

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 on **August 20, 2013.**

ROLL CALL:

Present: Supervisor Anthony P. Cellini, Presiding
Councilman Richard Sush
Councilman Sharon Jankiewicz
Councilman Peter T. Briggs
Councilman Scott Mace

APPROVED

Also Present: Kelly M. Murran, Deputy Town Clerk
Michael B. Mednick, Attorney for the Town
William D. Culligan, Water & Sewer Superintendent
Logan E. Ottino, Building Dept./Code Enforcement Officer
Richard Benjamin, Jr., Highway Superintendent
Gerald Fielding, Town Historian
Thomas J. Kelly, Deputy Town Clerk & Grants

Absent: Marilee J. Calhoun, Town Clerk

REGULAR MEETING – CALL TO ORDER

Supervisor Cellini opened the meeting at 7:30 PM with the Pledge to the Flag.

APPROVAL OF MINUTES:

On a motion made by Councilman Briggs and seconded by Councilman Mace the minutes of the August 6th, 2013 regular meeting was approved as presented.

Vote: Ayes 5 Cellini, Jankiewicz, Briggs, Sush and Mace
 Nays 0

SPECIAL PRESENTATION: RECOGNITION OF SULLIVAN RENAISSANCE VOLUNTEERS – TERRY VANDERMEULEN, BARBARA SUSH, KATHY FIELDING, MELINDA MEDDAUGH, & JOSH MACE

Supervisor Cellini stated that it has been our pleasure to have some volunteers that have done an excellent job with the beautification in our community. Terry VanderMeulen has won a prize from the Sullivan County Renaissance for the Town of Thompson Town Park in the amount of \$10,000 for her beautification projects. Mrs. VanderMeulen plans to reinvest the monies in plants and shrubs for additional projects. He also briefly explained several of the other projects that have taken place in the Town. Kathy Fielding, Barbara Sush, Terry VanderMeulen and Josh Mace were present to accept their certificates of recognition. Melinda Meddaugh was not present. Supervisor Cellini and Councilmen Jankiewicz, Briggs, Sush, and Mace all presented the certificates and spoke individually expressing their thanks to all of the volunteers. Each of the volunteers spoke on behalf of their efforts. Logan Ottino photographed the volunteers with the Town Board. The photograph will be displayed in the front entrance to the Town Hall.

PUBLIC COMMENT:

Barbara Burton of Monticello read a written statement which she provided.

Bill Kapito, Treasurer of the Melody Lake Homeowners Association, thanked Bill Culligan and his staff for all of their help with repairing and maintaining the water service in Melody Lake. Mr. Kapito also stated that he is working to recoup funds from those who are responsible for the water problems in Melody Lake.

CORRESPONDENCE:

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

- 1) Letter dated 08/06/2013 to Town of Thompson and King Lucky Lake LTD from Peter J. Connery, PE, Environmental Engineer 2, Dam Safety Section of NYS DEC regarding Lucky Lake Dam. Mr. Connery states that it has come to their attention that Lucky Lake's dam outlet is plugged with debris and water flow the outlet may be severely restricted.
- 2) Report dated 08/05/2013 to Town Clerk Marilee Calhoun from Joyce Amels, Animal Health Inspector of State of New York Department of Agriculture and Markets regarding the Dog Control Officer Inspection Report completed 07/31/2013. DCO services rated very "Satisfactory." Supervisor Cellini thanked Nancy Marinchak for that.
- 3) Listing of "Certification of Eligibles" from the Sullivan County Personnel and Civil Service office showing the title of "Assessor Clerk Trainee." The Date of Certification is 08/09/2013.
- 4) Announcement from The Senior Legislative Action Committee of Sullivan County(SLAC) stating that they will hold their August meeting on August 23rd, 2013 at 10:00 AM at the Sullivan County Government Center, which is one week early due to the Labor Day holiday.
- 5) E-mail dated 08/06/2013 from the Office of Real Property Tax Services to the Town of Thompson regarding the Certificate of Final State Equalization Final for the 2013 Assessment Roll. It shows the Final State Equalization Rate is 86.00.
- 6) Check dated 08/13/2013 from County of Sullivan Industrial Development Agency payable to the Town of Thompson in the amount of \$2,846.31 in payment of the PTNY Real Estate LLC DBA Plastic Technologies of New York, LLC (Shelburne Plastics) 2013 PILOT payment disbursement.
- 7) Letter dated 08/13/13 from Irving Baval of Sackett Lake entitled "Say Yes for Casinos" expressing his support for casinos.

- 8) Letter dated 08/15/2013 from Town Clerk Marilee J. Calhoun to Chester Smith of the Rock Hill Fire Department regarding 2013 Election Schedule & Use of Facility – Designated Election Districts 1 & 2 along with Certificate of Insurance.
- 9) Letter dated 08/15/2013 from Town Clerk Marilee J. Calhoun to Scott Schoonmaker of the Monticello Fire Department regarding 2013 Election Schedule & Use of Facility – Designated Election Districts 5, 7, & 8 along with Certificate of Insurance.
- 10) Letter dated 08/15/2013 from Town Clerk Marilee J. Calhoun to Michael Greco, Recreational Director of the Village of Monticello regarding 2013 Election Schedule & Use of Facility – Designated Election Districts 6, 9, & 10 along with Certificate of Insurance.
- 11) Memo dated 07/25/2013 from Phil Klemen, Water & Sewer Superintendent of the Village of Monticello regarding Shul Project, 102 Waverly Avenue expressing his discomfort with the manner in which this project has moved forward. Mr. Klemen was never presented with final plans regarding water and sewer for the facility. Included with Mr. Klemen's memo was another memo from Janine Gandy, Village Clerk to Phil Klemen dated 03/26/2013 regarding the same along with other documentation.
- 12) Report entitled "Lead Agency Determination of No Significant Environmental Impact and Issuance of a Negative Declaration" in regards to the Monticello Motor Club with respect to an application for modification to a previously approved site plan.
- 13) Letter dated 08/12/2013 from Luca Spensieri of Goshen to Mark Anton II of Suburban Propane Partners, LP regarding 78 Cold Spring Road, Monticello. She supplied pictures and advised that Suburban Propane should shut down their operation, expressing concerns why.
- 14) News Release from Sullivan Renaissance regarding the Awards Ceremony held at SUNY Sullivan in Loch Sheldrake on Monday, August 12th. It named all of the winners in each of the different categories.

AGENDA ITEMS:

1. CONGRATS TO TERRY VANDERMEULEN: 1ST PLACE CATEGORY B PROJECT FOR \$10,000 – SULLIVAN RENAISSANCE AWARDS

Supervisor Cellini and the Town Board recognized and congratulated Terry VanderMeulen earlier during the meeting for being the first place recipient under the Category B Projects in the amount of \$10,000 for the Seeds of Hope Memorial Gardens Project by the Monticello Rotary at Town of Thompson Park.

Mednick spoke directly to the County Attorney who is ultimately responsible for the legal determination. Attorney Mednick said the County's determination is not binding and the Town Board could overcome it with a super-majority vote. The determination of the County is solely based upon their legal opinion and they are not inclined to change their opinion regarding this matter regardless of the circumstances. Supervisor Cellini is recommending that the Town Board approve the zone change as requested by the Sunshine Family from RR-1 to CI.

The Following Resolution Was Duly Adopted: Res. No. 241 of the Year 2013.

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 20, 2013

**RESOLUTION FOR NEGATIVE DECLARATION UNDER SEQR
FOR PROPOSED LOCAL LAW NO. 241 OF 2013; ZONING REVISIONS**

WHEREAS, the Town Board of the Town of Thompson has conducted an extensive review of the present Zoning Code for the Town of Thompson, including a review of Chapter 250 of the Zoning and Planned Unit Development Code; and

WHEREAS, the Town Board of the Town of Thompson declared itself lead agency pursuant to Resolution dated May 21, 2013 in connection with the review of the local law to amend Chapter 250 of the Town Code; and

WHEREAS, a Short Form Environmental Assessment Form has been filed in connection with the proposed revisions to Chapter 250 of the Town Code; and

WHEREAS, a public hearing was conducted in connection with the revisions to Chapter 250 of the Town Code on August 06, 2013, wherein said public hearing was closed.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Thompson determines that there are no negative environmental impacts that would be caused as a result of the enacting of Local Law 04 of 2013 entitled "A local law to amend Chapter 250 of the Town of Thompson Code relating to zoning and planned unit development"; and

FURTHER BE IT RESOLVED, it is determined that the Town Board of the Town of Thompson makes a negative declaration with regard to any environmental impacts caused as a result of the enacting of Local Law No. 04 of 2013.

Moved by: Supervisor Anthony P. Cellini
Seconded by: Councilman Sharon Jankiewicz
Adopted the 20th day of August, 2013.

The members of the Town Board voted 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 []

The Following Resolution Was Duly Adopted: Res. No. 242 of the Year 2013.

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 20, 2013

RESOLUTION TO ENACT LOCAL LAW NO. 04 OF 2013

WHEREAS, proposed Local Law No. 04 of the year 2013 entitled, "A local law to amend Chapter 250 of the Town of Thompson Code relating to zoning and planned unit development" was introduced to the Town Board at a meeting held June 04, 2013, 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, the Town Board has listened to the applicants' reasons for requesting this zone change, including the issue that they are now surrounded on all sides of their property by the newly created PRD zone, which will allow significant commercial development all around their property, and the Town Board sympathized with the applicants' situation and agreed that same was not a self-created situation; and

WHEREAS, the Town Board believed that the specific circumstances surrounding applicants' request are of such a unique and isolated set of facts that the Town Board has acknowledged and based on the aforementioned extenuating circumstances are willing to make the exception for these specific applicants; and

WHEREAS, said local law was duly adopted after a public hearing on August 06, 2013.

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 2013, Town of Thompson, State of New York, which local law is annexed hereto and made a part hereof.³

Moved by: Supervisor Anthony P. Cellini

Seconded by: Councilman Sharon Jankiewicz

DISCUSSION: Councilman Mace stated he would like to see more options and asked why they wanted that specific zone. Supervisor Cellini said the Sunshine's have an antique business and a real estate business they want to put there and all of the property around them is zoned commercial. Councilman Mace said he would like to help them, but does not want to go around it the wrong way and have it be looked at as spot zoning. Councilman Jankiewicz stated it is not spot zoning and a situation that the Town created. She said that if the Town had zoned it at the time the PRD was put in we wouldn't be in this situation now. It would have been re-zoned at that time. Councilman Sush is also concerned over the spot zoning issue as well, however he thinks that if the Town would be sued for spot zoning that this situation is defensible, because this is a situation caused by the Town. In this case he thinks that this would not be setting a precedent, because of the extenuating circumstances. The Town Board is recommending that the Resolution state the reason for the change. Attorney Mednick said that would be accepted. The Board is willing to support the change as long as the Resolution indicates the reason why.

Adopted on Motion August 20, 2013

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 []

8. STATUS REPORT: WINDOW REPLACEMENT FOR TOWN HALL- COMPTROLLER GARY J. LASHER

Comptroller Lasher was not present to provide a status report. Supervisor Cellini will reschedule this matter on the next Town Board Meeting agenda.

9. REQUEST TO CONSOLIDATE HIGHWAY DEPARTMENTS

Supervisor Cellini commented on a letter he received from Supervisor William Sipos of the Town of Forestburgh regarding consolidation of the Thompson Highway Department and the Forestburgh Highway Department. He said that the Board believes in

³ ATTACHMENT: COPY OF ENACTED LOCAL LAW NO. 04 OF 2013.

consolidation, but he believes that there is a disagreement with the Forestburgh Highway Superintendent and the Forestburgh Supervisor. It is Supervisor Cellini's feeling that Thompson is being brought in to be the "hatchet committee" to do away with the Forestburgh Highway Superintendent. Councilman Briggs asked Highway Superintendent Richard Benjamin if it were to happen if there was no need for a Highway Superintendent. Superintendent Benjamin replied that a town has to have a Highway Superintendent, but you don't have to pay them. Supervisor Cellini and Superintendent Rich Benjamin had spoken of this and Superintendent Benjamin is not interested in consolidating Thompson with Forestburgh. Supervisor Cellini mentioned that maybe they could look at consolidating with a smaller town down the line. Superintendent Benjamin said that consolidating would have to go to a referendum in their town. Forestburgh residents would not want to give up their town identity. This type of referendum has been turned down in other areas. Councilman Jankiewicz stated that we are in favor of shared services, but not consolidation.

The Following Resolution Was Duly Adopted: Res. No. 243 of the Year 2013.

Resolved, that the Town of Thompson continue with shared services with the Town of Forestburgh as well as the other Towns in Sullivan County, but not enter into any type of consolidation agreement.

Moved by: Councilman Jankiewicz

Seconded by: Councilman Briggs

Vote: Ayes 5 Cellini, Jankiewicz, Briggs, Sush and Mace

Nays 0

Supervisor Cellini directed the Town Clerk to send a letter to Supervisor Sipos advising him of the Board's determination along with the resolution.

10. CODE ENFORCEMENT CIVIL SERVICE POSITION: TOWN ATTORNEY

MICHAEL B. MEDNICK

Attorney Michael B. Mednick stated that he needs a description of all of the specific duties that he will put into the language needed to submit to the Sullivan County Personnel office. Once we get approval we can create the non-competitive position. Code Enforcement Office Logan E. Ottino will work with Attorney Mednick on the job description and what those duties will entail.

11. FINAL REPORT YMCA SUMMER YOUTH DAY CAMP

Parks and Recreation Manager William D. Culligan stated that it was a very successful year. He said he didn't have any complaints or problems, which really makes it a very good year. The way the building is set up worked out well. The Town Park looks great and the Board thanked Park Manager Culligan and his staff for a wonderful job towards the Town Park's appearance. The football team was going to have a scrimmage and Supervisor Cellini said the Town needed a Certificate of Insurance. Mr. Culligan will call the MAFCO representative tomorrow to obtain the certificate.

CONGREGATION ICHED ANASH REQUEST TO LOWER SPEED LIMIT TO 35 MPH ON ANAWANA LAKE ROAD BETWEEN FRASER ROAD AND KUTSHER'S ROAD

Supervisor Cellini had a conversation with the operators of the Thompson Square Mall regarding the Monticello Cinema. They have been stalling. There is an operator that wants to go in that location with a fifty year old lease. A new roof was put on, but it leaks around the sides through the bricks. Miles McPhee, the principal that does the repairs, will water-tight the building in about 1 ½ weeks. He put it out for bid and received one bidder that he feels could do this work. It will take 3 or 4 days to complete, and then he will turn it over to the cinema operator. Hopefully, it will be moving forward for next year.

NEW BUSINESS:

AMENDMENT AUTHORIZING CASINO GAMING BROCHURE

Councilman Sush was at the Sullivan County Chamber of Commerce mobile office today and they have brochures about the Rally for the proposition to approve Casino Gaming. It explains what the proposition is and why it is to our best interest to vote yes. They are available at the Town Hall for anyone who would like one. Additional signs will also be available shortly.

EMERALD GREEN SEWER DISTRICT PUMP STATION

Superintendent William D. Culligan stated that there are two pump stations that were part of Lake Louise Marie system that are fifty years old. They have been getting prices to replace the pumps using the same stations. The estimated cost is approximately \$85,000 to \$100,000. This would have to be bonded, because the money is not in the budget. He does not want to have a problem like the BenMoshe situation. Supervisor Cellini asked Bill Culligan to obtain more information for the next meeting's agenda. They also need a generator for Lake Shore Drive, pump station too. For bonding, there will need to be a public hearing.

PUBLIC COMMENT:

Roger Betters of the Columbia Hill Neighborhood Alliance informed the Town Board that the Town Website is not up to date concerning the minutes and agendas. He also said that at the prior planning board meeting they snuck in the Oster Petting Zoo at the last minute.

Pamela Zaitchick of Glen Wild thanked the Town Board for the work they did on the multiple dwelling issues. She also spoke of the architecture in the Town of Fallsburg and complained of clothes hanging on a fence in Glen Wild at the old Lori property. She mentioned once again the suggestion of an Architecture Review Committee, thought for the future. Further discussion ensued regarding this suggestion.

Bill Kapito of Melody Lake thanked Code Enforcement Officer Logan Ottino for her work regarding a home being built in Melody Lake without proper permits. He also spoke of the Concord project.

ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION

- August 21st: Cathy Paty singing in Rock Hill – Free Concert
- September 3rd: Jeff Siegel invitation to Town Board Meeting Re: Bagel Festival

- September 8th: Rock Hill Fire Department Annual Golf Tournament

MEETING ADJOURNED

On a motion made by Councilman Jankiewicz and seconded by Councilman Sush the meeting was adjourned at 8:20 PM.

Respectfully Submitted By:



Marilee J. Calhoun, Town Clerk

**FINDINGS, RESOLUTION AND ORDER OF THE
TOWN OF THOMPSON PURSUANT TO
ARTICLE 17 OF THE NEW YORK STATE
GENERAL MUNICIPAL LAW**

A petition ("Petition") having been filed by the County of Sullivan for an annexation of certain property in the Town of Thompson ("Town") to the Village of Monticello ("Village"), and a joint public hearing of the government Boards of the Town and the Village having been held on August 6, 2013 in accordance with Section 705 of the General Municipal Law of the State of New York, the Town Board of the Town hereby makes the following findings and thereupon adopts the following resolutions and order based upon such findings, all in accordance with Section 711 of the General Municipal Law of the State of New York.

FINDINGS

1. The Petition of the County of Sullivan (hereinafter the "Petitioner") dated June 5, 2013 for the annexation of the following Town Tax Parcels to the Village:

- Section 31, Block 1, Lot 10.3
- Section 31, Block 1, Lot 10.2
- Section 31, Block 1, Lot 94

was filed in the offices of the Town Clerk of the Town being perfected and finalized on June 12, 2013. A copy of the Petition is attached hereto as Exhibit A.

2. Pursuant to the provisions of Section 704 of the General Municipal Law of the State of New York (hereinafter the "General Municipal Law"), the Town caused notice of the required joint public hearing on the Petition to be published in the Sullivan County Democrat, the official newspaper of the Town, on July 16, 2013.

3. Pursuant to the provisions of Section 704 of the General Municipal Law of the State of New York, the Village caused notice of the required joint public hearing on the Petition to be published in the Sullivan County Democrat, the official newspaper of the Village, on July 16, 2013.

4. On July 26, 2013, the Town caused a copy of the notice of joint public hearing to be mailed to the Petitioner (the Petitioner allegedly being the sole owner of property within the territory proposed to be annexed). Likewise, the Village mailed a copy of the notice to Petitioner.

5. The joint public hearing of the Village and Town, as the two (2) governing boards of the involved municipalities, was held at the Thompson Town Hall on August 6, 2013 in accordance with the notices as published and mailed.

6. In attendance at the joint hearing were (i) the Mayor and four (4) Trustees of the Village, the attorney for the Village, and the Village Clerk; and (ii) the Town Supervisor

and four (4) members of the Town Board, the attorney for the Town, and the Town Clerk.

7. Anthony P. Cellini, the Supervisor of the Town, presided at the hearing by agreement of the members of the participating Boards.

8. The attorney for the Town confirmed at the outset of the joint public hearing that (i) the required notices of public hearing for the Town have been published in a timely fashion as indicated above, (ii) the hearing was being held within the time period required, and (iii) the Town Clerk has certified in writing that the mailing of notices to the Petitioner had been accomplished as required. The attorney for the Village similarly confirmed the Village's procedural compliance as to the holding of the public hearing and the notice and mailing requirements therefor.

9. The attorney for the Town has advised the Town Board as to his review of the Petition and his determination that the Petition appears to be compliant with the spirit and substance of Section 703 of the General Municipal Law. Accordingly, the Town hereby determines that the Petition substantially complies in form and content with the provisions of Article 17 of the General Municipal Law, and specifically finds that:

(i) The Petition appears to have been properly signed as provided by Section 703 of the General Municipal Law of the State of New York, that being only the Petitioner, the sole owner of all property within the territory, who are thereby fully qualified as the signatories of the Petition;

(ii) The Petition has attached thereto the required certificate of the assessor responsible for the preparation of the assessment roll certifying the foregoing; and

(iii) The signatures of the Petition appear to have been properly authenticated as required.

10. The Town Board, in performing the lead agency function for the environmental review of this action, and in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Action ("SEQR") hereby adopt a negative determination of environmental significance ("Negative Declaration") in accordance with SEQR for the proposed annexation, and determines that an Environmental Impact Statement is not required.

11. Contemporaneously with adoption of this resolution, the Town and Village shall enter into an agreement substantially in the form of Exhibit B whereby the Town shall continue to maintain the entirety of the Rose Valley Road including that portion located completely in the Village.

12. The Town Board of the Town of Thompson hereby makes these findings and a determination in accordance with Section 711 of the General Municipal Law of the State of New York that the proposed annexation shall allow for development of the parcel of land subject to the Petition and the parcels lying westerly thereof, also owned by the Petitioner, in a more efficient manner than if the parcel was in two (2) municipalities, each with separate zoning laws

and planning boards and; that the parcel subject to the Petition will be offered the opportunity to obtain Village waste and sewer services.

RESOLUTIONS

NOW, THEREFORE, based upon all of the foregoing findings, it is hereby:

RESOLVED, that Petitioners' Petition substantially complies in form and content with Article 17 of the General Municipal Law; and it is further

RESOLVED, that the proposed annexation described in said Petition is hereby deemed to be in the overall public interest; and it is further

RESOLVED, that the proposed annexation as described in said Petition is hereby approved by the Town Board of the Town of Thompson.

ORDER

HEREBY ORDERED, that copies of the foregoing findings, resolutions and determinations set forth therein, all of which are hereby incorporated by reference into this Order, together with the Petition, notice of public hearing, and testimony and minutes of proceedings taken and kept on the hearing, be filed in the offices of the clerks of the Village and Town as the affected local governments.

Motion by: Councilman Sharon Jankiewicz

Seconded by: Councilman Peter T. Briggs

Roll Call Vote: Supervisor Anthony P. Cellini - Aye
 Councilman Peter T. Briggs - Aye
 Councilwoman Sharon Jankiewicz - Aye
 Councilman Richard Sush - Aye
 Councilman Scott Mace - Aye

EXHIBIT A
PETITION

RECEIVED
JUN 12 2013
TOWN CLERK
TOWN OF THOMPSON

**PETITION FOR THE ANNEXATION OF TERRITORY FROM THE
TOWN OF THOMPSON, COUNTY OF SULLIVAN, STATE OF
NEW YORK TO THE VILLAGE OF MONTICELLO,
COUNTY OF SULLIVAN, STATE OF NEW YORK**

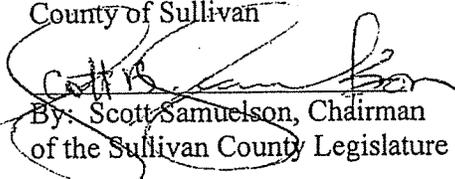
TO THE TOWN BOARD OF THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK;

TO THE VILLAGE BOARD OF THE VILLAGE OF MONTICELLO, SULLIVAN COUNTY, NEW YORK:

Pursuant to General Municipal Law Article 17, the Petitioner, The County of Sullivan, with an address at 100 North Street, Monticello, New York 12701 ("Petitioner"), petitions for annexation of territory from the Town of Thompson, New York ("Town") to the Village of Monticello ("Village").

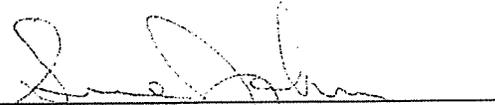
1. The Petitioner proposes and petitions that the Town Board of the Town permit and allow to be annexed to the Village, the territory more particularly described in Exhibit A, attached hereto and made part of this petition ("Territory").
2. The Petitioner proposes and petitions that the Village Board of the Village permit and allow to be annexed into the Village, the Territory.
3. The Territory is vacant land. There are no residents or inhabitants within the Territory.
4. The Petitioner herein is the owner of one hundred (100%) percent of the assessed valuation of the real property of the Territory, as assessed upon the last preceding Assessment Roll of the Town.
5. Attached hereto and marked Exhibit B is a certificate signed by the Assessor of the Town responsible for the preparation of the last preceding Assessment Roll of the Town certifying that the Petitioner is the owner of one hundred (100%) percent of the assessed valuation of the real property in the Territory herein proposed to be annexed to the Village and now situated in the Town as shown on the last preceding Assessment Roll of the Town.

IN WITNESS WHEREOF, we have hereunto set our hands and seals and signed the foregoing petition this 5th day of June, 2013.

County of Sullivan

By: Scott Samuelson, Chairman
of the Sullivan County Legislature

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

On the 5th day of June, in the year 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Scott Samuelson, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



SUE JAHN
Notary Public, State of New York
NYS Registration No. 01JA4989241
Qualified in Sullivan County
My Commission Expires 12/02/2013

EXHIBIT

A

ROBERT A. MEYER, P.E.
COMMISSIONER

TEL. 845-807-0261
FAX 845-791-8462



COUNTY OF SULLIVAN
DIVISION OF PUBLIC WORKS
SULLIVAN COUNTY GOVERNMENT CENTER
100 NORTH STREET
PO BOX 5012
MONTICELLO, NY 12701

DESCRIPTION OF TERRITORY TO BE ANNEXED FROM THE TOWN OF THOMPSON, COUNTY OF SULLIVAN, STATE OF NEW YORK TO THE VILLAGE OF MONTICELLO, COUNTY OF SULLIVAN, STATE OF NEW YORK

All of three tracts or parcels of land situate in the Town of Thompson, County of Sullivan and State of New York, being a portion of the lands of the County of Sullivan as described in Deed Liber 2504 at Page 505 and recorded on December 30, 2002 in the office of the County Clerk, Sullivan County, New York.

The said three parcels are as depicted on the Tax Map of the Town of Thompson, Sullivan County, New York being designated as Section 31, Block 1, Lot 10.3, containing 1.01 acres; Lot 10.2, containing 4.75 acres and Lot 94, containing 2.4 acres.

Together the three parcels of land being bounded and described as follows:
Being a contiguous strip of land Westerly of Rose Valley Road (Town Highway No. 83), being one hundred and twenty five feet wide as measured at right angles from the centerline of Rose Valley Road (Town Highway No. 83) and running Southerly, parallel with the centerline of Rose Valley Road (Town Highway No. 83); Bounded on the North by the lands of Charles H. Murran Jr., ETAL. See executor's Deed Instrument No. 2010-53546; Bounded on the East by the aforementioned centerline of Rose Valley Road (Town Highway No. 83); Bounded on the South by the lands of Florès, Deed Liber 3067, Page 90; and Bounded on the West by a portion of the aforesaid lands of the County of Sullivan Deed Liber 2504 Page 505, which portion of said lands is located within the Village of Monticello.

The above described parcel of land being all the remaining lands of the County of Sullivan which are not already located within the Village of Monticello. Same being purchased from Rose Valley Joint Venture and Rose Valley Industrial Park Inc. as described in Deed Liber 2504 at Page 505 and recorded on December 30, 2002 in the office of the County Clerk, Sullivan County, New York.

The above described parcel of land is subject to any rights of use, maintenance, dedication, conveyance or easement (s) of record for Public Highway or Public Utility purposes.

CERTIFICATE OF ASSESSOR

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

I, NORA HUGHSON, the duly appointed Assessor of the Town of Thompson, County of Sullivan, State of New York, first being duly sworn, do depose and say as follows:

1. That I prepared the last assessment roll for the Town of Thompson, tax year 2012/2013, a certified copy of which was filed with the Town Clerk for the Town of Thompson, Sullivan County, New York, on or about July 1, 2012.

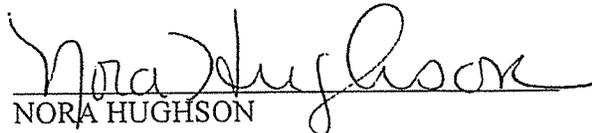
2. The total assessed valuation of the real property in the Town of Thompson pertaining to the aforesaid assessment roll is \$1,460,718,119, which assessment includes the incorporated Village of Monticello; and said assessment roll excluding the Village of Monticello is \$1,241,765,716.

3. The assessed valuation on the assessment roll of the premises owned by the County of Sullivan set forth below, is designated as having a land value and full value as set forth below:

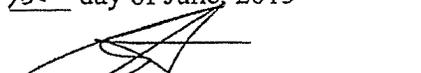
NAME (List Names)	ASSESSED VALUATION (List amounts for each and total)	
County of Sullivan	SBL #31.-1-10.3	\$22,400
	SBL #31.-1-10.2	\$20,700
	SBL #31.-1-94	<u>\$13,400</u>
	Total:	\$56,500

4. The premises owned by the Petitioner as aforesaid as set forth in the Sullivan County Tax Map on the Town of Thompson under Map Number Section 31, Block 1, Lots 10.3, 10.2 and 94 are contiguous to the Village of Monticello.

5. The real property assessed to the aforesaid Petition within the area to be sought to be annexed comprises one hundred (100%) percent of the total assessed valuation of the real property within said area and the aforesaid Petitioner is the sole owner of the premises comprising the said one hundred (100%) percent of the entire parcel to be annexed.


NORA HUGHSON

Sworn to before me this
12 day of June, 2013



Notary Public

70172-006v5.docx

STEVEN VEGLIANTE
Notary Public, State of New York
Sullivan County Clerk's # 2307
Commission Expires July 5, 2014

EXHIBIT B
FORM OF AGREEMENT

AGREEMENT

This Agreement, dated August ____, 2013 is made by and between the Town of Thompson ("Town") with a mailing address of 4052 Route 42, Monticello, New York 12701 and the Village of Monticello ("Village") with a mailing address of 2 Pleasant Street, Monticello, New York 12701.

WHEREAS, by Petition dated June 5th, 2013 the County of Sullivan ("County") petitioned the Town and Village for annexation of the following tax parcels from the Town to the Village:

Section 31, Block 1, Lot 10.3
Section 31, Block 1, Lot 10.2
Section 31, Block 1, Lot 94

WHEREAS, the Town and Village held a joint hearing on the annexation application on August 6, 2013; and

WHEREAS, in the course of reviewing the annexation application, it was noted that the easterly half of Rose Valley Road had been previously annexed from the Town to the Village; and

WHEREAS, the annexation petition originally contemplated the annexation of a strip of land westerly of the theoretical highway bounds of Rose Valley Road being 100 feet in width from the Town to the Village with the westerly half of Rose Valley Road remaining in the Town; and

WHEREAS, the County subsequently amended the annexation petition to include the entire 125 foot strip comprising the tax parcels listed above as the subject of the petition being bounded to the easterly by the center line of Rose Valley Road (which is also the current Village boundary); and

WHEREAS, the Town has agreed that notwithstanding the fact that a certain portion of Rose Valley Road will be entirely in the Village, that the Town shall continue to maintain the entire length of Rose Valley Road; and

WHEREAS, the Town and Village believe that the public interest will be advanced by not bisecting the Village with a 25 foot strip of land remaining in the Town; and

WHEREAS, the Village concerns regarding the future maintenance of that portion of Rose Valley Road located entirely in the Village will be resolved by execution of this Agreement.

NOW, THEREFORE, in consideration of the foregoing recitals, the mutual terms, covenants, conditions and limitations set forth herein, the Town and Village agree as follows:

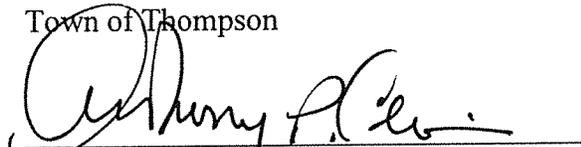
1. Maintenance of Rose Valley Road. Subject to the grant of the highway easement contemplated by Paragraph 2 hereof, the Town hereby agrees that it shall maintain Rose Valley Road for its entire length from East Broadway to the Forestburgh town line, including, any portion of Rose Valley Road which will be entirely located in the Village.
2. Highway Easement. The foregoing obligation of the Town to maintain the entirety of Rose Valley Road is subject to conveyance by the County to the Town an easement for highway purposes over and through the 25 foot strip of land being the westerly half of Rose Valley Road from its centerline to the theoretical road bounds thereof.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the day and year first above written.

Village of Monticello

By: Gordon Jenkins, Mayor

Town of Thompson



By: Anthony P. Cellini, Supervisor

**FINDINGS, RESOLUTION AND ORDER OF THE
TOWN OF THOMPSON PURSUANT TO
ARTICLE 17 OF THE NEW YORK STATE
GENERAL MUNICIPAL LAW**

A petition (“Petition”) having been filed by Garden Cottages, Inc. for an annexation of certain property in the Town of Thompson (“Town”) to the Village of Monticello (“Village”), and a joint public hearing of the government Boards of the Town and the Village having been held on August 06, 2013 in accordance with Section 705 of the General Municipal Law of the State of New York, the Town Board of the Town hereby makes the following findings and thereupon adopts the following resolutions and order based upon such findings, all in accordance with Section 711 of the General Municipal Law of the State of New York.

FINDINGS

1. The Petition of Garden Cottages, Inc. (hereinafter the “Petitioner”) dated June 5, 2013 for the annexation of the following Town Tax Parcels to the Village:

- Section 18, Block 1, Lot 41.1
- Section 18, Block 1, Lot 41.2
- Section 18, Block 1, Lot 42

was filed in the offices of the Town Clerk of the Town being perfected and finalized on July 12, 2013. A copy of the Petition is attached hereto as Exhibit A.

2. Pursuant to the provisions of Section 704 of the General Municipal Law of the State of New York (hereinafter the “General Municipal Law”), the Town caused notice of the required joint public hearing on the Petition to be published in the Sullivan County Democrat, the official newspaper of the Town, on July 12, 2013.

3. Pursuant to the provisions of Section 704 of the General Municipal Law of the State of New York, the Village caused notice of the required joint public hearing on the Petition to be published in the Sullivan County Democrat, the official newspaper of the Town, on July 16, 2013.

4. On July 26, 2013, the Town caused a copy of the notice of joint public hearing to be mailed to the Petitioner (the Petitioner allegedly being the sole owner of property within the territory proposed to be annexed). Likewise, the Village mailed a copy of the notice to Petitioner.

5. The joint public hearing of the Village and Town, as the two (2) governing boards of the involved municipalities, was held at the Thompson Town Hall on August 06, 2013 in accordance with the notices as published and mailed.

6. In attendance at the joint hearing were (I) the Mayor and four (4) Trustees of the Village, the attorney for the Village, and the Village Clerk; and (ii) the Town Supervisor

and four (4) members of the Town Board, the attorney for the Town, and the Town Clerk.

7. Anthony P. Cellini, the Supervisor of the Town, presided at the hearing by agreement of the members of the participating Boards.

8. The attorney for the Town confirmed at the outset of the joint public hearing that (i) the required notices of public hearing for the Town have been published in a timely fashion as indicated above, (ii) the hearing was being held within the time period required, and (iii) the Town Clerk has certified in writing that the mailing of notices to the Petitioner had been accomplished as required. The attorney for the Village similarly confirmed the Village's procedural compliance as to the holding of the public hearing and the notice and mailing requirements therefor.

9. The attorney for the Town has advised the Town Board as to his review of the Petition and his determination that the Petition appears to be compliant with the spirit and substance of Section 703 of the General Municipal Law. Accordingly, the Town hereby determines that the Petition substantially complies in form and content with the provisions of Article 17 of the General Municipal Law, and specifically finds that:

(i) The Petition appears to have been properly signed as provided by Section 703 of the General Municipal Law of the State of New York, that being only the Petitioner, the sole owner of all property within the territory, who are thereby fully qualified as the signatories of the Petition;

(ii) The Petition has attached thereto the required certificate of the assessor responsible for the preparation of the assessment roll certifying the foregoing; and

(iii) The signatures of the Petition appear to have been properly authenticated as required.

10. The Town Board, in performing the lead agency function for the environmental review of this action, and in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Action ("SEQR") hereby adopt a negative determination of environmental significance ("Negative Declaration") in accordance with SEQR for the proposed annexation, and determines that an Environmental Impact Statement is not required.

11. The Town Board of the Town of Thompson hereby makes these findings and a determination in accordance with Section 711 of the General Municipal Law of the State of New York that the proposed annexation shall allow for development of the parcel of land subject to the Petition and the parcels lying westerly thereof, also owned by the Petitioner, in a more efficient manner than if the parcel was in two (2) municipalities, each with separate zoning laws and planning boards and; that the parcel subject to the Petition will be offered the opportunity to obtain Village waste and sewer services.

RESOLUTIONS

NOW, THEREFORE, based upon all of the foregoing findings, it is hereby:

RESOLVED, that Petitioners' Petition substantially complies in form and content with Article 17 of the General Municipal Law; and it is further

RESOLVED, that the proposed annexation described in said Petition is hereby deemed to be in the overall public interest; and it is further

RESOLVED, that the proposed annexation as described in said Petition is hereby approved by the Town Board of the Town of Thompson.

ORDER

HEREBY ORDERED, that copies of the foregoing findings, resolutions and determinations set forth therein, all of which are hereby incorporated by reference into this Order, together with the Petition, notice of public hearing, and testimony and minutes of proceedings taken and kept on the hearing, be filed in the offices of the clerks of the Village and Town as the affected local governments.

Motion by: Councilman Sharon Jankiewicz

Seconded by: Councilman Scott Mace

Roll Call Vote: Supervisor Anthony P. Cellini - Aye
 Councilman Peter T. Briggs - Aye
 Councilwoman Sharon Jankiewicz - Aye
 Councilman Richard Sush - Aye
 Councilman Scott Mace - Aye

EXHIBIT A
PETITION

PETITION FOR THE ANNEXATION OF TERRITORY FROM THE TOWN OF THOMPSON, COUNTY OF SULLIVAN, STATE OF NEW YORK TO THE VILLAGE OF MONTICELLO, COUNTY OF SULLIVAN, STATE OF NEW YORK

TO THE TOWN BOARD OF THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK;

TO THE VILLAGE BOARD OF THE VILLAGE OF MONTICELLO, SULLIVAN COUNTY, NEW YORK:

Pursuant to General Municipal Law Article 17, the Petitioner, Garden Cottages, Inc., with an address at 82 Varnell Road, Monticello, New York 12701 ("Petitioner"), petitions for annexation of territory from the Town of Thompson, New York ("Town") to the Village of Monticello ("Village").

1. The Petitioner proposes and petitions that the Town Board of the Town permit and allow to be annexed to the Village, the territory more particularly described in Exhibit A, attached hereto and made part of this petition.

2. The Petitioner proposes and petitions that the Village Board of the Village permit and allow to be annexed into the Village, the territory more particularly described in Exhibit A, attached hereto and made part of this petition.

3. The Petitioner is the successor by merger and, therefore, the owner of that portion of the territory described in Schedule A assessed to Circle 10 Corp. A copy of the Certificate of Merger and Filing Receipt is annexed hereto as Exhibit B.

4. The Petitioner herein is the sole resident and inhabitant of said real property in said territory as described in Exhibit A. The only inhabitant of the territory more particularly described in Exhibit A is the Petitioner Garden Cottages, Inc.

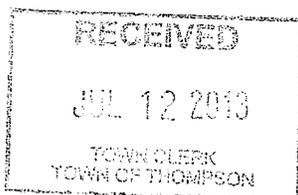
5. The Petitioner herein is the owner of all of the assessed valuation of the real property of said territory, as described in Exhibit A, assessed upon the last preceding Town Assessment Roll of the Town.

6. Attached hereto and marked Exhibit C is a certificate signed by the Assessor of the Town responsible for the preparation of the last preceding Assessment Roll of the Town certifying that the Petitioner is the owner of all of the assessed valuation of the real property in the territory herein proposed to be annexed to the Village and now situated in the Town as shown on the last preceding Assessment Roll of the Town.

IN WITNESS WHEREOF, we have hereunto set our hands and seals and signed the foregoing petition this 12th day of July, 2013.

Garden Cottages, Inc.


By: Chaim Hager, President



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

On the 12th day of July, in the year 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared CHAIM HAGER, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



SUE JAHN
Notary Public, State of New York
NYS Registration No. 01JA4989241
Qualified in Sullivan County
My Commission Expires 12/02/2013

EXHIBIT

A

ALL that certain piece or parcel of land situate in the Town of Thompson, County of Sullivan, State of New York and being more accurately bounded and described as follows:

Beginning at a point in the center of Varnell Road (Town Road No. 56), at the northeast corner of lands now and formerly of James D. and Julia G. Jacobs Living Trust as described in Liber 2764 of Deeds at page 110. Thence from said point of beginning and along said lands of Jacobs Living Trust North $35^{\circ} 30' 45''$ West passing over a $1 \frac{3}{4}$ " iron pipe at 27.15 feet for a total distance of 356.94 feet to an iron rod set. Thence continuing South $54^{\circ} 29' 15''$ West passing over a $\frac{3}{4}$ " iron pipe at 386.91 feet for a total distance of 389.62 feet to a stone wall. Thence along the bounds of lands now and formerly of Max and Sidney Berman as described in Liber 1294 of Deeds at page 223 North $31^{\circ} 48' 59''$ West for a distance of 90.10 feet passing over end of aforementioned stonewall to a nail set in a drill hole in rock ledge.

Thence Northerly along the bounds of lands now and formerly of Max and Sidney Berman as described in Liber 1374 of Deeds at page 324 the follow eleven courses and distances:

1. North $30^{\circ} 29' 38''$ East for a distance of 160.09 feet to the beginning of a stone wall
2. North $34^{\circ} 11' 42''$ East for a distance of 90.70 feet along a stone wall to it's end
3. North $39^{\circ} 51' 27''$ East for a distance of 75.97 feet to the beginning of a stone wall
4. North $32^{\circ} 53' 02''$ East for a distance of 34.47 feet along a stone wall to it's end
5. North $39^{\circ} 05' 18''$ East for a distance of 77.92 feet to the beginning of a stone wall.
6. North $30^{\circ} 53' 09''$ East for a distance of 80.86 feet along a stone wall to it's end.
7. North $27^{\circ} 19' 05''$ East for a distance of 80.11 feet to the beginning of a stone wall
8. North $28^{\circ} 16' 43''$ East for a distance of 35.93 feet along a stone wall
9. North $14^{\circ} 12' 46''$ East for a distance of 20.33 feet along a stone wall
10. North $22^{\circ} 04' 32''$ East along a stone wall for a distance of 78.62 feet to it's end
11. North $29^{\circ} 31' 41''$ East for a distance of 206.92 feet to a 1" iron pipe.

Thence along lines between the Town of Thompson and the Village of Monticello, also being the bounds of lands now and formerly of Castle Hill Cottages as described in Liber 1108 of Deeds at page 161 on the follow three courses and distances:

1. South $23^{\circ} 06' 45''$ East for a distance of 476.74 feet to a $1 \frac{1}{4}$ " iron pipe.
2. Thence North $67^{\circ} 59' 21''$ East for a distance of 344.97 feet to a $1 \frac{3}{4}$ " iron pipe.

3. Thence South $23^{\circ} 06' 26''$ East passing over a $5/8''$ iron pipe at 109.56 feet, passing over a $5/8''$ iron pipe at 209.96 feet, passing over a iron rod at 297.53 feet, passing over a 2" iron pipe at 385.45 feet for a total distance of 412.42 feet to the center of aforementioned Varnell Road.

Thence Southerly along the centerline of aforementioned Varnell Road the follow eight courses and distances:

1. South $75^{\circ} 33' 40''$ West for a distance of 3.66 feet
2. South $73^{\circ} 43' 30''$ West for a distance of 31.68 feet
3. South $70^{\circ} 18' 46''$ West for a distance of 32.33 feet
4. South $68^{\circ} 53' 17''$ West for a distance of 25.46 feet
5. South $67^{\circ} 42' 51''$ West for a distance of 52.76 feet
6. South $67^{\circ} 04' 39''$ West for a distance of 102.00 feet
7. South $67^{\circ} 08' 30''$ West for a distance of 97.11 feet
8. South $66^{\circ} 52' 04''$ West for a distance of 31.83 feet

Thence continuing along the centerline of Varnell Road in a southwesterly direction +255.5 feet to the point or place of Beginning.

Containing 10.73 acres of land.
Bearings refer to Magnetic North

70165-004v2.docx

EXHIBIT

B

CERTIFICATE OF MERGER
OF
GARDEN COTTAGES, INC.
AND
CIRCLE 10 CORP.
INTO
GARDEN COTTAGES INC.

UNDER SECTION 904 OF THE BUSINESS CORPORATION LAW

MOSHE FRUCHTER, the undersigned, being the president of GARDEN COTTAGES, INC., and the president of CIRCLE 10 CORP., both of said corporations being domestic corporations organized and existing under and by virtue of the laws of the State of New York, does hereby certify and set forth:

1. The name of each constituent corporation is as follows:

GARDEN COTTAGES, INC.

CIRCLE 10 CORP.

2. The name of the surviving corporation will be GARDEN COTTAGES, INC.

3. The effective date of such merger shall be upon filing.

4. The number of outstanding shares of GARDEN COTTAGES, INC., is 173 shares of common stock, all of which are without par value, and all of which are entitled to vote. The number of outstanding shares of CIRCLE 10 CORP., is 190 shares of common stock, all of which are without par value, and all of which are entitled to vote.

5. No amendments or changes are to be made in the certificate of incorporation of GARDEN COTTAGES, INC.

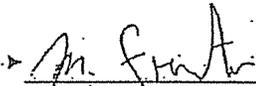
6. (a) The date when the certificate of incorporation of GARDEN COTTAGES, INC., was filed by the Department of State was October 26, 1977.

(b) The date when the certificate of incorporation of CIRCLE 10 CORP., was filed by the Department of State was December 20, 2005.

7. (a) The merger of GARDEN COTTAGES, INC. and CIRCLE 10 CORP., was authorized in respect to GARDEN COTTAGES, INC., a constituent corporation, by unanimous written consent, in lieu of a meeting, of all directors and all shareholders of such corporation.

(b) The merger of GARDEN COTTAGES, INC. and CIRCLE 10 CORP., was authorized in respect to CIRCLE 10 CORP., a constituent corporation, by unanimous written consent, in lieu of a meeting, of all directors and all shareholders of such corporation.

IN WITNESS WHEREOF, the undersigned has executed and signed this certificate the 13 day of June, 2006.



Moshe Fruchter, President of
GARDEN COTTAGES, INC.



Moshe Fruchter, President of
CIRCLE 10 CORP.

FILING RECEIPT

=====
CITY NAME: GARDEN COTTAGES INC.

DOCUMENT TYPE: MERGER (DOM. BUSINESS)

COUNTY: SULL

SERVICE COMPANY: SERVICO

SERVICE CODE: 35

CONSTITUENT NAME: CIRCLE 10 CORP.

=====
FILED: 06/26/2006 DURATION: ***** CASH#: 060626001087 FILM #: 060626001052

ADDRESS FOR PROCESS

EFFECT DATE

06/26/2006

REGISTERED AGENT

FILED	FEE	AMOUNT	PAYMENT	AMOUNT
		85.00		85.00
	FILING	60.00	CASH	0.00
	TAX	0.00	CHECK	0.00
	CERT	0.00	CHARGE	0.00
	COPIES	0.00	DRAWDOWN	85.00
	HANDLING	25.00	OPAL	0.00
			REFUND	0.00

ERRY E. MELTZER
ATTORNEY AT LAW
17 BROADWAY, P.O. BOX 1130
MONTICELLO, NY 12701

EXHIBIT
C

CERTIFICATE OF ASSESSOR

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

I, NORA HUGHSON, the duly appointed Assessor of the Town of Thompson, County of Sullivan, State of New York, first being duly sworn, do depose and say as follows:

1. That I prepared the last assessment roll for the Town of Thompson, tax year 2013/2014, a certified copy of which was filed with the Town Clerk for the Town of Thompson, Sullivan County, New York, on or about July 1, 2013.

2. The total assessed valuation of the real property in the Town of Thompson pertaining to the aforesaid assessment roll is \$1,455,626,455, which assessment includes the incorporated Village of Monticello; and said assessment roll excluding the Village of Monticello is \$1,238,732,373.

3. The assessed valuation on the assessment roll of the premises owned by Garden Cottages, Inc. (including the parcel assessed to Circle 10 Corp., which was merged into Garden Cottages, Inc.) set forth below, is designated as having a land value and full value as set forth below:

<u>NAME</u> (List Names)	<u>ASSESSED VALUATION</u> (List amounts for each and total)		
Garden Cottages, Inc.	SBL #18.-1-41.1	\$11,300	\$ 63,700
	SBL #18.-1-41.2	\$37,400	\$276,800
	SBL #18.-1-42	<u>\$24,000</u>	<u>\$117,100</u>
	Total:	\$72,700	\$457,600

4. The premises owned by the Petitioner as aforesaid as set forth in the Sullivan County Tax Map on the Town of Thompson under Map Number Section 18, Block 1, Lots 41.1, 41.2, and 42 are contiguous to the Village of Monticello.

5. The real property assessed to the aforesaid Petition within the area to be sought to be annexed comprises one hundred (100%) percent of the total assessed valuation of the real property within said area and the aforesaid Petitioner is the sole owner of the premises comprising the said one hundred (100%) percent of the entire parcel to be annexed.

15/

NORA HUGHSON

Sworn to before me this
16th day of July, 2013

15/

Notary Public

CERTIFICATE OF ASSESSOR

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

I, NORA HUGHSON, the duly appointed Assessor of the Town of Thompson, County of Sullivan, State of New York, first being duly sworn, do depose and say as follows:

1. That I prepared the last assessment roll for the Town of Thompson, tax year 2013/2014, a certified copy of which was filed with the Town Clerk for the Town of Thompson, Sullivan County, New York, on or about July 1, 2013.

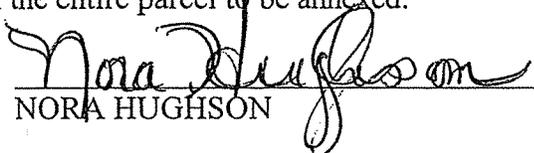
2. The total assessed valuation of the real property in the Town of Thompson pertaining to the aforesaid assessment roll is \$1,455,626,455, which assessment includes the incorporated Village of Monticello; and said assessment roll excluding the Village of Monticello is \$1,238,732,373.

3. The assessed valuation on the assessment roll of the premises owned by Garden Cottages, Inc. (including the parcel assessed to Circle 10 Corp., which was merged into Garden Cottages, Inc.) set forth below, is designated as having a land value and full value as set forth below:

<u>NAME</u> (List Names)	<u>ASSESSED VALUATION</u> (List amounts for each and total)		
Garden Cottages, Inc.	SBL #18.-1-41.1	\$11,300	\$ 63,700
	SBL #18.-1-41.2	\$37,400	\$276,800
	SBL #18.-1-42	<u>\$24,000</u>	<u>\$117,100</u>
	Total:	\$72,700	\$457,600

4. The premises owned by the Petitioner as aforesaid as set forth in the Sullivan County Tax Map on the Town of Thompson under Map Number Section 18, Block 1, Lots 41.1, 41.2, and 42 are contiguous to the Village of Monticello.

5. The real property assessed to the aforesaid Petition within the area to be sought to be annexed comprises one hundred (100%) percent of the total assessed valuation of the real property within said area and the aforesaid Petitioner is the sole owner of the premises comprising the said one hundred (100%) percent of the entire parcel to be annexed.


NORA HUGHSON

Sworn to before me this
12th day of July, 2013



Notary Public

70165-005v4.docx

SUE JAHN
Notary Public, State of New York
NYS Registration No. 01JA4989241
Qualified in Sullivan County
My Commission Expires 12/02/2013

**TOWN OF THOMPSON
VILLAGE OF MONTICELLO
NOTICE OF JOINT HEARING ON PETITION FOR ANNEXATION**

PLEASE TAKE NOTICE that a petition, pursuant to General Municipal Law Article 17, has been received by the Town Board of the Town of Thompson, Sullivan County, New York ("Town"), and the Village Board of the Village of Monticello, Sullivan County, New York ("Village"), for annexation of the premises of Garden Cottages, Inc., situate at Varnell Road, Monticello, New York and identified as tax map parcels 18.-1-41.1, 41.2 and 42.

PLEASE TAKE FURTHER NOTICE that on August 06, 2013 at 6:45 p.m., prevailing time, a joint hearing will be held by the Town Board of the Town and the Village Board of the Village at the Town of Thompson Town Hall, 4052 Route 42, Monticello, New York 12701, at which time and place all persons interested in the matter may be heard. Objections based on any of the grounds set forth in General Municipal Law §705(1)(a), (b), (c) and/or (d) shall, in addition to oral testimony thereon, be submitted in writing.

Dated: July 12, 2013

By Order of the Town Board of the
Town of Thompson, New York

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. 04 of the year 2013

A local law to amend Chapter 250 of the Town of Thompson Code relating to zoning and planned unit development

Be it enacted by the Town Board of the

Town of Thompson

- 1. Chapter 250 of the Code of the Town of Thompson entitled "Zoning and Planned Unit Development", is hereby amended to reclassify the following described real property which is currently classified on the zoning map of the Town of Thompson in the Rural Residential 1 (RR1) district:

The real property currently identified on the Town of Thompson Tax Map as parcel SBL 15-1-20 consisting of 3.15 acres, currently zoned as Rural Residential 1 (RR1), shall be reclassified on such zoning map as Commercial/Industrial (CI) and shall hereafter be subject to the schedule of district regulations for such Commercial Industrial (CI) zone.

(If additional space is needed, please attach sheets of the same size as this and number each)

- 2. Except as herein specifically amended, the remainder of Chapter 250 of such code shall remain in full force and effect.
- 3. 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.
- 4. Except as herein otherwise provided penalties for the violation of this local law, any person committing an offense against any provision of the chapter of the Code of the Town of Thompson shall, upon conviction thereof, be punishable as provided in Chapter 1, General Provisions, Article II, of such Code.
- 5. This local law shall take effect immediately.

(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. 04 of 2013 of the Town of Thompson was duly passed by the Town Board on August 20, 2013 in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 2013 of the County/City/Town/Village of _____ was duly passed by the _____ on _____ 2013 and was (approved) (not approved) (repassed after disapproval) by the _____ on _____ and was deemed duly adopted on _____ 2013, 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 2013 of the County/City/Town/Village of _____ was duly passed by the _____ on _____ 2013 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 _____ 2013, 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 2013 of the County/City/Town/Village of _____ was duly passed by the _____ on _____ 2013 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 _____ 2013 in accordance with the applicable provisions of law.

* 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 2013 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 _____ 2013 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 2013 of the County of _____, State of New York, having been submitted to the electors at the General Election of November ___ 2013, 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: August 28, 2013

(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: August 28, 2013



Attorney for Town of Thompson