

## **RESOLUTION 15    OF 2025**

At a regular meeting of the Town Board of the Town Clinton duly held at the Town Hall, Centre Road in the Town of Clinton on the 11<sup>th</sup> day of March, 2025. Upon the calling of the roll by the Town Clerk the following members were:

Present: Supervisor Whitton  
Deputy Supervisor Werner  
Councilwoman Auspitz  
Councilwoman Mustello

Absent: Councilman Dykas

The following resolution was offered for adoption by Deputy Supervisor Werner which resolution was seconded by Councilwoman Mustello

### **RESOLUTION APPROVING THE TEMPORARY TRANSFER OF OBSOLETE AND UNUSABLE SURPLUS PROPERTY TO “FRIENDS OF CLINTON” FOR CLINTON COMMUNITY DAY**

**WHEREAS**, the Town owns the personal property described in Schedule “A” attached hereto and made a part hereof (the “Property”);

**WHEREAS**, the Property shown on Schedule “A” consists of signs used to promote Clinton Community Day;

**WHEREAS**, the Property was previously used by the Town to promote Clinton Community Day;

**WHEREAS**, the Town no longer intends to host or promote Clinton Community Day;

**WHEREAS**, Friends of Clinton, a 509(a)(2) tax exempt entity, intends to host and promote Clinton Community Day 2025 which will be held on June 7, 2025;

**WHEREAS**, Friends of Clinton has requested that the Town of Clinton lend the Property to Friends of Clinton for the purpose of promoting Clinton Community Day 2025;

**WHEREAS**, N.Y. Town Law § 64 (2-a) authorizes a Town Board to lease, sell or dispose of personal property as the purposes of the Town may require; and

**WHEREAS**, the Town Board may lend or transfer surplus property that is obsolete, unusable and has no market value to nonprofit organizations, without consideration.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board determines that the Property described in Schedule “A” attached hereto and made a part hereof is obsolete, unusable and has no market value;

**BE IT FURTHER RESOLVED**, that the Town Board finds that it is in the best interest of the Town to temporarily transfer or lend the Property to Friends of Clinton, a 509(a)(2) tax exempt entity until June 7, 2025 the date of Clinton Community Day 2025;

**BE IT FURTHER RESOLVED**, that Friends of Clinton, a 509(a)(2) tax exempt entity, shall return the Property to the Town on or before two (2) weeks after Clinton Community Day 2025, by delivering the Property to a location at Town Hall designated by the Town Supervisor;

**BE IT FURTHER RESOLVED**, that Friends of Clinton shall be permitted to alter the date appearing on the Property to correspond with the date of Clinton Community Day 2025;

**BE IT FURTHER RESOLVED**, that the Property shall be returned to the Town in substantially the same condition as when they are temporarily transferred, reasonable wear and tear excepted;

**BE IT FURTHER RESOLVED**, that the Town Board authorizes, directs and empowers the Town Supervisor to take any all actions necessary to temporarily transfer the Property to Friends of Clinton, for no consideration; and

**BE IT FURTHER RESOLVED**, that the Town Board authorizes, directs and empowers the Town Supervisor to take any all actions necessary to retrieve the Property if it is not returned to the Town on or before two (2) weeks after Clinton Community Day 2025.

The vote having been taken upon such resolution the result was as follows:

Michael Whitton, Town Supervisor voting    AYE

Eliot Werner, Councilperson voting            AYE

Katherine Mustello, Councilperson voting    AYE

Charles Dykas, Councilperson voting           ABSENT

Marion Auspitz, Councilperson voting        AYE

There being a majority of the Town Board voting to approve the resolution, the resolution was declared by the Supervisor to have been adopted.

**IN WITNESS WHEREOF**, I affix the seal of the Town of Clinton as the Clerk thereof, this 11<sup>th</sup> day of March, 2025.

TOWN OF CLINTON, NEW YORK



Town Clerk:

Carol-Jean Mackin