, if substantial progress has been made since the date of issuance, for one additional six (6) month period upon authorization of the Inspector and upon payment of a fee as set by the Town Board. If the additional six (6) month renewal expires and the structure is not completed, a new application must be filed with the required fees in effect at that time. For those structures which exceed 5,000 square feet where substantial progress has been made since the date of the first permit renewal, upon payment of a fee as set by the Town Board, the permit may be extended for an additional six (6) month period. If the additional six (6) month renewal expires and the structure is not completed, upon application to the Town Board, the Town Board may authorize renewal of the building permit for additional six (6) month periods, at the Board's discretion, upon payment of a fee as set by the Town Board for each six (6) month renewal.

J. Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate, or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

K. Fee. The fee specified in or determined in accordance with the provisions set forth in Section 113-54 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

§113-41. CONSTRUCTION INSPECTIONS.

A. Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code

Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.

B. Elements of work to be inspected. The following elements of the construction process shall be inspected, where applicable:

- (1) work site prior to the issuance of a Building Permit;
- (2) footing and foundation;
- (3) preparation for concrete slab;
- (4) framing;
- (5) structural, electrical, plumbing, mechanical, fire-protection, and other similar service systems of the building;
- (6) fire resistant construction;
- (7) fire resistant penetrations;
- (8) solid fuel burning heating appliances, chimneys, flues, or gas vents;
- (9) inspections required to demonstrate Energy Code compliance, including but not limited to insulation, fenestration, air leakage, system controls, mechanical equipment size, and, where required, minimum fan efficiencies, programmable thermostats, energy recovery, whole-house ventilation, plumbing heat traps, and high-performance lighting and controls;
- (10) installation, connection, and assembly of factory manufactured buildings and manufactured homes; and
- (11) a final inspection after all work authorized by the Building Permit has been completed.

C. Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform construction inspections, a remote inspection may be performed in lieu of an in-person inspection when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or by such authorized Inspector that the elements of the construction process conform with the applicable requirements of the Uniform Code and Energy Code. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.

D. Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to the manner in which the work fails to comply with the Uniform Code and Energy Code.

citation to the specific code provision or provisions that have not been met. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

E. Fee. The fee specified in or determined in accordance with the provisions set forth in Section 113-54 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

§113-42. STOP WORK ORDERS.

A. Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:

(1) any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

B. Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

C. Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

D. Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder, and any other Person performing, taking part in, or assisting in the work shall immediately cease all work which is the subject of the

Stop Work Order, other than work expressly authorized by the Code Enforcement Officer to correct the reason for issuing the Stop Work Order.

E. Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under Section 113-53 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

§113-43. CERTIFICATES OF OCCUPANCY AND CERTIFICATES OF COMPLIANCE

A. Certificates of Occupancy and Certificates of Compliance required. A Certificate of Occupancy or Certificate of Compliance shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy or Certificate of Compliance.

B. Issuance of Certificates of Occupancy and Certificates of Compliance. The Code Enforcement Officer shall issue a Certificate of Occupancy or Certificate of Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure, or work prior to the issuance of a Certificate of Occupancy or Certificate of Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy or Certificate of Compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy or Certificate of Compliance:

(1) a written statement of structural observations and/or a final report of special inspections,

(2) flood hazard certifications,

(3) a written statement of the results of tests performed to show compliance with the Energy Code, and

(4) where applicable, the affixation of the appropriate seals, insignias, and manufacturer's data plates as required for factory manufactured buildings and/or manufactured homes.

C. Contents of Certificates of Occupancy and Certificates of Compliance. A Certificate of Occupancy or Certificate of Compliance shall contain the following information:

(1) the Building Permit number, if any;

(2) the date of issuance of the Building Permit, if any;

(3) the name (if any), address and tax map number of the property;

(4) if the Certificate of Occupancy or Certificate of Compliance is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy or Certificate of Compliance is issued;

(5) the use and occupancy classification of the structure;

(6) the type of construction of the structure;

(7) the occupant load of the assembly areas in the structure, if any;

(8) any special conditions imposed in connection with the issuance of the Building Permit; and

(9) the signature of the Code Enforcement Officer issuing the Certificate of Occupancy or Certificate of Compliance and the date of issuance.

D. Temporary Certificate of Occupancy. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate of Occupancy allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate of Occupancy unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate of Occupancy, may be occupied safely, (2) that any required fire and life safety components, such as fire protection equipment and fire, smoke, carbon monoxide, and heat detectors and alarms are installed and operational, and (3) that all required means of egress from the structure have been provided. The

Code Enforcement Officer may include in a Temporary Certificate of Occupancy such terms and conditions as he or she deems necessary or appropriate to ensure the health and safety of the persons occupying and using the building or structure and/or performing further construction work in the building or structure. A Temporary Certificate of Occupancy shall be effective for a period of time, not to exceed six (6) months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate of Occupancy. During the specified period of effectiveness of the Temporary Certificate of Occupancy, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

E. Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy, Certification of Compliance, or a Temporary Certificate of Occupancy was issued in error or on the basis of incorrect information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

F. Fee. The fee specified in or determined in accordance with the provisions set forth in Section 113-54 (Fees) of this local law must be paid at the time of submission of an application for a Certificate of Occupancy, Certificate of Compliance, or for Temporary Certificate of Occupancy.

§113-44. NOTIFICATION REGARDING FIRE OR EXPLOSION.

The chief of any fire department providing firefighting services for a property within this Town shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney, or gas vent.

§113-45. UNSAFE BUILDINGS, STRUCTURES, AND EQUIPMENT AND CONDITIONS OF IMMINENT DANGER

Unsafe buildings, structures, and equipment and conditions of imminent danger in this Town shall be identified and addressed in accordance with the procedures established by Article 1 (Unsafe Buildings) of this Chapter 113, and any subsequent amendments thereto.

§113-46. OPERATING PERMITS.

A. Operation Permits required. Operating Permits shall be required for conducting any process or activity or for operating any type of building, structure, or facility listed below:

(1) manufacturing, storing, or handling hazardous materials in quantities exceeding those listed in the applicable Maximum Allowable Quantity tables found in Chapter 50 of the FCNYS:

(2) buildings, structures, facilities, processes, and/or activities that are within the scope and/or permit requirements of the chapter or section title of the FCNYS as follows:

(i) Chapter 22, "Combustible Dust-Producing Operations." Facilities where the operation produces combustible dust, regulated by Chapter 22 of the FCNYS;

(ii) Chapter 24, "Flammable Finishes." Operations utilizing flammable or combustible liquids, or the application of combustible powders regulated by Chapter 24 of the FCNYS;

(iii) Chapter 25, "Fruit and Crop Ripening." Operating a fruit- or crop-ripening facility or conducting a fruit-ripening process using ethylene gas, as regulated by Chapter 25 of the FCNYS;

(iv) Chapter 26, "Fumigation and Insecticidal Fogging." Conducting fumigation or insecticidal fogging operations in buildings, structures, and spaces, except for fumigation or insecticidal fogging performed by the occupant of a detached one-family dwelling, as required by Chapter 26 of the FCNYS;

(v) Chapter 31, "Tents, Temporary Special Event Structures, and Other Membrane Structures." Operating an air-supported temporary membrane structure, a temporary special event structure, or a tent where approval is required pursuant to Chapter 31 of the FCNYS;

(vi) Chapter 32, "High-Piled Combustible Storage." High-piled combustible storage facilities with more than 500 square feet (including aisles) of high-piled storage, as regulated by Chapter 32 of the FCNYS;

(vii) Chapter 34, "Tire Rebuilding and Tire Storage." Operating a facility that stores in excess of 2,500 cubic feet of scrap tires or tire byproducts or operating a tire rebuilding plant, as regulated by Chapter 34 of the FCNYS;

(viii) Chapter 35, "Welding and Other Hot Work." Performing public exhibitions and demonstrations where hot work is conducted, use of hot work, welding, or cutting equipment, inside or on a structure, except an operating permit is not required where work is conducted under the authorization of a building permit or where performed by the occupant of a detached one- or two-family dwelling, as required by Chapter 35 of the FCNYS;

(ix) Chapter 40, "Sugarhouse Alternative Activity Provisions." Conducting an alternative activity at a sugarhouse, as required by Chapter 40 of the FCNYS;

(x) Chapter 56, "Explosives and Fireworks." Possessing, manufacturing, storing, handling, selling, or using, explosives, fireworks, or other pyrotechnic special effects materials except the outdoor use of sparkling devices as defined by Penal Law section 270, as regulated by Chapter 56 of the FCNYS;

(xi) Section 307, "Open Burning, Recreational Fires and Portable Outdoor Fireplaces." Conducting open burning, not including recreational fires and portable outdoor fireplaces; and

(xii) Section 308, "Open Flames." Removing paint with a torch, or using open flames, fire, and burning in connection with assembly areas or educational occupancies.

3. energy storage systems, where the system exceeds the values shown in Table 1206.1 of the FCNYS or exceeds the permitted aggregate ratings in section R327.5 of the RCNYS.

4. buildings containing one or more assembly areas;

5. outdoor events where the planned attendance exceeds 1,000 persons;

6. facilities that store, handle or use hazardous production materials;

7. parking garages as defined in subdivision A of Section 113-49 of this local law;

8. buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Town Board of the Town of Thompson; and

9. other processes or activities or for operating any type of building, structure, or facility as determined by resolution adopted by the Town Board of the Town of Thompson.

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision A shall be required to obtain an Operating Permit prior to commencing such activity or operation.

B. Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

C. Multiple Activities. In any circumstance in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in their discretion, issue a single Operating Permit to apply to all such activities.

D. Duration of Operating Permits. Operating permits shall be issued for a specified period of time consistent with local conditions, but in no event to exceed as follows:

(1) for a period of time not to exceed one hundred eighty (180) days for tents, special event structures, and other membrane structures;

(2) for a period of time not to exceed sixty (60) days for alternative activities such as a sugarhouse;

(3) for a period of time not to exceed three (3) years for the activities, structures, and operations determined per paragraph (9) of subdivision A of this section, and

(4) for a period of time not to exceed one (1) year for all other activities, structures, and operations identified in subdivision A of this section.

The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.

E. Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.

F. Fee. The fee specified in or determined in accordance with the provisions set forth in Section 113-54 (Fees) of this local law must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

§113-47. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS

A. Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:

(1) at least once every twelve (12) months for buildings which contain an assembly area;

(2) at least once every twelve (12) months for public and private schools and colleges, including any buildings of such schools or colleges containing classrooms, dormitories, fraternities, sororities, laboratories, physical education, dining, or recreational facilities; and

(3) at least once every thirty-six (36) months for multiple dwellings and all nonresidential occupancies.

B. Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform fire safety and property maintenance inspections, a remote inspection may be performed in lieu of in-person inspections when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or such authorized Inspector that the premises conform with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.

C. Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the

Code Enforcement Officer or an Inspector authorized to perform fire safety and property maintenance inspections at any time upon:

(1) the request of the owner of the property to be inspected or an authorized agent of such owner;

(2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or

(3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist;

provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

D. OFPC Inspections. Nothing in this section or in any other provision of this local law shall supersede, limit, or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator or other authorized entity under Executive Law section 156-e and Education Law section 807-b.

(1) Notwithstanding any other provision of this section to the contrary, the Code Enforcement Officer may accept an inspection performed by the Office of Fire Prevention and Control or other authorized entity pursuant to sections 807-a and 807-b of the Education Law and/or section 156-e of the Executive Law, in lieu of a fire safety and property maintenance inspection performed by the Code Enforcement Officer or by an Inspector, provided that:

(i) the Code Enforcement Officer is satisfied that the individual performing such inspection satisfies the requirements set forth in 19 NYCRR section 1203.2(e);

(ii) the Code Enforcement Officer is satisfied that such inspection covers all elements required to be covered by a fire safety and property maintenance inspection;

- (iii) such inspections are performed no less frequently than once a year;
- (iv) a true and complete copy of the report of each such inspection is provided to the Code Enforcement Officer; and
- (v) upon receipt of each such report, the Code Enforcement Officer takes the appropriate action prescribed by Section 113-53 (Violations) of this local law.

E. Fee. The fee specified in or determined in accordance with the provisions set forth in Section 113-54 (Fees) of this local law must be paid prior to or at the time each inspection performed pursuant to this section. This subdivision shall not apply to inspections performed by OFPC.

§113-48. COMPLAINTS

A. The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law, ordinance or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

- (1) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;
- (2) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in Section 113-53 (Violations) of this local law;
- (3) if appropriate, issuing a Stop Work Order;
- (4) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

§113-49. CONDITION ASSESSMENTS OF PARKING GARAGES.

A. Definitions. For the purposes of this section:

(1) the term "condition assessment" means an on-site inspection and evaluation of a parking garage for evidence of deterioration of any structural element or building component of such parking garage, evidence of the existence of any unsafe condition in such parking garage, and evidence indicating that such parking garage is an unsafe structure;

(2) the term "deterioration" means the weakening, disintegration, corrosion, rust, or decay of any structural element or building component, or any other loss of effectiveness of a structural element or building component;

(3) the term "parking garage" means any building or structure, or part thereof, in which all or any part of any structural level or levels is used for parking or storage of motor vehicles, excluding:

(i) buildings in which the only level used for parking or storage of motor vehicles is on grade;

(ii) an attached or accessory structure providing parking exclusively for a detached one- or two-family dwelling; and

(iii) a townhouse unit with attached parking exclusively for such unit;

(4) the term "professional engineer" means an individual who is licensed or otherwise authorized under Article 145 of the Education Law to practice the profession of engineering in the State of New York and who has at least three years of experience performing structural evaluations;

(5) the term "responsible professional engineer" means the professional engineer who performs a condition assessment, or under whose supervision a condition assessment is performed, and who seals and signs the condition assessment report. The use of the term "responsible professional engineer" shall not be construed as limiting the professional responsibility or liability of any professional engineer, or of any other licensed professional, who participates in the preparation of a condition

assessment without being the responsible professional engineer for such condition assessment.

(6) the term "unsafe condition" includes the conditions identified as "unsafe" in section 304.1.1, section 305.1.1, and section 306.1.1 of the PMCNYS; and

(7) the term "unsafe structure" means a structure that is so damaged, decayed, dilapidated, or structurally unsafe, or is of such faulty construction or unstable foundation, that partial or complete collapse is possible.

B. Condition Assessments – general requirements. The owner operator of each parking garage shall cause such parking garage to undergo an initial condition assessment as described in subdivision (c) of this section, periodic condition assessments as described in subdivision (d) of this section, and such additional condition assessments as may be required under subdivision (e) of this section. Each condition assessment shall be conducted by or under the direct supervision of a professional engineer. A written report of each condition assessment shall be prepared, and provided to the Town, in accordance with the requirements of subdivision (f) of this section. Before performing a condition assessment (other than the initial condition assessment) of a parking garage, the responsible professional engineer for such condition assessment shall review all available previous condition assessment reports for such parking garage.

C. Initial Condition Assessment. Each parking garage shall undergo an initial condition assessment as follows:

(1) Parking garages constructed on or after August 29, 2018, shall undergo an initial condition assessment following construction and prior to a certificate of occupancy or certificate of compliance being issued for the structure.

(2) Parking garages constructed prior to August 29, 2018, shall undergo an initial condition assessment as follows:

(i) if originally constructed prior to January 1, 1984, then prior to October 1, 2019;

(ii) if originally constructed between January 1, 1984 and December 31, 2002, then prior to October 1, 2020; and

(iii) if originally constructed between January 1, 2003 and August 28, 2018, then prior to October 1, 2021.

(3) Any parking garage constructed prior to the effective date of the local law enacting this provision that has not undergone an initial condition assessment prior to that effective date shall undergo an initial condition assessment prior to no more than six (6) months after the effective date of this local law.

D. Periodic Condition Assessments. Following the initial condition assessment of a parking garage, such parking garage shall undergo periodic condition assessments at intervals not to exceed three (3) years.

E. Additional Condition Assessments.

(1) If the latest condition assessment report for a parking garage includes a recommendation by the responsible professional engineer that an additional condition assessment of such parking garage, or any portion of such parking garage, be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of such parking garage identified by the responsible professional engineer) to undergo an additional condition assessment no later than the date recommended in such condition assessment report.

(2) If the Town becomes aware of any new or increased deterioration which, in the judgment of the Town, indicates that an additional condition assessment of the entire parking garage, or of the portion of the parking garage affected by such new or increased deterioration, should be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of the parking garage affected by such new or increased deterioration) to undergo an additional condition assessment no later than the date determined by the Town to be appropriate.

F. Condition Assessment Reports. The responsible professional engineer shall prepare, or directly supervise the preparation of, a written report of each condition assessment, and shall submit such condition assessment report to the Town within thirty (30) days such other time frame as fixed by the Town. Such condition

assessment report shall be sealed and signed by the responsible professional engineer, and shall include:

- (1) an evaluation and description of the extent of deterioration and conditions that cause deterioration that could result in an unsafe condition or unsafe structure;
- (2) an evaluation and description of the extent of deterioration and conditions that cause deterioration that, in the opinion of the responsible professional engineer, should be remedied immediately to prevent an unsafe condition or unsafe structure;
- (3) an evaluation and description of the unsafe conditions;
- (4) an evaluation and description of the problems associated with the deterioration, conditions that cause deterioration, and unsafe conditions;
- (5) an evaluation and description of the corrective options available, including the recommended timeframe for remedying the deterioration, conditions that cause deterioration, and unsafe conditions;
- (6) an evaluation and description of the risks associated with not addressing the deterioration, conditions that cause deterioration, and unsafe conditions;
- (7) the responsible professional engineer's recommendation regarding preventative maintenance;
- (8) except in the case of the report of the initial condition assessment, the responsible professional engineer's attestation that he or she reviewed all previously prepared condition assessment reports available for such parking garage, and considered the information in the previously prepared reports while performing the current condition assessment and while preparing the current report; and
- (9) the responsible professional engineer's recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed. In making the recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed, the responsible professional engineer shall consider the parking garage's age, maintenance history, structural condition, construction materials, frequency and intensity of use, location, exposure to the elements, and any other factors deemed relevant by the responsible professional engineer in their professional judgment.

G. Review Condition Assessment Reports. The Town shall take such enforcement action or actions in response to the information in such condition assessment report as may be necessary or appropriate to protect the public from the hazards that may result from the conditions described in such report. In particular, but not by way of limitation, the Town shall, by Order to Remedy or such other means of enforcement as the Town may deem appropriate, require the owner or operator of the parking garage to repair or otherwise remedy all deterioration, all conditions that cause deterioration, and all unsafe conditions identified in such condition assessment report pursuant to paragraphs (2) and (3) of subdivision (f). All repairs and remedies shall comply with the applicable provisions of the Uniform Code. This section shall not limit or impair the right of the Town to take any other enforcement action, including but not limited to suspension or revocation of a parking garage's operating permit, as may be necessary or appropriate in response to the information in a condition assessment report.

H. The Town shall retain all condition assessment reports for the life of the parking garage. Upon request by a professional engineer who has been engaged to perform a condition assessment of a parking garage, and who provides the Town with a written statement attesting to the fact that he or she has been so engaged, the Town shall make the previously prepared condition assessment reports for such parking garage (or copies of such reports) available to such professional engineer. The Town shall be permitted to require the owner or operator of the subject parking garage to pay all costs and expenses associated with making such previously prepared condition assessment reports (or copies thereof) available to the professional engineer.

I. This section shall not limit or impair the right or the obligation of the Town:

(1) to perform such construction inspections as are required by Section 113-41 (Construction Inspections) of this local law;

(2) to perform such periodic fire safety and property maintenance inspections as are required by Section 113-47 (Fire Safety and Property Maintenance Inspections) of this local law; and/or

(3) to take such enforcement action or actions as may be necessary or appropriate to respond to any condition that comes to the attention of the Town by means of its own inspections or observations, by means of a complaint, or by any other means other than a condition assessment or a report of a condition assessment.

SECTION 113-50. CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA.

A. The Code Enforcement Officer shall determine the climatic and geographic design criteria for buildings and structures constructed within this Town as required by the Uniform Code. Such determinations shall be made in the manner specified in the Uniform Code using, where applicable, the maps, charts, and other information provided in the Uniform Code. The criteria to be so determined shall include but shall not necessarily be limited to, the following:

(1) design criteria to include ground snow load; wind design loads; seismic category; potential damage from weathering, frost, and termite; winter design temperature; whether ice barrier underlayment is required; the air freezing index; and the mean annual temperature;

(2) heating and cooling equipment design criteria for structures within the scope of the RCNYS. The design criteria shall include the data identified in the Design Criteria Table found in Chapter 3 of the RCNYS; and

(3) flood hazard areas, flood hazard maps, and supporting data. The flood hazard map shall include, at a minimum, special flood hazard areas as identified by the Federal Emergency Management Agency in the Flood Insurance Study for the community, as amended or revised with:

(i) the accompanying Flood Insurance Rate Map (FIRM);

(ii) Flood Boundary and Floodway Map (FBFM); and

(iii) related supporting data along with any revisions thereto.

B. The Code Enforcement Officer shall prepare a written record of the climatic and geographic design criteria determined pursuant to subdivision (a) of this section, shall maintain such record within the office of the Code Enforcement Officer, and shall make such record readily available to the public.

SECTION 113-51. RECORD KEEPING.

A. The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

- (1) all applications received, reviewed and approved or denied;
- (2) all plans, specifications and construction documents approved;
- (3) all Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Stop Work Orders, and Operating Permits issued;
- (4) all inspections and tests performed;
- (5) all statements and reports issued;
- (6) all complaints received;
- (7) all investigations conducted;
- (8) all condition assessment reports received;
- (9) all fees charged and collected; and
- (10) all other features and activities specified in or contemplated by Sections 113-40 through 113-50 inclusive, of this local law.

B. All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

SECTION 113-52. PROGRAM REVIEW AND REPORTING

A. The Code Enforcement Officer shall annually submit to the Town Board of the Town of Thompson a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in Section 113-50 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.

B. The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this Town, on a form prescribed by the Secretary of State, a report of the activities of this Town relative to administration and enforcement of the Uniform Code.

C. The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, true and complete copies of the records and related materials this Town is required to maintain; true and complete copies of such portion of such records and related materials as may be requested by the Department of State; and/or such excerpts, summaries, tabulations, statistics, and other information and accounts of its activities in connection with administration and enforcement of the Uniform Code and/or Energy Code as may be requested by the Department of State.

SECTION 113-53: VIOLATIONS

A. Orders to Remedy. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. An Order to Remedy shall be in writing; shall be dated and signed by the Code Enforcement Officer; shall specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; shall specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; and shall include a statement substantially similar to the following:

"The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by _____ [*specify date*], which is thirty (30) days after the date of this Order to Remedy."

The Order to Remedy may include provisions ordering the person or entity served with such Order to Remedy (1) to begin to remedy the violations described in the Order to Remedy immediately, or within some other specified period of time which may be less than thirty (30) days; to continue diligently to remedy such violations until each such violation is fully remedied; and, in any event, to complete the remedying of all such violations within thirty (30) days of the date of such Order to Remedy; and/or (2) to take such other protective actions (such as vacating the building or barricading the area where the violations exist) which are authorized by this local law or by any other applicable statute, regulation, rule, local law or ordinance, and which the Code Enforcement Officer may deem appropriate, during the period while such violations are being remedied. The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to be served on the owner of the affected property personally or by

registered mail or certified mail within five (5) days after the date of the Order to Remedy. The Code Enforcement Officer shall be permitted, but not required, to cause the Order to Remedy, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other person taking part or assisting in work being performed at the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

B. Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

C. Penalties. In addition to such other penalties as may be prescribed by State law,

(1) any Person, having been served with a notice of violation, who shall fail to comply with such notice within thirty (30) days of such service or within the time fixed by the Code Enforcement Officer for compliance, whichever is greater, shall be punishable as follows: for a first offense, by a fine of not more than \$250.00 or imprisonment for not more than fifteen (15) days, or both; for a second offense, by a fine of not more than \$500.00 or imprisonment for not more than thirty (30) days, or both; and for a third and each supplemental offense, by a fine of not more than \$1,000.00 or imprisonment for not more than one (1) year, or both. Each day that a violation continues shall be deemed a separate offense; and

(2) any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to pay a civil penalty of not more than \$1,000.00 for each day or part thereof during which such violation continues. The civil penalties provided by this paragraph shall be recoverable in an action instituted in the name of this Town.

D. Injunctive Relief. An action or proceeding may be instituted in the name of this Town, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order,

Operating Permit, Order to Remedy, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Order to Remedy or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this Town, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Town Board of this Town.

E. Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in Section 113-42 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in Section 113-42 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

SECTION 113-54: FEES

A. A fee schedule shall be established by resolution of the Town Board of this Town. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

SECTION 113-55. INTERMUNICIPAL AGREEMENTS

A. The Town Board of this Town may, by resolution, authorize the Supervisor of this Town to enter into an agreement, in the name of this Town, with other governments to carry out the terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

SECTION 113-56. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 113-57. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

2. If any section, part or provision of this local law or the application thereof to any person, property or circumstance is adjudged invalid by any Court of competent jurisdiction, such judgment shall be confined in its operation to the section, part or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof.

3. Except as herein specifically amended, the remainder of Chapter 113 of such Code shall remain in full force and effect.

4. This local law shall take effect immediately upon filing with the Secretary of State.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only)

I hereby certify that the local law annexed hereto, designated as local law No. 01 of 2023 of the Town of Thompson was duly passed by the Town Board on January 03, 2023 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by Elective Chief Executive Officer*)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the County/City/Town/Town/Village of _____ was duly passed by the _____ on _____ 20__ and was (approved) (not approved) (repassed after disapproval) by the _____ on _____ and was deemed duly adopted on _____ 20__, in accordance with the applicable provisions of law.

3. (Final adoption by referendum)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the County/City/Town/Town/Village of _____ was duly passed by the _____ on _____ 20__ and was (approved) (not approved) (repassed after disapproval) by the _____ on _____. Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on _____ 20__, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum)

I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20__ of the County/City/Town/Town/Village of _____ was duly passed by the _____ on _____ 20__ and was (approved) (not approved) (repassed after disapproval) by the _____ on _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20__ in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, chairman of the county legislative body, the mayor of a city or village or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

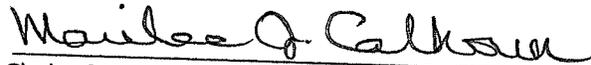
I hereby certify that the local law annexed hereto, designated as local law No. 01 of 2023 of the City of _____ having been submitted to referendum pursuant to the provisions of Sections 36/37 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at a special/general election held on _____ 20__ became operative.

6. (County local law concerning adoption of Charter)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20__ of the County of _____, State of New York, having been submitted to the electors at the General Election of November ____ 20__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide the appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.



~~Clerk of the county legislative body, city, Town, village clerk or officer designated by local legislative body~~

Date: January 09, 2023

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality)

STATE OF NEW YORK
COUNTY OF SULLIVAN

I, the undersigned, do hereby certify that the foregoing local law contains the correct text and that all proper proceeding have been had or taken for the enactment of the local law annexed hereto.

Date: January 09, 2023



Attorney for Town of Thompson

TOWN OF THOMPSON
PROCUREMENT POLICY
Proposed 2023 Updates

1. Evaluation of purchase.

Every prospective purchase of goods or services shall be evaluated to determine the applicability of General Municipal Law §103.

2. Formal bids required.

All purchase of supplies or equipment which will exceed \$20,000.00 in the fiscal year or public works contracts over \$35,000.00 shall be formally bid pursuant to General Municipal Law §103.

3. Method of obtaining quotes.

A. All estimated purchases of:

- (1) \$20,000.00 or less but greater than \$15,000.00 require a written request for proposal (RFP) and fax/written or email quotes from at least three vendors. Purchase must be approved by the Town Board.
- (2) \$15,000.00 or less but greater than \$10,000.00 require at least three fax/written or email quotes from vendors. Purchase must be approved by the Town Board.
- (3) \$10,000.00 or less but greater than \$5,000.00 require at least two oral, fax, written, or email quotes from vendors. Purchase must be approved by the Town Board.
- (4) \$5,000.00 or less are left to the discretion of the purchaser, with department head approval.

B. All estimated public works contracts of:

- (1) \$35,000.00 or less but greater than \$15,000.00 require a written RFP be done and fax/written or email quotes from at least three contractors.
- (2) \$15,000.00 or less but greater than \$10,000.00 require fax/written or email quotes from at least three contractors.
- (3) \$10,000.00 or less but greater than \$5,000.00 require oral/fax, written, or email quotes from at least two vendors/contractors.
- (4) \$5,000.00 or less are left to the discretion of the purchaser.

- C. Any written RFP shall describe the desired goods, quantity, and the particulars of delivery method and time. The purchaser must complete a list of all vendors from whom oral/fax/written/email quotes have been requested and offered. RFP and bids can be by mail, hand delivery, or email form as long as it makes the required deadline time.
- D. All information gathered in complying with the procedures of this section shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

4. Award to lowest responsible proposal or quote; exception.

The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepares a written justification providing reasons why it is in the best interest of the Town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

5. Inability to obtain proposals or quotes.

A good-faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

6. Exemptions.

Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- A. Acquisition of professional services.
- B. Emergencies.
- C. Sole source situations.
- D. Goods purchased from agencies for the blind or severely handicapped.
- E. Goods purchased from correctional facilities.
- F. Goods purchased from another governmental agency.
- G. Goods purchased at auction.
- H. Public works contracts for \$5,000.00 or less.

7. Annual review.

This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.

8. Best Value Pricing – Legislative purpose.

New York State General Municipal Law §103 has been amended to provide local governments greater flexibility in awarding contracts by authorizing the award of purchaser contracts (including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the Labor Law), on the basis of best value.

With the increased complexity of the goods and services that the Town must obtain in order to serve taxpayers, it is critical to consider selection and evaluation criteria which measure factors other than cost in the strictest sense. Best value procurement links the procurement process directly to the Town's performance requirements, including, but not limited to, selection factors such as useful lifespan, quality, and options and incentives for more timely performance and/or additional services. Best value procurement can provide much needed flexibility in obtaining important goods and services at favorable prices, and can reduce the time to procure such goods and services.

9. Definitions.

BEST VALUE – the basis for awarding contracts for services to the offerer that optimizes quality, cost and efficiency, among responsive offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerers that are small businesses or certified minority or women-owned business enterprises as defined in Executive Law §310 subdivisions 1, 7, 15 and 20 to be used in evaluation of offers for awarding of contracts for services. [New York State Finance Law §163(l)(j)]

FACTORS – factors which may be used to determine “best value” and to award a contract to other than the lowest bidder are as follows:

- A. Cost of maintenance;
- B. Product life;
- C. Warranties;
- D. Past performance, reliability, or durability, and current or past experience with the provision of similar goods/services;
- E. Organization, staffing (particular abilities and/or experience), and ability to undertake the type and complexity of the work;
- F. Financial capability;
- G. Record of compliance with all federal, state and local laws, rules and licensing requirements;
- or
- H. Ability to meet Town needs in a timely and accountable fashion.

LOWEST PRICE - the basis for awarding contracts for commodities among responsive and responsible offerers. [New York State Finance Law §163(1)(i)]

PROCUREMENT RECORD – documentation of the decisions made and the approach taken in the procurement process, [New York State Finance Law §163(1)(f)]

10. Best Value Award Methodology Requirements.

Where the basis for an award of a purchase contract will be the best value offer, the purchaser shall, in all instances:

- A. Document the procurement record as a component of the competitive award process and in advance of the initial receipt of offers, the determination of the evaluation criteria, which, wherever possible, shall be quantifiable, and the process to be used in the determination of best value and the manner in which the evaluation process and selection shall be conducted.
- B. The solicitation shall prescribe the minimum specifications or requirements that must be met in order to be considered responsive and shall describe and disclose the general manner in which the evaluation and selection shall be conducted. Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the Town in its determination of best value.
- C. Reasonable efforts shall be made to ensure that the private and non-for-profit sectors in New York State are apprised of procurement opportunities, including by specifying the elements of a responsive bid and disclosing the process for awarding contracts including, if applicable, the relative importance or weight of cost and the overall technical criterion for evaluating offers and ensuring the procurement is conducted accordingly.
- D. Select a formal competitive procurement process in accordance with New York State General Municipal Law and other state law and the guidelines established under the Town's Purchasing Policy and document the determination in the procurement record. The process of selection shall include, but may not necessarily be limited to:
 - 1. a clear statement of need;
 - 2. a description of the requirement specifications governing performance and related factors;
 - 3. a reasonable process for ensuring a competitive field;
 - 4. a fair and equal opportunity for offerers to submit responsive offers;
 - 5. a balanced and fair method of award.
- E. Where the basis for the award is best value, documentation in the procurement record shall, where practicable, include a quantification of the application of the criteria to the rating of proposals and the evaluation results, or, where not practicable, such other justification which demonstrates that best value will be achieved. The Town shall maintain and retain all documentation used in the award process.
- F. The determination to award a contract on the basis of best value shall be made by the Town Board. Such determination shall include the specific criteria applied in determining best value which shall reflect, wherever possible, objective and quantifiable analysis. The Town Board should use a cost-benefit analysis or other similar process to demonstrate quantifiable value or savings from non-price factors that offset the price differential of lower price offers.

- G. In the event that no best value election is made, purchase contracts will continue to be awarded to the lowest responsible bidder furnishing required security.
- H. This does not apply to purchase contracts for the following:
 - 1. Any purchase contract necessary for the completion of a public works contract pursuant to Article 7 of the New York State Labor Law; and
 - 2. Any purchase or procurement of goods and/or services otherwise excluded by law from best value purchasing standards, whether now existing or hereafter arising.
- 11. "Piggybacking" Law – exception to competitive bidding requirement
 - A. Pursuant to NY State General Municipal Law §103(1), the Town of Thompson shall be authorized to purchase apparatus, materials, equipment and supplies and to contract for services related to the installation, maintenance or repair of those items, through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district therein.
 - B. The Town shall be permitted to "piggyback" on a previous order for a procurement of apparatus, materials, equipment and supplies, and related installations, repair and maintenance services when the following three (3) prerequisites are met:
 - (1) The contract must have been let by the United States or any agency thereof, any state or any other political subdivision or district therein;
 - (2) The contract must have been made available for use by other governmental entities, and same must be stated clearly within the contract let by the other entity that extends the terms and conditions of the contract to other governmental entities; and
 - (3) The contract must have been let to the lowest responsible bidder or on the basis of "Best Value" in a manner consistent with Procurement Policy and General Municipal Law §103 as applicable to NY State political subdivision.
 - C. Upon meeting all these prerequisites, the Town may utilize a previously used procurement order from a recognized and previously mentioned political subdivision and not be required to utilize and comply with competitive bidding requirements for the purchase of apparatus, materials, equipment and supplies, and to contract for services related to the installation, maintenance or repair of those items.

Town of Thompson Highway Dept

Rich Benjamin Jr. Superintendent of Highways
33 Jefferson St. Monticello, NY 12701
Phone: 794-5560

Todd Mitchell Deputy Superintendent
Email davehiway@gmail.com
Fax: 794-5722

December 23, 2022

Town Board,

Attached find the roads the Highway Department plans on improving for the 2023 construction season. The number of roads improved can change due to weather, damages, scheduling and the cost of materials.

Rich

Seal 2023

Road	mile	feet	y2	gals .35	tons
Fairground	0.51	2963	6283	2199	63
Woodcliff	0.13	686	1602	561	16
Richmond	0.09	475	1109	389	12
Ripple	0.18	950	2218	776	22
Schroeder	0.14	739	1725	604	17
Gandy	0.06	317	739	259	7
Kitz Rd.	0.33	1742	4066	1423	41
Swinging bridge est rd	0.5	2640	6160	2156	62
twin pond rd	0.07	370	862	302	9
burnt meadow rd	0.12	633	1479	517	15
Pittalugga	0.56	2957	6899	2415	69
Friedman	1.01	5323	12443	4355	124
Coopers corner	1.55	8184	19096	6884	191
Rose Valley	3.05	16104	37576	13152	376
Adam	0.16	845	1971	690	20
Rod and Gun	0.19	1003	2341	819	23
Legrand double coat	0.13	686	1602	1121	32
tucci	0.43	2270	5298	1854	52
rosevelt	0.35	1848	4312	1509	43
firemans camp	0.41	2165	51	1768	51
maplewood grdn 1	0.4	2112	4928	1725	49
river rd	0.83	4382	10226	5779	102
ranch rd	0.8	4224	9856	3450	99
fred rd	0.36	1901	4435	1552	44
gibber rd	1	5280	12320	4312	123
	13.36	70799	159597	60571	1662
Pave					
Southwoods Dr					
Concord					
Harris Rd					
Various Rds Emerald Green					
robert lane					



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 3rd day of January 2023 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

I



Town of Thompson
Warrant Report

Unposted Batch Totals

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

Posted Batch Totals

Fund	Fund Description	Invoice Batch		Manual Checks		Purchase Cards		Total	
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	Paid	Unpaid
A000	GENERAL FUND TOWN WIDE	\$121,274.21	\$0.00	\$275,000.00	\$0.00	\$0.00	\$0.00	\$396,274.21	\$0.00
B000	GENERAL TOWN OUTSIDE	\$284,085.87	\$0.00	\$225,000.00	\$0.00	\$0.00	\$0.00	\$509,085.87	\$0.00
DA00	HWY#3 / 4 - TOWN WIDE	\$165,634.52	\$0.00	\$120,000.00	\$0.00	\$0.00	\$0.00	\$285,634.52	\$0.00
DB00	HWY#1 - TOWN OUTSIDE	\$266.48	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$266.48	\$0.00
SSAR	Adelaar Sewer District	\$4,628.97	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,628.97	\$0.00
SSHC	Harris Consolidated Sewer District	\$5,175.79	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,175.79	\$0.00
SSKC	Kiamesha Consolidated Sewer District	\$24,011.09	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$24,011.09	\$0.00
SSM0	MELODY LAKE SEWER DISTR.	\$925.79	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$925.79	\$0.00
SSRC	Rock Hill Emerald Green Consolidated Sewer Dist	\$10,143.15	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,143.15	\$0.00
SSS0	SACKETT LAKE SEWER DISTR	\$5,835.77	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,835.77	\$0.00
SWA0	ADELAAR RESORT WATER DISTRICT	\$694.34	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$694.34	\$0.00
SWC0	COLD SPRING WATER	\$231.44	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$231.44	\$0.00
SWD0	DILLON WATER DISTRICT	\$68.89	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$68.89	\$0.00
SWK0	KIAMESHA RT42 WATER	\$23.15	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$23.15	\$0.00
SWL0	LUCKY LAKE WATER DISTR	\$57.86	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$57.86	\$0.00
SWM0	MELODY LAKE WATER	\$927.41	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$927.41	\$0.00
T000	TRUST & AGENCY FUND	\$3,063.01	\$0.00	\$0.00	\$0.00	\$14,860.12	\$0.00	\$17,923.13	\$0.00
Posted Batch Grand Totals		\$627,047.74	\$0.00	\$620,000.00	\$0.00	\$14,860.12	\$0.00	\$1,261,907.86	\$0.00

Report Grand Totals

Fund	Fund Description	Invoice Batch		Manual Checks		Purchase Cards		Total	
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	Paid	Unpaid
A000	GENERAL FUND TOWN WIDE	\$121,274.21	\$0.00	\$275,000.00	\$0.00	\$0.00	\$0.00	\$396,274.21	\$0.00
B000	GENERAL TOWN OUTSIDE	\$284,085.87	\$0.00	\$225,000.00	\$0.00	\$0.00	\$0.00	\$509,085.87	\$0.00
DA00	HWY#3 / 4 - TOWN WIDE	\$165,634.52	\$0.00	\$120,000.00	\$0.00	\$0.00	\$0.00	\$285,634.52	\$0.00
DB00	HWY#1 - TOWN OUTSIDE	\$266.48	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$266.48	\$0.00
SSAR	Adelaar Sewer District	\$4,628.97	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,628.97	\$0.00
SSHC	Harris Consolidated Sewer District	\$5,175.79	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,175.79	\$0.00



**Town of Thompson
Warrant Report**

SSKC	Kiamesha Consolidated Sewer District	\$24,011.09	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$24,011.09	\$0.00	\$0.00
SSM0	MELODY LAKE SEWER DISTR.	\$925.79	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$925.79	\$0.00	\$0.00
SSRC	Rock Hill Emerald Green Consolidated Sewer Dist	\$10,143.15	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,143.15	\$0.00	\$0.00
SSS0	SACKETT LAKE SEWER DISTR	\$5,835.77	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,835.77	\$0.00	\$0.00
SWA0	ADELAAR RESORT WATER DISTRICT	\$694.34	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$694.34	\$0.00	\$0.00
SWC0	COLD SPRING WATER	\$231.44	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$231.44	\$0.00	\$0.00
SWD0	DILLON WATER DISTRICT	\$68.89	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$68.89	\$0.00	\$0.00
SWK0	KIAMESHA RT42 WATER	\$23.15	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$23.15	\$0.00	\$0.00
SWL0	LUCKY LAKE WATER DISTR	\$57.86	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$57.86	\$0.00	\$0.00
SWM0	MELODY LAKE WATER	\$927.41	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$927.41	\$0.00	\$0.00
T000	TRUST & AGENCY FUND	\$3,063.01	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$14,860.12	\$17,923.13	\$0.00	\$0.00
Grand Totals		\$627,047.74	\$0.00	\$620,000.00	\$0.00	\$0.00	\$0.00	\$14,860.12	\$1,261,907.86	\$0.00	\$0.00