

**RESOLUTION 2024-12-01  
OF THE  
ALBANY COUNTY STAGE ACT COMMITTEE**

A meeting of the STAGE ACT Committee (“STAGE Committee”) was convened in public session at the offices of Advance Albany County Alliance Local Development Corporation located at 111 Washington Avenue (Suite 100), Albany, New York, 12210 on Wednesday, December 11, 2024 at 3:30pm.

The meeting was convened by the Director of the Albany County Department of Economic Development on not less than 72 hours’ notice, with the following STAGE Committee members present:

1. Commissioner of the Division of Management and Budget Dave Reilly (or Designee);
2. Albany County Comptroller Susan Rizzo (or Designee);
3. Albany County Executive (or Designee);
4. Chairperson of the Conservation, Sustainability & Green Initiatives Committee of the Albany County Legislature; and
5. Chairperson of the Economic Development Committee of the Albany County Legislature.

The STAGE Committee meeting was convened pursuant to and in accordance with the Sustainable Technology and Green Energy Plan (“STAGE Plan”) for the Committee to review, evaluate, consider for approval certain economic development projects and if approved, determine funding amounts for such approved economic development projects all in accordance with the STAGE Plan.

Other individuals present included:

1. Kevin O’Connor, Advance Albany County Alliance LDC (“AACA”) CEO
2. Kevin Catalano, AACA VP
3. Antionette Hedge, AACA, Economic Development Coordinator
4. Sara Paulsen, AACA, Executive Assistant
5. Thomas M. Owens, AACA Counsel

The following resolution was offered by Committee Member Susan Rizzo, seconded by Committee Member William Reinhardt, and voted on by the Committee:

**Resolution No. 2024-12-01**

*RESOLUTION APPROVING AND DETERMINING FUNDING FOR AN ECONOMIC DEVELOPMENT PROJECT APPLICATION SUBMITTED BY ECOVATIVE, LLC IN ACCORDANCE WITH AND PURSUANT TO THE STAGE PLAN*

**WHEREAS**, on June 13, 2022 the Albany County Legislature enacted Local Law 1 for 2022 “ESTABLISHING THE SUSTAINABLE TECHNOLOGY AND GREEN ENERGY ACT (STAGE ACT)”; and

**WHEREAS**, the findings of the Albany County Legislative contained within the STAGE ACT include:

- In 2019, the State of New York enacted the Climate Leadership and Community Protection Act (“CLCPA”), thereby creating one of the most ambitious and comprehensive climate and energy laws in the country. The CLCPA calls for nothing less than the decarbonization of the NYS economy and calls on each and every municipality in the state to collaboratively work to significantly increase the green energy business infrastructure in their municipalities to the greatest extent possible. New York has set aggressive goals through the CLCPA, and has established a target of reaching a point where no less than 70% of the state’s electricity consumption will be derived from renewable power generation by the year 2030; and
- Local municipalities are uniquely situated to address the climate goals noted in the CLCPA through local economic development efforts, which prioritize the shift towards clean renewable energy systems and green business that will fuel our economy in the next century. Through collaborative efforts amongst neighboring municipalities, and local economic development agencies, Albany County intends to provide the resources through which business can find a partner in the fight for a healthier environment that brings long term job investment and employment to our community; and
- As national, state, and local governments emerged from the COVID-19 pandemic, the need for an economy driven by green economic development has become more apparent than ever. Only through sustainable investment in long-term clean energy businesses can we hope to stem the tide of decades of environmental devastation brought on by a much prolonged dependence on petroleum-based economies. The County Albany County Legislature determines that the County of Albany and its arms of municipal government can act as a promoter of this type of economic development and intends to commit significant resources to the development of green economic development projects across the County; and

**WHEREAS**, the stated intention of the Albany County Legislature in the STAGE ACT is “to establish a Sustainable Technology and Green Energy Plan, which will invigorate and diversify the green business industry in the County of Albany for years to come and contribute to significant economic development, job retention, and development”; and

**WHEREAS**, pursuant to, and in accordance with the STAGE ACT, the Sustainable Technology & Green Energy Plan Rules and Regulations (“STAGE Plan”) was developed to: (1) address the climate protection goals codified by CLCPA; and (2) address the dual goals of creating economic opportunity and jobs for the residents of Albany County while decarbonizing the economy; and (3) further support Albany County’s Economic Development Strategy commissioned in 2019; and

**WHEREAS**, as part of the STAGE Plan, Advance Albany County Alliance Local Development Corporation (“AACA”) was identified by Albany County to administer and

manage a grant program (“STAGE Act Grant Program”) with funds from Albany County to foster the development of green businesses in Albany County; and

**WHEREAS**, as part of administering the STAGE Act Grant Program, AACA has developed and promulgated an application which can be completed/submitted by eligible green business applicants to AACA for review and potential approval by the AACA Board, and if such applications are approved by the AACA Board, such AACA approved applications are forwarded to the STAGE Committee for final review, approval and funding determination; and

**WHEREAS**, Ecovative, LLC submitted an application (the “Application”, attached hereto as Exhibit 1) to AACA, and following AACA’s review of the applicant, Application, and the applicant’s project (“Project”) against the STAGE Plan’s eligibility requirements, the projected economic impact of such Project, eligible uses of STAGE Act Grant Program funds and the STAGE Plan’s awarding criteria, the AACA Board has approved the Application/Project be advanced to the STAGE Act Committee for final review, approval and funding determination:

|                            |   |
|----------------------------|---|
| 1. Applicant:              | Ecovative, LLC  |
| Grant Funds Requested:     | \$681,273   |
| Project:                   | Creation of a modern food manufacturing, packing and distribution facility within its existing facility; installation of new production/packaging equipment; implementation of advanced QC systems; addition of production and supervisory roles (all actions within its existing facility) |
| Eligibility Category:      | Food Processing and Agricultural (indoor farming) Facility  |
| Jobs Created:              | 116 FT, 86 PT<br>(FT: 2 professional, 6 skilled, 108 semi- skilled; PT: 86 unskilled)   |
| Jobs Retained:             | 114 jobs (55 professional, 26 skilled, 33 semi-skilled)   |
| Investment in County:      | \$6,812,730   |
| Reviewing Criteria Score:  | 17 points (out of 22 max)   |
| Recommended Funding Level: | \$681,000   |

**WHEREAS**, AACA recommends that the STAGE Committee approve and award STAGE Act Grant Program funding for the Project at the “AACA Recommended Funding Level” identified above; and

**WHEREAS**, the STAGE Committee has received a presentation from the AACA CEO on (1) the eligibility of the applicant and the Project under the STAGE Plan; (2) ACCA’s evaluation of the Project against the STAGE Plan’s scoring criteria (attached hereto as Exhibit 2)); and (3) AACA’s recommended funding level for the Project; and

**WHEREAS**, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”) and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the “Regulations” and collectively with the SEQR Act, “SEQRA”), it appears that the Project constitutes a Type II action under SEQRA;

**NOW, THEREFORE BE IT RESOLVED, BY THE MEMBERS OF THE STAGE COMMITTEE:**

**SEQRA DETERMINATION**

(1) Based upon an examination of the Application and Project, the STAGE Committee hereby makes the following determinations: (A) The Project constitutes a “Type II action” pursuant to 6 NYCRR 617.5(c)(2), (3) and/or (31), and therefore that, pursuant to 6 NYCRR 617.6(a)(1)(i), the STAGE Committee has no further responsibilities under SEQRA with respect to the Project.

**STAGE PLAN PROJECT APPROVAL AND FUNDING DETERMINATION**

(1) The STAGE Committee approves the Project.

(2) Based on the Project’s demonstrated ability to show deliverables on job creation/retention, level of investment, project viability, and consistency with the County Economic Development Priorities, the STAGE Committee determines that \$681,273 of the STAGE Act funding authorized in the Albany County Budget be awarded to the applicant for the Project pursuant to and in accordance with the STAGE Plan, with such STAGE Act Grant Program funding to be administered by AACCA in accordance with and pursuant to the STAGE Plan.

Dated: December 11, 2024

Motion made by: Susan Rizzo

Seconded by: William Reinhardt

**Voting Results**

| <b>Committee Member</b>  | <b>Vote (Yes/No)</b> |
|--|----------------------|
| Commissioner of the Division of Management and Budget (or Designee)  | Yes                  |
| Albany County Comptroller (or Designee)  | Yes                  |
| Albany County Executive (or Designee)  | Yes                  |
| Chairperson of the Conservation, Sustainability & Green Initiatives Committee of the Albany County Legislature | Yes                  |
| Chairperson of the Economic Development Committee of the Albany County Legislature                             | Excused              |