

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 **July 15, 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.

APPROVAL OF MINUTES:

On a motion made by Councilman Briggs and seconded by Councilman Mace the minutes of the July 1st, 2014 Regular Town Board Meeting were approved as presented.

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

PUBLIC COMMENT:

There was no public comment given.

CORRESPONDENCE:

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

- 1) Letter dated 07/02/14 from Town Clerk Calhoun to Mr. Noah Hertz-Bunzl, Associate of Carter Ledyard & Milburn LLP Counselors at Law regarding a response to a FOIL Request for Proposed EPT/EPR Concord Resort A/K/A Adelaar Project Documents from January 1st, 2011 to date as requested.
- 2) Emails dated 06/30/14 & 07/08/14 from Toby L. Boritz to Town Board, Planning Board and Zoning Board of Appeals with comments regarding Thompson Learning Center Project/Dormitory Density Regulations.
- 3) Letter dated 07/10/14 from Town Clerk Calhoun to Mr. Ed Homenick, E911 Addressing, Sullivan County Real Property Tax Services Office regarding the naming of Base Hilavi Lane a Private Roadway in Birchwood Estates.
- 4) Memo dated 07/07/14 from Edward P. McAndrew, P.E. Commissioner of SC DPW regarding Residential Household Hazardous Waste Collection Event on Saturday, August 2nd, 2014 from 12:30 PM to 4:30 PM, Pre-registration is required.

- 5) Email dated 07/08/14 from Susan A. Clark, Rural Health Network Coordinator Educator, Sullivan County Public Health Services regarding Registration for a Public Health Summit on August 8th, 2014 at SCCC.
- 6) Letter dated 05/05/14 & 06/30/14 from Mark E. Lewis, Environmental Program Specialist 1, Region 3, Division of Water, NYS DEC, regarding Dillon Farms WWTP Corrective Action Plan (First & Second Request). Superintendent William D. Culligan reported that McGoey, Hauser and Edsall Consulting Engineers DPC are handling this matter on behalf of the Town.
- 7) Certified Letter dated 07/02/14 from David J. Whalen, Director, Local Franchising Time Warner Cable regarding the reorganization of channel lineup effective on or around 08/19/14.
- 8) Letter dated 07/01/14 from Mary Nelson of Hillside Avenue, Monticello regarding a street light request along Hillside Avenue & Dunbar Road in Monticello to help resolve a dumping matter. The Town Board discussed this matter further to determine the proper enforcement for handling and if installing a street light or signs etc. would help resolve the problem. Enforcement is the key answer to the problem, but the Town Board is not sure how it should be handled.
- 9) Copy of the Infrastructure Review for the Harris Sewer District dated June 24th, 2014 prepared by McGoey, Hauser and Edsall Consulting Engineers DPC.
- 10) Letter dated 07/08/14 from Matthew J. Sickler, PE Associate of McGoey, Hauser and Edsall Consulting Engineers DPC to Mark E. Lewis, Environmental Program Specialist 1, Region 3, Division of Water, NYS DEC regarding the Engineering Report for Dillon Farms WWTP Corrective Action Plan dated 03/25/14 and revised 07/08/14.

AGENDA ITEMS:

AMENDING RESOLUTION # 198 OF 2014: NAMING ADDITIONAL PRIVATE ROAD IN THE BIRCHWOOD ESTATES DEVELOPMENT – BASE HALAVI LANE

Glenn L. Smith, P.E., Consulting Engineer on behalf of Birchwood Estates was present and explained that at the last Town Board Meeting on July 1st, 2014 the Town Board adopted a Resolution to name an additional roadway in the Birchwood Estates Development as Base Halavi Lane. He also said that a couple of years ago the Town Board previously named three other private road names within the development. The Resolution to name the additional private roadway was sent to the Sullivan County Real Property Tax Services for processing however there was a discrepancy in the map that was originally included, which had to be revised and amended before the County could process the request. The County is requesting that the new map be provided to them along with a revised Resolution indicating the revision so that the Resolution reflects the new map. The revised survey map and condominium plan identifies all four private roadways, which includes the new roadway. The revised map/plan provided will be included as part of the file in the Town Clerk's Office and will also be sent to the Sullivan County Real Property Tax Services as directed so that they can notify the E911 Control Center of said name.

The Following Resolution Was Duly Adopted: Res. No. 200 of the Year 2014.

Resolved, that upon the request of Glenn L. Smith, P.E., Consulting Engineer on behalf of Birchwood Estates one additional private road to be located within that development as indicated on the provided survey map and condominium plan referring to the latest revision dated 07/14/2014 hereby be named as Base Halavi Lane. Further Be It Resolved, that the Town Clerk is hereby directed to notify the Sullivan County Real Property Tax Services of said change and request that the E911 Control Center notify all property owners/residents and Emergency Personnel Services accordingly.

Motion by: Councilman Pavese Seconded by: Councilman Mace

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

Nays 0

1. PROPOSED ANNEXATION REQUEST: GARDEN COTTAGES, INC., SBL #'S 18.-1-41.1, 41.2 & 42 (82 VARNELL ROAD, MONTICELLO) – RESOLUTION TO SCHEDULE JOINT PUBLIC HEARING WITH VILLAGE OF MONTICELLO BOARD OF TRUSTEES, AUGUST 5TH, 2014 @ 6:45 PM

Attorney Walter F. Garigliano of Garigliano Law Offices, LLP on behalf of his client Garden Cottages, Inc. the property owner of 82 Varnell Road, Monticello, New York, SBL #'s 18.-1-41.1, 41.2 & 42 is petitioning for annexation into the Village of Monticello for the purpose of water and sewer services. This is the third petition received regarding this property and has been before both Boards in the past. They are proposing to annex all three parcels of property consisting of 10.73 acres. The Town Board is required to hold a joint hearing with the Village of Monticello regarding the annexation. Attorney Garigliano and Town Attorney Mednick spoke with Village representatives regarding the Petition and to coordinate a date and time for the joint hearing. The Town Board agreed to schedule the joint hearing for Tuesday, August 5th at 6:45 PM. The Village Board also agreed with said date and time. Also both legal notices have been published to meet the stipulated requirements as set forth in Section 705 of NYS General Municipal Law.

The Following Resolution Was Duly Adopted: Res. No. 201 of the Year 2014.

Resolved, that the Town of Thompson hold a joint Public Hearing with the Village of Monticello on Tuesday, August 05, 2014 at 6:45 P.M. to be held at the Town Hall, 4052 Route 42, Monticello NY to consider the annexation petition of Garden Cottages, Inc. of 82 Varnell Road, Monticello presently located in the Town of Thompson, SBL #'s 18.-1-41.1, 41.2 & 42. Notice of the said hearing will be published in the official newspapers for both the Town and Village.

Moved by: Councilman Sush Seconded by: Councilman Briggs

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

Nays 0

2. ACTION: RESOLUTION ESTABLISHING STANDARD WORK DAY AND REPORTING FOR ELECTED AND APPOINTED OFFICIALS: MICHAEL B. MEDNICK, ESQ.

LAW AGAINST THE TOWN OF THOMPSON

WHEREAS, Jankl Szabouits has instituted proceedings under Article 7 of the Real Property Tax Law to review the assessment of Tax Map Parcel Section 23, Block 1, Lot 61.1, and which proceeding is pending in the Supreme Court of the State of New York, County of Sullivan, under Index No. 2013-1898; and

WHEREAS, the parties herein have appeared through counsel, to wit, Michael B. Mednick, Esq., on behalf of respondents, and Henri Shawn, Esq., 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 2013 assessment, to wit, a reduction in the assessment of petitioner's real property, **SBL 23-1-61.1** from \$135,000.00 to \$130,000.00.

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 Peter T. Briggs

Seconded by: Councilman Richard Sush

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

5. CONTINUED DISCUSSION: TOWN HALL ROOF

Logan E. Ottino, Code Enforcement Officer and Building Department Head reported that she has been obtaining price quotes for repairs to their vehicle. She has contacted Mike's Discount Tire and was also directed to take the vehicle to Tire Discount Center in Monticello to obtain a price quote as well. Ms. Ottino also reported on the closure of Kerem Shlomo Bungalow Colony located at the corner of Fred and Ranch Road, Thompsonville by both the NYS DOH and the Building Department for various unsafe and unsanitary conditions.

Councilman John A. Pavese reminded everyone that the Rock Hill Fire Departments Annual French Toast Breakfast is being held this Sunday, July 20th from 7am to Noon. Also this Saturday July 19th the Monticello Fire Department is hosting their Annual Golf Tournament at Lochmor Golf Course. He also reported on the Sullivan Renaissance project at the Rock Hill Fire Departments Ballfield and Playground area, which has been ongoing. There has been a lot of hard work and effort put into the project, which is turning out beautiful. This is a good thing for the Rock Hill Community.

Councilman Peter T. Briggs commented on an email that the Town Board received from former Councilman Sharon Jankiewicz regarding Green Technology Assessment Issues. The Town should encourage green technology in their homes not deter it. Assessor Van B. Krzywicki is researching the matter and will report back with his findings. Councilman Sush said he receives Grants Action News each month and this month there is a grant available to homeowners to help cover the expenses for similar energy/green efficient incentives in their homes. Sharon Jankiewicz said that she is aware of the State and Federal Tax Incentives, but on the Town and County level regarding tax assessment there are no incentives in Thompson for homeowners to construct energy efficient technology. The Town should look into this option since there are other communities that do offer energy efficient incentives and programs. She said that the Town should encourage energy efficient buildings by going green and should not be negative based upon the construction costs. The Town should try to balance out when determining the assessed values of those buildings. Councilman Sush said the information that he read in the Grants Action News he believes was pertaining to grants and not tax incentives, he said that he would send a copy of the information to Mrs. Jankiewicz for her review regarding this issue and the benefit available. Further discussion ensued regarding this matter and the Town will wait to see what Assessor Krzywicki's findings are before proceeding further.

Councilman Briggs also reported on the 2014 Monster Classic 5K & 10K Road Races to be held on Sunday, August 3rd, 2014 at 8:45 AM starting at Richardson Avenue near Pizza Hut in Monticello. He said that this event has been taking place for many years and is sponsored by the Monticello Rotary Club to benefit the Federation for the Homeless and R.I.S.E.

Councilman Richard Sush commented on the Sullivan Country Transportation Survey that will be discussed at the next Senior Legislative Action Committee (SLAC) meeting, which is scheduled to take place next Friday.

Councilman Scott Mace reported that the Rock Hill Business and Community Association will be meeting tomorrow at the Gazebo located near the Farmer's Market Site so that they can enjoy the concert after the meeting instead of meeting at the Rock Hill Firehouse. The meeting is scheduled to take place at 6PM and the concert is scheduled to commence at 6:30PM. The plans are all subject to weather permitting in the event that it rains then the meeting will be held in its original location at the Firehouse.

OLD BUSINESS:

There was no old business reported on.

NEW BUSINESS:

DISCUSSION: PETITION FOR REPAIR OF BRIDGE ALONG BURNT MEADOW BROOK ROAD, MONTICELLO

Supervisor Rieber reported on a letter that he received in from Richard and Margaret DiSanza of Stormville, NY who own property along the Burnt Meadow Brook Road enclosing a petition including approximately (8) property owners along said roadway requesting that the bridge, which has been washed out be repaired or replaced. Councilman Pavese will speak with Highway Superintendent Richard Benjamin to discuss the situation and report back with his recommendation. In the meantime Supervisor Rieber will respond to Mr. and Mrs. DiSanza to advise that the Town Board will investigate it with the Highway Superintendent to obtain his recommendation.

FEDERAL CLAIM REGARDING CLAUDE A. STATEN VS. THE VILLAGE OF MONTICELLO AND THE TOWN OF THOMPSON

Attorney Mednick reported on the receipt of a Federal Claim against the Town and the Village involving two separate incidents that occurred on 08/29/2013 & 12/05/2013 involving the Plaintiff (Claude A. Staten). The notice of complaint was received by the Town Clerk on July 10th, 2014, which has been sent to the Town's Insurance Carrier on July 11th, 2014. Attorney Mednick has been in contact with both the Town's former and present Insurance Carriers to discuss this matter, which should be handled by the present Insurance Carrier. Attorney Mednick said that the Building Department will most likely have to produce the property file in question for review upon request if necessary. Ms. Ottino said that obtaining the file would not be a problem.

PUBLIC COMMENT:

Sharon Jankiewicz of Rock Hill commented on the metal sculpture located at the Rock Hill Farmer's Market site. She also commented on the purchase of the new Dog Control Officer's Vehicle to see if the vehicle could be shared with another Municipality if the Dog Control Officer was still employed by both Municipalities. The Town Board advised her that our Dog Control Officer is no longer employed by any other Municipality.

ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION

- July 20th: RHVFD Annual French-Toast Breakfast, 7 AM to 12 Noon, Adults \$8.00, Children under 12 \$6.00 and Children under 5 Free.

- July 25th: Bid Opening @ 2PM – Replacement of the Tele-Communication System for the Town of Thompson Town Hall.
- August 3rd: 2014 Monster Classic 5K & 10K Road Races, 8:45 AM, starting on Richardson Avenue near Pizza Hut, Monticello. Sponsored by Monticello Rotary Club to benefit the Federation for the Homeless & R.I.S.E.
- August 5th: Joint Public Hearing with Village of Monticello at 6:45 PM – Garden Cottages, Inc. Annexation.
- August 5th: Regular Town Board Meeting Time Change from 7:30 PM to 7PM.

ADJOURNMENT

On a motion made by Councilman Briggs and seconded by Councilman Sush the meeting was adjourned at 8:26 PM.

Respectfully Submitted By:



Marilee J. Calhoun, Town Clerk



Standard Work Day and Reporting Resolution for Elected and Appointed Officials

RS 2417-A
(Rev. 3/14)

Office of the New York State Comptroller
New York State and Local Retirement System
Employees' Retirement System
Police and Fire Retirement System
110 State Street, Albany, New York 12244-0001

BE IT RESOLVED, that the Town of Thompson / 30283 hereby establishes the following standard work days for these titles and (Location Code)

will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

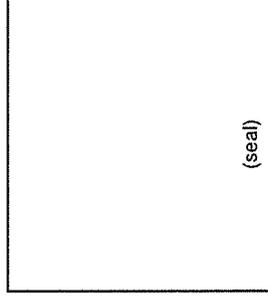
Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Participates in Employer's Time Keeping System (Yes/No-If Yes, do not complete the last two columns)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
Elected Officials									
Town Clerk	7	Marilee Calhoun	7491	39335039	<input type="checkbox"/>	1/1/14-12/31/17	N	21.94	<input type="checkbox"/>
Receiver of Taxes	7	Dori Huebner	9791	41414566	<input type="checkbox"/>	1/1/12-12/31/15	N	23.98	<input type="checkbox"/>
Hwy. Superintendent	8	Richard Benjamin	0732	40299158	<input type="checkbox"/>	1/1/14-12/31/17	N	24.10	<input type="checkbox"/>
Appointed Officials									
Town Attorney	6	Michael Mednick	2471	36937662	<input type="checkbox"/>	1/1/14-12/31/14	N	22.38	<input type="checkbox"/>
Town Attorney	6	Paula Kay	1033	41030180	<input type="checkbox"/>	1/1/14-12/31/14	N	20.44	<input type="checkbox"/>
Dog Control	6	Nancy Marinchak	6154	39027255	<input type="checkbox"/>	1/1/14-12/31/14	N	17.98	<input type="checkbox"/>

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

I, Marilee J. Calhoun, secretary/clerk of the governing board of the Town of Thompson, of the State of New York, (Name of secretary or clerk) (Name of Employer)

do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 15th day of July, 20 14 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Thompson on this day of September, 20 14, (Signature of the secretary or clerk) (Name of Employer)



Affidavit of Posting: I, Marilee J. Calhoun, being duly sworn, deposes and says that the posting of the (Name of secretary or clerk)

Resolution began on 7/24/14 and continued for at least 30 days. That the Resolution was available to the public on the (Date)

- Employer's website at www.townofthompson.com
- Official sign board at Town Hall, 4052 Route 42, Monticello, NY 12701-3221
- Main entrance secretary or clerk's office at Town Hall, 4052 Route 42, Monticello, NY 12701-3221

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