

WORKSHOP MEETING, TOWN OF MOUNT HOPE, OCTOBER 30, 2012
www.townofmounthope.org

The workshop meeting of the Town Board of the Town of Mount Hope was held at the Town Hall at 1706 Route 211 West, Otisville, NY on October 30, 2012 at 7:00pm with the following present: Supervisor William Novak, Councilman Michael Bell, Councilman Gary Ketcham, Councilwoman Janet Sutherland (@7:20pm), Councilman Ed Fairweather, Town Clerk Kathleen Myers, Mayor Brian Wona, Trustee Ken Coppola, Trustee Richard Cash, Trustee Wayne Melton.

NOT PRESENT: Trustee Bob Bennett

PUBLIC PRESENT: M. Horzepa, M. Coppola, E. Myslinski, Attorney Frank Simeone, Attorney Jerome Jefferson, E. Baker, M. Doty, T. Coppola, R. Bakker, S. Coppola (7:23pm), J. Myers and Attorney Zachary Kelson.

Following the Pledge of Allegiance, Mayor Wona called the meeting to order at 7:00pm. He asked audience members to please turn down all electronic devices.

Following the Pledge of Allegiance, Supervisor Novak called the meeting to order at 7:00pm.

STATE OF EMERGENCY:

Supervisor Novak addressed both boards regarding the current State of Emergency. Discussion ensued regarding same. Both boards agreed to extend the State of Emergency.

RESOLUTION TO EXTEND STATE OF EMERGENCY:

MOTION by Councilman Fairweather seconded by Trustee Melton that "Effective 7:00pm October 30, 2012, the Town of Mount Hope including the Village of Otisville, has declared a State of Emergency due to the effects of Hurricane Sandy. This emergency prohibits parking on all public streets and restricts travel to essential personnel only. This order shall remain in effect until 4:00pm on October 31, 2012." All in favor – Bell, Ketcham, Fairweather, Novak. Village members: all in favor – Cash, Coppola, Melton, Wona. Carried by both boards.

HALLOWEEN TRICK-OR-TREATING:

Discussion on allowing trick-or-treating ensued with both boards. At this time, Attorney Zack Kelson read a joint resolution into the record regarding same.

JOINT RESOLUTION OF THE TOWN OF MOUNT HOPE AND VILLAGE OF OTISVILLE ON TRICK OR TREATING:

MOTION by Councilman Bell seconded by Councilman Fairweather to allow trick or treating before dusk only. (See attached resolution) All in favor – Bell, Ketcham, Novak, Fairweather. Carried.

MOTION by Trustee Melton seconded by Trustee Coppola to allow trick or treating before dusk only. (See attached resolution) All in favor – Coppola, Melton, Wona, Cash. Carried.

At this time, John Doty addressed both boards re: Halloween party at fire house. The fire department will not break down the social hall for the party. Instead it will be in the truck house.

ROLL CALL FOR VILLAGE BOARD:

Mayor Wona asked for a roll call from his board members.
Trustee Cash – aye; Trustee Melton – aye; Trustee Coppola – aye; Mayor Wona – aye.
Mayor Wona stated that Trustee Bennett is at work at Frontier so he is excused.

ROLL CALL FOR TOWN BOARD:

Supervisor Novak asked for roll call from his board members.
Councilman Bell – aye; Councilman Ketcham – aye; Councilman Fairweather – aye; Supervisor Novak – aye. Councilwoman Sutherland is excused as she is trying to get dry ice at the Town of Mamakating town hall.

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Mayor Wona asked his board if they have reviewed the resolution.

Attorney Simeone stated that we need an idea of where we're going for this for purpose of SEQR. The Village will designate the town as lead agent and they will designate Town Clerk Kathleen Myers as the filing clerk. He needs to know what the district would be called and who the members of the rump board would be. The rump board would only be for 6 months.

Trustee Coppola asked if this district is contiguous or not.

Attorney Kelson stated yes it is.

Attorney Simeone added that the boundaries would not be changed; Howells will still be Howells, Otisville will still be Otisville and Mount Hope will be Mount Hope. Yes it is contiguous.

Trustee Coppola stated that this is moving forward at lightning speed and we need to slow down. The steering committee was formed not too long ago. He asked Marie Doty if all the members of the steering committee received this packet with all these signatures.

Marie Doty stated most members of the committee have it. Our meeting is next week and the rest of the members will get their copy.

Trustee Coppola asked if all the members signed it knowing what they were signing or did they sign a blank piece of paper.

Marie Doty stated they signed knowing what they were signing.

Attorney Simeone spoke about the rental amount to be charged. He added that he was at both meetings and the 2nd meeting was not attended by the same people as the 1st meeting. He saw everyone sign and they knew what they were signing.

AT THIS TIME, Attorney Simeone read in to the minutes the resolution pertaining to the Village. (See attached copy at end of these minutes.) Next he read into the minutes the Notice of Public Hearing for the Village and next he read the Dissolution of the Mount Hope fire protection district.

Mayor Wona called for a motion for the "ORDER CALLING FOR PUBLIC HEARING IN THE MATTER OF THE MOUNT HOPE – OTISVILLE JOINT FIRE DISTRICT IN THE TOWN OF MOUNT HOPE AND THE VILLAGE OF OTISVILLE AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH". Trustee Melton offered this resolution.
THERE WAS NO SECOND ON THIS MOTION.

**Enter Councilwoman Sutherland at this time – 7:20PM.

Mayor Wona stated he is not 100% on this yet.

Supervisor Novak read the resolution pertaining to the Town for the "ORDER CALLING FOR PUBLIC HEARING IN THE MATTER OF THE MOUNT HOPE – OTISVILLE JOINT FIRE DISTRICT IN THE TOWN OF MOUNT HOPE AND THE VILLAGE OF OTISVILLE AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH".

RESOLUTION for the "ORDER CALLING FOR PUBLIC HEARING IN THE MATTER OF THE MOUNT HOPE – OTISVILLE JOINT FIRE DISTRICT IN THE TOWN OF MOUNT HOPE AND THE VILLAGE OF OTISVILLE AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH":

MOTION by Councilman Bell seconded by Councilman Fairweather to set the public hearing for the proposed fire district on November 27, 2012 at 7:00pm at the Otisville Fire House located at 60 State Street, Otisville, NY. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather. Carried. (SEE COMPLETE RESOLUTION AT END OF THESE MINUTES).

Attorney Kelson stated to Mayor Wona that the only legal way to give the voters the option to have something to say is to have a public hearing. Without the public hearing you are denying the public their right to say what they think. Otherwise you'll never have the ability. The town is asking for you to give the people the chance. You need to conduct this public meeting for people to say what they think.

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Mayor Wona spoke about if the resolution is passed, can they still go to a mandatory public referendum.

Supervisor Novak stated that he and Ed are not too sure either but to let the people talk and see what they think.

Attorney Simeone added that the place to get questions answered is at the public hearing.

Councilwoman Sutherland stated that she apologized for being late. She was at the Town of Mamakating waiting to get dry ice for the residents of Mount Hope. She added that she hears the opposite from the voters.

Trustee Coppola stated that he used to be on the original steering committee and 2 years ago he was in favor of this. Now he is not in favor. He stated that he heard the Village would be dissolved one step at a time.

Attorney Kelson stated that they should be impartial and then vote after you hear what the people say; this is your chance to let the people speak.

Supervisor Novak questioned the rushing comment. This has been talked about for 10 years. If the people are talking then let them come to the public hearing. This resolution is just to go to a public hearing.

RESOLUTION for the "ORDER CALLING FOR PUBLIC HEARING IN THE MATTER OF THE MOUNT HOPE - OTISVILLE JOINT FIRE DISTRICT IN THE TOWN OF MOUNT HOPE AND THE VILLAGE OF OTISVILLE AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH":

MOTION by Trustee Melton seconded by Mayor Wona to set the public hearing for the proposed fire district on November 27, 2012 at 7:00pm at the Otisville Fire House located at 60 State Street, Otisville, NY. All in favor - Coppola, Melton, Wona, Cash, Carried. (SEE COMPLETE RESOLUTION AT END OF THESE MINUTES).

Trustee Cash added that it's easy for the fire company to say we want to go ahead but do they really? Mr. Myslinski stated yes. Trustee Cash asked what's the advantage? He saw the report and the only thing he gets out of it is that the structure would be changing. Attorney Simeone stated that 2 months ago the Village Board asked for a reason why this is a positive thing and I gave 4 reasons why. The first reason is that there would be a unified tax rate (single tax rate). Trustee Coppola stated that he agrees to go to a public hearing and agrees to let the people vote.

Roll call vote for the Village Trustees:

Trustee Coppola - Aye
Trustee Melton - Aye
Mayor Wona - Aye
Trustee Cash - Aye

Roll Call Vote for Town Board Members:

Councilman Bell - Aye
Councilman Ketcham - Aye
Supervisor Novak - Aye
Councilwoman Sutherland - Aye
Councilman Fairweather - Aye.

LOCAL LAW #1-2012: TO DISSOLVE THE PRESENTLY-EXISTING MOUNT HOPE FIRE PROTECTION DISTRICT:

MOTION by Councilman Fairweather seconded by Councilwoman Sutherland to schedule a public hearing for the proposed Local Law #1-2012: TO DISSOLVE THE PRESENTLY-EXISTING MOUNT HOPE FIRE PROTECTION DISTRICT for November 27, 2012 at 7:00pm at the Otisville Fire House. All in favor - Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

Attorney Simeone stated that he needs to know the name of the proposed new district; Otisville-Mount Hope Fire District OR Mount Hope-Otisville Fire District. He also needs the suggested names for the 'RUMP' board. Attorney Kelson added that the name is required by the State. Supervisor Novak stated that his suggestion for the RUMP board is: Joseph Myers Sr., Wayne Howell and Bob Zawasky. They all have firematic backgrounds. Trustee Melton added Paul Barth, Ed Myslinski and Toni Coppola. Attorney Simeone stated again that he needs the name of the district for the public hearing notice. The RUMP board names can wait until the 11/27 meeting. The taxable status date is March 1st.

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At this time, Chief Rickard and Deputy Chief Byrne entered meeting (7:52PM).

Supervisor Novak addressed both boards and stated that he has no problem calling the proposed district the Otisville Mount Hope Fire District. Councilman Fairweather agreed. After brief discussion, both boards agreed.

RESOLUTION TO ADJOURN VILLAGE BOARD MEETING:

MOTION By Trustee Cash seconded by Trustee Melton to adjourn the meeting at 7:55PM. All in favor – Melton, Cash, Coppola, Wona. Carried.

John Doty addressed both boards at this time. The fire company needs assistance with food, cots to take care of the people coming for help. The members are tired and they need help. He asked for any assistance at all to be given so some people might be able to go home and get some rest.

AT this time, Chief Rickard gave briefing on the conference call with the County Emergency Coordinators.

CORRESPONDENCE:

1. Supervisor's report Sept. 2012
2. Highway fall TRASH report Oct. 2012
3. Three police budget modifications
4. Certificate of Insurance from Mike Romano re: Pyrotechnic Artists, Inc.
5. Letter from Fusco Engineering re: Amendment to zoning in Town of Deerpark
6. Leave of Absence request from Police Officer Deana Santosky-Wright
7. Letter from Dept. of Ag. & Mkts. Re: Municipal Shelter Inspection Report 10-1-12
8. Public hearing notice; T/O Wawayanda on 10-16-12 re: bulk table requirements
9. Collector's settlement from 2012 Tax Collector

RESOLUTION TO ACCEPT THE PRIOR MEETING MINUTES:

MOTION by Councilman Bell seconded by Councilman Ketcham that the minutes of the 10-10-2012 meeting as submitted are approved. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

RESOLUTION TO AUDIT THE CLAIMS:

MOTION by Councilman Fairweather seconded by Councilman Bell to approve the following bills:

GENERAL A:	#573-605	\$ 81,716.93
GENERAL B:	#108-114	\$ 17,598.10
HIGHWAY:	#155-164	\$ 37,863.44
SEWER:	#100-106	\$ 4,516.45.

All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

PUBLIC PARTICIPATION:

Chief Rickard asked when the next board meeting is? Town Clerk stated November 8, 2012.

RESOLUTION TO ENTER INTO EXECUTIVE SESSION:

MOTION by Councilman Bell seconded by Councilwoman Sutherland to enter into executive session at 8:05pm to discuss a confidential personnel issue and to discuss proposed litigation. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

RESOLUTION TO RECONVENE REGULAR SESSION:

MOTION by Councilman Bell seconded by Councilwoman Sutherland to reconvene regular session from executive session at 8:20pm. All in favor: Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

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RESOLUTION TO APPROVE A LEAVE OF ABSENCE FOR POLICE OFFICER DEANA SANTOSKY-WRIGHT:

MOTION by Councilman Bell seconded by Councilman Fairweather to approve a leave of absence for Police Officer Deana Santosky-Wright for a period of 3 months beginning October 22, 2012. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

RESOLUTION TO APPROVE BUDGET MODIFICATIONS FOR POLICE DEPT.:

MOTION by Councilman Fairweather seconded by Councilman Bell to approve the following budget modifications:

From Revenue to A3120.2 Police Equip. \$3,925.17;

From Revenue to A3120.1 Police P/S \$836.32;

From Revenue to A3120.2 Police Equip. \$2,555.00.

All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

RESOLUTION TO APPROVE THE SEPTEMBER 2012 SUPERVISOR'S REPORT:

MOTION by Councilman Bell seconded by Councilwoman Sutherland to approve the Supervisor's report for September 2012 as presented. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

RESOLUTION FOR ADJOURNMENT:

MOTION by Councilman Fairweather seconded by Councilman Bell to adjourn the meeting at 8:23pm. All in favor – Bell, Ketcham, Novak, Sutherland, Fairweather. Carried.

The next meeting is scheduled for November 8, 2012.

Respectfully submitted,

Kathleen A. Myers
Town Clerk



**JOINT RESOLUTION OF THE
TOWN OF MOUNT HOPE AND VILLAGE OF OTISVILLE**

WHEREAS, Hurricane Sandy has reaked havoc throughout New York State including the Town of Mount Hope, resulting in high winds and rain, causing the loss of power and damage to trees with falling limbs, creating unsafe conditions for the residents of the Town of Mount Hope and Village of Otisville.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Mount Hope and the Village Board of the Village of Otisville that outdoor trick-or-treating by children and/or adults be and the same hereby is prohibited on October 31, 2012 from dusk to dawn on public streets located within the Town of Mount Hope and Village of Otisville.

The motion was unanimously adopted by both the Town Board of the Town of Mount Hope and the Village Board of the Village of Otisville.

Dated: October 30, 2012

Kathleen A. Myers, Town Clerk
Town of Mount Hope

Janine Beck, Village Clerk
Village of Otisville

ORDER CALLING PUBLIC HEARING IN THE MATTER OF THE DISSOLUTION OF THE PRESENTLY-EXISTING MT. HOPE FIRE PROTECTION DISTRICT ESTABLISHED ON JUNE 4, 1945, IN THE TOWN OF MOUNT HOPE, ORANGE COUNTY, NEW YORK AND THE ESTABLISHMENT OF THE OTISVILLE – MOUNT HOPE JOINT FIRE DISTRICT IN THE TOWN OF MOUNT HOPE AND IN THE VILLAGE OF OTISVILLE, ORANGE COUNTY, NEW YORK, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

A meeting of the Town Board of the Town of Mount Hope, Orange County, New York, was held at the Town of Mount Hope Town Hall located at 1706 Route 211 W, Otisville, New York, on the 30th day of October, 2012, at 7:00 p.m.

The meeting was called to order by Supervisor Novak and upon roll being called, the following were:

PRESENT:

William Novak, Jr., Supervisor

Edward A. Fairweather, Councilman and Deputy Supervisor

Michael J. Bell, Councilman

Janet Sutherland, Councilwoman (absent until 7:20 p.m.)

Gary Ketcham, Councilman

The following resolution was moved for adoption by Councilman Bell and seconded by Councilman Fairweather:

WHEREAS, there has been duly established in the Town of Mount Hope, a fire protection district known as the Mt. Hope Fire Protection District embracing territory wholly within the Town of Mount Hope; and

WHEREAS, the aforesaid Mt. Hope Fire Protection District is presently being afforded fire protection services by the Otisville Fire Company which has heretofore requested that the municipal officials of the Town of Mount Hope, and the Village of Otisville take such action as is necessary to establish a joint fire district. Said joint fire district, to be known as the Otisville – Mount Hope Joint Fire District, will comprise all the contiguous property presently afforded fire protection by the Otisville Fire Department; and

WHEREAS, all the territory in the proposed Otisville – Mount Hope Joint Fire District is contiguous and includes all real estate parcels presently and heretofore provided fire protection by the Otisville Fire Department, to wit: all the real estate parcels within the presently-existing Mt. Hope Fire Protection District and all real estate parcels within the Village of Otisville; and

WHEREAS, it is hereby determined to be in the public interest that the Town Board of the Town of Mount Hope and the Village Board of the Village of Otisville jointly hold a public hearing on the establishment of the proposed Otisville – Mount Hope Joint Fire District and that the Town of Mount Hope at the same time hold a public hearing on the adoption of Introductory Local Law No. 1 of the Year 2012 to dissolve the presently-existing Mt. Hope Fire Protection District; and

WHEREAS, it is the intention of the Town Board of the Town of Mount Hope to act jointly with the Village Board of Trustees of the Village of Otisville in proposing the establishment pursuant to Article 11-A of the Town Law and Article 22-A of the Village Law, of a joint fire district, to be known as the Otisville – Mount Hope Joint Fire District; and

WHEREAS, the aforesaid Otisville – Mount Hope Joint Fire District, as proposed, shall commence its operations (excluding fire protection) on or about May 6, 2013, by and under a Board of Fire Commissioners to be initially appointed by the Town Board of the Town of Mount Hope and the Village Board of Trustees of the Village of Otisville and thereafter elected pursuant to the applicable provisions of the Town Law; and

WHEREAS, the aforesaid Otisville – Mount Hope Joint Fire District, as proposed, shall commencing January 1, 2014, assume all responsibility for fire protection within its boundaries; and

WHEREAS, the aforesaid Otisville – Mount Hope Joint Fire District, as proposed, includes all of the properties located within the presently-existing Mt. Hope Fire Protection District and all of the properties located within the Village of Otisville; and

WHEREAS, the proposed dissolution of the presently-existing Mt. Hope Fire Protection District is to become effective on January 1, 2014, in the event the Town Board of the Town of Mount Hope and the Village Board of Trustees of the Village of Otisville act jointly, as proposed, to create and establish the Otisville – Mount Hope Joint Fire District; and

NOW, THEREFORE, IT IS HEREBY ORDERED by the Town Board of the Town of Mount Hope, Orange County, New York, as follows:

SECTION ONE

A Public Hearing will be held on November 27, 2012, commencing at 7:00 p.m. at the Otisville Firehouse located at 60 State Street in the Village of Otisville, which is located within the proposed Otisville – Mount Hope Joint Fire District, before the Town Board of the Town of Mount Hope and the Board of Trustees of the Village of Otisville on the questions of the proposed actions in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof concerning the same, and to take such further action thereon as is required or authorized by law.

SECTION TWO

The Town Clerk of the Town of Mount Hope is hereby authorized to act in the following capacity on behalf of this Board and is hereby directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published in the Times Herald Record, the newspaper hereby designated as the official newspaper for this purpose, not less than ten (10) days before the date of the hearing.

SECTION THREE

Said Notice of Public Hearing shall be posted not less than ten (10) days before said public hearing on the Town Hall Bulletin Board, on the Town website and in five (5) conspicuous public places within the presently-existing Mt. Hope Fire Protection District. The Notice of Public Hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Mount Hope and the Village Board of Trustees of the Village of Otisville, in the County of Orange, State of New York, will hold a public hearing for the purpose of jointly proposing the establishment of a joint fire district. The public hearing will be held on the 27th day of November, 2012, at 7:00 p.m. at the Otisville Firehouse located at 60 State Street, Otisville, New York, for the purpose of considering the proposed establishment of a joint fire district and to hear all persons interested in the establishment of said district.

The objects and purposes for which it is proposed that the Otisville – Mount Hope Joint Fire District be established are for the assumption of all responsibility for fire protection within its boundaries commencing on January 1, 2014, with the operations of the Otisville – Mount Hope Joint Fire District (excluding fire protection) to commence on or about May 6, 2013 by and under a five (5) person Board of Fire Commissioners, to be initially appointed by the Town Board of the Town of Mount Hope and the Village Board of Trustees of the Village of Otisville and thereafter elected pursuant to the applicable provisions of the Town Law.

Said territory within the Otisville – Mount Hope Joint Fire District, as proposed, is generally described as follows:

OTISVILLE – MOUNT HOPE JOINT FIRE DISTRICT
OVERALL PARCEL
20 +/- SQUARE MILES

All those certain pieces or parcels of land situate in a portion of the Town of Mount Hope, County of Orange, State of New York, and being known as the Mt. Hope Fire Protection District

- together with -

all those certain pieces or parcels of land situate in the Village of Otisville, County of Orange, State of New York.

NOTICE IS HEREBY FURTHER GIVEN that the Town Board of the Town of Mount Hope will hold a public hearing for the purpose of dissolving the presently-existing Mt. Hope Fire Protection District in the Town of Mount Hope, which Fire Protection District was established by resolution of the Town Board of Mount Hope on June 4, 1945.

Said public hearing will be held on the 27th day of November, 2012, at 7:00 p.m. at the Otisville Firehouse located at 60 State Street, Otisville, New York at which time all interested persons are invited to attend. The objects and purposes for which it is proposed that the presently-existing Mt. Hope Fire Protection District in the Town of Mount Hope be dissolved is to facilitate the establishment of a Otisville – Mount Hope Joint Fire District.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF MOUNT HOPE

Dated: October 30, 2012

SECTION FOUR

Said notice of public hearing shall be served upon the members of the Town Board of the Town of Mount Hope by certified mail addressed to their last known post office addresses not less than ten (10) days before said public hearing.

SECTION FIVE

This order shall take effect immediately.

The question of the adoption of the following order was duly put to a vote on roll call, which resulted as follows:

<u>Supervisor Novak</u>	voting	<u>yes</u>
Councilman and Deputy Supervisor <u>Edward A. Fairweather</u>	voting	<u>yes</u>
<u>Councilman Michael J. Bell</u>	voting	<u>yes</u>
<u>Councilwoman Janet Sutherland</u>	voting	<u>yes</u>
<u>Councilman Gary Ketcham</u>	voting	<u>yes</u>

The resolution was thereupon declared duly adopted.

KATHLEEN A. MYERS
Town Clerk
Town of Mount Hope, New York

ORDER CALLING FOR PUBLIC HEARING IN THE MATTER OF
THE ESTABLISHMENT OF THE MOUNT HOPE – OTISVILLE JOINT FIRE DISTRICT
IN THE TOWN OF MOUNT HOPE AND THE VILLAGE OF OTISVILLE
AND DETERMINING OTHER MATTERS IN CONNECTION
THEREWITH

A meeting of the Village Board of Trustees of the Village of Otisville, was held at the Town of Mount Hope Town Hall located at 1706 Route 211 W., Otisville, New York on the 30th day of October, 2012 at 7:00 p.m.

The meeting was called to order by Village of Otisville Mayor Brian Wona and upon the roll being called, the following were:

PRESENT:

Brian Wona, Mayor, Trustee Robert Bennett, Sr., Trustee Richard Cash, Trustee Kenneth Coppola, Trustee Wayne Melton

The following resolution was moved for adoption by Trustee Wayne Melton and seconded by Mayor Brian Wona

WHEREAS, the Village of Otisville is presently afforded fire protection services by the Otisville Fire Department, which is staffed by the members and officers of the Otisville Fire Company; and

WHEREAS, the Otisville Fire Company has heretofore requested that the municipal officials of the Town of Mount Hope and the Village of Otisville take such action as is necessary to establish a joint fire district pursuant to Article 11-A of the Town Law and Article 22-A of the Village Law. Said joint fire district, to be known as the Mount Hope - Otisville Joint Fire District, will comprise all the property presently afforded fire protection by the Otisville Fire Department; and

WHEREAS, all the territory in the proposed Mount Hope - Otisville Joint Fire District is contiguous; and

WHEREAS, it is hereby determined to be in the public interest that the Town Board of the Town of Mount Hope and the Board of Trustees of the Village of Otisville jointly hold a public hearing on the establishment of the proposed Mount Hope - Otisville Joint Fire District; and

WHEREAS, the aforesaid Mount Hope - Otisville Joint Fire District, as proposed, shall commence its operations (excluding fire protection) on or about May 6, 2013 by and under a Board of Fire Commissioners to be initially appointed by the Town Board of the Town of Mount Hope and the Board of Trustees of the Village of Otisville and thereafter elected pursuant to the applicable provisions of the Town Law; and

WHEREAS, the aforesaid Mount Hope - Otisville Joint Fire District, as proposed, shall commencing January 1, 2014, assume all responsibilities for fire protection within its boundaries; and

WHEREAS, the aforesaid Mount Hope - Otisville Joint Fire District, as proposed, generally described as hereafter set forth in the Notice of Public Hearing to be published in the Times Herald Record, includes all the properties presently served by the Otisville Fire Department; and

WHEREAS, the Village Board of Trustees of the Village of Otisville has determined that the Town Board of the Town of Mount Hope shall be the lead agency in connection with the proposed establishment of the Mount Hope - Otisville Joint Fire District, for the purposes of the State Environmental Quality Review Act and the regulations promulgated thereunder; and

WHEREAS, it is now desired to call a public hearing upon the question of the establishment of the Mount Hope - Otisville Joint Fire District;

NOW, THEREFORE, IT IS HEREBY ORDERED by the Village Board of Trustees of the Village of Otisville, Orange County, New York, as follows:

SECTION ONE

This Board designates and hereby appoints the Town Board of the Town of Mount Hope to as "Lead Agency" in connection with the proposed establishment of the Mount Hope - Otisville Joint Fire District, for purposes of the State Environmental Quality Review Act and the regulations promulgated thereunder.

SECTION TWO

A public hearing will be held on November 27, 2012, commencing at 7:00 p.m. at the Otisville Firehouse located at 60 State Street, Otisville, New York, which is located within the proposed Mount Hope - Otisville Joint Fire District, before the Town Board of the Town of Mount Hope and the Board of Trustees of the Village of Otisville on the question of the establishment of a joint fire district to be known as the Mount Hope - Otisville Joint Fire District in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof concerning the same, and to take such further action thereon as is required or authorized by law.

SECTION THREE

The Town Clerk of the Town of Mount Hope is hereby authorized to act in the following capacities on behalf of this Board and directed to cause a copy of the Notice of Public Hearing to be published in the Times Herald Record, not less than ten (10) days before the date of the hearing, and to prepare and present necessary documents for filing with the office of the State Comptroller and the County Clerk of the County of Orange and such other actions as may be necessary.

Said Notice of Public Hearing shall be posted not less than ten (10) days before said public hearing in five (5) public conspicuous places in the Village of Otisville, being within the boundaries of the proposed Mount Hope - Otisville Joint Fire District. The Notice of Public Hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Mount Hope and the Village Board of Trustees of the Village of Otisville, in the County of Orange, State of New York, will hold a public hearing for the purpose of jointly proposing the establishment of a joint fire district. The public hearing will be held on the 27th day of November, 2012, at 7:00 p.m. at the Otisville Firehouse located at 60 State Street, Otisville, New York, for the purpose of considering the proposed establishment of a joint fire district and to hear all persons interested in the establishment of said district.

The objects and purposes for which it is proposed that the Mount Hope - Otisville Joint Fire District be established are for the assumption of all responsibility for fire protection within its boundaries commencing on January 1, 2014, with the operations of the Mount Hope - Otisville Joint Fire District (excluding fire protection) to commence on or about May 6, 2013 by and under a five (5) person Board of Fire Commissioners, to be initially appointed by the Town Board of the Town of Mount Hope and the Village Board of Trustees of the Village of Otisville and thereafter elected pursuant to the applicable provisions of the Town Law.

Said territory within the Mount Hope - Otisville Joint Fire District, as proposed, is generally described as follows:

MOUNT HOPE - OTISVILLE JOINT FIRE DISTRICT
OVERALL PARCEL
20 +/- SQUARE MILES

All those certain pieces or parcels of land situate in a portion of the Town of Mount Hope, County of Orange, State of New York, and being known as the Mt. Hope Fire Protection District

- together with -

all those certain pieces or parcels of land situate in the Village of Otisville, County of Orange, State of New York.

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF MOUNT HOPE AND THE VILLAGE
BOARD OF TRUSTEES OF THE VILLAGE OF
OTISVILLE

NOTICE IS HEREBY FURTHER GIVEN that the Town Board of the Town of Mount Hope will hold a public hearing for the purpose of dissolving the presently-existing Mt. Hope Fire Protection District in the Town of Mount Hope, which Fire Protection District was established by resolution of the Town Board of Mount Hope on June 4, 1945.

Said public hearing will be held on the 27th day of November, 2012, at 7:00 p.m. at the Otisville Firehouse located at 60 State Street, Otisville, New York at which time all interested persons are invited to attend. The objects and purposes for which it is proposed that the presently-existing Mt. Hope Fire Protection District in the Town of Mount Hope be dissolved is to facilitate the establishment of a Mount Hope - Otisville Joint Fire District.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF MOUNT HOPE

Dated: October 30, 2012

SECTION FOUR

Said Notice of Public Hearing shall be served upon the members of the Village Board of the Village of Otisville by certified mail addressed to their last known post office address at least ten (10) days before the date of said hearing.

SECTION FIVE

This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

<u>Mayor Brian Wona</u>	voting <u>AYE</u>
<u>Trustee Robert Bennett, Sr.</u>	voting <u>ABSENT</u>
<u>Trustee Richard Cash</u>	voting <u>AYE</u>
<u>Trustee Kenneth Coppola</u>	voting <u>AYE</u>
<u>Trustee Wayne Melton</u>	voting <u>AYE</u>

The resolution was thereupon declared duly adopted.

JANINE BECK
Village Clerk
Village of Otisville, New York