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 19, 2013.**

ROLL CALL:

Present: Supervisor Anthony P. Cellini, Presiding

Councilman Richard Sush Councilman Sharon Jankiewicz

Councilman Scott Mace

Absent: Councilman Peter T. Briggs

Also Present: Marilee J. Calhoun, Town Clerk

Michael B. Mednick, Attorney for the Town

William D. Culligan, Water & Sewer Superintendent

Richard Benjamin, Highway Superintendent

Gary J. Lasher, Comptroller

Kelly M. Murran, Deputy Town Clerk

Thomas J. Kelly, Deputy Town Clerk & Grants

Gerald Fielding, Town Historian

REGULAR MEETING - CALL TO ORDER

Supervisor Cellini opened the meeting at 7:30 PM with the Pledge to the Flag.

Supervisor Cellini announced that Councilman Briggs would not be in attendance for this evenings meeting due to illness. He noted that Councilman Briggs has not missed a meeting since 2003 and is very sorry that he is unable to attend.

APPROVAL OF MINUTES:

On a motion made by Councilman Jankiewicz and seconded by Councilman Sush the minutes of the February 5th, 2013 Regular Town Board Meeting were approved as presented.

Vote: Ayes 4 Cellini, Jankiewicz, Sush and Mace

Nays 0

Absent 1 Briggs

PUBLIC COMMENT:

There was no public comment given.

CORRESPONDENCE:

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

Supervisor Cellini briefly reported on many letters that have been received in by individuals, residents and local businesses either expressing their support or opposition regarding the Monticello Motor Club Expansion Project. Supervisor Cellini said that the written comment period closed at the end of business Friday, February 15th, 2013.

According to our record there have been approximately 95 letters/comments submitted via email, fax, postal mail and hand delivery as follows:

1) 02/11/13 Amy Nagoda 2) 02/12/13 Richard & Lori Benjamin 3) 02/12/13 Robert Byron-Lockwood, Pres./CEO, Sullivan Co Visitors Assoc. 4) 02/11/13 Suzanne Rhulen Loughlin, Firestorm Predict, Plan, Perform 5) 02/07/13 Brian Gates, VP, Hudson Valley Economic Development Corp. 6) 02/06/13 Joseph A. D'Amato, CEO, Empire Resorts, Inc. 7) 01/30/13 Carol & Jeffrey McGovern Ronald and Robert Modica 8) 01/31/13 9) 02/14/13 Malle & Lance Whitaker Ursulla Tieger 10)02/15/13 Jackie Sirota Chiger 11)02/15/13 Joan-Marie Bauman 12)02/15/13 13)02/15/13 Stephanie Johnson 14)02/14/13 Rudi Hanja 15)02/15/13 Julie Rozar Cynthia Eardley, BCI, Inc. 16)02/15/13 17)02/15/13 Siim Hanja, BCI, Inc. **Dave Colavito** 18)02/15/13 19)02/15/13 Steven Levy 20)02/15/13 Eugene H. Blabey II Tom Manza, Manza Family Farm 21)02/14/13 **Howard Goldsmith** 22)02/14/13 23)02/13/13 Tom & Georgia Rausch 24)02/13/13 Leland Rausch William D. Bavoso, Esq., Bavoso, Plotsky & Onofry Attorneys at Law 25)02/15/13 26)02/15/13 Jonathan Drapkin, Pres/CEO, Hudson Valley Pattern for Progress 27)02/10/13 Karen Barone James P. Smith, Jr., Pres., Advance Testing Company, Inc. 28)02/12/13 29)02/12/13 Dylan Vitale 30)02/12/13 Jamie Ferriero Assemblywoman Aileen M. Gunther, 100th District Assembly 31)02/13/13 Norman Schneider 32)02/13/13 **Edward Tan** 33)02/14/13 34)02/13/13 Al Dimisko 35)02/13/13 Sean & Ellie Brooks, Prestige Towing & Recovery, Inc. Martin Salovin and Danielle B., Marty's Service Center, Inc. 36)02/13/13 Helena Manzione, Gen. Manager, Watermark Communications, LLC 37)02/13/13 Keith Arnold 38)02/13/13 39)02/13/13 **Chris Bates** Albee E. Bockman, AEMT-P, Pres./CEO, Mobilemedic EMS 40)02/10/13 Ronald P. Checca, Redline Motorsports LLC 41)02/12/13 42)02/13/13 Marc A. Baez, Baez Associates

Ann-Marie Sahloff

43)02/13/13

44)02/13/13	Alexis L. Eddleton, Executive Director, Boys & Girls Clubs		
45)02/13/13	Sullivan Fire Protection Corp.		
46)02/08/13	Ira Steingart, Chairman, Sullivan County IDA & Dist. 8 Legislator		
47)02/13/13	Catskill Farms and Ecotech Spray Foam		
48)02/11/13	Steven Fishman, MD		
49)02/12/13	John Perruna		
50)02/06/13	Fran Gager		
51)02/12/13	Matt Gottlieb		
52)02/11/13	Timothy Maxwell		
53)02/10/13	Ruben Cardona		
54)02/12/13	Janis Rennison		
55)02/12/13	Jarrett Novack		
56)02/12/13	Erinn Morse		
57)02/11/13	Wayne V. Zanetti, Pres./CEO, Jeff Bank		
58)02/11/13	· · · · · · · · · · · · · · · · · · ·		
,	George Kinne, Senior VP/Loan Officer, Jeff Bank		
59)02/12/13	Jonathan F. Rouis CPA		
60)02/10/13	Mark Whorton, HPDE Instructor		
61)02/12/13	Codie Rausch		
62)02/13/13	Brian P. Daley, Pres., The Daley Corporation		
63)02/12/13	Jeremy Block		
64)02/12/13	Jacklyn Katzenberger		
65)02/12/13	John Illanovsky		
66)02/12/13	William Terbush		
	Doub Molah Drag Dook Hill Pusings 9 Community Association		
67)02/12/13	Paul Walsh, Pres., Rock Hill Business & Community Association		
67)02/12/13 68)02/13/13	Stacy Cohen, Marshall & Sterling, The Dancing Cat Saloon & Catskill		
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87)02/13/13	Michael Taylor, Owner, Combined Energy Services
88)02/11/13	Mr. & Mrs. Fred Goldberg
89)02/06/13	Darlene Fedun, CEO, Bethel Woods Center for the Arts
90)01/06/13	Matthew Dorcas, VP, ND Pro Media
91)02/06/13	Allan C. Scott, Pres., Sullivan County Partnership for Economic
	Development
92)09/10/12	Daniel "Butch" Resnick, Resnick Group
93)02/07/13	Edwin and Gail Price
94)02/12/13	Aaron Weiss, Exec. VP, Monticello Motor Club
95)02/13/13	James & Anne Culligan

- 1) Letter dated 02/07/2013 from Toby L. Boritz to Paula E. Kay, Deputy Town Attorney, Patrice Chester, Planning Board Chairperson and Planning Board Members with her concerns/comments regarding the Thompson Heights Project involving inaccessible documents and procedural irregularities (Revised).
- 2) Letter dated 02/19/2013 from Jesse York of the Sullivan County Million Man March Community Action Group to Supervisor Cellini regarding their celebration of Black History Month on February 23rd, 2013 from 1PM to 7PM. A copy of the agenda was provided for anyone wishing to attend.

AGENDA ITEMS:

1. MAKOVIC COMMERCIAL CONSTRUCTION SETTLEMENT – TOWN PARK COMMUNITY BUILDING: MICHAEL B. MEDNICK, ESQ.

Attorney Mednick will be preparing and sending a letter to Attorney Michael Davidoff of Drew, Davidoff & Edwards Law Offices, LLP who represents Makovic Commercial Construction to advise that the Town Board is agreeable to his terms set forth for a settlement agreement between the Town and his client in regards to the Town Park Community Building. Upon receipt of the letter Attorney Mednick will require receipt of a general release and once that is received a check for final payment will be released.

<u>DISCUSSION: RELEASE OF DEED FROM EPR PROPERTIES TRUST FOR NEW HIGHWAY PROPERTY/FACILITY</u>

A brief discussion took place regarding Supervisor Cellini's conversation with Robert Drum of EPR Properties Trust regarding the transfer of the deed to the Town for the parcel of land for the proposed highway facility. Attorney Mednick will contact Mr. Drum this week to discuss the matter further. He will prepare and send them a letter if necessary.

2. GASB 45 AGREEMENT: COMPTROLLER GARY J. LASHER The Following Resolution Was Duly Adopted: Res. No. 98 of the Year 2013.

Resolved, that the 2013 Retirement Consulting Agreement between the Town of Thompson and AON Hewitt beginning 01/01/2013 and ending 12/31/2013 for the base actuarial services for the GASB 45 Valuation for an annual fee of \$2,500.00 hereby be renewed automatically according to the initial term of said agreement.

Moved by: Councilman Jankiewicz

Seconded by: Councilman Mace

Town Board Meeting February 19, 2013 Page 4 of 9 Vote: Ayes 4 Cellini, Jankiewicz, Sush and Mace

Nays 0

Absent 1 Briggs

3. MELODY LAKE WATER PSC DECISION: MICHAEL B. MEDNICK, ESQ.

Attorney Mednick reported on the (17) page decision received in from the NYS Public Service Commission (PSC) ordering and appointing the Town as Temporary Operator of the Melody Lake Water Service. He will meet with Comptroller Gary J. Lasher and Superintendent William D. Culligan to coordinate the operation. He will also send a letter to the Attorney Marvin Newberg on behalf of the Melody Lake Homeowners Association requesting that all escrow monies be forwarded to the Town to move forward. Once that is complete he will then send another letter to explain the process involved to begin the process towards the formation of a water district. Superintendent Culligan reported on the status of the repairs, he said that water pressure still seems to be a problem, but all residents appear to have water service at this time. Councilman Jankiewicz expressed her two concerns regarding the (PSC) decision as follows: 1) The property and assets will not be transferred to the Town until after the Water District is formed. & 2) The Town of Thompson is responsible for notifying each of the customers in writing before April 15th of the Commissioners decision and filed with the (PSC) by April 30th. Attorney Mednick responded to Councilman Jankiewicz's comments as follows: 1) The Town would not want the property unless they have formed a district, which is the same steps that have been taken in the past. He said that if the NYS Comptroller's Office does not approve the district then the Town would not want possession of the property. There are no other assets to transfer. Superintendent Culligan provided the Board with estimated costs expended to date for operation and repairs less the cost of man hours, which will have to be figured separately. 2) Attorney Mednick said each customer will be notified by the Town, which is one of the matters that will be discussed during his meeting with Comptroller Lasher and Superintendent Culligan. He is recommending that notification be sent to each customer sometime in March before April 1st.

4. INSTITUTION OF EMPLOYEE NAME BADGES

Supervisor Cellini obtained a cost estimate from the County Manager's Office for the Town Employee Name Badges for certain employees requiring them. The Water & Sewer Department Employees, Building Department Employees and Assessor's Office Employees should have them. The Highway Department did not express a need for the name badges and Highway Superintendent Benjamin said that it would save the Town money by not ordering them for his Department. The Town Board decided to move forward with ordering the name badges for those employees that need them.

The Following Resolution Was Duly Adopted: Res. No. 99 of the Year 2013.

Resolved, that the Town Board of the Town of Thompson hereby authorize the ordering of employee name badges from the Sullivan County Manager's Office for an amount not to exceed \$200.00 for all Town employees requiring them.

Moved by: Councilman Sush Seconded by: Councilman Jankiewicz

Vote: Ayes 4 Cellini, Jankiewicz, Sush and Mace

Nays 0

Absent 1 Briggs

<u>5. ADVERTISEMENT FOR TOWN OF THOMPSON ASSESSOR: COUNCILMAN SHARON JANKIEWICZ</u>

Supervisor Cellini announced that our Town Assessor is retiring this September and Councilman Jankiewicz placed an advertisement in the NYS Assessors Association Journal/Newsletter. Attorney Mednick said that according to his conversation at the Association of Towns Conference with Thomas Frey, President of the NYS Assessors Association and our former Town Assessor it might be a little early to advertise for the position, because the position would not be filled until September. The Town Board did not feel that it was too early, because we might consider bringing them on earlier to train them for the position. The Town is going to start looking now instead of waiting.

6. SEWER AGREEMENT STATUS FOR GARDEN COTTAGES: MICHAEL B. MEDNICK, ESQ.

Attorney Mednick has not had the opportunity to discuss this matter further with Attorney Walter Garigliano, counsel for Garden Cottages. Attorney Garigliano was waiting to hear back from the Village of Monticello for clarity as to how we should proceed to prevent them from doing things twice.

7. STRICT ENFORCEMENT OF CODE VIOLATIONS: LOGAN E. OTTINO, CODE ENFORCEMENT OFFICER

Supervisor Cellini and Councilman Mace have had conversations with Code Enforcement Officer Logan E. Ottino regarding strict enforcement of Town Code Violations this spring to clean up the Town. Councilman Mace came up with an idea for an Amnesty Program to close out various open permits and address other outstanding violations/issues during a specific period of time without penalty. The Town Board is recommending that a press release be prepared and sent out advising of the program. Councilman Mace will work on preparing a press release that he will provide to Supervisor Cellini to send out.

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

The Following Resolution Was Duly Adopted: Res. No. 100 of the Year 2013.

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

KOESTER ASSOCIATES

\$9,975.00 TOTAL COST

1 COMPLETES RAKE ASSEMBLY

TOTAL COST = \$9,975.00

(For: Replacement Parts to rebuild the Mechanical Bar Screen at the Kiamesha Lake Sewer Treatment Plant. Note: Sole Source Procurement, Koester Associates is the Area Rep for Schloss Mechanical Bar Screens. This is a planned budgeted purchase.)

Motion by: Councilman Jankiewicz Seconded by: Councilman Sush

Vote: Ayes 4 Cellini, Jankiewicz, Sush and Mace

Nays 0

Absent 1 Briggs

PURCHASE REQUEST: (1) NEW TRUCK FOR THE HIGHWAY DEPARTMENT

Highway Superintendent Richard Benjamin submitted a request dated 02/14/2013 for the purchase of a new truck off the NYS Bid List. The information and pricing for said truck is listed as follows: New 2013 Ford (F-250) 4WD Pickup on NYS Bid List from Van Bortel Ford, Inc., State Contract Award #: 22539/PC65855 for \$23,972.70. Superintendent Benjamin said that said purchase is appropriated in the 2013 budget from Highway line item 5130.2.

The Following Resolution Was Duly Adopted: Res. No. 101 of the Year 2013.

Resolved, that the Highway Department hereby be authorized to purchase a new truck off of the New York State Bid List as follows:

1) 2013 Ford (F-250) 4WD Pickup, State Contract Award #: 22539/PC65855 – Total Cost \$23,972.70 from Van Bortel Ford, Inc.

Moved by: Councilman Sush Seconded by: Councilman Jankiewicz

Vote: Ayes 4 Cellini, Jankiewicz, Sush and Mace

Navs 0

Absent 1 Briggs

9. 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:

TONNAGE REPORT FOR 2012 FALL CLEAN UP

The Town Clerk's Office provided the Town Board with a copy of the Tonnage Report for the 2012 Fall Clean Up. The report includes information for the total tonnage used for all persons, persons that went over allowed tonnage and for persons that stayed within allowable tonnage. Town Clerk Calhoun briefly explained the report and how each of the above three categories were broken down.

TOWN EMPLOYEE MEETING BY DEPARTMENTS

Supervisor Cellini is recommending that he and the Town Board setup Town employee meetings to be held individually by each Department to discuss any outstanding issues or concerns that anyone might have. Supervisor Cellini will coordinate the dates and times for said meetings with each Department Head via email.

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 at the last Town Board Meeting. She provided a reminder that they will be holding two additional workshops. The first workshop will take place in Sullivan County and the second one in Orange County. The one in Sullivan County is scheduled to take place on Tuesday, February 26th, 2013, at the Rock Hill Fire Department from 6:30PM to 8PM. The one in Orange County is scheduled to take place on Thursday, March 7th, 2013, at the Orange/Ulster BOCES from 6:30PM to 8PM. Councilman Jankiewicz said that anyone interested in attending should mark their calendars.

AUTHORIZATION TO ADVERTISE FOR BIDS – FOR THE HIGHWAY DEPARTMENT ITEMS LISTED AS FOLLOWS: ASPHALTIC PAVING MIXES (BLACKTOP), 1-A LOW ABRASION NON-WAPPINGER CRUSHED LIMESTONE AND A NEW 2013 OR NEWER 16,000 GVWR DUAL WHEEL 4WD CAB & CHASSIS WITH SNOWPLOW

Highway Superintendent Richard Benjamin is requesting authorization to set a date to go out to bid for Asphaltic Paving Mixes (Blacktop), 1-A Low Abrasion Non-Wappinger Crushed Limestone and a new 16,000 GVWR Dual Wheel 4WD Cab & Chassis with a Snowplow. He is recommending that all the bids be opened on Thursday, March 7th and awarded at the March 19th Town Board Meeting.

ASPHALTIC PAVING MIXES (BLACKTOP)

The Following Resolution Was Duly Adopted: Res. No. 102 of the Year 2013.

Resolved, that the Town Board of the Town of Thompson advertise for bids for Asphaltic Paving Mixes (Blacktop), in accordance with specifications prepared therefore, said bids to be opened on March 07, 2013, at 2:00 o'clock P.M., Prevailing Time, at the Town Hall, 4052 State Route 42 North, Monticello, New York, and the Town Clerk be, and she hereby is, directed to advertise for bids in the official newspaper of the Town.

Moved by: Councilman Jankiewicz Seconded by: Councilman Sush

Vote: Ayes 4 Cellini, Jankiewicz, Sush and Mace

Navs 0

Absent 1 Briggs

1-A LOW ABRASION NON WAPPINGER CRUSHED LIMESTONE

The Following Resolution Was Duly Adopted: Res. No. 103 of the Year 2013.

Resolved, that the Town Board of the Town of Thompson advertise for bids for 1-A Low Abrasion Non Wappinger Crushed Limestone, in accordance with specifications prepared therefore, said bids to be opened on March 07, 2013, at 2:00 o'clock P.M., Prevailing Time, at the Town Hall, 4052 State Route 42 North, Monticello, New York, and the Town Clerk be, and she hereby is, directed to advertise for bids in the official newspaper of the Town.

Moved by: Councilman Jankiewicz Seconded by: Councilman Sush

Vote: Ayes 4 Cellini, Jankiewicz, Sush and Mace

Navs 0

Absent 1 Briggs

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NEW 2013 OR NEWER 16,000 GVWR DUAL WHEEL 4WD CAB & CHASSIS WITH SNOWPLOW

The Following Resolution Was Duly Adopted: Res. No. 104 of the Year 2013.

Resolved, that the Town Board of the Town of Thompson advertise for bids for (1) New 2013 or Newer 16,000 GVWR Dual Wheel, Four Wheel Drive, Cab and Chassis Truck with Snowplow for the Highway Department, in accordance with specifications prepared therefore, said bids to be opened on March 07, 2013, at 2:00 o'clock P.M., Prevailing Time, at the Town Hall, 4052 State Route 42 North, Monticello, New York, and the Town Clerk be, and she hereby is, directed to advertise for bids in the official newspaper of the Town.

Moved by: Councilman Jankiewicz Seconded by: Councilman Sush

Vote: Ayes 4 Cellini, Jankiewicz, Sush and Mace

Nays 0

Absent 1 Briggs

PUBLIC COMMENT:

There was no public comment given.

ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION

- February 23rd: WSUL Radio American Heart-a-Thon
- February 26th: NYS Route 17 Corridor Study Public Workshop III @ Rock Hill Fire Department 6:30PM to 8PM.
- 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.
- March 19th: Award Bids (1) New 2013 or Newer 16,000 GVWR Dual Wheel 4WD Cab and Chassis Truck with Snowplow for the Highway Department.

ADJOURNMENT

On a motion made by Councilman Jankiewicz and seconded by Councilman Mace the meeting was adjourned at 7:48 PM.

meeting was adjourned at 7:48 PM.	
Respectfully Submitted By:	
Marilee J. Calhoun, Town Clerk	