

January 23<sup>rd</sup>, 2017

**JOINT RESOLUTION  
OF THE BOARD OF THE VILLAGE OF CASTILE  
AND THE TOWN OF CASTILE TOWN BOARD  
REGARDING THE ANNEXATION  
OF LANDS IN THE TOWN OF CASTILE**

In the Matter of the Petition  
of the State of New York  
Annexation of Certain Lands  
Located within the Town and Village of Castile

**RESOLUTION AND  
ORDER**

At a special joint meeting of the Village Board of the Village of Castile, Wyoming County, New York, and the Town Board of the Village of Castile held at the Town Offices, in said Town, on the 23<sup>rd</sup> of January, 2017 at 6:30p.m. prevailing time.

At 6:30p.m. the meeting was called to order, the pledge of allegiance was led by Mayor Keith Washburn, and upon roll being called the following were:

**PRESENT:**

VILLAGE BOARD OF TRUSTEE'S	TOWN BOARD OF TRUSTEE'S	ALSO PRESENT
Mayor Keith Washburn Dennis Miller David Reed Jenifer Bannister Supt. George T. Wright Clerk Johanna Gozelski	John Hurst Stanley Klein Mark Barber Frank Vitagliano Clerk Vickie Draper	David DiMatteo Scott Sydelnik Adam Fischel Roger Uptegrove Mary Hotchkiss

**ABSENT:**

VILLAGE BOARD OF TRUSTEE'S	TOWN BOARD OF TRUSTEE'S
Jane Elias	Supervisor Keith Granger

At 6:35pm, Mayor Washburn opened the Joint Public Hearing to discuss Tax Map Parcel Number 147.00-1-14,15.

After the discussion the Public Hearing was closed and the following Resolution was offered by John Hurst who moved its adoption, seconded by Frank Vitagliano, to wit:

**WHEREAS**, The Town of Castile is the owner of certain real property located in the Town of Castile outside of the Village limits known as Town of Castile Tax Map Parcel Number 147.00-1-14,15 and

**WHEREAS**, the Village Board and the Town Board of the Town of Castile has determined and adopted resolutions approving that the annexation of this property to the Village would be in the best interest of its residents,

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board finds as follows:

- (1) That the aforesaid petition for annexation substantially complies in form and content with General Municipal Law Article 17.

- (2) There is no Town debt related to the annexation territory which is to be assumed by the Village, and there is no agreement for the assumption of the debt by the Village.
- (3) That the proposed annexation of certain territory in the Town to the Village as described in the aforesaid petition is in the overall public interest because of the following:
  - (a) Municipal utilities such as sanitary sewer and water can best serve the territory through the Village utility system; and
  - (b) The public safety considerations for the annexed territory can be enhanced by the addition of fire protection provided by the Village Fire Department, which would otherwise not be available.

**RESOLVED**, that the Board of Trustees of the Village of Castile does accept the annexation of the Town of Castile Tax Map Parcel Number 147.00-1-14, 147.00-1-15 to the Village of Castile, and it is further **RESOLVED**, that the annexed Parcel shall be zoned by the Village of Castile as C2 General Business District.

**RESOLVED**, that the Village Clerk of the Village of Castile shall file the resolutions adopted by the Town and the Village with the Wyoming County Clerk's Office.

The question of the adoption of the foregoing resolution was duly put to vote as follows:

<u>John Hurst</u>	<u>AYE</u>
<u>Frank Vitagliano</u>	<u>AYE</u>
<u>Mark Barber</u>	<u>AYE</u>
<u>Stanley Klein</u>	<u>AYE</u>

The following Resolution was offered by Mayor Washburn who moved its adoption, seconded by David Reed, to wit:

**WHEREAS**, The Town of Castile is the owner of certain real property located in the Town of Castile outside of the Village limits known as Town of Castile Tax Map Parcel Number 147.00-1-14,15 and

**WHEREAS**, the Village Board and the Town Board of the Town of Castile has determined and adopted resolutions approving that the annexation of this property to the Village would be in the best interest of its residents,

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board finds as follows:

- (1) That the aforesaid petition for annexation substantially complies in form and content with General Municipal Law Article 17.
- (2) There is no Town debt related to the annexation territory which is to be assumed by the Village, and there is no agreement for the assumption of the debt by the Village.
- (3) That the proposed annexation of certain territory in the Town to the Village as described in the aforesaid petition is in the overall public interest because of the following:
  - (a) Municipal utilities such as sanitary sewer and water can best serve the territory through the Village utility system; and
  - (b) The public safety considerations for the annexed territory can be enhanced by the addition of fire protection provided by the Village Fire Department, which would otherwise not be available.

**RESOLVED**, that the Board of Trustees of the Village of Castile does accept the annexation of the Town of Castile Tax Map Parcel Number 147.00-1-14, 147.00-1-15 to the Village of Castile, and it is further **RESOLVED**, that the annexed Parcel shall be zoned by the Village of Castile as C2 General Business District.

**RESOLVED**, that the Village Clerk of the Village of Castile shall file the resolutions adopted by the Town and the Village with the Wyoming County Clerk's Office.

The question of the adoption of the foregoing resolution was duly put to vote as follows:

<u>Mayor Keith Washburn</u>	<u>AYE</u>
<u>Jenifer Bannister</u>	<u>AYE</u>
<u>David Reed</u>	<u>AYE</u>
<u>Dennis Miller</u>	<u>AYE</u>

The resolution was thereupon declared and duly adopted.

DATED: January 23<sup>rd</sup>, 2017

Castile, New York

**BY ORDER OF THE BOARD OF TRUSTEES OF THE VILLAGE OF CASTILE**

Johanna Gozelski, Village Clerk

**NOW, THEREFORE, IT IS ORDERED** that the consent and approval of the Town Council is hereby given to the annexation of the territory now situated in the Town and described in the foresaid petition "Exhibit A," to the Village.

**Exhibit A**  
**PETITION TO ANNEX ADJOINING TERRITORY**

At 6:45pm, Mayor Washburn opened the Joint Public Hearing to discuss Tax Map Parcel Number 135.-1-25. After the discussion the Public Hearing was closed and the following Resolution was offered by Mayor Washburn who moved its adoption, seconded by Dennis Miller, to wit:

**WHEREAS**, The Town of Castile is the owner of certain real property located in the Town of Castile outside of the Village limits known as Town of Castile Tax Map Parcel Number 135.-1-25 and

**WHEREAS**, the Village Board and the Town Board of the Town of Castile has determined and adopted resolutions approving that the annexation of this property to the Village would be in the best interest of its residents,

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board finds as follows:

- (4) That the aforesaid petition for annexation substantially complies in form and content with General Municipal Law Article 17.
- (5) There is no Town debt related to the annexation territory which is to be assumed by the Village, and there is no agreement for the assumption of the debt by the Village.
- (6) That the proposed annexation of certain territory in the Town to the Village as described in the aforesaid petition is in the overall public interest because of the following:
  - (a) Municipal utilities such as sanitary sewer and water can best serve the territory through the Village utility system; and
  - (b) The public safety considerations for the annexed territory can be enhanced by the addition of fire protection provided by the Village Fire Department, which would otherwise not be available.

**RESOLVED**, that the Board of Trustees of the Village of Castile does accept the annexation of the Town of Castile Tax Map Parcel Number 135.-1-25 to the Village of Castile, and it is further.

**RESOLVED**, that the annexed Parcel shall be zoned by the Village of Castile as R2 Residential District.  
**RESOLVED**, that the Village Clerk of the Village of Castile shall file the resolutions adopted by the Town and the Village with the Wyoming County Clerk's Office.

The question of the adoption of the foregoing resolution was duly put to vote as follows:

<u>Mayor Washburn</u>	<u>AYE</u>
<u>Jenifer Bannister</u>	<u>AYE</u>
<u>Dennis Miller</u>	<u>AYE</u>
<u>David Reed</u>	<u>AYE</u>

The following Resolution was offered by John Hurst who moved its adoption, seconded by Mark Barber, to wit:

**WHEREAS**, The Town of Castile is the owner of certain real property located in the Town of Castile outside of the Village limits known as Town of Castile Tax Map Parcel Number 135.1-1-25 and

**WHEREAS**, the Village Board and the Town Board of the Town of Castile has determined and adopted resolutions approving that the annexation of this property to the Village would be in the best interest of its residents,

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board finds as follows:

- (4) That the aforesaid petition for annexation substantially complies in form and content with General Municipal Law Article 17.
- (5) There is no Town debt related to the annexation territory which is to be assumed by the Village, and there is no agreement for the assumption of the debt by the Village.
- (6) That the proposed annexation of certain territory in the Town to the Village as described in the aforesaid petition is in the overall public interest because of the following:
  - (a) Municipal utilities such as sanitary sewer and water can best serve the territory through the Village utility system; and
  - (b) The public safety considerations for the annexed territory can be enhanced by the addition of fire protection provided by the Village Fire Department, which would otherwise not be available.

**RESOLVED**, that the Board of Trustees of the Village of Castile does accept the annexation of the Town of Castile Tax Map Parcel Number 135.-1-25 to the Village of Castile, and it is further.

**RESOLVED**, that the annexed Parcel shall be zoned by the Village of Castile as R2 Residential District.

**RESOLVED**, that the Village Clerk of the Village of Castile shall file the resolutions adopted by the Town and the Village with the Wyoming County Clerk's Office.

The question of the adoption of the foregoing resolution was duly put to vote as follows:

<u>John Hurst</u>	<u>AYE</u>
<u>Mark Barber</u>	<u>AYE</u>
<u>Stanley Klein</u>	<u>NAY</u>
<u>Frank Vitagliano</u>	<u>AYE</u>

The resolution was denied.

DATED: January 23<sup>rd</sup>, 2017

Castile, New York

At 7:00pm, a motion was made by Mayor Washburn, seconded by Jenifer Bannister, to that the meeting be adjourned.

Polled: Ayes: Mayor Keith Washburn, Jenifer Bannister, Dennis Miller, David Reed, John Hurst, Mark Barber, Stanley Klein, and Frank Vitagliano

Noes: None      Carried

*January 23<sup>rd</sup>, 2017*

#### REGULAR BOARD MEETING

PRESENT: Mayor Washburn  
Tr Miller, Reed, Bannister  
Supt Wright  
Clerk Gozelski

ALSO PRESENT: R Uptegrove, M Hotchkiss-Perry Herald

Minutes of previous meeting were read.

A motion was made by Tr Bannister, seconded by Tr Reed, that the minutes be approved from the previous meeting.

Polled: Ayes: Tr Bannister, Reed, Miller, and Mayor Washburn

Noes: None      Carried

#### Public Comments:

R Uptegrove inquired about the snow pusher at the shop.

Bills as listed on Abstract #16 in the amounts of \$5,588.71 in the General Fund, \$48,500.07 in the Electric Fund, \$13,325.45 in the Water Fund, \$376.60 in the Sewer Fund.

A motion was made by Tr Reed, seconded by Tr Miller, that the bills be approved and paid.

Polled: Ayes: Tr Reed, Bannister, Miller, and Mayor Washburn

Noes: None      Carried

Mayor's Report: Mayor Washburn stated that at the present time we do not have the means to acquire the \$85,000.00 Ambulance in Texas. He is still looking into our options.

#### Committee Report:

Tr Bannister reported that the January Village Association dinner held in Arcade this year was very nice and informative. The Burley's were the quest speakers from the new cheese factory in Perry.

Tr Miller commended the nice job done on the snow pusher at the shop.

Tr Reed is going to look into the new Nature Center at Letchworth State Park to host the Village Association dinner in September.

Supt's Report:

Tom and Keith met with Sun-Door, they need a new pad mount transformer. Sun-Door will pay the difference for the new one.  
Tom is meeting with Cell Tower contractors in a couple weeks. Cell Tower is paying for new conduit and the Village has to pay the rest.  
Silver Springs Village let us use their plow truck while the hydraulics, were worked on in our truck. Silver Springs is looking for \$7,500.00 for that truck. It would need \$3000.00 worth of work.  
Supt Wright is looking into pricing for new lights for the Sewer Plant. At present, there is no way to reach the bulbs that need be replaced that have blown out in the ceiling.  
Tom and JoJo are going to a special MEUA meeting in Syracuse on Wednesday, January 25<sup>th</sup>, 2017. It has something to do with billing.

Clerk's Report:

A motion was made by Tr Bannister, seconded by Tr Miller, not to pay the Silver Lake Watershed Yearly dues bill for \$780.00.

Polled: Ayes: Tr, Bannister, Miller, Reed, and Mayor Washburn

Noes: None            Carried

At 7:43pm, a motion made by Mayor Washburn, seconded by Tr Reed, to move to Executive Session.

Polled: Ayes: Tr Bannister, Reed, Miller, and Mayor Washburn.

Noes: None            Carried

At 8:20pm, a motion made by Mayor Washburn, seconded by Tr Miller, to come out of Executive Session.

Polled: Ayes: Tr, Bannister, Miller, Reed, and Mayor Washburn.

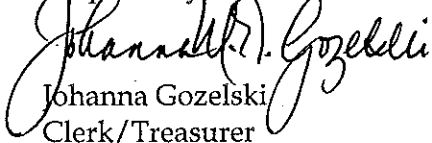
Noes: None            Carried

At 8:29pm, a motion was made by Bannister, seconded by Tr Miller, that the meeting be adjourned.

Polled: Ayes: Tr Reed, Miller, Bannister, and Mayor Washburn

Noes: None            Carried

Respectfully submitted,

  
Johanna Gozelski  
Clerk/Treasurer