

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 **October 07, 2014.**

ROLL CALL:

Present: Supervisor William J. Rieber, Jr., Presiding
Councilman Richard Sush
Councilman John A. Pavese
Councilman Peter T. Briggs
Councilman Scott Mace

APPROVED

Also Present: Marilee J. Calhoun, Town Clerk
Michael B. Mednick, Attorney for the Town
William D. Culligan, Water & Sewer Superintendent
Logan E. Ottino, Building Dept. /Code Enforcement Officer

REGULAR MEETING – CALL TO ORDER

Supervisor Rieber opened the meeting at 7:30 PM with the Pledge to the Flag. He welcomed the Participation in Government Students to the meeting.

MONTHLY REPORTS FOR SEPTEMBER 2014 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 Sush the minutes of the September 18th, 2014 Regular Town Board Meeting were approved as presented.

Vote: Ayes 5 Rieber, Pavese, Briggs, Sush and Mace
Nays 0

PUBLIC COMMENT:

Paul Walsh of Rock Hill submitted a proposal for scrap metal service to the Town, commented and submitted a photo regarding a damaged/down guardrail along Rock Hill Drive near the intersection of Crystal Run Healthcare and also commented on a traffic cone located on Rock Hill Drive near the Schwartz property. Councilman Pavese said that he will follow up with Highway Superintendent Richard L. Benjamin, Jr. on both Highway Department matters.

Philip Winograd of Monticello commented on the Swinging Bridge Reservoir Low Water Levels. Discussion ensued regarding the matter. Supervisor Rieber will contact Eagle Creek Representatives to discuss the issue further.

CORRESPONDENCE:

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

- 1) Letter dated 09/23/14 from Laura A. Coruzzi & Robert J. Schneider to Supervisor Rieber and Town Board with comments regarding the Thompson Learning Center Project, SBL #26.-1-6 and 65.-1-11.59.
- 2) Letter dated 09/30/14 from Toby L. Boritz to Supervisor Rieber and Town Board with comments regarding the Thompson Learning Center Project, SBL # 26.-1-6.
- 3) Delaware River Basin Commission Project Review Notice of Commission Action dated 09/10/14 regarding Beaver Lake Estates WWTP.
- 4) Delaware River Basin Commission Project Review Notice of Commission Action dated 09/10/14 regarding Crystal Water Supply Company Groundwater Withdrawal, which currently serves the Hidden Ridge Development.
- 5) Check #02977782 dated 09/22/14 in the amount of \$47,628.00 made payable to Town of Thompson from NYS for Aid Incentives to Municipalities Payment.
- 6) Letter dated 09/12/14 from Joyce Amels, Animal Health Inspector, New York State Department of Agriculture & Markets to Town Clerk Calhoun regarding Municipal Dog Shelter Inspection Report completed on 08/01/2014, which has been rated "Satisfactory". A copy of the completed inspection report was attached for review.
- 7) Letter dated 10/01/14 from Town Clerk Calhoun to Duraclean Fabric Specialists regarding proposal notification for carpet cleaning and chair sanitizing.
- 8) Letter dated 10/01/14 from Town Clerk Calhoun to Harry O's Cleaning, Inc. regarding proposal notification for carpet cleaning and chair sanitizing.
- 9) Letter dated 09/26/14 from Town Clerk Calhoun to Lebaum Company, Inc. regarding Order to Show Cause, Summons, Verified Complaint and Affidavits received involving Swinging Bridge Campgrounds of NY, Inc. vs. NYSDOH and Town of Thompson.
- 10) Letter dated 09/25/14 from Susan A. Picarillo, Deputy Director for Recovery and Mitigation, NYS Division of Homeland Security and Emergency Services to Town of Thompson CFO regarding FEMA payment in the amount of \$10,721.54 for Hurricane Irene refund.
- 11) Letter dated 09/30/14 from Mark E. Lewis, Environmental Program Specialist 1 for NYS DEC Region 3, Division of Water to Supervisor Rieber and Town Board regarding annual compliance inspection report for Kiamesha Lake WWTP. Supt. Culligan reported on the status of the report, which was rated "Satisfactory".
- 12) Letter dated 10/02/14 from Mark E. Lewis, Environmental Program Specialist 1 for NYS DEC Region 3, Division of Water to Supervisor Rieber, Town Board and Superintendent Culligan regarding notice of violation in the Sackett Lake WWTP, failure to comply with Schedule of Compliance for Order. Supt. Culligan reported on the matter explaining the reason and how he is handling it.
- 13) Letter dated 10/07/14 from Paul J. Walsh, President of Thompson Sanitation to Supervisor Rieber and Town Board regarding a proposal to purchase scrap metal generated by the Town for the year 2015 for an amount of \$3,500.00.

AGENDA ITEMS:

1. DISCUSSION: PROPOSED LOCAL LAW #5 – SICK TIME ACCRUAL FOR NEW EMPLOYEES & CLARIFICATION FOR RETURNING EMPLOYEES

Attorney Mednick introduced the revised local law to change the manner in how sick time is accrued and credited for new employees and returning employees. The Town Board reviewed the proposed local law and discussed how it was written and how the time will be accrued / credited. This law reduces the number of sick days for new employees from 14 to 7 days and how they are accrued and credited it also clarifies how the 14 sick days are accrued and credited for existing employees. The Town Board took action to schedule a public hearing as follows:

The Following Resolution Was Duly Adopted: Res. No. 242 of the Year 2014.

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 October 07, 2014

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

WHEREAS, there has been introduced at a meeting of the Town Board of the Town of Thompson held on October 07, 2014, 2014, a proposed Local Law No. 05 of 2014, entitled "A local law amending Chapter 48 entitled "Personnel Rules and Regulations" of the Town of Thompson Code".

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held on said proposed local law by the Town Board of the Town of Thompson on October 21, 2014 at 7:30 P.M., or as soon thereafter as said public hearing shall be convened, at the Town Hall, 4052 Route 42, Monticello, New York, and at least three (3) days' notice of such public hearing be given by the Town Clerk of the Town of Thompson by due posting thereof on the bulletin board of the Town of Thompson and by publishing such notice at least once in the official newspaper of said Town.

Moved by: Councilman Peter T. Briggs

Seconded by: Councilman Richard Sush

Adopted on Motion October 07, 2014

Supervisor WILLIAM J. RIEBER, JR.	Yes [X]	No []
Councilman PETER T. BRIGGS	Yes [X]	No []
Councilman RICHARD SUSH	Yes [X]	No []
Councilman SCOTT MACE	Yes [X]	No []
Councilman JOHN A. PAVESE	Yes [X]	No []

2. DISCUSSION: SWINGING BRIDGE CAMPGROUNDS OF NY, INC. – SUMMONS AND ORDER TO SHOW CAUSE

Attorney Mednick reported on the Order to Show Cause, Summons and Verified Complaint that has been received in regarding the Swinging Bridge Campgrounds of NY, Inc. vs. NYSDOH and Town of Thompson matter. The Towns Insurance Carrier has been notified, but they will not be assigning counsel since there are no damage provisions so this matter does not involve them at this time. Attorney Mednick will be handling the matter and appearing before the court tomorrow. Attorney Mednick provided the Board with a brief update regarding the matter. Attorney Mednick will prepare the Town's response by the end of next week for the Boards review prior to filing it with the court.

3. GML-239 COUNTY REVIEW – GARDEN COTTAGES, INC. ANNEXATION PETITION

Supervisor Rieber advised that the GML-239 Review has been received from Freda C. Eisenberg, AICP Commissioner, Sullivan County Division of Planning & Environmental Management. The review has found that the proposed annexation will have no adverse inter-community impacts and is referred for local determination. Attorney Mednick reported that he has been advised by the applicant's attorney that they will be withdrawing their Petition requesting the annexation at this time. The applicant's attorney will be sending a letter to that affect. The matter has been removed from the agenda at this time until further notification.

4. REPORT: HOUSING REHABILITATION PROGRAM

Supervisor Rieber provided an update on the Housing Rehabilitation Program there are an estimated \$35,093.77 HOME funds remaining and \$27,406.87 AHC funds remaining. There was an approximate \$400,000.00 in grant funds that was awarded. The grant has only completed construction on two homes. There are three other applicants that have applied for the grant that might qualify and RUPCO is recommending that the Town request an extension of the grant so that those applicants can participate in the program. The Town Board will try to request an extension to assist those applicants. This program takes a lot of time to administer and to complete each project. RUPCO thinks that the Town could get the extension. If the request is not granted then the grant program will have to be completed, closed out and all remaining funds returned. Supervisor Rieber will report back with the decision once it has been received. A brief discussion was held on the subject.

5. AWARD RFP'S – AIR DUCT CLEANING SERVICES FOR THE TOWN HALL

Supervisor Rieber reported that he received two proposals for air duct cleaning services for the Town Hall. The first proposal was received from SERVPRO, Middletown, NY in the amount of \$9,159.30. The second proposal was received from Hudson Valley Duct Cleaning, Wurtsboro, NY in the amount of \$2,144.30. Supervisor Rieber is not sure why there is such a drastic difference in price he reviewed both proposals, which seem to be similar. He is recommending that the proposal be awarded to Hudson Valley Duct Cleaning whose proposal is the lowest. Supervisor Rieber is recommending that they

could not be returned so to speak. Further discussion was held regarding other concerns that the Board has regarding this matter. The Town Board has decided not to make any commitments at this time until they can verify all current, pending and future proposed development projects within that area. The Town Board should have some of the answers by the end of the year. Supervisor Rieber said that the applicant has been experiencing a problem for some time, which will not disappear or go away so in future a decision will have to be made.

9. REPORT: MELODY LAKE SEWER & WATER SERVICE OPTIONS – LOST LAKE DEVELOPMENT

Supervisor Rieber reported on a recent meeting that he attended with Lost Lake Development representatives regarding the possibility of providing them with sewer and water service. The Developer is placing funds in escrow for Engineering Fees to review the possibility of sharing in both sewer and water services. The sewer service option is the first to be looked into. A certain number of gallons would be committed to Lost Lake for sewer and upgrade the existing Sewer Plant, which is required regardless. Lost Lake Development would contribute to some of the expenses to upgrade and share in the operation and maintenance fees as well. This would help the current users in the District. Mr. Kelly a resident of Melody Lake Development commented on the financing options available if Lost Lake Development was to share in the sewer service.

10. DISCUSSION: BUDGET WORK-SESSIONS

Supervisor Rieber reported that the 2015 Fiscal-Year Tentative Budget was filed by the Town Comptroller/Budget Officer with the Town Clerk on 09/30/2014 as required by law. The Town Clerk presented the Tentative Budget to the Town Board at yesterday's 10/06/2014 Special Town Board meeting. At which time the Town Board held a Budget Work-Session to discuss the Tentative Budget since this was the first time that the Board has had an opportunity to review it. The Budget Work-Session was recessed yesterday until 5PM this evening to continue reviewing and discussing, which the Board has done until a few minutes prior to this meeting. The Town Board is working very hard and planning to try and come in with a stable budget at or under the tax cap. The budget is workable and the Board will continue to review and make changes. Supervisor Rieber reported on some of the things that the Board is looking into doing. The Board is planning to come in at or under the required tax cap, but Councilman Sush is recommending that the Town Board enact a Local Law to override the tax cap as precautionary measure. The Town Board plans to hold additional Budget Work-Sessions, further discussion ensued regarding those plans.

The Following Resolution Was Duly Adopted: Res. No. 246 of the Year 2014.

Resolved, that Budget Work-Sessions hereby be scheduled for Monday, October 20th and Tuesday, October 21st, 2014 at 5:30 PM to be held at the Town Hall, 4052 State Route 42, Monticello, NY for the purpose of continuing discussion regarding the 2015 Fiscal-Year Tentative Budget. Further Be It Resolved that the Town Clerk is hereby directed to publish notice of said work-sessions in the official newspaper of the Town.
Moved by: Councilman Briggs Seconded by: Councilman Pavese

Vote: Ayes 5 Rieber, Pavese, Briggs, Sush and Mace
Nays 0

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

The Following Resolution Was Duly Adopted: Res. No. 247 of the Year 2014.

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

Utilitronics	\$1,273.60 Total Cost
1 – Protégé 4 Gas Confined Space Meter	
Kit (O2, CO, H2S, LEL)	\$1,232.00
Power Cable	
1 – Shipping & Handling	<u>\$41.60</u>
	Total Cost = \$1,273.60

(Note: OSHA Required Safety Equipment, used for Confined Space Entry.)

Moved by: Councilman Briggs Seconded by: Councilman Sush

Vote: Ayes 5 Rieber, Pavese, Briggs, Sush and Mace
Nays 0

The Following Resolution Was Duly Adopted: Res. No. 248 of the Year 2014.

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

Fleet Pump & Service Group, Inc.	\$8,750.00 Total Cost
1 – Flygt Model 6” NP 3127, 10HP, 460 Volt	
3 Phase, 442 Impeller, FLS with 50ft. power cable	
1 – Shipping & Handling	<u>\$0.00</u>
	Total Cost = \$8,750.00

(Note: Replacement Pump for the Filter Feed System at the Emerald Green Lake Louise Marie Sewer Treatment Plant. Sole Source Purchase, Fleet Pump & Service is the area representative for Flygt Pump. The cost to rebuild the existing pump would be more than to replace, which is why they are replacing it rather than rebuilding it.)

Moved by: Councilman Mace Seconded by: Councilman Sush

Vote: Ayes 5 Rieber, Pavese, Briggs, Sush and Mace
Nays 0

12. BUDGET TRANSFERS

There were no budget transfers.

13. ORDER BILLS PAID

The Following Resolution Was Duly Adopted: Res. No. 249 of the Year 2014.

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.¹

Moved by: Councilman Sush Seconded by: Councilman Briggs

Vote: Ayes 5 Rieber, Pavese, Briggs, Sush and Mace

Nays 0

SUPERVISOR REPORT

Supervisor Rieber reported on the following items:

- 1) Town Hall Parking Lot Lighting Upgrades & Updates
- 2) Commercial Hand Dryer replacements in the Town Hall Public Restrooms
- 3) Waste/Cigarette Receptacle's at all public entrances to Town Hall
- 4) Shred Day Event – Saturday, October 11th, 2014, 9am to 12pm
- 5) Fall Cleanup Event – Saturday, 10/11/14 to Saturday, 10/18/14

COUNCILMEN & DEPARTMENT HEAD REPORTS

Councilman Briggs reported on the Sullivan Striders will be holding their 14th Annual "Fallen Colors Race" Event scheduled to take place on Saturday, November 1st, 2014. This is an 8K Run and 5K Walk, which will take place in the Rock Hill Community. Registration will take place at the Emerald Green Entertanium, Rock Hill, NY at 10am.

Councilman Pavese reported that the Highway Department is wrapping up their summer season schedule and has done a great job paving and resurfacing many of the roads this year. He also announced that the Monticello Fire Department will be holding their Annual Pancake Breakfast, Sunday, October 19th, 2014 from 7am to 12pm. Tickets are available at the door \$7.00 for adults, \$5.00 for seniors, \$4.00 for children and free for children under 5.

Councilman Mace reported that the Rock Hill Business & Community Association has formed a sub-committee to look into the Emerald Corporate Park/Center Zoning to see what changes are recommended to encourage development. They feel that the zoning is too restrictive and are looking for input from the local businesses. All ideas, suggestions and restrictions should be provided to Councilman Mace for consideration by the sub-committee. They are planning to start working on the review later this week sometime.

Councilman Sush said that in the past he had suggested the development of an Assisted Living Facility in the Emerald Corporate Park/Center, but nothing ever came of it. There was discussion as to whether it would be permitted under the current zoning. Councilman Mace said that this suggestion will be re-visited to see if changes need to be made to permit this type of development.

¹ ATTACHMENT: ORDER BILLS PAID

Superintendent Culligan reported that both two Water Operator Trainees Brad Bastone and Dylan Saunderson passed their Grade C Water Course and Written Examination. They will also be required to pass a verbal test by the NYSDOH; they both will be meeting with them next Wednesday. He congratulated both of them and is very proud of them for passing and doing well.

OLD BUSINESS:

There was no old business reported on.

NEW BUSINESS:

SCRAP METAL PROPOSAL DISCUSSION – The Town Board discussed the proposal received in this evening from Thompson Sanitation Corp regarding the purchase and removal of scrap metal from the Town. There are several options available for this service the Town Board will look into all options before making a decision. Supt. Culligan will discuss with Highway Supt. Richard Benjamin, Jr. to see what is most feasible for the Town. Supervisor Rieber will reschedule this matter on the next Town Board Meeting Agenda for further consideration prior to taking action.

PANCREATIC CANCER AWARENESS MONTH “NOVEMBER 2014”

The Following Resolution Was Duly Adopted: Res. No. 250 of the Year 2014.

**Town of Thompson, New York Proclamation
RESOLUTION**

Declaring the month of November “Pancreatic Cancer Awareness Month” in the Town of Thompson in the State of New York.

WHEREAS in 2014, an estimated 46,420 people will be diagnosed with pancreatic cancer in the United States and 39,590 will die from the disease;

WHEREAS pancreatic cancer is one of the deadliest cancers, is currently the fourth leading cause of cancer death in the United States and is projected to become the second by 2020;

WHEREAS pancreatic cancer is the only major cancer with a five-year relative survival rate in the single digits at just six percent;

WHEREAS when symptoms of pancreatic cancer present themselves, it is generally late stage, and 73 percent of pancreatic cancer patients die within the first year of their diagnosis while 94 percent of pancreatic cancer patients die with the first five years;

WHEREAS approximately 2540 deaths will occur in New York in 2014;

WHEREAS the Recalcitrant Cancer Research Act was signed into law in 2013, which calls on the National Cancer Institute to develop a scientific framework, or strategic plans, for pancreatic cancer and other deadly cancers, which will help provide the

strategic direction and guidance needed to make true progress against these diseases;
and

WHEREAS, it will be very difficult to leverage the opportunities that come out of the scientific framework developed as a result of the Recalcitrant Cancer Research Act unless sustained and adequate funding is provided to the National Institutes of Health and National Cancer Institute; and

WHEREAS federal funding for medical research is critical to job protection and creation in New York; and

WHEREAS the Pancreatic Cancer Action Network is the national organization serving the pancreatic cancer community in the Town of Thompson in the State of New York and nationwide through a comprehensive approach that includes public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer;

WHEREAS the Pancreatic Cancer Action Network and its affiliates in the Town of Thompson in the State of New York support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure;

WHEREAS the good health and well-being of the residents of the Town of Thompson in the State of New York are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes and effective treatments; therefore be it

RESOLVED that the Town of Thompson in the State of New York designate the month of November 2014 as "Pancreatic Cancer Awareness Month" in the Town of Thompson in the State of New York.

Dated: October 07, 2014

Motion by: Councilman Sush

Seconded by: Councilman Briggs

Vote: Ayes 5 Rieber, Pavese, Briggs, Sush and Mace

Nays 0

PUBLIC COMMENT:

Mr. Philip Winograd of Monticello commented on the Pancreatic Cancer Awareness Month Resolution. It is very serious issue and community awareness is important, he knows a longtime survivor who lives in the Town of Thompson in his community. The individual is the current President of the Swinging Bridge Property Owners Association.

ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION

- October 11th: Shred Day Event @ Thompson Square Parking Lot across from the Town Hall, 9am – 12pm.

- October 11th – 18th: Fall Cleanup Event for all Town Residents located outside of the Village of Monticello, must obtain a permit from the Town Clerk prior to participating. All materials with permit must be taken to the SC Landfill Transfer Station in Monticello.
- October 19th: Annual Monticello Fire Department Pancake Breakfast, 7am to 12pm at the Monticello Firehouse. Tickets available at the door.
- October 20th: FY 2015 Tentative Budget Work-Session @ 5:30 PM.
- October 21st: FY 2015 Tentative Budget Work-Session @ 5:30 PM.
- October 21st: Regularly Scheduled Town Board Meeting @ 7:30 PM.
- October 21st: Public Hearing @ 7:30 PM for Proposed Local Law No. 5 – Sick Time Accrual for New Employees & Clarification for Returning Employees.
- October 23rd: Bid Opening @ 2PM – Replacement/Installation of Existing Trickling Filter System at Sackett Lake WWTP.
- November 1st: Sullivan Striders 14th Annual “Fallen Colors Race” Event, 8K Run, 5K Walk held in Rock Hill, New York, Registration will take place at the Emerald Green Entertanium, Rock Hill, New York at 10am.

EXECUTIVE SESSION

On a motion made by Councilman Briggs and seconded by Councilman Sush the Town Board entered into Executive Session at 8:45 PM with Town Attorney Michael B. Mednick and Water & Sewer Superintendent William D. Culligan to discuss Collective Bargaining Contract Negotiations and Amendments.

Supervisor Rieber Recused himself from the Executive Session. He did not participate during the Executive Session Discussion at all, he left the meeting room during the time that it took place. Deputy Supervisor Sush conducted the Executive Session.

On a motion made by Councilman Briggs and seconded by Councilman Mace the Town Board returned from Executive Session and reconvened the Town Board meeting at 9:16 PM. No further action was taken.

Supervisor Rieber did not return to the meeting.

ADJOURNMENT

On a motion made by Councilman Briggs and seconded by Councilman Pavese the meeting was adjourned at 9:17 PM.

Respectfully Submitted By:


Marilee J. Calhoun, Town Clerk

TOWN OF THOMPSON

Voucher Detail Report

Voucher No.	Stub- Description	Req. No.	Req. Date	Vendor Code	Vendor Name	Fisc Year	Check ID	Voucher Amt.	Pay Due	Approved
Invoice Date	Batch Invoice No.	Recur Months	Refund Year	PO No. Taxable	PO Date Ref No	Period	Contract No.	Check No.	Non Disc.	Cash Account Disc. Amt.

I hereby certify that the vouchers listed on the attached abstracts of prepaid and

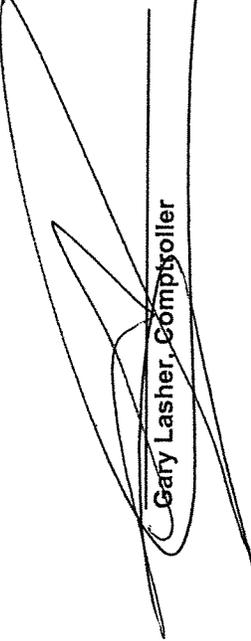
claims payable have been duly audited and are presented for payment to the Town

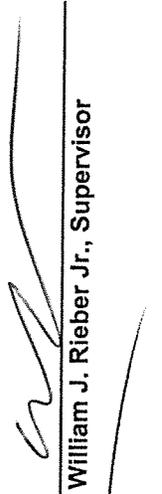
Board of the Town of Thompson at the regular meeting there of, held on the 17th day

of Oct 2014 in the amounts respectively specified. Authorization is hereby

given and direction is made to pay each of the claimants in the amount as specified

upon each claim stated.


 Gary Lasher, Comptroller


 William J. Rieber Jr., Supervisor

