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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, DECEMBER 20, 2022

7:00 PM MEETING

CALL TO ORDER
ROLL CALL
PLEDGE TO THE FLAG

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

PUBLIC COMMENT

CORRESPONDENCE:

- **Freda C. Eisenberg, Commissioner, Sullivan County Division of Planning, Community Development & Environmental Management:** Letter dated 12/14/22 to Matthew Sush, Planning Board Chairman Re: GML-239 County Review for Weiss Realty – Bridgeville Site Plan Review & Special Use Permit Project, SBL # 32.-2-8.1.
- **Certificates of Annual Fire District Elections Results:** Filed with Town Clerk Calhoun on 12/14/22 for Monticello Joint Fire District, Rock Hill Fire District and Hurleyville Fire District.

AGENDA ITEMS:

- 1) DISCUSS PROPOSED SACKETT LAKE LP MIXED USE PLANNED UNIT DEVELOPMENT (PUD) FOR ROUTE 42 – SACKETT LAKE ROAD PARCELS**
- 2) 180 WAVERLY AVE, LLC: RESOLUTION FOR PREPARATION OF MAP, PLAN & REPORT – PROPOSED SEWER DISTRICT EXTENSION OF THE CONSOLIDATED HARRIS SEWER DISTRICT FOR SINGLE-FAMILY HOME, SBL # 29.-2-14**
- 3) ACCEPT RESIGNATION OF MATTHEW SUSH FROM PLANNING BOARD EFFECTIVE 01/01/2023**
- 4) CONSOLIDATED ROCK HILL-EMERALD GREEN SEWER DISTRICT WWTP UPGRADE PROJECT – REVIEW & ACKNOWLEDGE INTEREST IN BIL FUNDING (NYS EFC (CWSRF) PROJECT NO. C3-5378-07-00)**
- 5) CONSOLIDATED KIAMESHA SEWER DISTRICT WWTP UPGRADE PROJECT – REVIEW & ACKNOWLEDGE INTEREST IN BIL FUNDING (NYS EFC (CWSRF) PROJECT NO. C3-5378-06-00)**
- 6) FINAL ORDER EXPANDING CONSOLIDATED ROCK HILL-EMERALD GREEN SEWER DISTRICT – PROPOSED EXTENSION NO. 2 FOR AVANI & DHARMESH PATEL, SBL # 52.-1-17.18**
- 7) MATTHEW GAOR: REQUEST TO EXTEND TEMPORARY SPECIAL USE PERMIT FOR RECREATION VEHICLE/ CAMPER TRAILER – 31 WHITTAKER ROAD, MONTICELLO, NY, SBL # 3.-1-3**
- 8) BEDIK COMMUNICATIONS, INC.: DISCUSS PROPOSAL FOR TELEPHONE SYSTEM UPGRADE – ESTIMATED COST \$4,090.00 + LABOR**

9) PARKS & RECREATION DEPARTMENT ITEMS:

- A) PURCHASE REQUEST: 2023 JOHN DEERE GATOR XUV835M OFF NYS LANDSCAPING GROUNDS PC69683 (PG XN CG 22) BID LIST FOR \$21,455.23 – PURCHASE IN PLACE OF PRIOR APPROVAL GRANTED 03/01/2022 AS PER RESOLUTION NO. 129 OF 2022 FOR PRICE DIFFERENCE OF \$1,565.76
- B) THURSDAY NIGHT LIGHTS PROGRAM: HOLIDAY MTN SKI HILL STARTING 01/05/2023 – TOTAL COST \$4,000.00
- C) FAMILY SKI NIGHT EVENT: 01/26/2023 – TOTAL COST \$3,000.00
- D) COMMUNITY SLED DAY EVENT: JANUARY 2023 (DATE TBD) – TOTAL COST \$500.00
- E) CRAFT & SLED DAY EVENT: 02/11/2023 AT EAST MONGAUP RIVER PARK – TOTAL COST \$1,000.00
- F) SNOW SHOEING EVENT: 02/18/2023 AT LAKE IDA PARK – TOTAL COST \$600.00
- G) DISCUSS PROPOSED YMCA CONTRACT FOR 2023 SUMMER YOUTH DAY CAMP PROGRAM

10) BILLS OVER \$2,500.00

11) BUDGET TRANSFERS & AMENDMENTS

12) ORDER BILLS PAID

OLD BUSINESS

NEW BUSINESS

REPORTS: SUPERVISOR, COUNCILMEN, & DEPARTMENT HEADS

PUBLIC COMMENT

ADJOURN

PLEASE TAKE NOTICE, that this Town Board meeting will be held in person and via videoconferencing, as permitted by the NYS Open Meetings Law. The zoom invite is merely a courtesy and convenience to the public. If there is a disruption in the ability of the zoom meeting to commence or even continue once a meeting has been commenced, the official meeting of the Town Board shall continue in person without interruption.

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 held remotely via Zoom on **December 06, 2022.**

ROLL CALL:

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

DRAFT

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

Present via Zoom: Kelly Murrin, Deputy Town Clerk
Karen Schaefer, Supervisor's Confidential Secretary

REGULAR MEETING – CALL TO ORDER

Supervisor Rieber opened the meeting at 7:07 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.

PUBLIC HEARING: PROPOSED LOCAL LAW # 04 OF 2022 - ESTABLISH SEWER RATES FOR FY 2023

Supervisor Rieber opened the Public Hearing at 7:08 PM.

Town Clerk, Marilee J. Calhoun read the legal public notice and stated that she had an original affidavit of publication. Notice of said hearing was duly published in the Sullivan County Democrat on November 25, 2022 with same being posted at the Town Hall and Town Website on November 16, 2022.

TOWN OF THOMPSON
NOTICE OF PUBLIC HEARING
ON PROPOSED LOCAL LAW

NOTICE IS HEREBY GIVEN that there has been duly introduced at a meeting of the Town Board of the Town of Thompson, New York, held on November 15, 2022, a proposed Local Law No. 04 of 2022, entitled "A Local Law to amend the Town of Thompson Code, Chapter 194, entitled "Sewers".

The proposed Local Law will establish and impose in the various sewer districts of the Town of Thompson, sewer rents for the year 2023.

NOTICE IS FURTHER GIVEN that the Town Board of the Town of Thompson will conduct a Public Hearing on the aforesaid proposed Local Law at the Town Hall, 4052 Route 42, Monticello, New York, on December 06, 2022 at 7:00 P.M., or as soon thereafter as said Public Hearing shall be convened, at which time all persons interested will be heard.

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

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

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

Dated: November 15, 2022

BY ORDER OF THE TOWN BOARD

TOWN OF THOMPSON

MARILEE J. CALHOUN, TOWN CLERK

The Proposed Local Law is to establish the sewer rents/rates for 2023 to be charged for Operation & Maintenance and Capital for the sewer districts within the Town of Thompson. The Town is required to enact this Local Law each year.

Supervisor Rieber asked if the Board had any comments. The Board had no comments.

Supervisor Rieber asked if anyone from the public would like to be heard on this matter. There were no public comments.

After an opportunity for all persons to be heard Supervisor Rieber entertained a motion that the public hearing be closed.

A motion to close the Public Hearing at 7:10 PM was made by Councilman Schock and seconded by Councilman Pavese.

The regular meeting was reconvened at 7:11 PM.

MONTHLY REPORT FOR NOVEMBER 2022 RECEIVED AND FILED

Dog Control Officer's Report

APPROVAL OF MINUTES:

On a motion made by Councilman Pavese and seconded by Councilman Schock the minutes of the November 15th, 2022 Regular Town Board Meeting and the October 4th, 2022 & October 18th, 2022 Budget Work-Sessions were approved as presented.

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

PUBLIC COMMENT:

Camille Johnston of Rock Hill reported on an issue regarding the Meeting Access ID, which was resolved.

CORRESPONDENCE:

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

- **Maggie Tuttle, Inspector, NYS DOH:** Annual Compliance Inspection – Lucky Lake WTP, Permit No.: NY5203356.
- **Board of Directors, Hidden Ridge Homeowners Association, Inc.:** Letter dated 11/22/22 to Supervisor Rieber AND Letters dated 10/17/22 & 11/01/22 to Hon. Michelle L. Philips, Secretary to the Commission, NYS PSC Re: Petition for Appointment of a Temporary Operator for Crystal Water Supply Company, Inc.
- **NYS Dept. of Taxation and Finance:** Check #09039037, Dated: 11/25/22 in the amount of \$808,757.44 – NYS Gaming Commission for Resorts World Catskill Casino Distribution 2nd Quarter Payment.
- **Doug Bickford, P.E., Regional Design Engineer/Acting Regional Planning & Program Manager, NYS DOT Region 9:** Letter dated 11/10/22 to Local Town Officials Re: Bridge NY Program.
- **Marilee J. Calhoun, Town Clerk:** Letter dated 11/23/22 to Ms. Debbie Diddert, Shelter Manager, Sullivan County SPCA Re: Town Code §124-12 Required Adoption Listing &/or Applications.

- **George Duke, Esq., Connell Foley LLP:** Letter dated 11/10/22 to Sullivan County IDA Representatives Re: Mountain Kosher Food Corp. and 286 EB LLC Project Application – 286 East Broadway, Monticello, NY 12701, SBL # 113.-4-3.
- **Jennifer M. Flad, Executive Director, Sullivan County IDA:** Letter dated 11/23/22 to Supervisor Rieber Re: Notice of Public Hearing on Proposed Agency Assistance for Mountain Kosher Food Corp. and 286 EB LLC Project Application – 286 East Broadway, Monticello, NY 12701, SBL # 113.-4-3, Hearing to be held 12/09/22 at 9AM in the Sullivan County Legislative Hearing Room.
- **Jennifer M. Flad, Executive Director, SC IDA:** Letter dated 11/25/22 to Assessor Krzywicki Re: NYS Dept. of Taxation & Finance Form RP-412-a, Application for Real Property Tax Exemption (County of Sullivan IDA with NY Thompson III, LLC) along with PILOT Agreement, Lease to Agency & Leaseback to Company attachments.
- **Cheryl A. Grande, Confidential Secretary, SC Division of Planning, Community Development & Environmental Management:** Email dated 11/30/22 to Town of Thompson Planning Department Re: GML-239 Referral Forms for (3) Village of Monticello projects as follows: 1) Fraser BH LLC – 3-Lot Subdivision, Rock Ridge Ave & Fraser Ave, 2) Rock Ridge Avenue Lot Improvement – 3-Lot Subdivision, Rock Ridge Ave and 3) Monticello Community Housing – 33-Lot Subdivision, Fraser Ave, Rock Ridge Ave & Starr Ave. Town comments should be returned to Sullivan County Planning & Community Development by December 9th should they have any to submit.
- **Makayla Kemmeren, NYS Agriculture & Markets:** Letter dated 11/30/22 to Supervisor Rieber Re: Municipal Shelter Inspection Report – Bethel Animal Shelter, Completed on 11/18/22 Rated “Satisfactory”.

AGENDA ITEMS:

1) RESOLUTION TO ENACT PROPOSED LOCAL LAW NO. 04 OF 2022 – ESTABLISH SEWER RATES FY 2023

The Following Resolution Was Duly Adopted: Res. No. 401 of the Year 2022.

At a regular meeting of the Town Board of the Town of Thompson held at the Town Hall, 4052 Route 42, Monticello, New York on December 06, 2022

RESOLUTION TO ENACT LOCAL LAW NO. 04 OF 2022

WHEREAS, proposed Local Law No. 04 of the year 2022 entitled, "A Local Law to amend the Town of Thompson Code, Chapter 194, entitled “Sewers” was introduced to the Town Board at a meeting held November 15, 2022, at the Town Hall, Monticello, New York, to consider said proposed Local Law and

Notice of Public Hearing having been duly published and posted as required by law, and said Public Hearing having been held and all persons appearing at said Public Hearing deeming to be heard having been heard, and

WHEREAS, said Local Law was duly adopted after a Public Hearing.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Thompson, New York, does hereby enact and adopt Local Law No. 04 for the year 2022, Town of Thompson, State of New York, which Local Law is annexed hereto and made a part hereof.

Moved by: Councilwoman Melinda S. Meddaugh

Seconded by: Councilman Scott S. Mace

Adopted on Motion December 06, 2022

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

Local Law No. 04 of 2022

A local law entitled "A local law to amend the Town of Thompson Code, Chapter 194, entitled 'Sewers'."

Be it enacted by the Town Board of the Town of Thompson

1. The Town Board of the Town of Thompson, pursuant to the provisions of Article 14-F of the General Municipal Law, entitled "Sewer Rent Law", and in particular Section 452 thereof, does hereby establish and impose sewer rents to be charged in the Consolidated Harris Sewer District, Consolidated Rock Hill/Emerald Green Sewer District, Consolidated Kiamesha Sewer District, Melody Lake Sewer District, Sackett Lake Sewer District, Cold Spring Sewer District, and Adelaar Resort Sewer District for the year 2023.
2. The rates to be charged pursuant to Chapter 194 of the Code of the Town of Thompson, Section 194-45, for the year 2023 are as follows:

<u>DISTRICT:</u>	Operation & <u>Maintenance</u>	<u>Capital</u>
Consolidated Kiamesha Sewer District:	\$48.07	\$ 10.23
Consolidated Harris Sewer District:	\$30.20	\$ 1.45
Consolidated Rock Hill/Emerald Green Sewer District	\$54.63	\$ 18.61
Melody Lake Sewer District	\$83.07	\$ 20.59
Sackett Lake Sewer District:	\$61.12	\$ 1.12
Adelaar Resort Sewer District:*	N/A	N/A

* Adelaar Resort Sewer District is billed to 6 users only per usage spreadsheet

3. Except as herein specifically amended, the remainder of Chapter 194 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. This local law shall take effect immediately.

2) ESTABLISH DATE FOR PUBLIC HEARING: PROPOSED LOCAL LAW NO. 05 OF 2022 – AMEND/REPLACE CHAPTER 113 ARTICLE VI, BUILDING CODE ADMINISTRATION & ENFORCEMENT

Director James L. Carnell, Jr. explained Proposed Local Law No. 05 of 2022, which has been presented to amend/replace chapter 113, article VI entitled “Building Code Administration & Enforcement”. The Proposed Local Law is to conform with 19NYCRR Part 1202, 1203 & 1229 of the NYS Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) pursuant to Section 10 of the Municipal Home Rule Law. Action to establish a date for a public hearing was taken as follows:

The Following Resolution Was Duly Adopted: Res. No. 402 of the Year 2022.

At a regular meeting of the Town Board of the Town of Thompson held at the Town Hall, 4052 Route 42, Monticello, New York on December 06, 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 December 06, 2022, a proposed Local Law No. 05 of 2022, entitled "A Local Law amending and replacing, in its entirety, Chapter 113, Article VI of the Town of Thompson Code, entitled "Building Code Administration and Enforcement".

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 January 03, 2023 at 7:00 P.M., or as soon thereafter as said Public Hearing shall be convened, at the Town Hall, 4052 Route 42, Monticello, New York, and at least three (3) days' notice of such Public Hearing be given by the Town Clerk of the Town of Thompson by due posting thereof on the bulletin board of the Town of Thompson and by publishing such Notice at least once in the official newspaper of said Town.

Moved by: Councilwoman Melinda S. Meddaugh

Seconded by: Councilman Scott S. Mace

Adopted on Motion December 06, 2022

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

¹ Proposed Local Law No. 05 of 2022 is appended to these minutes.

3) DISCUSS & APPROVE RESOLUTIONS AUTHORIZING (2) CHANGES TO EMPLOYEE HANDBOOK

The Following Resolution Was Duly Adopted: Res. No. 403 of the Year 2022.

¹ ATTACHMENT: PROPOSED LOCAL LAW NO. 05 OF 2022 – AMEND/REPLACE CHAPTER 113, ARTICLE VI OF THE TOWN CODE ENTITLED "BUILDING CODE ADMINISTRATION AND ENFORCEMENT".

At a Regular Meeting of the Town Board of the Town of
Thompson held at the Town Hall, 4052 Route 42,
Monticello, New York on December 06, 2022

**RESOLUTION TO ADOPT THE TOWN OF THOMPSON EMPLOYEE HANDBOOK AMENDED AS OF
DECEMBER 6, 2022**

WHEREAS, the Town of Thompson Board wishes to amend the Town of Thompson Employee Handbook to include an Occasional Remote Work Policy.

WHEREAS, the Town of Thompson Board wishes to amend the vacation policy for FLSA Exempt Class Employees (including the Confidential Secretary to the Town Supervisor, Comptroller, Assessor, Water and Sewer Superintendent, Building, Planning and Zoning Director; Deputy Administrator, and Parks and Maintenance Supervisor) as follows:

<u>Years of Service:</u>	<u>Vacation Leave:</u>
Upon hire through 4 years of service	15 days
5 through 9 years of service	20 days
10 through 14 years of service	25 days
15 or more years of service	30 days

WHEREAS, the Town of Thompson Employee Handbook, revised as of December 6, 2022, includes the desired amendments for the Occasional Remote Work Policy and the amended vacation policy for FLSA Exempt Class Employees,

NOW THEREFORE IT BE RESOLVED, that the Town Board hereby adopts the revised Town of Thompson Employee Handbook dated December 06, 2022 to become effective immediately.

Adopted the 6th day of December, 2022.

Moved by: Councilman Ryan T. Schock
Seconded by: Councilwoman Melinda S. Meddaugh

The members of the Town Board voted as follows:	
Supervisor WILLIAM J. RIEBER, JR.	Yes [X] No []
Councilman SCOTT S. MACE	Yes [X] No []
Councilman JOHN A. PAVESE	Yes [X] No []
Councilwoman MELINDA S. MEDDAUGH	Yes [X] No []
Councilman RYAN T. SCHOCK	Yes [X] No []

The Following Resolution Was Duly Adopted: Res. No. 404 of the Year 2022.

At a Regular Meeting of the Town Board of the Town of
Thompson held at the Town Hall, 4052 Route 42,
Monticello, New York on December 06, 2022

RESOLUTION TO AUTHORIZE AN ADDITIONAL WEEK VACATION TIME FOR THE FOLLOWING CURRENT EMPLOYEES AS PER THE NEWLY REVISED TOWN OF THOMPSON EMPLOYEE HANDBOOK ADOPTED DECEMBER 06, 2022.

WHEREAS, the Town of Thompson Board has adopted the Town of Thompson Employee Handbook policy amendments as of December 06, 2022.

WHEREAS, the Town of Thompson Board has amended the vacation policy for FLSA Exempt Class Employees (including the Confidential Secretary to the Town Supervisor, Comptroller, Assessor, Water and Sewer Superintendent, Building, Planning and Zoning Director; Deputy Administrator, and Parks and Maintenance Supervisor) as follows:

<u>Years of Service:</u>	<u>Vacation Leave:</u>
Upon hire through 4 years of service	15 days
5 through 9 years of service	20 days
10 through 14 years of service	25 days
15 or more years of service	30 days

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Thompson does hereby authorize an additional week vacation as per the above schedule, effective immediately, for the following eligible positions: the Confidential Secretary to the Town

Supervisor, Comptroller, Assessor, Water and Sewer Superintendent, Building, Planning and Zoning Director; Deputy Administrator, and Parks and Maintenance Supervisor.

Adopted the 6th day of December, 2022.

Moved by: Councilwoman Melinda S. Meddaugh

Seconded by: Councilman Ryan T. Schock

The members of the Town Board voted as follows:

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

4) ESTABLISH DATE FOR FY 2023 ORGANIZATIONAL MEETING: TUESDAY, JANUARY 03, 2023 AT 7PM

The Following Resolution Was Duly Adopted: Res. No. 405 of the Year 2022.

Resolved, that the Town Board of the Town of Thompson hereby sets the date for its Annual Organizational Meeting to be held on Tuesday, January 03, 2023 at 7:00 PM and the Town Clerk is hereby directed to advertise same in the official newspaper of the Town.

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

5) REQUEST CONSENT OF ASSIGNMENT OF AMBULANCE SERVICE CONTRACT FOR MOBILE MEDIC EMS ACQUIRED BY EMPRESS AMBULANCE SERVICE LLC.
The Following Resolution Was Duly Adopted: Res. No. 406 of the Year 2022.

Resolved, that the Town Board of the Town of Thompson hereby consents to the Assignment of the Ambulance Service Contract with Sullivan Paramedicine, Inc. d/b/a Mobile Medic EMS to Empress Ambulance Service LLC effective upon date of acquisition and authorize the Town Supervisor to execute an Assignment Consent form if required.

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

6) CELEBRATE LIFE HALF MARATHON EVENT 03/12/22 – REQUEST BY MIRIAM LOOR, COORDINATOR
The Following Resolution Was Duly Adopted: Res. No. 407 of the Year 2022.

Resolved, that the Town Board of the Town of Thompson hereby authorizes participation and the use of Town roadways for The Celebrate Life Half Marathon Event to be located in the Rock Hill area on Sunday, March 12th, 2023 subject to past year requirements.

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

7) REVIEW & APPROVE BIDS FOR HIGHWAY DEPARTMENT: 1) ONE (1) OR MORE SIXTY-SIX INCH (66”) STEEL PIPE LINER

Highway Superintendent Richard L. Benjamin, Jr. submitted a request to recommend that the sole bidder Precision Pipe and Products be awarded the One (1) or More Sixty-Six Inch (66”) Steel Pipe Liner Bid at a price of \$600.00 a linear foot. Action to award the bid to the sole bidder was taken as follows:

The Following Resolution Was Duly Adopted: Res. No. 408 of the Year 2022.

Resolved that the bid of Precision Pipe and Products for One (1) or More Sixty-Six Inch (66”) Steel Pipe Liner for the Highway Department for a total amount of \$600.00 per

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

Glenn L. Smith, P.E., Consulting Engineer, P.C. **\$3,014.39 Total Cost**
Engineering Fees for Lake Ida Town Park Bathrooms (Bathhouse Septic System).

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

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

The Following Resolution Was Duly Adopted: Res. No. 412 of the Year 2022.

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

Slack Chemical Company **\$3,525.60 Total Cost**
Invoice # 447977 – Purchase of 440 Gallons of SternPac for the Emerald Green Sewer Wastewater Treatment Facility.
(Procurement: Sole source procurement.)

Emmons Metro LLC **\$5,187.00 Total Cost Including Freight**
Invoice # INV006060 – Purchase of Hydromatic Submersible Sewage Pump for the Kiamesha Pump Station.
(Procurement: Two price quotes obtained as follows: 1) Emmons Metro LLC for \$5,187.00 and 2) Uspumpparts.com for \$5,928.00.)

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

10) BUDGET TRANSFERS & AMENDMENTS

There were no budget transfers or amendments.

11) ORDER BILLS PAID

The Following Resolution Was Duly Adopted: Res. No. 413 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.²

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

² ATTACHMENT: ORDER BILLS PAID

OLD BUSINESS

There was no old business reported on.

NEW BUSINESS

HIGHWAY DEPARTMENT: SET DATE FOR BID OPENING – (1) OR MORE 2023 OR NEWER FREIGHTLINER MODEL 108SD 4X4 DIESEL TRUCK CHASSIS (THURSDAY, 03/31/2022 @ 2PM)

Highway Superintendent Richard L. Benjamin, Jr. is requesting to go out to bid for the purchase of (1) or More 2023 or Newer Freightliner Model 108SD 4X4 Diesel Truck Chassis. The funds are budgeted in the 5130.2 DA Account.

The Following Resolution Was Duly Adopted: Res. No. 414 of the Year 2022.

Resolved, that the Town Board of the Town of Thompson advertise for bids for a (1) or More 2023 or Newer Freightliner Model 108SD 4X4 Diesel Truck Chassis for the Highway Department to be opened on Thursday, January 12, 2023, at 2:00 o'clock P.M., Prevailing Time, at the Town Hall, 4052 State Route 42 North, Monticello, New York, and the Town Clerk be, and she hereby is, directed to advertise for bids in the official newspaper of the Town.

Motion by: Councilman Schock

Seconded by: Councilwoman Meddaugh

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

Nays 0

REPORTS: SUPERVISOR, COUNCILMEN, & DEPARTMENT HEADS

Supervisor William J. Rieber, Jr.

- No report provided.

Water & Sewer Superintendent Michael G. Messenger

- Town hydrant inspections have all been completed.

Councilwoman Melinda S. Meddaugh

- Kids Craft Day Event – Saturday, December 10th, 2022 at Cooke Elementary School Cafeteria, 10am-12pm & 12pm-2pm. (20 Children signed up to date.)
- Distribution of online Recreation Survey for completion by the public for suggestions and ideas of future events/activities.

Comptroller Melissa DeMarmels

- Health Insurance rate increase for 2023 – Town Budget projected 12% increase and rates came in higher than projected.

Councilman John A. Pavese

- The American Red Cross Rock Hill/Monticello Community Blood Drive to be held at the Monticello Fire Department on Thursday, December 15, 2022 from 1PM to 6PM. Prior appointments required.

PUBLIC COMMENT

There was no public comment given.

ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION

- 12/20/22 at 7PM: Regular Town Board Meeting.
- 01/03/22 at 7PM: Organizational & Regular Town Board Meeting.
- 01/03/22 at 7PM: Public Hearing – Proposed Local Law No. 05 of 2022 – Amend/Replace Chapter 113, Article VI of Town Code – “Building Code Administration and Enforcement”.

EXECUTIVE SESSION

On a motion made by Councilman Schock and seconded by Councilman Pavese the Town Board entered into Executive Session at 7:48 PM with Attorney Mednick, Deputy Administrator Chester, Comptroller DeMarmels and Superintendent Messenger to discuss two Personnel Matters.

The Zoom Livestream Videoconferencing connection was disconnected.

Executive Session was held.

On a motion made by Councilman Schock and seconded by Councilman Pavese the Town Board returned from Executive Session at 8:17 PM. Further action was taken as follows:

The Following Resolution Was Duly Adopted: Res. No. 415 of the Year 2022.

At a regular meeting of the Town Board of the Town of Thompson held at the Town Hall, 4052 Route 42, Monticello, New York on December 06, 2022

RESOLUTION TO CREATE THE POSITION OF DEPUTY COMMISSIONER OF PLANNING & ENVIRONMENTAL MANAGEMENT IN THE TOWN OF THOMPSON

WHEREAS, the Town of Thompson seeks to establish the position of Deputy Commissioner of Planning & Environmental Management in order to have an internal leadership position dedicated generally to the administration of the Town’s various programs, projects and daily activities; and

WHEREAS, the position of Deputy Commissioner of Planning & Environmental Management will be created to oversee numerous Town projects including, but not limited to: grant writing; developing comprehensive and strategic plans; strategy implementation and assessments of land use developments, and; as a liaison for the Town with community business leaders, developers and others to promote, stimulate and guide planning and economic development. The full job description, along with all the typical work activities is attached hereto as Exhibit "1" of this Resolution; and

WHEREAS, the Town wishes that the creation of the Deputy Commissioner of Planning & Environmental Management position has civil service protections and be a competitive class position.

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

1. That the position of Deputy Commissioner of Planning & Environmental Management is hereby created for the Town of Thompson.
2. That this position shall be competitive class.
3. That the work duties for the newly created position shall be as described in the attached job description.
4. That this position shall be created immediately.

Moved by: Councilman Scott S. Mace
 Seconded by: Councilman Ryan T. Schock

The Members voted on the foregoing Resolution as follows:

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

TOWN OF THOMPSON:

DEPUTY COMMISSIONER OF PLANNING AND ENVIRONMENTAL MANAGEMENT

This position involves the responsibility for the management and administration of the programs, projects and initiatives of the Town working with the Town Supervisor and the Town Board including but not limited to: grant writing; developing comprehensive and strategic plans; strategy implementation and assessments of land use developments; and as a liaison for the Town with community business leaders, developers, and others to promote, stimulate and guide planning and economic development.

Typical Work Activities

Develops proposals and recommendations for policies, plans and projects per the Town Supervisor and Town Board;

Prepares grant applications from federal, state and foundation sources;

Coordinates efforts with community partners, makes recommendations, and assists in the development and implementation of Town initiatives;

Assists in the determination of feasibility and potential value of proposed projects and funding;

Assumes responsibilities for specific Town initiatives as directed;

Develops work plans for projects involving multiple staff;

Prepares reports as needed;

Directs the preparation of publicity and marketing of Town initiatives;

Attends and participates in conferences and webinars;

Performs other duties as required.

The Following Resolution Was Duly Adopted: Res. No. 416 of the Year 2022.

Resolved, that the Town Board of the Town of Thompson hereby appoints Jill Weyer to the new position of Deputy Commissioner of Planning & Environmental Management in the Town of Thompson effective 02/01/2023 at the current budgeted salary for FY 2023 subject to all New York State Civil Service Regulations and Requirements.

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

ADJOURNMENT

On a motion made by Councilman Pavese and seconded by Councilman Schock the meeting was adjourned at 8:20 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

(Use this form to file a local law with the Secretary of State)

REV2002

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.

Proposed

Local Law No. 05 of 2022

A local law amending and replacing, in its entirety, Chapter 113, Article VI of the Town of Thompson Code, entitled 'Building Code Administration and Enforcement'."

Be it enacted by the Town Board of the Town of Thompson

1. Chapter 113, Article VI of the Code of the Town of Thompson entitled "Building Code Administration and Enforcement" is hereby amended and replaced as follows:

§113-37. PURPOSE AND INTENT

This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in the Town of Thompson. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law.

Except as otherwise provided in the Uniform Code, the Energy Code, other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions this local law.

§113-38. DEFINITIONS

In this local law, the following terms shall have the meanings shown in this section:

"*Assembly Area*" shall mean an area in any building, or in any portion of a building, that is primarily used or intended to be used for gathering fifty or more persons for uses including, but not limited to, amusement, athletic, entertainment, social, or other recreational functions; patriotic, political, civic, educational, or religious functions; food or drink consumption; awaiting transportation; or similar purposes.

"*Building Permit*" shall mean a building permit, construction permit, demolition permit, or other permit that authorizes the performance of work. The term "Building Permit" shall also include a Building Permit which is renewed, amended, or extended pursuant to any provision of this local law.

"*Certificate of Compliance*" shall mean a document issued by the Town of Thompson stating that work was done in compliance with approved construction documents and the Codes.

"Certificate of Occupancy" shall mean a document issued by the Town of Thompson certifying that the building or structure, or portion thereof, complies with the approved construction documents that have been submitted to, and approved by the Town of Thompson, and indicating that the building or structure, or portion thereof, is in a condition suitable for occupancy.

"Code Enforcement Officer" shall mean the Code Enforcement Officer appointed pursuant to subdivision B of Section 113-39 of this local law.

"Code Enforcement Personnel" shall include the Code Enforcement Officer and all Inspectors.

"Codes" shall mean the Uniform Code and Energy Code.

"Energy Code" shall mean the New York State Energy Conservation Construction Code adopted pursuant to Article 11 of the Energy Law.

"FCNYS" shall mean the 2020 Fire Code of New York State as currently incorporated by reference in 19 NYCRR Part 1225.

"Fire Safety and Property Maintenance Inspection" shall mean an inspection performed to determine compliance with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference.

"Hazardous Production Materials" shall mean a solid, liquid, or gas associated with semiconductor manufacturing that has a degree-of-hazard rating in health, flammability, or instability of Class 3 or 4, as ranked by NFPA 704 (Standard Systems for Identification of the Hazards of Materials for Emergency Response), and which is used directly in research, laboratory, or production processes which have, as their endproduct, materials that are not hazardous.

"Inspector" shall mean an inspector appointed pursuant to subdivision D of Section 113-39 of this local law.

"Mobile Food Preparation Vehicles" shall mean vehicles that contain cooking equipment that produces smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

"*Operating Permit*" shall mean a permit issued pursuant to Section 113-46 of this local law. The term "Operating Permit" shall also include an Operating Permit which is renewed, amended, or extended pursuant to any provision of this local law.

"*Order to Remedy*" shall mean an order issued by the Code Enforcement Officer pursuant to subdivision A of Section 113-53 of this local law.

"*Permit Holder*" shall mean the Person to whom a Building Permit has been issued.

"*Person*" shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

"*PMCNYS*" shall mean the 2020 Property Maintenance Code of New York State as currently incorporated by reference in 19 NYCRR Part 1226.

"*RCNYS*" shall mean the 2020 Residential Code of New York State as currently incorporated by reference in 19 NYCRR Part 1220.

"*Repair*" shall mean the reconstruction, replacement, or renewal of any part of an existing building for the purpose of its maintenance or to correct damage.

"*Stop Work Order*" shall mean an order issued pursuant to section 6 of this local law.

"*Sugarhouse*" shall mean a building used, in whole or in part, for the collection, storage, or processing of maple sap into maple syrup and/or maple sugar.

"*Temporary Certificate of Occupancy*" shall mean a certificate issued pursuant to subdivision D of Section 113-43 of this local law.

"*Town*" shall mean the Town of Thompson.

"*Uniform Code*" shall mean the New York State Uniform Fire Prevention and Building Code, Subchapter A of Chapter XXXIII of Title 19 of the NYCRR, adopted pursuant to Article 18 of the Executive Law.

§113-39. CODE ENFORCEMENT OFFICER AND INSPECTORS

A. The Office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code, and this local law. The Code Enforcement Officer shall have the following powers and duties:

(1) to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and the plans, specifications, and construction documents submitted with such applications;

(2) upon approval of such applications, to issue Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and to include in terms and conditions as the Code Enforcement Officer may determine to be appropriate Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits;

(3) to conduct construction inspections; inspections to be made prior to the issuance of Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits; fire safety and property maintenance inspections; inspections incidental to the investigation of complaints; and all other inspections required or permitted under any provision of this local law;

(4) to issue Stop Work Orders;

(5) to review and investigate complaints;

(6) to issue orders pursuant to subdivision A of Section 113-53 (Violations) of this local law;

(7) to maintain records;

(8) to collect fees as set by the Town Board of the Town of Thompson;

(9) to pursue administrative enforcement actions and proceedings;

(10) in consultation with the Town Attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code, and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code, or this local law; and

(11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.

B. The Code Enforcement Officer shall be appointed by the Town Board to serve at the pleasure of said Board at a compensation to be fixed by the Town Board. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

C. In the event that the Code Enforcement Officer is unable to serve as such for any reason, another individual shall be appointed by the Town Board to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of their appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.

D. One or more Inspectors may be appointed by the Town Board to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and each Inspector shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

E. The Inspector may not engage in any activity inconsistent with his duties for the Town, nor during the time of his employment shall he be engaged, directly or indirectly, in any building business, furnishing of labor, material or equipment for the construction, alteration or maintenance of a building, or the preparation of plans or specifications thereof, within the Town of Thompson, except only that this provision shall not prohibit such inspector from such activities in connection with the construction of a building or structure owned by him.

§113-40. BUILDING PERMITS.

A. Building Permits Required. Except as otherwise provided in subdivision B of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation, or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney, or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Town of Thompson.

B. Exemptions. No Building Permit shall be required for work in any of the following categories:

(1) construction or installation of one-story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses), which are used for tool and storage sheds, playhouses, or similar uses, provided the gross floor area does not exceed 144 square feet (13.38 square meters);

(2) Construction of temporary sets and scenery associated with motion picture, television, and theater uses;

(3) installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);

- (4) Installation of partitions or movable cases less than 5'-9" in height;
- (5) painting, wallpapering, tiling, carpeting, or other similar finish work;
- (6) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;
- (7) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or
- (8) repairs, provided that the work does not have an impact on fire and life safety, such as (i) any part of the structural system; (ii) the required means of egress; or (iii) the fire protection system or the removal from service of any part of the fire protection system for any period of time.

C. Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision B of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

D. Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

- (1) a description of the location, nature, extent, and scope of the proposed work;
- (2) the tax map number and the street address of any affected building or structure;
- (3) the occupancy classification of any affected building or structure;
- (4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and
- (5) at least 2 sets of construction documents (drawings and/or specifications) which (i) describe the location, nature, extent, and scope of the proposed work; (ii) show that the proposed work will conform to the applicable provisions of the Codes; (iii) show the location, construction, size, and character of all portions of the means of egress; (iv) show a representation of the building thermal envelope; (v) show structural information

including but not limited to braced wall designs, the size, section, and relative locations of structural members, design loads, and other pertinent structural information; (vi) show the proposed structural, electrical, plumbing, mechanical, fire-protection, and other service systems of the building; (vii) include a written statement indicating compliance with the Energy Code; (viii) include a site plan, drawn to scale and drawn in accordance with an accurate boundary survey, showing the size and location of new construction and existing structures and appurtenances on the site, distances from lot lines, the established street grades and the proposed finished grades, and, as applicable, flood hazard areas, floodways, and design flood elevations; and (ix) evidence that the documents were prepared by a licensed and registered architect in accordance with Article 147 of the New York State Education Law or a licensed and registered professional engineer in accordance with Article 145 of the New York State Education Law and practice guidelines, including but not limited to the design professional's seal which clearly and legibly shows both the design professional's name and license number and is signed by the design professional whose name appears on the seal in such a manner that neither the name nor the number is obscured in any way, the design professional's registration expiration date, the design professional's firmname (if not a sole practitioner), and, if the documents are submitted by a professional engineering firm and not a sole practitioner professional engineer, the firm's Certificate of Authorization number.

E. Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision D of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp, or in the case of electronic media, an electronic marking. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

F. Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

G. Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

H. Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

I. Time limits. A building permit shall become void six (6) months from the date of issuance. The building permit may be renewed, if substantial progress has been made since the date of issuance, for one additional six (6) month period upon authorization of the Inspector and upon payment of a fee as set by the Town Board. If the additional six (6) month renewal expires and the structure is not completed, a new application must be filed with the required fees in effect at that time. For those structures which exceed 5,000 square feet where substantial progress has been made since the date of the first permit renewal, upon payment of a fee as set by the Town Board, the permit may be extended for an additional six (6) month period. If the additional six (6) month renewal expires and the structure is not completed, upon application to the Town Board, the Town Board may authorize renewal of the building permit for additional six (6) month periods, at the Board's discretion, upon payment of a fee as set by the Town Board for each six (6) month renewal.

J. Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate, or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

K. Fee. The fee specified in or determined in accordance with the provisions set forth in Section 113-54 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

§113-41. CONSTRUCTION INSPECTIONS.

A. Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code

Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.

B. Elements of work to be inspected. The following elements of the construction process shall be inspected, where applicable:

- (1) work site prior to the issuance of a Building Permit;
- (2) footing and foundation;
- (3) preparation for concrete slab;
- (4) framing;
- (5) structural, electrical, plumbing, mechanical, fire-protection, and other similar service systems of the building;
- (6) fire resistant construction;
- (7) fire resistant penetrations;
- (8) solid fuel burning heating appliances, chimneys, flues, or gas vents;
- (9) inspections required to demonstrate Energy Code compliance, including but not limited to insulation, fenestration, air leakage, system controls, mechanical equipment size, and, where required, minimum fan efficiencies, programmable thermostats, energy recovery, whole-house ventilation, plumbing heat traps, and high-performance lighting and controls;
- (10) installation, connection, and assembly of factory manufactured buildings and manufactured homes; and
- (11) a final inspection after all work authorized by the Building Permit has been completed.

C. Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform construction inspections, a remote inspection may be performed in lieu of an in-person inspection when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or by such authorized Inspector that the elements of the construction process conform with the applicable requirements of the Uniform Code and Energy Code. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.

D. Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to the manner in

citation to the specific code provision or provisions that have not been met. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

E. Fee. The fee specified in or determined in accordance with the provisions set forth in Section 113-54 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

§113-42. STOP WORK ORDERS.

A. Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:

(1) any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

B. Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

C. Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

D. Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder, and any other Person performing, taking part in, or assisting in the work shall immediately cease all work which is the subject of the

Stop Work Order, other than work expressly authorized by the Code Enforcement Officer to correct the reason for issuing the Stop Work Order.

E. Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under Section 113-53 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

§113-43. CERTIFICATES OF OCCUPANCY AND CERTIFICATES OF COMPLIANCE

A. Certificates of Occupancy and Certificates of Compliance required. A Certificate of Occupancy or Certificate of Compliance shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy or Certificate of Compliance.

B. Issuance of Certificates of Occupancy and Certificates of Compliance. The Code Enforcement Officer shall issue a Certificate of Occupancy or Certificate of Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure, or work prior to the issuance of a Certificate of Occupancy or Certificate of Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy or Certificate of Compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy or Certificate of Compliance:

- (1) a written statement of structural observations and/or a final report of special inspections,
- (2) flood hazard certifications,

(3) a written statement of the results of tests performed to show compliance with the Energy Code, and

(4) where applicable, the affixation of the appropriate seals, insignias, and manufacturer's data plates as required for factory manufactured buildings and/or manufactured homes.

C. Contents of Certificates of Occupancy and Certificates of Compliance. A Certificate of Occupancy or Certificate of Compliance shall contain the following information:

- (1) the Building Permit number, if any;
- (2) the date of issuance of the Building Permit, if any;
- (3) the name (if any), address and tax map number of the property;
- (4) if the Certificate of Occupancy or Certificate of Compliance is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy or Certificate of Compliance is issued;
- (5) the use and occupancy classification of the structure;
- (6) the type of construction of the structure;
- (7) the occupant load of the assembly areas in the structure, if any;
- (8) any special conditions imposed in connection with the issuance of the Building Permit; and
- (9) the signature of the Code Enforcement Officer issuing the Certificate of Occupancy or Certificate of Compliance and the date of issuance.

D. Temporary Certificate of Occupancy. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate of Occupancy allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate of Occupancy unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate of Occupancy, may be occupied safely, (2) that any required fire and life safety components, such as fire protection equipment and fire, smoke, carbon monoxide, and heat detectors and alarms are installed and operational, and (3) that all required means of egress from the structure have been provided. The

Code Enforcement Officer may include in a Temporary Certificate of Occupancy such terms and conditions as he or she deems necessary or appropriate to ensure the health and safety of the persons occupying and using the building or structure and/or performing further construction work in the building or structure. A Temporary Certificate of Occupancy shall be effective for a period of time, not to exceed six (6) months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate of Occupancy. During the specified period of effectiveness of the Temporary Certificate of Occupancy, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

E. Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy, Certification of Compliance, or a Temporary Certificate of Occupancy was issued in error or on the basis of incorrect information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

F. Fee. The fee specified in or determined in accordance with the provisions set forth in Section 113-54 (Fees) of this local law must be paid at the time of submission of an application for a Certificate of Occupancy, Certificate of Compliance, or for Temporary Certificate of Occupancy.

§113-44. NOTIFICATION REGARDING FIRE OR EXPLOSION.

The chief of any fire department providing firefighting services for a property within this Town shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney, or gas vent.

§113-45. UNSAFE BUILDINGS, STRUCTURES, AND EQUIPMENT AND CONDITIONS OF IMMINENT DANGER

Unsafe buildings, structures, and equipment and conditions of imminent danger in this Town shall be identified and addressed in accordance with the procedures established by Article 1 (Unsafe Buildings) of this Chapter 113, and any subsequent amendments thereto.

§113-46. OPERATING PERMITS.

A. Operation Permits required. Operating Permits shall be required for conducting any process or activity or for operating any type of building, structure, or facility listed below:

(1) manufacturing, storing, or handling hazardous materials in quantities exceeding those listed in the applicable Maximum Allowable Quantity tables found in Chapter 50 of the FCNVC.

(2) buildings, structures, facilities, processes, and/or activities that are within the scope and/or permit requirements of the chapter or section title of the FCNYS as follows:

(i) Chapter 22, "Combustible Dust-Producing Operations." Facilities where the operation produces combustible dust, regulated by Chapter 22 of the FCNYS;

(ii) Chapter 24, "Flammable Finishes." Operations utilizing flammable or combustible liquids, or the application of combustible powders regulated by Chapter 24 of the FCNYS;

(iii) Chapter 25, "Fruit and Crop Ripening." Operating a fruit- or crop-ripening facility or conducting a fruit-ripening process using ethylene gas, as regulated by Chapter 25 of the FCNYS;

(iv) Chapter 26, "Fumigation and Insecticidal Fogging." Conducting fumigation or insecticidal fogging operations in buildings, structures, and spaces, except for fumigation or insecticidal fogging performed by the occupant of a detached one-family dwelling, as required by Chapter 26 of the FCNYS;

(v) Chapter 31, "Tents, Temporary Special Event Structures, and Other Membrane Structures." Operating an air-supported temporary membrane structure, a temporary special event structure, or a tent where approval is required pursuant to Chapter 31 of the FCNYS;

(vi) Chapter 32, "High-Piled Combustible Storage." High-piled combustible storage facilities with more than 500 square feet (including aisles) of high-piled storage, as regulated by Chapter 32 of the FCNYS;

(vii) Chapter 34, "Tire Rebuilding and Tire Storage." Operating a facility that stores in excess of 2,500 cubic feet of scrap tires or tire byproducts or operating a tire rebuilding plant, as regulated by Chapter 34 of the FCNYS;

(viii) Chapter 35, "Welding and Other Hot Work." Performing public exhibitions and demonstrations where hot work is conducted, use of hot work, welding, or cutting equipment, inside or on a structure, except an operating permit is not required where work is conducted under the authorization of a building permit or where performed by the occupant of a detached one- or two-family dwelling, as required by Chapter 35 of the FCNYS;

(ix) Chapter 40, "Sugarhouse Alternative Activity Provisions." Conducting an alternative activity at a sugarhouse, as required by Chapter 40 of the FCNYS.

(x) Chapter 56, "Explosives and Fireworks." Possessing, manufacturing, storing, handling, selling, or using, explosives, fireworks, or other pyrotechnic special effects materials except the outdoor use of sparkling devices as defined by Penal Law section 270, as regulated by Chapter 56 of the FCNYS;

(xi) Section 307, "Open Burning, Recreational Fires and Portable Outdoor Fireplaces." Conducting open burning, not including recreational fires and portable outdoor fireplaces; and

(xii) Section 308, "Open Flames." Removing paint with a torch, or using open flames, fire, and burning in connection with assembly areas or educational occupancies.

3. energy storage systems, where the system exceeds the values shown in Table 1206.1 of the FCNYS or exceeds the permitted aggregate ratings in section R327.5 of the RCNYS.

4. buildings containing one or more assembly areas;

5. outdoor events where the planned attendance exceeds 1,000 persons;

6. facilities that store, handle or use hazardous production materials;

7. parking garages as defined in subdivision A of Section 113-49 of this local law;

8. buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Town Board of the Town of Thompson; and

9. other processes or activities or for operating any type of building, structure, or facility as determined by resolution adopted by the Town Board of the Town of Thompson.

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision A shall be required to obtain an Operating Permit prior to commencing such activity or operation.

B. Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

C. Multiple Activities. In any circumstance in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in their discretion, issue a single Operating Permit to apply to all such activities.

D. Duration of Operating Permits. Operating permits shall be issued for a specified period of time consistent with local conditions, but in no event to exceed as follows:

(1) for a period of time not to exceed one hundred eighty (180) days for tents, special event structures, and other membrane structures;

(2) for a period of time not to exceed sixty (60) days for alternative activities such as a sugarhouse;

(3) for a period of time not to exceed three (3) years for the activities, structures, and operations determined per paragraph (9) of subdivision A of this section, and

(4) for a period of time not to exceed one (1) year for all other activities, structures, and operations identified in subdivision A of this section.

The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.

E. Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.

F. Fee. The fee specified in or determined in accordance with the provisions set forth in Section 113-54 (Fees) of this local law must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

§113-47. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS

A. Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:

(1) at least once every twelve (12) months for buildings which contain an assembly area;

(2) at least once every twelve (12) months for public and private schools and colleges, including any buildings of such schools or colleges containing classrooms, dormitories, fraternities, sororities, laboratories, physical education, dining, or recreational facilities; and

(3) at least once every thirty-six (36) months for multiple dwellings and all nonresidential occupancies.

B. Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform fire safety and property maintenance inspections, a remote inspection may be performed in lieu of in-person inspections when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or such authorized Inspector that the premises conform with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.

C. Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the

Code Enforcement Officer or an Inspector authorized to perform fire safety and property maintenance inspections at any time upon:

(1) the request of the owner of the property to be inspected or an authorized agent of such owner;

(2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or

(3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist;

provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

D. OFPC Inspections. Nothing in this section or in any other provision of this local law shall supersede, limit, or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator or other authorized entity under Executive Law section 156-e and Education Law section 807-b.

(1) Notwithstanding any other provision of this section to the contrary, the Code Enforcement Officer may accept an inspection performed by the Office of Fire Prevention and Control or other authorized entity pursuant to sections 807-a and 807-b of the Education Law and/or section 156-e of the Executive Law, in lieu of a fire safety and property maintenance inspection performed by the Code Enforcement Officer or by an Inspector, provided that:

(i) the Code Enforcement Officer is satisfied that the individual performing such inspection satisfies the requirements set forth in 19 NYCRR section 1203.2(e);

(ii) the Code Enforcement Officer is satisfied that such inspection covers all elements required to be covered by a fire safety and property maintenance inspection;

- (iii) such inspections are performed no less frequently than once a year;
- (iv) a true and complete copy of the report of each such inspection is provided to the Code Enforcement Officer; and
- (v) upon receipt of each such report, the Code Enforcement Officer takes the appropriate action prescribed by Section 113-53 (Violations) of this local law.

E. Fee. The fee specified in or determined in accordance with the provisions set forth in Section 113-54 (Fees) of this local law must be paid prior to or at the time each inspection performed pursuant to this section. This subdivision shall not apply to inspections performed by OFPC.

§113-48. COMPLAINTS

A. The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law, ordinance or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

- (1) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;
- (2) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in Section 113-53 (Violations) of this local law;
- (3) if appropriate, issuing a Stop Work Order;
- (4) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

§113-49. CONDITION ASSESSMENTS OF PARKING GARAGES.

A. Definitions. For the purposes of this section:

(1) the term "condition assessment" means an on-site inspection and evaluation of a parking garage for evidence of deterioration of any structural element or building component of such parking garage, evidence of the existence of any unsafe condition in such parking garage, and evidence indicating that such parking garage is an unsafe structure;

(2) the term "deterioration" means the weakening, disintegration, corrosion, rust, or decay of any structural element or building component, or any other loss of effectiveness of a structural element or building component;

(3) the term "parking garage" means any building or structure, or part thereof, in which all or any part of any structural level or levels is used for parking or storage of motor vehicles, excluding:

(i) buildings in which the only level used for parking or storage of motor vehicles is on grade;

(ii) an attached or accessory structure providing parking exclusively for a detached one- or two-family dwelling; and

(iii) a townhouse unit with attached parking exclusively for such unit;

(4) the term "professional engineer" means an individual who is licensed or otherwise authorized under Article 145 of the Education Law to practice the profession of engineering in the State of New York and who has at least three years of experience performing structural evaluations;

(5) the term "responsible professional engineer" means the professional engineer who performs a condition assessment, or under whose supervision a condition assessment is performed, and who seals and signs the condition assessment report. The use of the term "responsible professional engineer" shall not be construed as limiting the professional responsibility or liability of any professional engineer, or of any other licensed professional, who participates in the preparation of a condition

assessment without being the responsible professional engineer for such condition assessment.

(6) the term "unsafe condition" includes the conditions identified as "unsafe" in section 304.1.1, section 305.1.1, and section 306.1.1 of the PMCNYS; and

(7) the term "unsafe structure" means a structure that is so damaged, decayed, dilapidated, or structurally unsafe, or is of such faulty construction or unstable foundation, that partial or complete collapse is possible.

B. Condition Assessments – general requirements. The owner operator of each parking garage shall cause such parking garage to undergo an initial condition assessment as described in subdivision (c) of this section, periodic condition assessments as described in subdivision (d) of this section, and such additional condition assessments as may be required under subdivision (e) of this section. Each condition assessment shall be conducted by or under the direct supervision of a professional engineer. A written report of each condition assessment shall be prepared, and provided to the Town, in accordance with the requirements of subdivision (f) of this section. Before performing a condition assessment (other than the initial condition assessment) of a parking garage, the responsible professional engineer for such condition assessment shall review all available previous condition assessment reports for such parking garage.

C. Initial Condition Assessment. Each parking garage shall undergo an initial condition assessment as follows:

(1) Parking garages constructed on or after August 29, 2018, shall undergo an initial condition assessment following construction and prior to a certificate of occupancy or certificate of compliance being issued for the structure.

(2) Parking garages constructed prior to August 29, 2018, shall undergo an initial condition assessment as follows:

(i) if originally constructed prior to January 1, 1984, then prior to October 1, 2019;

(ii) if originally constructed between January 1, 1984 and December 31, 2002, then prior to October 1, 2020; and

(iii) if originally constructed between January 1, 2003 and August 28, 2018, then prior to October 1, 2021.

(3) Any parking garage constructed prior to the effective date of the local law enacting this provision that has not undergone an initial condition assessment prior to that effective date shall undergo an initial condition assessment prior to no more than six (6) months after the effective date of this local law.

D. Periodic Condition Assessments. Following the initial condition assessment of a parking garage, such parking garage shall undergo periodic condition assessments at intervals not to exceed three (3) years.

E. Additional Condition Assessments.

(1) If the latest condition assessment report for a parking garage includes a recommendation by the responsible professional engineer that an additional condition assessment of such parking garage, or any portion of such parking garage, be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of such parking garage identified by the responsible professional engineer) to undergo an additional condition assessment no later than the date recommended in such condition assessment report.

(2) If the Town becomes aware of any new or increased deterioration which, in the judgment of the Town, indicates that an additional condition assessment of the entire parking garage, or of the portion of the parking garage affected by such new or increased deterioration, should be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of the parking garage affected by such new or increased deterioration) to undergo an additional condition assessment no later than the date determined by the Town to be appropriate.

F. Condition Assessment Reports. The responsible professional engineer shall prepare, or directly supervise the preparation of, a written report of each condition assessment, and shall submit such condition assessment report to the Town within thirty (30) days such other time frame as fixed by the Town. Such condition

assessment report shall be sealed and signed by the responsible professional engineer, and shall include:

- (1) an evaluation and description of the extent of deterioration and conditions that cause deterioration that could result in an unsafe condition or unsafe structure;
- (2) an evaluation and description of the extent of deterioration and conditions that cause deterioration that, in the opinion of the responsible professional engineer, should be remedied immediately to prevent an unsafe condition or unsafe structure;
- (3) an evaluation and description of the unsafe conditions;
- (4) an evaluation and description of the problems associated with the deterioration, conditions that cause deterioration, and unsafe conditions;
- (5) an evaluation and description of the corrective options available, including the recommended timeframe for remedying the deterioration, conditions that cause deterioration, and unsafe conditions;
- (6) an evaluation and description of the risks associated with not addressing the deterioration, conditions that cause deterioration, and unsafe conditions;
- (7) the responsible professional engineer's recommendation regarding preventative maintenance;
- (8) except in the case of the report of the initial condition assessment, the responsible professional engineer's attestation that he or she reviewed all previously prepared condition assessment reports available for such parking garage, and considered the information in the previously prepared reports while performing the current condition assessment and while preparing the current report; and
- (9) the responsible professional engineer's recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed. In making the recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed, the responsible professional engineer shall consider the parking garage's age, maintenance history, structural condition, construction materials, frequency and intensity of use, location, exposure to the elements, and any other factors deemed relevant by the responsible professional engineer in their professional judgment.

G. Review Condition Assessment Reports. The Town shall take such enforcement action or actions in response to the information in such condition assessment report as may be necessary or appropriate to protect the public from the hazards that may result from the conditions described in such report. In particular, but not by way of limitation, the Town shall, by Order to Remedy or such other means of enforcement as the Town may deem appropriate, require the owner or operator of the parking garage to repair or otherwise remedy all deterioration, all conditions that cause deterioration, and all unsafe conditions identified in such condition assessment report pursuant to paragraphs (2) and (3) of subdivision (f). All repairs and remedies shall comply with the applicable provisions of the Uniform Code. This section shall not limit or impair the right of the Town to take any other enforcement action, including but not limited to suspension or revocation of a parking garage's operating permit, as may be necessary or appropriate in response to the information in a condition assessment report.

H. The Town shall retain all condition assessment reports for the life of the parking garage. Upon request by a professional engineer who has been engaged to perform a condition assessment of a parking garage, and who provides the Town with a written statement attesting to the fact that he or she has been so engaged, the Town shall make the previously prepared condition assessment reports for such parking garage (or copies of such reports) available to such professional engineer. The Town shall be permitted to require the owner or operator of the subject parking garage to pay all costs and expenses associated with making such previously prepared condition assessment reports (or copies thereof) available to the professional engineer.

I. This section shall not limit or impair the right or the obligation of the Town:

(1) to perform such construction inspections as are required by Section 113-41 (Construction Inspections) of this local law;

(2) to perform such periodic fire safety and property maintenance inspections as are required by Section 113-47 (Fire Safety and Property Maintenance Inspections) of this local law; and/or

(3) to take such enforcement action or actions as may be necessary or appropriate to respond to any condition that comes to the attention of the Town by means of its own inspections or observations, by means of a complaint, or by any other means other than a condition assessment or a report of a condition assessment.

SECTION 113-50. CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA.

A. The Code Enforcement Officer shall determine the climatic and geographic design criteria for buildings and structures constructed within this Town as required by the Uniform Code. Such determinations shall be made in the manner specified in the Uniform Code using, where applicable, the maps, charts, and other information provided in the Uniform Code. The criteria to be so determined shall include but shall not necessarily be limited to, the following:

(1) design criteria to include ground snow load; wind design loads; seismic category; potential damage from weathering, frost, and termite; winter design temperature; whether ice barrier underlayment is required; the air freezing index; and the mean annual temperature;

(2) heating and cooling equipment design criteria for structures within the scope of the RCNYS. The design criteria shall include the data identified in the Design Criteria Table found in Chapter 3 of the RCNYS; and

(3) flood hazard areas, flood hazard maps, and supporting data. The flood hazard map shall include, at a minimum, special flood hazard areas as identified by the Federal Emergency Management Agency in the Flood Insurance Study for the community, as amended or revised with:

(i) the accompanying Flood Insurance Rate Map (FIRM);

(ii) Flood Boundary and Floodway Map (FBFM); and

(iii) related supporting data along with any revisions thereto.

B. The Code Enforcement Officer shall prepare a written record of the climatic and geographic design criteria determined pursuant to subdivision (a) of this section, shall maintain such record within the office of the Code Enforcement Officer, and shall make such record readily available to the public.

SECTION 113-51. RECORD KEEPING.

A. The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

- (1) all applications received, reviewed and approved or denied;
- (2) all plans, specifications and construction documents approved;
- (3) all Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Stop Work Orders, and Operating Permits issued;
- (4) all inspections and tests performed;
- (5) all statements and reports issued;
- (6) all complaints received;
- (7) all investigations conducted;
- (8) all condition assessment reports received;
- (9) all fees charged and collected; and
- (10) all other features and activities specified in or contemplated by Sections 113-40 through 113-50 inclusive, of this local law.

B. All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

SECTION 113-52. PROGRAM REVIEW AND REPORTING

A. The Code Enforcement Officer shall annually submit to the Town Board of the Town of Thompson a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in Section 113-50 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.

B. The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this Town, on a form prescribed by the Secretary of State, a report of the activities of this Town relative to administration and enforcement of the Uniform Code.

C. The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, true and complete copies of the records and related materials this Town is required to maintain; true and complete copies of such portion of such records and related materials as may be requested by the Department of State; and/or such excerpts, summaries, tabulations, statistics, and other information and accounts of its activities in connection with administration and enforcement of the Uniform Code and/or Energy Code as may be requested by the Department of State.

SECTION 113-53: VIOLATIONS

A. Orders to Remedy. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. An Order to Remedy shall be in writing; shall be dated and signed by the Code Enforcement Officer; shall specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; shall specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; and shall include a statement substantially similar to the following:

"The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by _____ [*specify date*], which is thirty (30) days after the date of this Order to Remedy."

The Order to Remedy may include provisions ordering the person or entity served with such Order to Remedy (1) to begin to remedy the violations described in the Order to Remedy immediately, or within some other specified period of time which may be less than thirty (30) days; to continue diligently to remedy such violations until each such violation is fully remedied; and, in any event, to complete the remedying of all such violations within thirty (30) days of the date of such Order to Remedy; and/or (2) to take such other protective actions (such as vacating the building or barricading the area where the violations exist) which are authorized by this local law or by any other applicable statute, regulation, rule, local law or ordinance, and which the Code Enforcement Officer may deem appropriate, during the period while such violations are being remedied. The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to be served on the owner of the affected property personally or by

registered mail or certified mail within five (5) days after the date of the Order to Remedy. The Code Enforcement Officer shall be permitted, but not required, to cause the Order to Remedy, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other person taking part or assisting in work being performed at the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

B. Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

C. Penalties. In addition to such other penalties as may be prescribed by State law,

(1) any Person, having been served with a notice of violation, who shall fail to comply with such notice within thirty (30) days of such service or within the time fixed by the Code Enforcement Officer for compliance, whichever is greater, shall be punishable as follows: for a first offense, by a fine of not more than \$250.00 or imprisonment for not more than fifteen (15) days, or both; for a second offense, by a fine of not more than \$500.00 or imprisonment for not more than thirty (30) days, or both; and for a third and each supplemental offense, by a fine of not more than \$1,000.00 or imprisonment for not more than one (1) year, or both. Each day that a violation continues shall be deemed a separate offense; and

(2) any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to pay a civil penalty of not more than \$1,000.00 for each day or part thereof during which such violation continues. The civil penalties provided by this paragraph shall be recoverable in an action instituted in the name of this Town.

D. Injunctive Relief. An action or proceeding may be instituted in the name of this Town, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order,

Operating Permit, Order to Remedy, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Order to Remedy or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this Town, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Town Board of this Town.

E. Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in Section 113-42 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in Section 113-42 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

SECTION 113-54: FEES

A. A fee schedule shall be established by resolution of the Town Board of this Town. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

SECTION 113-55. INTERMUNICIPAL AGREEMENTS

A. The Town Board of this Town may, by resolution, authorize the Supervisor of this Town to enter into an agreement, in the name of this Town, with other governments to carry out the terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

SECTION 113-56. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 113-57. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

2. If any section, part or provision of this local law or the application thereof to any person, property or circumstance is adjudged invalid by any Court of competent jurisdiction, such judgment shall be confined in its operation to the section, part or application directly and expressly adjudged invalid and shall not affect or impair the validity of the remainder of this local law or the application thereof.

3. Except as herein specifically amended, the remainder of Chapter 113 of such Code shall remain in full force and effect.

4. This local law shall take effect immediately upon filing with the Secretary of State.

(Complete the certification in the paragraph which 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: December _____, 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: December _____, 2022

Attorney for Town of Thompson



Town of Thompson
Warrant Report

Town of Thompson
Warrant Report

I hereby certify that the vouchers listed on the attached abstracts of prepaid and claims payable have been duly audited and are presented for payment to the Town Board of the Town of Thompson at the regular meeting there of, held on the 6th day of December 20 22 in the amounts respectively specified. Authorization is hereby given and direction is made to pay each of the claimants in the amount as specified upon each claim stated.


Melissa DeMarmels, Comptroller


William J. Riebet Jr., Supervisor



**Town of Thompson
Warrant Report**

Fund	Fund Description	Invoice Batch		Manual Checks		Purchase Cards		Total	
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	Paid	Unpaid
A000	GENERAL FUND TOWN WIDE	\$939,742.79	\$0.00	\$250,000.00	\$0.00	\$0.00	\$0.00	\$1,189,742.79	\$0.00
B000	GENERAL TOWN OUTSIDE	\$109,541.93	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$109,541.93	\$0.00
DA00	HWY#3 / 4 - TOWN WIDE	\$226,719.76	\$0.00	\$100,000.00	\$0.00	\$26,000.00	\$0.00	\$352,719.76	\$0.00
DB00	HWY#1 - TOWN OUTSIDE	\$211,313.28	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$211,313.28	\$0.00
H000	CAPITAL PROJECTS	\$58,796.83	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$58,796.83	\$0.00
RD00	ADELAAR ROAD IMPROVEMENT DISTRICT	\$0.00	\$0.00	\$100,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00	\$0.00
SL01	ROCK HILL LIGHTING	\$0.00	\$0.00	\$1,500.00	\$0.00	\$0.00	\$0.00	\$1,500.00	\$0.00
SL03	LAKE LOUISE MARIE	\$0.00	\$0.00	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00	\$0.00
SL04	PATIO HOMES LIGHTING	\$0.00	\$0.00	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00	\$0.00
SL06	EMERALD GREEN LIGHTING	\$0.00	\$0.00	\$5,000.00	\$0.00	\$0.00	\$0.00	\$5,000.00	\$0.00
SL10	EMERALD CORP. PARK L/D#10	\$0.00	\$0.00	\$2,000.00	\$0.00	\$0.00	\$0.00	\$2,000.00	\$0.00
SRH0	ROCK HILL AMBULANCE DIST	\$7,213.91	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,213.91	\$0.00
SSAR	Adelaar Sewer District	\$18,044.24	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$18,044.24	\$0.00
SSHC	Harris Consolidated Sewer District	\$14,628.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$14,628.50	\$0.00
SSKC	Kiamesha Consolidated Sewer District	\$84,780.28	\$0.00	\$125,000.00	\$0.00	\$0.00	\$0.00	\$209,780.28	\$0.00
SSM0	MELODY LAKE SEWER DISTR.	\$18,198.55	\$0.00	\$20,000.00	\$0.00	\$0.00	\$0.00	\$38,198.55	\$0.00
SSRC	Rock Hill Emerald Green Consolidated Sewer Dist	\$53,812.17	\$0.00	\$125,000.00	\$0.00	\$0.00	\$0.00	\$178,812.17	\$0.00
SSS0	SACKETT LAKE SEWER DISTR	\$23,322.83	\$0.00	\$50,000.00	\$0.00	\$0.00	\$0.00	\$73,322.83	\$0.00
SWA0	ADELAAR RESORT WATER DISTRICT	\$104,828.34	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$104,828.34	\$0.00
SWC0	COLD SPRING WATER	\$858.30	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$858.30	\$0.00
SWD0	DILLON WATER DISTRICT	\$1,024.16	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,024.16	\$0.00
SWK0	KIAMESHA RT42 WATER	\$976.96	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$976.96	\$0.00
SWL0	LUCKY LAKE WATER DISTR	\$239.37	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$239.37	\$0.00
SWM0	MELODY LAKE WATER	\$858.30	\$0.00	\$5,000.00	\$0.00	\$0.00	\$0.00	\$5,858.30	\$0.00
T000	TRUST & AGENCY FUND	\$4,760.35	\$0.00	\$0.00	\$0.00	\$13,100.60	\$0.00	\$17,860.95	\$0.00
Grand Totals		\$1,879,660.85	\$0.00	\$785,000.00	\$0.00	\$39,100.60	\$0.00	\$2,703,761.45	\$0.00



Town of Thompson
Warrant Report

Unposted Batch Totals

Fund	Fund Description	Invoice Batch	Manual Checks	Purchase Cards	Total
Unposted Batch Grand Totals		\$0.00	\$0.00	\$0.00	\$0.00

Posted Batch Totals

Fund	Fund Description	Invoice Batch	Manual Checks	Purchase Cards	Total
		Paid	Unpaid	Paid	Unpaid
A000	GENERAL FUND TOWN WIDE	\$939,742.79	\$0.00	\$0.00	\$0.00
B000	GENERAL TOWN OUTSIDE	\$109,541.93	\$0.00	\$0.00	\$0.00
DA00	HWY#3 / 4 - TOWN WIDE	\$226,719.76	\$0.00	\$0.00	\$0.00
DB00	HWY#1 - TOWN OUTSIDE	\$211,313.28	\$0.00	\$26,000.00	\$0.00
H000	CAPITAL PROJECTS	\$58,796.83	\$0.00	\$0.00	\$0.00
RD00	ADELAAR ROAD IMPROVMENT DISTRICT	\$0.00	\$0.00	\$0.00	\$0.00
SL01	ROCK HILL LIGHTING	\$0.00	\$0.00	\$0.00	\$0.00
SL03	LAKE LOUISE MARIE	\$0.00	\$0.00	\$0.00	\$0.00
SL04	PATIO HOMES LIGHTING	\$0.00	\$0.00	\$0.00	\$0.00
SL06	EMERALD GREEN LIGHTING	\$0.00	\$0.00	\$0.00	\$0.00
SL10	EMERALD CORP. PARK L/D#10	\$0.00	\$0.00	\$0.00	\$0.00
SRH0	ROCK HILL AMBULANCE DIST	\$0.00	\$0.00	\$0.00	\$0.00
SSAR	Adelaar Sewer District	\$7,213.91	\$0.00	\$0.00	\$0.00
SSH0	Harris Consolidated Sewer District	\$18,044.24	\$0.00	\$0.00	\$0.00
SSK0	Kiamesha Consolidated Sewer District	\$14,628.50	\$0.00	\$0.00	\$0.00
SSM0	MELODY LAKE SEWER DISTR.	\$84,780.28	\$0.00	\$0.00	\$0.00
SSR0	Rock Hill Emerald Green Consolidated Sewer Dist	\$18,198.55	\$0.00	\$0.00	\$0.00
SSS0	SACKETT LAKE SEWER DISTR	\$53,812.17	\$0.00	\$0.00	\$0.00
SWA0	ADELAAR RESORT WATER DISTRICT	\$23,322.83	\$0.00	\$0.00	\$0.00
SWC0	COLD SPRING WATER	\$104,828.34	\$0.00	\$0.00	\$0.00
SWD0	DILLON WATER DISTRICT	\$858.30	\$0.00	\$0.00	\$0.00
SWK0	KIAMESHA RT42 WATER	\$1,024.16	\$0.00	\$0.00	\$0.00
SWL0	LUCKY LAKE WATER DISTR	\$976.96	\$0.00	\$0.00	\$0.00
SWM0	MELODY LAKE WATER	\$239.37	\$0.00	\$0.00	\$0.00
T000	TRUST & AGENCY FUND	\$858.30	\$0.00	\$0.00	\$0.00
	TRUST & AGENCY FUND	\$4,760.35	\$0.00	\$0.00	\$0.00
Posted Batch Grand Totals		\$1,879,660.85	\$0.00	\$39,100.60	\$0.00
Report Grand Totals		\$785,000.00	\$0.00	\$2,703,761.45	\$0.00

Report Grand Totals

FREDA C. EISENBERG
COMMISSIONER



TELEPHONE: (845) 807-0527
EMAIL: PLANNING@SULLIVANNY.US
WEBSITE: WWW.SULLIVANNY.US

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

December 14, 2022

Matthew Sush, Chairman
Town of Thompson Planning Board
4052 Route 42
Monticello, NY 12701

RE: **THO22-11:** Weiss Realty - Bridgeville Site Plan Review & Special Use Permit (S.B.L. 32.-2-8.1)
GML-239 County Review

Dear Mr. Sush:

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

- I. **Project description:** Site plan development for a 500,000 sq. ft. warehouse/distribution facility.
- II. **Applicant:** Yidel Weiss
- III. **Geographic qualification:** NYS Route 17, Bridgeville Road (CR 107), Heiden Road (CR 161)
- IV. **Agency referrals:** NYS DOT, Sullivan County DPW
- V. **Anticipated Intermunicipal and/or Countywide impacts:**
Traffic impacts to NYS Route 17 and to the intersection of County Road 173 (Bridgeville Road) and Kroger Road are of concern, and a solution to the delays identified are requested by both the State and County in the attached correspondence. Specifically:
 - NYS DOT suggests the minimal delays projected in the traffic impact study “may be unrealistic” and reinforces the Town’s request to add a section evaluating Friday evening peak summer travel times.
 - Considering that the projected delay at the west bound off ramp onto Heiden Road south will be more severe than indicated in the current draft for the TIS, NYS DOT requests a solution to improve that situation
 - SC DPW would like the applicant to include them in any coordination with NYS DOT and the Town of Thompson on proposed mitigations to ensure minimal impacts to the County Road.NYS DOT would like the applicant to be aware of proposed upgrades to Route 17 at Exit 107 which may impact access to the site during development. Concept plans for these proposals are included in the Route 17 Transportation Planning and Environment Linkage (PEL) Study, Project Identification Number (PIN): 8065.09, completed last year, and available online.
- VI. **Recommendation:** LOCAL DETERMINATION
- VII. **Technical Comments:**

We offer the following technical comments for consideration by the Board and the Applicant:

1. FEAF Concerns

The Full Environmental Assessment Form highlighted some areas of concern that should be looked at by the Board. Some have already been flagged for attention by the Town's planning consultant. They include:

- **Wetland Delineation:** The site plan shows that the proposed warehouse is located over an existing federal wetland, but the EAF does not reflect this. Questions about wetlands, size of wetlands, impacts to wetlands, etc. are either left blank or answered incorrectly (i.e. No box checked in section D.2.b; the chart in E.1.b reports that the site contains 0 acres of wetland when the expanded EAF states that there are 2+/- acres). The Planning Board should request an updated wetland delineation and determine if the applicant will require a United States Army Corps of Engineers (ACOE) permit for work impacting this wetland. The EAF forms should be updated.
- **Herbicides & Pesticides:** The FEAF indicates that the project may involve pesticides or herbicides in or around a water body. The applicant should provide details on which waterbody will be impacted and how, so that mitigation can be determined. If the applicant is referring to the use of chemicals for landscape maintenance, consideration should be given to requiring the use of low-maintenance native plantings.
- **Erosion & Degradation:** The FEAF checks the box indicating the likelihood of a moderate to large impact related to soil erosion, or stormwater discharge that may lead to siltation or other degradation of receiving water bodies. The Town should ensure their engineers are satisfied that all potential mitigation is identified and required.
- **Archaeological Impacts:** The FEAF indicates the likelihood of archaeological impacts, but no archaeological study is included. We recommend that one is completed.
- **Lighting:** The FEAF notes the potential for small scale lighting impacts, including spillover onto adjacent properties. Dark sky compliant lighting, with full cut-off, down facing fixtures, and a warm lighting color 3000K or less, is strongly recommended to mitigate lighting impacts. Dark sky compliance will contribute to reducing impacts on the nearby residential properties, which also protects the clarity and beauty of Sullivan County's night skies, which are a regional asset supporting the area's rural character and visitor economy. Should floodlights be required for work occurring after dark, the Board should work with the applicant to limit their operating times. Landscaping should also be used to further protect adjacent property impacts.
- **Zoning:** Delaware Engineering's October 7, 2022 memo to the Town references the "East Broadway Gateway District" zoning adopted by the Town in 2020. The rezoning effort was part of a County partnership with the Town and Village to revitalize the "gateway" areas between Route 17 Exits 104 and 107, which included a USDA-funded initiative in 2019 to update zoning in the East Broadway corridor to allow for a broader range of uses and to establish design guidelines and standards for the area. The proposed warehouse is consistent with gateway area planning goals and objectives given its proximity to the highway and the economic growth that the project can bring to the Town. However, we have to acknowledge that the area contains existing residential uses that will be impacted by both construction and operation of the proposed warehouse. As recommended by the Town's planning consultant, efforts

should be made to mitigate impacts to these residences, including requiring a noise impact study and any recommended mitigation.

2. Adjacent Owners

The existing conditions page in the site plan shows Sullivan County as an adjacent property owner for parcel 32-2-8.2. Our records show it was sold to Genti Rrahmani on 12/1/2020. The applicant should update their records and ensure proper notification of all neighboring residents. The property appears to be used residentially now and will among those nearby residences impacted by the project.

3. EV Charging Stations

For all new site plans that entail parking lot development, we are recommending the applicant consider the installation, present or future, of electric vehicle (EV) charging facilities. Planning for the availability of conduit and an appropriately sized electrical panel during initial site improvements can avoid the need for future retrofits and ultimately save roughly a third of the total cost of installation. The Sullivan County Office of Sustainable Energy can provide technical assistance to the applicant on site specifications and potential subsidies for EV charging stations. Given the large number of vehicles to be accommodated, multiple stations may be warranted.

4. NYSERDA New Construction Program

NYSERDA offers technical support and financial incentives to applicants to identify and incorporate design features that will achieve Carbon Neutral Ready levels of performance in new buildings, and reduce operating costs. The agency's New Construction Commercial Program provides grant funding for the design, development, and construction of carbon neutral buildings. The Office of Sustainable Energy can provide technical assistance to the applicant in determining eligibility for project subsidies and in completing applications.

5. Active Design Principles

The fact that Sullivan County has one of the poorest health rankings in all of New York State makes it important for new development here to apply Active Design principles so that newly built environments support the health of those using them. The attached booklet from the Center for Active Design, *A Better Box*, provides guidelines for optimizing industrial spaces for employee health and wellness that should be applicable and beneficial to the proposed project. Health and wellness design features have been documented as helping businesses attract and retain top talent, reducing injury and absenteeism, and increasing productivity.

Recommendations from the Center for Active Design relevant to the proposed project include:

- **Connect the Site to Surrounding Areas:** Given the scale of this warehouse and anticipated number of employees, there is the potential for the site to eventually be served by the County's public transit system, Move Sullivan. The applicant should identify and include a bus stop or bus pull-in in the site plan, and reach out to the County Division of Community Services, which runs the Move Sullivan service, to coordinate.

- **Prioritize Access to Nature:** The Center for Active Design recommends that developers incorporate recreational walking paths on site for employee health and wellness that can be utilized before or after hours, or on break. The proposed project site can readily accommodate this type of low-cost, high-value amenity because it consists of woodlands and wetlands, with only a portion to be cleared for development.

Best,



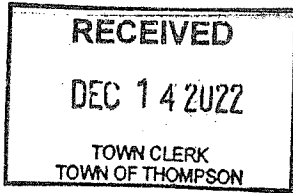
Freda C. Eisenberg, AICP
Commissioner
FCE/KJ

cc: Alan Sorensen, Legislator

attachments:

1. Report of Final Local Action Form
2. Comment Letter from NYS DOT, 11/4/2022
3. Follow up Email from NYS DOT, 12/7/2022
4. SC DPW Comments, 12/9/2022
5. *A Better Box, Optimizing Industrial Spaces for Employee Health and Wellness*

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



MONTICELLO JOINT FIRE DISTRICT IN THE TOWN OF THOMPSON,
SULLIVAN COUNTY, NEW YORK

CERTIFICATE OF RESULT OF CANVASS OF
ANNUAL FIRE DISTRICT ELECTIONS

The undersigned, Doris Motl, Chairman of the Election, Joanne Jasper and Debra McCreary, inspectors and Ballot Clerks, DO HEREBY CERTIFY AS FOLLOWS:

- 1) That each of us is a resident elector of the Monticello Joint Fire District in the Town of Thompson, Sullivan County, New York, we were appointed to the offices set forth hereinabove in connection with the Annual Election of said Fire District held on December 13, 2022 between the hours of 6:00 o'clock P.M., and 9:00 o'clock P.M., prevailing time, for the purpose of voting for one (1) Commissioner to a five (5) year term ending December 31, 2027.
- 2) Prior to the opening of the polls, the paper ballots and box to be used at the annual election had been examined.
- 3) After the polls had closed for said election, we immediately canvassed the votes cast. Inspection of such votes cast disclosed the following results:

Total number of voters - 30

The following Candidates for the position of Commissioner of the Monticello Joint Fire District, with the term ending December 31, 2027, received the following votes:

Dave Wells 29

_____ (write in)

INVALID 1

- 4) Upon the completion of such canvass, the Chairman of the election publicly announced the result thereof.
- 5) A true, correct and complete copy of the official voting label used at said annual election is attached hereto and made part thereof.
- 6) On the 13th day of December, 2022, a meeting of the Inspectors of Election was held at the time and place specified. At said meeting a register of all persons entitled to vote in the election was prepared containing The names of all persons residing in said Fire District and qualified to vote in said election whose names were on the registration list certified and supplied to said Fire District by the Sullivan County Board of Elections. All of the votes described above were of voters whose names appear on the register prepared at such meeting.

IN WITNESS WHEREOF, we have hereunto set our hand on December 13, 2022.

Doris E Motl Chairman, Doris Motl

[Signature] Inspector and Ballot Clerk, Joanne Jasper

[Signature] Inspector and ballot Clerk, Debra McCreary

ROCK HILL FIRE DISTRICT,
SULLIVAN COUNTY, NEW YORK

CERTIFICATE OF RESULT OF CANVASS OF
ANNUAL FIRE DISTRICT ELECTIONS

The undersigned, Jeanie Druce Chairman of the Election, Jennifer Mitchell and Rebecca Mitchell, inspectors and Ballot Clerks, DO HEREBY CERTIFY AS FOLLOWS:

- 1) That each of us is a resident elector of the Rock Hill Fire District in the Town of Thompson, Sullivan County, New York, we were appointed to the offices set forth hereinabove in connection with the Annual Election of said Fire District held on December 13, 2022 between the hours of 6:00 o'clock P.M., and 9:00 o'clock P.M., prevailing time, for the purpose of voting for one (1) Commissioner to a five (5) year term ending December 31, 2027.
- 2) Prior to the opening of the polls, the paper ballots and box to be used at the annual election had been examined.
- 3) After the polls had closed for said election, we immediately canvassed the votes cast. Inspection of such votes cast disclosed the following results:

Total number of voters - 38

The following Candidates for the position of Commissioner of the Rock Hill Fire District, with the term ending December 31, 2024, received the following votes:

Steven Gottlieb 38
 _____ _____ (write in)

- 4) Upon the completion of such canvass, the Chairman of the election publicly announced the result thereof.
- 5) A true, correct and complete copy of the official voting label used at said annual election is attached hereto and made part thereof.
- 6) On the 13th day of December, 2022, a meeting of the Inspectors of Election was held at the time and place specified. At said meeting a register of all persons entitled to vote in the election was prepared containing The names of all persons residing in said Fire District and qualified to vote in said election whose names were on the registration list certified and supplied to said Fire District by the Sullivan County Board of Elections. All of the votes described above were of voters whose names appear on the register prepared at such meeting.

IN WITNESS WHEREOF, we have hereunto set our hand on December 13, 2022.

Jeanie Druce Chairman,
Rebecca Mitchell Inspector and Ballot Clerk,
Jennifer Mitchell Inspector and ballot Clerk,

HURLEYVILLE FIRE DISTRICT
HURLEYVILLE, NEW YORK 12747

DECEMBER 13, 2022

CERTIFICATE OF RESULT OF CANVASS OF FIRE DISTRICT ELECTION

The undersigned, Patricia Gibson, Chairman of the Election, Mari-Jane Conklin and Sonya Robinson, Election Inspectors,
DO HEREBY CERTIFY AS FOLLOWS:

1. That each of us is a resident of the Hurleyville Fire District situated in the Towns of Fallsburg, Thompson and Liberty, Sullivan County, New York, and that, pursuant to a Resolution adopted by the Board of Fire Commissioners of said Fire District on the 1st day of November, 2022, we were appointed to the offices set forth herein above for the election of said Fire District held on the 13th day of December, 2022, for the purpose of voting for the Election of a Fire District Commissioner for a term of five (5) years beginning January 1, 2023.
2. After the polls had closed for said Election, we immediately canvassed the ballots cast. Inspection of said ballots disclosed the following election results:

FOR THE ELECTION OF A FIRE DISTRICT COMMISSIONER, FOR A TERM OF FIVE (5) YEARS:

Total number of ballots cast	8
Number of write-in votes in favor of John Jaycox	- 0 -
Number of write-in votes	- 0 -
Number of write-in votes in favor of _____	_____
Number of write-in votes in favor of _____	_____
Number of write-in votes in favor of _____	_____
Number of write-in votes in favor of _____	_____
Number of void ballots	8

IN WITNESS THEREOF, we have hereunto set our hands this 13th day of December, 2022.

Patricia Gibson
Chairman

Mari-Jane Conklin
Inspector

Sonya Robinson
Inspector

SIVE PAGET RIESEL

AI
#1

STEVEN BARSHOV
DIRECT DIAL: 646.378.7229
SBARSHOV@SPRLAW.COM

December 13, 2022

Town Board of the Town of Thompson
Thompson Town Hall
4052 Route 42
Monticello, NY 12701

Re: Sackett Lake LP Mixed Use Planned Unit Development

Dear Supervisor Rieber and Town Board Members,

Attached please find a proposed amendment to the Town Code to establish the PUD for the Sackett Lake LP project. The PUD is based upon recommendations from the Planning Board and Paula Kay.

I would appreciate it very much if consideration of this proposed PUD legislation could be placed on the agenda for the Town Board's meeting on December 20, 2022. Please do not hesitate to contact me or Joel Kohn if you have any questions.

Yours truly,

Steven Barshov

Steven Barshov

cc: Joel Kohn

Chapter 250.

Zoning and Planned Unit Development Part 8.

Planned Unit Development District No. 7

Article XXI. Establishment, Purpose and Uses

§ 250-167. Establishment.

Planned Unit Development District No. 7 is hereby established in accordance with the provisions of the Municipal Code of the Town of Thompson.

§ 250-168. Boundary and description.

The boundary and description of Planned Unit Development District No. 7 is fully set forth in the schedule titled "Boundary and Description" which is annexed hereto and made a part hereof. The boundary and description is further shown on a map of said planned unit development which is annexed hereto and made a part hereof.

§ 250-169. Purpose.

The purpose of this Part 8 is to establish, in accordance with the Comprehensive Plan of the Town of Thompson, a well-integrated and coordinated Planned Unit Development District which is sufficiently flexible to permit an orderly development responsive to the needs of the community and regulated to protect and safeguard the health, safety and welfare of the inhabitants thereof and adjacent thereto with a view to conserving the value of buildings and encouraging the most appropriate use of land in the district.

§ 250-170. Permitted uses.

No buildings or other structures or land shall be located or used in Planned Unit Development District No. 7 except for:

- A. Residential structures consisting of one-family, two-family, row housing, and multifamily dwellings, not exceeding 199 residential units; provided, however, that no more than three floors of any individual dwelling unit may be habitable space.
- B. Commercial/retail uses not exceeding 50,000 square feet in the aggregate.
- C. Office uses not exceeding 30,000 square feet in the aggregate.
- D. Schools, religious, and other community facilities and buildings.
- E. Accessory uses.

(1) Recreational facilities, including playgrounds, playhouse facilities or other related recreational

or community facilities.

- (2) Parking areas, roadways, walkways, installation of utility services and customary accessory buildings and uses, such as small storage sheds customarily used in connection with private dwellings and outdoor patios.
- (3) Swimming pools, subject to approval of the Town of Thompson Planning Board.
- (4) Storage sheds.
 - (a) Storage sheds located upon single-family lots in subdivisions within the PUD meeting the same requirements as govern the placement of sheds elsewhere in the Town, except that sheds up to 400 square feet shall not require Planning Board approval.
 - (b) Storage sheds located within portions of the property developed based on approved site plans, limited in location to areas shown on such site plans.
 - (c) Design guidelines for storage sheds may be imposed by the Planning Board as part of the site plan or subdivision review process.
- (5) Fences.
 - (a) Fences located upon single-family lots in subdivisions within the PUD meeting the same requirements as govern the placement of fences elsewhere in the Town, except fencing for swimming pools to be allowed as high as needed for privacy.
 - (b) Fences located within portions of the property developed based on approved site plans, limited in location to areas shown on such site plans.
 - (c) Design guidelines for fences may be imposed by the Planning Board as part of the site plan or subdivision review process.
- (6) Porches and decks.
 - (a) Covered entry porches not exceeding 120 square feet may be located within the front yard setback area, provided such porches are more than 20 feet from the front property line and may be located in side or rear yard setback areas, provided such porches are more than 10 feet from the side or rear property line.
 - (b) Open decks may be located within the front yard setback area, provided such decks are more than 15 feet from the front property line and may be located in side or rear yard setback areas, provided such decks are more than 7 1/2 feet from the side or rear property line.
 - (c) In no event shall the porches and decks located within side and rear yards exceed 25% of the total enclosed floor area of a dwelling unit.

§ 250-171. Area, yard and height restrictions.

- A. No buildings shall be higher than 45 feet. Building height shall be determined according to the same requirements as govern height of buildings elsewhere in the Town, and building elements, such as chimneys, allowed elsewhere in the Town to exceed the height limit shall also be allowed to the same extent.
- B. The locations of buildings, roadways and general layout within Phase One of Planned Unit Development District No. 7 shall be substantially in accordance with the subdivision map annexed hereto and any site plans hereinafter approved by the Planning Board. The Town Building Inspector is empowered to approve minor modifications to approved subdivision maps and site

plans.

- C. On corner lots the frontage with the primary entry door shall be considered the front yard. The yard opposite the front yard shall be considered the rear yard. Other yards shall be considered side yards.
- D. One automobile parking space shall be required for each residential unit. The Planning Board may require additional overflow parking to service residential areas. One automobile parking space shall be required for each 350 square feet of nonresidential building area. The Planning Board may require additional parking to be designed as part of the site plan review process to be constructed on an as-needed basis.
- E. The following lot and area requirements shall apply to individual lots for one-family and two-family homes:
 - (1) The minimum lot width shall be 50 feet; the minimum lot depth shall be 120 feet; the minimum lot area shall be 6,000 square feet.
 - (2) The minimum front yard setback shall be 30 feet; the minimum side yard setback shall be 15 feet; provided, however, that one side yard may be designed in a zero lot line configuration; the minimum rear yard setback shall be 30 feet.
- F. The following lot and area requirements shall apply to lots with multiple one-family or two-family homes, or lots with row houses:
 - (1) The minimum distance between the 50' assumed road R.O.W and the homes shall be 30', except for any porches or decks to be not closer than 25' from the R.O.W.
 - (2) The minimum distance between building side walls shall be 30', except for porches or decks that may extend from each building, provided that the clear separation between buildings and decks are not less than 20'.
 - (3) The minimum distance between side to rear walls or rear to rear walls shall be 50', except for porches or decks that may extend from each building, provided that the clear separation between buildings and decks are not less than 40'.

§ 250-172. Maintenance of portion of property under single ownership.

Common elements, including but not limited to recreation areas, open space areas, drainage basins, parking lots, and community facilities, shall be owned by, and the responsibility of, one or more homeowners' association or condominium owners' association.

§ 250-173. Interior roads; utility services; approvals; connection to sewer system.

- A. Interior roads shall be designed and constructed in accordance with the requirements of the Town of Thompson's road specifications under the observation of the Town Engineer. Fees and charges incurred by the Town for consultation, field review and approvals and road dedication shall be paid by the developer. Road and drainage systems are subject to the inspection and inspection approval of the Town Highway Superintendent.
- B. All utility services shall be installed under the observation of the Town Engineer and shall be underground and below frost level, including water and sewer distribution lines, electric service and television cable service.
- C. Drainage of surface water shall be designed and constructed in accordance with a filed stormwater pollution prevention plan.

- D. Necessary non-Town governmental approvals must be obtained prior to construction or issuance of a certificate of occupancy as required by law.
- E. The entire development must be connected to the Village of Monticello Sewage Treatment Plant and to an existing or hereinafter approved public water system pursuant to Department of Environmental Conservation (DEC) and New York State Department of Health regulations in accordance with the plans accepted by the Town Engineer and under the Town Engineer's observation with respect to design and installation.

§ 250-174. Time for development.

The Planning Board may approve a phasing plan for the PUD, but nothing shall prohibit the PUD from being developed as one phase at the option of the developer.

§ 250-175. Homeowners' and condominium owners' associations.

The prospectus for any homeowners' association or condominium owners' associations shall be reviewed by the Town Attorney prior to presentation to the Attorney General of the State of New York.

§ 250-176. Applicability of other provisions.

Unless otherwise specifically provided, and to the extent that they are not inconsistent with this Part 8, all provisions of the Municipal Code of the Town of Thompson shall apply to this Planned Unit Development District.

The Town Clerk is hereby authorized and directed to change the Official Zoning Map of the Town of Thompson by designating thereon the Planned Unit Development District hereby established.

At a regular meeting of the Town Board of the
Town of Thompson held at the Town Hall, 4052
Route 42, Monticello, New York on December 13,
2022

**RESOLUTION PURSUANT TO TOWN LAW FOR THE PROPOSED EXTENSION NO.
____ OF THE CONSOLIDATED HARRIS SEWER DISTRICT IN THE TOWN OF
THOMPSON**

WHEREAS, 180 Waverly Ave, LLC has made a request to the Town Board of the Town of Thompson to extend the Consolidated Harris Sewer District, a Special Improvement District heretofore created in said Town, to include a certain parcel of property, namely SBL 29-1-14; and

WHEREAS, the said area to be included in the Consolidated Harris Sewer District is totally located within the Town of Thompson and outside any incorporated village; and

WHEREAS, the said Town Board is desirous of preparing a general map and plan for providing sewer facilities in the aforesaid area of said Town and to appropriate a specific amount to pay the cost of preparing said general map and plan, and for other services in connection therewith; the costs of which shall be borne by said applicants, 180 Waverly Ave, LLC.

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

1. That the Town Board does hereby authorize MHE Engineering, D.P.C. of 33 Airport Center Drive, Suite 202, New Windsor, New York 12553 to prepare a general map and plan for the extension of the sewer facilities and services in the area of the Town of Thompson now serviced by the Consolidated Harris Sewer District, and for such other services as may be necessary in connection therewith.

2. That the Town Board does hereby appropriate the sum of \$11,000.00 to pay the cost of preparing the general map and plan for the extension of the sewer facilities, as well as all legal expenses incurred by the district to complete any district extension, and all costs and disbursements incurred by the district in processing the extension. That all engineering, legal costs and other disbursements for preparation of a general map, plan and report shall be paid by the applicants. Said monies shall be deposited by the applicants in the Town escrow account prior to preparation of said map, plan and report and will be released to MHE Engineering, D.P.C. upon completion, and other monies held in escrow will be disbursed upon completion of the extension.

3. That MHE Engineering, D.P.C., of 33 Airport Center Drive, Suite 202, New Windsor, New York 12553, be, and they hereby are, retained at a cost not to exceed \$5,000.00, of which said monies are to be paid by the applicants, to prepare a general map and plan for the extension of the sewer facilities and services to the area known as the Consolidated Harris Sewer District.

4. Legal fees incurred by the Town in connection with the extension of the Consolidated Harris Sewer District are to be paid by the applicants.

5. That all maps and plans prepared by MHE Engineering, D.P.C. shall conform with the requirements of Section 192 of the Town Law, and shall be filed with the Town Clerk.

6. That the map, plan and report shall be prepared once monies are placed in escrow by the applicants.

7. That in the event that the said Consolidated Harris Sewer District shall be extended as herein proposed, and shall thereafter be approved pursuant to the provisions of the Town Law, the expense incurred by the Town for the preparation of the maps and plans and other services therefor shall be deemed to be part of the cost of such improvement, and the Town shall be reimbursed the amount paid therefor, or such portion of that amount which the Town Board at the public hearing held pursuant to the Town Law shall allocate against such District.

8. That this Resolution is subject to a permissive referendum pursuant to and in accordance with the provisions of Sections 209-b and 90 of the Town Law.

9. That within ten (10) days from the date of this Resolution, the Town Clerk shall post and publish a Notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum, and shall publish such Notice in the Sullivan County Democrat, the official newspaper of the Town, and in addition, that the Town Clerk shall post or cause to be posted on the signboard of the Town of Thompson a copy of such Notice within ten (10) days after the date of the adoption of this Resolution.

Moved by:

Seconded by:

The Members voted on the foregoing Resolution as follows:

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 []

Marilee Calhoun (Town of Thompson)

From: Joel K <joel@jkexpediting.com>
Sent: Friday, December 9, 2022 12:16 PM
To: Melissa DeMarmels (Comptroller Town of Thompson); Michael B. Mednick ESQ
Cc: William J. Rieber, Jr.; Marille Calhoun; Michael Messenger
Subject: RE: 180 Waverly Avenue

Good afternoon Melissa,

The Village approved it this Wednesday.

The SBL is 29.-2-14.

Sincerely,

Joel Kohn

JK Expediting Services
63 Liberty St.
P.O. Box 369
Monticello NY 12701
845-796-9110
Joel@jkexpediting.com

From: Melissa DeMarmels (Comptroller Town of Thompson)
Sent: Friday, December 9, 2022 11:21 AM
To: Michael B. Mednick ESQ
Cc: William J. Rieber, Jr.; joel@jkexpediting.com; Marille Calhoun; Michael Messenger
Subject: 180 Waverly Avenue

Michael,

Joel brought in \$11,000 for a sewer extension for 180 Waverly Avenue. The letter references needing consent from the Village of Monticello before proceeding, so I'm not sure what happens next.

Also, the letter references SBL 29.-1-14, but I'm being told it should be 29.-2-14 by the building department. Please confirm which SBL is correct for proper notation in the general ledger.

Thanks,

Melissa DeMarmels

Comptroller
Town of Thompson
4052 Route 42
Monticello, NY 12701
Phone: 845-794-2500 Ext. 307
Fax: 845-794-8600

MICHAEL B. MEDNICK

TOWN ATTORNEY/TOWN OF THOMPSON
544 BROADWAY, SUITE 4
P.O. Box 612
MONTICELLO, NEW YORK 12701

(845) 794-5200 • FAX (845) 794-7784
EMAIL: michael@michaelmednick.com

November 2, 2022

VIA E-MAIL TRANSMISSION ONLY (joel@jkexpediting.com)

180 WAVERLY AVE, LLC (C/O JK Expediting Services)

728 Berriman Street

Brooklyn, New York 11208

Attn: Dubi Minsky

**RE: Request for consideration of a Sewer District Extension: Town of Thompson Tax
Map Parcel No: 29-1-14 (Waverly Avenue)**

Dear Mr. Minsky:

The Town of Thompson has received your request regarding the above-captioned matter.

In order to proceed with ordering the Town Engineer to prepare a map, plan and report, it will be necessary for you to place \$11,000.00 in escrow to pay for district expenses that will be incurred during the process.

The estimated cost for preparation of map, plan and report is \$5,000.00; legal fees for preparation of the extension documents for the board will be \$5,000.00, and incidental costs for the numerous publication of hearing notices, filing fees with the county, and service fees with the New York State Comptroller's Office are approximately \$1,000.00. Accordingly, the Town will require \$11,000.00 to be placed in escrow with the Town Comptroller.

Once the total amount has been placed in escrow, the Town will, by Resolution, order the preparation of a map, plan and report to begin the extension process. As you are aware, all costs and expenses associated with any extension are those of the applicant, and such will be part of any Resolution or Order, whether or not the extension is granted by the Board. If additional costs are required, the Town will notify you of same so that additional monies can be deposited into escrow. Please be aware that no action will be taken on the matter until all outstanding expenses (if any) are paid in full.

*This institution is an equal opportunity provider and employer.
4052 State Route 42, Monticello, NY 12701/Ph: 845-794-2500/Fax 845-794-8600; TownofThompson.com*

- Page 2 -
180 Waverly Ave, LLC, Attn: Dubi Minsky
November 2, 2022

Please also be aware that the engineering fees are not refundable once the map, plan and report are ordered via Resolution. Portions of the unearned legal fees may be refundable should the district extension not proceed as a result of any unforeseen problems, as may be presented upon review of the engineer's map, plan and report.

It should also be noted that the parcel is located in the Consolidated Harris Sewer District and in order for the Town to complete any extension, per Municipal Agreement with the Village of Monticello, the Village of Monticello will be required to "consent" to this extension. Such consent make take additional time and expense and may not be guaranteed to occur. It is suggested that you initiate conversations with the Village officials to gauge how the Village may respond to this request prior to putting money in escrow to start the extension process. It is also suggested that you may want to reach out to the two (2) neighboring parcels to see if they want to participate in the extension process in order to share expenses for this extension process.

Should you have any further questions, please feel free to contact me.

Very truly yours,



MICHAEL B. MEDNICK

MBM/pj

cc: Hon. William J. Rieber, Jr., Supervisor (supervisor@townofthompson.com)
Michael Messenger, Water/Sewer Superintendent (mmessenger@townofthompson.com)
Marilee Calhoun, Town Clerk (marilee@townofthompson.com)

#5

180 WAVERLY AVE, LLC.

728 BERRIMAN ST.

BROOKLYN, NY 11208

September 28, 2022

Town Board of the Town of Thompson
4052 Route 42
Monticello NY 12701

RE: Request for consideration of a Sewer District Extension
Town of Thompson Tax Map No. 29-2-14

Dear Supervisor Rieber and Town Board Members;

The subject property is a +/- .29-acre vacant parcel located on the west side of Waverly Ave. roughly 550' from the Town/Village line, which we are looking to get a 7-bedroom single family home built on.

See attached portion of the tax map with our property highlighted on it.

With this letter we are asking the Board to consider this request to extend the Consolidated Harris Sewer District to include this parcel, and take any action as appropriate to authorize the completion of a Map, Plan and Report by the Town Engineer if necessary.

Should you have any further questions please don't hesitate to contact me at info@tgm123.com.

Truly yours,

Dubi Minsky

180 Waverly Ave, LLC.

Cc: Joel Kohn

ORP OF
PRESIDING
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PROPERTY TO BE
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COLD SPRING
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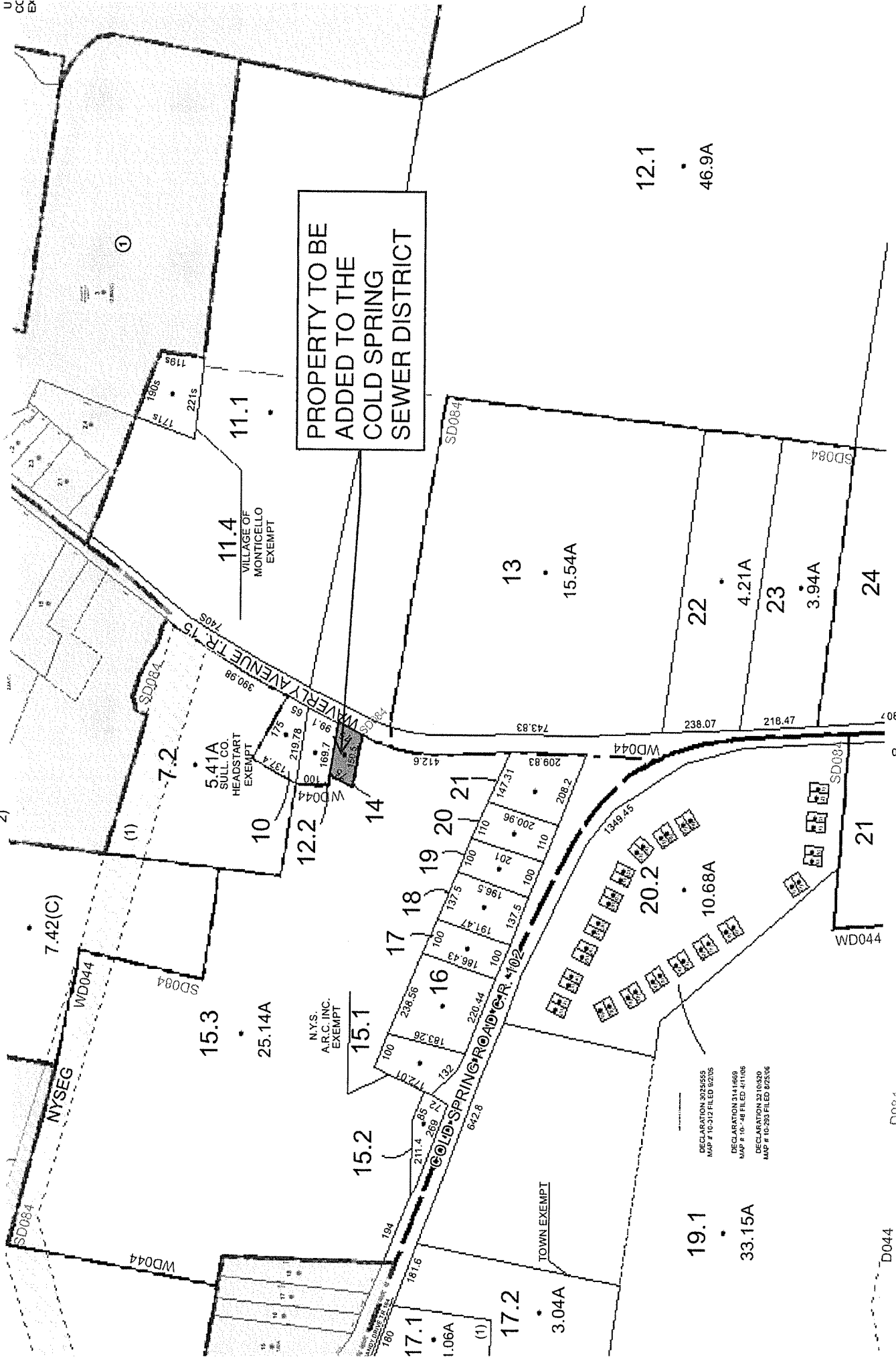
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DECLARATION 3025655
MAP # 10-212 FILED 6/2/05

DECLARATION 3141669
MAP # 10-248 FILED 4/11/06

DECLARATION 3310630
MAP # 10-293 FILED 8/23/06

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#3

Matthew Sush

12/12/2022

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

Dear Supervisor Rieber:

It is with regret that I tender my resignation from the Town of Thompson Planning Board, effective January 2023.

I am grateful for having had the opportunity to serve on the board of this fine organization for the past 13 years, and I offer my best wishes for its continued success.

Sincerely,

Matthew Sush

Matthew Sush
Planning Board Chair

Marilee Calhoun (Town of Thompson)

From: William J. Rieber, Jr. <supervisor@townofthompson.com>
Sent: Monday, December 12, 2022 11:49 AM
To: Marilee Calhoun
Subject: FW: Resignation from Planning Board
Attachments: Planning Board lrt to Supvr Rieber.pdf; William J_ Rieber Jr_.vcf

Fyi and for agenda

William J. Rieber, Jr.
Supervisor
Town of Thompson
845-794-2500 Ext. 306
845-794-8600 - Fax
Email: supervisor@townofthompson.com
Town of Thompson is an equal opportunity provider and employer.

-----Original Message-----

From: <msush@townofthompson.com>
Sent: Sunday, December 11, 2022 3:30 PM
To: Bill Rieber <supervisor@townofthompson.com>
Cc: Jim Carnell <jcarnell@townofthompson.com>; Helen Budrock <hbudrock@delawareengineering.com>; Paula Kay
Subject: Resignation from Planning Board

Good afternoon Supervisor Rieber,

Please see my attached Resignation letter from the Town of Thompson Planning Board.

While serving as a member of the board, I have seen much growth in the Town and I am truly satisfied with the progress we have made. I feel that I have been a contribution member and in stepping down, I will be able to spend more time with my family and further develop my career.

I look forward to seeing of the continued success of Town of Thompson.

Sincerely,

Matt Sush

#4



Environmental Facilities Corporation

KATHY HOCHUL
Governor

MAUREEN A. COLEMAN
President and CEO

December 13, 2022

The Honorable William Rieber Jr.
Supervisor
Town Hall
4052 Route 42
Monticello, NY 12701

Re: Town of Thompson
Clean Water State Revolving Fund (CWSRF) Project No. C3-5378-07-00
Emerald Green WWTP Upgrade Project

Dear Supervisor Rieber:

I am pleased to inform you that your community may qualify to receive grant funding from the Environmental Facilities Corporation (EFC) through the federal Infrastructure Investment and Jobs Act of 2021, also known as the Bipartisan Infrastructure Law (BIL) for the project referenced above.

The project's eligibility for BIL grant is based on the project being listed above the BIL Funding Line in Subcategory D1 of the Final 2023 Intended Use Plan (IUP) Annual List. Criteria for this determination are detailed in the CWSRF Hardship Financing and Grant Eligibility Policy (Hardship Policy) effective September 30, 2022. In addition to BIL grant, your project may be eligible for interest-free financing of up to \$25 million. Criteria for interest-free financing are also detailed in the Hardship Policy.

The amount of BIL grant available for your project is estimated as \$6,939,000, based on information you provided to EFC. As noted in the Hardship Policy, municipalities eligible for BIL funding must meet the following criteria to qualify:

- Must not have closed an EFC financing or incurred SRF-eligible debt for the project before November 15, 2021;
- Must not have issued a Notice to Proceed for construction of the project dated before November 15, 2021;
- Must not have substantially completed project construction prior to September 30, 2022; and
- Must comply with all federal requirements.

All projects funded through BIL must meet certain programmatic requirements. These requirements and methods for documenting compliance include but are not limited to:

- Certification Forms available in the Equivalency Guidance Packet (www.efc.ny.gov/BIL) for the following:
 - Federal Procurement for Architectural/Engineering (A/E) Services; and
 - National Environmental Protection Act (NEPA) Environmental Review (for municipalities with populations greater than 10,000).



Environmental Facilities Corporation

KATHY HOCHUL
Governor

MAUREEN A. COLEMAN
President and CEO

- Inclusion of Equivalency Terms and Conditions in Contract(s) for the following:
 - Davis Bacon Federal Prevailing Wage schedules and language in construction contract bid documents;
 - American Iron and Steel (AIS) provisions;
 - Prohibition on certain telecommunications and video surveillance services or equipment;
 - Equal Employment Opportunities (EEO) and Disadvantaged Business Enterprises (DBE) for both construction contracts and professional service agreements; and
 - Build America, Buy America (BABA) provisions.
- Single Audit reporting.

Information on BIL funding and requirements can be found on EFC's website at www.efc.ny.gov/BIL. This information may be updated periodically, at which time EFC will send an electronic notice to all members of our email notification listserv. To join our email notification listserv, please visit [EFC's website](http://www.efc.ny.gov).

Please confirm your acceptance of the BIL grant eligibility and intent to proceed with this project by completing and signing the enclosed form and returning it to CWSRFinfo@efc.ny.gov no later than **Friday, January 13, 2023**. Without your confirmation, we may bypass your project and award these grant funds to another community.

To help you advance this project, members of the EFC team will contact you to guide you through the program requirements and related processes.

We look forward to working with you on your water quality improvement project. Should you have any questions, please contact Máire Cunningham, Program Manager at CWSRFinfo@efc.ny.gov.

Sincerely,

Maureen A. Coleman
President & CEO

Enclosed

cc.: Delaware Engineering, D.P.C., Dave Ohman, P.E., President
Town of Thompson, Michael Messenger, Water & Sewer Superintendent



Environmental Facilities Corporation

KATHY HOCHUL
Governor

MAUREEN A. COLEMAN
President and CEO

ACKNOWLEDGEMENT AND INTEREST IN BIL FUNDING

Please confirm your community's intent to accept BIL funding by signing below and emailing the completed form to CWSRFinfo@efc.ny.gov no later than **Friday, January 13, 2023** and attaching the following, as applicable:

- Completed A/E Procurement Form;
- A/E Procurement did not comply with federal standards
- Completed Environmental Review Form; and
- Copy of any BANs related to the project

ACKNOWLEDGMENT BY THE MUNICIPALITY:

Town of Thompson

Clean Water State Revolving Fund (CWSRF) Project No. C3-5378-07-00

Emerald Green WWTP Upgrade Project

The Municipality meets BIL eligibility requirements, applicable program requirements and intends to proceed with this project. The Municipality intends to close a financing that includes BIL grant funding.

(Signature of Authorized Representative)

(Print Name)

(Title)

(Date)

#5



Environmental Facilities Corporation

KATHY HOCHUL
Governor

MAUREEN A. COLEMAN
President and CEO

December 13, 2022

The Honorable William Rieber Jr.
Supervisor
Town Hall
4052 Route 42
Monticello, NY 12701

Re: Town of Thompson
Clean Water State Revolving Fund (CWSRF) Project No. C3-5378-06-00
Kiamesha Lake Wastewater Treatment Plant Upgrade

Dear Supervisor Rieber:

I am pleased to inform you that your community may qualify to receive grant funding from the Environmental Facilities Corporation (EFC) through the federal Infrastructure Investment and Jobs Act of 2021, also known as the Bipartisan Infrastructure Law (BIL) for the project referenced above.

The project's eligibility for BIL grant is based on the project being listed above the BIL Funding Line in Subcategory D1 of the Final 2023 Intended Use Plan (IUP) Annual List. Criteria for this determination are detailed in the CWSRF Hardship Financing and Grant Eligibility Policy (Hardship Policy) effective September 30, 2022. In addition to BIL grant, your project may be eligible for interest-free financing of up to \$25 million. Criteria for interest-free financing are also detailed in the Hardship Policy.

The amount of BIL grant available for your project is estimated as \$13,012,000, based on information you provided to EFC. As noted in the Hardship Policy, municipalities eligible for BIL funding must meet the following criteria to qualify:

- Must not have closed an EFC financing or incurred SRF-eligible debt for the project before November 15, 2021;
- Must not have issued a Notice to Proceed for construction of the project dated before November 15, 2021;
- Must not have substantially completed project construction prior to September 30, 2022; and
- Must comply with all federal requirements.

All projects funded through BIL must meet certain programmatic requirements. These requirements and methods for documenting compliance include but are not limited to:

- Certification Forms available in the Equivalency Guidance Packet (www.efc.ny.gov/BIL) for the following:
 - Federal Procurement for Architectural/Engineering (A/E) Services; and
 - National Environmental Protection Act (NEPA) Environmental Review (for municipalities with populations greater than 10,000).



Environmental Facilities Corporation

KATHY HOCHUL
Governor

MAUREEN A. COLEMAN
President and CEO

- Inclusion of Equivalency Terms and Conditions in Contract(s) for the following:
 - Davis Bacon Federal Prevailing Wage schedules and language in construction contract bid documents;
 - American Iron and Steel (AIS) provisions;
 - Prohibition on certain telecommunications and video surveillance services or equipment;
 - Equal Employment Opportunities (EEO) and Disadvantaged Business Enterprises (DBE) for both construction contracts and professional service agreements; and
 - Build America, Buy America (BABA) provisions.
- Single Audit reporting.

Information on BIL funding and requirements can be found on EFC's website at www.efc.ny.gov/BIL. This information may be updated periodically, at which time EFC will send an electronic notice to all members of our email notification listserv. To join our email notification listserv, please visit [EFC's website](http://www.efc.ny.gov).

Please confirm your acceptance of the BIL grant eligibility and intent to proceed with this project by completing and signing the enclosed form and returning it to CWSRFinfo@efc.ny.gov no later than **Friday, January 13, 2023**. Without your confirmation, we may bypass your project and award these grant funds to another community.

To help you advance this project, members of the EFC team will contact you to guide you through the program requirements and related processes.

We look forward to working with you on your water quality improvement project. Should you have any questions, please contact Máire Cunningham, Program Manager at CWSRFinfo@efc.ny.gov.

Sincerely,

Maureen A. Coleman
President & CEO

Enclosed

cc.: Delaware Engineering, D.P.C., Dave Ohman, P.E., President
Town of Thompson, Michael Messenger, Water & Sewer Superintendent



Environmental Facilities Corporation

KATHY HOCHUL
Governor

MAUREEN A. COLEMAN
President and CEO

ACKNOWLEDGEMENT AND INTEREST IN BIL FUNDING

Please confirm your community's intent to accept BIL funding by signing below and emailing the completed form to CWSRFinfo@efc.ny.gov no later than **Friday, January 13, 2023** and attaching the following, as applicable:

- Completed A/E Procurement Form;
 - A/E Procurement did not comply with federal standards
- Completed Environmental Review Form; and
- Copy of any BANs related to the project

ACKNOWLEDGMENT BY THE MUNICIPALITY:

Town of Thompson

Clean Water State Revolving Fund (CWSRF) Project No. C3-5378-06-00

Kiamesha Lake Wastewater Treatment Plant Upgrade

The Municipality meets BIL eligibility requirements, applicable program requirements and intends to proceed with this project. The Municipality intends to close a financing that includes BIL grant funding.

(Signature of Authorized Representative)

(Print Name)

(Title)

(Date)

#6

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

**FINAL ORDER EXPANDING
CONSOLIDATED ROCK
HILL-EMERALD GREEN
SEWER DISTRICT**

-----X

A Resolution having been duly adopted by the Town Board of the Town of Thompson directing Town Engineers, MHE Engineering, D.P.C., for the preparation of a map, plan and report relating to the extension of the Consolidated Rock Hill-Emerald Green Sewer District in the Town of Thompson, and said map, plan and report were duly filed in the office of the Town Clerk, and an order having been duly adopted by the said Town Board on September 6, 2022, reciting a description of the boundaries of the said proposed district, the improvements proposed, the maximum amount proposed to be expended for said improvements, the proposed method of financing to be employed, the fact that a map, plan and report were on file in the Town Clerk's Office for public inspection, and specifying the 25th day of October, 2022, at 7:00 o'clock, P.M., Prevailing Time, at the Town Hall, 4052 Route 42, Monticello, New York, in said Town, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to hear all persons interested in the proposal to expand the said sewer district and after due publication and posting of said order according to law, said hearing was duly held by said Board at such time and place, and the Town Board having considered said proposal and heard all persons interested in the same, and did, on October 25, 2022, resolve and determine that the Notice of Hearing for October 25, 2022, was published and posted as required by law, and otherwise sufficient, that all the property and property owners within the created district would be benefitted thereby, that all property and property owners benefitted were included within the

limits of the created district, and that it was in the public interest to grant and hold the relief sought, and it having been then and there further duly resolved that the creation of such district as proposed be approved subject to permissive referendum in the manner provided in Article 7 of the Town Law, and a certificate of the Town Clerk having been duly filed pursuant to subdivision 4 of Section 209-e of the Town Law certifying that no petition was filed requesting such a referendum, and it appearing to the satisfaction to the said Town Board that no application pursuant to Town Law Section 209-f is required to be made to the State Department of Audit and Control,

NOW, THEREFORE, IT IS HEREBY

ORDERED, that the Consolidated Rock Hill-Emerald Green Sewer District, in the Town of Thompson, Sullivan County, New York, be, and the same hereby is, extended, to be bounded and described as more particularly set forth in Schedule "A" annexed hereto and made a part hereof; and it is further

ORDERED, that the Town Board, acting for and on behalf of the said Consolidated Rock Hill-Emerald Green Sewer District, as extended be, and it hereby is, authorized to make such improvements in said district as may be required for the proposed operation thereof, provided that the required funds for the same are made available or provided for; and it is further

ORDERED, that the entire amount to be expended for such improvements, including, but not limited to, costs of construction, engineering, administrative, legal and other fees and expenses, shall be borne solely and entirely by the landowners, namely Avani & Dharmesh Patel, and it is further

ORDERED, that the Town Clerk of the Town of Thompson be, and he hereby is, authorized and directed to cause a certified copy of this order to be duly recorded in the office of the Clerk of Sullivan County, in which the Town of Thompson is located, within ten (10) days after adoption of this order; and it is further

ORDERED, that the Town Clerk be, and he hereby is, authorized and directed to file a certified copy of this order in the office of the Department of Audit and Control, Albany, New York, within ten (10) days after the adoption hereof, if so required.

Dated: Monticello, New York
December 20, 2022

WILLIAM J. RIEBER, JR., Supervisor

SCOTT MACE, Councilman

JOHN A. PAVESE, Councilman

MELINDA S. MEDDAUGH, Councilman

RYAN SCHOCK, Councilman

SCHEDULE "A"

ATTACHMENT 3

DESCRIPTION OF DISTRICT EXTENSION

Beginning at a point, being the northwest corner of Tax map parcel 52.-1-17.18 and the northeast corner of tax map parcel 52.-1-17.17, said corner also being on the southern boundary of Old Sackett Road;
Thence

1. Southwesterly, 800 feet more or less, along the eastern boundary of tax map parcel 52.-1-17.17, to a point, being the southwestern corner of tax map parcel 52.-1-17.18; thence
2. Southeasterly, 252.3 feet more or less along the northern boundary of tax map parcel 64.-1-1.1 a point; thence
3. Southerly, 183 feet more or less, along the boundary of tax map parcel 64.-1-1.1 to a point, said point being the southeasterly corner of tax map parcel 52.-1-17.18; thence
4. Northerly, 887.3 feet more or less, along the westerly boundary of tax map parcel 52.-1-17.19, to a point, said point being the northeasterly corner of tax map parcel 52.-1-17.18 and being located on the southern boundary of Old Sackett Road; thence
5. westerly, 162.3 feet more or less, along the southern boundary of Old Sackett Road, also being the northern boundary of tax map parcel 52.-1-17.18, to a point, being the northwestern corner of tax map parcel 52.-1-17.18 and also being the point of beginning.

#7

Marilee Calhoun (Town of Thompson)

From: Matt Gaor
Sent: Tuesday, December 6, 2022 3:19 PM
To: William J. Rieber, Jr.; jcarnell@townofthompson.com
Cc: Marilee Calhoun
Subject: Re: Agenda addition requested for Town Board meeting of December 20

Thanks Bill.

For clarity though, I'm looking to renew the seasonal use permit that was issued in 2021 for 2022. I don't believe that keeping or storing the vehicle on the property was an issue.

Jim, Brian Benzenberg was at the property a month or two ago, he should have some insights.


Thanks all, appreciate the help. See you on the 20th!

Matt

From: William J. Rieber, Jr. <supervisor@townofthompson.com>
Sent: Tuesday, December 6, 2022 3:04 PM
To: jcarnell@townofthompson.com <jcarnell@townofthompson.com>
Cc: Marilee Calhoun <marilee@townofthompson.com>; Matt Gaor
Subject: FW: Agenda addition requested for Town Board meeting of December 20

Jim:
Matt Gaor is requesting to be on the agenda to extend his permit to keep his recreational vehicle on premises. I will put it on the agenda for the next meeting on December 20th. Can you have someone check the property and verify it's condition? I'm sure the Board will want some direction.

His email said he was before the board "this year". Matt did correct that since it was in 2021.
Bill

<p>William J. Rieber Jr. Town of Thompson Supervisor Office (845) 794-2500 Ext. 306 Cell (914) 799-0387 supervisor@townofthompson.... 4052 Route 42 Monticello, N.Y. 12701</p>	
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William J. Rieber, Jr.
Supervisor
Town of Thompson
845-794-2500 Ext. 306
845-794-8600 – Fax
Email: supervisor@townofthompson.com
Town of Thompson is an equal opportunity provider and employer.



From: Matt Gaor
Sent: Monday, December 5, 2022 2:44 PM
To: supervisor@townofthompson.com
Subject: Agenda addition requested for Town Board meeting of December 20

Hi Bill,

Hope things are going well!

The last couple of times that I came before the board earlier this year was to discuss the temporary use of my recreational vehicle/camper located at 31 Whitaker Road. Please see page 23 of the October 19, 2021 meeting, as well as page 10 of the December 07, 2021 meeting - both attached. An excerpt from the December meeting below:

5) MATTHEW GAOR: REQUEST FOR TEMPORARY USE OF RECREATION VEHICLE/CAMPER TRAILER – 31 WHITTAKER ROAD, MONTICELLO, SBL # 3.-1-3

Mr. Matthew Gaor, property owner was present on behalf of his request for temporary use of a recreation vehicle/camper trailer on his property located at 31 Whitaker Road, Monticello, NY, SBL # 3.-1-3. Continued discussion was held regarding his request. The Town Board took action as follows:

The Following Resolution Was Duly Adopted: Res. No. 388 of the Year 2021.

Resolved, that Mr. Matthew Gaor hereby be authorized to have (1) Recreational Vehicle/Camper on a temporary/seasonal basis until December 31, 2022 on his property located at 31 Whittaker Road, Monticello, NY, SBL # 3.-1-3 and that the Town of Thompson Building Department hereby be authorized to issue a permit and certificate of compliance for such seasonal use subject to adoption of revised Zoning Regulations and said authorization shall not be transferrable if said property is sold to another owner.

Motion by: Councilman Pavese Seconded by: Councilwoman Meddaugh

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

Nays 0

Absent 1 Schock

Lacking any revisions to the relevant town Zoning Regulations, I'd like to attend the December 20, 2022 meeting to request an extension of the resolution for seasonal use throughout 2023. May I please be placed on the agenda?

Thanks,

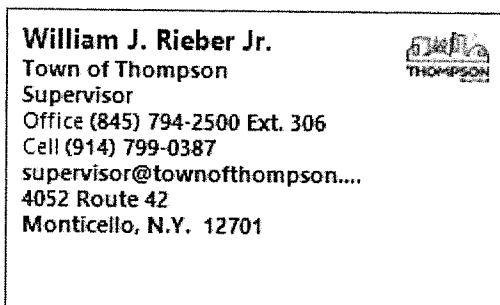
Matt Gaor

Marilee Calhoun (Town of Thompson)

From: William J. Rieber, Jr. <supervisor@townofthompson.com>
Sent: Tuesday, December 6, 2022 3:05 PM
To: jcarnell@townofthompson.com
Cc: Marilee Calhoun; matt
Subject: FW: Agenda addition requested for Town Board meeting of December 20
Attachments: TBM-10-19-2021 - See page 23.pdf; TBM-12-07-2021 - See page 10.pdf; William J_ Rieber Jr_.vcf

Jim:
Matt Gaor is requesting to be on the agenda to extend his permit to keep his recreational vehicle on premises. I will put it on the agenda for the next meeting on December 20th. Can you have someone check the property and verify it's condition? I'm sure the Board will want some direction.

His email said he was before the board "this year". Matt did correct that since it was in 2021.
Bill



William J. Rieber, Jr.
Supervisor
Town of Thompson
845-794-2500 Ext. 306
845-794-8600 – Fax
Email: supervisor@townofthompson.com
Town of Thompson is an equal opportunity provider and employer.



From: Matt Gaor
Sent: Monday, December 5, 2022 2:44 PM
To: supervisor@townofthompson.com
Subject: Agenda addition requested for Town Board meeting of December 20

Hi Bill,

Hope things are going well!

KIAMESHA ARTESIAN WATER COMPANY INSPECTIONS OF PRIVATE FIRE HYDRANTS

Supervisor Rieber reported that the Town is looking into regulations enforcing inspections of private fire hydrants in the community similar to the Town of Wallkill. Attorney Mednick will report back with his findings regarding the subject.

NEW BUSINESS:

There was no new business reported on.

SUPERVISOR'S REPORT:

Supervisor William J. Rieber, Jr.

- Countywide Broadband Survey provided by Empire State Broadband, which was sent out to local officials to be completed.
- Printer replacement/repair issues on two printers in the Supervisor/Comptroller Office for Karen Schaefer and Supervisor Rieber.

COUNCILMEN & DEPARTMENT HEAD REPORTS:

Councilman Scott S. Mace

- Toys for Tots Event on Saturday, November 20th from 1:30pm to 5:30pm at the Ted Strobel Recreation Center, Monticello sponsored by the Marine Corps Reserve – Contact Sharon Toney-Finch for additional information. Flyer will be provided, which can be posted on the Town website.
- Fall Shred Day Event Rescheduled to Saturday, October 23, 2021, 9am to 12pm.
- He thanked Councilmen Pavese and Schock as well as anyone else who has reached out to him with concerns regarding his health and recent surgical procedures. He provided a brief update.

Parks & Recreation Superintendent Glenn Somers

- Treats & Trails at the Park Halloween Event – Saturday, 10/23/2021, 4pm-7pm. According to social media feedback they are planning on having a well-attended event and a good turn-out.

PUBLIC COMMENT:

A resident from Sackett Lake Estates and practicing Attorney was present to discuss water/drainage issues occurring along her roadway, which is affecting her property. Requires cleaning of ditching and drainage areas to prevent flooding. Highway Superintendent Benjamin commented on the matter and advised the resident that he would go out and inspect the site. The Town Board apologized for removing her from the Zoom app as the connection was very poor and was thought to be a Zoom bomber trying to disrupt the meeting. They explained the past experience that the Town has had with regards to this issue.

Matthew Gor a secondary resident of Monticello inquired about a request for temporary use of a recreational vehicle/camper on his property located at 31 Whittaker Road, Monticello, NY. There was some discussion with Director Carnell regarding the current

situation. There is a deck attached to the recreational vehicle, which creates a problem. They are unable to obtain a permit for the deck according to Town regulations. There are concerns, which were discussed. The Town Board will visit the location and the matter will be rescheduled for further discussion and consideration at the December 7th Regular Town Board Meeting.

Chet Smith of Rock Hill commented on the Trucks continuing to idle and parking issues, which are still occurring along the end of Rock Hill Drive area. The signs are ignored and lack of enforcement. The Town Ordinance does not control the issues. The ongoing issues are still occurring and are still a problem.

ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION

- 10/23/21 at 9AM-12PM: Fall Shred Day Event.
- 11/03/21 at 5:45 PM: Regular Town Board Meeting (Note: Meeting Re-Scheduled from Tuesday 11/02/21 to Wednesday 11/03/21 due to General Election Day).
- 11/03/21 at 5:45 PM: Preliminary Budget Hearing for Fiscal-Year 2022.
- 11/03/21 at 5:45 PM: Public Hearing – Proposed Local Law No. 12 of 2021 - Proposed Zone Change Request for 1283 Old Route 17, LLC, located at 1283 Old Route 17, Harris, NY, SBL # 1.-1-3 from RR-2 Zone to CI Zone.

ADJOURNMENT

On a motion made by Councilwoman Meddaugh and seconded by Councilman Pavese the meeting was adjourned at 8:24 PM. All board members voted in favor of adjourning the meeting.

The Zoom Livestream Videoconferencing connection and Facebook Live were disconnected.

Respectfully Submitted By:

Marilee J. Calhoun

Marilee J. Calhoun, Town Clerk

8

Karen Schaefer

From: Scot Bedik <scot@bedik.com>
Sent: Wednesday, December 14, 2022 2:03 PM
To: kschaef@townofthompson.com
Cc: robin@bedik.com
Subject: Thompson possible system upgrade

Hi Karen,

Before I make anything formal, Bill asked me what it would run to upgrade your current system. Because the phones you have now will work with the new system, you would only need the main control units that are in the closet by your office.

The equipment portion of the job which includes the 2 control cabinets, and all the new system cards will run \$4090.00. I did spec the new system to accommodate up to 48 telephones as opposed to what you have now which is full at 32. Any new or additional phones once the new system is in place would be the newer model telephones. There is a lot of prep work in preparing the data for transfer to the new system because it must be manually entered. I estimate the labor portion of the entire job which includes the removal of the old, installation of the new and all the programming needed to be no more than \$1000 but possibly less.

Please pass this on to Bill and reach out with any questions any of you may have.

Thank you,

Scot

Scot Bedik
(845) 794-8084
scot@bedik.com



Customer:

Quotes are valid for 30 days from the creation date or upon contract expiration, whichever occurs first.

A Purchase Order (PO) or Letter of Intent (LOI) including the below information is required to proceed with this sale. The PO or LOI will be returned if information is missing.

- Vendor: Deere & Company
- 2000 John Deere Run
Cary, NC 27513
- Signature on all LOIs and POs with a signature line
- Contract name or number; or JD Quote ID
- Sold to street address (no PO box)
- Ship to street address (no PO box)
- Bill to contact name and phone number
- Bill to address
- Bill to email address (required to send the invoice and/or to obtain the tax exemption certificate)
- Membership number if required by the contract

For any questions, please contact:**Tim Mullally**

Mullally Tractor Sales, Inc.
4510 State Route 52
Jeffersonville, NY 12748

Tel: 845-482-5222

Fax: 845-482-9028

Email: tmullally@hvc.rr.com

Quotes of equipment offered through contracts between Deere & Company, its divisions and subsidiaries (collectively "Deere") and government agencies are subject to audit and access by Deere's Strategic Accounts Business Division to ensure compliance with the terms and conditions of the contracts.



ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Mullally Tractor Sales, Inc.
4510 State Route 52
Jeffersonville, NY 12748
845-482-5222
mts1@hvc.rr.com

Quote Summary

Prepared For:

Genn Somers
TOWN OF THOMPSON TOWN PARK GENE SOMERS
Genn Somers
179 TOWN PARK RD
MONTICELLO, NY 12701
Mobile:
gsomers@townofthompson.com

Delivering Dealer:

Mullally Tractor Sales, Inc.
Tim Mullally
4510 State Route 52
Jeffersonville, NY 12748
Phone: 845-482-5222
tmullally@hvc.rr.com

Quote ID: 27915828
Created On: 13 December 2022
Last Modified On: 13 December 2022
Expiration Date: 13 January 2023

Equipment Summary	Selling Price	Qty	Extended
JOHN DEERE GATOR™ XUV835M (Model Year 2023)	\$ 21,455.23 X	1 =	\$ 21,455.23
Contract: NY State Landscaping Grounds PC69683 (PG XN CG 22)			
Price Effective Date: December 12, 2022			
Equipment Total			\$ 21,455.23

* Includes Fees and Non-contract items

Quote Summary

Equipment Total	\$ 21,455.23
Trade In	
SubTotal	\$ 21,455.23
Est. Service Agreement Tax	\$ 0.00
Total	\$ 21,455.23
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 21,455.23

Salesperson : X _____

Accepted By : X _____



JOHN DEERE

Selling Equipment

Quote Id: 27915828

Customer Name: TOWN OF THOMPSON TOWN PARK GENE SOMERS

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Mullally Tractor Sales, Inc.
4510 State Route 52
Jeffersonville, NY 12748
845-482-5222
mts1@hvc.rr.com

JOHN DEERE GATOR™ XUV835M (Model Year 2023)

Hours:

Stock Number:

Contract: NY State Landscaping Grounds PC69683 (PG XN CG 22)

Selling Price *
\$ 21,455.23

Price Effective Date: December 12, 2022

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
57K7M	GATOR™ XUV835M (Model Year 2023)	1	\$ 19,749.00	14.00	\$ 2,764.86	\$ 16,984.14	\$ 16,984.14
Standard Options - Per Unit							
001A	US/Canada	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
0505	Build To Order	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
1027	27" Maxxis Bighorn 2.0 extreme terrain radial tires on 14" Yellow Steel Wheels	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
2031	Split Bench Seat - Black Vinyl	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
2350	Park Position in Transmission	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
2500	Green and Yellow	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
3003	Cargo Box with Spray In Liner, Brake, and Tail Lights	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
3101	Cargo Box Power Lift	1	\$ 1,073.00	14.00	\$ 150.22	\$ 922.78	\$ 922.78
4000	OSR Nets	1	\$ 0.00	14.00	\$ 0.00	\$ 0.00	\$ 0.00
4060	Black Roof	1	\$ 577.00	14.00	\$ 80.78	\$ 496.22	\$ 496.22
5006	Front Brush Guard	1	\$ 436.00	14.00	\$ 61.04	\$ 374.96	\$ 374.96
6313	Winch	1	\$ 1,081.00	14.00	\$ 151.34	\$ 929.66	\$ 929.66
Standard Options Total			\$ 3,167.00		\$ 443.38	\$ 2,723.62	\$ 2,723.62
Dealer Attachments/Non-Contract/Open Market							
BM26383	Glass Windshield (no wiper)	1	\$ 1,124.57	14.00	\$ 157.44	\$ 967.13	\$ 967.13
BM26389	Windshield Wiper Kit	1	\$ 418.37	14.00	\$ 58.57	\$ 359.80	\$ 359.80
BM22767	Rear Bumper	1	\$ 260.01	14.00	\$ 36.40	\$ 223.61	\$ 223.61
BUC11320	Cargo Box Fender Guard	1	\$ 228.99	14.00	\$ 32.06	\$ 196.93	\$ 196.93
Dealer Attachments Total			\$ 2,031.94		\$ 284.47	\$ 1,747.47	\$ 1,747.47



JOHN DEERE

Selling Equipment

Quote Id: 27915828

Customer Name: TOWN OF THOMPSON TOWN PARK GENE SOMERS

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Mullally Tractor Sales, Inc.
4510 State Route 52
Jeffersonville, NY 12748
845-482-5222
mts1@hvc.rr.com

Value Added Services	\$ 0.00	\$ 0.00	\$ 0.00
Total			
Total Selling Price	\$ 24,947.94	\$ 3,492.71	\$ 21,455.23 \$ 21,455.23

#9
B-F

Holiday Mountain Ski Hill – Thursday Night Lights – 3:00 – 8:00pm

Starting Date January 5, 2023

Lift Tickets - \$19.00

Ski Rentals - \$19.00

Helmets - \$7.00

Snowboard Rentals - \$25.00

Board Approval - \$4,000.00

Family Ski Night – January 26, 2023 – (Last Year Spent \$2,009.50) – Board Approval up to \$3,000.00 -

January __2023 – Community Sled Day – Hot Chocolate & Doughnuts – Board Approval up to \$500.00

February 11, 2023 – Craft and Sled Day – East Mongaup River Park – Board Approval Up to \$1,000.00

February 18, 2023 – Snow Shoeing – Lake Ida Park \$400.00 (Hot Chocolate & Doughnuts – Board Approval up to \$200.00 Total \$600.00

#10



DEPARTMENT OF PARKS & RECREATION
4052 STATE ROUTE 42
MONTICELLO, NEW YORK 12701-3221
WEBSITE: www.townofthompson.com

GLENN SOMERS, SUPERINTENDENT
gsomers@townofthompson.com
(845) 796-3606
(845) 794-2777 FAX

**TOWN OF THOMPSON
DEPARTMENT OF PARKS & RECREATION**

BILLS OVER \$2500.00

We are requesting permission to pay the following:

Vendor: *Case Tire Service*

DESCRIPTION: *Tires*

Grand Total Price: *\$ 2,815.⁰²*

State BID

Case Tire Service Inc.

256 Grandview Avenue, Honesdale, PA 18431
 Phone: (570) 253-1921 Fax: (570) 253-3009

casetireservice.com info@casetireservice.com
BRIDGESTONE/FIRESTONE/FUZION/COOPER/GOODYEAR

Customer Information	Invoice	Additional Information
TOWN OF THOMPSON HIGHWAY DEPT 33 JEFFERSON STREET MONTICELLO, NY 12701 Acct Number: TOW975 P: 845 794 2500 Contact: P: 845-794-5560 Contact: HWY. DEPT.	Date: 11/01/2022 Reference: 163222 Salesperson: JEFF TAMBLYN Route: Delivery Date: 10/29/2022	PO Number: Work Order#: W-798727 Comment: Entered By: JIM TAMBLYN

Qty	Description	FET	Unit Price	Ext. Price
6.00	139755205, 225/70R195, G622 G (14 Ply), GOODYEAR		313.32	1,879.92
2.00	748661572, LT265/70R17 121S, WRANGLER AT ADVENTURE BSL E (10 Ply), GOODYEAR		175.37	350.74
4.00	748139686, LT275/70R18, WRANGLER AT ADVENTURE NSF E (10 Ply), GOODYEAR GOODYEAR NEW YORK STATE PRICE *****PARKS DEPARTMENT*****		146.09	584.36

NY NON-TAXABLE
 Terms: NET 15TH

Subtotal:	2,815.02
Total:	\$2,815.02

Invoice Balance:	\$2,815.02
-------------------------	-------------------

Terms:	Due Date	Due Amount	Amt Remain
	12/15/2022	\$2,815.02	\$2,815.02


Park

THANK YOU!! FAMILY OWNED AND OPERATED SINCE 1936.

I hereby authorize the stated repair work to be done along with the necessary material, and hereby grant [CASE TIRE SERVICE, INC] permission to operate the vehicle herein described on streets, highways or elsewhere for the purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on above vehicle to secure the amount of repairs thereto.

[CASE TIRE SERVICE, INC] is not responsible for loss or damage to vehicles, or articles left in vehicles, in case of fire, theft or any other cause beyond its control.

A 1.5% (18% APR) service charge will be assessed on any amount which becomes delinquent beyond 30 days.

Signature 

#10



DEPARTMENT OF PARKS & RECREATION
4052 STATE ROUTE 42
MONTICELLO, NEW YORK 12701-3221
WEBSITE: www.townofthompson.com

GLENN SOMERS, SUPERINTENDENT
gsomers@townofthompson.com
(845) 796-3606
(845) 794-2777 FAX

TOWN OF THOMPSON
DEPARTMENT OF PARKS & RECREATION

BILLS OVER \$2500.00

We are requesting permission to pay the following:

Vendor: CXT Incorporated

DESCRIPTION: TAOS 20x26 Restrooms
at Town Park

Grand Total Price:
\$251,443.00

* Sourcewell BID *
Contract # 030117-CXT

* Resolution 361 of 2021 - Approval to purchase. *



Concrete Products

CXT Incorporated
362 Waverly Rd
Williamstown, WV 26187
304-464-4441

Page 1 of 1
08/10/2022 11:13:54

Invoice

Bill-To-Party
Town of Thompson
4052 State Route 42
Monticello NY 12701

Ship-To-Party
Town of Thompson
Thompson Park
181 Town Park Rd
Monticello NY 12701

Remit-To
Remitting by check:
CXT Incorporated
PO BOX 676208
DALLAS TX 75267-6208

Remitting by ACH or Wire Transfer:
Beneficiary: CXT Incorporated
Beneficiary Bank: PNC Bank, NA
Pittsburgh, PA
Account: 1077766885
ABA / Routing: 043000096

Information
Invoice No. 90045249
Invoice Date 06/23/2022
Delivery No. 80080366
Sales Order No. 420898
Customer PO No. Thompson Park
Customer 1000930
Customer Name Town of Thompson
Term of Payment Net 30
Incoterm DAP Delivered at Place

Item	Material/Description	Quantity	Unit Price	Value
10	TA-330 TA-330	1 EA	251,443.00	251,443.00
Total Before Tax				251,443.00
Total Amount (USD)				251,443.00

3) DISCUSS EMPLOYEE HANDBOOK PROPOSAL – PUBLIC SECTOR HR CONSULTANTS LLC FOR \$5,200.00 (PHASE 1)

The Following Resolution Was Duly Adopted: Res. No. 359 of the Year 2021.

Resolved, that the Proposal of Public Sector HR Consultants LLC for the Development and Implementation of an Employee Handbook for the Town of Thompson at a fee of \$5,200.00 plus the cost of travel expenses for mileage and tolls is hereby approved as presented.

Motion by: Councilman Mace

Seconded by: Councilman Pavese

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

Nays 0

4) APPROVE BUILDING DEMOLITION COST RELEVIES FOR FISCAL YEAR 2021

The Following Resolution Was Duly Adopted: Res. No. 360 of the Year 2021.

Resolved, that the Building Department Demolition Cost re-levies for the fiscal year ending 2021 hereby be approved as presented. There is (1) property to be re-levied, which is for SBL #15.-1-43 located at 557 Thompson Road, Thompsonville, NY 12784, totaling \$4,473.65.

Motion by: Councilman Mace

Seconded by: Councilwoman Meddaugh

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

Nays 0

5) REPORT ON FALL SHRED DAY EVENT – SUPERINTENDENT GLENN SOMERS

Superintendent Somers reported that the event was very successful. It was well attended and the public was very happy and appreciative for the Town having the event. Also, the Town was able to dispose of 55 boxes containing Town records.

6) PARKS & RECREATION DEPARTMENT: PURCHASE REQUEST – PRECAST CONCRETE STRUCTURE FROM SOURCEWELL CONTRACT FOR RESTROOM FACILITY AT TOWN PARK \$254,443.00 (PROJECT WAS AWARDED \$50,000.00 DASNY GRANT FUNDING)

The Following Resolution Was Duly Adopted: Res. No. 361 of the Year 2021.

Resolved that purchase request of Superintendent Glenn Somers of the Parks & Recreation Department for a Precast Concrete Structure from CXT, Inc. through (Sourcewell Contract #030117-CXT) for a total cost of \$254,443.00 for installation of a new Restroom Facility at the Town Park, hereby be approved as per the ordering information presented.

Moved by: Councilman Schock

Seconded by: Councilman Pavese

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

Nays 0

7) HIGHWAY DEPARTMENT: DESIGNATE SEASONAL MAINTENANCE ROADS

Supervisor Rieber reported on a letter dated 10/25/2021 from Town of Thompson Highway Superintendent Richard L. Benjamin Jr. requesting that the Town Board



Town Supervisor
William J. Rieber, Jr.

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

#10

December 14, 2022

Bills over \$2,500.00

We are requesting permission to pay Delaware Engineering for engineering services through November 2022 on the Kiamesha Sewer Plant Upgrade Project

Delaware Engineering

Invoice #20-2090-3

\$54,382.66

APPROVED BY TOWN BOARD _____



DELAWARE ENGINEERING, D.P.C.

55 South Main Street
Oneonta, New York 13820

Tel: 607.432.8073
Fax: 607.432.0432

December 14, 2022

Marilee J. Calhoun
Town Clerk
Town of Thompson
4052 New York 42
Monticello, NY 12701

RE: Town of Thompson
Sullivan County, NY
Kiamesha Lake Wastewater Treatment Plant Upgrade
CWSRF Project No.: C3-5378-06-00
DEC # 3-4846-00039/00003
SPDES Permit # NY0030724

Subj.: Engineering Services Invoice No. 3

Dear Marilee,

Attached for Village review and processing is our invoice totaling \$54,382.66 for the subject project through November 2022. Total cost to date, including this invoice, is \$287,128.76. Based on the contract price of \$1,272,500.00, the remaining balance equals \$985,371.24.

Work performed/provided which is covered by the invoice includes:

Task 1 – Project Planning Services

- Continued BIL funding requirements review and discussions with NYSEFC to understand conditions on BIL funding award and Build America by America (BABA) stipulations for equipment procurement for project
- Attended meetings with the Town for project status updates and planning forward

Task 2 – SPDES Permit Related Activities

- Reviewed and coordination with Town on SPDES Permit violations
- Preparation and attendance with Town for NYSDEC Public Outreach for project upgrade
- Prepared and reviewed project schedule with Town
- Submission of project schedule to NYSDEC and NYSEFC

DELAWARE ENGINEERING, D.P.C.

Task 3 – Design Services

- A. UV Disinfection & General Upgrades
 - Review and drafting of electrical for general upgrades
 - Prepared Control Building drawings for upgrade components and details
 - Prepared Headworks Building and tank drawing for upgrade components and details
 - Prepared Process Tank drawings for upgrade components and structural modifications and details
 - Review process and design information with equipment vendors
 - Review and process equipment and CAD block requests to equipment vendors
 - Continued updates to project equipment list for existing and upgrades
- B. DPW Maintenance Building
 - Continued preparation of building floor plan options for review with owner
- C. ATAD
 - Process review and calculations for process water use
 - Discussions with process engineers on costs and process
 - Preliminary review on site and water table elevations for tank placement
 - Design of cooling water system

Task 4 – Bidding and Award

- Pending completion of other tasks

Task 5 – NYSEFC Contract Compliance

- Follow up on NYSEFC comment letter
- Review on MWBE/WBE project contracts
- Contacted MWBE/WBE contractor for additional costs for General Upgrades and DPW Maintenance Building borings for foundation design

Task 6– Subcontracts

- Continued correspondence with Municipal Solutions on EEO Work Plan

Work planned for December includes:

Task 1 – Project Planning Services

- Continue communications with NYSEFC Staff on financing

Task 2 – SPDES Permit Related Activities

- Continue communications with NYSDEC Staff and Town on permit review
- Preparation and attendance with Town for NYSDEC Public Outreach for project upgrade

Task 3 – Design Services

- A. UV Disinfection & General Upgrades
 - Coordinate UV Disinfection responses with Town as required
 - Advance General Plant Upgrade process design and drawings
 - Advance General Plant Upgrade building drawings and upgrade details
 - Advance General Plant Upgrade electrical drawings and upgrade details
- B. DPW Maintenance Building
 - Advance Building conceptual design for town approval

DELAWARE ENGINEERING, D.P.C.

C. ATAD

- Advance ATAD tank design and final equipment selections

Task 4 – Bidding and Award

- Pending completion of other tasks

Task 5 – NYSEFC Contract Compliance

- Continue communications with Town Staff on project issues.
- Continue communications with NYSEFC Staff on MWBE requirement.

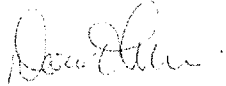
Task 6– Subcontracts

- Continued correspondence with Municipal Solutions on EEO Work Plan

Please contact me at (607) 432-8073 if you have any questions.

Respectfully Submitted,

DELAWARE ENGINEERING, D.P.C.



Dave Ohman, P.E.

Attachment

Cc: Cheryl DeCarr, Delaware Engineering, D.P.C. (w/enclosures)
John Peterson, Delaware Engineering, D.P.C. (w/enclosures)
Helen Budrock, Delaware Engineering, D.P.C. (w/enclosures)

12-2022 Thompson (1) Kiamesha Lake WWTP Upgrade CL 3



Delaware Engineering, D.P.C.
 28 Madison Ave. Ext.
 Albany, NY 12203
 (518) 452-1290

Town of Thompson
 4052 Route 42
 Monticello, NY 12701

Invoice number 20-2090-3
 Date 12/13/2022

Project 20-2090 Town of Thompson - Kiamesha
 Lake WWTP Upgrade

For Services Rendered Through December 04, 2022

1 Project Planning Services

	Hours	Rate	Billed Amount
Helen Budrock	7.25	150.00	1,087.50
Robert G. Chiappisi	3.00	130.00	390.00
Tracey Ledder	5.50	155.00	852.50
subtotal	15.75		2,330.00
Phase subtotal			2,330.00

2 SPDES Permit Related Activities

	Hours	Rate	Billed Amount
Helen Budrock	18.00	150.00	2,700.00

CONSULTANT

	Units	Rate	Billed Amount
Steingart Printing			242.43
Phase subtotal			2,942.43

3 (A) Design Services - UV Disinfection & General Upgrades

	Hours	Rate	Billed Amount
Ablen Amrod	6.00	200.00	1,200.00
Cody Messier	1.00	160.00	160.00
Daniel W. Fagnani	38.50	130.00	5,005.00
David R. Ohman	21.00	215.00	4,515.00
Edward Fahrenkopf	13.50	195.00	2,632.50
Eric Michelitsch	25.00	120.00	3,000.00
Evan Brophy	15.00	100.00	1,500.00
John Peterson	77.00	145.00	11,165.00
Joseph D. Gollin	43.00	130.00	5,590.00
Michael Primmer	0.50	175.00	87.50
Yamir Betancourt	8.00	165.00	1,320.00
subtotal	248.50		36,175.00
Phase subtotal			36,175.00



Delaware Engineering, D.P.C.
 28 Madison Ave. Ext.
 Albany, NY 12203
 (518) 452-1290

Town of Thompson
 Project 20-2090 Town of Thompson - Kiamesha Lake WWTP Upgrade

Invoice number 20-2090-3
 Date 12/13/2022

3 (B) Design Services - DPW Maintenance Building

	Hours	Rate	Billed Amount
John Peterson	1.50	145.00	217.50

3 (C) Design Services - ATAD

	Hours	Rate	Billed Amount
Daniel W. Fagnani	6.50	130.00	845.00
David R. Ohman	1.00	215.00	215.00
John Peterson	17.50	135.00	2,362.50
	6.75	145.00	978.75
Michael Primmer	11.45	165.00	1,889.25
	0.50	175.00	87.50
Rose Moser	1.00	95.00	95.00
subtotal	44.70		6,473.00

REIMBURSABLES

	Units	Rate	Billed Amount
John Peterson			
Mileage - Oneonta 2020	143.00	0.575	82.23
Phase subtotal			6,555.23

5 NYSEFC Contract Compliance/Subcontractor Coordination

	Hours	Rate	Billed Amount
Helen Budrock	2.00	150.00	300.00
John Peterson	8.00	135.00	1,080.00
	20.50	145.00	2,972.50
Robert G. Chiappisi	10.75	120.00	1,290.00
	4.00	130.00	520.00
subtotal	45.25		6,162.50
Phase subtotal			6,162.50

Invoice total **54,382.66**

Approved by:
 David R. Ohman

Please remit payment to:
 Delaware Engineering, D.P.C.
 28 Madison Ave. Ext.
 Albany, NY 12203

DELAWARE ENGINEERING, D.P.C.

55 South Main Street, Oneonta, New York 13820 Phone 607-432-8073/FAX 607-432-0432

Town of Thompson
4052 State Route 42
Monticello, NY 12701

PROJECT ID 20-2090

PROJECT: Kiamesha Lake WWTP Upgrade
INVOICE/REQUISITION No.: 3

	CURRENT COST	PREVIOUS COST	COST TO DATE	BUDGET
1. Task 1 - Project Planning Services				
Labor	\$ 2,330.00	\$ 27,841.25	\$ 30,171.25	
Reimbursable Expenses	\$ -	\$ 212.95	\$ 212.95	
SUBTOTAL-TASK 1	\$ 2,330.00	\$ 28,054.20	\$ 30,384.20	\$ 35,000.00
2. Task 2 - SPDES Permit Related Activities				
Labor	\$ 2,700.00	\$ 14,320.00	\$ 17,020.00	
Reimbursable Expenses	\$ -	\$ 135.13	\$ 135.13	
Subcontractors (Steingart Printing)	\$ 242.43	\$ -	\$ 242.43	
SUBTOTAL-TASK 2	\$ 2,942.43	\$ 14,455.13	\$ 17,397.56	\$ 25,000.00
3. Task 3 - Design Services				
(A) UV Disinfections & General Upgrades				\$ 725,000.00
Labor	\$ 36,175.00	\$ 153,698.75	\$ 189,873.75	
Reimbursable Expenses	\$ -	\$ 264.32	\$ 264.32	
(B) DPW Maintenance Building				\$ 125,000.00
Labor	\$ 217.50	\$ 1,337.50	\$ 1,555.00	
Reimbursable Expenses	\$ -	\$ -	\$ -	
(C) ATAD				\$ 250,000.00
Labor	\$ 6,473.00	\$ -	\$ 6,473.00	
Reimbursable Expenses	\$ 82.23	\$ -	\$ 82.23	
SUBTOTAL-TASK 3	\$ 42,947.73	\$ 155,300.57	\$ 198,248.30	\$ 1,100,000.00
4. Task 4 - Bid/Award				
Labor	\$ -	\$ -	\$ -	
Reimbursable Expenses	\$ -	\$ -	\$ -	
SUBTOTAL-TASK 4	\$ -	\$ -	\$ -	\$ 15,000.00

DELAWARE ENGINEERING, D.P.C.

55 South Main Street, Oneonta, New York 13820 Phone 607-432-8073/FAX 607-432-0432

	CURRENT COST	PREVIOUS COST	COST TO DATE	BUDGET
5. Task 5 - NYSEFC Contract Compliance/Subcontractor Coordination				
Labor	\$ 6,162.50	\$ 6,002.50	\$ 12,165.00	
Reimbursable Expenses	\$ -	\$ -	\$ -	
SUBTOTAL-TASK 5	\$ 6,162.50	\$ 6,002.50	\$ 12,165.00	\$ 20,000.00
6. Task 6 - Subcontracts				
Financing Administration (Municipal Solutions)	\$ -	\$ 2,697.20	\$ 2,697.20	\$ 25,000.00
Underground Utility Location Services (Bloodhound)	\$ -	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00
Site Surveying (REGEN, LLC)	\$ -	\$ 14,000.00	\$ 14,000.00	\$ 25,000.00
Geotechnical Evaluation/Borings (Atlantic)	\$ -	\$ 4,736.50	\$ 4,736.50	\$ 15,000.00
Document Reproduction (Constructive Copy)	\$ -	\$ -	\$ -	\$ 5,000.00
SUBTOTAL-TASK 7	\$ -	\$ 28,933.70	\$ 28,933.70	\$ 77,500.00
TOTAL	\$ 54,382.66	\$ 232,746.10	\$ 287,128.76	\$ 1,272,500.00
AMOUNT DUE FOR CURRENT SERVICES	\$ 54,382.66			
AMOUNT PAST DUE	\$ -			
TOTAL NOW DUE	\$ 54,382.66			
BUDGET BALANCE		\$ 985,371.24		

THIS STATEMENT REFLECTS PAYMENTS RECEIVED ON OR BEFORE BILLING DATE

Steingart Printing

Four Generations of Printing Excellence

5211 Main Street P.O. Box 460 So. Fallsburg, NY 12779
 845.434.4321 866.648.4322 Fax 845.436.8609
 info@steingartprinting.com www.steingartprinting.com

Ajera/Copied

INVOICE

INVOICE NO.
150773

Delaware Engineering, D.P.C.
 458 Broadway
 Monticello, NY 12701

ACCT. #	SALES PERSON	PURCHASE ORDER NO.	SHIP VIA	COOL	PRD	TERMS	INVOICE DATE
							11/18/2022
DELIVERY/ PACKING SLIP #	QUANTITY DESCRIPTION						PRICE
	411 Thompson Emerald Green Self Mailer for Town of Thompson WWTP Upgrades, 8.5" x 11", 100# gloss text						205.00T
	411 Thompson Emerald Green Mailing Service						150.00T
	411 Thompson Emerald Green Postage						233.13
	50 Thompson Kiamesha Self Mailer for Town of Thompson WWTP Upgrades, 8.5" x 11", 100# gloss text						75.00T
	50 Thompson Kiamesha Mailing Service						125.00T
	50 Thompson Kiamesha Postage						30.00
22-2612 - \$620.10							
20-2090: task2 - \$242.43							

Are you getting all of the best discounts on your bulk mailings?
 Steingarts' is a full service Mail House. Call for more information.

SALES AMOUNT	\$818.13
SALES TAX (8.0%)	\$44.40
FREIGHT	
TOTAL	\$862.53

We now accept     Call for Instructions

TERMS OF THE SALE ARE AS FOLLOWS. All invoices are due on or before the 10th of the month following the month of purchase. On an open account if more than 30 days, there will be interest charged at the rate of 1.5% per month on outstanding balance. Checks returned by your bank for any reason incur a \$20.00 service charge per check.

It is agreed that I will pay all costs and disbursements of collection, including attorneys fees, at the rate of all amounts owed, whether or not suit is actually instituted.
 Please pay from Invoices.

#10

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: Ross Valve
DESCRIPTION: Valve Rebuild for Adelaar Water.
AMOUNT: \$4,912.⁰⁰

Invoice



Page	1/1
Invoice	IN01053514
Date	9/8/2022

www.rossvalve.com
Ross Valve Manufacturing Co
 79 102nd Street
 Troy NY 12180-1125

(518) 274-0961

Bill To:

Thompson, NY Town of
 128 Rock Ridge Drive
 Monticello NY 12701

Ship To:

Thompson, NY Town of
 128 Rock Ridge Drive
 Monticello NY 12701

Purchase Order No.	Customer ID	Salesperson ID	Shipping Method	Payment Terms	Ship Date	Order No.	Master No.
EMAIL CONFIRMATION	12924	RS1	SERVICE TRIP	0%/NET30	9/8/2022	OR01055454	84,148
Ordered	Shipped	B/O	Item Number	Description	Unit Price	Ext. Price	
226.00	226.00	0.00	MILEAGE	Mileage	\$ 4.00	\$ 904.00	
12.00	12.00	0.00	LABOR, ROAD WORK	Labor, Service Trip	\$ 217.00	\$ 2,604.00	
1.00	1.00	0.00	800-080-071-237	Kit, 12", 7-5/8", Flat, Poly, 2.5" 8" 50WR 250lb Flange	\$ 1,324.00	\$ 1,324.00	
1.00	1.00	0.00	019-600-004-000	Needle Valve Stem, Coarse Thread	\$ 80.00	\$ 80.00	
1.00	1.00	0.00	SERVICE	Service Trip Details Service Trip Date: Binh Service Tech: 09/08/2022 Valve Serial Number: L16312 8x12" 50WR - Customer states leaking past leather	\$ 0.00	\$ 0.00	

L16312 8x12" 50WR (Reverse Flow) - Customer states No retainage allowed. leaking past leathers - REBUILD VALVE

Please remit in US funds.

All costs of collection shall be the responsibility of the purchaser.

Subtotal	\$ 4,912.00
Deposit	\$ 0.00
Misc	\$ 0.00
Tax	\$ 0.00
Shipping & Handling	\$ 0.00
Trade Discount	\$ 0.00
Total	\$ 4,912.00

Called 9/12/22 left message.

FVI

FREE

RABIES CLINIC

Town of Neversink
Neversink Firehouse

7486 State Route 55, Neversink, NY

Tuesday, December 20th 2022

6PM to 7:30PM

***Sullivan County Residents only -Proof of ID required**

*** Everyone must wear a mask while at clinic site**

***Everyone must maintain social distancing guidelines and remain at least 6 feet apart.**

***Bring prior rabies certificate, receive a 3-year vaccination.**

*** No vaccine history, receive a 1-year vaccination.**

Dogs – Cats – Ferrets

- **All Pet owners must clean up after their pets.**
 - **All pets must be in a carrier or on a leash.**
 - **All pets must be at least 3 months old.**
 - **Aggressive dogs should be muzzled to prevent any biting incidents**
- If you have questions, please call 845-292-5910**

Sponsored by: Sullivan County Public Health Services