

Minutes of a Reconvened Meeting and Work-Session of the Town Board of the Town of Thompson held at the Town Hall, 4052 State Route 42, Monticello, New York on **June 14, 2016.**

ROLL CALL:

Present:

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

APPROVED

Also Present:

Marilee J. Calhoun, Town Clerk
Paula E. Kay, Deputy Attorney for the Town
James Carnell, Jr., Building, Planning & Zoning Director

RECONVENED TOWN BOARD MEETING & WORK-SESSION

Supervisor Rieber Reconvened the 06/07/2016 Regular Town Board Meeting at 5:00 PM for the purpose of holding a Work-Session to discuss and review items as follows: 1) Formation of a sign committee with Village and County Representatives to discuss a sign ordinance with goals common with the Village and appointing three volunteers to serve on the committee. 2) Proposed Dumpster Enclosure Code Regulations. 3) Proposed Solar Energy Code Regulations. 4) Proposed Local Law to amend the zone text pertaining to Animal Hospitals and Kennels to 20,000 square feet rather than 3-acres. 5) Proposed Local Law for Zone Change Request – Abundance of Care Pet Hospital, 201 Rock Ridge Road, SBL #23.-1-13 from SR to HC2. Also any other business that may come before the Board as deemed necessary. Town Clerk Marilee J. Calhoun advised that notice of the work-session was published in the Sullivan County Democrat on 06/10/2016 with the same being posted on the bulletin board at the Town Hall and on the Town Website.

PUBLIC INFRASTRUCTURE EASEMENT AGREEMENT BETWEEN THE TOWN OF THOMPSON ON BEHALF OF SPECIAL ADELAAR RESORT DISTRICTS, THE SULLIVAN COUNTY LOCAL DEVELOPMENT CORPORATION (LDC) AND ADELAAR DEVELOPER, LLC

The Following Resolution Was Duly Adopted: Res. No. 214 of the Year 2016

At a Special Meeting of the Town Board of the
Town of Thompson held at the Town Hall, 4052
Route 42, Monticello, New York on June 14, 2016

RESOLUTION AUTHORIZING THE TOWN OF THOMPSON TO ENTER INTO A PUBLIC INFRASTRUCTURE EASEMENT AGREEMENT ON BEHALF OF ALL ADELAAR RESORT DISTRICTS TO ALLOW THE TOWN TO ENTER SAID LANDS TO OPERATE, MAINTAIN AND REPAIR DISTRICT INFRASTRUCTURE

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WHEREAS, the Town of Thompson has created the Adelaar Resort Sewer District, Adelaar Resort Water District, Adelaar Resort Drainage District, Adelaar Resort Lighting District, and Adelaar Road Improvement District (hereinafter referred to as “Districts”) pursuant to Article 12 of Town Law; and

WHEREAS, the infrastructure that serves these Districts will be owned by the Sullivan County Local Development Corporation (hereinafter referred to as “LDC”); and

WHEREAS, EPR Concord II, LP, EPT Concord II, LLC and Adelaar Developer, LLC (hereinafter “Grantor”) owns in fee simple certain real property situate in the Town of Thompson, approximately 1675 acres which are coterminous with the aforesaid Districts and are serviced by said Districts by the infrastructure which is owned by the LDC; and

WHEREAS, the Town of Thompson, on behalf of the Districts, has entered into a Public Infrastructure Services Agreement dated June 11, 2016 with the LDC which requires the Town to operate, maintain and repair all the infrastructure for the aforementioned Districts; and

WHEREAS, the parties wish to enter into a Public Infrastructure Easement Agreement that shall give the Town of Thompson an access and utility easement over portions of the project site to allow the Town to construct, maintain, repair, operate, replace and extend the aforesaid infrastructure utilized for the Districts; and

WHEREAS, the Grantor is willing to give, and the Town, on behalf of the Adelaar Resort Sewer District, Adelaar Resort Water District, and Adelaar Resort Drainage District, is willing to accept an easement that gives the Town the right to drain certain surface water over, upon and onto said property pursuant to a drainage easement with the right to enter said easement area to maintain same.

NOW, THEREFORE, BE IT RESOLVED, that:

1. The Town Board of the Town of Thompson, on behalf of Adelaar Resort Sewer District, Adelaar Resort Water District, Adelaar Resort Drainage District, Adelaar Resort Lighting District and Adelaar Road Improvement District, does hereby ratify and approve the Public Infrastructure Easement Agreement between the Town, on behalf of the Districts, the LDC and the Grantor to allow the Town rights to enter upon lands of the Grantor to operate, repair, maintain, construct, replace and extend the infrastructure used by the Districts to service the property of the Grantor.
2. The Town Board hereby authorizes the Town Supervisor to execute the Agreement on behalf of the aforementioned Districts.
3. The Town Board hereby finds it in the best public interest to enter into the aforesaid Public Infrastructure Easement Agreement.

This Resolution shall be effective immediately upon its approval by the Town Board.

Adopted the 14th day of June, 2016.

Moved by: Councilman Peter T. Briggs
Seconded by: Councilman Scott S. Mace

The members of the Town Board voted as follows:

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

1) FORMATION OF SIGN COMMITTEE

The Town Board discussed the need for formation of a joint sign committee between the Village and the Town to address various concerns. Some of the issues/concerns to be addressed were discussed. There were (4) volunteers recommended to be appointed on the committee and they are as follows: Councilman Richard Sush, Melinda Meddaugh, J.J. Pavese and Bonnie Smith. Supervisor Rieber appointed the (4) volunteers that were recommended to serve on the committee. Supervisor Rieber will provide the Sullivan County Division of Planning & Environmental Management with the contact information of each appointed committee member. The Sullivan County Division of Planning & Environmental Management will coordinate the meeting.

3) SOLAR ENERGY CODE REGULATIONS

Director James Carnell recommended the formation of a committee to review the model regulations and determine what importation of information is necessary and what is not. The Ordinance delineates the type, size and use etc. The representatives recommended to serve on the committee are as follows: Bobby Mapes, Michael Crossiant, Director James Carnell, Eric Horton, Councilman Mace, Attorney Michael B. Mednick and Attorney Paula E. Kay. Director James Carnell will coordinate the meetings. Further discussion ensued regarding the subject. The Town Board would like to see if a condition can be made for all applicants regarding a restoration bond requirement.

2) DUMPSTER ENCLOSURE CODE REGULATIONS

The Proposed Dumpster Enclosure Regulations were reviewed and discussed. Some of the items that were discussed are listed as follows:

- 1) Type of enclosure – masonry, chain link fencing, wood & other materials etc.
- 2) Requirement for new/existing construction vs. renovations requiring site plan review.
- 3) Size requirements of enclosures & dumpsters (compactors vs. dumpsters).

