

**RESOLUTION ALTERING BOUNDARIES
OF
THE PROPOSED PUTNAM LAKE PARK DISTRICT**

INTRODUCED BY: Michael Griffin
SECONDED BY: _____Kevin Burns

DATE OF CONSIDERATION/ADOPTION: __January 25, 2012

WHEREAS, the Town Board of the Town of Patterson (the "Town Board" and the "Town," respectively), in the County of Putnam, State of New York, has received a petition (the "Petition"), dated August 23, 2011, pursuant to Article 12 of the Town Law of the State of New York, for the establishment of the Putnam Lake Park District (the "District"), which petition is signed by the owners of taxable real property situate in the proposed District, owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the proposed District, as shown upon the latest completed assessment roll of said Town, and including the signatures of resident owners of taxable real property owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property of the proposed District owned by resident owners, all according to the latest completed assessment roll; and

WHEREAS, the Petition describes the boundaries of the proposed District in a manner sufficient to identify the lands included therein in the same manner as in a deed of conveyance, and was signed by the petitioners and acknowledged or proved in the same manner as provided by the Election Law for the authentication of nominating petitions, all in accordance with the applicable provisions of Article 12, Section 191 of Town Law; and

WHEREAS, said Town Board duly adopted an Order on the 14th day of December, 2011 reciting in general terms the filing of the Petition, the boundaries of the proposed district, the yearly cost to properties within the District and the stated purposes for which the District is proposed to be established, namely managing, maintaining and improving the proposed "park district property" described in the Petition, and the making of necessary improvements to the waters of Putnam Lake for the use, convenience and enjoyment of the residents within the District; and

WHEREAS, the Petition does not propose the construction of any improvements; and

WHEREAS, a duly noticed public hearing on the Petition was held by the Town Board on the 18th day of January, 2012 at which all interested persons had a full and complete opportunity to be heard; and

WHEREAS, the Town Board and the public have had the opportunity to consider a certain "Report on the Creation of the Putnam Lake Park District" dated December 14, 2011 prepared by the Patterson Planning Department", which was duly filed with the Town Clerk and

posted on the website maintained by the Town, which includes, *inter alia*, a detailed explanation of how the cost of the District to the typical property and, since different, the cost to the typical one or two family home within the District, was computed; and

WHEREAS, that the Report recommends, *inter alia*, that the boundaries of the proposed District be altered to include certain properties which would be benefitted by the proposed District which were not included within said boundaries in the Petition, and to exclude certain properties which were included within the boundaries of the proposed District but which would not be benefitted by its creation; and

WHEREAS, the Town Board has considered all of the comments submitted at said public hearing and said Report and based thereon desire to make the following determinations in accordance with the authority granted to it in Article 12 of the Town Law of the State of New York, including, without limitation by reason of specification, Section 194(2)(b) thereof,

NOW, THEREFORE, BE IT RESOLVED, that upon the all o the evidence and comments given at said public hearing, the Town Board hereby makes and adopts the following determinations:

- (1) the Petition is signed and acknowledged as provided by law and is otherwise sufficient;
- (2) certain of the properties and property owners proposed to be included within the proposed Park District would not be benefitted by the creation of the District;
- (3) certain properties and property owners which would be benefitted by creation of the proposed Park District are not included within the proposed Park District; and
- (4) it is in the public interest to establish the proposed Park District with the following changes of boundaries as specifically recommended in the Report of the Town Planning Department, and such changes are to be made in order that all of the property and property owners and only such property and property owners as are benefitted shall be included within the proposed Park District:

Properties and Property Owners to be added to the proposed Park District:

| <u>Tax Lot Number</u> | <u>Address</u> | <u>Owner</u> |
|-----------------------|---------------------|--|
| 25.64-1-52 | 31 Lake Shore Drive | <u>AmyK.Odell</u> |
| 25.64-1-54 | 3 Mohawk Trail | <u>Bryan & Lila Horn (27 L. Shore)</u> |
| 25.64-1-55 | 5 Mohawk Trail | <u>William J. & Ann Nelson</u> |
| 25.64-1-56 | 27 Lake Shore Drive | <u>Bryan & Lila Horn</u> |
| 25.72-1-3 | 9 Mohawk Trail | <u>KellyS.Adams</u> |
| 25.72-1-4 | 10 Mohawk Trail | <u>Putnam Lake Community Council</u> |
| 36.33-1-28 | 11 Clement Road | <u>John Fischer, Joshua Fischer, Julia</u> |

| | | |
|--------------|-------------------|---------------------------------------|
| 36.33-1-29 | 3 Bainbridge Road | <u>Fischer-Baumgartner</u> |
| 36.33-1-30 | 7 Kingston Road | <u>Aaron & Judy L. Herold</u> |
| 25.-1-63 | 1 Willow Island | <u>Morris and Jeannette Mele</u> |
| | | <u>Lawrence</u> <u>Plapler</u> |
| 25.71-1-70 | 60 Gates Drive | <u>Edward J & Linda A Young</u> |
| 25.71-1-71 | 62 Gates Drive | <u>Paul & Theresa Delcogliano</u> |
| 25.63-1-33.1 | 64 Gates Drive | <u>Rober & Victoria Wagner</u> |

Properties and Property Owners to be deleted from the proposed Park District:

| <u>Tax Lot Number</u> | <u>Address</u> | <u>Owner</u> |
|-----------------------|--------------------|--------------------------------|
| 25.78-1-12 | 37 Hazel Drive | <u>RP Development Corp.</u> |
| 36.30-1-11 | 64 Fairfield Drive | <u>74 Fairfield Realty LLC</u> |

and

BE IT FURTHER RESOLVED, that a public hearing of the Town Board of the Town of Patterson shall be held at the Patterson Recreation Center, 65 Front Street, Patterson, New York on _____, 2012, at 7:30 p.m., or as soon thereafter as the matter can be heard, to consider the establishment of the proposed District herein referred to, with the changes in boundaries thereof as hereinabove set forth, and for such other action on the part of the Town Board with respect to the foregoing as may lawfully come before the meeting and as otherwise may be required by law, and at said hearing all interested persons shall have the opportunity to be heard; and

BE IT FURTHER RESOLVED, that the Town Clerk publish at least once in the Putnam County Courier, a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to Subdivision 6 of Section 30 of the Town Law, and on the Town's website, a notice of the meeting and public hearing provided for herein, which such notice shall include a description of the manner in which the boundaries of the proposed Park District are proposed to be altered as set forth herein, the first publication thereof and said postings to be not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as hereinabove set forth; and

BE IT FURTHER RESOLVED, that the Town Clerk file a certified copy of this order with the Comptroller of the State of New York on or about the date of publication of a copy of this order.

Dated: _January 25, 2012

UPON ROLL CALL VOTE:

Supervisor Griffin yes
 Councilman Burns yes

Councilwoman Nacerino yes

Councilman Cook yes

VOTE: RESOLUTION CARRIED BY A VOTE OF _5 TO 0

STATE OF NEW YORK
COUNTY OF PUTNAM

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)ss.:

I, ANTOINETTE KOPECK, Town Clerk of the Town of Patterson, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Patterson at a meeting of said Board on _____, 2012.

DATED: _____, 2012

ANTOINETTE KOPECK, Town Clerk