

Minutes of a Regular Meeting of the Town Board of the Town of Thompson held at the Town Hall, 4052 State Route 42, Monticello, New York and held remotely via Zoom on **March 07, 2023.**

ROLL CALL:

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

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

Present via Zoom: Kelly Murrin, Deputy Town Clerk
Karen Schaefer, Supervisor's Confidential Secretary
Jill Weyer, Director of Community Development

REGULAR MEETING – CALL TO ORDER

Supervisor Rieber opened the meeting at 7:00 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 NO. 02 OF 2023 – AMEND CHAPTER 231 OF TOWN CODE ENTITLED “VEHICLES AND TRAFFIC” – REMOVE COUNTY ROAD 109 (KIAMESHA LAKE ROAD) FROM SCHEDULE K, NO PARKING ANYTIME

Supervisor Rieber opened the Public Hearing at 7:00 PM.

Town Clerk, Marilee J. Calhoun read the legal public notice and stated that she had an original affidavit of publication. Notice of said hearing was duly published in the Sullivan County Democrat on February 28, 2023 with same being posted at the Town Hall and Town Website on February 06, 2023.

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

**Town Board Meeting
March 07, 2023
Page 1 of 35**

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 January 17, 2023, a proposed Local Law No. 02 of 2023, entitled "A Local Law to amend the Town of Thompson Code, Chapter 231, entitled "Vehicles and Traffic".

The proposed Local Law will rescind and remove County Road No. 109 from Section 231-45, Schedule K.

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 March 07, 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: January 17, 2023

BY ORDER OF THE TOWN BOARD

TOWN OF THOMPSON

MARILEE J. CALHOUN, TOWN CLERK

Supervisor Rieber explained the purpose of Proposed Local Law No. 2 of 2023. The Proposed Local Law is to amend Chapter 231, Section 45, of the Town Code entitled "Vehicles and Traffic" to remove no parking along County Road No. 109 (Kiamesha Lake Road) from Schedule "K".

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 7:04 PM was made by Councilman Pavese and seconded by Councilman Schock.

The regular meeting was reconvened at 7:05 PM.

MONTHLY REPORT FOR FEBRUARY 2023 RECEIVED AND FILED

Dog Control Officer's Report

APPROVAL OF MINUTES:

On a motion made by Councilman Mace and seconded by Councilman Schock the minutes of the February 22nd, 2023 Regular Town Board Meeting were approved as presented.

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

PUBLIC COMMENT:

There was no public comment given.

CORRESPONDENCE:

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

- **NYS Building Standards and Codes:** Uniform Code Administration and Enforcement Report for Town of Thompson for Reporting Year 2022.
- **Rebecca S. Crist, NYS DEC:** State Pollutant Discharge Elimination System (SPDES) Discharge Permit issued to Town of Thompson on behalf of the Consolidated Kiamesha Sewer District, Dated: 02/28/2023.
- **Meghan Taylor, VP, Government Affairs & Public Relations:** Letter dated 01/18/23 to Mr. Stephen Ryba, Regulatory Branch, NY District, U.S. Army Corps of Engineers Re: Joint Application dated January 2023 for Stream & Wetlands Disturbance Permit for Cart Bridge Rehabilitation.
- **Town of Forestburgh Town Board:** Resolution & Notice Requiring Preparation of a Supplemental Impact Statement Under State Environmental Quality Review Act for the Project Known as Lost Lake Resort, Resolution Dated: 02/02/23, Notice Dated: 02/09/23.
- **Walkoff Holdings LLC c/o Sills Cummis & Gross P.C.:** Notice to Tenants of Buildings in Foreclosure mailed to Town of Thompson Re: Waverly Gardens Development, Filed 12/13/22, Index # 2022-366.
- **Marc A. Baez, President/CEO, Sullivan County Partnership for Economic Development:** Letter dated 02/16/23 to Town Clerk Calhoun Re: Economic Development Summit Informational Breakfast Event to be held on Thursday, 03/23/23, from 7:30 – 10:00 AM at The Kartrite Resort & Indoor Waterpark.

- **NYSERDA, No-Reply:** Email dated 02/16/23 to Deputy Administration Patrice Chester Re: Approval of \$5,000.00 Grant Application under the Clean Energy Communities Program. Councilwoman Meddaugh commented on.
- **Andrew Kalter, District Director, NYS DOH:** Letters dated 02/14/23 to Supervisor Rieber & 03/02/23 to Allan Schachnovsky, Kiamesha Artesian Spring Water Company Re: Boil Water Order Rescind Notices.
- **Hon. Tamiko A. Amaker, Acting Chief Administrative Judge, NYS Unified Court System:** Letter dated 02/23/2023 to Supervisor Rieber Re: Annual Justice Court Audit Requirement.
- **Charter Communications:** Letter dated 02/03/23 with Check #80669446 for \$50,944.13 – 4th Quarter Franchise Fee (10/01/22 – 12/31/22).
- **NYS Dept. of Taxation and Finance:** Check #09158795, Dated: 02/07/2023 in the amount of \$705,688.17 – NYS Gaming Commission for Resorts World Catskill Casino Distribution 3rd Quarter Payment.
- **County of Sullivan Treasurer, General Fund:** Check #299257, Dated: 02/24/2023 in the amount of \$28,300.65 – Plans & Progress Small Grant Program for \$8,300.65 & Rust Grant Program for \$20,000.00. Deputy Administrator Chester advised there will be additional funds received under the Plans & Progress Small Grant Program since grant awarded was for \$10,000.00. Additional funds to be received should be in the amount of \$1,699.35.
- **Rebecca Bellard, NYS Dept. of Taxation & Finance ORPTS:** Memo dated 02/09/23 to Assessors, Mayors, Supervisors and Clerks Re: 2023 Tentative Special Franchise Full Values - \$20,290,615.
- **Christopher Lang, Deputy Regional Permit Administrator, NYS DEC:** Email, Permit & Letter dated 02/13/23 to Mr. Michael Zager Re: Water Disturbance Permit DEC ID# 3-4846-00504/00002 (EF) Permit and 3-4846-00504/00002 Blanket Water Quality Certification for Zager Property, 10 Elm Road, Rock Hill, NY.
- **Stephen Monteverde, Engineer Trainee, NYS DEC, Division of Water, Region 3:** Letter dated 02/13/23 to Supervisor Rieber and Town Board Re: Annual Compliance Inspection – Melody Lake Sewer District STP, SPDES Permit No.: NY0030708.
- **Jennifer G. Gallery, Siegel & Moses, P.C., Attorneys at Law:** Letter dated 02/10/23 to Town Clerk Calhoun Re: Standardized Notice Form Providing 30-Day Advance Notice of Liquor License Application for Monster Golf Course @ Resorts World Catskills, which will be reopening later this year.
- **Julio Garaicoechea, Project Manager, SC IDA:** 2023 Distribution of PILOT Payments – Check #2305 Dated: 02/17/23 for \$4,184.67 (3 Projects – Loughlin & Billig PC, NY Thompson I LLC & NY Thompson II LLC).
- **Jennifer M. Flad, Executive Director, SC IDA:** Letter dated 02/17/23 to Assessor Krzywicki Re: NYS Dept. of Taxation & Finance Form RP-412-a, Application for Real Property Tax Exemption (County of Sullivan IDA with

Mountain Kosher Food Corp. and 286 EB LLC) along with PILOT Agreement, Lease to Agency & Leaseback to Company attachments, SBL#113.-4-3.

- **Jennifer M. Flad, Executive Director, SC IDA:** Letter dated 02/17/23 to Assessor Krzywicki Re: NYS Dept. of Taxation & Finance Amended Form RP-412-a, Application for Real Property Tax Exemption (County of Sullivan IDA with Empire Resorts Real Estate I, LLC – Golf Course Project) along with First Amended PILOT Agreement and Omnibus Amendment to Project Documents, SBL #15.-1-15.
- **Jennifer M. Flad, Executive Director, SC IDA:** Letter dated 02/17/23 to Assessor Krzywicki Re: NYS Dept. of Taxation & Finance Amended Form RP-412-a, Application for Real Property Tax Exemption (County of Sullivan IDA with Empire Resorts Real Estate II, LLC) along with First Amended PILOT Agreement and Omnibus Amendment to Project Documents, SBL #23.-1-54.6.
- **Jennifer M. Flad, Executive Director, SC IDA:** Letter dated 02/17/23 to Assessor Krzywicki Re: NYS Dept. of Taxation & Finance Original Form RP-412-a, Application for Real Property Tax Exemption (County of Sullivan IDA with Monticello Industrial Park LLC) along with PILOT Agreement, Lease to Agency & Leaseback to Company attachments, SBL#130.-1-19.2.
- **Jennifer M. Flad, Executive Director, SC Funding Corporation:** Letter dated 02/17/23 to Assessor Krzywicki Re: Filing of a Quitclaim Deed dated 12/02/2022 transferring parcel # 130.-1-19.2 to Monticello Industrial Park LLC since the SC Funding Corporation no longer has an interest in said parcel and does not seek renewal of Real Property Tax Exemption under Section 420-a of NYS Real Property Tax Law.
- **George Duke, Esq. of Connell Foley LLP on behalf of Glen Wild Land Company, LLC:** Letter dated 02/24/23 to Supervisor Rieber Re: Resolution No. 78 of 2023 – Adopted by Town Board on 01/03/2023 involving the Referendum Petition that was filed on Consolidated Rock Hill-Emerald Green Sewer District Extension No. 2.
- **George Duke, Esq. of Connell Foley LLP on behalf of Glen Wild Land Company, LLC:** Letter dated 03/01/23 to Town Clerk Calhoun Re: Order to Show Cause, Verified Petition, Verification & Affidavit of Service including Exhibits involving the Referendum Petition that was filed on Consolidated Rock Hill-Emerald Green Sewer District Extension No. 2.
- **Town of Liberty Planning Board:** Public Hearing Notice – Bais Yaakov Council for Special Use Permit at 482 Stanton Corners Road, Ferndale, NY, SBL#46.-1-57 in RD Zone.

AGENDA ITEMS:

1) ACTION: RESOLUTION TO ENACT PROPOSED LOCAL LAW NO. 02 OF 2023 – AMEND CHAPTER 231 “VEHICLES AND TRAFFIC” – REMOVE COUNTY ROAD 109 (KIAMESHA LAKE ROAD) FROM SCHEDULE K OF TOWN CODE, NO PARKING AT ANYTIME

The Following Resolution Was Duly Adopted: Res. No. 124 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 March 07, 2023

RESOLUTION TO ENACT LOCAL LAW NO. 02 of 2023

WHEREAS, proposed Local Law No. 02 of the year 2023 entitled, "A Local Law to amend the Town of Thompson Code, Chapter 231, entitled “Vehicles and Traffic” was introduced to the Town Board at a meeting held January 17, 2023, 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. 02 for the year 2023, Town of Thompson, State of New York, which Local Law is annexed hereto and made a part hereof.

Moved by: Councilman Scott S. Mace

Seconded by: Councilman Ryan T. Schock

Adopted on Motion March 07, 2023

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

Local Law No. 02 of 2023

A local law amending Chapter 231, Article V of the Town of Thompson Code, entitled Vehicles and Traffic."

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

1. Chapter 231, Article V, Section 231-46, Schedule K of the Code of the Town of Thompson entitled "Vehicles and Traffic, Schedule K" is hereby amended to rescind and remove the following:

Name of Street	Side	Location
County Road No. 109		From the intersection of New York State Highway No. 42, running in an easterly direction to the Town line of the Town of Thompson

2. The Town hereby determines that this amendment is an Unlisted action that will not have a significant effect on the environment and, therefore, no other determinations or procedure under the State Environmental Quality Review Act ("SEQRA") is required.

3. Except as herein specifically amended, the remainder of Chapter 231 of such Code shall remain in full force and effect.

4. 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.

5. Except as herein otherwise provided penalties for the violation of this local law, any person committing an offense against any provision of the Chapter of the Code of the Town of Thompson shall, upon conviction thereof, be punishable as provided in Chapter 1, General Provisions, Article II, of such Code.

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

3) PROPOSED EXTENSION NO. 1 OF CONSOLIDATED HARRIS SEWER DISTRICT – 180 WAVERLY AVE LLC, SBL# 29.-2-14

A) RESOLUTION TO ACCEPT MAP, PLAN & REPORT COMPLETED BY MHE, DATED: 02/16/2023

The Following Resolution Was Duly Adopted: Res. No. 125 of the Year 2023.

Resolved, that the Town Board of the Town of Thompson hereby accepts the Map, Plan & Report completed by MHE Engineering, D.P.C. Professional Engineers for the Town

more particularly described in Schedule "A" annexed hereto and made a part hereof¹, which area is located wholly within the Town of Thompson; and

WHEREAS, said Map, Plan and Report was prepared on behalf of the Town, by MHE Engineering, DPC, dated February 16, 2023, which engineers are duly licensed by the State of New York, and which report and plan are on file in the office of the Town Clerk for public inspection; and

WHEREAS, the boundaries of the proposed extended district are more fully set forth and described in Schedule "A" annexed hereto and made a part hereof; and

WHEREAS, the improvement proposed for the said Consolidated Harris Sewer District, as extended, consists of providing a means by which 180 Waverly Ave LLC (T/O Thompson Tax Map Parcel #29-2-14) may dispose of sewage by becoming part of the said Consolidated Harris Sewer District, and

WHEREAS, 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, 180 Waverly Ave LLC, and

WHEREAS, the annual average cost for a typical single-family residence with four (4) bedrooms would be *Three Hundred Fourteen and 70/100 (\$314.70) Dollars*, and

WHEREAS, it is now desired to call a Public Hearing for the purpose of considering said Map, Plan and Report, and extending said Consolidated Harris Sewer District, and to hear all persons interested in the subject thereof and concerning the same in accordance with the provisions of Section 209-d of the Town Law;

NOW, THEREFORE, IT IS HEREBY

¹ ATTACHMENT: SCHEDULE "A" PROPERTY DESCRIPTION

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

Section 1. That a meeting of the Town Board of the Town of Thompson, Sullivan County, New York, shall be held at the Town Hall, 4052 Route 42, Monticello, New York, in said Town, on the 4th day of April, 2023, at 7:00 o'clock, P.M., Prevailing Time, to consider said Map, Plan and Report, and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as is required by law.

Section 2. That a copy of this Order shall be published in the Sullivan County Democrat, the official newspaper of said Town, and posted on the bulletin board maintained by the Town Clerk at the Town Hall in accordance with the provisions of Section 209-d of the Town Law, such publication posting to be not less than ten nor more than twenty days before the date designated for the hearing as aforesaid.

Section 3. This order shall take effect immediately.

Moved by: Councilwoman Melinda S. Meddaugh

Seconded by: Councilman John A. Pavese

The question of the adoption of the foregoing Order 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 order was thereupon declared duly adopted.

* * * * *

4) SACKETT LAKE SEWER DISTRICT COLLECTION SYSTEM IMPROVEMENT PROJECT

A) RESOLUTION TO ACCEPT REVISED MAP, PLAN & REPORT COMPLETED BY MHE, DATED 03/01/2023

The Following Resolution Was Duly Adopted: Res. No. 127 of the Year 2023.

Resolved, that the Town Board of the Town of Thompson hereby accepts the Revised Map, Plan & Report completed by MHE Engineering, D.P.C. Professional Engineers for the Town for the Sackett Lake Sewer District Collection System Improvement Project Dated 03/01/2023.

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

B) RESOLUTION TO ESTABLISH DATE FOR PUBLIC HEARING TO INCREASE BONDING OF PROJECT

Supervisor Rieber advised that the required documents have not been provided by the Bonding Counsel and the matter will be tabled until the next Town Board meeting on March 21st, 2023 for action.

5) CONSOLIDATED ROCK HILL-EMERALD GREEN SEWER DISTRICT PUMP STATION #1, #2 & #3 IMPROVEMENTS PROJECT

A) RESOLUTION TO ACCEPT REVISED MAP, PLAN & REPORT COMPLETED BY MHE, DATED 03/01/2023

The Following Resolution Was Duly Adopted: Res. No. 128 of the Year 2023.

Resolved, that the Town Board of the Town of Thompson hereby accepts the Revised Map, Plan & Report completed by MHE Engineering, D.P.C. Professional Engineers for the Town for the Consolidated Rock Hill/Emerald Green Sewer District Pump Station #'s 1, 2 & 3 Improvements Project Dated 03/01/2023.

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

B) RESOLUTION TO ESTABLISH DATE FOR PUBLIC HEARING TO INCREASE BONDING OF PROJECT

Supervisor Rieber advised that the required documents have not been provided by the Bonding Counsel and the matter will be tabled until the next Town Board meeting on March 21st, 2023 for action.

6) RESOLUTION TO AUTHORIZE MAP, PLAN & REPORT PURSUANT TO TOWN LAW FOR THE PROPOSED EXTENSION NO. 1 OF THE ADELAAR RESORT WATER DISTRICT IN THE TOWN OF THOMPSON – CONCORD ASSOCIATES, LP & LOUIS R. CAPPELLI FAMILY LTD PARTNERSHIP

The Following Resolution Was Duly Adopted: Res. No. 129 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 March 07, 2023

**RESOLUTION PURSUANT TO TOWN LAW FOR THE PROPOSED EXTENSION NO. 1 OF THE ADELAAR
RESORT WATER DISTRICT IN THE TOWN OF THOMPSON**

WHEREAS, Concord Associates, LP and Louis R. Cappelli Family Ltd. Partnership have made a request to the Town Board of the Town of Thompson to extend the Adelaar Resort Water District, a Special Improvement District heretofore created in said Town, to include certain parcels of property, namely SBL #'s 9-1-34.1, 9-1-34.2, 9-1-34.4, 9-1-34.5, 9-1-34.6, 9-1-34.7, 9-1-27.2, 9-1-79 and 9-1-36; and

WHEREAS, the said area to be included in the Adelaar Resort Water District is totally located within the Town of Thompson and outside any incorporated village; and

WHEREAS, the said Town Board is desirous of preparing a general map and plan for providing water facilities in the aforesaid area of said Town and to appropriate a specific amount to pay the cost of preparing said general map and plan, and for other services in connection therewith; the costs of which shall be borne by said applicants, Concord Associates, LP and Louis R. Cappelli Family Ltd. Partnership.

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

1. That the Town Board does hereby authorize MHE Engineering, D.P.C. of 33 Airport Center Drive, Suite 202, New Windsor, New York 12553 to prepare a general map and plan for the extension of the water facilities and services in the area of the Town of Thompson now serviced by the Adelaar Resort Water District, and for such other services as may be necessary in connection therewith.

2. That the Town Board does hereby appropriate the sum of \$21,000.00 to pay the cost of preparing the general map and plan for the extension of the water facilities, as well as all legal expenses incurred by the district to complete any district extension, and all costs and disbursements incurred by the district in processing the extension. That all engineering, legal costs and other disbursements for preparation of a general map, plan and report shall be paid by the applicants. Said monies shall be deposited by the applicants in the Town escrow account prior to preparation of said map, plan and report and will be released to MHE Engineering, D.P.C. upon completion, and other monies held in escrow will be disbursed upon completion of the extension.

3. That MHE Engineering, D.P.C., of 33 Airport Center Drive, Suite 202, New Windsor, New York 12553, be, and they hereby are, retained at a cost not to exceed \$15,000.00, of which said monies are to be paid by the applicants, to prepare a general map and plan for the extension of the water facilities and services to the area known as the Adelaar Resort Water District.

4. Legal fees incurred by the Town in connection with the extension of the Adelaar Resort Water District are to be paid by the applicants.

5. That all maps and plans prepared by MHE Engineering, D.P.C. shall conform with the requirements of Section 192 of the Town Law, and shall be filed with the Town Clerk.

6. That the map, plan and report shall be prepared once monies are placed in escrow by the applicants.

7. That in the event that the said Adelaar Resort Water District shall be extended as herein proposed, and shall thereafter be approved pursuant to the provisions of the Town Law, the expense incurred by the Town for the preparation of the maps and plans and other services therefor shall be deemed to be part of the cost of such improvement, and the Town shall be reimbursed the amount paid therefor, or such portion of that amount which the Town Board at the public hearing held pursuant to the Town Law shall allocate against such District.

8. That this Resolution is subject to a permissive referendum pursuant to and in accordance with the provisions of Sections 209-b and 90 of the Town Law.

9. That within ten (10) days from the date of this Resolution, the Town Clerk shall post and publish a Notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum, and shall publish such Notice in the Sullivan County Democrat, the official newspaper of the Town, and in addition, that the Town Clerk shall post or cause to be posted on the signboard of the Town of Thompson a copy of such Notice within ten (10) days after the date of the adoption of this Resolution.

Moved by: Councilman John A. Pavese

Seconded by: Councilman Ryan T. Schock

The Members voted on the foregoing Resolution as follows:

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"/>

7) AUTHORIZATION TO APPLY FOR SULLIVAN 180- 2023 COMMUNITY DEVELOPMENT PROGRAM GRANT FUNDS

A) MUNICIPAL PARTNERSHIP GRANT UP TO \$20,000.00

B) TECHNICAL ASSISTANCE GRANT UP TO \$5,000.00

Director Weyer is requesting authorization to complete an application to apply for 2023 Community Development Program Grant Funds through Sullivan 180. She is proposing to apply for a Municipal Partnership Grant and a Technical Assistance Grant as follows: Municipal Partnership Grant up to \$20,000.00 for site and utility improvements for the new bathroom facilities at Lake Ida Park, which will also include an allocated portion of \$4,000.00 towards the care of public spaces and gardens for improvements to the Rock Hill Business & Community Association flower gardens. Technical Assistance Grant up to \$5,000.00 for the creation/layout of trails and map at Lake Ida Park. Director Weyer briefly explained the proposed projects. A separate grant for art could also be applied for as another project option. Deputy Administrator Chester and Councilwoman Meddaugh also commented on both grant projects being proposed. Action was taken to authorize applying for both grant programs as follows:

The Following Resolution Was Duly Adopted: Res. No. 130 of the Year 2023.

Resolved, that the Town Board of the Town of Thompson hereby authorizes the submittal of two applications to Sullivan 180 for participation in the 2023 Community Development Program Grant Funds, Municipal Partnership Grant for a 25% Matching-Fund Grant for maximum amount of \$20,000.00 and Technical Assistance Grant for Matching Fund Grant for maximum amount of \$5,000.00 and that the Town Supervisor hereby be authorized to execute said grant applications.

Moved by: Councilwoman Meddaugh Seconded by: Councilman Schock

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

Nays 0

8) ACCEPT RESIGNATION OF TOWN HISTORIAN JUDITH WOLKOFF, EFFECTIVE 03/01/2023

Mrs. Judith Wolkoff submitted her letter of Resignation as Town of Thompson Historian due to other personal obligations. The Town Board acknowledged and accepted her resignation, effective March 1st, 2023.

The Following Resolution Was Duly Adopted: Res. No. 131 of the Year 2023.

Resolved, that the Town Board of the Town of Thompson hereby accepts the Resignation of Judith Wolkoff as Town Historian with many thanks for her time of service and dedication to the Town.

Motion by: Councilman Pavese Seconded by: Councilman Schock

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

Nays 0

9) PARKS & RECREATION DEPARTMENT ITEMS:

A) RESOLUTION TO AMEND RESOLUTION NO. 426 OF 2022 TO INCREASE COST NOT TO EXCEED \$3,016.00 FOR FAMILY SKI NIGHT EVENT HELD ON 01/26/2023

The Following Resolution Was Duly Adopted: Res. No. 132 of the Year 2023.

Resolved, that Resolution No. 426 of the Year 2022 involving the Family Ski Night Event held on 01/26/2023 hereby be amended to increase the total cost not to exceed \$3,016.00.

Motion by: Councilman Mace Seconded by: Councilman Schock

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

Nays 0

B) RESOLUTION TO AMEND RESOLUTION NO. 425 OF 2022 TO INCREASE COST NOT TO EXCEED \$6,465.00 FOR THURSDAY NIGHT LIGHTS WINTER SKI PROGRAM HELD ON 02/02/2023 & 02/23/2023

The Following Resolution Was Duly Adopted: Res. No. 133 of the Year 2023.

Resolved, that Resolution No. 425 of the Year 2022 involving the Thursday Night Lights Winter Ski Program held on 02/02/2023 & 02/23/2023 hereby be amended to increase the total cost not to exceed \$6,465.00.

Motion by: Councilwoman Meddaugh Seconded by: Councilman Pavese

Town Board Meeting

March 07, 2023

Page 15 of 35

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

C) REQUEST TO INCREASE PARK PROGRAMMING BUDGET BY \$10,000.00 FOR TOTAL OF \$20,000.00 (INCLUDED IN BUDGET AMENDMENTS)

Supt. Somers submitted a request to increase the Park Programming Budget by \$10,000.00 for a total budget amount of \$20,000.00. Discussion was held regarding the subject. No action is required since this increase is included in the Budget Amendments submitted for approval this evening.

D) REQUEST TO INCREASE SUMMER YOUTH DAY CAMP PROGRAM BUDGET BY \$50,000.00 FOR TOTAL OF \$250,000.00 (INCLUDED IN BUDGET AMENDMENTS)

Supt. Somers submitted a request to increase the Summer Youth Day Camp Program Budget by \$50,000.00 for a total budget amount of \$250,000.00. This increase is to cover the increase in this year's contract with YMCA. The revenue from registration fees will also increase. Discussion was held regarding the subject. No action is required since this increase is included in the Budget Amendments submitted for approval this evening.

10) HIGHWAY DEPARTMENT ITEMS:

A) RESOLUTION TO AWARD BIDS FOR 1A LOW ABRASION NON-WAPPINGER CRUSHED LIMESTONE

Highway Superintendent Richard L. Benjamin, Jr. provided recommendation on the 1A Low Abrasion Non-Wappinger Crushed Limestone bids that were opened on 02/23/2023 at 2PM. There were (2) bids received in from Deckelman, LLC at \$36.50 per ton and JKN Trucking, Inc. at \$35.50 per ton. Superintendent Benjamin is recommending that the Town Board award the bid to JKN Trucking, Inc. who is the low bidder.

The Following Resolution Was Duly Adopted: Res. No. 135 of the Year 2023.

Resolved, that the bid of JKN Trucking, Inc., for 1A Low Abrasion Non-Wappinger Crushed Limestone, in the amount of \$35.50 per ton delivered, be, and the same hereby is, accepted, and the Town Clerk be and hereby is directed to notify the successful bidder of the award thereof.

Motion by: Councilwoman Meddaugh Seconded by: Councilman Mace

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

Nays 0

B) RESOLUTION TO AWARD BIDS FOR ASPHALTIC CONCRETE PAVING MIXES

Highway Superintendent Richard L. Benjamin, Jr. provided a recommendation on the Asphaltic Concrete Mixes (Blacktop) bids that were opened on February 23rd, 2023 at 2PM. There were (3) bids received from the following vendors: Callanan Industries,

Inc., Monticello Blacktop and Morlyn as per the attached bid price sheets. Superintendent Benjamin is recommending that the Board award the bid to all three bidders since the bids are so close in price that availability of the plant, waiting time and mileage would far outweigh the slight difference in price. The bid award is available to other political subdivisions as per the bid specifications.

The Following Resolution Was Duly Adopted: Res. No. 136 of the Year 2023.

Resolved, that the bid of Callanan Industries, Inc., Monticello Blacktop and Morlyn for Asphaltic Concrete Mixes (Blacktop), in the amount as per the attached bid price sheets², be, and the same hereby is, accepted, and the Town Clerk be and hereby is directed to notify the successful bidders of the award thereof. Further Be It Resolved, that said bidders would be chosen according to availability, wait time and location.

Moved by: Councilman Pavese Seconded by: Councilman Schock

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

Nays 0

C) RESOLUTION TO ESTABLISH DATE FOR BID OPENING: GRADALL LIMB LOPPER ASSEMBLY – 03/16/2023 @ 2PM

The Following Resolution Was Duly Adopted: Res. No. 137 of the Year 2023.

Resolved, that the Town Board of the Town of Thompson advertise for bids for a Gradall Limb Lopper Assembly for the Highway Department to be opened on Thursday, March 16, 2023, at 2:00 o'clock P.M., Prevailing Time, at the Town Hall, 4052 State Route 42 North, Monticello, New York, and the Town Clerk be, and she hereby is, directed to advertise for bids in the official newspaper of the Town.

Motion by: Councilman Pavese Seconded by: Councilman Schock

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

Nays 0

11) WATER & SEWER DEPARTMENT ITEMS:

A) REVIEW PROPOSAL FOR UPGRADING CURRENT PHONE SYSTEM: EQUIPMENT/ESTIMATED LABOR \$2,100.00

The Following Resolution Was Duly Adopted: Res. No. 138 of the Year 2023.

Resolved, that the proposal of Bedik Communications, Inc. in the amount of \$2,100.00 for equipment and estimated cost of labor for an upgrade to current existing telephone system at the Water & Sewer Department to enhance security and support services hereby be approved as presented.

Motion by: Councilman Schock Seconded by: Councilman Pavese

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

Nays 0

12) BILLS OVER \$5,000.00 – WATER & SEWER DEPARTMENT

² ATTACHMENT: ASPHALTIC CONCRETE MIXES BID PRICE LIST.

The Following Resolution Was Duly Adopted: Res. No. 139 of the Year 2023.

Resolved, that the following bills over \$5,000.00 for the Water & Sewer Department be approved for payment as follows:

Xylem Dewatering Solutions, Inc. **\$97,961.24 Total Cost**
Invoice # 401233863 – Purchase of New Emergency Bypass Dri-Prime HL125M Diesel Pump to be used when necessary.
(Procurement: Approved as per Resolution # 362 of 2022, Adopted: 10/18/2022 & Resolution # 383 of 2022, Adopted: 11/01/2022.)
Moved by: Councilman Pavese Seconded by: Councilman Schock
Vote: Ayes 5 Rieber, Pavese, Schock, Meddaugh and Mace
Nays 0

13) BUDGET TRANSFERS & AMENDMENTS

To: Town of Thompson - Supervisor and Council
From: Melissa DeMarmels - Comptroller

Re: Budget Transfers & Amendments - FYE 12/31/23

Board
Date: Meeting 3/7/2023

Memo: The following Budget Transfers & Amendments are proposed for the following purposes:

- 1) Combine budgeted appropriations for the Ambulance District
- 2) Amend Parks Budget for Additional Programming
- 3) Amend Youth Budget for Additional YMCA / Camp Programming

The Following Resolution Was Duly Adopted: Res. No. 140 of the Year 2023.

Resolved, that the following budgetary transfers/amendments hereby be approved as presented.

Town Of Thompson

Budget Transfers/Amendments

FYE 12/31/23 Town Board Meeting Date: 3/7/2023

**Town Board Meeting
March 07, 2023
Page 18 of 35**

The Following Resolution Was Duly Adopted: Res. No. 141 of the Year 2023.

Resolved, that the following budgetary transfers/amendments hereby be approved as presented.

Town Of Thompson

Budget

Transfers/Amendments

Town Board Meeting

FYE 12/31/22

Date: **3/7/2023**

Account Number	Account Description	-	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
A000.1121.000	Stumpage Fees		100.00			
A000.1255.100	Clerk Foil Photocopies			35.00		
A000.2610.000	Fines & Forfeited Bail		211,000.00			
A000.2706.000	Grants from Other Governments	County Youth Bureau	10,000.00			
A000.3016.000	Casino Gaming Revenues		705,000.00			
A000.2772.000	Overhead & Administration		11,000.00			
A000.1010.400	Town Board Contractual					4,000.00
A000.1110.100	Justice Court - Personnel					8,900.00
A000.1110.200	Justice Court - Equipment					5,500.00

A000.1110.400	Justice Court - Contractual					1,950.00
A000.1220.400	Supervisor - Contractual					2,700.00
A000.1220.401	Deputy Admin - Contractual					1,900.00
A000.1315.400	Comptroller - Contractual					9,250.00
A000.1320.400	Auditor - Contractual					2,500.00
A000.1355.100	Assessor - Personnel					7,300.00
A000.1355.402	Assessor - Outside Appraisal					5,000.00
A000.1410.400	Town Clerk - Contractual					17,400.00
A000.1420.100	Town Attorney - Personnel					57,000.00
A000.1420.402	Legal - Local Law Changes					3,000.00
A000.1620.201	Town Hall Improvements					60,000.00
A000.1620.400	Buildings Contractual				3,000.00	
A000.1680.401	Shared Computer - Software/Support					1,000.00
A000.1680.402	Website - Contractual					3,500.00
A000.1920.400	Municipal Dues					400.00
A000.3310.400	Traffic Control - Contractual					2,000.00
A000.3510.400	Dog Control - Contractual					8,000.00

A000.3510.401	TARA Program					4,250.00
A000.5010.100	Highway Superintendent - Personnel					2,700.00
A000.5132.200	Town Garage Building Improvements					10,000.00
A000.5132.400	Town Garage Contractual				11,100.00	
A000.5182.400	Street Lights - Contractual					4,850.00
A000.6410.400	Publicity - Contractual				600.00	
A000.6989.400	Other Economic Opportunity & Development					50,000.00
A000.7110.100	Town Park - Personnel					85,000.00
A000.7110.200	Town Park - Equipment Purchases					68,300.00
A000.7110.201	Park Capital Improvements					4,700.00
A000.7110.202	Lake Ida Park Capital Improvements				3,025.00	
A000.7110.400	Town Park Contractual					30,000.00
A000.7110.402	Town Park Hand Tools					1,250.00
A000.7110.405	Town Park Programming					1,800.00
A000.7110.420	Lake Ida Park Contractual					26,000.00
A000.7110.421	Parks Contractual - Dehoyas Contribution					20,000.00

A000.8510.400	Beautification - Public Gardens					18,975.00
A000.8510.405	Adopt a Road					1,000.00
A000.9050.800	Unemployment Insurance					500.00
A000.9055.800	Disability					700.00

Totals 937,100.00 35.00 17,725.00 531,325.00

Net Effect To Budget (1,450,665.00)

Town Of Thompson

Budget Transfers/Amendments

Town Board Meeting
 Date: **3/7/2023**

FYE 12/31/22

Account Number	Account Description	Revenue		Appropriation	
		Increase	Decrease	Increase	Decrease
		-			
B000.1170.000	Franchise Fees	59,800.00			
B000.1603.000	Registrar - Births & Deaths	1,800.00			
B000.1689.000	Registrar - Genealogy	150.00			

B000.2115.101	Planning Board Project Fees		19,000.00			
B000.2401.000	Interest & Earnings		9,500.00			
B000.2545.000	Licenses			1,400.00		
B000.2590.000	Permits		600.00			
B000.2770.000	Miscellaneous Revenues		150.00			
B000.3620.200	Buildings - Equipment					10,000.00
B000.3620.400	Buildings - Contractual					13,500.00
B000.3620.401	MHE Building Assistance					11,500.00
B000.4020.400	Registrar - Contractual					6,000.00
B000.8020.410	Planning Board Contractual					
B000.8010.400	Zoning Contractual				600.00	
B000.8010.401	Zoning - Project Expenses					14,000.00

B000.8020.100	Planning Board Personnel	New secretary/building clerk			7,500.00	
B000.8020.400	Planning Contractual	Comp Plan - into 2023				59,000.00
B000.8020.410	Planning - Engineer Fees	Delaware Engineering			8,600.00	
B000.8160.400	Refuse - Road Side Garbage				175.00	

Totals 91,000.00 1,400.00 16,875.00 114,000.00

Net Effect To Budget (186,725.00)

Town Of Thompson

Budget
Transfers/Amendments

Town Board Meeting **3/7/202**

FYE 12/31/22

Date: **3**

Account Number	Account Description	-	Revenue Increase	Revenue Decrease	Appropriation Increase	Appropriation Decrease
DA00.2401.000	Interest & Earnings		3,600.00			
DA00.2650.000	Sale of Scrap & Excess Materials		525.00			
DA00.2653.000	Sale of Fuel to Outside Sources		45,450.00			
DA00.2680.000	Insurance Recoveries		3,900.00			

DA00.5120.400	Bridges & Culverts					78,000.00
DA00.5130.400	Machinery Contractual				8,000.00	
DA00.5140.400	Miscellaneous - Contractual					8,000.00
DA00.5142.400	Snow Removal - Salt					70,000.00
DA00.5142.402	Snow Removal - Gasoline & Fuel				43,000.00	
DA00.9055.800	Disability					400.00

Totals 53,475.00 - 51,000.00 156,400.00

Net Effect To Budget (158,875.00)

<u>Account Number</u>	<u>Account Description</u>	-	<u>Increase</u>	<u>Decrease</u>	<u>Increase</u>	<u>Decrease</u>
DB00.3501.000	Consolidated Highway Aid			37,500.00		
DB00.5110.100	General Repairs - Personnel					51,900.00
DB00.5110.400	General Repairs - Contractual					39,000.00
DB00.5110.401	General Repairs - Clothing					4,725.00
DB00.5112.200	Improvements - CHIPS					37,500.00

DB00.5112.400	Improvements - Contractual					108,900.00
DB00.5140.400	Miscellaneous - Contractual					1,700.00

Totals - 37,500.00 - 243,725.00

Net Effect To Budget (206,225.00)

<u>Account Number</u>	<u>Account Description</u>	-	<u>Revenue Increase</u>	<u>Revenue Decrease</u>	<u>Appropriation Increase</u>	<u>Appropriation Decrease</u>
DD00.2401.000	Interest & Earnings		570.00			
DD00.5142.400	Operational Expenses					15,000.00
RD00.2401.000	Interest & Earnings		1,705.00			
RD00.5031.000	Interfund Transfers		13,970.00			
RD00.5142.400	Operational Expenses					53,000.00

Totals 16,245.00 - 68,000.00

Net Effect To Budget (84,245.00)

Town Of Thompson

Budget
Transfers/Amendments

Town Board Meeting

FYE 12/31/22

Date: **3/7/2023**

<u>Account Number</u>	<u>Account Description</u>	-	<u>Revenue Increase</u>	<u>Revenue Decrease</u>	<u>Appropriation Increase</u>	<u>Appropriation Decrease</u>
SL01.2401.000	Interest & Earnings		80.00			
SL01.5182.400	Street Lighting - Contractual				2,000.00	
SL01.9790.600	State Loan - Principal					4,550.00
SL01.9790.700	State Loan - Interest					2,120.00
SL02.2401.000	Interest & Earnings		35.00			
SL02.5182.400	Street Lighting - Contractual					780.00
SL02.9790.600	State Loan - Principal					775.00
SL02.9790.700	State Loan - Interest					310.00
SL03.2401.000	Interest & Earnings		75.00			
SL03.5182.400	Street Lighting - Contractual				810.00	
SL03.9790.600	State Loan - Principal					3,800.00
SL03.9790.700	State Loan - Interest					1,520.00
SL04.2401.000	Interest & Earnings		175.00			

SL04.5182.400	Street Lighting - Contractual					7,775.00
SL04.9790.600	State Loan - Principal					4,020.00
SL04.9790.700	State Loan - Interest					1,610.00
SL05.2401.000	Interest & Earnings		50.00			
SL05.5182.400	Street Lighting - Contractual					1,550.00
SL05.9790.600	State Loan - Principal					90.00
SL05.9790.700	State Loan - Interest					40.00
SL06.2401.000	Interest & Earnings		725.00			
SL06.5182.400	Street Lighting - Contractual					13,700.00
SL06.9790.600	State Loan - Principal					37,950.00
SL06.9790.700	State Loan - Interest					15,175.00
SL07.2401.000	Interest & Earnings		15.00			
SL07.5182.400	Street Lighting - Contractual					150.00
SL07.9790.600	State Loan - Principal					255.00
SL07.9790.700	State Loan - Interest					105.00
SL08.2401.000	Interest & Earnings		25.00			
SL08.5182.400	Street Lighting - Contractual					1,050.00
SL08.9790.600	State Loan - Principal					105.00

SL08.9790.700	State Loan - Interest					40.00
SL09.2401.000	Interest & Earnings		185.00			
SL09.5182.400	Street Lighting - Contractual					3,850.00
SL09.9790.600	State Loan - Principal					5,410.00
SL09.9790.700	State Loan - Interest					2,165.00
SL10.2401.000	Interest & Earnings		310.00			
SL10.5182.400	Street Lighting - Contractual					1,110.00
SL11.2401.000	Interest & Earnings		2,825.00			
SL11.2680.000	Insurance Recoveries		74,100.00			
SL11.5182.400	Street Lighting - Contractual					71,000.00

Totals 78,600.00 - 2,810.00 181,005.00

Net Effect To Budget (256,795.00)

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

14) ORDER BILLS PAID

The Following Resolution Was Duly Adopted: Res. No. 142 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.³

Moved by: Councilwoman Meddaugh Seconded by: Councilman Pavese

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

Nays 0

OLD BUSINESS

1) DELAWARE RIVER SOLAR (DRS) DECOMMISSIONING AGREEMENT: REVIEW, APPROVE & AUTHORIZE EXECUTION

Ms. Paula E. Kay, Consulting Attorney reviewed the Proposed Decommissioning Agreement between NY Thompson III, LLC (Applicant) and the Town of Thompson for proposed solar facility along Old Route 17, SBL # 1.-1-3. The agreement is for one-year. There was one change made by Attorney Kay, which has been incorporated in the agreement. The change is related to the fact that the bond goes up every year to account for inflation. Action was taken as follows:

The Following Resolution Was Duly Adopted: Res. No. 143 of the Year 2023.

Resolved, that the Town Board hereby approves the Decommissioning Agreement between NY Thompson III, LLC (Applicant) and the Town of Thompson for the proposed solar facility located along Old Route 17, SBL # 1.-1-3 and

Further Be It Resolved, that the annual Solar Decommissioning Performance Bond Renewal for this project hereby be accepted as presented and that the Town Supervisor hereby be authorized to execute said agreement as presented with one change regarding bond increase each year to account for inflation. A fully executed copy will be filed in the Town Clerk's Office and available for review upon request.

Motion by: Councilman Mace Seconded by: Councilman Pavese

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

Nays 0

2) RESOLUTION TO ENGAGE THE LEGAL SERVICES OF SUSIE C. SOHN, ESQ. OF BLUSTEIN, SHAPIRO, FRANK & BARONE LLP ATTORNEYS AT LAW FOR TOWN PROSECUTION OF CODE VIOLATIONS, DOG CONTROL AND GOOD/WELFARE CASES

Supervisor Rieber reported on a meeting that he had with Attorney Susie C. Sohn of Blustein, Shapiro, Frank & Barone LLP Attorneys at Law regarding Legal Services for Town Prosecution of Code Violations, Dog Control and Good & Welfare Cases on behalf of the Town. The Municipal rate will be \$200.00 per hour. He also provided a copy of a Letter of Engagement dated 03/06/2023 for said legal services. Bryan Kaplan, Esq. would continue prosecution on all Vehicle & Traffic matters. Supervisor

³ ATTACHMENT: ORDER BILLS PAID

Rieber will meet with Mr. Kaplan tomorrow to discuss changes and negotiate revised salary. Discussion ensued regarding the matter and action was taken as follows:

The Following Resolution Was Duly Adopted: Res. No. 144 of the Year 2023.

Resolved, that the Town Board of the Town of Thompson hereby authorizes to engage the legal services of Susie C. Sohn, Esq. of Blustein, Shapiro, Frank & Barone LLP Attorneys at Law for Town Prosecution matters involving code violations, dog control and good & welfare cases at a municipal hourly rate of \$200.00 and Further Be It Resolved, that the Town Supervisor hereby be authorized to execute the Letter of Engagement for said services.

Moved by: Councilwoman Meddaugh Seconded by: Councilman Pavese
Discussion: Councilman Mace questioned the additional cost to the Town. He also expressed concern regarding availability of daytime representation only. It may create a hardship for some to appear during daytime hours. Supervisor Rieber said anyone being charged with a violation of town law will have to make arrangements to appear.

Vote: Ayes 4 Rieber, Pavese, Schock and Meddaugh
 Nays 1 Mace

NEW BUSINESS

1) DELAWARE RIVER SOLAR (DRS): AUTHORIZE LETTER OF SUPPORT INCLUDING TAX EXEMPTION & REQUIRMENT OF PILOT AGREEMENT FOR SOLAR PROJECT LOCATED AT 401 HARRIS ROAD, HARRIS, NY, SBL # 8.-1-2

The Following Resolution Was Duly Adopted: Res. No. 145 of the Year 2023.

Resolved, that the Town Board of the Town of Thompson hereby authorizes a letter of support to be issued to Delaware River Solar (DRS) in connection with a Tax Exemption and requirement of a PILOT Agreement for a proposed Solar Project located at 401 Harris Road, Harris (Town of Thompson), NY 12742, SBL # 8.-1-2 and that Town Attorney Michael B. Mednick hereby be authorized to prepare and send said letter.

Moved by: Councilman Pavese Seconded by: Councilwoman Schock

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

2) TAX CERTIORARI SETTLEMENT: 12 HAY STREET, LLC – (2020, 2021 & 2022) FROM \$81,900.00 TO \$73,900.00, SBL # 110.-3-27 (REVISED RESOLUTION)

The Following Resolution Was Duly Adopted: Res. No. 146 of the Year 2023.

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

WHEREAS, 12 Hay Street, LLC has instituted proceedings under Article 7 of the Real Property Tax Law to review the assessment of Tax Map Parcel 110-3-27 and which proceedings are pending in the Supreme Court of the State of New York, County of Sullivan, under Index Nos.

E2020-977, E2021-1250 and E2022-1405; and

WHEREAS, the parties have appeared through counsel, to wit, Michael B. Mednick, Esq. on behalf of Respondents, and Michael Altman, Esq., 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 110-3-27** from \$81,900.00 to \$73,900.00; 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 110-3-27** from \$81,900.00 to \$73,900.00; 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 110-3-27** from \$81,900.00 to \$73,900.00; 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:

Supervisor WILLIAM J. RIEBER, JR.

Voting

Aye

Councilman SCOTT S. MACE

Voting

Aye

ADJOURN

On a motion made by Councilwoman Meddaugh and seconded by Councilman Pavese the meeting was adjourned at 8:06 PM. All board members present 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

#1

SCHEDULE A

DESCRIPTION OF DISTRICT EXTENSION

Consolidated Harris Sewer District Ext. No. 1

February 2023

Beginning at a point, being the southeast corner of Tax map parcel 29.-2-14 and the northeast corner of tax map parcel 29.-2-15.3, said corner also being on the western boundary of Waverly Avenue; Thence

1. Westerly, 150.5 feet more or less, along the northern boundary of tax map parcel 29.-2-15.3, to a point, being the southwestern corner of tax map parcel 29.-2-14; thence
2. Northerly, 75 feet more or less along the western boundary of tax map parcel 29.-2-15.3 to a point, being the northwestern corner of tax map parcel 29.-2-14; thence
3. Easterly, 150.5 feet more or less, along the boundary of tax map parcel 29.-2-12.2 to a point, said point being the northeasterly corner of tax map parcel 29.-2-14 and located on the western boundary of Waverly Avenue; thence
4. Southerly, 75 feet more or less, along the westerly boundary of Waverly Avenue, to a point, said point being the southeasterly corner of tax map parcel 29.-2-14 and the northeast corner of tax map parcel 29.-2-15.3 and also being the point of beginning.

5. Asphalt price adjustments allowed by this contract shall be calculated and applied to the original prices. There will not be asphalt price adjustments unless the change amounts to more than \$0.100 per American Ton from the original price. In these instances, prices will revert back to the original prices.

6. All asphalt price adjustments will be computed to three decimal places.

7. Should these provisions result in a price structure which becomes unworkable, detrimental or injurious to the State or in prices which are not truly reflective of market conditions or which are deemed by the Highway Superintendent to be unreasonable or excessive, and no adjustment in price is mutually agreeable, the Highway Superintendent reserves the sole right upon ten days written notice mailed to the contractor to terminate any contract resulting from this bid opening.

8. All asphalt price adjustments shall be published by the State and issued to all contract holders whose responsibility will be to attach the appropriate State notification (based on when the work was performed) to the payment invoice submitted to agency.

Town of Thompson Highway Department
33 Jefferson St. Monticello, NY 12701
Richard Benjamin Jr. Highway Superintendent

Bid Item: Asphaltic Concrete Mixes
Phone # 845-794-5560
E-mail richhiway@gmail.com

DETAILED SPECIFICATIONS

ASPHALTIC CONCRETE

ASPHALTIC CONCRETE: The Asphaltic Concrete to be provided shall be manufactured at a New York State approved plant. The material shall have been previously tested and shall meet all the requirements under the latest edition of the New York State Department of Transportation, Standard Specifications, Section 400, dated May 1st, 2008, or current addenda to date, found on web at <https://www.dot.ny.gov/main/business-center/engineering/specifications/english-spec-repository/section400.pdf> for the respective items included in the proposal under ASPHALTIC CONCRETE.

ITEM

Vendor having more than one location in Sullivan County are required to bid each location.

Asphaltic Concrete	\$ 62.00	/Ton
Asphalt Concrete-Type I Base Course (Item 403.118902)	\$ 62.00	/Ton
Asphalt Concrete-Type 2 Base Course (Item 403.128902)	\$ 62.25	/Ton
Asphalt Concrete-Type 3 Binder Course (Item 403.138902)		

Asphalt Concrete-Type 5 Shim Course (Item 403.158902)	\$ 80.00	/Ton
Asphalt Concrete-Type 6 F2 Top Course (Item 403.178202)	\$ 64.45	/Ton
Asphalt Concrete-Type 6 Top Course (Item 403.178902)	\$ 64.45	/Ton
Asphalt Concrete-Type 7 F2 Top Course (Item 403.198202)	\$ 68.60	/Ton
Asphalt Concrete-Type 7 Top Course (Item 403.198902)	\$ 68.60	/Ton

Location of Plant: 93 Sullivan Road, Monticello, NY 12701

Location of Plant #2: 93 Sullivan Road, Monticello, NY 12701

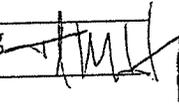
Town of Thompson Highway Department
 33 Jefferson St. Monticello, NY 12701
 Richard Benjamin Jr. Highway Superintendent

Bid Item: Asphaltic Concrete Mixes
 Phone # 845-794-5560
 E-mail richhiway@gmail.com

The undersigned certifies that the bid is submitted in full conformance with the specifications. If non-conformant an attachment to the bid shall be submitted detailing items of non-conformance and detailed specifications for the non-conforming items shall be attached. If, in the sole opinion of the Town of Thompson that non-conformance affects the durability of function of the bid item, and the bid will be rejected.

COMPANY Callanan Industries, Inc.

PRINTED NAME Timothy Higgins, Jr.

SIGNATURE GM of Sales and Estimating 

ADDRESS PO Box 15097
Albany, NY 12212-5097

TELEPHONE 518-573-2562-Matt; 518-374-2222-Corporate

FAX 518-381-6775

EMAIL matthew.swendsen@callanan.com;
dracasale@callanan.com

DATE 2/21/23

DO NOT WRITE BELOW THIS LINE.

ACCEPTED () DATE: _____

REJECTED ()

COMMENTS: _____

Monticello
Black Top

Town of Thompson Highway Department
33 Jefferson St. Monticello, NY 12701
Richard Benjamin Jr. Highway Superintendent

Bid Item: Asphalt Concrete Mixes
Phone # 845-794-5560
E-mail richhiway@gmail.com

DETAILED SPECIFICATIONS

ASPHALTIC CONCRETE

ASPHALTIC CONCRETE: The Asphaltic Concrete to be provided shall be manufactured at a New York State approved plant. The material shall have been previously tested and shall meet all the requirements under the latest edition of the New York State Department of Transportation, Standard Specifications, Section 400, dated May 1st, 2008, or current addenda to date, found on web at <https://www.dot.ny.gov/main/business-center/engineering/specifications/english-spec-repository/section400.pdf> for the respective items included in the proposal under ASPHALTIC CONCRETE.

ITEM

Vendor having more than one location in Sullivan County are required to bid each location.

Asphaltic Concrete

Asphalt Concrete-Type 1 Base Course (Item 403.118902)	\$	<u>N.B</u>	1
Asphalt Concrete-Type 2 Base Course (Item 403.128902)	\$	<u>N.B</u>	1
Asphalt Concrete-Type 3 Binder Course (Item 403.138902)	\$	<u>60.50</u>	1
Asphalt Concrete-Type 5 Shim Course (Item 403.158902)	\$	<u>80.00</u>	1
Asphalt Concrete-Type 6 F2 Top Course (Item 403.178202)	\$	<u>64.50</u>	1
Asphalt Concrete-Type 6 Top Course (Item 403.178902)	\$	<u>64.50</u>	1
Asphalt Concrete-Type 7 F2 Top Course (Item 403.198202)	\$	<u>67.50</u>	1
Asphalt Concrete-Type 7 Top Course (Item 403.198902)	\$	<u>67.50</u>	1

Location of Plant: Monticello Black Top
80 Pathe Drive, Thompsonville, NY

Location of Plant #2: _____

Morlyn

Town of Thompson Highway Department
33 Jefferson St. Monticello, NY 12701
Richard Benjamin Jr. Highway Superintendent

Bid Item: Asphaltic Concrete Mixes
Phone # 845-794-5560
E-mail richhiway@gmail.com

DETAILED SPECIFICATIONS

ASPHALTIC CONCRETE

ASPHALTIC CONCRETE: The Asphaltic Concrete to be provided shall be manufactured at a New York State approved plant. The material shall have been previously tested and shall meet all the requirements under the latest edition of the New York State Department of Transportation, Standard Specifications, Section 400, dated May 1st, 2008, or current addenda to date, found on web at <https://www.dot.ny.gov/main/business-center/engineering/specifications/english-spec-repository/section400.pdf> for the respective items included in the proposal under ASPHALTIC CONCRETE.

ITEM

Vendor having more than one location in Sullivan County are required to bid each location.

Asphaltic Concrete

* 50 Ton minimum for Startup.

Asphalt Concrete-Type 1 Base Course (Item 403.118902)	\$ 58.50	1
Asphalt Concrete-Type 2 Base Course (Item 403.128902)	\$ 58.50	1
Asphalt Concrete-Type 3 Binder Course (Item 403.138902)	\$ 61.50	1
Asphalt Concrete-Type 5 Shim Course (Item 403.158902)	\$ No Bid	1
Asphalt Concrete-Type 6 F2 Top Course (Item 403.178202)	\$ 65.50	1
Asphalt Concrete-Type 6 Top Course (Item 403.178902)	\$ 65.50	1
Asphalt Concrete-Type 7 F2 Top Course (Item 403.198202)	\$ No Bid	1
Asphalt Concrete-Type 7 Top Course (Item 403.198902)	\$ No Bid	1

Location of Plant: MASTEN Lake - Wurtsboro

Location of Plant #2: _____



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 7th day of March 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 DeMarmels, Comptroller


William J. Rieber Jr., Supervisor



Town of Thompson
Warrant Report

SWM0	MELODY LAKE WATER	\$741.86	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$741.86	\$0.00
T000	TRUST & AGENCY FUND	\$4,906.43	\$0.00	\$0.00	\$0.00	\$362.10	\$0.00	\$0.00	\$5,268.53	\$0.00
Posted Batch Grand Totals		\$753,145.77	\$0.00	\$175,000.00	\$0.00	\$15,171,467.73	\$0.00	\$0.00	\$16,099,613.50	\$0.00

Fund	Fund Description	Invoice Batch		Manual Checks		Purchase Cards		Total	
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	Paid	Unpaid
A000	GENERAL FUND TOWN WIDE	\$181,856.44	\$0.00	\$0.00	\$0.00	\$6,000,000.00	\$0.00	\$6,181,856.44	\$0.00
B000	GENERAL TOWN OUTSIDE	\$70,622.09	\$0.00	\$0.00	\$0.00	\$2,000,000.00	\$0.00	\$2,070,622.09	\$0.00
DA00	HWY#3 / 4 - TOWN WIDE	\$179,054.56	\$0.00	\$0.00	\$0.00	\$2,000,000.00	\$0.00	\$2,179,054.56	\$0.00
DB00	HWY#1 - TOWN OUTSIDE	\$216.02	\$0.00	\$0.00	\$0.00	\$2,500,000.00	\$0.00	\$2,500,216.02	\$0.00
H000	CAPITAL PROJECTS	\$5,039.06	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,039.06	\$0.00
SL01	ROCK HILL LIGHTING	\$489.77	\$0.00	\$0.00	\$0.00	\$4,000.00	\$0.00	\$4,489.77	\$0.00
SL02	LUCKY LAKE LIGHTING	\$77.65	\$0.00	\$0.00	\$0.00	\$1,500.00	\$0.00	\$1,577.65	\$0.00
SL03	LAKE LOUISE MARIE	\$244.05	\$0.00	\$0.00	\$0.00	\$4,500.00	\$0.00	\$4,744.05	\$0.00
SL04	PATIO HOMES LIGHTING	\$152.94	\$0.00	\$0.00	\$0.00	\$12,000.00	\$0.00	\$12,152.94	\$0.00
SL05	KIAMESHA SHORES LIGHTING	\$66.12	\$0.00	\$0.00	\$0.00	\$1,500.00	\$0.00	\$1,566.12	\$0.00
SL06	EMERALD GREEN LIGHTING	\$1,478.42	\$0.00	\$0.00	\$0.00	\$315,000.00	\$0.00	\$316,478.42	\$0.00
SL07	TREASURE LAKE LIGHTING	\$0.00	\$0.00	\$0.00	\$0.00	\$250.00	\$0.00	\$250.00	\$0.00
SL08	CONGERO ROAD LIGHTING	\$0.00	\$0.00	\$0.00	\$0.00	\$500.00	\$0.00	\$500.00	\$0.00
SL09	YESHIVA/KIAM. LIGHTING DISTRICT	\$208.96	\$0.00	\$0.00	\$0.00	\$5,000.00	\$0.00	\$5,208.96	\$0.00
SL10	EMERALD CORP. PARK L/D#10	\$476.79	\$0.00	\$0.00	\$0.00	\$2,250.00	\$0.00	\$2,726.79	\$0.00
SL11	ADELAAR Lighting	\$444.78	\$0.00	\$0.00	\$0.00	\$2,300,000.00	\$0.00	\$2,300,444.78	\$0.00
SL12	Route 42 N Lighting	\$0.00	\$0.00	\$0.00	\$0.00	\$14,000.00	\$0.00	\$14,000.00	\$0.00
SRH0	ROCK HILL AMBULANCE DIST	\$7,796.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,796.00	\$0.00
SSAR	Adelaar Sewer District	\$16,521.69	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$16,521.69	\$0.00
SSHC	Harris Consolidated Sewer District	\$12,396.29	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$12,396.29	\$0.00
SSKC	Kiamesha Consolidated Sewer District	\$109,406.85	\$0.00	\$50,000.00	\$0.00	\$0.00	\$0.00	\$159,406.85	\$0.00
SSM0	MELODY LAKE SEWER DISTR.	\$5,166.88	\$0.00	\$0.00	\$0.00	\$10,605.63	\$0.00	\$15,772.51	\$0.00
SSRC	Rock Hill Emerald Green Consolidated Sewer Dist	\$44,052.53	\$0.00	\$125,000.00	\$0.00	\$0.00	\$0.00	\$169,052.53	\$0.00
SSS0	SACKETT LAKE SEWER DISTR	\$23,968.86	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$23,968.86	\$0.00
SWA0	ADELAAR RESORT WATER DISTRICT	\$86,146.39	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$86,146.39	\$0.00
SWC0	COLD SPRING WATER	\$528.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$528.50	\$0.00
SWD0	DILLON WATER DISTRICT	\$227.47	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$227.47	\$0.00
SWK0	KIAMESHA RT42 WATER	\$741.19	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$741.19	\$0.00
SWL0	LUCKY LAKE WATER DISTR	\$117.18	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$117.18	\$0.00
SWM0	MELODY LAKE WATER	\$741.86	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$741.86	\$0.00
T000	TRUST & AGENCY FUND	\$4,906.43	\$0.00	\$0.00	\$0.00	\$362.10	\$0.00	\$5,268.53	\$0.00
Grand Totals		\$753,145.77	\$0.00	\$175,000.00	\$0.00	\$15,171,467.73	\$14,203.58	\$16,099,613.50	\$14,203.58