

**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 **October 16, 2018**.

**ROLL CALL:**

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

**APPROVED**

**Also Present:** Marilee J. Calhoun, Town Clerk  
Michael B. Mednick, Attorney for the Town  
Michael G. Messenger, Water & Sewer Superintendent  
Glenn Somers, Parks & Recreation Superintendent  
Melissa DeMarmels, Town Comptroller  
Patrice Chester, Deputy Administrator  
James L. Carnell, Jr., Director of Building, Planning, & Zoning  
Richard L. Benjamin Jr., Highway Superintendent

**WORK-SESSION – HELD PRIOR TO REGULAR MEETING**

Supervisor Rieber opened the Work-Session at 6:35 PM.

Discussion was held regarding the following matters:

- 1) Water & Sewer Department – Purchase Request for Wet Well Wizard
- 2) Litigation Proceeding – Robert A. Watson vs. Town of Thompson & Emerald Green Sewer District
- 3) Kiamesha Lake Sewer District Tributary Sewer Line Project
- 4) Town Park Pavilion Project
- 5) Electric Vehicle Charging Station Report that was provided

The Work-Session was closed at 6:55 PM.

**PUBLIC HEARING: PROPOSED LOCAL LAW NO. 07: AMEND CHAPTER 235 OF TOWN CODE REGARDING: VEHICLE AND TRAFFIC TO IMPOSE NO PARKING ON RESORTS WORLD DRIVE**

Supervisor Rieber opened the Public Hearing at 7:00 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 October 09, 2018 with same being posted at the Town Hall on October 05, 2018.

The Proposed Local Law seeks to limit parking on both sides of Resorts World Drive between Cimarron Road and Thompson Road, Monticello.

Highway Superintendent Richard Benjamin explained the purpose of the proposed local law, which is upon the recommendation of the NYS Police. There was an issue a few weeks ago regarding parking along the roadway and the NYS Police have requested that roadway parking not be permitted for future events. Supervisor Rieber asked if anyone from the Casino was notified regarding the proposed change. Supt. Benjamin does not believe that they were. He said that it's a safety issue with no area for people to pull-off and you cannot have individuals parking on the pavement.

Supervisor Rieber asked if the Board had any comments. No comments were made. Supervisor Rieber asked if anyone from the public would like to be heard on this matter. There was no public comment 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 7:03 PM was made by Councilwoman Meddaugh and seconded by Councilman Briggs.

#### **REGULAR MEETING – CALL TO ORDER**

Supervisor Rieber opened the meeting at 7:04 PM with the Pledge to the Flag.

#### **APPROVAL OF MINUTES:**

On a motion made by Councilman Pavese and seconded by Councilwoman Meddaugh the minutes of the October 16, 2018 Regular Town Board Meeting were approved as presented.

Vote: Ayes 5            Rieber, Pavese, Briggs, Meddaugh and Mace  
      Nays 0

#### **PUBLIC COMMENT:**

Roger Betters of Columbia Hill Neighborhood Alliance commented on the Historical Photo Gallery link located on the bottom of the Town Website, which has Town Officials listed that are no longer in office and requires updating. Supervisor Rieber advised that the entire Town Website is currently being re-done, but we will check the link and look into the issue.

#### **CORRESPONDENCE:**

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

- 1) **U.S. Environmental Protection Agency:** Letter dated 10/03/18 to Supervisor Rieber Re: Waiver Request for Kartrite Resort and Waterpark Project.
- 2) **The Walmart Community Grants Team:** Email dated 10/06/18 to Patrice Chester, Deputy Administrator Re: Award of \$2,000.00 Community Grant from Wal-Mart. Those funds went directly towards Youth Programs for special events at the Thompson Day Camp this past summer season.

- 3) **Town Clerk Calhoun:** Letter dated 10/12/18 to Office of NYS Comptroller, NYS & Local Retirement System regarding filing of Standard Work Day & Reporting Resolution and Certificate/Affidavit of Posting.
- 4) **Ethelbert B. Crawford Public Library:** Trustee & Budget Vote Results and Adopted 2019 Budget.
- 5) **Town Clerk Calhoun:** Letter dated 10/12/18 to Mr. Steven N. Mogel, Attorney at Law Re: Response to (FOIL) Request for Records Pertaining to Keren Fields, LLC Project, SBL #'s 28.-1-33.1 & 48.-1-22.21.
- 6) **Glenn L. Smith Consulting Engineer, P.C.:** Town of Thompson Planning Board Notice of Intent & Lead Agency Designation dated 10/09/18 to Town Board and Other Interested/Involved Agencies Re: Keren Fields, LLC – 12-Lot Subdivision.
- 7) **Town Supervisor William J. Rieber, Jr.:** Letter dated 10/11/18 to H. Todd Eames, Chief Examiner, Office of the NYS Comptroller, Division of Local Government & School Accountability Re: Corrective Action Plan in Response to the Town of Thompson Board Oversight Report of Examination Audit Report.

**AGENDA ITEMS:**

**1. ACTION: PROPOSED LOCAL LAW NO. 07 OF 2018 – AMEND CHAPTER 235 OF TOWN CODE RE: VEHICLE AND TRAFFIC TO IMPOSE NO PARKING ON RESORTS WORLD DRIVE (ENACTED AS LOCAL LAW NO. 08)**

Supervisor Rieber is recommending that this matter be tabled until the next Town Board Meeting. He would like to contact representatives at the Resorts World Casino to notify them of the Proposed Local Law prior to its adoption. This would put the Casino on notice regarding the proposed change. Action to table the matter was taken as follows:

**The Following Resolution Was Duly Adopted: Res. No. 350 of the Year 2018.**

Resolved, that Agenda Item No. 1 regarding Proposed Local Law #07 of 2018 involving Vehicle and Traffic to Impose No Parking on Resorts World Drive hereby be tabled until the next Town Board Meeting.

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

**2. APPOINTMENT OF BUDGET OFFICER FOR THE TOWN OF THOMPSON FOR THE YEAR 2018**

**The Following Resolution Was Duly Adopted: Res. No. 351 of the Year 2018.**

Resolved that Town Comptroller Melissa DeMarmels, hereby be appointed as Budget Officer for the Town pursuant to Town Law §103 (2). The designated Budget Officer shall serve the Town for the year 2018 without additional compensation.

Moved by: Councilman Mace

Seconded by: Councilman Briggs

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

Nays 0

**3. ESTABLISH DATE FOR PUBLIC HEARING: PROPOSED LOCAL LAW NO. 08 OF 2018 – TAX LEVY LIMIT OVERRIDE**

Supervisor Rieber said that the Town Board needs to establish a date for a public hearing for a Proposed Local Law to authorize Tax Levy Limit Override for the 2019 Fiscal Year. This specific Local Law is proposed and adopted each year should the Town go over the NYS required tax levy limit. It is recommended that the Town adopt the Local Law as a precaution. The Town Board took action to establish a date for a public hearing on said proposed local law as follows:

**The Following Resolution Was Duly Adopted: Res. No. 352 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 October 16, 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 October 16, 2018, a proposed Local Law No. 08 of 2018, entitled "A local law to override the tax levy limit established in General Municipal Law §3-c".

**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 November 05, 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: Councilman John A. Pavese

Adopted on Motion October 16, 2018

Supervisor WILLIAM J. RIEBER, JR.	Yes [X ]	No [ ]
Councilman PETER T. BRIGGS	Yes [X ]	No [ ]
Councilman SCOTT S. MACE	Yes [X ]	No [ ]
Councilman JOHN A. PAVESE	Yes [X ]	No [ ]
Councilwoman MELINDA S. MEDDAUGH	Yes [X ]	No [ ]

Town of Thompson

Proposed Local Law No. 08 of the year 2018

A local law to override the tax levy limit established in General Municipal Law §3-c

Be it enacted by the Town Board of the

Town of Thompson

1. Legislative Intent. It is the intent of this local law to allow the Town of Thompson to adopt a budget for the fiscal year commencing 2019 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.
2. Authority. This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.
3. Tax Levy Limit Override. The Town Board of the Town of Thompson, County of Sullivan, is hereby authorized to adopt a budget for the fiscal year commencing 2019 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.
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 upon filing with the Secretary of State.

**4. ZONE CHANGE REQUEST: ARTHUR & MAUREEN GLICK – OLD ROUTE 17, MONTICELLO, SBL # 31.-1-56 FROM SR TO HC-2 ZONING DISTRICT**

Supervisor Rieber stated that there is an additional parcel of land located adjacent to their other parcel's that was left-off of the previous Zone Change Request. This

particular parcel is currently zoned as Suburban Residential (SR) and the request is to change the zone to Highway Commercial (HC-2) so that all parcels are located within the same Zoning District. The request will be forwarded to the Planning Board for review and recommendation.

**The Following Resolution Was Duly Adopted: Res. No. 353 of the Year 2018.**

Resolved, that the Application for Change in Zoning Designation of **Arthur & Maureen Glick** for a zone change request for **SBL# 31.-1-56**, from Suburban Residential (SR) to Highway Commercial 2 (HC-2) is to hereby be forwarded to the Planning Board for their review and recommendation.

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

**5. HARRIS SEWER DISTRICT: DISCUSS/APPROVE SURVEY PROPOSAL WITH C.T. MALE ASSOCIATES - \$8,925.00 FOR REHABILITATION OF THE HARRIS & BEN MOSCHE SEWAGE PUMP STATIONS & ASSOCIATED COLLECTION AND CONVEYANCE SYSTEMS**

**The Following Resolution Was Duly Adopted: Res. No. 354 of the Year 2018.**

Resolved, that the survey proposal of C.T. Male Associates, DPC for additional survey work related to the rehabilitation of the Harris and Ben Mosche Sewage Pump Stations and associated collection and conveyance systems in the amount of \$8,925.00, hereby be approved and the Town Supervisor hereby be authorized to execute said agreement as presented. A copy of the fully executed agreement shall be filed in the Town Clerk's Office and available for review upon request.

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

**6. DISCUSSION: TOWN PARK PAVILION PROJECT**

Discussion continued from the earlier Work-Session regarding the Town Park Pavilion Project. Parks & Recreation Superintendent Somers provided the Board with other options to consider for the Pavilion.

**7. BILLS OVER \$2,500.00 – HIGHWAY DEPARTMENT**

**The Following Resolution Was Duly Adopted: Res. No. 355 of the Year 2018.**

<b>Vantage Equipment</b>	<b>\$4,017.50 Total Cost</b>
Invoice # 255085 – Oil Cooler for Grader	
<b>TOTAL COST =</b>	<b>\$4,017.50</b>

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

## **8. BUDGET TRANSFERS & AMENDMENTS**

There were no budget transfers or amendments requested for this meeting.

## **9. ORDER BILLS PAID**

**The Following Resolution Was Duly Adopted: Res. No. 356 of the Year 2018.**

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>1</sup>

Motion by: Councilwoman Meddaugh                      Seconded by: Councilman Briggs

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

Nays 0

## **OLD BUSINESS:**

### **UPDATE ON SEWER PROCESSING AGREEMENT WITH VILLAGE OF MONTICELLO – MICHAEL B. MEDNICK, ESQ.**

Attorney Mednick reported that he received an email from Attorney Michael Davidoff regarding the Sewer Processing Agreement with the Village of Monticello for the Cold Spring Road Sewer District and Harris Sewer District. The Harris Sewer District is okay, however there are some issues related to the Cold Spring Sewer District that need to be resolved. Further discussion was held regarding the Cold Spring Sewer District. Attorney Mednick will contact Attorney Davidoff to discuss the issues and arrange to setup a meeting between the Attorneys, Town and Village Representatives to discuss further. There was no action taken at this time.

## **NEW BUSINESS:**

### **WATER & SEWER DEPARTMENT: PURCHASE REQUEST FOR WET WELL WIZARD AERATION SYSTEM**

Superintendent Messenger is requesting authorization to purchase an additional Wet Well Wizard Aeration System to deal with fats, oils, and grease in the Pump Stations from Reliant Water Technologies, a sole source provider, in the amount of \$7,985.00. The other systems have been working out well and they could use and benefit from an additional unit. Action to approve the purchase request was taken as follows:

**The Following Resolution Was Duly Adopted: Res. No. 357 of the Year 2018.**

Resolved, that the Town Board of the Town of Thompson hereby approve the purchase request for a Wet Well Wizard Aeration System from Troup Environmental Alternatives LLC (Authorized Distributor for Reliant Water Technologies) at a cost of \$7,635.00 plus shipping cost of \$350.00 for a total cost of \$7,985.00.

Moved by: Councilman Mace                      Seconded by: Councilwoman Meddaugh

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

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<sup>1</sup> ATTACHMENT: ORDER BILLS PAID

Nays 0

(Note: (1) Price Quotation obtained, Sole Source Procurement.)

**SUPERVISOR'S REPORT:**

There was no report given.

**COUNCILMEN & DEPARTMENT HEAD REPORTS:**

Councilman Mace reported on Shred Day Event that is scheduled for Saturday, November 3<sup>rd</sup>, 2018 from 9am to 12pm at the Thompson Square Parking Lot across from Town Hall. He also reported on the Insurance Requirements for those renting the Town Park Facilities. A discussion was held regarding the subject. Councilman Mace will contact Mr. Lebovits from Lebaum Company, Inc. to discuss the matter and Councilman Pavese will contact the Monticello Fire Department to verify their requirements. Both Councilman Mace and Councilman Pavese will report back to the Board with their findings.

Director Carnell reported that the County of Sullivan will be providing "Grow the Gateways" Training to the Thompson Planning and Zoning Boards prior to their meetings next month. A member from each Board will also serve on the committee for the "Gateway Phase 2 Implementation Plan". He also reported on a Presentation regarding a cloud based online services program that will be provided by Business Automation Services (BAS) at the Thompson Town Hall on November 7<sup>th</sup>, 2018 at 9:30 AM if anyone from the Town Board is interested in attending.

Deputy Administrator Chester reported on the status of the new town logo, website and promotional campaign projects.

Superintendent Messenger reported on the Melody Lake Acres Water District necessary Improvements and also the status of the Water and Sewer Infrastructure Plan.

Superintendent Benjamin reported that he picked up the Oil Cooler for the Grader in Albany, New York that the Town earlier approved the purchase for.

**PUBLIC COMMENT:**

There was no public comment given.

**ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION**

- October 18<sup>th</sup>: Bid Opening at 2PM – Dry Material Storage Hopper/Flexible Screw Conveyor with Manual/Automatic Controls with Variable Speed Drive and Optional Accessories for the (Water & Sewer Department).
- October 25<sup>th</sup>: Budget Work-Session at 4:30 PM.
- November 5<sup>th</sup>: Town Board Meeting Re-Scheduled to be held at 7:30 PM with No Work-Session.
- November 5<sup>th</sup>: Public Hearing – 2019 FY Preliminary Budget @ 7:30 PM.



- November 5<sup>th</sup>: Public Hearing @ 7:30 PM – Proposed Extension No. 4 of Harris Sewer District (Center for Discovery) SBL #'s 7.-1-26.7 & 26.8.
- November 5<sup>th</sup>: Public Hearing @ 7:30 PM – Proposed Local Law No. 08 of 2018 – Tax Levy Limit Override.

### **EXECUTIVE SESSION**

On a motion made by Councilman Briggs and seconded by Councilman Pavese the Town Board entered into Executive Session at 7:45 PM with Town Attorney Michael B. Mednick, Comptroller DeMarmels, Highway Superintendent Benjamin, Water & Sewer Superintendent Messenger and Parks & Recreation Superintendent Somers to discuss contract negotiations.

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 9:37 PM. No further action was taken.

### **ADJOURNMENT**

On a motion made by Councilman Briggs and seconded by Councilman Pavese the meeting was adjourned at 9:37 PM.

**Respectfully Submitted By:**



**Marilee J. Calhoun, Town Clerk**