

Minutes of a Special Town Board Meeting for a Joint Public Hearing between the Town of Thompson Town Board and the Village of Monticello Board of Trustees held at the Town Hall, 4052 State Route 42, Monticello, New York on **August 05, 2014 at 6:45 PM.**

ROLL CALL:

PRESENT FOR TOWN OF THOMPSON

Supervisor William J. Rieber, Jr., Presiding
Councilman Richard Sush
Councilman John A. Pavese
Councilman Peter T. Briggs
Councilman Scott Mace

APPROVED

Also Present:

Marilee J. Calhoun, Town Clerk
Michael B. Mednick, Attorney for the Town
Logan E. Ottino, Building Dept./Code Enforcement Officer

PRESENT FOR VILLAGE OF MONTICELLO

Trustee Carmen Rue
Trustee Larissa Bennett
Trustee Douglas Solomon

Absent:

Mayor Gordon Jenkins
Trustee Jill M. Weyer

Also Present:

Stacey Walker, Deputy Village Clerk
Michael Davidoff, Attorney for the Village
Raymond Nargizian, Village Manager

Supervisor Rieber welcomed the Village of Monticello Board of Trustees to the meeting. He advised the public that the Town and Village would be holding a joint public hearing this evening for the purpose of considering an Annexation Petition that has been received by Garden Cottages, Inc.

Supervisor Rieber opened the Special Joint Meeting at 6:45 PM with the Pledge to the Flag.

JOINT PUBLIC HEARING WITH VILLAGE: PROPOSED ANNEXATION REQUEST FOR GARDEN COTTAGES, INC. TAX PARCEL #'S 18.-1-41.1, 41.2 AND 42 LOCATED ALONG VARNELL ROAD, MONTICELLO

Supervisor Rieber and Deputy Mayor Solomon both called the joint public hearing to order at 6:48 PM. Town Clerk Marilee J. Calhoun read the legal public notice and stated that she had an original affidavit of publication. Deputy Village Clerk Stacey Walker also had an original affidavit of publication, which is similar to the Towns so it

was not read again. Both legal notices for the Town and Village were published in the Sullivan County Democrat on Tuesday, July 15th, 2014.

Attorney's Walter and Barbara Garigliano were both present on behalf of the applicant. Attorney Barbara Garigliano said that both Boards are meeting jointly and should select one of the members to preside at the meeting.

A motion was made by Councilman Sush and seconded by Councilman Mace that Supervisor William J. Rieber, Jr. hereby be selected to preside over this Joint Public Hearing and Meeting.

Vote: Ayes 8 Rieber, Pavese, Briggs, Sush, Mace, Rue, Solomon and Bennett
Nays 0

Attorney Barbara Garigliano explained that this hearing is for three parcels of property owned by Garden Cottages, Inc. located in the Town, SBL #'s 18.-1-41.1, 41.2 & 42. This proposed Annexation Petition consists of approximately 10.73 acres into the Village of Monticello from the Town. This property consists of a Seasonal Bungalow Colony with 35 units and 19 buildings. They are requesting to annex into the Village for the purpose of obtaining water and sewer service. This is the third attempt to annex said properties and the property owner has worked with the Village in the past to arrange for the service.

Supervisor Rieber asked each Board if they had any comments on this matter. The following comments were made:

Trustee Carmen Rue asked the number of bungalows. Attorney Garigliano said that there are currently 19 buildings with 35 units.

Trustee Douglas Solomon asked what the issue was with the prior two attempts. Attorney Garigliano said that the first one the notices were not properly sent out by the Village so they could not proceed. The second attempt there was a request by the Village for a rather large payment that the applicant could not afford.

Trustee Rue said however that the applicant would be paying for the installation. Attorney Garigliano said that yes the applicant would be paying all of the installation costs. They will be paying for a new pump station both water and sewer lines that will be connected down Varnell Road to West Broadway.

Trustee Rue commented on the possibility of expansion. Attorney Garigliano said that the applicant would be able to expand to add additional buildings according to the zoning regulations in the Village.

Councilman Sush said that the Village Code allows greater density than the Town Code does. Attorney Garigliano said that is correct.

Village Attorney Michael Davidoff questioned the documentation pertaining to the improvements. Attorney Garigliano said that it is the applicants understanding that they will pay the expense for all improvements and then dedicate it to the Village. In this case she thinks it would be made part of the final resolution. Attorney Davidoff said that as long as it is part of the resolution that would be fine.

Attorney Garigliano said that the Boards have 90-days to take final action to approve the resolution. She said that action cannot be taken this evening. The matter has to be referred to the Sullivan County Division of Planning and Environmental Management for GML-239 Review. After the 30-Day GML-239 time period action can then be taken.

Supervisor Rieber said that even though the agreement for improvements would be part of the resolution he is recommending a written agreement between the Village and the applicant be made prior to action being taken.

Supervisor Rieber asked for public comment. There was no public comment made.

A motion to close the joint public hearing at 6:54 PM was made by Councilman Sush and seconded by Councilman Briggs.

Vote: Ayes 8 Rieber, Pavese, Briggs, Sush, Mace, Rue, Solomon and Bennett
Nays 0

Supervisor Rieber reconvened the Special Joint Town/Village Board meeting at 6:55 PM.

LEAD AGENCY DESIGNATION RESOLUTION

The Following Resolution Was Duly Adopted: Res. No. 209 of the Year 2014.

Resolved that the Joint Town of Thompson Town Board and Village of Monticello Board of Trustees hereby declare themselves as a Joint Board as Lead Agency in connection with the SEQRA review process regarding the Annexation Petition received by Garden Cottages, Inc. dated July 11th, 2014.

Motion by: Councilman Briggs Seconded by: Councilman Sush
Vote: Ayes 8 Rieber, Pavese, Briggs, Sush, Mace, Rue, Solomon and Bennett
Nays 0

The Joint Town/Village Board reviewed through Parts 1, 2 & 3 of the Short Environmental Assessment Form consisting of (4) pages pertaining to said matter and upon their review took action as follows:

The Following Resolution Was Duly Adopted: Res. No. 210 of the Year 2014.

Resolved, that the Joint Town of Thompson Town Board and Village of Monticello Board of Trustees hereby determine that there is no significant environmental impact in connection with the Petition received by Garden Cottages, Inc. dated July 11th, 2014.

Motion by: Councilman Sush

Seconded by: Councilman Mace

Discussion: Councilman Pavese said that his feelings are that the reasoning for the Annexation would be for massive expansion. He said there might be no's now pertaining to SEQRA, but there will most likely be yes's behind it once expanded. Trustee Rue said that Attorney Davidoff would have to determine the impacts that the Village will be faced with before finalizing approval. Supervisor Rieber said that at this point the Joint Board is making a determination as to whether there is a significant environmental impact, which the action is only for an annexation at this time. Any improvements afterward that the Village would have authority over might trigger the threshold for an environmental impact, which can be study further at such time. Right now our only issue is whether they can annex the property or not and that in and of itself does not affect the environment, because there is no significant change to the property. Attorney Davidoff said that yes if the Annexation is approved then whatever the applicant decides to do on the property would have to appear before the appropriate Planning Board and Planning Board process to comply with the requirements of the Planning Board, which would include an Environmental Impact Study if required based upon whatever the improvements are. The applicant may decide to propose an additional bungalow or more, but whatever they decide at that time the applicant would go before the appropriate Planning Board for the appropriate approval. They are only annexing the property at this time. Attorney Mednick said that all improvements if the property is annexed would be subjects to all Village Codes and Regulations.

Vote: Ayes 8 Rieber, Pavese, Briggs, Sush, Mace, Rue, Solomon and Bennett
Nays 0

Supervisor Rieber as the Responsible Officer in Lead Agency for the Joint Board executed two Short Environmental Assessment Forms subject to SEQRA pertaining to this matter. The executed copy will be included as part of the file and send to the County for GML-239 Review along with a copy of the Annexation Petition.

With no further business to come before the Joint Town/Village Board, Supervisor Rieber entertained a motion that the meeting be adjourned.

ADJOURNMENT

On a motion made by Councilman Sush and seconded by Councilman Mace the meeting was adjourned at 7:05 PM with all Board Members in favor.

Respectfully Submitted By:



Marilee J. Calhoun
Town Clerk