

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
RESOLUTION APPROVING LOCAL LABOR POLICY**

A regular meeting of Town of Guilderland Industrial Development Agency (the “Agency”) was convened in public session in the Town Board Room of the Guilderland Town Hall located on 5209 Western Turnpike in the Town of Guilderland, Albany County, New York on November 28, 2023 at 7:00 o’clock p.m., local time.

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

PRESENT:

Shelly Johnston	Chair
Christopher Bombardier	Vice Chair
William H. Smart	Treasurer/Assistant Secretary
Vera Dordick	Secretary/Assistant Treasurer
Paul Pastore	Member
Daniel A. Centi	Member
Kevin Hicks	Member

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Donald Csaposs	Chief Executive Officer
A. Joseph Scott, III, Esq.	Agency Counsel
Shannon E. Wagner, Esq.	Agency Counsel

The following resolution was offered by Kevin Hicks, seconded by Daniel A. Centi, to wit:

Resolution No. 1123-__

RESOLUTION APPROVING A CERTAIN LOCAL LABOR POLICY (THE
“POLICY”) OF THE TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT
AGENCY.

WHEREAS, Town of Guilderland Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 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 commercial, manufacturing, and warehousing 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, under Section 858 of the Act, the Agency has the power to make certain appointments and approve certain administrative matters; and

WHEREAS, the Agency desires to consider a Local Labor Policy (the "Policy"); and

WHEREAS, the Agency has considered the issues relating to the adoption of a local labor policy at previous meetings of the Agency; and

WHEREAS, members of the Agency and the staff of the Agency have reviewed a number of different labor policies implemented by other industrial development agencies (the "Sample Policies") and investigated the issues relating to local labor policies with Agency Counsel (the "Staff Discussion"); and

WHEREAS, as provided in the Agency's Governance Committee Charter, the members of the Governance Committee have reviewed the Policy and made certain recommendations to the full board regarding adopting the Policy; and

WHEREAS, the Agency believes that the Policy will benefit commerce, industry and labor in the Town of Guilderland, Albany County, New York; and

WHEREAS, the members of the Agency desire to approve and adopt the Policy; and

WHEREAS, copies of a draft of the Policy have been presented to the members of the Agency and the members of the Agency have reviewed the drafts of the Policy at this meeting; and

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

Section 1. The Agency has reviewed the Sample Policies and the Staff Discussion and, based upon such review, the Agency hereby makes the following findings and determinations with respect to the enactment of the Policy:

(A) The purpose of the Agency is to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of commercial and industrial 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

(B) Any labor policy enacted by the Agency must balance the interests of labor, commerce, efficiency and administrative cost.

Section 2. The Agency hereby approves the Policy, presented and reviewed by the members of the Agency, a copy of which is attached hereto as Schedule A. The Policy will be referenced in the Agency Application, included in the Agency's Policy Manual and all project applicants will sign the Agency Application acknowledging the terms of the Policy.

Section 3. The Agency hereby authorizes the Chair, Vice Chair, or Chief Executive Officer of the Agency to take all steps necessary to implement the matters described in Schedule A attached hereto.

Section 4. 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	YES
Christopher Bombardier	VOTING	YES
William H. Smart	VOTING	YES
Vera Dordick	VOTING	YES
Kevin Hicks	VOTING	YES
Paul Pastore	VOTING	YES
Daniel A. Centi	VOTING	YES

The resolution was thereupon declared duly adopted.

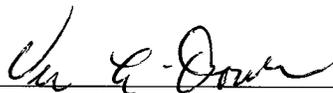
STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

I, the undersigned (Assistant) Secretary of Town of Guilderland Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on November 28, 2023 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original 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 28th day of November, 2023.



(Assistant) Secretary

(SEAL)

SCHEDULE A
LOCAL LABOR POLICY

- SEE ATTACHED -

Town of Guilderland Industrial Development
Agency
Local Labor Policy

The purpose of this policy is to promote the hiring of local residents during the construction phase of projects receiving financial assistance and consideration from the Town of Guilderland Industrial Development Agency (“the Agency”). For purposes of this policy, “local residents” is defined as residents of the Town of Guilderland, as well as of the following contiguous areas: Albany County; Schenectady County; Rensselaer County; Saratoga County; Greene County; Montgomery County; Columbia County; and Washington County.

Construction jobs, although limited in duration, are vital as a component of economic opportunity within the region. Construction wages earned by regional residents are reinvested in the local economy, contributing to its overall vitality. It is the conviction of the Agency that companies receiving Agency benefits should employ local residents during the construction phase of projects. This practice will promote the optimal distribution of benefits provided to local residents, and will promote the Agency’s mission of providing employment opportunities in all phases of the assisted project.

Each applicant for financial assistance from the Agency will be required to agree to satisfy the following requirements in form and substance satisfactory to the Agency as a condition to receiving any financial assistance from the Agency:

- 1) The applicant will provide to the Agency the name, title, mailing address and phone/fax/email information of the applicant contact person who will be responsible for providing to the Agency information about the bidding and award processes relative to the construction phase of the project.
- 2) The applicant will, as a component of their application, provide a description of the construction jobs to be created by the project. Information to be provided will include as much detail as practicable regarding the number and type of jobs to be created and the estimated duration of employment.
- 3) Upon completion of construction, the applicant will provide to the Agency a “Construction Summary”, which will list the names and business locations of prime contractors, subcontractors, and vendors who have been engaged in the construction phase of projects that have received financial benefits from the Agency.

The Agency will:

- 1) Post all applications approved for a public hearing to its website within five business days of such authorization.
- 2) Promptly update the website with current data following the public hearing held by the Agency.

EXHIBIT A
AMENDMENT TO PROJECT APPLICATION

VI. REPRESENTATIONS BY THE APPLICANT. The applicant understands and agrees with the Agency as follows:

H. Construction Job and Materialmen Information: The applicant is aware of and understands the provisions of Local Labor Policy of the Agency. Pursuant to the Local Labor Policy of the Agency, the applicant agrees to provide information, in form and substance satisfactory to the Agency, relating to construction activities for projects; specifically: (i) the nature of construction jobs created by the project, including the number, type, and duration of construction positions; (ii) information relating to wages, use of local labor, and use of local suppliers; and (iii) a “Construction Summary” listing the names and business locations of prime contractors, subcontractors, and vendors who were engaged in the construction phase of the project.

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