

## **RESOLUTION NO. 4 OF 2024**

### **(A RESOLUTION AUTHORIZING A PROPERTY EXCHANGE BETWEEN THE TOWN AND NORTHEASTERN IP HOLDINGS, INC)**

**WHEREAS**, the Town of Guilderland (hereinafter the “Town”) has determined that a new fire training facility to be constructed on certain real property owned by Northeastern IP Holdings, Inc (“NEIP”) for the public benefit; and

**WHEREAS**, the Town owns excess property consisting of approximately 6.10 acres, identified as tax map parcel no. 50.00-1-16, which is currently not used by the Town to serve a public purpose; and

**WHEREAS**, NEIP owns certain real property consisting of approximately 4.75 acres, which will be subdivided from tax parcel no. 50.001-114.11, that is suitable for the construction of a new fire training facility. This property is currently being leased by the Town for the current fire training facility; and

**WHEREAS**, the Town and NEIP wish to exchange ownership of said parcels as described above; and

**WHEREAS**, the Town and NEIP have agreed in principle to an exchange of property, as described in the Agreement Regarding Exchange of Land attached as Resolution Exhibit 1 (the “Agreement”); and

**WHEREAS**, NYS Town Law § 64 authorizes the sale or acquisition of real property with a private party if, among other things, the Town receives at least equivalent value for the property it transfers; and

**WHEREAS**, this resolution is an inducement for AmTrust Title Insurance Company and SMPR Title Agency, Inc. to issue certificates for title insurance (SMPR Order No.: A-0143017 and SMPR Order No.: A-0143018) for the exchange of the properties; and

**WHEREAS**, the Town has determined that the property being received in the exchange meets the requirements of NYS Town Law § 64 as the property owned by the Town does not have value to the Town as it is only accessible by the Town for certain restrictive purposes. The Town and the public will receive a substantial benefit from the exchange as the land being received is suitable for the construction of the new fire training facility and other improvements without restriction. The Town is receiving equivalent value in the exchange.

**NOW, THEREFORE, BE IT RESOLVED THAT**

1. The Town Board hereby confirms its designation as Lead Agency under the State Environmental Quality Review Act (“SEQRA”).
2. The Town Board has determined that this is an Unlisted action that will not have a significant effect on the environment and, therefore, no other determination or procedure under SEQRA is required.
3. The Town Board approves of the land exchange Agreement attached as Exhibit 1.
4. The Supervisor and/or Town Attorney are authorized to exchange with NEIP the above-described real properties.
5. The Supervisor and/or Town Attorney are authorized to sign all documents necessary to transfer and receive the above-described real properties.

Pursuant to NYS Town Law § 90 and NYS General Municipal Law § 6-c(4), this resolution is subject to a permissive referendum.

**SO ORDERED BY THE TOWN BOARD OF THE TOWN OF GUILDERLAND  
BY A UNANIMOUS VOTE ON MAY 21, 2024.**

Dated: May\_\_\_\_, 2024

\_\_\_\_\_  
Lynne Buchanan, Town Clerk