

**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 **April 05, 2016**.

**ROLL CALL:**

**Present:** Supervisor William J. Rieber, Jr., Presiding  
Councilman John A. Pavese  
Councilman Peter T. Briggs  
Councilman Scott S. Mace

**APPROVED**

**Absent:** Councilman Richard Sush

**Also Present:** Marilee J. Calhoun, Town Clerk  
Michael B. Mednick, Attorney for the Town  
James Carnell, Jr., Building, Planning & Zoning Director  
Michael Messenger, Deputy Water & Sewer Superintendent

**PUBLIC HEARINGS: CREATION OF SPECIAL DISTRICTS FOR CREATION OF ADELAAR RESORT – LIGHTING, DRAINAGE, WATER, SEWER & ROAD IMPROVEMENT DISTRICTS**

**LIGHTING DISTRICT**

Supervisor Rieber opened the Public Hearing for the Lighting District 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 March 18, 2016 with same being posted at the Town Hall on March 17, 2016.

Supervisor Rieber asked if the Board had any comments. There were no comments made by the Board.

Supervisor Rieber asked if anyone from the public would like to be heard on this matter. The following public comments were made:

Paul Walsh of Rock Hill said to move forward with the creation.

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 7:39 PM was made by Councilman Briggs and seconded by Councilman Mace.

**DRAINAGE DISTRICT**

Supervisor Rieber opened the Public Hearing for the Drainage District at 7:40 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 March 18, 2016 with same being posted at the Town Hall on March 17, 2016.

Supervisor Rieber asked if the Board had any comments. There were no comments made by the Board.

Supervisor Rieber asked if anyone from the public would like to be heard on this matter. There were no public comments made.

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 7:44 PM was made by Councilman Mace and seconded by Councilman Briggs.

### **WATER DISTRICT**

Supervisor Rieber opened the Public Hearing for the Water District at 7:45 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 March 18, 2016 with same being posted at the Town Hall on March 17, 2016.

Supervisor Rieber asked if the Board had any comments. There were no comments made by the Board.

Supervisor Rieber asked if anyone from the public would like to be heard on this matter. The following public comments were made:

Roger Betters of Monticello asked if the Village of Monticello would be supplying the water to the District and if so, would it be coming from Kiamesha Lake?

Supervisor Rieber replied that yes a portion of the water supply would be coming from the Village of Monticello and yes Kiamesha Lake would be one of the sources.

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 7:50 PM was made by Councilman Pavese and seconded by Councilman Briggs.

### **SEWER DISTRICT**

Supervisor Rieber opened the Public Hearing for the Sewer District at 7:51 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 March 18, 2016 with same being posted at the Town Hall on March 17, 2016.

Supervisor Rieber asked if the Board had any comments. There were no comments made by the Board.

Supervisor Rieber asked if anyone from the public would like to be heard on this matter. The following public comments were made:

Paul Walsh of Rock Hill asked if upgrades/improvement to the current plant were necessary.

Supervisor Rieber said that there are necessary upgrades/improvements before sewer service can be provided. He also stated that all expenses incurred are being paid for by the developer and not the taxpayers.

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 7:55 PM was made by Councilman Pavese and seconded by Councilman Briggs.

#### **ROAD IMPROVEMENT DISTRICT**

Supervisor Rieber opened the Public Hearing for the Creation of the Special Adelaar Road Improvement District at 7:56 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 March 18, 2016 with same being posted at the Town Hall on March 17, 2016.

Supervisor Rieber asked if the Board had any comments. There were no comments made by the Board.

Supervisor Rieber asked if anyone from the public would like to be heard on this matter. The following public comments were made:

Paul Walsh of Rock Hill asked if there would be any Road Abandonments as a result of the Creation of this District. He also asked if the Main Road servicing the Montreign Resort Casino Project would become a Town Road.

Supervisor Rieber replied to Mr. Walsh's comments advising that none of the Roadways would be abandoned, all of the Roadway would be Town Roads, which would be serviced by the Town as part of the District and the costs for the necessary improvements and maintenance by the Town would be paid for by the District.

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 7:59 PM was made by Councilman Briggs and seconded by Councilman Pavese.

**REGULAR MEETING – CALL TO ORDER**

Supervisor Rieber opened the meeting at 8:00 PM with the Pledge to the Flag. He welcomed the Participation in Government students to the meeting.

**SPECIAL PRESENTATION BY SULLIVAN DIAGNOSTIC TREATMENT CENTER – JOB OPPORTUNITIES**

Shawn Wallcarty, Director of Human Resources provided a presentation and contact information regarding job creation and opportunities with Sullivan Diagnostic Treatment Center. Also present were his colleagues Lee and Kevin who are on the new recruiting team for the Center. There were questions accepted by the Town Board and public, which were answered. Further Information for the community was provided to Supervisor Rieber to be posted on the Town’s website.

**APPROVAL OF MINUTES:**

On a motion made by Councilman Pavese and seconded by Councilman Mace the minutes of the March 15, 2016 Regular Town Board Meeting were approved with two corrections as follows:

**Page 32: Councilman & Department Head Reports – Under Councilman Briggs report, Miriam Moore should read Myriam Loor.**

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

**PUBLIC COMMENT:**

There was no public comment given.

**CORRESPONDENCE:**

1. News Release dated 03/23/2016: from Sullivan County DPW: Annual Litter Pluck Event – Saturday, April 23<sup>rd</sup> – May 1<sup>st</sup>, 2016. Bags will be available in the Town Clerks Office after April 15<sup>th</sup>, 2016.
2. Letter dated 03/22/2016: from Town Clerk Calhoun to Mr. Edward McAndrew, PE, Commissioner, Sullivan County DPW: Adopt-a-Road Program – Rose Valley Road, Monticello
3. E-mail dated 03/18/2016: from Toby Boritz, RHNC: Comments to Planning Board Regarding Thompson Education Center
4. Application received 03/14/2016: NYS Liquor Authority: New License Application – Marina Maven, LLC (Starlight Marina), 475 Starlight Road, Monticello
5. Letter dated 03/12/2016: from Bonnie Makofsky & Les Witherel: Concerns Regarding the Proposed Gan Eden Development Project
6. Letter dated 03/18/2016: from Paula E. Kay, Esq., Deputy Town Attorney: Proposed Cancellation of Nextel Bond – 386 Wolf Lake Road, Rock Hill Tower Location. The proposed cancellation request has been denied.

7. Letter dated 03/14/2016: from Lebaum Company, Inc.: Governmental Insurance Disclosure Statement filed with NYS Dept. of Financial Services
8. Check #2693 Dated 03/18/2016: from County of Sullivan - \$32,938.44 (1<sup>st</sup> Quarter Mortgage Tax)
9. Letter dated 04/04/2016 from Town Clerk Calhoun to Jon Wells, President of the Monticello Fire Department regarding 2016 Election Schedule & Use of Facility – Designated Election Districts 5, 7, & 8 along with Certificate of Insurance.
10. Letter dated 04/04/2016 from Town Clerk Calhoun to David Sager, Manager of the Village of Monticello regarding 2016 Election Schedule & Use of Facility – Designated Election Districts 6, 9, & 10 along with Certificate of Insurance.
11. Letter dated 04/04/2016 from Town Clerk Calhoun to Chester Smith, House Committee Chairman of the Rock Hill Fire Department regarding 2016 Election Schedule & Use of Facility – Designated Election Districts 1 & 2 along with Certificate of Insurance.

**AGENDA ITEMS:**

**1. ACTION – MAKING CERTAIN DETERMINATIONS & FINAL ORDER CREATION OF ADELAAR RESORT LIGHTING DISTRICT**

**The Following Resolution Was Duly Adopted: Res. No. 142 of the Year 2016.**

A RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO PROPOSED CREATION OF THE ADELAAR RESORT LIGHTING DISTRICT, IN THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK.

WHEREAS, a Petition for the Creation of the Adelaar Resort Lighting District, properly signed and acknowledged by the property owner as required by Town Law §193 which was otherwise sufficient, was filed with the Thompson Town Clerk on March 14, 2016; and

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 in the office of the Town Clerk of said Town in relation to the proposed creation of the Adelaar Resort Lighting District in said Town; and

WHEREAS, an order was duly adopted by said Town Board on March 15, 2016, reciting a 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 Sullivan County Local Development Corporation, the fact

that said map, plan and report were on file in the Town Clerk's Office for public inspection and specifying the 5th day of April, 2016, 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 193 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; and

WHEREAS, said Town Board, by Resolution adopted May 5, 2015, determined in accordance with the New York State Environmental Quality Review Act and the regulations of the Department of Environmental Conservation promulgated thereunder (collectively "SEQRA") that the creation of the Adelaar Resort Lighting District would not have a significant effect on the environment and adopted a Negative Declaration within the meaning of SEQRA to such effect, and there have been no changes that would alter that determination since.

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:

1. The Petition for Creation of the Adelaar Resort Lighting District was signed and acknowledged by the property owner as required by law and is otherwise sufficient.
2. The notice of the aforesaid public hearing was published and posted as required by law and is otherwise sufficient;
3. All the property and property owners within said proposed district are benefitted thereby;
4. All the property and property owners benefitted are included within the limits of said proposed district;
5. It is in the public interest to grant in whole the relief sought, that being the establishment of said proposed district.

**Section 2.** This resolution shall take effect immediately.

Motion by: Councilman Peter T. Briggs

Seconded by: Councilman Scott S. Mace

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	Absent
Scott S. Mace, Councilman	VOTING	Aye
John A. Pavese, Councilman	VOTING	Aye

The resolution was thereupon declared duly adopted.

**The Following Resolution Was Duly Adopted: Res. No. 143 of the Year 2016.**

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In the Matter of the Creation of  
ADELAAR RESORT LIGHTING DISTRICT  
in the Town of Thompson, County of  
Sullivan, State of New York.

**FINAL ORDER CREATING  
ADELAAR RESORT LIGHTING  
DISTRICT**

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WHEREAS, a Petition for Creation of the Adelaar Resort Lighting District, properly signed and acknowledged by the property owner as required by Town Law §193 which was otherwise sufficient, was filed with the Thompson Town Clerk on March 14, 2016; and

WHEREAS, a resolution having been duly adopted by the Town Board of the Town of Thompson directing Town Engineers, McGoey, Hauser and Edsall Consulting Engineers, P.C., to supervise the preparation of a map, plan and report relating to the creation of the Adelaar Resort Lighting District in the Town of Thompson, and said map, plan and report were duly filed in the office of the Town Clerk; and

WHEREAS, an order having been duly adopted by the said Town Board on March 15, 2016, reciting a description of the boundaries of the 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 Sullivan County Local Development Corporation, the fact that a map, plan and report were on file in the Town Clerk's Office for public inspection, and specifying the 5th day of April, 2016, 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 proposal to create the said lighting district and after due publication and posting of said order according to law, said hearing was duly held by said Board

at such time and place, and the Town Board having considered said proposal and heard all persons interested in the same, and did on April 5, 2016 resolve and determine that the petition provided by the property owner was properly signed and acknowledged as required by law, that all the property and property owners within the created district would be benefitted thereby, that all property and property owners benefitted were included within the limits of the created district, and that it was in the public interest to grant and hold the relief sought.

**NOW, THEREFORE, IT IS HEREBY**

**ORDERED**, that the establishment of the Adelaar Resort Lighting District, in the Town of Thompson, Sullivan County, New York, be, and the same hereby is, approved, and such district is hereby created, to be bounded and described as more particularly set forth in Schedule “A” annexed hereto and made a part hereof;<sup>1</sup> and it is further

**ORDERED**, that the Town Board, acting for and on behalf of the said Adelaar Resort Lighting District (the “District”), as created be, and it hereby is, authorized to contract with the Sullivan County Local Development Corporation (the “SCLDC”) for the provision of all improvements in said District as may be required for the proposed operation thereof, provided that: (i) The SCLDC will undertake or cause to be undertaken the acquisition, construction and installation of all of said improvements, the acquisition of all properties or rights therein, necessary or appropriate in connection therewith, and all related ancillary and incidental improvements; that the SCLDC shall be and will remain the owner thereof; and that the entire amount to be expended for such improvements, including but not limited to costs of construction, engineering, administrative, legal and other fees and expenses, shall be borne solely and entirely by the SCLDC; and (ii) upon said improvements having been completed and placed into service,

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<sup>1</sup> ATTACHMENT: SCHEDULE “A” LISTING OF TAX PARCELS FOR ADELAAR RESORT LIGHTING DISTRICT.

the SCLDC shall make them available to the District for its use and operation, with the District thereafter being solely responsible for the operation and maintenance thereof at its own cost and expense, and the payment of an annual service fee due and payable to SCLDC with respect to the improvements within the District owned by SCLDC; and it is further

**ORDERED**, that the Town Clerk of the Town of Thompson be, and she hereby is, authorized and directed to cause a certified copy of this order to be duly recorded in the office of the Clerk of Sullivan County, in which the Town of Thompson is located, within ten (10) days after adoption of this order; and it is further

**ORDERED**, that the Town Clerk be, and she hereby is, authorized and directed to file a certified copy of this order in the office of the Department of Audit and Control, Albany, New York, within ten (10) days after the adoption hereof, if so required.

Motion by: Councilman Scott S. Mace

Seconded by: Councilman Peter T. Briggs

Dated: Monticello, New York  
April 05, 2016

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

**2. ACTION – MAKING CERTAIN DETERMINATIONS & FINAL ORDER CREATION OF ADELAAR RESORT DRAINAGE DISTRICT**

**The Following Resolution Was Duly Adopted: Res. No. 144 of the Year 2016.**

A RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO PROPOSED CREATION OF THE ADELAAR RESORT DRAINAGE DISTRICT, IN THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK.

WHEREAS, a Petition for the Creation of the Adelaar Resort Drainage District, properly signed and acknowledged by the property owner as required by Town Law §193 which was otherwise sufficient, was filed with the Thompson Town Clerk on March 14, 2016; and

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 in the office of the Town Clerk of said Town in relation to the proposed creation of the Adelaar Resort Drainage District in said Town; and

WHEREAS, an order was duly adopted by said Town Board on March 15, 2016, reciting a 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 Sullivan County Local Development Corporation, the fact that said map, plan and report were on file in the Town Clerk's Office for public inspection and specifying the 5th day of April, 2016, 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 193 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; and

WHEREAS, said Town Board, by Resolution adopted May 5, 2015, determined in accordance with the New York State Environmental Quality Review Act and the regulations of the Department of Environmental Conservation promulgated thereunder (collectively "SEQRA") that the creation of the Adelaar Resort Drainage District would not have a significant effect on the environment and adopted a Negative Declaration within the meaning of SEQRA to such effect, and there have been no changes that would alter that determination since.

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:

6. The Petition for Creation of the Adelaar Resort Drainage District was signed and acknowledged by the property owner as required by law and is otherwise sufficient.
7. The notice of the aforesaid public hearing was published and posted as required by law and is otherwise sufficient;
8. All the property and property owners within said proposed district are benefitted thereby;
9. All the property and property owners benefitted are included within the limits of said proposed district;
10. It is in the public interest to grant in whole the relief sought, that being the establishment of said proposed District.

**Section 2.** This resolution shall take effect immediately.

Motion by: Councilman Scott S. 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	Absent
Scott S. Mace, Councilman	VOTING	Aye
John A. Pavese, Councilman	VOTING	Aye

The resolution was thereupon declared duly adopted.

**The Following Resolution Was Duly Adopted: Res. No. 145 of the Year 2016.**

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In the Matter of the Creation of  
ADELAAR RESORT DRAINAGE DISTRICT  
in the Town of Thompson, County of  
Sullivan, State of New York.

**FINAL ORDER CREATING  
ADELAAR RESORT DRAINAGE  
DISTRICT**

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WHEREAS, a Petition for Creation of the Adelaar Resort Drainage District, properly signed and acknowledged by the property owner as required by Town Law §193 which was otherwise sufficient, was filed with the Thompson Town Clerk on March 14, 2016; and

WHEREAS, a resolution having been duly adopted by the Town Board of the Town of Thompson directing Town Engineers, McGoey, Hauser and Edsall Consulting Engineers, P.C., to supervise the preparation of a map, plan and report relating to the creation of the Adelaar Resort Drainage District in the Town of Thompson, and said map, plan and report were duly filed in the office of the Town Clerk; and

WHEREAS, an order having been duly adopted by the said Town Board on March 15, 2016, reciting a description of the boundaries of the 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 Sullivan County Local Development Corporation, the fact that a map, plan and report were on file in the Town Clerk's Office for public inspection, and specifying the 5th day of April, 2016, 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 proposal to create the said drainage district and after due publication and posting of said order according to law, said hearing was duly held by said Board at such time and place, and the Town Board having considered said proposal and heard all persons interested in the same, and did on April 5, 2016 resolve and determine that the petition provided by the property owner was properly signed and acknowledged as required by law, that all the property and property owners within the created district would be benefitted thereby, that all property and property owners benefitted were included within the limits of the created district, and that it was in the public interest to grant and hold the relief sought.

**NOW, THEREFORE, IT IS HEREBY**

**ORDERED**, that the establishment of the Adelaar Resort Drainage District, in the Town of Thompson, Sullivan County, New York, be, and the same hereby is, approved, and such District is hereby created, to be bounded and described as more particularly set forth in Schedule "A" annexed hereto and made a part hereof;<sup>2</sup> and it is further

**ORDERED**, that the Town Board, acting for and on behalf of the said Adelaar Resort

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<sup>2</sup> ATTACHMENT: SCHEDULE "A" LISTING OF TAX PARCELS FOR ADELAAR RESORT DRAINAGE DISTRICT.

Drainage District (the “District”), as created be, and it hereby is, authorized to contract with the Sullivan County Local Development Corporation (the “SCLDC”) for the provision of all improvements in said District as may be required for the proposed operation thereof, provided that: (i) The SCLDC will undertake or cause to be undertaken the acquisition, construction and installation of all of said improvements, the acquisition of all properties or rights therein, necessary or appropriate in connection therewith, and all related ancillary and incidental improvements; that the SCLDC shall be and will remain the owner thereof; and that the entire amount to be expended for such improvements, including but not limited to costs of construction, engineering, administrative, legal and other fees and expenses, shall be borne solely and entirely by the SCLDC; and (ii) upon said improvements having been completed and placed into service, the SCLDC shall make them available to the District for its use and operation, with the District thereafter being solely responsible for the operation and maintenance thereof at its own cost and expense, and the payment of an annual service fee due and payable to SCLDC with respect to the improvements within the District owned by SCLDC; and it is further

**ORDERED**, that the Town Clerk of the Town of Thompson be, and she hereby is, authorized and directed to cause a certified copy of this order to be duly recorded in the office of the Clerk of Sullivan County, in which the Town of Thompson is located, within ten (10) days after adoption of this order; and it is further

**ORDERED**, that the Town Clerk be, and she hereby is, authorized and directed to file a certified copy of this order in the office of the Department of Audit and Control, Albany, New York, within ten (10) days after the adoption hereof, if so required.

Motion by: Councilman Scott S. Mace

Seconded by: Councilman Peter T. Briggs

Dated: Monticello, New York  
April 05, 2016

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

**3. ACTION – MAKING CERTAIN DETERMINATIONS & FINAL ORDER CREATION OF ADELAAR RESORT WATER DISTRICT**

**The Following Resolution Was Duly Adopted: Res. No. 146 of the Year 2016.**

A RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO PROPOSED CREATION OF THE ADELAAR RESORT WATER DISTRICT, IN THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK.

WHEREAS, a Petition for Creation of the Adelaar Resort Water District, properly signed and acknowledged by the property owner as required by Town Law §193 which was otherwise sufficient, was filed with the Thompson Town Clerk on March 14, 2016; and

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 in the office of the Town Clerk of said Town in relation to the proposed creation of the Adelaar Resort Water District in said Town; and

WHEREAS, an order was duly adopted by said Town Board on March 15, 2016, reciting a 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 Sullivan County Local Development Corporation, the fact that said map, plan and report were on file in the Town Clerk's Office for public inspection and specifying the 5th day of April, 2016, 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 193 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; and

WHEREAS, said Town Board, by Resolution adopted May 5, 2015, determined in accordance with the New York State Environmental Quality Review Act and the regulations of the Department of Environmental Conservation promulgated thereunder (collectively "SEQRA") that the creation of the Adelaar Resort Water District would not have a significant effect on the environment and adopted a Negative Declaration within the meaning of SEQRA to such effect, and there have been no changes that would alter that determination since.

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:

11. The Petition for Creation of the Adelaar Resort Water District was signed and acknowledged by the property owner as required by law and is otherwise

sufficient;

- 12. The notice of the aforesaid public hearing was published and posted as required by law and is otherwise sufficient;
- 13. All the property and property owners within said proposed district are benefitted thereby;
- 14. All the property and property owners benefitted are included within the limits of said proposed district;
- 15. It is in the public interest to grant in whole the relief sought, that being the establishment of said proposed district.

**Section 2.** This resolution shall take effect immediately.

Motion by: Councilman Peter T. Briggs

Seconded by: Councilman Scott S. Mace

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	Absent
Scott S. Mace, Councilman	VOTING	Aye
John A. Pavese, Councilman	VOTING	Aye

The resolution was thereupon declared duly adopted.

**The Following Resolution Was Duly Adopted: Res. No. 147 of the Year 2016.**

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In the Matter of the Creation of  
ADELAAR RESORT WATER DISTRICT

**FINAL ORDER CREATING**

in the Town of Thompson, County of  
Sullivan, State of New York.

**ADELAAR RESORT WATER  
DISTRICT**

-----X

WHEREAS, a Petition for Creation of the Adelaar Resort Water District, properly signed and acknowledged by the property owner as required by Town Law §193 which was otherwise sufficient, was filed with the Thompson Town Clerk on March 14, 2016; and

WHEREAS, a resolution having been duly adopted by the Town Board of the Town of Thompson directing Town Engineers, McGoey, Hauser and Edsall Consulting Engineers, P.C., to supervise the preparation of a map, plan and report relating to the creation of the Adelaar Resort Water District in the Town of Thompson, and said map, plan and report were duly filed in the office of the Town Clerk; and

WHEREAS, an Order having been duly adopted by the said Town Board on March 15, 2016, reciting a description of the boundaries of the 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 Sullivan County Local Development Corporation, the fact that a map, plan and report were on file in the Town Clerk's Office for public inspection, and specifying the 5th day of April, 2016, 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 proposal to create the said water district and after due publication and posting of said order according to law, said hearing was duly held by said Board at such time and place, and the Town Board having considered said proposal and heard all persons interested in the same, and did on April 5, 2016 resolve and determine that the petition provided by the property owner was properly signed and acknowledged as required by law, that

all the property and property owners within the created district would be benefitted thereby, that all property and property owners benefitted were included within the limits of the created district, and that it was in the public interest to grant and hold the relief sought.

**NOW, THEREFORE, IT IS HEREBY**

**ORDERED**, that the establishment of the Adelaar Resort Water District, in the Town of Thompson, Sullivan County, New York, be, and the same hereby is, approved, and such District is hereby created, to be bounded and described as more particularly set forth in Schedule “A” annexed hereto and made a part hereof;<sup>3</sup> and it is further

**ORDERED**, that the Town Board, acting for and on behalf of the said Adelaar Resort Water District (the “District”), as created be, and it hereby is, authorized to contract with the Sullivan County Local Development Corporation (the “SCLDC”) for the provision of all improvements in said District as may be required for the proposed operation thereof, provided that: (i) the SCLDC will undertake or cause to be undertaken the acquisition, construction and installation of all of said improvements, the acquisition of all properties or rights therein, necessary or appropriate in connection therewith, and all related ancillary and incidental improvements; that the SCLDC shall be and will remain the owner thereof; and that the entire amount to be expended for such improvements, including but not limited to costs of construction, engineering, administrative, legal and other fees and expenses, shall be borne solely and entirely by the SCLDC; and (ii) upon said improvements having been completed and placed into service, the SCLDC shall make them available to the District for its use and operation, with the District thereafter being solely responsible for the operation and maintenance thereof at its own cost and expense, and the payment of an annual service fee due and payable to SCLDC with respect to the

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<sup>3</sup> ATTACHMENT: SCHEDULE “A” LEGAL DESCRIPTION OF SANITARY AND WATER DISTRICT.

improvements within the District owned by SCLDC; and it is further

**ORDERED**, that the Town Clerk of the Town of Thompson be, and she hereby is, authorized and directed to cause a certified copy of this order to be duly recorded in the office of the Clerk of Sullivan County, in which the Town of Thompson is located, within ten (10) days after adoption of this order; and it is further

**ORDERED**, that the Town Clerk be, and she hereby is, authorized and directed to file a certified copy of this order in the office of the Department of Audit and Control, Albany, New York, within ten (10) days after the adoption hereof, if so required.

Motion by: Councilman Scott S. Mace

Seconded by: Councilman Peter T. Briggs

Dated: Monticello, New York  
April 05, 2016

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

**4. ACTION – MAKING CERTAIN DETERMINATIONS & FINAL ORDER CREATION OF ADELAAR RESORT SEWER DISTRICT**

**The Following Resolution Was Duly Adopted: Res. No. 148 of the Year 2016.**

A RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO PROPOSED CREATION OF THE ADELAAR RESORT SEWER DISTRICT, IN THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK.

WHEREAS, a Petition for the Creation of the Adelaar Resort Sewer District, properly signed and acknowledged by the property owner as required by Town Law §193 which was otherwise sufficient, was filed with the Thompson Town Clerk on March 14, 2016; and

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 in the office of the Town Clerk of said Town in relation to the proposed creation of the Adelaar Resort Sewer District in said Town; and

WHEREAS, an order was duly adopted by said Town Board on March 15, 2016, reciting a 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 Sullivan County Local Development Corporation, the fact that said map, plan and report were on file in the Town Clerk's Office for public inspection and specifying the 5th day of April, 2016, 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 193 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; and

WHEREAS, said Town Board, by Resolution adopted May 5, 2015, determined in accordance with the New York State Environmental Quality Review Act and the regulations of the Department of Environmental Conservation promulgated thereunder (collectively "SEQRA")

that the creation of the Adelaar Resort Sewer District would not have a significant effect on the environment and adopted a Negative Declaration within the meaning of SEQRA to such effect, and there have been no changes that would alter that determination since.

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:

16. The Petition for Creation of the Adelaar Resort Sewer District was signed and acknowledged by the property owner as required by law and is otherwise sufficient;
17. The notice of the aforesaid public hearing was published and posted as required by law and is otherwise sufficient;
18. All the property and property owners within said proposed district are benefitted thereby;
19. All the property and property owners benefitted are included within the limits of said proposed district;
20. It is in the public interest to grant in whole the relief sought, that being the establishment of said proposed district.

**Section 2.** This resolution shall take effect immediately.

Motion by: Councilman Scott S. 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	Absent
Scott S. Mace, Councilman	VOTING	Aye
John A. Pavese, Councilman	VOTING	Aye

The resolution was thereupon declared duly adopted.

**The Following Resolution Was Duly Adopted: Res. No. 149 of the Year 2016.**

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In the Matter of the Creation of  
ADELAAR RESORT SEWER DISTRICT  
in the Town of Thompson, County of  
Sullivan, State of New York.

**FINAL ORDER CREATING  
ADELAAR RESORT SEWER  
DISTRICT**

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WHEREAS, a Petition for Creation of the Adelaar Resort Sewer District, properly signed and acknowledged by the property owner as required by Town Law §193 which was otherwise sufficient, was filed with the Thompson Town Clerk on March 14, 2016; and

WHEREAS, a resolution having been duly adopted by the Town Board of the Town of Thompson directing Town Engineers, McGoey, Hauser and Edsall Consulting Engineers, P.C., to supervise the preparation of a map, plan and report relating to the creation of the Adelaar Resort Sewer District in the Town of Thompson, and said map, plan and report were duly filed in the office of the Town Clerk, and

WHEREAS, an order having been duly adopted by the said Town Board on March 15, 2016, reciting a description of the boundaries of the 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 Sullivan County Local Development Corporation, the fact that a map, plan and report were on file in the Town Clerk's Office for public inspection, and specifying the 5th day of April, 2016, 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 proposal to create the said sewer district and after due publication and posting of said order according to law, said hearing was duly held by said Board at such time and place, and the Town Board having considered said proposal and heard all persons interested in the same, and did on April 5, 2016 resolve and determine that the petition provided by the property owner was properly signed and acknowledged as required by law, that all the property and property owners within the created district would be benefitted thereby, that all property and property owners benefitted were included within the limits of the created district, and that it was in the public interest to grant and hold the relief sought.

**NOW, THEREFORE, IT IS HEREBY**

**ORDERED**, that the establishment of the Adelaar Resort Sewer District, in the Town of Thompson, Sullivan County, New York, be, and the same hereby is approved, and such district is hereby created, to be bounded and described as more particularly set forth in Schedule "A" annexed hereto and made a part hereof;<sup>4</sup> and it is further

**ORDERED**, that the Town Board, acting for and on behalf of the said Adelaar Resort Sewer District (the "District"), as created be, and it hereby is, authorized to contract with the Sullivan County Local Development Corporation (the "SCLDC") for the provision of all improvements in said District as may be required for the proposed operation thereof, provided

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<sup>4</sup> ATTACHMENT: SCHEDULE "A" LEGAL DESCRIPTION OF SANITARY AND WATER DISTRICT.

that: (i) The SCLDC will undertake or cause to be undertaken the acquisition, construction and installation of all of said improvements, the acquisition of all properties or rights therein, necessary or appropriate in connection therewith, and all related ancillary and incidental improvements; that the SCLDC shall be and will remain the owner thereof; and that the entire amount to be expended for such improvements, including but not limited to costs of construction, engineering, administrative, legal and other fees and expenses, shall be borne solely and entirely by the SCLDC; and (ii) upon said improvements having been completed and placed into service, the SCLDC shall make them available to the District for its use and operation, with the District thereafter being solely responsible for the operation and maintenance thereof at its own cost and expense, and the payment of an annual service fee due and payable to SCLDC with respect to the improvements within the District owned by SCLDC; and it is further

**ORDERED**, that the Town Clerk of the Town of Thompson be, and she hereby is, authorized and directed to cause a certified copy of this order to be duly recorded in the office of the Clerk of Sullivan County, in which the Town of Thompson is located, within ten (10) days after adoption of this order; and it is further

**ORDERED**, that the Town Clerk be, and she hereby is, authorized and directed to file a certified copy of this order in the office of the Department of Audit and Control, Albany, New York, within ten (10) days after the adoption hereof, if so required.

Motion by: Councilman Scott S. Mace

Seconded by: Councilman Peter T. Briggs

Dated: Monticello, New York  
April 05, 2016

William J. Rieber, Jr., Supervisor	VOTING	Aye
Peter T. Briggs, Councilman	VOTING	Aye

Richard Sush, Councilman	VOTING	Absent
Scott S. Mace, Councilman	VOTING	Aye
John A. Pavese, Councilman	VOTING	Aye

**5. ACTION – MAKING CERTAIN DETERMINATIONS & FINAL ORDER CREATION OF ADELAAR ROAD IMPROVEMENT DISTRICT**

**The Following Resolution Was Duly Adopted: Res. No. 150 of the Year 2016.**

A RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO PROPOSED CREATION OF THE ADELAAR ROAD IMPROVEMENT DISTRICT, IN THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK.

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 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, a Petition for the Creation of the Adelaar Road Improvement District, properly signed and acknowledged by the property owner as required by Town Law §193 which was otherwise sufficient, was filed with the Thompson Town Clerk on March 14, 2016; and

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 in the office of the Town Clerk of said Town in relation to the proposed creation of the Adelaar Road Improvement District in said Town; and

WHEREAS, an order was duly adopted by said Town Board on March 15, 2016, reciting a 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 Sullivan County Local Development Corporation, the fact that said map, plan and report were on file in the Town Clerk’s Office for public inspection and

specifying the 5th day of April, 2016, 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 193 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; and

WHEREAS, said Town Board, by Resolution adopted May 5, 2015, determined in accordance with the New York State Environmental Quality Review Act and the regulations of the Department of Environmental Conservation promulgated thereunder (collectively "SEQRA") that the creation of the Adelaar Road Improvement District would not have a significant effect on the environment and adopted a Negative Declaration within the meaning of SEQRA to such effect, and there have been no changes that would alter that determination since.

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:

21. The Petition for Creation of the Adelaar Road Improvement District was signed

and acknowledged by the property owner as required by law and is otherwise sufficient;

- 22. The notice of the aforesaid public hearing was published and posted as required by law and is otherwise sufficient;
- 23. All the property and property owners within said proposed district are benefitted thereby;
- 24. All the property and property owners benefitted are included within the limits of said proposed district;
- 25. It is in the public interest to grant in whole the relief sought, that being the establishment of said proposed district.

**Section 2.** This resolution shall take effect immediately.

Motion by: Councilman Scott S. 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	Absent
Scott S. Mace, Councilman	VOTING	Aye
John A. Pavese, Councilman	VOTING	Aye

The resolution was thereupon declared duly adopted.

**The Following Resolution Was Duly Adopted: Res. No. 151 of the Year 2016.**

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In the Matter of the Creation of  
ADELAAR ROAD IMPROVEMENT DISTRICT  
in the Town of Thompson, County of  
Sullivan, State of New York.

**FINAL ORDER CREATING  
ADELAAR ROAD IMPROVEMENT  
DISTRICT**

-----X  
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; and

WHEREAS, a Petition for Creation of the Adelaar Road Improvement District, properly signed and acknowledged by the property owner as required by Town Law §193 which was otherwise sufficient, was filed with the Thompson Town Clerk on March 14, 2016; and

WHEREAS, a resolution having been duly adopted by the Town Board of the Town of Thompson directing Town Engineers, McGoey, Hauser and Edsall Consulting Engineers, P.C., to supervise the preparation of a map, plan and report relating to the creation of the Adelaar Road Improvement District in the Town of Thompson, and said map, plan and report were duly filed in the office of the Town Clerk; and

WHEREAS, an order having been duly adopted by the said Town Board on March 15, 2016, reciting a description of the boundaries of the said proposed district, the improvements proposed, the maximum amount proposed to be expended for said improvements, a statement that all cost for improvements will be provided by the Sullivan County Local Development Corporation, the fact that a map, plan and report were on file in the Town Clerk's Office for public inspection, and specifying the 5<sup>th</sup> day of April, 2016, 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 proposal to create the said road improvement district and after

due publication and posting of said order according to law, said hearing was duly held by said Board at such time and place, and the Town Board having considered said proposal and heard all persons interested in the same, and did on April 5, 2016 resolve and determine that the petition provided by the property owner was properly signed and acknowledged as required by law, that all the property and property owners within the created district would be benefitted thereby, that all property and property owners benefitted were included within the limits of the created district, and that it was in the public interest to grant and hold the relief sought.

**NOW, THEREFORE, IT IS HEREBY**

**ORDERED**, that the establishment of the Adelaar Road Improvement District, in the Town of Thompson, Sullivan County, New York, be, and the same hereby is approved, and such district is hereby created, to be bounded and described as more particularly set forth in Schedule “A” annexed hereto and made a part hereof;<sup>5</sup> and it is further

**ORDERED**, that the Town Board, acting for and on behalf of the said Adelaar Road Improvement District (the “District”), as created be, and it hereby is, authorized to contract with the Sullivan County Local Development Corporation (the “SCLDC”) for the provision of all improvements in said District as may be required for the proposed operation thereof, provided that: (i) The SCLDC will undertake or cause to be undertaken the acquisition, construction and installation of all of said improvements, the acquisition of all properties or rights therein, necessary or appropriate in connection therewith, and all related ancillary and incidental improvements; that the SCLDC shall be and will remain the owner thereof; and that the entire amount to be expended for such improvements, including but not limited to costs of construction, engineering, administrative, legal and other fees and expenses, shall be borne solely and entirely

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<sup>5</sup> ATTACHMENT: SCHEDULE “A” LISTING OF TAX PARCELS & MAP FOR THE ADELAAR ROAD IMPROVEMENT DISTRICT.

by the SCLDC; and (ii) upon said improvements having been completed and placed into service, the SCLDC shall make them available to the District for its use and operation, with the District thereafter being solely responsible for the operation and maintenance thereof at its own cost and expense, and the payment of an annual service fee due and payable to SCLDC with respect to the improvements within the District owned by SCLDC; and it is further

**ORDERED**, that the Town Clerk of the Town of Thompson be, and she hereby is, authorized and directed to cause a certified copy of this order to be duly recorded in the office of the Clerk of Sullivan County, in which the Town of Thompson is located, within ten (10) days after adoption of this order; and it is further

**ORDERED**, that the Town Clerk be, and she hereby is, authorized and directed to file a certified copy of this order in the office of the Department of Audit and Control, Albany, New York, within ten (10) days after the adoption hereof, if so required.

Motion by: Councilman Peter T. Briggs

Seconded by: Councilman John A. Pavese

Dated: Monticello, New York  
April 05, 2016

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

**6. DISCUSSION – ADELAAR WATER DISTRICT REMOVAL OF (4) PARCELS FROM KIAMESHA ROUTE 42 WATER DISTRICT**

A discussion was held between Supervisor Rieber, Town Attorney Mednick and Attorney Helen Collier Mauch of Zarin & Steinmetz on behalf of EPT/EPR Developers regarding the possible need to remove (4) parcels of land from the Kiamesha Route 42



Moved by: Councilman Mace                      Seconded by: Councilman Briggs  
Vote: Ayes 4                      Rieber, Pavese, Briggs and Mace  
      Nays 0  
      Absent 1                      Sush

**12. NANA’S HOUSE – REQUEST NAMING PRIVATE DRIVE AS “FRONTIER LANE”**

Supervisor Rieber said that Nana’s House has been using 16 Frontier Drive, Rock Hill as their address for years. The problem is that the Sullivan County Real Property Tax Services and 911 Addressing Center advised the Town that the roadway going into the property as Frontier Drive, so there is no corresponding E911 Address assigned. The other problem is that since this is a private roadway in the Town the Town Board will authorize the name, however it would have to be referred to as a Lane and not a Drive. According to Mr. Shawn Wallcarty of the Center for Discovery confirmed that Nana’s House is currently using the 16 Frontier Drive, Rock Hill as both physical and mailing address. There are two options a Lake Louise Marie Road address, which already exists could be utilized or the private road could be named “Frontier Lane” and the address would be created. Supervisor Rieber is recommending that the facility consider using the assigned Lake Louise Marie Road address. Mr. Wallcarty has agreed that it would be acceptable to use the Lake Louise Marie Road address. Supervisor Rieber will contact the Sullivan County 911 Addressing Center to confirm the accurate Lake Louise Marie Road mailing address. Once obtained, Supervisor Rieber will provide the County with Mr. Wallcarty’s email address and request that they provide him with the updated addressing information. Once received, Mr. Wallcarty will make the necessary changes and start using the appropriate assigned physical and mailing address.

**7. PROPOSED LOCAL LAW NO. 03 OF 2016 TO IMPOSE A MORATORIUM ON SOLAR ENERGY SYSTEMS**

A proposed local law has been introduced to impose a (6) month Moratorium on Solar Energy Systems in the Town. This law would allow the Town sufficient time to enact regulations pertaining to Solar Energy Systems. Discussion was held regarding the subject matter prior to taking action to establish a public hearing as follows:

**The Following Resolution Was Duly Adopted: Res. No. 154 of the Year 2016.**

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 April 05, 2016

**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 April 05, 2016, a proposed Local Law No. 03 of 2016, entitled "A local law

adding Chapter 204 entitled ‘Solar Farms’ to the Town of Thompson Code to establish rules and regulations in connection with Solar Farms”.

**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 May 03, 2016 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 Scott S. Mace

Adopted on Motion April 05, 2016

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 type="checkbox"/>	No <input type="checkbox"/> Absent
Councilman SCOTT S. MACE	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Councilman JOHN A. PAVESE	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Town of Thompson

Proposed Local Law No. 03 of the year 2016

A local law adding Chapter 204 entitled “Solar Farms” to the Town of Thompson Code

Be it enacted by the Town Board of the

Town of Thompson

**1. §204-1 Legislative purpose.**

The purpose of this local law is to temporarily prohibit construction and installation of solar energy systems, except rooftop solar panels, and to temporarily suspend any requirement to approve a solar energy system while the Town considers regulations or amended regulations of solar energy systems. This stop gap or interim measure is intended to preserve the status quo pending the adoption of such regulations. The overall purpose of this local law is to promote community planning values by adopting solar energy system regulations after careful consideration. This local law prevents a “race of diligence” by those seeking to obtain an approval before the regulations are in place. This local law will protect the public interest and welfare until such regulations are adopted.

**§204-2 Moratorium imposed.**

A. Except as provided in subsection B of this Section, for a period of six (6) months following the date of adoption of this local law, (i) no construction, installation or site work shall

commence on a solar energy system, (ii) no solar energy system approval shall be granted; and (iii) no application for construction or installation of a solar energy system shall be accepted and/or processed by any of the Town's boards, officers or employees, unless permitted pursuant to Section 204-3 below. This local law is binding on all Town boards, officers and employees and on all persons, property owners and property proposing a solar energy system within the Town.

B. The installation of rooftop solar panels is exempt from this moratorium.

C. This moratorium may be extended by one additional period of up to six (6) months by resolution of the Town Board upon finding of need for such extension.

D. During the period of the moratorium, the Town shall endeavor to adopt regulations or amended regulations of solar energy systems in the Town.

E. The term "solar energy system approval" shall mean any permit or approval of a solar energy system, including, but without limitation, any approval of a subdivision, site plan, special permit, variance or building permit application proposing construction or installation of a solar energy system.

F. The term "solar energy system" shall mean a use, facility, structure or area of land used or proposed to be used to convert solar energy to electricity, except this term shall not include rooftop solar panels.

### **§204-3 Administrative relief from moratorium.**

A. In order to prevent an unlawful taking of property and to prevent irreparable harm, the Town Board is authorized to grant limited relief from this moratorium pursuant to the standards and requirements herein. An applicant seeking such relief shall be required to show by clear and convincing evidence, including credible dollars and cents proof, that the applicant cannot make any reasonable use of its property by development of any of the uses permitted in the relevant zoning district; that the moratorium causes irreparable injury to the applicant; and that it would be unreasonable and unjust not to grant limited relief from the moratorium. Any such limited relief granted by the Town Board shall be the minimum necessary and the Town Board may impose conditions on any relief granted. All such applications made to the Town Board shall be deemed unlisted actions under SEQRA.

B. In the event limited relief from the moratorium is granted by the Town Board, the applicant may proceed to other Town board(s), officers and employees required or necessary to apply for solar energy system approval(s). Notwithstanding any relief granted pursuant to this section, a solar energy system shall not be constructed or installed until and unless the proposed construction or installation complies with all applicable laws and regulations, including but not limited to the laws and regulations or amended laws and regulations pertaining to solar energy systems to be adopted by the Town Board during or after the period of this moratorium.

C. The applicant or any person aggrieved by a decision made by the Town Board pursuant to

this section may apply to the state Supreme Court pursuant to Article 78 of the Civil Practice Law and Rules.

**§204-4 Notice to applicant – New solar energy system regulations.**

This section provides notice to all applicants and other persons that although an application authorized pursuant to §204-3 above may proceed in the review process, the application proceeds at its risk, because such application will likely be impacted and may be denied because of the solar energy system regulations to be adopted during or after the period of this moratorium.

**§204-5 Default approvals abolished.**

Notwithstanding any law, rule or regulation to the contrary, no solar energy system approval shall be granted, deemed granted or dispenses with as a result of the passage of time.

**§204-6 Supersession of inconsistent laws, if any.**

The Town Board hereby declares its legislative intent to supersede any provision of any local law, rule or regulation and any provision of the state Town Law or other special law that may be declared inconsistent or in conflict with this local law. The state law provisions that shall be, and hereby are, superseded include, but are not limited to, all of Article 16 of the Town Law, §§261 to 285 inclusive, and any other provision of law that the Town may supersede pursuant to the state Municipal Home Rule Law and the Constitution of the State of New York. The courts are specifically requested to take notice of this legislative intent and apply such intent in the event the Town has failed to specify any provision of law that may require supersession. The Town Board hereby declares that it would have enacted this local law and superseded such provision had it been apparent.

**§204-7 Severability.**

If any section, part or provision of this local law or the application thereof to any person, property or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, provision or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof.

2. This local law shall take effect immediately upon filing with the Secretary of State.

**9. 2016 SPRING CLEAN UP PROGRAM – DISCUSS AND SCHEDULE DATES**

Town Clerk Calhoun is recommending that the Town Board set a date for the Spring Cleanup Program, Saturday, May 21<sup>st</sup> thru Saturday, June 4<sup>th</sup>. The Town will continue to follow the same procedures as last year with the residents bringing their cleanup materials directly to the landfill. They are still required to obtain a permit from the Town Clerk's Office. These dates would allow Town residents two weeks to participate in the program, which also includes three Saturday's since the landfill has limited weekend hours. The contract is ready and Town Clerk Calhoun will send it to the County of



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 April 05, 2016

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 type="checkbox"/>	No <input type="checkbox"/> Absent
Councilman SCOTT S. MACE	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Councilman JOHN A. PAVESE	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Town of Thompson

Proposed Local Law No. 02 of the year 2016

A local law adding Chapter 117 entitled “Clothing Bins, Donation Bins and Recycling Bins” to the Town of Thompson Code to establish rules and regulations and provide registration of Clothing Bins, Donation Bins and Recycling Bins.

Be it enacted by the Town Board of the

Town of Thompson

1. Chapter 117 is hereby created as follows:

**CHAPTER 117: CLOTHING BINS, DONATION BINS and RECYCLING BINS**

**§117-1 Legislative Intent**

It has come to the attention of the Town Board that there has been a proliferation of Clothing Bins, Donation Bins and Recycling Bins that have been unattended, vandalized, or left in such disrepair as to become eyesores. This local law is intended to protect the public health, safety and welfare and protect the environment by establishing rules and regulations for Clothing Bins, Donation Bins and Recycling Bins.

**§117-2 Definitions**

Clothing Bins, Donation Bins and Recycling Bins. An attended or unattended receptacle, trailer or container made of metal, wood, steel or similar material for permanent or temporary use, designed or intended for the collection of unwanted clothing, shoes, textiles, books and other similar household items.

Site Host. The owner or lessee of the property site of a Clothing Bin, Donation Bin or Recycling Bin within the Town of Thompson.

Clothing Bin, Donation Bin and Recycling Bin Owner. Any organization, firm or other entity that is an owner operator or lessor of a Clothing Bin, Donation Bin or Recycling Bin pursuant to this Chapter.

Municipal Corporation. An incorporated political subdivision of a state that is composed of the citizens of a designated geographic area and which performs certain state functions on a local level and possesses such powers as are conferred upon it by the state. For this section, Fire Districts are included within this definition.

### **§117-3 Prohibition**

A. It shall be unlawful to erect, place, maintain or operate any Clothing Bin, Donation Bin or Recycling Bin (hereinafter “Bins”) as defined in this chapter in the Town of Thompson.

B. Exceptions. Any municipal corporation is permitted to place up to two Bins on its own property pursuant to rules and regulations promulgated herein.

### **§117-4 Placement of Clothing Bins, Donation Bins or Recycling Bins**

A. A Clothing Bin, Donation Bin or Recycling Bin shall be placed on the site in a manner that does not impede vehicular or pedestrian traffic flow.

B. A Clothing Bin, Donation Bin or Recycling Bin shall not be placed within the municipal right-of-way and shall adhere to the setback standards for the site where they are placed.

C. A Clothing Bin, Donation Bin or Recycling Bin shall not be placed in a required parking space or reduce the number of parking spaces below the minimum number required by the Town of Thompson Land Use Law and related approvals.

D. A Clothing Bin, Donation Bin or Recycling Bin shall not be placed on sidewalks and must allow for a minimum of five (5) feet of pedestrian walkway in front of the Clothing Bin, Donation Bin or Recycling Bin.

E. A Clothing Bin, Donation Bin or Recycling Bin shall not be placed within the sight triangle of any intersection.

F. No more than two Clothing Bins, Donation Bins or Recycling Bins shall be placed on any parcel.

G. No Clothing Bin, Donation Bin or Recycling Bin shall be placed any closer to any facing street than the side of the building facing said street.

H. If the lot on which any Clothing Bin, Donation Bin or Recycling Bin is to be located is a non-conforming lot in size for its current use, the Code Enforcement Officer or Building Inspector may deny the permit and refer the owner to the Planning Board for site plan approval.

I. No Clothing Bin, Donation Bin or Recycling Bin shall be permitted on any parcel which has a building violation or any parcel which is not in compliance with the approved site plan for said parcel or in the absence of an approved site plan any parcel which is not in compliance with site standards for the current use of the parcel.

J. No Clothing Bin, Donation Bin or Recycling Bin shall be placed on a vacant lot or on residential property. They may be placed only in areas with HC-1 or HC-2 Zoning.

K. A Clothing Bin, Donation Bin or Recycling Bin must be installed on blacktop, concrete or on other impervious surfaces such that weeds and grass are prevented from penetrating said surfaces.

L. Any Clothing Bin, Donation Bin or Recycling Bin placed next to a building shall be placed in such a way that walkways are not obstructed or diminished and so that pedestrian traffic is not directed or diverted into the path of any travelled way for vehicles.

#### **§117-5 Information and Label Requirement for all Bins**

The front of every Clothing Bin, Donation Bin or Recycling Bin shall conspicuously display the following:

A. The name, address, telephone number and the internet web address of the Owner and Operator of the Clothing Bin, Donation Bin or Recycling Bin.

B. A statement, in at least two-inch typeface, that either reads: “this collection bin is owned and operated by a not-for-profit organization” or “this collection bin is owned and operated by a for-profit organization”.

C. If the Clothing Bin, Donation Bin or Recycling Bin is owned by a not-for-profit organization, the front of the collection bin shall also conspicuously display a statement describing the charitable causes that will benefit from the donations;

D. If the Clothing Bin, Donation Bin or Recycling Bin is owned by a for-profit company, the front of the collection bin shall conspicuously display a statement that reads “[name of company] is a for-profit company, deposits are not tax deductible”.

E. A Clothing Bin, Donation Bin or Recycling Bin operated by a for-profit entity on behalf of or in conjunction with a not-for-profit organization shall have the name, address, telephone number and internet web address of both entities on the front of the bin.

#### **§117-6 Violations and Penalties**

A. The site host, permittee or other person or entity in control of the property where a Clothing Bin, Donation Bin or Recycling Bin is found to be in violation of this chapter shall be jointly and severally liable therefor.

B. Code Enforcement Officers of the Building Department and Officers of any Police agency are hereby authorized to issue notices of violation, summonses or appearance tickets, returnable in the Town Court of the Town of Thompson, for any violation of this Chapter.

C. In addition to any other penalty that may be imposed for an offense against the Penal Law, any violation of this Chapter shall be punishable by a fine of not less than fifty dollars (\$50.00) nor more than two hundred fifty dollars (\$250.00) for the first such offense.

D. For each subsequent offense, a violation of this Chapter shall be punishable by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) per week thereafter. Each week such offense is permitted to continue shall constitute a separate offense and shall be punishable as such hereunder without further need for the Town to issue additional notices of violation, summonses or appearance tickets. The Town may also bring an action or proceeding to enjoin the offense and to recover any costs incurred by the Town for removing and/or storing the bin or otherwise remedying conditions brought about by the offense of this chapter. If a site holder and/or permittee is found to have violated the provisions of this Chapter on more than 3 occasions in a calendar year, the site holder and/or permittee shall, in addition, be deemed ineligible to place, use or employ a Clothing Bin, Donation Bin or Recycling Bin within the Town of Thompson pursuant to this Chapter for a period of five years, and the Town of Thompson may remove any or all of such site host and/or permittee's Clothing Bins, Donation Bins or Recycling Bins upon 10 days advance notice. The Town of Thompson may dispose of any Clothing Bin, Donation Bin or Recycling Bin in any manner without further notice.

E. A violation of this Chapter shall include, but not be limited to:

1. Unpermitted placement of a Clothing Bin, Donation Bin or Recycling Bin.
2. Failure to adequately or timely respond to a maintenance request pursuant to this Chapter.
3. Failure to maintain a Clothing Bin, Donation Bin or Recycling Bin pursuant to this Chapter.
4. Failure to adhere to Clothing Bin, Donation Bin or Recycling Bin placement and removal provisions pursuant to this Chapter.
5. Failure to adhere to all permitting requirements pursuant to this Chapter.

#### **§117-7 Management Maintenance Requirement**

A. Site host is responsible to maintain the aesthetic presentation of each Clothing Bin, Donation Bin or Recycling Bin, including fresh paint, readable signage and general upkeep.

- B. Site host must respond to Clothing Bin, Donation Bin or Recycling Bin maintenance complaints within 24 hours of receiving notification during regular business hours.
- C. Site host must remove graffiti within 72 hours following receipt of notice of its existence.
- D. If a Clothing Bin, Donation Bin or Recycling Bin becomes damaged or vandalized, it shall be repaired, replaced or removed within 5 days of receipt of notice of such condition.
- E. Each Bin must be regularly emptied of its contents so that it does not overflow, resulting in used clothing being strewn about the surrounding area.
- F. The Bin(s) shall be of the type that are enclosed by use of a receiving door and locked so that the contents of the Bin(s) may not be accessed by anyone other than those responsible for the retrieval of the contents.
- G. The placement of any Clothing Bin, Donation Bin, or Recycling Bin on any municipality's property is subject to site plan review by the Town of Thompson Planning Board.

**§117-8 Severability**

In the event that any provision of this chapter shall be deemed illegal or otherwise unenforceable by a court of competent jurisdiction, then only that specific provision shall not be enforced, and all other sections and provisions shall remain in full force and effect.

- 2. The Town hereby determines that this amendment is an unlisted action that will not have a significant effect on the environment and, therefore, no other determination or procedure under the State Environmental Quality Review Act ("SEQRA") is required.
- 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. This local law shall take effect immediately upon filing with the Secretary of State.

**13. DECLARE SURPLUS EQUIPMENT – HIGHWAY DEPARTMENT**

Highway Department Superintendent Richard L. Benjamin, Jr. submitted a request asking the Town Board to declare the following list of equipment surplus:

- 1) Truck # 20 – 2004 Chevrolet Pick Up Chassis

The truck will be (either) scrapped, bid or sold at auction, whichever is in the best interest of the Town financially.

**The Following Resolution Was Duly Adopted: Res. No. 157 of the Year 2016.**

Resolved, that the following truck from the Highway Department hereby be declared surplus and that the Highway Superintendent be authorized to either sell at auction, bid or scrap said equipment/items, whichever is best financially. The equipment/items are listed as follows:

- 1) Truck # 20 – 2004 Chevrolet Pick Up Chassis

Moved by: Councilman Briggs                      Seconded by: Councilman Pavese  
Vote: Ayes 4                      Rieber, Pavese, Briggs and Mace  
      Nays 0  
      Absent 1                      Sush

**14. BILLS OVER \$1,250.00 – WATER & SEWER DEPARTMENT**

**The Following Resolution Was Duly Adopted: Res. No. 158 of the Year 2016.**

Resolved, that the following bills over \$1,250.00 for the Water & Sewer Department be approved for payment as follows:

<b>Woodard's Concrete Products</b>	<b>\$6,743.00 TOTAL COST</b>
1 – Manhole Riser 48" X 3'	243.00
1 – Manhole Lid with 30" X 30" Hatch	900.00
1 – Concrete Tank ST-2500	5,125.00
1 – Delivery Charge	25.00
3 – Manhole Ladder Steps @ \$10.00 each	0.00
2 – Sealant Rolls @ \$10.00 each	0.00
1 – Manhole Reset	150.00
2 – Wait Time Manhole Reset	300.00

**TOTAL COST=                      \$6,743.00**

(Note: Invoice for Concrete Tank & Risers to Upgrade the Dillon Farms Sewer Plant as per the NYS DEC Consent Order. The purchase has been made as per the Town Procurement Policy.)

Moved by: Councilman Briggs                      Seconded by: Councilman Pavese  
Vote: Ayes 4                      Rieber, Pavese, Briggs and Mace  
      Nays 0  
      Absent 1                      Sush

**15. ORDER BILLS PAID**

**The Following Resolution Was Duly Adopted: Res. No. 159 of the Year 2016.**

Resolved, that all regular bills for the course of the month, which have been properly audited be approved for payment. A complete list of the regular bills as identified can be found appended to these minutes as per attached.<sup>6</sup>

Motion by: Councilman Pavese                      Seconded by: Councilman Briggs

Vote: Ayes 4              Rieber, Pavese, Briggs, and Mace

Nays 0

Absent 1              Sush

### **SUPERVISOR REPORT**

- General Code – Obtaining proposal/price quote for an executive analysis and codification of current Town Code for typographical and grammatical errors, inconsistencies and irregularities.

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

Councilman Pavese reported on the Rock Hill Boy Scout Troop 101 Annual Spaghetti & Meatball Dinner that was held at the Rock Hill Firehouse on April 2<sup>nd</sup>.

Councilman Mace reported that Myriam Loor, Director of the ½ Life Marathon Event advised him that they raised \$72,000.00 at this year's event. He also reminds all residents that the Burn Ban is in effect until May 15<sup>th</sup>, 2016.

Deputy Superintendent Messenger reported that the Sullivan County DPW will be repaving and making necessary improvements along Sackett Lake Road, Monticello during the 2016 Road Improvement Program Season. He has been in contact with Sullivan County DPW Representatives Mr. Thomas Donnelly and Mr. Michael Myer regarding the rehabilitation/upgrades to the (22) existing manholes along that roadway. Further comments and discussion was provided. Once the bids have been awarded then a meeting will be setup to discuss and determine the best way to rehab those (22) existing manholes.

Attorney Mednick reported on receipt of an Article 78 Proceeding that was served upon the Town earlier today involving the Taco Bell Restaurant Project (Western Sullivan O.R.E., LLC vs. Town of Thompson Planning Board, Judd Wishnow, ABTB LLC and G&C Lentini Corp.).

Director Carnell provided updates regarding the Montreign Resort Casino Project and the Veria Lifestyles Project.

### **OLD BUSINESS:**

There was no old business reported on.

### **NEW BUSINESS:**

There was no new business reported on.

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<sup>6</sup> ATTACHMENT: ORDER BILLS PAID

**PUBLIC COMMENT:**

Paul Walsh of Rock Hill commented on the following matters: Garbage Dumpster Enclosure Regulations input, Councilman Richard Sush when expected to return, Highway Department Budget Surplus due to the mild winter season and Solid Waste User Fees applied to the Tax Bills by the County of Sullivan.

Supervisor Rieber and the Town Board replied to each of Mr. Walsh's comments.

**ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION**

- April 13<sup>th</sup>: Free Rabies Clinic, Sponsored by: Sullivan County Public Health Services at Liberty Firehouse from 6 to 7:30 PM.
- April 23<sup>rd</sup> – May 1<sup>st</sup>: Sullivan County Annual Litter Pluck Event.
- May 3<sup>rd</sup>: Public Hearing @ 7:30PM – Proposed Local Law No. 2 of 2016 – Establishment of Clothing Bin(s) Rules & Regulations.
- May 3<sup>rd</sup>: Public Hearing @ 7:30PM – Proposed Local Law No. 3 of 2016 – Moratorium on Solar Energy Systems.
- May 21<sup>st</sup>: Annual Spring Shred Day Event, Town Hall Parking Lot, 9AM to 12PM.
- May 21<sup>st</sup> – June 4<sup>th</sup>: Annual Spring Cleanup Program (Permit Required).

**EXECUTIVE SESSION**

On a motion made by Councilman Briggs and seconded by Councilman Mace the Town Board entered into Executive Session at 9:05 PM with Town Attorney Michael B. Mednick to discuss 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 9:36 PM. Further action was taken as follows:

**ACTION: AUTHORIZATION OF TERMINATION PROCEEDINGS AGAINST A TOWN OF THOMPSON EMPLOYEE**

**The Following Resolution Was Duly Adopted: Res. No. 160 of the Year 2016.**

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 April 05, 2016

**RESOLUTION AUTHORIZING TERMINATION PROCEEDINGS PURSUANT TO CIVIL SERVICE LAW SECTION 73 AGAINST AN EMPLOYEE OF THE TOWN OF THOMPSON**

**WHEREAS**, an executive session of the Town Board of the Town of Thompson was called to discuss personnel matters related to the performance by an employee of the Town of the duties of such employee, the following resolution was duly moved, seconded and unanimously adopted:

**BE IT RESOLVED** that the Supervisor is authorized to institute termination proceedings against an employee of the Town; to designate a hearing officer and take such other action as may be necessary under the circumstances. Michael B. Mednick, Esq. is authorized to request any and all documentation from such employee in his possession and to examine all necessary documents to carry out the termination proceeding.

Moved by: Councilman Peter T. Briggs  
Seconded by: Councilman John A. Pavese

Discussion: The Town Board has agreed that a Termination of Employment Agreement and General Release of Claims be offered to the Town Employee prior to instituting termination proceedings. The Termination of Employment Agreement would take precedence over the Termination Proceedings if agreed and executed. Supervisor Rieber advised that he has designated a Hearing Officer. He has appointed Town of Thompson Water & Sewer Department Superintendent William D. Culligan to serve as the Hearing Officer.

Adopted the 5<sup>th</sup> day of April, 2016.

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 type="checkbox"/> No <input type="checkbox"/> ABSENT
Councilman SCOTT S. MACE	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Councilman JOHN A. PAVESE	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

**DISCUSSION: TOWN HALL IMPROVEMENTS**

The status of the Town Hall Roof Replacement Project was discussed. A discussion regarding the need for additional Town Hall Improvements after the roof project has been completed also took place prior to adjourning the meeting.

**ADJOURNMENT**

On a motion made by Councilman Briggs and seconded by Councilman Pavese the meeting was adjourned at 9:40 PM.

**Respectfully Submitted By:**

  
Marilee J. Calhoun, Town Clerk