

**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 **December 16, 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  
Gary J. Lasher, Town Comptroller

**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.

**APPROVAL OF MINUTES:**

On a motion made by Councilman Briggs and seconded by Councilman Pavese the minutes of the December 02, 2014 Special Town Board Meeting (Tentative Special District Assessment Hearing) and Regular Town Board Meeting were approved as presented.

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

**PUBLIC COMMENT:**

Roger Betters of Monticello on behalf of the Columbia Hill Neighborhood Alliance commented on the Gan Eden/Kelli Woods project. He expressed his displeasure to find out that the Planning Board was not in fact requiring the applicant to start the Planning Process over again by requiring a new application, new SEQRA process etc. He said that at the November 5<sup>th</sup> Town Board Meeting Supervisor Rieber indicated that the applicant would be required to start the Planning Process over from the beginning. Mr. Betters said according to the Planning Board that is not the case the applicant merely has to update their application. He commented on changes that are being proposed.

Paul Walsh of Rock Hill thanked the Town Board for attending Rock Hill's Tree Lighting Event this past Sunday. He provided the Town Board with a copy of a newspaper article found in the Times Herald Record entitled "Add sand to mixture for icy road safety". He also provided the Town Board with a copy of the December 12<sup>th</sup>, 2014 edition of the EPOCH Times New York Newspaper.

Councilman Pavese responded to Mr. Walsh's comment regarding the Highway Department issues. The Highway Superintendent was not present due to the inclement

weather conditions. A copy of the newspaper article will be provided to the Highway Superintendent for consideration.

Pamela Zaitchick of Glen Wild commented on a Workshop Presentation that she attended on Sustainable Development Strategies by Renowned Landscape Planner Randall Arendt, which took place at the Sullivan County Government Center on Monday, November 17<sup>th</sup> from 6:30 PM to 9:30 PM. She was surprised not to see other Planning and Zoning Board Members in attendance. Councilman Sush who also attended was disappointed as well.

Mike Watkins of Woodstone Development a local developer commented on Building Department issues. He said that there is a backlog of permits and delays for months and they require additional help to alleviate some of the issues. The Town should discontinue the outsourcing of service and hire full-time in-house to help resolve the backlog issues and additional expense. He compared this Building Department to others in the area. This matter is an important issue, which needs to be addressed as soon as possible.

Supervisor Rieber responded to both Mr. Betters and Mr. Watkins comments.

Councilman Mace also responded to Mr. Watkins comments.

#### **CORRESPONDENCE:**

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

- 1) Letter dated 12/02/14 from Town Clerk Calhoun to Mr. Edward McAndrew, P.E., Commissioner, SC DPW regarding Snow & Ice Control Contract Annual Rate Change Resolution No. 287 of 2014.
- 2) Notice of Environmental Easement to NYS DEC for Concord Associates LP property located at 219 Concord Road, Kiamesha Lake, NY 12751, SBL # 9.-1-34.5. Attorney Mednick requested that a copy of the Easement be provided to the Building Department for the property file.
- 3) Email dated 12/11/14 from Gabriel F. Deyo, Deputy Comptroller, Division of Local Government and School Accountability, NYS Comptroller's Office to Supervisor Rieber regarding the Tax Cap Review for 2015 being within the allowable limit.
- 4) Letter dated 12/08/14 from Mark E. Lewis, Environmental Program Specialist 1, NYS DEC Division of Water, Region 3 to Supervisor Rieber and Town Board regarding the Infrastructure Review Report for the Harris Sewer District and request for additional information.

#### **AGENDA ITEMS:**

**1. NAMING PRIVATE ROADS – GOLDEN RIDGE PROJECT LOCATED BETWEEN NYS ROUTE 42 NORTH AND ROCK RIDGE DRIVE, MONTICELLO: GOLDEN RIDGE ROAD & ISABEL LANE, SBL # 13.-3-37.5, 37.9 & 38.1**



completed under this grant. The grant will be closed out and any grant funds left over will be returned. A discussion ensued regarding the outcome of the grant.

**5. REJECT & RE-BID – NON-DYED ON ROAD ULTRA LOW SULFUR CLEAR DIESEL FUEL, #2 FUEL OIL & UNLEADED GASOLINE**

Town Clerk Marilee J. Calhoun provided the Town Board with a copy of the Diesel Fuel, Fuel Oil and Unleaded Gasoline bid results. There were (3) bids received in as follows:

1) Mirabito Energy Products

**#2 Fuel Oil**

Journal Price per Gallon \$2.6000  
Bid per Gallon over Journal (-.0750)  
Total Bid \$2.5250

**Unleaded Gasoline**

Journal Price per Gallon \$2.6000  
Bid per Gallon over Journal (-.0500)  
Total Bid \$2.5500

**Undyed Ultra Low Sulfur Diesel**

Journal Price per Gallon \$2.2100  
Bid per Gallon over Journal .1835  
Total Bid \$2.3935

2) Ultra Power Corp.

**#2 Fuel Oil**

Journal Price per Gallon \$2.60  
Bid per Gallon over Journal (-.037)  
Total Bid \$2.57

**Unleaded Gasoline**

Journal Price per Gallon \$1.9693  
Bid per Gallon over Journal (-.1290)  
Total Bid \$2.0983

**Undyed Ultra Low Sulfur Diesel**

Journal Price per Gallon \$2.60  
Bid per Gallon over Journal (-.037)  
Total Bid \$2.57

3) County Petroleum Products, Inc.

**#2 Fuel Oil**

Journal Price per Gallon \$2.60  
Bid per Gallon over Journal (0)  
Total Bid \$2.60

**Unleaded Gasoline**

Journal Price per Gallon \$1.98675  
Bid per Gallon over Journal +.1300  
Total Bid \$2.11675

**Undyed Ultra Low Sulfur Diesel**

Journal Price per Gallon \$2.60





Moved by: Councilman Sush                      Seconded by: Councilman Briggs  
Vote: Ayes 5              Rieber, Pavese, Briggs, Sush and Mace  
      Nays 0

**8. YEAR-END BUDGET TRANSFERS**

**The Following Resolution Was Duly Adopted: Res. No. 313 of the Year 2014.**

Resolved, that the year-end budgetary transfers appended to these minutes hereby be approved as per the attached.<sup>1</sup>

Moved by: Councilman Sush                      Seconded by: Councilman Briggs  
Vote: Ayes 5              Rieber, Pavese, Briggs, Sush and Mace  
      Nays 0

**9. ORDER BILLS PAID (YEAR-END)**

**The Following Resolution Was Duly Adopted: Res. No. 314 of the Year 2014.**

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

Moved by: Councilman Mace                      Seconded by: Councilman Pavese  
Vote: Ayes 5              Rieber, Pavese, Briggs, Sush and Mace  
      Nays 0

**OLD BUSINESS:**

There was no old business reported on.

**NEW BUSINESS:**

**APPROVE EXTRA WORK AUTHORIZATION WITH CLOUGH HARBOUR & ASSOCIATES (CHA) TO REVIEW TRAFFIC IMPACT STUDY EPT CONCORD RESORT**

Clough Harbour & Associates (CHA) has submitted an extra work authorization and agreement dated 12/12/14 for the peer review of the Traffic Impact Study for the Proposed EPT Concord Resort Project in support of the "Waterpark and Resort at Adelaar" on behalf of the Town of Thompson. The fee for professional services will not exceed \$9,620.00, which is being paid for by the developer out of the escrow account. (CHA) trusts that the information included in the attached agreement is consistent with the project scope and objectives. If the Town agrees then we are asked to execute both copies, return one back to (CHA) and retain the other copy for our records.

**The Following Resolution Was Duly Adopted: Res. No. 315 of the Year 2014.**

Resolved, that the Town of Thompson hereby authorizes the additional support for the Peer Review of the Traffic Impact Study for the Proposed EPT Concord Resort

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<sup>1</sup> BUDGETARY TRANSFERS ATTACHED

<sup>2</sup> ATTACHMENT: ORDER BILLS PAID

Supplemental Scope of Services in support of the "Waterpark and Resort at Adelaar Project" by Clough Harbour & Associates (CHA) and

Further Be It Resolved, that the Town Supervisor hereby be authorized to execute said extra work authorization/agreement for a fee not to exceed \$9,620.00 to be paid for out of escrow funds that are to be collected by the Town directly from the developer and said extra work authorization/agreement shall be subject to those funds being paid to the Town and deposited into necessary Escrow Account by the Developer.

Motion by: Councilman Pavese                      Seconded by: Councilman Briggs

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

Nays 0

**TAX CERTIARI SETTLEMENT: KARAN GAREWAL, SBL# 116.-3-10**

Attorney Mednick provided a Resolution on the above named property tax settlement proceeding being presented. Attorney Mednick and Assessor Van B. Krzywicki recommended that the settlement be approved as per the provided Resolution. Attorney Mednick explained the settlement agreement. The Town Board took action on the settlement as follows:

**The Following Resolution Was Duly Adopted: Res. No. 316 of the Year 2014.**

**RESOLUTION AUTHORIZING SETTLEMENT OF A PROCEEDING  
INSTITUTED UNDER ARTICLE 7 OF THE REAL PROPERTY TAX  
LAW AGAINST THE TOWN OF THOMPSON**

WHEREAS, Karan Garewal has instituted proceedings under Article 7 of the Real Property Tax Law to review the assessment of Tax Map Parcel 116-3-10, and which proceeding is pending in the Supreme Court of the State of New York, County of Sullivan, under Index No. 1595-2014; and

WHEREAS, the parties herein have appeared through counsel, to wit, Michael B. Mednick, Esq., on behalf of respondent, and Bleakley Platt & Schmidt, LLP, on behalf of petitioner; and

WHEREAS, negotiations by and between the parties hereto have produced a proposed settlement of the issues and matters in dispute, and

WHEREAS, the proposed settlement will also result in a fair and equitable resolution of the complaint with respect to petitioner's 2014 assessment, to wit, a reduction in the assessment of petitioner's real property, **SBL 116-3-10** from \$58,100.00 to \$54,500.00.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Thompson as follows:

1. That the settlement of the above referenced proceeding be, and the same hereby is in all respects approved and confirmed.

2. That Michael B. Mednick, Esq., attorney for the Town of Thompson, and Van B. Krzywicki, Assessor, be, and they hereby are authorized, empowered and directed to enter into and execute a formal written stipulation of settlement and to bind the Town thereto, such stipulation to be in form approved by the said attorneys.

3. That said Michael B. Mednick, Esq. and Van B. Krzywicki, Assessor, be, and they hereby authorized and empowered to execute any and all other documents and take such other steps as may be reasonably necessary and incidental to effect and finalize the settlement of the subject proceeding.

Moved by: Councilman Richard Sush

Seconded by: Councilman Peter T. Briggs

and a roll call vote thereon as follows:

Supervisor William J. Rieber, Jr.	voting	Aye
Councilman Peter T. Briggs	voting	Aye
Councilman Richard Sush	voting	Aye
Councilman Scott Mace	voting	Aye
Councilman John A. Pavese	voting	Aye

#### **COUNCILMEN & DEPARTMENT HEAD REPORTS**

Supt. Culligan reported that the Dog Control Officers new Vehicle has been ordered and should be received in a few weeks. Received repair reimbursement from the Towns Insurance Carrier less the \$500.00 Deductible for vehicle damages on a Water & Sewer Department Vehicle. He also provided an update on the scheduled NYS DEC Meeting on January 7<sup>th</sup> at 10AM regarding Violations. Attorney Mednick also reported on the Delaware River Basin Commission Meeting regarding Violations, which should be scheduled for some time in March.

Councilman Mace reported on the Building Department Issues that were discussed earlier in the meeting during Public Comment.

Councilman Briggs reported on the Casino Decision and "Hopeful" Celebration at (BHR) F/K/A Bernie's Holiday Restaurant at 1PM tomorrow.

Councilman Pavese reported that this past year has gone by quickly for him and it was a good year and a pleasure serving the Town. He wishes everyone Happy Holidays and looks forward to a Good New Year.

#### **SUPERVISOR REPORT**

Supervisor Rieber reported on the following items:

- 1) Town Hall Holiday Luncheon.
- 2) Town Hall Holiday Schedule.

**PUBLIC COMMENT:**

Paul Walsh of Rock Hill is disappointed with the Town Board's Decision regarding the Garbage & Refuse Proposals. He feels that the other vendor should have been disqualified due to Code Violations, Non-Compliance and Inadequate Service. He also commented on Code Enforcement Issues regarding Garbage Dumpsters.

Supervisor Rieber and Councilman Pavese both responded to Mr. Walsh's comments regarding Code Regulations, Garbage Dumpsters and also a prior comment regarding the Guardrail Replacement along Rock Hill Drive. Supt. Culligan will include the Town Code Regulations in the new Garbage Refuse & Removal Proposals advising that all vendors who the Town does Business with should be compliant with Town Code Regulations.

Roger Betters of Monticello on behalf of the Columbia Hill Neighborhood Alliance reiterated his earlier comments regarding the Gan Eden/Kelli Woods project. He confirmed that the project is up to the Planning Board subject to Town Code Regulations and Procedures. They will be following the Planning Process as much as possible regarding this project. Supervisor Rieber encourages their involvement.

**ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION**

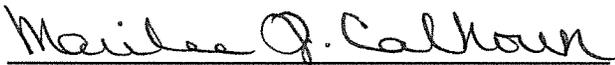
- December 31<sup>st</sup>: Open RFP's @ 10AM for Professional Services – Preparation of a Town Park Landscape Master Plan.
- January 6<sup>th</sup>: Annual Organizational Meeting @ 7:30 PM.
- January 8<sup>th</sup>: Open Bids – Non-Dyed on Road Ultra Low Sulfur Clear Diesel Fuel, #2 Fuel Oil and Unleaded Gasoline.
- January 8<sup>th</sup>: Receive RFP's for Garbage and Refuse Removal for 2015.

Supervisor Rieber and the Town Board wished everyone a Happy Holiday Season!

**ADJOURNMENT**

On a motion made by Councilman Mace and seconded by Councilman Sush the meeting was adjourned at 8:33 PM.

**Respectfully Submitted By:**



**Marilee J. Calhoun, Town Clerk**

**TOWN OF THOMPSON - BUDGET TRANSFERS & AMENDMENTS  
PRESENTED - TOWN BOARD MEETING DECEMBER 16, 2014  
FISCAL YR 12/31/2014**

Prepared by: Gary J. Lasher, Comptroller

12/16/2014

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Be it resolved that the following budgetary transfers and or amendments be made within the following funds, for the purpose of supplementing the items in each account as stated below.

**GENERAL FUND A TOWN WIDE: BUDGET TRANSFER**

<u>TO</u>			<u>FROM</u>		
<u>Acct #</u>	<u>Description</u>	<u>Amount</u>	<u>Acct#</u>	<u>Description</u>	<u>Amount</u>
A.3510.400	DOG CONTROL CONT	\$ 11,000.00	A.9010.800	STATE RETIREMENT	\$ 11,000.00
		\$ 11,000.00			\$ 11,000.00

**GENERAL FUND B. TOWN OUTSIDE: BUDGET TRANSFERS**

<u>TO</u>			<u>FROM</u>		
<u>Acct #</u>	<u>Description</u>	<u>Amount</u>	<u>Acct#</u>	<u>Description</u>	<u>Amount</u>
B.3620.401	MH&E ASSIST BUILD	\$ 6,000.00	B.3620.140	PART TIME CLERK	\$ 6,000.00

**GENERAL FUND DA. TOWN WIDE HIGHWAY : BUDGET TRANSFERS**

<u>TO</u>			<u>FROM</u>		
<u>Acct #</u>	<u>Description</u>	<u>Amount</u>	<u>Acct#</u>	<u>Description</u>	<u>Amount</u>
DA.5130.400	MACHINERY CONT	\$ 48,000.00	DA.9010.800	STATE RETIREMENT	\$ 48,000.00

**GENERAL FUND SSG TOWN WIDE: BUDGET AMENDMENT**

<u>INCREASE</u>			<u>FROM</u>		
<u>Acct #</u>	<u>Description</u>	<u>Amount</u>	<u>Acct#</u>	<u>Description</u>	<u>Amount</u>
SSG.8130.400	O&M CONT	\$ 50,000.00	SSG.599	FUND BALANCE	\$ 50,000.00

**GENERAL FUND SSH TOWN WIDE: BUDGET AMENDMENT**

<u>INCREASE</u>			<u>FROM</u>		
<u>Acct #</u>	<u>Description</u>	<u>Amount</u>	<u>Acct#</u>	<u>Description</u>	<u>Amount</u>

26

Date Prepared: 12/16/2014 11:18 AM  
Report Date: 12/16/2014

# TOWN OF THOMPSON

## Voucher Detail Report

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

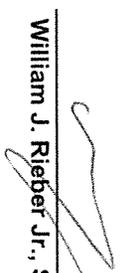
Board of the Town of Thompson at the regular meeting there of, held on the 16<sup>th</sup> day

of Dec 20<sup>th</sup> 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

# TOWN OF THOMPSON

## Voucher Detail Report

Voucher No.	Stub-Description	Req. No.	Req. Date	Vendor Code	Vendor Name	Ordered By	Fisc Year	Check ID	Voucher Amt.	Check No.	Check Date	Pay Due	Approved	
Invoice Date	Invoice No.	Recur Months	Refund Year	PO No.	PO Date	Approved By	Period	Contract No.	Check No.	Disc. %	Non Disc.	Cash Account	Disc. Amt.	
Fund									----- Direct Pay -----					
									Regular	Prepaid	Wire Transfer	Outstanding	Paid	Total
A - GENERAL FUND TOWN WIDE			TOWN						67,687.99	139.96	0.00	0.00	0.00	67,827.95
B - GENERAL TOWN OUTSIDE			TOWN						15,526.02	0.00	0.00	0.00	0.00	15,526.02
CD - HOME COMM. DEV. FUND			TOWN						25,730.00	0.00	0.00	0.00	0.00	25,730.00
DA - HWY#3 / 4 - TOWN WIDE			TOWN						29,670.19	0.00	0.00	0.00	0.00	29,670.19
DB - HWY#1 - TOWN OUTSIDE			TOWN						4,647.26	0.00	0.00	0.00	0.00	4,647.26
SHW - HARRIS WOODS SEWER			TOWN						58.47	0.00	0.00	0.00	0.00	58.47
SL1 - ROCK HILL LIGHTING			TOWN						665.43	0.00	0.00	0.00	0.00	665.43
SL10 - EMERALD CORP. PARK LD#10			TOWN						345.54	0.00	0.00	0.00	0.00	345.54
SL2 - LUCKY LAKE LIGHTING			TOWN						189.74	0.00	0.00	0.00	0.00	189.74
SL3 - LAKE LOUISE MARIE			TOWN						506.03	0.00	0.00	0.00	0.00	506.03
SL4 - PATIO HOMES LIGHTING			TOWN						1,072.74	0.00	0.00	0.00	0.00	1,072.74
SL5 - KIAMESHA SHORES LIGHTING			TOWN						157.55	0.00	0.00	0.00	0.00	157.55
SL6 - EMERALD GREEN LIGHTING			TOWN						5,039.17	0.00	0.00	0.00	0.00	5,039.17
SL7 - TREASURE LAKE LIGHTING			TOWN						29.73	0.00	0.00	0.00	0.00	29.73
SL8 - CONGERO ROAD LIGHTING			TOWN						90.73	0.00	0.00	0.00	0.00	90.73
SL9 - YESHIVAKIAM LIGHTING DISTRICT			TOWN						720.93	0.00	0.00	0.00	0.00	720.93
SSA - ANAWANA SEWER DISTRICT			TOWN						61.26	756.00	0.00	0.00	0.00	817.26
SSC - COLD SPRING SEWER			TOWN						62.38	0.00	0.00	0.00	0.00	62.38
SSD - DILLON SEWER DISTRICT			TOWN						110.47	0.00	0.00	0.00	0.00	110.47
SSG - EMERALD GREEN SEWER			TOWN						7,921.76	52.56	0.00	0.00	0.00	7,974.32
SSH - HARRIS SEWER DISTRICT			TOWN						4,800.78	33,814.96	0.00	0.00	0.00	38,615.74
SSK - KIAMESHA SEWER DISTRICT			TOWN						8,492.76	1,806.00	0.00	0.00	0.00	10,298.76
SSM - MELODY LAKE SEWER DISTRICT			TOWN						463.20	0.00	0.00	0.00	0.00	463.20
SSR - ROCK HILL SEWER DISTRICT			TOWN						61.26	0.00	0.00	0.00	0.00	61.26
SSS - SACKETT LAKE SEWER DISTRICT			TOWN						2,698.80	0.00	0.00	0.00	0.00	2,698.80
SWC - COLD SPRING WATER			TOWN						244.66	0.00	0.00	0.00	0.00	244.66
SWD - DILLON WATER DISTRICT			TOWN						24.86	0.00	0.00	0.00	0.00	24.86
SWL - LUCKY LAKE WATER DISTRICT			TOWN						73.68	0.00	0.00	0.00	0.00	73.68
SWM - MELODY LAKE WATER			TOWN						44.99	0.00	0.00	0.00	0.00	44.99
T - TRUST & AGENCY FUND			TOWN						51,240.91	16,128.93	0.00	0.00	0.00	67,369.84

