

**RESOLUTION APPROVING TRANSFER OF PROPERTY
FORMER AL TECH SPECIALTY STEEL SITE**

A regular meeting of Albany County Industrial Development Agency (the “Agency”) was convened in public session at the offices of the Agency located at 111 Washington Avenue – Suite 100 in the City of Albany, Albany County, New York on June 4, 2025 at 4:00 o’clock p.m., local time.

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

PRESENT:

Michael J. Paparian	Chairperson
Dennis Feeney	Vice Chairperson
Marlene McTigue	Secretary
William Murphy	Treasurer
Anton Dreslin	Assistant Secretary
Paul Nylin	Member
Hon. Wanda Willingham	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Kevin O’Connor	Chief Executive Officer
Amy Thompson	Chief Financial Officer
Christopher C. Canada, Esq.	Agency Counsel

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

Resolution No. 0625-03

**RESOLUTION AUTHORIZING ACCEPTANCE BY ALBANY COUNTY
INDUSTRIAL DEVELOPMENT AGENCY OF THE DONATION OF CERTAIN REAL
PROPERTY AND APPURTENANCES THEREIN LOCATED IN THE TOWN OF
COLONIE, ALBANY COUNTY, NEW YORK FROM ALBANY COUNTY.**

WHEREAS, Albany County 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 178 of the 1975 Laws of New York, as amended, constituting Section 903-b 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 reconstruct and equip one or more “projects” (as defined in the Act), to acquire, construct, reconstruct and equip said projects or to cause said projects to be acquired, constructed, reconstructed and equipped, and to convey said projects or to lease said projects (with an obligation to purchase); and

WHEREAS, Albany County, New York (the “County”) currently holds a foreclosure judgment against the fee title owner of approximately 58 acres of real property formerly known as the Al Tech Specialty Steel site located at 2A Lincoln Avenue (Tax Map No. 44.1-1-7.2) and 201 Spring Street Road (Tax Map No. 44-1-7.1) in the Town of Colonie, Albany County, New York and the appurtenances therein (collectively, the “Premises”) due to unpaid real property taxes; and

WHEREAS, the Premises, due to their location and existing utility/energy infrastructure, have significant potential to be redeveloped into properties which could contribute to increasing employment and the development of economic activity in the County; and

WHEREAS, the County originally proposed to donate the Premises to the Advance Albany County Alliance Local Development Corporation (the “Alliance”) and, in connection with same, the Alliance and the New York State Department of Environmental Conservation entered into a certain agreement (the “NYSDEC Agreement”) pursuant to which the Alliance will not be held responsible or liable in connection with the donation of the Premises to the Alliance and which provided the Alliance with significant liability protection; and

WHEREAS, the County subsequently notified the Agency that the County desires to donate the Premises to the Agency for purposes of future economic development (such donation being referred to hereinafter as the “Action”); and

WHEREAS, the Agency has been informed by the Alliance that, prior to the Action, the Alliance will assign its rights and interests under the NYSDEC Agreement to the Agency; 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 (the “Regulations”) adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, “SEQRA”), the Action does not appear to constitute a “Type I Action” (as said quoted term is defined in the Regulations), and therefore coordinated review and notification is optional with respect to the actions contemplated by the Agency with respect to the Action; and

WHEREAS, the Agency desires to conduct an uncoordinated review of the Action and to make its initial determination of significance with respect to the Action; and

WHEREAS, the Agency desires to authorize the Action;

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

Section 1. Pursuant to SEQRA and based upon an examination of the Action, and based further upon the Agency’s knowledge of the area surrounding the Premises and such further investigation of the Premises and its environmental effects as the Agency has deemed appropriate, the Agency makes the following findings and determinations:

(A) The Action consists of the donation of the Premises to the Agency by the County.

(B) No potentially significant impacts on the environment are noted with respect to the Action, and none are known to the Agency.

Section 2. Based upon the foregoing investigation of the potential environmental impacts of the Action and considering both the magnitude and importance of each environmental impact therein indicated, the Agency makes the following findings and determinations with respect to the Action:

(A) The Action constitutes an “Unlisted Action” (as said quoted term is defined in SEQRA) and therefore coordinated review and notification of other involved agencies is strictly optional. The Agency hereby determines not to undertake a coordinated review of the Action, and therefore will not seek lead agency status with respect to the Action.

(B) The Action will result in no major impacts and, therefore, is one which will not cause significant damage to the environment. Therefore, the Agency hereby determines that the Action will not have a significant effect on the environment, and the Agency will not require the preparation of an environmental impact statement with respect to the Action.

(C) As a consequence of the foregoing, the Agency has decided to prepare a negative declaration with respect to the Action.

Section 3. The Chief Executive Officer of the Agency is hereby directed to prepare a negative declaration with respect to the Action, said negative declaration to be substantially in the form and to the effect of the negative declaration attached hereto as Exhibit A, and to cause copies of said negative declaration to be (A) filed in the main office of the Agency and (B) distributed to the County.

Section 4. Subject to (A) the review of the documents relating to the donation of the Premises by the County to the Agency (collectively, the “Action Documents”) by the Chief Executive Officer of the Agency, (B) the approval of the Action Documents by counsel to the Agency, (C) the receipt by the Chief Executive Officer of the Agency of the Agency’s administrative fee, if any, and counsel’s fees relating to the Action, (D) the assignment of the NYSDEC Agreement from the Alliance to the Agency, (E) the completion of a lien search with respect to the Premises to the satisfaction of the Agency and counsel to the Agency and (F) adequate levels of insurance being obtained by the Agency with respect to the Premises, and in accordance with the provisions of the Agency’s Real Property Acquisition Policy, the Agency hereby determines to (i) accept the donation of the Premises from the County and (ii) enter into the Action Documents and hereby authorizes the execution by the Agency of the Action Documents.

Section 5. Subject to the satisfaction of the conditions described in Section 4 hereof, the Chairperson, Vice Chairperson or Chief Executive Officer of the Agency is hereby authorized to execute and deliver the Action Documents 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 form thereof presented to this meeting, with such changes, variations, omissions and insertions as the Chairperson, Vice Chairperson or Chief Executive Officer of the Agency shall approve, the execution thereof by the Chairperson, Vice Chairperson or Chief Executive Officer of the Agency to constitute conclusive evidence of such approval.

Section 6. 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 Action, 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 Action Documents.

Section 7. 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:

Michael Paparian	VOTING	_____
Dennis Feeney	VOTING	_____
Marlene McTigue	VOTING	_____
William Murphy	VOTING	_____
Anton Dreslin	VOTING	_____
Paul Nylin	VOTING	_____
Hon. Wanda Willingham	VOTING	_____

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 Albany County 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 June 4, 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 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 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 4th day of June, 2025.

(Assistant) Secretary

(SEAL)

EXHIBIT A

NOTICE OF DETERMINATION OF NO SIGNIFICANT EFFECT ON THE ENVIRONMENT

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

In accordance with 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 (the “Regulations”) adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, “SEQRA”), notice is hereby given that Albany County Industrial Development Agency (the “Agency”) has reviewed certain documentation relating to the donation by Albany County (the “County”) of certain real property and the appurtenances therein (collectively, the “Premises”) to the Agency as described below (referred to hereinafter as the “Action”) and that the Agency has determined (A) that the proposed Action is an “Unlisted Action” pursuant to the Regulations, and therefore that coordinated review and notification is optional with respect to said Action; (B) to conduct an uncoordinated review of the Action; (C) that the Action will result in no major impacts and therefore will not have a significant effect on the environment; and (D) therefore that an environmental impact statement is not required to be prepared with respect to the Action. THIS NOTICE IS A NEGATIVE DECLARATION FOR THE PURPOSES OF THE ACT.

1. Lead Agency: The Agency has determined not to follow the coordinated review provisions of the Regulations. Therefore, there is no lead agency for the Action.

2. Person to Contact for Further Information: Kevin O’Connor, Chief Executive Officer, Albany County Industrial Development Agency, 111 Washington Avenue – Suite 100, Albany, New York 12210, Telephone: (518) 852-2209.

3. Identification: Proposed donation by the County to the Agency of approximately 58 acres of land and the appurtenances therein located in the Town of Colonie, Albany County, New York formerly known as the Al Tech Specialty Steel site (collectively, the “Premises”).

4. Description: The Action consists of the donation of the Premises from the County to the Agency.

5. Location: The Premises are located at 2A Lincoln Avenue (Tax Map No. 44.1-1-7.2) and 201 Spring Street Road (Tax Map No. 44-1-7.1) in the Town of Colonie, Albany County, New York.

6. Reasons for Determination of Non-Significance: By resolution adopted by the members of the Agency on June 4, 2025, the Agency determined that no significant environmental impacts were identified by the Agency in its review of the request and the Action and, based upon the Agency’s knowledge of the area surrounding the Premises and such further investigation of the Action and its environmental effects as the Agency has deemed appropriate, no significant environmental impacts are known to the Agency.

7. Comment Period: All interested parties, groups and persons disagreeing with or otherwise desiring to comment upon the Agency’s initial environmental determination with respect to the action are invited to submit written comments for consideration by the Agency. All such comments should be sent

by mail addressed to Kevin O'Connor, Chief Executive Officer at the address specified in paragraph two hereof.

Dated: June 4, 2025

ALBANY COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

BY: _____
Authorized Officer