

JOIN ZOOM MEETING:

<https://us02web.zoom.us/j/86266137709>

+1-646-558-8656

Meeting ID: 862 6613 7709

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

THIS MEETING WILL BE HELD IN-PERSON LOCATED AT TOWN HALL, 4052 STATE ROUTE 42, MONTICELLO, NY 12701. THE MEETING WILL ALSO BE STREAMED LIVE ON ZOOM: TO JOIN PLEASE SEE TOWN WEBSITE AT: WWW.TOWNOFTHOMPSON.COM

TUESDAY, SEPTEMBER 20, 2022

7:00 PM MEETING

CALL TO ORDER

ROLL CALL

PLEDGE TO THE FLAG

APPROVAL OF PREVIOUS MINUTES: September 06, 2022 Regular Town Board Meeting

PUBLIC COMMENT

CORRESPONDENCE:

- **George C. D. Duke, Partner, Connell Foley LLP:** Letter dated 08/28/22 to Chairperson Loughlin, Attorney Garigliano, Ms. Flad and Members of the Board of Directors of the County of Sullivan IDA Re: Monticello Industrial Park LLC Application dated 08/25/2022 for Financial Assistance.
- **Town Clerk Calhoun:** Letter dated 09/09/22 to Lebaum Company, Inc. Re: Notice of Claim from SOBO & SOBO Law for Marlene Soler, DOL: 05/20/2022.
- **Town Clerk Calhoun:** Letter dated 09/14/22 to Mr. Steven N. Mogel, Attorney at Law Re: Response to (FOIL) Request for Avon Park Project Information/Records from 04/01/21 to Present on Glen Wild Road & Rock Hill Drive, Rock Hill, SBL #32.-1-6, 32.-1-7, 32.-1-9.2 & 32.-1-10.

AGENDA ITEMS:

1) RESOLUTION TO AUTHORIZE & DESIGNATE A JUSTICE COURT CLERK FOR EACH DULY ELECTED TOWN JUSTICE IN THE TOWN OF THOMPSON

2) RESOLUTION TO AUTHORIZE A PUBLIC HEARING FOR ADOPTION OF PROPOSED LOCAL LAW NO. 01 OF 2022 – TO AMEND CHAPTER 14 OF TOWN CODE REGARDING JUSTICE COURT, ADDITIONAL COURT CLERK POSITION

3) RESOLUTION TO AUTHORIZE A PUBLIC HEARING FOR ADOPTION OF PROPOSED LOCAL LAW NO. 02 OF 2022 – TO AMEND CHAPTER 250 OF TOWN CODE REGARDING ZONE CHANGE REQUEST FOR MONTICELLO MOTORSPORTS LLC FROM HC-2 TO RR-2, 10.20 ACRES ALONG RUPP ROAD, MONTICELLO, SBL # 49.-1-23

4) RESOLUTION TO AUTHORIZE A PUBLIC HEARING: PROPOSED AVON COMMERCIAL PARK AT ROCK HILL TOWNE CENTER PROJECT – ROCK HILL EMERALD GREEN CONSOLIDATED SEWER DISTRICT EXTENSION NO. 1 FOR PROPERTY LOCATED ALONG ROCK HILL DRIVE, ROCK HILL, SBL #'S 32.-1-6, 7, 9.2 & 10 (TUESDAY, OCTOBER 25TH, 2022 AT 7PM)

5) RESOLUTION TO AUTHORIZE A PUBLIC HEARING: AVANI & DHARMESH PATEL – ROCK HILL EMERALD GREEN CONSOLIDATED SEWER DISTRICT EXTENSION NO. 2 FOR PROPERTY LOCATED ON OLD SACKETT ROAD, ROCK HILL, SBL #52.-1-17.18 (TUESDAY, OCTOBER 25TH, 2022 AT 7PM)

6) LEISURE ACRES DEVELOPMENT 70-UNIT HOUSING PROJECT: REQUEST NAMING OF (5) PRIVATE ROADWAYS – ROSEMARY GROVE, CHIVES LANE, SAGE COURT, PEPPERMINT TERRACE AND THYME TRAIL (PARCEL # 29.-2-13)

7) ACCEPT & FILE AUDIT REPORT/FINANCIAL STATEMENTS FISCAL YEAR ENDING 12/31/2021 BY WASCHITZ PAVLOFF CPA LLP

8) BUILDING, PLANNING & ZONING DEPARTMENT: STATUS UPDATE REGARDING SHARED SERVICES GRANT WITH SULLIVAN COUNTY

9) BILLS OVER \$2,500.00

10) BUDGET TRANSFERS & AMENDMENTS

11) ORDER BILLS PAID

OLD BUSINESS

NEW BUSINESS

REPORTS: SUPERVISOR, COUNCILMEN, & DEPARTMENT HEADS

PUBLIC COMMENT

ADJOURN

Minutes of a Regular Meeting of the Town Board of the Town of Thompson held at the Town Hall, 4052 State Route 42, Monticello, New York and also held remotely via Zoom on **September 06, 2022.**

ROLL CALL:

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

DRAFT

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

Present via Zoom: Kelly Murran, Deputy Town Clerk

REGULAR MEETING – CALL TO ORDER

Supervisor Rieber opened the meeting at 7:00 PM with the Pledge to the Flag. This meeting was held in person and remotely via Videoconferencing streamed live on the Zoom app, which is accessible to the public. The meeting is also being recorded for full transcription purposes should it be required.

APPROVAL OF MINUTES:

On a motion made by Councilwoman Meddaugh and seconded by Councilman Schock the minutes of the August 16th, 2022 Regular Town Board Meeting were approved as presented.

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

PUBLIC COMMENT:

There was no public comment given.

MONTHLY REPORT FOR AUGUST 2022 RECEIVED AND FILED

Dog Control Officer's Report

CORRESPONDENCE:

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

- **Charter Communications:** Letter dated 08/04/22 with Check #80551723 for \$48,825.75 – 2nd Quarter Franchise Fee (04/01/22 – 06/30/22).

- **NYS Dept. of Taxation and Finance:** Check #08865439, Dated: 08/10/2022 in the amount of \$757,966.68 – NYS Gaming Commission for Resorts World Catskill Casino Distribution 1st Quarter Payment.
- **Andrew Kalter, District Director, NYS DOH:** Letter dated 08/17/22 to Town of Thompson Water & Sewer Supt. Michael Messenger Re: Cold Spring Road Water District – Unsatisfactory Bacteriological Quality Water Sampling.
- **Roman Di Cio, P.E., Bridge Engineer, SC DPW:** Letter dated 08/18/22 to Village of Monticello Mayor George Nikolados and other local representatives Re: Portion of Waverly Avenue Road Closure, Monticello for County Bridge 449 Replacement.

AGENDA ITEMS:

1) MONTICELLO MOTORSPORTS LLC: ZONE CHANGE REQUEST FROM HC-2 TO RR-2, 10.20 ACRES ALONG RUPP ROAD, MONTICELLO, SBL # 49.-1-23 – REFER TO PLANNING BOARD FOR REVIEW & RECOMMENDATION

Walter F. Garigliano, Esq. of Garigliano Law Offices, LLP submitted a letter dated 08/30/22 on behalf of Monticello Motorsports LLC requesting a zone change for property located along Cantrell and Rupp Road in Monticello consisting of 10.20 acres west of Rupp Road. Mr. Hayden Carnell of Keystone Associates Architects, Engineers and Surveyors LLC was present to discuss the zone change request. He provided a large copy of the subdivision map for reference. The subdivision application has already been before the Planning Board for review. The Town Board took action to forward request to the Planning Board for review and recommendation.

The Following Resolution Was Duly Adopted: Res. No. 303 of the Year 2022.

Resolved, that the zone change request of Monticello Motorsports LLC, SBL # 49.1-23 located along Cantrell and Rupp Road, Monticello from HC-2 to RR-2 hereby be forwarded to the Planning Board for their review and recommendation.

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

2) REVIEW, DISCUSS & ACCEPT MAP, PLAN & REPORTS:

- A) PROPOSED AVON COMMERCIAL PARK AT ROCK HILL TOWNE CENTER PROJECT – ROCK HILL EMERALD GREEN CONSOLIDATED SEWER DISTRICT EXTENSION NO. 1 FOR PROPERTY LOCATED ALONG ROCK HILL DRIVE, ROCK HILL, SBL #'S 32.-1-6, 7, 9.2 & 10**

The Following Resolution Was Duly Adopted: Res. No. 304 of the Year 2022.

Resolved, that the Town Board of the Town of Thompson hereby accepts the Map, Plan & Report completed by MHE Engineering, D.P.C. for Extension No. 1 of the Consolidated Rock Hill/Emerald Green Sewer District, Job No.: 95-55.2, 22-102, Dated August 30, 2022.

Moved by: Councilman Schock Seconded by: Councilwoman Meddaugh

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

**B) AVANI & DHARMESH PATEL – ROCK HILL EMERALD GREEN
CONSOLIDATED SEWER DISTRICT EXTENSION NO. 2 FOR PROPERTY
LOCATED ON OLD SACKETT ROAD, ROCK HILL, SBL #52.-1-17.18**

The Following Resolution Was Duly Adopted: Res. No. 305 of the Year 2022.

Resolved, that the Town Board of the Town of Thompson hereby accepts the Map, Plan & Report completed by MHE Engineering, D.P.C. for Extension No. 2 of the Consolidated Rock Hill/Emerald Green Sewer District, Job No.: 95-55.2, 22-103, Dated August 30, 2022.

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

**C) JK EXPEDITING SERVICES CORP. – CONSOLIDATED KIAMESHA SEWER
DISTRICT EXTENSION NO. 3 FOR PROPERTY LOCATED ALONG FRASER
ROAD & GIBBER ROAD, KIAMESHA LAKE, SBL #'S 9.-1-8.2, 6.-1-11.1, 11.3,
11.4, 11.5 & 11.6**

Supervisor Rieber expressed concern regarding water supply. Councilman Pavese also expressed concerns regarding Fire Department water reserve/pressure issues. A discussion was held regarding this matter. Director Carnell advised that the Planning Board will require fire flow protection calculations as part of the project review. Mr. Joel Kohn of JK Expediting Services Corp. was present to discuss any questions or concerns regarding the matter. He said that they will be performing hydrology testing, which has not been completed yet. Once completed a hydrology report/analysis will be provided. Attorney Mednick said that the Town Board could accept the Map, Plan and Report at this time and wait to proceed further until after the Board has had time to review the hydrology results. Action was taken as follows:

The Following Resolution Was Duly Adopted: Res. No. 305 of the Year 2022.

Resolved, that the Town Board of the Town of Thompson hereby accepts the Map, Plan & Report completed by MHE Engineering, D.P.C. for Extension No. 3 of the Consolidated Kiamesha Sewer District, Job No.: 95-55.2, 22-101, Dated August 30, 2022.

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

(Supervisor Rieber recused himself from the next matter, because his son resides on the roadway in question. Deputy Supervisor Meddaugh conducted the meeting for the next matter.)

3) AUTHORIZATION TO RENAME FORMER SECTION OF HOLIDAY MOUNTAIN ROAD LOCATED AT THE INTERSECTION OF KATRINA FALLS ROAD TO MOUNTAIN VIEW DRIVE

Director Carnell explained the reason for the request to rename former section of Holiday Mountain Road located at the intersection of Katrina Falls Road. He advised that Mr. & Mrs. William Ruston are planning to build along said roadway, which needs to be renamed since it is no longer continuous with other section of Holiday Mountain Road that intersects with Bridgeville Road. Mr. Sean Rieber was present who also owns property along said roadway to express his support to rename the roadway. He suggested that the road name be changed to Mountain Drive. The Sullivan County Real Property Tax Office also recommends that the roadway be renamed. Mr. & Mrs. Ruston were also present via Zoom regarding request. After brief discussion, action was taken as follows:

The Following Resolution Was Duly Adopted: Res. No. 307 of the Year 2022.

Resolved, that a portion of the former Holiday Mountain Road located at the intersection of Katrina Falls Road in Rock Hill, New York, running approximately 467 feet, which is no longer continuous with the other section of Holiday Mountain Road located at the intersection of County Road 173 / Bridgeville Road in Bridgeville, New York, hereby be re-named as Mountain Drive.

Moved by: Councilman Pavese

Seconded by: Councilman Schock

Vote: Ayes 4 Pavese, Schock, Meddaugh and Mace

Nays 0

Recused 1 Rieber

(Supervisor Rieber returned and the meeting was turned back over to him.)

4) ESTABLISH DATE FOR FALL SHRED DAY EVENT – SATURDAY, OCTOBER 22, 2022 FROM 9AM TO 12PM

The Following Resolution Was Duly Adopted: Res. No. 308 of the Year 2022.

Resolved, that the Town of Thompson sponsor a Community Shredding Day Event to be held on Saturday, October 22nd, 2022 from 9 am to 12 pm at a total cost not to exceed \$950.00. Further Be It Resolved, that the Town Supervisor will prepare the necessary public notice to inform the community of this event.

Motion by: Councilwoman Meddaugh

Seconded by: Councilman Mace

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

Nays 0

5) DISCUSS FUTURE SPRING/FALL CLEAN UP PROGRAM EVENTS

According to spreadsheet from Sullivan County Treasurer regarding Municipal Cleanup 2022 tonnage used, the Town only has 28.26 tons remaining for Fall 2022. It appears that there would not be enough tonnage for a Fall cleanup this year. Councilman Mace asked the Town Clerk to check on the accuracy of one large amount being charged to the Town as cleanup materials. A discussion ensued regarding the handling of future

cleanup program events. Councilman Pavese will discuss this matter with Highway Superintendent Benjamin to see if he has any suggestions. In the meantime, the Town Board will brainstorm to try and come up with other options on how to handle. There will be continued discussion at the next meeting.

6) TOWN OF THOMPSON JUSTICE COURT ITEMS:

A) AUTHORIZE PAYMENT OF UNUSED COMP TIME TO COURT PERSONNEL AT CURRENT PAY RATE

The Following Resolution Was Duly Adopted: Res. No. 309 of the Year 2022.

Resolved, that the Town Board of the Town of Thompson hereby authorizes the payment of all unused comp time to the Town of Thompson Justice Court Personnel at the current pay rate for each employee.

Moved by: Councilwoman Meddaugh Seconded by: Councilman Mace

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

Nays 0

B) DISCUSS ADDITIONAL PERSONNEL FOR COURT OFFICE & POSSIBLE RENOVATION TO ACCOMMODATE ADDITIONAL DESK

Discussion was held regarding a request for one additional full-time position in the Justice Court Office. They also discussed the suggestion of renovating the courtroom to accommodate an additional desk for the employee if approved. Another option is to move files into the Prosecutors room to make additional room in the current office. The Town Board agreed to canvas for the additional position, but not to the renovations. They also discussed creating an additional Clerk position to the Justice so that there is a clerk position for both Town Justices. The Deputy Court Clerk 1 and Deputy Court Clerk 2 positions would remain and the Deputy 2 position would be the one filled by the new hire. The Deputy 1 employee would move up to the additional Clerk position and the Deputy 2 employee would move up into the Deputy 1 position. The vacant Deputy 2 position would be filled by the new hire. Action was taken as follows:

The Following Resolution Was Duly Adopted: Res. No. 310 of the Year 2022.

Resolved, that the Town Board of the Town of Thompson hereby authorizes the canvassing/interviewing of candidates for an additional employee in the Justice Court to fill the position of Deputy Court Clerk 2.

Moved by: Councilman Mace Seconded by: Councilman Schock

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

Nays 0

C) JUSTICE COURT ADMINISTRATION PROGRAM (JCAP) GRANT APPLICATION – DISCUSS & APPROVE FOR 2022-23 GRANT CYCLE

The Following Resolution Was Duly Adopted: Res. No. 311 of the Year 2022.

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

8) PARKS & RECREATION DEPARTMENT ITEMS:

A) CONTINUED DISCUSSION & APPROVAL OF PROPOSAL FROM CXT PRECAST CONCRETE PRODUCTS – PRECAST CONCRETE STRUCTURE FROM SOURCEWELL CONTRACT FOR NEW RESTROOM FACILITY AT LAKE IDA TOWN PARK, ROCK HILL, TOTAL COST \$307,380.00

The Following Resolution Was Duly Adopted: Res. No. 313 of the Year 2022.

Resolved that purchase request of Superintendent Glenn Somers of the Parks & Recreation Department for a Precast Concrete Structure from CXT, Inc. through (Sourcewell Contract #081721-CXT) for a total cost of \$307,380.00 for installation of a new Restroom Facility at the Lake Ida Town Park, hereby be approved as per the ordering information presented. Further Be It Resolved, that funds from the \$250,000.00 Golden Feather Award shall be allocated towards said purchase.

Moved by: Councilman Schock Seconded by: Councilman Pavese

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

B) RESOLUTION TO APPROVE EXTENSION OF ZUMBA CLASSES AT EAST MONGAUP RIVER TOWN PARK UNTIL TUESDAY, OCTOBER 11TH, 2022 & AUTHORIZE ADDITIONAL EXPENDITURE OF \$210.00

The Following Resolution Was Duly Adopted: Res. No. 314 of the Year 2022.

Resolved, that the Town Board of the Town of Thompson hereby approves the extension of the Zumba Classes at the East Mongaup River Town Park in the Town of Thompson upon request of the Parks and Recreation Advisory Committee at an additional cost of \$210.00 for 7-additional sessions.

Moved by: Councilman Pavese Seconded by: Councilman Schock

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

C) DISCUSS & APPROVE RFP'S FOR TREE REMOVAL AT THE ABANDONED SECTION OF ST. JOHN STREET CEMETERY

The Following Resolution Was Duly Adopted: Res. No. 315 of the Year 2022.

Resolved, that the Proposal of Affordable Tree Care LLC in the amount of \$11,500.00 for removal and cleanup of 7 large trees located in the abandoned section of the Saint John Street Cemetery hereby be approved as submitted.

(Procurement: Proposals sent out to 1) Jerry's Tree Service – Could not do, no proposal submitted, 2) Tree Innovations – Did not show up for meeting, no proposal submitted, 3) Affordable Tree Care LLC - \$11,500.00 w/cleanup & \$6,500.00 w/out cleanup and 4) Tree Stalkers Tree Care LLC - \$14,900.00 w/cleanup & \$7,900.00 w/out cleanup.)

Moved by: Councilman Pavese Seconded by: Councilman Mace

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

Nays 0

D) DISCUSS & APPROVE RFP'S FOR REPLACEMENT OF SIDEWALKS PROJECT AT TOWN HALL

The Following Resolution Was Duly Adopted: Res. No. 316 of the Year 2022.

Resolved, that the Proposal of Mike Zwart Masonry in the amount of \$21,681.00 plus a 10% contingency of \$2,168.00 for a total cost of \$23,849.00 for New Concrete Sidewalk Project at the Town Hall consisting of removal of existing pavers and replacement with new concrete sidewalk at the Town Hall hereby be approved as submitted.

(Procurement: Proposals were sent out to (8) Prospective Vendors and Only (1) Proposal from Mike Zwart Masonry was submitted.)

Moved by: Councilman Schock

Seconded by: Councilman Pavese

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

Nays 0

9) WATER & SEWER DEPARTMENT ITEMS:

A) REVIEW & ACCEPT SETTLEMENT OFFER: ADELAAR LIGHTING DISTRICT – CLAIM FOR LIGHT POLE DAMAGE IN THE AMOUNT OF \$5,210.58 DUE TO MVA ON 05/07/2022 AND AUTHORIZE SUPT. MESSENGER TO EXECUTE NECESSARY DOCUMENTS

The Following Resolution Was Duly Adopted: Res. No. 317 of the Year 2022.

Resolved, that the Town Board of the Town of Thompson hereby accepts the settlement offer of Total Recovery Resources and Coordination (TRRAC) in the amount of \$5,210.58 for reimbursement of property damage to a Light Pole Fixture in the Adelaar Lighting District occurring on or about May 7th, 2022 at or near Resorts World Drive, Monticello involving Raymond Lopez. Further Be It Resolved, that Superintendent Messenger hereby be authorized to execute the Property Damage Release to accept said offer.

Motion by: Councilman Pavese

Seconded by: Councilman Schock

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

Nays 0

B) RESOLUTION TO ACCEPT FORMAL RESIGNATION OF SHAWN SMITH AS SEWER PLANT OPERATOR 2A WITH GRADE C WATER LICENSE FROM THE WATER & SEWER DEPARTMENT, EFFECTIVE 08/23/2022 DUE TO RELOCATION OUT OF STATE

The Following Resolution Was Duly Adopted: Res. No. 318 of the Year 2022.

Resolved, that the Town Board of the Town of Thompson hereby accepts the formal resignation of Shawn Smith from his position of Sewer Plant Operator 2A with Grade C Water License from the Water & Sewer Department, Effective 08/23/2022 due to his relocation out of state.

Moved by: Councilman Schock

Seconded by: Councilman Pavese

Town Board Meeting

September 06, 2022

Page 8 of 13

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

10) HIGHWAY DEPARTMENT: REQUEST TO DECLARE SURPLUS EQUIPMENT – 1991 GRADALL 660 E, SERIAL # 0161443

The Following Resolution Was Duly Adopted: Res. No. 319 of the Year 2022.

Resolved, that the following vehicles, equipment &/or items from the Highway Department hereby be declared surplus and that the Highway Superintendent be authorized to either sell at auction, bid or scrap said vehicles/equipment/items, whichever is best financially. The vehicles/equipment/items are listed as follows:

- 1) 1991 Gradall 660 E, Serial # 0161443.

Moved by: Councilman Pavese Seconded by: Councilwoman Meddaugh

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

Nays 0

11) BILLS OVER \$2,500.00 – HIGHWAY DEPARTMENT

The Following Resolution Was Duly Adopted: Res. No. 320 of the Year 2022.

Resolved, that the following bills over \$2,500.00 for the Water & Sewer Department be approved for payment as follows:

Liberty Iron Works

\$2,552.00 Total Cost

Invoice # 8071 – Steel for new trucks.

Northern Supply

\$2,565.00 Total Cost

Invoice # 107602 – Purchase of Tire Chains.

Moved by: Councilman Pavese

Seconded by: Councilman Schock

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

Nays 0

11) BILLS OVER \$2,500.00 – WATER & SEWER DEPARTMENT

The Following Resolution Was Duly Adopted: Res. No. 321 of the Year 2022.

Resolved, that the following bills over \$2,500.00 for the Water & Sewer Department be approved for payment as follows:

R.W. Sidley, Inc.

\$5,291.00 Total Cost

Purchase of Filter Sand for Emerald Green & Sackett Lake Sewer Districts.

(Procurement: Two price quotes obtained as follows: 1) R.W. Sidley, Inc. for \$5,817.00 & 2) Unifilt Corporation for \$5,900.00.)

Moved by: Councilman Pavese

Seconded by: Councilman Schock

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

Nays 0

12) BUDGET TRANSFERS & AMENDMENTS

To: Town of Thompson - Supervisor and Council
 From: Melissa DeMarmels - Comptroller

Re: Budget Transfers & Amendments - FYE 12/31/22

Board
 Date: Meeting 9/6/2022

Memo: The following Budget Transfers & Amendments are proposed for the following purposes:

- 1) Amend A fund revenues and expenses to reflect current actual amounts.

- 2) Amend B Fund revenues to reflect current actual amounts

The Following Resolution Was Duly Adopted: Res. No. 322 of the Year 2022.

Resolved, that the following budgetary transfers/amendments hereby be approved as presented.

Town Of Thompson

Budget Transfers/Amendments

Town Board Meeting

FYE 12/31/22

Date: **9/6/2022**

01/01/2022

<u>Account Number</u>	<u>Account Description</u>	<u>-</u>	<u>Revenue Increase</u>	<u>Revenue Decrease</u>	<u>Appropriation Increase</u>	<u>Appropriation Decrease</u>
A000.1090.000	Interest & Penalties on Property Taxes		11,700.00			
A000.1090.100	Reminder Fees			375.00		
A000.1081.121	PILOT - Montreign Operating Co			2,335.00		

A000.2401.000	Interest & Earnings		6,000.00			
A000.2770.000	Miscellaneous Revenues		3,250.00			
A000.3005.000	Mortgage Tax		100,000.00			
A000.1430.400	Personnel - Contractual				5,000.00	
A000.1430.100	Personnel - Personal Svs					43,000.00
A000.1430.200	Personnel - Equipment					6,000.00
A000.1680.200	Network Equipment (new server in Town Hall)				8,900.00	
A000.1910.400	Insurance - Property/Liability/Cyber				6,000.00	
A000.7110.202	Capital Improvements - Lake Ida Park					250,000.00
A000.3097.000	State Aid - Capital Projects			250,000.00		
B000.1560.000	Inspection Fees/Permits & Apps		70,000.00			
B000.1560.102	Search fees		27,500.00			
B000.2401.000	Interest & Earnings		3,750.00			

Totals 222,200.00 252,710.00 19,900.00 299,000.00

Net Effect To Budget (248,590.00)

Moved by: Councilman Mace
Vote: Ayes 5
Nays 0

Seconded by: Councilman Schock
Rieber, Pavese, Schock, Meddaugh and Mace

13) ORDER BILLS PAID

The Following Resolution Was Duly Adopted: Res. No. 323 of the Year 2022.

Resolved, that all regular bills for the course of the month, which have been properly audited be approved for payment. A complete list of the regular bills as identified can be found appended to these minutes as per attached.¹

Moved by: Councilwoman Meddaugh
Vote: Ayes 5
Nays 0

Seconded by: Councilman Schock
Rieber, Pavese, Schock, Meddaugh and Mace

OLD BUSINESS

There was no old business reported on.

NEW BUSINESS

There was no new business reported on.

REPORTS: SUPERVISOR, COUNCILMEN, & DEPARTMENT HEADS

Parks & Recreation Superintendent Glenn Somers

- Treats & Trails Halloween Event at the East Mongaup River Town Park – Saturday, October 22nd, 2022.

Water & Sewer Superintendent Michael G. Messenger

- Mr. Manhole replacement project is currently taking place in the Sackett Lake area.

Comptroller Melissa DeMarmels

- Budget worksheets for 2023 were distributed to all Departments for completion and return by Friday, September 16th, 2022.

Deputy Administrator Patrice Chester

- The Sullivan Renaissance Project has been completed. The Town Hall & Town Park access signs have all been installed. The Company is coming back to address one issue with the front entrance Town Hall sign. The Town will also be looking into putting photo's up in Town Hall hallway areas.

Supervisor William J. Rieber, Jr.

- Additional USDA Federal funding possibilities.

Attorney Michael B. Mednick

- Status of two tax litigation settlement proceedings.

¹ ATTACHMENT: ORDER BILLS PAID

Councilwoman Melinda S. Meddaugh

- Looking for Community members to assist with Comprehensive Development Plan, all interested parties should submit request including bio by Friday, 09/23/2022.

PUBLIC COMMENT:

There was no public comment given.

ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION

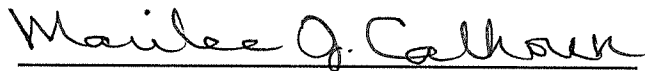
- 09/20/22 at 7PM: Regular Town Board Meeting.

ADJOURNMENT

On a motion made by Councilman Schock and seconded by Councilwoman Meddaugh the meeting was adjourned at 8:35 PM. All board members voted in favor of adjourning the meeting.

The Zoom Livestream Videoconferencing connection was disconnected.

Respectfully Submitted By:



Marilee J. Calhoun, Town Clerk



Connell Foley LLP
875 Third Avenue
21st Floor
New York, NY 10022
P 212.307.3700 F 212.542.3790

George C. D. Duke
Partner

August 28, 2022

Ms. Suzanne Loughlin, Chairperson and Member of the Board of Directors
Walter Garigliano, Esq., Agency Counsel
Jennifer Flad, Executive Director
County of Sullivan Industrial Development Agency
548 Broadway
Monticello, New York 12701

**Re: Monticello Industrial Park LLC
33 Plaza Drive, Monticello, NY 12701
SBL 130.-1-19.2 (the "Property")
Monticello Industrial Park**

Dear Chairperson Loughlin, Mr. Garigliano, Ms. Flad and Members of the Board of Directors:

This firm represents Monticello Industrial Park LLC, (the "Applicant")¹ regarding the Property referenced above. In April 2021, the Applicant entered an agreement to purchase the Property from the Sullivan County Funding Corporation. Since that time, the Applicant has expended considerable resources and effort to obtain approval from the Village of Monticello Planning Board to subdivide the entire 83-acre Property into 9 lots. The Applicant also obtained a special use permit and site plan approval to develop a 50,000 ft² warehouse (expandable to 100,000 ft²) including employee parking and loading docks on one of the subdivided lots.

The "Project" for purposes of this Application includes only the site roads and infrastructure for the entire 83-acre Property while the separate lots are being marketed to end users. Initially, the Applicant plans to complete site work and infrastructure improvements for the 24-acre parcel on the Property on which the Applicant has obtained site plan approval from the Village of Monticello for a 50,000 (expandable to 100,000 ft² warehouse). This initial work alone is expected to result in close to \$3M in investment and create between 10 and 20 construction jobs in Sullivan County while the Project is being constructed.

¹ Monticello Industrial Park LLC or an entity to be formed, is anticipated to serve as the 'Applicant' to the Sullivan County Industrial Development Agency for financial assistance.

The Applicant is requesting financial assistance for the Project from the County of Sullivan Industrial Development Agency (the "Agency") in the form of a limited real estate tax abatement, a sales and use tax exemption, and mortgage recording tax exemption (collectively, the "Financial Assistance"). The specifics of the Financial Assistance requested are set forth more particularly in the attached application (the "Application"), however, the requested Financial Assistance is necessary to bring this Project to fruition. Initially, the Applicant desires to utilize the Agency's Commercial/Industrial Park Program (the "Program") to invest and construct the necessary Project Site infrastructure without the burden of additional real estate taxes while the Monticello Industrial Park is under development. The Program is designed to encourage owners of land zoned for commercial or industrial uses to invest in roads and infrastructure without a concern about additional real estate taxes becoming a burdensome carrying cost while the commercial or industrial park land or lots are being marketed to end users. Consistent with the Program, the Applicant anticipates entering into a Master Development and Agency Agreement ("MDAA") outlining the terms of the Financial Assistance. Going forward, and consistent with general industry practice, it is anticipated that persons or entities purchasing or leasing land (or the owner constructing improvements) will apply for tax abatements on projects to be constructed on the improved Property under the Agency's general abatement program (or deviation therefrom), manufacturing or other abatement program available at the time.

In support of the instant Application, we bring the Agency's attention to the following:

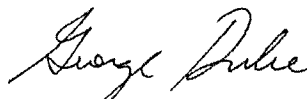
- a. The Project/Location – The Project includes the site roads and infrastructure for the entire 83-acre Property while the separate lots are being marketed to end users. The Project will initially include development of roads and infrastructure necessary to support the proposed development of the 50,000 ft² warehouse (and a future 50,000 ft² expansion) including employee parking and loading docks. Its location is within the East Broadway Gateway (EBG) zoning district in the Village of Monticello, which allows such a development under the Village of Monticello Zoning Law by special use permit. The Project is proposed on the southeastern portion of the Property which conforms to the Program's location restriction and is within an area targeted for investment by the Agency.
- b. Private Investment - The anticipated capital investment in the Project alone will be approximately \$3M. This investment will lead to significant additional direct and indirect investments in the local economy.
- c. Job Creation – Notwithstanding that there are no minimum employment goals associated with the Program, the Project is expected to create an estimated 10-20 temporary construction jobs.
- d. Existing Approvals and Timely Completion – This Project relies on 'speed to market'. The Village Planning Board and its consultants have cooperatively worked with the Project team to obtain the necessary local approvals and complete the necessary environmental review of the Project in accordance with SEQRA as thoroughly and expeditiously as possible. The Village Planning Board acting as lead agency has completed environmental review under SEQRA for the Project. On July 12th, 2022 the Village Planning Board determined that the Project will not have a significant adverse impact on the environment and issued a Negative Declaration. A subdivision, special use permit, and site plan approval was granted on August 9, 2022.

Ms. Suzanne Loughlin, Chairperson and Member of the Board of Directors
August 28, 2022
Page 3

The \$250.00 application fee and the \$5,000 up-front escrow deposit are being wired directly to the Agency.

We look forward to working with you on this Application. Should you require additional information in support of this Application, please do not hesitate to contact me.

Very truly yours,



George C. D. Duke

COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY
548 Broadway
Monticello, New York 12701
845-428-7575
APPLICATION FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION:

Company Name: Monticello Industrial Park LLC

Address: 171 East Industry Court, Deer Park, New York 11729

Phone No.: 

Telefax No.: _____

Email Address: _____

Fed Id. No.: _____

Contact Person: Cono Cimino

Principal Owners/Officers/Directors (list owners with 15% or more in equity holdings with percentage ownership):

Principal Owners (Shareholders/Members/Owners): _____
Cono Cimino, Sole Member

Directors/Managers: _____

Officers: _____

Corporate Structure (attach schematic if Applicant is a subsidiary or otherwise affiliated with another entity)

Form of Entity:

_____ Corporation (Sub-s)

Date of incorporation: _____

State of incorporation: _____

_____ Partnership

General _____ or Limited _____

Number of general partners _____

If applicable, number of limited partners _____
Date of formation: _____
Jurisdiction formation: _____

Limited Liability Company/Partnership (number of members 1)

Date of organization: 04/12/2021
State of organization: New York

Sole Proprietorship

If a foreign organization, is the Applicant authorized to do business in the State of New York? Yes___ No___ N/A___ (If so, please append Certificate of Authority.)

APPLICANT'S COUNSEL

Name: Connell Foley LLP c/o George Duke / Fogel Brown, P.C. - Steven Vegliante

Address: 875 3rd Avenue, 21st Floor, New York, NY 10022 / 449 Broadway, Monticello, NY 12701

Phone No.: 212-542-3772 / 845-434-6688

Telefax No.: 212-542-3790

Email Address: gduke@connellfoley.com svegliante@fogelbrown.com

II. REQUESTED FINANCIAL ASSISTANCE

Estimated Value

Real Property Tax Abatement (estimated)	\$ TBD
Mortgage Tax Exemption	\$ 5,000 <u>4,000</u> (30) 2/2/22
Sales and Use Tax Exemption	\$ 102,000
Issuance by the Agency of Tax Exempt Bonds	\$ N/A

III. PROJECT INFORMATION

A.) Project Location:

Project Address: 33 Plaza Drive, Monticello, NY
Tax Map Number(s): SBL No. 130.-1-19.2
Located in the Village of: Monticello
Located in Town of Town of Thompson
Located in the School District of Monticello
Located in Hamlet of N/A

(i) Are Utilities on Site?

Water/Sewer	<u>To be constructed as part of Project</u>	Electric	<u>To be constructed as part of Project</u>
Gas	<u>no</u>	Storm Sewer	<u>To be constructed as part of Project</u>

(ii) Present legal owner of the site: Sullivan County Funding Corporation

If other than Applicant, by what means will the site be acquired for this Project:
Site is under contract for purchase by the applicant pursuant to Option Agreement dated April 19, 2021

(iii) Zoning of Project Site: Current: EBG East Broadway Gateway Proposed: _____

(iv) Are any variances needed: N

(v) Principal Use of Project upon completion: Industrial/Manufacturing

B.) Will the Project result in the removal of a plant or facility of the Applicant or a proposed Project occupant from one area of the State of New York to another area of the State of New York? _____; If yes, please explain:

No

C.) Will the Project result in the abandonment of one or more Plants or facilities of the Applicant or a proposed Project occupant located in the State of New York? _____; If yes, please explain:

No

D.) If the answer to either question B or C above is yes, you are required to indicate whether any of the following apply to the Project: N/A

1. Is the Project reasonably necessary to preserve the competitive position of the Applicant or such Project Occupant in its industry? Yes _____; No _____. If yes, please explain:

2. Is the Project reasonably necessary to discourage the Applicant or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes _____; No _____. If yes, please explain: N/A

E.) Will the Project include facilities or property that will be primarily used in making retail sales of goods or provide services to customers who personally visit such facilities? No _____; If yes, please contact the Agency for additional information.

F.) Please provide a narrative of the Project and the purpose of the Project (new build, renovations, and/or all equipment purchases). Identify specific uses occurring within the Project. Describe any and all tenants and any/all end users. Describe the proposed acquisitions, construction or reconstruction and a description of the costs and expenditures expected. Attach additional sheets, if necessary. See Attachment B - Project Description

G.) COSTS AND BENEFITS OF THE PROJECT

Costs = Financial Assistance

Estimated Sales Tax Exemption	\$ 102,000
Estimated Mortgage Tax Exemption	\$ <u>5,000</u> <u>4,000</u> <u>0</u> <u>2</u>
Estimated Property Tax Abatement	\$ TBD
Estimated Interest Savings IRB Issue	\$ N/A

Benefits= Economic Development

Jobs created	<u>20 construction</u>
Jobs retained	<u>0</u>
Private funds invested	<u>\$3,692,000</u>
Other Benefits	\$ _____

Estimate how many construction/permanent jobs will be created or retained as a result of this Project:

Construction:	<u>20</u>
Permanent:	<u>N/A</u>
Retained (at current facility):	<u>N/A</u>

Project Costs (Estimates)	\$2,130,000
Land and Existing Buildings	<u>\$ 625,000</u>
Soft Costs (5%)	<u>\$ 511,000</u>
Other	<u>\$ 426,000</u>
Total	<u>\$ 3,692,000</u>

In addition to the above estimated capital costs of the project, which must include all costs of real property and equipment acquisition and building construction or reconstruction, you must include details on the amounts to be financed from private sector sources, an estimate of the percentage of project costs financed from public sector sources and an estimate of both the amount to be invested by the Applicant and the amount to be borrowed to finance the Project.

65%
80%

65%
80% of land purchase price to be secured by mortgage and construction loan from Jeff Bank.

In addition to the job figures provided above, please indicate the following:

- 1) The projected number of full time equivalent jobs that would be retained and that would be created if the request for financial assistance is granted.

N/A

- 2) The projected timeframe for the creation of new jobs.

Construction anticipated to take 6-12 months

- 3) The estimated salary and fringe benefit averages or ranges for categories of the jobs that would be retained or created if the request for financial assistance is granted.

\$1,117,376.00 based on 26 weeks of construction and \$2,234,752.00 if extrapolated to 1 year.

- 4) An estimate of the number of residents of the economic development region as established pursuant to section two hundred thirty of the Economic Development Law, in which the project is located that would fill such jobs. The

labor market area defined by the agency (Mid-Hudson Economic Development Region)

1,433,386

H.) State whether there is a likelihood that the project would not be undertaken but for the financial assistance provided by the Agency, or, if the project could be undertaken without financial assistance provided by the Agency, a statement indicating why the project should be undertaken by the Agency. The IDA Benefits are an essential part of this Project as the transaction was entered in anticipation of participating in the IDA's Commercial/Industrial Park policy program. As typical in the industry, it is anticipated that any future tenants/owners of individual lots will make participation in an IDA program a condition of tenancy/ownership.

IV. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A) Job Listings. In accordance with Section 858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.
- B) First Consideration for Employment. In accordance with Section 858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
- C) Annual Sales Tax Filings. In accordance with Section 874(8) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
- D) Annual Employment Reports. The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.

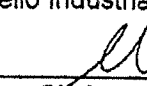
- E) Absence of Conflicts of Interest. The Applicant has received from the Agency a list of the members, officers, and employees of the Agency. No member, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described.
- F.) The Applicant represents that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

- G.) The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- H.) The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- I.) The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

The Applicant and the individual executing this Application on behalf of the Applicant acknowledge that the Agency will rely on the representations made herein when acting on this Application and hereby represent that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

Monticello Industrial Park LLC



By: Cono Cimino, Managing Member

Date: 8/25/22


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

Cono Cimino, being first duly sworn, deposes and says:

1. That I am the Managing Member of Monticello Industrial Park LLC (Collectively, the "Applicant") and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.


8/25/22

Subscribed and affirmed to me under penalties of perjury
this 25 day of August, 20 22



(Notary Public)

Steven Vegliante
Notary Public of the State of New York
County of Sullivan #2307
My Commission expires 7/5/2026

HOLD HARMLESS AGREEMENT

Applicant hereby releases the COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof ("Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project; including without limitation the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

Monticello Industrial Park LLC

By: [Signature] Con ino, Managing Member

Date: 8/25/22

Sworn to before me this

25 day of August, 2022

[Signature]
Notary Public

Steven Vegliante
Notary Public of the State of New York
County of Sullivan #2307
My Commission expires 7/5/2026

Attachment B- Project Description

The Project includes the construction of site roads and infrastructure for the newly subdivided 83-acre property located in the East Broadway Gateway District while the nine separate lots are being marketed to end users. This property is located directly behind the former Apollo mall and is bounded to the West by the Sullivan County landfill and the East by Rose Valley Road. Initially, the Applicant plans to complete site work and infrastructure improvements for the 24-acre parcel on the Property on which the Applicant has obtained site plan approval from the Village of Monticello for a 50,000 (expandable to 100,000 ft² warehouse). This initial work alone is expected to result in close to \$3M in investment and create between 10 and 20 construction jobs in Sullivan County while the Project is being constructed.

Attachment B- Project Description

The Project includes the construction of site roads and infrastructure for the newly subdivided 83-acre property located in the East Broadway Gateway District while the nine separate lots are being marketed to end users. This property is located directly behind the former Apollo mall and is bounded to the West by the Sullivan County landfill and the East by Rose Valley Road. Initially, the Applicant plans to complete site work and infrastructure improvements for the 24-acre parcel on the Property on which the Applicant has obtained site plan approval from the Village of Monticello for a 50,000 (expandable to 100,000 ft² warehouse). This initial work alone is expected to result in close to \$3M in investment and create between 10 and 20 construction jobs in Sullivan County while the Project is being constructed.

MARILEE J. CALHOUN
Town Clerk

KELLY M. MURRAN
Deputy Town Clerk

Town of Thompson

TOWN HALL
4052 Route 42
Monticello, NY 12701-3221

Telephone (845) 794-2500 Ext.302
Fax (845) 794-8600

September 09, 2022

Lebaum Company, Inc.
PO Box 450
Monsey, New York 10952

Re: Date of Loss: May 20, 2022 – 39 Terry Lane, Monticello, NY 12701
Claimant: Marlene Soler

To Whom It May Concern:

Enclosed please find a copy of the Verified Notice of Claim on the above matter received from Sobo & Sobo Personal Injury Attorneys. The notice was received by my office on 08/24/2022. A copy of the letter has been forwarded to the Town Attorney, Town Board, and Comptroller.

Thank you in advance for your prompt attention to this matter and if you should have any questions regarding the above, feel free to contact our Town Attorney Michael B. Mednick, Esq. at (845) 794-5200.

Sincerely,



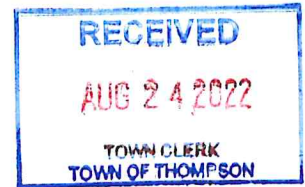
Marilee J. Calhoun
Town Clerk

Encls.
MJC:

PC: Michael B. Mednick, Town Attorney
18 Prince Street – PO Box 612
Monticello, New York 12701

Hon. William J. Rieber, Jr., Supervisor and Town Board

Melissa DeMarmels, Town Comptroller



VERIFIED NOTICE OF CLAIM

In the Matter of the Claim of

MARLENE SOLER

-against-

VILLAGE OF MONTICELLO, TOWN OF THOMPSON

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

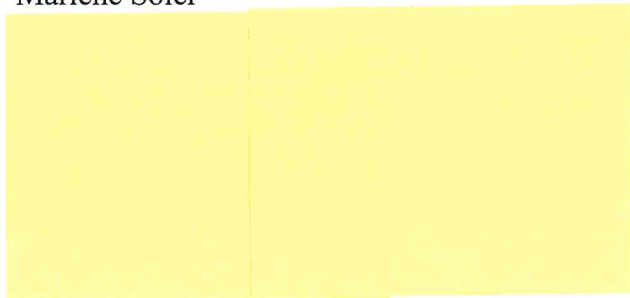
TO: VIA CRRR# 7021 2720 0002 8889 2079
Janine Gandy – Village Clerk
Village of Monticello
19 Pleasant Street
Monticello, NY 12701

VIA CRRR# 7021 2720 0002 8889 2062
Marilee J. Calhoun – Town Clerk
Town of Thompson
4052 NY-42
Monticello, NY 12701

PLEASE TAKE NOTICE that the undersigned Claimants hereby Claim and Demand against you as follows:

1. The name and post-office address of each Claimant and Claimants’ attorneys are:

CLAIMANTS:
Marlene Soler



CLAIMANTS’ ATTORNEYS:
SOBO & SOBO, L.L.P.
One Dolson Avenue
Middletown, New York 10941

2. The nature of the claim: For serious, permanent personal injuries sustained by Claimant Marlene Soler, and all other damages allowed by statute and case law, as a result of Respondent's negligence, recklessness, wantonness, carelessness, and gross negligence in the ownership, operation, and maintenance of the building premises, and include but are not limited to: failure to warn the Claimant of the dangerous conditions described herein; in creating and permitting the condition hereinafter described, failing to act; in creating a trap; failure to take those steps necessary to avoid the contingency which occurred herein despite having prior written notice of same; failure to inspect and report of dangers at the location described; failure to use that degree of caution, prudence, and care which was reasonable and proper under the controlling circumstances; ill-maintained conditions on the property causing a dangerous hazard; failure to take cognizance of the notorious and hazardous conditions, which in the exercise of reasonable diligence, was and should have been known and recognized; having prior written notice of a dangerous condition and not acting; creating a dangerous condition; acting with the reckless disregard for the safety of others; and the Respondent, their agents, servants, and/or employees were in other ways negligent to be investigated and discovered.

3. The time when, the place where and the manner in which the claim arose:

The claim arose on the 20th day of May, 2022, at the address of 39 Terry Lane, located in the Village of Monticello, Town of Thompson, New York. The incident occurred at apartment building 15, apartment 141 of the aforementioned address. The manner in which the claim arose is that as the claimant, Marlene Soler, tripped and fell on a poorly maintained and dangerous access pipe. See attached photographs for reference.

4. The items of damage or injuries claimed are:

The claimant, Marlene Soler, sustained serious injuries to her left shin, requiring surgery and stitches results in significant and permanent scarring and disfigurement, as well as medical bills that are a result of the incident described herein.

You are hereby notified that unless this claim is addressed within the time provided by law from the date of presentation to you, the claimant intends to commence an action.

Dated: August 19, 2022

SOBO & SOBO, L.L.P.

By: Carl Learned, Esq.
Attorneys for Claimant(s)
One Dolson Avenue
Middletown, New York 10940
(845) 343-7626


Verification attached

Attorney Verification

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

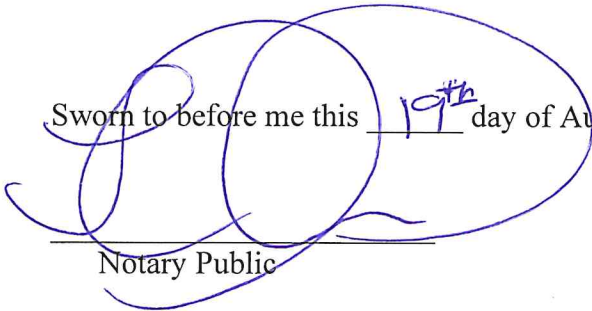
The undersigned being duly sworn, deposes and says:

Pursuant to the General Business Law, I have read the foregoing NOTICE OF CLAIM and know the contents thereof; and the same is true to my own knowledge, except as to those matters therein stated to be alleged upon information and belief, and as to those matters, I believe them to be true.



Carl M. Learned, Esq.

Sworn to before me this 19th day of August, 2022



Notary Public

TIFFANY A JACOBSEN
Notary Public, State of New York
No. 02JA6398707
Qualified in Orange County
My Commission Expires October 07, 2023





Marilee Calhoun (Town of Thompson)

From: Marilee Calhoun (Town of Thompson) <marilee@townofthompson.com>
Sent: Thursday, September 15, 2022 2:37 PM
To: Toby Fuhrer (tf@lebaum.com)
Cc: Mednick, Michael (Mednick, Michael); Melissa DeMarmels (comptroller@townofthompson.com)
Subject: Notice of Claim - Marlene Soler (05/20/2022) to be reported to insurance carrier
Attachments: doc02547320220912161735.pdf

Dear Toby,

Please find attached letter regarding the above-mentioned notice of claim, please contact me should you have any questions.

Thanks,

Marilee J. Calhoun
Town Clerk/Registrar
Town of Thompson
4052 State Route 42
Monticello, NY 12701-3221
Tele: (845) 794-2500 Ext. # 302
Fax: (845) 794-8600



This institution is an equal opportunity provider and employer.

MARILEE J. CALHOUN
Town Clerk

KELLY M. MURRAN
Deputy Town Clerk

Town of Thompson

TOWN HALL
4052 Route 42
Monticello, NY 12701-3221

Telephone (845) 794-2500 Ext.302

Fax (845) 794-8600

September 14, 2022

Mr. Steven N. Mogel, Attorney at Law
457 Broadway, Suite 1
Monticello, New York 12701

Re: Freedom of Information Law (FOIL) Request
Avon Park Project Information on SBL#'s 32.-1-6, 32.-1-7, 32.-1-9.2 & 32.-1-10
(Glen Wild Road & Rock Hill Drive, Rock Hill, NY)
Time Period: April 1st, 2021 to Present

Dear Attorney Mogel:

I am in receipt of your (FOIL) request dated September 9th, 2022, which was received by this office on September 12th, 2022 in regards to the above-mentioned matter. I have forwarded your request to the Building, Planning and Zoning Department and Assessor's Office to collect any of the requested documents that may exist.

Due to the extensive nature of the request the information should be available on or before October 4th, 2022. The Town will make every effort to process your request before October 4th. If any documents exist, they should be able to be provided to you by electronic means or be posted on the website, except for large sized documents. I will let you know if there will be a cost prior to processing.

In the event that this request is being denied in part or whole you have the right to appeal such decision in writing within 30-days of the denial. Appeals should be directed to Town Attorney Michael B. Mednick, PO Box 612, Monticello, New York 12701.

Thank you for your attention to this matter and feel free to contact me should you have any questions.

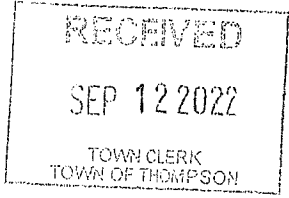
Sincerely,



Marilee J. Calhoun
Town Clerk

MJC:

PC: Hon. William J. Rieber, Jr., Supervisor and Town Board
Mr. Michael B. Mednick, Town Attorney
Mrs. Paula E. Kay, Town Consultant
~~Mr. James L. Carnell, Jr., Director of Building, Planning & Zoning~~
Mrs. Logan Money



STEVEN N. MOGEL
ATTORNEY AT LAW
457 BROADWAY, SUITE 1
MONTICELLO, NY 12701
WWW.SULLIVANCOUNTYLAWYERS.COM
E-MAIL:SMOGEL@SULLIVANCOUNTYLAWYERS.COM

(845) 791-4303 (OFFICE)
(845) 791-4304 (OFFICE)

ADMITTED IN NEW YORK
FAX: (845) 796-3223
(SERVICE BY FACSIMILE NOT ACCEPTED)

BY ELECTRONIC MAIL ONLY: marilee@townofthompson.com

September 9, 2022

Thompson Records Access Officer
Town of Thompson
4052 Route 42
Monticello, NY 12701

Re: FOIL Request- Avon Park ("Project")
Glen Wild Road & Rock Hill Drive
SBL Nos.: 32.-1-6, 32.-1-7, 32.-1-9.2 and 32.-1-10 ("Subject Property")

Dear Clerk Calhoun or Thompson Records Access Officer:

I write to you today to request records on behalf of the Lake Communities Alliance, Chester Smith, Pamela Smith, Carole Pfeister, James Holdsworth, Dale Sheeley, 25 Saw Mill LLC, Gallet Hill LLC, James Giglio, 9 Glen Wild Road LLC and Shiv Shakti Holding LLC.

Under the requirements of the Freedom of Information Law, please produce the following records¹ of any Town of Thompson division, agency, board, department, official, officer, employee, affiliate, or agent thereof ("Town"):

¹ Pursuant to the Public Officer's Law §86(4), "'Record' means any information kept, held, filed, produced or reproduced by, with or for an agency or the state legislature, in any physical form whatsoever including, but not limited to, reports, statements, examinations, memoranda, opinions, folders, files, books, manuals, pamphlets, forms, papers, designs, maps, photos, letters, microfilms, computer tapes or discs, rules, regulations or codes."

Pursuant to the Public Officer's Law §86(3), "'Agency' means any state or municipal department, board, bureau, division, commission, committee, public authority, public corporation, council, office or other governmental entity performing a governmental or proprietary function for the state or any one or more municipalities thereof, except the judiciary or the state legislature."

- LITIGATION AND APPEALS • CORPORATE AND BUSINESS LAW
- PROBATE AND ADMINISTRATION PROCEEDINGS
- COMMERCIAL AND RESIDENTIAL REAL ESTATE
- ESTATE PLANNING, TRUSTS, AND WILLS • LAND USE AND DEVELOPMENT
- ZONING AND PLANNING • MATRIMONIAL LAW • CRIMINAL

RECORDS:

For the period of April 1, 2021 to present:

Copies of all records(s), including but not limited to:

- A. Any and all field notes made by Town of Thompson elected or appointed officials/board members, employees, representatives, agents, designees and/or anyone acting on behalf of the Town of Thompson regarding, relating, or pertaining to the Subject Property;
- B. Any and all phone or meeting notes made by Town of Thompson elected or appointed officials/board members, employees, representatives, agents, designees and/or anyone acting on behalf of the Town of Thompson regarding, relating, or pertaining to the Subject Property;
- C. Any and all correspondence made by or directed to Town of Thompson elected or appointed officials/board members, employees, representatives, agents, designees and/or anyone acting on behalf of the Town of Thompson regarding, relating, or pertaining to the Subject Property;
- D. Any and all Town of Thompson Town Board agendas, minutes, resolutions and recordings regarding, relating, or pertaining to the Subject Property;
- E. Any and all Town of Thompson Planning Board agendas, minutes, resolutions and recordings regarding, relating, or pertaining to the Subject Property;
- F. Any and all Town of Thompson Zoning Board of Appeals agendas, minutes, variances, interpretations, determinations, resolutions, and recordings regarding, relating, or pertaining to the Subject Property;
- G. Any and all permit(s) and related material (including exhibits and/or attachments), including all applications, sketches, site plans, architectural drawings, correspondence, legal notices, submitted materials and notes of any kind including, but not limited to building permits, submitted to any Town of Thompson elected or appointed officials/board members, employees, representatives, agents, designees and/or anyone acting on behalf of the Town of Thompson regarding, relating, or pertaining to the Subject Property;
- H. Any and all written materials not specified above that are kept, maintained, and/or in the possession of the Town of Thompson Building Department regarding,

FRIDAY, SEPTEMBER 09, 2022
PAGE | 3

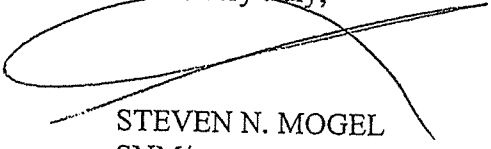
relating, or pertaining to the Subject Property.

Please provide me with the records requested herein in electronic form. If the requested records cannot be compiled on a disk and/or provided to me by electronic mail, please inform me by email (a) of the records that can be provided in an electronic form and; (b) of the cost for reproducing the remainder of the records requested.²

If for any reason any portion of my request is denied, please inform me of the reasons for the denial in writing and provide me with the name and address of the person or body to whom an appeal should be directed in accordance with Public Officer's Law §89(3) and (4). If there is any part of this request that needs clarification, please contact me.

I look forward to hearing from you shortly.

~~Yours very truly,~~

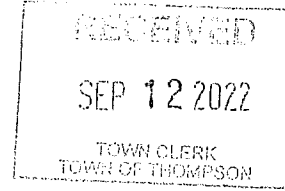


STEVEN N. MOGEL
SNM/snm

² Pursuant to Public Officer's Law §87(1)(b) (iii), "the fees for copies of records which shall not exceed twenty-five cents per photocopy not in excess of nine inches by fourteen inches, or the actual cost of reproducing any other record in accordance with the provisions of paragraph (c) of this subdivision, except when a different fee is otherwise prescribed by statute."

Marilee Calhoun (Town of Thompson)

From: smogel@sullivancountylawyers.com
Sent: Friday, September 9, 2022 1:25 PM
To: 'Marilee Calhoun (Town of Thompson)'
Cc: 'Michelle Holloway'; 'Krysten Walsh'
Subject: FOIL Request - Avon Park
Attachments: FOIL - Avon Park 9-9-22.pdf



Dear Marilee:

Attached please find a FOIL request for the Avon Park project. As always, you need not duplicate anything that is already available on-line.

Have a good weekend.

Yours very truly,

STEVEN N. MOGEL, Attorney at Law
457 Broadway, Suite 1
Monticello, New York 12701
Phone: (845) 791-4303
Fax: (845) 796-3223
E-mail: smogel@sullivancountylawyers.com
Web Address: www.sullivancountylawyers.com

NOTICE: This e-mail and any attachments are confidential and are protected by various legal privileges, including the attorney-client and work product privileges. The contents of this e-mail and any attachments are intended solely for the designated recipients named in the "To" and "CC" lines. If you are not a designated recipient by name, notify the sender immediately and then delete the e-mail and attachment. Unauthorized disclosure, printing, or copying of this e-mail and any attachments is prohibited. The sender has not waived confidentiality or any privilege and expressly reserves all rights for violations. If you have not formally retained this firm for legal services, then we are not your attorneys and neither this communication nor any attachments hereto constitute the provision of legal services or the establishment or confirmation of an attorney-client relationship. Pursuant to IRS Regulations, any tax advice contained in this communication or attachments is not intended to be used and cannot be used for purposes of avoiding penalties imposed by the Internal Revenue Code or promoting, marketing or recommending to another person any tax related matter.

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 September 20,
2022

AI
#1

RESOLUTION TO AUTHORIZE AND DESIGNATE A JUSTICE COURT CLERK FOR EACH DULY ELECTED TOWN JUSTICE IN THE TOWN OF THOMPSON

WHEREAS, the Town of Thompson currently has two (2) duly elected Town Justices;
and

WHEREAS, the Town of Thompson, under Chapter 14, Article 1 of the Town Code, has created the positions of Justice Court Clerk, Deputy Clerk I and Deputy Clerk II to assist the Town Justices in the operation and maintenance of the day to day activities of the Town Justice Court; and

WHEREAS, currently the Town of Thompson has designated one (1) Justice Court Clerk, one (1) Deputy Clerk I and one (1) Deputy Clerk II; and

WHEREAS, it is the desire of the Town of Thompson to create the position of Justice Court Clerk for each duly elected Town Justice so that the Town has two (2) Justice Court Clerks going forward, as well as one (1) Deputy Clerk I and one (1) Deputy Clerk II.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Thompson as follows:

1. That the Town Board of the Town of Thompson does hereby designate and create a second position of Justice Court Clerk.
2. That the Town Board of the Town of Thompson designates that the positions of Deputy Clerk I and Deputy Clerk II shall remain so that the Justice Court shall have one (1) Justice Court Clerk and one (1) Deputy Clerk for duly elected Justice of the Town of Thompson.
3. That these positions of Justice Court Clerks, Deputy Clerk I and Deputy Clerk II of the Town of Thompson Justice Court shall be in the exempt class of Civil Service pursuant to the provisions of §41 of the Civil Service Law of the State of New York.
4. This Resolution shall take effect immediately.

Moved by:

Seconded by:

The Members voted on the foregoing Resolution as follows:

Supervisor WILLIAM J. RIEBER, JR.	Yes []	No []
Councilperson SCOTT MACE	Yes []	No []
Councilman JOHN A. PAVESE	Yes []	No []
Councilwoman MELINDA S. MEDDAUGH	Yes []	No []
Councilman RYAN T. SCHOCK	Yes []	No []

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

The undersigned, Town Clerk of the Town of Thompson, does hereby certify that the Resolution annexed hereto to authorize and designate a Justice Court Clerk for each duly elected Town Justice of the Town of Thompson was adopted by said Town Board on September 22, 2022, 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 September____,
2022.

MARILEE J. CALHOUN, TOWN CLERK

#2

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 September
20, 2022

**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 September 20, 2022, a proposed Local Law No. 1 of 2022, entitled "A
local law to amend Chapter 14 of the Town of Thompson Code regarding Court".

NOW, THEREFORE, BE IT RESOLVED, that a Public Hearing be held on said
proposed local law by the Town Board of the Town of Thompson on October ____, 2022 at 7:30
P.M., or as soon thereafter as said Public Hearing shall be convened, at the Town Hall, 4052
Route 42, Monticello, New York, and at least three (3) days' notice of such public hearing be
given by the Town Clerk of the Town of Thompson by due posting thereof on the bulletin board
of the Town of Thompson and by publishing such notice at least once in the official newspaper
of said Town.

Moved by _____

Seconded by _____

Adopted on Motion September _____, 2022

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 []

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. 01 of the year 2022

A local law to amend Chapter 14 of the Town of Thompson Code regarding Court entitled "A Local Law to amend Chapter 14 of the Code of the Town of Thompson".

Be it enacted by the Town Board of the

Town of Thompson

1. Chapter 14 Article I entitled "Clerk and Deputy Clerks", is amended as follows:

§8-1. Positions created.

There are hereby created the positions of two (2) Clerks, Deputy Clerk I, and Deputy Clerk II of the Town Justice Court of the Town of Thompson.

§8-2. Appointment; term.

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

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

3. Except as herein specifically amended, the remainder of Chapter 14 of such Code shall remain in full force and effect.

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

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

(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 2022 of the Town of Thompson was duly passed by the Town Board on _____, 2022 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 2022 of the County/City/Town/Town/Village of _____ was duly passed by the _____ on _____ 2022 and was (approved) (not approved) (repassed after disapproval) by the _____ on _____ and was deemed duly adopted on _____ 2022, 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 2022 of the County/City/Town/Town/Village of _____ was duly passed by the _____ on _____ 2022 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 _____ 2022, 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 2022 of the County/City/Town/Town/Village of _____ was duly passed by the _____ on _____ 2022 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 _____ 2022 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 2022 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 _____ 2022 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 2022 of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 2022, 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.

MARILEE J. CALHOUN Town Clerk of the county
~~legislative body, city, town, village clerk or officer~~
designated by local legislative body

Date: _____, 2022

(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: _____, 2022

Attorney for the Town
County/City/Town/Village of Thompson

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 September 6, 2022

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 September 6, 2021, a proposed Local Law No. 2 of 2022, 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 October _____, 2022 at 7:30 P.M., or as soon thereafter as said public hearing shall be convened, at the Town Hall, 4052 Route 42, Monticello, New York, and at least three (3) days' notice of such public hearing be given by the Town Clerk of the Town of Thompson by due posting thereof on the bulletin board of the Town of Thompson and by publishing such notice at least once in the official newspaper of said Town.

Moved by _____

Seconded by _____

Adopted on Motion September _____, 2022

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 T. SCHOCK	Yes <input type="checkbox"/>	No <input type="checkbox"/>

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. 00A of the year 2022

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 Commercial Industrial (CI) District:

Only that portion of real property identified on the Town of Thompson Tax Map as a portion of parcel SBL 49-1-23, consisting of approximately 10.20 acres, as further identified as the highlighted portion contain on the attached map of SBL 49-1-23, currently zoned as Highway Commercial-2 (HC-2), shall be reclassified on such zoning map as Rural Residential-2 (RR-2) and shall hereafter be subject to the schedule of district regulations for such Rural Residential-2 (RR-2) zone.

2. Except as herein specifically amended, the remainder of Chapter 250 of such code shall remain in full force and effect.
3. If any clause, sentence, paragraph, subdivision, section or part thereof this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this local law shall not be affected thereby and shall remain in full force and effect.
4. Except as herein otherwise provided penalties for the violation of this local law, any person committing an offense against any provision of the chapter of the Code of the Town of Thompson shall, upon conviction thereof, be punishable as provided in Chapter 1, General Provisions, Article II, of such Code.
5. This local law shall take effect immediately.

(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 2022 of the Town of Thompson was duly passed by the Town Board on _____, 2022 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: _____, 2022

(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: _____, 2022

Attorney for Town of Thompson

#4

At a regular meeting of the Town Board of the Town of Thompson, Sullivan County, New York, held at the Town Hall, in Monticello, New York, on the 6th day of September, 2022, at 7:00 o'clock P.M., Prevailing Time.

PRESENT:

- WILLIAM J. RIEBER, JR., Supervisor
- SCOTT MACE, Councilman
- JOHN A. PAVESE, Councilman
- MELINDA S. MEDDAUGH, Councilwoman
- RYAN T. SCHOCK, Councilman

-----X

In the Matter of
Proposed Extension No. 1 of the **CONSOLIDATED ROCK HILL-EMERALD GREEN SEWER DISTRICT** in the Town of Thompson, Sullivan County, New York.

-----X

WHEREAS, a Map, Plan and Report have been duly prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Thompson, Sullivan County, New York, relating to the Extension #1 of the Consolidated Rock Hill-Emerald Green Sewer District within said Town, to serve the area more particularly described in Schedule "A" annexed hereto and made a part hereof, which area is located wholly within the Town of Thompson; and

WHEREAS, said Map, Plan and Report was prepared on behalf of the Town, by MHE Engineering, DPC, dated August 30, 2022, which engineers are duly licensed by the State of New York, and which report and plan are on file in the office of the Town Clerk for public inspection; and

WHEREAS, the boundaries of the proposed extended district are more fully set forth and described in Schedule "A" annexed hereto and made a part hereof; and

WHEREAS, the improvement proposed for the said Consolidated Rock Hill-Emerald Green Sewer District, as extended, consists of providing a means by which Avon Commercial Park at Rock Hill Towne Center (T/O Thompson Tax Map Parcel #'s 32-1-6, 32-1-7, 32-1-9.2 and 32-1-10) may dispose of sewage by becoming part of the said Consolidated Rock Hill-Emerald Green Sewer District, and

WHEREAS, the entire amount to be expended for such improvement, including but not limited to, costs of construction, engineering, administrative and legal fees, shall be borne solely and entirely by the said landowners, namely, Avon Commercial Park at Rock Hill Towne Center, and

WHEREAS, the annual average cost for a typical single family residence with four (4) bedrooms would be *Five Hundred Ninety-Eight and 80/100 (\$598.80) Dollars*, and

WHEREAS, it is now desired to call a Public Hearing for the purpose of considering said Map, Plan and Report, and extending said Consolidated Rock Hill-Emerald Green Sewer District, and to hear all persons interested in the subject thereof and concerning the same in accordance with the provisions of Section 209-d of the Town Law;

NOW, THEREFORE, IT IS HEREBY

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

Section 1. That a meeting of the Town Board of the Town of Thompson, Sullivan County, New York, shall be held at the Town Hall, 4052 Route 42, Monticello, New York, in said Town, on the 25th day of October, 2022, at 7:00 o'clock, P.M., Prevailing Time, to consider said Map, Plan and Report, and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as is required by law.

Section 2. That a copy of this Order shall be published in the Sullivan County Democrat, the official newspaper of said Town, and posted on the bulletin board maintained by the Town Clerk at the Town Hall in accordance with the provisions of Section 209-d of the Town Law, such publication posting to be not less than ten nor more than twenty days before the date designated for the hearing as aforesaid.

Section 3. This order shall take effect immediately.

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

WILLIAM J. RIEBER, JR.	VOTING	Aye
SCOTT MACE	VOTING	Aye
JOHN A. PAVESE	VOTING	Aye
MELINDA S. MEDDAUGH	VOTING	Aye
RYAN T. SCHOCK	VOTING	Aye

The order was thereupon declared duly adopted.

* * * * *

At a regular meeting of the Town Board of the Town of Thompson, Sullivan County, New York, held at the Town Hall, in Monticello, New York, on the 6th day of September, 2022, at 7:00 o'clock P.M., Prevailing Time.

PRESENT:

- WILLIAM J. RIEBER, JR., Supervisor
- SCOTT MACE, Councilman
- JOHN A. PAVESE, Councilman
- MELINDA S. MEDDAUGH, Councilwoman
- RYAN T. SCHOCK, Councilman

-----X

In the Matter of
Proposed Extension No. 2 of the **CONSOLIDATED ROCK HILL-EMERALD GREEN SEWER DISTRICT** in the Town of Thompson, Sullivan County, New York.

-----X

WHEREAS, a Map, Plan and Report have been duly prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Thompson, Sullivan County, New York, relating to the Extension #2 of the Consolidated Rock Hill-Emerald Green Sewer District within said Town, to serve the area more particularly described in Schedule "A" annexed hereto and made a part hereof, which area is located wholly within the Town of Thompson; and

WHEREAS, said Map, Plan and Report was prepared on behalf of the Town, by MHE Engineering, DPC, dated August 30, 2022, which engineers are duly licensed by the State of New York, and which report and plan are on file in the office of the Town Clerk for public inspection; and

WHEREAS, the boundaries of the proposed extended district are more fully set forth and described in Schedule "A" annexed hereto and made a part hereof; and

WHEREAS, the improvement proposed for the said Consolidated Rock Hill-Emerald Green Sewer District, as extended, consists of providing a means by which Avani & Dharmesh Patel (T/O Thompson Tax Map Parcel # 52-1-17.18) may dispose of sewage by becoming part of the said Consolidated Rock Hill-Emerald Green Sewer District, and

WHEREAS, the entire amount to be expended for such improvement, including but not limited to, costs of construction, engineering, administrative and legal fees, shall be borne solely and entirely by the said landowners, namely, Avani & Dharmesh Patel, and

WHEREAS, the annual average cost for a typical single family residence with four (4) bedrooms would be *Five Hundred Ninety-Eight and 80/100 (\$598.80) Dollars*, and

WHEREAS, it is now desired to call a Public Hearing for the purpose of considering said Map, Plan and Report, and extending said Consolidated Rock Hill-Emerald Green Sewer District, and to hear all persons interested in the subject thereof and concerning the same in accordance with the provisions of Section 209-d of the Town Law;

NOW, THEREFORE, IT IS HEREBY

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

Section 1. That a meeting of the Town Board of the Town of Thompson, Sullivan County, New York, shall be held at the Town Hall, 4052 Route 42, Monticello, New York, in said Town, on the 25th day of October, 2022, at 7:00 o'clock, P.M., Prevailing Time, to consider said Map, Plan and Report, and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as is required by law.

Section 2. That a copy of this Order shall be published in the Sullivan County Democrat, the official newspaper of said Town, and posted on the bulletin board maintained by the Town

Clerk at the Town Hall in accordance with the provisions of Section 209-d of the Town Law, such publication posting to be not less than ten nor more than twenty days before the date designated for the hearing as aforesaid.

Section 3. This order shall take effect immediately.

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

WILLIAM J. RIEBER, JR.	VOTING	Aye
SCOTT MACE	VOTING	Aye
JOHN A. PAVESE	VOTING	Aye
MELINDA S. MEDDAUGH	VOTING	Aye
RYAN T. SCHOCK	VOTING	Aye

The order was thereupon declared duly adopted.

* * * * *

#6

Marilee Calhoun (Town of Thompson)

From: Joel Kohn
Sent: Thursday, September 15, 2022 4:53 PM
To: marilee (clerk-town of thompson)
Cc: Supervisor (Town of Thompson); Pinchus Rosenfeld
Subject: Leisure Acres Street Names
Attachments: COUNTY APPROVED STREET NAMES 2022-09-14.pdf

Good afternoon Marilee,

See attached letter from the County approving street names for Leisure Acres.

Please add it to the next available Town Board agenda for approval.

Sincerely,

Joel Kohn

**JK Expediting Services
63 Liberty St.
P.O. Box 369
Monticello NY 12701**



Joel Kohn <joel@jkexpediting.com>

RE:

Stone, Jennifer D. <Jennifer.Stone@sullivanny.us>
To: Meyer Silber <leisureacreshomes@gmail.com>
Cc: Joel Kohn <joel@jkexpediting.com>, "Knapp, Christopher J." <Chris.Knapp@sullivanny.us>, "Hunt, Anita R" <Anita.Hunt@sullivanny.us>, "Lara, Kathleen M." <Kathleen.Lara@sullivanny.us>

Wed, Sep 14, 2022 at 10:04 AM

This message was sent securely using Zix[®]

CHRIS KNAPP
DIRECTOR



TEL. 845-807-0221
FAX 845-807-0232

COUNTY OF SULLIVAN
REAL PROPERTY TAX SERVICES
SULLIVAN COUNTY GOVERNMENT CENTER
100 NORTH STREET
PO BOX 5012
MONTICELLO, NY 12701

To Whom It May Concern,

This letter will serve as notification that the following road name(s) have been approved by this office for use within the 911 Address System for Sullivan County. The approved road name(s) are located, in whole or in part, in the **Town of Thompson** and on a parcel identified for tax assessment purposes as **29.-2-13**, as shown in the attached image:

Rosemary Grv (yellow in the attached image)

Chives Ln (green in the attached image)

Sage Ct (blue in the attached image)

Peppermint Ter (red in the attached image)

Thyme Trl (purple in the attached image, main entrance driveway)

These road names, shown above and also identified in the image attached, have been approved for use within a private community known as:

Leisure Acres

Please submit a copy of this notice, the map attached, and a written request to the **Thompson** Town Clerk for approval by the Town Board.

Please note, this written request should also include a request to retire the road name "Yellow Park Dr", a private road name which currently exists on this parcel. It is our understanding that the structures associated with this street are/will be demolished and that the road is no longer in use and/or will be relocated and renamed.

This office **must** be provided with a copy of the signed resolution and a map of the named roads, if not already provided to this office, before these roads can be added to the 911 system and/or used for addressing purposes.

If you have any questions please feel free to contact the 911 addressing department. Thank you for your cooperation and understanding while we work to provide our residents with the best emergency service response possible.

Jennifer D. Stone

GIS Coordinator

911 Addressing Coordinator

Division of Information Technology Services, GIS Program

County of Sullivan

100 North Street

Monticello, NY 12701

office: 845-807-0110 | fax: 845-807-0111

jennifer.stone@sullivanny.us | www.sullivanny.us

-



Confidentiality Notice: This e-mail message, including attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message and attachments. Do NOT forward it to a third party without the written consent of the sender. The County of Sullivan is a public entity; consequently, this email may be subject to disclosure under the Freedom of Information Law. Thank you.

From: Meyer Silber [mailto:leisureacreshomes@gmail.com]
Sent: Monday, September 12, 2022 10:50 AM
To: Stone, Jennifer D. <Jennifer.Stone@sullivanny.us>
Subject:

ITS ADVISES CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Ms Stone;

We are in the process of naming streets for our project and was wondering if you can check availability for several options we came up with.

Kindly review the list below and advise if it can be used.

Rosemary

Chives

Sage

Peppermint

Thyme

Diamond

Ruby

Sapphire

Emerald

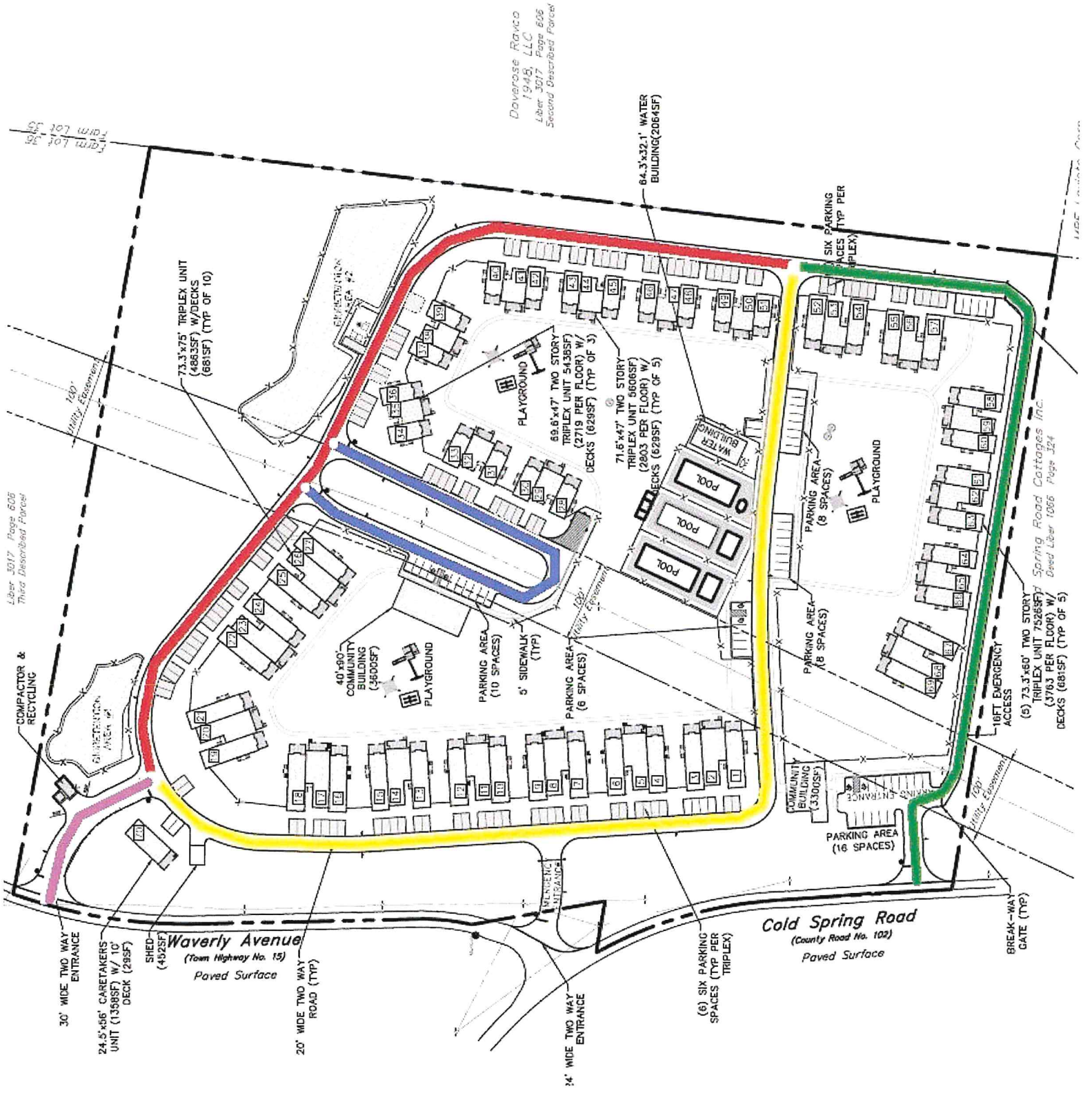
Silver

Gold

Platinum

Bronze

Thank you so much for your time and attention to this matter.



Doverose Rowco
194B, LLC
Liber 3017 Page 606
Second Described Parcel

Liber 3017 Page 606
Third Described Parcel

Spring Road Cottages Inc.
Good Liber 1066 Page 124

Liber 3017 Page 606

Form Lot 36
Farm Lot 35

#9

Town of Thompson Highway Dept

Rich Benjamin Jr. Superintendent of Highways
33 Jefferson St. Monticello, NY 12701
Phone: 794-5560

Email davehiway@gmail.com
Fax: 794-5722

September 13, 2022

Bills over

#312713 Prestige Towing Transport two rollers \$3145.85

#9

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

Michael Messenger, Superintendent
Keith Rieber, Assistant Superintendent

BILLS OVER \$2500.00

We are requesting permission to pay the following:

VENDOR: Stark Equipment LLC

DESCRIPTION: Generac Generators for
AMOUNT: Rock Hill Sewer and Sackett Lake Sewer

\$ 42,760.00

"Resolution 165 of 2022" approval of BID.



INVOICE

Stark Equipment LLC

95 Stark Street
Tonawanda, New York 14150
Phone 716-693-4490
www.StarkTechGroup.com

INVOICE NUMBER: EQ-001963
INVOICE DATE: 08/31/2022

For billing inquiries, please email
AccountsReceivable@starktechgroup.com
and reference your invoice number

REMIT PAYMENT TO:
Stark Equipment LLC
95 Stark Street
Tonawanda, NY 14150

BILL TO:

Town of Thompson
128 Rock Ridge Drive
Monticello, New York 12701

LOCATION:

Thompson Water Treatment Facility
128 Rock Ridge Drive
Monticello, New York 12701

CUSTOMER PO NUMBER	PROJECT NUMBER	PROJECT NAME	PAYMENT TERMS	DUE DATE
220475	22-25957	Town of Thompson, Sackett Lake Sewer District	Net 30 Days	09/30/2022

LINE NUMBER	DESCRIPTION	QTY	UNIT PRICE	UNIT	AMOUNT
1	Generac SD40KW Diesel Generator	1	\$21130	Each	\$21,130.00
SUBTOTAL					\$21,130.00
Sales Tax					\$0.00
TOTAL					\$21,130.00

Additional Information:

THANK YOU FOR YOUR BUSINESS!



INVOICE

Stark Equipment LLC

95 Stark Street
Tonawanda, New York 14150
Phone 716-693-4490
www.StarkTechGroup.com

INVOICE NUMBER: EQ-001962
INVOICE DATE: 08/31/2022

For billing inquiries, please email
AccountsReceivable@starktechgroup.com
and reference your invoice number

REMIT PAYMENT TO:
Stark Equipment LLC
95 Stark Street
Tonawanda, NY 14150

BILL TO:

Town of Thompson
128 Rock Ridge Drive
Monticello, New York 12701

LOCATION:

Thompson Water Treatment Facility
128 Rock Ridge Drive
Monticello, New York 12701

CUSTOMER PO NUMBER	PROJECT NUMBER	PROJECT NAME	PAYMENT TERMS	DUE DATE
PO# 220476	22-25968	Town of Thompson Rock Hill Sewer District	Net 30 Days	09/30/2022

LINE NUMBER	DESCRIPTION	QTY	UNIT PRICE	UNIT	AMOUNT
1	Generac SD40KW Diesel Generator	1	\$21630	Each	\$21,630.00
SUBTOTAL					\$21,630.00
Sales Tax					\$0.00
TOTAL					\$21,630.00

Additional Information:

THANK YOU FOR YOUR BUSINESS!

Resolved, that the Town Board of the Town of Thompson hereby authorizes the refund of the final balance Restoration Cash Bond in the amount of \$30,000.00 to Ranch Road Realty as it is no longer required.

Moved by: Councilman Mace Seconded by: Councilwoman Meddaugh
Vote: Ayes 4 Rieber, Pavese, Meddaugh and Mace
Nays 0
Absent 1 Schock

9) PROPOSED SILVERCREST MANOR DEVELOPMENT PROJECT ALONG FAIRGROUND ROAD & RIPPLE ROAD, MONTICELLO: UPDATE REGARDING REQUEST FOR COLD SPRING WATER DISTRICT IMPROVEMENTS

Director Carnell reported on a meeting that he attended along with Supt. Messenger, Matthew Sickler, Engineer for the Town and Fellenzer Engineering, Consulting Engineers for the applicant regarding Cold Spring Water District Improvements. The Improvements to the District would be to service the Proposed Silvercrest Manor Development Project located along Fairground Road and Ripple Road, Monticello. The discussion included the recommended improvements and easement request from the Village of Monticello for water connection.

10) WATER & SEWER DEPARTMENT: APPROVE AUCTION SALE FOR (2) 2016 RAM 1500 CREW CAB PICKUP TRUCKS

The Following Resolution Was Duly Adopted: Res. No. 164 of the Year 2022.

Resolved, that the Town of Thompson Town Board hereby accepts the final auction bid for the following surplus vehicle through the Auctions International site:

Water & Sewer Department

- 1) 2016 RAM 1500 Crew Cab Pickup Truck VIN# 1C6RR7XT7GS261413 for \$21,900.00.
- 2) 2016 RAM 1500 Crew Cab Pickup Truck VIN# 1C6RR7XT8GS266782 for \$21,100.00.

Moved by: Councilwoman Meddaugh Seconded by: Councilman Pavese
Vote: Ayes 4 Rieber, Pavese, Meddaugh and Mace
Nays 0
Absent 1 Schock

11) REVIEW & APPROVE BIDS FOR WATER & SEWER DEPARTMENT: 1) TWO (2) STANDBY POWER GENERATORS AND 2) 1007C MANHOLE FRAMES & COVERS

Superintendent Messenger reported that there were (2) bids received for the 40-50 KW Standby Power Replacement Generators for the Rock Hill Sewer District Pump Station and the Sackett Lake Sewer District Hirschman Pump Station. The bids are as follows:
1) Stark Tech \$51,350.00 and 2) Peak Power Systems, Inc. \$59,200.00. Superintendent Messenger recommended that the bid be awarded to the low bidder Stark Tech in the amount of \$51,350.00. Action to award the bid for the Generators was taken as follows:

The Following Resolution Was Duly Adopted: Res. No. 165 of the Year 2022.



Boy Scout Troop 101



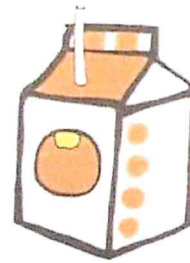
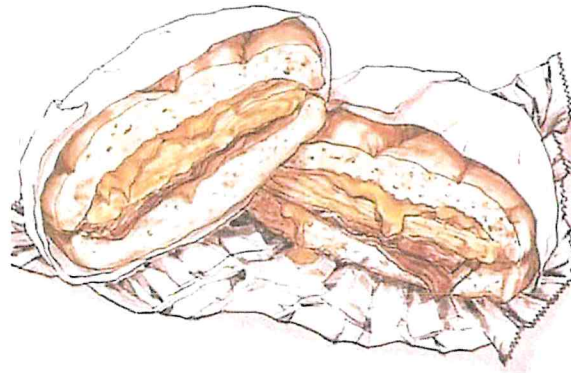
DRIVE THRU BREAKFAST

Sunday, October 2nd, 2022

At the Rock Hill Fire Dept.

From 7:00 AM to 11:00 AM

\$8 Per Meal



Breakfast includes:

**2 Eggs, Bacon, or Sausage with
Cheese on a Hard Roll**

**10 oz. Coffee & 4oz. Orange
Juice**