

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 **February 05, 2013**.

ROLL CALL:

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

Also Present: Marilee J. Calhoun, Town Clerk
Michael B. Mednick, Attorney for the Town
William D. Culligan, Water & Sewer Superintendent
Richard Benjamin, Highway Superintendent
Logan E. Ottino, Code Enforcement Officer
Gary J. Lasher, Comptroller
Gerald Fielding, Town Historian

**PUBLIC HEARING: PROPOSED LOCAL LAW NO. 18 OF 2012 – TO AMEND
CHAPTER 250-34(E) OF TOWN CODE REGARDING EXPANSIONS ON EXISTING
BUNGALOWS (ONE TIME ONLY 15%)**

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 January 25, 2013 with same being posted at the Town Hall on December 24, 2012.

Supervisor Cellini called upon Town Attorney Michael B. Mednick to explain the proposed local law. Attorney Mednick explained that there is presently a local law, which allows the expansion of non-conforming bungalow colonies and units. The law allows them to increase their first floor unit by 15% or 200 sq. feet, whichever is greater without Planning Board approval. What has been happening based on the way the code was written, bungalow colonies would obtain a building permit for the expansion and then come back again and again for additional expansions. This local law limits them to expand only one-time up to the 15% and if they wish to expand more than once they would be required to go before the Planning Board for site plan approval.

Supervisor Cellini advised that the Town has received the GML-239 Review back from the Sullivan County Division of Planning & Environmental Management dated 02/01/2013 advising that this action would have no adverse intercommunity impacts and refer the matter for local determination. A copy was provided for the Boards review.

Supervisor Cellini asked if the Board had any comments. The Board members were all in favor of the proposed law.

Supervisor Cellini asked if anyone from the public would like to be heard on this matter. Public Comment was made as follows:

Barbara Burton of Monticello asked for clarification of the local law. Attorney Mednick provided further clarification as indicated above.

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 7:35 PM was made by Councilman Briggs and seconded by Councilman Mace.

REGULAR MEETING – CALL TO ORDER

Supervisor Cellini opened the meeting at 7:36 PM with the Pledge to the Flag. He welcomed the Participation in Government Students to the meeting.

APPROVAL OF MINUTES:

On a motion made by Councilman Sush and seconded by Councilman Mace the minutes of the January 15th, 2013 regular meeting was approved with (1) correction as follows:

Page 23 – Announcements, Reminders & For Your Information – Monticello Kiwanis Club Fish Fry Dinner will be held on February 13th not February 22nd.

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

PUBLIC COMMENT:

Pamela Zaitchick of Glen Wild asked about the Planning and Zoning Board training that is scheduled to take place on February 11th at 4PM at the SC Government Center. She is a member on the ZBA and was not aware of this training. She did not receive any information regarding the training and is recommending that in future it be posted or sent to all Planning and ZBA members ahead of time so that they may attend. Supervisor Cellini advised her that the Planning and ZBA Secretary was sending the information out to all members, which she should have or will be receiving. She was advised to contact the Secretary to advise that she did not receive and check the status to see if the information was sent.

SPECIAL PRESENTATION BY SULLIVAN RENAISSANCE

Supervisor Cellini announced that the Special Presentation by Sullivan Renaissance has been cancelled due to a conflict with their schedule and it will be re-scheduled at a future date.

CORRESPONDENCE:

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

- 1) Letter dated 01/18/2013 from Richard D. McGoey, Town Engineer of McGoey, Hauser & Edsall Consulting Engineers P.C. to Chairman Carnell and Board

Members of the Town of Thompson Zoning Board of Appeals regarding Landau Dwelling Unit Findings located on Fraser Road, SBL# 10.-8-5.

- 2) Emails dated 01/22 & 24/2013 from Helen Eckman to Deputy Town Clerk's Kelly Murrin and Thomas Kelly thanking them for their help and efforts regarding her genealogy request.
- 3) Information regarding Planning and Zoning Board of Appeals Training with the NYSDOS Trainers to be held on Monday, February 11th, 2013 at 4 PM to be held at the Sullivan County Government Center. Credit will also be given for Code Enforcement Officers.
- 4) Information from the Monticello High School Academy of Finance regarding Free Tax Preparation at the Monticello High School Mondays and Wednesday 02/18 – 04/10, 2:15pm to 4:30pm and Saturdays 02/23 – 03/16, 10am to 2pm. This service is available to anyone with an annual income for 2012 \$50,000 or less. Anyone interested should call 845-794-8840 Ext. #10848 for an appointment.
- 5) Letter dated 01/11/2013 from Matthew A. Stanley, AICP Senior Environmental Manager Office of Environmental Affairs Dormitory Authority State of New York (DASNY) to Supervisor Cellini regarding SEQRA Lead Agency request for the Ethelbert B. Crawford Public Library Acquisition, Renovation and Relocation Project in Monticello, NY. A copy of the EAF Part 1 and distribution list of involved agencies and interested parties was also attached.
- 6) Email dated 01/15/2013 from Martin Sadacca of Thompsonville, NY to Supervisor Cellini regarding site plan and building permit concerns at 519 Heiden Road, Thompsonville, NY.
- 7) Letter dated 01/18/2013 from Paula E. Kay, Town Attorney to Martin Sadacca of Thompsonville, NY with a response to the above mentioned email dated 01/15/2013 regarding site plan and building permit concerns at 519 Heiden Road, Thompsonville, NY.
- 8) Check # 00961241 dated 01/14/2013 from NYS Department of Taxation and Finance Division of the Treasury made payable to the Town of Thompson in the amount of \$40,000.00 for Grant Reimbursement for ½ of the Town Park and ½ of the Lights and HVAC at Town Hall from Senator John Bonacic.
- 9) Planning Board Year in Review Report for 2012 provided.
- 10) Letter dated 01/07/2013 from Monica Farquhar Brennan, Director of Risk Management & Kathryn Taggart, Risk Management & Insurance Coordinator of the Sullivan County Department of Risk Management and Insurance to Supervisor Cellini regarding the Town's Workers Compensation quarterly report

from RMSCO, Inc., Sullivan County's third party administrator. The report contains both the 3rd and 4th quarters of 2012. A copy of the report was provided.

- 11) Letter dated 01/30/2013 from Renee Moss, Accounting Time Warner Cable to Supervisor Cellini enclosing check for the franchise fee payment including the calculation report for the 4th Quarter, 2012 period of October 1st – December 31st, 2012. Check # 0003760138 dated 01/23/2013 made payable to the Town of Thompson in the amount of \$32,569.41. The total franchise fee payments for 2011 were \$147,748.70 and for 2012 were \$146,981.72 with a difference of \$766.98 less from 2011 to 2012.
- 12) Letter dated 01/24/2013 from Lisa Hunt, Executive Assistant County of Sullivan IDA to Supervisor Cellini regarding the 2013 Distribution of the PILOT Payments along with Check # 3361 dated 01/24/2013 made payable to Town of Thompson in the amount of \$89,285.54 for three projects. The three projects are as follows: Crystal Run Healthcare \$72,278.88, Nonni's Acquisition Co., Inc. \$11,764.44 and Mountain Pacific Realty, LLC \$5,242.22. The Distribution Calculation forms for each project were provided.
- 13) Letter dated 01/17/2013 from Fran Gager, Chairman and Michael Cosgrove, Vice Chairman of Empire State Performance Rally, Inc. to Supervisor Cellini regarding Spring April 20th & 21st, 2013 for Empire State Performance Rally, Inc. in Rock Hill area including road use and closures. An informational meeting will be held at the Rock Hill Fire Department a date has not yet been set for said meeting, but will be announced once scheduled.
- 14) Memo dated 01/28/2013 from NYS Senator John J. Bonacic to Town Supervisors, Highway Superintendents and Village Mayors regarding the CHIPS Aid Runs for the State Fiscal Year 2013-2014. The Town of Thompson will receive a total CHIPS balance of \$250,711 for Highway Improvements. Superintendent Benjamin said that the funding will be close to the same figure as last year.
- 15) Letter dated 01/29/2013 from Town Clerk Calhoun to Lebaum Company, Inc. regarding a Summons & Complaint on Claim – Richard DiNapoli vs. Town of Thompson, Date of Incident: 07/04/2012. Copies of the above summons and complaint were also provided to the Town Attorneys, Supervisor, Town Board, Town Comptroller and Highway Superintendent.
- 16) News Release: by Shannon McSweeney-LeMay of Focus Media dated 01/29/2013 entitled "Monticello Motor Club is creating a real impact for a better community – 2012 support for local non-profits exceeded \$279,000."
- 17) A copy of the NYS Department of State Division of Code Enforcement and Administration Local Government Uniform Code Administration and Enforcement Report completed for the 2012 Reporting Year.

AGENDA ITEMS:

1. ACTION: PROPOSED LOCAL LAW NO. 18 OF 2012 – TO AMEND CHAPTER 250-34(E) OF TOWN CODE REGARDING EXPANSIONS ON EXISTING BUNGALOWS (ONE TIME ONLY 15%) (LOCAL LAW ADOPTED AS LOCAL LAW NO. 02 OF 2013)
The Following Resolution Was Duly Adopted: Res. No. 73 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
February 05, 2013

**RESOLUTION FOR NEGATIVE DECLARATION UNDER SEQR
FOR PROPOSED LOCAL LAW NO. 02 OF 2013; ZONING REVISIONS**

WHEREAS, the Town Board of the Town of Thompson has conducted an extensive review of the present Zoning Code for the Town of Thompson, including a review of Chapter 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 December 18, 2012 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 February 05, 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 No. 02 of 2013 entitled "A local law amending Chapter 250-34(E) contained in the Zoning and Planned Unit Development of the Town of Thompson Code"; 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. 02 of 2013

Moved by: Councilman Sharon Jankiewicz

Seconded by: Councilman Peter T. Briggs

Adopted the 5th day of February, 2013.

The members of the Town Board voted as follows:

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"/>

The Following Resolution Was Duly Adopted: Res. No. 74 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 February 05, 2013

RESOLUTION TO ENACT LOCAL LAW NO. 02 OF 2013

WHEREAS, proposed Local Law No. 18 of the year 2012 entitled, "A local law amending Chapter 250-34(E) contained in the Zoning and Planned Unit Development of the Town of Thompson Code" was introduced to the Town Board at a meeting held December 18, 2012, at the Town Hall, Monticello, New York, to consider said proposed local law and notice of public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard having been heard, and

WHEREAS, said local law was duly adopted after a public hearing.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Thompson, New York, does hereby enact and adopt Local Law No. 02 for the year 2013, Town of Thompson, State of New York, which local law is annexed hereto and made a part hereof.¹

Moved by: Councilman Sharon Jankiewicz

Seconded by: Councilman Richard Sush

Adopted on Motion February 05, 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"/>

¹ ATTACHMENT: COPY OF ENACTED LOCAL LAW NO. 02 OF 2013.

Councilman RICHARD SUSH

Yes [X] No []

Councilman SCOTT MACE

Yes [X] No []

2. RESOLUTION: OPPOSE GOVERNOR CUOMO’S PROPOSAL TO PREVENT TRAFFIC PLEA BARGAINING

Attorney Mednick explained the reason for the Resolution to Oppose Governor Cuomo’s Proposal to Prevent Plea Bargaining of Traffic Infractions, which has been presented. The Town Board took action to approve said Resolution as follows:

The Following Resolution Was Duly Adopted: Res. No. 75 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 February 05, 2013

RESOLUTION TO OPPOSE GOVERNOR CUOMO’S PROPOSAL TO PREVENT PLEA BARGAINING OF TRAFFIC INFRACTIONS

WHEREAS, approximately three years ago New York State Police declared a policy that its Troopers were no longer authorized to negotiate plea bargains on traffic tickets they issued; and

WHEREAS, the Sullivan County District Attorney’s Office, which has limited personnel and resources, was unable and unwilling to take over complete prosecution power over the handling of routine traffic violations and it granted all towns within Sullivan County the authority to allow town attorneys to prosecute traffic tickets at the town’s expense; and

WHEREAS, the Town of Thompson, in direct response to the mandates of the New York State Police and Sullivan County District Attorney, allocated money from an already overburdened budget and hired a Town Prosecutor specifically for dealing with traffic tickets at its own expense; and

WHEREAS, the Governor of New York State, in his Executive Budget, is proposing to advance legislation which will restrict plea bargaining in vehicle and traffic infractions except in limited circumstances documented by the court; and

WHEREAS, the prosecution of traffic tickets has been an important revenue stream for the Town and has been accounted for in the Town’s 2013 Budget, and should there be a change in plea bargaining requirements the Town would potentially lose a revenue stream and would cause an increase in legal expenses, which would essentially make this another unfunded state mandate.

NOW, THEREFORE, BE IT RESOLVED, the Town of Thompson Town Board, strongly opposes any change in the law which restricts or otherwise hampers the prosecutorial powers provided to Town Attorneys by the Sullivan County District Attorney; and

BE IT FURTHER RESOLVED, that any restrictions placed by New York State on the ability to plea bargain routine traffic tickets would place an unfair burden on the Town as prosecuting agent by not only restricting the prosecutorial discretion of the Town Attorneys to accomplish just and fair results, but will require greater time requirements at additional significant expense to the Town. Furthermore, it will place an unfair burden on the NYS Police and Town Justice Court; and

BE IT FURTHER RESOLVED, that the resolution shall be provided to NYS Senator John Bonacic and State Assemblywoman Aileen Gunther to express the town's adamant opposition to any changes to the law regarding the plea bargaining of minor traffic infractions.

Adopted the 5th of February, 2013.

The members of the Town Board voted as follows:

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. SEWER SERVICE AGREEMENTS WITH VILLAGE AND DILLON FARMS REGARDING GARDEN COTTAGES: MICHAEL B. MEDNICK, ESQ.

The Town Board discussed the status of the Inter-Municipal Sewer Usage Agreement between the Town and the Village. Water & Sewer Superintendent Culligan said that it appears there would be sufficient capacity under the agreement to include Garden Cottages. Attorney Mednick will have to review the agreement prior to providing his recommendation as to how to proceed regarding the Garden Cottages sewer service request.

5. ADOPT SULLIVAN COUNTY MULTIJURISDICTIONAL HAZARD MITIGATION PLAN

The Following Resolution Was Duly Adopted: Res. No. 76 of the Year 2013.

(Name of Jurisdiction) Town of Thompson

(Governing Body) Town Board

(Address) 4052 State Route 42, Monticello, NY 12701-3221

RESOLUTION NO. 76 OF 2013 **INTRODUCED BY COUNCILMAN SHARON JANKIEWICZ AND SECONDED BY COUNCILMAN SCOTT MACE TO AUTHORIZE**

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THE ACCEPTANCE AND ADOPTION OF THE MULTIJURISDICTIONAL HAZARD MITIGATION PLAN UPDATE FOR SULLIVAN COUNTY, NEW YORK

WHEREAS, the Town of Thompson, with the assistance from Barton & Loguidice, P.C., has gathered information and prepared the Multi-Jurisdictional Hazard Mitigation Plan Update for Sullivan County, New York; and

WHEREAS, the Multi-Jurisdictional Hazard Mitigation Plan Update for Sullivan County, New York has been prepared in accordance with the Disaster Mitigation Act of 2000 and Title 44 Code of Federal Regulations (CFR), Part 201; and

WHEREAS, Title 44 CFR, Chapter 1, Part 201.6(c)(5) requires each local government participating in the preparation of a multi-jurisdictional Local Mitigation Plan or Plan Update to accept and adopt such plan; and

WHEREAS, the Town of Thompson, has reviewed the 2012 Hazard Mitigation Plan Update, has found the document to be acceptable, and as a local unit of government, has afforded its citizens an opportunity to comment and provide input regarding the Plan Update and the actions in the Plan;

WHEREAS, the Town of Thompson, will consider the Sullivan County Hazard Mitigation Plan during the implementation and updating of local planning mechanisms, and will incorporate the hazard assessment data, hazard vulnerabilities, and mitigation actions in these mechanisms, where applicable;

WHEREAS, the Town of Thompson, has reviewed the Plan and affirms that the Plan will be updated no less than every five years.

NOW THEREFORE, BE IT RESOLVED, that the Town of Thompson, as a participating jurisdiction, adopts the Multi-Jurisdictional Hazard Mitigation Plan Update for Sullivan County, New York, dated October 2012, and resolves to execute the actions in the Plan.

Moved by: Councilman Sharon Jankiewicz
Seconded by: Councilman Scott Mace

ADOPTED this February 05,2013 at the meeting of the [Town of Thompson Town Board](#).

The members of the Town Board voted as follows:

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

4. RESOLUTION: IN SUPPORT OF THE SECOND AMENDMENT

Sullivan County Sheriff Michael Schiff and Undersheriff Eric Chaboty were both present expressing support of the proposed resolution in support of the second amendment. Sheriff Schiff read a brief statement that was provided by the NYS Sheriff's Association, Inc. in regards to this matter. He also provided brief comments and suggestions and thanked the Town Board for taking a stand and making a public statement about this issue. Supervisor Cellini said that he has received numerous contacts regarding this issue and also reported on the Petitions that he has received in for support of the proposed resolution. Copies of the Original Petitions will be filed in the Office of the Town Clerk. Supervisor Cellini read the Proposed Town of Thompson Resolution in Support of the Second Amendment and action was taken by the Town Board as follows:

The Following Resolution Was Duly Adopted: Res. No. 77 of the Year 2013.

TOWN OF THOMPSON RESOLUTION IN SUPPORT OF THE SECOND AMENDMENT

WHEREAS, the Right of the People to Keep and Bear Arms is guaranteed as an Individual Right under the Second Amendment to the United States Constitution and under the Constitution of the State of New York, and;

WHEREAS, the Right of the People to Keep and Bear Arms for defense of Life, Liberty, and Property is regarded as an inalienable Right by the People of the Town of Thompson, Sullivan County, New York, and;

WHEREAS, the Thompson Town Board derive economic benefit from all safe forms of firearm recreation, hunting, and shooting conducted with Thompson using all types of firearms allowable under the United States Constitution and the Constitution of the State of New York, and;

WHEREAS, the Thompson Town Board, being elected to represent the People of Thompson and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of New York, and;

WHEREAS, the New York State Assembly and New York State Senate, being elected by the People of the State of New York and being duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of New York, and;

WHEREAS, legislation passed by the New York Assembly and Senate infringes on the Right to Keep and Bear Arms and would ban the possession and use of firearms now employed by individual citizens of the Town of Thompson, for defense of Life Liberty and Property and would ban the possession and use of firearms now employed for safe forms of firearm recreation, hunting and shooting conducted with the Town of Thompson, Sullivan County, New York, and;

WHEREAS, the Thompson Town Board believes there are many other less intrusive means available, other than rash confusing, and inarticulately drafted firearm laws that would

effectively, control, manage and reduce violence in our society, such as, mental reforms, anti-bullying program programs for schools, enforcement of existing firearms laws to the fullest extent possible, and proper psychological counseling for those in need or request it; and

NOW, THEREFORE, IT BE AND IS HEREBY RESOLVED that the Thompson Town Board does hereby oppose the enactment of any legislation that would infringe upon the Right of the People to keep and bear arms and consider such laws to be unnecessary and beyond lawful legislative authority granted to our State representatives, as there is no documented correlation between gun control measures and crime reduction.

FURTHER BE IT RESOLVED that a copy of this resolution be sent to President Barack Obama, Vice President Joseph Biden, Senator Charles Schumer, Senator Kirsten Gillibrand, Congressman Chris Gibson, Governor Andrew Cuomo, Senator John Bonacic and Assemblywoman Aileen Gunther.

Moved by: Supervisor Anthony P. Cellini and
Seconded by: Councilman Peter T. Briggs;

Discussion: Councilman Mace recommended that everyone in support of this Resolution should also contact their state law makers to sign their petitions as well.

Signed and Sealed the 5th Day of February, 2013.

The members of the Town Board voted as follows:

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

6. RESIGNATION LETTER FROM WILLIAM VAN HAGE, JR.: WILLIAM D. CULLIGAN, WATER & SEWER SUPERINTENDENT

Supervisor Cellini reported on a letter of resignation received in from William Van Hage, Jr. advising of his resignation from the Town of Thompson Water and Sewer Department effective February 3rd, 2013. He has enlisted in the United States Army, which is his reason for leaving. He expressed his gratefulness for the opportunity to work as a member of the Thompson team and also to be able to serve our community. It will always be remembered. Town Clerk Calhoun was directed to send Mr. Van Hage a letter acknowledging his resignation from the Town of Thompson Water & Sewer Department and thanking him for his service to the Town and wishing him much success with his future endeavors.

Superintendent Culligan is recommending that the Board appoint Nolan Mitchell to this full-time position as Water Operator Trainee. He has already been appointed off the

Civil Service List for this position. There was only one other Civil Service Applicant who expressed interest in Nolan's current Part-Time position, which Superintendent Culligan will be interviewing them for.

The Following Resolution Was Duly Adopted: Res. No. 78 of the Year 2013.

Resolved, that Nolan Mitchell hereby be hired to the position of water operator trainee to the Water and Sewer Department Full-Time commencing Tuesday, February 12th, 2013 at the hourly contracted rate of \$16.22.

Motion by: Councilman Briggs Seconded by: Councilman Sush

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

Nays 0

7. RENEW CONTRACT WITH THE TOWN PARK CARETAKER

The Following Resolution Was Duly Adopted: Res. No. 79 of the Year 2013.

Resolved, that the agreement between the Town of Thompson and John Reiser for Town Park Caretaker Services hereby be renewed as presented and Further Be It Resolved, that the Town Supervisor Anthony P. Cellini hereby be authorized to execute said agreement.

Motion by: Councilman Jankiewicz Seconded by: Councilman Sush

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

Nays 0

8. RESOLUTION: FORECLOSURE BILL FOR MAINTENANCE OF FORECLOSED PROPERTIES

Supervisor Cellini explained the two foreclosure bills (A.88 and A.824) that have been proposed by the NYS Assembly regarding foreclosed properties. Action on the attached Resolution was taken as follows:

The Following Resolution Was Duly Adopted: Res. No. 80 of the Year 2013.

The following RESOLUTION was adopted by the Town Board of the Town of Thompson At a regular meeting held on February 05, 2013:

Resolution No. 80 of 2013

SUPPORT FOR NYS-CONTACT INFORMATION FOR VACANT STRUCTURES

RESOLVED, to support New York State regarding the proposed laws concerning contact information for vacant structures.

WHEREAS, vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years; and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties; and

WHEREAS, lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party; and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures; and require good faith in obtaining a foreclosure; and

WHEREAS, the Town of Thompson Town Board supports the passage of said Bills.

NOW THEREFORE, BE IT RESOLVED that the Town of Thompson hereby supports the passage of said Bills and respectfully requests that the State Representatives who represents constituents in the Town of Thompson support the passage of said Bills.

Copies of this resolution to be forwarded to Senator John Bonacic, Assemblywoman Aileen Gunther, Co-Sponsors of this bill: Senator Patrick Gallivan, Assemblyman Michael Kearns.

On a motion made by Councilman Sharon Jankiewicz, seconded by Councilman Richard Sush, The following was

ADOPTED AYES # 5
NAYES # 0

The members of the Town Board voted as follows:

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

9. PROPOSED LOCAL LAW NO. 03 OF 2013 TO ESTABLISH NEW WORK RULES LAW: NEW EMPLOYEES, ELECTED OFFICIALS & APPOINTED OFFICIALS PAY TOWARDS HEALTH INSURANCE

Supervisor Cellini explained the proposed local law being introduced, which is establishing new work rules for the contribution towards health insurance for all new employees, new appointees and newly elected officials. The contribution would be 10% or \$750.00 annually for single coverage and/or \$1,500.00 annually for family coverage, whichever is the lesser amount. The Board agreed to set a date for a public hearing on said proposed local law to be held on Tuesday, March 5th, 2013 @ 7:30 PM. Action was taken as follows:

The Following Resolution Was Duly Adopted: Res. No. 81 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 February 05,

The Following Resolution Was Duly Adopted: Res. No. 85 of the Year 2013.

Resolved, that the request of Martin Jankiewicz for another Building Permit Extension for a single family dwelling, property located at 428 Wolf Lake Road, Rock Hill, SBL # 64.-1-1.16, Building Permit # 08-129 issued to Martin Jankiewicz hereby be renewed and extended for an additional six-month period.

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

12. REQUEST FOR BUILDING PERMIT EXTENSION: JOHN V. MICCIO, SBL # 42.-2-7, PERMIT # 10-0079

Received request from John V. Miccio for a Building Permit Extension for demolition and reconstruction of a new single-family dwelling, property located at 215 Lake Shore Drive, Monticello, SBL # 42.-2-7, Building Permit # 10-0079. The property owner is requesting an extension, due to construction not being completed. The Building Department is recommending that an additional 6-month extension be granted.

The Following Resolution Was Duly Adopted: Res. No. 86 of the Year 2013.

Resolved, that the request of John V. Miccio for a Building Permit Extension for demolition and reconstruction of a new single-family dwelling, property located at 215 Lake Shore Drive, Monticello, SBL # 42.-2-7, Building Permit # 10-0079 issued to John V. Miccio hereby be renewed and extended for a six-month period.

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

12. REQUEST FOR BUILDING PERMIT EXTENSION: ROMAN DI CIO, SBL # 8.-1-21.7, PERMIT # 09-62

Received request from Roman Di Cio for another Building Permit Extension for an extension to a single-family dwelling, property located at 15 Di Cio Drive, Monticello, SBL # 8.-1-21.7, Permit # 09-62. The property owner is requesting an extension, due to construction not being completed. The Building Department is recommending that a 6-month extension be granted.

The Following Resolution Was Duly Adopted: Res. No. 87 of the Year 2013.

Resolved, that the request of Roman Di Cio for another Building Permit Extension to complete an extension to a single-family dwelling, property located at 15 Di Cio Drive, Monticello, SBL # 8.-1-21.7, Building Permit # 09-62 issued to Roman Di Cio hereby be renewed and extended for a six-month period.

Motion by: Councilman Briggs Seconded by: Councilman Sush
Vote: Ayes 5 Cellini, Jankiewicz, Briggs, Sush and Mace

o'clock P.M., Prevailing Time, at the Town Hall, 4052 State Route 42 North, Monticello, New York, and the Town Clerk be, and she hereby is, directed to advertise for bids in the official newspaper of the Town.

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

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

The Following Resolution Was Duly Adopted: Res. No. 90 of the Year 2013.

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

FRED A. COOK JR. INC. \$1,600.00
For 1 Day Vactor jet Rodder with Operator to De-Grease and Clean the Anawana Sewer District Pump Station Wet Well.
Total Cost = \$1,600.00

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

14. BILLS OVER \$1,250.00 – HIGHWAY DEPARTMENT

The Following Resolution Was Duly Adopted: Res. No. 91 of the Year 2013.

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

Robert Green Truck Division \$8,034.87
Invoice # 540674, dated 01/14/13 – Snowplow and repair hydraulic system #2.
(Note: Budgeted expense from 5130.4.)

Motion 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. 92 of the Year 2013.

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

Chemung Supply \$1,756.70 Total Cost
Invoice # 20684 – Signs

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

The Following Resolution Was Duly Adopted: Res. No. 93 of the Year 2013.

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

Highway Traffic Supply **\$1,812.00 Total Cost**
Invoice # 43770 – Street Sign Blanks
(Note: Budgeted expense from 3310.4A.)
Motion by: Councilman Jankiewicz Seconded by: Councilman Briggs
Vote: Ayes 5 Cellini, Jankiewicz, Briggs, Sush and Mace
 Nays 0

12. DECLARE SURPLUS EQUIPMENT – HIGHWAY DEPARTMENT: HIGHWAY SUPERINTENDENT RICHARD BENJAMIN

Highway Department Superintendent Richard Benjamin is requesting that the Town Board declare the following list of equipment as surplus, so as it can be disposed of by whichever means is most beneficial to the Town. The plows will be scrapped for the metal.

The Following Resolution Was Duly Adopted: Res. No. 94 of the Year 2013.

Resolved, that the following equipment from the Highway Department hereby be declared surplus and that the Highway Superintendent be authorized to either sell, bid or scrap said equipment, whichever is best financially. The equipment is listed as follows:

(2) Viking 8 ft. snowplows from truck #'s 2 and 3.
Moved by: Councilman Briggs Seconded by: Councilman Jankiewicz
Vote: Ayes 5 Cellini, Jankiewicz, Briggs, Sush and Mace
 Nays 0

15. ORDER BILLS PAID

The Following Resolution Was Duly Adopted: Res. No. 95 of the Year 2013.

Resolved, that all regular bills for the course of the month, which have been properly audited be approved for payment. A complete list of the regular bills as identified can be found appended to these minutes as per attached.²

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

OLD BUSINESS:

NYS ROUTE 17 CORRIDOR STUDY PUBLIC WORKSHOP III & UPDATE

Councilman Jankiewicz reported on the status of the NYS Route 17 Corridor Study by the NYS DOT, which met again last Wednesday. They are planning to hold two additional workshops again, one in Sullivan County and one in Orange County. The

² ATTACHMENT: ORDER BILLS PAID

one in Sullivan County is scheduled to take place on Tuesday, February 26th, 2013, 6:30 PM at the Rock Hill Fire Department. The main focus of this portion of the workshop will be to discuss the interchanges at 111 down to 103. The one in Orange County is scheduled to take place on Thursday, March 7th, 2013, 6:30 PM at the Orange/Ulster BOCES. The main focus of this portion of the workshop will be to discuss on some interchanges, but mostly the third lane that they are proposing to go through the Orange County area as part of the study. The study is still a work in progress they are looking to finalize it and this should be the last scheduled workshops. Councilman Jankiewicz said that since this is the last workshop she encourages anyone that is interested in what is going on with the interchanges here in Sullivan County to attend this last workshop.

NEW BUSINESS:

There was no new business reported on.

ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION

- February 13TH: Monticello Kiwanis Club Fish Fry Dinner, 5PM to 7PM at the Monticello Elks Lodge-\$10.00 per person.
- March 5th: Public Hearing @ 7:30 PM – Proposed Local Law No. 03 of 2013 to Amend Chapter 48 entitled Personnel Rules & Regulations pertaining to Health Insurance.
- March 5th: Award Bids - (2) 2013 or Newer 4WD Pickup Trucks for the Water & Sewer Department.

PUBLIC COMMENT:

Barbara Burton of Monticello read a statement in which she prepared and submitted to the Town Clerk.

Steven Vegliante, Esq. and Town of Fallsburg Supervisor commented on the news article in the Times Herald Record yesterday regarding Supervisor Cellini not seeking re-election after 20 years as Supervisor. He acknowledged and thanked Supervisor Cellini for his many years of service to the Town.

EXECUTIVE SESSION

On a motion made by Councilman Briggs and seconded by Councilman Jankiewicz the Town Board entered into Executive Session at 8:15 PM with Town Attorney Mednick, Comptroller Lasher, Superintendent Benjamin and Superintendent Culligan to discuss potential litigation against the Town and a personnel matter.

On a motion made by Councilman Jankiewicz and seconded by Councilman Briggs the Town Board returned from Executive Session and reconvened the Town Board meeting at 9:20 PM. Further action was taken as follows:

RESOLUTION TO PURSUE ARTICLE 75 PROCEEDING AGAINST A PARTICULAR TOWN EMPLOYEE

The Following Resolution Was Duly Adopted: Res. No. 96 of the Year 2013.

Resolved, that Town Attorney Michael B. Mednick hereby be authorized to draw up charges for an Article 75 proceeding against a Town Employee in the Building Department.

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

RESOLUTION AUTHORIZING SETTLEMENT AGREEMENT BETWEEN THE TOWN AND MAKOVIC HOMES/COMMERCIAL CONSTRUCTION

The Following Resolution Was Duly Adopted: Res. No. 97 of the Year 2013.

Resolved, that Town Attorney Michael B. Mednick hereby be authorized to enter into a settlement agreement with the Attorneys for Makovic Homes/Commercial Construction regarding the Community Building at the Thompson Town Park.

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

Discussion ensued regarding the distribution of wood from roadside cuttings by the Highway Department.

MEETING ADJOURNED

On a motion made by Councilman Briggs and seconded by Councilman Sush the meeting was adjourned at 9:25 PM.

Respectfully Submitted By:

Marilee J. Calhoun, Town Clerk