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Meeting ID: 836 3149 4157

**TOWN OF THOMPSON**  
**-Regular Meeting Agenda-**

**\*\*DUE TO COVID-19 PANDEMIC THIS MEETING WILL BE STREAMED LIVE ON ZOOM TO JOIN: PLEASE SEE OUR TOWN WEBSITE: [WWW.TOWNOFTHOMPSON.COM](http://WWW.TOWNOFTHOMPSON.COM) OR FACEBOOK @ TOWN OF THOMPSON NY**

**TUESDAY, JANUARY 19, 2021**

**7:00 PM MEETING**

**PUBLIC HEARINGS:**

**1. PROPOSED LOCAL LAW NO. 3 OF 2021 – AMEND CHAPTER 250 RE: LANDSCAPING & PARKING STANDARDS**

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE TO THE FLAG**

**APPROVAL OF PREVIOUS MINUTES:**

December 29<sup>th</sup>, 2020 Special Town Board Meeting

January 5<sup>th</sup>, 2021 Organizational & Regular Town Board Meeting

**PUBLIC COMMENT**

**CORRESPONDENCE:**

- **Christopher P. Ng, Esq. of Willis & Ng Attorneys at Law:** Email/Letter dated 01/14/2021 to Director James Carnell, Town of Thompson Building Department Re: (FOIL) Request and Ongoing Violations of Town Zoning Code at 266 Gregory Road, Monticello, SBL # 56.-1-52.10 (Radoncic)

**AGENDA ITEMS:**

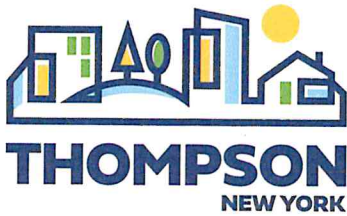
- 1) **PROPOSED LOCAL LAW NO. 3: AMEND CHAPTER 250 RE: LANDSCAPING & PARKING STANDARDS – NEGATIVE DECLARATION RESOLUTION AND RESOLUTION TO ENACT (ADOPTED AS LOCAL LAW NO. 03 OF 2021)**
- 2) **PROPOSED LOCAL LAW NO. 4 OF 2021: EMERALD GREEN LAKE LOUISE MARIE WATER COMPANY ZONE CHANGE REQUEST (2) PARCELS LOCATED ON LAKE LOUISE MARIE ROAD, ROCK HILL, SBL #'S 52.-1-2 & 4 FROM HC-1 TO SR – ESTABLISH DATE FOR PUBLIC HEARING 03/02/2021 @ 7PM**
- 3) **MONTREIGN OPERATING COMPANY, LLC – REQUEST TO RETURN TOWN ESCROW FUNDS IN AMOUNT OF \$256,454.66**
- 4) **PETITION FOR ANNEXATION SUBMITTED BY JAY L. ZEIGER, ESQ. ON BEHALF OF ABRAHAM JEREMIAS (PINE TREE RESORT ESTATES, LLC) – NYS ROUTE 42 SOUTH, MONTICELLO, SBL #'S 29.-1-44.2 & 2.2, CONSISTING OF 33.623 ACRES**
- 5) **APPROVE PROFESSIONAL SERVICES AGREEMENT WITH NORTON ROSE FULBRIGHT US LLP FOR BOND COUNSEL SERVICES**
- 6) **AUTHORIZE SUPERVISOR TO EXECUTE CANCELLATION OF LIS PENDENS DATED 11/28/2000 – K & L 17B PROPERTIES**
- 7) **STATUS UPDATE: ROUTE 42 STREETLIGHTS**
- 8) **STATUS UPDATE: LED STREETLIGHT PROGRAM/PROJECT**
- 9) **RESOLUTION RECOGNIZING WATER & SEWER DEPT., HIGHWAY DEPT. AND PARKS & RECREATION DEPT. EMPLOYEES AS FIRST RESPONDERS**
- 10) **PURCHASE REQUEST: WATER & SEWER DEPARTMENT – NEW KUBOTA SVL95-2SHFC COMPACT TRACK LOADER OFF NJPA SOURCEWELL BID CONTRACT, QUOTE #1810568 FOR \$67,188.89**
- 11) **BILLS OVER \$2,500.00**
- 12) **BUDGET TRANSFERS & AMENDMENTS**
- 13) **ORDER BILLS PAID**
- 14) **UPDATE: CORONAVIRUS (COVID-19) PANDEMIC**

**OLD BUSINESS  
NEW BUSINESS**

**REPORTS: SUPERVISOR, COUNCILMEN, & DEPARTMENT HEADS**

**PUBLIC COMMENT**

**ADJOURN**



**Town Supervisor**  
William J. Rieber, Jr.

**Town Board Members**  
Deputy Supervisor Scott Mace  
John Pavese  
Melinda Meddaugh  
Ryan Schock

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**LEGAL NOTICE  
TOWN OF THOMPSON  
TOWN BOARD MEETINGS  
VIDEO CONFERENCING**

PLEASE TAKE NOTICE, that effective immediately and based upon notices and health advisories issued by Federal, State and Local officials related to the COVID-19 virus, the Town Board will not be holding in-person meetings. Until further notice, all future Town Board meetings (including Public Hearings) will be held via videoconferencing, as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, the public will not be permitted to attend at the remote locations where the Town Board members will be situated. The public, however, will be able to fully observe the videoconferencing meeting and comment at appropriate times. To the extent internet access is not available; the public can attend via telephone by dialing (+1-646-558-8656). The Town Board's agenda is available online in advance of the meetings at [www.townofthompson.com](http://www.townofthompson.com) and the public can email written comments or questions by 4:30 pm on the day of the meeting addressed to [supervisor@townofthompson.com](mailto:supervisor@townofthompson.com). Any member of the public who has questions should contact the Secretary to the Supervisor in advance of the meeting at 845-794-2500 x306 or [supervisor@townofthompson.com](mailto:supervisor@townofthompson.com). Anyone having difficulty connecting to the meeting should contact Zoom for IT assistance during the meeting.

PLEASE TAKE FURTHER NOTICE, that any Executive Session of the board will be initiated with the Board first convening on the public videoconferencing site, adopting a motion to go into Executive Session and then returning to the public videoconferencing site once the Executive Session has concluded.

PLEASE TAKE FURTHER NOTICE, that the Regular Town Board Meeting of Tuesday, January 19, 2021 at 7:00 PM can be accessed at:

Join Zoom Meeting

<https://us02web.zoom.us/j/83631494157>

Dial by your location

+1 646 558 8656 US (New York)

Meeting ID: 836 3149 4157

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**TOWN OF THOMPSON  
NOTICE OF PUBLIC HEARING  
ON PROPOSED LOCAL LAW**

**NOTICE IS HEREBY GIVEN** that there has been duly introduced at a meeting of the Town Board of the Town of Thompson, New York, held on January 05, 2021, a proposed Local Law No. 03 of 2021, entitled "A local law to amend Chapter 250 of the Town of Thompson Code relating to zoning and planned unit development".

**NOTICE IS FURTHER GIVEN** that the Town Board of the Town of Thompson will conduct a public hearing on the aforesaid proposed Local Law at the Town Hall, 4052 Route 42, Monticello, New York, on January 19, 2021 at 7:00 P.M., or as soon thereafter as said public hearing shall be convened, at which time all persons interested will be heard.

The proposed Local Law will amend Chapter 250-21.1 Landscaping Standards and Chapter 250-22 C Required Off-Street Parking Spaces. It will also add provisions for Shared Parking, Green Infrastructure and Low Impact Development.

Copies of the Local Law described above are on file in the office of the Town Clerk of the Town of Thompson, where the same are available to public inspection during regular office hours.

**PLEASE TAKE FURTHER NOTICE**, that all interested persons will be given an opportunity to be heard on said proposed Local Law at the place and time aforesaid.

**NOTICE IS HEREBY GIVEN**, pursuant to the requirements of the Open Meetings Law of the State of New York, that the Town Board of the Town of Thompson will convene in public meeting at the place and time aforesaid for the purpose of conducting a public hearing on the proposed Local Law described above and, as deemed advisable by said Board, taking action on the enactment of said Local Law.

Dated: January 05, 2021

BY ORDER OF THE TOWN BOARD  
TOWN OF THOMPSON  
MARILEE J. CALHOUN  
TOWN CLERK

FREDA C. EISENBERG  
COMMISSIONER



TELEPHONE: (845) 807-0527  
FACSIMILE: (845) 807-0546  
WEBSITE: [WWW.SULLIVANNY.US](http://WWW.SULLIVANNY.US)

SULLIVAN COUNTY  
DIVISION OF PLANNING, COMMUNITY DEVELOPMENT & REAL PROPERTY  
SULLIVAN COUNTY GOVERNMENT CENTER  
100 NORTH STREET, PO BOX 5012  
MONTICELLO, NY 12701

January 12, 2021

Mr. William J. Rieber, Jr., Supervisor  
Town of Thompson  
4052 Route 42  
Monticello, NY 12701

RE: **THO21-01:** Local Law #1-2021  
GML-239 County Review

Dear Mr. Rieber:

The following review has been conducted in accordance with GML §239-l, -m & -n.:

- I. **Project:** Local Law #1-2021
- II. **Applicant:** Town of Thompson
- III. **Action:** Local Law
- IV. **Project description:** The Town would like to amend Chapter 250, Zoning and Planned Unit Development, to Improve Water Quality and the Quality of the Built Environment; Landscaping Standards.
- V. **Geographic qualification:** N/A

Consultant efforts in drafting the proposed amendments were funded by the William Penn Foundation through its Delaware River Watershed Initiative. As a local partner in this initiative, Sullivan County Planning promoted the opportunity for Sullivan communities in the watershed to access the technical assistance provided by Natural Lands and we appreciate the work the Town of Thompson has put in to creating this zoning amendment package with them. The proposed landscaping and off-site parking standards, and green infrastructure requirements for site plans and special use permits will promote attractive, low-impact development to support quality of life while mitigating water quality impacts and we recommend their **approval** by the Town Board.

Sincerely,

Freda C. Eisenberg, AICP  
Commissioner

cc: Alan Sorensen, Legislator  
Ira Steingart, Legislator

Please be advised that the Town Board is required by Section 239-m of the General Municipal Law to provide a report of its final action within thirty days of such action to the Sullivan County Division of Planning, Community Development & Real Property with regard to this application. To facilitate this process, a form to report such action is enclosed.

SULLIVAN COUNTY IS AN EQUAL OPPORTUNITY, AFFIRMATIVE ACTION EMPLOYER

SULLIVAN COUNTY  
DIVISION OF PLANNING, COMMUNITY DEVELOPMENT & REAL PROPERTY  
GENERAL MUNICIPAL LAW REFERRAL  
REPORT OF FINAL LOCAL ACTION

Section 239-m of the General Municipal Law of the State of New York requires that, within thirty days of final municipal action on a zoning matter which has been reviewed by the Sullivan County Division of Planning, Community Development & Real Property, the municipal body having jurisdiction must file a report of the final action it has taken with the Division. This form can serve as that report.

NAME OF MUNICIPALITY: \_\_\_\_\_

NAME OF MUNICIPAL AGENCY: \_\_\_\_\_

NAME OF APPLICANT: \_\_\_\_\_

TYPE OF REFERRAL:

- Amendment of Zoning Ordinance or Map
- Rezoning                       Special Use Permit                       Use Variance
- Site Plan                       Area Variance                       Subdivision

FINAL MUNICIPAL ACTION:

- Approved     Denied
- Approved subject to the following conditions:

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If the municipal body having jurisdiction has acted contrary to the recommendation of the Sullivan County Division of Planning, Community Development & Real Property, please attach a resolution setting forth the reasons for such contrary action. Please note that Section 239-m of the General Municipal Law also requires that such contrary action must be adopted by a vote of a majority plus one of all the members of the municipal body.

Please mail this form to the Sullivan County Division of Planning, Community Development & Real Property, 100 North Street, Monticello, NY 12701. Thank you for your cooperation.

*Proposed*

Town of Thompson

Local Law No. 3 of the Year 2021

**A LOCAL LAW AMENDING CHAPTER 250, ZONING AND PLANNED UNIT DEVELOPMENT, TO IMPROVE WATER QUALITY AND THE QUALITY OF THE BUILT ENVIRONMENT.**

Be it enacted by the Town Board of the Town of Thompson by authority of Article 16 of the Town Law and Article 3 of the Municipal Home Rule Law, as follows:

***Section 1: Repeal and Replace Article IV § 250-21.1 (Landscaping Standards) as follows:***

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**§ 250-21.1. Landscaping standards.**

[Added 6-7-2005 by L.L. No. 1-2005 and amended by LL. No. \_\_\_\_-2021]

- A. The Planning Board shall, in every instance where it is determined that a proposed site plan or special use could have a significant effect on the natural environment, adjoining land owners, or the view from a public highway, require that a landscape plan be prepared.
- B. The landscape plan to be submitted shall indicate how existing vegetation will be preserved to the maximum extent possible and how building materials, colors, and textures will be blended with the natural and man-made landscape to enhance rather than detract from the aesthetic character of the area. Specific locations, varieties and size for all existing and proposed plantings shall be provided as part of the plan. Grading plans showing any slopes, berms, landforms, drains, and stormwater management facilities shall also be provided, if applicable.
- C. Landscape plans shall be prepared by a licensed landscape architect or other design professional qualified to perform such services and shall include considerations of all man-made and natural features having a bearing on the landscape; in particular, the view from the public highways or adjoining properties, including signs and all principal and accessory structures.
- D. The Planning Board, in reviewing the landscape plan, may employ the assistance of design professionals and shall consider the following for approving with modifications or disapproving the site plan or special use permit:
- 1) The plan should use landscaping to promote attractive development and preserve and enhance the appearance and character of the surrounding area.
  - 2) The plan should use landscaping to delineate or define vehicular ways, pedestrian pathways and open spaces.
  - 3) The plan should integrate open space as part of the overall site design, and preserve mature trees, hedgerows, wetlands and woodlots to the maximum extent possible.
  - 4) The plan should use landscaping to create boundaries and transitions between areas of differing development intensities, as well as to separate areas of incompatible land uses.



E. The following guidelines and landscaping standards shall apply to any site where new development is proposed or existing buildings undergo significant upgrades or renovations:

- 1) Landscaped areas may include a combination of trees, shrubs, flowering plants, ground cover and manicured lawns. Simple designs requiring less maintenance are generally preferred, as landscaping that is not regularly maintained can look unkempt and become an eyesore.
- 2) Landscaped areas are recommended at the entrances to all residential developments and commercial buildings, and around permanent free-standing signage. Applicants are also encouraged to incorporate landscaping around buildings that are visible from public roads, especially along portions of buildings without ground floor display windows, such as side and rear elevations.
- 3) Landscape buffers are recommended to create an attractive natural barrier between properties. In such cases, the landscaping should appear as a single, cohesive buffer. Where appropriate topography and soil types exist, buffer areas are encouraged to be designed as landscaped bioswales or rain gardens.
- 4) Internal and peripheral landscaping plantings are recommended in parking lots to delineate driving lanes, provide shade, improve community aesthetics and reduce stormwater runoff. See § 250-22 E. Landscaping Standards for Parking Lots.
- 5) All plant material shall conform with the “American Standard for Nursery Stock” of the American Association of Nurserymen, latest edition. Plant material shall be healthy specimens, suitable for local climate conditions, and shall be installed consistent with sound horticultural practices. Selected plants should be from the Zone 5b plant hardiness zone, and able to withstand poor and compacted soil conditions.
- 6) The use of native species is highly encouraged, and the use of invasive species as defined by 6 NYCRR Part 575 - Prohibited and Regulated Invasive Species shall be prohibited.
- 7) The location of overhead and underground utilities should be taken into consideration to maintain the health of trees and other landscaping by not compromising their root system or making them unstable through over-pruning.
- 8) The minimum plant size shall be specified in the landscape plan and approved by the Planning Board. It is recommended that all landscaping material, except trees, be of a sufficient size at the time of planting to reach maturity within 3 years.
- 9) All landscaping required by this chapter shall be installed prior to occupancy or commencement of use. Where this compliance is not possible because of time of year, the Planning Board may grant an appropriate delay, provided a security bond is posted.
- 10) Any landscaping installed in accordance with this section that substantially deviates from the number, type or location of plant material shown on the approved landscaping plan shall be approved by the Planning Board before a Certificate of Occupancy is issued.
- 11) Any landscaping installed in accordance with this section shall be maintained in good order to achieve the objectives of this section. Dead or damaged landscaping should be replaced within a



reasonable timeframe as determined by the Planning Board.

***Section 2: Amend Article IV § 250-22 C. (Required off-street parking spaces) as follows:***

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- (1) The minimum parking requirement for retail stores shall be changed from 1 parking space per 150 square feet of retail space to 1 parking space per 250 square feet of retail space;
- (2) A footnote shall be added to the table that states, "To prevent oversized parking lots that may produce excess stormwater runoff, no more than 120% of the minimum required parking spaces shall be allowed for all uses."

***Section 3: Amend Article IV § 250-22 (Off Street Parking and Loading Facilities) by adding a new subsection E. to provide landscaping standards, and a new subsection F. to allow for shared parking.***

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**E. Landscaping Standards.**

Parking lots with landscaped islands consisting of either mulched planting beds, manicured grass, or a combination thereof are strongly encouraged.

- 1) Wherever possible, applicants should incorporate green infrastructure elements into their parking lot design. Where soil types are adequate to provide stormwater infiltration, the planting islands should be notched and recessed to function as landscaped bioswales or rain gardens.
- 2) Trees and other plantings in landscaped islands should be able to withstand the stresses of urban conditions such as poor soils and prolonged exposure to the sun.
- 3) Parking lots should be buffered from public sidewalks with landscaping or fencing, or a combination of both. Fences should be constructed of natural materials (wood, brick, stone, etc.)
- 4) Trees should be of a sufficient height or should be pruned so they do not inhibit the sight lines of vehicles entering and exiting the parking lot.
- 5) To minimize cleanup and maintenance, trees that do not have fruit, and/or large cones that seasonally fall are preferred.

**F. Shared Parking**

- 1) Where two or more uses on the same site are able to share the same parking spaces because their parking demands occur at different times, the same parking spaces may be counted to satisfy the minimum parking requirements for each use upon the approval by the Planning Board.
- 2) The following information shall be supplied to the Planning Board as part of a written request for shared parking:
  - (a) A description of the types and uses that will share the parking.
  - (b) The location and number of parking spaces to be shared.
  - (c) Evidence showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of all uses.

- 3) The Planning Board may grant approval for shared parking if it finds that:
  - (a) The information provided presents a realistic projection of parking demands likely to be generated.
  - (b) Peak demand is sufficiently distinct so that the Planning Board is able to clearly identify a number of spaces for which there will rarely be an overlap of parking demand.
  - (c) Rights to the use of spaces are clearly identified in a written agreement or other legal instrument so as to facilitate enforcement.
  
- 4) The Planning Board may require that a portion of the site be set aside for the development of future parking in the event the shared parking proves to be inadequate to accommodate parking demands or a change in use of any of the properties causes parking demands to converge at the same times.

***Section 4: Amend Article IV § 250-40 (Business, Industrial and Commercial Uses) by adding a new subsection E. to encourage the use of green infrastructure.***

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**E. Green Infrastructure and Low Impact Development.**

- 1) Business, industrial and commercial uses are encouraged to incorporate green infrastructure and low impact development principles into their site plans to reduce stormwater flow and mitigate potential environmental impacts. Such measures include but are not limited to the following:
  - (a) Green roofs and walls
  - (b) Geothermal heating and/or cooling.
  - (c) Solar photovoltaic panels to supply on-site electrical power.
  - (d) Bioswales, rain gardens, and stormwater planters for stormwater treatment.
  - (e) Parking areas constructed with permeable pavers or porous asphalt to reduce stormwater runoff.
  
- 2) An additional 10% development coverage may be permitted to be added to the bulk standards for special permit uses in the East Broadway Gateway zoning district providing two or more green infrastructure features listed in the Grow the Gateways Corridor Design Guidelines. See § 250-60 G. Standards for all uses located in the EBG District, requiring a special use permit of the Planning Board.

5. Except as herein specifically amended, the remainder of Chapter 250 of such code shall remain in full force and effect.
6. 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.
7. 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.
8. This local law shall take effect immediately.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 20\_\_ of the Town of Thompson was duly passed by the Town Board on \_\_\_\_\_ in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by Elective Chief Executive Officer\*)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 20\_\_ of the County/City/Town/Town/Village of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_ and was (approved) (not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_, in accordance with the applicable provisions of law.

3. (Final adoption by referendum)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 20\_\_ of the County/City/Town/Town/Village of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_ and was (approved) (not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on \_\_\_\_\_ 20\_\_, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 20\_\_ of the County/City/Town/Town/Village of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_ and was (approved) (not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_ in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, chairman of the county legislative body, the mayor of a city or village or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_ of 20\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of sections 36/37 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at a special/general election held on \_\_\_\_\_ 20\_\_ became operative.

6. (County local law concerning adoption of Charter)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_ of 20\_\_ of the County of \_\_\_\_\_, State of New York, having been submitted to the electors at the General Election of November \_\_\_ 20\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide the appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

\_\_\_\_\_  
~~Clerk of the county legislative body, city, town, village clerk or officer designated by local legislative body~~

Date: \_\_\_\_\_, 20\_\_

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality)

STATE OF NEW YORK  
COUNTY OF SULLIVAN

I, the undersigned, do hereby certify that the foregoing local law contains the correct text and that all proper proceeding have been had or taken for the enactment of the local law annexed hereto.

Date: \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Attorney for Town of Thompson

C

JAN 14 2021  
TOWN OF THOMPSON  
BUILDING DEPARTMENT

**William J. Rieber, Jr.**

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**From:** Christopher Ng  
**Sent:** Thursday, January 14, 2021 10:49 AM  
**To:** jcarnell@townofthompson.com  
**Cc:** planning@townofthompson.com; supervisor@townofthompson.com; Michael Mednick; Paula  
**Subject:** FOIL request to Town of Thompson Building Department  
**Attachments:** FOIL request and follow up letter to Thompson Building Department 1.14.21.pdf

Dear Mr. Carnell and Town Officials

Please see the attached letter, which constitutes a request for documents pursuant to FOIL, in connection with my letter to you yesterday.

Please further advise when these documents have been identified and I will remit the required payment for any copies made. Thank you.

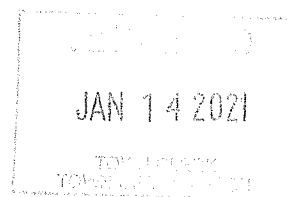
Sincerely yours,

Christopher P. Ng, Esq.  
Willis & Ng  
444 Broadway, Suite 4, P.O. Box 874  
Monticello, NY 12701  
(845) 794-2121 office

WILLIS & NG  
ATTORNEYS AT LAW

444 BROADWAY - SUITE 4  
P.O. Box 874

MONTICELLO, NEW YORK 12701  
willisandng@hvc.rr.com



JOSEPH F. WILLIS (1909-1979)  
PETER J. NG

TELEPHONE (845) 794-2121  
FACSIMILE (845) 794-8412

CHRISTOPHER P. NG, OF COUNSEL

January 14, 2021

VIA EMAIL: [jcarnell@townofthompson.com](mailto:jcarnell@townofthompson.com)

Attn: James Carnell, Director  
Town of Thompson Building Department  
4052 State Route 42  
Monticello, New York 12701

Re: New FOIL Request and  
Ongoing Violations of Town  
Of Thompson Zoning Code at  
266 Gregory Road (Radoncic)  
S/B/L: 56.-1-52.10

Dear Code Enforcement Officer,

This shall serve to follow up on my letter dated yesterday, January 13, 2021, in connection with the above-captioned subject.

Pursuant to the Freedom of Information Law, the undersigned hereby requests any and all decisions rendered as "interpretations" or "variances," required to be maintained under Section 250-47(G), that analyze the definition(s) of "livestock" and/or "farm animals" within the Town of Thompson.

Additionally, I wanted to highlight several additional issues that were troubling: (1) certain Board members failed to remain impartial during the meetings held on this application, and at times voluntarily proffered legal strategy to benefit the applicant; (2) one example of this impropriety was during the December 8, 2020 meeting when one or more ZBA members suggested to the applicant that since their application was about to be denied, they ought to adjourn for one-month to try and combine parcels; (3) the parcel at issue is barely even 200 feet wide, and the side setbacks of the Town's Zoning Code require 150 feet minimum on each side, which cannot be remotely satisfied with a 200 foot wide lot; and (4) since there was opposition against the setback variance from multiple neighbors, and width of the lot will not change, the ZBA should have simply denied the application rather than consider hypothetical scenarios not properly before them.

Thank you for your attention to this matter.



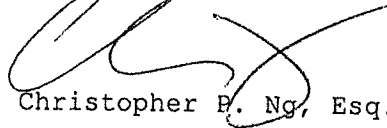
WILLIS & NG

Town of Thompson Building Dept.

-2-

January 14, 2021

Sincerely yours,



Christopher P. Ng, Esq.

Cc. Town of Thompson Zoning Board of Appeal (via email)  
Town of Thompson Planning Board (via email)  
Town of Thompson Supervisor (via email)  
Paula E. Kay, Esq. (via email)  
Michael Mednick, Esq. (via email)

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#1

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  
January 19, 2021

**RESOLUTION FOR NEGATIVE DECLARATION UNDER SEQR  
FOR PROPOSED LOCAL LAW NO. 3 OF 2020; LANDSCAPING  
STANDARDS, PARKING AND GREEN INFRASTRUCTURE**

**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 January 5, 2021 in connection with the review of the local law to amend 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 250 of the Town Code; and

**WHEREAS**, a public hearing was conducted in connection with the revisions to Chapter 250 of the Town Code on January 19, 2021, 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 3 of 2021 entitled A local law to amend Chapter 250 of the Town of Thompson Code relating to Landscaping Standards, Parking and Green Infrastructure; 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. 3 of 2021.

Moved by \_\_\_\_\_  
Seconded by \_\_\_\_\_  
Adopted the 19th day of January, 2021.

The members of the Town Board voted as follows:

|                                   |                              |                             |
|-----------------------------------|------------------------------|-----------------------------|
| Supervisor WILLIAM J. RIEBER, JR. | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Councilperson SCOTT MACE          | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Councilman JOHN A. PAVESE         | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Councilwoman MELINDA S. MEDDAUGH  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Councilman RYAN SCHOCK            | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

STATE OF NEW YORK )  
COUNTY OF SULLIVAN) SS:

The undersigned, Town Clerk of the Town of Thompson, does hereby certify that the resolution annexed hereto declaring negative declaration for proposed Local Law No. 3 of 2021 was adopted by said Town Board on January 19, 2021, a majority of all Board members voting in favor thereof, and the same has been compared with the original on file in my office and is a true and correct copy of aid original and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on January \_\_\_\_, 2021.

\_\_\_\_\_  
Town Clerk

## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

| <b>Part 1 – Project and Sponsor Information</b>  |  |                                       |  |
|--|--|---------------------------------------|--|
| Name of Action or Project:<br>Local Law to Amend Chapter 250 of the Town Code re: Landscaping Standards; Parking and Green Infrastructure  |  |                                       |  |
| Project Location (describe, and attach a location map):<br>Town of Thompson  |  |                                       |  |
| Brief Description of Proposed Action:<br>This local law is amending the current Town Code to add additional landscaping standards; off-site parking standards, and Green infrastructure requirements to site plans and special use permits in the Town of Thompson.  |  |                                       |  |
| Name of Applicant or Sponsor:<br>Town of Thompson  |  | Telephone: 845-794-2500               |  |
|  |  | E-Mail: supervisor@townofthompson.com |  |
| Address:<br>4052 Route 42  |  |                                       |  |
| City/PO:<br>Monticello   |  | State:<br>NY                          | Zip Code:<br>12701                         |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. |  |                                       | NO<br><input type="checkbox"/>             |
|  |  |                                       | YES<br><input checked="" type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency?<br>If Yes, list agency(s) name and permit or approval:   |  |                                       | NO<br><input type="checkbox"/>             |
|  |  |                                       | YES<br><input type="checkbox"/>            |
| 3. a. Total acreage of the site of the proposed action? _____ acres  |  |                                       |  |
| b. Total acreage to be physically disturbed? _____ acres   |  |                                       |  |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres   |  |                                       |  |
| 4. Check all land uses that occur on, are adjoining or near the proposed action:   |  |                                       |  |
| <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)  |  |                                       |  |
| <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):   |  |                                       |  |
| <input type="checkbox"/> Parkland  |  |                                       |  |

|   |                          |                          |                          |
|---|--------------------------|--------------------------|--------------------------|
| 5. Is the proposed action,<br>a. A permitted use under the zoning regulations?<br>b. Consistent with the adopted comprehensive plan?  | NO                       | YES                      | N/A                      |
|   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?   | NO                       | YES                      |                          |
|   | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?<br>If Yes, identify: _____   | NO                       | YES                      |                          |
|   | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels?<br>b. Are public transportation services available at or near the site of the proposed action?<br>c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?   | NO                       | YES                      |                          |
|   | <input type="checkbox"/> | <input type="checkbox"/> |                          |
|   | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| 9. Does the proposed action meet or exceed the state energy code requirements?<br>If the proposed action will exceed requirements, describe design features and technologies:<br>_____<br>_____   | NO                       | YES                      |                          |
|   | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| 10. Will the proposed action connect to an existing public/private water supply?<br>If No, describe method for providing potable water: _____<br>_____  | NO                       | YES                      |                          |
|   | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| 11. Will the proposed action connect to existing wastewater utilities?<br>If No, describe method for providing wastewater treatment: _____<br>_____   | NO                       | YES                      |                          |
|   | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| 12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?<br><br>b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? | NO                       | YES                      |                          |
|   | <input type="checkbox"/> | <input type="checkbox"/> |                          |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?<br>b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?<br>If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____<br>_____<br>_____   | NO                       | YES                      |                          |
|   | <input type="checkbox"/> | <input type="checkbox"/> |                          |
|   | <input type="checkbox"/> | <input type="checkbox"/> |                          |

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:  
 Shoreline    Forest    Agricultural/grasslands    Early mid-successional  
 Wetland    Urban    Suburban

|  |                          |                          |
|--|--------------------------|--------------------------|
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? | NO                       | YES                      |
|  | <input type="checkbox"/> | <input type="checkbox"/> |

|   |                          |                          |
|---|--------------------------|--------------------------|
| 16. Is the project site located in the 100-year flood plan? | NO                       | YES                      |
|   | <input type="checkbox"/> | <input type="checkbox"/> |

|   |                          |                          |
|---|--------------------------|--------------------------|
| 17. Will the proposed action create storm water discharge, either from point or non-point sources?<br>If Yes, | NO                       | YES                      |
| a. Will storm water discharges flow to adjacent properties?   | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?       | <input type="checkbox"/> | <input type="checkbox"/> |
| If Yes, briefly describe:<br>_____<br>_____   |                          |                          |

|  |                          |                          |
|--|--------------------------|--------------------------|
| 18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?<br>If Yes, explain the purpose and size of the impoundment: _____<br>_____ | NO                       | YES                      |
|  | <input type="checkbox"/> | <input type="checkbox"/> |

|  |                          |                          |
|--|--------------------------|--------------------------|
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br>If Yes, describe: _____<br>_____ | NO                       | YES                      |
|  | <input type="checkbox"/> | <input type="checkbox"/> |

|  |                          |                          |
|--|--------------------------|--------------------------|
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?<br>If Yes, describe: _____<br>_____ | NO                       | YES                      |
|  | <input type="checkbox"/> | <input type="checkbox"/> |

**I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor/name: Town of Thompson Town Board Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Title: Supervisor

Agency Use Only [If applicable]

Project:

Date:

*Short Environmental Assessment Form  
Part 2 - Impact Assessment*

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

|  | No, or small impact may occur       | Moderate to large impact may occur |
|--|-------------------------------------|------------------------------------|
| 1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 2. Will the proposed action result in a change in the use or intensity of use of land?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 3. Will the proposed action impair the character or quality of the existing community?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?            | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 7. Will the proposed action impact existing:   |                                     |                                    |
| a. public / private water supplies?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| b. public / private wastewater treatment utilities?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 11. Will the proposed action create a hazard to environmental resources or human health?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |

**PRINT FORM**



Agency Use Only [If applicable]

|          |  |
|----------|--|
| Project: |  |
| Date:    |  |

### *Short Environmental Assessment Form Part 3 Determination of Significance*

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Thompson Town Board

\_\_\_\_\_  
Name of Lead Agency

William J. Rieber, Jr.

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Title of Responsible Officer

Michael B. Mednick, Esq.

\_\_\_\_\_  
Signature of Preparer (if different from Responsible Officer)

**PRINT FORM**

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 January 19,  
2021

**RESOLUTION TO ENACT LOCAL LAW NO. \_\_\_ OF 2021**

**WHEREAS**, proposed Local Law No. 03 of the year 2021 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 January 05, 2021, 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. \_\_\_\_\_ for the year 2021, Town of Thompson, State of New York, which local law is annexed hereto and made a part hereof.

Moved by:

Seconded by:

Adopted on Motion January 19, 2021

Supervisor WILLIAM J. RIEBER JR.

Yes [ ] No [ ]

Councilman SCOTT MACE

Yes [ ] No [ ]

Councilman JOHN A. PAVESE

Yes [ ] No [ ]

Councilwoman MELINDA S. MEDDAUGH

Yes [ ] No [ ]

Councilman RYAN SCHOCK

Yes [ ] No [ ]

STATE OF NEW YORK )  
COUNTY OF SULLIVAN (ss.:

The undersigned, Town Clerk of the Town of Thompson, does hereby certify that the resolution annexed hereto to enact Local Law No. \_\_\_\_ of 2021 was adopted by said Town Board on January 19, 2021, a majority of all Board members voting in favor thereof, and the same has been compared with the original on file in my office and is a true and correct copy of said original and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on January \_\_\_\_, 2021.

---

Marilee J. Calhoun, Town Clerk

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 January 19, 2021

**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 January 19, 2021, a proposed Local Law No. **4** of 2021, entitled "A local law to amend Chapter 250 of the Town of Thompson Code relating to zoning and planned unit development".

**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 February 2, 2021 at 7:00 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 \_\_\_\_\_

Seconded by \_\_\_\_\_

Adopted on Motion January 19, 2021

|                                   |                              |                             |
|-----------------------------------|------------------------------|-----------------------------|
| Supervisor WILLIAM J. RIEBER, JR. | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Councilman SCOTT MACE             | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Councilman JOHN A. PAVESE         | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Councilwoman MELINDA S. MEDDAUGH  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Councilman RYAN SCHOCK            |                              |                             |
| No <input type="checkbox"/>       |                              |                             |

Yes

STATE OF NEW YORK )  
COUNTY OF SULLIVAN) SS:

The undersigned, Town Clerk of the Town of Thompson, does hereby certify that the resolution annexed hereto authorize a public hearing on proposed Local Law No. 3 of 2020 was adopted by said Town Board on January 19, 2021, a majority of all Board members voting in favor thereof, and the same has been compared with the original on file in my office and is a true and correct copy of said original and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on January 19, 2021.

\_\_\_\_\_  
Town Clerk

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Thompson

Local Law No. 4 of the year 2021

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 Highway Commercial-1 (HC-1) district:

Only that portion of real property identified on the Town of Thompson Tax Map as parcels Section 52, Block 1, Lots 2 and 4 consisting of approximately 7.81 acres, currently zoned as Highway Commercial-1 (HC-1), shall be reclassified on such zoning map as Suburban Residential (SR) and shall hereafter be subject to the schedule of district regulations for such Suburban Residential (SR) 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.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 20\_\_\_\_ of the Town of Thompson was duly passed by the Town Board on \_\_\_\_\_ in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by Elective Chief Executive Officer\*)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 20\_\_\_\_ of the County/City/Town/Town/Village of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_ and was (approved) (not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

3. (Final adoption by referendum)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 20\_\_\_\_ of the County/City/Town/Town/Village of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_ and was (approved) (not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 20\_\_\_\_ of the County/City/Town/Town/Village of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_ and was (approved) (not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_ in accordance with the applicable provisions of law.

---

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, chairman of the county legislative body, the mayor of a city or village or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.



5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_ of 20\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of sections 36/37 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at a special/general election held on \_\_\_\_\_ 20\_\_\_ became operative.

6. (County local law concerning adoption of Charter)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_ of 20\_\_\_ of the County of \_\_\_\_\_, State of New York, having been submitted to the electors at the General Election of November \_\_\_ 20\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide the appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

~~\_\_\_\_\_  
Clerk of the county legislative body, city, town,  
village clerk or officer designated by local legislative  
body~~

Date: \_\_\_\_\_, 20\_\_\_

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality)

STATE OF NEW YORK  
COUNTY OF SULLIVAN

I, the undersigned, do hereby certify that the foregoing local law contains the correct text and that all proper proceeding have been had or taken for the enactment of the local law annexed hereto.

Date: \_\_\_\_\_, 20\_\_\_

\_\_\_\_\_  
Attorney for Town of Thompson

Vote: Ayes 4 Rieber, Meddaugh, Schock and Mace  
Nays 0  
Absent 1 Pavese

**3) EMERALD GREEN LAKE LOUISE MARIE WATER COMPANY: ZONE CHANGE REQUEST – (2) PARCELS LOCATED ON LAKE LOUISE MARIE ROAD, ROCK HILL, SBL #'S 52.-1-2 AND 52.-1-4 FROM HC-1 ZONE TO THE SR ZONE**

**The Following Resolution Was Duly Adopted: Res. No. 378 of the Year 2020.**

Resolved, that the zone change request of Emerald Green Lake Louise Marie Water Company, Inc., SBL # 52.-1-2 and 4 located on 239 & 240 Lake Louise Marie Road, Rock Hill, NY from HC-1 to SR hereby be forwarded to the Planning Board for their review and recommendation.

Moved by: Councilwoman Meddaugh                      Seconded by: Councilman Schock

Vote: Ayes 4                      Rieber, Schock, Meddaugh and Mace

Nays 0

Absent 1                      Pavese

**4) NOB HILL COUNTRY CLUB: PRIVATE ROAD NAME REQUESTS – BRIGHTWATER LANE, BAYSHORE LANE & PANAMA LANE, KIAMESHA LAKE, NY, SBL #'S 9.-1-15.1 AND 9.-1-51.2**

The Town Board received an email from Miriam Tyberg of Spigro Management on behalf of Nob Hill Country Club, Inc. along with attached letter from David Spira, President of Nob Hill Country Club, Inc. requesting three private roadway names. Also attached is a letter from the Sullivan County Real Property Tax Services notifying the Town that the naming of the private roadways as Brightwater Lane, Bayshore Lane and Panama Lane have been approved for use within the 911 Addressing System for Sullivan County. Highway Supt. Benjamin sent an email advising that he is good with the private road names selected. There was discussion held regarding the request. The Town Board approved the three names of the private roads located in the Town of Thompson. The roads were identified on the map that was provided, which will be included as part of the file in the Town Clerk's Office. Action was taken as follows:

**The Following Resolution Was Duly Adopted: Res. No. 379 of the Year 2020.**

Resolved, that upon the request of Nob Hill Country Club, Inc. and approval of the Sullivan County Office of Real Property Tax Services the three private roadways located within the private community of Nob Hill Country Club, Inc. as indicated on the map provided hereby be named Brightwater Lane, Bayshore Lane and Panama Lane, Kiamesha Lake, NY, SBL # 9.-1-51.1 and 9.-1-51.2.. 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 all property owners/residents be notified accordingly.

Motion by: Councilwoman Meddaugh                      Seconded by: Councilman Schock

Vote: Ayes 4                      Rieber, Schock, Meddaugh, and Mace

Nays 0

Absent 1                      Pavese

**MOONLIGHT COTTAGES**

58 Ruben Road  
Monticello, NY S/B/L: 43.-1-23.3  
Tim Gottlieb, Engineer

Richard McGoey – The only question is about the demolition of the one building. Mr. Gottlieb – They had some issues with COVID-19 this summer. They have put out bids for contractors for the demolition. Jim Carnell – They did board it up and secure the building. Chairman Kiefer – What is the time frame? Mr. Gottlieb – I don't know, they have to get a contractor first. And then will get it done.

A motion for a one-year extension was made by Michael Croissant and seconded by Matthew Sush 5 in favor; 0 opposed

**CONCORD FAIRWAYS**

Concord Road  
Monticello, NY S/B/L: 9.-1-36  
Henry Zabatta

Mr. Zabatta – We are looking of a 6-month extension to June of 2021. Chairman Kiefer – Why only 6-months? Mr. Zabatta – Because that is what you gave me last time. Paula Kay – Because this project is older than some and it had to go back to the Town Board for them to grant extensions.

A motion for a Six-Month extension until June of 2021 was made by Jim Barnicle and seconded by Michael Croissant 5 in favor; 0 opposed

**EMERALD GREEN/LAKE LOUISE MARIE WATER COMPANY**

239 / 241 Lake Louise Mare Rd.  
Rock Hill, NY S/B/L: 52.-1-2 / 52.-1-4  
Glen Smith, Engineer

Michael Hoyt recused himself from this application.

Chairman Kiefer appoints Kathleen Lara as a voting member for this application.

Mr. Smith - Shows the site plan. This property is know as the Frontier Insurance Company and now owned by Center for Discovery. Nana's house is next door and Lake Louise Marie Water Company is across the street. The two parcels behind Nana's house that is 7.8 acres is owned by the Lake Louise Marie Water Company and wants to build a water storage tank. The property is currently in HC1 zone and that does not permit this water tank. The site across the street is zoned as SR. We would like to rezone from HC1 to SR. The Center for Discovery wants to buy 5.5 acres behind Nana's house and put in residential group houses. The intent is to eliminate the property line between the two lots and make

three lots. One will be 5.5 acres and purchased by The Center for Discover, another will be 1.5 acres and will go to the Lake Louise Marie Water Company for the storage tank and the last parcel will be  $\frac{3}{4}$  of an acre were the current house is. The Board is looking for a recommendation from you for a rezoning. And we will need a variance for the height of the water tank. The residential housing will be defined as a cluster developer on 5.5 acres. And cluster homes requires 10 acres so I'll need a variance for that as well. The access to the water tanks would be from Lake Louise Marie Road and access to the residential housing will be from Nana's house.

Matthew Sush - Being that the homes are for The Center is there a possibility that the lot line can disappear and then the lot would just be absorbed into the property that is there. Then it would be a flagged lot and you wouldn't need that secondary entrance. Mr. Smith - We will have to get a better answer for that.

A motion to recommend the zoning change to the Town Board was made by Michael Croissant and seconded by Matthew Sush  
5 in favor; 0 opposed

#### **YESHIVA VIZNITZ-27 LOT SUBDIVISION**

Gefen Lane & Feldman Circle  
Monticello, NY S/B/L: 6.A-1-1.1  
Joel Kohn, Representative

Mr. Kohn - This has been in front of the board several times. It started out as a 16-lot subdivision that was approved and then in 2017 they changed the application for a 27-lot subdivision with 93 homes. We had a Public Hearings and work session. We are looking for a preliminary approval, preliminary subdivision approvals and a preliminary site plan approval.

There are 32 comments and out of these comments 11 of them are minor and have been address, 5 of them are just statements or stuff that needs to be done between preliminary and final, 4 of the comments are just responses to our comments leaving us with 12 comments. Out of the 12 comments 5 have been fully address, 2 about landscaping and that leaves us with 5 that have not been addressed yet.

Chairman Kiefer - The big thing is the water. Mr. Kohn - We did get a letter from the water company stating that they do have the capacity to supply water to this project. However, the Department of Health (DOH) & Town are questioning it. We got an approval from the DOH to drill two new wells to supply the project with water and they have been tested. With the number of bedrooms on the site plan there will be a draw down. The wells have been retested at a low rate and at a rate of 50 gallon's per minute will not have any draw down issue on any of the other wells. This all was done and submitted before the October 4, 2020 meeting as well as the hydrogeologist report.

Chairman Kiefer - Is there any way to use the well and the water company together?

Mr. Kohn - We are looking in to that option, but for now we are looking at it as two separate water systems.

Town of Thompson  
Trial Balance  
Fiscal Year: 2021  
For the Period Ending 12/31/2021

Fund B000

| Account Number | Account Description                                      |                  |              |
|----------------|--|------------------|--------------|
| B000.0615.529  | SECURITY BOND; EPR ENTERTAINMENT VILLAGE                 | \$263,430.00     |              |
| B000.0615.546  | ENTERTAINMENT VILLAGE SITE INSPECTION FEES               | \$0.60           |              |
| B000.0615.805  | P/B PROJ.:ERREII ENTERTAINMENT VILLAGE                   | (\$6,903.44)     |              |
| B000.0615.805  | MH&E Invoice # 18-2990 12/21/2018 Approved for payment   | <u>(\$72.50)</u> | (\$6,975.94) |
|                | Total to be returned to Montreign Operating Company, LLC | \$ 256,454.66    |              |

**marilee (clerk-town of thompson)**

---

**From:** Melissa DeMarmels (Comptroller Town of Thompson)  
<comptroller@townofthompson.com>  
**Sent:** Wednesday, January 13, 2021 3:57 PM  
**To:** Marille Calhoun; 'William J. Rieber, Jr.'  
**Cc:** paulaelainekay; 'Jim Carnell (Town of Thompson Building Dept.)'  
**Subject:** Bond & Escrow returns to Monticello Operating Company  
**Attachments:** RE: Town Escrow Funds (147 KB); Return to Monticello Operating Company LLC  
01-19-2021.xlsx

Bill & Marilee,

Per Paula's correspondence with George Duke (attached) the Town will be returning a total of \$256,454.66 to Monticello Operating Company, LLC.

The details of the accounts are attached as well.

If you need anything else from me to put on the agenda for a resolution on January 19<sup>th</sup>, just let me know.

Thanks,

*Melissa DeMarmels*

Comptroller  
Town of Thompson  
Phone: (845)794-2500 Ext 307  
Fax: (845)-794-8600  
[www.townofthompson.com](http://www.townofthompson.com)

#4

JAN 14 2021  
TOWN CLERK  
TOWN OF THOMPSON

**marilee (clerk-town of thompson)**

---

**From:** Jay Zeiger  
**Sent:** Thursday, January 14, 2021 11:32 AM  
**To:** supervisor@townofthompson.com  
**Cc:** marilee@townofthompson.com; Michael Mednick esq.; Joel Kohn  
**Subject:** RE: Jeremias Petition for Annexation  
**Attachments:** Petition for Annexation.1.14.21.pdf

Attached is a Petition for Annexation sent on behalf of our client, Abraham Jeremias. The proposal is to annex the land specified in the Petition from the Town to the Village of Monticello. A map of the parcel requested to be annexed is attached to the Petition (Lot 2 on the attached map).

Please schedule this for a future Town Board meeting and please email the date and time of the meeting.

Thank you.

JAY L. ZEIGER, ESQ.  
Kalter, Kaplan, Zeiger & Forman  
6166 State Route 42, PO Box 30  
Woodbourne, New York 12788  
Telephone: 845-434-4777  
Fax: 845-436-8156

[jayzeiger-kkz@hvc.rr.com](mailto:jayzeiger-kkz@hvc.rr.com)



PETITION FOR ANNEXATION

\*\*\*\*\*X

TO: TOWN BOARD OF THE TOWN OF THOMPSON  
TOWN SUPERVISOR WILLIAM J. RIEBER, JR.  
MELINDA S. MEDDAUGH  
SCOTT MACE  
RYAN T. SCHOCK  
JOHN PAVESE

Town Council

-and-

TO: VILLAGE BOARD OF THE VILLAGE OF MONTICELLO  
GEORGE NIKOLADOS, Mayor  
MICHAEL BANKS, TRUSTEE  
ROCHELLE MASSEY, TRUSTEE  
CHARLIE SABATINO, TRUSTEE  
CARMEN RUE, TRUSTEE

Village Trustees

\*\*\*\*\*X

TO: TOWN BOARD OF THE TOWN OF THOMPSON and  
VILLAGE BOARD OF THE VILLAGE OF MONTICELLO

1. Pursuant to Article 17 of the General Municipal Law of the State of New York, the Petitioner herein does petition to annex to the Village of Monticello all of the territory which is now in the Town of Thompson, Sullivan County, New York, which adjoins the Village of Monticello and is described in Paragraph "2" of this Petition.

2. Petitioner seeks to have territory in the Town of Thompson, Sullivan County, New York, which adjoins the Village of Monticello and is currently represented by tax map number for the Town of Thompson being Section 29, Block 1, Lots 44.2 and 2.2 (the "Territory") to be annexed to the Village of Monticello and become a part thereof. A metes and bounds description of the Territory to be annexed is annexed to this Petition as Exhibit "A".

3. The Petitioner is the owner of all of the property in the Territory to be annexed and thus is the owner of a majority in assessed valuation, assessed upon the last proceeding assessment roll of the Town of Thompson.

4. The Territory to be annexed is a single family residence located on 33.623 acres of land.

5. The Petitioner further requests that upon completion of the requested annexation that the Territory be zoned RM, which is the same zone as the contiguous parcel.

6. Upon approval of this annexation petition by all municipalities, the Territory to be annexed will be submitted to the Planning Board of the Village of Monticello for the purpose of developing the property as a residential development.

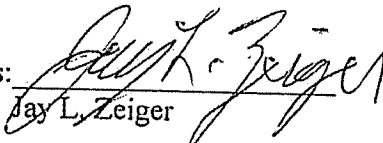
7. Attached to this Petition and made a part hereof is a Certificate of the Assessor of the Town of Thompson, whereby he certifies that as of the date of this Petition, the Petitioner is the owner of the entire assessed value of the Territory sought to be annexed.

IN WITNESS WHEREOF, the Petitioner in the presence of us as witnesses, affixed his name and signed the foregoing Petition on the 27<sup>th</sup> day of January, 2021.

Petitioner:

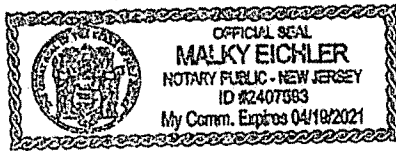
  
Abraham Jeremias

Witness:

  
Jay L. Zeiger

STATE OF NEW YORK )  
 )ss.:  
COUNTY OF SULLIVAN)

On the 7 day of January in the year 2021 before me, the undersigned, a Notary Public in and for said State, personally appeared ABRAHAM JEREMIAS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Malky Eichler  
Notary Public

STATE OF NEW YORK )  
 )ss.:  
COUNTY OF SULLIVAN)

WITNESS STATEMENT

Jay L. Zeiger, being duly sworn, deposes and says as follows:

I reside at 8 Darlene Drive, Goshen, Orange County, New York, and I know ABRAHAM JEREMIAS, whose name is subscribed to the above sheet containing his signature, and he subscribed same in my presence on January 7, 2021.

Jay L. Zeiger  
Jay L. Zeiger

Sworn to before me this 7th  
day of January, 2021

Cecelia Oquendo  
Notary Public

CECELIA OQUENDO  
Notary Public, State of New York  
NYS Reg No. 01006350287  
Qualified in Ulster County  
Commission Expires Nov. 7, 2022

STATE OF NEW YORK )  
 )ss.:  
COUNTY OF SULLIVAN )

CERTIFICATE OF ASSESSOR

Van B. Krzywicki, being duly sworn, deposes and says as follows:

1. I am the appointed Assessor for the Town of Thompson, Sullivan County, New York.

2. In my capacity as assessor for the Town of Thompson I prepared the last preceding assessment roll for the Town of Thompson for the 2020 assessment year, corresponding to the 2020/2021 tax year, a certified copy of which was filed with the Town Clerk of the Town of Thompson on or about July 1, 2020 (the "2020 Assessment Roll").

3. The total assessed valuation of the real property in the Town of Thompson according to the 2020 Assessment Roll was \$ 1,831,533,913

4. The 2020 Assessment Roll provided that Abraham Jeremias was the owner of a parcel of land in the Town of Thompson under tax map number Section 29, Block 1, Lot 44. Said parcel was assessed on the 2020 Assessment Roll at \$82,300.00.

5. Subsequent to the filing of the 2020 Assessment Roll, and pursuant to a Town Planning Board approved lot line change, Abraham Jeremias acquired an additional parcel of land of 32.628± acres and Abraham Jeremias conveyed a portion of Section 29, Block 1, Lot 44, to Pine Tree Resort Estates LLC, such that after implementing the aforementioned lot line change, Abraham Jeremias is now the owner of two parcels of land in the Town of Thompson under Tax Map Numbers Section 29, Block 1, Lots 44.2 and 2.2 (the "Reconfigured Parcels"), which is comprised of a single family residence located on 33.62 acres of land.

6. The two Reconfigured Parcels are contiguous to land in the Village of Monticello and the Reconfigured Parcels represent all of the land owned by Abraham Jeremias as a result of the above mentioned lot line change.

7. The Reconfigured Parcels owned by Abraham Jeremias mentioned above comprise 100% of the total assessed valuation of real property owned by the said Abraham Jeremias in the Town of Thompson as a result of the lot line change.

Van B. Krzywicki, IAO  
Van B. Krzywicki

Sworn to before me this 7th  
day of January, 2021

Maile J. Calhoun  
Notary Public

MARILEE J. CALHOUN  
Notary Public, State of New York  
Sullivan County Clerk's #2571  
Commission Expires July 08, 2022



45 Main Street · P.O. Box 166  
Pine Bush, New York 12566  
Tel: (845) 744-3620  
Fax: (845) 744-3805  
Email: mntm@mntm.co

Lawrence J. Marshall, P.E.  
John Tarolli, P.E., L.S.

Zachary A. Peters, P.E.  
Kenneth W. Vriesema, L.S.

## DEED DESCRIPTION

ALL THAT LAND, situate in the Town of Thompson, County of Sullivan, State of New York, as shown on a map entitled "Lot Line Change Map of Lands of Pine Tree Resort Estates, LLC & Abraham Jeremias", filed in the Sullivan County Clerk's Office on March 9, 2020, as Map No. 15-245, bound and described as follows:

BEGINNING at a set 5/8" iron rod with a plastic i.d. cap on the east side of New York State Highway No. 42 at the northwest corner of lands of Kollel Metzzyonim Beth Aron Zev, Deed Reference Instrument # 2011-1269;

THENCE along said road, North Twenty-Two Degrees, Forty-One Minutes, Seventeen Seconds East, One Hundred Fifty-Four and Thirty-Five Hundredths Feet (N 22°41'17" E 154.35);

THENCE through the lands of Abraham Jeremias, Deed Reference Liber 1515, Page 594, South Eighty Degrees, Fifty-Seven Minutes, Three Seconds East, Two Hundred Eighty-Eight and Eighty-Seven Hundredths Feet (S 80°57'03" E 288.87');

THENCE through the lands of Pine Tree Resort Estates, LLC, Deed Reference Liber 1932, Page 548, the following courses:

- South Twenty-Two Degrees, Thirty-One Minutes, Fifty-Seven Seconds West, Fifty-One and Forty-Two Hundredths Feet (S 22°31'57" W 51.42'),
- South Eighty Degrees, Fifty-Seven Minutes, Three Seconds East, One Thousand One Hundred Fifteen and Sixty-One Hundredths Feet (S 80°57'03" E 1,115.61'),
- North Eight Degrees, Forty-Five Minutes, Fifty-Two Seconds West, Six Hundred Seventy-Nine and Seven Hundredths Feet (N 08°45'52" W 679.07'),
- North Seventy-Six Degrees, Thirty-Three Minutes, Nine Seconds West, One Hundred Sixty-Six and Two Hundredths Feet (N 76°33'09" W 166.02'), and
- North Six Degrees, Fifty Minutes, Forty-Six Seconds East, One Hundred Eighty-Five and Eighty-Nine Hundredths Feet (N 06°50'46" E 185.89');



S:\3130\Deed Descriptions\3130-PROP LOT 2.DD.doc



THENCE along the lands of Steele Sleepy Hollow LLC, Instrument # 2017-8972, South Seventy-Nine Degrees, Twenty-Five Minutes, Fifty-Seven Seconds East, One Thousand Five Hundred Eighty-One and Eighty-Four Hundredths Feet (S 79°25'57" E 1,581.84') to a set stone on end in a stone pile;

THENCE along the lands of Nellie S. & Timothy F. Culligan, Deed Reference Liber 3106, Page 380, South Six Degrees, Twenty-Seven Minutes, Twenty-Two Seconds West, Nine Hundred Thirty and Zero Hundredths Feet (S 06°27'22" W 930.00') to a set 5/8" iron rod with a plastic i.d. cap in a swampy area, and North Eighty Degrees, Forty-Eight Minutes, Six Seconds West, One Thousand Nine Hundred Thirty-Six and Ninety-Three Hundredths Feet (N 80°48'06" W 1,936.93');

THENCE along the lands of Zoli S. Kleinberger, Deed Reference Liber 2232, Page 175, North Seventy-Five Degrees, Four Minutes, Twenty-Four Seconds West, Two Hundred Four and Thirty-Four Hundredths Feet (N 75°04'24" W 204.34');

THENCE along the lands of Kollel Metzlyonim Beth Aron Zev, Instrument # 2011-1269, North Eighty Degrees, Fifty-Seven Minutes, Three Seconds West, Two Hundred Forty-Two and Thirty-Four Hundredths Feet (N 80°57'03" W 242.34') to a found 1" o.d. iron pipe, 5" above grade, and North Eighty Degrees, Fifty-Seven Minutes, Three Seconds West, Two Hundred Eighty-Nine and Thirty-One Hundredths Feet (N 80°57'03" W 289.31') to the point of beginning.

CONTAINING 33.623 acres of land as surveyed by Mercurlo-Norton-Tarolli-Marshall, Land Surveying-Engineering, P.C., 45 Main Street, Pine Bush, NY 12566. Bearings refer to state plane coordinate grid north of the New York State eastern zone.

SUBJECT to utility easements, grants or rights-of-way of record, if any.

INTENDED to be a portion of the same premises conveyed to Abraham Jeremias, by a deed filed in the Sullivan County Clerk's Office in Liber 1515 of Deeds, Page 594 and a portion of the same premises conveyed to Pine Tree Resort Estates LLC, by a deed filed in the Sullivan County Clerk's Office in Liber 1932 of Deeds, Page 548.



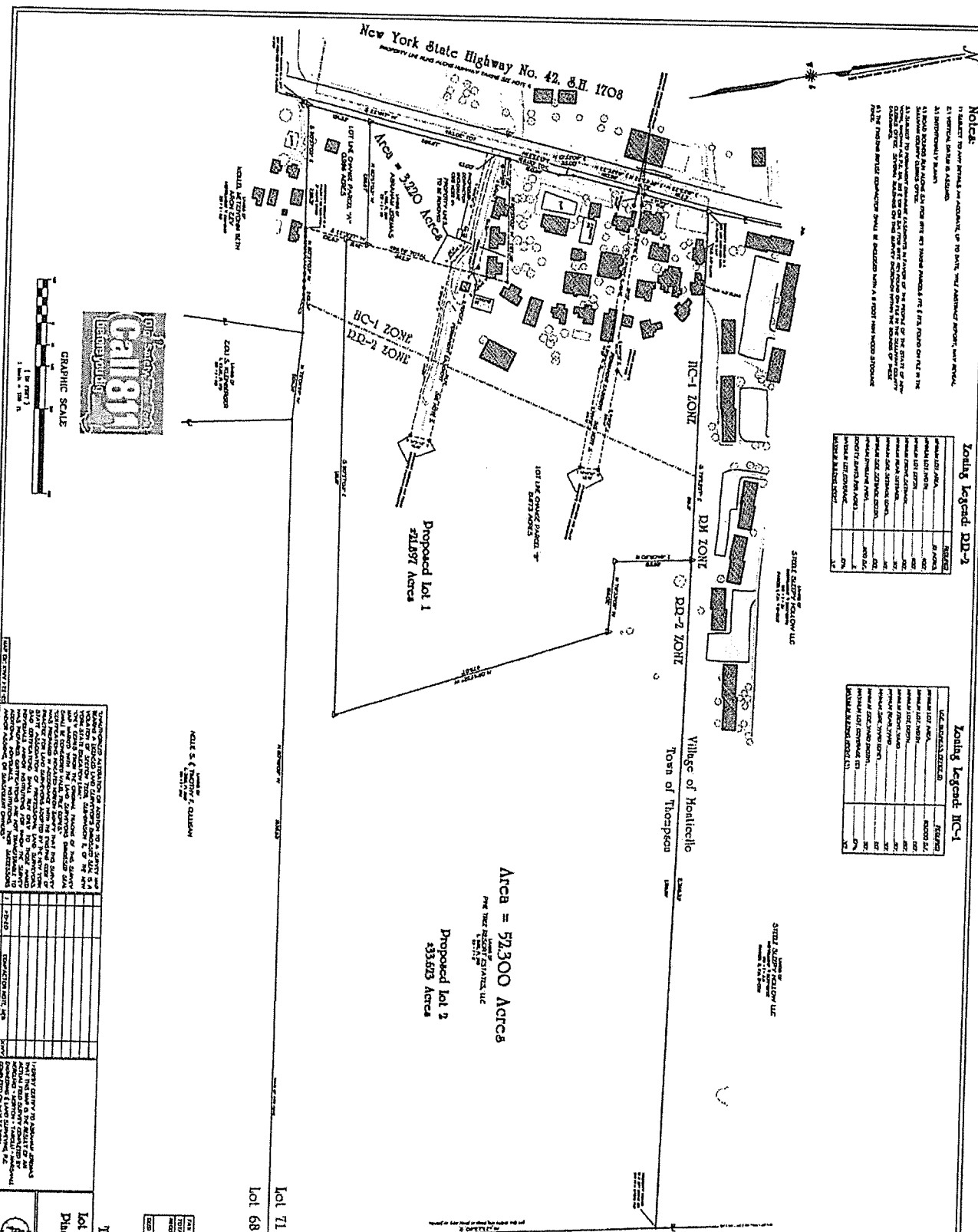
**Notice:**  
 1) Subject to any pending or existing lot to suit, and additional reports, and approval of the Planning Board.  
 2) Vertical Scale is Actual.  
 3) Horizontal Scale is Actual.  
 4) All lots shown on this map are not necessarily shown on the map of the Town of Hopewell.  
 5) All lots shown on this map are not necessarily shown on the map of the Town of Hopewell.  
 6) All lots shown on this map are not necessarily shown on the map of the Town of Hopewell.  
 7) All lots shown on this map are not necessarily shown on the map of the Town of Hopewell.  
 8) All lots shown on this map are not necessarily shown on the map of the Town of Hopewell.  
 9) All lots shown on this map are not necessarily shown on the map of the Town of Hopewell.  
 10) All lots shown on this map are not necessarily shown on the map of the Town of Hopewell.

**Zoning Legend DD-2**

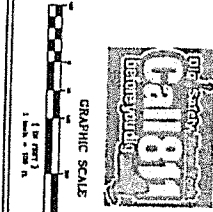
| Symbol | Area       | Notes |
|--------|------------|-------|
| DD-2   | DD-2 ZONE  | ...   |
| DD-1   | DD-1 ZONE  | ...   |
| DD-3   | DD-3 ZONE  | ...   |
| DD-4   | DD-4 ZONE  | ...   |
| DD-5   | DD-5 ZONE  | ...   |
| DD-6   | DD-6 ZONE  | ...   |
| DD-7   | DD-7 ZONE  | ...   |
| DD-8   | DD-8 ZONE  | ...   |
| DD-9   | DD-9 ZONE  | ...   |
| DD-10  | DD-10 ZONE | ...   |

**Zoning Legend HC-1**

| Symbol | Area       | Notes |
|--------|------------|-------|
| HC-1   | HC-1 ZONE  | ...   |
| HC-2   | HC-2 ZONE  | ...   |
| HC-3   | HC-3 ZONE  | ...   |
| HC-4   | HC-4 ZONE  | ...   |
| HC-5   | HC-5 ZONE  | ...   |
| HC-6   | HC-6 ZONE  | ...   |
| HC-7   | HC-7 ZONE  | ...   |
| HC-8   | HC-8 ZONE  | ...   |
| HC-9   | HC-9 ZONE  | ...   |
| HC-10  | HC-10 ZONE | ...   |



**Area = 52,300 Acres**  
**Proposed Lot 2**  
 43,603 Acres

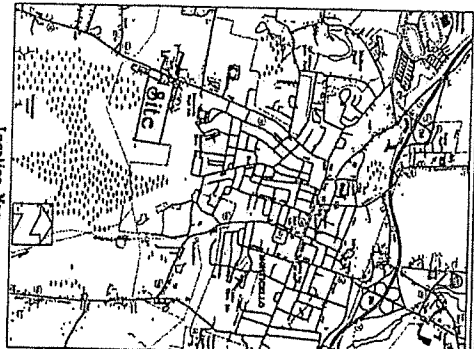


**Map of Hopewell**  
 Township of Hopewell, Town of Hopewell, New York State  
 This map shows the location of the proposed lots within the Township of Hopewell, Town of Hopewell, New York State. The map includes the names of the adjacent townships and towns, and the names of the roads and highways that border the proposed lots.

**Parcel Information**

| Parcel No. | Area (Acres) | Proposed Use   | Current Use |
|------------|--------------|----------------|-------------|
| 1          | 43,603       | Proposed Lot 2 | ...         |
| 2          | ...          | ...            | ...         |
| 3          | ...          | ...            | ...         |
| 4          | ...          | ...            | ...         |
| 5          | ...          | ...            | ...         |
| 6          | ...          | ...            | ...         |
| 7          | ...          | ...            | ...         |
| 8          | ...          | ...            | ...         |
| 9          | ...          | ...            | ...         |
| 10         | ...          | ...            | ...         |

**Total Area = 55,920 Acres**  
**Lot Line Change Map of Lands of Phic Rice Resort, Inc. & Abraham Jercovitz**



**Legend**  
 - - - - - Proposed Lot Line  
 - - - - - Existing Lot Line  
 - - - - - Zoning Boundary  
 - - - - - Road  
 - - - - - Water Body  
 - - - - - Other Features

**The Following Resolution Was Duly Adopted: Res. No. 76 of the Year 2020.**

Resolved, that the Financial Advisory Services Agreement between the Town of Thompson and Capital Markets Advisors, LLC for Professional Financial Advisory Services for the 2020 renewal agreement as per the provided fee schedule for all services specified hereby be approve, Further Be It Resolved, that the Town Supervisor hereby be authorized to execute the renewal 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.

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

**CHARM ESTATES EQUITIES, LLC.**

**The Following Resolution Was Duly Adopted: Res. No. 77 of the Year 2020.**

Resolved, that the Town of Thompson enter into an agreement with McGoey, Hauser, & Edsall Consulting Engineers for Site Work Construction Review of the Charm Estates Project located at 295 Ranch Road, Monticello, in the amount of \$55,365.67 and that the Town Supervisor is authorized to execute an agreement reflecting same.

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

**NORTON ROSE FULBRIGHT US LLP**

**The Following Resolution Was Duly Adopted: Res. No. 78 of the Year 2020.**

Resolved, that the Town of Thompson confirms that the firm of Norton Rose Fulbright US LLP has continuously represented the Town of Thompson as Bond Counsel. Said representation has been continuous for the period January 1<sup>st</sup>, 2017 through December 31<sup>st</sup>, 2020 as per the attached fee schedule<sup>3</sup>. The Supervisor shall be authorized to execute an undertaking to confirm the above for submission to the NYS Environmental Facilities Corporation or others as may be necessary.

Moved by: Councilman Mace                                  Seconded by: Councilman Schock  
Vote: Ayes 5                        Rieber, Schock, Meddaugh, Pavese, and Mace  
Nays 0

**BOOKEEPING SERVICES**

**The Following Resolution Was Duly Adopted: Res. No. 79 of the Year 2020.**

Resolved, that the Town of Thompson retains Theresa Giordano as an independent contractor for bookkeeping services for the year 2020 at a rate of \$30.00 per hour.

Moved by: Councilman Mace                                  Seconded by: Councilman Pavese

<sup>3</sup> ATTACHMENT: NORTON ROSE FULBRIGHT US LLP GENERAL OBLIGATION FEE SCHEDULE



#6

-----X  
IN THE MATTER OF THE PROCEEDING ORDER  
RESOLUTION AND ORDER OF THE THOMPSON  
TOWN BOARD FOR REPAIR OR REMOVE AN  
UNSAFE BUILDING OR STRUCTURE

**CANCELLATION OF  
LIS PENDENS**

Name of Owner: K & L 17 B Properties  
Tax Map # 18-1-18

Index No. 2412/2000

-----X

**THE TOWN OF THOMPSON DOES HEREBY CERTIFY** that the Lis Pendens ,  
filed in the Office of the Clerk of the County of Sullivan, on the 28<sup>th</sup> day of November 2000 at  
Liber 2233 at page 585 in favor of the Town of Thompson and against the real property  
designated as follows Section 18 Block 1 Lot 18 on the tax map of the Town of Thompson be  
canceled and discharged of record and the said clerk is requested to make a note to that effect on  
the margin of the record of said Notice of Pendency.

Dated: January , 2021  
Monticello NY

*IN WITNESS WHEREOF*, the party of the first part has duly executed this Cancellation of Lis Pendens  
the day and year first above written.

\_\_\_\_\_  
William J. Rieber Jr., Town of Thompson Supervisor

STATE OF NEW YORK  
COUNTY OF SULLIVAN ) ss.

On the \_\_\_ day of January, 2021, before me, the undersigned, personally appeared **William J Rieber Jr.**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

#9  
Highway Dept

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF THOMPSON  
RECOGNIZING ALL WATER AND SEWER DEPARTMENT EMPLOYEES,  
Park & Rec. Dept. AS FIRST RESPONDERS**

**WHEREAS**, the term First Responder refers the those individuals who in the early stages of an incident are responsible for the protection and preservation of life, property, evidence and the environment, including emergency response providers as defined in Section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101), as well as Emergency Management, Public Health, Public Works and other skilled support personnel (such as equipment operators) that provide immediate support services during prevention, response and recovery operations,; and

**WHEREAS**, President George W. Bush issued Homeland Security Presidential Directive 8 (HSPD-8), National Preparedness, in 2003, in which a Public Works response to emergencies and disasters is recognized as an absolute necessity, and the federal government is directed to include Public Works in all planning and response effort; and

**WHEREAS**, The Town of Thompson believes to best provide for the health, safety, and welfare of its citizens, it is appropriate to recognize our employees that put the citizens of The Town of Thompson before themselves in time of emergency; and

**WHEREAS**, The Town of Thompson Water and Sewer Employees; Highway Department Employees and Parks and Recreation Employees are all involved in Disaster Prevention, Disaster Response and Recovery Operations and have demonstrated their skills and commitment multiple times throughout the years; and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town of Thompson Town Board designates and recognizes all employees of the Water and Sewer Department; Highway Department and Parks and Recreation Department as First Responders.

Moved by:

Seconded by:

Adopted on Motion January 19, 2021

|                                  |         |        |
|----------------------------------|---------|--------|
| Supervisor WILLIAM J RIEBER JR.  | Yes { } | No { } |
| Councilman SCOTT MACE            | Yes { } | No { } |
| Councilman JOHN A. PAVESE        | Yes { } | No { } |
| Councilwoman MELINDA S. MEDDAUGH | Yes { } | No { } |
| Councilman RYAN T. SCHOCK        | Yes { } | No { } |

#10



GM - 062117, CE - 040319, AG - 021815  
NJPA Arkansas 4600041718  
NJPA Delaware GSS-17673  
Nebraska 14777 (OC)  
Mississippi (CE Only) 820036654

SVL95-2SHFC WEB QUOTE #1810568

Date: 10/15/2020 8:53:48 AM

-- Customer Information --

MESENTER, MIKE

TOWN OF THOMPSON

mmessenger@townofthompson.com

845-794-5560

Quote Provided By  
MARSHALL MACHINERY, INC.  
DAVID BONIFACE  
3207 ROUTE 6  
MIDDLETOWN, NY 10940  
email: DAVIDB@MARSHALL-  
MACHINERY.COM  
phone: 8453890596

-- Standard Features --

-- Custom Options --



**Kubota**

S Series

SVL95-2SHFC

\*\*\*EQUIPMENT IN STANDARD MACHINE\*\*\*

**FEATURES**

Final Tier 4 Certified Kubota Diesel Engine  
Electronic Travel Torque Management System  
Vertical Lift Path Loader Frame Standard Front Quick Coupler, Float Standard  
Hydraulic Quick Coupler Option  
Loader Arm Self-Leveling  
Loader Boom Lock  
Open ROPS/FOPS  
Optional enclosed and pressurized cab with A/C  
High Back, Adjustable, Vinyl, Suspension Seat  
2" Retractable Seat Belt And 2-Piece Seat Bar  
23.1 gpm Auxiliary Hydraulics Standard, 40.0 gpm Option  
Direct To Tank Return Line  
Rigid Mounted Undercarriage, 5 Lower Track Rollers  
High Grip Rubber Tracks, 17.7" Standard  
Two Speed Travel System  
Automatic Wet Disk Parking Brake  
Kubota 4 Hydraulic Pump Load Sensing System  
3 Variable Displacement Pumps,  
1 additional piston pump for High Flow Option  
Hydraulic Joystick Controls  
ISO Operating Pattern  
Dial Knob And Foot Throttle Controls  
Stall Guard Engine Control  
Automatic Glow Plugs  
Key Switch Stop System  
Self Bleed Fuel System  
2 Front And 2 Rear Working Lights  
Hour Meter, Engine Temperature, DEF, And Fuel Gauges And Warning Lights  
Horn And Backup Alarm  
Lockable DEF Tank Cap  
Lockable Fuel Cap  
Radio Ready on Enclosed Cabs

**BASIC UNITS**

SVL95-2SHFC, 17.7" Rubber Tracks,  
A/C ROPS/FOPS Cab  
Hydraulic Quick Coupler,  
High Flow Auxiliary Hydraulics  
**OPERATIONAL DIMENSIONS**  
Operating Weight\*, SVL95-2s, 17.7" Rubber Tracks, Open ROPS/FOPS Cab, Mechanical Quick Coupler 11,299 lbs.  
Rated Operating Capacity (ROC) @ 35% of Tipping Load complies with ISO 14397-1 and SAE J 818) 3,200 lbs.  
Rated Operating Capacity (ROC) @ 50% of Tipping Load 4,572 lbs. Tipping Load 9,143 lbs. Auxiliary Hydraulics Flow 23.1 / 40.0 gpm  
Travel Speed (Low / High) 5.0 / 7.3 mph  
Reach @ Maximum Height 40.7" Height to Hinge Pin 128.6" Ground Pressure 4.4 psi. Traction Force 12,178 lbf.

\* Includes operator's weight, 175 lbs.

**ENGINE**

V3800-Tier 4 Kubota Final Tier 4 Diesel Engine  
4 Cylinder, 4 Cycle, Turbo Charged  
96.0 Gross HP @ 2400 rpm

**DIMENSIONS**

Cab Height 83.4"  
Width (without attachment) 77.2"  
Length (without attachment) 123.5"  
Length of Track on Ground 65.6"

SVL95-2SHFC Base Price: \$82,047.00

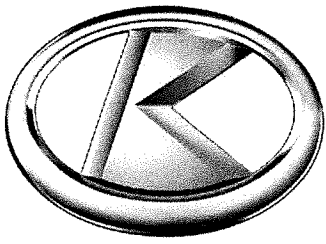
|   |                    |
|---|--------------------|
| (1) ACCESSORY HARNESS<br>S6680-ACCESSORY HARNESS  | \$63.00            |
| (1) SVL MULTIFUNCTION CONTROLLER HANDLE<br>S6689A-SVL MULTIFUNCTION CONTROLLER HANDLE   | \$873.00           |
| (1) 80" HEAVY DUTY LOW PROFILE LONG FLOOR BUCKET (20.9 CU-FT) W/CUTTING EDGE<br>AP-HD80LLC-80" HEAVY DUTY LOW PROFILE LONG FLOOR BUCKET (20.9 CU-FT) W/CUTTING EDGE | \$1,750.00         |
| (1) REAR VIEW MIRROR KIT<br>S6641-REAR VIEW MIRROR KIT  | \$22.00            |
| (1) HOSE STAY<br>S6689-HOSE STAY  | \$98.00            |
| (1) ROTATING BEACON LIGHT KIT<br>S6678-ROTATING BEACON LIGHT KIT  | \$353.00           |
| <b>Configured Price:</b>  | <b>\$85,206.00</b> |
| Sourcewell Discount:  | (\$20,449.44)      |
| <b>SUBTOTAL:</b>  | <b>\$64,756.56</b> |
| 1Yr SVL95-2SHFC Extended Warranty (3000 hrs)  | \$1,200.00         |
| Dealer Assembly:  | \$317.33           |
| Freight Cost:   | \$665.00           |
| PDI:  | \$250.00           |

Total Unit Price: \$67,188.89  
Quantity Ordered: 1  
Final Sales Price: \$67,188.89

**Purchase Order Must Reflect the Final Sales Price**

To order, place your Purchase Order directly with the quoting dealer

\*All equipment specifications are as complete as possible as of the date on the quote. Additional attachments, options, or accessories may be added (or deleted) at the discounted price. All specifications and prices are subject to change. Taxes are not included. The PDI fees and freight for attachments and accessories quoted may have additional charges added by the delivering dealer. These charges will be billed separately. Prices for product quoted are good for 60 days from the date shown on the quote. All equipment as quoted is subject to availability.



For Earth, For Life  
Kubota

# SVL

## KUBOTA COMPACT TRACK LOADER SVL75-2 / SVL95-2s

The outstanding power and exceptional comfort of Kubota's new Compact Track Loaders take high performance and productivity to a new level.



#11

# Town of Thompson

Town Hall  
4052 State Route 42  
Monticello, NY 12701

Water and Sewer Department

Phone: (845) 794-5280

Fax: (845) 794-2777

Email: [waterandsewer@townofthompson.com](mailto:waterandsewer@townofthompson.com)

Michael Messenger, Superintendent

Keith Rieber, Assistant Superintendent

## **BILLS OVER \$2500.00**

We are requesting permission to pay the attached invoice

**Vendor: Slack Chemical Co. Inc.**

**Product: Sodium Bisulfite and SternPAC**

**Grand total due: \$2,688.95**

**Sole Source procurement.**



ISO 9001:2015

**CHEMICAL COMPANY** Incorporated

465 South Clinton St., P.O. Box 30  
 Carthage, NY 13619-0030 USA  
 Federal I.D. # 15-0503203



Phone: (315) 493-0430 Fax: (315) 493-3931

|                 |                |
|-----------------|----------------|
| Customer Number |                |
| 4778            |                |
| Invoice Date    | Invoice Number |
| 12/14/2020      | 413590         |
| Due Date        | BL Number      |
| 1/13/2021       | 411229         |

**INVOICE**

**Sold To:**

\*\*Thompson Town  
 128 Rock Ridge Dr  
 \*\*Only 1 product per invoice\*\*  
 Monticello, NY 12701  
 MAIL ORIGINALS  
 Tel. No. 845-794-5280 , Fax No. 845-794-2777

**Ship To:**

\*\*Emerald Green Sewer  
 158 Lake Louise Marie Rd  
 Rock Hill, NY 12775

| Ship Date   | Ship Via     | Payment Terms  | Purchase Order Number | SLS                     |                 |
|-------------|--------------|----------------|-----------------------|-------------------------|-----------------|
| 12/14/2020  | Slack CT     | NET 30         | Verbal Keith          | 075                     |                 |
| QTY Shipped | Packaging    | Total Quantity | Product               | Unit Price              | Amount          |
| 3           | 55 G DRUM-SB | 165 G          | Sodium Bisulfite 38%  | 2.9900 / G              | 493.35          |
| 6           | 55 G DRUM-SP | 330 G          | SternPAC              | 5.3200 / G              | 1,755.60        |
|             |              |                |                       | Merchandise SubTotal    | 2,248.95        |
|             |              |                |                       | Fuel Surcharge          | 35.00           |
|             |              |                |                       | Exchanged Pallets       |                 |
|             |              |                |                       | Total Container Deposit | 405.00          |
|             |              |                |                       | <b>Total Invoice</b>    | <b>2,688.95</b> |
|             |              |                |                       | Tax Exempt: 14-6002141  |                 |

Please Remit Payment To: **Slack Chemical Company, Inc. · P.O. Box 30 · Carthage, NY · 13619**

All past due invoices are subject to FINANCE CHARGE of 1.5% per month (ANNUAL PERCENTAGE RATE OF 18%)

FYI

Tuesday 5 Jan 2021

To All The Nice People  
Who Work at Town of Thompson -

Thank you for your help yesterday.  
I saw that all of you were very busy, yet  
you still stopped to help me.

I'm sorry if I seemed impolite or dis-  
courteous in any way.

Please accept the doughnuts.

Thank You!

Joseph & Family!