

Attachment VIII.C.3.a.-11

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 August 06, 2013

RESOLUTION PURSUANT TO TOWN LAW FOR THE PROPOSED FORMATION OF THE CONCORD RESORT WATER DISTRICT IN THE TOWN OF THOMPSON

WHEREAS, EPT Concord II, LLC has made a request to the Town Board of the Town of Thompson for the Concord Resort Water District, a Special Improvement District, to be created in said Town; and

WHEREAS, the said area to be included in the Concord Resort Water District is totally located within the Town of Thompson and outside any incorporated village; and

WHEREAS, the said Town Board is desirous of preparing a general map and plan for providing water facilities in the aforesaid area of said Town to be serviced by the Concord Resort Water District, and to appropriate a specific amount to pay the cost of preparing said general map and plan, and for other services in connection therewith; the costs of which shall be borne by said applicant, EPT Concord II, LLC.

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

1. That the Town Board does hereby authorize McGoey, Hauser & Edsall Consulting Engineers, PC of 45 Quassaick Avenue, New Windsor, New York 12553 to prepare a general map and plan for the formation of the water facilities and services in the area of the Town of Thompson to be serviced by the Concord Resort Water District, and for such other services as may be necessary in connection therewith.

2. That the Town Board does hereby appropriate the sum of \$10,500.00 to pay the cost of preparing the general map and plan for the extension of the sewer facilities, as well as all legal expenses incurred by the district to complete any district extension and all costs and disbursements incurred by the district in processing the extension. That all engineering, legal costs and other disbursements for preparation of a general map, plan and report shall be paid by the applicant. Said monies shall be deposited by the applicant in the Town escrow account prior to preparation of said map, plan and report and will be released to McGoey, Hauser and Edsall Consulting Engineers, P.C. upon completion, and other monies held in escrow will be disbursed upon completion of the creation.

3. That McGoey, Hauser and Edsall Consulting Engineers, P.C., of 45 Quassaick Avenue, New Windsor, New York 12553, be, and they hereby are, retained at a cost not to exceed \$5,000.00, of which said monies are to be paid by the developer, to prepare a general

map and plan for water facilities and services to the area to be known as the Concord Resort Water District.

4. Legal fees incurred by the Town in connection with the formation of the Concord Resort Water District are to be paid by the applicant.

5. That all maps and plans prepared by McGoey, Hauser and Edsall Consulting Engineers, P.C. shall conform with the requirements of Section 192 of the Town Law, and shall be filed with the Town Clerk.

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

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

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

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

Moved by: Councilman Sharon Jankiewicz

Seconded by: Councilman Richard Sush

The Members voted on the foregoing Resolution as follows:

Supervisor ANTHONY P. CELLINI	Yes [X] No []
Councilman PETER T.BRIGGS	Yes [X] No []
Councilman SHARON JANKIEWICZ	Yes [X] No []
Councilman RICHARD SUSH	Yes [X] No []
Councilman SCOTT MACE	Yes [X] No []

STATE OF NEW YORK :

COUNTY OF SULLIVAN SS.:

The undersigned, Town Clerk of the Town of Thompson, does hereby certify that the resolution for proposed formation of Concord Resort Water District in the Town of Thompson and authorization of a map, plan and report with respect to the creation of a municipal district was adopted by said Town Board on August 06, 2013, a majority of all Town 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 August 06, 2013.



Marilee J. Calhoun

Marilee J. Calhoun, Town Clerk

STATE OF NEW YORK)

COUNTY OF SULLIVAN) SS.:

I, the undersigned Clerk of the Town of Thompson, Sullivan County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of
said Town, including the resolution contained therein, held on August 06, 2013, with the original
thereof on file in my office, and that the same is a true and correct transcript therefrom and of the
whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 99 of the Public Officers Law (Open Meetings
Law), said meeting was open to the general public.

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused a public notice of
the time and place of said meeting to be given to the following newspapers and/or news media as
follows:

Newspaper and/or other news media	Date given
Sullivan County Democrat	01/15/2013
WSUL Radio	01/10/2013
WVOS Radio	01/10/2013

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of
the time and place of said meeting to be conspicuously posted in the following designated public
location(s) on the following dates:

Designated Location(s)	Date of Posting of posted notice
Town Hall	01/10/2013
Village Hall	01/10/2013
Sullivan County Courthouse	01/10/2013

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town
this 6th day of August, 2013.

Marilee J. Calhoun

Marilee J. Calhoun, Town Clerk

(CORPORATE SEAL)

marilee (clerk-town of thompson)

From: marilee (clerk-town of thompson) <marilee@townofthompson.com>
Sent: Wednesday, August 07, 2013 3:46 PM
To: Tracy (SC Democrat) (Tracy (SC Democrat))
Subject: Legal/Public Notice - Map, Plan & Reports (Concord Resort Sewer & Water Districts)
Attachments: Concord Resort Sewer District map plan report resolution 08-06-13.docx; Concord Resort Water District map plan report resolution 08-06-13.docx

Tracy – Kindly publish page 5 entitled “Notice of Adoption” on both of the above attached files, the first for Concord Resort Sewer District and the second for Concord Resort Water District and publish them each once in the next Tuesday, August 13th, 2013 edition. Upon publication, kindly send me (3) Affidavits of Publication on each one for our records. Please confirm receipt of this email to let me know if they are set to run as requested and let me know if you have any questions. Thanks so much.

Marilee J. Calhoun

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



NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Thompson, did duly adopt on the 6th day of August, 2013, a resolution pursuant to the Town Law authorizing an appropriation for the preparation of maps and plans and other services for the formation of the Concord Resort Water District in the Town of Thompson, and further retaining McGoey, Hauser and Edsall Consulting Engineers, P.C. to prepare a general map and plan for providing water services and facilities to the proposed Concord Resort Water District; that all maps and plans so prepared are to be filed with the Town Clerk; that the expenses incurred by the Town for such maps and plans and other services, including legal services, shall be a Town charge and shall be assessed, levied and collected in the same manner as other Town charges, except that the charges incurred will be paid for by the applicant; that in the event that the said District is approved, that the charges incurred by the Town for such maps and plans and other services shall be charged back to the said District when formed, and which resolution is subject to a permissive referendum.

Copies of the resolution containing the full text thereof are available for inspection and review during normal business hours in the office of the Town Clerk of the Town of Thompson, 4052 Route 42, Monticello, New York.

Dated: Monticello, New York
August 06, 2013



A handwritten signature in black ink, reading "Marilee J. Calhoun". The signature is written in a cursive style.

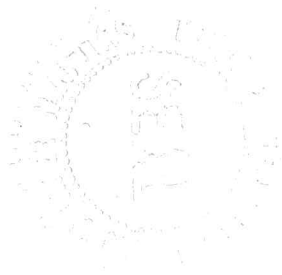
MARILEE J. CALHOUN
Town Clerk

CERTIFICATE OF POSTING

I, MARILEE J. CALHOUN, Town Clerk of the Town of Thompson, do hereby certify that I posted a copy of the annexed Notice of Adoption of a resolution authorizing preparation of a map and plan for the formation of the Concord Resort Water District pursuant to the Town Law on the bulletin board located in the Town Hall, 4052 Route 42, Monticello, New York, on August 06, 2013.

Dated: Monticello, New York
August 06, 2013


Marilee J. Calhoun, Town Clerk



Publishers of the

Sullivan County Democrat

5 Lower Main St. • P.O. Box 308
Callicoon, New York 12723
845-887-5200

Affidavit of Publication

To: TOWN OF THOMPSON
ATTN: TOWN CLERK
4052 STATE ROUTE 42
MONTICELLO, NY 12701-3221

Re: Legal notice #144979

State of New York }
 } SS:
County of Sullivan }

I, Fred W. Stabbert, III, being duly sworn, depose and say: that I am the Publisher of Sullivan County Democrat, a twice-weekly newspaper of general circulation published in Callicoon, County of Sullivan, State of New York; and that a notice, of which the annexed is a printed copy, was duly published in Sullivan County Democrat once on 08/13/13.

Fred Stalder

Fred W. Stabbert, III

Sworn to before me this 13th day of August, 2013

Sus-M. Owen

SUSAN M. OWENS

Notary Public, State of NEW YORK

No. 01OW8025547

Qualified in SULLIVAN County

My commission expires on June 1, 2015

LEGAL NOTICE

Notice of Adoption
PLEASE TAKE
NOTICE, that the
Town Board of the
Town of Thompson,
did duly adopt on the
6th day of August,
2013, a resolution
pursuant to the Town law
authorizing an appro-
priation for the prepa-
ration of maps and
plans and other ser-
vices for the forma-
tion of the Concord Resort
Water District in the
Town of Thompson,
and further retaining
McGoey, Hauser and
Edsall Consulting
Engineers, P.C. to pre-
pare a general map
and plan for providing
water services and
facilities to the pro-
posed Concord
Resort Water District;
that all maps and
plans so prepared are
to be filed with the

LEGAL NOTICES

Town Clerk; that the expenses incurred by the Town for such maps and plans and other services, including legal services, shall be a Town Charge and shall be assessed, levied and collected in the same manner as other Town charges, except that the charges incurred will be paid for by the applicant; that in the event that the said District is approved, that the charges incurred by the Town for such maps and plans and other services shall be charged back to the said District when formed, and which resolution is subject to a permissive referendum.

Copies of the resolution containing the full text thereof are available for inspection and review during normal business hours in the office of the Town Clerk of the Town of Thompson, 4052 Route 42, Monticello, New York.

Dated: Monticello,
New York

August 06, 2013/4

MARILEE J. CAL-
HOUN, Town Clerk

#144979

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 August 06, 2013

**RESOLUTION PURSUANT TO TOWN LAW FOR THE PROPOSED FORMATION OF
THE CONCORD RESORT SEWER DISTRICT IN THE TOWN OF THOMPSON**

WHEREAS, EPT Concord II, LLC has made a request to the Town Board of the Town of Thompson for the Concord Resort Sewer District, a Special Improvement District, to be created in said Town; and

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

WHEREAS, the said Town Board is desirous of preparing a general map and plan for providing sewer facilities in the aforesaid area of said Town to be serviced by the Concord Resort Sewer District, and to appropriate a specific amount to pay the cost of preparing said general map and plan, and for other services in connection therewith; the costs of which shall be borne by said applicant, EPT Concord II, LLC.

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

1. That the Town Board does hereby authorize McGoey, Hauser & Edsall Consulting Engineers, PC of 45 Quassaick Avenue, New Windsor, New York 12553 to prepare a general map and plan for the formation of the sewer facilities and services in the area of the Town of Thompson to be serviced by the Concord Resort Sewer District, and for such other services as may be necessary in connection therewith.

2. That the Town Board does hereby appropriate the sum of \$10,500.00 to pay the cost of preparing the general map and plan for the sewer facilities, as well as all legal expenses incurred by the district to complete any district creation and all costs and disbursements incurred by the district in processing the creation. That all engineering, legal costs and other disbursements for preparation of a general map, plan and report shall be paid by the applicant. Said monies shall be deposited by the applicant in the Town escrow account prior to preparation of said map, plan and report and will be released to McGoey, Hauser and Edsall Consulting Engineers, P.C. upon completion, and other monies held in escrow will be disbursed upon completion of the creation.

3. That McGoey, Hauser and Edsall Consulting Engineers, P.C., of 45 Quassaick Avenue, New Windsor, New York 12553, be, and they hereby are, retained at a cost not to exceed \$5,000.00, of which said monies are to be paid by the developer, to prepare a general

map and plan for sewer facilities and services to the area to be known as the Concord Resort Sewer District.

4. Legal fees incurred by the Town in connection with the formation of the Concord Resort Sewer District are to be paid by the applicant.

5. That all maps and plans prepared by McGoey, Hauser and Edsall Consulting Engineers, P.C. shall conform with the requirements of Section 192 of the Town Law, and shall be filed with the Town Clerk.

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

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

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

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

Moved by: Councilman Peter T. Briggs

Seconded by: Councilman Richard Sush

The Members voted on the foregoing Resolution as follows:

Supervisor ANTHONY P. CELLINI	Yes [X] No []
Councilman PETER T. BRIGGS	Yes [X] No []
Councilman SHARON JANKIEWICZ	Yes [X] No []
Councilman RICHARD SUSH	Yes [X] No []
Councilman SCOTT MACE	Yes [X] No []

STATE OF NEW YORK :

COUNTY OF SULLIVAN SS.:

The undersigned, Town Clerk of the Town of Thompson, does hereby certify that the resolution for proposed formation of Concord Resort Sewer District in the Town of Thompson and authorization of a map, plan and report with respect to the creation of a municipal district was adopted by said Town Board on August 06, 2013, a majority of all Town 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 August 06, 2013.

Marilee J. Calhoun

Marilee J. Calhoun, Town Clerk



STATE OF NEW YORK)

COUNTY OF SULLIVAN) SS.:

I, the undersigned Clerk of the Town of Thompson, Sullivan County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on August 06, 2013, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 99 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or news media as follows:

Newspaper and/or other news media	Date given
Sullivan County Democrat	01/15/2013
WSUL Radio	01/10/2013
WVOS Radio	01/10/2013

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)	Date of Posting of posted notice
Town Hall	01/10/2013
Village Hall	01/10/2013
Sullivan County Courthouse	01/10/2013

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town
this 6th day of August, 2013.



Marilee J. Calhoun, Town Clerk

(CORPORATE SEAL)



marilee (clerk-town of thompson)

From: marilee (clerk-town of thompson) <marilee@townofthompson.com>
Sent: Wednesday, August 07, 2013 3:46 PM
To: Tracy (SC Democrat) (Tracy (SC Democrat))
Subject: Legal/Public Notice - Map, Plan & Reports (Concord Resort Sewer & Water Districts)
Attachments: Concord Resort Sewer District map plan report resolution 08-06-13.docx; Concord Resort Water District map plan report resolution 08-06-13.docx

Tracy – Kindly publish page 5 entitled “Notice of Adoption” on both of the above attached files, the first for Concord Resort Sewer District and the second for Concord Resort Water District and publish them each once in the next Tuesday, August 13th, 2013 edition. Upon publication, kindly send me (3) Affidavits of Publication on each one for our records. Please confirm receipt of this email to let me know if they are set to run as requested and let me know if you have any questions. Thanks so much.

Marilee J. Calhoun

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



NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Thompson, did duly adopt on the 6th day of August, 2013, a resolution pursuant to the Town Law authorizing an appropriation for the preparation of maps and plans and other services for the formation of the Concord Resort Sewer District in the Town of Thompson, and further retaining McGoe, Hauser and Edsall Consulting Engineers, P.C. to prepare a general map and plan for providing sewer services and facilities to the proposed Concord Resort Sewer District; that all maps and plans so prepared are to be filed with the Town Clerk; that the expenses incurred by the Town for such maps and plans and other services, including legal services, shall be a Town charge and shall be assessed, levied and collected in the same manner as other Town charges, except that the charges incurred will be paid for by the applicant; that in the event that the said District is approved, that the charges incurred by the Town for such maps and plans and other services shall be charged back to the said District when formed, and which resolution is subject to a permissive referendum.

Copies of the resolution containing the full text thereof are available for inspection and review during normal business hours in the office of the Town Clerk of the Town of Thompson, 4052 Route 42, Monticello, New York.

Dated: Monticello, New York
August 06, 2013



A handwritten signature in black ink, reading "Marilee J. Calhoun".

MARILEE J. CALHOUN
Town Clerk

CERTIFICATE OF POSTING

I, MARILEE J. CALHOUN, Town Clerk of the Town of Thompson, do hereby certify that I posted a copy of the annexed Notice of Adoption of a resolution authorizing preparation of maps and plans for the proposed formation of the Concord Resort Sewer District pursuant to the Town Law on the bulletin board located in the Town Hall, 4052 Route 42, Monticello, New York, on August 06, 2013.

Dated: Monticello, New York
August 06, 2013

Marilee J. Calhoun

Marilee J. Calhoun, Town Clerk



LEGAL NOTICE
Notice of Adoption
PLEASE TAKE
NOTICE, that the
Town Board of the
Town of Thompson,

SUSAN M. OWENS
Notary Public, State of NEW YORK
No. 01OW8025547
Qualified in SULLIVAN County
My commission expires on June 1, 2015

did duly adopt on the 6th day of August, 2013, a resolution pursuant to the Town law authorizing an appropriation of maps and plans and other services for the formation of the Concord Resort Sewer District in the Town of Thompson, and further retaining McGoe, Hauser and Edsall Consulting Engineers, P.C. to prepare a general map and plan for providing sewer services and facilities to the proposed Concord Resort Sewer District; that all maps and plans so prepared are to be filed with the Town Clerk; that the expenses incurred by the Town for such maps and plans and other services, including legal services, shall be a Town charge and shall be assessed, levied and collected in the same manner as other Town charges, except that the charges incurred will be paid for by the applicant; that in the event that the said District is approved, that the charges incurred by the Town for such maps and plans and other services shall be charged back to the said District when formed, and which resolution is subject to a permissive referendum.

Copies of the resolution containing the full text thereof are available for inspection and review during normal business hours in the office of the Town Clerk of the Town of Thompson, 4052 Route 42, Monticello, New York.

Dated: Monticello,
New York
August 06, 2013
MARILEE J. CAL-
HOUN, Town Clerk

#144978