

**AUTHORIZING RESOLUTION
UPDATE OF TOWN COMPREHENSIVE PLAN**

A regular meeting of Town of Guilderland Industrial Development Agency (the “Agency”) was convened in public session in the Guilderland Town Hall located at 5209 Western Turnpike in the Town of Guilderland, Albany County, New York on July 26, 2022 at 7:00 o’clock p.m., local time.

The meeting was called to order by the (Vice) Chair and, upon roll being called, the following members of the Agency were:

PRESENT:

Shelly Johnston	Chair
William N. Young, Jr., Esq.	Vice Chair
Christopher Bombardier	Treasurer/Assistant Secretary
William H. Smart	Secretary/Assistant Treasurer
Vera Dordick	Member
Kevin Hicks	Member
Paul Pastore	Member

ABSENT:

THE FOLLOWING PERSONS WERE ALSO PRESENT:

Donald Csaposs	Chief Executive Officer
William Adams	Chief Financial Officer
Jessica Montgomery	Administrative Assistant
A. Joseph Scott, III, Esq.	Agency Counsel

The following resolution was offered by _____, seconded by _____, to wit:

Resolution No. 0722-

**RESOLUTION APPROVING THE FUNDING OF A PORTION OF THE COST OF
THE UPDATE TO THE TOWN OF GUILDERLAND COMPREHENSIVE PLAN.**

WHEREAS, Town of Guilderland Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”) and Chapter 146 of the 1973 Laws of New York, as amended, constituting Section 909-a of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, the Town of Guilderland (the “Town”) has requested that the Agency assist the Town with the funding of a portion of the cost of an update to the Town Comprehensive Plan (the “Request”); and

WHEREAS, the Request is described in a letter dated July 6, 2022 and attached hereto as Exhibit A; and

WHEREAS, the Agency desires to approve the Request and assist the Town in funding a portion of the cost of the update to the Town Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby further finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(B) That the Request constitutes a “Type II action” pursuant to 6 NYCRR 617.5(c), and therefore that, pursuant to 6 NYCRR 617.6(a)(1)(i), the Agency has no further responsibilities with respect to the Request under Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended and the regulations adopted pursuant thereto; and

(C) The Town Comprehensive Plan is an important planning tool providing for the development of the Town of Guilderland, New York; and

(D) The current Town Comprehensive Plan is dated 2001 and needs to be updated; and

(E) The updating of the Town Comprehensive Plan will, among other things, promote the development of the Town of Guilderland, New York; and

(F) The approval of the Request will promote and maintain the job opportunities, general prosperity and economic welfare of the citizens of the Town of Guilderland, New York and the State of New York and improve their standard of living; and

(G) It is desirable and in the public interest for the Agency to approve the Request.

Section 2. In consequence of the foregoing, the Agency hereby determines to assist the Town in the funding of a portion of the cost of the update to the Town Comprehensive Plan in an amount not to exceed \$50,000.

Section 3. The Agency is hereby authorized to do all things necessary or appropriate for the accomplishment of the provisions of the Request, and all acts heretofore taken by the Agency with respect to such Request are hereby ratified, confirmed and approved.

Section 4. The Chair (or Vice Chair) of the Agency is hereby authorized, on behalf of the Agency, to execute and deliver any documents relating to the Request, and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, all in substantially the forms thereof presented to this meeting, with such

changes, variations, omissions and insertions thereto as the Chair (or Vice Chair) shall approve, the execution thereof by the Chair (or Vice Chair) to constitute conclusive evidence of such approval.

Section 5. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Request, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Request binding upon the Agency.

Section 6. This Resolution shall take effect immediately.

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

Shelly Johnston	VOTING	_____
William N. Young, Jr., Esq.	VOTING	_____
Christopher Bombardier	VOTING	_____
William H. Smart	VOTING	_____
Vera Dordick	VOTING	_____
Kevin Hicks	VOTING	_____
Paul Pastore	VOTING	_____

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

I, the undersigned (Assistant) Secretary of Town of Guilderland Industrial Development Agency (the “Agency”), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on July 26, 2022 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of such proceedings of the Agency and of such Resolution set forth therein so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the “Open Meetings Law”), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed, or rescinded.

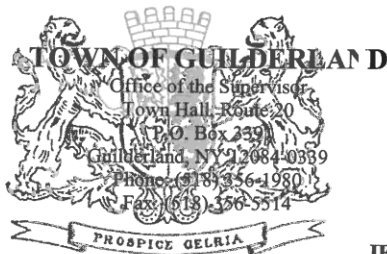
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 26th day of July, 2022.

(Assistant) Secretary

(SEAL)

EXHIBIT A

LETTER FROM TOWN OF GUILDERLAND



PETER G. BARBER
SUPERVISOR

JESSICA MONTGOMERY
SECRETARY

July 6, 2022

Hon. Shelly Johnston
Chairwoman, Town of Guilderland Industrial Development Agency
Guilderland Town Hall
PO Box 339
5209 Western Turnpike
Guilderland, NY 12084

Re: Town of Guilderland Comprehensive Plan Update

Dear Chairwoman Johnston:

The Town of Guilderland has initiated the process for updating the Town's 2001 Comprehensive Plan ("Plan update"), a core document for guiding the Town in planning decisions.

For the first step in this anticipated two-year process, the Capital District Regional Planning Commission recently provided the Town with "Town of Guilderland Demographic and Growth Analysis, 1990-2020" which provides background on housing growth and characteristics, demographic composition, population, diversity, education, and economic overview. With the Town Board's approval, the Town issued a request for proposals, returnable by July 28, by planning consultants to assist with the preparation of the updated Plan. Later this summer, the Town Board will appoint a Comprehensive Plan Committee to guide the process.

As previously discussed, I am requesting the IDA's financial participation for \$50,000 to advance this effort. The estimated total project cost is \$200,000. The Town is also applying for a grant under NYS Department of State's Smart Growth Community Planning and Zoning Grant Program, which promotes land use planning principles that create livable, sustainable and equitable communities.

Please let me know if you have any questions. I look forward to the IDA's participation in this important initiative.

Sincerely yours,

Peter G. Barber
Town Supervisor

cc: Don Csaposs, CEO of Guilderland IDA