

Minutes of a Special Meeting of the Town Board of the Town of Thompson held at the Town Hall, 4052 State Route 42, Monticello, New York on February 21, 2018.

ROLL CALL:

Present:

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

APPROVED

Also Present:

Marilee J. Calhoun, Town Clerk
Michael B. Mednick, Attorney for the Town
Gary J. Lasher, Town Comptroller
Michael G. Messenger, Water & Sewer Superintendent

SPECIAL TOWN BOARD MEETING

Supervisor Rieber called the Special Town Board meeting to order at 4:04 PM for the purpose of conducting a Public Hearing regarding Bonding for the Emerald Green Sewer District Pump Station No. 9 Replacement Project and also any other action required by the Town Board as is deemed proper and necessary by the Town Board. Town Clerk Marilee J. Calhoun said that notification of this meeting was published in the Sullivan County Democrat on 02/09/2018. Notice of said meeting was also posted on the Town Hall Bulletin Board and on the Town's Official Website. There were two individuals from the public present, one a representative of the Sullivan County Democrat.

PUBLIC HEARING: BOND ANTICIPATION NOTE (BAN) \$600,000.00 FOR EMERALD GREEN SEWER DISTRICT PUMP STATION NO. 9 REPLACEMENT PROJECT

Supervisor Rieber opened the Public Hearing at 4:05 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 February 09, 2018 with same being posted at the Town Hall on February 07, 2018.

Supervisor Rieber explained the purpose of the bonding, which is for the Emerald Green Sewer District Pump Station No. 9 Replacement Project. The Bond Anticipation Note (BAN) will be in the amount of \$600,000.00 for a period of one-year and then be rolled over into a serial bond.

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. Public Comments were made as follows:

Roger Betters of Columbia Hill Neighborhood Alliance said that the Town needs to consider these expenses and situations when other larger size developments are proposing their own Wastewater Treatment Plants. The Town needs to indemnify themselves against these similar kinds of future expenses. The Town seems to be the default bailer out of similar situations if the system fails. Mr. Betters said that there are various reasons why these systems fail.

Supervisor Rieber said that this District was taken over by the Town around 1992/1994 and the Town has been operating it ever since.

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 4:09 PM was made by Councilman Briggs and seconded by Councilman Mace.

After the Public Hearing was closed the remainder of the Special Meeting commenced at 4:10 PM.

ACTION: BOND ANTICIPATION NOTE (BAN) \$600,000.00 FOR EMERALD GREEN SEWER DISTRICT PUMP STATION NO. 9 REPLACEMENT PROJECT – PUBLIC INTEREST ORDER AND BONDING RESOLUTION

The Following Resolution Was Duly Adopted: Res. No. 106 of the Year 2018.

At a special meeting of the Town Board of the Town of Thompson, Sullivan County, New York, held at the Town Hall, in Monticello, New York, on February 21, 2018, at 4:00 o'clock P.M., Prevailing Time.

PRESENT:

William J. Rieber, Jr.
Supervisor

Melinda S. Meddaugh
Councilwoman

Peter T. Briggs
Councilman

John A. Pavese
Councilman

Scott S. Mace
Councilman

-----X

In the Matter of the Increase and Improvement
of the Facilities of the Emerald Green Sewer
District in the Town of Thompson, Sullivan
County, New York.

Resolution No. 106
PUBLIC INTEREST ORDER

-----X

WHEREAS, the Town Board of the Town of Thompson, Sullivan County, New York, has had under consideration the increase and improvement of the facilities of the Emerald Green Sewer District, in said Town, consisting of the construction and original equipping of a new Pump Station #9, including incidental expenses in connection therewith; and

WHEREAS, the Town Board of said Town has duly caused to be prepared a plan and report, including an estimate of cost relating to said increase and improvement of facilities in said District; and

WHEREAS, the estimated maximum cost to said District of such increase and improvement of facilities is determined to be \$600,000; and

WHEREAS, such cost shall be annually apportioned and assessed upon the several lots and parcels of land within said District in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds as the same become due; and

WHEREAS, at a meeting of said Town Board duly called and held on February 06, 2018, an order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of the Emerald Green Sewer District in said Town at an estimated maximum cost of \$600,000 and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Monticello, New York, in said Town, on February 21, 2018, at 4:00 P.M., Prevailing Time; and

WHEREAS, said order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; and NOW, THEREFORE, BE IT

ORDERED, 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 that it is in the public interest to increase and improve the facilities of the Emerald Green Sewer District, in said Town, consisting of the construction and original equipping of a new Pump Station #9, including incidental expenses in connection therewith, at an estimated maximum cost of \$600,000.

Section 2. This order shall take effect immediately.

Motion by: Councilman Scott S. Mace

Seconded by: Councilman Peter T. Briggs

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

William J. Rieber, Jr., Supervisor	VOTING	AYE
Melinda S. Meddaugh, Councilwoman	VOTING	AYE
Peter T. Briggs, Councilman	VOTING	AYE
John A. Pavese, Councilman	VOTING	AYE
Scott S. Mace, Councilman	VOTING	AYE

The order was thereupon declared duly adopted.

* * *

The Following Resolution Was Duly Adopted: Res. No. 107 of the Year 2018.

At a special meeting of the Town Board of the Town of Thompson, Sullivan County, New York, held at the Town Hall, in Monticello, New York, New York, in said Town, on February 21, 2018, at 4:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor William J. Rieber, Jr., and upon roll being called, the following were

PRESENT:

William J. Rieber, Jr.
Supervisor

Melinda S. Meddaugh
Councilwoman

Peter T. Briggs
Councilman

John A. Pavese
Councilman

Scott S. Mace
Councilman

ABSENT:

The following resolution was offered by Councilman Scott S. Mace who moved its adoption, seconded by Councilwoman Melinda S. Meddaugh, to-wit:

BOND RESOLUTION DATED FEBRUARY 21, 2018.
A RESOLUTION AUTHORIZING THE ISSUANCE OF \$600,000 BONDS OF THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK, TO PAY COSTS OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE EMERALD GREEN SEWER DISTRICT, IN SAID TOWN, CONSISTING OF THE CONSTRUCTION AND ORIGINAL EQUIPPING OF A NEW PUMP STATION #9, INCLUDING INCIDENTAL EXPENSES IN CONNECTION THEREWITH, IN SAID DISTRICT.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated February

21, 2018, said Town Board has determined it to be in the public interest to increase and improve the facilities of the Emerald Green Sewer District (the "District") in the Town of Thompson, Sullivan County, New York, at an estimated maximum cost of \$600,000; and

WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE, BE IT

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

Section 1. For the class of objects or purposes of paying costs of the increase and improvement of the facilities of the Emerald Green Sewer District, in said Town, consisting of the construction and original equipping of a new Pump Station #9, including incidental expenses in connection therewith, there are hereby authorized to be issued \$600,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$600,000 and that the plan for the financing thereof is by the issuance of the \$600,000 bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Thompson, Sullivan County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. To the extent not provided for from other sources, an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. Such cost shall be annually apportioned and assessed upon the several lots and parcels of land within the Emerald Green Sewer District in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds as the same become due.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Thompson, Sullivan County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of

its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution, which takes effect immediately, shall be published in summary in the Sullivan County Democrat, a newspaper having general circulation in said Town,

together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Motion by: Councilman Scott S. Mace

Seconded by: Councilwoman Melinda S. Meddaugh

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
Melinda S. Meddaugh, Councilwoman	VOTING	AYE
Peter T. Briggs, Councilman	VOTING	AYE
John A. Pavese, Councilman	VOTING	AYE
Scott S. Mace, Councilman	VOTING	AYE

The resolution was thereupon declared duly adopted.

* * *

ESTABLISH DATE FOR PUBLIC HEARING: PROPOSED LOCAL LAW NO. 01 OF 2018 TO AMEND CHAPTER 8 REGARDING COURT CLERK POSITIONS

The Following Resolution Was Duly Adopted: Res. No. 108 of the Year 2018.

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 February 21, 2018

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 February 21, 2018, a proposed Local Law No. 01 of 2018, entitled "A local law to amend Chapter 8 of the Town of Thompson Code regarding Court".

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 March 20, 2018 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: Councilwoman Melinda S. Meddaugh

Adopted on Motion February 21, 2018

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 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"/>
Councilwoman MELINDA S. MEDDAUGH	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Town of Thompson

Proposed Local Law No. 01 of the year 2018

A local law to amend Chapter 8 of the Town of Thompson Code regarding Court entitled "A Local Law to amend Chapter 8 of the Code of the Town of Thompson".

Be it enacted by the Town Board of the

Town of Thompson

1. Chapter 8 Article I entitled "Clerk and Deputy Clerk", is amended as follows:

§8-1. Positions created.

There are hereby created the positions of Clerk, Deputy Clerk I, and Deputy Clerk II of the Town Justice Court of the Town of Thompson.

§8-2. Appointment; term.

The positions of Clerk, Deputy Clerk I, and Deputy Clerk II of the Town Justice Court of the Town of Thompson shall be filled by appointment by the Town Board of the Town of Thompson. The term of office of the Clerk, Deputy Clerk I, and Deputy Clerk II of the Town Justice Court shall be one year.

2. For the remainder of the Chapter, any reference to Clerk and Deputy Clerk shall be amended to read Clerk, Deputy Clerk I, and Deputy Clerk II.

3. Except as herein specifically amended, the remainder of Chapter 8 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. Except as herein otherwise provided penalties for the violation of this local law, any person committing an offense against any provision of the chapter of the Code of the Town of Thompson shall, upon conviction thereof, be punishable as provided in Chapter 1, General Provisions, Article II, of such Code.
6. This local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION SUPPORTING THE OPPORTUNITY ZONES PROGRAM

The Following Resolution Was Duly Adopted: Res. No. 109 of the Year 2018.

**MUNICIPAL RESOLUTION SUPPORTING THE NOMINATION AND DESIGNATION OF
CENSUS TRACTS 9515, 9516, 9517 AND 9518 AS AN OPPORTUNITY ZONE
UNDER THE FEDERAL TAX CUTS AND JOBS ACT**

WHEREAS, the Town of Thompson is interested in promoting community and economic development, small business development, and neighborhood stability; and

WHEREAS, the 2017 Federal Tax Cuts and Jobs Act created the Opportunity Zone Program designed to drive long-term capital to distressed communities by providing tax benefits on investments in Opportunity Funds; and

WHEREAS, census tracts 9515, 9516 and 9518 in the Town of Thompson qualify for Opportunity Zone Program designation; and

WHEREAS, census tract 9517 located partially in the Town of Thompson qualifies as a contiguous tract for Opportunity Zone Program designation; and

WHEREAS, the Town of Thompson finds that having the aforementioned census tracts designated as an Opportunity Zone supports the Town's mission to promote community and economic development, attract businesses, increase local job creation, and foster neighborhood stability; and

WHEREAS, New York State Governor Andrew Cuomo may nominate 25% of all eligible census tracts for Opportunity Zone designation,

NOW, THEREFORE, BE IT

RESOLVED that the Town of Thompson supports the designation of census tracts 9515, 9516, 9517 and 9518 in the Town of Thompson as an Opportunity Zone; and

RESOLVED that the Town of Thompson requests Governor Andrew Cuomo to nominate the aforementioned census tracts as an Opportunity Zone.

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

Adopted the 21st Day of February, 2018.

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 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"/>
Councilwoman MELINDA S. MEDDAUGH	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

AUTHORIZE DELAWARE ENGINEERING (TOWN PLANNER) TO PROVIDE PROPOSAL REGARDING SITE DEVELOPMENT OF THE F/K/A CAMP JENED PROPERTY FOR A NEW TOWN PARK

The Following Resolution Was Duly Adopted: Res. No. 110 of the Year 2018.

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 February 21,
2018

RESOLUTION TO AUTHORIZE THE TOWN DEPUTY ADMINISTRATOR TO INQUIRE FROM THE TOWN PLANNER REGARDING THE COST AND SCOPE FOR THE PREPARATION OF AN IN-DEPTH DEVELOPMENT PLAN FOR A NEW TOWN PARK

WHEREAS, the Town of Thompson has recently completed the purchase of a 160+ acre parcel, formerly known as Camp Jened, which shall be dedicated for the use of a Town Park; and

WHEREAS, the Town of Thompson has previously engaged the firm of Delaware Engineering, D.P.C. to prepare a Town-wide Parks and Recreation Study which was completed in June, 2017; and

COUNCILMEN & DEPARTMENT HEAD REPORTS:

Councilwoman Meddaugh reported that Ian Constable, Jr. an Alternate Member to the Zoning Board of Appeals will be moving out of the Town and there will be an Alternate Member vacancy on the ZBA. The Town Board will need to consider a replacement to that position. She also reported that the Annual Rock Hill St. Patrick's Day Parade is scheduled for Saturday, March 10th, 2018 at 2PM.

Councilman Briggs reported on a discussion that he had with Myriam Loor, Race Director of The Celebrate Life Half Marathon, which is scheduled to be held on Sunday, March 11th, 2018 in Rock Hill, New York. He provided the Town Board with an update.

Superintendent Messenger reported that the waterline to the water park was turned on earlier today. He also reported on damage to a vehicle that occurred as a result of a Motor Vehicle Accident on February 12th, 2018. According to the repair estimate the cost to repair the vehicle is \$10,250.00, less the deductible. After discussion the Town Board decided to sell the vehicle at auction as is with a reserve of \$7,500.00. If the reserve is not met the Town Board will still have the option to accept the high bid if they choose. Action to surplus the vehicle and sell at auction was taken as follows:

WATER & SEWER DEPARTMENT: DECLARE TRUCK #3 – 2009 DODGE PICKUP TRUCK SURPLUS

The Following Resolution Was Duly Adopted: Res. No. 112 of the Year 2018.

Resolved, that the following vehicles &/or equipment from the Water & Sewer Department hereby be declared surplus and that the Water & Sewer Superintendent be authorized to sell at auction with a reserve of \$7,500.00. The vehicles/equipment/items are listed as follows:

- 1) 2013 RAM Pickup Truck 1500 Tradesman, VIN # 1C6RR7KT5DS658718

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

PUBLIC COMMENT:

There was no public comment given.

ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION

- March 6th: Regular Town Board Meeting at 7:30 PM.

EXECUTIVE SESSION

On a motion made by Councilwoman Meddaugh and seconded by Councilman Briggs the Town Board entered into Executive Session at 4:45 PM with Town Attorney Michael B. Mednick to discuss a personnel matter.

On a motion made by Councilman Mace and seconded by Councilman Briggs the Town Board returned from Executive Session and reconvened the Town Board meeting at 5:14 PM. No further action was taken.

ADJOURNMENT

On a motion made by Councilman Briggs and seconded by Councilman Pavese the meeting was adjourned at 5:15 PM.

Respectfully Submitted By:



Marilee J. Calhoun, Town Clerk

1



Town of Thompson
Warrant Report

Bank Name: GENERAL FUND A
 Voucher No: 9026548
 Vendor Name: CAPITAL MARKET ADVISORS, LLC
 Invoice Date: 02/21/2018
 Invoice No: 1924
 Invoice Amt: \$750.00
 Invoice Description: 2017 ANNUAL FILING
 Fiscal Year: 2017
 Period: 12
 Due Date: 02/21/2018
 Check No: 31353
 Check Date: 02/22/2018

Line Number: 1
 Detail Description: 2017 ANNUAL FILING
 Account Number: A000.1315.400
 Account Description: COMPTROLLER, CONTRACTUAL
 Detail Amount: \$750.00
 PO Number:
 PO Date:

Total vouchers for CAPITAL MARKET ADVISORS, LLC: 1
 \$750.00

Line Number	Detail Description	Account Number	Account Description	Fiscal Year	Period	Due Date	Check No	Check Date
1	2017 WINTER ICE CONTROL SAND AND SALT	DA00.5142.401	SNOW/COUNTY CONTRACTUAL..	2017	12	02/21/2018	18280	02/22/2018
2	2017 WINTER ICE CONTROL SAND AND SALT	DA00.2302.000	COUNTY SNOW REMOVAL	2017	12	02/21/2018	18280	02/22/2018

Total vouchers for SULL.CO. D.P.W.: 1
 \$32,996.41