



MAP, PLAN AND REPORT

FOR

EXTENSION NO. 3

OF THE

CONSOLIDATED HARRIS SEWER DISTRICT

TOWN OF THOMPSON

SULLIVAN COUNTY, NEW YORK

CLIENT:

Town of Thompson
4052 Route 42
Monticello, NY 12701

PREPARED BY:

MHE Engineering, D.P.C.
111 Wheatfield Drive, Suite 1
Milford, PA 18337

NOTE: ANY UNAUTHORIZED ALTERATION OR
ADDITION TO THIS DOCUMENT IS A
NEW YORK STATE EDUCATION LAW.

JOB NO.: 95-55.1, 25-106

DATE: 19 December 2025

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ATTACHMENTS:

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Attachment 2 - District Extension Map

Attachment 3 - Description of District Extension

Attachment 4 - Town Code Chapter 194 Part 2 Sewer Rents
2020 Schedule of Points

Attachment 5 - Local Law No. 4 of 2024

A. INTRODUCTION

The owners of the parcel, located at 190 Cold Spring Road, have petitioned the Town of Thompson Town Board for the consideration of an extension to the Consolidated Harris Sewer District. The Town Board, therefore, authorized MHE Engineering D.P.C. at the October 21, 2025 Town Board meeting to prepare the following Map, Plan and Report for the District Extension. The Resolution and Authorization are provided as Attachment 1 to this report.

B. BENEFIT AREA

The area to be benefited includes the following parcel:

- Tax Map Parcel 29-1-21. Cold Springs Road borders the parcel on the east side, the Kozy Acres Bungalow Colony to the north and vacant parcels to the north and west sides. The parcel is approximately 3.16 acres in size. The proposed property classification is 210 single family residences. The property is owned by KA Annex, LLC.

The district extension is more formerly shown on the map provided as Attachment No. 2 and described in Attachment No. 3.

C. PROJECT DESCRIPTION

The parcel identified above is currently developed as a single-family home. The property owner has indicated that future plans may include a total of 7 homes each with 5 bedrooms. With a flow of 110 gpd/bedroom the additional future flows are estimated to be 3,850 gpd.

This report will identify any improvements necessary for the connection of the subject properties to the Consolidated Harris Sewer District and costs associated to provide service to the property.

D. EXISTING AND PROPOSED IMPROVEMENTS

1. Village of Monticello WWTP Capacity:

The Town has an Intermunicipal Agreement with the Village of Monticello for the sewage flows generated by the Consolidated Harris Sewer District to be discharged to the Village sewer system. This Agreement and amendments are provided in Attachment 1. Under the Agreement, the Town may discharge up to 400,000 gpd to the Village system. Flow is metered and the Village bills the Harris District based upon recorded flows. The Village of Monticello Wastewater Treatment Plant has a permitted capacity of 3,100,000 gallons per day. The plant operates under SPDES Permit NY-0022454. Proposed District Extension Number 3 has an estimated future build out flow of 3,850 gpd. The existing WWTP has capacity to accept flows from the proposed extension without further improvements. In accordance with the Intermunicipal Agreement, the Monticello Village Board must authorize the extension of the district to accept these flows by resolution. This authorization must be obtained prior to formalizing the district extension.

2. Collection System Mains:

The existing Sewer District Collection System includes an 8" diameter gravity main which conveys flows from the adjacent property in the north direction on Cold Spring Road towards Waverly Avenue. The gravity main then continues north before discharging to the Village of Monticello's collection system where it is treated at the Village of Monticello WWTP.

The 8" diameter gravity sewer main has sufficient capacity to receive an additional 3,850 gpd from the project parcels without additional improvements to the collection system.

3. Onsite Collection System:

An onsite series of laterals will need to be installed to collect sewage flows from the proposed homes on site and connect to the existing gravity sewer main off of Cold Spring Road. The property owner will be responsible for obtaining any necessary survey and engineering services to design and construct the onsite sewer laterals to each dwelling.

The existing onsite disposal system, including septic tanks and absorption areas, will need to be located and properly abandoned or removed.

E. **PROJECT APPROVALS**

The proposed project includes sewer flows in excess of 2,500 gpd, which meets the definition of a sewer extension under 6 NYCRR Part 750 1.2(83). Therefore, the construction of onsite sewer laterals and abandonment of the existing on lot disposal systems will require approval from NYS Department of Environmental Conservation (DEC). A permit for connection to the existing 8" gravity sewer main will also be required from the Town Sewer Department, which will include inspection and testing of all service connections.

F. **PROJECT COSTS**

The property owners will be responsible for all design, permitting and construction costs associated with the installation of infrastructure improvements for the collection and conveyance of wastewater on the property to the connection point at the existing 8" gravity sewer main. There will be no cost to the current district for these improvements.

G. **ANNUAL COSTS**

The Consolidated Harris Sewer District assesses Annual Debt Costs and Operation and Maintenance (O&M) Costs on a point system, which is based upon Property Use Classification, and which is defined in the Town Code, Chapter 194, Part 2 Sewer Rents. Part 2 and the current Schedule of Points for the district are provided in Attachment 4.

The primary use of the parcels included in the district extension is primarily classified as Property Use 210 – Homes with 5 or more bedrooms. The sewer rents for this property use are 20 Rent Points (O&M) and 20 Debt Points per unit.

The Town of Thompson Town Board has adopted Local Law No. 04 of 2024, provided as Attachment 5, which establishes the following rates for the Consolidated Harris Sewer District Assessment:

Capital Debt Service = \$2.90/Point
Annual O&M Cost = \$31.26/Point

The Annual Sewer Fee for a parcel in the district extension will be calculated by multiplying the sewer points for the property classification by the rates noted above.

For this parcel with a classification of 210, the annual cost would be calculated per unit as follows:

O&M (Rent) 20 Points (\$31.26/Point) = \$625.20

Capital Debt 20 Points (\$2.90/Point) = \$58.00

Total Annual Cost = \$683.20 per unit

For the existing property use of 7 units, the annual cost would then be:

7 units (\$683.20 per unit) = \$4,782.40 per year.

The above costs are based upon the current rates established by the Town Board. The properties will be assessed by the actual rates established by the Board in the future.

F. **CONCLUSION**

The costs associated with Extension No. 3 of the existing Consolidated Harris Sewer District to service the benefit area are described above. The extension will not result in increased costs for existing district users. Costs associated with the connection of the subject property to the existing collection system will be the responsibility of the property owner.

Respectfully submitted,

MHE Engineering, D.P.C.

A handwritten signature in black ink, appearing to read "Matthew J. Sickler", is written over a horizontal line.

Matthew J. Sickler, P.E.

Associate

ATTACHMENT 1

CORRESPONDENCE

JK EXPEDITING SERVICES CORP.

63 LIBERTY STREET - PO Box 369

MONTICELLO, NY 12701

PHONE 845-796-9110

April 9, 2025

Town Board of the Town of Thompson
4052 Route 42
Monticello NY 12701

**RE: Request for Consideration of a Sewer District Extension
Consolidated Harris Sewer District
190 Cold Spring Road
Town of Thompson Tax Map No. 29.-1-21**

Dear Supervisor Rieber and Town Board Members;

I represent the owner of the property mentioned above regarding a proposal to annex the property into the Consolidated Harris Sewer District to provide municipal sewer service.

The parcel is currently occupied by a single-family home. The owner is proposing to construct a maximum of 6 additional units.

The projected flow for this project would be 3,850 gallons per day (7 homes x 5 bedrooms x 110 gpd per bedroom).

Attached is a tax map showing the parcel to be annexed into the Consolidated Harris Sewer District.

With this letter I would like to ask the Board to consider this request and take any action as appropriate to authorize the completion of a Map, Plan and Report by the Town Engineer.

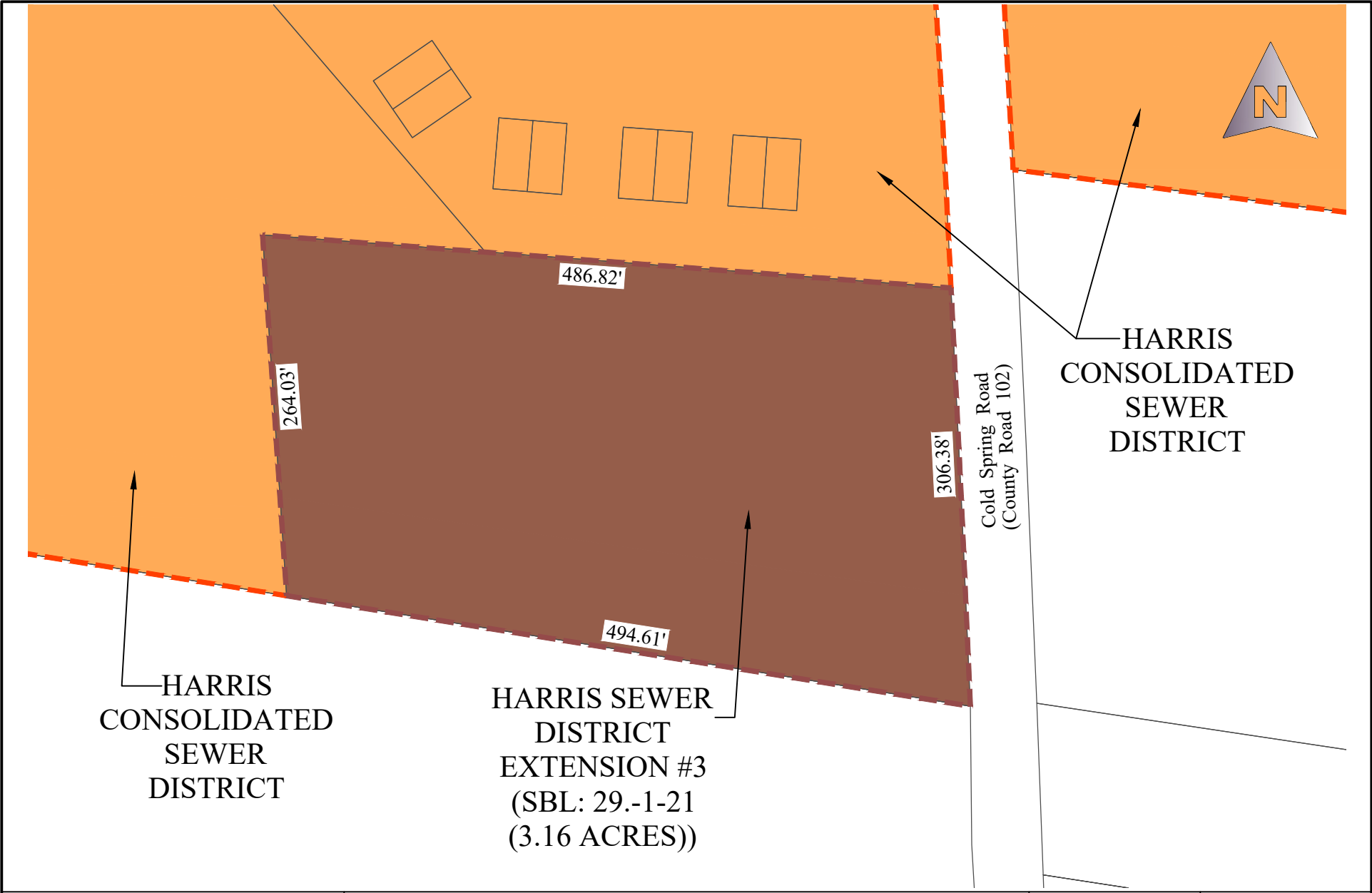
If you have any questions, please do not hesitate to contact me at 845-796-9110 or by email at joel@jkexpediting.com

Truly yours,

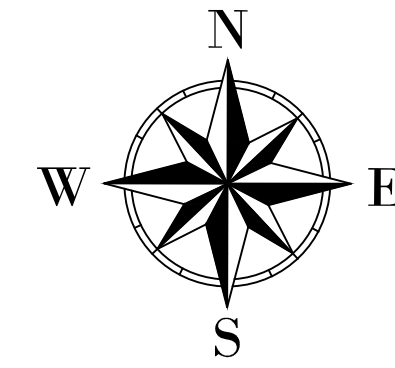
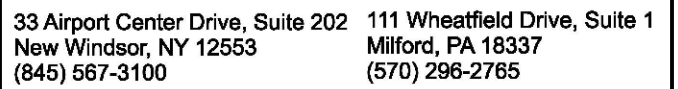
Joel Kohn

ATTACHMENT 2

DISTRICT EXTENSION MAP



MHE ENGINEERING 33 Airport Center Drive Suite 202 New Windsor, NY 12553 (845) 567-3100 111 Wheatfield Drive Suite 1 Millford, PA 18337 (570) 296-2765	HARRIS CONSOLIDATED SEWER DISTRICT EXTENSION #3 SCALE: 1" = 100'		DRAWN BY: JJ	SK-3
			REVIEWED BY: MS	
			PROJECT # 95-55.1	
			PHASE # 25-106	
				DATE: 11 Dec., 2025



LEGEND

- | | |
|---|--|
|  | LIMITS OF HARRIS
CONSOLIDATED
SEWER DISTRICT |
|  | LIMITS OF HARRIS
CONSOLIDATED
SEWER DISTRICT
EXTENSION #1 |
|  | LIMITS OF HARRIS
CONSOLIDATED
SEWER DISTRICT
EXTENSION #2 |
|  | LIMITS OF HARRIS
CONSOLIDATED
SEWER DISTRICT
EXTENSION #3 |
|  | COUNTY ROAD
SIGN |



UDig NY must be contacted prior to any excavation or demolition (Dial 811 or www.udigny.org)

UNAUTHORIZED ADDITION OR ALTERATION OF
THIS PLAN IS A VIOLATION OF SECTION 7209(2) OF
THE NEW YORK STATE EDUCATION LAW.

ALL PRODUCTION & INTELLECTUAL PROPERTY
RIGHT RESERVED ©

TOWN OF
THOMPSON

4052 NEW YORK 42
MONTICELLO, N.Y. ZIP 12701

HARRIS CONSOLIDATED
SEWER DISTRICT
EXTENSION #3
PLAN

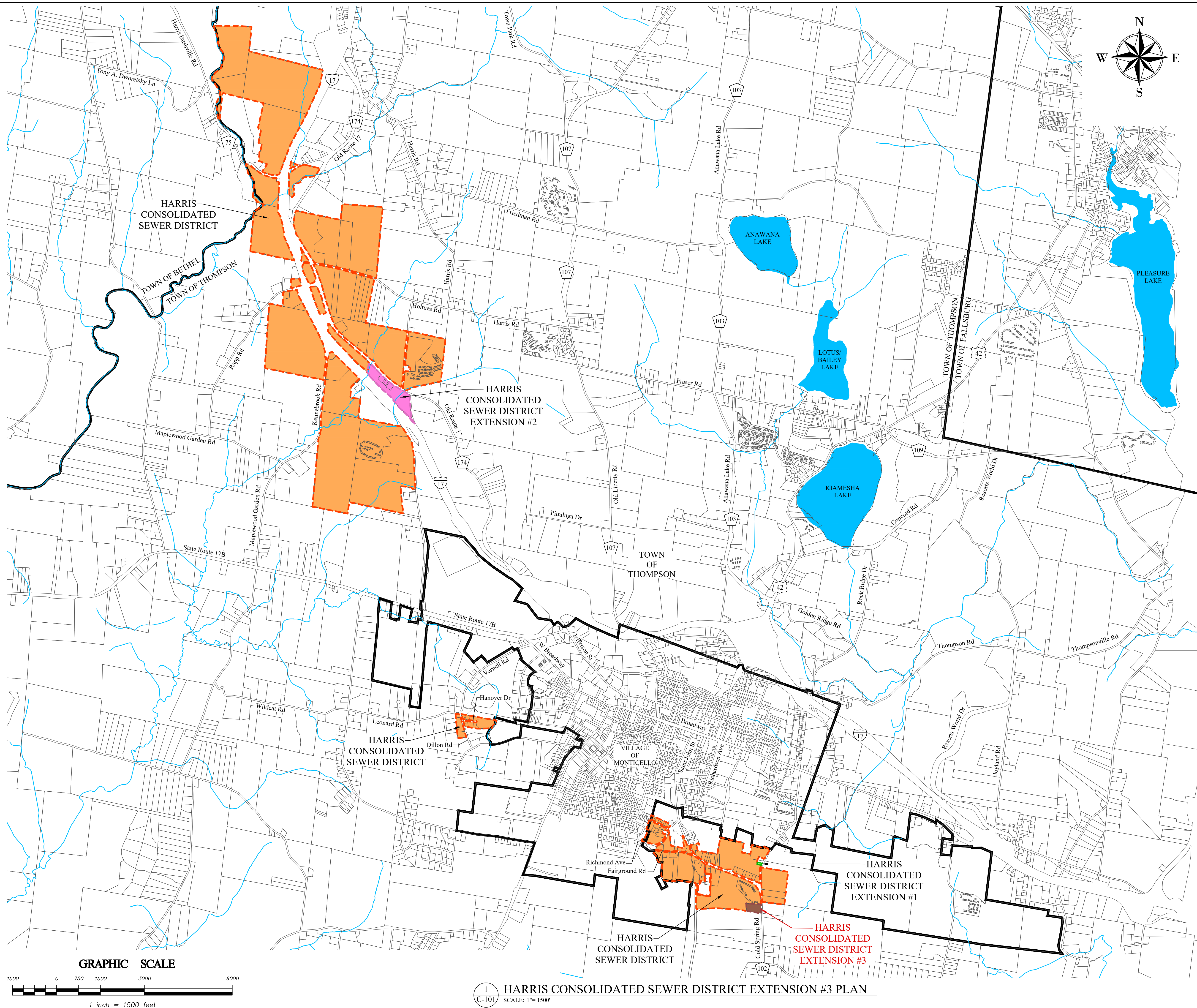
[illegible]

ISSUED DATE:	11 December, 2025
DESIGN BY:	M.J.S.
DRAWN BY:	J.R.J.
CHECKED BY:	M.J.S.
REVIEWED BY:	M.J.S.

SHEET NO.

C-101

PROJECT # 95-55.1	PHASE # 25-106
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GRAPHIC SCALE



1 inch = 1500 feet

HARRIS CONSOLIDATED SEWER DISTRICT EXTENSION #3 PLAN
SCALE: 1"= 1500'

SCALE: 1"= 1500

P:\95-56 TOWN OF THOMPSON\95-55.1 General Engineering\25-106 109 cold spring mpr\25-106 Harris Sewer district Extension #3 (Cold Spring MPR).dwg, C-101, 12/11/2025 10:39:30 AM

ATTACHMENT 3

DESCRIPTION OF DISTRICT EXTENSION

3.16 Acre Parcel: Town of Thompson S-B-L Nos. 29-1-21

ALL that tract or parcel of land situate in the Town of Thompson, County of Sullivan and State of New York, intended to be the same premises as described in a deed from Henry R. Good to KA Annex LLC, dated August 6, 2019, recorded in the Sullivan County Clerk's Office December 11, 2019 as Instrument No. 2019-8821.

BEGINNING at a point at the southeast corner of the subject property and running thence from said point of beginning along property boundary following four courses and distances:

- (1) North 66 degrees 44 minutes 16 seconds West 494.61 feet,
 - (2) North 10 degrees 15 minutes 00 seconds West 264.03 feet,
 - (3) South 71 degrees 36 minutes 00 seconds East 486.82 feet,
 - (4) South 10 degrees 15 minutes 00 seconds West 306.38 feet,
- to the point of beginning.

As shown on a plan prepared by Packer associates, Inc. – Survey Map of Land prepared for KA Annex, LLC, dated August 24, 2020.

ATTACHMENT 4

**TOWN CODE CHAPTER 194 PART 2 SEWER RENTS
2020 SCHEDULE OF POINTS**

Part 2
Sewer Rents

ARTICLE VIII
Consolidated Harris Sewer District
[Amended 8-17-2021 by L.L. No. 8-2021]

§ 194-35. Imposition of rents.

Pursuant to the authority of Article 14-F of the General Municipal Law, known as the "Sewer Rent Law of the State of New York," and any and all amendments thereto, there are hereby established and imposed sewer rents as a means of producing revenue for the Consolidated Harris Sewer District in the Town of Thompson.

§ 194-36. Definitions and word usage.

- A. Definitions. As used in this article, the following terms shall have the meanings indicated:

CONSOLIDATED HARRIS SEWER DISTRICT — As previously constituted, has within its bounds all premises and buildings or structures and subject parcels currently existing in the formerly established Harris Sewer District, Dillon Farms Sewer District and Cold Spring Road Sewer District, and a number of other parcels of vacant or unimproved land.

SEWER DISTRICT — The Consolidated Harris Sewer District, Town of Thompson, as heretofore established by the Town Board of said Town.

SEWER RENT FUND — The fund established by the Supervisor upon authorization of the Town Board of the Town of Thompson, into which fund shall be deposited the sewer rents established, imposed and collected in accordance with the provisions of this article.

SEWER SYSTEM — Includes all collection and disposal systems constructed by and for the former Harris Sewer District, Dillon Farms Sewer District and Cold Spring Road Sewer District, consisting of, but not limited to, a gravity interceptor, two wastewater pumping stations and a force main interceptor sewer system, through and by which waste water from the Consolidated Harris Sewer District will flow to the Village of Monticello sewer system at Jefferson Street for treatment at the existing Village sewage treatment plant until completion and operation of a joint Town of Thompson-Village of Monticello wastewater regional treatment facility, when the wastewater from the Consolidated Harris Sewer District will be treated at the latter facility.

- B. Terms generally. The terms "sewer rents," "sewer system," part," "sewage," "industrial waste" and "other wastes" shall be as defined in § 451 of the General Municipal Law.

§ 194-37. Disposition of sewer rent fund.

- A. Revenue derived from sewer rents, including penalties and interest, shall be credited to a special fund, to be known as the "Sewer Rent Fund." Moneys in such fund shall be used in the following order:
 - (1) For the payment of the costs of operation, maintenance and repairs of the sewer system, or such part or parts thereof for which sewer rents have been established and imposed.
 - (2) For the payment of the interest on and amortization of, or payment of, indebtedness which has been or shall be incurred for the construction of the sewer system or such part or parts thereof for which sewer rents have been established and imposed (other than indebtedness, and the interest thereon, which is to be paid in the first instance from assessments upon benefited real property).
 - (3) For the construction of sewage treatment and disposal works with necessary appurtenances, including pumping stations, or for the extension, enlargement or replacement of, or additions to, such sewer systems, or part or parts thereof.
- B. Such revenues from sewer rents shall not be used to finance the cost of any extension of any part of a sewer system (other than any sewage treatment and disposal works with necessary appurtenances, including pumping stations) to serve unsewered areas if such part has been constructed wholly or partly at the expense of real property especially benefited or for the payment of the interest on and the amortization of, or payment of, indebtedness which is to be paid in the first instance from assessments upon benefited real property.

§ 194-38. Computation of sewer rentals.

The Town Board, prior to December 31 of each year, shall cause to be prepared a statement setting forth as sewer rentals the estimated amounts as required for the ensuing fiscal year for the purposes constituting the Sewer Rent Fund and which shall be used for the purposes and in the order provided in § 453 of the General Municipal Law. The same shall be based upon a formula using the master sewer readings for the district. The Town Board shall levy the amounts, as so adopted, against the real property liable at the same time and in the same manner as Town taxes, and such amounts shall be set forth in the annual tax rolls.

§ 194-39. Review and revision of costs and charges.

- A. The Town shall annually review the total cost of operation and maintenance of the treatment works and revise the charges in order to accomplish the following:
 - (1) Generate sufficient revenue to pay the total operation and maintenance costs necessary to the proper operation and maintenance (including replacement) of the treatment works; and
 - (2) Apply excess revenues collected to the cost of operation and maintenance for the next year and adjust the rate accordingly.

- B. The annual bill shall give a breakdown of the rate and portion of the charges attributable to wastewater treatment services.
- C. The user charge system shall take precedence over any terms or conditions of agreements or contracts between the Town and users (including industrial users, special districts, other municipalities or federal agencies or installations) which are inconsistent with the requirements of Section 204(b)(1)(A) of the Act and these regulations.

§ 194-40. Rents to constitute lien.

Sewer rents shall constitute a lien upon the real property served by the sewer system or such part or parts thereof for which sewer rents are hereby established and imposed. The lien shall be prior and superior to every other lien or claim, except for the lien of an existing tax assessment or other lawful charge imposed by or for the State of New York or political subdivision or district thereof.

§ 194-41. Cooperation of owners of real property.

The Sewer and Water Superintendent may require every owner and/or occupant of real property within the Sewer District to furnish him with such information as may be necessary and reasonable in order to carry out the provisions of this article. It shall be permissible for the Sewer and Water Superintendent or other properly authorized person employed by the Sewer District to enter upon real property at reasonable times for the purpose of obtaining such information as may be necessary to carry out the provisions of this article.

§ 194-42. Collection authority.

The Town Board of the Town of Thompson shall have the authority to collect sewer rents as provided in Subdivisions 3 and 4 of § 452 of the General Municipal Law.

ARTICLE IX

Consolidated Kiamesha Sewer District and Consolidated Rock Hill/Emerald Green Sewer District**[Added 12-15-1981 by L.L. No. 9-1981; amended 8-17-2021 by L.L. No. 8-2021]****§ 194-43. Imposition of rents.**

Pursuant to the authority of Article 14-F of the General Municipal Law of the State of New York, titled "Sewer Rent Law," and any and all amendments thereto, there are hereby established and imposed sewer rents as a means of producing revenue for the Consolidated Kiamesha Sewer District and the Consolidated Rock Hill/Emerald Green Sewer District in the Town of Thompson and any sewer district created after the enactment of this article by said Town of Thompson in accordance with the statutes in such case made and provided.

§ 194-44. Definitions; interpretations.

- A. Definitions. As used in this article, the following terms shall have the meanings indicated:

CONSOLIDATED KIAMESHA SEWER DISTRICT — As heretofore been established by the Town Board of the Town of Thompson which consists of all parcels previously existing in the Anawana Lake Sewer District, Kiamesha Lake Sewer District, Harris Woods Sewer District and Lakeview Estates Sewer District, as all combined and incorporated into the Consolidated Kiamesha Sewer District.

CONSOLIDATED ROCK HILL/EMERALD GREEN SEWER DISTRICT — As heretofore been established by the Town Board of the Town of Thompson by the Town Board of the Town of Thompson and which consists of all parcels previously existing in the Emerald Green Lake Louise Marie Sewer District and the Rock Hill Sewer District, as all combined and incorporated into the Consolidated Rock Hill/Emerald Green Sewer District.

PART — As used in relation to the term "sewer system," all lateral sewers or all branch sewers or all interceptor sewers or all trunk sewers and any sewage treatment and disposal works and private on-site wastewater disposal systems, each part with necessary appurtenances, including sewage pumping stations.

SEWER DISTRICT — Consolidated Kiamesha Sewer District and Consolidated Rock Hill/Emerald Green Sewer District of the Town of Thompson, as heretofore established by the Town Board of the Town of Thompson, or any sewer district created hereafter by said Town Board of the Town of Thompson in accordance with the statutes applicable thereto.

SEWER RENT FUND — The fund established by the Supervisor upon authorization of the Town Board of the Town of Thompson, into which fund shall be deposited the sewer rents established, imposed and collected in accordance with the provisions of this article.

SEWER SYSTEM — All sewer pipes and other appurtenances which are used or

useful in whole or in part in connection with the collection, treatment or disposal of sewage, industrial waste and other wastes and which are owned, operated or maintained by the Town of Thompson acting for and on behalf of its sewer districts as defined herein, including sewage pumping stations and sewage treatment and disposal works and private on-site wastewater disposal systems, if any.

- B. In the event of any conflict between the definitions contained herein and the definitions contained in § 451 of the General Municipal Law with respect to the imposition of sewer rents, the definitions provided for in said § 451 of the General Municipal Law shall control.

§ 194-45. Sewer rents.

The Town Board of the Town of Thompson shall, from time to time as hereinafter provided, adopt by resolution a scale of annual charges which shall establish and impose in the various sewer districts of the Town the charges for the use of the sewer system or any part or parts thereof. Such charges to be established and imposed by the Town shall be based on either:

- A. The consumption of water on the premises connected with and served by the sewer system or such part or parts thereof;
- B. The number and kind of plumbing fixtures on the premises connected with and served by the sewer system or such part or parts thereof;
- C. The number of persons served on the premises connected with and served by the sewer system or such part or parts thereof;
- D. The volume and character of sewage, industrial waste and other waste discharged into the sewer system or such part or parts thereof; or
- E. Upon any other equitable basis determined by the Town Board, including but not limited to any combination of the foregoing.

§ 194-46. Schedule of points.

- A. The Town Board of the Town of Thompson hereby determined that the schedule of rates for capital improvements and operation and maintenance expenses for properties included in each of the Sewer Districts and extension thereof of the Town of Thompson be computed as follows:

2020 Schedule of Points				
This schedule refers to domestic, or sanitary, sewage.				
Multiuse properties will be assigned points summed for each use.				
Property Class	Property Use	* = per unit	Rent Points	Debt Points
210	Single-family dwellings	1 to 4 bedrooms	10	10
		5 or more bedrooms	20	20

2020 Schedule of Points				
This schedule refers to domestic, or sanitary, sewage.				
Multiuse properties will be assigned points summed for each use.				
Property Class	Property Use	* = per unit	Rent Points	Debt Points
215, 220	Home with apartment, two-family dwellings		20	20
230	Three-family dwelling		30	30
260	Seasonal homes		10	10
280	Residential multistructure, multipurpose*		20	20
411	Apartment*	One-bedroom	7	7
		Two-bedroom	8	8
		Three-bedroom	10	10
Condominiums	Residences with HOA offering plans will be assigned a share of the points for the related common facilities			
270, 416	Mobile home, manufactured home parks*		5	5
260	Seasonal residences		10	10
414, 415, 418	Hotels, motels, inns			
	Office, first unit, small kitchen		20	20
	Each sleeping unit*		5	5
	Each efficiency unit*		6	5
417	Camps, cottages, bungalows; unheated; per unit*		5	10
		Add for day camps and/or school facilities	15	15
421, 424	Restaurants, night clubs		80	80
422, 423, 425, 426	Diners fast food and bars		40	40
431, 432, 433	Autodealers, service stations, body shops		20	30
434, 435, 436	Car wash		70	70
437, 438	Parking lots		0	10
440, 441, 442, 446, 449	Storage, warehouse, distribution facility, plus 4 point/1,000 square feet		20	20
447	Truck terminal		100	100

2020 Schedule of Points				
This schedule refers to domestic, or sanitary, sewage.				
Multiuse properties will be assigned points summed for each use.				
Property Class	Property Use	* = per unit	Rent Points	Debt Points
451, 452, 453, 454	Large retail, plus 6 points/1,000 square feet limited facilities 4 points/1,000 square feet		50	50
455, 471, 472	Sales (non-auto), funeral home, kennel		30	30
460, 461, 462, 463	Banks		60	60
464, 465	Office and professional building		100	100
480, 482, 483	Multiuse commercial, row type, converted residence		15	15
484, 485, 486	Small commercial, mini-marts		30	30
512, 534, 541, 542	Movie theatre, social halls, bowling alleys, ice rinks		90	90
543, 544, 545, 546, 553, 554	Recreational and sport facilities		120	120
550, 552, 682	Recreational acreage without facilities, per acre (ex: golf courses, parks, etc.)		0	5
554	Outdoor pools, no facilities		20	20
612, 613, 614, 615	Schools, colleges, special institutions (day use) plus 5 point/1,000 square feet		20	20
611, 620, 632, 681	Library, cultural, religious, benevolent		20	20
641	Hospitals plus 20 points/1,000 square feet		50	50
614, 633	(Residential) nursing home, group home, special institutions, assisted living, plus 25 points/1,000 square feet		50	50
642	Small health care office, plus 8 points/1,000 square feet		20	20

2020 Schedule of Points				
This schedule refers to domestic, or sanitary, sewage.				
Multiuse properties will be assigned points summed for each use.				
Property Class	Property Use	* = per unit	Rent Points	Debt Points
652	Government office		100	100
710, 712, 714	Manufacturing and processing		50	50
720, 721	Mining		10	10
822, 823 853	Water supply, water treatment, wastewater treatment		According to volume of sewage sent to Town	
300	Vacant, subdivided lots	Each buildable residential lot	0	3
		Each commercial lot	0	4
		Each waterfront lot	0	4
		Acreage per acre	0	5
	Special classification: Parcels or units included in the district which can not be feasibly served at this time, the property line being more than 200 feet from the sewer line or other circumstances making connection Infeasible.		0	0.01
	Outside users shall be assigned points on the same basis and using the same formula used for all parcels within the district, with an additional 10% administration fee.			
	If a user is a municipal government, the Town and such municipal government may by contract agree on the charge to be imposed for use of the sewer system, which such contract may include the successor to such municipal government.			
	The Town Board will make decisions on questions of classifications of properties.			

- B. Sewer District rents. The current sewer rents established by the Town Board are on file in the Office of the Town Clerk.

§ 194-47. Computation of sewer rentals.

The Town Board shall, prior to December 31 of each year, cause to be prepared a statement setting forth as sewer rentals the estimated amounts for the ensuing year in accordance with the provisions of General Municipal Law Article 14-F, § 194-38 of this Part 2 and Subsections A, B and C of this section, the same to be based on existing available data. The estimated annual charge for the ensuing year shall be based upon operating data from the previous year, unless another formula for the computation of said rate is provided for in Subsections A, B and C hereof. The estimated annual charge for a given year shall adjusted to an actual charge by the Town Board during the following

year when the actual operating data is available for that year. Unless otherwise provided for herein, the payment of the amount set forth in the annual statement for each year shall be made within 30 days of the date of the mailing of the statements to the property owner without discount or penalty. A penalty of 5% of the amount of the sewer rent statement shall be added thereto after the thirty-day period, if unpaid, and 1/2 of 1% for each additional month that the sewer rent remains unpaid.

- A. Computation of sewer rents in the Consolidated Kiamesha Sewer District and the Sackett Lake Sewer District. The Town Board, prior to December 31 of each year, shall cause to be prepared a statement setting forth as sewer rentals the estimated amounts as required for the ensuing fiscal year for the purposes constituting the Sewer Rent Fund and which shall be used for the purpose and in the order provided in § 453 of the General Municipal Law, Article 14-F, the same to be based on existing available data. The Town Board shall levy the amounts as so adopted against the real property liable at the same time and in the same manner as Town taxes, and such amounts shall be set forth in the annual tax rolls.
- B. Computation of sewer rents in the melody lake sewer district. The Town Board, prior to December 31 of each year, shall cause to be prepared a statement setting forth as sewer rentals the estimated amounts as required for the ensuing fiscal year for the purposes constituting the Sewer Rent Fund and which shall be used for the purposes and in the order provided in § 453 of the General Municipal Law. The same shall be based upon a formula of a rate of house and lot. The Town Board shall levy the amounts as so adopted against the real property liable at the same time and in the same manner as Town taxes, and such amounts shall be set forth in the annual tax rolls.
- C. Computation of sewer rents in the Consolidated Rock Hill/Emerald Green Sewer District. The Town Board, prior to December 31 of each year, shall cause to be prepared a statement setting forth as sewer rentals the estimated amounts as required for the ensuing fiscal year for the purposes constituting the Sewer Rent Fund and which shall be used for the purposes and in the order provided in § 453 of the General Municipal Law, Article 14-F, the same to be based on existing data. The Town Board shall levy the amounts as so adopted against the real property liable at the same time and in the same manner as Town taxes, and such amounts shall be set forth in the annual tax rolls.
 - (1) Included costs; cost allocation. The sewer rents for the Consolidated Rock Hill/Emerald Green Sewer District shall be based on the capital cost of the Emerald Green-Lake Louise Marie sewer plant, excluding the Emerald Green-Lake Louise Marie Sewer District collection system and the capital costs of the former Rock Hill Sewer District, if any; and on the operation and maintenance cost allocated to the former Emerald Green-Lake Louise Marie Sewer District sewer plant, excluding the former Emerald Green-Lake Louise Marie Sewer District collection system and the operation and maintenance cost of the former Rock Hill Sewer District. The allocation of such capital cost and operation and maintenance charges shall be based on a reasonable determination of the Town Board.

- (2) Minimum charges. The Consolidated Rock Hill/Emerald Green Sewer District residential properties, and commercial properties having a building square foot area of less than 2,500 square feet, shall pay a minimum charge for 90,000 gallons annually. All other commercial properties shall have a minimum charge for 180,000 gallons annually. The Sewer and Water Superintendent may require the installation of a meter where the Sewer and Water Superintendent believes that the usage of a particular unmetered property exceeds such annual minimum for such property for a test to determine actual usage, and thereafter shall require the installation of such meter on a permanent basis, if after such test usage exceeds or is reasonably expected to exceed such minimum amount on a continuing basis.
- (3) Connections. Residential properties located with the Consolidated Rock Hill/Emerald Green Sewer District which are serviced by lawfully operating private sewer systems shall not be required to connect to the Consolidated Rock Hill/Emerald Green Sewer District system. All properties which require sewer service after the formation of the Consolidated Rock Hill/Emerald Green Sewer District and properties which are not required to connect to the Consolidated Rock Hill/Emerald Green Sewer District system that would require a building permit to restore an existing private sewer system to lawful operating condition shall be required to connect to the Consolidated Rock Hill/Emerald Green Sewer District system. All commercial properties shall be required to connect to the Consolidated Rock Hill/Emerald Green Sewer District system.
- (4) Meters. The property owner shall provide a water meter acceptable to the Consolidated Rock Hill/Emerald Green Sewer District for the purpose of measuring water usage for sewer district charges. The Town Board by resolution may determine the percentage of actual usage of water for applicable sewer district charges based on total water usage compared to treated usage. Meters installed for a test shall be a charge to the district.
- (5) Costs. The costs and flows of the Consolidated Rock Hill/Emerald Green Sewer District shall be determined by the flows for the most recent complete calendar year of service prior to imposition of such charge. If any agreement governs the application of a charge, such agreement shall apply.
- (6) All other applicable provisions of this chapter shall apply.

§ 194-48. Review and revision of costs and charges; effect on existing agreements.

- A. The Town shall annually review the total cost of operation and maintenance of the treatment works and revise the charges in order to accomplish the following:
 - (1) Generate sufficient revenue to pay the total operation and maintenance costs necessary to the proper operation and maintenance, including replacement, of the treatment works; and
 - (2) Apply excess revenues collected to the cost of operation and maintenance for

the next year and adjust the rate accordingly.

- B. The annual bill shall give a breakdown of the rate and portion of the charges attributable to wastewater treatment services.
- C. The system and scale of charges established by the Town Board hereunder shall take precedence over any agreements or contracts and the terms and conditions thereof now in existence between the Town and users (including industrial users, special districts, other municipalities or federal agencies or installations) which are inconsistent with the provisions of this article.

§ 194-49. Disposition of revenue.

- A. Revenue derived from sewer rents, including penalties and interest, shall be credited to a special fund, to be known as the "Sewer Rent Fund," for and in the name of each of the Town's sewer districts. Moneys in such fund shall be used in the following order:
 - (1) For the payment of the costs of operation, maintenance and repairs of the sewer system, or such part or parts thereof for which sewer rents have been established and imposed.
 - (2) For the payment of interest on and amortization of, or payment of, indebtedness which has been or shall be incurred for the construction of the sewer system or such part or parts thereof for which sewer rents have been established and imposed (other than indebtedness, and the interest thereon, which is to be paid in the first instance from assessments upon benefited real property).
 - (3) For the construction of sewer treatment and disposal works with necessary appurtenances, including pumping stations, or for the extension, enlargement or replacement of, or additions to, such sewer systems, or part or parts thereof.
- B. Such revenues from sewer rents shall not be used to finance the cost of any extension of any part of a sewer system (other than any sewage treatment and disposal works with necessary appurtenance, including pumping stations) to serve unsewered areas if such part has been constructed wholly or partly at the expense of real property especially benefited or for the payment of the interest on and the amortization of, or payment of, indebtedness which is to be paid in the first instance from assessments upon benefited real property.

§ 194-50. Rents to constitute a lien.

Sewer rents shall constitute a lien upon the real property served by the sewer system or such part or parts thereof for which sewer rents are hereby established and imposed. The lien shall be prior and superior to every other lien or claim, except the lien of an existing tax assessment or other lawful charge imposed by or for the State of New York or political subdivision or district thereof.

§ 194-51. Cooperation of owners of real property.

The Sewer and Water Superintendent may require every owner and/or occupant of real property within the Sewer District to furnish him with such information as may be necessary and reasonable in order to carry out the provisions of this article. It shall be permissible for the Sewer and Water Superintendent or other properly authorized person employed by the Sewer District to enter upon real property at reasonable times for the purpose of obtaining such information as may be necessary to carry out the provisions of this article.

§ 194-52. Collection authority.

The Town Board of the Town of Thompson shall have the authority to collect sewer rents as provided in Subdivisions 3 and 4 of § 452 of the General Municipal Law.

ATTACHMENT 5

LOCAL LAW NO. 4 OF 2024

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.

Proposed
Local Law No. 04 of 2024

A local law entitled "A local law to amend the Town of Thompson Code, Chapter 194, entitled 'Sewers'."

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

1. The Town Board of the Town of Thompson, pursuant to the provisions of Article 14-F of the General Municipal Law, entitled "Sewer Rent Law", and in particular Section 452 thereof, does hereby establish and impose sewer rents to be charged in the Consolidated Harris Sewer District, Consolidated Rock Hill/Emerald Green Sewer District, Consolidated Kiamesha Sewer District, Melody Lake Sewer District, Sackett Lake Sewer District, Cold Spring Sewer District, and Adelaar Resort Sewer District for the year 2025.
2. The rates to be charged pursuant to Chapter 194 of the Code of the Town of Thompson, Section 194-45, for the year 2025 are as follows:

<u>DISTRICT:</u>	<u>Operation & Maintenance</u>	<u>Capital</u>
Consolidated Kiamesha Sewer District:	\$49.35	\$10.06
Consolidated Harris Sewer District:	\$31.26	\$ 2.90
Consolidated Rock Hill/Emerald Green Sewer District	\$60.45	\$14.67
Melody Lake Sewer District	\$88.56	\$20.77
Sackett Lake Sewer District:	\$61.87	\$ 1.09
Adelaar Resort Sewer District:*	N/A	N/A

* Adelaar Resort Sewer District is billed to 6 users only per usage spreadsheet

3. Except as herein specifically amended, the remainder of Chapter 194 of such code shall remain in full force and effect.
4. If any clause, sentence, paragraph, subdivision, section or part thereof this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this local law shall not be affected thereby and shall remain in full force and effect.
5. This local law shall take effect immediately.

(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. ____ of 2024 of the Town of Thompson was duly passed by the Town Board on _____, 2024 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. ____ of 20__ 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: November _____, 2024

(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: November _____, 2024

Attorney for Town of Thompson