

The Following Resolution Was Duly Adopted: Res. No. 27 of the Year 2013.

Pursuant to General Municipal Law Section #10, the Town Board authorizes the Chief Fiscal Officer to deposit or invest idle monies not required for immediate expenditures in an interest bearing account and in accordance to the Town's adopted investment policy. Said monies should not exceed the maximum amount of Seven (7M) Million Dollars in any one bank.

Moved by: Councilman Sush
Vote: Ayes 5
Nays 0

Seconded by: Councilman Mace
Cellini, Jankiewicz, Briggs, Sush and Mace

The Following Resolution Was Duly Adopted: Res. No. 28 of the Year 2013.

Resolved, that the Town Board does hereby approve as to form, manner and execution and sufficiency of sureties the bonds of the following Town Officials as designated in the Town's Travelers Casualty and Surety Company of America.

<u>NAME AND OFFICE</u>	<u>AMOUNT</u>	<u>EXPIRATION</u>
All Town of Thompson Employees	\$100,000.00	05/01/2014
Anthony P. Cellini Supervisor	\$100,000.00	05/01/2014
Gary J. Lasher Comptroller	\$100,000.00	05/01/2014
Marilee J. Calhoun Town Clerk	\$100,000.00	05/01/2014
Kelly M. Murran Deputy Town Clerk	\$100,000.00	05/01/2014
Thomas J. Kelly Deputy Town Clerk	\$100,000.00	05/01/2014
Perry E. Meltzer Town Justice	\$100,000.00	05/01/2014
Martin S. Miller Town Justice	\$100,000.00	05/01/2014
Richard L. Benjamin, Jr. Superintendent of Highways	\$100,000.00	05/01/2014

David Wells \$100,000.00 05/01/2014
Deputy Superintendent of Highways

Doreen Huebner \$1,000,000.00 05/01/2014
Receiver of Taxes (January thru March)

William D. Culligan \$100,000.00 05/01/2014
Town Park Manager

Moved by: Councilman Briggs Seconded by: Councilman Sush
Vote: Ayes 5 Cellini, Jankiewicz, Briggs, Sush and Mace
Nays 0

The Following Resolution Was Duly Adopted: Res. No. 29 of the Year 2013.

Resolved, that the accounting firm of Cooper & Niemann be hereby designated as the Auditors for the Town of Thompson at the annual fee of \$28,000.00 for the year 2013.

Moved by: Councilman Jankiewicz Seconded by: Councilman Mace
Vote: Ayes 5 Cellini, Jankiewicz, Briggs, Sush and Mace
Nays 0

The Following Resolution Was Duly Adopted: Res. No. 30 of the Year 2013.

Resolved, that the Town of enter into an agreement with the Senior Citizens Club Monticello, Inc., funding thereof by the Town of Thompson in the amount of \$4,000.00 for the year 2013 and the Supervisor be and is hereby authorized to execute the same for and on behalf of the Town.

Moved by: Councilman Jankiewicz Seconded by: Councilman Briggs
Vote: Ayes 5 Cellini, Jankiewicz, Briggs, Sush and Mace
Nays 0

The Following Resolution Was Duly Adopted: Res. No. 31 of the Year 2013.

Resolved, that Town Officers and employees who are required to use their personal automobiles for Town business be, and shall be, reimbursed for the use of their said vehicles used on official Town business, upon presentation of the proper documentation mileage voucher for said use, shall be reimbursed at the rate of **(55 cents)** per mile.

Moved by: Councilman Mace Seconded by: Councilman Sush
Vote: Ayes 5 Cellini, Jankiewicz, Briggs, Sush and Mace
Nays 0

The Following Resolution Was Duly Adopted: Res. No. 32 of the Year 2013.

Resolved, that the 2013 Road Maintenance Program as proposed by Highway Superintendent Richard Benjamin be, and is hereby approved for the expenditure of funds as adopted in the 2013 approved budget under Repairs, Maintenance and Improvements. The total amount appropriated in the 2013 Budget is \$1,810,000.00.

The Following Resolution Was Duly Adopted: Res. No. 54 of the Year 2013.

Resolved, that the Highway Superintendent hereby be authorized to purchase equipment from the Highway Equipment Account (5130.2 DA Fund) as the Superintendent deems necessary.

Moved by: Councilman Briggs

Seconded by: Councilman Mace

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

Nays 0

Supervisor Cellini hereby assigns Councilman Peter T. Briggs the Town Board's Liaison to the Parks & Recreation Department. He shall meet with the Parks Superintendent and report his findings to the Town Board. Councilman Briggs shall further be the Liaison to the Dog Control Department and report his findings on the above mentioned to the Supervisor & Town Board. Also take an active role with our Youth Summer Day Camp.

Supervisor Cellini hereby assigns Councilman Richard Sush as the Town Board's Liaison to the Highway Department. He shall meet with the Superintendent and employees and report his finding to the Town Board. He shall also be the Town's link to both the Rock Hill and Monticello Fire Districts and to inform this Board as to any ongoing projects or concerns either department has.

Supervisor Cellini hereby assigns Councilman Mace as the Town Board's Liaison to the Planning, Zoning Boards and Building Department also the Office of the Assessor. He shall further schedule meetings with employees and Board Members to discuss and address their concerns and report his findings to the Town Board.

Supervisor Cellini hereby assigns Councilman Jankiewicz as the Town Board's Liaison to the Water & Sewer Department. She shall also be the Chair of the Town's Beautification Committee. Also, to continue the Town's efforts for the on-going cleanup and the demolition of unsafe/unsightly buildings in the Town of Thompson to work closely with the Code Enforcement and Building Department.

Supervisor Cellini requests that Councilman Mace establish the need and location for a Business Incubator. It is suggested he work closely with the Partnership for Economic Development, which the Town is a member of.

Supervisor Cellini assigns Councilmen Briggs and Jankiewicz to prepare, update and establish a 5-year plan along with Comptroller Lasher to diminish expenses, increase revenues and increase our annual budget surplus. They shall report periodically to the Town Board with their on-going progress.

REGULAR MEETING AGENDA

Supervisor Cellini continued with the regular meeting at 7:50 PM.

**MONTHLY REPORTS FOR DECEMBER 2012 & FISCAL YEAR END 2012 REPORTS
ALL RECEIVED AND FILED**

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

APPROVAL OF MINUTES:

On a motion made by Councilman Briggs and seconded by Councilman Jankiewicz the minutes of the December 7th, 2012 Special Town Board Meeting were approved as presented.

Vote: Ayes 5 Cellini, Jankiewicz, Briggs, Sush and Mace
 Nays 0

On a motion made by Councilman Briggs and seconded by Councilman Mace the minutes of the December 18th, 2012 Regular Town Board Meeting were approved as presented.

Vote: Ayes 3 Cellini, Briggs and Mace
 Nays 0
 Abstained 2 Jankiewicz and Sush (They were not present for the meeting.)

PUBLIC COMMENT:

Pamela Zaitchick of Glen Wild asked if James Lyttle was no longer serving as a member on the Planning Board? Supervisor Cellini replied that no he was no longer a member.

CORRESPONDENCE:

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

- 1) Letter dated 12/19/12 from Michael E. Miele, PE to Planning Board Chairman James Lyttle and Planning Board Members regarding a response to Toby Boritz comments concerning Thompson Heights Development Zoning and Density Irregularities/Calculations. Engineer Miele also provided the Board with additional information regarding the matter including an email from the developer Aron Weinberger addressed to Deputy Town Attorney Paula E. Kay and Supervisor Cellini.
- 2) Copy of the Planning Board Minutes from the 12/12/12 Planning Board Meeting regarding the Vrancich request for zone change for Outdoor Wood Burning Stove. The Planning Board heard the matter, but made no recommendation.
- 3) Letter dated 12/19/12 from Fred Stabbert III, Publisher of Catskill-Delaware Publications, Inc. to Supervisor Cellini and Town Board thanking the Town for their continued service and support. He is also asking that the Town Board consider designating them as our Official Town Newspaper for 2013.

- 4) Letter dated 12/14/12 from Rosemary Stack, Esq. of Stack Law Offices on behalf of E. Tetz & Sons, Inc. to Sarah Katzman, Chief Clerk, Sullivan County Supreme and County Courts regarding Ehrle vs. Town of Thompson Board and E. Tetz & Sons, Inc. Stipulation of Discontinuance of Litigation on Article 78 Proceeding.
- 5) Letter dated 12/17/12 from Edward P. McAndrew, P.E., Deputy Commissioner of Sullivan County Division of Public Works to Town Clerk Calhoun enclosing an executed copy of the Snow and Ice Contract for the contract years 2012-2015. A copy of the final executed contract was provided for review.
- 6) Copy of the Planning Board Minutes from the 12/12/12 Planning Board Meeting regarding the public hearing on the Viznitz Institutions, Inc. project for the conversion of a residential property to an all girl's school, which includes public comments in opposition to the project by three Gibber Road Residents.
- 7) Letter dated 12/14/12 from Steven Vegliante, Esq., Attorney on behalf of EPT Concord II, LLC regarding objections to Concord Associates, LP request for an extension to public comment time period on the FGEIS/FEIS.
- 8) Check # 2419 dated 12/21/12 from the County of Sullivan payable to Town of Thompson in the amount of \$36,481.58 for the third quarter Mortgage Tax Payment from July – September 2012. Comptroller Lasher reported that our total mortgage tax received in for the year to date is \$93,298.89.
- 9) Letter dated 12/20/12 from Joe Martens, Commission and Carter Strickland of the NYS DEC to Hon. Steven Vegliante, Supervisor Town of Fallsburg and Hon. Anthony P. Cellini, Supervisor Town of Thompson responding to their request to revisit their policies governing the release of water from reservoirs to prepare for significant storm events. Information pertaining to this request was including the most recent agreement a renewal of the Flexible Flow Management Plan (FFMP) were provided.
- 10) Letter dated 12/21/12 from Town of Thompson Highway Superintendent Richard L. Benjamin, Jr. to Supervisor Cellini and Town Board regarding a summary of Reed Systems Salt Slurry System for the month of December 2012 to date. The summary provides a total savings in one month of \$35,052.80 as a result of the pre-treatment of roads prior to inclement weather.

AGENDA ITEMS:

1. ZONE CHANGE REQUEST: JONATHAN & PATRICE SUNSHINE, SBL # 15.-1-20 FROM RR-1 TO COMMERCIAL OR SPECIAL USE

The property owner's Jonathan and Patricia Sunshine were both present to explain the purpose of the requested zoning designation request. The property in question is located at 315 Thompson Road, Monticello, SBL # 15.-1-20 and consists of 3.15 acres. Copies of the property site maps, application for zoning designation change and

information was all provided to the Board previously for review. Mr. Sunshine explained the reason that they are requesting a zone change. They would like to change the current zone from RR-1 to a commercial zone or special use permit to allow both residential and commercial use on the same parcel. They would like to construct a real estate sales office and retail boutique on the same property as their residence. Mr. Sunshine explained that their property is surrounded by the Planned Resort Development (PRD), but is not part of it. The Sunshine's are not in favor of becoming part of the (PRD), because they do not want to be controlled by the Master Developer, they want control of their own property. Several issues were discussed between the Town Board, Town Attorney and the property owner's as follows: property is a special/unique/unusual situation, would be considered spot zoning if zone were to be changed from residential to commercial without being contiguous, is mixed use of same parcel permitted in commercial zone, creation of a floating zone and to include property in the (PRD) with a waiver of control being granted by the Master Developer.

This matter was referred to the Planning Board on November 20th, 2012 for their review and recommendation. The Planning Board at their December 12th, 2012 meeting made a motion to recommend that the Town Board change the zone from RR-1 to a Commercial Zone to be determined by the Town Board as allowable by law.

Attorney Mednick provided his recommendation, which would be to include the property in the (PRD), which permits mixed use of the property to allow for both residential and commercial use, but to obtain a waiver from the Master Developer for that particular parcel. Attorney Mednick said that the waiver would then run with the land and not the property owner.

After much continued conversation back and forth it was decided that Attorney Mednick would look into the possibility of changing the zoning to include the property into the (PRD) with a condition that said property not be controlled by the Master Developer. If this is possible he would prepare the required local law to change the zoning and present to the Board and if not would report his findings at the next Town Board meeting on 01/15/2013. Also in the meantime, Steven Vegliante, Attorney for the Master Developer was present and advised that he would contact his clients to discuss the possibility of granting the Sunshine's a waiver if the property is to be included in the (PRD). Supervisor Cellini will re-schedule this matter on the next Town Board meeting agenda for January 15th. There was no action taken at this time.

2. YMCA CONTRACT FOR SUMMER YOUTH DAY CAMP

A copy of the contract between the Town of Thompson and the YMCA for the 2013 Summer Youth Day Camp Program was provided to the Board for review. Attorney Mednick advised that the contract is the same as 2012 and is recommending that the Board approve as presented. Supervisor Cellini has recused himself from any discussion or action on this matter since his wife is employed by the YMCA.

The Following Resolution Was Duly Adopted: Res. No. 55 of the Year 2013.

Resolved, that the Town Board of the Town of Thompson hereby approves and authorizes the Deputy Supervisor to execute and enter into the contract/agreement between the Town of Thompson and YMCA of Middletown and Monticello for the Summer Youth Day Camp Program 2013 Season subject to adequate proof of insurance being provided and final approval and execution by all parties. Further Be It Resolved, that a copy of the fully executed contract will be filed in the Office of the Town Clerk.

Moved by: Councilman Briggs Seconded by: Councilman Sush
Vote: Ayes 4 Jankiewicz, Briggs, Sush and Mace
 Nays 0
 Recused 1 Cellini

3. MONTICELLO MOTOR CLUB (MMC) SOUND STUDY INFORMATIONAL PUBLIC MEETING: WEDNESDAY, JANUARY 9TH, 2013 AT 6:00 PM TO 7:00 PM

Supervisor Cellini provided the Board with a copy of a News Release that he prepared, which he announced publicly stating the following:

“The Town of Thompson Planning Board will conduct a Public Informational Meeting at 6:00 PM and ending at 7:00 PM to provide information that has been developed by AKRF, Inc., which completed the Sound Study relevant to the Monticello Motor Club. Glenn Smith the Town’s Engineer will present an overview of AKRF’s findings. There will then be a public discussion. Copies of AKRF’s Sound Study Document will be available at the Town of Thompson Town Clerk’s Office to the public at no cost. This portion of the Planning Board Meeting will be conducted on January 9th at Thompson Town Hall Meeting Room. Following at 7:00 PM the Planning Board will have their Work Session followed by the 7:30 PM Regular Planning Board Meeting. For further information, please contact Planning Board Secretary Nora J. Hughson at # 845-794-2500 Extension 312.”

4. REQUEST FOR BUILDING PERMIT EXTENSION: SHELBURNE PLASTICS, SBL # 31.-1-83, PERMIT # 10-0319

Bruce Reynolds, Plant Manager of Shelburne Plastics submitted a request for a Building Permit Extension that has been issued to Shelburne Plastics. This would be the 1st Building Permit Extension if granted. The property owner is requesting an extension, due to construction not being completed and the Building Department is recommending that an additional 6-month extension be granted.

The permit is listed as follows:

Permit # 10-0319, Exp. 11/01/12 for Installation of Plastic Bottle Production Equipment and Office Space – first extension

The Following Resolution Was Duly Adopted: Res. No. 56 of the Year 2013.

Resolved, that the request of Bruce Reynolds for Building Permit Extension for Permit # 10-0319 for property located at 198 Bridgeville Road, Monticello, SBL # 31.-1-83 issued to Shelburne Plastics hereby be renewed and extended for a six-month period.

Moved by: Councilman Briggs Seconded by: Councilman Jankiewicz
Vote: Ayes 5 Cellini, Jankiewicz, Briggs, Sush and Mace
 Nays 0

5. AWARD PROPOSAL – GARBAGE AND REFUSE REMOVAL FOR 2013

At the last meeting Superintendent Culligan reported on two proposals he received in for Garbage and Refuse Removal for the Year 2013. They are as follows: 1) Thompson Sanitation Corp. \$5,950.00, 2) Sullivan County First Recycling Inc. \$5,974.00. Superintendent Culligan advised that the low proposal was received from Thompson Sanitation Corp., which is \$100.00 less than last year. A copy of both proposals received in can be found on file in the Town Clerk’s Office. Superintendent Culligan recommended that the low proposal of Thompson Sanitation Corp. be approved. This matter was tabled, due to a lack in quorum since Councilman Mace Recused himself from action on this matter. Action was taken as follows:

The Following Resolution Was Duly Adopted: Res. No. 57 of the Year 2013.

Resolved that the proposal of Thompson Sanitation Corp. for Garbage and Refuse Removal for the Year 2013 in the amount of \$5,950.00 hereby be approved as the low proposal submitted. Superintendent Culligan will notify all companies who submitted proposals of the approval as granted.

Motion by: Councilman Jankiewicz Seconded by: Councilman Sush
Vote: Ayes 4 Cellini, Jankiewicz, Briggs and Sush
 Nays 0
 Recused 1 Mace

6. DISCUSSION: ZONING CODE REVISIONS

Town Attorney Michael B. Mednick said that he is still working with Deputy Town Attorney Paula E. Kay to get all of the information together in order to make several of the zoning code revisions in one local law all at once instead of individually. This will eliminate several local laws for each change. Attorney Mednick is recommending that it be done this way, because piecing the changes can create confusion. Attorney Mednick will let Supervisor Cellini know when the law is ready to be introduced so that he can put the matter back on that meeting agenda.

BILLS OVER \$1,250.00 – WATER & SEWER DEPARTMENT

The Following Resolution Was Duly Adopted: Res. No. 58 of the Year 2013.

Resolved, that the following bills over \$1,250.00 for the Water & Sewer Department be approved for payment as follows:

TAM ENTERPRISES, INC.	\$1,500.00 TOTAL COST
1 – SEWER JET CLEANER TRUCK	
AND 2 MEN TO CUT ROOTS, FLUSH	
AND CLEAN 18” SEWER MAIN LOCATED	
ON ROUTE 42 NORTH.	

TOTAL COST = \$1,500.00 PLUS SHIPPING

(For: Work performed in the Kiamesha Sewer District Collection System to eliminate possible sewer backups and sewer overflows.)

Motion by: Councilman Jankiewicz Seconded by: Councilman Sush

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

Nays 0

7. ORDER BILLS PAID

Comptroller Lasher reported that he has not submitted order bills for payment for this meeting, but would submit them at the next meeting.

8. BUDGET TRANSFERS

Comptroller Lasher reported that there are no budget transfers to be made at this time.

OLD BUSINESS:

There was no old business reported on.

NEW BUSINESS:

There was no new business reported on.

PUBLIC COMMENT:

There was no public comment given.

ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION

- January 15th: Public Hearing @ 7:30 PM – Proposed Local Law No. 12 of 2012 to Amend Chapter 250-27.2 Zoning Text Amendments to “Planned Resort Development” (EPT Concord II, LLC Project) and CDP Amendments.
- February 5th: Public Hearing @ 7:30 PM – Proposed Local Law No. 18 of 2012 to Amend Chapter 250-34(E) of the Town Code regarding Bungalow Expansions (One Time Only 15%).

ADJOURNMENT

On a motion made by Councilman Sush and seconded by Councilman Briggs the meeting was adjourned at 8:20 PM.

Respectfully Submitted By:

Marilee J. Calhoun, Town Clerk