

**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. Murrin, 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 evening's 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 5<sup>th</sup>, 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 15<sup>th</sup>, 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
- 8) 01/31/13 Ronald and Robert Modica
- 9) 02/14/13 Malle & Lance Whitaker
- 10)02/15/13 Ursulla Tieger
- 11)02/15/13 Jackie Sirota Chiger
- 12)02/15/13 Joan-Marie Bauman
- 13)02/15/13 Stephanie Johnson
- 14)02/14/13 Rudi Hanja
- 15)02/15/13 Julie Rozar
- 16)02/15/13 Cynthia Eardley, BCI, Inc.
- 17)02/15/13 Siim Hanja, BCI, Inc.
- 18)02/15/13 Dave Colavito
- 19)02/15/13 Steven Levy
- 20)02/15/13 Eugene H. Blabey II
- 21)02/14/13 Tom Manza, Manza Family Farm
- 22)02/14/13 Howard Goldsmith
- 23)02/13/13 Tom & Georgia Rausch
- 24)02/13/13 Leland Rausch
- 25)02/15/13 William D. Bavoso, Esq., Bavoso, Plotsky & Onofry Attorneys at Law
- 26)02/15/13 Jonathan Drapkin, Pres/CEO, Hudson Valley Pattern for Progress
- 27)02/10/13 Karen Barone
- 28)02/12/13 James P. Smith, Jr., Pres., Advance Testing Company, Inc.
- 29)02/12/13 Dylan Vitale
- 30)02/12/13 Jamie Ferriero
- 31)02/13/13 Assemblywoman Aileen M. Gunther, 100<sup>th</sup> District Assembly
- 32)02/13/13 Norman Schneider
- 33)02/14/13 Edward Tan
- 34)02/13/13 Al Dimisko
- 35)02/13/13 Sean & Ellie Brooks, Prestige Towing & Recovery, Inc.
- 36)02/13/13 Martin Salovin and Danielle B., Marty's Service Center, Inc.
- 37)02/13/13 Helena Manzione, Gen. Manager, Watermark Communications, LLC
- 38)02/13/13 Keith Arnold
- 39)02/13/13 Chris Bates
- 40)02/10/13 Albee E. Bockman, AEMT-P, Pres./CEO, Mobilemedic EMS
- 41)02/12/13 Ronald P. Checca, Redline Motorsports LLC
- 42)02/13/13 Marc A. Baez, Baez Associates
- 43)02/13/13 Ann-Marie Sahloff

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  
 67)02/12/13 Paul Walsh, Pres., Rock Hill Business & Community Association  
 68)02/13/13 Stacy Cohen, Marshall & Sterling, The Dancing Cat Saloon & Catskill  
 Distilling Company  
 69)02/13/13 Glenn C. Hastings  
 70)02/13/13 Ellie Hyde, Broker/Owner, Century 21 Country Realty  
 71)02/12/13 G.J. Dixon  
 72)02/12/13 Karen Fisher, Pres., Fisher Mears Associates  
 73)02/21/13 Cory Ingber, Service Scaffold Company, Inc.  
 74)02/11/13 David J. Novack  
 75)02/05/13 Thomas M. Lovelace, Pres., TML Aircraft Inc.  
 76)02/12/13 Paul Ciliberto, Market/General Manager, Thunder 102, Bold Gold  
 Media Group  
 77)02/12/13 Jessica Gardner, Pres., Media Solstice Marketing & PR3  
 78)02/10/13 Mike Watkins, Woodstone Companies  
 79)02/12/13 Robert T. Armistead, P.E., Armistead Mechanical, Inc.  
 80)02/06/13 Jeff Siegel, Pres., The Spencer Daniels Agency, Inc.  
 81)02/11/13 Keith Reardon, Superior Surfacing Systems LTD  
 82)02/11/13 Phil Vallone, Pres., Rolling V Bus Corporation  
 83)02/11/13 Rubin Katz, Owner, R.J. Katz Realty  
 84)02/11/13 Bruce Reynolds, Plant Manager, Shelburne Plastics  
 85)02/07/13 Karen VanHouten Minogue, Exec. Director, Community Foundation  
 of Orange & Sullivan  
 86)02/06/13 Terri Ward, Pres./CEO, Sullivan County Chamber of Commerce

- 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 23<sup>rd</sup>, 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.

**DISCUSSION: RELEASE OF DEED FROM EPR PROPERTIES TRUST FOR NEW HIGHWAY PROPERTY/FACILITY**

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

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 15<sup>th</sup> of the Commissioners decision and filed with the (PSC) by April 30<sup>th</sup>. 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 1<sup>st</sup>.

### **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

**5. ADVERTISEMENT FOR TOWN OF THOMPSON ASSESSOR: COUNCILMAN SHARON JANKIEWICZ**

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:

<b>KOESTER ASSOCIATES</b>	<b>\$9,975.00 TOTAL COST</b>
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.)







