

TOWN BOARD
GARNERVILLE, NY
MAY 6, 2009

The Town Board of the Town of Haverstraw held a Special Meeting on Wednesday, May 6, 2009 at 4:30 p.m. at Town Hall, One Rosman Road, Garnerville, New York.

On Roll Call the following members answered to their names:

Supervisor	Howard T. Phillips, Jr.
Councilman	Isidro Cancel
Councilman	Vincent Gamboli
Councilman	John J. Gould
Councilman	Hector L. Soto

Supervisor Phillips stated that this special meeting is being held regarding the 11 acres at the Letchworth Village site to enter into a contract to purchase this property at a price of \$850,000 with a \$25,000 contract deposit.

Steve Silverberg, Planning Attorney stated that upon signing of the contract, paragraph 15 states that the Town has 60 days to cancel this contract from the date a fully executed original of this contract is signed. It's a commitment by the Town that you are purchasing in the next 60 days. The next step after the contract is signed is to conduct an environmental review of the property, a title report and possibly a survey. Before the 60 days are over, the Board members will be advised of what the findings are and a decision will be made whether or not to proceed.

William Stein, Town Attorney stated that Gateway assured us that that they were going to get on it quickly. If it's not done on time, we will kill the deal. If the Town walks away, we get the deposit back with no penalties.

**RESOLUTION – AUTHORIZATION TO PURCHASE LETCHWORTH VILLAGE
URBAN RENEWAL AREA KNOWN AS THE POWER PLANT PROPERTY**

Councilman Soto offered the following resolution, which was seconded by Councilman Gamboli, on roll call unanimously adopted.

190-09 WHEREAS: the Town Board has received a proposed contract to purchase property located within the Letchworth Village Urban Renewal Area which is commonly known as the power plant property, consisting of 11.49 +/- acres off of Powerhouse Road(the Property); and

WHEREAS: on November 8, 2004 the Property was included in an expansion of the Letchworth Village Urban Renewal Area based upon a finding that the Property was substandard or insanitary as provided for in General Municipal Law§ 502 and 504 ; and

WHEREAS: in connection with consideration of the adoption of an Urban renewal Plan for the Letchworth Village Urban Renewal Area the Town Board declared itself lead agency under the State Environmental Quality Review Act (SEQRA), and

WHEREAS: pursuant to SEQRA the Town Board, as lead agency, issued Findings which, among other things, concluded “based upon the current review, that Alternative uses for the power plant site could include active or passive recreation, or housing in accordance with current site zoning, which would support approximately three lots; (11.5 acres x 0.85 for roads = 9.775 acres x 43,560 square feet per acre / 120,000 s.f. = 3.548 lots) none of which would have any significant adverse environmental impacts; and

WHEREAS: subsequent to adoption of the Findings under SEQRA, the Town Board had a further study of the Property conducted in late 2008 which concluded that the buildings located on the Property had deteriorated further, and

WHEREAS: the Town Board has caused the preparation of a short form EAF for the purpose of authorizing the signing of a contract; and

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WHEREAS: the Town Board has authorized the Town Supervisor to enter into an agreement for a further review of the condition of the building located on the Property prior to the Town being required to complete the purchase of the Property, and

WHEREAS: the sole action proposed at this time is the acquisition of the Property and prior to undertaking any site specific actions, it will be necessary to determine the ultimate use of the Property, as well as the extent of required demolition and any proposed construction, all of which will be subject to further environmental assessment, and

WHEREAS: the Town Board has reviewed the Findings Statement and the EAF; IT IS:

RESOLVED: the Town Board hereby declares itself lead agency under SEQRA for the purpose of authorizing the purchase of the Property, and it is

FURTHER RESOLVED: the Town Board finds the proposed acquisition of the Property by the Town will have no significant adverse environmental impacts and will further the efforts of the Town to remove a blighting influence within the Urban Renewal Area and therefore a SEQRA negative declaration in the form annexed should be issued, and it is

FURTHER RESOLVED: that the Town Board authorizes the Town Supervisor to execute the annex proposed contract to purchase the Property for \$850,000, with a \$25,000 contract deposit, and to undertake and complete such studies, surveys and title examination as may be appropriate, based upon the recommendation of the Town's consulting attorneys, in order to determine whether it is appropriate to complete the purchase of the Property at the end of the sixty day period provided for in the contract.

PUBLIC PARTICIPATION

Una McKiernan, 12 Skyline Drive, Thiells asked why the Town was interested in the property.

Supervisor Phillips explained that the property is next to the 163 acres that the Town purchased three years ago. It is also next to the Town's golf course and Fieldstone Secondary School. The Town wants to protect this property for the taxpayers and for the residents of Haverstraw. If we can move ahead with the environmental review at the Town's expense, we could possibly make the residents a large amount of money.

Steve Silverberg, Planning Attorney stated that this is something that the Town must proceed on. The environmental review must be performed and we have a 60 day window to do so.

ADJOURNMENT TO EXECUTIVE SESSION

191-09 Motion was made by Councilman Gould and seconded by Councilman Cancel to adjourn to Executive Session.

JOSEPHINE E. CARELLA
Town Clerk