

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 15, 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
James Carnell, Jr., Building, Planning & Zoning Director
Gary J. Lasher, Town Comptroller

PUBLIC HEARING: PROPOSED LOCAL LAW # 11 OF 2015 – AMENDING CHAPTER 197 TO ESTABLISH SEWER RATES/RENTS FOR 2016

Supervisor Rieber opened the Public Hearing at 7:30 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 11, 2015 with same being posted at the Town Hall on December 07, 2015.

Supervisor Rieber explained that the Proposed Local Law is to establish the sewer rents/rates for 2016 to be charged for Operation & Maintenance and Capital for the sewer districts within the Town of Thompson. He said that the Town is required to enact this Local Law every year.

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 were no public comments.

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

A motion to close the Public Hearing at 7:35 PM was made by Councilman Briggs and seconded by Councilman Sush.

REGULAR MEETING – CALL TO ORDER

Supervisor Rieber opened the meeting at 7:36 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 Mace the minutes of the December 1st, 2015 Regular Town Board Meeting were approved as presented.

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

PUBLIC COMMENT:

There was no public comment made.

CORRESPONDENCE:

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

- 1) NYS Liquor Authority: New Liquor License Application – Steven Moss Concessions, Inc., 194 Rock Hill Drive, Rock Hill
- 2) Sidelines 2 Silhouettes, Inc.: Request for NYS Liquor License Renewal, License # 22191738, 462 State Route 17B, Monticello
- 3) Carl T. Ferrentino, Deputy Counsel, NYS EFC: Melody Lake WWTP Improvement Project Financing Documents
- 4) Sullivan Renaissance: Award Letters to Sullivan ARC Foundation & Hudson River Healthcare
- 5) Senator John J. Bonacic, Acknowledgement of Res. No. 382 of 2015 “Local Transportation Funding Resolution”
- 6) Richard D. McGoey, PE, MH&E: Draft Map, Plan, & Report – Cold Spring Road Sewer District Ext No. 4 (POFO Realty, LLC.)

AGENDA ITEMS:

1. ACTION: PROPOSED LOCAL LAW #11 OF 2015 – SEWER RENTS FOR 2016

The Following Resolution Was Duly Adopted: Res. No. 394 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 December 15, 2015

RESOLUTION TO ENACT LOCAL LAW NO. 10 of 2015

WHEREAS, proposed Local Law No. 11 of the year 2015 entitled, "A local law to amend the Town of Thompson Code, Chapter 197, entitled 'Sewers'" was presented to the Town Board at a meeting held December 01, 2015, at the Town Hall, Monticello, New York, to consider said proposed local law and Special District Assessment Hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard having been heard,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Thompson, New York, does hereby enact and adopt Local Law No. 10 for the year 2015, Town of Thompson, State of New York, which local law is annexed hereto and made a part hereof.

Moved by: Councilman John A. Pavese

Seconded by: Councilman Peter T. Briggs

Adopted on Motion: December 15, 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. 10 of 2015

A local law entitled "A local law to amend the Town of Thompson Code, Chapter 197, entitled 'Sewers'."

Be it enacted by the Town Board of the

Town of Thompson

1. The Town Board of the Town of Thompson, pursuant to the provisions of Article 14-F of the General Municipal Law, entitled "Sewer Rent Law", and in particular Section 452 thereof, does hereby establish and impose sewer rents to be charged in the Harris Sewer District, Harris Woods Sewer District, Dillon Farms Sewer District, Kiamesha Lake Sewer District, Melody Lake Sewer District, Sackett Lake Sewer District, Cold Spring Sewer District, Emerald Green-Lake Louise Marie Sewer District, and Anawana Sewer District, for the year 2016.

- The rates to be charged pursuant to Chapter 197 of the Code of the Town of Thompson, Section 197-45, for the year 2016 are as follows:

<u>DISTRICT:</u>	<u>Operation & Maintenance</u>	<u>Capital</u>
Anawana Sewer District:	\$35.90	\$ 0.00
Cold Spring Sewer District:	\$26.59	\$ 0.00
Dillon Farms Sewer District:	\$75.54	\$ 0.00
Emerald Green/Lake Louise Marie Sewer District	\$58.63	\$ 18.72
Harris Sewer District:	\$20.14	\$ 0.00
Kiamesha Lake Sewer District:	\$90.66	\$ 4.94
Melody Lake Sewer District	\$75.65 per house	\$ 30.10
Sackett Lake Sewer District:	\$46.55	\$ 2.21
Harris Woods Sewer	\$23.41	\$107.18

- Except as herein specifically amended, the remainder of Chapter 197 of such code shall remain in full force and effect.
- 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.
- This local law shall take effect immediately.

2. ESTABLISH DATE FOR PUBLIC HEARING – REMOVAL OF EPT/EPR PROPERTIES FROM THE KIAMESHA LAKE SEWER DISTRICT (01/19/2015 @ 7:30 P.M.)

The Following Resolution Was Duly Adopted: Res. No. 395 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 15th day of December, 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 Reduction of the
KIAMESHA LAKE SEWER DISTRICT
to Remove All Properties Owned by EPT/EPR
Presently Existing in the Newly Created Adelaar
Resort Sewer District in the Town of Thompson,
Sullivan County, New York.
-----X

WHEREAS, pursuant to Home Rule Legislation Bill No. S05808A, signed into legislation by Governor Cuomo on November 20, 2015, the Town Board of the Town of Thompson may reduce the property presently contained in the Kiamesha Lake Sewer District by removing all parcels as listed in Schedule "A" and annexed hereto, of which all said parcels and area to be removed are wholly within the Town of Thompson; and

WHEREAS, all said parcels that are proposed to be removed from the Kiamesha Lake Sewer District shall be included and be part of the newly created Adelaar Resort Sewer District which was created on June 16, 2015; and

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

WHEREAS, the reduction of the Kiamesha Lake Sewer District is being contemplated so that the entire property being removed from the District is able to be reconstituted into the newly created Adelaar Resort Sewer District; and

WHEREAS, the entire amount to be expended for such reduction, along with all present costs for their portion of the Kiamesha Lake Sewer District debt service, including but not limited to, costs of construction, engineering, administrative and legal fees, shall be borne solely

and entirely by the said landowner and developer, EPT/EPR through the Adelaar Resort Sewer District; and

WHEREAS, it is now desired to call a public hearing for the purpose of considering the reduction of the Kiamesha Lake Sewer District and to hear all persons interested in the subject thereof and concerning the same in accordance with the provisions of Section 202-c 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 meeting 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 19th day of January, 2016, at 7:30 o'clock, P.M., Prevailing Time, to consider the reduction of the Kiamesha Lake Sewer District, 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 202-c 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., SUPERVISOR	VOTING	Aye
PETER T. BRIGGS, COUNCILMAN	VOTING	Aye
RICHARD SUSH, COUNCILMAN	VOTING	Aye
SCOTT MACE, COUNCILMAN	VOTING	Aye
JOHN A. PAVESE, COUNCILMAN	VOTING	Aye

The order was thereupon declared duly adopted.

* * * * *

Supervisor Rieber recused himself from the next matter due to his prior involvement regarding a Real Estate transaction involving that property. The meeting was turned over to Deputy Supervisor Richard Sush who conducted the meeting regarding this matter.

3. ACTION: ANNEXATION PETITION ROUTE 17B HOTEL DEVELOPMENT, LLC, SBL # 12.-1-53(TENTATIVELY PENDING RECEIPT OF GML-239 COUNTY REVIEW)

Marilee J. Calhoun, Town Clerk reported on receipt of the GML-239 County Review dated 12/15/2015 from Freda C. Eisenberg, AICP, Commissioner, Sullivan County Division of Planning and Environmental Management regarding the Proposed Annexation Petition of Route 17B Hotel Development, LLC. The letter stated that “the County does not have jurisdiction over annexations and does not have any concerns relating to the proposed annexation.” The matter is referred for local determination. However the County does recommend joint planning between the Town and Village regarding future growth and development in the Village. Attorney Billig was present on behalf of the Petitioner who advised that the Village Planning Board would be completing a GML-239 Review on the project itself. He also commented on a Zoning Change Review recommendation, which was also indicated in the letter to be performed by the Village to parallel the GML-239 Review with the proposed site plan. He also provided an update in regards to several hotel chains that have expressed an interest in the proposed site.

The Following Resolution Was Duly Adopted: Res. No. 396A of the Year 2015.

Resolved, that a Negative Declaration in connection with the Annexation Petition for Route 17B Hotel Development, LLC (SBL # 12.-1-53) pursuant to SEQRA is hereby declared according to the presented Findings, Resolution and Order.

Moved by: Councilman Mace

Seconded by: Councilman Briggs

Vote: Ayes 4 Sush, Pavese, Briggs and Mace
 Nays 0
 Recused 1 Rieber

The Following Resolution Was Duly Adopted: Res. No. 397 of the Year 2015.

**FINDINGS, RESOLUTION AND ORDER OF THE
TOWN OF THOMPSON PURSUANT TO
ARTICLE 17 OF THE NEW YORK STATE
GENERAL MUNICIPAL LAW**

A petition (“Petition”) having been filed by Route 17B Hotel Development LLC for an annexation of certain property in the Town of Thompson (“Town”) to the Village of Monticello (“Village”), and a joint public hearing of the government Boards of the Town and the Village having been held on December 1, 2015 in accordance with Section 705 of the General Municipal Law of the State of New York, the Town Board of the Town hereby makes the following findings and thereupon adopts the following resolutions and order based upon such findings, all in accordance with Section 711 of the General Municipal Law of the State of New York.

FINDINGS

1. The Petition of Route 17B Hotel Development LLC (hereinafter the “Petitioner”) dated October 14, 2015 for the annexation of the following Town Tax Parcel to the Village:

Section 12, Block 1, Lot 53

was filed in the offices of the Town Clerk of the Town being perfected and finalized on October 15, 2015. A copy of the Petition is attached hereto as Exhibit A.¹

2. Pursuant to the provisions of Section 704 of the General Municipal Law of the State of New York (hereinafter the “General Municipal Law”), the Town caused notice of the required joint public hearing on the Petition to be published in the Sullivan County Democrat, the official newspaper of the Town, on November 10, 2015.

3. Pursuant to the provisions of Section 704 of the General Municipal Law of the State of New York, the Village caused notice of the required joint public hearing on the Petition to be published in the Sullivan County Democrat, the official newspaper of the Village, on November 13, 2015.

4. On November 10, 2015, the Town caused a copy of the notice of joint public hearing to be mailed to the Petitioner (the Petitioner allegedly being the sole owner of property within the territory proposed to be annexed). Likewise, the Village mailed a copy of the notice to Petitioner.

¹ ATTACHMENT: ANNEXATION PETITION, SKETCH SITE PLAN & SC TREASURER CERTIFICATE REGARDING ROUTE 17B HOTEL DEVELOPMENT LLC.

5. The joint public hearing of the Village and Town, as the two (2) governing boards of the involved municipalities, was held at the Thompson Town Hall on December 1, 2015 in accordance with the notices as published and mailed.

6. In attendance at the joint hearing were (i) the Mayor and four (4) Trustees of the Village, the attorney for the Village, Village Clerk; and (ii) the Deputy Town Supervisor and three (3) members of the Town Board, the attorney for the Town, and the Town Clerk.

7. Richard Sush, Deputy Town Supervisor, presided at the hearing by agreement of the members of the participating Boards.

8. The attorney for the Town confirmed at the outset of the joint public hearing that (i) the required notices of public hearing for the Town have been published in a timely fashion as indicated above, (ii) the hearing was being held within the time period required, and (iii) the Town Clerk has certified in writing that the mailing of notices to the Petitioner had been accomplished as required. The attorney for the Village similarly confirmed the Village's procedural compliance as to the holding of the public hearing and the notice and mailing requirements therefor.

9. The attorney for the Town has advised the Town Board as to his review of the Petition and his determination that the Petition appears to be compliant with the spirit and substance of Section 703 of the General Municipal Law. Accordingly, the Town hereby determines that the Petition substantially complies in form and content with the provisions of Article 17 of the General Municipal Law, and specifically finds that:

(i) The Petition appears to have been properly signed as provided by Section 703 of the General Municipal Law of the State of New York, that being only the Petitioner, the sole owner of all property within the territory, who are thereby fully qualified as the signatories of the Petition;

(ii) The Petition has attached thereto the required certificate of the assessor responsible for the preparation of the assessment roll certifying the foregoing; and

(iii) The signatures of the Petition appear to have been properly authenticated as required.

10. The Town Board, in performing the lead agency function for the environmental review of this action, and in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Action ("SEQR") hereby adopt a negative determination of environmental significance ("Negative Declaration") in accordance with SEQR for the proposed annexation, and determines that an Environmental Impact Statement is not required.

11. The Town Board of the Town of Thompson hereby makes these findings and a determination in accordance with Section 711 of the General Municipal Law of the State of New

York that the proposed annexation shall allow for development of the parcel of land subject to the Petition and the parcels lying westerly thereof, also owned by the Petitioner, in a more efficient manner than if the parcel was in two (2) municipalities, each with separate zoning laws and planning boards and; that the parcel subject to the Petition will be offered the opportunity to obtain Village waste and sewer services.

RESOLUTIONS

NOW, THEREFORE, based upon all of the foregoing findings, it is hereby:

RESOLVED, that Petitioner's Petition substantially complies in form and content with Article 17 of the General Municipal Law; and it is further

RESOLVED, that the proposed annexation described in said Petition is hereby deemed to be in the overall public interest; and it is further

RESOLVED, that the proposed annexation as described in said Petition is hereby approved by the Town Board of the Town of Thompson.

ORDER

IT IS HEREBY ORDERED, that copies of the foregoing findings, resolutions and determinations set forth therein, all of which are hereby incorporated by reference into this Order, together with the Petition, notice of public hearing, and testimony and minutes of proceedings taken and kept on the hearing, be filed in the offices of the clerks of the Village and Town as the affected local governments.

Motion by: Councilman Scott Mace
Seconded by: Councilman Peter T. Briggs

Adopted the 15th day of December, 2015.

Roll Call Vote: Supervisor William J. Rieber, Jr. - Abstained
 Councilman Peter T. Briggs - Aye
 Councilman Richard Sush - Aye
 Councilman Scott Mace - Aye
 Councilman John A. Pavese - Aye

The meeting was turned back over to Supervisor Rieber.

4. APPROVE CHANGE ORDER # 2: MELODY LAKE WASTEWATER TREATMENT PLANT IMPROVEMENT PROJECT BETWEEN CRL ELECTRIC CORP. AND THE TOWN OF THOMPSON – ADDITIONAL CHARGE \$11,365.00

Engineer Matthew J. Sickler of McGoey, Hauser & Edsall Consulting Engineers provided the Town with Change Order #2 regarding the Melody Lake Wastewater Treatment Plant Improvement Project between the Town of Thompson and CRL Electric

Corp. regarding the Electrical Construction Contract. The proposed change order is to upgrade the electrical service and run service to the new facility. Supt. Culligan briefly reported on the proposed change order modifications. Town Supervisor is required to execute the change order. There will be an additional cost of \$11,365.00. Supt. Culligan also provided the Board with an update regarding the status of the project.

The Following Resolution Was Duly Adopted: Res. No. 398A of the Year 2015.

Resolved, that the 2nd Change Order for the Melody Lake Wastewater Treatment Plant Improvement Project in the amount of \$11,365.40 between the Town of Thompson and CRL Electric Corp. regarding the Electrical Construction Contract hereby be approved and that the Town Supervisor William J. Rieber, Jr. hereby be authorized to execute said Change Order as presented.

Moved by: Councilman Pavese Seconded by: Councilman Mace

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

Nays 0

5. APPROVE & AUTHORIZE CARRYOVER OF PREVIOUSLY CREDITED SICK TIME FOR JAMES CARNELL, JR. – (74) DAYS

The Following Resolution Was Duly Adopted: Res. No. 398B of the Year 2015.

Resolved, that James Carnell, Jr. hereby be authorized to carryover (74) Days of previously credited sick time from previous employment with the Town ending on August 30th, 2002.

Motion by: Councilman Mace Seconded by: Councilman Sush

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

Nays 0

6. REJECT RFP'S – GARBAGE AND REFUSE REMOVAL FOR 2016

Superintendent Culligan reported on the results of the Requests for Proposals (RFP's) that were received in on December 3rd, 2015 as follows: 1) Thompson Sanitation Corp. \$6,436.84 Per Year, 2) Sullivan County First Recycling, Inc. \$6,996.00 Per Year and 3) County Waste & Recycling \$6,120.00 Per Year. The cost for 2015 was \$6,436.84, which is the same as last year. Supt. Culligan also reported on a letter received in on December 9th from Thompson Sanitation Corp. citing several reasons why they should be considered for the proposal. Supervisor Rieber said that the proposal indicates the contract period of January 1st, 2016 to December 31st, 2016, however last year the contract was extended and changed from March 1st, 2015 to February 28th, 2016. Supervisor Rieber is recommending that that these proposals are rejected and revised proposals are re-solicited with the correct contract period March 1st, 2016 to February 28th, 2017 due to the previous extension. He said that it is irrelevant at this point in time to even consider the three proposals received, because of the error.

The Following Resolution Was Duly Adopted: Res. No. 399 of the Year 2015.

Resolved, that the Town Board of the Town of Thompson advertise for bids for Vehicle & Equipment Replacement Parts in accordance with specifications prepared, therefore, said bids to be opened on Thursday, January 14, 2016, at 2:00 o'clock P.M., Prevailing Time, at the Town Hall, 4052 State 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.

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

The Following Resolution Was Duly Adopted: Res. No. 403C of the Year 2015.

Resolved, that the Town Board of the Town of Thompson advertise for bids for Fiber-Reinforced Bituminous-Membrane Surface Treatment in accordance with specifications prepared, therefore, said bids to be opened on Thursday, January 14, 2016, at 2:00 o'clock P.M., Prevailing Time, at the Town Hall, 4052 State 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.

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

The Following Resolution Was Duly Adopted: Res. No. 403D of the Year 2015.

Resolved, that the Town Board of the Town of Thompson advertise for bids for 1A Low Abrasion Non-Wappinger Crushed Limestone in accordance with specifications prepared, therefore, said bids to be opened on Thursday, January 14, 2016, at 2:00 o'clock P.M., Prevailing Time, at the Town Hall, 4052 State 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.

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

The Following Resolution Was Duly Adopted: Res. No. 403E of the Year 2015.

Resolved, that the Town Board of the Town of Thompson advertise for bids for Used 1999 Dynapac CC522 Roller or Newer in accordance with specifications prepared, therefore, said bids to be opened on Thursday, January 14, 2016, at 2:00 o'clock P.M., Prevailing Time, at the Town Hall, 4052 State 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.

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

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 December 15, 2015

RESOLUTION TO AMEND COVER PAGE OF SPECIAL DISTRICTS BUDGET TO INCLUDE PROPER ALLOCATIONS OF OPERATION & MAINTENANCE AND DEBT/CAPITAL EXPENSES FOR THE MELODY LAKE SEWER DISTRICT

WHEREAS, the Town of Thompson had previously approved the 2016 Town Budget which included allocations for all Special Districts; and

WHEREAS, it was discovered that an error existed in the method of allocation for the Melody Lake Sewer District in that the entire allocation was dedicated to Operation & Maintenance (O&M) when it was required to be split between O&M and Capital/Debt; and

WHEREAS, the Town is required to correct that allocation so that all lots in the District are equally assessed the Debt/Capital allocation pursuant to the Town’s Sewer Rent local law; and

WHEREAS, this reallocation is a result of a last minute change due to the closing of an EFC bond utilized to construct required upgrades to the Melody Lake Sewer District; and

WHEREAS, this reallocation between O&M and Capital/Debt does not change the total allocation as was originally approved in the Town Budget and only splits the original allocation amount between two separate lines.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Thompson hereby approves the amendment of the Town of Thompson Special Districts Budget to reflect the amended allocations to a Capital/Debt line for the Melody Lake Sewer District, as indicated on the budget cover page as attached to this Resolution.

Adopted the 15th day of December, 2015.

Moved by: Councilman Richard Sush
Seconded by: Councilman Peter T. Briggs

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 []

description of the boundaries of said proposed district, the improvements proposed, the maximum amount proposed to be expended for said improvements, a statement that all costs for improvements will be provided by the developer, the fact that said map, plan and report were on file in the Town Clerk's Office for public inspection and specifying the 4th day of August, 2015, at 7:30 o'clock P.M., Prevailing Time, at the Town Hall, 4052 Route 42, Monticello, New York, in said Town as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, such order was duly published and posted in the manner and within the time prescribed by Section 209-d of the Town Law, and proof of said publication and posting has been duly presented to said Town Board; and

WHEREAS, said public hearing was duly held at the time and place set forth in said order, as aforesaid, at which all persons desiring to be heard were duly heard; and

WHEREAS, said Town Board has duly considered said map, plan and report and the evidence given at said public hearing;

NOW, THEREFORE, BE IT

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined as follows:

- a) The notice of the aforesaid public hearing was published and posted as required by law and is otherwise sufficient;
- b) All the property and property owners within said proposed district are

benefitted thereby;

- c) All the property and property owners benefitted are included within the limits of said proposed district;
- d) The establishment of said proposed district is in the public interest.
- e) That the requirements of the State Environmental Quality Review Act have been complied with.

Section 2. This resolution shall take effect immediately.

Motion by: Councilman Scott Mace

Seconded by: Councilman Peter T. Briggs

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

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

The resolution was thereupon declared duly adopted.

3A. CREATION OF ADELAAR ROAD IMPROVEMENT DISTRICT – APPROVE A RESOLUTION CREATING THE ADELAAR ROAD IMPROVEMENT SUBJECT TO A PERMISSIVE REFERENDUM

The Following Resolution Was Duly Adopted: Res. No. 408 of the Year 2015.

A RESOLUTION PRELIMINARILY APPROVING CREATION OF THE ADELAAR ROAD IMPROVEMENT DISTRICT IN THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK, AND FURTHER APPROVING THE CONSTRUCTION OF THE IMPROVEMENTS PROPOSED, SUBJECT TO PERMISSIVE REFERENDUM

WHEREAS, the Town of Thompson was granted specific permission to create the

aforesaid Adelaar Road Improvement District through specific home rule legislation that was adopted by both the New York State Senate (S 5381-A) and Assembly (A 7433-A) on June 18, 2015 and signed into law by the Governor of the State of New York on November 20, 2015.

WHEREAS, the Town Board of the Town of Thompson, Sullivan County, New York, has heretofore duly caused a general map, plan and report to be prepared and filed with the Town Board of said Town in relation to the creation of the Adelaar Road Improvement District in said Town; and

WHEREAS, an order was duly adopted by said Town Board on July 7, 2015, reciting a description of the boundaries of the said proposed district, the improvements proposed, the maximum amount proposed to be expended for said improvements, the proposed method of financing to be employed, the fact that said map, plan and report were on file in the Town Clerk's Office for public inspection, and specifying August 4, 2015 at 7:30 o'clock P.M., Prevailing Time, at the Town Hall, 4052 Route 42, Monticello, New York, in said Town, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, such order was duly published and posted in the manner and within the time prescribed by Section 209-d of the Town Law and proof of said publication and posting has been duly presented to said Town Board; and

WHEREAS, said public hearing was duly held at the time and place set forth in said order as aforesaid, at which all persons desiring to be heard were duly heard; and

WHEREAS, following said public hearing and based upon the evidence given thereat, said Town Board duly adopted a resolution determining in the affirmative all of the questions set forth in subdivision 1 of Section 209-e of the Town Law; and

WHEREAS, it is now desired to adopt a further resolution pursuant to subdivision 3 of Section 209-e of the Town Law preliminarily approving the establishment of said district and the construction of the improvements proposed, subject to permissive referendum;

NOW, THEREFORE, BE IT

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

Section 1. Creation of the Adelaar Road Improvement District in the Town of Thompson, Sullivan County, New York, to be bounded and described as hereinafter set forth, is hereby preliminarily approved and authorized, subject to permissive referendum. The Road Improvement District as created will provide a gateway to Adelaar Resort and is predicate for all development at Adelaar Resort and is likewise preliminarily approved and authorized. 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 by the developer, EPR Concord II, LP a/k/a EPT Concord II, LLC.

Section 2. Said District shall be bounded and described as more particularly set forth in Schedule "A" annexed hereto and made a part hereof.²

Section 3. After the adoption of this resolution, the Town Clerk is hereby directed to file certified copies of this resolution, in accordance with and where required by law.

Section 4. This resolution is adopted subject to a permissive referendum.

Motion by: Councilman Scott Mace

Seconded by: Councilman Peter T. Briggs

The question of the adoption of the foregoing resolution was duly put to a vote on roll

² ATTACHMENT: SCHEDULE "A" LISTING & MAP OF TAX PARCELS FOR ADELAAR ROAD IMPROVEMENT DISTRICT.

PUBLIC COMMENT:

There was no public comment.

ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION

- December 17th: Open Bids @ 2PM – Sodium Bi-Carbonate for the Water & Sewer Department.
- January 5th: Annual Organizational & Regular Town Board Meeting @ 7:30 PM.
- January 14th: Open Bids @ 2PM – Town Hall Roof Replacement Project.
- January 14th: Open Bids @ 2PM - Non-Dyed on Road Ultra Low Sulfur Clear Diesel Fuel, #2 Fuel Oil, Unleaded Gasoline, Vehicle & Equipment Replacement Parts, Fiber-Reinforced Bituminous-Membrane Surface Treatment Mat, 1A Low Abrasion Non-Wappinger Crushed Limestone and Used 1999 Dynapac CC522 Roller or Newer.

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

ADJOURNMENT

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

Respectfully Submitted By:



Marilee J. Calhoun, Town Clerk

PETITION FOR THE ANNEXATION OF TERRITORY FROM THE TOWN OF THOMPSON, COUNTY OF SULLIVAN, STATE OF NEW YORK TO THE VILLAGE OF MONTICELLO, COUNTY OF SULLIVAN, STATE OF NEW YORK

TO THE TOWN BOARD OF THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK; TO THE VILLAGE BOARD OF THE VILLAGE OF MONTICELLO, SULLIVAN COUNTY, NEW YORK:

Pursuant to General Municipal Law Article 17, the Petitioner, Route 17B Hotel Development LLC, with an address at 333 Third Avenue, Apartment 12, New York, New York 10010 ("Petitioner"), petitions for annexation of territory from the Town of Thompson, New York ("Town") to the Village of Monticello ("Village").

1. The Petitioner proposes and petitions that the Town Board of the Town permit and allow to be annexed to the Village, the territory having and address of 242 State Route 17B, Monticello, New York and identified on the Town of Thompson Tax Roll as Section 12 Block 1 Lot 53 more particularly described in Exhibit A, attached hereto and made part of this petition ("Territory").

2. The Petitioner proposes and petitions that the Village Board of the Village permit and allow to be annexed into the Village, the Territory.

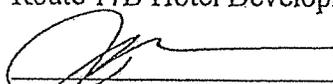
3. The Territory is vacant land. There are no residents or inhabitants within the Territory.

4. The Petitioner herein is the owner of one hundred (100%) percent of the assessed valuation of the real property of the Territory, as assessed upon the last preceding Assessment Roll of the Town.

5. Attached hereto and marked Exhibit B is a certificate signed by the Assessor of the Town responsible for the preparation of the last preceding Assessment Roll of the Town certifying that the Petitioner is the owner of one hundred (100%) percent of the assessed valuation of the real property in the Territory herein proposed to be annexed to the Village and now situated in the Town as shown on the last preceding Assessment Roll of the Town.

IN WITNESS WHEREOF, we have hereunto set our hands and seals and signed the foregoing petition this 14 day of October 2015

Route 17B Hotel Development LLC

By:  Chong Yu, Sole Member
Jacob R. Billig, as attorney

NANCY BUCK
COUNTY TREASURER
Nancy.buck@co.sullivan.ny.us

Tele: 845-807-0200
845-807-0210



KATHLEEN BRAWLEY
DEPUTY TREASURER
Kathleen.brawley@co.sullivan.ny.us

Fax: 845-807-0220

Sullivan County Treasurer
SULLIVAN COUNTY GOVERNMENT CENTER
100 NORTH STREET
PO BOX 5012
MONTICELLO, NY 12701

CERTIFICATE

Based upon our search of the tax rolls located in my office, I hereby certify that all real property taxes from 2006 through the year 2015, levied against certain property (ies) in the TOWN OF THOMPSON have been paid. The parcel(s) involved are identified herein below by their respective tax map number(s), as follows: 12.-1-53

Dated: NOVEMBER 13, 2015

A handwritten signature in black ink that reads "Nancy Buck". The signature is written in a cursive style.

NANCY BUCK, Sullivan County Treasurer

SCHEDULE "A"

SCHEDULE OF TAX PARCELS

ROADWAY BENEFIT DISTRICT TO INCLUDE THE FOLLOWING TAX PARCELS		
CASINO PARCELS	sq. ft.	acres
23-1-48.1	2,968,294	68.14
23-1-52.1	5,113,875	117.40
GOLF PARCELS	sq. ft.	acres
23-1-52.2	1,209,565	27.77
23-1-54.5	32,007	0.73
23-1-53.2	12,748	0.29
15-1-17	241,509	5.54
15-1-18	195,672	4.49
15-1-14.2 (Golf Portion)	4,378,113	100.51
15-1-16	1,726,398	39.63
15-1-13 (Golf Portion)	1,509,243	34.65
15-1-15	1,840,314	42.25
15-1-14.1	157,832	3.62
15-1-50	859,464	19.73
WATER PARK PARCELS	sq. ft.	acres
15-1-19	639,383	14.68
15-1-13 (Water Park Portion)	2,058,389	47.25
15-1-14.2 (Water Park Portion)	4,106,731	94.28
15-1-12.1	1,515,919	34.80
15-1-11.1	2,020,273	46.38
15-1-12.3	92,933	2.13
ENTERTAINMENT VILLAGE PARCELS	sq. ft.	acres
23-1-54.6	942,212	21.63
VACANT BENEFITTED PARCELS	sq. ft.	acres
15-1-22	1,115,574	25.61
15-1-24	70,681	1.62
23-2-1	918,605	21.09
23-2-2	31,893	0.73
23-2-3	32,089	0.74
23-2-4	150,205	3.45
23-2-6	43,489	1.00
23-2-8	2,319,459	50.87
23-1-55-A	772,485	17.73
23-1-55-B	563,708	12.94
23-1-55-C	2,757,201	63.30
23-1-51.2	1,903,419	43.70
31-1-17.1	179,749	4.13
31-1-19.2	642,317	14.75
23-2-31	30,732	0.71
23-2-32	99,366	2.28
23-2-33	104,053	2.39
23-1-50.2	1,610,972	36.98

TOWN OF THOMPSON

Voucher Detail Report

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

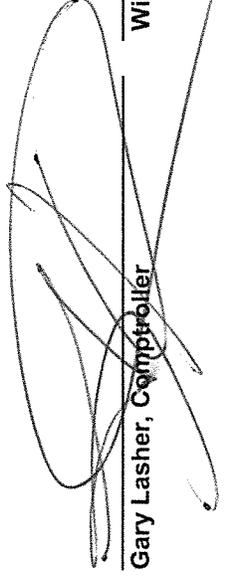
I hereby certify that the vouchers listed on the attached abstracts of prepaid and

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 15th day

of 12 2015 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

Fund	Voucher No.	Sub-Description	Batch Invoice No.	Req. No.	Recur Months	Req. Date Refund Year	Vendor Code		Vendor Name		Fisc Year	Check ID	Check No.	Check Date	Voucher Amt.	Pay Due		Approved Cash Account Disc. Amt.		
							PO No. Taxable	Ref No.	PO Date	Ref No.						Approved By	Period		Contract No.	Wire Transfer
A - GENERAL FUND TOWN WIDE						TOWN		Regular								2,139.98	41,094.80	0.00	0.00	63,960.53
B - GENERAL TOWN OUTSIDE						TOWN		20,725.75	20,811.11							0.00	13,202.38	0.00	0.00	34,013.49
DA - HWY#3 / 4 - TOWN WIDE						TOWN		22,434.96	22,434.96							0.00	44,609.99	0.00	0.00	67,044.95
DB - HWY#1 - TOWN OUTSIDE						TOWN		58,088.88	58,088.88							0.00	0.00	0.00	0.00	58,088.88
H - CAPITAL PROJECTS						TOWN		253,612.91	253,612.91							0.00	0.00	0.00	0.00	253,612.91
SHW - HARRIS WOODS SEWER						TOWN		524.87	524.87							0.00	273.48	0.00	0.00	798.35
SL1 - ROCK HILL LIGHTING						TOWN		682.37	682.37							0.00	0.00	0.00	0.00	682.37
SL10 - EMERALD CORP. PARK L/D#10						TOWN		338.72	338.72							0.00	0.00	0.00	0.00	338.72
SL2 - LUCKY LAKE LIGHTING						TOWN		196.18	196.18							0.00	0.00	0.00	0.00	196.18
SL3 - LAKE LOUISE MARIE						TOWN		521.54	521.54							0.00	0.00	0.00	0.00	521.54
SL4 - PATIO HOMES LIGHTING						TOWN		1,084.61	1,084.61							0.00	0.00	0.00	0.00	1,084.61
SL5 - KIAMESHA SHORES LIGHTING						TOWN		162.44	162.44							0.00	0.00	0.00	0.00	162.44
SL6 - EMERALD GREEN LIGHTING						TOWN		5,069.77	5,069.77							0.00	0.00	0.00	0.00	5,069.77
SL7 - TREASURE LAKE LIGHTING						TOWN		30.73	30.73							0.00	0.00	0.00	0.00	30.73
SL8 - CONGERO ROAD LIGHTING						TOWN		96.73	96.73							0.00	0.00	0.00	0.00	96.73
SL9 - YESHIVA/KIAM. LIGHTING DISTRICT						TOWN		727.40	727.40							0.00	0.00	0.00	0.00	727.40
SSA - ANAWANA SEWER DISTRICT						TOWN		524.87	524.87							1,295.78	0.00	0.00	0.00	1,820.65
SSC - COLD SPRING SEWER						TOWN		340.00	340.00							0.00	0.00	0.00	0.00	340.00
SSD - DILLON SEWER DISTRICT						TOWN		273.32	273.32							72.15	0.00	0.00	0.00	345.47
SSG - EMERALD GREEN SEWER						TOWN		29,819.42	29,819.42							9,497.34	0.00	0.00	0.00	39,316.76
SSH - HARRIS SEWER DISTRICT						TOWN		7,790.37	7,790.37							3,133.65	0.00	0.00	0.00	10,924.02
SSK - KIAMESHA SEWER DISTRICT						TOWN		25,906.46	25,906.46							14,727.62	0.00	0.00	0.00	40,634.08
SSM - MELODY LAKE SEWER DISTRICT						TOWN		2,956.50	2,956.50							676.14	0.00	0.00	0.00	3,632.64
SSR - ROCK HILL SEWER DISTRICT						TOWN		524.87	524.87							287.78	0.00	0.00	0.00	812.65
SSS - SACKETT LAKE SEWER DISTRICT						TOWN		10,743.99	10,743.99							4,120.29	0.00	0.00	0.00	14,864.28
SWC - COLD SPRING WATER						TOWN		372.01	372.01							72.15	0.00	0.00	0.00	444.16
SWD - DILLON WATER DISTRICT						TOWN		150.39	150.39							72.15	0.00	0.00	0.00	222.54
SWL - LUCKY LAKE WATER DISTRICT						TOWN		282.85	282.85							72.24	0.00	0.00	0.00	355.09
SWM - MELODY LAKE WATER						TOWN		188.26	188.26							0.00	0.00	0.00	0.00	188.26
T - TRUST & AGENCY FUND						TOWN		579.92	579.92							12,235.06	47,470.67	0.00	0.00	60,285.65

TOWN OF THOMPSON

Voucher Detail Report

Voucher No.	Stub- Description	Vendor Code	Vendor Name	Fisc Year	Check ID	Voucher Amt.	Check No.	Check Date	Pay Due	Approved
Invoice Date	Batch Invoice No.	PO No.	PO Date	Period	Contract No.	Check No.	Check No.	Disc. %	Non Disc.	Cash Account
Req. No.	Req. Date	Taxable	Ref No	Approved By	Wire Transfer	Outstanding	Disc. %	Disc. Amt.		
Recur Months	Refund Year									
			Regular	Prepaid	Wire Transfer	Outstanding			Paid	Total
		465,562.20	465,562.20	145,443.00	49,610.65	0.00			0.00	660,615.85
Grand Totals										
Grand Total Regular, Prepaid, Wire Transfer and Direct Pay										
										660,615.85

----- Direct Pay -----