

**TOWN OF NEW LEBANON  
RESOLUTION #21, 2024  
AUTHORIZING THE ACQUISITION OF REAL PROPERTY  
OCTOBER 17, 2024**

At a duly called and noticed meeting of the New Lebanon Town Board, held on the 17th day of October, 2024, the following Resolution was proposed and seconded:

Resolution by Councilmember Tipograph  
Seconded by Councilmember Powers

***AUTHORIZING THE ACQUISITION OF REAL PROPERTY***

WHEREAS, Lebanon Valley Protective Association, Inc. (hereinafter, the “LVPA”) is the current fee owner of real property and improvements located 523 US Route 20, New Lebanon, New York and designated as Tax Map No. Parcel No. 19.2-1-56 (hereinafter, the “Property”); and

WHEREAS, pursuant to agreement with the LVPA, the Town of New Lebanon has been permitted to use, and has used, a portion of the building located on the Property since September 2023 as a community center; and

WHEREAS, the LVPA has constructed a new firehouse at another property and has determined to sell the Property; and

WHEREAS, the LVPA has offered to sell the Property to the Town for the purchase price of \$375,000; and

WHEREAS, the Town Board previously authorized the Town Supervisor to enter into a Purchase and Sale Agreement with the LVPA for the purchase of the Property by the Town for the price of \$375,000; and

WHEREAS, said Agreement was contingent upon the Town receiving a written opinion of value from a qualified appraiser demonstrating that the purchase price for the Property is not in excess of the fair market value of the Property; and

WHEREAS, said Agreement was contingent upon completion of a due diligence period during which the Town could conduct appropriate investigations and evaluations of the Property; and

WHEREAS, the Town has engaged an appraiser to ascertain the fair market value of the Property and has been provided a report that establishes the fair market value of the Property at \$400,000; and

WHEREAS, the Town has undertaken due diligence on the property that it deems necessary, including a structural inspection, water testing, and an asbestos/lead survey; and

WHEREAS, the Town has received the results of such due diligence and has determined that it is in the best interests of the Town to move forward with acquisition of the Property; and

WHEREAS, the Town Board intends to use surplus funds from unallocated fund balance to finance the purchase of the Property and to use the Property for town purposes, including but not limited to as a community center;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board of the Town of New Lebanon hereby approves and directs the following budget amendment in the 2024 final budget:

<u>Change</u>	<u>Fund/Line</u>	<u>Description of Fund/Line</u>	<u>Amount</u>
Decrease	A003917	Fund Balance	(\$375,000.00)
Increase	A1940.2	Buildings – Equipment and Capital Outlay	\$375,000.00

2. The Town Board hereby authorizes and directs the Town Supervisor to consummate the acquisition of the Property pursuant to the Purchase and Sale Agreement, to use surplus funds as transferred in this Resolution from unallocated fund balance to finance the acquisition of the Property, and to execute, deliver, and file all instruments or documents as may be reasonably necessary to effectuate the purposes of this Resolution.

Upon the question of the foregoing Resolution, the following Town Board Members voted “Aye” or “Nay” for said Resolution:

Roll Call Vote:

Councilmember Steve Powers	Aye
Councilmember Elizabeth Kroboth	Nay
Supervisor Tistrya Houghtling	Aye
Councilmember Susan Tipograph	Aye
Councilmember Craig Skerkis	Nay

The Resolution, having been approved by a majority vote of the Town Board, was declared duly adopted by the Supervisor of the Town of New Lebanon.

Dated: October 17<sup>th</sup>, 2024

Marcie Robertson  
New Lebanon Town Clerk