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Meeting ID: 830 3245 2642

TOWN OF THOMPSON
-Regular Meeting Agenda-

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

TUESDAY, SEPTEMBER 17, 2024

7:00 PM MEETING

CALL TO ORDER
ROLL CALL
PLEDGE TO THE FLAG

APPROVAL OF PREVIOUS MINUTES: September 3rd, 2024 Regular Town Board Meeting

PUBLIC COMMENT

CORRESPONDENCE:

- **NYS Dept. of Taxation & Finance:** Check #10102681 dated 09/06/24, payable to Town of Thompson in amount of \$280,605.72 for NYS DOT CHIPS 2024 Program Funding.
- **Chris Lang, NYS DEC Division of Environmental Permits, Region 3:** Letter dated 09/12/24 to Steven Gray, Waters, McPherson, McNeill, P.C. on behalf of Gan Eden Estates Re: Notice of Incomplete Application for permanent use of existing test wells.
- **Chris Lang, NYS DEC Division of Environmental Permits, Region 3:** Wetlands Disturbance Permit issued to Gan Eden Estates dated 05/16/2023 – Permit ID # 3-4899-00009/00003 & 00004.

AGENDA ITEMS:

- 1) **RE-SCHEDULE TUESDAY, NOVEMBER 5TH TOWN BOARD MEETING TO THURSDAY, NOVEMBER 7TH AT 5PM DUE TO GENERAL ELECTION DAY**
- 2) **ESTABLISH DATES FOR BUDGET WORK-SESSIONS – TUESDAY, 10/15/2024 AT 5PM**
- 3) **ESTABLISH DATE FOR 2025 FISCAL-YEAR PRELIMINARY BUDGET PUBLIC HEARING – THURSDAY, 11/07/2024 AT 5PM**
- 4) **UPDATE ON ART WORK PROJECT FOR ROADSIDE BANNERS**
- 5) **ESTABLISH DATE FOR BID OPENING – PROPANE PRODUCTS (THURSDAY, OCTOBER 10TH, 2024 AT 2PM)**
- 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

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 **September 03, 2024.**

ROLL CALL:

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

DRAFT

Also Present: Marilee J. Calhoun, Town Clerk
Michael B. Mednick Esq., Town Attorney
Jill M. Weyer, Director of Community Development
Melissa DeMarmels, Town Comptroller
Glenn Somers, Parks & Recreation Superintendent
Michael G. Messenger, Water & Sewer Superintendent
James L. Carnell, Jr., Director of Building, Planning & Zoning

Present Via Zoom: Kelly Murran, Deputy Town Clerk

REGULAR MEETING – CALL TO ORDER

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

APPROVAL OF MINUTES:

On a motion made by Councilman Pavese and seconded by Councilman Schock the minutes of the August 20th, 2024 Regular Town Board Meeting were approved with 1-correction as follows: **CORRESPONDENCE:** Letter from Supervisor Rieber to SC Planning Commissioner Heather Brown Re: Removal of 2-Tax Parcels from SC Tax Foreclosure Real Estate Auction should also include the following sentence: A discussion ensued and Councilman Mace expressed opposition to the letter being sent out prior to Town Board review and approval.

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:

- **Michael B. Mednick, Town Attorney:** Letter dated 08/20/2024 to Mayor Massey and Village of Monticello Trustees regarding: Sewer Extension Request For Sewer Connection Into The Consolidated Harris Sewer District – Blue Stone Estates, Cold Spring Road, Monticello, NY SBL #29.-1-26.1
- **NYS Dept. of Taxation and Finance:** Check # 10074398 Dated: 08/19/2024 in the amount of \$3,332.00, Payable to Town of Thompson – Additional NYS General Aid Payment
- **Sullivan County Treasurer’s Office:** Check #307924, Dated 08/29/24 for \$13,421.71 for Town Share of Cannabis Revenue 03/01/24 – 05/31/24.

AGENDA ITEMS:

1) ESTABLISH DATE FOR TENTATIVE SPECIAL DISTRICT ASSESSMENT HEARING – TUESDAY, 10/01/24 AT 7:00PM

The Following Resolution Was Duly Adopted: Res. No. 281 of the Year 2024.

At a Regular Meeting of the Town Board of the Town of Thompson held at the Town Hall, 4052 Route 42, Monticello, New York on September 03, 2024

RESOLUTION TO DIRECT FILING OF TENTATIVE SPECIAL DISTRICT ASSESSMENT ROLLS AND FIX A DATE FOR THE HEARING OF OBJECTIONS

NOW, THEREFORE, BE IT RESOLVED:

1. The Town Board of the Town of Thompson has filed with the Town Clerk of the Town of Thompson the tentative special district assessment rolls for the Adelaar Sewer District, Harris Consolidated Sewer District, Kiamesha Consolidated Sewer District, Melody Lake Sewer District, Rock Hill/Emerald Green Consolidated Sewer District, Sackett Lake Sewer District, Adelaar Water District, Cold Spring Water District, Dillon Water District, Kiamesha Route 42 Water District, Lucky Lake Water District and Melody Lake Water District for the year 2025.
2. The Town Board will meet at the Town Hall, 4052 State Route 42, Monticello, New York at 7:00 P.M. on October 01, 2024 to hear and consider any objections, which may be made to the roll. Said Meeting will also be held remotely by video-conference, the public may participate via video-conference at <https://us02web.zoom.us/j/83032452642>.
3. Not less than 10 nor more than 20 days prior to said meeting, the Town Clerk is directed to publish notice of such filing in the official newspaper of the Town and to post in a public place a copy of the public notice and a general copy of each district's rates for any property owner who appears on said assessment roll to be able to view.
4. This resolution shall take effect immediately

Moved by: Councilman Scott S. Mace

Seconded by: Councilwoman Melinda S. Meddaugh

Adopted on Motion: September 03, 2024

Supervisor William J. Rieber, Jr.	Yes [X]	No []
Councilman John A. Pavese	Yes [X]	No []
Councilman Ryan T. Schock	Yes [X]	No []
Councilwoman Melinda S. Meddaugh	Yes [X]	No []
Councilman Scott S. Mace	Yes [X]	No []

2) REVIEW & APPROVE KIAMESHA ARTESIAN SPRING WATER COMPANY AGREEMENT WITH TOWN OF THOMPSON ROUTE 42 WATER DISTRICT

Supervisor Rieber explained the proposed agreement between the Town of Thompson and the Kiamesha Artesian Spring Water Company for reimbursement of water charges paid to the Village of Monticello during the Boil Water Order issued by NYS DOH.

The Following Resolution Was Duly Adopted: Res. No. 282 of the Year 2024.

Resolved, that the Town Board of the Town of Thompson hereby approves entering into an Agreement between the Town of Thompson and the Kiamesha Artesian Spring Water Company regarding the reimbursement of \$18,664.66 that was paid to the Village of Monticello for water service provided to the Route 42 Water District due to New York State Department of Health Boil Water Order from 02/16/24 through 05/15/24 and to allow the Town to withhold all payments for current water supply and fire hydrants to the Town Hall until the outstanding balance of \$18,664.66 is paid and Further Be It Resolved, that the Town Supervisor hereby be authorized to execute said agreement as presented.

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

3) REVIEW & AUTHORIZE MEMORANDING OF UNDERSTANDING BETWEEN VILLAGE OF MONTICELLO & TOWN OF THOMPSON RE: HARRIS CONSOLIDATED SEWER DISTRICT - CONSTRUCTION OF PUMP STATION AT ROUTE 17B & KAUFMAN ROAD

The Following Resolution Was Duly Adopted: Res. No. 283 of the Year 2024.

Resolved, that the Town Board of the Town of Thompson hereby approves the Memorandum of Understanding between the Village of Monticello, the Town of Thompson acting for and on behalf of the Consolidated Harris Sewer District in connection with the Construction of a new Sewage Pump Station at Route 17B & Kaufman Road, Monticello location and Further Be It Resolved, that the Town Supervisor and Town Clerk hereby be authorized to execute said Memorandum of Understanding as presented.

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

7) BUDGET TRANSFERS & AMENDMENTS

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

Re: Budget Transfers & Amendments - FYE 12/31/24

Board
 Date: Meeting 9/3/2024

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

- 1) Adjust PILOT, summer camp & state aid revenues to actual received amounts
- 2) Transfer Fuel Tank amount to .200 capital expense account
- 3) Amend Fiscal Agent fees to full continuing disclosure amount

The Following Resolution Was Duly Adopted: Res. No. 287 of the Year 2024.

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

Town Of Thompson

Budget Transfers/Amendments

FYE 12/31/24 Town Board Meeting Date: 9/3/2024

<u>Account Number</u>	<u>Account Description</u>		<u>Revenue Increase</u>	<u>Revenue Decrease</u>	<u>Appropriation Increase</u>	<u>Appropriation Decrease</u>
A000.1081.120	PILOT - Veria Wellness Center		33,500.00			
A000.1081.135	PILOT - Mountain Kosher Foods		1,250.00			

STATUS OF PROPERTY PURCHASE FOR TOWN HIGHWAY VEHICLE MAINTENANCE BUILDING – COLD SPRING ROAD, MONTICELLO

Discussion was held regarding the status of the contract for the purchase of property along Cold Spring Road to be utilized as a Town Highway Vehicle Maintenance Building. Supervisor Rieber reported that there has been a delay by the seller due to an issue on their end, but a closing date should be set shortly.

NEW BUSINESS

EMERALD GREEN SEWER DISTRICT FROM FLEET PUMP & SERVICE GROUP, INC. FOR A TOTAL COST OF \$11,060.17 (EMERALD GREEN INFLUENT TANK)

The Following Resolution Was Duly Adopted: Res. No. 289 of the Year 2024.

Resolved, that the Town Board of the Town of Thompson hereby authorizes the purchase of a New Flygt 5HP/460V/3-Phase Replacement Pump for the Emerald Green Influent Tank in the Consolidated Rock Hill-Emerald Green Sewer District submitted by the Water & Sewer Department from Fleet Pump & Service Group, Inc., Quote # 240829-27-169, at a total cost of \$11,060.17, Purchased through the local area representative for Flygt Pumps.

(Procurement: Sole Source.)

Moved by: Councilman Schock

Seconded by: Councilman Pavese

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

Nays 0

REPORTS: SUPERVISOR, COUNCILMEN, & DEPARTMENT HEADS

Supervisor William J. Rieber, Jr.

- No report provided.

Parks & Recreation Superintendent Glenn Somers

- Temporary Storage Container in Town Hall Parking Lot that was used for Justice Court Records is scheduled to be removed on Thursday.
- Nova-Chipping/Re-Surfacing of Town Hall Parking Lot will take place this Friday and next Monday.
- Summer Youth Day Camp Program went very well this year.
- Fall Shred Day Event scheduled Saturday, October 19th, 2024, 9AM to 12PM.
- Treats & Trails Event at the East Mongaup River Town Park Saturday, October 19th, 2024, 3-6PM.
- Striping of Town Hall Parking Lots. Discussion held regarding the matter and the Town Board agreed to pre-authorize the service up to a maximum of \$8,500.00.

RESOLUTION TO PRE-AUTHORIZE PAYMENT OF STRIPING TOWN HALL PARKING LOTS, MAXIMUM COST NOT TO EXCEED \$8,500.00 SUBJECT TO PROCUREMENT GUIDELINES

The Following Resolution Was Duly Adopted: Res. No. 290 of the Year 2024.

Resolved, that the Town Board of the Town of Thompson hereby authorizes the Department of Parks & Recreation Superintendent Glenn Somers to obtain price quotes according to Procurement Guidelines for the re-stripping of the Town Hall Parking Lots and to pre-authorize engaging of said services at a maximum cost not to exceed \$8,500.00.

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

Director of Community Development Jill M. Weyer

- Update Justice Court Records Scanning Project & Storage Container Removal.
- NY Swims Grant Program – The Grant was not awarded to the Town, but was awarded to Village of Monticello.

Comptroller Melissa DeMarmels

- The 2025 Budget Worksheets went out to all Department Heads last week and are due back by September 18th.

Councilman John A. Pavese

- Sullivan County Annual Firemen's Parade on Saturday, 09/07/24 at 2PM in Livingston Manor.
- Monticello Fire Departments Annual Firemen's Sportsman's Raffle/Dinner to be held on Saturday, 09/14/24 at Firemen's Camp from 2PM-9PM.
- Monticello Fire Department – Annual 911 Ceremony Event to be held on Wednesday, September 11th, 2024 at the Monticello Firehouse at 7PM.

PUBLIC COMMENT

There was no public comment given.

ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION

- 09/17/24 at 7PM: Regular Town Board Meeting.
- 10/01/24 at 7PM: Tentative Special District Assessment Hearing.
- 10/01/24 at 7PM: Regular Town Board Meeting.

EXECUTIVE SESSION

On a motion made by Councilman Schock and seconded by Councilwoman Meddaugh the Town Board entered into Executive Session at 7:30 PM with Attorney Mednick, Director Weyer, Supt. Messenger, Supt. Somers and Comptroller DeMarmels to discuss Collective Bargaining Negotiations/Agreements.

The Zoom Livestream Videoconferencing connection was disconnected.

Executive Session was held.

On a motion made by Councilwoman Meddaugh and seconded by Councilman Pavese the Town Board returned from Executive Session at 8:04 PM. There was no further action taken.

ADJOURNMENT

On a motion made by Councilwoman Meddaugh and seconded by Councilman Schock the meeting was adjourned at 8:05 PM. All board members voted in favor of adjourning the meeting.

Respectfully Submitted By:



Marilee J. Calhoun, Town Clerk

State of New York

REMITTANCE ADVICE for CHECK NO. 10102681

A C

NOTICE: To access remittance information on any one of your NYS payments, visit <https://esupplier.sfs.ny.gov/>

Agency Code and Description	Tele Inquiry No	Voucher No	Payee Reference/Invoice No	Ref/Inv Date	Payment Amount
DOT01 Department of Transportati		00423387	CHIPSAugust24_L960823	08/29/24	280,605.72

GOV'T ENTITIES, VENDORS, NOT-FOR-PROFITS:

Non-Negotiable	Check Total	\$280,605.72
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Go to <http://www.osc.state.ny.us/state-vendors> for Electronic Payments information

DETACH HERE BEFORE CASHING ↓

PLEASE CASH WITHIN 180 DAYS

06117854

\$280,605.72

State of New York

DEPARTMENT OF TAXATION AND FINANCE
DIVISION OF THE TREASURY

SEPTEMBER 06, 2024 DOT01

Check No. 10102681

29-55
213

KNOW YOUR ENDORSER

Pay to the Order of: **THOMPSON TOWN OF**

\$280,605.72

Thomas P. DiNapoli
Thomas P. DiNapoli
 State Comptroller

KeyBank N.A.

Amanda Hiller
Amanda Hiller
 Acting Commissioner, Taxation and Finance

⑈ 10102681 ⑈

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3
21 South Putt Corners Road, New Paltz, NY 12561-1620
P: (845) 256-3054 | F: (845) 255-4659
www.dec.ny.gov

September 12, 2024

VIA EMAIL

Gan Eden Estates
Attn: Steven Gray, Waters, McPherson, McNeill., P.C.
sgray@lawwmm.com

Re: Gan Eden Estates
DEC ID: 3-4899-00009/00005 (FW), /00006 (SD), /00007 (P3S), /00008 (WQ)
Article 24 Freshwater Wetlands [MO-5, Class 2]; Article 15 Protection of Waters
[WIN D-10-29, Class B]; Section 401 Water Quality Certification; State Pollutant
Discharge Elimination System (SPDES)
Town of Thompson, Sullivan County

NOTICE OF INCOMPLETE APPLICATION

Dear Steven Gray,

The New York State Department of Environmental Conservation (Department or DEC) has reviewed the Freshwater Wetland application submitted for the above referenced project. According to the application materials, received on August 8, 2024, the proposal consists of a 534-unit residential development and associated roadway and utility infrastructure located on a 212-acre parcel in the Towns of Thompson and Fallsburg. The project will require the construction of a wastewater treatment plant as well as a water supply system including a disinfection system and water storage. A permit was issued on May 16, 2023, DEC ID 3-4899-00009/00003 & /00004, for the installation of two test wells within NYS Freshwater Wetland MO-5, Class 2, to investigate if the site had adequate water to supply the development. The application received by the Department on August 8, 2024, requests the permanent use the existing test wells at a pumping rate of up to 135 gallons per minute, the installation of a pipeline connection to the proposed development, and the installation of culverts for road and utility crossings.

Based on our review of the submitted materials, Department staff have determined that the application is incomplete. Please submit the following items for the Department to continue its review:

JOINT APPLICATION FORM

Per Uniform Procedures regulations at 6 NYCRR 621.3(a)(4), if a project requires more than one DEC permit, the applicant must simultaneously submit all the necessary applications, or demonstrate to DEC's satisfaction that there is good cause not to do so. Please submit updated materials including Joint Application Form with all permits required, and supplemental information as described below.

ARTICLE 24 FRESHWATER WETLANDS

According to the SEQRA Environmental Assessment Table 1, the total amount of proposed disturbance to NYS Freshwater Wetland MO-5, Class 2, appears to be 12,736 square feet (0.29 acres) and the total amount of disturbance to the 100-foot adjacent area appears to be 4,185 square feet (0.10 acres).

Pages 16-22 of the Joint Application Form with Attachments A-J outline the work within the wetlands, adjacent areas, and streams, however more details are needed. Please provide trenching details, culvert removal details, and installation details. The application materials mention dam repairs. Please provide more details including a narrative about the work proposed, location map of the dam, and plans, if necessary.

The permanent impacts to the wetlands are approximately 0.29 areas. This work will require wetland mitigation at a ratio of 2:1 or 0.58 acres of mitigation. Please provide details of the proposed mitigation work in the resubmission. In addition, please be aware that an issued permit would contain a condition requiring five years of monitoring and reporting to ensure long term viability.

A condition of the Freshwater Wetland permit and Water Quality Certification (DEC ID 3-4899-00009/00003 & /00004) for drilling the test wells detailed the need for reporting the results of the pump tests. Please see Natural Resource Condition #7 of the attached permit. The application materials contained reports for TW-6 but did not contain reports for TW-5. A determination cannot be made until both test well reports have been received.

Please note, New York's Freshwater Wetlands Act was amended in 2022. DEC is working to amend DEC's freshwater wetlands regulations and update procedural steps to implement these changes. As a result, the Department may reevaluate our jurisdiction for the proposed project at a later time. If additional wetlands become jurisdictional under Article 24 in 2025, please know that the Department's regulations generally require avoidance and minimization of impacts to regulated wetlands and their 100-foot adjacent areas. In situations where impacts are unavoidable and have been minimized, mitigation may be required to compensate for remaining losses of wetland benefits.

ARTICLE 15 PROTECTION OF WATER

A Protection of Waters Stream Disturbance permit is required to physically disturb the bed or banks (up to 50 feet from stream) of the stream, Tributaries of Mongaup River or East Mongaup River, Water Index Number D-10-29, Class B. A stream disturbance

permit will be needed for the construction of the new outfall and associated headwall, stream crossing for the installation of sanitary sewer and drinking water utility lines, repair of the existing Pond Dam, and the culvert crossing for the roadway as described in the application materials. The stream disturbance application information should be included on an updated Joint Application Form with the necessary supplemental information included in the resubmission. Please include the amount of linear stream disturbance for each location and note that on the plans.

STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES)

The proposal would involve discharge of the community's wastewater from an on-site wastewater treatment facility to the Class B stream on site. Construction and operation of a disposal system discharging wastewaters into surface waters of the State are regulated under Article 17 of the Environmental Conservation Law, and a SPDES permit would be required for the proposed discharge associated with this project. For more information and instructions on how to apply for this permit, please visit the DEC website at <https://dec.ny.gov/regulatory/permits-licenses/wastewater-stormwater-water-withdrawal/spdes-permit-program/application-procedures-forms>.

If a sewage disposal system is intended to serve more than one separately owned property and the legally responsible party will not be a municipality or governmental agency, the applicant involved must first form a sewage disposal corporation under the provisions of Article 10 of the New York State Transportation Corporation Law [750-1.6(f)]. This law specifies that any such corporation must be approved by both the local governing body (town, city, or village board, etc.) and the department of health (state, county, or city) having jurisdiction in that area. The corporation must be registered with the Department of State, and a performance bond must be posted with the local governing body.

In the resubmission, please submit the SPDES application with the appropriate applicant and any supplemental information required.

Please also see the note at the end of this notice regarding stormwater discharges.

WATER WITHDRAWAL

As you know, the project is in the Delaware River Basin and therefore approvals to withdraw water would be required from the Delaware River Basin Commission (DRBC). If such approvals from DRBC are obtained, the proposal would be exempt from needing to obtain a Part 601 Water Withdrawal permit from DEC per 6 NYCRR Part 601.9(b). However, if approvals from DRBC to withdraw water are not required, a Part 601 Water Withdrawal permit would be required from DEC for this project and should be submitted concurrently.

Please address this in the resubmission and provide the Department with any correspondence from the DRBC.

WATER QUALITY CERTIFICATION (WQC)

The Joint Application Form indicates that the applicant will be seeking coverage from the US Army Corps of Engineers under Nationwide Permit (NWP) 29. It is unclear if this project will qualify for the Blanket Water Quality Certification. Please provide the total amount of disturbance (in square feet) to federal wetlands and the amount of disturbance (in linear feet) to Waters of the US.

If the application does not qualify for the Blanket Water Quality Certification, the Water Quality Certification Joint Application Supplement WQC-1 Form will be required. This form can be found at <https://dec.ny.gov/regulatory/permits-licenses/waterways-coastlines-wetlands/protection-of-waters-program>.

The permit application mentioned mitigation for any USACE wetland disturbance over 0.10 acres but did not provide adequate information or plans for the mitigation proposed. Please provide more details about the mitigation. Please note, removing 233 linear feet of existing culverts likely requires a Stream Disturbance permit and should be included in the resubmission.

Please provide the Department with any correspondence from the US Army Corps of Engineers.

ENVIRONMENTAL JUSTICE

Please be aware that this project is in a Potential Environmental Justice Area (PEJA) and is subject to CP-29, Environmental Justice and Permitting, which provides guidance for incorporating environmental justice concerns into the NYSDEC environmental review process and the DEC application of the State Quality Review Act. CP-29 can be found at the following link: [Commissioner Policy 29, Environmental Justice and Permitting - NYS Dept. of Environmental Conservation](#). A map that depicts Potential Environmental Justice Areas (PEJAs) relative to your project location may be obtained by utilizing the DEC Info Locator and activating the Public Involvement Layers on the [DECinfo Locator](#).

CP-29 contains additional requirements for certain permit applications within PEJAs, such as SPDES permit applications. The policy requires the preparation and submission of a draft Public Participation Plan for review and approval by the Department. Section V "Procedures" Subsection D, of CP-29 requires the submission of a written Public Participation Plan to ensure public participation during the application review process. Your Public Participation Plan (PPP) must focus on the community potentially affected by the proposed project, inform interested stakeholders about the proposed action, and outline and describe a program of activities that provide opportunities for public participation in the NYSDEC environmental review process. Public Participation in the NYSDEC environmental permit review process means a program of activities that provides opportunities for stakeholders to be informed about and involved in the review of a proposed action.

Please see the attached template for your draft Public Participation Plan. Once you have prepared your draft PPP, please submit to the Department for review as part of a complete application.

STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR)

We received a lead agency circulation dated February 12, 2020, from the Town of Thompson Planning Board, in which the project was determined to be a Type 1 action and the Town of Thompson Planning Board indicated its intent to assume lead agency for review of the proposal. As a coordinated review is being performed, SEQR regulations 6 NYCRR 617.7 (a) and (b) require that the Town of Thompson Planning Board, as lead agency, determine the significance of this Type 1 action in writing prior to the application being called complete by the Department. The written determination must thoroughly analyze identified areas of environmental concern contained in the circulated full Environmental Assessment form (EAF). Your application will remain as incomplete until SEQR provisions are satisfied.

UNIFORM PROCEDURES

Please be advised that pursuant to 6 NYCRR Part 621.4(i), this project is considered a major project. It will be required to undergo 30 days of public notice due to the SPDES permit, but all permit types will be processed together. Once the Department considers the application complete, the applicant will be responsible for publishing (for one day) the Notice of Complete Application in the official newspaper of the town in which the project will occur. Any comments received must be addressed before a final permit decision is made.

Your application will remain incomplete until the new application materials have been received, as allowed under the Uniform Procedures Act (UPA) regulations at 6 NYCRR 621.6(e). Please provide an electronic copy of all materials. Please reference DEC ID: 3-4899-00009.

If you have any questions regarding the above request, please contact me via email at Alysse.Devine@dec.ny.gov. If you have technical questions about Freshwater Wetland requirements, please contact Michael Fraatz, NYSDEC Bureau of Ecosystem Health, at Michael.Fraatz@dec.ny.gov. If you have technical questions about SPDES or Water Withdrawal requirements, please contact Aparna Roy, NYSDEC Division of Water at Aparna.Roy@dec.ny.gov.

Sincerely,



Alysse Devine
Division of Environmental Permits

Ecc: Michael Fraatz, NYSDEC Bureau of Ecosystem Health
Aparna Roy, NYSDEC Division of Water
Eric Engle, DRBC
Brian Orzel, USACE
Town of Thompson Clerk
Town of Fallsburg Clerk

Enc: Draft Public Participation Plan Template
Freshwater Wetland permit and Water Quality Certification 3-4899-00009/00003 & /00004

NOTE: Regarding erosion/sedimentation control requirements:

Stormwater discharges require a State Pollutant Discharge Elimination System (SPDES) Stormwater permit from this Department if they either:

- occur at industrial facilities and contain either toxic contaminants or priority pollutants OR
- result from construction projects involving the disturbance of 5000 square feet or more of land within the NYC Department of Environmental Protection East of Hudson Watershed or for proposed disturbance of 1 acre or more of land outside the NYC DEP Watershed

Your project may be covered by one of two Statewide General Permits or may require an individual permit. For information on stormwater and the general permits, see the DEC website at <http://www.dec.ny.gov/chemical/8468.html>.

For construction permits, if this site is within an MS4 area (Municipal Separate Storm Sewer System), the stormwater plan must be reviewed and accepted by the municipality and the MS-4 Acceptance Form must be submitted to the Department. If the site is not within an MS4 area and other DEC permits are required, please contact the regional Division of Environmental Permits.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3
21 South Platt Corners Road, New Paltz, NY 12561-1620
P: (845) 256-3054 : F: (845) 255-4659
www.dec.ny.gov



Department of
Environmental
Conservation

IMPORTANT NOTICE TO ALL PERMITTEES

The permit you requested is enclosed. Please read it carefully and note the conditions that are included in it. The permit is valid for only that activity expressly authorized therein; work beyond the scope of the permit may be considered a violation of law and be subject to appropriate enforcement action. Granting of this permit does not relieve the permittee of the responsibility of obtaining any other permission, consent or approval from any other federal, state, or local government which may be required.

Please note the expiration date of the permit. Applications for permit extension should be made well in advance of the expiration date (minimum of 30 days) and submitted to the Regional Permit Administrator electronically via email to dep.r3@dec.ny.gov. Submission of hard copies is optional.

The DEC permit number & program ID number noted on page 1 under "Permit Authorization" of the permit are important and should be retained for your records. These numbers should be referenced on all correspondence related to the permit, and on any future applications for permits associated with this facility/project area.

If a permit notice sign is enclosed, you must post it at the work site with appropriate weather protection, as well as a copy of the permit per General Condition 1.

If you have any questions on the extent of work authorized or your obligations under the permit, please feel free to contact me.

Chris Lang

Chris Lang
Division of Environmental Permits,
Region 3



Department of
Environmental
Conservation

Marilee Calhoun (Town of Thompson)

From: Devine, Alysse (DEC) <Alysse.Devine@dec.ny.gov>
Sent: Thursday, September 12, 2024 9:25 AM
To: sgray@lawwmm.com; Larry Frenkel
Cc: Fraatz, Michael R (DEC); Roy, Aparna (DEC); Orzel, Brian A CIV USARMY CENAN (USA); Eric.Engle@drbc.gov; marilee@townofthompson.com; deputyclerk@fallsburgny.com
Subject: 3-4899-00009/00005 (FW), /00006 (SD), /00007 (P3S), /00008 (WQ) NOIA - GAN EDEN ESTATES
Attachments: 3-4899-00009_00005 (FW) 00006 (SD) 00007 (P3S) 00008 (WQ) NOIA.pdf; 2022_08_19_NYSDEC_PPP_Template.docx; 3-4899-00009_00003 (FW) Permit.pdf

Good Morning,

Please see attached Notice of Incomplete Application for 3-4899-00009 Gan Eden Estates.

No hard copy will be mailed. Please let me know if you have any questions.

Alysse Devine

Environmental Analyst, Division of Environmental Permits
New York State Department of Environmental Conservation
21 South Putt Corners Rd, New Paltz, NY 12561
P: (845) 240-7806 | alysse.devine@dec.ny.gov

www.dec.ny.gov |  |  | 



Department of
Environmental
Conservation

INcomplete Application
FOR PERMANENT USE OF
EXISTING TEST WELLS



Distribution List

Mike Fraatz, DEC BEH
Mike Kuzia-Carmel, DEC DOW
Eric Engle, DRBC
Steven Gray, Waters McPherson McNeill
Brian Orzel, USACE
Town of Thompson
Bob Mutch, Mutch Associates LLC

APPROVED
Application For
INSTALLATION of Two
TEST wells TO INVESTIGATE
IF THE site has Adequate
WATER

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS
WATER QUALITY CERTIFICATION SPECIFIC CONDITION
GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS
NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: FRESHWATER WETLANDS; WATER QUALITY CERTIFICATION

- 1. Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by the applicant or applicant's agent and consist of the permit application package dated January 19, 2023 and all attached documentation, received by DEC January 23, 2023.
- 2. 72-Hour Pump Test Plan** The proposed 72-hour pump test plan must be reviewed and approved by DEC prior to implementation.
- 3. Notice of Intent to Commence Work** The permittee or their representative must notify Mike Fraatz of the DEC Bureau of Ecosystem Health via email (michael.fraatz@dec.ny.gov) no less than 48 hours prior to the commencement of work.
- 4. Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.
- 5. Timber Matting** All equipment operation within the wetland must be conducted on timber matting. Matting must be removed once work is completed.
- 6. Precautions Against Contamination of Waters** All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.



7. Reporting Upon completion of the pump test, the permittee or their representative must submit a report detailing the results of the pump test, which includes discussion on the pump test's effect on groundwater as well as surface water levels within the wetlands and surrounding area. This report shall be sent via email to: christopher.lang@dec.ny.gov; michael.fraatz@dec.ny.gov; michael.kuzia-carmel@dec.ny.gov.

8. State May Order Removal or Alteration of Work If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

9. State May Require Site Restoration If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

10. State Not Liable for Damage The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

WATER QUALITY CERTIFICATION SPECIFIC CONDITIONS

1. Water Quality Certification The authorized project, as conditioned pursuant to the Certificate, complies with Section 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act, as amended and as implemented by the limitations, standards, and criteria of state statutory and regulatory requirements set forth in 6 NYCRR Section 608.9(a). The authorized project, as conditioned, will also comply with applicable New York State water quality standards, including but not limited to effluent limitations, best usages and thermal discharge criteria, as applicable, as set forth in 6 NYCRR Parts 701, 702, 703, and 704.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department



of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC Region 3 Headquarters
21 S Putt Corners Rd
New Paltz, NY12561

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Freshwater Wetlands, Water Quality Certification.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or



another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

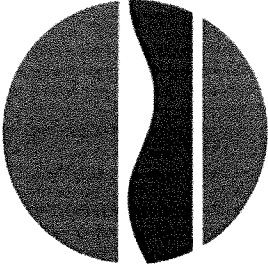
The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

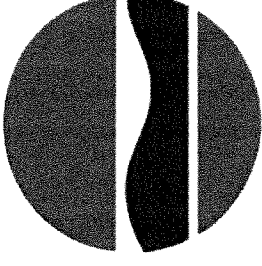
This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

Item E: SEQR Type II Action Under the State Environmental Quality Review Act (SEQR), this project has been determined to be a Type II Action and therefore is not subject to further procedures under this law.

New York State
Department of Environmental Conservation



NOTICE



The Department of Environmental Conservation (DEC) has issued permit(s) pursuant to the Environmental Conservation Law for work being conducted at this site. For further information regarding the nature and extent of work approved and any Department condition on it, contact the DEC at 845-256-3054. Please refer to the permit number shown when contacting the DEC.

Permittee: Gan Eden Estates Permit No. 3-4899-00009/00003

Effective Date: May 16, 2023 Expiration Date: December 31, 2024

Applicable if checked. No instream work allowed between October 1 & April 30

NOTE: This notice is NOT a permit.

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**LEGAL NOTICE
TOWN BOARD MEETING – DATE CHANGE**

NOTICE IS HEREBY GIVEN, that the regularly scheduled meeting at 7:00 P.M. for Tuesday, November 05, 2024 is hereby changed due to General Election Day.

The meeting has been rescheduled and will be held on Thursday, November 07, 2024 at 5:00 P.M. located at the Town Hall, 4052 State Route 42, Monticello, New York.

The meeting 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), in accordance with State Legislation.

By Order of the Town Board
of the Town of Thompson

Dated: September 17, 2024
Marilee J. Calhoun
Town Clerk

TOWN OF THOMPSON

4052 ROUTE 42 – TOWN HALL
Monticello, New York 12701
845-794-2500

COMPETITIVE BID PACKAGE
Propane Delivery

INSTRUCTIONS TO BIDDERS
SPECIFICATIONS
BIDDER PROPOSAL

WILLIAM J. RIEBER
Supervisor

MICHAEL B. MEDNICK
Attorney for the Town

The enclosed Instructions to Bidders, Specifications and Bidder's Proposal are forms upon which the Town of Thompson accepts competitive bids pursuant to the provisions of the General Municipal Law. As a bidder you are expected to know and understand the terms and conditions contained in this package. Your failure to comply with the terms and conditions upon which bids are accepted may result in disqualification of your bid. Be certain of the time when your bid must be submitted.

This is a bid prepared for:

- Town-wide
- More than one department

NB
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4052 Route 42, Monticello, NY 12701 | Phone: (845) 794-2500 | E-mail: buildings@townofthompson.com

September 13, 2024

Mary Nelson
93 Hillside Ave
Monticello, NY 12701

Tax Map No: 20.-4-2, 2024-0204

A recent visual inspection of 93 Hillside Ave reveals an unsafe and dangerous building(s). This building(s), in its present deteriorated condition, appears to be in violation of Town of Thompson Code, Chapter 113, Article I, Unsafe Buildings. In my opinion the following describes the current condition of the building(s):

- is or may become dangerous or unsafe to the general public,
- presents any other danger to the health, safety, morals and general welfare of the public or
- is or may become a place of rodent infestation,
- is unfit for the purposes for which it may lawfully be used.

Description:

The dwelling has raw sewage running on the ground and a large number of electrical violations. Additionally, a propane tank is being used to within the dwelling unit.

This local law was enacted because of the continuing existence of abandoned and unsafe buildings. You are the owner or person interested in such building, and are hereby given notice to correct all such conditions or violations. If it is your intention to make repairs, a building permit must be obtained prior to the start of any work.

Please reply to this department within ten (10) days of receipt of this notice, thereby assuring this office of your intent to comply. Upon your failure to respond to this notice, a formal proceeding will be undertaken.

Very truly yours,

Logan Morey
Code Enforcement Officer

Certified Return Receipt
CC: Supervisor
Town Clerk
Enforcement Attorney