

**UNION VALE TOWN BOARD SPECIAL MEETING JANUARY 25, 2023
249 DUNCAN ROAD, UNION VALE, NEW YORK
UNION VALE TOWN HALL 6:30 PM**

PRESENT: Supervisor Betsy Maas

Town Council: Kevin Durland, Kevin McGivney, Perry Gusikoff, John Welsh (late arrival)

Town Clerk: Andrea Casey

Town Attorney: Attorney Jeff Battistoni (On Zoom)

Supervisor Maas called the meeting to Order to Order and Salute to the Flag at 6:38 PM.

Executive Session

Councilman Durland made a motion to enter executive session for the purpose of discussion litigation. This was seconded by Councilman Gusikoff and all were unanimously in favor.

Supervisor Maas resumed the regular meeting at 7:00 PM and it was noted that no decisions were made.

Attorney Battistoni gave the background on the need for passing this resolution.

Resolution:

TOWN OF UNION VALE TOWN BOARD RESOLUTION NO. 2-2023: REGARDING PURCHASE OF LAND ON ROUTE 55 FROM DUTCHESS COUNTY FOR A PUBLIC PURPOSE (See Attached)

Other discussion items:

- Pancio Family Hall rental donation
- Highway Superintendent Ed Kading purchased a sander truck at auction

Adjournment:

Councilman Welsh made a motion to adjourn the meeting at 7:20 PM which was seconded by Councilman Durland and all were unanimously in favor.

Respectfully Submitted,


Andrea Casey, Town Clerk

**TOWN OF UNION VALE TOWN BOARD
RESOLUTION NO. 2-2023:
REGARDING PURCHASE OF LAND ON ROUTE 55 FROM DUTCHESS COUNTY
FOR A PUBLIC PURPOSE**

RESOLUTION

The following Resolution was offered by Councilman Durland and seconded by Councilman Welsh:

WHEREAS, Dutchess County commenced a Real Property Tax Law Article 11 tax foreclosure proceeding in 2022 against a parcel of land on Route 55 which consists of approximately 82.48 acres of land identified as follows:
60.7-acres in the Town of Union Vale identified by Tax ID number 135400-6660-00-812049-0000
21.78 acres in the Town of Beekman identified by Tax ID number 132200-6659-00-820097-0000
(hereinafter referred to as the “Premises”); and

WHEREAS, the Premises consist of one single parcel of land which was described in a deed recorded in the Dutchess County Clerk’s Office in Liber 0943 of Deeds at page 0549; and

WHEREAS, Dutchess County assures the Town of Union Vale that the County provided adequate written notice to all interested parties as required by state law, whose interest is a matter of public record as of the date the List of Delinquent Taxes was filed; and

WHEREAS, Dutchess County obtained and entered into the record judgment from the Supreme Court on October 27, 2022 and scheduled the property to be sold at auction on November 18, 2022 but the “online only auction” called “Dutchess County Tax Foreclosure Real Estate Auction” was advertised and began at 10:00 AM on November 22, 2022 or seventeen business days after acquisition of judgment to acquire said property; and

WHEREAS, a third party purchased the Premises at said auction; and

WHEREAS, in addition to the notice required by state law, Dutchess County Legislature Resolution No. 244 of 1997 specifically states that “the Department of Real Property Tax Shall

circulate, to all municipal entities of Dutchess County, a list of all available properties, along with a copy of this policy, in order to provide an opportunity for municipalities to acquire county-owned property for legitimate public purpose” which the Department of Finance/Department of Real Property Tax did not do for this sale; and

WHEREAS, the Town of Union Vale owns two parcels of real property which adjoin the subject property and is, in fact, interested in acquiring the Premises for a public purpose;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale, which has the funds immediately available in unallocated fund balance, wants to purchase the Premises for a public purpose of either expanding its public park (Tymor Park), whose land borders the Premises on the east and/or of expanding the Town’s solar development which borders the property on the west; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Union Vale, demands that Dutchess County immediately take all required actions to void the sale that took place in violation of both the spirit and the letter of its own written policy of enabling municipalities to further their own legitimate municipal purposes, and instead sell the Premises to the Town of Union Vale

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Councilman Durland	Aye				DATED:
Councilman Gusikoff	Aye	Ayes	4		Union Vale, New York
Councilman McGivney	Nay	Noes	1		January 25 th , 2023
Councilman Welsh	Aye				
Supervisor Maas	Aye				

I, Andrea Casey, Town Clerk of the Town of Union Vale DO, HEREBY CERTIFY that the foregoing is a true copy of a resolution offered by Councilman Durland, seconded by Councilman Welsh, and adopted at the meeting of the Town Board, held on January 25, 2023.



Andrea Casey, TOWN CLERK