

A regular meeting of the Town of Clifton Park Industrial Development Agency was convened in public session at the Clifton Park Town Hall, One Town Hall Plaza, in the Town of Clifton Park, New York on September 18, 2023 at 7:00 o'clock p.m., local time following the conclusion of public hearings.

The meeting was called to order by the Chairman and, upon roll being called, the following were:

Todd Hess	Chairman
Daniel Fariello	Vice Chairman
Everett Noakes	Member
Mark Brockbank	Member

ABSENT:

Sheila Barkevich	Secretary
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ALSO PRESENT:

Melissa C. Yager	CEO
Thomas Gibbs	CFO
Jonathan Schopf, Esq.	Agency Counsel
James A. Carminucci	Agency Special Counsel

The following resolution was offered by Mr. Fariello, seconded by Mr. Noakes, to wit:

RESOLUTION MAKING A DETERMINATION UNDER THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT WITH RESPECT TO A PROJECT CONSISTING OF ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THREE APPROXIMATELY 7,200, 26,400 AND 23,760 RESPECTIVELY SQUARE FOOT LIGHT INDUSTRIAL, DISTRIBUTING, COMMERCIAL OFFICE AND WAREHOUSING FACILITIES AT 26 WOOD ROAD IN THE TOWN OF CLIFTON PARK, SARATOGA COUNTY, NEW YORK, UPON APPLICATION OF DONALD C. GREENE D/B/A/ DCG DEVELOPMENT CO. AND APPOINTING DONALD C. GREENE D/B/A/ DCG DEVELOPMENT CO. AGENT OF THE AGENCY IN CONNECTION WITH THE UNDERTAKING OF SUCH PROJECT.

WHEREAS, the Town of Clifton Park Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of the State of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of the State of New York, as amended (the "Enabling Act"), and Chapter 630 of the 1980 Laws of the State of New York, as amended, constituting Section 925-p 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, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct and install "projects" (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

Donald C. Greene d/b/a/ DCG Development Co., an individual having an address of 800 NYS Route 146, Suite 240, Clifton Park, New York 12065 (the "Applicant"), has requested that the Agency undertake a project (the "Project") consisting of (A) (1) the acquisition of an interest in an approximately 11.7 acre parcel of land constituting tax map parcel 259.-2-115.1 and located at 26 Wood Road in the Town of Clifton Park, New York (the "Land") (2) the construction on the Land of three approximately 7,200, 26,400 and 23,760 respectively square foot light industrial, distributing, commercial office and warehousing facilities (collectively, the "Facility") to be leased to as of yet unidentified third party tenants (the "Tenants") and (3) the acquisition and installation in the Facility of certain machinery and equipment (the "Equipment" and together with the Land and the Facility, collectively the "Project Facility"), (B) the lease (with the obligation to purchase) or the sale of the Project Facility to the Applicant or such other person as may be designated by the Applicant and agreed upon by the Agency and (C) the providing by the Agency of certain "financial assistance" (as defined in the Act) in the form of exemptions from mortgage recording tax, state and local sales tax and real property taxes; and

WHEREAS, on February 6, 2023 immediately following the holding of a public hearing with respect to the Project, the Agency granted preliminary approval to the undertaking of the Project subject to, among other conditions, compliance by the Agency with the provisions of Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of the State of New York, as amended, and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively, the "SEQR Act"); and

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

SECTION 1. Based upon a review of the Environmental Assessment Form relating to the Project and submitted by the Applicant together with the minutes and record of the Town of Clifton Park Planning Board relating to the Project, the Agency hereby confirms and ratifies the findings of the Town of Clifton Park Planning Board that the project is consistent with the existing Wood Road Generic Environmental Impact Statement which would not have a significant effect upon the environment (hereinafter the "Initial Determination"). The Chairman shall take all action required by the SEQR Act to cause such Initial Determination to become final in accordance with the terms and provisions of the SEQR Act, including the filing of this Resolution in the office of the Agency to be made available for public inspection during business hours.

SECTION 2. The Applicant is hereby appointed the true and lawful agent of the Agency (A) to (1) acquire the Land, (2) construct the Facility, and (3) acquire and install the Equipment, (B) to appoint sub-agents for such purposes and (C) to make, execute, acknowledge, and deliver any contracts, orders, receipts, writings and instructions, as the stated agent for the Agency, and in general to do all things which may be requisite or proper for completing the Project and all with the same powers and the same validity as the Agency could do if acting on its own behalf. In addition, the Applicant is hereby authorized to advance such funds as may be necessary to accomplish such purposes.

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

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

HESS	VOTING AYE
FARIELLO	VOTING AYE
NOAKES	VOTING AYE
BROCKBANK	VOTING AYE

The foregoing Resolution was thereupon declared duly adopted.

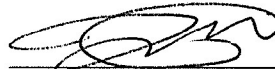
STATE OF NEW YORK )  
 ) SS.:  
COUNTY OF )

I, the undersigned Chairman of the Town of Clifton Park 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 held on September 18, 2023, including the resolution contained therein, 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 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 respect 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 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 18<sup>th</sup>  
day of Sept, 2023.



CHAIRMAN ~~(Assistant) Secretary~~