

Minutes of the Special Town Board Meeting of the Town of Thompson for Tentative Special District Assessment Hearing held at the Town Hall, 4052 State Route 42, Monticello, New York on December 15, 2015.

ROLL CALL:

Present: Supervisor William J. Rieber, Jr.
Councilman Peter T. Briggs
Councilman Richard Sush

APPROVED

Absent: Councilman John A. Pavese
Councilman Scott Mace

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

Supervisor Rieber called the Special Town Board Meeting to order at 4:00 PM for the purpose of conducting the Annual Tentative Special District Assessment Hearing.

PUBLIC HEARING: TENTATIVE SPECIAL DISTRICT ASSESSMENT HEARING

Supervisor opened the Public Hearing at 4:02 PM.

Town Clerk Marilee J. Calhoun read the legal public notice and stated that she had an original Affidavit of Publication. Notice of said hearing was duly published in the Sullivan County Democrat on December 01, 2015 with the same being posted at the Town Hall on November 24, 2015.

Supervisor Rieber explained that the purpose of this hearing is to discuss the point system for the Special Sewer and Water Districts in the Town and how they are assessed for each user according to the 2016 Special District Assessment Rolls and to hear and consider objections regarding the Special District Assessment Rolls. This allows an opportunity for any property owner/user in either of the Special Districts who disputes the points assessed for their property/properties to come and be heard and adjustment made if necessary. A schedule of the point rate system was provided to all present for review.

Supervisor Rieber said that all property owners/users in any of the Special Water and Sewer District should have received notification of this hearing. The Town sent notification via post card this year and letters in past. It is required that actual written notice of the point assessment is provided to all properties and users. Basically at this point it is the public's opportunity to challenge any errors on the assessment of points either to many or little. Those adjustments can be made accordingly. This is not a hearing on the amount of the actual sewer bill or the budget for the Sewer/Water

District, basically it is a hearing on the points that are set and those points govern how much you pay in sewer/water taxes.

Supervisor Rieber asked if the Board had any comments. The Board had no comments.

Supervisor Rieber asked if anyone from the public would like to be heard on this matter. There was public comment made as follows:

A property owner in the Melody Lake Sewer District asked how the points would be assessed on vacant land.

Supervisor Rieber said that there are improvements being made to the Melody Lake WWTP and a portion of the debt will be paid for by each property owner/user in that District. He said that single-family homes are assessed 10 points of capital debt and vacant lots are assessed 3 points of capital debt.

Judith Cutler of Rock Hill, property owner in the Emerald Green Lake Louise Marie Sewer District expressed concerns for the future, there assessment they have \$38,000.00 in excess funds and at this point in time now that the necessary improvements have been completed will the assessment go back down or will it continue to go back up.

Discussion ensued between Supervisor Rieber, Comptroller Lasher and Ms. Cutler regarding her question and the 2016 rates.

She commented on the large increase of rates from last year over the prior year due to the improvements.

Comptroller Lasher said that the increase was approximately \$100.00 last year, which were all capital expenditures.

She asked if the users pay the additional expense to do the capital improvements and they are done and right now there is an unexpended amount of \$38,000.00. Our rates are going to be assessed 10 points per residence at a \$1.75 per point. So her question is in the future, because the capital improvements have already been completed, will our total cost for running the District come down.

Supervisor Rieber said probably not, because as a practical matter you have an aging plant and in all likelihood he cannot see the cost for operating that plant declining in future years. The Town is currently trying to bring the plant in compliance with the NYS DEC regulations, which have been enforced under a consent order. The Town is trying to cure all of those outstanding problems and still keep the rates at bay.

Ms. Cutler said that if \$38,000.00 was collected last year and was more than what was actually needed for all of the necessary improvements and operation.

Supervisor Rieber said that if there are unexpended funds of \$38,000.00 last year then it would be applied to this year's budget.

Ms. Cutler said the question still is with the capital improvements being completed and with the \$38,000.00 of unexpended funds being applied can the users expect the rates to go down in the future.

Comptroller Lasher said no they would not, because this includes the cost of running the District, which continues to rise each year and with the cost of everything increasing on a year to year basis the rate would definitely not go down. The capital rate might go down. The capital improvement project was spread over a 5-year payment so it will be 5-years before the capital improvement payment in that specific District is paid off.

Supervisor Rieber said that the \$38,000.00 is within reason it is plus or minus 4% of the operating cost for the District, which is reasonable. Having \$38,000.00 is good, because most governments have been noted for spending before the end of the year to use the funds, but the Town of Thompson does not do that. Whatever funds are not expended is rolled over to the next year and if the bill can be made less the following year then that is what the Town will do. However we cannot promise the users lower rates, but the Town can try to keep them as stable as possible.

A property owner and user in the Dillon Water District asked if a Generator would be installed to alleviate the users from being without water when the power is out.

Supt. Culligan replied advising that the system is wired so that they are able to install a portable Generator to run the system. They have the portable Generator in their garage, which could be used if necessary. He said that it is not cost effective to have a large Generator permanently installed. This way it is setup with an electronic disconnect and plug to turn main power off and disconnect on and the pump will run off the Generator. When there is a power failure there is an automatic dialer to provide them with phone call notification immediately.

Supervisor Rieber said that the notification/alarm systems have all recently been upgraded for a more efficient/consistent way of notification.

An Emerald Green Lake Louise Marie Sewer District user complained that the charges are much too high over the past 4-years and keep going up annually. The charges need to stop going up each year.

Supervisor Rieber responded by saying the rate increased approximately \$4.00 over last year. He said that the Town is very cognizant of what it cost people to live in their homes and the Town has to provide a service. The problem with sewer and water

districts is that they are heavily regulated regarding environmental concerns by the Federal Government, State Government and the Delaware River Basin Commission. Everything taken into the Towns Sewer Plant is eventually discharged and flows into the Delaware River, which falls under the guidance of the Delaware River Basin Commission in Trenton, NJ regarding what is permitted. They are increasing the limits and omission limits on the existing sewer plants every day. So every time they say you have to make cleaner water or put less nitrates in the water or reduce phosphates it translates into dollars cost. The Town tries to be cognizant of the costs, but the problem is if the Town violates the permit requirement from the various entities the fines imposed are excessive. The NYS DEC fines are \$37,500.00 per day, per violation. The Town recently settled a large sum of fines just last year for less than originally imposed, but still cost a considerable amount of money. There was a large increase last year and a large part of the increase was for capital improvement costs in the Emerald Green Lake Louise Marie Sewer District, which he explained.

Ms. Cutler questioned the projected rates for 2016.

Comptroller Lasher responded to her question by clarifying the differences in the rates for both Capital Improvements and Operation & Maintenance for 2016.

Supervisor Rieber said that the purpose for this hearing is to discuss/challenge the number of points assessed to your property and not the actual rate.

Ralph Guarino a user in the Kiamesha Lake Sewer District asked about how the actual points are assessed for each district.

Supervisor Rieber said that there is a point schedule, which has been provided and available for review. The points assessed depend upon the District. The Town Code does not differentiate the points by size or layout, a house is a house.

Supervisor Rieber asked if anyone present had a problem with their bill other than the expense. No one seemed to have a problem with their bill other than the increase in rates charged.

Supervisor Rieber said that he understands that, however it is not the topic or purpose of this public hearing. He said he is happy to discuss those matters further with any user after the hearing. The main topic/purpose of this hearing is to challenge the number of points assessed.

A property owner/user in the Melody Lake Sewer District confirmed that the number of points are still assessed the same as in the past, but the Town is required to hold this hearing and provide public notice to each user.

Supervisor Rieber replied yes that is the reason. He said that the Town can adopt a \$20 Million Dollar budget with an advertisement in the newspaper, but to give a sewer

and water bill the Town is required to hold a special hearing a provide individual notification. He confirmed that this hearing is not about the rates or the budget. The rates are actual cost, which is apportioned based on points and if the points assessed are incorrect then they can be adjusted. If the points are correct then the Town is unable to make adjustments.

A user in the Melody Lake Sewer District who commented earlier asked on a yearly basis the cost to operate the Town Sewer District Plants are increasing.

Supervisor Rieber replied yes the operation and maintenance costs are annually increasing and both he and Supt. Culligan briefly explained some of the annual costs in each of the Districts that increase. Further discussion ensued regarding the annual costs and rates to operate and maintain the districts. Several of the existing plants are aging and it is tough to keep them together, but the Town does the best that they can to keep everything up and running.

A member from the public asked if the Town Board would be conducting other business today. Supervisor Rieber said that not during this hearing; however he advised that the Town Board would be conducting their Regular Town Board Meeting later this evening at 7:30 PM if anyone from the public was interested in attending.

Supervisor Rieber thanked everyone for coming out to be heard for the hearing.

After an opportunity for all persons to be heard Supervisor Rieber entertained a motion that the hearing be closed.

A motion to close the Public Hearing at 4:26 PM was made by Councilman Briggs and seconded by Councilman Sush.

ADJOURNMENT

On a motion made by Councilman Briggs and seconded by Councilman Sush the meeting was adjourned at 4:27 PM.

Respectfully Submitted By:



Marilee J. Calhoun
Town Clerk