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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](http://WWW.TOWNOFTHOMPSON.COM)

**THURSDAY, NOVEMBER 02, 2023**

**6:00 PM MEETING**

**PUBLIC HEARINGS:**

- 1) PROPOSED LOCAL LAW NO. 05 OF 2023 – OVERRIDE TAX LEVY LIMIT
- 2) 2024 FISCAL-YEAR PRELIMINARY BUDGET HEARING
- 3) BOND AMENDMENT – MELODY LAKE WATER DISTRICT PROPOSED WELL HOUSE IMPROVEMENTS PROJECT, REVISED ESTIMATED MAXIMUM COST OF \$1,250,000

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE TO THE FLAG**

**APPROVAL OF PREVIOUS MINUTES: October 17, 2023 Regular Town Board Meeting**

**PUBLIC COMMENT**

**CORRESPONDENCE:**

- **Town Clerk Calhoun:** Letter dated 10/13/23 to Office of NYS Comptroller Re: Standard Work Day & Reporting Resolution and Certificate/Affidavit of Posting.
- **Jennifer M. Flad, Executive Director, SC IDA:** Letter dated 10/19/23 to Assessor Krzywicki Re: NY Thompson III, LLC – First Amendment to PILOT Agreement.
- **Mary Paige Lang-Clouse, Library Director, Ethelbert B. Crawford Public Library:** Letter dated 10/24/23 to Supervisor Rieber and Town Clerk Calhoun Re: 2024 Approved Library Budget and Trustee Election Results.
- **Ayotunde Adebajo, EIT, Assistant Engineer, Dam Safety Section, Division of Water & Dam Safety, NYSDEC:** Letter dated 10/20/23 to Michael Hoyt, Emerald Green POA Re: Routine Visual Inspection – Treasure Lake Dam on 08/10/2023.

**AGENDA ITEMS:**

- 1) RESOLUTION TO ENACT: PROPOSED LOCAL LAW NO. 05 OF 2023 – OVERRIDE TAX LEVY LIMIT (ADOPT AS LOCAL LAW NO. 04 OF 2023)
- 2) ACTION: ADOPTION OF FISCAL YEAR 2024 TOWN BUDGET
- 3) MELODY LAKE WATER DISTRICT: PROPOSED WELL HOUSE IMPROVEMENTS PROJECT
  - A) RESOLUTION TO APPROVE PUBLIC INTEREST ORDER FOR INCREASE OF BOND
  - B) APPROVAL OF BOND RESOLUTION TO INCREASE ESTIMATED MAXIMUM COST OF \$1,250,000
- 4) WATER & SEWER DEPARTMENT ITEMS:
  - A) RESOLUTION TO ESTABLISH BID DATE OPENING ON THURSDAY, 11/30/23 AT 2PM – SODIUM BI-CARBONATE
  - B) RESOLUTION TO ESTABLISH BID DATE OPENING ON THURSDAY, 11/30/23 AT 2PM – SODIUM HYPOCHLORITE
- 5) RESOLUTION TO DECLARE DOG CONTROL OFFICER VAN SURPLUS – 2014 RAM C/V TRADESMAN VAN VIN # 2C4RRGAG3ER419328
- 6) BILLS OVER \$5,000.00
- 7) BUDGET TRANSFERS & AMENDMENTS

8) ORDER BILLS PAID

OLD BUSINESS

NEW BUSINESS

REPORTS: SUPERVISOR, COUNCILMEN, & DEPARTMENT HEADS

PUBLIC COMMENT

EXECUTIVE SESSION

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.**

PH

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

**NOTICE IS HEREBY GIVEN** that there has been duly introduced at a meeting of the Town Board of the Town of Thompson, New York, held on October 03, 2023, a proposed Local Law No. 05 of 2023, entitled "A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c".

**NOTICE IS FURTHER GIVEN** that the Town Board of the Town of Thompson will conduct a Public Hearing on the aforesaid proposed Local Law at the Town Hall, 4052 Route 42, Monticello, New York, on November 02, 2023 at 6:00 P.M., or as soon thereafter as said Public Hearing shall be convened, at which time all persons interested will be heard.

The proposed Local Law seeks to override the tax levy limit of two-percent (2%).

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

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

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

Dated: October 03, 2023

BY ORDER OF THE TOWN BOARD

TOWN OF THOMPSON

MARILEE J. CALHOUN, TOWN CLERK

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

REV699

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

Town of Thompson

Local Law No. 05 of the year 2023

A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c

Be it enacted by the Town Board of the

Town of Thompson

1. Legislative Intent. It is the intent of this Local Law to allow the Town of Thompson to adopt a budget for the fiscal year commencing 2024 that requires a Real Property Tax Levy in excess of the "Tax Levy Limit" as defined by General Municipal Law §3-c.
2. Authority. This Local Law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the Property Tax Cap for the coming fiscal year by the adoption of a Local Law approved by a vote of sixty percent (60%) of said governing body.
3. Tax Levy Limit Override. The Town Board of the Town of Thompson, County of Sullivan, is hereby authorized to adopt a budget for the fiscal year commencing 2024 that requires a Real Property Tax Levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.
4. If any clause, sentence, paragraph, subdivision, section or part thereof this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this Local Law shall not be affected thereby and shall remain in full force and effect.
5. This Local Law shall take effect immediately upon filing with the Secretary of State.

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

1. (Final adoption by local legislative body only)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 2023 of the Town of Thompson was duly passed by the Town Board on \_\_\_\_\_, 2023 in accordance with the applicable provisions of law.

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

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

3. (Final adoption by referendum)

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

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

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

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

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

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

6. (County local law concerning adoption of Charter)

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

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

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

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

Date: \_\_\_\_\_, 2023

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

STATE OF NEW YORK  
COUNTY OF SULLIVAN

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

Date: \_\_\_\_\_, 2023

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

PH  
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**LEGAL NOTICE  
PRELIMINARY BUDGET HEARING**

NOTICE IS HEREBY GIVEN, that the Preliminary Budget for the Town of Thompson, Sullivan County, New York, of the fiscal year beginning January 01, 2024 will be completed and filed in the Office of the Town Clerk of said Town of Thompson, Town Hall, 4052 State Route 42, Monticello, New York, where it will be available beginning Friday, October 27, 2023 for inspection by any interested person during normal office hours.

FURTHER NOTICE IS HEREBY GIVEN, That the Town Board of the Town of Thompson will meet and review said Preliminary Budget and hold a Public Hearing thereon at the Town Hall, 4052 State Route 42, Monticello, New York at 6:00 P.M., Prevailing Time, on the 2<sup>nd</sup> Day of November, 2023, and at such hearing any person may be heard in favor or against the preliminary budget as compiled, or against any item therein contained.

As a courtesy and convenience, such hearing will also be held remotely by video-conference. The public may participate via video-conference at <https://us02web.zoom.us/j/83032452642> - Meeting ID: 830 3245 2642, dial by your location +1 646 558 8656 US (New York). Please be advised that if there is disruption in the ability of the Zoom Video-Conference, said hearings will commence &/or continue to commence in-person without interruption.

AND FURTHER NOTICE IS HEREBY GIVEN, pursuant to Section 108 of the Town Law, that the following are the proposed yearly salaries of the Elected Officers of the Town:

4 Councilpersons, Each	\$20,698.16
Total Salaries	\$82,792.64
2 Justices of the Peace, Each	\$47,463.41
Total Salaries	\$94,926.82
Supervisor	\$118,274.52
Receiver of Taxes	\$39,638.46
Town Clerk	\$77,163.05
Highway Superintendent	\$118,274.52

Dated: October 03, 2023  
By Order of the Town Board  
Town of Thompson  
Marilee J. Calhoun  
Town Clerk

P#  
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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 November 02, 2023, at 6:00 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 Melody Lake Water District (the "District") in said Town, consisting of the construction of a new well, well house, storage tank and water treatment system, in and for the Town's Melody Lake Water District, and improvements and expenses incidental thereto, in said District, at a revised estimated maximum cost of \$1,250,000 (an increase of \$525,000), which is expected to be paid for with \$915,000 grants from the United States Department of Agriculture Rural Utilities Service and a loan of \$335,000 in the form of a bond, 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 Engineer, D.P.C., titled "Map, Plan and Report for Proposed Well House within Melody Lake Water District" dated August 8, 2023, as revised on September 12, 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  
October 17, 2023

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

  
Marilee J. Calhoun, Town Clerk



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**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 **October 17, 2023.**

**ROLL CALL:**

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

**DRAFT**

**Zoom:** Councilman John A. Pavese

**Also Present:** Marilee J. Calhoun, Town Clerk  
Michael B. Mednick, Town Attorney  
Melissa DeMarmels, Town Comptroller  
James L. Carnell, Jr., Director of Building, Planning & Zoning  
Michael G. Messenger, Water & Sewer Superintendent  
Glenn Somers, Parks & Recreation Superintendent  
Karen Schaefer, Supervisor's Confidential Secretary

**Present Via Zoom:** None

**REGULAR MEETING – CALL TO ORDER**

Supervisor Rieber opened the meeting at 7:04 PM with the Pledge to the Flag. This meeting was held in person and remotely via Videoconferencing streamed live on the Zoom app, which is accessible to the public. The meeting is also being recorded for full transcription purposes should it be required.

**APPROVAL OF MINUTES:**

On a motion made by Councilman Mace and seconded by Councilman Schock the minutes of the October 3<sup>rd</sup>, 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:

- **Alissa Nowak dba Lucky Green Ladies:** NYS Office of Cannabis Management – Notification to Municipality of adult-use retail dispensary license application for New Establishment at 259 Rt.17B, Monticello, Dated 10/03/23.

- **Rebecca S. Crist, Division of Environmental Permits, NYS DEC:** Letter dated 10/05/23 to Mayin Water Company, Inc. C/o Naftula Neiman Re: Notice of Complete Application for Mayin Water Supply.
- **Sarah Ghawi, Animal Health Inspector, NYS Agriculture & Markets:** Letters dated 09/25/23 to Supervisor Rieber Re: Municipal Shelter & DCO Inspection Reports, both completed on 09/21/23, both rated "Satisfactory".
- **Tony Signorelli, P.E., Regional Traffic Engineer, NYS DOT:** Letter dated 09/25/23 to Supervisor Rieber Re: Parking concern along NYS Route 42 at Empire Cottages, Monticello, Town of Thompson.

**AGENDA ITEMS:**

**1) MONTICELLO MOTOR CLUB: PRIVATE ROAD NAME REQUEST – VICTORY LANE, MONTICELLO NY, SBL # 49.-1-1.1**

**The Following Resolution Was Duly Adopted: Res. No. 353 of the Year 2023.**

Resolved, that upon the request of Mr. JR Cruz on behalf of the Monticello Motor Club and upon the approval of the Sullivan County Office of Real Property Tax Services the (1) private roadway located within the private recreation facility known as Monticello Motor Club as indicated on the provided map hereby be named as follows: Victory Lane, Monticello, NY, SBL # 49.-1-1.1. Further Be It Resolved, that the Town Clerk is hereby directed to notify the Sullivan County E911 Control Center of said change and request that all property owners/residents if any be notified accordingly.

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

**2) ACCEPT LETTER OF RESIGNATION FROM LISETTE DEJESUS, JUSTICE COURT CLERK 2 POSITION**

Supervisor Rieber reported on a Letter of Resignation that he received from Lisette DeJesus dated 09/20/2023 resigning from the Justice Court Clerk 2 Position. The Town Board officially accepted her Letter of Resignation as submitted.

**3) APPOINTMENT OF LISETTE DEJESUS TO POSITION OF 2<sup>ND</sup> DEPUTY TOWN CLERK EFFECTIVE 10/24/2023 & RESOLUTION TO AUTHORIZE SALARY AS BUDGETED FOR THE YEAR**

Marilee Calhoun, Town Clerk/Registrar hereby appoints Lisette DeJesus to the position of 2<sup>nd</sup> Deputy Town Clerk effective 10/24/2023 for the remainder of the Year 2023.

**The Following Resolution Was Duly Adopted: Res. No. 354 of the Year 2023.**

Resolved, that the Town Board hereby approves the salary for the 2<sup>nd</sup> Deputy Town Clerk position of Lisette DeJesus at the salary of **\$51,459.25** as budgeted for the year 2023.

Moved by: Councilman Mace  
Vote: Ayes 5  
Nays 0

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

**4) APPOINTMENT OF JANELLE DEPPA TO POSITION OF JUSTICE COURT CLERK 2 EFFECTIVE 11/01/2023 & RESOLUTION TO AUTHORIZE SALARY AS BUDGETED FOR THE YEAR**

Supervisor Rieber said that due to personal reasons Janelle will not be accepting the position of Justice Court Clerk 2. He said that this matter is being removed from the agenda at this time. No action was taken.

**5) MELODY LAKE WATER DISTRICT: PROPOSED WELL HOUSE PROJECT**

**A) RESOLUTION TO ACCEPT MAP, PLAN & REPORT – REVISED 09/12/2023**

The Following Resolution Was Duly Adopted: Res. No. 355 of the Year 2023.

Resolved, that the Town Board of the Town of Thompson hereby accepts the Revised Map, Plan & Report completed by MHE Engineering, D.P.C. Professional Engineers on behalf of the Town for the Melody Lake Water District Proposed Well House Project, Dated 09/12/2023.

Moved by: Councilman Schock  
Vote: Ayes 5  
Nays 0

Seconded by: Councilman Mace

Rieber, Pavese, Schock, Meddaugh and Mace

**B) RESOLUTION TO ESTABLISH DATE FOR PUBLIC HEARING FOR INCREASE OF BOND RESOLUTION ON PROJECT – PUBLIC HEARING TO BE HELD THURSDAY, NOVEMBER 2<sup>ND</sup>, 2023 AT 6PM**

The Following Resolution Was Duly Adopted: Res. No. 356 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, in said Town, on October 17, 2023, at 7:00 o'clock P.M., Prevailing Time.

**PRESENT:**

William J. Rieber, Jr.  
Supervisor

John A. Pavese  
Councilperson

Ryan T. Schock  
Councilperson

Melinda S. Meddaugh

Councilperson

Scott S. Mace  
Councilperson

-----X  
In the Matter of the Increase and Improvement :  
of the Facilities of the of the Melody Lake Water :  
District in the Town of Thompson, Sullivan County, :  
New York. :  
-----X

**ORDER CALLING PUBLIC HEARING**

WHEREAS, the Town Board of the Town of Thompson, Sullivan County, New York, previously held a public hearing on August 20, 2019, and adopted a public interest order and bond resolution dated September 3, 2019, authorizing \$725,000 bonds to pay the costs of the increase and improvement of the facilities of the Melody Lake Water District that were described in a report dated titled "Map, Plan and Report for Proposed Well House within Melody Lake Water District," in said Town, consisting of the construction and equipping of a new well house, storage tank and water treatment system at Well No. 1; and

WHEREAS, it is now determined that the estimated maximum cost to said District of the aforementioned capital project is now \$1,250,000, an increase of \$525,000 to provide for construction of a new well;

WHEREAS, the revised estimated maximum cost is expected to be paid for with \$915,000 grants from the United States Department of Agriculture Rural Utilities Service and a loan of \$335,000, which will be in the form of a bond; and

WHEREAS, the updated map, plan and report has been prepared by MHE Engineer, D.P.C., engineers duly licensed in the State of New York, titled "Map, Plan and Report for Proposed Well House within Melody Lake Water District" dated August 8, 2023, as revised on September 12, 2023

(the "2023 Updated Report"), which describes the revised estimated maximum cost and additional scope of the aforementioned project;

WHEREAS, repayment of the proposed 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, it is now desired to call a public hearing on said proposed increase and improvement of facilities described in the 2023 Updated Report, including revised estimate of cost pursuant to Section 202-b of the Town Law; NOW, THEREFORE, BE IT

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

Section 1. A meeting of the Town Board of the Town of Thompson, Sullivan County, New York, will be held at the Town Hall, in Monticello, in said Town, on November 02, 2023, at 6:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing on the proposed increase and improvement of the facilities of said District in said Town, and the 2023 Report, including estimate of cost referred to in the preambles hereof, at which time and place said Town Board will hear all persons interested in the subject thereof.

Section 2. The Town Clerk is hereby authorized and directed to cause a notice of said public hearing to be published in the Sullivan County Democrat, a newspaper having general circulation in said Town, and posted in the manner prescribed by law, which notice shall be in substantially the following form, to-wit:

Section 3. This order shall take effect immediately.

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 November 02, 2023, at 6:00 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 Melody Lake Water District (the "District") in said Town, consisting of the construction of a new well, well house, storage tank and water treatment system, in and for the Town's Melody Lake Water District, and improvements and expenses incidental thereto, in said District, at a revised estimated maximum cost of \$1,250,000 (an increase of \$525,000), which is expected to be paid for with \$915,000 grants from the United States Department of Agriculture Rural Utilities Service and a loan of \$335,000 in the form of a bond, 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 Engineer, D.P.C., titled "Map, Plan and Report for Proposed Well House within Melody Lake Water District" dated August 8, 2023, as revised on September 12, 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  
October 17, 2023

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

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Marilee J. Calhoun, Town Clerk

**Town Board Meeting  
October 17, 2023  
Page 6 of 10**

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
JOHN A. PAVESE	VOTING	AYE
RYAN T. SCHOCK	VOTING	AYE
MELINDA S. MEDDAUGH	VOTING	AYE
SCOTT S. MACE	VOTING	AYE

The order was thereupon declared duly adopted.

\* \* \*

#### **6) RESOLUTION: APPROVE MODIFICATIONS TO TOWN EMPLOYEE HANDBOOK**

**The Following Resolution Was Duly Adopted: Res. No. 357 of the Year 2023.**

Resolved, that the Town Board of the Town of Thompson hereby approves several amendments to the Town of Thompson Employee Handbook as follows:

- 1) Section 402:  
Meal and Breaks and Breaks for Nursing Mothers is now Broken into Section 402A and 402B. Meal Breaks in now Section 402A. Breaks for Nursing Mothers to express Breast Milk is taken out and put in as Section 402B Breaks for Nursing Mothers as per new Federal/State requirements.
- 2) Section 406:  
Policy Statement – First line changed to Upon proper authorization of the Town Supervisor from Town Board. (Supervisor approves all training.)  
Meals and Incidentals – Added sentence to include approval of meal packages at a conference that exceeds GSA rate.
- 3) Section 702 Vacation Leave:  
Scheduling: Added sentence requiring written approval for vacation time.  
Added Director of Community Development to FLSA Exempt Class Employees.
- 4) Section 704 Personal Leave:  
Scheduling: Added Written approval.
- 5) Section 707 Medical Insurance Buy-Out:

Added clause to provide buy-out to employees who are eligible for family plan, but only take individual plan.

6) Section 800:

Section 801 broken out to Section 801A Equal Employment Opportunity and Section 801B as per Federal/State Requirements.

Section 803 – Changes made as per Federal/State Requirements.

7) Section 1000 Communication Procedures:

Section 1001 Paragraph Added for Required Postings and Notifications as per Federal/State Requirements.

And

Further Be It Resolved, that the specific changes pertaining to Section 707 Medical Insurance Buyout are to become effective January 1<sup>st</sup>, 2024 with all other changes becoming effective immediately.

Moved by: Councilman Mace

Seconded by: Councilman Schock

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

Nays 0

**7) DISCUSS & APPROVE AUTHORIZING GLENN L. SMITH CONSULTING ENGINEER TO PROVIDE PROFESSIONAL ENGINEERING SERVICES ON THE WATER SYSTEM IMPROVEMENTS FOR LAKE IDA PARK AT A MAXIMUM COST NOT TO EXCEED \$20,000.00 (ENGINEERING SERVICES REQUIRED BY NYS DOH)**

The Following Resolution Was Duly Adopted: Res. No. 358 of the Year 2023.

Resolved, that the Town Board of the Town of Thompson hereby authorizes Glenn L. Smith Consulting Engineer to continue providing Professional Engineering Services on the Lake Ida Park Water System Improvements as required by the New York State Department of Health at a maximum cost not to exceed \$20,000.00.

Moved by: Councilman Schock

Seconded by: Councilman Mace

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

Nays 0

**8) BILLS OVER \$5,000.00**

There were no bills over \$5,000.00 submitted for approval of payment.

**9) BUDGET TRANSFERS & AMENDMENTS**

There were no budget transfers or amendments.

**10) ORDER BILLS PAID**

The Following Resolution Was Duly Adopted: Res. No. 360 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. <sup>1</sup>

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

### **OLD BUSINESS**

Supervisor Rieber recused himself from the next matter since the provided service/invoice is from his Brother's business. Supervisor Rieber left the room and Deputy Supervisor Meddaugh conducted this portion of the meeting.

### **REVIEW & APPROVAL OF EMERGENCY INVOICE FOR DEMOLITION & REMOVAL OF (3) UNSAFE BUILDINGS DUE TO EXPLOSION AT PATIO HOMES DEVELOPMENT**

**The Following Resolution Was Duly Adopted: Res. No. 360 of the Year 2023.**

Resolved, that the Town Board of the Town of Thompson hereby approves the Invoice of William J. Rieber & Sons, Inc. of Monticello, New York in the amount of \$1,512.50 for the Emergency Demolition & Removal of (3) Unsafe Buildings #12, #14 & #16 due to the Explosion at the Patio Homes Development and Further Be It Resolved, that said payment shall be issued out of the account for unsafe buildings.

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

Supervisor Rieber returned to the meeting after action was taken.

Director Carnell and Supervisor Rieber both provided an update regarding the explosion in the Patio Homes Development. A brief discussion was held regarding the matter.

### **NEW BUSINESS**

There was no new business reported on.

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

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

- No report provided.

#### **Parks & Recreation Superintendent Glenn Somers**

- Treats & Trails Event at the East Mongaup River Town Park Saturday, October 21<sup>st</sup>, 2023, 3-6PM.

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

- Auction of (3) Surplus Items – Listed and should be up for auction next week.

**Councilwoman Melinda S. Meddaugh**

- Parks & Recreation Department Meeting that was held last week regarding youth programs.

**Water & Sewer Superintendent Michael G. Messenger**

- The Boil Water Order issued by the NYS DOH for the Kiamesha Route 42 Water District is still in effect. The Kiamesha Artesian Water Company is still working to resolve the issue. The Business District is temporarily being supplied water by the Village of Monticello until the Boil Water Order is rescinded.

**PUBLIC COMMENT**

JR Cruz, Representative of the Monticello Motor Club thanked the Town Board and staff for assistance with the process to name their private roadway Victory Lane.

**ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION**

- 11/02/23 at 6PM: Regular Town Board Meeting (Note: Meeting Date & Time Change.)
- 11/02/23 at 6PM: Public Hearing – Proposed Local Law No. 05 of 2023 – Override Tax Levy Limit.
- 11/02/23 at 6PM: Public Hearing – 2024 Fiscal-Year Preliminary Budget Hearing.
- 11/02/23 at 6PM: Public Hearing – Revised Bonding on the Melody Lake Water District Proposed Well House Project, Revised Estimated Maximum Cost of \$1,250,000.
- 11/21/23 at 7PM: Public Hearings – Unsafe Buildings (7) Properties.

**ADJOURNMENT**

On a motion made by Councilman Schock and seconded by Councilwoman Meddaugh the meeting was adjourned at 7:24 PM. All board members voted in favor of adjourning the meeting.

The Zoom Livestream Videoconferencing connection was disconnected.

Respectfully Submitted By:



Marilee J. Calhoun, Town Clerk

4



Town of Thompson  
Warrant Report

Town of Thompson  
Warrant Report

I hereby certify that the vouchers listed on the attached abstracts of prepaid and claims payable have been duly audited and are presented for payment to the Town Board of the Town of Thompson at the regular meeting there of, held on the 17<sup>th</sup> day of October 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 DeMarnet, Comptroller

  
William J. Rieber Jr., Supervisor



Town of Thompson  
Warrant Report

Fund	Fund Description	Invoice Batch		Manual Checks		Purchase Cards		Total
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	
T000	TRUST & AGENCY FUND	\$4,341.08	\$0.00	\$0.00	\$0.00	\$29,065.64	\$0.00	\$33,406.72
	Posted Batch Grand Totals	\$822,242.17	\$0.00	\$0.00	\$0.00	\$29,065.64	\$0.00	\$851,307.81
	Report Grand Totals							
A000	GENERAL FUND TOWN WIDE	\$213,858.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$213,858.25
B000	GENERAL TOWN OUTSIDE	\$50,808.75	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50,808.75
DA00	HWY#3 / 4 - TOWN WIDE	\$172,096.08	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$172,096.08
DB00	HWY#1 - TOWN OUTSIDE	\$240,894.54	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$240,894.54
H000	CAPITAL PROJECTS	\$2,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,500.00
SL01	ROCK HILL LIGHTING	\$466.04	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$466.04
SL02	LUCKY LAKE LIGHTING	\$76.56	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$76.56
SL03	LAKE LOUISE MARIE	\$239.28	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$239.28
SL04	PATIO HOMES LIGHTING	\$182.87	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$182.87
SL05	KIAMESHA SHORES LIGHTING	\$62.39	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$62.39
SL06	EMERALD GREEN LIGHTING	\$1,278.54	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,278.54
SL07	TREASURE LAKE LIGHTING	\$14.39	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$14.39
SL08	CONGERO ROAD LIGHTING	\$41.20	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$41.20
SL09	YESHIVA/KIAM. LIGHTING DISTRICT	\$200.97	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$200.97
SL10	EMERALD CORP. PARK L/D#10	\$123.57	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$123.57
SL11	ADELAAR Lighting	\$647.37	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$647.37
SL12	Route 42 N Lighting	\$7.51	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7.51
SSAR	Adelaar Sewer District	\$10,253.18	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10,253.18
SSHC	Harris Consolidated Sewer District	\$8,186.09	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$8,186.09
SSKC	Kiamesha Consolidated Sewer District	\$64,145.99	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$64,145.99
SSMO	MELODY LAKE SEWER DISTR.	\$2,721.75	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,721.75
SSRC	Rock Hill Emerald Green Consolidated Sewer Dist	\$28,429.40	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$28,429.40
SSSO	SACKETT LAKE SEWER DISTR	\$15,222.26	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15,222.26
SWA0	ADELAAR RESORT WATER DISTRICT	\$1,595.99	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,595.99
SWC0	COLD SPRING WATER	\$967.07	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$967.07
SWD0	DILLON WATER DISTRICT	\$262.46	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$262.46
SWK0	KIAMESHA RT42 WATER	\$85.10	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$85.10
SWL0	LUCKY LAKE WATER DISTR	\$163.26	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$163.26
SWM0	MELODY LAKE WATER	\$2,370.23	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,370.23
T000	TRUST & AGENCY FUND	\$4,341.08	\$0.00	\$0.00	\$0.00	\$29,065.64	\$285.85	\$33,406.72
	Grand Totals	\$822,242.17	\$0.00	\$0.00	\$0.00	\$29,065.64	\$285.85	\$851,307.81



Town of Thompson  
Warrant Report

Unposted Batch Totals		Manual Checks		Purchase Cards		Total
Fund	Fund Description	Invoice Batch	Manual Checks	Purchase Cards		Total
T000	TRUST & AGENCY FUND	\$0.00	\$0.00	\$285.85		\$285.85
Unposted Batch Grand Totals		\$0.00	\$0.00	\$285.85		\$285.85

Posted Batch Totals

Fund	Fund Description	Invoice Batch		Manual Checks		Purchase Cards		Total	
		Paid	Unpaid	Paid	Unpaid	Paid	Unpaid	Paid	Unpaid
A000	GENERAL FUND TOWN WIDE	\$213,858.25	\$0.00	\$0.00	\$0.00	\$213,858.25	\$0.00	\$213,858.25	\$0.00
B000	GENERAL TOWN OUTSIDE	\$50,808.75	\$0.00	\$0.00	\$0.00	\$50,808.75	\$0.00	\$50,808.75	\$0.00
DA00	HWY#3 / 4 - TOWN WIDE	\$172,096.08	\$0.00	\$0.00	\$0.00	\$172,096.08	\$0.00	\$172,096.08	\$0.00
DB00	HWY#1 - TOWN OUTSIDE	\$240,894.54	\$0.00	\$0.00	\$0.00	\$240,894.54	\$0.00	\$240,894.54	\$0.00
H000	CAPITAL PROJECTS	\$2,500.00	\$0.00	\$0.00	\$0.00	\$2,500.00	\$0.00	\$2,500.00	\$0.00
SL01	ROCK HILL LIGHTING	\$466.04	\$0.00	\$0.00	\$0.00	\$466.04	\$0.00	\$466.04	\$0.00
SL02	LUCKY LAKE LIGHTING	\$76.56	\$0.00	\$0.00	\$0.00	\$76.56	\$0.00	\$76.56	\$0.00
SL03	LAKE LOUISE MARIE	\$239.28	\$0.00	\$0.00	\$0.00	\$239.28	\$0.00	\$239.28	\$0.00
SL04	PATIO HOMES LIGHTING	\$182.87	\$0.00	\$0.00	\$0.00	\$182.87	\$0.00	\$182.87	\$0.00
SL05	KIAMESHA SHORES LIGHTING	\$62.39	\$0.00	\$0.00	\$0.00	\$62.39	\$0.00	\$62.39	\$0.00
SL06	EMERALD GREEN LIGHTING	\$1,278.54	\$0.00	\$0.00	\$0.00	\$1,278.54	\$0.00	\$1,278.54	\$0.00
SL07	TREASURE LAKE LIGHTING	\$14.39	\$0.00	\$0.00	\$0.00	\$14.39	\$0.00	\$14.39	\$0.00
SL08	CONGERO ROAD LIGHTING	\$41.20	\$0.00	\$0.00	\$0.00	\$41.20	\$0.00	\$41.20	\$0.00
SL09	YESHIVAKIAM, LIGHTING DISTRICT	\$200.97	\$0.00	\$0.00	\$0.00	\$200.97	\$0.00	\$200.97	\$0.00
SL10	EMERALD CORP. PARK LID#10	\$123.57	\$0.00	\$0.00	\$0.00	\$123.57	\$0.00	\$123.57	\$0.00
SL11	ADELAAR Lighting	\$647.37	\$0.00	\$0.00	\$0.00	\$647.37	\$0.00	\$647.37	\$0.00
SL12	Route 42 N Lighting	\$7.51	\$0.00	\$0.00	\$0.00	\$7.51	\$0.00	\$7.51	\$0.00
SSAR	Adelaar Sewer District	\$10,253.18	\$0.00	\$0.00	\$0.00	\$10,253.18	\$0.00	\$10,253.18	\$0.00
SSHC	Harris Consolidated Sewer District	\$8,186.09	\$0.00	\$0.00	\$0.00	\$8,186.09	\$0.00	\$8,186.09	\$0.00
SSKC	Kiamesha Consolidated Sewer District	\$64,145.99	\$0.00	\$0.00	\$0.00	\$64,145.99	\$0.00	\$64,145.99	\$0.00
SSM0	MELODY LAKE SEWER DISTR.	\$2,721.75	\$0.00	\$0.00	\$0.00	\$2,721.75	\$0.00	\$2,721.75	\$0.00
SSRC	Rock Hill Emerald Green Consolidated Sewer Dist	\$28,429.40	\$0.00	\$0.00	\$0.00	\$28,429.40	\$0.00	\$28,429.40	\$0.00
SSS0	SACKETT LAKE SEWER DISTR	\$15,222.26	\$0.00	\$0.00	\$0.00	\$15,222.26	\$0.00	\$15,222.26	\$0.00
SWA0	ADELAAR RESORT WATER DISTRICT	\$1,595.99	\$0.00	\$0.00	\$0.00	\$1,595.99	\$0.00	\$1,595.99	\$0.00
SWC0	COLD SPRING WATER	\$967.07	\$0.00	\$0.00	\$0.00	\$967.07	\$0.00	\$967.07	\$0.00
SWD0	DILLON WATER DISTRICT	\$262.46	\$0.00	\$0.00	\$0.00	\$262.46	\$0.00	\$262.46	\$0.00
SWK0	KIAMESHA RT42 WATER	\$85.10	\$0.00	\$0.00	\$0.00	\$85.10	\$0.00	\$85.10	\$0.00
SWL0	LUCKY LAKE WATER DISTR	\$163.26	\$0.00	\$0.00	\$0.00	\$163.26	\$0.00	\$163.26	\$0.00
SWM0	MELODY LAKE WATER	\$2,370.23	\$0.00	\$0.00	\$0.00	\$2,370.23	\$0.00	\$2,370.23	\$0.00

G

MARILEE J. CALHOUN  
Town Clerk

KELLY M. MURRAN  
Deputy Town Clerk

# Town of Thompson

TOWN HALL  
4052 Route 42  
Monticello, NY 12701-3221

Telephone (845) 794-2500 Ext.302

Fax (845) 794-8600

October 13, 2023

Office of the New York State Comptroller  
New York State and Local Retirement System  
110 State Street  
Albany, New York 12244-0001

Re: Standard Work Day & Reporting Resolution and Certificate/Affidavit of Posting

To Whom It May Concern:

Enclosed please find a Certified Copy of the Resolution Establishing Standard Work Day and Reporting for the active 2023 Town of Thompson Elected and Appointed Officials. This Resolution was adopted by the Town Board at their September 5<sup>th</sup>, 2023 Regular Town Board meeting. I am also enclosing a Certificate/Affidavit of Posting, which I have completed.

These documents are being submitted to you at the request of the Pension Integrity Bureau. Thank you for your attention to this matter and please feel free to contact me should you have any questions regarding the enclosed.

Sincerely,

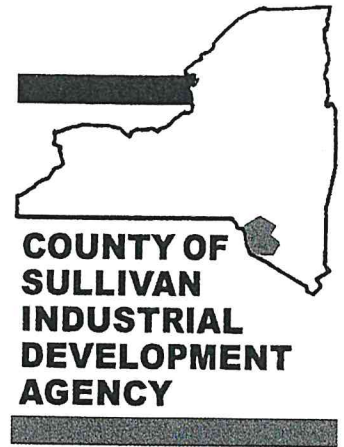


Marilee J. Calhoun  
Town Clerk

MJC:  
Encl. (5 pages)

PC:  Hon. William J. Rieber, Jr., Town Supervisor & Town Board Members  
Ms. Melissa DeMarmels, Town Comptroller  
Mr. Michael B. Mednick, Town Attorney  
File Copy

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



October 19, 2023

Mr. Van B. Krzywicki, Sole Assessor  
Town of Thompson  
4052 State Route 42  
Monticello, New York 12701

**Re: County of Sullivan Industrial Development Agency with NY Thompson III, LLC**

Dear Mr. Krzywicki,

Enclosed please find the First Amendment to Payment in Lieu of Taxation Agreement made as of September 19, 2023, by and between the County of Sullivan Industrial Development Agency and NY Thompson III, LLC.

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

Sincerely,

Jennifer M. Flad  
Executive Director

enclosure

cc: Mr. Robert Doherty, Chairman, Sullivan County Legislature  
Mr. William J. Rieber, Jr., Supervisor, Town of Thompson  
Dr. Patrick Sullivan, Superintendent, Liberty Central School District

ec: Mr. Joshua Potosek, Sullivan County Manager  
Ms. Nancy Buck, Sullivan County Treasurer

## FIRST AMENDMENT TO PAYMENT IN LIEU OF TAXATION AGREEMENT

*THIS FIRST AMENDMENT PAYMENT IN LIEU OF TAXATION AGREEMENT* ("Agreement"), is made as of the *19<sup>th</sup>* day of September, 2023 by and between the COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY, a corporate governmental agency constituting a body corporate and politic and a public benefit corporation of the State of New York, having its principal offices at 548 Broadway, Monticello, New York 12701 ("Agency") and NY THOMPSON III, LLC, a New York limited liability company, having its principal offices located at 315 Post Road West, Westport, Connecticut 06880 ("Company").

### RECITALS

**WHEREAS**, on or about October 1, 2022, the Agency and the Company entered into a certain Payment in Lieu of Taxation Agreement (the "PILOT Agreement") with respect to the Company's Project consisting of the construction of an approximately 4MW solar photovoltaic electricity generating facility that will be interconnected to the New York State Electric and Gas ("NYSEG") electrical grid ("Project") to be constructed on a 41.24-acre parcel of real estate located at 1283 Old Route 17, Town of Thompson ("Town"), County of Sullivan ("County"), State, and identified on the Town tax map as Section 1, Block 1, Lot 3.2 ("Land"); and

**WHEREAS**, the Project is under construction and is expected to be placed in service on or before March 1, 2024, and

**WHEREAS**, due to changes in New York State law relating to the State Community Distributed Generation ("CDG") program which became effective following the execution of the PILOT Agreement, the Company and the Agency recognize that the PILOT Agreement, as currently constructed, places a financial burden on the Company that would not exist if the Agency and the Company terminated the PILOT Agreement, but also recognize that the PILOT Agreement provides stability and predictability for the Company and the taxing jurisdictions; and

**WHEREAS**, on or about May 30, 2023, the Company requested an amendment to the PILOT Agreement to reduce each annual PILOT payment by fifty (50%) of the difference between the PILOT payment set forth in the PILOT Agreement and the theoretical taxes as calculated using the discounted cash flow appraisal model published by the New York State Department of Taxation and Finance for assessing such CDG systems; and

**WHEREAS**, the Agency is willing to amend the PILOT Agreement as requested by the Company as set forth below:

**NOW THEREFORE**, in consideration of the foregoing recitals and the mutual terms, conditions, limitations and agreements set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is mutually agreed as follows:

#### 1. Amendment to PILOT Agreement Section 2.



Section 2 of the PILOT Agreement is hereby deleted in its entirety and replaced with the following:

2. Agreement to Make Payments in Lieu of Taxes.

(a) RPTL §487 Exemption Period. During the period the Solar Array is exempt from general ad valorem real property taxes under RPTL §487 (years 1 to 15), the Company agrees to pay to the Agency at 548 Broadway, Monticello, New York 12701, or at such other address as shall be designated from time to time by the Agency (the "Agency's Offices"), payments in lieu of tax (each a "PILOT Payment") in the amount of Four Thousand Seven Hundred Fifty-Three and 50/100 (\$4,753.50) Dollars per name plate AC MW, which for this 4MW AC name plate Project is Nineteen Thousand Fourteen and 00/100 (\$19,014.00) Dollars;

For only the fifteen (15) year period during which time the Project is owned by the Company or an Affiliate of the Company and is exempt from general ad valorem real property taxes under Real Property Tax Law §487, the Company shall not and shall cause any of its Affiliates (as such term is defined below) not to enter into any agreement to make payments in lieu of tax, or agree to be subject to general ad valorem real property taxes payments, in each case in amounts greater than the PILOT Payments provided for herein for any other solar photovoltaic electricity generating facility located in Sullivan County compensated for the energy generated by the Public Service Commission's base Value of Distributed Energy Resource method, and interconnected to the NYSEG electrical grid. For the purposes of this Section 2(a), the term "Affiliate" shall mean any entity which, directly or indirectly, is in control of, is controlled by, or is under common control with, the Company.

(b) RPTL §412-a Exemption Period. During any period the Land and Solar Array are exempt from taxation under §412-a of the RPTL and §874 of the Act, the Company agrees to pay the Agency at the Agency's Offices a PILOT payment equal to what the real estate taxes on the unimproved Land (without giving effect to any increase to the assessed value associated with the Project) would have been if the Agency was not involved with the Project PLUS Nineteen Thousand Fourteen and 00/100 (\$19,014.00) Dollars.

(c) The chart which follows sets forth the anticipated years of the overall twenty (20) year period for PILOT Payments under the Agency's Community Distributed Generation Tax Abatement Policy; the date that a PILOT Payment is due; and the appropriate tax periods to which the PILOT Payment applies. These periods are based on the expectation that the Solar Array will be placed in service after March 1, 2023 and before March 1, 2024. The "Years" set forth in the first column of the chart shall be adjusted so Year 1 is the February 1<sup>st</sup> of the year following the next March 1<sup>st</sup> after the date the Solar Array is placed in service.

<b>Year</b>	<b>PILOT Payment Due Date</b>	<b>School Fiscal Year Beginning</b>	<b>County and Town</b>
1	February 1, 2025	July 1, 2024	January 1, 2025
2	February 1, 2026	July 1, 2025	January 1, 2026
3	February 1, 2027	July 1, 2026	January 1, 2027
4	February 1, 2028	July 1, 2027	January 1, 2028
5	February 1, 2029	July 1, 2028	January 1, 2029
6	February 1, 2030	July 1, 2029	January 1, 2030
7	February 1, 2031	July 1, 2030	January 1, 2031
8	February 1, 2032	July 1, 2031	January 1, 2032
9	February 1, 2033	July 1, 2032	January 1, 2033
10	February 1, 2034	July 1, 2033	January 1, 2034
11	February 1, 2035	July 1, 2034	January 1, 2035
12	February 1, 2036	July 1, 2035	January 1, 2036
13	February 1, 2037	July 1, 2036	January 1, 2037
14	February 1, 2038	July 1, 2037	January 1, 2038
15	February 1, 2039	July 1, 2038	January 1, 2039
16	February 1, 2040	July 1, 2039	January 1, 2040
17	February 1, 2041	July 1, 2040	January 1, 2041
18	February 1, 2042	July 1, 2041	January 1, 2042
19	February 1, 2043	July 1, 2042	January 1, 2043
20	February 1, 2044	July 1, 2043	January 1, 2044

(d) Other Agreements Relating to PILOT Payments. The Agency shall remit to the Taxing Jurisdictions PILOT Payments received hereunder within thirty (30) days of receipt and shall allocate the PILOT Payments among the Taxing Jurisdictions in the same proportion as normal real estate taxes would have been allocated but for the Agency's involvement.

The Company shall not be entitled to receive from the Agency or the Taxing Jurisdictions real property tax benefits relative to the Project for more than the period provided in this Agreement. The Company therefore agrees that it will not seek from the Agency or the Taxing Jurisdictions any such real property tax exemption for the Project

which could provide benefits for more than the periods provided for in this Agreement.

2. **PILOT Agreement Continuing Obligations.** Company and Agency hereby confirm that other than those terms modified by this Agreement, each and every term set forth in the PILOT Agreement constitute valid and continuing obligations through and including the expiration of said PILOT Agreement.
3. **No Other Modification/Further Amendments In Writing.** No other term or condition contained in the PILOT Agreement is modified in any way. The PILOT Agreement shall not be modified in any manner, except in a writing duly executed by the parties hereto.
4. **Conflict.** Company and Agency hereby agree that should there be a conflict arising out of the terms of the PILOT Agreement and this Agreement, this Agreement shall prevail.
5. **Authority.** By their signatures below, each of the parties acknowledge that they have been duly authorized to execute this Agreement in the capacities listed underneath their signatures. This Agreement may be signed in counterparts.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

*IN WITNESS WHEREOF*, the parties hereto have executed this Agreement effective as of the date hereof.

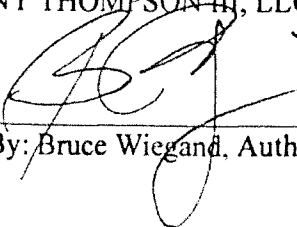
COUNTY OF SULLIVAN INDUSTRIAL  
DEVELOPMENT AGENCY



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By: Suzanne Loughlin, Chairperson

NY THOMPSON III, LLC



---

By: Bruce Wiegand, Authorized Signatory

C3



ETHELBERT B. CRAWFORD  
PUBLIC LIBRARY

**Director**

Mary Paige Lang -Clouse

**Board of Trustees**

*President*

Maureen O'Meara

*Vice President*

Marcia Raponi

*Secretary*

Lisa Clark

*Fiscal Officer*

Thomas Rue

Richard Arnold

Melanie Olson

Rebecca Kemp

479 Broadway  
Monticello, NY  
12701  
845-794-4660

October 24, 2023

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

Dear Mr. Reiber,

Enclosed are the results of the 2024 library budget vote and trustee election held October 11, 2023 for the Ethelbert B. Crawford Public Library District. As soon as we receive the requested figures from all three towns, we will contact you about the estimated tax levy.

Lily Barrish was newly elected to serve the 3<sup>rd</sup> year of 3-year term on the library board that will be vacant at the end of this year. Rebecca Kemp was elected to serve as a trustee filling the remaining 2 years of a 3-year term she was appointed to in 2023. Richard Arnold was elected to serve the 3<sup>rd</sup> year of a 3-year term he was appointed to in 2023.

Please send the equalization rate and the assessed valuation of the Town of Bethel that falls within the library service area. That would be the 'Special District Town Summary' for Bethel that lists the Library (e b crawford mem lib) 'Taxable Value'.

The library will notify each town (Bethel, Forestburgh and Thompson) of their estimated 2024 library tax assessment. Kindly send this information as soon as possible, either to the above address, by fax 794-4602, or by email [langclouse@rcls.org](mailto:langclouse@rcls.org)

If you need any additional information, please contact me. This letter was also sent to Thompson Clerk Marliee J. Calhoun, Thompson Assessor Van Kryzwicki and Thompson Comptroller Melissa DeMarmels.

Thank you for your consideration.

Yours truly,

Mary Paige Lang-Clouse  
Library Director

ETHELBERT B. CRAWFORD LIBRARY DISTRICT

October 11, 2023

CANVASS OF VOTES

Proposition I -- 2024 Budget

YES 63

NO 19

Trustees

Richard Arnold 61

Lily Barrish 74

Rebecca Kemp 71

Signed: Karen P. Cumley

Chairman of the Election

E. B. CRAWFORD LIBRARY BUDGET - 2024

	2023	2024
<b>PERSONNEL &amp; EMPLOYEE BENEFITS</b>	<b>Approved</b>	<b>Proposed</b>
<u>Personnel</u>		
Salaries	154,264	160,434
Other Wages	403,216	419,820
Health Insurance Buyout	8,000	8,000
<b>Subtotal</b>	<b>565,480</b>	<b>588,254</b>
<u>Employee Benefits</u>		
Social Security & Medicaid	40,838	44,389
Workers Compensation	4,000	4,300
Unemployment Insurance	5,200	5,325
Disability Insurance	1,100	2,000
Paid Family Leave	2,000	500
Health Insurance & FSA	118,750	180,000
NYS Retirement System	60,000	52,500
<b>Subtotal</b>	<b>231,888</b>	<b>289,014</b>
<b>Total Personnel &amp; Employee Benefits</b>	<b>797,368</b>	<b>877,268</b>
<b>LIBRARY MATERIALS</b>		
Books	31,000	30,000
<u>Virtual Content:</u>		
E-Books	20,000	17,500
Database Subscriptions & Candid FD	5,000	5,500
Periodicals	5,500	5,000
Programming & Supplies	16,750	18,750
<u>Audio-Visual Materials:</u>		
DVDs & Books on CD	3,000	3,000
Other Audio-Visual Materials	1,750	-
<b>Total Library Materials</b>	<b>83,000</b>	<b>79,750</b>
<b>BUILDING OPERATION &amp; MAINTENANCE</b>		
Fuel Oil & Utilities	25,478	28,500
Custodial Service	16,125	26,000
Custodial Supplies	1,000	1,000
Insurance	11,000	13,000
Repairs & Maintenance - Grounds & Building	8,168	7,500
Grounds Maintenance	48,724	32,500
<b>Total Building Operation &amp; Maintenance</b>	<b>110,495</b>	<b>108,500</b>
<b>OFFICE &amp; LIBRARY</b>		
Office & Library Supplies	15,500	16,000
Telephone	1,000	1,100
Postage & Freight	3,000	1,500
Computer & Computer Software	2,000	5,000
Annual Election	1,000	1,500
<u>Professional Fees:</u>		
Attorney	10,000	11,750
Accountant	10,000	11,750
Payroll Processing Fees	3,000	4,000
Security Service		50,000
Education & Training	2,750	2,500
Dues & Memberships	2,838	3,000
Repairs & Maintenance - Office Equipment	3,500	12,500
RCLS ANSER & Automation/Security	42,500	40,000
<b>Total Office &amp; Library</b>	<b>97,088</b>	<b>160,600</b>
<b>OTHER EXPENSES</b>		
Advertising & Community Outreach	3,000	3,750
Interest & Bank Charges	150	150
Trust Fees & Public Fund Capital Expenditures	1,500	1,500
RCLS Fee	2,500	2,600
Village Tax	2,000	2,000
Town Waste Fee	200	125
<b>Total Other Expenses</b>	<b>9,350</b>	<b>10,125</b>
<b>TOTAL EXPENSES</b>	<b>1,097,300</b>	<b>1,236,243</b>
Annual Debt Service	351,563	351,563
<b>GRAND TOTAL</b>	<b>1,448,863</b>	<b>1,587,806</b>

C4

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Bureau of Flood Protection and Dam Safety  
625 Broadway, Albany, New York 12233-3504  
P: (518) 402-8185 | F: (518) 402-9029  
[www.dec.ny.gov](http://www.dec.ny.gov)

### **Electronic Transmittal Only**

October 20, 2023

Michael Hoyt  
Emerald Green Property Owners Association  
139 Old Sackett Road  
P.O. Box 65  
Rock Hill, NY 12775  
[michael@emeraldgreenpoa.com](mailto:michael@emeraldgreenpoa.com)

Re: Treasure Lake Dam  
DEC Dam ID#: 163-0188, B – Intermediate Hazard  
Town of Thompson, Sullivan County

Dear Michael Hoyt:

Warren Shaw and I conducted a routine visual inspection of Treasure Lake Dam on 8/10/2023, as part of the Department of Environmental Conservation's (Department) ongoing Dam Safety program. I am writing to you because it is my understanding that you are or represent the owner of this structure. A copy of my Visual Observations is enclosed for your information.

### **Inspection**

The left/right nomenclature used in this letter and in the enclosed Visual Observation Report is based on looking downstream from center of dam.

Deficiencies may exist beyond those identified here. The Department's visual inspections are not intended to take the place of a comprehensive engineering evaluation by a professional engineer. The Department's inspection observations and notes should not be relied on for "risk management/assessment" or other financially based determinations.

Listed below are highlights of the observations made during this inspection:

- Fence and vegetation are obscuring the auxiliary spillway inlet.
- Left and right downstream embankment are overgrown.



## Regulations

The following table summarizes the current status of compliance for this dam for those sections of the regulations that have specific deadlines for compliance.

<u>Citation</u>	<u>Requirement</u>	<u>Status</u>
673.6	Develop and implement an Inspection & Maintenance Plan (I&M Plan). Plan does not have to be submitted to the Department but needs to be available for inspection if requested.	An I&M Plan must be available for review, if requested.
673.7	Develop and distribute to the local emergency responders an Emergency Action Plan (EAP). EAPs should be updated on an annual basis. To be considered "final" a completed Promulgation and Concurrence (P&C) form must also be submitted indicating that the EAP has been distributed to and coordinated with local emergency responders.	An EAP last updated January 20, 2020, is on file.
673.8	Submit an Annual Certification (AC) to the Department January 31 of each year (certification is for the previous year). The Dam Safety Annual Certification form can be completed online through the NYSDEC eBusiness Portal at: <a href="https://www.dec.ny.gov/pubs/95925.html">https://www.dec.ny.gov/pubs/95925.html</a> .	<b>VIOLATION</b> The latest AC received was for calendar year 2019.  Please submit an AC for the 2023 calendar year.
673.13	An Engineering Assessment (EA) shall be performed, and an engineering assessment report submitted to the dam safety section, at a minimum frequency of every 10 years for dams that have been assigned a hazard classification of class B or C.	<b>VIOLATION</b> An EA was received May 20, 2009, the next EA was due no later than May 20, 2019.  Please Submit an EA.

**Please note Annual Certifications can now be submitted electronically through the NYS Dam Safety webpage.** The full text of the revised 6 NYCRR Part 608 and Part 673, along with technical guidance, templates and forms can be downloaded from the Dam Safety webpage at: <http://www.dec.ny.gov/lands/4991.html>.

## EAP Comments

I have conducted a preliminary review of your EAP dated January 1, 2020. Please revise EAP as needed addressing the below comments; and distribute EAP updates to all EAP holders, including dam safety.

- The Promulgation and Concurrence (P&C) form is missing. For the EAP to be considered "final" a completed P&C form must be submitted indicating that the EAP has been distributed to and coordinated with local emergency responders. A sample P&C form can be downloaded from the Dam Safety webpage at: <http://www.dec.ny.gov/lands/58691.html>.
- Revise your EAP to reflect the below contact information for the Department.

NYSDEC – Dam Safety  
24-hr/emergency: 518-486-4326  
Office: 518-402-8185  
Backup Office: 518-402-8138  
Cell: 518-852-0415

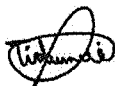
## Engineering Assessment

As noted in the above table, the next Engineering Assessment for the dam is past due. **Within 30 days** of receipt of this letter, please provide a written response to this letter outlining an acceptable schedule for the submission of the next Engineering Assessment.

Please keep in mind that any repair or construction activities related to the dam may require permits from the Department. Well before beginning work on the dam, please check with the Regional Permit Administrator at the Department's Region 3 – New Paltz office at 845-256-3054 to verify if any permits are required.

If you have any questions, please feel free to contact me by phone at 518-402-8109, or by e-mail at [Ayotunde.Adebajo@dec.ny.gov](mailto:Ayotunde.Adebajo@dec.ny.gov) or Warren Shaw at 518-402-8252 or by email at [Warren.Shaw@dec.ny.gov](mailto:Warren.Shaw@dec.ny.gov).

Sincerely,



Ayotunde Adebajo, EIT  
Assistant Engineer, Dam Safety Section

ec; William J. Rieber Jr, Town of Forestburg Supervisor,  
supervisor@townofthompson.com  
Thomas Farney, EMO, Thomas.Farney@sullivanny.us  
Donald Canestrari, NYSDEC, Dam Safety Section, Chief  
Warren Shaw, NYSDEC, Dam Safety Section  
Berhanu Gonfa, NYSDEC Region 3, Dam Safety Representative



**Visual Observations**

<i>DAM NAME</i>	Treasure Lake Dam				
<i>STATE ID</i>	163-0188	<i>SECTION</i>	D	<i>HAZARD CODE</i>	B
<i>COUNTY</i>	Sullivan			<i>INSPECTION DATE</i>	8/10/2023
<i>NEAREST DS CITY/TOWN</i>	Oakland Valley			<i>INSPECTOR(S)</i>	WTS/ATA
<i>OWNER'S NAME</i>	EMERALD GREEN PROPERTY OWNERS ASSOCIATION				
<i>DOWNSTREAM HAZARD</i>	Intermediate		<i>TOWNSHIP</i>	Town of Thompson	

*WATER LEVEL BEHIND DAM*      just spilling over into service spillway inlet

*DRAIN OPERATION*                      Unknown.

*DEFICIENCIES*

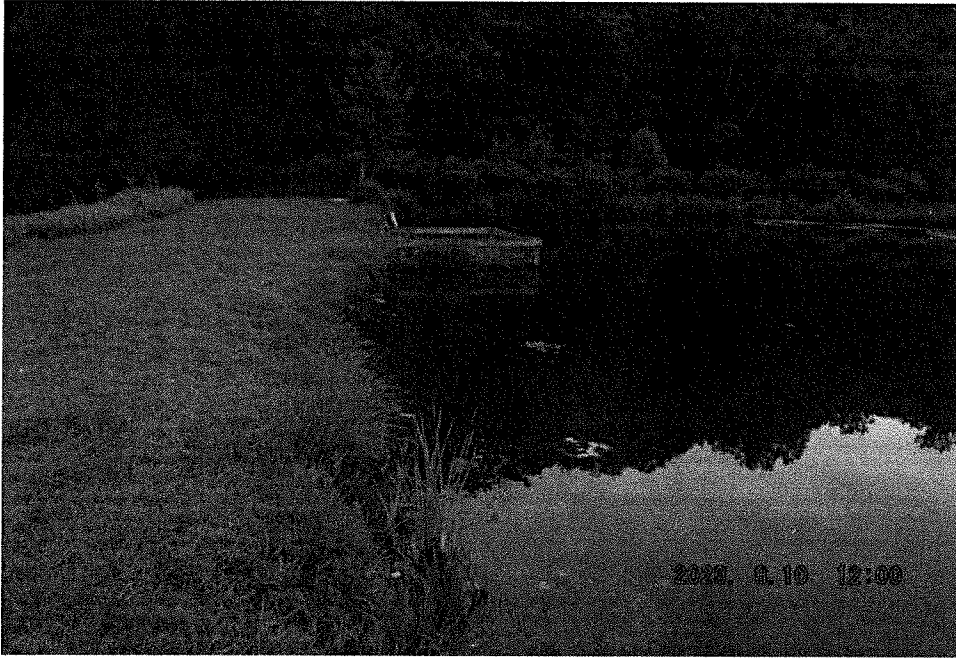
- |  |   |   |
|--|---|---|
| <input type="checkbox"/> 1) Seepage            | <input type="checkbox"/> 4) Maintenance             | <input type="checkbox"/> 7) Cracking              |
| <input type="checkbox"/> 2) Slope Stability    | <input type="checkbox"/> 5) Surficial Deterioration | <input type="checkbox"/> 8) Movement/Misalignment |
| <input type="checkbox"/> 3) Undesirable Growth | <input type="checkbox"/> 6) Voids                   | <input type="checkbox"/> 9) Data                  |

Upstream:  
 –Scarping along the upstream embankment.

Downstream:  
 –Left and right downstream embankment are overgrown with tall vegetation around spillway outlet.

Service Spillway:  
 –Aquatic vegetation around service spillway inlet pipe.

Auxiliary Spillway:  
 –Fence and vegetation potentially blocking the auxiliary spillway inlet.



**Photo 1 Dam ID# 163-0188 Treasure Lake Dam 08/10/2023**  
Upstream Embankment  
View: Left side of dam looking right  
Note: Scarping along the water's edge of the upstream embankment



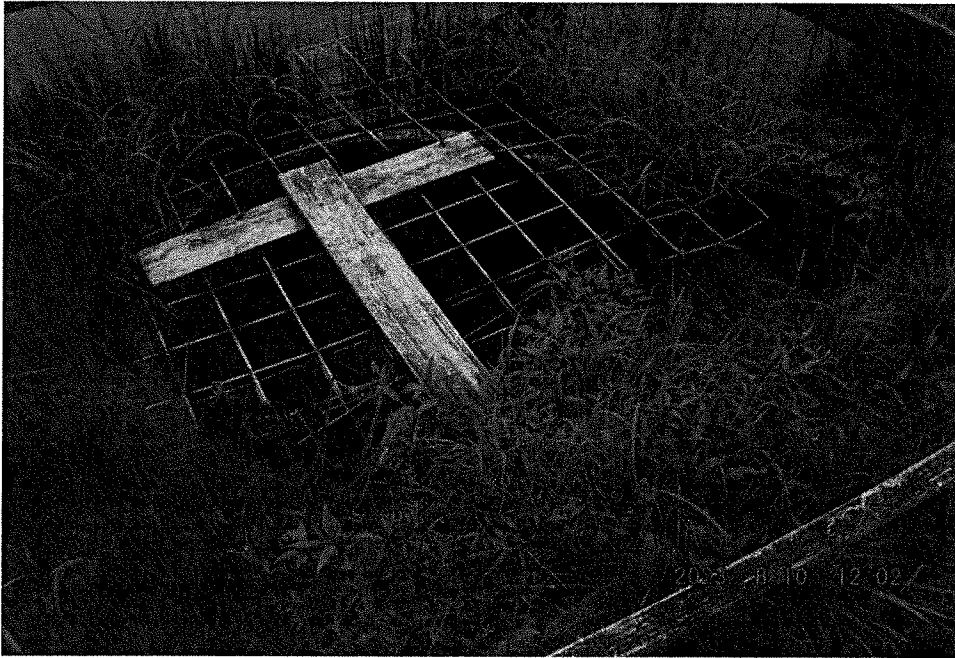
**Photo 2 Dam ID# 163-0188 Treasure Lake Dam 08/10/2023**  
Dam Crest  
View: Left side of dam looking right



**Photo 3 Dam ID# 163-0188 Treasure Lake Dam 08/10/2023**  
Downstream Embankment  
View: Left side of dam looking right



**Photo 4 Dam ID# 163-0188 Treasure Lake Dam 08/10/2023**  
Downstream Embankment  
View: Center of dam



**Photo 5 Dam ID# 163-0188 Treasure Lake Dam 08/10/2023**  
Service Spillway  
View: Right side of dam looking upstream



**Photo 6 Dam ID# 163-0188 Treasure Lake Dam 08/10/2023**  
Service Spillway Outlet  
View: Right side of dam



**Photo 7 Dam ID# 163-0188 Treasure Lake Dam 08/10/2023**  
Auxiliary Spillway Inlet  
View: Right side of dam



**Photo 8 Dam ID# 163-0188 Treasure Lake Dam 08/10/2023**  
Auxiliary Spillway  
View: Right side of dam looking left





**Photo 9 Dam ID# 163-0188 Treasure Lake Dam 08/10/2023**  
Auxiliary Spillway Outlet  
View: Right side of dam looking upstream



**Photo 10 Dam ID# 163-0188 Treasure Lake Dam 08/10/2023**  
Outlet Channel  
View: Center of dam looking downstream

AI  
#1

At a regular meeting of the Town Board of the  
Town of Thompson held at the Town Hall, 4052  
Route 42, Monticello, New York on November 02,  
2023

**RESOLUTION TO ENACT LOCAL LAW NO. 04 OF 2023**

**WHEREAS**, proposed Local Law No. 05 of the year 2023 entitled, "A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c" was introduced to the Town Board at a meeting held October 03, 2023, at the Town Hall, Monticello, New York, to consider said proposed Local Law and Notice of Public Hearing having been duly published and posted as required by law, and said Public Hearing having been held and all persons appearing at said public hearing deeming to be heard having been heard, and

**WHEREAS**, said Local Law was duly adopted after a public hearing.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Thompson, New York, does hereby enact and adopt Local Law No. 04 for the year 2023, Town of Thompson, State of New York, which Local Law is annexed hereto and made a part hereof.

Moved by:

Seconded by:

Adopted on Motion November 02, 2023

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

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

The undersigned, Town Clerk of the Town of Thompson, does hereby certify that the Resolution annexed hereto to enact Local Law No. 04 of 2023 was adopted by said Town Board on November 02, 2023, a majority of all Board Members voting in favor thereof, and the same has been compared with the original on file in my office and is a true and correct copy of said original and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on November 02, 2023.

MARILEE J. CALHOUN, TOWN CLERK