

**TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY
RESOLUTION REGARDING HOUSING PROJECTS 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 October 28, 2025 at 7:00 o’clock p.m., local time.

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

PRESENT:

Shelly Johnston	Chair
Daniel A. Centi	Vice Chair
William H. Smart	Treasurer/Assistant Secretary
Vera Dordick	Secretary/Assistant Treasurer
Christopher Bombardier	Member
Peter McAearney	Member
Brian Carr	Member

ABSENT:

None

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Donald Csaposs	Chief Executive Officer
Jessica Montgomery	Administrative Assistant
Christopher C. Canada, Esq.	Agency Counsel

The following resolution was offered by Christopher Bombardier, seconded by Daniel A. Centi, to wit:

Resolution No. _____

**RESOLUTION APPROVING HOUSING PROJECTS 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 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, under Section 858 of the Act, the Agency has the power to make certain appointments and approve certain administrative matters; and

WHEREAS, the members and staff of the Agency have reviewed the current needs and expectations of the Agency regarding projects involving housing (collectively, "Housing Projects"), and has worked with Agency counsel to review the requirements of the Agency to complete such Housing Projects (the "Review") and, based on such Review, (A) determined that: (1) Housing Projects undertaken by industrial development agencies are becoming more prominent throughout the State of New York and in the Capital Region, and (2) such Housing Projects may apply to the Agency for "financial assistance" as defined in the Act; and (B) desired to consider (1) the issue of the development and support of housing in general in the Town of Guilderland (the "Town"), Albany County, and the State of New York, (2) the various types of Housing Projects and which Housing Projects, if any, would best meet the needs of the Town, and (3) the adoption of policies and procedures with respect to Housing Projects; and

WHEREAS, based on the Review, counsel to the Agency prepared a policy related to any housing projects to be considered by the agency entitled the "Housing Projects Policy" (the "Policy"). A copy of the Policy is attached hereto as Schedule A and has been presented to the members of the Agency at a public meeting of the Agency meeting and is on file at the office of the Agency; and

WHEREAS, the members of the Agency and staff of the Agency have reviewed the Policy with counsel to the Agency; and

WHEREAS, as provided by the Public Authorities Law of the State of New York, and in the Charter of the Governance Committee of the Agency (the "Governance Committee"), the members of the Governance Committee have reviewed the Policy and made certain recommendations to the full board regarding approving the Policy; and

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

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

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

Section 1. The Agency hereby 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) The development and support of clean, affordable and safe housing, primarily workforce housing, will promote and maintain the job opportunities, general prosperity and economic welfare of the citizens of the Town and the State of New York and improve their standard of living; and

(C) Based on the Review and the Agency's consideration of (1) the issue of the development and support of housing in general in the Town and the State of New York, and (2) which Housing Projects, if any, would best meet the needs of the Town, it is desirable and in the public interest for the Agency to adopt the Policy.

Section 2. The Agency hereby approves the adoption of the Policy, a copy of which is attached hereto as Schedule A.

Section 3. The Agency hereby authorizes the Chair, Vice Chair, and/or the Chief Executive Officer to take all steps necessary to implement the Records Policies.

Section 4. This resolution shall take effect immediately.

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

Shelly Johnston	VOTING	YES
Daniel A. Centi	VOTING	YES
William H. Smart	VOTING	YES
Vera Dordick	VOTING	YES
Christopher Bombardier	VOTING	YES
Peter McAearney	VOTING	YES
Brian Carr	VOTING	YES

The resolution was thereupon declared duly adopted.

[Remainder of page left blank intentionally]

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 October 28, 2025 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 October, 2025.



(Assistant) Secretary

(SEAL)

SCHEDULE A
HOUSING PROJECTS POLICY

- SEE ATTACHED -

TOWN OF GUILDERLAND INDUSTRIAL DEVELOPMENT AGENCY

HOUSING PROJECTS POLICY

SECTION 1. PURPOSE AND SCOPE. The purpose of this policy (the "Policy") is to describe the current policy of the Town of Guilderland Industrial Development Agency (the "Agency") with respect to considering applications (each an "Application") submitted to the Agency requesting "financial assistance" (as defined under the General Municipal Law of the State of New York) for various Housing Projects (as defined herein).

The Agency anticipates that it may receive applications for projects which consist of various housing projects (collectively, "Housing Projects") including, but not limited to: (i) Market-Rate Housing projects, (ii) Workforce Housing projects, (iii) Senior-Designated Housing projects, and (iv) Affordable Housing projects (as each capitalized term is hereinafter defined). Such Housing Projects may involve broader goals than the traditional creation or retention of jobs but would continue to be expected to facilitate economic development in the Town of Guilderland, Albany County, New York (the "Town"). In recognition of the demands of its population and housing market are ever-changing, the Agency has prepared and adopted this Policy to facilitate certain Housing Projects based on the Agency's understanding of the current housing needs of the Town.

SECTION 2. TYPES OF HOUSING PROJECTS. As used in this Policy, and as determined by the Agency, the various types of Housing Projects which may be considered by the Agency are as follows:

(A) Affordable Housing Projects. "Affordable Housing Project" shall mean housing facilities where a specified percentage of units shall be designated to be (A) rented to households earning sixty percent (60%) or lower than the area median income (AMI) (as calculated annually by the United States Department of Housing and Urban Development), or (B) priced at a rental rate or rates equal to seventy-percent (70%) or lower of the current rental rate for the area.

(B) Market-Rate Housing Projects. "Market Rate Housing Project" shall mean housing units priced at the current rental rate for the area.

(C) Senior Designated Housing Projects. "Senior Designated Housing Project" shall mean housing facilities where at least eighty percent (80%) of the units are designated to be rented to individuals aged fifty-five (55) or older.

(D) Workforce Housing Projects. "Workforce Housing Project" shall mean housing facilities where a specified percentage of units shall be designated to be rented to individuals earning approximately eighty-percent (80%) of the area median income (AMI).

(E) Mixed-Use Projects. "Mixed-Use Projects" shall mean facilities where a portion of such facility constitutes one or more of the Housing Projects defined above, or some other similar Housing Project, and where the remainder of such facility constitutes some other facility including, but not limited to, retail space, warehousing space, or some other use.

SECTION 3. FINANCIAL ASSISTANCE TO HOUSING PROJECTS.

(A) It shall be the policy of the Agency to only consider the granting of "financial assistance" (as defined under the General Municipal Law of the State of New York) for the following housing projects:

(1) Workforce Housing Projects wherein at least twenty-five percent (25%) of the units shall be designated to be rented to individuals earning approximately eighty-percent (80%) of the area median income (AMI) of Albany County, New York; provided, however, that in the Agency's sole and absolute discretion, a Workforce Housing Project may be required to (a) designate a higher or lower percentage of units, and/or (b) designate units to individuals earning a different percentage of the area median income (AMI) of Albany County, New York; and

(2) Such other Housing Projects which the Agency may determine as meeting the needs of the Town. Such determination shall be made by the Agency on a case-by-case basis, in the Agency's sole and absolute discretion, based upon the facts and circumstances presented to the Agency in an Application and by Town officials or other sources.

(B) Any Housing Project must also satisfy the other eligibility requirements and restrictions contained in the General Municipal Law of the State of New York and the Agency's other policies including, but not limited to, the Agency's Uniform Tax Exemption Policy (the "UTEP").

(C) The "financial assistance" provided by the Agency to a Housing Project shall be as set forth in the UTEP.

(D) Any "financial assistance" provided by the Agency to a Housing Project shall be subject to recapture as set forth in the Agency's Policy Respecting Recapture of Project Benefits and may additionally be subject to recapture if such project does not receive a "certificate of occupancy" within twenty-four (24) months from the date upon which construction commences on such project. A "certificate of occupancy" must be issued by the applicable local codes officer for the political subdivision where the project is located.

Adopted: October 28, 2025