

TOWN OF HARPERSFIELD

RESOLUTION NO. 006 OF THE YEAR 2013.

At a regular Meeting of the Town Board of the Town of Harpersfield held on August 13, 2013 at 7:30 PM Councilwoman Catherine Straus offered the following resolution and moved its adoption:

RESOLUTION OF THE TOWN BOARD FOR THE TOWN OF HARPERSFIELD In the Matter of the Authorization to Approve and Lease with the Option to Purchase Town Property identified as 795 Colonel Harper Road located in Harpersfield, Delaware County, New York.

WHEREAS, when real property is no longer needed for Town purposes, the Town Board, upon adoption of a resolution subject to permissive referendum, may convey or lease real property in accordance with New York State Town Law Section 64 (2); and

WHEREAS, the Town Board of the Town of Harpersfield has determined that it is in the public interest to lease with the option to purchase Town Property identified as an approximate 1.5 acre vacant parcel located at 795 Colonel Harper Road (the "Premises") to the Harpersfield Historical Society for a long term lease with the option to purchase the Premises; and

WHEREAS, the Premises are vacant land; and

WHEREAS, the Premises are not needed for Town purposes; and

WHEREAS, at the public meeting held on July 9, 2013, the Harpersfield Historical Society made a presentation to the Town Board regarding leasing with the option to purchase the Premises for the purpose of installing a building to house that organization and their artifacts; and

WHEREAS, the Harpersfield Historical Society has proposed to lease the Premises on a long term basis with the option to purchase from the Town with the intention of using the Premises as an office, meeting place and for purposes of displaying artifacts; and

WHEREAS, the Town Board is interested in pursuing the long term lease with the option to purchase proposal by the Harpersfield Historical Society; and

WHEREAS, the Town Code Enforcement Officer requires the Premises to be surveyed, the Harpersfield Historical Society will have the Premises surveyed and pay for the survey as part of the long term lease with the option to purchase

agreement; and

WHEREAS, upon the termination of the lease, the Premises, as improved (including the historical artifacts and other contents contained therein) will be returned to the Town; and

WHEREAS, should the Harpersfield Historical Society take the option to purchase the Premises and does purchase the Premises, as improved including the historical artifacts and other contents contained therein, will revert back to the Town of Harpersfield, should the Harpersfield Historical Society cease to function; and

WHEREAS, the Town Board has determined that the proposed long term lease with an option to purchase during years one (1) through ten (10) is in the best interests of the Town; and

WHEREAS, the Town Board has further determined that the long term lease with an option to purchase is a suitable use of the Premises and will have negligible or no permanent impact on the environment, and therefore pursuant to the mandates of the State Environmental Quality Review Act (ECL Article 8 and 6 NYCRR Part 617), is exempt from review; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF THE TOWN OF HARPERSFIELD, DELAWARE COUNTY, NEW YORK:

THAT the Town Board of the Town of Harpersfield hereby determines that the Premises are no longer needed for Public purposes; and

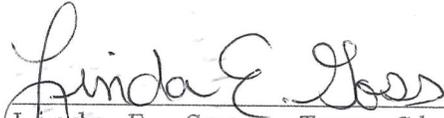
BE IT FURTHER RESOLVED, that the Town Board determines that the proposed long term lease with an option to purchase, attached hereto and made a part hereof, is hereby adopted and authorized by the Town Board for the long term lease with an option to purchase of the Premises to the Harpersfield Historical Society; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Town Supervisor to take the appropriate actions necessary to enter in to the lease, with an option to purchase, and that the Town Supervisor is authorized to lease, with an option to purchase, the Premises to the Harpersfield Historical Society for a period of forty-five (45) years with an opportunity to renew for forty-five (45) years; and

IT IS FURTHER RESOLVED, that the Town Clerk and the Attorney for the Town are hereby directed to take such actions as are necessary to implement this resolution, including publishing notice of adoption of the resolution, subject to permissive referendum.

Seconded by Councilman Robert Reeve Jr. with the vote as follows:

Supervisor	James Eisel Sr.	Aye.
Councilman	Harold Bedford	Aye.
Councilman	Morris Riddell Jr.	Aye.
Councilwoman	Catherine Straus	Aye.
Councilman	Robert Reeve Jr.	Aye.



Linda E. Goss, Town Clerk
August 15, 2013