



**TOWN OF HARRISON
VILLAGE OF HARRISON**
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Supervisor

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This newsletter will focus on the next steps in the process of the acquisition of Willow Ridge. At the Town Board public work session of last week, Troon Golf gave a presentation to the Board in connection with their site assessment and their written report and answered questions of the Board.

The Board then held a special meeting after the work session wherein the Board voted on a unanimous basis that the proposed acquisition of Willow Ridge was in the public use, benefit and purpose – and directed our attorney to draft written Determination & Findings in that regard, which will be presented to the Board for consideration at our next Board meeting this Thursday, March 4th. After the Determination & Findings are adopted by the Board, a synopsis thereof is required to be published in the local newspaper.

The Town has extended a written offer to acquire Willow Ridge in accordance with the eminent domain laws of New York on February 19th. That offer was for \$13.65M which was the value of the appraisal we were legally required to obtain for this process. There has been no response to our offer as of today from the club.

As was stated in last week's newsletter, we had offered to sit down and commence discussions with Willow Ridge and have an amicable approach to this acquisition now that our initial due diligence is complete. Several Willow Ridge Board members expressed that position back at our first public hearing in December. Willow Ridge has unfortunately rejected that approach now and they want the eminent domain process to play out.

The offer letter to the club contained an advance payment option agreement possibility. What this means is that the club could accept the payment offered by the Town as an advance payment and then seek to convince a Court of law that the amount should be higher than the payment that was tendered. That would allow the club to retain the right to file an action while allowing the Town to acquire the asset now, so it does not deteriorate any further. My staff has been advised that the club has not maintained the golf course, its equipment, or the property at all since closing its doors in late October/early November – and they have no ability or intention to do so as they are not reopening. Again, the concern is that Willow Ridge is allowing the club, its golf course and property to sit dormant while demanding unspecified monetary assessments from the few

members remaining, which is quite troubling to all concerned. I am sure that that no one wants to see this property deteriorate.

We have also come to learn that the club is not paying some of their vendors either, thus falling into arrears even further.

The club could attempt to delay things by appealing the public use determination, but this legal issue has already been decided by the Court system back in the late 1960s – and any such delay is in nobody's best interest and could be deemed frivolous as there is binding legal precedent involving Willow Ridge itself. For those that are unaware of the history of Willow Ridge and the Town's interest in acquiring it, the Town began a condemnation proceeding back in 1967, when the club was not actively seeking any purchasers. On April 10, 1968 a trial Court Judge ruled that the Town of Harrison could acquire Willow Ridge as the Town demonstrated that its takeover and continued use of its property and golf operations was for a public use and purpose. The Judge also ruled that the Bond Referendum that was put up by the Town for a public vote had a technical defect in it and that invalidated the entire process even though the Referendum was passed by the voting public. The public use ruling was upheld by the Appellate Division – Second Department on May 19, 1969.

The Town is hopeful that the club will respond to the offer we have put forth, given they had the Town's offer in hand for over 11 days now and given that they are not maintaining and preserving the asset.