

PUBLIC NOTICE  
TOWN OF WINDSOR

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Windsor at a regular meeting held on September 1, 2010 duly adopted, subject to permissive referendum, an Order, as follows:

**Town of Windsor, County of Broome, State of New York**  
**AUTHORIZING THE SUPERVISOR TO EXECUTE A**  
**MEMORANDUM OF UNDERSTANDING SUBJECT TO**  
**PERMISSIVE REFERENDUM**

**Resolution #32-2010**

**PRESENT:** Supervisor Randy J. Williams  
Councilman LeWayne H. Colwell  
Councilman William H. Ellsworth  
Councilman Jeffrey Olin  
Councilman George B. West.

At a regular meeting of the Town of Windsor Town Board, held at the Town Hall on the 1st day of September 2010, the following resolution was

**OFFERED BY:** Councilman Jeff Olin  
**SECONDED BY:** Councilman George B. West

**WHEREAS**, the Town has been negotiating with NY RAIL TRAIL, LLC in attempt to acquire a certain parcel of land;

**WHEREAS**, a Memorandum of Understanding regarding that land transfer has been finalized and is attached;

**WHEREAS**, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) (“SEQRA”), this entering into a Memorandum of Understanding to acquire real property is not an activity that meets the definition of an “Action” and thus no SEQRA review is necessary, and

**WHEREAS**, the Windsor Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law,

**NOW, THEREFORE**, this 1<sup>st</sup> day of September 2010, **BE IT RESOLVED** by the Town Board of the Town of Windsor, as follows:

**RESOLVED**, Windsor Town Board hereby declares that the adoption of said entering into a Memorandum of Understanding to acquire real property is not an activity that meets the definition of an “Action” and thus no SEQRA review is necessary, and

**RESOLVED**, that the Supervisor, Randy Williams, is expressly authorized to execute the attached Memorandum of Understanding, which contemplates the Town acquiring real property,

**RESOLVED**, this resolution is subject to permissive referendum.

**RESOLVED**, the Town Clerk is directed to publish at least once in the Windsor Standard, 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, a copy of this Resolution, certified by said Town Clerk, the first publication thereof and said posting to be not more than ten (10) days after the date of this adoption of this order.

**RESOLVED**, this resolution shall take effect immediately.

**Vote of the Board:**

Supervisor Randy J. Williams - AYE

Councilman LeWayne H. Colwell - AYE

Councilman William H. Ellsworth – AYE

Councilman Jeffrey Olin- AYE

Councilman George B. West. – AYE

Motion Approved.

**Resolution Adopted: September 1, 2010**

**CERTIFICATION**

I, Barbara Rajner Miller, do hereby certify that I am the Town Clerk of the Town of Windsor and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Windsor at a meeting thereof held at the Windsor Town Hall, 124 Main Street, Windsor, NY on **September 1, 2010**. Said resolution was adopted by the following roll call vote:

Supervisor Randy J. Williams- AYE

Councilman LeWayne H. Colwell - AYE

Councilman William H. Ellsworth - AYE

Councilman Jeffrey Olin - AYE

Councilman George B. West. -AYE

Dated: \_\_\_\_\_2010

Town of Windsor Seal

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Barbara Rajner Miller  
Town Clerk of the Town of Windsor