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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, APRIL 18, 2023

7:00 PM MEETING

CALL TO ORDER

ROLL CALL

PLEDGE TO THE FLAG

APPROVAL OF PREVIOUS MINUTES: April 04, 2023 Regular Town Board Meeting

PUBLIC COMMENT

CORRESPONDENCE:

- **Stephanie June, Section Chief, Water Assessment and Implementation Bureau of Water Assessment and Management, NYS DEC:** Letter dated 03/07/23 to Supervisor Rieber Re: Notice of Denial of Water Quality Improvement Project (WQIP) Consolidated Funding Application (CFA) Number #120922 for Sackett Lake Sewer District.
- **Deanna Senyk & Lori Benjamin, Commissioners, Sullivan County Board of Elections:** Letter dated 03/09/23 to Supervisor Rieber Re: Polling Site Location Changes for Election Districts 6, 9 & 10 from Ted Stroebele Neighborhood Facility to Sullivan County Government Center.
- **Katherine Green, U.S. EPA, Region 2:** Email dated 03/16/23 to Supervisor Rieber including letter dated 03/16/23 from Douglas McKenna, Chief, Water Compliance Branch, U.S. EPA & Notice dated 03/16/23 from Lisa F. Garcia, Regional Administrator, U.S. EPA Re: Notice of Significant Non-Compliance Emerald Green-Lake Louise Marie S&W District SPDES Tracking ID No. NY 0035645, Email response from Supt. Michael Messenger to U.S. EPA dated 04/11/23.
- **Tony Signorelli, P.E., Regional Traffic, Safety & Mobility Engineer, NYS DOT:** Letter dated 03/22/23 to Patricia Cocot of Monticello and copied to various Town Representatives Re: Speed Limit Reduction – Hamilton Road (TH-50), Monticello.
- **Jennifer M. Flad, Exec. Director, SC IDA:** Email/Letter dated 04/06/23 to Supervisor Rieber & Town Clerk Calhoun Re: Maude Crawford Realty, LLC and Bridgeville Ski Company, Inc. d/b/a Holiday Mountain – Proposed Agency Assistance with Notice of Public Hearing & Application relating to the proposed acquisition and rehabilitation of Holiday Mountain Ski and Fun Park.
- **Town of Forestburgh Town Board:** Resolution SEQRA Positive Declaration Under State Environmental Quality Review Act & Notice of Intent Requiring Preparation of a Draft SEIS for the Project Known as Lost Lake Resort, Resolution Dated: 03/30/23, Notice Dated: 03/30/23.

AGENDA ITEMS:

- 1) ANNEXATION REQUEST: GLENN SMITH, P.E. ON BEHALF OF ELI BREZEL – 29-ACRE VACANT PROPERTY LOCATED ON VARNELL ROAD, MONTICELLO, SBL #18.-1-45**
- 2) DISCUSSION/UPDATE: REQUEST FOR WATER & SEWER DISTRICT EXTENSIONS – 220 COLD SPRING ROAD PROPOSED DEVELOPMENT**
- 3) LED STREETLIGHT PROGRAM – REVIEW, DISCUSS & AUTHORIZE EXECUTION OF STREETLIGHT MAINTENANCE SERVICE AGREEMENT**
- 4) KIAMESHA LAKE WWTP UPGRADE PROJECT – UPDATE ON INCREASED COSTS FOR PROJECT**
- 5) DISCUSSION: TOWN INSURANCE COVERAGE RENEWAL EFFECTIVE 05/01/2023 – RECESS MEETING IF NECESSARY**

6) PARKS & RECREATION DEPARTMENT ITEMS:

- A) RESOLUTION TO AUTHORIZE FLY FISHING EVENT AT NEVERSINK RIVER ACCESS ON SATURDAY, MAY 20TH FROM 10AM TO 12PM AT A COST OF \$250.00 TO JONAH LAGRUTTA, INSTRUCTOR
- B) RESOLUTION TO AUTHORIZE YOGA PROGRAM AT EAST MONGAUP RIVER TOWN PARK UPPER PAVILION ON SATURDAY, JUNE 3RD, JULY 1ST, AUGUST 5TH, POSSIBLY SEPTEMBER 2ND & 1-FAMILY NIGHT AT A TOTAL COST OF \$500.00
- C) HUDSON VALLEY ATHLETIC CLUB – REQUEST TO USE EAST MONGAUP RIVER TOWN PARK ATHLETIC SOCCER FIELD ON MONDAY, 06/26 – THURSDAY, 06/29 & MONDAY, 07/10 – THURSDAY, 07/13 FROM 6PM-7:30PM
- D) RESOLUTION TO AUTHORIZE BRONX ZOO TRIP ON THURSDAY, JULY 21ST, 8AM-6PM, TOTAL COST \$3,180.00

7) WATER & SEWER DEPARTMENT ITEMS:

- A) PURCHASE REQUEST: NEW FLYGT 10HP/460V REPLACEMENT PUMP FOR EMERALD GREEN WWTP IN THE CONSOLIDATED ROCK HILL-EMERALD GREEN SEWER DISTRICT FROM FLEET PUMP & SERVICE GROUP, INC. FOR A TOTAL COST OF \$15,231.00

8) BILLS OVER \$5,000.00

9) BUDGET TRANSFERS & AMENDMENTS

10) 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 April 04, 2023.

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
Jill M. Weyer, Director of Community Development
Melissa DeMarmels, Town Comptroller
Michael G. Messenger, Water & Sewer Superintendent
Glenn Somers, Parks & Recreation Superintendent
James L. Carnell, Jr., Director of Building, Planning & Zoning

Present via Zoom: Kelly Murrin, Deputy Town Clerk

REGULAR MEETING – CALL TO ORDER

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

1) PROPOSED EXTENSION NO. 1 OF CONSOLIDATED HARRIS SEWER DISTRICT FOR 180 WAVERLY AVE LLC, LOCATED ALONG WAVERLY AVENUE, MONTICELLO, NY, SBL #29.-2-14

Supervisor Rieber opened the Public Hearing at 7:01 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 March 24, 2023 with same being posted at the Town Hall and Town Website on March 24, 2023.

At a regular meeting of the Town Board of the Town of Thompson, Sullivan County, New York, held at the Town Hall, in Monticello, New York, on the 7th day of March, 2023, at 7:00 o'clock P.M., Prevailing Time.

PRESENT:

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

-----X
In the Matter of
Proposed Extension No. 1 of the **CONSOLIDATED
HARRIS SEWER DISTRICT** in the Town of
Thompson, Sullivan County, New York.
-----X

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

WHEREAS, said Map, Plan and Report was prepared on behalf of the Town, by MHE Engineering, DPC, dated February 16, 2023, which engineers are duly licensed by the State of New York, and which report and plan are on file in the office of the Town Clerk for public inspection; and

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

WHEREAS, the improvement proposed for the said Consolidated Harris Sewer District, as extended, consists of providing a means by which 180 Waverly Ave LLC (T/O Thompson Tax Map Parcel #29-2-14) may dispose of sewage by becoming part of the said Consolidated Harris Sewer District, and

WHEREAS, the entire amount to be expended for such improvement, including but not limited to, costs of construction, engineering, administrative and legal fees, shall be borne solely and entirely by the said landowners, namely, 180 Waverly Ave LLC, and

WHEREAS, the annual average cost for a typical single-family residence with four (4) bedrooms would be *Three Hundred Fourteen and 70/100 (\$314.70) Dollars*, and

WHEREAS, it is now desired to call a Public Hearing for the purpose of considering said Map, Plan and Report, and extending said Consolidated Harris Sewer District, and to hear all persons interested in

the subject thereof and concerning the same in accordance with the provisions of Section 209-d of the Town Law;

NOW, THEREFORE, IT IS HEREBY

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

Section 1. That a meeting of the Town Board of the Town of Thompson, Sullivan County, New York, shall be held at the Town Hall, 4052 Route 42, Monticello, New York, in said Town, on the 4th day of April, 2023, at 7:00 o'clock, P.M., Prevailing Time, to consider said Map, Plan and Report, and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as is required by law.

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

Section 3. This order shall take effect immediately.

Moved by: Councilwoman Melinda S. Meddaugh

Seconded by: Councilman John A. Pavese

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

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

The order was thereupon declared duly adopted.

Supervisor Rieber explained the purpose of the public hearing, which is to extend the Consolidated Harris Sewer District to include property located along Waverly Avenue, Monticello, NY, SBL #29.-2-14 owned by 180 Waverly Ave LLC.

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 7:05 PM was made by Councilman Schock and seconded by Councilman Pavese.

2) SACKETT LAKE SEWER DISTRICT COLLECTION SYSTEM IMPROVEMENT PROJECT BONDING 202B, REHABILITATION & REPLACEMENT OF SEWER MAIN, ADDITIONAL \$570,642.70 BONDS, TOTAL \$2,163,936

Supervisor Rieber opened the Public Hearing at 7:06 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 March 24, 2023 with same being posted at the Town Hall and Town Website on March 22, 2023.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Thompson, Sullivan County, New York, will meet at the Town Hall, in Monticello, in said Town, on April 4, 2023, at 7:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing relating to the proposed increase and improvement of the facilities of the Sackett Lake Sewer District in said Town, including the rehabilitation and partial replacement of the sewer main and incidental expenses in connection therewith, in said District, at a revised estimated maximum cost of \$2,163,936, an increase of \$570,642.70, at which time and place said Town Board will hear all persons interested in the subject thereof.

Such cost shall be annually apportioned, levied and collected in said District in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds as the same become due.

The updated plan and report, including revised estimate of cost, relating to this project, prepared by MHE Engineers D.P.C. and dated March 1, 2023, is on the file in the Office of the Town Clerk where it is available for public inspection during normal business hours.

Dated: Monticello, New York
March 21, 2023

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF THOMPSON,
SULLIVAN COUNTY, NEW YORK

Marilee J. Calhoun, Town Clerk

Supervisor Rieber explained the purpose for bond amendment to increase amount to be expended for project.

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 7:07 PM was made by Councilman Pavese and seconded by Councilman Schock.

3) CONSOLIDATED ROCK HILL-EMERALD GREEN SEWER DISTRICT PUMP STATION #1, #2 & #3 IMPROVEMENTS PROJECT BONDING 202B, ADDITIONAL \$987,800 BONDS, TOTAL \$3,279,000

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 March 24, 2023 with same being posted at the Town Hall and Town Website on March 22, 2023.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Thompson, Sullivan County, New York, will meet at the Town Hall, in Monticello, in said Town, on April 4, 2023, at 7:00 o'clock

Town Board Meeting
April 04, 2023
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P.M., Prevailing Time, for the purpose of conducting a public hearing relating to the proposed increase and improvement of the facilities of the consolidated Rock Hill/Emerald Green Sewer District in said Town, including installation of additions to force mains from pump stations to certain discharge points, upgrading of pump impellers, replacement of Pump Station No. 1, installation of emergency generators at various pumping stations, and incidental expenses in connection therewith, in said District, at a revised estimated maximum cost of \$3,279,000, an increase of \$987,800, at which time and place said Town Board will hear all persons interested in the subject thereof.

Such cost shall be annually apportioned, levied and collected in said District in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds as the same become due.

The updated plan and report, including revised estimate of cost, relating to this project, prepared by MHE Engineers D.P.C. and dated March 1, 2023, is on the file in the Office of the Town Clerk where it is available for public inspection during normal business hours.

Dated: Monticello, New York
March 21, 2023

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF THOMPSON,
SULLIVAN COUNTY, NEW YORK

Marilee J. Calhoun, Town Clerk

Supervisor Rieber explained the purpose for bond amendment to increase amount to be expended for project.

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 7:09 PM was made by Councilman Pavese and seconded by Councilman Schock.

The regular meeting was reconvened at 7:10 PM.

MONTHLY REPORT FOR MARCH 2023 RECEIVED AND FILED
Dog Control Officer's Report

APPROVAL OF MINUTES:

On a motion made by Councilman Mace and seconded by Councilwoman Meddaugh the minutes of the March 21st, 2023 Regular Town Board Meeting were approved as presented.

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

PUBLIC COMMENT:

There was no public comment given.

CORRESPONDENCE:

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

- **Victoria Lawrence, Environmental Analyst, Region 3, NYS DEC:** Letter dated 03/17/23 to Glenn Smith, P.E. and copied to others including Town of Thompson Re: Notice of Incomplete SPDES Permit Application for 17B Cottages LLC – Dynasty Cottages, NYS Route 17B and Hamilton Road, Monticello, DEC Application No.: 3-4846-00505/00001.
- **NYS Dept. of Taxation & Finance:** Check #09233811 dated 03/24/23, payable to Town of Thompson in amount of \$7,292.95 for NYS 2022-2023 JCAP Program Grant Funding.
- **County of Sullivan Treasurer, General Fund:** Check #299607, Dated: 03/17/2023 in the amount of \$1,699.35 – Plans & Progress Small Grant Program for Remaining Balance.
- **Town Clerk Calhoun:** Letter dated 03/28/23 to Lebaum Company, Inc. Re: Verified Notice of Claim of Roko Markolovic vs. Town of Thompson, DOL: 02/25/2023.
- **Melinda Meddaugh, Sullivan County Agriculture & Farmland Protection Board:** Letter dated 03/27/2023 to Supervisor Rieber Re: Sullivan County Agricultural District #4 Eight-Year Review Process, Legal Notice also included entitled "Notice of 30-Day Period for Public Review of an Agricultural District Pursuant to the Eight-Year Review of an Agricultural District.
- **Sullivan County Roadside & Public Trail Litter Pluck Event – April 1st, 2023** Through October 31st, 2023.

AGENDA ITEMS:

**1) PROPOSED EXTENSION NO. 1 OF CONSOLIDATED HARRIS SEWER DISTRICT
- 180 WAVERLY AVE LLC, LOCATED ALONG WAVERLY AVENUE, MONTICELLO,
NY, SBL #29.-2-14**

**A) NEGATIVE DECLARATION RESOLUTION UNDER SEQRA FOR PROPOSED
EXTENSION**

The Following Resolution Was Duly Adopted: Res. No. 169 of the Year 2023.

Resolved, that the Town Board of the Town of Thompson hereby approves a motion for a Negative Declaration as follows:

*****X
In the Matter of Extension No. 01 of the CONSOLIDATED
HARRIS SEWER DISTRICT of the
Town of Thompson, Sullivan County, New York.
*****X

**NEGATIVE DECLARATION
UNDER SEQR**

1. The Town Board of the Town of Thompson, by Resolution duly adopted at a regular meeting thereof, held on the 4th day of April, 2023, did determine that Extension No. 01 of the Consolidated Harris Sewer District in the Town of Thompson, will not have a significant effect on the environment.
2. Lead agency for such project is the Town Board of the Town of Thompson, whose address is 4052 Route 42, Monticello, New York 12701, the designation of which was accomplished by Resolution duly adopted at a regular meeting of the Town Board held on the 4th day of April, 2023.
3. The person to contact for further information is Supervisor William J. Rieber, Jr., whose address is 4052 Route 42, Monticello, New York 12701, telephone number 845-794-2500.
4. The proposed extension of the Consolidated Harris Sewer District enables 180 Waverly Ave, LLC to become part of the said district and to use the facilities of the Consolidated Harris Sewer Treatment Plant for the disposal of its sewage, the cost thereof being borne solely by the said property owners.
5. The basis for the negative declaration is as follows: that the administration and operation and maintenance of the sewer facilities and the use thereof by 180 Waverly Ave, LLC will not violate any of the criteria for determining environmental significance as set forth in Part 617 of the Regulations.

Dated: Monticello, New York
April 04, 2023

TOWN OF THOMPSON
Town Hall
4052 Route 42
Monticello, New York 12701

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

**B) RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO
PROPOSED EXTENSION**

The Following Resolution Was Duly Adopted: Res. No. 170 of the Year 2023.

RESOLUTION DATED APRIL 04, 2023

A RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO PROPOSED EXTENSION NO. 01 OF THE CONSOLIDATED HARRIS SEWER DISTRICT, IN THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK.

WHEREAS, the Town Board of the Town of Thompson, Sullivan County, New York, has heretofore duly caused a general Map, Plan and Report to be prepared and filed in the office of the Town Clerk of said Town in relation to the proposed Extension No. 01 of the Consolidated Harris Sewer District in said Town; and

WHEREAS, an Order was duly adopted by said Town Board on March 7, 2023, reciting a description of the boundaries of 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 said map, plan and report were on file in the Town Clerk's Office for public inspection and specifying the 4th day of April, 2023, 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 subject thereof concerning the same; and

WHEREAS, such Order was duly published and posted in the manner and within the time prescribed by Section 209-d of the Town Law, and proof of said publication and posting has been duly presented to said Town Board; and

WHEREAS, said Public Hearing was duly held at the time and place set forth in said Order, as aforesaid, at which all persons desiring to be heard were duly heard; and

WHEREAS, said Town Board has duly considered said Map, Plan and Report and the evidence given at said Public Hearing; NOW, THEREFORE, BE IT

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

Section 1. Upon the evidence given at the aforesaid Public Hearing, it is hereby found and determined as follows:

- a) The notice of the aforesaid Public Hearing was published and posted as required by law and is otherwise sufficient;
- b) All the property and property owners within said proposed district are benefitted thereby;
- c) All the property and property owners benefitted are included within the limits of said proposed district;
- d) The establishment of said proposed district is in the public interest;
- e) That the average annual cost for a typical single-family residence would be *Three Hundred Fourteen and 70/100 (\$314.70) Dollars*; and
- f) That the requirements of the State Environmental Quality Review Act have been complied with.

Section 2. This Resolution shall take effect immediately.

Motion by: Councilwoman Melinda S. Meddaugh
Seconded by: Councilman John A. Pavese

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

| | | |
|------------------------------------|--------|-----|
| William J. Rieber, Jr., Supervisor | VOTING | Aye |
| Scott S. Mace, Councilman | VOTING | Aye |
| John A. Pavese, Councilman | VOTING | Aye |

Melinda S. Meddaugh, Councilwoman
Ryan T. Schock, Councilman

VOTING
VOTING

Aye
Aye

The resolution was thereupon declared duly adopted.

* * * * *

C) RESOLUTION PRELIMINARILY APPROVING PROPOSED EXTENSION
The Following Resolution Was Duly Adopted: Res. No. 171 of the Year 2023.

RESOLUTION DATED APRIL 04, 2023

A RESOLUTION APPROVING EXTENSION NO. 01 OF THE CONSOLIDATED HARRIS SEWER DISTRICT IN THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK, AND FURTHER APPROVING THE CONSTRUCTION OF THE IMPROVEMENTS PROPOSED THEREFOR.

WHEREAS, the Town Board of the Town of Thompson, Sullivan County, New York, has heretofore duly caused a general Map, Plan and Report to be prepared and filed with the Town Board of said Town in relation to Extension No. 01 of the Consolidated Harris Sewer District in said Town; and

WHEREAS, an Order was duly adopted by said Town Board on March 07, 2023, 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 said Map, Plan and Report were on file in the Town Clerk's Office for public inspection, and specifying April 04, 2023 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 subject thereof concerning the same; and

WHEREAS, such Order was duly published and posted in the manner and within the time prescribed by Section 209-d of the Town Law and proof of said publication and posting has been duly presented to said Town Board; and

WHEREAS, said Public Hearing was duly held at the time and place set forth in said Order as aforesaid, at which all persons desiring to be heard were duly heard; and

WHEREAS, following said Public Hearing and based upon the evidence given thereat, said Town Board duly adopted a Resolution determining in the affirmative all of the questions set forth in subdivision 1 of Section 209-e of the Town Law; and

WHEREAS, it is now desired to adopt a further Resolution pursuant to subdivision 2(b) of Section 209-e of the Town Law approving the establishment of said district and the construction of the improvements proposed therefor; NOW, THEREFORE, BE IT

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

Section 1. Extension No. 01 of the Consolidated Harris Sewer District in the Town of Thompson, Sullivan County, New York, to be bounded and described as hereinafter set forth, is hereby approved and authorized. The improvement proposed for said Consolidated Sewer District as extended, consisting of providing a means by which 180 Waverly Ave, LLC (T/O Thompson Tax Map Parcel #29-2-14) may obtain sewer service by becoming part of the said Consolidated Harris Sewer District, is likewise approved and authorized. The entire amount to be expended for such improvement, including, but not limited to costs of construction, engineering, administrative and legal fees, shall be borne solely and entirely by the said landowners, namely 180 Waverly Ave, LLC. Annual charges shall be on a user consumption basis or such other method as the Town Board of the Town of Thompson shall determine by Resolution.

Section 2. Said District shall be bounded and described as more particularly set forth in Schedule A annexed hereto and made a part hereof.¹

Section 3. After the adoption of this Resolution, the Town Clerk is hereby directed to file certified copies of this Resolution, in accordance with and where required by law.

Section 4. This Resolution is adopted subject to a permissive referendum.

Motion by: Councilman Scott S. Mace

Seconded by: Councilwoman Melinda S. Meddaugh

¹ ATTACHMENT: SCHEDULE "A" PROPERTY DESCRIPTION

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

| | | |
|------------------------------------|--------|-----|
| William J. Rieber, Jr., Supervisor | VOTING | Aye |
| Scott S. Mace, Councilman | VOTING | Aye |
| John A. Pavese, Councilman | VOTING | Aye |
| Melinda S. Meddaugh, Councilwoman | VOTING | Aye |
| Ryan Schock, Councilman | VOTING | Aye |

The resolution was thereupon declared duly adopted.

2) SACKETT LAKE SEWER DISTRICT COLLECTION SYSTEM IMPROVEMENT PROJECT BONDING 202B, REHABILITATION & REPLACEMENT OF SEWER MAIN, ADDITIONAL \$570,642.70 BONDS, TOTAL \$2,163,936

A) RESOLUTION TO APPROVE PUBLIC INTEREST ORDER

The Following Resolution Was Duly Adopted: Res. No. 172 of the Year 2023.

At a regular meeting of the Town Board of the Town of Thompson, Sullivan County, New York, held at the Town Hall, in Monticello, New York, on April 04, 2023, at 7:00 o'clock P.M., Prevailing Time.

PRESENT:
William J. Rieber, Jr.
Supervisor

Melinda S. Meddaugh
Councilperson

John A. Pavese
Councilperson

Ryan T. Schock
Councilperson

Scott S. Mace
Councilperson

-----X

In the Matter of the Increase and Improvement of the Facilities of the Sackett Lake Sewer District in the Town of Thompson, Sullivan County, New York.

Resolution No. 172
PUBLIC INTEREST ORDER

WHEREAS, the Town Board of the Town of Thompson, Sullivan County, New York, previously held a public hearing on November 16, 2021, and adopted a public interest order and bond resolution dated November 16, 2021, authorizing \$1,593,293.30 to pay the costs of the increase and improvement of the facilities of the Sackett Lake Sewer District that were described in a report dated November 08, 2021 titled "Map, Plan and Report for Sackett Lake Sewer District Collection System Improvement Project"; and

WHEREAS, the Town Board of said Town has duly caused MHE Engineers D.P.C. to prepare an updated plan and report, including a revised estimate of cost, dated March 01, 2023, relating to said increase and improvement of facilities in said District; and

WHEREAS, the estimated maximum cost to said District of the aforementioned increase and improvement is now \$2,163,936, an increase of \$570,642.70; and

WHEREAS, repayment of the proposed additional \$570,642.70 bonds for said project shall be annually apportioned and assessed upon the several lots and parcels of land within said District in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds as the same become due; and

WHEREAS, at a meeting of said Town Board duly called and held on March 21, 2023, an order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of the Sackett Lake Sewer District in said Town at an estimated maximum cost of \$2,163,936 and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Monticello, New York, in said Town, on April 4, 2023, at 7:00 P.M., Prevailing Time; and

WHEREAS, said order duly certified by the Town Clerk was duly published and posted at least ten, but not more than twenty, days prior to the date of the public hearing, as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; and NOW, THEREFORE, BE IT

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the Sackett Lake Sewer District, in said Town, including the rehabilitation and partial replacement of the sewer main, including incidental expenses in connection therewith, at an estimated maximum cost of \$2,163,936, an increase of \$570,642.70, and that such increase is expected to be financed with bonds of the Town.

Section 2. This order shall take effect immediately.

Motion by: Councilman Scott S. Mace

Seconded by: Councilman Ryan T. Schock

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

| | | |
|------------------------------------|--------|-----|
| William J. Rieber, Jr., Supervisor | VOTING | AYE |
| Melinda S. Meddaugh, Councilwoman | VOTING | AYE |
| John A. Pavese, Councilman | VOTING | AYE |
| Ryan T. Schock, Councilman | VOTING | AYE |
| Scott S. Mace, Councilman | VOTING | AYE |

The order was thereupon declared duly adopted.

* * *

B) RESOLUTION TO APPROVE AMENDING BOND FOR INCREASE
The Following Resolution Was Duly Adopted: Res. No. 173 of the Year 2023.

BOND RESOLUTION DATED APRIL 04, 2023.

A RESOLUTION AMENDING THE BOND RESOLUTION DATED NOVEMBER 16, 2021, AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK, TO PAY FOR THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE SACKETT LAKE SEWER DISTRICT IN SAID TOWN, INCLUDING THE REHABILITATION AND PARTIAL REPLACEMENT OF THE SEWER MAIN, TO INCREASE THE ESTIMATED MAXIMUM COST THEREOF AND THE AMOUNT OF BONDS AUTHORIZED TO \$2,163,936, AN INCREASE OF \$570,642.70.

WHEREAS, pursuant to a Bond Resolution dated November 16, 2021, the Town Board of the Town of Thompson, Sullivan County, New York (the "Town"), authorized \$1,593,293.30 bonds of said Town to pay the cost for the increase and improvement of the facilities of the Sackett Lake Sewer District (the "District") in said Town, consisting of the rehabilitation and partial replacement of the sewer main;

WHEREAS, it is now desired to increase the estimated maximum cost of the aforesaid class of objects or purposes from \$1,593,293.30 to \$2,163,936, an increase of \$570,642.70 over that previously authorized;

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

SECTION A. The entire bond resolution of the said Town, duly adopted by the Town Board on November 16, 2021, titled:

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,593,293.30 BONDS OF THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK, TO PAY COSTS OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE SACKETT LAKE SEWER DISTRICT, IN SAID TOWN, CONSISTING OF THE OF REHABILITATION AND PARTIAL REPLACEMENT OF THE SEWER MAIN, INCLUDING INCIDENTAL EXPENSES IN CONNECTION THEREWITH, IN SAID DISTRICT.

are hereby amended to read as follows:

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,163,936 BONDS OF THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE SACKETT LAKE SEWER DISTRICT, INCLUDING THE OF REHABILITATION AND PARTIAL REPLACEMENT OF THE SEWER MAIN, IN AND FOR SAID TOWN.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly orders

dated November 16, 2021 and April 04, 2023, said Town Board has determined it to be in the public interest to increase and improve the facilities of the Sackett Lake Sewer District (the "District") in the Town of Thompson, Sullivan County, New York, at an estimated maximum cost of \$2,163,936; and

WHEREAS, it is now desired to provide funding for such capital project; NOW,

THEREFORE, BE IT

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

Section 1. For the class of objects or purposes of paying costs of the increase and improvement of the facilities of the District, in said Town, including the rehabilitation and partial replacement of the sewer main, and incidental expenses in connection therewith, there are hereby authorized to be issued \$2,163,936 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$2,163,936 and that the plan for the financing thereof is by the issuance of the \$2,163,936 bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes,

is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Thompson, Sullivan County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. To the extent not provided for from other sources, an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. Such cost shall be annually apportioned and assessed upon the several lots and parcels of land within the Sackett Lake Sewer District in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds as the same become due.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Thompson, Sullivan County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State

Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form

and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The Supervisor is hereby further authorized, at his or her sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 12. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on

a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 13. This resolution, which takes effect immediately, shall be published in summary in the Sullivan County Democrat, a newspaper having general circulation in said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

SECTION B. The validity of such bonds and bond anticipation notes authorized by the bond resolution dated and duly adopted November 16, 2021, and as amended by this bond resolution, may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(3) Such obligations are authorized in violation of the provisions of the Constitution.

SECTION C. Upon this resolution taking effect, the same shall be published in summary in Sullivan County Democrat, a newspaper having general circulation in said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

SECTION D. This resolution is effective immediately.

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

| | | |
|------------------------------------|--------|-----|
| William J. Rieber, Jr., Supervisor | VOTING | AYE |
| Melinda S. Meddaugh, Councilwoman | VOTING | AYE |

| | | |
|----------------------------|--------|-----|
| John A. Pavese, Councilman | VOTING | AYE |
| Ryan T. Schock, Councilman | VOTING | AYE |
| Scott S. Mace, Councilman | VOTING | AYE |

The resolution was thereupon declared duly adopted.

* * *

3) CONSOLIDATED ROCK HILL-EMERALD GREEN SEWER DISTRICT PUMP STATION #1,#2 & #3 IMPROVEMENTS PROJECT BONDING 202B, ADDITIONAL \$987,800 BONDS, TOTAL \$3,279,000

A) RESOLUTION TO APPROVE PUBLIC INTEREST ORDER

The Following Resolution Was Duly Adopted: Res. No. 174 of the Year 2023.

At a regular meeting of the Town Board of the Town of Thompson, Sullivan County, New York, held at the Town Hall, in Monticello, New York, on April 04, 2023, at 7:00 o'clock P.M., Prevaling Time.

PRESENT:

William J. Rieber, Jr.
Supervisor

Melinda S. Meddaugh
Councilperson

John A. Pavese
Councilperson

Ryan T. Schock
Councilperson

Scott S. Mace
Councilperson

-----X

In the Matter of the Increase and Improvement
of the Facilities of the Consolidated
Rock Hill/Emerald Green Sewer District
in the Town of Thompson, Sullivan
County, New York.

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:
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:
:

Resolution No. 174

PUBLIC INTEREST ORDER

-----X

WHEREAS, the Town Board of the Town of Thompson, Sullivan County, New York, previously held a public hearing on November 16, 2021, and adopted a public interest order and bond resolution dated November 16, 2021, authorizing \$2,291,200 to pay the costs of the increase and improvement of the facilities of the Rock Hill/Emerald Green Sewer District that were described in a report dated November 12, 2021, as revised November 15, 2021, titled "Map, Plan and Report for Rock Hill/Emerald Green Sewer District Pump Station #1, #2 & #3 Improvements", including reconfiguration of pump stations, replacement of Pump Station No. 1, and installation of emergency generators; and

WHEREAS, the Town Board of said Town has duly caused MHE Engineers D.P.C. to prepare an updated plan and report, including a revised estimate of cost, dated March 1, 2023, relating to said increase and improvement of facilities in said District; and

WHEREAS, the estimated maximum cost to said District of the aforementioned increase and improvement is now \$3,279,000, an increase of \$987,800; and

WHEREAS, repayment of the proposed additional \$987,800 bonds for said project shall be annually apportioned and assessed upon the several lots and parcels of land within said District in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds as the same become due; and

WHEREAS, at a meeting of said Town Board duly called and held on March 21, 2023, an order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of the Rock Hill/Emerald Green Sewer District in said Town at an estimated maximum cost of \$3,279,000 and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Monticello, New York, in said Town, on April 4, 2023, at 7:00 P.M., Prevailing Time; and

WHEREAS, said order duly certified by the Town Clerk was duly published and posted at least ten, but not more than twenty, days prior to the date of the public hearing, as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; and NOW, THEREFORE, BE IT

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the consolidated Rock Hill/Emerald Green Sewer District in said Town, including installation of additions to force mains from pump stations to certain discharge points, upgrading of pump impellers, replacement of Pump Station No. 1, installation of emergency generators at various pumping stations, and incidental expenses in connection therewith, at an estimated maximum cost of \$3,279,000, an increase of \$987,800, and that such increase is expected to be financed with bonds of the Town.

Section 2. This order shall take effect immediately.

Motion by: Councilwoman Melinda S. Meddaugh

Seconded by: Councilman Ryan T. Schock

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

| | |
|------------------------------------|-----------|
| William J. Rieber, Jr., Supervisor | VOTINGAYE |
| Melinda S. Meddaugh, Councilwoman | VOTINGAYE |
| John A. Pavese, Councilman | VOTINGAYE |
| Ryan T. Schock, Councilman | VOTINGAYE |
| Scott S. Mace, Councilman | VOTINGAYE |

The order was thereupon declared duly adopted.

* * *

B) RESOLUTION TO APPROVE AMENDING BOND FOR INCREASE
The Following Resolution Was Duly Adopted: Res. No. 175 of the Year 2023.

BOND RESOLUTION DATED APRIL 04, 2023.

A RESOLUTION AMENDING THE BOND RESOLUTION DATED NOVEMBER 16, 2021, AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK, TO PAY THE COSTS OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE CONSOLIDATED ROCK HILL/EMERALD GREEN SEWER DISTRICT, TO INCREASE THE ESTIMATED MAXIMUM COST THEREOF AND THE AMOUNT OF BONDS AUTHORIZED TO \$3,279,000, AN INCREASE OF \$987,800.

WHEREAS, pursuant to a Bond Resolution dated November 16, 2021, the Town Board of the Town of Thompson, Sullivan County, New York (the "Town"), authorized \$2,291,200 bonds of said Town to pay the cost for the increase and improvement of the facilities of the Rock Hill/Emerald Green Sewer District (the "District") in said Town, including the reconfiguration of pump stations, replacement of Pump Station No. 1, and installation of emergency generators;

WHEREAS, it is now desired to increase the estimated maximum cost of the aforesaid class of objects or purposes from \$2,291,200 to \$3,279,000, an increase of \$987,800 over that previously authorized;

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

SECTION A. The entire bond resolution of the said Town, duly adopted by the Town Board on November 16, 2021, titled:

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,291,200 BONDS OF THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK, TO PAY COSTS OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ROCK HILL/EMERALD GREEN SEWER DISTRICT, CONSISTING OF THE RECONFIGURATION OF PUMP STATION NOS. 1 AND 2, REPLACEMENT OF PUMP STATION NO. 1 AND INSTALLATION OF EMERGENCY GENERATORS, INCLUDING INCIDENTAL EXPENSES IN CONNECTION THEREWITH, IN SAID DISTRICT.

are hereby amended to read as follows:

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$3,279,000 BONDS OF THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ROCK HILL/EMERALD GREEN SEWER DISTRICT, INCLUDING INSTALLATION OF ADDITIONS TO FORCE MAINS FROM PUMP STATIONS TO CERTAIN DISCHARGE POINTS, UPGRADING OF PUMP IMPELLERS, REPLACEMENT OF PUMP STATION NO. 1, INSTALLATION OF EMERGENCY GENERATORS AT VARIOUS PUMPING STATIONS, AND INCIDENTAL EXPENSES IN CONNECTION THEREWITH, IN AND FOR SAID TOWN.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly orders dated November 16, 2021 and April 04, 2023, said Town Board has determined it to be in the public interest to increase and improve the facilities of the consolidated Rock Hill/Emerald Green Sewer District (the "District"), including installation of additions to force mains from pump stations to certain discharge points, upgrading of pump impellers, replacement of Pump Station No. 1, installation of emergency generators at various pumping stations, and incidental expenses in connection therewith, in the Town of Thompson, Sullivan County, New York, at an estimated maximum cost of \$3,279,000; and

WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE, BE IT

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

Section 1. For the class of objects or purposes of paying costs of the increase and improvement of the facilities of the District, in said Town, including installation of additions to force mains from pump stations to certain discharge points, upgrading of pump impellers, replacement of Pump Station No. 1, installation of emergency generators at various pumping stations, and incidental expenses in connection therewith, there are hereby authorized to be issued \$3,279,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$3,279,000 and that the plan for the financing thereof is by the issuance of the \$3,279,000 bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Thompson, Sullivan County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. To the extent not provided for from other sources, an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. Such cost shall be annually apportioned and assessed upon the several lots and parcels of land within the Rock Hill/Emerald Green Sewer District in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds as the same become due.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Thompson, Sullivan County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise

such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The Supervisor is hereby further authorized, at his or her sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 12. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies

are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 13. This resolution, which takes effect immediately, shall be published in summary in the Sullivan County Democrat, a newspaper having general circulation in said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

SECTION B. The validity of such bonds and bond anticipation notes authorized by the bond resolution dated and duly adopted November 16, 2021, and as amended by this bond resolution, may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(3) Such obligations are authorized in violation of the provisions of the Constitution.

SECTION C. Upon this resolution taking effect, the same shall be published in summary in Sullivan County Democrat, a newspaper having general circulation in said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

SECTION D. This resolution is effective immediately.

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

William J. Rieber, Jr., Supervisor VOTINGAYE

Melinda S. Meddaugh, Councilwoman VOTINGAYE

| | |
|----------------------------|-----------|
| John A. Pavese, Councilman | VOTINGAYE |
| Ryan T. Schock, Councilman | VOTINGAYE |
| Scott S. Mace, Councilman | VOTINGAYE |

The resolution was thereupon declared duly adopted.

* * *

4) MONTICELLO MOTOR CLUB – RESOLUTION TO AUTHORIZE COMPLETION OF A MAP, PLAN & REPORT FOR THE FORMATION OF PROPOSED SEWER DISTRICT TO INCLUDE (11) TAX PARCELS

The Following Resolution Was Duly Adopted: Res. No. 176 of the Year 2023.

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 April 04, 2023

RESOLUTION PURSUANT TO TOWN LAW FOR THE CREATION OF THE MONTICELLO MOTOR CLUB SEWER DISTRICT IN THE TOWN OF THOMPSON

WHEREAS, Monticello Motor Club and its related entities (“MMC Entities”) have made a request to the Town Board of the Town of Thompson to create the Monticello Motor Club Sewer District, a Special Improvement District in said Town, to include a certain parcels of property, namely SBL #'s 49-1-1.1, 49-1-1.6, 49-1-16.3, 49-1-16.4, 49-1-24, 60-1-1, 49-1-23.1, 49-1-23.2, 49-1-23.3, 49-1-23.4 and 49-1-23.5; and

WHEREAS, the said area to be included in the Monticello Motor Club 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, Monticello Motor Club and its related entities.

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 creation of the sewer district and services in the area of the Town of Thompson, and for such other services as may be necessary in connection therewith.

2. That the Town Board does hereby appropriate the sum of \$21,000.00 to pay the cost of preparing the general map and plan for the creation of the sewer district, as well as all legal expenses incurred by the district to complete any district creation, and all costs and disbursements incurred by the district in processing the creation. 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 creation.

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 \$15,000.00, of which said monies are to be paid by the applicants, to prepare a general map and plan for the creation of the sewer district and services to be known as Monticello Motor Club Sewer District.

4. Legal fees incurred by the Town in connection with the creation of the Monticello Motor Club 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 Monticello Motor Club Sewer District shall be created 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: Councilman Ryan T. Schock

Seconded by: Councilman John A. Pavese

\$13,478.08 for the Parks & Recreation Department. There are funds budgeted for this purchase.

The Following Resolution Was Duly Adopted: Res. No. 179 of the Year 2023.

Resolved that purchase request of Superintendent Glenn Somers for (1) new John Deere Zero Turn Z960M ZTrak, Quote ID # 27915828 for a total cost of \$13,478.08 off the NYS Landscaping Grounds Contract PC69683 (PG XN CG 22) for the Parks & Recreation Department hereby be approved.

Moved by: Councilman Schock

Seconded by: Councilman Pavese

Vote: Ayes 5

Rieber, Pavese, Schock, Meddaugh and Mace

Nays 0

C) REQUEST TO HIRE (1) PART-TIME LABORER POSITION AT HOURLY RATE OF \$18.60 – CARSON SOMERS TO RETURN FROM LAST YEAR, STARTING IN APRIL 2023

The Following Resolution Was Duly Adopted: Res. No. 180 of the Year 2023.

Resolved, that Superintendent Glenn R. Somers of the Department of Parks & Recreation hereby be authorized to re-hire Carson Somers as a Part-Time laborer at a rate of \$18.60 per hour with a start date of April 11th, 2023 weather permitting.

Motion by: Councilwoman Meddaugh

Seconded by: Councilman Schock

Vote: Ayes 5

Rieber, Pavese, Schock, Meddaugh and Mace

Nays 0

7) WATER & SEWER DEPARTMENT ITEMS:

A) PURCHASE REQUEST: REPLACEMENT PUMP 230V/3PH WITH 32FT CABLE FOR GOLDEN RIDGE PUMP STATION IN THE CONSOLIDATED KIAMESHA SEWER DISTRICT FOR TOTAL COST OF \$6,614.00

The Following Resolution Was Duly Adopted: Res. No. 181 of the Year 2023.

Resolved, that the purchase request of Water & Sewer Department Superintendent Michael G. Messenger for a Replacement Pump 230V/3PH with 32 ft. cable for the Golden Ridge Pump Station in the Consolidated Kiamesha Sewer District from Reiner Pump Systems, Inc. at a total cost of \$6,614.00 including delivery hereby be approved.

Moved by: Councilman Schock

Seconded by: Councilman Pavese

Vote: Ayes 5

Rieber, Pavese, Schock, Meddaugh and Mace

Nays 0

B) REVIEW & ACCEPT SETTLEMENT OFFER: ADELAAR LIGHTING DISTRICT – CLAIM FOR LIGHT POLE DAMAGE IN THE AMOUNT OF \$15,709.24 DUE TO MVA ON 02/16/2023 AND AUTHORIZE SUPERINTENDENT MESSENGER TO EXECUTE NECESSARY DOCUMENTS

The Following Resolution Was Duly Adopted: Res. No. 182 of the Year 2023.

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

Date: Board Meeting 4/4/2023

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

- 1) Adjust 2022 budgets to reflect actual results

The Following Resolution Was Duly Adopted: Res. No. 185 of the Year 2023.

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

Town Of Thompson

Budget Transfers/Amendments

FYE 12/31/22

Town Board Meeting Date: 4/4/2023

| <u>Account Number</u> | <u>Account Description</u> | | <u>Revenue Increase</u> | <u>Revenue Decrease</u> | <u>Appropriation Increase</u> | <u>Appropriation Decrease</u> |
|-----------------------|---|--|-------------------------|-------------------------|-------------------------------|-------------------------------|
| A000.2706.000 | Grants from Other Governments Neversink Access Grant | | 10,000.00 | | | |
| A000.3005.000 | Mortgage Tax - 4th Qtr | | 195,000.00 | | | |
| SL10.5182.400 | Street Lighting Contractual | | | | 2,225.00 | |
| WLO.2148.000 | Interest & Penalties | | 525.00 | | | |
| WLO.2401.000 | Interest Earnings | | 325.00 | | | |
| WLO.2650.000 | Sales of Scrap | | 65.00 | | | |
| WLO.8320.100 | Lucky Lake Water - Personnel | | | | | 200.00 |
| WLO.8320.200 | Lucky Lake Water - Equipment | | | | | 270.00 |
| WLO.8320.400 | Lucky Lake Water - O&M Contractual | | | | | 1,850.00 |

| | | | | | | |
|---------------|------------|--|--|--|--|-------|
| SWL0.9010.800 | Retirement | | | | | 40.00 |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Totals 205,915.00 - 2,225.00 2,360.00

Net Effect To Budget (206,050.00)

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

Seconded by: Councilman Schock

10) ORDER BILLS PAID

The Following Resolution Was Duly Adopted: Res. No. 186 of the Year 2023.

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

Seconded by: Councilman Pavese

OLD BUSINESS

There was no old business reported on.

NEW BUSINESS

There was no new business reported on.

REPORTS: SUPERVISOR, COUNCILMEN, & DEPARTMENT HEADS

Supervisor William J. Rieber, Jr.

- Spring Clean Up Program – Discussion held regarding changes involving future clean up events, suggestions on how to handle including location and date.

Comptroller Melissa DeMarmels

- The new Town Credit Card has been issued and received.

Parks & Recreation Superintendent Glenn Somers

- Lake Ida Park will open to the public this week for the season.
- Discussion was held regarding the existing wells at Lake Ida Park for the new bathroom facilities. Engineering services and electricity supply/service will be required. Supt. Somers said that Glenn L. Smith, P.E. Consulting Engineer, P.C.

² ATTACHMENT: ORDER BILLS PAID

performed prior Professional Engineering Services for the Septic System at Lake Ida Park and he is familiar with that property. Supt. Somers will obtain a price quote from Engineer Smith for Professional Engineering Services regarding the wells. He will report back with price quote once received.

Director James L. Carnell, Jr.

- Comprehensive Plan Committee is conducting an on-line survey for community input, which can be completed on the www.thompsontogether.com website.

Councilman John A. Pavese

- The Boy Scouts Troop 101 is holding their Annual Spaghetti and Meatball Dinner Event to be held at the Rock Hill Fire Department on Saturday, 04/15/2023, 4PM to 7:00 PM, \$15.00 for adults & \$10.00 for kids under 12.

PUBLIC COMMENT:

There was no public comment given.

ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION

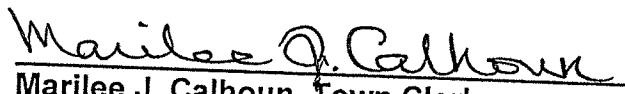
- 04/18/23 at 7PM: Regular Town Board Meeting.

ADJOURNMENT

On a motion made by Councilwoman Meddaugh and seconded by Councilman Pavese the meeting was adjourned at 7:44 PM. All board members voted in favor of adjourning the meeting.

The Zoom Livestream Videoconferencing connection was disconnected.

Respectfully Submitted By:


Marilee J. Calhoun
Marilee J. Calhoun, Town Clerk

SCHEDULE A

Consolidated Harris Sewer District Ext. No. 1

February 2023

Beginning at a point, being the southeast corner of Tax map parcel 29.-2-14 and the northeast corner of tax map parcel 29.-2-15.3, said corner also being on the western boundary of Waverly Avenue; Thence

1. Westerly, 150.5 feet more or less, along the northern boundary of tax map parcel 29.-2-15.3, to a point, being the southwestern corner of tax map parcel 29.-2-14; thence
2. Northerly, 75 feet more or less along the western boundary of tax map parcel 29.-2-15.3 to a point, being the northwestern corner of tax map parcel 29.-2-14; thence
3. Easterly, 150.5 feet more or less, along the boundary of tax map parcel 29.-2-12.2 to a point, said point being the northeasterly corner of tax map parcel 29.-2-14 and located on the western boundary of Waverly Avenue; thence
4. Southerly, 75 feet more or less, along the westerly boundary of Waverly Avenue, to a point, said point being the southeasterly corner of tax map parcel 29.-2-14 and the northeast corner of tax map parcel 29.-2-15.3 and also being the point of beginning.

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 4th day of April 2023 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. Rieber Jr., Supervisor



Town of Thompson
Warrant Report

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

| Fund | Fund Description | Invoice Batch | | Manual Checks | | Purchase Cards | | Total |
|---------------------------|---|----------------|--------|----------------|--------|----------------|--------|----------------|
| | | Paid | Unpaid | Paid | Unpaid | Paid | Unpaid | |
| A000 | GENERAL FUND TOWN WIDE | \$126,829.44 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$126,829.44 |
| B000 | GENERAL TOWN OUTSIDE | \$31,731.58 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$31,731.58 |
| DA00 | HWY#3 / 4 - TOWN WIDE | \$178,952.75 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$178,952.75 |
| DB00 | HWY#1 - TOWN OUTSIDE | \$170.84 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$170.84 |
| DD00 | ADELAAR RESORT DRAINAGE DISTRICT | \$1,225,951.51 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$1,225,951.51 |
| H000 | CAPITAL PROJECTS | \$25,158.26 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$25,158.26 |
| RD00 | ADELAAR ROAD IMPROVEMENT DISTRICT | \$2,422,595.76 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$2,422,595.76 |
| SL11 | ADELAAR Lighting | \$914,022.75 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$914,022.75 |
| SRH0 | ROCK HILL AMBULANCE DIST | \$7,796.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$7,796.00 |
| SSAR | Adelaar Sewer District | \$5,126.67 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$5,126.67 |
| SSHC | Harris Consolidated Sewer District | \$3,097.42 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$3,097.42 |
| SSKC | Klamasha Consolidated Sewer District | \$1,388,793.85 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$1,388,793.85 |
| SSMO | MELODY LAKE SEWER DISTR. | \$54,960.80 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$54,960.80 |
| SSRC | Rock Hill Emerald Green Consolidated Sewer Dist | \$1,302.84 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$1,302.84 |
| SSSO | SACKETT LAKE SEWER DISTR | \$24,446.80 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$24,446.80 |
| SWA0 | ADELAAR RESORT WATER DISTRICT | \$7,081.76 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$7,081.76 |
| SWC0 | COLD SPRING WATER | \$5,177.67 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$5,177.67 |
| SWD0 | DILLON WATER DISTRICT | \$302.63 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$302.63 |
| SWK0 | KIAMSHA RT42 WATER | \$100.42 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$100.42 |
| SWLO | LUCKY LAKE WATER DISTR | \$2,896.56 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$2,896.56 |
| SWMO | MELODY LAKE WATER | \$543.01 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$543.01 |
| T000 | TRUST & AGENCY FUND | \$631.38 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$631.38 |
| | TRUST & AGENCY FUND | \$2,951.80 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$2,951.80 |
| Posted Batch Grand Totals | | \$5,041,828.65 | \$0.00 | \$2,831,272.03 | \$0.00 | \$87,197.83 | \$0.00 | \$7,960,298.51 |

| Fund | Fund Description | Invoice Batch | Manual Checks | Purchase Cards | Total |
|---------------------|------------------|---------------|---------------|----------------|--------|
| Report Grand Totals | | \$0.00 | \$0.00 | \$0.00 | \$0.00 |

port run by: melissa

C₁

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Bureau of Water Assessment and Management
625 Broadway, Albany, New York 12233-3502
P: (518) 402-8179 | F: (518) 402-9029
www.dec.ny.gov

March 7, 2023

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

Re: Water Quality Improvement Project Application Number #120922
Town of Thompson Sackett Lake Sewer District

Dear Supervisor Rieber:

Thank you for submitting your application through the 2022 Consolidated Funding Application (CFA) for the Water Quality Improvement Project (WQIP) Program.

The New York State Department of Environmental Conservation (DEC) has completed our review of applications for the WQIP program. Unfortunately, your proposal was not selected for funding. This does not pertain to potential funding awards from other agencies or programs and does not preclude you from applying for future CFA funding rounds.

We appreciate your effort toward improving water quality in New York State and look forward to working with you in the future to preserve our natural resources. If you are interested in discussing why your project was not funded this round, please contact WQIP Program staff no later than March 22, 2023 at user.water@dec.ny.gov.

Sincerely,



Stephanie June
Section Chief
Water Assessment and Implementation
Bureau of Water Assessment and Management

DEANNA SENYK
COMMISSIONER

LESIA SNIHURA
DEPUTY COMMISSIONER



LORI BENJAMIN
COMMISSIONER

PAMELA D. MURRAN
DEPUTY COMMISSIONER

**COUNTY OF SULLIVAN
BOARD OF ELECTIONS**
SULLIVAN COUNTY GOVERNMENT CENTER
100 NORTH STREET, PO BOX 5012
MONTICELLO, NY 12701-5192
PHONE: 845-807-0400
FAX: 845-807-0410
EMAIL: SCBOE@SULLIVANNY.US

March 9, 2023

Hon. William J. Rieber, Jr.
Supervisor
Town of Thompson
4052 Route 42
Monticello, New York 12701

RE: Ted Stroebele Neighborhood Facility

Dear Supervisor Rieber,

Pursuant to Election Law §4-104(1), this correspondence will serve to advise you of a poll site change for the following voters, effective March 15, 2023:

- All voters in Thompson, Election Districts 6, 9 and 10, will vote at the Sullivan County Government Center, located at 100 North Street, Monticello, New York 12701.

All voters in the above Election Districts will receive notification by mail. To help spread the word, please place notices regarding the poll site change in prominent places throughout your Town (i.e. bulletin boards, schools, libraries, etc.).

Please do not hesitate to contact us if you should have any questions.

Sincerely,

Deanna Senyk, Commissioner

Lori Benjamin, Commissioner

Enclosure

CC Town of Thompson Board
Village of Monticello Board

William J. Rieber, Jr.

From: Michael Messenger <mmessenger@townofthompson.com>
Sent: Tuesday, April 11, 2023 1:35 PM
To: McKenna, Douglas
Cc: supervisor@townofthompson.com; Edward Hampston; Cherian, Manju (DEC); meena.george@dec.ny.gov; Whalen, Patrick; Green, Katherine
Subject: Re: FW: 2022Q4 NY SNC Emerald Green-Lake Louise Marie SW D_Letter s.pdf
Attachments: Emerald Green Compliance Schedule Letter 11.11.22.pdf; 3-4846-00196_00001 (P2S) NOC.pdf

Hello,

The Significant Non-Compliance for the Emerald Green/Lake Louise Marie S&W District is due to a delay in the planned facility upgrade to meet the chlorine residual limit. I have attached an updated project schedule for the facility upgrades. On March 29, 2023 we received the Notice of Complete Application (attached) from the DEC. I do not believe that the DEC has approved our Engineering Report or our Chlorine Residual Plan yet. As you can see on the Project Schedule, we cannot proceed until it is approved.

Mike's Response TO EPA

Michael Messenger

Superintendent

Town of Thompson Water & Sewer Dept.

(845) 794-5280 Ext. 104

mmessenger@townofthompson.com

The Town of Thompson is an equal opportunity provider and employer.

IMPORTANT NOTICE: This e-mail and any attachments may contain confidential or sensitive information which is, or may be, legally privileged or otherwise protected by law from further disclosure. It is intended only for the addressee. If you received this in error or from someone who was not authorized to send it to you, please do not distribute, copy or use it or any attachments. Please notify the sender immediately by reply e-mail and delete this from your system. Thank you for your cooperation.

On Thu, Mar 16, 2023 at 4:03 PM Green, Katherine <Green.Katherine@epa.gov> wrote:

Supervisor Rieber,



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION 2
 290 BROADWAY
 NEWYORK, NY 10007-1866

March 16, 2023

Via Electronic Mail To: - supervisor@townofthompson.com

Mr. William J. Rieber, Jr., Supervisor
 Thompson (T)
 4052 St Route 42, Town Hall
 Monticello, NY 12701

**Re: Notice of Significant Non-Compliance
 Emerald Green/Lake Louise Marie S&W D
 SPDES Tracking ID No. NY0035645**

Dear Supervisor Rieber:

I hope this letter finds you, your family and your colleagues all doing well. Based on data reported to the United States Environmental Protection Agency (EPA) and reflected in the EPA’s national data system, your facility is currently in **Significant Non-Compliance (SNC)** due to the following exceedance(s) of the effluent limit(s) in your New York State Department of Environmental Conservation (NYSDEC) State Pollutant Discharge Elimination System (SPDES) permit, NY0035645:

| Violation Date(s) | Outfall(s) | Parameter(s) |
|-------------------|------------|--------------------------|
| 5/2022 | 001-A | Chlorine, total residual |
| 6/2022 | 001-A | Chlorine, total residual |
| 7/2022 | 001-A | Chlorine, total residual |
| 9/2022 | 001-A | Chlorine, total residual |

This notice is strictly addressing SNC effluent violation reporting over the last two (2) quarters and may not include all schedule or other effluent violations.

As one of the Agency’s National Compliance Initiatives, EPA is currently working with all state programs, including NYSDEC, to reduce the number of facilities in SNC. Our first step in this process as it relates to your facility is to make sure you are aware of your violations and to ask for explanations of why the violations are occurring and what you are doing to correct the violations and return to compliance with your permit. For additional information on SNC, please see: <https://www.epa.gov/enforcement/memorandum-revision-npdes-significant-noncompliance-snc-criteria-address-violations-non> or <https://echo.epa.gov/resources/general-info/echo-faq>.

Therefore, we are asking you to respond to EPA in writing within **thirty (30) days**, describing the cause(s) of the violations, as well as the actions you have taken or will take to address the

violations. Under 6 NYCRR Part 750-2.7(e), you may have provided a Report of Noncompliance Event to NYSDEC, which you may use as a guide for your response with additional details or updates appended. In addition, we sent you a similar letter on April 24, 2020, and received your response on April 29, 2020, which included a proposed schedule for chlorine residual regulatory compliance. We invite you to include any related updates since April 2020 in your response.

Please submit your response to me electronically at mckenna.douglas@epa.gov with a copy to whalen.patrick@epa.gov. Please also submit a copy of your response to the NYSDEC Regional Office (Manju Cherian and Meena George, Regional Water Engineers, NYSDEC Region 3, at manju.cherian@dec.ny.gov and meena.george@dec.ny.gov) and to the NYSDEC Central Office (Edward Hampston, Director, Bureau of Water Compliance Programs, at edward.hampston@dec.ny.gov). If you believe the data was reported in error, please provide an appropriate amendment to your Discharge Monitoring Reporting (DMR).

Please also note that this is a separate initiative by EPA in working with state programs to address SNC. Your response to this notice does not relieve you of any requirements established by NYSDEC, your permit, or Part 750 regulations, and you must continue to comply with these requirements. If you have been working with NYSDEC to address these violations, please continue to do so, or you may wish to re-evaluate your previous response. NYSDEC may take separate compliance or enforcement action regarding these violations, or EPA may take further action in consultation with NYSDEC.

Should you have any questions concerning this letter, please contact your Regional NYSDEC office, or feel free to contact Mr. Patrick Whalen of my staff at (212) 637-4290 or whalen.patrick@epa.gov. If you would like to review your facility's compliance history in EPA's data system, you can enter and search with your permit number at: <https://echo.epa.gov>. If there is anything you feel we can help you with, please let us know.

Sincerely,



Douglas McKenna, Chief
Water Compliance Branch

cc (via email):

Ed Hampston, P.E., Director, Bureau of Water Compliance Programs, Div. of Water, NYSDEC
Manju Cherian, P.E., Regional Water Engineer, NYSDEC Region 3 - New Paltz Office
Meena George, P.E., Regional Water Engineer, NYSDEC Region 3 - White Plains Office
Michael Messenger, Superintendent, Water & Sewer Dept.
(mmessenger@townofthompson.com)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

March 16, 2023

Dear Permittee:

Attached please find a formal notice from my office addressing concerns with the operation of your wastewater treatment system.

Please know that as part of our mission, we are obliged to provide this notice to move your community in a direction that ensures your system is operating in a manner consistent with state discharge limits to meet the goal of being protective of public health and the environment.

With that said, we are also asking you to help us understand why your system is not meeting the discharge standards, so we can better understand how EPA and our state partners can assist in helping you improve the situation.

Thank you for your kind attention to this matter. We look forward to your response as outlined in the attached notice of significant non-compliance.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa F. Garcia".

Lisa F. Garcia
Regional Administrator

Attachment



Department of
Transportation

KATHY HOCHUL
Governor

MARIE THERESE DOMINGUEZ
Commissioner

4

March 22, 2023



Ms. Patricia Cocot
299 Hamilton Road
Monticello, NY 12701

Dear Ms. Cocot:

**REQUEST: SPEED LIMIT REDUCTION
HAMILTON ROAD (TH-50)
TOWN OF THOMPSON, SULLIVAN COUNTY**

Thank you for your March 2, 2023, letter, forwarded to us by Paul Hahn, Sullivan County Assistant Resident Engineer. The Traffic Safety and Mobility Office (TSMO) performed a review of the area and responded with the attached letter dated August 8, 2019. That letter identified the existing 40 MPH speed limit as appropriate for the subject road. Since then, there have been no significant highway related changes that would affect the operating speed on this road. Therefore, the current determination is the same.

However, the town is encouraged to review the existing warning signs within this highway segment to ensure it meets current standards and provides appropriate warning of any unique features of the roadway, such as: intersections, driveways, and curves. These sign improvements might include the installation of warning signs with advisory speed subpanels.

Thank you for your interest in highway safety. If you have any questions, please contact me, at (607) 721-8080.

Sincerely,

Tony Signorelli, P. E.
Regional Traffic, Safety and Mobility Engineer

PG
enclosure

c: Marilee J. Calhoon, Town Clerk, Town of Thompson



August 8, 2019

Mr. Ed McAndrew, P.E., Commissioner
Sullivan County Government Center
100 North Street
Monticello, NY 12701

Dear Mr. McAndrew:

Re: **REQUEST FOR SPEED LIMIT REDUCTION
HAMILTON ROAD (TH-50)
TOWN OF THOMPSON, SULLIVAN COUNTY**

This is the promised follow up to our letter to you dated July 10, 2019. You had requested that the speed limit on Hamilton Road (TH-50) be reduced from the current 40 MPH. You noted that the speed limit had previously been reduced from 45 MPH to 40 MPH in 1989. The Region 9 Traffic Safety and Mobility Office (TSMO) has completed their review of your request.

The NYSDOT follows the practice of setting regulatory speed limits at the 85th percentile speed. The 85th percentile speed is a baseline value for which 85% of vehicles travel at, or below. The consensus of traffic engineers throughout the industry is that the appropriate value for a posted speed limit will almost always be established by the 85th percentile speed. Studies have shown that setting the regulatory speed limit lower than the 85th percentile speed typically results in speed differentials between vehicles. Some drivers will obey the lower posted speed while others will feel it is unreasonable and simply ignore it. This disrupts the uniform traffic flow and increases accident potential. Dramatic differences in vehicle speeds can lead to aggressive driving, tailgating, unsafe passing, and accidents associated with these conditions.

Uniform predictable speeds provide for better accuracy when judging gaps in traffic, which is important for traffic entering from intersections and driveways and for pedestrians crossing the roadway. Furthermore, state directives recommend not placing more than 30 percent of drivers in violation of a posted speed limit. This recommendation is based on safety as well as the legal concept of imposing a speed trap which can be deemed by the judicial system as unreasonable and, therefore, unenforceable.

The 85th percentile speed on Hamilton Road (TH-50) measured 49 MPH. If the speed limit was lowered to 35 MPH, 96% of drivers would be in violation. Department

directives recommend not placing more than 30% of drivers in violation with a reduced speed limit. The Department cannot reduce the current posted 40 MPH speed limit for this road. A more appropriate improvement would be for the Town to review and improve the caution signs on this road. Speed advisory subpanels could be employed as appropriate. In doing so, the driver would be provided optimum opportunity to slow as appropriate for specific hazards on this road.

If you have any questions, please do not hesitate to contact me at (607) 721-8072.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Gendron', with a stylized flourish at the end.

Pamela Gendron, P.E.
Traffic Operations Engineer

PG:HB:rw

c: Dermot P. Dowd, L.S., Civil Engineer, Sullivan County DPW
Marilee J. Calhoun, Town Clerk, Town of Thompson

bc: Study #0919-0028
Mail Log #922



See!

Drivers:

- YIELD for pedestrians at crosswalks and intersections – it's the law.
- Do not block crosswalks when stopping at intersections.
- Slow down and obey posted speed limits.
- Take extra care around schools, playgrounds and neighborhoods.
- Always look out for pedestrians, especially before turning at a green light or making a "right turn on red."
- Never run red lights.
- Be careful when passing stopped vehicles. They might be stopping for pedestrians.
- Pay Attention! Do not text and drive!
- Share the road. It's your responsibility to look for others.

Pedestrian Safety: It's no Accident.



Funded by the National Highway Traffic Safety Administration with a grant from the NYS Governor's Traffic Safety Committee.

3292

8/13



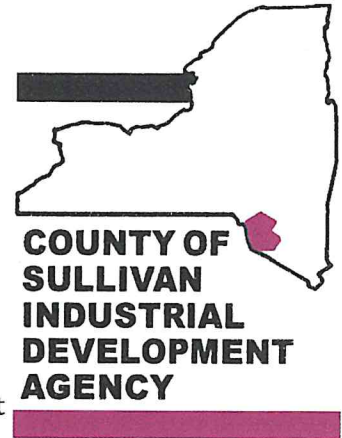
Be Seen!

Pedestrians:

- Cross at intersections and marked crosswalks.
- Use pedestrian pushbutton and WAIT for signal to cross.
- Before crossing, look left, right, then left again, and over your shoulder for turning vehicles.
- Use sidewalks. If there are none, walk facing traffic so you see vehicles, and drivers see you.
- Pay attention! Don't text while crossing!
- Make eye contact with drivers so they see you.
- Stay visible after dark and in bad weather with light-colored or reflective clothing.
- Don't step suddenly in front of buses and trucks. They take longer to stop than a car.
- Watch out for trucks and buses backing out of parking spaces and driveways.

Pedestrian Safety: It's no Accident.

548 Broadway
Monticello, New York 12701
(845) 428-7575
(845) 428-7577 FAX
TTY 711



April 6, 2023

✓ Mr. William J. Rieber, Jr., Supervisor
Town of Thompson
4052 State Route 42
Monticello, New York 12701

Dr. Matthew Evans, Superintendent
Monticello Central School District
60 Jefferson Street, Suite 3
Monticello, New York 12701

Mr. Joshua Potosek, Sullivan County Manager
via email: joshua.potosek@sullivanny.us

Re: Maude Crawford Realty, LLC and Bridgeville Ski Company, Inc. d/b/a Holiday Mountain- Proposed Agency Assistance

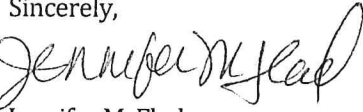
Dear County Manager Potosek, Supervisor Rieber, and Superintendent Evans,

On Friday, April 21, 2023, at 9:00 am, local time, in the Legislative Committee Room at the Sullivan County Government Center, 100 North Street, Monticello, Sullivan County, New York, the County of Sullivan Industrial Development Agency (Agency) will conduct a public hearing regarding the above referenced project. Attached is a copy of the Notice of Public Hearing describing the project and the financial assistance contemplated by the Agency. The notice has been sent to the *Sullivan County Democrat* for publication.

You are welcome to attend the hearing at which time you will have an opportunity to review the project application and present your views, both orally and in writing, with respect to the project. The hearing will be livestreamed on the Agency's YouTube Channel: <https://www.youtube.com/channel/UCqz9C4ODb5PjZNN80oAFctQ>

The public hearing is being conducted pursuant to subdivision 2 of Section 859-a of the New York State General Municipal Law. We are providing this notice to you, pursuant to subdivision 3 of Section 859-a, as the chief executive officer of an affected tax jurisdiction within which this project is located.

If you have any questions, please do not hesitate to contact me. Thank you.

Sincerely,

Jennifer M. Flad
Executive Director

enclosure

- cc: Marilee Calhoun, Town of Thompson Clerk
Van B. Krzywicki, Sole Assessor
Elizabeth Terwilliger, Monticello CSD Accountant/ Treasurer
- ec: Rosemarie Savaglio, Executive Assistant to the County Manager

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York State General Municipal Law will be held by the County of Sullivan Industrial Development Agency ("Agency") on April 21, 2023 at 9:00 a.m., local time, in the Legislative Committee Room, Sullivan County Government Center, 100 North Street, Monticello, New York, in connection with the following matter:

Maude Crawford Realty, LLC ("MCR") and Bridgeville Ski Company, Inc. d/b/a Holiday Mountain ("BSC" together with MCR collectively, the "Company") have submitted an application ("Application"), a copy of which is on file with the Agency, requesting the Agency's assistance with respect to a certain project consisting of the: (i) acquisition, construction, reconstruction, renovation, rehabilitation, installation and equipping of an existing ski and fun park comprised of seven buildings ("Existing Buildings") situate on one (1) parcel of real estate consisting of approximately 152.05± acres located at 99 Holiday Mountain Road, Town of Thompson, County of Sullivan, State of New York and identified on the Town of Thompson tax map as Section 32, Block 2, Lot 59 ("Land"); (ii) acquisition, construction, reconstruction, renovation, rehabilitation, installation and equipping of the Existing Buildings; (iii) acquisition, construction and installation thereon and therein of certain furniture, fixtures, machinery, equipment and tools ("Equipment"); (iv) construction of improvements to the Existing Buildings, the Land and the Equipment (collectively, the Existing Buildings, the Land and the Equipment are referred to as the "Facility" or the "Project"); and (v) lease of the Facility from the Agency to the Company.

The Agency will acquire title to, or a leasehold interest in, the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the Lease. At the end of the lease term, the Company will purchase the Facility from the Agency, or if the Agency holds a leasehold interest, the leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance ("Financial Assistance") to the Company in the form of sales and use tax exemption and a mortgage recording tax exemption, consistent with the policies of the Agency, and a partial real property tax abatement.

A representative of the Agency will be at the above-stated time and place to present a copy of the Company's project application and hear and accept written and oral comments from all persons with views in favor of, opposed or otherwise relevant to the proposed Financial Assistance.

Dated: April 6, 2023

By: COUNTY OF SULLIVAN INDUSTRIAL
DEVELOPMENT AGENCY

Marilee Calhoun (Town of Thompson)

From: Jennifer Flad <jflad@sullivanida.com>
Sent: Thursday, April 6, 2023 3:13 PM
To: joshua.potosek@sullivanny.us; William J. Rieber, Jr.; Matthew Evans
Cc: marilee@townofthompson.com; Van Krzywicki; Savaglio, Rosemarie
Subject: County of Sullivan IDA Application- Holiday Mountain
Attachments: Holiday Mtn Signed App 3-31-23.pdf

Good Afternoon County Manager Potosek, Supervisor Rieber, and Superintendent Evans,

Attached please find an application for IDA benefits from Maude Crawford Realty, LLC and Bridgeville Ski Company, Inc. d/b/a Holiday Mountain. This application relates to the proposed acquisition and rehabilitation of Holiday Mountain Ski and Fun Park.

A notice of public hearing will follow shortly.

If you have any questions, please do not hesitate to contact me. Thank you.

Jennifer M. Flad
Executive Director
County of Sullivan Industrial Development Agency
548 Broadway
Monticello, New York 12701
tel: (845) 428-7575
fax: (845) 428-7577
TTY 711

This institution is an equal opportunity provider and employer.

COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY

548 Broadway

Monticello, New York 12701

845-428-7575

APPLICATION FOR FINANCIAL ASSISTANCE

I. A. APPLICANT INFORMATION:

Company Name: Maude Crawford Realty, LLC

Address: PO Box 1388, Monticello, NY 12701

Phone No.: (845) 794-1210

Telefax No.: N/A

Email Address: mtaylor@combinedenergyservices.com

Fed Id. No.: 92-3269333

Contact Person: Michael C. Taylor

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

Principal Owners (Shareholders/Members/Owners): Michael C. Taylor, Joanna R. Taylor

Directors/Managers: Michael C. Taylor

Officers: Michael C. Taylor

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

Form of Entity:

_____ Corporation (Sub-s)

Date of incorporation: _____

State of incorporation: _____

_____ Partnership

General _____ or Limited _____

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

Limited Liability Company/Partnership (number of members 2)

Date of organization: March 10, 2023
State of organization: New York

Sole Proprietorship

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

B. APPLICANT INFORMATION:

Company Name: Bridgeville Ski Company, Inc. d/b/a Holiday Mountain

Address: PO Box 1388, Monticello NY 12701

Phone No.: (845) 794-1210

Telefax No.: _____

Email Address: mtaylor@combinedenergyservices.com

Fed Id. No.: _____

Contact Person: Michael C. Taylor

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

Principal Owners (Shareholders/Members/Owners): Michael C. Taylor, Joanna R. Taylor

Directors/Managers: _____

Officers: Michael C. Taylor, President; Joanna R. Taylor, Secretary/ Treasurer

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

Form of Entity:

Corporation (Sub-s)

Date of incorporation: March 9, 2023
State of incorporation: New York

 Partnership

General _____ or Limited _____
Number of general partners _____
If applicable, number of limited partners _____
Date of formation: _____
Jurisdiction formation: _____

 Limited Liability Company/Partnership (number of members _____)

Date of organization: _____
State of organization: _____

 Sole Proprietorship

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

APPLICANT'S COUNSEL

Name: Richard S. Baum, Baum Law PC
Address: 438 Broadway, PO Box 1260, Monticello, NY 12701
Phone No.: (845) 791-1000
Telefax No.: N/A
Email Address: rsbaum@baumlawpc.com

II. REQUESTED FINANCIAL ASSISTANCE

| | <u>Estimated Value</u> |
|--|------------------------|
| Real Property Tax Abatement (estimated) | \$ <u>TBD</u> |
| Mortgage Tax Exemption | \$ <u>50,000</u> |
| Sales and Use Tax Exemption | \$ <u>280,000</u> |
| Issuance by the Agency of Tax Exempt Bonds | \$ <u>0</u> |

III. PROJECT INFORMATION

A.) Project Location:

Project Address: 99 Holiday Mountain Road
Tax Map Number(s): 32.-2-59
Located in the Village of: N/A
Located in Town of Thompson
Located in the School District of Monticello
Located in Hamlet of Bridgeville

(i) Are Utilities on Site?

Water/Sewer No Electric Yes
Gas No Storm Sewer No

(ii) Present legal owner of the site: Holiday Mountain Fun Park, Inc.

If other than Applicant, by what means will the site be acquired for this Project:
Purchase of fee interest

(iii) Zoning of Project Site: Current: HC-2 Proposed: HC-2

(iv) Are any variances needed: No

(v) Principal Use of Project upon completion: Ski and fun park (outdoor recreation)

B.) Will the Project result in the removal of a plant or facility of the Applicant or a proposed Project occupant from one area of the State of New York to another area of the State of New York? No; If yes, please explain:

C.) Will the Project result in the abandonment of one or more Plants or facilities of the Applicant or a proposed Project occupant located in the State of New York? No; If yes, please explain:

D.) If the answer to either question B or C above is yes, you are required to indicate

whether any of the following apply to the Project:

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

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

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

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

Rehabilitation of existing ski area and fun park

G.) COSTS AND BENEFITS OF THE PROJECT

Costs = Financial Assistance

| | |
|--------------------------------------|-------------------|
| Estimated Sales Tax Exemption | \$ <u>280,000</u> |
| Estimated Mortgage Tax Exemption | \$ <u>50,000</u> |
| Estimated Property Tax Abatement | \$ <u>TBD</u> |
| Estimated Interest Savings IRB Issue | \$ <u>N/A</u> |

Benefits = Economic Development

| | |
|------------------------|---------------------|
| Jobs created | \$ <u>205,000</u> |
| Jobs retained | \$ <u>225,000</u> |
| Private funds invested | \$ <u>5,000,000</u> |
| Other Benefits | \$ <u>N/A</u> |

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

| | |
|---------------------------------|---------------------------------------|
| Construction: | <u>10</u> |
| Permanent: | <u>2 created</u> |
| Retained (at current facility): | <u>34 (30 part-time, 4 full-time)</u> |

| | |
|-----------------------------|---------------------|
| Project Costs (Estimates) | |
| Land and Existing Buildings | \$ <u>2,500,000</u> |
| Soft Costs (5%) | \$ <u>included</u> |
| Other | \$ <u>2,500,000</u> |
| Total | \$ <u>5,000,000</u> |

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

The \$5,000,000 in capital costs will be 100% from the private sector.

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

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

4 full-time jobs retained, 2 full-time jobs created

30 part-time jobs retained, 10 part-time jobs created

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

24 months

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

Part-time: \$15 per hour, subject to minimum wage laws.

Full-time: Average salary \$65,000 per year plus health, dental, and 401(k).

- 4) An estimate of the number of residents of the economic development region as established pursuant to section two hundred thirty of the Economic Development Law, in which the project is located that would fill such jobs. The labor market area defined by the agency (Mid-Hudson Economic Development Region)

1,433,386

H.) State whether there is a likelihood that the project would not be undertaken but for the financial assistance provided by the Agency, or, if the project could be undertaken without financial assistance provided by the Agency, a statement indicating why the project should be undertaken by the Agency The project is dependent on IDA financial assistance.

IV. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A) Job Listings. In accordance with Section 858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.
- B) First Consideration for Employment. In accordance with Section 858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
- C) Annual Sales Tax Filings. In accordance with Section 874(8) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
- D) Annual Employment Reports. The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.
- E) Absence of Conflicts of Interest. The Applicant has received from the Agency a list of the members, officers, and employees of the Agency. No member, officers or employee of the Agency has an interest, whether direct or indirect, in any

transaction contemplated by this Application, except as hereinafter described.

- F.) The Applicant represents that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

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

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

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

Maude Crawford Realty, LLC

Michael C. Taylor

By: Michael C. Taylor, Managing Member

Date: 3-31-23

Bridgeville Ski Company, Inc. d/b/a Holiday Mountain

Michael C. Taylor

By: Michael C. Taylor, President

Date: 3-31-23

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

Michael C. Taylor, being first duly sworn, deposes and says:

1. That I am the Managing Member/ President of Maude Crawford Realty, LLC/ Bridgeville Ski Company, Inc. d/b/a Holiday Mountain (collectively, the "Applicant") and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.

Michael C. Taylor

Michael C. Taylor

Subscribed and affirmed to me under penalties of perjury
this 31 day of March, 2023

Dawn M. Green

(Notary Public)

DAWN M. GREEN
Notary Public, State of New York
Sullivan County Clerk's # 2764
Commission Expires May 11, 2025

THIS APPLICATION SHALL BE SUBMITTED WITH (I) TWO CHECKS: ONE COVERING A \$250.00 APPLICATION FEE AND THE SECOND COVERING A \$5,000.00 UP-FRONT ESCROW DEPOSIT; AND (II) APPLICANT'S FORMATION DOCUMENTS (IE: IF A CORPORATION: ITS CERTIFICATE OF INCORPORATION AND BYLAWS; IF A LIMITED LIABILITY COMPANY: ITS ARTICLES OF ORGANIZATION AND OPERATING AGREEMENT; IF A LIMITED PARTNERSHIP: ITS CERTIFICATE OF LIMITED PARTNERSHIP AND LIMITED PARTNERSHIP AGREEMENT; OR IF A PARTNERSHIP: ITS PARTNERSHIP AGREEMENT TO:

COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY
Executive Director
548 BROADWAY
MONTICELLO, NEW YORK 12701

HOLD HARMLESS AGREEMENT

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

Maude Crawford Realty, LLC

Michael C. Taylor

By: Michael C. Taylor, Managing Member

Date: 3-31-23

Bridgeville Ski Company, Inc. d/b/a Holiday Mountain

Michael C. Taylor

By: Michael C. Taylor, President

Date: 3-31-23

Sworn to before me this
31 day of March, 2023
Dawn M. Green
Notary Public

DAWN M. GREEN
Notary Public, State of New York
Sullivan County Clerk's # 2764
Commission Expires May 11, 2025



Town of Forestburgh

RESOLUTION

Adopting SEQRA Positive Declaration and Requiring the Preparation of a Supplemental Environmental Impact Statement for the Lost Lake Resort Property Located on Cold Spring Road, Town of Forestburgh

Dated: March 30, 2023

At a meeting of the Town Board of the Town of Forestburgh, Sullivan County, New York, held at the Town Hall, 332 King Road, Forestburgh, N.Y., on the 30th day of March, 2023:

Councilperson Karen Ellsweig offered the following resolution and moved for its adoption:

WHEREAS, by Resolution dated February 2, 2023 (incorporated herein), the Town Board adopted the findings and conclusions set forth in a November 15, 2022 Town Zoning Board of Appeals (“ZBA”) ruling and decision on the Lost Lake Holdings, LLC and Mishconos Mazah, LLC (collectively “Developer”) appeal of the denial its building permit applications;

WHEREAS, in the February 2, 2023 Resolution, the Town Board, as the State Environmental Quality Review Act (“SEQRA”) Lead Agency, found that Developer’s changes and modifications to the Resort Project as fully detailed in the ZBA’s November 15, 2022 Decision and undertaken by Developers constituted significant and material “changes in the project” or “a change in the circumstance” as those terms are used in 6 NYCRR § 617.9 (a) (7);

WHEREAS, a notice of violation, stop work order, and compliance order requiring, in part, that Developers cease all construction activities and undergo additional project review was issued on February 1, 2023;

WHEREAS, Developers have elected to ignore the February 1, 2023 compliance order and have not undergone additional project review;

WHEREAS, Developers have already undertaken a course of action, including unilateral and unauthorized amendments to mitigation conditions set forth in the 2011 PDD Approval and 2013 Conditional Final Approval, which the Town Board finds to be material “changes in the project” under 6 NYCRR § 617.9 (a) (7);

WHEREAS, these and other project changes detailed in the November 15, ZBA decision have the potential for one or more significant adverse environmental impacts.

NOW THEREFORE BE IT RESOLVED as follows:

1. The Town Board was and remains the Lead Agency under SEQRA;
2. The Town Board finds that Developer's changes and modifications to the Resort Project as fully detailed in the ZBA's November 15, 2022 Decision constitutes "changes in the project" or "a change in the circumstance" as those terms are used in 6 NYCRR § 617.9 (a) (7) which has the potential for one or more significant adverse environmental impacts that were either not addressed or inadequately addressed under the 2010 Draft Environmental Impact Statement ("DEIS") and 2011 Final Environmental Impact Statement ("FEIS"), nor contemplated in the SEQRA Findings Statement adopted in 2011.
3. The Town Board adopts the SEQRA Positive Declaration (attached hereto) and the contents and conclusions therein regarding the potential environmental impacts if the Resort Project is authorized and approved to proceed in accordance with Developer's project changes and modifications.
4. As a result of adopting the SEQRA Positive Declaration, public scoping and the preparation of a Supplemental Environmental Impact Statement ("SEIS") is required.
5. Scoping shall be conducted in accordance with 6 NYCRR §617.8 based on a draft Scoping Document for preparation of a SEIS to be prepared and filed with the Town by Developer.
6. A duly noticed and advertised scoping session will be held by the Town Board on a date and time to be determined after Developer has filed a Draft Scoping Document.
7. The Town Supervisor or his designee shall provide notice and a copy of this Resolution to Developer and all interested and involved parties identified in the Resort Project DEIS and shall make the Resolution accessible on the Town's website.
8. Town Supervisor or his designee is authorized to take such other and further action as might be necessary to meet the Town Board's obligations as Lead Agency or as otherwise might be appropriate in its role as Lead Agency.

On a motion by Councilperson Karen Ellsweig, seconded by Councilperson Susan Landis, the resolution was adopted on a roll call vote, the results which follow:

| | |
|-----------------------------------|-----|
| Supervisor Daniel S. Hogue, Jr. | Aye |
| Councilmember Steven Budofsky | Aye |
| Councilmember Karen Ellsweig | Aye |
| Councilmember Vincent W. Galligan | Aye |
| Councilmember Susan Parks-Landis | Aye |

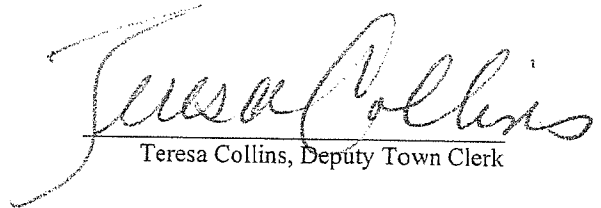
Adopted this 30th day of March 2023.

**By Order of the Forestburgh Town Board
Teresa Collins, Deputy Town Clerk**

I, **TERESA COLLINS**, Deputy Town Clerk of the Town of Forestburgh, Sullivan County, New York, **DO HEREBY CERTIFY** that the foregoing local law was approved by the Town Board of the Town of Forestburgh on **March 30, 2023** and that the foregoing is a true and correct transcript of the original local law and of the whole thereof and that said original local law is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Forestburgh this 30th day of March 2023.


Teresa Collins, Deputy Town Clerk



STATE ENVIRONMENTAL QUALITY REVIEW ACT

POSITIVE DECLARATION

Determination of Significant

**Notice of Intent Requiring Preparation of a Draft SEIS
for the Project known as Lost Lake Resort**

Date of Notice: March 30, 2023

Project Name: Lost Lake Resort Planned Development District (“Resort Project”)

Location: Approximately 2079.51 acres located on St. Joseph’s Road, Town of Forestburgh, Sullivan County, New York

Lead Agency: Town of Forestburgh Town Board, Forestburgh Town Hall, 332 King Road, PO Box 114, Forestburgh, New York 12777, Contact: Daniel S. Hogue, Jr., Supervisor

Project Sponsor: Lost Lake Holdings, LLC and Mishconos Mazah, LLC (“Developer”), 991 Willoughby Ave, #200, Brooklyn, NY 11221, ym@mifalhachok.com

SEQRA Status: Type I

Scoping: YES, Public Scoping

Attachments: Town Board Resolution dated March 30, 2023

PLEASE TAKE NOTICE:

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 State Environmental Quality Review Act (“SEQRA”) of the Environmental Conservation Law.

The Town of Forestburgh Town Board at its March 30, 2023 public meeting determined that Developer’s changes and modifications to the Lost Lake Resort Project as fully detailed in the ZBA’s November 15, 2022 Decision constituted “changes in the project” or “a change in the circumstance” as those terms are used in 6 NYCRR § 617.9 (a) (7) resulting in the potential for significant adverse environmental impacts not addressed or inadequately addressed in the EIS, and therefore Developer will be required to prepare a draft supplemental environmental impact statement (“DSEIS”) and obtain approvals for such modifications as required under applicable law or regulation.

In addition, it is the intent of the Town Board to conduct public scoping including scheduling of a public scoping session. The primary goals of scoping are to focus the DSEIS on potentially significant adverse impacts that may be reasonably expected to result from the proposed project modifications and to eliminate consideration of those impacts that are not relevant or nonsignificant.

The Town Board also suspended all Town issued permits and approvals, including the Resort Project's 2011 PDD Approval and 2013 Conditional Final Approval. Therefore, any construction or land disturbance activities permitted thereunder are no longer authorized unless and until Developer submits its proposed changes to the Town Board to undergo additional review under SEQRA, and obtain necessary and appropriate modifications to the terms and conditions of the Project Approvals.

Resort Project History

In September of 2008, Developer's predecessor Double Diamond proposed a planned resort and residential community on approximately 2,100 acres located in the Town of Forestburgh, Sullivan County, off Cold Spring Road and known as the Lost Lake Resort.

Double Diamond proposed to develop a resort and residential community consisting of 2,557 residential lots, a cluster of 30 single-family cottages, and 40 condos (a total of 2,627 dwelling units), of which more than half being seasonal or second homes, along with mixed-use commercial elements, including a hotel, lodge, restaurant, spa, golf course, public conference facilities, real estate offices, and public recreational elements. The Resort Project also proposed new private roads; a new central water supply from on-site wells; a new central sewage treatment system, electric utilities, and other necessary infrastructure.

Double Diamond's Resort Project was proposed to be constructed on approximately 2,100 acres located entirely within a residential (RR-1) zoning district which required a minimum lot size of 100,000 square feet ("sq. ft.") (approximately 2.3 acres) with 1 dwelling per lot.

Under the Town's RR-1 zoning district bulk standards, however, only 491 single-family lots would have been permitted on the 2,100-acre property under a conventional subdivision. Double Diamond's proposal to construct up to 2627 residential units represented a 435% increase in allowable density under the RR-1 district standards.

After a multi-year review, including the preparation of a 2010 DEIS and 2011 FEIS, the Resort Project's SEQRA review concluded when the Town Board adopted the SEQRA Findings Statement in May 2011. The Resort Project DEIS, FEIS, and Findings Statement addressed potential environmental impacts based on Double Diamond's then proposed resort-community project and representations, including: (1) That Double Diamond's intended target market for the single-family lots was "primarily the investor who may or may not build a home but is interested in purchasing a house lot in the resort to take advantage of the recreational amenities offered at the resort to lot owners"; (2) That the Resort Project will be "built to attract a membership-based, primarily second-home and non-resident population into a unique, recreational setting"; (3) The project developer would construct the roads, infrastructure and resort amenities and market the sale of vacant lots to prospective buyers; and (4) That houses would not be built on the single family lots by the developer but some individual lot owners as their second or retirement home, for recreation and leisure, or as a real estate investment.

Based on Double Diamond's proposed project description and representations, the DEIS and FEIS impact analysis used demographic characteristic assumptions for "a population representing 43% full time residents" for its full build scenario, and that "approximately 57 percent of the houses that are built are used part time as second homes for weekend and vacation use".

The seasonal / second home nature of the Resort Project with only 43% of homes occupied by full-time residents was a material assumption in analyzing the following impacts: (a) grow

inducing impacts (Ex. 3b DEIS 7-1); (b) traffic / transportation impacts (Ex. 3b DEIS 8-5, 8-11); (c) population projections (Ex. 3b DEIS 3.9-6); (d) fiscal impacts (Ex. 3b DEIS 1-31); (e) impacts on schools (Ex. 3b DEIS 1-33); (f) community service impacts (Ex. 3b DEIS 3.10-2, 1.34); (g) noise impacts (Ex. 3b DEIS 3.11.9), among others.

Double Diamond also placed great emphasis on the inclusion of strict environmental controls to mitigate or avoid adverse environmental impacts.

The SEQRA Findings Statement contained project specific mitigation measures considered in the SEQRA DEIS and FEIS including strict adherence to standards set forth in the Design Guidelines for Single Family Homes (“2013 Design Guidelines”) and the Covenants, Restrictions and Conditions for the Lost Lake Resort and Development (“2013 CC&Rs”).

The SEQRA Findings Statement, 2013 Design Guidelines, and the 2013 CC&Rs contained both substantive and procedural requirements that were intended to mitigate or avoid the environmental impacts identified in the DEIS and FEIS.

After completing environmental review under SEQRA and adopting the Finding Statement, the Town Board considered Double Diamond’s Resort Project application and took the following actions: (1) adopted Local Law 3 of 2011 on July 7, 2011, amending the Town’s existing PDD local law to allow for increased density bonuses to accommodate the Resort Project; (2) granted PDD approval to the Resort Project by resolution dated August 4, 2011 which rezoned the project site from RR-1 to PDD and incorporated the mitigation measures in the Finding Statement as conditions of approval; and (3) granted conditional final site plan and subdivision approval for the first of seven project phases by resolution on June 25, 2013, subject to the mitigation measures in the Finding Statement.

The Town Board’s actions were all conditioned on a host of project specific mitigation measures considered in the EIS and incorporated into the SEQRA Findings Statement, including strict adherence to standards set forth in the 2013 Design Guidelines and the 2013 CC&Rs.

Description of the Action:

In June of 2020, Double Diamond sold the Resort Project to Developers without having completed the infrastructure improvements or constructing any residential dwellings.

Developer sought building permits to construct single-family dwellings that Developer intended to sell to prospective buyers. This was a material change to Double Diamond’s proposal that sought to sell vacant lots to prospective purchasers.

Throughout the building permit application review process, the Developer submitted amended Design Guidelines and the CC&Rs removing or materially modifying the many of the mitigation measures and controls in the 2013 Design Guidelines and the 2013 CC&Rs considered in the EIS, incorporated into the SEQRA Findings Statement, and made part of the 2011-2013 Project Approvals. The amended Design Guidelines and the CC&Rs, which Developer filed with the County Clerk’s Office, were not approved or authorized by the Town Board. Additionally, instead of the resort-style development proposed by Double Diamond and approved by the Town, Developer represented that it intended to construct “affordable units” in accordance with its unauthorized amended design guidelines.

Developer’s building permit applications were denied and Developer commenced an appeal before the ZBA. In the course of the 11-month appeal proceeding, the ZBA developed an extensive hearing record and issued a November 15, 2022 decision affirming the denial of Developer’s building permit application.

In its decision, the ZBA provided a detailed review and analysis of the Developers changes to the 2011-2013 Resort Project Approval conditions, terms, and restrictions.

These changes included unauthorized amendments to 2013 Design Guidelines and the 2013 CC&Rs eliminating or modifying material mitigation measures required as a condition of approval, including changes to (1) architectural standards, (2) green building design standards and requirements, (3) site planning requirements, (4) landscape requirements, (5) design review and approval process, (6) construction regulation, and (7) governance provisions.

In addition, the ZBA record established that Developer's target market for the dwellings Developer intends to construct is materially different from Double Diamond's seasonal / second-home market. Specifically, it is Developer's intent to expand and change the purpose of the development from one targeted primarily at the vacation / second-home market to a housing development targeted to a first-home / primary home market as evidenced by Developer's amendments to the 2013 CC&R and 2013 Design Guidelines its admissions during cross-examination testimony.

A copy of the ZBA Decision is available at:

<http://forestburgh.net/wp-content/uploads/2022/11/zba-appeal-determination-w.-appx-1.pdf>.

Reasons Supporting this Decision:

The Town Board, as Lead Agency, has found potential significant adverse impacts are presented as a result of the project changes identified in the ZBA decision and hearing record, including:

- (1) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; or a substantial increase in solid waste production as a result of changing the purpose of the Resort Project from selling vacant lots to the second-home / vacation home market to selling constructed dwellings to a primary-home market.
- (2) the creation of a material conflict with the community's current plans or goals as officially approved or adopted as a result of unauthorized and unilateral changes to the Town approved 2013 Design Guidelines and the 2013 CC&Rs which are essential mitigation requirements established in the SEQRA Findings Statement and expressly incorporated in the 2011-2013 Approvals as a condition of approval.
- (3) the impairment of the character of existing community or neighborhood character as a result of as a result of Developer's changes to the Town approved 2013 Design Guidelines and the 2013 CC&Rs and changes to the overall purpose of the Resort Project.
- (4) a major change in the use of either the quantity or type of energy as a result of changing the purpose of the Resort Project from selling vacant lots to the second-home / vacation home market to selling constructed dwellings to a primary-home market.
- (5) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses as a result of changing the purpose of the Resort Project from selling vacant lots to the second-home / vacation home market to selling constructed dwellings to a primary-home market.
- (6) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action as a result of changing the purpose of the Resort Project from selling vacant lots

to the second-home / vacation home market to selling constructed dwellings to a primary-home market.

In addition, any impact analysis in the DEIS/FEIS which relied on the seasonal / second home nature of the Resort Project with the assumption that only 43% of homes would be occupied by full-time residents will require reevaluation, including: (a) grow inducing impacts (Ex. 3b DEIS 7-1); (b) traffic / transportation impacts (Ex. 3b DEIS 8-5, 8-11); (c) population projections (Ex. 3b DEIS 3.9-6); (d) fiscal impacts (Ex. 3b DEIS 1-31); (e) impacts on schools (Ex. 3b DEIS 1-33); (f) community service impacts (Ex. 3b DEIS 3.10-2, 1.34); (g) noise impacts (Ex. 3b DEIS 3.11.9), among others.

Considering the potential environmental impacts outlined above, the Town Board, acting as SEQRA Lead Agency, has determined that the project changes identified in the ZBA decision and hearing record may cause one or more significant impacts to the environment. As such, a DSEIS must be prepared to address the above impacts and others that may be identified during public scoping. The DSEIS will be prepared in accordance with Article eight of the New York State Environmental Conservation Law and in compliance with all applicable state and local laws and regulations.

For Further Information

Contact Person: Town Supervisor
 322 King Road
 Forestburgh, NY 12277
 845-794-0611
 forestburghsupervisor@gmail.com

A copy of the DEIS and FEIS is on file for public inspection at Town of Forestburgh Town Clerk's Office, 332 King Road, Forestburgh, New York 12777.

A digital copy of the DEIS and FEIS is available online at: <https://forestburgh.net/boards-and-committees/zoning-board-of-appeals/lost-lake/>

Copies of this Notice sent to the attached Service List and published on the Environmental Notice Bulletin, 625 Broadway, Albany, NY 12233-1750.

| | |
|---|---|
| <p>Dept. of the Army Corps of Engineers NY District, Western Permits Section 26 Federal Plaza, Room 1937 New York, New York 10278-0090</p> | <p>Sullivan Co. Division of Public Works Edward McAndrew, P.E., Commissioner 100 North Street P.O. Box 5012 Monticello, New York 12701</p> |
| <p>US Fish & Wildlife Service New York Field Office 3817 Luker Road Cortland, New York 13045</p> | <p>Sullivan Co. Division of Planning and Environmental Management Attn: Freda Eisenberg, AICP, Commissioner 100 North Street Monticello, New York 12701</p> |
| <p>NYS Dept of Environmental Conservation Attn: Basil Seggos, Commissioner 625 Broadway Albany, New York 12233-3508</p> | <p>Sullivan County Sheriff's Department Attn: Michael Schiff, Sheriff 58 Old Route 17 Monticello, New York 12701</p> |
| <p>NYS Dept of Environmental Conservation Region 3, Div of Environmental Permits 21 South Putt corners Road New Paltz, New York 12561-1696</p> | <p>Monticello Central School District Attn: Matthew Evans, Ed. D., Superintendent 150 Wood Avenue Monticello, New York 12701</p> |
| <p>NYS Department of Transportation Region 9 Attn: Thomas Wiser, P.E., Regional Director 44 Hawley Street Binghamton, New York 13901-3200</p> | <p>Town of Thompson Attn: Marilee J. Calhoun, Town Clerk 4052 Route 42 Monticello, New York 12701</p> |
| <p>NYS Department of Health Monticello District 50 North Street, Suite 2 Monticello, New York 12701-1171</p> | <p>Crawford Public Library 479 Broadway Monticello, New York 12701-1353</p> |
| <p>NYS Office of Parks, Recreation and Historic Preservation-Field Services Bureau Attn: Erik Kulleseid, Commissioner Peebles Island, P.O. Box 189 Waterford, New York 12188-0189</p> | <p>Forestburgh Fire Company #1 Attn: Zach Petrowsky, Chief 2674 Route 42 Forestburgh, New York 12777</p> |
| <p>Delaware River Basin Commission 25 State Police Drive PO Box 7360 West Trenton, New Jersey 08628-0360</p> | <p>Town of Forestburgh Conservation Advisory Board 332 King Road – P.O. Box 114 Forestburgh, New York 12777</p> |
| <p>Merriewold Board of Governors 2674 State Route 42</p> | <p>The Hartwood Club Attn: Jan Ritzel, President</p> |

| | |
|--|--|
| Forestburgh, NY 12777 | 195 Baer Road Forestburgh, New York 12777 |
| Lake Joseph Homeowners Assn, Inc. Ihor Mandicz, President P.O. Box 97 Forestburgh, New York 12777 | Forestburgh Civic and Taxpayers Assn, Inc. P.O. Box 69 Forestburgh, New York 12777 |

William J. Rieber, Jr.

AT
#1

From: Glenn Smith <gsmith.pepc@verizon.net>
Sent: Friday, March 31, 2023 11:24 AM
To: supervisor@townofthompson.com
Cc: jcarnell@townofthompson.com
Subject: Town-To-Village Monticello Annexation
Attachments: doc01099320230331100024.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

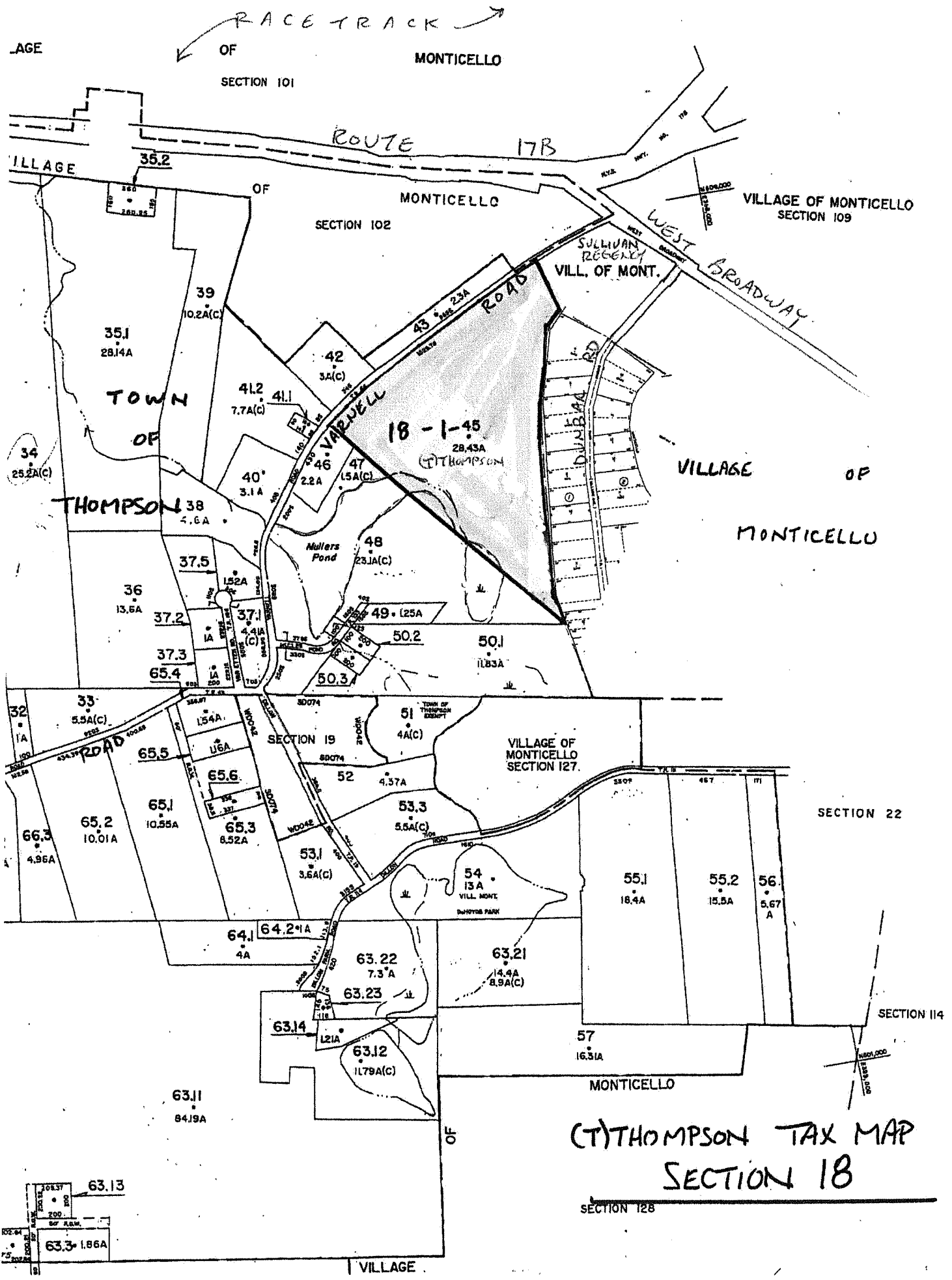
Bill,

A developer client of mine who's been doing housing projects in Town of Fallsburg for the past ten years, Eli Brezel, is considering purchase of a 29 acre vacant parcel on Varnell Road (SBL #18-1-45) in the town. This parcel is directly behind the Sullivan Regency building on West Broadway and abuts the village bounds. Eli is interested in an annexation to acquire village sewer and water services for constructing townhouses.

I introduced him to the village board to discuss this at their March 15, 2023 meeting and they were receptive. The mayor indicated the next step is to approach your board to present this proposal, then proceed with the legal process which I believe requires a joint village/town board meeting.

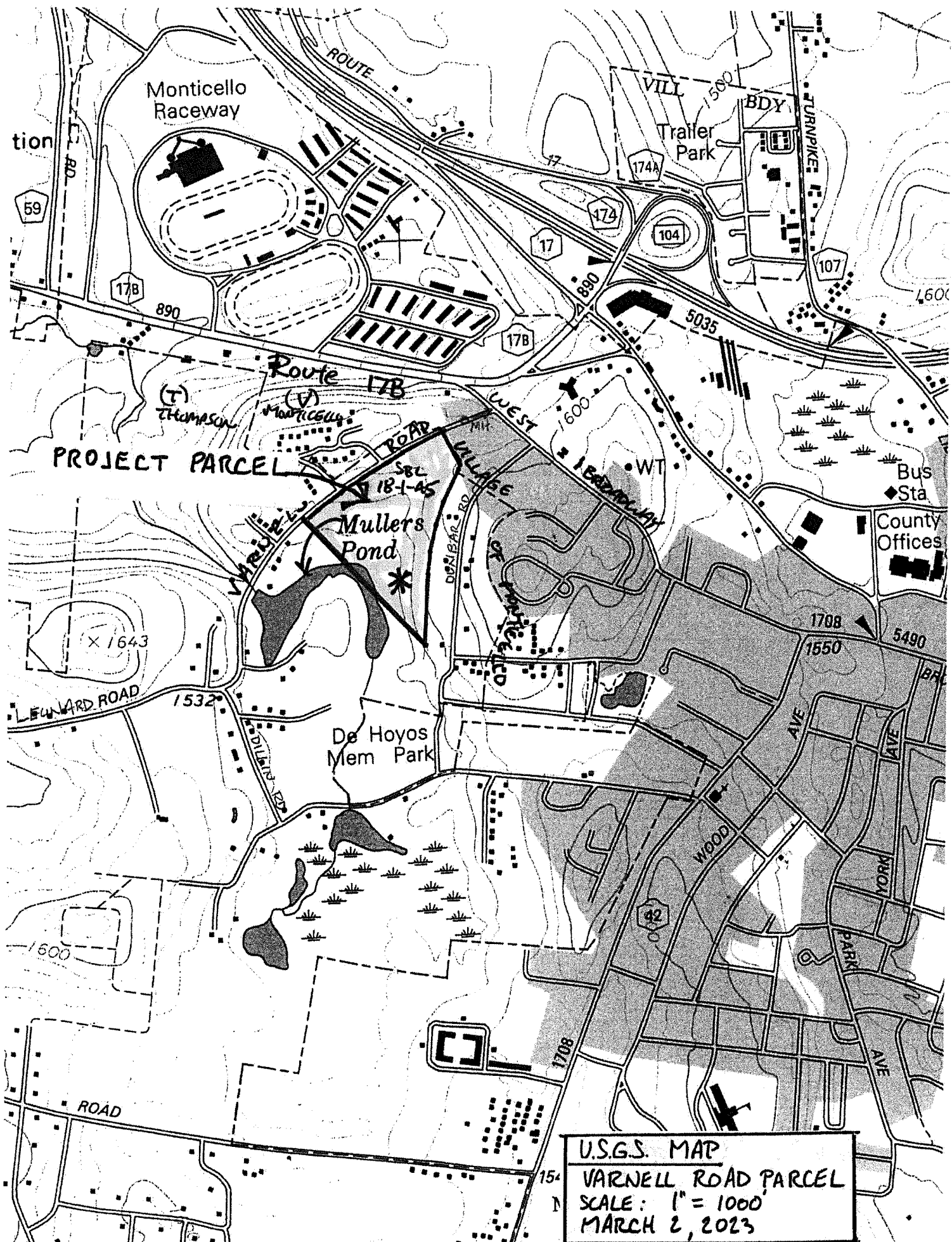
Mr. Brezel would be pleased to attend a town board meeting to discuss the above if necessary. Would you please let me know how best to proceed.

Thanks,
Glenn



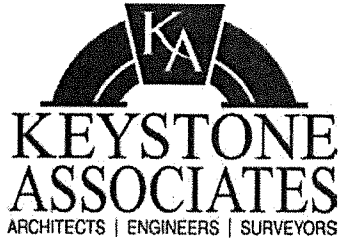
(T) THOMPSON TAX MAP
SECTION 18

SECTION 128



U.S.G.S. MAP
VARNELL ROAD PARCEL
SCALE: 1" = 1000'
MARCH 2, 2023

#2



April 10, 2023

Kenneth D. Ellsworth, P.E.
Managing Member

Paul L. Bedford, AIA
Architect

Rodney L. Carey, L.S.
Land Surveyor

Kordian W. Wichtowski, R.A.
Architect

Town Board of the Town of Thompson
4052 Route 42
Monticello, New York 12701

RE: Request for Consideration of Water and Sewer District Extensions
Tax Map Nos. 29-1-22.1, 29-1-24 and 29-1-25.1
Town of Thompson, New York

Dear Supervisor Rieber and Town Board Members:

Our firm represents the Owner/Developer of the above property who is requesting water and sewer district extensions for a proposed 100 unit residential development identified as Prestige Estates. The property is located at 220 Cold Spring Road, on two (2) parcels consisting of 58.05 acres, after a proposed lot line change with the adjacent residential property named Aaron Village (Tax Map No. 29-1-24). The parcels are immediately adjoining the Cold Spring Water and Sewer Districts boundaries.

The estimated water demand and sewer flow for Prestige Estates is based on a full build out with six (6) bedrooms per unit for 66,000 gallons per day. Aaron Village has twenty (20) units with an average of two (2) bedrooms per unit for an estimated water demand and sewer flow of 4,400 gallons per day.

We understand that the current water system does not have sufficient capacity to serve this proposed project and we are including improvements to the existing system in the design of the proposed project. The developer is hopeful that the Town and other developers in the area will participate financially in the improvements. Our office will work directly with the Town water operator and engineer to design the improvements to be identified in the Map, Plan and Report prepared by the Town Engineer.

With this letter we are asking the Board to consider this request and take any action as appropriate to authorize the completion of the design and subsequent Map, Plan and Report.

If you have any further questions please contact our office.

Respectfully,

Keystone Associates
Architects, Engineers and Surveyors, LLC

Kenneth D. Ellsworth, P.E.
Managing Member

KDE:las

Main Office
58 Exchange Street
Binghamton, New York 13901
Phone: 607.722.1100
Fax: 607.722.2515

Branch Office
165 South Main Street, Suite 6
Cortland, New York 13045
Phone: 607.753.8015

Branch Office
30 North Street, 2nd Floor
Monticello, New York 12701

E-mail: info@keyscomp.com
www.keyscomp.com

#3

Marilee Calhoun (Town of Thompson)

From: Michael Messenger <mmessenger@townofthompson.com>
Sent: Monday, April 10, 2023 9:57 AM
To: Marilee Calhoun
Cc: William J. Rieber, Jr.
Subject: Fwd: Town of Thompson Streetlight Maintenance
Attachments: T Thompson Total Proposed Scope v2.pdf; T Thompson Welcome Document.pdf

Marilee,

Could you add this for review and approval at the 4/18/23 Town Board Meeting?

Michael Messenger

Superintendent

Town of Thompson Water & Sewer Dept.

(845) 794-5280 Ext. 104

mmessenger@townofthompson.com

The Town of Thompson is an equal opportunity provider and employer.

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----- Forwarded message -----

From: Michael Messenger <mmessenger@townofthompson.com>
Date: Mon, Apr 3, 2023 at 10:18 AM
Subject: Fwd: Town of Thompson Streetlight Maintenance
To: Jill Weyer (Town of Thompson) <jweyer@townofthompson.com>, William J. Rieber, Jr. <supervisor@townofthompson.com>

Hello,

Attached is the service proposal and recommended maintenance budget for the street lights. The annual cost is for the 767 street lights that we purchased. The Adelaar and Emerald Corporate Center lights are not covered under the routine maintenance agreement but are covered on a time and material basis.

Michael Messenger

Superintendent

Town of Thompson Water & Sewer Dept.

(845) 794-5280 Ext. 104

mmessenger@townofthompson.com

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----- Forwarded message -----

From: **Ferrick, James** <James.Ferrick@nypa.gov>

Date: Thu, Mar 30, 2023 at 1:53 PM

Subject: Town of Thompson Streetlight Maintenance

To: Michael Messenger (mmessenger@townofthompson.com) <mmessenger@townofthompson.com>

Cc: Hermann, Charles <Charles.Hermann@nypa.gov>, Anctil, Nathan <Nathan.Anctil@nypa.gov>

Michael,

It was a pleasure meeting you on today's Streetlight O&M kickoff call. As discussed, please see attached for the following documents:

- Slide deck from today's presentation
- Program Welcome Document: has contact info for myself, EJ Electric, and our 24/7 emergency Hotline
- NJUNS Authorization Form: Please sign and return to me at your convenience. This will allow us to monitor for Utility Wooden Pole Relocations.

- Revised total scope proposal for additional fixtures: Please have this signed and return to me if you would like to proceed. Once I have this document signed I can move forward with a Change Order on the original contract.
 - This includes the 767 fixtures under the original proposal + 335 poles in the Adelaar Lighting District + the 25 poles at the Emerald Corporate Center.
 - Again, for fixtures without control nodes, we would require the town to report any outages. All work on those fixtures would be done under non-routine maintenance.

Please let me know if you have any questions. Thanks and have a great day!

James Ferrick

Street Light Analyst

New York Power Authority

123 Main Street

White Plains, NY 10601

(914) 681-6281 (office)

(914) 383-5276 (cell)

James.Ferrick@nypa.gov

AUTHORIZATION TO PROCEED (ATP)

Project Name: Smart Street Lighting NY: Maintenance Service

Customer Name Town of Thompson

By signing below, we hereby authorize NYPA to proceed with creation of a formal Customer Project Commitment (CPC), which will be sent via Adobe EchoSign and outline the formal terms and conditions of the service as well as the projected financial obligations referenced below. Actual street light maintenance cost will be re-calculated from final inventory documented during the Final Completion milestone of the street light conversion. 10% Routine maintenance contingency has been added to this proposal to account for any potential inventory adjustments. Final costs will be presented in CPC below are the estimated costs.

Service Term: 2 years
Routine Maint. Payment Method: Annual

| | Routine Maintenance Annual Cost | Non-Routine Maintenance Budget | Annual Service Budget |
|------------------------------|---------------------------------|--------------------------------|-----------------------|
| Service Year 1: | \$17,637.12 | \$154,984.78 | \$172,621.90 |
| Service Year 2: | \$18,166.23 | \$154,984.78 | \$173,151.01 |
| Total Contract Budget | \$35,803.35 | \$309,969.56 | \$345,772.91 |

Authorized NYPA Representative:

Authorized Customer Representative:

Joseph Rende
(Name, printed)

(Name, printed)

Sr. Director of Key Account Management
(Title)

(Title)

(Signature)

(Signature)

(Date)

(Date)

Comments:

NOTE on Maintenance Categories:

- 1. Routine Maintenance** - consists of replacing and/or repairing defective components of the street lighting system in order to keep them fully operational. This type of service will cover the repair or replacement of damaged fixtures, control nodes, fuses, etc. For this type of service, contractors will complete repair within 10 business days of notification.
- 2. Non-routine Maintenance** - includes repairs that go above and beyond the defined routine maintenance. Non-routine work requires the municipality's approval prior to work commencing for any work greater than \$2,500. Once approved the work must be completed within 30 business days. The Contractor will provide a written proposal to the Customer and NYPA detailing the scope of work.
- 3. Emergency Work** - will be required from time to time, typically due to a knockdown or weather event. The Contractor will be contacted to respond to a site for public safety, in this instance, the Contractor will take down and remove any street lighting part to make the area safe. The response time for emergencies is 2 to 4 hours. Once safe,



NY Power Authority

KATHY HOCHUL
Governor

JOHN R. KOELMEL
Chairman

JUSTIN E. DRISCOLL
Interim President and Chief Executive Officer

Street Lighting Maintenance Service Welcome Package

The New York Power Authority's (NYPA) Street Lighting Maintenance Service, under the Smart Street Lighting NY program, provides municipalities with a complete turn-key and cost-effective solution for the on-going maintenance of your street lighting system. The Maintenance Service begins once municipalities gain ownership and convert their street lights to LED. As a service requirement, customers must have installed asset control nodes on each street light. NYPA will utilize these asset control nodes to monitor in real time the performance of the street lighting system therefore improving response time, service, and reporting.

Contacts

NYPA Maintenance Control Center:
Street Lighting Maintenance Service
Email: SLmaintenance@NYPA.gov

24/7 Emergency Hotline: (914)287-3338

EJ Electric Contact
Pat Meres
pmeres@ej1899.com
(347) 860-1549

NYPA Key Account Manager Contact:
Name: Casey Mastro
Email: casey.mastro@nypa.gov
Phone: 1-716-475-3226

Quantela Contact:
Nancy McKinney
nancy.mckinney@quantela.com

NYPA Maintenance Analyst:
Name: James Ferrick
Email: james.ferrick@nypa.gov
Phone: (914) 681-6281

Contract Terms Term:

Contract Start: 3/30/2023
Contract End: 3/30/2025

Term: 2 Years
Payment Method: Annual for Routine, per occurrence for Non-Routine

Street Light Maintenance Quick Sheet

Emergencies:

NYPA offers 24/7 call center in case of emergencies. The phone number should only be used for internally and shared with first responders to notify NYPA of a street light emergency. Please keep in mind, when purchasing your street lights, the utilities will continue to own any wooden infrastructure with transmission and distribution power lines. In the event this equipment is damaged it will continue

to be the utilities responsibility to repair. If your street lighting equipment requires emergency work, please call the phone number and a crew will be dispatched immediately. We would ask first responders to stay on scene until the contractor arrives to secure the area to avoid any accidents.

Non-emergency Requests:

In the event you would like any repairs or modifications completed on your street lighting system. Feel free to contact NYPA via the phone number or email address stating your request. Our Control Center will work with the maintenance contractor to put together a proposal for your review to make the system modification. Once approved, we will schedule a crew to arrive on site to make the repair.

Street Light Outages:

The Control Center will typically identify and monitor street light outages but in the rare instance you identify a street light is not operational and have not received an email notification from the Control Center we would ask you to report this outage via email.

Asset Connectivity:

Occasionally asset management nodes may lose connectivity, when this occurs the control center will wait for the asset control node to regain communication before issuing a workorder to repair the street light equipment. During the connectivity downtime, the street light will default to a standard photocell and continue to operate. In the event of a node failing to communicate, NYPA may request the Customer verify if the street light is operational after dusk before a crew is deployed.

Asset Control Software:

In the event you are experiencing problems or issues with your asset control software, please reach out to your software provider to assist with any trouble shooting.

Stray Voltage Repairs:

The local utility will continue to conduct stray voltage testing as required by the Public Service Commission. In the event you are notified by your utility of any locations that will need to be repaired please contact the Control Center via email with the information provided by the utility. In many cases there are time requirements to complete the repair so immediate notification is essential.

Reporting:

NYPA will provide at least 2 service report a year which will outline the performance of your street lighting system, summary of repairs performed, and track street lighting budgets.



DELAWARE ENGINEERING, D.P.C.

55 South Main Street
Oneonta, New York 13820

Tel: 607.432.8073
Fax: 607.432.0432

#4

April 10, 2023

Harry Nelson, P.E.
Manager, Metro and Eastern Projects
NYS Environmental Facilities Corporation
625 Broadway
Albany, NY 12207-2997
(518) 402-7396
Harry.Nelson@efc.ny.gov

Re.: Town of Thompson
Sullivan County, New York
Kiamesha Lake Wastewater Treatment Plant (WWTP) Upgrade
CWSRF Project No.: C3-5378-06-00
DEC ID: 3-4846-00039/00003
SPDES Permit No.: NY0030724

Subj: Preliminary Engineering Report Amendment No. 1

Enclosed for NYSEFC review, on behalf of the Town of Thompson, is this letter and attachments, to serve as Amendment No. 1 to the August 2019 Engineering Report (revised May 2022) prepared for the Kiamesha Lake Wastewater Treatment Plant Upgrade.

This amendment will address two main areas of the engineering report: project schedule and project cost. A more detailed description of what has been amended and why amendments were necessary is included in the following sections of this letter.

Project Schedule:

On December 14, 2022, NYSEFC found the Town's November 14, 2022 responses to NYSEFC's August 1, 2022 PER review comments to be satisfactory. The only remaining comment was that the project schedule, which must ultimately be agreed to by NYSDEC, needed to be incorporated into the report and that NYSDEC needed to approve the report before NYSEFC could issue eligibility approval (see Attachment 1 – December 14, 2022 NYSEFC Review Comments Concerning Schedule).

On January 11, 2023, NYSDEC advised the Town that the application for the SPDES permit renewal was complete, and a technical review had commenced. NYSDEC ultimately agreed to modify the compliance schedule to include the UV Disinfection with the General WWTP Upgrades, and notified the Town on March 2, 2023 that the requested permit renewal had become effective on March 1, 2023. This will allow NYSDEC to approve the PER and any amendments thereto.

DELAWARE ENGINEERING, D.P.C.

The agreed-upon updated schedules from the Town's November 14, 2022 responses to NYSEFC's August 1, 2022 PER review comments have been attached to this response letter (Attachment 2 – Updated Schedules) for NYSDEC approval and NYSEFC eligibility approval.

Project Costs:

The Total Estimated Project Cost in 2019 was \$27,023,978. This project has secured a \$1,000,000 WQIP Grant, a \$6,383,930 WIA Grant, and \$13,012,000 in BIL Grant for a total grant award of \$20,395,930. Executed Project Financing and Grant Award Notifications have been attached to this letter (Attachment 4).

Due to increases in construction costs, we believe that the Total Estimated Project Cost is now \$34,792,360 and we request that the project cost be revised now as part of this amendment.

If the total grant award is deducted from the current (March 2023) Total Estimated Project Cost, the remaining amount to be financed is \$14,396,431. Appendix H – Estimated Project Cost Summary and Appendix I - SRF Application Project Budget have been attached to this letter (see Attachment 3 – Project Budget and Construction Cost Documents). These Appendices are both excerpts from the Town of Thompson, NY Kiamesha Lake WWTP Upgrade Preliminary Engineering Report (Revised May 2022), which have been updated in March 2023 for this amendment. Principal project cost increases are associated with cost adjustments from 2019 to 2023, including a construction cost adjustment averaging 25% and an increase of the contingency from 10% to 20%.

The Town has qualified to receive a maximum of \$25 million in hardship financing over a rolling five-year period. Based on the Award Notification (Attachment 4) the project has currently been awarded \$13,012,000 in BIL Hardship Financing.

In consideration of the cost increase, it is requested that this project be reviewed for any possible increase to the grants, hardship financing, or both, due to the increase in estimated project cost, recognizing that the Town has multiple projects underway that have also qualified for hardship financing. At this time, it is not believed that the Town will exceed the \$25 million cap for hardship financing, even if additional hardship financing were awarded to address the increase in estimated project cost described above.

Thank you for your consideration of these requests. The Town and Delaware Engineering greatly appreciate the continued assistance and cooperation by NYSEFC and NYSDEC throughout the planning and implementation of this important project.

DELAWARE ENGINEERING, D.P.C.

Please contact me or John Peterson at (607) 432-8073, or via email at jpeterson@delawareengineering.com, if you have any questions or require any additional information.

Respectfully,

DELAWARE ENGINEERING, D.P.C.



DAVE OHMAN, P.E.

PRINCIPAL

55 South Main Street | Oneonta, NY 13820

607.432.8073 x 302 (office)

dohman@delawareengineering.com

CC: William J. Rieber Jr., Town Supervisor (email and letter w/ enclosures)
Melissa DeMarmels, Town Comptroller (email w/ enclosures and letter only)
Michael Messenger, Town DPW Supervisor (email and letter w/ enclosures)
Jonathan Amos, NYSEFC Engineering (email w/ enclosures)
Manju Cherian, NYSDEC (email w/ enclosures)
Christopher Lang, NYSDEC Permits (email w/ enclosures)
Allison Wassenbauer, NYSDEC Permits (email w/ enclosures)
Lorraine Gregory, NYSDEC (email w/ enclosures)
Douglas Upright, P.E., NYSDEC DOW (email w/ enclosures)
Helen Budrock, Delaware Engineering, D.P.C. (email w/ enclosures)
John Peterson, Delaware Engineering, D.P.C. (email w/ enclosures)

Attachments:

- **Attachment 1 – December 14, 2022 NYSEFC Review Comments Concerning Schedule**
- **Attachment 2 – Updated Schedules:**
 - General WWTP Upgrades Updated Anticipated Project Schedule, if UV Disinfection is included in the General WWTP Upgrades (submitted previously as part of the Town’s Nov. 14, 2022 response submission)
 - Schedule of Compliance from the current NYSDEC SPDES Permit (Effective March 1, 2023)
- **Attachment 3 – Project Budget and Construction Cost Documents:**
 - Appendix H – Estimated Project Cost Summary
[Excerpt from the Town of Thompson, NY Kiamesha Lake WWTP Upgrade Preliminary Engineering Report (Revised May 2022), Updated March 2023]
 - Appendix I - SRF Application Project Budget
[Excerpt from the Town of Thompson, NY Kiamesha Lake WWTP Upgrade Preliminary Engineering Report (Revised May 2022), Updated March 2023]
- **Attachment 4 – Executed Project Financing and Grant Award Notifications:**
 - BIL Grant/BIL Hardship (\$13,012,000/\$13,012,000)
 - WIA (\$6,383,930)
 - WQIP (\$1,000,000)

#6
A+B

Marilee,

Please add to the agenda

Fly Fishing May 20, 2023 – 10am to 12pm

Neversink River Access

\$250.00 Jonah Lagrutta

Agenda for April 18th

Susan Garcia – Yoga @ East Mongaup River Park Upper Pavilion

June 3rd – July 1st – August 5th and possibly September 2nd

1 Hour each day @\$100 a day = \$400.00

Bring a mat or blanket

#6
C



Thursday, March 30, 2023

Dear Town of Thompson Board Members,

On behalf of Hudson Valley Athletic Club, I am requesting use of the Town of Thompson Park athletic field from Monday, June 26th to Thursday, June 29th between the hours of 6PM-7:30PM for the purpose of operating a soccer camp.

Hudson Valley Athletic Club is organized as a non-profit corporation with development of the whole player at the core of its values. We are committed to promoting learning and joy while positively impacting a child's development as a person and athlete.

All of our coaches have licenses from the United States Soccer Federation and are compliant and certified with the U.S. Center for SafeSport (the organization designated by Federal law with developing and enforcing policies, procedures, and training to prevent abuse and misconduct). This also includes training in concussion protocols, heat related illnesses, and basic first aid procedures.

Please let me know if you need any other information for your consideration.

Sincerely,

Scott Goodman

Scott Goodman
Coach, Hudson Valley Athletic Club
scott@hudsonvalleyac.org
(845) 932-8492



Thursday, March 30, 2023

Dear Town of Thompson Board Members,

On behalf of Hudson Valley Athletic Club, I am requesting use of the Town of Thompson Park athletic field from Monday, July 10th to Thursday, July 13th between the hours of 6PM-7:30PM for the purpose of operating a soccer camp.

Hudson Valley Athletic Club is organized as a non-profit corporation with development of the whole player at the core of its values. We are committed to promoting learning and joy while positively impacting a child's development as a person and athlete.

All of our coaches have licenses from the United States Soccer Federation and are compliant and certified with the U.S. Center for SafeSport (the organization designated by Federal law with developing and enforcing policies, procedures, and training to prevent abuse and misconduct). This also includes training in concussion protocols, heat related illnesses, and basic first aid procedures.

Please let me know if you need any other information for your consideration.

Sincerely,

Scott Goodman

Scott Goodman
Coach, Hudson Valley Athletic Club
scott@hudsonvalleyac.org
(845) 932-8492

Agenda

#6
D

2 Busses - \$1,590.00 each = \$3,180.00

Bronx Zoo - July 21st

Town Residents Only

Leaves at 8am Returns 6pm

56 People per Bus. = 112 people Total

First Come First Serve

Yoga - First Saturday of the Month

June 3rd - July 1st - August 5th

maybe September 2nd

\$100 a class - Susan Garcia

1-Family Night - to be determined - \$100 for
this night

upto \$500.00

#7
A

Marilee Calhoun (Town of Thompson)

From: Michael Messenger <mmessenger@townofthompson.com>
Sent: Tuesday, April 11, 2023 12:02 PM
To: Marilee Calhoun; William J. Rieber, Jr.
Subject: Fwd: Quote for repair and replacement of Flygt pump
Attachments: 230405-6-161 Town of Thompson Repair and replacement quote.pdf

Can you add this to the next Town Board meeting? It is for a replacement pump at the EG Wastewater Treatment Plant. The repair estimate was \$10,220 and a new one is \$15,231. We typically do not repair older pumps once the cost to repair is over 50% of the cost of a new pump. In this instance, it is 67%.

Michael Messenger

Superintendent

Town of Thompson Water & Sewer Dept.

(845) 794-5280 Ext. 104

mmessenger@townofthompson.com

The Town of Thompson is an equal opportunity provider and employer.

IMPORTANT NOTICE: This e-mail and any attachments may contain confidential or sensitive information which is, or may be, legally privileged or otherwise protected by law from further disclosure. It is intended only for the addressee. If you received this in error or from someone who was not authorized to send it to you, please do not distribute, copy or use it or any attachments. Please notify the sender immediately by reply e-mail and delete this from your system. Thank you for your cooperation.

----- Forwarded message -----

From: Keith Rieber <krieber@townofthompson.com>
Date: Thu, Apr 6, 2023 at 9:15 AM
Subject: Fwd: Quote for repair and replacement of Flygt pump
To: Michael Messenger <mmessenger@townofthompson.com>

----- Forwarded message -----

From: Todd Peluso <tpeluso@gafleet.com>
Date: Wed, Apr 5, 2023 at 9:41 AM

Subject: Quote for repair and replacement of Flygt pump
To: Keith Rieber <krieber@townofthompson.com>

Keith,

We have evaluated the pump and it had a seal fail and electrical issues, as well as a worn bearing race. We would need to replace the stator housing and a couple of other expensive parts, so I have also quoted a replacement pump. I have attached some pictures for reference as well.

Thank you for the opportunity and please let me know if you have any questions or need any additional information.

Best Regards,

[Fleet]<<http://fleetpump.com/>>

Todd Peluso
Aftermarket Pumps & Process
Cell 914.450.2530 | Main 914.835.3801
www.fleetpump.com<<http://www.fleetpump.com/>> | tpeluso@fleetpump.com<<mailto:tpeluso@fleetpump.com>>

Fleet Pump & Service Group, Inc.
455 Knollwood Rd, White Plains, NY 10603



April 5, 2023

Proposal# 230405-6-161

Town of Thompson
4052 Route 42
Monticello, NY 12701

Attn: Keith Rieber

Subject: Quote for repair and replacement of 3127.182-1540045

Dear Keith,

After our evaluation, Fleet is pleased to submit our proposal for the following:

| <u>Item</u> | <u>Qty</u> | <u>Description</u> | <u>Unit Price</u> | <u>Total Price</u> |
|---------------------|------------|--|-------------------|--------------------|
| 1 | 1 | Stator | \$1,531.00 | \$1,531.00 |
| 2 | 1 | Rotor | \$1,232.00 | \$1,232.00 |
| 3 | 1 | Basic repair kit, includes: <ul style="list-style-type: none">• Upper and lower mechanical seal• Upper and lower bearing• O-ring kit | \$2,338.00 | \$2,338.00 |
| 4 | 1 | Wear ring | \$419.00 | \$419.00 |
| 5 | 1 | Stator Housing | \$3,200.00 | \$3,200.00 |
| 6 | 1 | Environmental disposal fee and shop supplies | \$125.00 | \$125.00 |
| 7 | 10 | Shop labor and testing | \$150.00 | \$1,500.00 |
| Total Repair price: | | | | \$10,220.00 |

Replacement pump:

| <u>Item</u> | <u>Qty</u> | <u>Description</u> | <u>Unit Price</u> | <u>Total Price</u> |
|-------------|------------|--|-------------------|--------------------|
| 1 | 1 | New Flygt NP 3127 submersible sewage pump, 10 HP, 460V, 3 phase, impeller code 421, 50' of cable, FLS 6" discharge | \$15,231.00 | \$15,231.00 |

Note: Price does not include applicable taxes.
Delivery: 4-6 weeks for repair, 8 weeks for new pump
Freight: Included, offloaded by others.



Terms: See attached.
Validity: 30 days.

Please forward a **Purchase Order or Authorization on your Letter head**, if you wish to proceed with the above proposal.

Thank you for the opportunity to submit this proposal. If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

Todd Peluso

Todd Peluso
914-450-2530
tpeluso@gafleet.com

Sales Engineer
Fleet Pump & Service Group, Inc.



Fleet Pump & Service Group, Inc.
455 Knollwood Road White
Plains, NY 10603

PROPOSAL ADDENDUM — GENERAL TERMS AND CONDITIONS

1. Terms and Conditions Become Addendum to Agreement. These General Terms and Conditions accompany the Proposal of Fleet Pump and Service Group, Inc. (the "Supplier") to the Purchaser identified above (the "Purchaser"). These General Terms and Conditions, unless otherwise addressed by Purchaser and Supplier in writing in the Purchase Order or other agreement based upon this Proposal, will become attached to and made a part of the Purchase Order issued by the Purchaser to Supplier as an Addendum to the Purchase Order (the "Addendum"). The terms in this Addendum supersede anything to the contrary contained in the Purchase Order and any prior understandings, agreements, or representations by, between or among the parties, written or oral, to the extent they relate in any way to the subject matter of the Purchase Order and this Addendum. All references to the Purchase Order (both in the form of the Agreement and this Addendum) include this Addendum.
2. Addendum Terms Control. Any conflict between the terms included in this Addendum and the Purchase Order are to be resolved in favor of this Addendum.
3. Payment Terms. The following payment terms are applicable to all Purchase Orders:
 - 2%10, N30 Days from date of shipment of the equipment identified in the Purchase Order.
 - 2%10 discount and overdue balances are not eligible for payment by credit card.
 - Any "pay when paid" or similar conditions of payment included in the Purchase Order are not applicable to Supplier, and any such provision included in the Purchase Order is hereby deleted and is of no force or effect with respect to the Supplier
4. Progressive Payments Required. All Purchase Orders in excess of \$1,000,000.00 require progress payments from the Purchaser. The progress payments are to be as follows: 1/3rd of the Purchase Price upon release to manufacture, 1/3rd of the Purchase Price prior to shipment, and the balance of the Purchase Price in N30 Days.
5. No Credit Provided by Supplier. Nothing in the Proposal, the Purchase Order or this Addendum is to be construed as Supplier providing or extending Credit to Purchaser. Any Credit terms provided to Purchaser are at the sole discretion of Supplier.

6. No Retainage. Payments due to Supplier under the Purchase order and this Addendum are not subject to any form of retainage; and such payments will be made promptly when due.
7. Overdue Balances. In the event Purchaser has any overdue payment balances due, Supplier reserves the right to withhold from Purchaser ordered equipment, services and documentation.
8. Supplier Does Not Provide Warranties. Supplier does not provide warranties for the equipment delivered to Purchaser. The standard equipment manufacturer's warranties are the sole warranties available to the Purchaser. NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED IN THIS AGREEMENT, FLEET MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, OR WHETHER ARISING BY OPERATION OF LAW, COURSE OF PERFORMANCE OR DEALING, CUSTOM, USAGE IN THE TRADE OR PROFESSION OR OTHER REASON, INCLUDING WITHOUT LIMITATION IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. Except for the warranty expressly set forth in this Paragraph, the Purchaser acknowledges and agrees that it has relied on no other representations or warranties and that no other representations or warranties have formed the basis of its bargain hereunder.
9. "Time of Essence" Provisions Not Applicable. Any "time of the essence" provision included in the Purchase Order is hereby deleted and is of no force or effect with respect to the Supplier.
10. Liquidated Damages Provisions Not Applicable. Any "Liquidated Damages" provision included in the Purchase Order is hereby deleted and is of no force or effect with respect to the Supplier.
11. Limitation of Liability. Other than the Purchaser's obligation to make payments that are due and owing under the Agreement, a party's entire and collective liability arising out of or relating to this Agreement, regardless of the form of the cause of action, whether in contract, tort, statute or otherwise, shall in no event exceed the amounts paid to Supplier under this Agreement. NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED IN THIS AGREEMENT, NEITHER PARTY SHALL, UNDER ANY CIRCUMSTANCES, BE LIABLE TO THE OTHER PARTY FOR ANY CLAIM BASED UPON ANY THIRD PARTY CLAIM OR FOR ANY CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE, EXEMPLARY OR SPECIAL DAMAGES OF ANY NATURE WHATSOEVER, OR FOR ANY DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY MALFUNCTIONS, DELAYS, LOSS OF PROFIT, INTERRUPTION OF SERVICE OR LOSS OF BUSINESS OR ANTICIPATORY PROFITS, EVEN IF A PARTY HAS BEEN APPRISED OF THE LIKELIHOOD OF SUCH DAMAGES OCCURRING.
12. Indemnification Limited to Direct Cause. Supplier agrees to defend, indemnify and hold Purchaser harmless against all costs, expenses and losses incurred through claims based upon the direct actions of Supplier. Any "indemnification" provision included in the Purchase Order that requires any expansion of the indemnification offered in the previous sentence is hereby deleted and is of no force or effect with respect to the Supplier.
13. Third Party Contracts Not Applicable. Supplier is not bound by any third party contract or other form of agreement of any type referred to or included in the Purchase Order. Any third party contract included in the Purchase Order is hereby deleted and is of no force or effect with respect to the Supplier.
14. Entire Agreement. Unless the parties enter into a separate agreement in writing, these General Terms and Conditions and the Proposal (collectively, the "Agreement") constitute the entire agreement between the Purchaser and the Supplier regarding the project described in the Proposal. If Supplier has commenced work in connection with the matters described in the Proposal to which these General Terms and Conditions are attached; all provisions in this Agreement for the benefit or protection of either party shall apply to such activities. There are no prior or contemporaneous, oral or written, representations, understandings or agreements that are not fully expressed in this Agreement. No amendment, change order, waiver or discharge shall be valid unless it is in writing and signed by an authorized representative of the party against whom such amendment, change order, waiver or discharge is sought to be enforced. In the event of a conflict between these General Terms and Conditions and the Proposal to which they may be attached, these General Terms and Conditions shall control.
15. Choice of Law. This Agreement will be governed by and construed in accordance with the laws of the State of New York, without giving effect to the conflicts of laws provisions thereof.
16. **Insurance.** Supplier possesses appropriate insurance for the equipment and services provided. Costs for excessive coverage, endorsements, or limits will be passed on to Purchaser as necessary.

#8

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: DXP Enterprises, INC.

DESCRIPTION: Gear reducer for Emerald Green

AMOUNT: \$27,141.00

Quotes Attached.

* Board approved 12/20/22 *



1401 W. Blancke St.
Linden, NJ 07036
Phone 908-474-1280
Fax 402-514-3501
Email: nancy.mayer@dxpe.com

**New Remit To
Address:**

DXP Enterprises, Inc.
PO Box 840511
Dallas, TX 75284-0511

INVOICE

| | |
|--------------|--------|
| INVOICE | |
| 53596210 | |
| Invoice Date | Page |
| 04/10/23 | 1 of 1 |
| ORDER NUMBER | |
| 13028287 | |

****DIRECT SHIPMENT****

Bill To:

TOWN OF THOMPSON
SEWER & WATER DEPT
4052 ROUTE 42
MONTICELLO, NY 12701
US

Ship To:

TOWN OF THOMPSON
SEWER & WATER DEPT
128 ROCK RIDGE DRIVE
MONTICELLO, NY 12701
US

Customer ID: 149540

| PO Number | Term Description | Net Due Date | Disc Due Date | Discount Amount |
|--------------------|------------------|--------------|---------------|-----------------|
| KIAMESHA CLARIFIER | Net 30 | 05/10/23 | 05/10/23 | 0.00 |

| Order Date | Pick Ticket No | Primary Salesrep Name | Taker |
|------------|----------------|-----------------------|--------|
| 12/22/22 | 15088958 | HOUSE Newburgh | NMAYER |

| Quantities | | | | | Item ID Item Description | Pricing UOM Unit Size | Unit Price | Extended Price |
|------------|---------|-----------|------------------|-------|-----------------------------|-----------------------------|---------------|-------------------|
| Ordered | Shipped | Remaining | UOM Unit Size | Disp. | | | | |

Carrier: BEST WAY - PREPAID & ALLOWED
Tracking #:

| | | | | | | | | |
|-------|-------|-------|----|--|------------------------------------|--------------|-------------|-----------|
| 1.000 | 1.000 | 0.000 | EA | | (001) WIN B 7084 66XOEK REDUCER | EA 1.0000 | 27,141.0000 | 27,141.00 |
|-------|-------|-------|----|--|------------------------------------|--------------|-------------|-----------|

Total Lines: 1

SUB-TOTAL: 27,141.00
TAX: 0.00
AMOUNT DUE: 27,141.00
USD



Phone 908-474-1280
 1401 W. Blancke St. Fax 402-514-3501
 Linden, NJ 07036 Email: nancy.mayer@dxpe.com

QUOTATION

| | |
|--------------------------|----------------|
| Order Number 12960012 | |
| | |
| Order Date 11/17/2022 | Page 1 of 1 |

Quote Expires On 1/1/2023

Bill To:

TOWN OF THOMPSON
 SEWER & WATER DEPT
 4052 ROUTE 42
 MONTICELLO, NY 12701
 US
 845-794-2500

Ship To:

TOWN OF THOMPSON
 SEWER & WATER DEPT
 128 ROCK RIDGE DRIVE
 MONTICELLO, NY 12701
 US

Customer ID: 149540

Order Required Date 11/17/2022

| PO Number | Ship Route | Taker | SalesRep |
|-----------|------------|--------|----------------|
| | | NMAYER | HOUSE Newburgh |

| Quantities | | | | | Item ID Item Description | Pricing UOM Unit Size | Unit Price | Extended Price |
|------------|-----------|-----------|------------------|-------|-----------------------------|-----------------------------|---------------|-------------------|
| Ordered | Allocated | Remaining | UOM Unit Size | Disp. | | | | |
| 1.000 | 0.000 | 1.000 | EA | | (001) WIN B 7084 66XOEK | EA | 27,141.0000 | 27,141.00 |

Item Required Date: 11/17/2022

1.0

REDUCER

1.0

Order Line Notes: 11 WEEKS DELIVERY WEIGHT IS 160LBS

Total Lines: 1

SUB-TOTAL: 27,141.00
TAX: 0.00
AMOUNT DUE: 27,141.00
 USD

ORDERED 12/22/22.
 BOARD APPROVES 12/20/22



Quotation

| Service Center Address: APPLIED INDUSTRIAL TECHNOLOGIES 7690 FIRST PL BLDG D A BEDFORD, OH 44146-5479 TEL: 440-232-4800 FAX: 440-232-8409 | | | | Quote Create Date (MM-DD-YYYY): 12-19-2022 | | Sales Rep: ADAM SARTSCHEV Phone: Email: | | Page: 1/1 | |
|--|----------|-----|---|--|--|--|----------------------|---------------------|-----------|
| Account Manager: | | | | Quotation Number: 511379194 | | PO #: Req #: Inquiry #: | | | |
| Sold-To Address: TOWN OF THOMPSON WATER & SEWER 128 ROCK RIDGE DRIVE MONTICELLO NY 10941 | | | | Account: C2141 | | Ship-To Address: TOWN OF THOMPSON WATER & SEWER 128 ROCK RIDGE DRIVE MONTICELLO NY 10941 | | | |
| Payment Terms: COD - CASH BASIS | | | | Customer Contact: TOWN OF THOMPSON WATER & SEWER Customer Contact Phone: 845-794-5280 | | | | | |
| Transport Mode and Means: UPS - USA, CUSTOMER PICK UP Terms: | | | | | | | | | |
| Item # | Quantity | UOM | Manufacturer Part # | Customer Part # | Est Delivery Date | Unit Price (USD) | Extended Price (USD) | | |
| 000010 | 1.000 | EA | WINSMITH-B 7084 66X0EK | SCV1 | | 31,948.370 | 31,948.37 | | |
| | | | Description: WINS_B 7084 66X0EK Material Sales Text: 11 WEEK VENDOR LEAD TIME ARO | | | | | | |
| SUBTOTAL (WITHOUT TAX) | | | | | | | 31,948.37 | | |
| TAX | | | | | | | 2,555.87 | | |
| TOTAL IN WORDS: THIRTY-FOUR THOUSAND FIVE HUNDRED FOUR DOLLARS AND TWENTY-FOUR CENTS | | | | | | | TOTAL(USD) | | 34,504.24 |
| Special Information: Order Notes: | | | | | | | | | |
| PRICES QUOTED ABOVE ARE THOSE IN EFFECT AT THE TIME OF QUOTATION. MANUFACTURER INCREASES MAY APPLY UNLESS SPECIFICALLY STATED ON THE FACE OF THIS QUOTATION. RETURNED PRODUCT IS SUBJECT TO A RESTOCKING CHARGE. | | | | | THIS QUOTATION CONTAINS CONFIDENTIAL INFORMATION, MAY NOT BE DISCLOSED TO THIRD PARTIES AND IS SUBJECT TO OUR STANDARD TERMS AND CONDITIONS OF SALE, SHOWN ON THE REVERSE SIDE OF THIS DOCUMENT AND AVAILABLE AT WWW.APPLIED.COM . BUYER'S ACCEPTANCE OF SHIPMENT OR PERFORMANCE AND/OR PAYMENT CONSTITUTES ACCEPTANCE OF APPLIED'S TERMS AND CONDITIONS. | | | | |
| THIS QUOTE MAY CONTAIN ITEMS THAT ARE SPECIAL ORDER, UNIQUE, OR CUT TO SIZE. THESE ITEMS ARE NON-RETURNABLE AND NON-CANCELABLE. YOUR ORDER IS SPECIFICALLY CONDITIONED ON ACCEPTING THESE TERMS. | | | | | | | | | |



AFTERMARKET

Smith & Loveless, Inc.

14040 Santa Fe Trail Drive
Lenexa, KS 66215-1284, USA
www.smithandloveless.com

Ph: (913) 888-5201, Ext. 321
Toll Free: (800) 922-9048
Email: parts@smithandloveless.com

| | | | |
|------------------|-----------------------------------|-----------------------------------|--|
| Date: | December 28, 2022 | Email/Phone: | rcornetto@hnscompany.com (973) 492-0181 |
| To: | Robert (Bob) Cornetto | From: | Sarah Gosewehr |
| Company: | Hydra-Numatic Sales Company, Inc. | Customer Master: | 10295 |
| Location: | Butler, NJ, USA | Total Pgs (Incl. This Pg): | 2 |

Subject: Quote – Pricing and Availability of Parts
S/N: 65-01027 & 65-01028
Location: Thompson, NY, USA
Quotation: SG-2022-2-12-28-3

Thank you for contacting us about your Smith & Loveless Parts Request. Below you will find the part numbers, pricing and availability of the parts on which you requested information. Please remember this is a quote. Contact us when you are ready to order or sign below and note the ship to address and email or fax this back to our Parts Department. If you have any questions, please feel free to contact me.

| QTY | P/N | DESCRIPTION | UNIT PRICE (Each) | SHIPMENT |
|-----|--------|--------------|-------------------|-------------|
| 1 | 7L278A | GEAR REDUCER | \$69,991.00 | 12-14 WEEKS |

FREIGHT: F.O.B. ORIGIN (Freight Prepaid & Add)
DELIVERY: Shipment Upon Availability of Parts and Receipt of PO or Credit Card #
INSTALLATION: Smith & Loveless is supplying the aforementioned items. Owner is responsible for installation, including all inspections and/or code compliance of the installation.
WARRANTY: Warranty Period for Replacement Parts is 90 Days
TIME FRAME: Quote is good for 30 days.
PAYMENT: 100% prior to shipment via check/credit card, OR, with continuing credit approval, 100% the earlier of net 30 days from date of shipment or at time of start up (if S&L start up is included in our quote).
RESTOCKING FEE: All returned items may be subject to a 15% to 30% restocking fee. Non-stock / electrical / made to order parts are not eligible for return. Credit for freight is based on whether the station number was provided upon ordering.

Smith & Loveless' quotation and standard terms and conditions applies to this order and no terms set forth in buyers purchase order, acknowledgment letter or verbal communication shall control unless approved in writing by the S&L Contract Department. In the event of any inconsistency between S&L's terms and conditions and buyers purchase order, S&L's terms and conditions shall govern.

Smith & Loveless accepts purchase orders, MasterCard and Visa when ordering. You can email your order to us at sgosewehr@smithandloveless.com or parts@smithandloveless.com. You can also call us toll free at (800) 922-9048 or fax your order to (913) 748-0106. Thank you for contacting Smith & Loveless regarding your Parts Inquiry. We look forward to hearing from you.

QUOTE #3