

**NOTICE OF ADOPTION OF RESOLUTION
SUBJECT TO
PERMISSIVE REFERENDUM**

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Pawling, County of Dutchess, State of New York, at a regular meeting thereof held on the 2nd day of November, 2022, duly adopted a resolution, subject to a Permissive Referendum, an abstract of which is as follows:

The purpose of the resolution (the full text of which is set out below) is to authorize the sale, transfer and conveyance of certain lands currently owned by the Town. The effect of the resolution will be that the lands so affected (which is defined in the resolution as the “Subject Property”), will be sold, transferred and conveyed to Mark and Patricia Belair for a purchase price based on an independent appraisal and on such other terms and conditions as the Town may require.

RESOLUTION 2022170

Authorize Sale of Unneeded Town Property

At a regular meeting of the Town Board of the Town of Pawling, Dutchess County, New York held at the Town Hall, 160 Charles Colman Boulevard, Pawling, New York 12564, on the 2nd day of November, 2022 at 6:00 P.M., there were

PRESENT:

James Schmitt	Town Supervisor
James McCarthy	Town Board Member
Phil DeRosa	Town Board Member
Coleen Snow	Town Board Member
Corinne Musella-Pitt	Town Board Member

Supervisor James Schmitt offered the following resolution and moved its adoption:

WHEREAS, the Town of Pawling is the owner of a parcel of vacant land at 1902 Route 292 in Pawling, New York, consisting of 18.66 acres (the “Property”), including the Town’s access way to the Whaley Lake Dam, and bearing Tax Map Number 134089-6857-00-446371-0000; and

WHEREAS, Mark and Patricia Belair own the parcel at 1904 Route 292 which adjoins the Property, and the Belairs wish to purchase a .78 portion of the Property to improve their access to Route 292, which they currently believe has an inadequate site distance; and

WHEREAS, if the Town is unwilling to sell a .78 portion of the Property to the Belairs, the Belairs would like to purchase .45 acres of the Property to improve their access to Route 292; and

WHEREAS, pursuant to Town Law 64 (2), the Town Board is authorized to sell real property at private sale pursuant to a resolution which is subject to a permissive referendum, and provided the property is unneeded for town purposes and an adequate consideration is received; and

WHEREAS, the .78 acres of the Property adjoining the Belair property line is currently not being used for any public purpose, and there is no future use contemplated for that portion of the Property, and it is therefore unnecessary for Town purposes; and

WHEREAS, the Belairs have obtained appraisals showing the value of .78 acres of the Property to be worth \$25,000; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board finds that the .78 acres of the Property adjoining the Belair property line is currently not being used for any public purpose, and there is no future use contemplated for that portion of the Property, and it is therefore unnecessary for Town purposes; and

FURTHER RESOLVED, that the Town Board agrees to sell .78 acres of the Property to the Belairs for the sum of \$25,000, subject to permissive referendum, with the stipulation that there shall be a deed restriction on development on this site; and

BE IT FURTHER RESOLVED, that as a condition of the sale, the Belairs are responsible for any and all fees in connection with the sale of the property and a lot line change application to the Planning Board.

Motion By: Supervisor Schmitt Seconded by: Councilman DeRosa

Vote: Supervisor Schmitt - AYE

Councilman DeRosa – AYE

Councilwoman Snow – AYE

Councilwoman Pitt – NAY

Councilman McCarthy - AYE

I hereby attest that the above Resolution was approved by the Town Board of the Town of Pawling at its November 2, 2022 Meeting and that I have been authorized to sign this Resolution

by decision of the Town Board.

Cathy Giordano, Town Clerk

Date: November 7, 2022