

Minutes of a Regular Meeting of the Town Board of the Town of Thompson held at the Town Hall, 4052 State Route 42, Monticello, New York on **December 20, 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
Michael B. Mednick, Attorney for the Town
Paula E. Kay, Deputy Town Attorney
Gary J. Lasher, Town Comptroller
Richard L. Benjamin, Jr., Highway Superintendent
Michael Messenger, Water & Sewer Superintendent
Glenn Somers, Parks & Recreation Superintendent
James Carnell, Jr., Building, Planning & Zoning Director

PUBLIC HEARING: PROPOSED LOCAL LAW # 10- AMEND CHAPTER 250 – ESTABLISHMENT OF “SOLAR POWER ENERGY SYSTEM REQUIREMENTS”

Supervisor Rieber opened the Public Hearing at 7:31 PM.

Town Clerk, Marilee J. Calhoun read the legal public notice and stated that she had an original affidavit of publication. Notice of said hearing was duly published in the Sullivan County Democrat on December 13, 2016 with same being posted at the Town Hall on December 07, 2016.

Supervisor Rieber explained the proposed local law. The proposed local law is to add Article XIV entitled “Solar Power Energy System Requirements” to Chapter 250 of the Town Code.

Supervisor Rieber reported that the GML-239 Review was received back from the Sullivan County Division of Planning and Environmental Management earlier today, which has been received and filed. He advised that the County provided several comments and recommendations, which will be considered prior to adoption. Supervisor Rieber provided those interested with a copy of the GML-239 Review.

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. No public comment was 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 7:36 PM was made by Councilman Sush and seconded by Councilman Briggs.

PUBLIC HEARING: PROPOSED LOCAL LAW # 11 OF 2016 – AMENDING CHAPTER 197 TO ESTABLISH SEWER RATES/RENTS FOR 2017

Supervisor Rieber opened the Public Hearing at 7:37 PM.

Town Clerk, Marilee J. Calhoun read the legal public notice and stated that she had an original affidavit of publication. Notice of said hearing was duly published in the Sullivan County Democrat on December 09, 2016 with same being posted at the Town Hall on December 07, 2016.

Supervisor Rieber explained that the Proposed Local Law is to establish the sewer rents/rates for 2017 to be charged for Operation & Maintenance and Capital for the sewer districts within the Town of Thompson. He said that the Town is required to enact this Local Law each year.

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

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

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

A motion to close the Public Hearing at 7:38 PM was made by Councilman Mace and seconded by Councilman Sush.

REGULAR MEETING – CALL TO ORDER

Supervisor Rieber opened the meeting at 7:38 PM with the Pledge to the Flag. He welcomed the Participation in Government Students to the meeting.

APPROVAL OF MINUTES:

On a motion made by Councilman Briggs and seconded by Councilman Sush the minutes of the November 15th, 2016 Reconvened Town Board Meeting were approved as presented.

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

On a motion made by Councilman Mace and seconded by Councilman Briggs the minutes of the November 15th, 2016 Special Town/Village Board Meeting were approved as presented.

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

Nays 0

Abstained 1 Sush (He was not present for the Meeting.)

On a motion made by Councilman Pavese and seconded by Councilman Briggs the minutes of the December 6th, 2016 Regular Town Board Meeting were approved as presented.

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

Nays 0

Abstained 1 Rieber (He was not present for the Meeting.)

PUBLIC COMMENT:

There was no public comment given.

CORRESPONDENCE:

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

- **Toby Boritz:** Emails/Letters Dated 12/05/16 & 12/12/16 – Comments Re: Leisure Acres Area Variance Before ZBA
- **Christina Wallace:** Email/Letter Dated 12/13/16 – Comments Re: Leisure Acres Area Variance Before ZBA
- **Sylvia Schwartz:** Email/Letter Dated 12/14/16 – Comments Re: Leisure Acres Area Variance Before ZBA
- **SC Division of Planning & Environmental Management:** GML-239 Review Dated 12/06/16 – Proposed Local Law for Zone Change Request for Leisure Acres.
- **Kathleen Brawley:** Letter of Resignation Dated 12/09/16 from Planning Board & Zoning Board of Appeals Secretary Eff. 01/31/17
- **NYS Senator John J. Bonacic:** Letter Dated 11/29/16 Regarding Support of NYS Homes & Community Renewal Unified Grant Funding Application of Pathstone Development Corporation for the West Broadway Villas II Project.
- **SC Treasurer:** Received Mortgage Tax Check for 3rd Quarter of \$46,537.65.
- **NYS DOT:** Received (2) CHIPS Checks for \$146,360.77 & \$73,444.23 (\$219,805.00 Total).
- **Environmental Design & Research:** Letter Dated 12/16/16 Regarding Adelaar Entertainment Village – Received Notice of Intent for the Town of Thompson Planning Board to act as Lead Agency and Solicitation of Lead Agency Status.
- **Hurleyville Fire District:** Letter Dated 12/13/16 Requesting involved party status regarding the Proposed Gan Eden Estates Project.

AGENDA ITEMS:

4. MONTREIGN: RESOLVE TO DECLARE TOWN BOARD THE LEAD AGENCY FOR SEQR REGARDING A MINOR AMENDMENT TO THE PREVIOUSLY APPROVED SITE PLAN FOR MONTREIGN HOTEL CASINO. THIS IS IN CONNECTION WITH

Town Board Meeting

December 20, 2016

Page 3 of 22

THE ADDITION OF A DAY CARE FACILITY ON THE PREMISES AND TO CONSTRUCT A COVERED WALKWAY BETWEEN THE ENTERTAINMENT VILLAGE HOTEL AND THE MONTREIGN HOTEL AND CASINO.

Deputy Town Attorney Paula E. Kay stated that the Town Board has always been the lead agency on the site plan for Montreign Hotel Casino project as opposed to the Planning Board. For consistency, the Town Board will be lead agency for this minor site plan amendment, which is to add a daycare facility and other minor changes.

Michael A. Fogel, Esq. of Brown, Sharlow, Duke, & Fogel, P.C. was present as Counsel for the developer for the casino project. Mr. William Dow, Principal of JCJ Architecture was also present. Attorney Fogel explained that it is a 10,000 square foot one story structure located on the casino parcel, which requires an amendment to the existing Casino site plan. The Planning Board retains jurisdiction to approve the amendment to the site plan, but historically the Town Board has acted as Lead Agency in connection with anything related to the Casino site plan. This is the purpose that they are present this evening to request that the Town Board declare its intent to assume lead agency status. Mr. Dow provided the Town Board with copies of the proposed plans for review.

Councilman Sush asked if the daycare facility was for the staff or the patrons. Attorney Fogel stated that it is primarily for the employees use.

The Following Resolution Was Duly Adopted: Res. No. 370 of the Year 2016.

RESOLUTION OF THE TOWN OF THOMPSON TOWN BOARD DECLARING ITS INTENT TO ASSUME LEAD AGENCY STATUS FOR THE SEQRA REVIEW OF THE PROPOSED MONTREIGN DAYCARE FACILITY AND CERTAIN MINOR AMENDMENTS TO THE FINAL SITE PLAN FOR THE MONTREIGN RESORT CASINO

WHEREAS, throughout 2012, the Town of Thompson Town Board (“Town Board”), acting in its capacity as Lead Agency of a coordinated review, pursuant to the State Environmental Quality Review Act (“SEQRA”) and its implementing regulations, in consultation with, and the participation of, the Town of Thompson Planning Board (“Planning Board”) as an involved agency, conducted an extensive coordinated environmental review of Adelaar (formerly known as the EPT Concord Resort); and

WHEREAS, on January 15, 2013, the Town Board, acting in its capacity as Lead Agency of a coordinated review, pursuant to SEQRA, duly adopted a Findings Statement in connection with Adelaar, and duly filed said Findings Statement with the Town Clerk; and

WHEREAS, on January 15, 2013, the Town Board approved a Planned Resort Development (“PRD”) Comprehensive Development Plan (“CDP”) for Adelaar, a planned resort development on approximately 1,583 acres of land located at and around the former Concord Resort in the Town of Thompson as shown on the CDP; and

WHEREAS, on February 13, 2013, EPT Concord II, LLC (“EPT”), acting on behalf of the relevant Master Association, and Monticello Raceway Management, Inc. (“MRMI”), a wholly-owned subsidiary of Empire Resorts, Inc., jointly submitted an application to the Planning Board pursuant to Section 250-50 of the Town Code for site development plan approval in connection with development of Adelaar, and to enable the development of the Montreign Resort Casino; and

WHEREAS, the potential environmental impacts of the site plan application for the Montreign Resort Casino were considered and analyzed in detail in the Draft Environmental Impact Statement (“DEIS”), dated July 24, 2012, which was subject to a public hearing (held August 28, 2012), and was the subject of a Final Environmental Impact Statement (“FEIS”), dated January 2, 2013 and Statement of Findings, dated January 15, 2013; and

WHEREAS, on July 10, 2013, the Planning Board approved the site plan for the Montreign Resort Casino; and

WHEREAS, on April 17, 2014, EPT and MRMI applied to the Planning Board, pursuant to Section 250-50D(5) of the Town Code, for a minor amendment to the site plan approval for the Montreign Resort Casino (the “2014 Site Plan Amendment”); and

WHEREAS, on June 3, 2014, the Town Board, continuing its role as Lead Agency, adopted a Negative Declaration of Environmental Significance pursuant to SEQRA for the 2014 Site Plan Amendment; and

WHEREAS, on June 11, 2014, the Planning Board approved the 2014 Site Plan Amendment; and

WHEREAS, subsequent to the 2014 Site Plan Amendment, Montreign Operating Company, LLC (“MOC”), a wholly owned subsidiary of Empire Resorts, Inc., applied for a Gaming Facility License to operate Montreign Resort Casino; and

WHEREAS, on December 17, 2014, the Gaming Facility Location Board selected MOC to be the only applicant in the Catskills/Hudson Valley region to apply to the State Gaming Commission for a Gaming Facility License; and

WHEREAS, since the selection of MOC by the Gaming Facility Location Board, MRMI and MOC and Adelaar Developer, LLC and EPT Concord II, LLC have been working to finalize the design for the Project in order to maximize its investment in the Property and maximize the benefits that would accrue to the Town, County and the region; and

WHEREAS, on June 3, 2015, MOC applied, pursuant to Section 250-50D(5) of the Town Code, for a minor amendment to its approved Site Plan (the “2015 Site Plan Amendment”); and

WHEREAS, on July 21, 2015, the Town Board, as SEQRA Lead Agency, issued a Negative Declaration of Environmental Significance for the 2015 Site Plan Amendment; and

WHEREAS, on July 22, 2015, the Planning Board approved the 2015 Site Plan Amendment (the “Final Site Plan”); and

WHEREAS, on December 8, 2016, Adelaar Developer, LLC and EPT Concord II, LLC (the “Master Developer”) and MOC (collectively, the “Applicant”) submitted an application to the Planning Board for a minor amendment to the Final Site Plan pursuant to Town of Thompson Code Section 250-50D(5) to include the Montreign Daycare Facility and certain minor revisions to the Final Site Plan civil drawings, as described in Part 1 of the Long Environmental Assessment Form (the “EAF”); and

WHEREAS, the Town Board wishes to declare its intent to act as Lead Agency in connection with all processing, procedures, determinations and findings to be made or conducted pursuant to SEQRA with respect to the minor amendment to the Final Site Plan to include the Montreign Daycare Facility and certain minor revisions Final Site Plan civil drawings, as generally described in Part 1 of EAF attached hereto (the “Proposed Action”); and

WHEREAS, the Town Board has identified the potentially Involved Agencies which are set forth in the Notice of Intent to Declare Lead Agency, which is incorporated herein by reference;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Proposed Action will require review pursuant to SEQRA.
2. The Proposed Action is an Unlisted Action.
3. The Town Board directs the Town Clerk to transmit a copy of this Resolution and the Notice of Intent to the Involved Agencies identified in the Notice of Intent to Declare Lead Agency, together with Part 1 of the Long Environmental Assessment Form submitted by the Applicant, and to notify them that a Lead Agency must be agreed upon within 30 calendar days of the date that the Town Board’s Notice of Intent and EAF are transmitted to them.

Adopted December 20, 2016 by the Town Board of the Town of Thompson

Moved by: Councilman Richard Sush

Seconded by: Councilman Peter T. Briggs

The members of the Town Board votes as follows:

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

**1. ACTION: RESOLUTION TO ENACT PROPOSED LOCAL LAW #9 - AMEND
CHAPTERS 52 & 250 – ESTABLISHMENT OF PARKLAND & RECREATION FEES**
The Following Resolution Was Duly Adopted: Res. No. 371 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
December 20, 2016

**RESOLUTION FOR NEGATIVE DECLARATION UNDER SEQR
FOR PROPOSED LOCAL LAW NO. 09 OF 2016; ZONING REVISIONS**

WHEREAS, the Town Board of the Town of Thompson has conducted an extensive review of the present Zoning Code for the Town of Thompson, including a review of Chapter 250 of the Zoning and Planned Unit Development Code; and

WHEREAS, the Town Board of the Town of Thompson declared itself lead agency pursuant to Resolution dated November 01, 2016 in connection with the review of the local law to amend Chapter 52 and Chapter 250 of the Town Code; and

WHEREAS, a Short Form Environmental Assessment Form has been filed in connection with the proposed revisions to Chapter 52 and Chapter 250 of the Town Code; and

WHEREAS, a public hearing was conducted in connection with the revisions to Chapter 52 and Chapter 250 of the Town Code on December 20, 2016, wherein said public hearing was closed.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Thompson determines that there are no negative environmental impacts that would be caused as a result of the enacting of Local Law 08 of 2016 entitled “A local law amending Chapter 52 entitled ‘Planning Board and Zoning Board of Appeals’ and Chapter 250 entitled ‘Zoning and Planned Unit Development’ of the Town of Thompson Code”; and

FURTHER BE IT RESOLVED, it is determined that the Town Board of the Town of Thompson makes a negative declaration with regard to any environmental impacts caused as a result of the enacting of Local Law No. 08 of 2016.

Moved by: Councilman Richard Sush
Seconded by: Councilman Scott S. Mace

Adopted the 20th day of December, 2016.

The members of the Town Board voted as follows:

Supervisor WILLIAM J. RIEBER, JR.	Yes [X]	No []
Councilman PETER T. BRIGGS	Yes [X]	No []
Councilperson RICHARD SUSH	Yes [X]	No []
Councilman SCOTT S. MACE	Yes [X]	No []
Councilman JOHN A. PAVESE	Yes [X]	No []

The Following Resolution Was Duly Adopted: Res. No. 372 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 December 20, 2016

RESOLUTION TO ENACT LOCAL LAW NO. 08 OF 2016

WHEREAS, proposed Local Law No. 09 of the year 2016 entitled “A local law amending Chapter 52 entitled ‘Planning Board and Zoning Board of Appeals’ and Chapter 250 entitled ‘Zoning and Planned Unit Development’ of the Town of Thompson Code” was introduced to the Town Board at a meeting held November 01, 2016, at the Town Hall, Monticello, New York, to consider said proposed local law and notice of public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard having been heard, and

WHEREAS, said local law was duly adopted after a public hearing.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Thompson, New York, does hereby enact and adopt Local Law No. 08 for the year 2016, Town of Thompson, State of New York, which local law is annexed hereto and made a part hereof.

Moved by: Councilman Peter T. Briggs

Seconded by: Councilman Scott S. Mace

Adopted on Motion December 20, 2016

Supervisor WILLIAM J. RIEBER JR.	Yes [X]	No []
Councilman PETER T. BRIGGS	Yes [X]	No []
Councilman RICHARD SUSH	Yes [X]	No []

Councilman SCOTT S. MACE

Yes [X]No []

Councilman JOHN A. PAVESE

Yes [X]No []

Town of Thompson

Local Law No. 08 of the year 2016

A local law amending Chapter 52 entitled “Planning Board and Zoning Board of Appeals” and Chapter 250 entitled “Zoning and Planned Unit Development” of the Town of Thompson Code

Be it enacted by the Town Board of the

Town of Thompson

1. §52-3 E. is hereby amended to read as follows:

E. If the Planning Board determines that a suitable park or parks of adequate size cannot be properly located in any plat showing lots, blocks or sites pursuant to Town Law §277(4) or any site plan pursuant to Town Law §274-a(6), or is otherwise not practical, the Planning Board shall require, as a condition of approval of any such plat, payment to the Town of a parkland fee, which fee shall be available for use by the Town for park, playground and/or recreation purposes, including acquisition of property. The fee for same shall be consistent with parkland fees as set in Article XIX of Chapter 250 of the Town Code.

2. Chapter 250 is hereby amended to include:

ARTICLE XIX

Park, Playground, Recreational Sites and Parkland Fees

§250-151. Approval procedure for subdivision plats pursuant to Town Law §277(4).

A. Before the approval by the Planning Board of a plat showing lots, blocks or sites, with or without streets or highways, or the approval of a plat already in the office of the Clerk of the county wherein such plat is situated if such plat is entirely or partially undeveloped, such plat shall also show, in proper cases and when required by the Planning Board, a park or parks suitably located for playground or other recreational purposes. Where a proposed park, playground or other permanent recreation area is shown on the Site Development Plan to be located in whole or part in a proposed subdivision, the Planning Board shall require that such area or areas be shown on said plat.

B. Land for such park, playground or other recreational purposes may not be required until the Planning Board has made a finding that a proper case exists for requiring that a park or parks be suitably located for playgrounds or other recreational purposes within the Town. Such findings shall include an evaluation of the present and anticipated future needs for park and recreational facilities in the Town based on projected population

Town Board Meeting

December 20, 2016

Page 9 of 22

growth to which the particular subdivision plat will contribute.

C. In the event that the Planning Board makes a finding pursuant to paragraph "B" of this subdivision that the proposed subdivision plat presents a proper case for requiring a park or parks suitably located for playgrounds or other recreational purposes, but that a park or parks suitably located for playgrounds or other recreational purposes of adequate size cannot be properly located on the subdivision plat, the Planning Board may require, as a condition to approval of any such plat, a payment to the Town of a parkland fee, which fee shall be available for use by the Town for park, playground and/or recreation purposes, the amount of which is established in §250-152(B). In making such determination of suitability, the board shall assess the size and suitability of lands shown on the subdivision plat which could be possible locations for park and recreational facilities, as well as practical factors including whether there is a need for additional facilities in the immediate neighborhood. Any monies required by the Planning Board in lieu of land for park, playground or other recreational purposes pursuant to the provisions of this section shall be deposited into a trust fund to be used by the Town exclusively for park, playground or other recreational purposes, including the acquisition of property.

D. When said permanent recreational areas are to be required to be shown, the subdivider shall submit to the Planning Board a suitable tracing, at a scale of not less than 30 feet to an inch, indicating:

- (1) The boundaries of said recreation area.
- (2) Existing physical features, such as brooks, ponds, trees, rock outcrops, structures, etc.
- (3) Existing and, if applicable, proposed changes in grades of said area and the land immediately adjacent.

E. In no event shall the Planning Board require that more than 10% of the gross area of a proposed subdivision be so shown. The minimum area of contiguous open space acceptable in fulfillment of this requirement shall be generally three acres. However, in the case of subdivisions of less than 10 acres, smaller recreation areas may be approved by the Planning Board whenever it deems that the difference between the area shown and three acres may be made up in connection with the subdivision of adjacent land.

F. In applicable cases, the Planning Board shall require execution and filing of a written agreement between the applicant and the Town Board regarding costs of grading, development, equipment and maintenance of said recreation areas, as well as the conveyance of whatever rights and title deemed necessary to ensure that said premises will remain open for use by the residents of the Town of Thompson.

§250-152. Determination of required lands or monies.

A. For every 100 people in a development, one acre of land may, at the discretion of the Planning Board, be provided for by the developer. For the purposes of computation:

- (1) Single-family detached = four people per unit.
- (2) Efficiency apartment = one person per unit.
- (3) One-bedroom townhouse, condominium or apartment = two people per unit.
- (4) Two-bedroom townhouse, condominium or apartment = three people per unit.
- (5) Three-bedroom townhouse, condominium or apartment = four people per unit.

B. For all developments and subdivisions, other than up to a four-lot minor subdivision, if the Planning Board has required the incorporation of recreation facilities by the developer on his site, the parkland fee shall be \$1,250 per the higher of the number of units or lots. If the Planning Board has not required the incorporation of recreation facilities by the developer on his site, the parkland fee shall be \$2,500 per unit or lot.

C. In either case, the total amount of parkland fees to be paid by the developer shall be delivered to the Town prior to the issuance of any final approval of the subdivision.

D. In instances where the Planning Board requires the construction of on-site recreation facilities, and if the development is approved in sections in accordance with general Town Law §276 subdivision 6, said recreation facilities shall be constructed proportionally with the sections.

E. In the case where the Planning Board deems it in the best interest of the Town to require the developer to provide land to the Town to create a Town-wide park instead of money, the Town will enter into a contract agreement with the developer. This contract will be executed before final approval is granted by the Planning Board.

F. Whereas the domicile of an applicant for a development or subdivision, greater than a two-lot subdivision, is located on said land proposed for development or subdivision, the fee required by this section upon the applicant's post-subdivision domicile parcel is waived.

§250-153. Approval procedure for site plans pursuant to Town Law §274-A(6).

A. Before the approval by the Planning Board of a site plan containing residential units, such site plan shall also show, when required by such board, a park or parks suitably located for playground or other recreational purpose.

B. Land for such park, playground or other recreational purpose may not be required until the Planning Board makes a finding that a proper case exists for requiring a park or parks be suitably located for playgrounds or other recreational purpose within the Town. Such finding shall include an evaluation of the present and anticipated future needs for park and recreational facilities in the Town based on projected population growth to which the particular site plan will contribute.

C. In the event the Planning Board makes such a finding pursuant to paragraph B of this section that the proposed site plan should require a park or parks suitably located for playgrounds or other recreational purpose, but that a suitable park or parks of adequate size to meet the requirement cannot be properly located on such site plan, the Planning Board may require a sum of money in lieu thereof as shall be consistent with parkland fees as set forth in this Article.

D. The Planning Board shall require as a condition of approval of any site plan containing residential units a payment to the Town of a parkland fee, which fee shall be available for use by the Town exclusively for park, playground or other recreational purpose, including the acquisition of property.

E. Notwithstanding the foregoing provision, if the land included in a site plan under review is a portion of a subdivision plat which has been reviewed and approved pursuant to Town Law §276 and this Article, the authorized board shall credit the applicant for any land set aside or parkland fees paid under such subdivision plat approval. In the event of re-subdivision of such plat, nothing shall preclude the additional reservation of parkland fees or money donated in lieu thereof.

§250-154. Determination of required lands or monies.

A. For every 100 people in a development, one acre of land must, at the discretion of the Planning Board, be provided for by the developer. For the purposes of computation:

- (1) Single-family detached = four people per unit.
- (2) Efficiency apartment = one person per unit.
- (3) One-bedroom townhouse, condominium or apartment = two people per unit.
- (4) Two-bedroom townhouse, condominium or apartment = three people per unit.
- (5) Three-bedroom townhouse, condominium or apartment = four people per unit.

B. For all developments and subdivisions, other than up to a four-lot minor subdivision, if the Planning Board has required the incorporation of recreation facilities by the developer on his site, the parkland fee shall be \$1,250 per the higher of the number of units or lots. If the Planning Board has not required the incorporation of recreation facilities by the developer on his site, the parkland fee shall be \$2,500 per unit or lot.

C. In either case, the total amount of parkland fees to be paid by the developer shall be delivered to the Town prior to the issuance of any building permits.

3. Except as herein specifically amended, the remainder of Chapter 52 and Chapter 250 of such Code shall remain in full force and effect.
4. If any clause, sentence, paragraph, subdivision, section or part thereof this local law shall

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Thompson, New York, does hereby enact and adopt Local Law No. 09 for the year 2016, Town of Thompson, State of New York, which local law is annexed hereto and made a part hereof.

Moved by: Councilman Peter T. Briggs

Seconded by: Councilman John A. Pavese

Adopted on Motion December 20, 2016

Supervisor WILLIAM J. RIEBER JR.	Yes [X]	No []
Councilman PETER T. BRIGGS	Yes [X]	No []
Councilman RICHARD SUSH	Yes [X]	No []
Councilman SCOTT S. MACE	Yes [X]	No []
Councilman JOHN A. PAVESE	Yes [X]	No []

Town of Thompson

Local Law No. 09 of 2016

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

Be it enacted by the Town Board of the

Town of Thompson

1. The Town Board of the Town of Thompson, pursuant to the provisions of Article 14-F of the General Municipal Law, entitled "Sewer Rent Law", and in particular Section 452 thereof, does hereby establish and impose sewer rents to be charged in the Harris Sewer District, Harris Woods Sewer District, Dillon Farms Sewer District, Kiamesha Lake Sewer District, Melody Lake Sewer District, Sackett Lake Sewer District, Cold Spring Sewer District, Emerald Green-Lake Louise Marie Sewer District, Anawana Sewer District, and Adelaar Resort Sewer District for the year 2017.
2. The rates to be charged pursuant to Chapter 197 of the Code of the Town of Thompson, Section 197-45, for the year 2017 are as follows:

<u>DISTRICT:</u>	<u>Operation & Maintenance</u>	<u>Capital</u>
Anawana Sewer District:	\$44.07	\$ 0.00
Cold Spring Sewer District:	\$26.59	\$ 0.00
Dillon Farms Sewer District:	\$67.33	\$ 0.00
Emerald Green/Lake Louise Marie Sewer District	\$54.84	\$ 25.01
Harris Sewer District:	\$19.85	\$ 0.00
Kiamesha Lake Sewer District:	\$87.23	\$ 7.15

Melody Lake Sewer District	\$19.97	\$ 83.87
Sackett Lake Sewer District:	\$50.46	\$ 2.13
Harris Woods Sewer District:	\$27.94	\$103.58
Adelaar Resort Sewer District:	\$1,990.52 per lot	\$ 0.00

3. Except as herein specifically amended, the remainder of Chapter 197 of such code shall remain in full force and effect.
4. 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.
5. This local law shall take effect immediately.

5. GEMSTAR ESTATES – REPORT ON MEETING REGARDING ENFORCEMENT OF RESTORATION BOND & COLLECTION OF UNPAID INVOICES

Supervisor Rieber reported on a meeting that he attended with representatives of Gemstar Estates regarding enforcement of restoration bond and collection of unpaid invoices. He advised that the amounts due were paid. The developer has intentions of cleaning up the property and submitting new plans. The Town will hold off enforcement as long as they are moving forward.

6. CONTINUED DISCUSSION: DOG CONTROL OFFICER REQUEST FOR PURCHASE OF DOG KENNEL – REPORT BY COUNCILMAN PAVESE

Councilman Pavese is working with the Village of Monticello to negotiate an agreement since the majority of the dogs picked up are located in the Village. Putting a kennel at the Water Plant is not something that will happen overnight. Dog Control Officer Nancy Marinchak is very concerned about housing the dogs, because Dr. Mauer can no longer board dogs overnight due to space considerations with his landlord. Attorney Mednick and Councilman Briggs are working on a resolution to this problem with Councilman Pavese. More information will be forthcoming by the January 17, 2017 Town Board Meeting.

7. FOREST PARK ESTATES: IRREVOCABLE OFFER OF ROADWAY DEDICATION

Supervisor Rieber stated that part of this goes to the County and part of it also goes to the Town before acceptance can be approved. Attorney Mednick is working on this matter and will advise Supervisor Rieber when it is ready for Town Board consideration.

8. AUTHORIZE 1-YEAR TEXTCASTER LICENSE AGREEMENT WITH MOBILE MEDIA TECHNOLOGIES, LLC

Route 42, Monticello, New York on December 20,
2016

RESOLUTION TO ACCEPT A PORTION OF OLD RYAN ROAD BY USE

WHEREAS, the length of the roadway of Old Ryan Road, beginning at a point of intersection with Price Road and proceeding to the end for a distance of .5 miles has been used and maintained by the Town for several years; and

WHEREAS, it is the position of the Town to accept the dedication of the aforementioned length of Old Ryan Road so that the aforesaid length of same can be shown on the New York State Local Highway System Inventory; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Thompson Town Board does hereby accept by use and include on the New York State Local Highway System Inventory the previously described length of Old Ryan Road, beginning at the intersection of Price Road and Old Ryan Road and proceeding in an easterly direction for approximately one-half mile; and it is

FURTHER RESOLVED, that the Town of Thompson Town Board shall accept all legal, maintenance, and repair responsibility for the aforementioned roadway; and it is

FURTHER RESOLVED, that the Official Town Highway Map shall be corrected to show Old Ryan Road, the length of which is approximately one-half mile, starting from the intersection of Price Road and Old Ryan Road and in an easterly direction to the end of Old Ryan Road, on the New York State Local Highway System Inventory.

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

Adopted the 20^h of December, 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 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"/>

11. RESOLUTION TO ACCEPT A PORTION OF TOWN ROAD 102B BY USE

The Following Resolution Was Duly Adopted: Res. No. 378 of the Year 2016.

At a Regular Meeting of the Town Board of the
Town of Thompson held at the Town Hall, 4052

**Town Board Meeting
December 20, 2016
Page 17 of 22**

Route 42, Monticello, New York on December 20,
2016

RESOLUTION TO ACCEPT TOWN ROAD 102B BY USE

WHEREAS, the length of the roadway of 102B, beginning at a point of intersection with County Road 102 (Cold Spring Road) and proceeding southerly a distance of .23 miles until it intersects with County Road 102 again has been used and maintained by the Town for several years; and

WHEREAS, it is the position of the Town to accept the dedication of the aforementioned length of 102B so that the aforesaid length of same can be shown on the New York State Local Highway System Inventory; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Thompson Town Board does hereby accept by use and include on the New York State Local Highway System Inventory the previously described length of 102B, beginning at the intersection with County Road 102 (Cold Spring Road) and proceeding in a southerly direction for approximately .23 miles until it intersects with County Road 102 again; and it is

FURTHER RESOLVED, that the Town of Thompson Town Board shall accept all legal, maintenance, and repair responsibility for the aforementioned roadway; and it is

FURTHER RESOLVED, that the Official Town Highway Map shall be corrected to show 102B, the length of which is approximately .23 miles starting from the intersection of County Road 102 (Cold Spring Road) and proceeding in a southerly direction to the end of 102B where it intersects with CR 102 again, on the New York State Local Highway System Inventory.

Moved by: Councilman Scott S. Mace
Seconded by: Councilman Richard Sush

Adopted the 20^h of December, 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 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"/>

12. WATER & SEWER DEPARTMENT – NEW HIRE DISCUSSION FOR “SEWER TREATMENT PLANT OPERATOR TRAINEE”

Supervisor Rieber said that this agenda item would be discussed in executive session later in the evening at the end of the meeting.

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

The Following Resolution Was Duly Adopted: Res. No. 379 of the Year 2016.

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

Unifilt Corporation	\$19,990.00 TOTAL COST
Invoice # 11454	
76.31 tons of Filter Anthracite–2,810 bags @ \$5.76 per bag	\$16,190.00
Shipping	\$3,800.00
TOTAL COST=	\$19,990.00

(Note: For Kiamesha Lake WWTP as per Procurement Guidelines, (3) Price Quotes Obtained.)

Unifilt Corporation	\$2,800.00 TOTAL COST
Invoice # 11455	
Installation of Filter Anthracite & equipment rental on 12/06/16 & 12/07/16	
TOTAL COST=	\$2,800.00

(Note: For Kiamesha Lake WWTP, no procurement necessary, service provided.)

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

14. ORDER BILLS PAID

The Following Resolution Was Duly Adopted: Res. No. 380 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.¹

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

OLD BUSINESS:

There was no old business reported on.

NEW BUSINESS:

ADELAAR WATER DISTRICT – AUTHORIZE EXECUTION OF AN AMENDED EASEMENT TO CORRECT AN ERROR IN THE PROPERTY DESCRIPTION

Supervisor Rieber reported that there was a slight error in the Adelaar Water District property description made by the surveyor. A resolution is required to approve the

¹ ATTACHMENT: ORDER BILLS PAID

amended easement agreement to correct the error and to authorize the Supervisor to execute the agreement.

The Following Resolution Was Duly Adopted: Res. No. 381 of the Year 2016.

Resolved, that the Town Board of the Town of Thompson hereby authorizes the execution of the necessary Real Estate Property Easements in connection with the Adelaar Water District property description. Further Be It Resolved, that the Supervisor be authorized to execute the amended easement to correct an error in the Adelaar Water District property description.

Moved by: Councilman Briggs Seconded by: Councilman Pavese

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

Nays 0

SUPERVISOR REPORT: NO REPORT PROVIDED

COUNCILMEN & DEPARTMENT HEAD REPORTS:

Supt. Messenger provided updates on the Kiamesha Lake Wastewater Treatment Facility Improvement Projects. The clarifiers and filter replacements are currently being done. The baffle installation is scheduled to take place soon. It is water leak season especially with Melody Lake. They fixed another leak today.

Park Superintendent Somers reported that there is problem with the heating system in the Town Hall Court Room. They are waiting for a crank heater for one of the compressors. David Kerber, Brad Bastone and himself diagnosed the problem and ordered the parts, which should be in shortly. Supplemental heat (electric baseboards) is being used in the meantime.

Director Carnell reported on how busy his Department has been with all the new construction happening in the Town.

Comptroller Lasher reported that the Requests for Proposals (RFP's) have been received and will be opened next week.

Town Clerk Calhoun thanked Supt. Benjamin and the Highway Department as well as Supt. Somers and the Parks Department for snow removal of the parking lots and walkways at the Town Hall this past Saturday after the storm. She had to come in to Town Hall during the evening hours and all the snow from the parking lot and walkways had been plowed, removed and treated with ice removal.

PUBLIC COMMENT:

There was no public comment given.

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

ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION

Discussion was held regarding the Planning Board Secretary replacement position and also the upcoming Holiday Schedule.

ADJOURNMENT

On a motion made by Councilman Sush and seconded by Councilman Mace the meeting was adjourned at 8:56 PM.

Respectfully Submitted By:

Marilee J. Calhoun

Marilee J. Calhoun, Town Clerk

TOWN OF THOMPSON

Voucher Detail Report

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

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

claims payable have been duly audited and are presented for payment to the Town

Board of the Town of Thompson at the regular meeting there of, held on the 22 day

of Dec 2016 in the amounts respectively specified. Authorization is hereby

given and direction is made to pay each of the claimants in the amount as specified upon each claim stated.


 Gary Eastre, Comptroller


 William J. Rieber Jr., Supervisor

