

**Minutes of a Special Meeting for a Joint Public Hearing** between the Town of Thompson Town Board and the Village of Monticello Board of Trustees held at the Village Hall, 2 Pleasant Street, Monticello, New York on **Tuesday, September 01, 2015 at 5:15 PM.**

**ROLL CALL:**

**PRESENT FOR VILLAGE OF MONTICELLO**

Mayor Douglas Solomon, Presiding  
Trustee Carmen Rue  
Trustee Larissa Bennett  
Trustee Jill M. Weyer  
Trustee Aleta Gomez (Arrived 5-Minutes Late)

**APPROVED**

**Also Present:**

Janine Gandy, Village Clerk  
Michael Davidoff, Attorney for the Village  
David A. Sager, Village Manager

**PRESENT FOR TOWN OF THOMPSON**

Supervisor William J. Rieber, Jr.  
Councilman Richard Sush  
Councilman Peter T. Briggs  
Councilman Scott Mace

**Absent:**

Councilman John A. Pavese

**Also Present:**

Marilee J. Calhoun, Town Clerk  
Michael B. Mednick, Attorney for the Town

Mayor Solomon welcomed the Town of Thompson Town Board 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 Yeshiva Beth Joseph Zvi Dushinsky for Property situated along Waverly Avenue, Monticello, New York, SBL # 29.-2-7.1 and Property situated at 116 Waverly Avenue, Monticello, New York, SBL # 29.-2-8.

Mayor Doug Solomon and Supervisor Rieber both opened the Special Meeting at 5:20 PM. The Pledge to the Flag was conducted.

A motion was made by Trustee Bennett and seconded by Trustee Rue for the Village of Monticello Board of Trustees to accept the meeting agenda for the Joint Public Hearing. Vote: 4 Ayes in Favor, 1 Absent (Trustee Gomez arrived late).

It was agreed that Mayor Solomon would preside over this meeting for the Joint Public Hearing.

**JOINT PUBLIC HEARING WITH VILLAGE: PROPOSED ANNEXATION REQUEST FOR YESHIVA BETH JOSEPH ZVI DUSHINSKY PROPERTIES, TAX PARCEL #'S 29.-2-7.1 & 29.-2-8.**

Mayor Solomon opened the Joint Public Hearing at 5:21 PM.

Town Clerk Marilee J. Calhoun read the legal public notice and stated that she had an original affidavit of publication. Village Clerk Janine Gandy also had an original affidavit of publication, which is similar to the Town's so it was not read again. Both legal notices for the Town and Village were published in the Sullivan County Democrat on Tuesday, August 11<sup>th</sup>, 2015. Notification was also sent to the property owners, Fire District and School District as well and posted on the Town Hall Bulletin Board.

Attorney Thomas Cragen of Henri Shawn Law Offices was present on behalf of the Petitioner for the project. Mr. Joel Kohn was also present on behalf of the Applicant/Petitioner.

Attorney Cragen provided a brief explanation regarding the purpose of this request. He said the properties consist of approximately 4.51 acre parcel and a .71 acre parcel. The parcels are contiguous to property located in the Village of Monticello, which is approximately 7 acres. They are attempting to annex in those two parcels that are currently situated in the Town of Thompson. There is a shul already built on the parcel located in the Village of Monticello and the two parcels in the Town of Thompson. There is also parking area presently, but they need to build a larger parking area to satisfy the requirements that Engineer Glenn Smith suggested based on the school and units being proposed on the current Village parcel, which is presently before the Village of Monticello Planning Board. The Village Planning Board is the one requesting that the applicant annex these properties.

Supervisor Rieber asked if this property in the Town is already improved with the construction of a shul?

Attorney Cragen said that part of the shul is on the Village and Town parcel.

Attorney Davidoff questioned the parcels to be annexed. Is one of the Town parcels vacant or not?

Attorney Cragen said that one parcel has parking for the shul. They need to annex that parcel in as well as the other smaller parcel where the shul is partly situated. They need those two parcels to be annexed in to the Village of Monticello.

Attorney Davidoff confirmed that one of the two Town parcels looking to be annexed is vacant, but has parking on it.

Attorney Cragen replied that was correct. The applicant is looking to enlarge the parking on that parcel.

Attorney Davidoff confirmed that the other Town parcel has a portion of the shul building on it as well as the other balance of that shul building being on a parcel already located in the Village that is not part of this annexation.

Attorney Cragen replied that was correct.

Attorney Davidoff is not sure how this all was accomplished, which is interesting.

Attorney Cragen said that he was not sure how it was accomplished. They are not the original Attorney's handling the matter. They are presently working with the Village Planning Board on any issues involving violations that have occurred on the property and are still working with them on the shul issue.

Both Boards reviewed the site plan maps and discussed the proposed project further.

Mayor Solomon asked if a Planning Board recommendation was received.

Manager Sager said that the project is still before the Planning Board.

Attorney Mednick advised that this matter was sent to the Sullivan County Office of Planning & Environmental Management for completion of the GML-239 County Review.

Attorney Davidoff advised that this is just a Joint Public Hearing and that no action would be taken this evening.

Mayor Solomon asked if anyone from the public would like to be heard on this matter. Public Comment was made as follows:

Gordon Jenkins, Former Village Mayor of Monticello said that the prior Village Attorney Dennis Lynch performed a tremendous amount of work on this project. The former Village Board knew that this issue was forth coming. He said that there was a written agreement in place regarding the proposed units for this project. The agreement addressed the concern regarding tax exemption on the project. He said that there is paperwork regarding this very issue. He said he is not sure where the Acting Building Inspector is, but the prior Building Inspector James Snowden is no longer here, but please do not blame prior administration for nonsense, because someone does not have the paperwork. He said that the Acting Building Inspector TJ Brawley should review the file to see the whole situation going on. He said it is plain and simple, separate houses/units, separate lots and separate meters. He said that someone might be trying to pull something over on the new Village Board. He told Attorney Davidoff to review that packet of information/paperwork in the file.

Attorney Davidoff questioned whether Mr. Jenkins is referring to the same project/properties. He said these properties involve a shul and not some housing development.

Mr. Jenkins said that the Village Board needs to look into this matter further before acting. He suggested that the Village Board contact Former Village Building Inspector James Snowden to ask where said paperwork is. They should also contact the prior Village Attorney Dennis Lynch for the paperwork as well. The Village has to have the paperwork somewhere. He knew that this was going to happen.

Both Mayor Solomon and Supervisor Rieber agreed that no action would be taken on this matter this evening until the outstanding issues have been resolved.

After an opportunity for all persons to be heard Mayor Solomon entertained a motion that the public hearing be closed.

**CLOSE HEARING**

**VILLAGE:**

A motion to close the joint public hearing at 5:32 PM was made by Trustee Rue and seconded by Trustee Bennett.

Vote: Ayes 5            Solomon, Weyer, Rue, Bennett and Gomez  
      Nays 0

**TOWN:**

A motion to close the joint public hearing at 5:32 PM was made by Councilman Sush and seconded by Councilman Briggs.

Vote: Ayes 5            Rieber, Pavese, Briggs, Sush and Mace  
      Nays 0

**ADJOURNMENT**

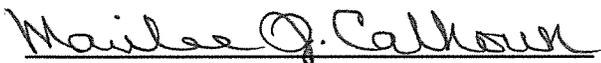
**VILLAGE:**

On a motion made by Trustee Rue and seconded by Trustee Bennett the meeting was adjourned at 5:34 PM.

**TOWN:**

On a motion made by Councilman Sush and seconded by Councilman Briggs the meeting was adjourned at 5:34 PM.

**Respectfully Submitted By:**



**Marilee J. Calhoun**  
**Town Clerk**