

# MILLER, MANNIX, SCHACHNER & HAFNER, LLC

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August 7, 2009

JoAnn Trinkle, Town Supervisor  
Town of Cambridge  
505 County Route 59  
Cambridge, NY 12816

Re: Conveyance of Town-owned land to Audrey B. Hall  
Tax Map Parcel 270.-1-33.8

Dear Ms. Trinkle:

We represent Daniel Smith who owns property in the Town of Cambridge. Mr. Smith recently became aware that the Town gave a triangular piece of land directly adjoining his property to Audrey B. Hall. According to Town records, this triangular parcel of land was apparently conveyed to the Town in 1939.

Despite the clear prohibition against gifting public property, we understand that the Town Board unlawfully conveyed this land to Mrs. Hall for no consideration and that Mrs. Hall then "flipped" the property by selling it to a third party for profit. As you are hopefully aware, a Town may not convey Town-owned lands absent permissive referendum. Unfortunately, it is apparent from Town records that the Town utterly failed to adhere to this clear statutory requirement.

The Town illegally gifted real property to a private individual without notice to any member of the public and the Town did so without adhering to clear statutory referendum mandates. On behalf of Mr. Smith, we hereby demand that the Town repeal the resolution authorizing conveyance to Ms. Hall, a copy of which is enclosed. Given the numerous ways in which the Town has violated State law, the Town has no lawful basis for denying this request. Of course, if our understanding of the facts is incorrect, please provide us with copies of the documents which demonstrate compliance with State law.

Thank you for your prompt attention to this matter.

Very truly yours,

MILLER, MANNIX, SCHACHNER & HAFNER, LLC



Cathi L. Radner

LE/bh

Enc.

cc: Daniel Smith

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