

**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 04, 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  
James L. Carnell, Jr., Director of Building, Planning, & Zoning

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

Supervisor Rieber opened the Work-Session at 6:30 PM.

Discussion was held regarding the following matters:

- 1) Building Department – Director Carnell discussed purchase request for new vehicle.
- 2) Department of Parks & Recreation – Supt. Somers discussed the invoice received from McGoey, Hauser & Edsall Consulting Engineers DPC for Engineering Services for the Town Park Pavilion Project in the amount of \$23,839.81. Further discussion was held regarding the revisions to the project.
- 3) Water & Sewer Department – Supt. Messenger discussed the following matters:
  - The LED Streetlight Program
  - Light Poles for Adelaar – Price Quote Provided
  - Petty Cash for Water and Sewer Department – Need resolution to raise it. Currently only have \$27.72 and also needed to make change for permits as well as petty cash.
  - Melody Lake Water – Hydropneumatic tank has a hole and repairs have been unable to stop slow leak. Replace with new pump and VFD to maintain constant pressure. Pump/VFD would work with new well house when built. Estimated to be \$7,000.00 for project. Discussed well house funding. Engineer Matthew Sickler recommends USDA funding.
  - Harris Pump Station – Need new well for pumps and valves.
  - Emerald Green WWTP – Automatic Valves are beginning to fail. Need major upgrade of mechanicals within the plant.
  - Dillon Farms Water – Provided update regarding the well house project status.

The Work-Session was closed at 7:14 PM.

**PUBLIC HEARING: PROPOSED LOCAL LAW NO. 09: ZONE CHANGE REQUEST – ARTHUR GLICK TRUCK SALES, INC., OLD ROUTE 17, MONTICELLO, SBL # 31.-1-56 FROM SR TO HC-2 ZONE**

Supervisor Rieber opened the Public Hearing at 7:15PM.

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 November 27, 2018 with same being posted at the Town Hall on November 08, 2018.

Supervisor Rieber explained the purpose for this proposed local law, which will change the zoning classification of SBL #31.-1-56 from (SR) to (HC-2) Zoning District.

Supervisor Rieber asked if the Town Board and anyone from the public would like to be heard on this matter. There was no public comment.

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 7:16 PM was made by Councilman Mace and seconded by Councilman Briggs.

**REGULAR MEETING – CALL TO ORDER**

Supervisor Rieber opened the meeting at 7:17 PM with the Pledge to the Flag. He welcomed the Participation in Government Students to the meeting.

**MONTHLY REPORTS FOR NOVEMBER 2018 RECEIVED AND FILED**

Building Department & Code Enforcement Officer's Report

Dog Control Officer's Report

Comptroller's Budgetary Report

**APPROVAL OF MINUTES:**

On a motion made by Councilwoman Meddaugh and seconded by Councilman Briggs the minutes of the November 20, 2018 Regular Town Board Meeting were approved as presented.

Vote: Ayes 4 Rieber, Briggs, Meddaugh and Mace

Nays 0

Abstained 1 Pavese (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:

- 1) **Freda C. Eisenberg, Commissioner, SC Division of Planning & Community Development:** Letter dated 11/16/18 to Supervisor Rieber Re: GML-239 County

Review – Proposed Local Law No. 09 of 2018 Arthur & Maureen Glick Zone Change Request, SBL #31.-1-56.

- 2) **Chris J. Coddington**, District Director, NYS DOH: Letter dated 11/26/18 to Supervisor Rieber Re: Notification of Boil Water Order for the Melody Lake Acres Water District.
- 3) **NYS Dept. of Taxation & Finance**: Dept. of Environmental Conservation – Check #06786879 dated 11/20/18 in the amount of \$14,609.27 – Grant Funding for Electronic Vehicle Charging Station.
- 4) **Town of Thompson Planning Board**: Notice of Intent & Lead Agency Designation dated 11/20/18 to Town Board and Other Interested/Involved Agencies Re: Conroc LLC for Thompson Ridge Residential Apartments Project, Rock Ridge Drive, Monticello, NY, SBL # 13.-3-10.1 for Final Site Plan Approval.
- 5) **Kaitlin J. Penner, P.E., Program Manager, NYS EFC**: Letter dated 11/09/18 to Supervisor Rieber Re: Clean Water State Revolving Fund (CWSRF) Project No. C3-5378-04-00, SPDES Permit No. NY-0035645, Emerald Green Sewer Collection System Improvements – Engineering Agreement & Amendment Acceptance of MWBE-EEO Program.
- 6) **Kaitlin J. Penner, P.E., Program Manager, NYS EFC**: Letter dated 11/13/18 to Supervisor Rieber Re: Clean Water State Revolving Fund (CWSRF) Project No. C3-5378-04-00, SPDES Permit No. NY-0035645, Emerald Green Sewer Collection System Improvements – Engineering Report Approval.

**AGENDA ITEMS:**

**1. ACTION: PROPOSED LOCAL LAW NO. 9: ZONE CHANGE REQUEST – ARTHUR & MAUREEN GLICK, OLD ROUTE 17, MONTICELLO, SBL #31.-1-56 FROM SR TO HC-2 ZONE – RESOLUTION TO ENACT LOCAL LAW NO. 10 OF 2018.**

**The Following Resolution Was Duly Adopted: Res. No. 404 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  
December 04, 2018

**RESOLUTION FOR NEGATIVE DECLARATION UNDER SEQR  
FOR PROPOSED LOCAL LAW NO. 09 OF 2018**

**WHEREAS**, the Town Board of the Town of Thompson declared itself lead agency pursuant to Resolution dated November 20, 2018 in connection with the review of the local law to amend Chapter 250 of the Town of Thompson Code relating to zoning and planned unit development; and

**WHEREAS**, a Short Form Environmental Assessment Form has been filed in connection with the proposed revisions the Town Code; and

**WHEREAS**, a public hearing was conducted in connection with amendment of Chapter 250 of the Town Code on December 04, 2018, 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 10 of 2018 entitled "A local law to amend Chapter 250 of the Town of Thompson Code relating to zoning and planned unit development"; 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. 10 of 2018.

Moved by: Councilman Peter T. Briggs  
Seconded by: Councilman Scott S. Mace  
Adopted the 4<sup>th</sup> day of December, 2018.

The members of the Town Board voted as follows:

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 [ ]

**The Following Resolution Was Duly Adopted: Res. No. 405 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 December 04, 2018

**RESOLUTION TO ENACT LOCAL LAW NO. 10 OF 2018**

**WHEREAS**, proposed Local Law No. 09 of the year 2018 entitled, "A local law to amend Chapter 250 of the Town of Thompson Code relating to zoning and planned unit development" was introduced to the Town Board at a meeting held November 05, 2018, 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. 10 for the year 2018, Town of Thompson, State of New York, which local law is annexed hereto and made a part hereof.

Moved by: Councilwoman Melinda S. Meddaugh

Seconded by: Councilman Scott S. Mace

Adopted on Motion December 04, 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

Local Law No. 10 of the year 2018

A local law to amend Chapter 250 of the Town of Thompson Code relating to zoning and planned unit development

Be it enacted by the Town Board of the

Town of Thompson

1. Chapter 250 of the Code of the Town of Thompson entitled "Zoning and Planned Unit Development", is hereby amended to reclassify the following described real property which is currently classified on the zoning map of the Town of Thompson in the Suburban Residential (SR) district:

Only that portion of real property identified on the Town of Thompson Tax Map as parcel SBL 31-1-56, consisting of approximately 4.82 acres, currently zoned as Suburban Residential (SR), shall be reclassified on such zoning map as Highway Commercial-2 (HC-2) and shall hereafter be subject to the schedule of district regulations for such Highway Commercial-2 (HC-2) zone.

2. Except as herein specifically amended, the remainder of Chapter 250 of such code shall remain in full force and effect.
3. If any clause, sentence, paragraph, subdivision, section or part thereof this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree

or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this local law shall not be affected thereby and shall remain in full force and effect.

4. 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.
5. This local law shall take effect immediately.

## **2. NOB HILL COUNTRY CLUB, INC.: REVIEW & DISCUSS DEVELOPER'S AGREEMENT AND FORMATION OF SEWER-WORKS CORPORATION AND WATER-WORKS CORPORATION**

There was a discussion held between the Town Board, Town Attorney Mednick, Attorney Jay Zeiger on behalf of Nob Hill Country Club, Inc. and Water & Sewer Superintendent Messenger regarding the formation of the Sewer-Works Corporation and Water-Works Corporation as well as the Developer's Agreement. There are concerns regarding the formation of either a Sewer-Works Corporation or a Water-Works Corporation. The Town suggested that the property owner build the sewer line to Town Specifications and dedicate to the Town for the sewer service in the Town Sewer District and there would be no need to form a Sewer-Works Corporation. The Water service is provided by Kiamesha Artesian Water, a private water company. Attorney Zeiger said he thinks that the only thing the Town would take over if ever necessary would be the shared waterline including the maintenance and repairs of the waterline and not the supply. Attorney Zeiger will obtain clarification regarding the issue. The concerns regarding the water service will be discussed with the NYS DOH prior to proceeding. In regards to the proposed Developer's Agreement, plans for the proposed development project were provided and reviewed. The Developer would like to start site work that would encompass water and sewer infrastructure as soon as possible while the other issues are being worked-out. A performance and restoration bond will be provided to the Town. The Developer acknowledges the risk involved by commencing the site work at this time.

### **The Following Resolution Was Duly Adopted: Res. No. 406 of the Year 2018.**

Resolved, that the Town Board hereby approves the Developer's Agreement between Nob Hill Country Club, Inc. and the Town of Thompson for the Nob Hill Development Project located on 4599 State Route 42, Monticello and

Further Be It Resolved, that the Town Supervisor hereby be authorized to execute said agreement as amended and subject to the following conditions: The Town Board is not

bound to accept or reject any Transportation Corporation and any construction performed is fully upon the risk of the Developer. A fully executed copy will be filed in the Town Clerk's Office and available for review upon request.

Motion by: Councilman Pavese                      Seconded by: Councilwoman Meddaugh

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

Nays 0

**3. AUTHORIZE CONTRACT WITH HUMANE SOCIETY OF MIDDLETOWN, INC. FOR DOG SHELTER SERVICES (2019)**

**The Following Resolution Was Duly Adopted: Res. No. 407 of the Year 2018.**

Resolved, that the Town Board of the Town of Thompson hereby approve and authorize the Town Supervisor's execution of the agreement between the Town of Thompson and the Humane Society of Middletown, Inc. for the period beginning January 1<sup>st</sup>, 2019 through December 31<sup>st</sup>, 2019 for the purpose of dog kenneling/shelter services. Further Be It Resolved, that a fully executed copy of said agreement shall be kept on file in the Town Clerk's Office.

Motion by: Councilwoman Meddaugh                      Seconded by: Councilman Mace

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

Nays 0

**4. PRIVATE ROAD NAME REQUEST – MAKOVIC BLVD, MONTICELLO, SBL #31.-1-67**

A request was received from Ms. Jennifer D. Stone, 911 Addressing Lead, Sullivan County Real Property Tax Services requesting the naming of a private roadway located in the Town of Thompson. The recommended road name is Makovic Blvd., which accesses SBL # 31.-1-67, the property located off of Cimarron Road, Monticello and will be used as a private facility known as Makovic Display Yard. Director Carnell and Supervisor Rieber said that Highway Superintendent Benjamin was okay with the name. Director Carnell said that this is a private driveway and entrance to Makovic Sales Display Lot. He said that according to regulations a private road is required by the Sullivan County E911. The Town Board took action to approve the requested private road name as follows:

**The Following Resolution Was Duly Adopted: Res. No. 408 of the Year 2018.**

Resolved, that the private roadway accessing a private facility known as Makovic Display Yard, SBL # 31.-1-67 hereby be named according to the attached site map as Makovic Blvd. Further Be It Resolved, that the Town Clerk is hereby directed to notify the Sullivan County E911 Control Center of said change and request that they notify all residents/property owners accordingly.

Motion by: Councilman Briggs                      Seconded by: Councilman Pavese

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

Nays 0







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

**11. BUDGET TRANSFERS & AMENDMENTS**

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

**12. ORDER BILLS PAID**

**The Following Resolution Was Duly Adopted: Res. No. 414 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:**

**HARRIS SEWER DISTRICT: DISCUSS/APPROVE SURVEY PROPOSAL/CHANGE ORDER NUMBER 1 WITH C.T. MALE ASSOCIATES - \$17,425.00 FOR IMPROVEMENTS TO THE HARRIS SEWER DISTRICT**

Supervisor Rieber said that back in October 2018 the proposal of CT Male for additional survey work was approved, which was for the mapping in the amount of \$8,925.00. The survey work was a two part proposal for both ground control and processing as well as for mapping. The cost for ground control and processing is in the amount of \$8,500.00. The total proposal cost for both parts is \$17,425.00. The Town Board took action to amend the approval resolution as follows:

**The Following Resolution Was Duly Adopted: Res. No. 415 of the Year 2018.**

Resolved, that the survey proposal/change order number 1 of C.T. Male Associates, DPC for additional survey work pertaining to ground control, processing and mapping in connection with the Harris Sewer District Improvements in the amount of \$17,425.00, hereby be approved and the Town Supervisor hereby be re-authorized to execute said agreement / technical services change order as presented. A copy of the fully executed agreement / technical services change order shall be filed in the Town Clerk's Office and available for review upon request.

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

**NEW BUSINESS:**

**PURCHASE REQUEST: BUILDING DEPARTMENT REPLACEMENT VEHICLE**

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



- Bid Package F for wetlands mitigation work actually went over the estimate; however the engineering fees originally collected were more than sufficient to cover the cost for that job. Everyone has been paid on Bid Package F.

Bid Packages A and F would be closed out with no additional funds due. All three Bid Packages A, B & F would be closed out with EPR paying a small balance due of approximately \$10,000.00 less funds that are left in and deducted from escrow. This way all three of the bid packages can be closed out before the end of the year. The Town actually has funds in both bid package A escrow and bid package B escrow, which is approximately \$100,000.00, that is retained for the Towns overhead administration costs that will be transferred into the General A Fund. This would zero out the escrow accounts for bid packages A and B. Once closed out, the transfer of those funds will be presented for approval at the next Town Board meeting. EPR would pay an additional \$10,000.00 out of pocket expenses to cover bid package B. Then this will zero out bid packages A, B and F and can close all three out.

**The Following Resolution Was Duly Adopted: Res. No. 418 of the Year 2018.**

Resolved, that the Town Board of the Town of Thompson hereby authorizes the close out of the Adelaar Infrastructure Construction Project for Bid Packages A, B and F to be considered sufficient for the Town’s purposes and for inspection purposes. Further Be It Resolved, that Bid Package B closeout is subject to final payments by EPR Properties.

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

**SUPERVISOR’S REPORT:**

There was no report given.

**COUNCILMEN & DEPARTMENT HEAD REPORTS:**

Councilwoman Meddaugh reported on the Parks & Recreation Committee meeting regarding the surveys and feedback that was received from the public. She discussed the Committee’s proposed plans and also reported on the status of the Town Employee Manual. Further discussion was held regarding both subjects and information will be provided to each Board Member.

Councilman Mace reported on the Rock Hill Christmas Tree and Menorah Lighting ceremony that took place this past Sunday.

Superintendent Somers reported on several inquiries that he has received regarding a 2019 Spring Shred Day Event.

**PUBLIC COMMENT:**

Roger Betters of Columbia Hill advised that there is still a recliner chair and now an end table located along the side of the roadway near the intersection of Fraser Road and Anawana Lake Road, Monticello.

**ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION**

- December 18<sup>th</sup>: Regular Town Board Meeting – Work-Session @ 6:30 PM and Meeting @ 7PM.
- December 18<sup>th</sup>: Public Hearing @ 6:30 PM – Tentative Special District Assessment Hearing.
- December 18<sup>th</sup>: Public Hearing @ 7PM - Proposed Local Law No. 10 of 2018 – Establish Sewer Rents for the Year 2019.

**EXECUTIVE SESSION**

On a motion made by Councilwoman Meddaugh and seconded by Councilman Pavese the Town Board entered into Executive Session at 8:11 PM with Town Attorney Michael B. Mednick to discuss Personnel Matters.

On a motion made by Councilwoman Meddaugh and seconded by Councilman Mace the Town Board returned from Executive Session and reconvened the Town Board meeting at 8:59 PM. No further action was taken.

**ADJOURNMENT**

On a motion made by Councilwoman Meddaugh and seconded by Councilman Mace the meeting was adjourned at 9:00 PM.

**Respectfully Submitted By:**

  
Marilee J. Calhoun, Town Clerk