

**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 March 17, 2015.**

**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  
Richard L. Benjamin, Jr., Highway Superintendent

**REGULAR MEETING – CALL TO ORDER**

Supervisor Rieber opened the meeting at 7:35 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 Pavese and seconded by Councilman Briggs the minutes of the March 03, 2015 Regular Town Board Meeting were approved as presented.

Vote: Ayes 4        Rieber, Pavese, Briggs and Mace  
      Nays 0  
      Recused 1    Sush (He was not present for meeting.)

**PUBLIC COMMENT:**

There was no public comment given.

**CORRESPONDENCE:**

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

- 1) Letter dated 03/02/15 from Town Clerk Calhoun to Lebaum Company, Inc. regarding a Notice of Claim on Diego E. Ramirez vs. County of Sullivan and Town of Thompson, Date of Loss: 12/09/2014.
- 2) Letter dated 03/10/15 from Town Clerk Calhoun to Lebaum Company, Inc. regarding a Notice of Claim on Luis Aguero Duran and Doris Castillo vs. Town of Thompson, Date of Loss: 12/09/2014.
- 3) Letter dated 03/10/15 from Town Clerk Calhoun to Dean Sommer, Esq. of Young/Sommer, LLC regarding a (FOIL) request for Marc Lerner Property Trespass, Vandalism, & Graffiti.

- 4) Letter dated 02/24/15 from John W. Petronella, Deputy Regional Permit Administrator of NYS DEC Division of Environmental Permits, Region 3 to Gary Tetz of E. Tetz & Sons, Inc. regarding Mined Land Reclamation, DEC Permit ID No.: 3-4846-00120/00019, Notice of Incomplete Application.
- 5) Letter dated 02/27/15 from Joyce Amels, Animal Health Inspector, NYS Dept. of Agriculture & Markets to Town Clerk Calhoun regarding Municipal Dog Shelter Inspection Report completed on 02/19/2015, which has been rated "Satisfactory". A copy of the completed inspection report was attached for review.
- 6) Letters dated 03/06/2015 from Highway Superintendent Richard Benjamin on behalf of the Sullivan County Association of Town Highway Superintendents to Hon. John Bonacic, Senator and Hon. Aileen Gunther, Assemblywoman, separately, thanking them for attending the CHIPS press conference and stressing how important the increase is to Sullivan County. Their support is encouraged and much appreciated.

**AGENDA ITEMS:**

**1. EPT/EPR CREATION OF SPECIAL IMPROVEMENT DISTRICTS – ACCEPT MAP, PLAN, & REPORTS, LEAD AGENCY DECLARATION AND ESTABLISH HEARING DATES – SEWER, WATER, LIGHTING & DRAINAGE DISTRICTS**

Attorney Mednick explained that there are four different special improvement districts that the Town will be creating for sewer, water, lighting and drainage. There are Map, Plan and Reports for all four districts, which have been completed by McGoey, Hauser & Edsall DPC Consulting Engineers for the Town that requires acceptance. A separate Resolution to accept them is required for each of the four districts. There are two separate Resolutions to amend the name of the sewer and water districts. There are also four Public Hearing Orders/Resolutions for each of the four districts, which will set a public hearing on each one for 04/21/2015 @ 7:30 PM. There is also a Lead Agency Declaration Resolution required, which has been presented. Attorney Mednick explained all (11) of the above-mentioned Resolutions presented. Action on the Resolutions was taken as follows:

**LEAD AGENCY DECLARATION RESOLUTION: FOR CREATION OF SPECIAL IMPROVEMENT DISTRICTS**

**The Following Resolution Was Duly Adopted: Res. No. 100 of the Year 2015.**

At a regular meeting of the Town Board of the Town of Thompson, Sullivan County, New York, held at the Town Hall, in Monticello, New York, on the 17th day of March, 2015 at 7:30 o'clock P.M., Prevailing Time.

PRESENT:

William J. Rieber, Jr., Supervisor

**Town Board Meeting  
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Peter T. Briggs, Councilman  
Richard Sush, Councilman  
Scott Mace, Councilman  
John A. Pavese, Councilman

-----X  
In the Matter  
of the Review pursuant to the  
New York State Environmental Quality Review Act (SEQRA)  
of the Creation of Special Improvement Districts  
and the provision of Financial Assistance for the proposed  
**ADELAAR RESORT**  
in the Town of Thompson, Sullivan County, New York.  
-----X

WHEREAS on or about March 9, 2012, EPT Concord II, LLC applied to the Town Board of the Town of Thompson for an amendment to the PRD section of the Town Zoning Law and for a new PRD Comprehensive Plan to permit the development of a master planned destination resort, now known as the Adelaar Resort, on what is now approximately 1,700 acres in the Town of Thompson and County of Sullivan, and applied to the Planning Board of the Town of Thompson for site plan approval for Phase I of the proposed development; and

WHEREAS on January 15, 2013, the Town Board of the Town of Thompson found, pursuant to the New York State Environmental Review Act (SEQRA), that consistent with social, economic and other essential considerations from among the reasonable alternatives available the requested actions would, by incorporating as conditions of development on the individual project sites those relevant mitigation measures identified in the DGEIS/DEIS, FGEIS/FEIS and findings statement with respect to the proposed action, avoid or minimize adverse environmental impacts to the maximum extent practicable; and

WHEREAS the Town Board of the Town of Thompson adopted a Local Law, which amended the PRD section of the Zoning Law to permit the development of the master planned destination resort proposed by EPT Concord II, LLC; and

WHEREAS the Town Board of the Town of Thompson adopted a new PRD Comprehensive Plan to permit the development of the master planned destination resort proposed by EPT Concord II, LLC; and

WHEREAS the Planning Board of the Town of Thompson approved a site plan for a casino and associated infrastructure proposed by EPT Concord II, LLC and Monticello Raceway Management, Inc. and

WHEREAS on December 17, 2014, the New York State Gaming Facility Location Board selected the Montreign Casino at Adelaar to apply for a Gaming License with the New York State Gaming Commission; and

WHEREAS EPT Concord II, LLC and its affiliate, EPR Concord II, L.P. (collectively, "EPR"), have applied to the Town of Thompson for the creation of special improvement districts to facilitate the water, sewer, lighting, drainage and road improvements related to the proposed development of the Adelaar Resort; and

WHEREAS EPR has also applied to the Sullivan County Funding Corp. for financial assistance with respect to the proposed Adelaar Resort,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF THOMPSON, as follows:

1. The Town Board has reviewed and considered the Short Environmental Assessment Form (Part I) with respect to the applications of EPR (i) to the Town of Thompson for the creation of special improvement districts to facilitate the infrastructure improvements related to the proposed development; and (ii) to the Sullivan County Funding Corp. for financial assistance.

2. The Town Board determines that: (i) the proposed action is subject to the requirements of SEQRA; (ii) the proposed action does not involve a federal agency; (iii) the proposed action is preliminarily classified as an unlisted action; and (iv) the action is not located in an agricultural district.

3. The Town Board determines that (i) the Sullivan County Funding Corp. is an involved agency with respect to the proposed action; and (ii) the following are interested agencies with respect to the application: the Planning Board of the Town of Thompson, the Highway Department of the Town of Thompson, the Sullivan County Legislature, the Sullivan County Division of Planning and Environmental Management, the New York State Department of Environmental Conservation, the New York State Department of Health, the New York State Department of Transportation, the New York State Department of Parks, Recreation and Historic Preservation, the New York State Gaming Commission, the Delaware River Basin Commission, the United States Fish & Wildlife Service and the United States Army Corps of Engineers.

4. The Town Board declares its intent to be Lead Agency with respect to the proposed action because it has the capability of providing the most thorough environmental assessment of the proposed action.

5. The Town Board will notify the involved agencies and interested agencies of its intent to be Lead Agency in accordance with the requirements of SEQRA.

Motion by: Councilman Scott Mace  
Seconded by: Councilman John A. Pavese

Adopted the 17<sup>th</sup> day of March, 2015.

The members of the Town Board voted as follows:

Supervisor WILLIAM J. RIEBER, JR.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Councilman PETER T. BRIGGS	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Councilman RICHARD SUSH	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Councilman SCOTT MACE  
Councilman JOHN A. PAVESE

Yes [X ] No [ ]  
Yes [X ] No [ ]

**RESOLUTION TO AMEND NAME OF NEWLY PROPOSED SEWER DISTRICT TO  
“ADELAAR RESORT SEWER DISTRICT”**

**The Following Resolution Was Duly Adopted: Res. No. 101 of the Year 2015.**

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 March 17,  
2015

**RESOLUTION TO AMEND THE NAME OF THE NEWLY PROPOSED SEWER DISTRICT  
FOR THE ADELAAR RESORT**

**WHEREAS**, the Town of Thompson previously received a Petition to Create the Concord Resort Sewer District dated August 1, 2013 from EPT Concord II, LLC; and

**WHEREAS**, the Town of Thompson, by Resolution dated August 6, 2013 ordered a map, plan and report to be prepared for the proposed formation of the Concord Resort Sewer District; and

**WHEREAS**, the Petitioner, EPT Concord II, LLC and EPR Concord II, L.P. has requested the Town amend the name of the proposed Sewer District to be consistent with the name of the entire project, which has been entitled “Adelaar”.

**NOW, THEREFORE, BE IT RESOLVED**, that:

1. The Town Board hereby amends the name of the proposed Sewer District to that of “Adelaar Resort Sewer District”; and
2. The Town, by this Resolution, does hereby amend Resolution No. 216/2013 dated August 6, 2013 to reflect the new name of the proposed Sewer District to “Adelaar Resort Sewer District”, to be effective nunc pro tunc.

Motion by: Councilman Richard Sush  
Seconded by: Councilman Scott Mace

Adopted the 17<sup>th</sup> day of March, 2015.

The members of the Town Board voted as follows:

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 [ ]



serve the area more particularly described in Schedule "A" annexed hereto and made a part hereof, which area is located wholly within the Town of Thompson; and

**WHEREAS**, said map, plan and report was prepared on behalf of the Town, by McGoey, Hauser and Edsall Consulting Engineers, P.C., dated February 3, 2015, revised March 11, 2015, which engineers are duly licensed by the State of New York, and which report and plan are on file in the office of the Town Clerk for public inspection; and

**WHEREAS**, the boundaries of the proposed district are more fully set forth and described in Schedule "A" annexed hereto and made a part hereof; and

**WHEREAS**, the improvement proposed for the said Sewer District as created consists of providing a means by which Adelaar Resort may dispose of sewage for its proposed development, and

**WHEREAS**, the entire amount to be expended for such improvement, including but not limited to, costs of construction, engineering, administrative and legal fees, shall be borne solely and entirely by the said developer, namely, EPT Concord II, LLC and EPR Concord II, L.P., and

**WHEREAS**, it is now desired to call a public hearing for the purpose of considering said map, plan and report, and creating said Sewer District, and to hear all persons interested in the subject thereof and concerning the same in accordance with the provisions of Section 209-d of the Town Law;

**NOW, THEREFORE, IT IS HEREBY**

**ORDERED**, by the Town Board of the Town of Thompson, Sullivan County, New York, as follows:

Section 1. That a public hearing of the Town Board of the Town of Thompson, Sullivan County, New York, shall be held at the Town Hall, 4052 Route 42, Monticello, New York, in

said Town, on the 21<sup>st</sup> day of April, 2015, at 7:30 o'clock, P.M., Prevailing Time, to consider said map, plan and report, and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as is required by law.

Section 2. That a copy of this order shall be published in the Sullivan County Democrat, the official newspaper of said Town, and posted on the bulletin board maintained by the Town Clerk at the Town Hall in accordance with the provisions of Section 209-d of the Town Law, such publication posting to be not less than ten nor more than twenty days before the date designated for the hearing as aforesaid.

Section 3. This order shall take effect immediately.

Motion by: Councilman Peter T. Briggs

Seconded by: Councilman John A. Pavese

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

WILLIAM J. RIEBER, JR.	VOTING	Aye
PETER T. BRIGGS	VOTING	Aye
RICHARD SUSH	VOTING	Aye
SCOTT MACE	VOTING	Aye
JOHN A. PAVESE	VOTING	Aye

The order was thereupon declared duly adopted.

\* \* \* \* \*

**RESOLUTION TO AMEND NAME OF NEWLY PROPOSED WATER DISTRICT TO "ADELAAR RESORT WATER DISTRICT"**

**The Following Resolution Was Duly Adopted: Res. No. 104 of the Year 2015.**

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 March 17,  
2015

**RESOLUTION TO AMEND THE NAME OF THE NEWLY PROPOSED WATER DISTRICT FOR THE ADELAAR RESORT**

**WHEREAS**, the Town of Thompson previously received a Petition to Create the Concord Resort Water District dated August 1, 2013 from EPT Concord II, LLC; and

**WHEREAS**, the Town of Thompson, by Resolution dated August 6, 2013 ordered a map, plan and report to be prepared for the proposed formation of the Concord Resort Water District; and

**WHEREAS**, the Petitioner, EPT Concord II, LLC and EPR Concord II, L.P. has requested the Town amend the name of the proposed Water District to be consistent with the name of the entire project, which has been entitled “Adelaar”.

**NOW, THEREFORE, BE IT RESOLVED**, that:

1. The Town Board hereby amends the name of the proposed Water District to that of “Adelaar Resort Water District”; and
2. The Town, by this Resolution, does hereby amend Resolution No. 218/2013 dated August 6, 2013 to reflect the new name of the proposed Water District to “Adelaar Resort Water District”, to be effective nunc pro tunc.

Motion by: Councilman Scott Mace  
Seconded by: Councilman Richard Sush

Adopted the 17<sup>th</sup> day of March, 2015.

The members of the Town Board voted as follows:

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 [ ]

**RESOLUTION TO ACCEPT MAP, PLAN & REPORT: “ADELAAR RESORT WATER DISTRICT”**

**The Following Resolution Was Duly Adopted: Res. No. 105 of the Year 2015.**

Resolved, that the Town Board of the Town of Thompson hereby accepts the Map, Plan & Report completed by McGoey, Hauser & Edsall Consulting Engineers D.P.C. Professional Engineers for the Town for the Creation of a Newly Proposed “Adelaar Resort Water District”.

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

**PUBLIC HEARING ORDER RESOLUTION: "ADELAAR RESORT WATER DISTRICT"**

**The Following Resolution Was Duly Adopted: Res. No. 106 of the Year 2015.**

At a regular meeting of the Town Board of the Town of Thompson, Sullivan County, New York, held at the Town Hall, in Monticello, New York, on the 17th day of March, 2015 at 7:30 o'clock P.M., Prevailing Time.

PRESENT:

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

-----X  
In the Matter  
of  
Proposed Creation of the  
**ADELAAR RESORT WATER DISTRICT**  
in the Town of Thompson, Sullivan County,  
New York.  
-----X

**WHEREAS**, a map, plan and report have been duly prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Thompson, Sullivan County, New York, relating to the creation of the Adelaar Resort Water District in said Town to serve the area more particularly described in Schedule "A" annexed hereto and made a part hereof, which area is located wholly within the Town of Thompson; and

**WHEREAS**, said map, plan and report was prepared on behalf of the Town, by McGoe, Hauser and Edsall Consulting Engineers, P.C., dated February 3, 2015, revised March 11, 2015,

which engineers are duly licensed by the State of New York, and which report and plan are on file in the office of the Town Clerk for public inspection; and

**WHEREAS**, the boundaries of the proposed district are more fully set forth and described in Schedule "A" annexed hereto and made a part hereof; and

**WHEREAS**, the improvement proposed for the said Water District as created consists of providing a means by which Adelaar Resort may secure water service for its proposed development, and

**WHEREAS**, the entire amount to be expended for such improvement, including but not limited to, costs of construction, engineering, administrative and legal fees, shall be borne solely and entirely by the said developer, namely, EPT Concord II, LLC and EPR Concord II, L.P., and

**WHEREAS**, it is now desired to call a public hearing for the purpose of considering said map, plan and report, and creating said Water District, and to hear all persons interested in the subject thereof and concerning the same in accordance with the provisions of Section 209-d of the Town Law;

**NOW, THEREFORE, IT IS HEREBY**

**ORDERED**, by the Town Board of the Town of Thompson, Sullivan County, New York, as follows:

Section 1. That a public hearing of the Town Board of the Town of Thompson, Sullivan County, New York, shall be held at the Town Hall, 4052 Route 42, Monticello, New York, in said Town, on the 21<sup>st</sup> day of April, 2015, at 7:30 o'clock, P.M., Prevailing Time, to consider said map, plan and report, and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as is required by law.

Section 2. That a copy of this order shall be published in the Sullivan County Democrat,

the official newspaper of said Town, and posted on the bulletin board maintained by the Town Clerk at the Town Hall in accordance with the provisions of Section 209-d of the Town Law, such publication posting to be not less than ten nor more than twenty days before the date designated for the hearing as aforesaid.

Section 3. This order shall take effect immediately.

Motion by: Councilman Peter T. Briggs

Seconded by: Councilman Richard Sush

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

WILLIAM J. RIEBER, JR.	VOTING	Aye
PETER T. BRIGGS	VOTING	Aye
RICHARD SUSH	VOTING	Aye
SCOTT MACE	VOTING	Aye
JOHN A. PAVESE	VOTING	Aye

The order was thereupon declared duly adopted.

\* \* \* \* \*

**RESOLUTION TO ACCEPT MAP, PLAN & REPORT: "ADELAAR RESORT LIGHTING DISTRICT"**

**The Following Resolution Was Duly Adopted: Res. No. 107 of the Year 2015.**

Resolved, that the Town Board of the Town of Thompson hereby accepts the Map, Plan & Report completed by McGoey, Hauser & Edsall Consulting Engineers D.P.C. Professional Engineers for the Town for the Creation of a Newly Proposed "Adelaar Resort Lighting District".

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

**PUBLIC HEARING ORDER RESOLUTION: "ADELAAR RESORT LIGHTING DISTRICT"**

**The Following Resolution Was Duly Adopted: Res. No. 108 of the Year 2015.**

At a regular meeting of the Town Board of the Town of Thompson, Sullivan County, New York, held at the Town Hall, in Monticello, New York, on the 17th day of March, 2015 at 7:30 o'clock P.M., Prevailing Time.

PRESENT:

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

-----X  
In the Matter

of

Proposed Creation of the

**ADELAAR RESORT LIGHTING DISTRICT**

in the Town of Thompson, Sullivan County,

New York.  
-----X

**WHEREAS**, a map, plan and report have been duly prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Thompson, Sullivan County, New York, relating to the creation of the Adelaar Resort Lighting District in said Town to serve the area more particularly described in Schedule "A" annexed hereto and made a part hereof, which area is located wholly within the Town of Thompson; and

**WHEREAS**, said map, plan and report was prepared on behalf of the Town, by McGoey, Hauser and Edsall Consulting Engineers, P.C., dated February 3, 2015, revised March 11, 2015, which engineers are duly licensed by the State of New York, and which report and plan are on file in the office of the Town Clerk for public inspection; and

**WHEREAS**, the boundaries of the proposed district are more fully set forth and

described in Schedule "A" annexed hereto and made a part hereof; and

**WHEREAS**, the improvement proposed for the said Lighting District as created consists of providing a means by which Adelaar Resort may secure public light services for its proposed development, and

**WHEREAS**, the entire amount to be expended for such improvement, including but not limited to, costs of construction, engineering, administrative and legal fees, shall be borne solely and entirely by the said developer, namely, EPT Concord II, LLC and EPR Concord II, L.P., and

**WHEREAS**, it is now desired to call a public hearing for the purpose of considering said map, plan and report, and creating said Lighting District, and to hear all persons interested in the subject thereof and concerning the same in accordance with the provisions of Section 209-d of the Town Law;

**NOW, THEREFORE, IT IS HEREBY**

**ORDERED**, by the Town Board of the Town of Thompson, Sullivan County, New York, as follows:

Section 1. That a public hearing of the Town Board of the Town of Thompson, Sullivan County, New York, shall be held at the Town Hall, 4052 Route 42, Monticello, New York, in said Town, on the 21<sup>st</sup> day of April, 2015, at 7:30 o'clock, P.M., Prevailing Time, to consider said map, plan and report, and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as is required by law.

Section 2. That a copy of this order shall be published in the Sullivan County Democrat, the official newspaper of said Town, and posted on the bulletin board maintained by the Town Clerk at the Town Hall in accordance with the provisions of Section 209-d of the Town Law, such publication posting to be not less than ten nor more than twenty days before the date

designated for the hearing as aforesaid.

Section 3. This order shall take effect immediately.

Motion by: Councilman Peter T. Briggs

Seconded by: Councilman Scott Mace

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

WILLIAM J. RIEBER, JR.	VOTING	Aye
PETER T. BRIGGS	VOTING	Aye
RICHARD SUSH	VOTING	Aye
SCOTT MACE	VOTING	Aye
JOHN A. PAVESE	VOTING	Aye

The order was thereupon declared duly adopted.

\* \* \* \* \*

**RESOLUTION TO ACCEPT MAP, PLAN & REPORT: "ADELAAR RESORT DRAINAGE DISTRICT"**

**The Following Resolution Was Duly Adopted: Res. No. 109 of the Year 2015.**

Resolved, that the Town Board of the Town of Thompson hereby accepts the Map, Plan & Report completed by McGoey, Hauser & Edsall Consulting Engineers D.P.C. Professional Engineers for the Town for the Creation of a Newly Proposed "Adelaar Resort Drainage District".

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

**PUBLIC HEARING ORDER RESOLUTION: "ADELAAR RESORT DRAINAGE DISTRICT"**

**The Following Resolution Was Duly Adopted: Res. No. 110 of the Year 2015.**

At a regular meeting of the Town Board of the Town of Thompson, Sullivan County, New York, held at the Town Hall, in

Monticello, New York, on the 17th day of  
March, 2015 at 7:30 o'clock P.M.,  
Prevailing Time.

PRESENT:

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

-----X  
In the Matter

of

Proposed Creation of the

**ADELAAR RESORT DRAINAGE DISTRICT**

in the Town of Thompson, Sullivan County,

New York.  
-----X

**WHEREAS**, a map, plan and report have been duly prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Thompson, Sullivan County, New York, relating to the creation of the Adelaar Resort Drainage District in said Town to serve the area more particularly described in Schedule "A" annexed hereto and made a part hereof, which area is located wholly within the Town of Thompson; and

**WHEREAS**, said map, plan and report was prepared on behalf of the Town, by McGoey, Hauser and Edsall Consulting Engineers, P.C., dated February 3, 2015, revised March 17, 2015, which engineers are duly licensed by the State of New York, and which report and plan are on file in the office of the Town Clerk for public inspection; and

**WHEREAS**, the boundaries of the proposed district are more fully set forth and described in Schedule "A" annexed hereto and made a part hereof; and

**WHEREAS**, the improvement proposed for the said Drainage District as created consists of providing a means by which Adelaar Resort may construct and maintain a drainage system for

its proposed development, and

**WHEREAS**, the entire amount to be expended for such improvement, including but not limited to, costs of construction, engineering, administrative and legal fees, shall be borne solely and entirely by the said developer, namely, EPT Concord II, LLC and EPR Concord II, L.P., and

**WHEREAS**, it is now desired to call a public hearing for the purpose of considering said map, plan and report, and creating said Drainage District, and to hear all persons interested in the subject thereof and concerning the same in accordance with the provisions of Section 209-d of the Town Law;

**NOW, THEREFORE, IT IS HEREBY**

**ORDERED**, by the Town Board of the Town of Thompson, Sullivan County, New York, as follows:

Section 1. That a public hearing of the Town Board of the Town of Thompson, Sullivan County, New York, shall be held at the Town Hall, 4052 Route 42, Monticello, New York, in said Town, on the 21<sup>st</sup> day of April, 2015, at 7:30 o'clock, P.M., Prevailing Time, to consider said map, plan and report, and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as is required by law.

Section 2. That a copy of this order shall be published in the Sullivan County Democrat, the official newspaper of said Town, and posted on the bulletin board maintained by the Town Clerk at the Town Hall in accordance with the provisions of Section 209-d of the Town Law, such publication posting to be not less than ten nor more than twenty days before the date designated for the hearing as aforesaid.

Section 3. This order shall take effect immediately.

Motion by: Councilman Scott Mace

Seconded by: Councilman John A. Pavese

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

WILLIAM J. RIEBER, JR.	VOTING	Aye
PETER T. BRIGGS	VOTING	Aye
RICHARD SUSH	VOTING	Aye
SCOTT MACE	VOTING	Aye
JOHN A. PAVESE	VOTING	Aye

The order was thereupon declared duly adopted.

\* \* \* \* \*

Both Attorney Helen C. Mauch of Zarin & Steinmetz and Attorney Alexander Betke of Wilson Elser Moskowitz Edelman & Dicker LLP were present on behalf of the project to answer any questions that the Town Board might have. Some comments were made by the Town Board, but there were no questions and the Board thanked Attorney Mauch and Attorney Betke for taking the time and attending the meeting.

**2. REFER EMERALD CORPORATE CENTER PLANNED BUSINESS PARK DISTRICT CHANGES TO PLANNING BOARD**

Supervisor Rieber announced that the Town Board, Rock Hill Committee and the Sullivan County Planning Department have been working to put together the presented draft amendment to Chapter 250 of the Town Zoning Code regarding the Emerald Corporate Planned Business Park District Changes. The draft amendment is now ready to be sent to the Planning Board for their review and recommendation.

**The Following Resolution Was Duly Adopted: Res. No. 111 of the Year 2015.**

Resolved, that a draft proposed local law for amendment to Chapter 250 of the Town Code entitled "Zoning and Planned Unit Development" regarding the Emerald Corporate Center Planned Business Park District Changes hereby be sent to the Planning Board for their review and recommendation.

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

**3. AGREEMENT WITH LOUIS CAPPELLI REGARDING SEWER RESERVES**



**6. REQUEST FOR ANNEXATION: ITZHAK ABOU PROPERTY, 66 EAST BROADWAY, SBL#'S 31.-1-14.2 & 15**

Attorney Jeffrey Kaplan of Kalter, Kaplan, Zeiger & Forman on behalf of Petitioner, Itzhak Abou, the property owner of 66 East Broadway, Monticello, New York, SBL #'s 31.-1-14.2 & 31.-1-15 filed a Petition with the Town Clerk for Annexation into the Village of Monticello for the purpose of property development. The Town Clerk spoke with the Village Clerk and to comply with law they are recommending that a Joint Public Hearing be scheduled for May 5<sup>th</sup> at 6:45 PM. Attorney Mednick will send the Petition Request to the County Planning and Environmental Management Department for the GML-239 Review. The Town Board took action to schedule a Joint Public Hearing as follows:

**The Following Resolution Was Duly Adopted: Res. No. 114 of the Year 2015.**

Resolved, that the Town of Thompson hold a joint Public Hearing with the Village of Monticello on Tuesday, May 5<sup>th</sup>, 2015 at 6:45 P.M. to be held at the Village of Monticello Village Hall, 2 Pleasant Street, Monticello NY for the purpose of considering the annexation petition of Itzhak Abou of 66 East Broadway, Monticello presently located in the Town of Thompson, SBL #'s 31.-1-14.2 & 31.-1-15. Notice of the said hearing will be published in the official newspapers for the Town, which requires Village publication as well.

Moved by: Councilman Briggs                      Seconded by: Councilman Sush

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

Nays 0

**7. TOWN PARK IMPROVEMENTS – TERRY VANDERMEULEN LETTER RE: GATOR PURCHASE**

Councilman Sush explained the email that Terry VanderMeulen provided Supervisor Rieber and the Town Board with updating them on her plans for the Town Park this coming spring and summer season. She provided a list of her planned purchases with previous Sullivan Renaissance grant monies as well as additional funding from a Maintenance Grant awarded by Sullivan Renaissance to maintain the previous beautification projects already completed. She also mentioned that the Town might be interested in applying for other grants that are available. The Town Board said that she is doing a lot for the Town Park and is grateful for all of her beautification efforts and they will continue to support her.

**7A. ACTION: REJECTION OF RFP'S – COMPLETION OF TOWN PARK LANDSCAPE MASTER PLAN**

Councilman Sush reviewed all four proposals for the Completion of the Town Park Landscape Master Plan. The proposal results are as follows: LandArch Studios \$12,437.70, Keystone Associates \$10,610.00, IQ Landscape Architects \$27,500.00 and Thomas McLane & Associates \$5,000.00. He is recommending that all four proposals for the Town Park Landscape Master Plan Project be rejected due to exceeding the \$5,000.00 budgeted expense including in-kind services. More discussion ensued and it was decided to reject all proposals and send letters to those that submitted proposals to advise them of the Towns decision. Action was taken as follows:

**The Following Resolution Was Duly Adopted: Res. No. 115 of the Year 2015.**

Resolved, that the four proposals for Completion of a Town Park Landscape Master Plan, for the Town of Thompson Town Park, hereby be rejected and the Town Clerk be directed to notify all four parties who submitted proposals of said rejection at this time.

Moved by: Councilman Sush                      Seconded by: Councilman Pavese

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

Nays 0

**8. RESOLUTION RECOGNIZING RETIRED SENIOR VOLUNTEERS**

**The Following Resolution Was Duly Adopted: Res. No. 116 of the Year 2015.**

**PROCLAMATION RESOLUTION**  
**COUNTY DAY OF RECOGNITION FOR NATIONAL SERVICE**  
**RETIRED SENIOR VOLUNTEER PROGRAM**

**WHEREAS**, service to others is a hallmark of the American character, and central to how we meet our challenges; and

**WHEREAS**, the nation's Leaders are increasingly turning to national service and volunteerism as represented by our Retired Senior Volunteer Program ....*RSVP* as a cost-effective strategy to meet city needs; and

**WHEREAS**, national service participants address the most pressing challenges facing our cities, from assisting our seniors and frail elderly, educating students for the jobs of the 21st century and supporting veterans and military families to providing contact with needed health services and helping communities recover from natural disasters; and

**WHEREAS**, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

**WHEREAS**, national service participants serve in more than 60,000 locations across the country 300+ *RSVP* volunteers in 40 local Non-profit Agencies in Sullivan County alone. Thus bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

**WHEREAS**, national service participants increase the impact of the organizations they serve with, both through their direct service and by recruiting and managing millions of additional volunteers; and

**WHEREAS**, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

**WHEREAS**, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

**WHEREAS**, the Corporation for National and Community Service shares a priority with elected officials nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National League of Cities, City of Service, and Elected officials across the country to recognize the impact of service on the County Day of Recognition for National Service on April 7, 2015

**THEREFORE, BE IT RESOLVED** that we, The Town of Thompson Town Board, do hereby proclaim April 7, 2015 , as National Service Recognition Day, and encourage residents to recognize the positive impact of national service in our city; to thank those who serve; and to find ways to give back to their communities.

Adopted this 17<sup>th</sup> Day of March, 2015.

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

**9. ESTABLISH DATE FOR PUBLIC HEARING: PROPOSED LOCAL LAW NO. 01 OF 2015 – REPEALING LOCAL LAW 07 OF 2014 (PARK & RECREATION FEES)**

Supervisor Rieber explained that the Town needs to enact a local law to repeal local law no. 07 of 2014. The Town enacted the local law to expand the Park & Recreation Fees portion of the Town Zoning Code. According to NYS Town Law these Regulations are limited only to Subdivisions of Subdivided Lots. Proposed Local Law No. 01 of 2015 has been introduced to repeal the prior local law.

**The Following Resolution Was Duly Adopted: Res. No. 117 of the Year 2015.**

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 March 17,  
2015

**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 March 17, 2015, a proposed Local Law No. 01 of 2015, entitled "A local law repealing Local Law No. 07 of 2014 which amended §52-3 E of Chapter 52 of the Town of Thompson Code entitled 'Planning Board and Zoning Board of Appeals'".

**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 April 07, 2015 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 John A. Pavese

Adopted on Motion March 17, 2015

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 [ ]

Town of Thompson

Local Law No. 01 of the year 2015

A local law repealing Local Law No. 7 of 2014 which amended §52-3 E of Chapter 52 of The Town of Thompson Code entitled "Planning Board and Zoning Board of Appeals"

Be it enacted by the Town Board of the

Town of Thompson

1. This Local Law hereby repeals in its entirety said Local Law No. 7 of 2014 and declares the same of no force or effect, and thus the Town reinstates §52-3 E of the Town of Thompson Code in effect prior to adoption of said Local Law No. 7 of 2014.
2. Except as herein specifically amended, the remainder of Chapter 52 of such code shall remain in full force and effect.

3. If any clause, sentence, paragraph, subdivision, section or part thereof this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this local law shall not be affected thereby and shall remain in full force and effect.
4. Except as herein otherwise provided penalties for the violation of this local law, any person committing an offense against any provision of the chapter of the Code of the Town of Thompson shall, upon conviction thereof, be punishable as provided in Chapter 1, General Provisions, Article II, of such Code.
5. This local law shall take effect immediately.

#### **10. FURTHER DISCUSSION – PROPOSED LOCAL LAW: REAL PROPERTY TAX EXEMPTION FOR GREEN BUILDINGS**

Councilman Mace explained how the proposal came about. Assessor Krzywicki provided a memo commenting on the Green Building Incentive Program known as NY RPTL 470 upon request of the Town Board at the last meeting. Assessor Krzywicki's comments can be found appended to these minutes.<sup>1</sup> It will not affect ratables, because the credit is applied to the additional expenses and it encourages energy efficient growth. Discussion ensued about the incentives, factors involved and levels offered (certified, gold and platinum). The exemption would apply to commercial, residential, and multi-residential new and existing construction. The Town Board members were all in favor of offering this program. The Board discussed what the level of exemption should be, they agreed with starting at 100%. Attorney Mednick will draft a proposed local law and introduce it at the 04/21/2015 Town Board Meeting.

#### **11. DISCUSSION: PHONE SYSTEM UPGRADE AT WATER & SEWER DEPARTMENT**

The phone system for the highway department has been installed and seems to be running fine. Phase 2 of the update for the Water & Sewer Department needs to be installed next. According to the proposal from Bedik Communications, Inc. the cost for Phase 2 is \$5,450.00. Supervisor Rieber said that on the advice of the Town Comptroller the Town can approve the purchase as Standardization of Equipment and Sole Source Procurement. He recommended that the proposal of Bedik Communications, Inc. for Phase 2 be approved. Phase 3 would be to connect and integrate the phone system together with the Town Hall and Highway. The cost for Phase 3 will be \$1,760.00. The connectivity and integration of the Water & Sewer Department telephone system with the Town Hall and Highway system will be

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<sup>1</sup> ATTACHMENT: MEMO FROM ASSESSOR KRZYWICKI WITH COMMENTS REGARDING THE GREEN BUILDING INCENTIVE PROGRAM (NY RPTL 470).

dependent on high speed internet at the Water & Sewer Department. The high speed internet service should be installed sometime this summer at which time the integration could take place. The Board will hold off on the Phase 3 proposal until such time.

**The Following Resolution Was Duly Adopted: Res. No. 118 of the Year 2015.**

Resolved, that the proposal of Bedik Communications, Inc. for the upgrading and installation of a VOIP Internet Telephone System in the Water & Sewer Department at a cost of \$5,450.00 hereby be approved.

Moved by: Councilman Briggs                      Seconded by: Councilman Pavese

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

Nays 0

**12. DISCUSSION: SHREDDING DAY EVENT – COUNCILMAN SCOTT MACE**

Councilman Mace obtained several dates of availability from “Confidential Shredding” for Shred Day event, April 4<sup>th</sup>, May 9<sup>th</sup>, 16<sup>th</sup> & 30<sup>th</sup>. The Town Board thought that Saturday, May 30<sup>th</sup> was the best date for the event. Councilman Mace said he would check with Catskill Hudson Bank to see if they are still interested in co-sponsoring the Shred Day event with the Town and if so, if Saturday, May 30<sup>th</sup> from 9–12 PM would be agreeable. He will advise at the next Town Meeting. No action was taken at this time.

**13. TAX CERTIARI SETTLEMENT: SONG CHA GOLF COURSE, INC. SBL# 52.-1-23 & 24**

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. 119 of the Year 2015.**

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

WHEREAS, Song Cha Golf Course Inc. has instituted proceedings under Article 7 of the Real Property Tax Law to review the assessment of Tax Map Parcels Section 52, Block 1, Lots 23 and 24, and which proceeding is pending in the Supreme Court of the State of New York, County of Sullivan, under Index Nos. 2013-1819 and 2014-1663; and

WHEREAS, the parties have appeared through counsel, to wit, Michael B. Mednick, Esq. on behalf of respondents, and Gilberti Stinziano Heintz & Smith, P.C. 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 and 2014** assessment, to wit, a reduction in the assessment of petitioner's real property, **SBL 52-1-23** from \$280,000.00 to \$193,700.00; and

WHEREAS, the proposed settlement will also result in a fair and equitable resolution of the complaint with respect to petitioner's **2013 and 2014** assessment, to wit, a reduction in the assessment of petitioner's real property, **SBL 52-1-24** from \$62,500.00 to \$43,000.00; and

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

**14. PLANNED EQUIPMENT PURCHASES FOR HIGHWAY DEPARTMENT – 125 GALLON CRACK SEALER, 4X4 TRUCK CHASSIS, PLOWS & HYDRAULICS AND STAINLESS STEEL COMBINATION DUMP/SPREADER BODY**

Highway Superintendent Benjamin requested Town Board approval to go out to bid on the following Planned Equipment Purchases:

Crack Sealer	\$65,000
4X4 Truck Chassis	\$115,000
PloWS & Hydraulics	\$55,000
Spreader/Dump Body	\$40,000

He advised that these are budget estimates and if there is another dump body like the one recently purchased the cost would be \$32,000. The dump body would be mounted in house to save the cost. The Plow Equipment would be installed by Robert Green Truck Division. He requested the bid opening date for all four items be set for Thursday, April 16, 2015 at 2 PM.

**The Following Resolution Was Duly Adopted: Res. No. 120 of the Year 2015.**

Resolved, that the Town Board of the Town of Thompson advertise for bids for 125 Gallon Crack Sealer, in accordance with specifications prepared therefore, said bids to be opened on Thursday, April 16<sup>th</sup>, 2015, at 2:00 o'clock P.M., Prevailing Time, at the Town Hall, 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 Mace                      Seconded by: Councilman Briggs

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

Nays 0

**The Following Resolution Was Duly Adopted: Res. No. 121 of the Year 2015.**

Resolved, that the Town Board of the Town of Thompson advertise for bids for 2016 Freightliner Model 108SD 4X4 Diesel Chassis or Approved Equal, in accordance with specifications prepared therefore, said bids to be opened on Thursday, April 16<sup>th</sup>, 2015, at 2:00 o'clock P.M., Prevailing Time, at the Town Hall, 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 Mace                      Seconded by: Councilman Briggs

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

Nays 0

**The Following Resolution Was Duly Adopted: Res. No. 122 of the Year 2015.**

Resolved, that the Town Board of the Town of Thompson advertise for bids for Plows and Hydraulics, in accordance with specifications prepared therefore, said bids to be opened on Thursday, April 16<sup>th</sup>, 2015, at 2:00 o'clock P.M., Prevailing Time, at the Town Hall, 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 Mace                      Seconded by: Councilman Briggs

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

Nays 0

**The Following Resolution Was Duly Adopted: Res. No. 123 of the Year 2015.**

Resolved, that the Town Board of the Town of Thompson advertise for bids for Stainless Steel Combination Dump and Spreader Body, in accordance with specifications prepared therefore, said bids to be opened on Thursday, April 16<sup>th</sup>, 2015, at 2:00 o'clock P.M., Prevailing Time, at the Town Hall, Route 42 North, Monticello, New



**The Following Resolution Was Duly Adopted: Res. No. 125 of the Year 2015.**

Resolved, that the Town Board of the Town of Thompson hereby grants the Sullivan County ATV Association permission to use certain town roads on Sunday, March 29<sup>th</sup>, 2015 for their Charity ATV Ride event. Further Be It Resolved, that said authorization, is subject to adequate proof of liability insurance being provided naming the Town as Additional Insured on said Certificate.

Moved by: Councilman Pavese                      Seconded by: Councilman Sush

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

Nays 0

- 3) Notice of Intent for Designation of Lead Agency by the Town of Thompson Planning Board originally dated 01/16/15 and revised 03/11/15 to all involved/interested agencies for the Veria Lifestyle, Inc. Wellness Center on Baileys Lake, Anawana Lake Road, Monticello, Town of Thompson. A copy of the Full Environmental Assessment Form Part 1 and site map was attached for review. The Lead Agency Designation was revised to add the Sullivan County IDA as an additional interested/involved agency. Supervisor Rieber briefly reported on the proposed project and no further action was taken.
  
- 4) Competition Community Blood Drive Event, 04/01/2015, 2:30PM – 7:30PM between the Monticello Kiwanis Club, Monticello Rotary Club, Monticello Elks Lodge and Monticello Fire Department will be held Wednesday, April 1<sup>st</sup>, 2015 from 2:30pm to 7:30pm at the Monticello Fire Department.

**COUNCILMEN & DEPARTMENT HEAD REPORTS**

Councilman Briggs reported on the Summer Youth Day Camp registration. Councilman Briggs recommended continuing the Business of the Month or Quarter. Supervisor Rieber designated Councilman Briggs to select the May Business of the Month.

Councilman Mace stated that he spoke with Delores Monsone, Building Department Office Manager in the Town of Walkill regarding digitizing, scanning and updating their records. He will visit their Building Department to see how those changes are working out and if our Town would benefit. He has also been in contact with the NYS Association of Towns regarding the availability of different grants for this type of service.

Superintendent Culligan reported on a fuel oil spill at the Nob Hill Bungalow Colony located in Kiamesha Lake that was discovered by his staff this morning, because it was contaminating the sewer and drainage system. The NYS DEC Spill Report Line was immediately notified of the situation and NYS DEC Representatives had Luzon were already addressing it this afternoon.

Superintendent Benjamin reported on a meeting that he had with Supt. Culligan, Town Engineer Richard D. McGoey and Deputy Town Attorney Paula E. Kay regarding several proposed development projects in the Town.



- April 7<sup>th</sup>: Public Hearing at 7:30 PM – Proposed Local Law #1 of 2015 – Repealing Local Law #7 of 2014 (Regarding Park & Recreation Fees).
- April 11<sup>th</sup>: Rock Hill Boy Scout Troop 101 Annual Spaghetti & Meatball Dinner from 4-7:30PM at the Rock Hill Firehouse, Adults \$9.00, Children Under 12 \$6.00 and Under 5 Free.

Supervisor Rieber called upon the Participation in Government Students to come forward to have their papers signed by the Board so that they may be excused from the meeting prior to entering into Executive Session. Supervisor Rieber said that the Town Board does not anticipate taking any further action after returning from Executive Session this evening. He thanked everyone for coming and wished them a safe trip home.

**EXECUTIVE SESSION**

On a motion made by Councilman Sush and seconded by Councilman Briggs the Town Board entered into Executive Session at 8:42 PM with Town Attorney Michael B. Mednick to discuss Agenda Item #3 involving two possible litigation issues and a personnel matter.

On a motion made by Councilman Briggs and seconded by Councilman Pavese the Town Board returned from Executive Session and reconvened the Town Board meeting at 9:54 PM. Further action was taken as follows:

**RE-APPOINTMENT OF DEPUTY SUPERVISOR FOR THE YEAR 2015 –  
COUNCILMAN RICHARD SUSH**

Supervisor William J. Rieber, Jr. hereby re-appoints Councilman Richard Sush to serve as Deputy Supervisor of the Town of Thompson for the year 2015.

**ADJOURNMENT**

On a motion made by Councilman Sush and seconded by Councilman Briggs the meeting was adjourned at 9:55 PM.

**Respectfully Submitted By:**

*Marilee J. Calhoun*  
**Marilee J. Calhoun, Town Clerk**

Memo To: Thompson Town Board  
From: Van Krzywicki, Assessor  
Re: Green Building Incentive  
Date: March 5, 2015

Scott Mace has asked me to comment on the Green Building Incentive known as NY RPTL 470.

As you know the law by local option allows a property owner to seek an exemption for the portion of the improvement attributable to a green improvement. The amount of the exemption and its duration are scaled to the US Green Building Council's LEED rating. The concept is the higher the rating the "greener" and more expensive the project and consequently the greater the potential exemption. Note the exemption only applies to the *difference* between typical cost and the green cost and it does expire over time.

When considering such an option the town should consider its overall objective. For example, does the town merely wish to recognize citizens' extra costs associated with an occasional energy efficient building? If that's the case, I doubt such an option would have any significant detrimental effect on our ratables. The exemption after all eventually terminates and the tax on the base structure would still generate revenue. Given that there is extra cost associated with green building, it is unlikely the exemption in itself would induce someone to build green. The town would merely be recognizing the effort and extra expense with an exemption limited to that extra cost for a specified period of time.

If however the town wants to improve its image, address the larger issue of an aging housing stock and induce forward-thinking projects on a larger scale, then there is more to consider. The equation then involves increasing the occurrence of green buildings to the point where such increase in tax base renders the exemptions desirable. Again, given that green building is more expensive, the exemption alone will not likely attract green builders, *it must be paired with incentives which are meaningful to the developers/builders*. Non-monetary incentives such as expedited plan review and permitting, density bonuses and town sponsored publicity/marketing will encourage developers to consider making their project "green." Monetary incentives such as reduced fees and access to loans/grants are even better. Thus the exemption emerges as just the icing in such instances.

In my opinion it would be beneficial to the town to adopt such a local law and ideally consider pairing it with other non-monetary incentives attractive to builders and developers. That would be a win/win.