

## RESOLUTION

A regular meeting of the County of Sullivan Industrial Development Agency (“Agency”) was convened in public session on September 11, 2017, at 11:00 a.m., local time, at the Sullivan County Government Center, 100 North Street, Monticello, New York 12701.

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

|                  | <u>PRESENT</u> | <u>ABSENT</u> |
|------------------|----------------|---------------|
| Ira Steingart    | [ √ ]          | [   ]         |
| Suzanne Loughlin | [   ]          | [ √ ]         |
| Sean Rieber      | [ √ ]          | [   ]         |
| Edward T. Sykes  | [ √ ]          | [   ]         |
| Howard Siegel    | [ √ ]          | [   ]         |
| Scott Smith      | [ √ ]          | [   ]         |
| Paul Guenther    | [   ]          | [ √ ]         |
| Joseph Perrello  | [ √ ]          | [   ]         |
| Carol Roig       | [   ]          | [ √ ]         |

The following persons were also present:

Jennifer M. Flad, Executive Director  
Steve White, Chief Executive Officer  
Julio Garaicoechea, Project Manager  
Walter F. Garigliano, Agency General Counsel

The following resolution was duly offered by Howard Siegel, and seconded by Sean Rieber, to wit:

Resolution No. 44 - 17

***RESOLUTION EXTENDING THE SALES TAX ABATEMENT PERIOD FOR THE BE NEET LLC (“BE NEET”) AND JEFF SANITATION, INC. (“JEFF SANITATION”) AND TOGETHER WITH BE NEET COLLECTIVELY, THE “COMPANY”) PROJECT NUNC PRO TUNC FROM AUGUST 1, 2017 THROUGH AND INCLUDING JANUARY 31, 2018***

***WHEREAS***, by Title 1 of Article 18-A of the General Municipal Law of the State of New York ("State"), as amended, and Chapter 560 of the Laws of 1970 of the State, as amended and codified as Section 960 of the General Municipal Law (collectively, the “Act”), the Agency was created with the authority and power to own, lease and sell property as authorized by the

Act; and

**WHEREAS**, on or about February 27, 2017, the Agency closed a lease/leaseback transaction with the Company consisting of: (i) construction, installation and equipping of an approximately 88' x 100' square foot steel frame building intended to be used as a transfer station ("Building") situate on two (2) parcels of real estate consisting of approximately 15.24 acres located at 5237-5239 State Route 52, Town of Delaware ("Town"), County of Sullivan ("County"), State of New York and identified on the Town tax map as Section 21, Block 1, Lot 12.1 and Section 6, Block 1, Lot 43.1 ("Land"); (ii) construction and equipping of the Building; (iii) construction and installation thereon and therein of certain furniture, fixtures, machinery, equipment and tools ("Equipment"); (iv) construction of improvements to the Building, the Land and the Equipment (collectively, the Building, the Land and the Equipment are referred to as the "Facility" or the "Project"); and (v) lease of the Project from the Agency to the Company; and

**WHEREAS**, on or about February 27, 2017, the Agency and the Company entered into an Agent Agreement pursuant to which the Agency designated the Company its agent; and

**WHEREAS**, contemporaneously with the execution of the Agent Agreement, the Agency delivered to the Company a Sales Tax Exemption Letter, which letter has expired; and

**WHEREAS**, by letter, the Company requested that the sales tax abatement period be extended for another six (6) months to continue the construction, installation and equipping of the Project.

**NOW, THEREFORE, BE IT RESOLVED**, that the sales tax abatement period for the Project be, and hereby is, extended nunc pro tunc from August 1, 2017 through and including January 31, 2018.

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

|                  |   |                             |  |                                  |
|------------------|---|-----------------------------|--|----------------------------------|
| Ira Steingart    | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Absent            | <input type="checkbox"/> Abstain |
| Suzanne Loughlin | <input type="checkbox"/> Yes            | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Absent | <input type="checkbox"/> Abstain |
| Sean Rieber      | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Absent            | <input type="checkbox"/> Abstain |
| Edward T. Sykes  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Absent            | <input type="checkbox"/> Abstain |
| Howard Siegel    | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Absent            | <input type="checkbox"/> Abstain |
| Scott Smith      | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Absent            | <input type="checkbox"/> Abstain |
| Paul Guenther    | <input type="checkbox"/> Yes            | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Absent | <input type="checkbox"/> Abstain |
| Joseph Perrello  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Absent            | <input type="checkbox"/> Abstain |
| Carol Roig       | <input type="checkbox"/> Yes            | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Absent | <input type="checkbox"/> Abstain |

The resolution was thereupon duly adopted.