

RESOLUTION NO. 19-07
Adopted December 16, 2019

Introduced by Mr. Wild
who moved its adoption

Seconded by Mr. Caimano

**RESOLUTION OF THE COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL
DEVELOPMENT AGENCY APPROVING AND AUTHORIZING PURCHASE OF
REAL PROPERTY**

WHEREAS, the Counties of Warren and Washington Industrial Development Agency (the "Agency") is a body corporate and politic duly organized and existing under Sections 856 and 890-c of the General Municipal Law ("GML") of the State of New York (the "State"), with its principal place of business at 5 Warren Street, Glens Falls, New York; and

WHEREAS, pursuant to Section 858(4) of GML, the Agency has the authority to acquire real property and rights and easements necessary for its corporate purposes in compliance with the local zoning and planning regulations and shall take into consideration regional and local comprehensive land use plans; and

WHEREAS, the Ft. Edward Local Property Development Corporation, a New York Not-for Profit corporation (the "Seller") is the owner of real property known as Towpath Lane, Village of Fort Edward, County of Washington, State of New York and known as Tax Map # 163.15-1-4 ("Parcel 1") and 1400 Towpath Lane, Town of Fort Edward, County of Washington, State of New York and known as Tax Map # 163.15-1-20 ("Parcel 2"); and

WHEREAS, the Seller is interested in selling an irregularly shaped parcel containing approximately 16.62+/- acres of Parcel 1 and an irregularly shaped parcel containing approximately 36.55+/- acres of Parcel 2, as shown on a map attached hereto and incorporated herein by reference (collectively Parcel 1 and Parcel 2 are referred to herein as the "Property") to the Agency for the purchase price of Ten Dollars (\$10.00) and pursuant to, conditioned upon and in accordance with the terms and provisions as set forth in a proposed Real Estate Purchase Agreement, a copy of which is presented at this meeting; and

WHEREAS, the Agency has determined that the acquisition of the Property intends to further the economic development interests of the Agency, whereby (a) the Agency can market the Property to be developed in accordance with the local comprehensive land use plans; (b) _____; and (c) _____; and

WHEREAS, based on the foregoing, the Agency has determined that the acquisition of the Property is in the economic development interests of Warren and Washington Counties; is in accord with the public provisions of applicable federal, state and local laws; and will benefit the welfare and the economies of both Warren and Washington Counties and the Town and Village of Fort Edward and the residents of those municipalities; and

WHEREAS, the acquisition of the Property by the Agency constitutes an Unlisted action under the State Environmental Quality Review Act ("SEQRA") and the Agency has determined that it will act as Lead Agency for purposes of issuing a Determination of Significance under SEQRA, a copy of the Short Form Environmental Assessment Form is presented at this meeting and is incorporated herein by reference.

NOW, THEREFORE, IT IS HEREBY RESOLVED, THAT:

1. After due consideration thereon, the Agency hereby declares that the action is an Unlisted action pursuant to 6 NYCRR 617 et. seq., and hereby declares that the action does not have a significant impact on the environment. The action is hereby precluded from further environmental review.

2. The Agency agrees to acquire the Property described above, consisting of approximately 53.17+/- acres of land from Ft. Edward Local Property Development Corporation for the sum of Ten Dollars (\$10.00) and pursuant to, conditioned upon and in accordance with the terms and provisions as set forth in a proposed Real Estate Purchase Agreement, a copy of which is presented at this meeting and incorporated herein by reference.

3. As stated in the Real Estate Purchase Agreement, the obligation of the Agency to consummate the acquisition shall be conditioned upon the completion of the due diligence period, as it may be extended, as set forth therein, to the Agency's satisfaction.

4. The Chairman, or Vice Chairman in his absence, is authorized to execute and deliver a contract of sale, conveyance documents, and other such documents as will incorporate the terms set forth above, subject to the approval of the Chairman and Agency's legal counsel as to form and content.

The question of the adoption of the foregoing resolution was duly put to a vote by roll call, which resulted as follows:

VOTING:	AYES	NAYS	ABSTAIN	ABSENT
Matt Simpson	X			
Dave O'Brien	X			
Michael Bittel	X			
Craig Leggett	X			
Bruce Ferguson	X			
Ginny Sullivan	X			
Nick Caimano	X			
Mike Wild	X			
Travis Whitehead	X			
Brian Campbell	X			
TOTALS	10			

