

Minutes of the Village Board Meeting held at Town Hall on August 22, 2013 at 7PM

Present: Michael Queenan, Mayor  
Neil Crouse, Timothy Egan, Thomas Flood and David Sutz, Trustees  
Absent: None

**I. Public Hearing:**

a. Offer of Dedication – Rushmore Treatment Plant Pump Station Parcel:

A public hearing was held to entertain public comments concerning the offered of dedication of the Rushmore Wastewater Treatment Plant (Brigadoon) Pump Station parcel known on the tax map as Section 202, Block 1, Lot 84, to be used as a pump station. The public notice was printed in the Times Herald Record on August 15, 2013.

Since no comments were received, a motion was offered by Trustee Crouse, seconded by Trustee Sutz, to close the public hearing.

**ADOPTED** AYES 5 Queenan, Crouse, Egan, Flood, Sutz  
NOES 0

Motion was then offered by Trustee Egan, seconded by Trustee Flood, to declare the Village Board of Trustees as Lead Agency for this application under SEQRA.

**ADOPTED** AYES 5 Queenan, Crouse, Egan, Flood, Sutz  
NOES 0

Motion was then offered by Trustee Crouse, seconded by Trustee Egan, to determine this application to be a SEQRA negative declaration (meaning that there will be no significant adverse environmental impact).

**ADOPTED** AYES 5 Queenan, Crouse, Egan, Flood, Sutz  
NOES 0

Motion was then offered by Trustee Egan, seconded by Trustee Crouse, to type this application as being an unlisted action under SEQRA.

**ADOPTED** AYES 5 Queenan, Crouse, Egan, Flood, Sutz  
NOES 0

Motion was then offered by Trustee Egan, seconded by Trustee Flood, to adopt the following resolution accepting deed and offer for the dedication to the Village of Woodbury of the Brigadoon Pump Station Parcel as follows:

**WHEREAS**, the Brigadoon at Highland Mills Homeowners Association, Inc., a New York corporation, with a mailing address of c/o River Management, 117 Executive Drive, New Windsor, New York 12553 (hereinafter "Owner") is the owner of the parcel as described in Schedule "A" attached to this Resolution, and further described on the Village of Woodbury (hereinafter "Village") tax maps as Section 202, Block 1, Lot 84, and also reputed owner of the pump station located on said parcel, including, but not limited to, the associated infrastructure related to said pump station (hereinafter all collectively referred to the "Premises"), and

**WHEREAS**, the Owner desires to convey to the Village fee title to the Premises, and

**WHEREAS**, the pump station and related infrastructure has been fully constructed and is now being offered, together with the real property, for dedication by the Owner to the Village, and

**WHEREAS**, the Village Superintendent of Water and Sewer, and the Village Engineer, have recommended acceptance of said Premises as an important and needed ability to have control over said facilities to better service the residents of the Brigadoon subdivision and other properties serviced thereby, subject to certain conditions set forth below, and

**WHEREAS**, the Board of Trustees of the Village desires to accept the dedication of the Premises for the health, welfare and best interests of Village residents, especially those serviced by the said wastewater treatment plant and facilities, subject to the conditions set forth below,

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village that upon satisfaction of the conditions noted below, the Board of Trustees agrees to accept the deed and offer of dedication for the Premises, and hereby authorizes the Mayor to execute any and all documentation necessary to carry out the purpose and intent of this Resolution, and further directs the Village Clerk to record the Owner's offer, this Resolution, and the deed, upon satisfaction of the conditions set out below, and in accordance with the advice of the Village attorney, or such other special counsel as directed by the Board of Trustees.

**CONDITIONS:**

1. Owner, at or before the time of closing, to provide fee title of the Premises to the Owner, free and clear of any taxes, liens, mortgages, judgments, or other encumbrances, other than those encumbrances acceptable to the Village (such as easements that do not affect the use of the Premises for the purposes intended). This condition shall include providing the outstanding documents required and listed in the title report, and completing any necessary and related documents requiring the authorization or cooperation of the Owner.
2. Owner to submit all necessary transfer and recording documents in a form satisfactory to the Village attorney, or such other special counsel as directed by the Board of Trustees, and in such form that will be sufficient for filing with the County Clerk.
3. Satisfaction of all of the above conditions must be satisfied within sixty (60) days of the date of this Resolution, unless extended by the Village Board of Trustees.

**BE IT FURTHER RESOLVED** that the closing in connection with this acceptance of the offer of dedication shall take place within 120 days from the date of this Resolution. Should the closing fail to take place within 120 days from the date of this Resolution, this Resolution shall be null and void, unless the Village Board of Trustees, by resolution, grants an extension for such closing to take place.

**ADOPTED**      AYES    5            Queenan, Crouse, Egan, Flood, Sutz  
                     NOES    0

**II. Administrative Business:**

a. Acceptance of Minutes:

Motion was offered by Trustee Sutz, seconded by Trustee Crouse, to accept the minutes of the regular meeting held August 8, 2013.

**ADOPTED**      AYES    5            Queenan, Crouse, Egan, Flood, Sutz  
                     NOES    0

b. Approval of Abstract:

Motion was offered by Trustee Sutz, seconded by Trustee Flood, to approve Abstract 6 containing vouchers 130308 – 130381 and totaling \$89,369.52.

**ADOPTED**      AYES    5            Queenan, Crouse, Egan, Flood, Sutz  
                     NOES    0

c. Fire Department Equipment Requisition:

Motion was offered by Trustee Egan, seconded by Trustee Sutz, to approve Fire Department Requisition 2013-18 totaling approximately \$7,318 for the continued upgrading of radio equipment.

**ADOPTED**      AYES    5            Queenan, Crouse, Egan, Flood, Sutz  
                     NOES    0

d. Closing of Escrow Account:

Motion was offered by Trustee Crouse, seconded by Trustee Egan, to close escrow account D263, as per Building Department memo dated August 13, 2013.

**ADOPTED**      AYES    5      Queenan, Crouse, Egan, Flood, Sutz  
                  NOES    0

**III. Old Business:**                    *There was no old business to discuss.*

**IV. New Business:**                    *There was no new business to discuss.*

**V. Board Member/Department Comments:**

Trustee Crouse stated he hoped all had a nice summer and wished all a safe Labor Day. He then asked all motorists to drive carefully since school is opening very soon. All Board members concurred with his comments.

**VI. Public Comment:**                    *There was no public comment received.*

**VII. Adjournment:**

With no further business to discuss or comments received, a motion was offered by Trustee Egan, seconded by Trustee Sutz, to adjourn the meeting at 7:10PM.

**ADOPTED**      AYES    5      Queenan, Crouse, Egan, Flood, Sutz  
                  NOES    0

Desiree Potvin, Village Clerk