

**VILLAGE OF HIGHLAND FALLS
BOARD OF TRUSTEES
RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO
NEGOTIATIONS TO LEASE VILLAGE OFF-STREET PARKING
SPACE FOR THAYER RESORT AND SPA**

WHEREAS, the owner of the proposed Thayer Resort and Spa has requested the lease of five (5) parking spaces located at the Senior Center, which property is owned by the Village of Highland Falls, and property located along Station Hill Road, a Village Road, for the location of an additional ten (10) parking spaces; and

WHEREAS, the Village Board has undertaken an investigation of parking utilization at the Senior Center and finds that the parking lot consistently has excess parking capacity and is, therefore, underutilized; and

WHEREAS, the Village Board has investigated the use of Station Hill Road by Village residents and finds that the Road is seldom used by the public as a Village thoroughfare and does not currently contain on-street parking and is, therefore, not used for that purpose; and

WHEREAS, the Village Board has concluded that the public would not be inconvenienced by leasing excess capacity parking space at the Senior Center nor making parking available along a certain length of Station Hill Road for the purpose of private parking; and

WHEREAS, the residents of Highland Falls would benefit from revenue generated by leasing excess parking capacity to the owner of Thayer Resort and Spa subject to the conditions expressly provided herein.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Highland Falls Board of Trustees hereby authorizes the Mayor to enter into negotiations with the owner of Thayer Resort and Spa for the purpose of leasing five (5) parking spaces at the Senior Center and ten (10)

parking spaces along Station Hill Road under terms favorable to the Village as negotiated by the Mayor and approved by the Board of Trustees, subject to the following conditions:

1. The initial term of the lease shall begin upon execution of the lease and approval of said lease by the Board of Trustees.
2. The initial term of the lease may be less than but no greater than five (5) years, with consecutive options to renew for additional terms of less than but greater than five (5) years each.
3. The lease shall terminate by operation of law in the event that the owner is not granted site plan and special permit approval for the Thayer Resort and Spa by the Consolidated Planning Board.
4. The lease shall terminate by operation of law in the event that the Thayer Resort and Spa ceases operation.
5. The Consolidated Planning Board, pursuant to its grant of authority under State Village Law, is authorized to set a reasonable renewal period as a condition of the special exception use approval.
6. The Consolidated Planning Board, pursuant to its grant of authority under State Village Law, may condition a special exception use approval upon compliance with off-site parking requirements.

On a motion by Trustee Livsey , seconded by Trustee DiSalvo , the Mayor declared the Resolution adopted on a roll call vote of 5 ayes and 0 nays.

Mayor D'Onofrio	<u> x </u> Aye	<u> </u> Nay
Trustee Aylward	<u> x </u> Aye	<u> </u> Nay
Trustee DiSalvo	<u> x </u> Aye	<u> </u> Nay

Trustee Livsey Aye ___ Nay

Trustee Ramus Aye ___ Nay

Dated March 2, 2020

Regina M. Taylor, Village Clerk of the Village of Highland Falls, does hereby certify that the foregoing Resolution of the Board of Trustees was filed in my office on the following date:

Regina M Taylor 3/3/2020

Signature and Date