



Minutes of a Regular Meeting of the Town Board of the Town of Thompson held at the Town Hall, 4052 State Route 42, Monticello, New York on **November 19, 2013.**

ROLL CALL:

Present: Supervisor Anthony P. Cellini, Presiding
Councilman Richard Sush
Councilman Sharon Jankiewicz
Councilman Peter T. Briggs
Councilman Scott Mace

APPROVED

Also Present: Marilee J. Calhoun, Town Clerk
Michael B. Mednick, Attorney for the Town
William D. Culligan, Water & Sewer Superintendent
Logan E. Ottino, Building Dept. /Code Enforcement Officer
Richard Benjamin, Jr., Highway Superintendent
Gary J. Lasher, Comptroller
William J. Rieber, Jr., Supervisor Elect
John A. Pavese, Councilman Elect

**PUBLIC HEARING: PROPOSED LOCAL LAW NO. 5 OF 2013: ZONING CODE
UPDATES PERTAINING TO ACCESSORY BUILDINGS**

Supervisor Cellini opened the Public Hearing at 7:30 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 October 29, 2013 with same being posted at the Town Hall on October 23, 2013.

Supervisor Cellini called upon Town Attorney Michael B. Mednick to explain the proposed local law. Attorney Mednick explained that this law is a way for the Town to be able to allow more discretionary review of Accessory Buildings and to incorporate Accessory Buildings into one general term and be able to give more review to the Building Department and less requirements to get to the Zoning and Planning Boards for things that are regular use. This is essentially why this law was proposed. They generalized all Accessory uses instead of just garages, which really started off to be just garages and over-sized garages that were required to go before the Planning and Zoning Boards and this is a way to streamline the process to make it easier for property owners who are putting up these Accessory Buildings, which are allowed in these different zones to streamline the process to get the permit for the Accessory Use structure.

Supervisor Cellini asked if the Board had any comments. The Board made the following comments:

Supervisor Cellini said that the Town Board has comments regarding the number of Accessory Buildings allowed per lot, they think that (8) is too high.

Councilman Mace said how often we see (8) per lot, he thought that (4) would be sufficient.

Councilman Briggs said agreed with (4) and that if the property owner wanted more they always have the option to go before the ZBA at that time to obtain a variance.

Councilman Jankiewicz commented on paragraph 3 pertaining to the 50% of the main dwelling unit. She said many homes that are currently being built are approximately 2,000 sq. ft., which would mean that an Accessory Building could be 1,000 sq. ft. This law would allow (4) 1,000 sq. ft. Accessory Buildings to be put on a small lot if the dwelling is 2,000 sq. ft. This is the way that the law reads. No Accessory Buildings, it does not say a combination of the (4) can be no larger than 50% of the sq. ft. of the main dwelling unit. It says No Accessory Structure Building shall be larger in sq. ft. than 50% of the main dwelling. Supervisor Cellini said that each building would still have to meet all required setback regulations. Councilman Jankiewicz said that you would, but if you have a lot large enough say 5-acres you would be allowed 4,000 sq. ft. of Accessory Buildings on that property if they have a 2,000 sq. ft. dwelling. To her this seems to be a little excessive to allow that many at that size. If we are going to have 50% of the main dwelling it should probably be a combination of the Accessory Buildings on the property as opposed to straight 1,000 sq. ft. per building or whatever it is, because there are many homes being built that are 2,000 sq. ft. many people are not building 1,000 sq. ft. homes anymore. Councilman Jankiewicz also expressed concern regarding the height of the Accessory Building being 25'. She said that technically a property owner could construct an apartment on the upper level of a garage without a permit and questioned how the Town would know. Councilman Mace said that you would be required to have a permit if it is larger than a 144 sq. ft. Councilman Jankiewicz said do you according to the way that this law is written, because the way that she is reading the law these are Accessory Buildings that are as of right. Councilman Mace refers to page 1, section A-2, which states that a Building Permit shall be secured for any buildings larger than 144 sq. ft. No Business or Occupational Service, we could add language in that clause for no rental or living space. Code Enforcement Officer Logan Ottino said that if the structure is 1,000 sq. ft. it will be at least 20 ft. high. Councilman Jankiewicz said maybe the Town should not allow such large Accessory Buildings without Planning Board approval. It seems to be quite large based on what is currently permitted.

Supervisor Cellini said that there seems to be a lot of questions regarding this proposed law and he suggested tabling this public hearing.

Town Attorney Michael B. Mednick said that the Board can leave the public hearing open until the next meeting. The Town Board does not have to have to take any action at this time and if there are any amendments the Board can direct the amendments to be made and continue the hearing at the next meeting. Any comments made at the next meeting can also be incorporated if necessary before action is taken. The action can be tabled until after the hearing is closed.

Supervisor Cellini said that he would recommend hearing the rest of the comments this evening and leave the hearing open until December 3rd. Attorney Mednick agreed with that suggestion.

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

Laura A. Coruzzi and Robert J. Schneider of Yankee Lake, Town of Mamakating submitted an email to Supervisor Cellini earlier today expressing opposition to this proposed local law.

Pamela Zaitchick of Glen Wild said that the original intention was to have larger garages. She does not think there have been that many requests for Accessory Buildings at the Zoning Board Meetings. There have been some, not many, but that is what they are there for. One of the biggest issues that the Town has had is that the buildings are being constructed without the proper variances and permits and this will eliminate that issue. However with even (4) per lot could be a lot in certain zones and look terrible. Mrs. Zaitchick agreed with Councilman Jankiewicz that the issue involving living quarters needs to be looked at more closely, because of the abuse that goes on. The Town does not have enough inspectors to see if anyone is living in these Accessory Buildings or not.

Roger Betters of Monticello on behalf of the Columbia Hill Neighborhood Alliance commented on Accessory Buildings/Structures being located on properties closer to the roadway than the main dwelling unit. He also commented on Serenity Gardens Development homes, which will most likely proposed larger sized Accessory Buildings in the future and will require ZBA approvals. Councilman Jankiewicz said that those homes will most likely be over 2,000 sq. ft.

Attorney Mednick suggested that if the Town Board or public have any further comments or suggestions to submit them for consideration before any amendments are made.

After an opportunity for all persons to be heard Supervisor Cellini entertained a motion to leave the public hearing open until the December 3rd, 2013 Town Board Meeting @ 7:30 PM.

A motion to leave the Public Hearing open until the December 3rd, 2013 Town Board Meeting was made by Councilman Sush and seconded by Councilman Briggs. The Public Hearing ended at 7:41 PM.

PUBLIC HEARING: PROPOSED LOCAL LAW NO. 8 OF 2013: TO AMEND CHAPTER 172 OF THE TOWN CODE ENTITLED "OUTDOOR FURNACES & BOILERS" – TO CHANGE OPERATIONAL TIME PERIOD

Supervisor Cellini opened the Public Hearing at 7:43 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 October 29, 2013 with same being posted at the Town Hall on October 23, 2013.

Supervisor Cellini explained the proposed local law. He said that this local law changes the operational time period in which Town residents can use their outdoor wood burning furnaces and stoves from October 15th to September 15th. The weather tends to get colder during the earlier part of the fall season, which allows the use if necessary. This law is extending the operational time period for use by one month.

Supervisor Cellini reported on the GML-239 County Review dated 11/08/2013 advising that the proposed action should not have any adverse intercommunity impacts, and is recommending the matter for local determination.

Supervisor Cellini asked if the Board had any comments. The Board had no comments. Supervisor Cellini asked if anyone from the public would like to be heard on this matter. The following public comment was made:

Roger Betters of Monticello on behalf of the Columbia Hill Neighborhood Alliance asked what the time period of use was. Supervisor Cellini advised it is May 15th through October 15th, but this law proposes to change that time period to May 15th through September 15th. He commented on a particular piece of property that operates their outdoor wood-burning stove year-round. The Town Board said that they would be in violation of the Town Code and the Code Enforcement Officer would have to address the situation. Code Enforcement Officer Logan E. Ottino made a note of the complaint to address after the operational period ends if still in violation.

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

A motion to close the Public Hearing at 7:44 PM was made by Councilman Sush and seconded by Councilman Mace.

REGULAR MEETING – CALL TO ORDER

Supervisor Cellini opened the meeting at 7:45 PM with the Pledge to the Flag.

APPROVAL OF MINUTES:

On a motion made by Councilman Briggs and seconded by Councilman Mace the minutes of the November 6th, 2013 regular meeting were approved as presented.

Vote: Ayes 5 Cellini, Jankiewicz, Briggs, Sush and Mace

Nays 0

PUBLIC COMMENT:

Pamela Zaitchick of Glen Wild recommended other retail development at the former Apollo Plaza property besides another grocery store/super market. The Town already has three others and does not require an additional one. This would allow the people

that are here in the Town to have a place to spend their money. We have all of this development and no other stores to spend our money in locally.

Paul Walsh of Rock Hill has a piece of property that he will be having some drainage work done on that will feed into public drainage and he does not want to channel water into the public drainage incorrectly, which could result in problems so he requested the assistance of Highway Superintendent Richard Benjamin for an opinion. Superintendent Benjamin advised Mr. Walsh to contact him at his office in the morning and he would be willing to go out to the site and inspect the situation and provide his opinion on the matter.

CORRESPONDENCE:

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

- 1) Memo dated 10/30/2013 from Edward McAndrew, P.E. Commissioner of the County of Sullivan Division of Public Works to various municipality representatives regarding the Snow & Ice Watch. The County DPW began the snow and ice watch on Saturday, November 16th, 2013.
- 2) Letter dated 11/2013 from Fred Stabbert III, Chairman, SC Partnership and Publisher, SC Democrat of Catskill-Delaware Publications, Inc. regarding support for Veria Lifestyle's plan to create a health resort at the former Kutsher's Hotel. There were several issue discussed involving the hiring of local contractors for the proposed development project and the granting of Tax Abatements through the Sullivan County IDA. Councilman Sush will look into the matter.
- 3) Letter dated 11/14/2013 from Town Clerk Marilee J. Calhoun to Mr. Joseph R. Murray, Division of Environmental Permits, NYS DEC Region 3 Headquarters regarding DEC Application ID # 3-4846-00121/00001 – Notice of Complete Application Dillon Farms Sewer District (SPDES) Permit for the Town.

AGENDA ITEMS:

8. REQUEST FOR FOUR BUILDING PERMIT EXTENSIONS: CONCORD

ASSOCIATES LP, SBL #'S 9.-1-34.5 & 39.-1-35, PERMIT #'S 08-257, 08-258, 08-371 & 08-227 (NOTE: CORRECTION OF PERMIT RENEWAL EFFECTIVE/EXPIRATION DATES)

Henry Zabatta on behalf of Concord Associates LP was present requesting (4) Building Permit Extensions that have been issued to Concord Associates LP. Back in July all (4) of the permits were renewed, the permit extensions were granted for six months, but with a new expiration date of 01/16/2014 (six months from the date of the Resolution). However the new permits were issued by the Building Department in the standard way that they have always been issued six months from the expiration date. He is requesting that the permits be issued with a correction to the original effective and expiration dates since these permits have already been submitted to the State of New York along with their application for approval. In the process of proceeding with their project they ask that the Town be consistent with the dates. The applicant has no problem paying the additional expense to extend the permits. The Town Board

250 of the Zoning and Planned Unit Development Code; and

WHEREAS, the Town Board of the Town of Thompson declared itself lead agency pursuant to Resolution dated October 15, 2013 in connection with the review of the local law to amend Chapter 250 of the Town Code; and

WHEREAS, a Short Form Environmental Assessment Form has been filed in connection with the proposed revisions to Chapter 250 of the Town Code; and

WHEREAS, a public hearing was conducted in connection with the revisions to Chapter 250 of the Town Code on November 19, 2013, wherein said public hearing was closed.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Thompson determines that there are no negative environmental impacts that would be caused as a result of the enacting of Local Law 06 of 2013 entitled "A local law to amend Chapter 250 of the Town of Thompson Code relating to zoning and planned unit development"; and

FURTHER BE IT RESOLVED, it is determined that the Town Board of the Town of Thompson makes a negative declaration with regard to any environmental impacts caused as a result of the enacting of Local Law No. 06 of 2013.

Moved by: Councilman Sharon Jankiewicz
Seconded by: Councilman Peter T. Briggs
Adopted the 19th day of November, 2013.

The members of the Town Board voted as follows:

Supervisor ANTHONY P. CELLINI	Yes [X]	No []
Councilman PETER T. BRIGGS	Yes [X]	No []
Councilman SHARON JANKIEWICZ	Yes [X]	No []
Councilman RICHARD SUSH	Yes [X]	No []
Councilman SCOTT MACE	Yes [X]	No []

The Following Resolution Was Duly Adopted: Res. No. 311 of the Year 2013.

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 November 19, 2013

RESOLUTION TO ENACT LOCAL LAW NO. 06 OF 2013

WHEREAS, proposed Local Law No. 08 of the year 2013 entitled, "A Local Law to amend Chapter 172 entitled 'Outdoor Furnaces and Boilers' of the Code of the Town of Thompson" was introduced to the Town Board at a meeting held October 15, 2013, 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. 06 for the year 2013, Town of Thompson, State of New York, which local law is annexed hereto and made a part hereof.

Moved by: Councilman Scott Mace

Seconded by: Councilman Peter T. Briggs

Adopted on Motion: November 19, 2013

Supervisor ANTHONY P. CELLINI	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Councilman PETER T. BRIGGS	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Councilman SHARON JANKIEWICZ	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Councilman RICHARD SUSH	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Councilman SCOTT MACE	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

3. APPROVE CONTRACT WITH MCGOEY, HAUSER & EDSALL CONSULTING ENGINEERS FOR THE TOWN: MAP, PLAN & REPORT FOR THE ESTABLISHMENT OF THE MELODY LAKE WATER DISTRICT

A copy of the agreement was provided for the Boards review and consideration. Councilman Jankiewicz said there was two separate agreements she verified that the second agreement was the accurate agreement. Councilman Jankiewicz does not feel that 30-days would be sufficient time to re-pay the cost after the formation and the Town would end up paying percentages of interest. She was hoping that the Engineering firm would give the Town a 3-Month re-payment option. This would allow the Town to get the funding together and available for payment. Comptroller Gary Lasher said that he will have sufficient monies in the reserve account to pay for the expense at such time. Further discussion regarding this matter ensued before action was taken as follows:

The Following Resolution Was Duly Adopted: Res. No. 312 of the Year 2013.

Resolved, that the Town Board of the Town of Thompson approves the agreement for engineering services between the Town and McGoey, Hauser & Edsall Consulting Engineers, P.C. for professional engineering services related to the preparation of a map, plan and report for the proposed Melody Lake Water District and

Further Be It Resolved, that the Town Supervisor Anthony P. Cellini hereby be authorized to execute said agreement as presented and reviewed by Town Attorney Michael B. Mednick.

Moved by: Councilman Sush

Seconded by: Councilman Briggs

Discussion: Councilman Jankiewicz said that the payment terms are not acceptable.

Vote: Ayes 4 Cellini, Briggs, Sush and Mace

 Nays 1 Jankiewicz

RESOLUTION TO ORDER A MAP, PLAN & REPORT FOR THE PROPOSED MELODY LAKE WATER DISTRICT

The Following Resolution Was Duly Adopted: Res. No. 313 of the Year 2013.

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 November 19, 2013

RESOLUTION PURSUANT TO TOWN LAW FOR THE PROPOSED FORMATION OF THE MELODY LAKE WATER DISTRICT IN THE TOWN OF THOMPSON

WHEREAS, Melody Lake Homeowners Association, on behalf of all homeowners serviced by White Knight Management, LLC, and which water service operation and management was, by Order Appointing a Temporary Operator of the Public Service Commission dated February 13, 2103, turned over to the Town of Thompson as Temporary Operator, has made a request to the Town Board of the Town of Thompson for the Melody Lake Water District, a Special Improvement District, to be created in said Town; and

WHEREAS, the said area to be included in the Melody Lake 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 to be serviced by the Melody Lake Water District, 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 applicant, Melody Lake Homeowners Association.

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

1. That the Town Board does hereby authorize McGoey, Hauser & Edsall Consulting Engineers, PC of 45 Quassaick Avenue, New Windsor, New York 12553 to prepare a general map and plan for the formation of the water facilities and services in the area of the Town of Thompson to be serviced by the Melody Lake 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 \$10,500.00 to pay the cost of preparing the general map and plan for the creation of the water facilities, as well as all legal expenses incurred by the district to complete any district formation and all costs and disbursements incurred by the district in processing the formation. That all engineering, legal costs and other disbursements for preparation of a general map, plan and report shall be paid by the applicant. Said monies shall be deposited by the applicant in the Town escrow account prior to preparation of said map, plan and report and will be released to McGoey, Hauser and Edsall Consulting Engineers, P.C. upon completion, and other monies held in escrow will be disbursed upon completion of the creation.

3. That McGoey, Hauser and Edsall Consulting Engineers, P.C., of 45 Quassaick Avenue, New Windsor, New York 12553, be, and they hereby are, retained at a cost not to exceed \$5,000.00, of which said monies are to be paid by the developer, to prepare a general map and plan for water facilities and services to the area to be known as the Melody Lake Water District.

4. Legal fees incurred by the Town in connection with the formation of the Melody Lake Water District are to be paid by the applicant.

5. That all maps and plans prepared by McGoey, Hauser and Edsall Consulting Engineers, 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 applicant.

7. That in the event that the said Melody Lake Water District shall be created 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

Nays 0

6. SULLIVAN COUNTY DIVISION OF PUBLIC WORKS: SNOW & ICE CONTRACT

Highway Superintendent Richard Benjamin said that this Resolution for the Snow & Ice Contract is done every year with the County of Sullivan. He recommended approving the Resolution as presented, which provides automatic increases based on what the State of New York pays the County of Sullivan.

The Following Resolution Was Duly Adopted: Res. No. 315 of the Year 2013.

AT A REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF THOMPSON HELD AT THE TOWN HALL ON NOVEMBER 19th, 2013

The following resolution was duly moved, seconded and adopted:

WHEREAS, the County of Sullivan and the Town of Thompson entered into contract for Snow and Ice Control on County Roads from July 01, 2012 through June 30, 2015;

WHEREAS, the contract states the Town will be paid the amount Sullivan County received from the State of New York for snow and ice control on state highways the previous snow and ice season; and

WHEREAS, the County of Sullivan was paid the rate of \$5,496.66 per centerline mile for the 2012-2013 contract year; and

WHEREAS, said section of the Highway Law of the State of New York requires the approval by resolution of each of the legislative bodies of such County, Towns;

NOW, THEREFORE, BE IT RESOLVED, that the County of Sullivan pay the amount of \$5,496.66 per centerline mile for two lane highways and \$8,244.99 for three lane highways to the Town for the contract year July 01, 2013 – June 30, 2014.

FURTHER, BE IT RESOLVED, that Town Supervisor Anthony P. Cellini hereby be authorized to execute such Agreement between the Town of Thompson and County of Sullivan regarding the above.

Moved by: Councilman Peter T. Briggs
Seconded by: Councilman Sharon Jankiewicz
Adopted the 19th day of November, 2013.

PRESENT:

Supervisor Anthony P. Cellini	Voting	Aye
Councilman Sharon Jankiewicz	Voting	Aye
Councilman Peter T. Briggs	Voting	Aye
Councilman Scott Mace	Voting	Aye
Councilman Richard Sush	Voting	Aye

7. FARMER'S MARKET PROPOSAL AT THOMPSON SQUARE: MARTHA TULLY

Ms. Martha Tully was present to explain her proposal, which was provided to each Town Board Member regarding the possible establishment of a local Farmer's Market to be held in the Thompson Square Mall Parking Lot. She explained how Farmer's Markets falls under and operates under the regulations of the NYS Agriculture and Markets Law, the NYS DOH and the Sullivan County Farmers Market Association. A lengthy discussion ensued between herself and the Board. She advised that this is the beginning process to see if the Board has any interest in supporting the proposal and to answer any questions that they might have. The Town Board indicated that they are interested and agreed that this is in the infancy stage and more information will be required before a final decision can be made. The Board has several questions that they would like answered before a final decision is made. Ms. Tully asked the Town Board to submit their comments and questions to her so that she can research, review and respond with her answers and findings. The Town Board will get their comments and questions to her for response.

9. STATUS: ASSESSOR INTERVIEWS/APPOINTMENT

Supervisor Cellini provided the Town Board with copies of the notes from the Work Session that was held on Wednesday afternoon, November 13, 2013 at 4PM to discuss and interview applicants for the Town Assessor position. There were (5) applicants interviewed and it was the consensus of the Board that one of the applicants be offered the position. However they declined the position once offered. Supervisor Cellini has spoken with the current Assessor Clerk Angela Ruggeri regarding the position and the Town Board decided to interview her again before making a final determination. Councilman Jankiewicz voiced her displeasure regarding the interviews being held while she was away on vacation and unable to attend. She is offended that she was not included in the interview process especially since she was involved in the advertising for the position and scheduling of the interviews. The application deadline was October 31st, 2013 according to the advertising. It was decided that the Town Board would setup an interview with Mrs. Ruggeri on Tuesday, November 26th, 2013 at 5PM.

TAX CERTIARI SETTLEMENT: ALEJANDRO REY & MYRNA REY, SBL# 52R.-3-3.1

Attorney Mednick provided a Resolution on the above named property tax settlement proceeding being presented. Attorney Mednick and Assessor Nora J. Hughson are recommending that the settlement be approved as per the presented Resolution. Attorney Mednick explained the settlement agreement. The Town Board took action on the settlement as follows:

The Following Resolution Was Duly Adopted: Res. No. 316 of the Year 2013.

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

WHEREAS, Alejandro Rey and Myrna Rey, have instituted proceedings under Article 7 of the Real Property Tax Law to review the assessment of Tax Map Parcel Section 52R, Block 3, Lot 3.1 which proceedings are pending in the Supreme Court of the State of New York, County of Sullivan, under Index Nos. 2075-2012 and 1846-2013; and

WHEREAS, the parties herein have appeared through counsel, to wit, Michael B. Mednick, Esq., on behalf of respondent, and Nicole M. Rieber, Esq., on behalf of Petitioners; 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 petitioners' **2012** and **2013** assessments, to wit, a reduction in the assessment of petitioners' real property, **SBL 52R-3-3.1** from \$400,000.00 to \$365,000.00.

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

1. That the settlement of the above referenced proceeding be, and the same hereby is in all respects approved and confirmed.

2. That Michael B. Mednick, Esq., attorney for the Town of Thompson, and Nora Hughson, 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 Nora Hughson, Assessor, be, and they hereby authorized and empowered to execute any and all other documents and take such other steps as may be reasonably necessary and incidental to effect and finalize the settlement of the subject proceeding.

Moved by: Councilman Scott Mace

Seconded by: Councilman Richard Sush

and a roll call vote thereon as follows:

Supervisor Anthony P. Cellini	voting	Aye
Councilman Peter T. Briggs	voting	Aye
Councilman Sharon Jankiewicz	voting	Aye
Councilman Richard Sush	voting	Aye
Councilman Scott Mace	voting	Aye

TAX CERTIARI SETTLEMENT: NATALIE EPISALLA, SBL# 52K.-1-16

Attorney Mednick requested that this Resolution on the above named property tax settlement proceeding be tabled until the next Town Board Meeting on 12/03/2013.

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 Nora Hughson, 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 Nora Hughson, Assessor, be, and they hereby authorized and empowered to execute any and all other documents and take such other steps as may be reasonably necessary and incidental to effect and finalize the settlement of the subject proceeding.

Moved by: Councilman Peter T. Briggs
Seconded by: Councilman Richard Sush

and a roll call vote thereon as follows:

Supervisor Anthony P. Cellini	voting	Aye
Councilman Peter T. Briggs	voting	Aye
Councilman Sharon Jankiewicz	voting	Aye
Councilman Richard Sush	voting	Aye
Councilman Scott Mace	voting	Aye

SCHEDULE DATE FOR TENTATIVE SPECIAL DISTRICT ASSESSMENT HEARING:
12/03/2013 @ 6 PM

The Following Resolution Was Duly Adopted: Res. No. 319 of the Year 2013.

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 November 19, 2013

RESOLUTION TO DIRECT FILING OF TENTATIVE SPECIAL DISTRICT ASSESSMENT ROLLS AND FIX A DATE FOR THE HEARING OF OBJECTIONS

NOW, THEREFORE, BE IT RESOLVED:

1. The Town Board of the Town of Thompson has filed with the Town Clerk of the Town of Thompson the tentative special district assessment rolls for the Anawana Sewer District, Cold Spring Sewer District, Dillon Farms Sewer District, Emerald Green/Lake Louise Marie Sewer District, Harris Sewer District, Kiamesha Lake Sewer District, Melody Lake Sewer District, Sackett Lake Sewer District, Harris Woods Sewer District,

Rock Hill Sewer District, Kiamesha Route 42 Water District, Cold Spring Water District, Dillon Water District and Lucky Lake Water District for the year 2014.

2. The Town Board will meet at the Town Hall, 4052 State Route 42, Monticello, New York at 6:00 P.M. on December 03, 2013 to hear and consider any objections, which may be made to the roll.
3. Not less than 10 nor more than 20 days prior to said meeting, the Town Clerk is directed to publish notice of such filing in the official newspaper of the Town and to post in a public place a copy of the public notice and a general copy of each district's rates for any property owner who appears on said assessment roll to be able to view.
4. This resolution shall take effect immediately

Moved by: Councilman Sharon Jankiewicz

Seconded by: Councilman Peter T. Briggs

Adopted on Motion: November 19, 2013

Supervisor Anthony P. Cellini	Yes [X]	No []
Councilman Sharon Jankiewicz	Yes [X]	No []
Councilman Peter T. Briggs	Yes [X]	No []
Councilman Richard Sush	Yes [X]	No []
Councilman Scott Mace	Yes [X]	No []

SCHEDULE PUBLIC HEARING: PROPOSED LOCAL LAW NO. 09 OF 2013 – TO AMEND CHAPTER 197 ENTITLED “SEWERS” FOR THE ESTABLISHMENT OF SEWER RENTS/RATES FOR THE YEAR 2014

The Following Resolution Was Duly Adopted: Res. No. 320 of the Year 2013.

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 November 19, 2013

RESOLUTION TO AUTHORIZE A PUBLIC HEARING FOR THE ADOPTION OF A LOCAL LAW

WHEREAS, there has been introduced at a meeting of the Town Board of the Town of Thompson held on November 19, 2013, a proposed Local Law No. 09 of 2013, entitled "A local law to amend the Town of Thompson Code, Chapter 197, entitled 'Sewers'".

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed local law by the Town Board of the Town of Thompson on December 03, 2013 at 7:30

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Councilman Jankiewicz commented on the Building Department fees, fines and procedures, which were passed without public input, no discussion, which was not part of last meeting's agenda packet. Nobody really had an opportunity to comment on it and she did not have an opportunity to review it prior to the meeting. She discussed some of the issues that she has with the approved changes, which are as follows: Residential Permit Fee Cap Removal, Commercial Permit Fee Cap Not Addressed, Residential and Commercial Demolition Fees both being Eliminated, Building without Permit Fees, Increased Variance Fees, Operating Permits Annual Inspections and Fire Inspection Fees.

Councilman Mace said that this information was sent out several weeks before approval for comments. This was not done to increase revenue this was done to get in line with other municipalities. This was done with input from many others. These changes have to do with the safety of the public.

NEW BUSINESS:

There was no new business reported on.

PUBLIC COMMENT:

There was no public comment given.

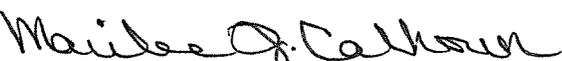
ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION

- December 3rd: Tentative Special District Assessment Hearing @ 6:00 PM.
- December 3rd: Joint Public Hearing @ 6:45 PM with Village of Monticello – Proposed Annexation Request for Las Papayas, Inc., SBL#'s 31.-1-13, 110 East Broadway, Monticello.
- December 3rd: Public Hearing @ 7:30 PM – Proposed Local Law No. 09 of 2013 to Amend Chapter 197 entitled "Sewers" for the establishment of sewer rents / rates for the Year 2014.
- December 3rd: Reconvene Public Hearing @ 7:30 PM – Proposed Local Law No. 5 of 2013: Zoning Code Updates Pertaining to Accessory Buildings.

MEETING RECESSED

On a motion made by Councilman Sush and seconded by Councilman Briggs the meeting was recessed at 8:43 PM until Tuesday, November 26th, 2013 at 5:00 PM for the purpose of conducting a work session for a follow up interview with Angela Ruggeri for the Town Assessor position/appointment.

Respectfully Submitted By:



Marilee J. Calhoun, Town Clerk