

**COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY**

548 Broadway  
Monticello, New York 12701  
(845) 428-7575 - Voice  
(845) 428-7577 - Fax  
[www.sullivanida.com](http://www.sullivanida.com)  
TTY 711

**MEETING NOTICE**

**TO:** Ira Steingart, IDA Chairman  
Suzanne Loughlin, IDA Vice Chair  
Sean Rieber, IDA Secretary  
Howard Siegel, IDA Treasurer & Chief Financial Officer  
Edward Sykes, IDA Assistant Secretary & Chief Executive Officer  
Scott Smith, IDA Assistant Treasurer  
Paul Guenther, IDA Member  
Joseph Perrello, IDA Member  
Carol Roig, IDA Member  
Chairman and Members of the Sullivan County Legislature  
Josh Potossek, Sullivan County Manager  
Walter Garigliano, Esq., IDA Counsel

**FROM:** Jennifer Flad, Executive Director

**DATE:** December 3, 2019

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**PLEASE TAKE NOTICE** that there will be a Regular Meeting of the County of Sullivan Industrial Development Agency scheduled as follows:

**DATE:** December 9, 2019 - Monday  
**TIME:** 11:00 AM  
**LOCATION:** Legislative Committee Room  
**Sullivan County Government Center**  
100 North Street  
Monticello, New York 12701

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**AMENDED MEETING AGENDA**

**Monday, December 9, 2019, 11:00 AM**

Legislative Committee Room  
Sullivan County Government Center  
100 North Street  
Monticello, New York 12701

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. APPROVAL OF MEETING MINUTES**

November 18, 2019 Regular Meeting

**IV. BILLS AND COMMUNICATIONS**

**V. STAFF REPORT**

**VI. OLD BUSINESS**

None

**VII. NEW BUSINESS**

Resolution: Authorizing the Agency to Provide Funding to the Partnership for Economic Development in Sullivan County, Inc. for the Fourth Quarter of 2019

Resolution: Extending the Sales Tax Abatement Period for the Empire Resorts Real Estate I, LLC Project From January 1, 2020 Through and Including June 30, 2020

Resolution: Extending the Sales Tax Abatement Period for the Montreign Operating Company, LLC Project From January 1, 2020 Through and Including June 30, 2020

Resolution: Extending the Sales Tax Abatement Period for the Doetsch Family I LLC and Doetsch Family II LLC Project From January 1, 2020 Through and Including June 30, 2020

Resolution: Extending the Sales Tax Abatement Period for the 457 Equities Monticello Corp. Project From January 1, 2020 Through and Including June 30, 2020

Resolution: Extending the Sales Tax Abatement Period for the NY Delaware III, LLC Project From January 1, 2020 Through and Including June 30, 2020

Resolution: Extending the Sales Tax Abatement Period for the NY Delaware IV, LLC Project From January 1, 2020 Through and Including June 30, 2020

Resolution: Extending the Sales Tax Abatement Period for the NY Delaware V, LLC Project From January 1, 2020 Through and Including June 30, 2020

Resolution: Extending the Sales Tax Abatement Period for the NY Delaware VI, LLC Project From January 1, 2020 Through and Including June 30, 2020

Resolution: Extending the Sales Tax Abatement Period for the Veria Lifestyle Inc. Project From January 1, 2020 Through and Including June 30, 2020

Resolution: Extending the Sales Tax Abatement Period for the Rock Meadow Partners, LLC, Great Pine, LLC, NARO Building, LLC, and Indian Fields, LLC Project From January 1, 2020 Through and Including June 30, 2020

Resolution: Extending the Sales Tax Abatement Period for the Forestburgh Property LLC and Forestburgh Hospitality LLC Project From January 1, 2020 Through and Including June 30, 2020

Resolution: Authorizing and Approving the Execution and Delivery of a Mortgage and Related Financing Documents in Favor of Ulster Savings Bank in an Amount Not to Exceed \$3,000,000 Relating to the BRR Brothers III, LLC and Sullivan County Fabrications, Inc. Project

Any and All Other Business Before the Board

**VIII. ADJOURN**

**##**

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**548 Broadway**

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**MEETING MINUTES**

**Monday, November 18, 2019**

**I. CALL TO ORDER**

Chairman Steingart called to order the regular meeting of the County of Sullivan Industrial Development Agency at approximately 11:08 AM, in the Legislative Committee Room at the Sullivan County Government Center, 100 North Street, Monticello, NY 12701.

**II. ROLL CALL**

***Members Present-***

Ira Steingart  
Suzanne Loughlin  
Howard Siegel  
Edward Sykes  
Carol Roig  
Scott Smith  
Sean Rieber

***Members Absent-***

Joseph Perrello  
Paul Guenther (\*By Phone)

***Staff Present-***

Jennifer Flad, Executive Director  
Julio Garaicoechea, Project Manager

***Staff Absent-***

***Others Present-***

Walter Garigliano, Agency Counsel  
Dan Hust, Sullivan County Communications Director  
Patricio Robayo, *Sullivan County Democrat*  
Ken Walter

**III. APPROVAL OF MEETING MINUTES**

Ms. Loughlin requested that a revision to the draft minutes include her attendance at the October 21, 2019 meeting. On a motion made by Mr. Siegel and seconded by Ms. Loughlin, the Board voted, and the revised minutes of the October 21, 2019 regular meeting were unanimously approved.

**IV. BILLS AND COMMUNICATIONS**

Ms. Flad distributed a revised schedule of payments. Mr. Sykes made a motion to approve the revised schedule of payments. Ms. Loughlin seconded the motion, the Board voted, and the revised schedule of payments was unanimously approved.

**V. STAFF REPORT**

There were no comments on the staff report.

**VI. NEW BUSINESS**

The Board reviewed and discussed a resolution extending the Sales Tax Abatement Period for **the NY Liberty I, LLC** Project from December 1, 2019 through and including May 30, 2020. Attorney Garigliano stated the project is substantially complete and will be connected to the electrical grid by the end of the year. Mr. Rieber asked if the company had filed all reports. Attorney Garigliano reminded the Board that the Solar Projects do not have a periodic monthly reporting requirement. Ms. Roig made a motion to approve. Mr. Steingart seconded the motion, the Board voted, and the resolution was unanimously approved.

Attorney Garigliano stated that there are 10 solar projects approved and closed with 2 additional projects in the pipeline. One will be a 4.4MW system and the other will be a 2MW system, in the Towns of Bethel and Fallsburg respectively. Additionally, he stated that certain Towns are requiring "As Built" drawings of completed projects since certain aspects of projects have differed from the approving resolutions due to site conditions. Therefore, the Agency will be amending project documents for all solar projects as soon as the information becomes available.

The Board reviewed and discussed a resolution Clarifying the Sales Tax Abatement for the **Veria Lifestyle, Inc. Infrastructure** project. Attorney Garigliano stated IDA engaged Robert Ryan from Harris Beach, PLLC. to assist with an analysis of the sales tax abatement used by the project. The analysis centered on sales tax abatements related to the demolition of the former Kutsher's Hotel which was a requirement by the Town. This cost was not included in the original budget and was a condition of the Town's approval of the Wellness Center. This resolution proposes to clarify the Sales Tax Abatement. Ms. Loughlin made a motion to approve. Mr. Sykes seconded the motion, the Board voted, and the resolution was unanimously approved.

The Board reviewed and discussed a resolution authorizing the amendment of the **Amytra Development LLC, Eldred Entertainment, LLC, and Eldred Hospitality, LLC** project documents. IDA received correspondence from the Project updating the scope of the Project and additional investment. Attorney Garigliano stated that the first part of the resolution increases the sales tax abatement authority not to exceed \$1,440,000. The second part of the resolution authorizes an amendment to include an additional parcel into the project. However, this parcel would not receive real estate tax abatements and would not be a part of the Lease/Leaseback or PILOT Agreements. The Agent Agreement would be amended to include the construction of a boat dock, kayak launching mechanisms, and hiking trails. Mr. Rieber made a motion to approve. Ms. Roig seconded the motion, the Board voted, and the resolution was unanimously approved.

The Board reviewed and discussed a resolution appointing **Doetsch Family III, LLC** as Agent of the Agency; Making certain findings and determinations; Authorizing the execution and Delivery of an Agent and Project Agreement; and Authorizing the Execution of a Lease to Agency, Leaseback to Company, Payment in Lieu of Tax Agreement, and related documents. Mr. Sykes recused himself from discussion because of his position as the Supervisor of the Town of Delaware where the proposed project is located. Attorney Garigliano indicated this application involves the adaptive reuse of the former Callicoon Hospital into a hospitality venue. Ms. Flad noted that there was one public comment made during the public hearing. The comment did not relate to IDA action with respect to tax abatements. The member of the public was a neighbor concerned with issues of short-term lodging, traffic, and security. Attorney Garigliano added that the Town of Delaware recently adopted a short-term rental local law related to these issues. Mr. Rieber made a motion to approve. Ms. Roig seconded the motion, the Board voted, and the resolution was approved with Mr. Sykes abstaining for the reason described above.

## **VII. PUBLIC COMMENT**

There were none.

## **VIII. ADJOURNMENT**

On a motion made by Mr. Rieber and seconded by Ms. Roig, the meeting was adjourned at 11:18 AM.

Respectfully submitted:

Julio Garaicoechea, Project Manager

##

DRAFT

# COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY

548 Broadway, Monticello, NY 12701

845-428-7575

## REVISED SCHEDULE OF PAYMENTS AS OF DECEMBER 6, 2019

Vendor	Description	Amount
Cardmember Service	IDA Academy, Adobe Acrobat, Legal Notice (to be reimbursed by SCFC), Domain Renewal (to be reimbursed by TSCILDC)	\$ 812.69
Garigiano Law Offices	Retainer December 2019	\$ 250.00
	Sales Tax Exemption Legal Fees: Doetsch Family I LLC and Doetsch Family II LLC; Montreign Operating Company; Empire Resorts Real Estate I LLC; 457 Equities Monticello Corp.; NY Delaware III, LLC; NY Delaware IV, LLC; NY Delaware V, LLC; NY Delaware VI, LLC; Rock Meadow Partners, Forestburgh Hospitality LLC & Forestburgh Property LLC; Veria Lifestyle Inc. <i>(pass-through)</i>	\$ 2,750.00
	Catskill Brewery, LLC Equipment Lease Legal & UCC Fees <i>(pass-through)</i>	\$ 1,040.00
	Total Garigiano Law Offices	\$ 4,040.00
Jennifer Flad	Health Insurance Reimbursement Q4 2019	\$ 3,062.60
Kristt Kelly Office Systems Corp.	Copy/ Fax/ Scanner Service Contracts	\$ 299.00
Mike Preis, Inc.	Crime Bond Installment Payment (1/5/20- 1/5/21)	\$ 1,079.00
New Southern Tier Title Agency LLC	January 2020 Office Rent	\$ 2,700.00
Time Warner Cable	Service 12/1/19 - 12/31/19	\$ 219.95
USDA Rural Development	RMAP Loan Repayment - December 2019	\$ 2,370.41
<b>TOTAL</b>		<b>\$ 14,583.65</b>

I certify that the payments listed above were audited by the Board of the IDA on December 9, 2019 and allowed in the amounts shown. You are hereby authorized and directed to pay each of the claimants in the amount opposite its name.

	12/9/2019
<b>Signature</b>	<b>Date</b>

Expenses Approved and Paid Since Last Regular Meeting (11/18/2019)		
Vendor	Description	Amount
<b>TOTAL</b>		<b>\$ -</b>

Other Expenses and Items Paid Since Last Regular Meeting (11/18/2019)—no approval required		
Vendor	Description	Amount
Payroll Expenses	Payroll Check Dates: 11/22/19, 12/6/19	\$ 14,791.98
<b>TOTAL</b>		<b>\$ 14,791.98</b>

PILOT Payments Paid Since Last Regular Meeting (11/18/2019)		
Vendor	Description	Amount
none		
<b>TOTAL</b>		<b>\$ -</b>

**ACTIVITY REPORT – NOVEMBER 2019**  
**COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY, SULLIVAN COUNTY**  
**FUNDING CORPORATION, THE SULLIVAN COUNTY INFRASTRUCTURE LOCAL**  
**DEVELOPMENT CORPORATION**

December 3, 2019

At its regular monthly meeting on November 18<sup>th</sup>, the County of Sullivan Industrial Development Agency (IDA) Board authorized and approved the extension of the sales tax abatement period of the NY Liberty I, LLC Project, for the development of community distributed generation solar electric facility in the Town of Liberty. The Board also adopted a resolution clarifying the sales tax abatement for the Veria Lifestyle, Inc. Project, for demolition and infrastructure work at the site of the former Kutshers Country Club in the Town of Thompson. The Board adopted a resolution authorizing the amendment of the Amytra Development LLC, Eldred Entertainment LLC and Eldred Hospitality LLC Project in the Town of Highland, increasing the authorized sales tax abatement and adding a boat dock to the project scope. Finally, the Board adopted a resolution approving the Doetsch Family III LLC Project, for the rehabilitation of two historic buildings to be used as a short-term lodging facility in the Town of Delaware.

The IDA's Executive Director attended the New York State Economic Development Council's "IDA Academy" on November 14<sup>th</sup>, to learn about pending and recently adopted laws and regulations affecting industrial development agencies and public authorities.

During November IDA staff began sending Payment in Lieu of Tax (PILOT) bills to our projects. The first PILOT payments are due December 15<sup>th</sup>, with due dates continuing into February 2020. All PILOT payments will be distributed to the taxing jurisdictions within thirty days of receipt by the IDA.

On Tuesday, December 3<sup>rd</sup> at 12:00 PM, the Sullivan County Funding Corporation will hold a public hearing related to the proposed issuance of bonds in an amount not to exceed \$70,000,000 to finance certain projects for the benefit of The Center for Discovery, Inc. The hearing will take place in the Legislative Hearing Room at the Sullivan County Government Center. Following the hearing, final approvals by the Sullivan County Legislature and Sullivan County Funding Corporation are required before the bonds can be issued. As of this writing, the timeframe for completion of the transaction is not known.

##



## RESOLUTION

A regular meeting of the County of Sullivan Industrial Development Agency ("Agency") was convened in public session on December 9, 2019, 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  
Edward T. Sykes, Chief Executive Officer  
Julio Garaicoechea, Project Manager  
Walter F. Garigliano, Agency General Counsel

The following resolution was duly offered by \_\_\_\_\_, and seconded by \_\_\_\_\_, to wit:

Resolution No. \_\_\_\_ - 19

***RESOLUTION AUTHORIZING THE AGENCY TO PROVIDE FUNDING TO THE PARTNERSHIP FOR ECONOMIC DEVELOPMENT IN SULLIVAN COUNTY, INC. FOR THE FOURTH QUARTER OF 2019***

***WHEREAS***, the Agency was created by Chapter 560 of the Laws of 1970 of the State of New York, as amended, pursuant to Title I of Article 18-A of the General Municipal Law of the State of New York (collectively, the "Act") as a body corporate and politic and as a public benefit corporation of the State of New York; and

***WHEREAS***, since 1995, the Agency has provided funding to the Partnership for Economic Development in Sullivan County, Inc. ("Partnership"); and

**WHEREAS**, the Agency contemplates providing funding to the Partnership for the fourth quarter of 2019 in the amount of EIGHTEEN THOUSAND SEVEN HUNDRED FIFTY AND 00/100 (\$18,750.00) Dollars.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE AGENCY AS FOLLOWS:**

Section 1. The Agency is hereby authorized to make provision for the funding to the Partnership for the fourth calendar quarter of 2019 in the amount of EIGHTEEN THOUSAND SEVEN HUNDRED FIFTY AND 00/100 (\$18,750.00) Dollars.

Section 2. 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 and to execute and deliver all such certificates, instruments, documents, and 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 on behalf of the Agency desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all the terms, covenants and provisions of the documents for and on behalf of the Agency.

Section 3. These resolutions shall take effect immediately.

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

Ira Steingart	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Suzanne Loughlin	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Sean Rieber	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Edward T. Sykes	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Howard Siegel	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Scott Smith	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Paul Guenther	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Joseph Perrello	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Carol Roig	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain

The resolutions were thereupon duly adopted.

STATE OF NEW YORK :  
:ss.:  
COUNTY OF SULLIVAN :

I, the undersigned Secretary (Assistant) of the County of Sullivan Industrial Development Agency, DO HEREBY CERTIFY THAT:

1. I have compared the foregoing copy of a resolution of the County of Sullivan Industrial Development Agency ("Agency") with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of such resolution and of the proceedings of the Agency in connection with such matter.
2. Such resolution was passed at a meeting of the Agency duly convened in public session on the 9<sup>th</sup> day of December, 2019 at 11:00 a.m. at the Sullivan County Government Center, 100 North Street, Village of Monticello, Sullivan County, New York, at which the following members were present:

	<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	[ ]	[ ]

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

Ira Steingart	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Suzanne Loughlin	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Sean Rieber	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Edward T. Sykes	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Howard Siegel	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Scott Smith	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Paul Guenther	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Joseph Perrello	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Carol Roig	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain

and therefore, the resolution was declared duly adopted.

I FURTHER CERTIFY that (i) all members of the Agency had due notice of said meeting, (ii) pursuant to Sections 103a and 104 of the Public Officers Law, said meeting was open to the general public and public notice of the time and place of said meeting was duly given in accordance with such Sections 103a and 104, (iii) the meeting in all respects was duly held, and (iv) there was a quorum present throughout.

***IN WITNESS WHEREOF***, I have hereunto set my hand and seal on the 9<sup>th</sup> day of December, 2019.

---

Secretary

# **BROWN DUKE & FOGEL, P.C.**

ATTORNEYS AND COUNSELORS AT LAW  
WWW.BDFLEGAL.COM

George C. D. Duke, Esq., P.G.  
Brown Duke & Fogel, P.C.  
449 Broadway  
Monticello, NY 12701  
Tel: 845-707-4030  
Fax: 845-468-7066  
gduke@bdflegal.com

November 22, 2019

Ira Steingart, Chairman and Member of the Board of Directors  
Julio Garaicoechea, Project Manager  
Walter Garigliano, Esq., Agency Counsel  
County of Sullivan Industrial Development Agency  
548 Broadway  
Monticello, New York 12701

RE: Empire Resorts Real Estate I, LLC – New York State Sales and Use Tax Exemption

Dear Chairman Steingart, Mr. Garaicoechea, Mr. Garigliano and Members of the Board of Directors:

We represent Empire Resorts Real Estate I, LLC (“ERREI” or, the “Company”) in connection with its application and subsequent agreements for financial assistance from the County of Sullivan Industrial Development Agency (the “Agency”) to undertake the Golf Course Project (the “GC Project”). The Agency adopted a Resolution extending the Sales Tax Abatement period for the GC Project through and including December 31, 2019. Construction of the Project is underway and is anticipated to continue through the next growing season.

According to Paragraph 2 of the Agent and Project Agreement (dated December 22, 2016) (the “AA”), subsequent sales tax abatement letters may be issued to the Company for a period of up to six months, at the Agency’s discretion, so long as the Company is in compliance with all of the terms of the AA. It is our understanding that the Company is currently in compliance with the AA and has been working diligently to ensure continued compliance with the AA.

SYRACUSE

MONTICELLO

NEW YORK CITY

In light of the above, we respectfully request that the Agency issue a new Sales Tax Abatement Letter confirming the New York State Sales and Use Tax Exemption for the Project to be valid through and including June 30, 2020 or such other time as the Agency sees fit. We thank you in advance for your attention to this matter.

Very truly yours,

BROWN DUKE & FOGEL, P.C.



George Duke

## RESOLUTION

A regular meeting of the County of Sullivan Industrial Development Agency (“Agency”) was convened in public session on December 9, 2019, 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  
Edward T. Sykes, Chief Executive Officer  
Julio Garaicoechea, Project Manager  
Walter F. Garigliano, Agency General Counsel

The following resolution was duly offered by \_\_\_\_\_, and seconded by \_\_\_\_\_, to wit:

Resolution No. \_\_\_\_ - 19

***RESOLUTION EXTENDING THE SALES TAX ABATEMENT PERIOD FOR THE EMPIRE RESORTS REAL ESTATE I, LLC (“COMPANY”) PROJECT FROM JANUARY 1, 2020 THROUGH AND INCLUDING JUNE 30, 2020***

***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 December 22, 2016, the Agency closed a lease/leaseback transaction with the Company consisting of:

- (i) acquisition, construction, installation and equipping of a new eighteen (18) hole golf course (“Golf Course”), an approximately 14,000± square foot clubhouse, an approximately 12,800± square foot maintenance building and related structures

("Buildings") situate on one (1) parcel of real estate consisting of approximately 215.35± acres located along Thompsonville Road and Chalet Road, Town of Thompson ("Town"), County of Sullivan ("County"), State and identified on the Town tax map as 15.-1-15 ("Land"); (ii) acquisition, construction and equipping of the Golf Course and Buildings; (iii) acquisition, construction and installation thereon and therein of certain furniture, fixtures, machinery, equipment and tools ("Equipment"); (iv) construction of improvements to the Golf Course, the Buildings, the Land and the Equipment (collectively, the Golf Course, the Buildings, 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 December 22, 2016, the Agency and the Company entered into an Agent Agreement pursuant to which the Agency designated the Company as agent of the Agency; and

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

**WHEREAS**, by letter from Brown Duke & Fogel, P.C., dated November 22, 2019, the Company requested that the sales tax abatement period be extended for another six (6) months to continue construction of the Project.

**NOW, THEREFORE, BE IT RESOLVED**, that the sales tax abatement period for the Project be, and hereby is, extended through and including June 30, 2020.

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 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Sean Rieber	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Edward T. Sykes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Howard Siegel	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Scott Smith	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Joseph Perrello	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain

The resolution was thereupon duly adopted.



# BROWN DUKE & FOGEL, P.C.

ATTORNEYS AND COUNSELORS AT LAW  
WWW.BDFLEGAL.COM

George C. D. Duke, Esq., P.G.  
Brown Duke & Fogel, P.C.  
449 Broadway  
Monticello, NY 12701  
Tel: 845-707-4030  
Fax: 845-468-7066  
gduke@bdflegal.com

November 22, 2019

Ira Steingart, Chairman and Member of the Board of Directors  
Julio Garaicoechea, Project Manager  
Walter Garigliano, Esq., Agency Counsel  
County of Sullivan Industrial Development Agency  
548 Broadway  
Monticello, New York 12701

RE: Montreign Operating Company, LLC – New York State Sales and Use Tax Exemption

Dear Chairman Steingart, Mr. Garaicoechea, Mr. Garigliano and Members of the Board of Directors:

As you know, we represent Montreign Operating Company, LLC (“MOC” or, the “Company”), in connection with its application and subsequent agreements for financial assistance from the County of Sullivan Industrial Development Agency (the “Agency”) to undertake the Resorts World Catskills (f/k/a Montreign Resort Casino) Development Project (the “Project”). To assist and enable the continued activities at the Project the Agency adopted a resolution extending the sales tax abatement period for the Company through and including December 31, 2019 and issued a sales tax abatement letter memorializing same. While much of the Project is now complete, certain Project-related activities continue.

According to Paragraph 1 of the Amended and Restated Agent Agreement (dated September 18, 2015) (the “ARAA”), subsequent sales tax abatement letters may be issued to the Company, at the Agency’s discretion, so long as the Company is in compliance with all of the terms of the ARAA. It is our understanding that the Company is currently in compliance with the ARAA and has been working diligently to ensure continued compliance with the ARAA.

SYRACUSE

MONTICELLO

NEW YORK CITY

In light of the above, we respectfully request that the Agency issue a new Sales Tax Abatement Letter confirming the New York State Sales and Use Tax Exemption for the Project to be valid through and including June 30, 2020 or such other time as the Agency sees fit. We thank you in advance for your attention to this matter.

Very truly yours,

BROWN DUKE & FOGEL, P.C.



George Duke

## RESOLUTION

A regular meeting of the County of Sullivan Industrial Development Agency (“Agency”) was convened in public session on December 9, 2019, 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  
Edward T. Sykes, Chief Executive Officer  
Julio Garaicoechea, Project Manager  
Walter F. Garigliano, Agency General Counsel

The following resolution was duly offered by \_\_\_\_\_,  
and seconded by \_\_\_\_\_, to wit:

Resolution No. \_\_\_\_ - 19

***RESOLUTION EXTENDING THE SALES TAX ABATEMENT PERIOD FOR  
THE MONTREIGN OPERATING COMPANY, LLC (“COMPANY”)  
PROJECT FROM JANUARY 1, 2020 THROUGH AND INCLUDING JUNE  
30, 2020***

***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 September 5, 2014, the Agency closed a lease/leaseback transaction with the Company consisting of: (i) the acquisition by the Agency of a leasehold interest or other interest in certain property located at Joyland Road and Thompsonville Road in the Town of Thompson (“Town”), County of Sullivan (“County”), State and being more particularly identified as all or part of tax map numbers 23-1-52.1 and 23-1-48.1 (f/k/a 23-1-11.3, 23-1-48, 23-1-52 (portion), 23-1-53 (portion), 23-1-54.1, 23-1-54.2 (portion), 23-1-54.3 (portion)) and containing in the aggregate approximately 186 acres (“Land”), (ii) the construction and equipping on the Land a “Casino Resort”, which will consist of, among other things, a casino, hotel, banquet event center, restaurants, support buildings and structured and surface parking and related facilities and amenities (collectively, the “Improvements”), and (iii) the acquisition in and around the Land and the Improvements of certain items of equipment and other tangible personal property (“Equipment,” and collectively with the Land and the Improvements, the “Facility” or “Project); and

**WHEREAS**, on or about September 5, 2014, the Company and the Agency entered into an Agent Agreement which was amended and restated by that certain Amended and Restated Agent Agreement, dated September 18, 2015; and

**WHEREAS**, contemporaneously with the execution of the Amended and Restated Agent Agreement, the Agency delivered to the Company a Sales Tax Exemption Letter, which letter will expire; and

**WHEREAS**, by letter from Brown Duke & Fogel, P.C., dated November 22, 2019, the Company requested that the sales tax abatement period be extended for another six (6) months to continue the construction of the Improvements.

**NOW, THEREFORE, BE IT RESOLVED**, that the sales tax abatement period for the Project be, and hereby is, extended through and including June 30, 2020.

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

Ira Steingart	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Suzanne Loughlin	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Sean Rieber	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Edward T. Sykes	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Howard Siegel	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Scott Smith	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Paul Guenther	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Joseph Perrello	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Carol Roig	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain

The resolution was thereupon duly adopted.

## Julio Garaicoechea

---

**From:** Doetsch, Douglas A. <DDoetsch@mayerbrown.com>  
**Sent:** Tuesday, November 26, 2019 11:02 AM  
**To:** Julio Garaicoechea  
**Cc:** Jennifer Flad  
**Subject:** RE: CSIDA w/ Doetsch Family I/Doetsch Family II

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Julio,

I do hereby request a six month extension of the Sales Tax Abatement Letter for Seminary Hill Cidery to [June 30, 2020](#) (from the current expiration date of [December 31, 2019](#)). If you need this request on letterhead or if there is a fee associated, please let me know.

Status of the project is as follows: [My contractor \(Baxter Construction from the Hudson Valley\) commenced construction](#) on Seminary Hill Cidery/Tasting Room [over the summer](#) of this year, [and we now have a completed foundation](#). Completion [is](#) expected in early summer of 2020. Accordingly, the construction work and outfitting of the cidery and tasting room should be done over the next [6-9](#) months.

Please let me know if you have additional questions.

Regards

Doug

<Doetsch Sales Tax Letter 060118-123118.pdf>

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## RESOLUTION

A regular meeting of the County of Sullivan Industrial Development Agency ("Agency") was convened in public session on December 9, 2019, 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  
Edward T. Sykes, Chief Executive Officer  
Julio Garaicoechea, Project Manager  
Walter F. Garigliano, Agency General Counsel

The following resolution was duly offered by \_\_\_\_\_, and seconded by \_\_\_\_\_, to wit:

Resolution No. \_\_\_\_ - 19

***RESOLUTION EXTENDING THE SALES TAX ABATEMENT PERIOD FOR THE DOETSCH FAMILY I LLC ("DOETSCH FAMILY I") AND DOETSCH FAMILY II LLC ("DOETSCH FAMILY II" TOGETHER WITH DOETSCH FAMILY I COLLECTIVELY, THE "COMPANY") PROJECT FROM JANUARY 1, 2020 THROUGH AND INCLUDING JUNE 30, 2020***

***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 16, 2018, the Company presented an application to the Agency, a copy of which is on file at the office of the Agency, requesting that the Agency consider undertaking a project consisting of the: (i) construction, installation and equipping of (a) an approximately 8,200 ± square foot building intended to be used as a cider production facility and

tasting room (“Building”); and (b) construction and equipping of a 1,500-1,800 square foot storage area for kegs, barrels, apples, etc. (“Storage Cave”) situate on one (1) parcel of real estate consisting of approximately 59.59 ± acres located at 51 Wagner Lane, Town of Delaware (“Town”), Callicoon, County of Sullivan (“County”), State and identified on the Town tax map as Section 12, Block 1, Lot 13.5 (“Land”); (ii) construction and equipping of the Building and Storage Cave; (iii) construction and installation thereon and therein of certain furniture, fixtures, machinery, equipment and tools (“Equipment”); (iv) construction of improvements to the Building, the Storage Cave, the Land and the Equipment (collectively, the Building, the Storage Cave the Land and the Equipment are referred to as the “Facility” or the “Project”); and (v) lease of the Facility from the Agency to the Company; and

**WHEREAS**, on or about August 1, 2018, the Agency and the Company entered into an Agent and Project Agreement pursuant to which the Agency designated the Company as agent of the Agency; and

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

**WHEREAS**, on or about November 27, 2019, the Company requested that the sales tax abatement period be extended for another six (6) months to continue the Project.

**NOW, THEREFORE, BE IT RESOLVED**, that the sales tax abatement period for the Project be, and hereby is, extended through and including June 30, 2020.

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 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Sean Rieber	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Edward T. Sykes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Howard Siegel	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Scott Smith	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Joseph Perrello	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain

The resolution was thereupon duly adopted.



## Julio Garaicoechea

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**From:** Julio Garaicoechea  
**Sent:** Monday, November 25, 2019 10:09 AM  
**To:** Julio Garaicoechea  
**Subject:** FW: CSIDA w/ 457 Equities Monticello Corp.

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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**From:** jerry@emanonequities.com <jerry@emanonequities.com>  
**Sent:** Monday, November 25, 2019 10:05 AM  
**To:** Julio Garaicoechea <juliog@sullivanida.com>  
**Subject:** RE: CSIDA w/ 457 Equities Monticello Corp.

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Thanks for reaching out, I was going to actually write to you today.

As you may be aware, we have just last Friday opened the bid. The contracts have not been fully executed as of today and we do not anticipate starting any work until after Christmas/New Year. All of the work and purchases that will require a tax abatement for material will be in 2020. We are requesting that the Tax Abatement Certificate be extended to cover the period of construction which will be done through the first half of 2020.

Thank you, and I hope that you have a Happy Thanksgiving.

Jerry

## RESOLUTION

A regular meeting of the County of Sullivan Industrial Development Agency ("Agency") was convened in public session on December 9, 2019, 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  
Edward T. Sykes, Chief Executive Officer  
Julio Garaicoechea, Project Manager  
Walter F. Garigliano, Agency General Counsel

The following resolution was duly offered by \_\_\_\_\_, and seconded by \_\_\_\_\_, to wit:

Resolution No. \_\_\_\_ - 19

***RESOLUTION EXTENDING THE SALES TAX ABATEMENT PERIOD FOR  
THE 457 EQUITIES MONTICELLO CORP. ("COMPANY") PROJECT FROM  
JANUARY 1, 2020 THROUGH AND INCLUDING JUNE 30, 2020***

***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 June 10, 2019, the Company and the Agency entered into a lease/leaseback transaction to facilitate the (i) construction, installation and equipping of a building ("Building") to consist of the following: (a) fixing or replacing front center siding; (b) adding a second floor center window; (c) addition of front entrance doors; (d) redesigning a front entrance; (e) repairing and repainting balance of front; (f) removing interior front partitions to open store front; (g) insulating and raising interior second floor; (h) adding plywood and residing open areas on second

floor; and (i) installing awnings and replacing with new director sign situate on one (1) parcel of real estate consisting of <1.00 acre to be located at 457 Broadway in the Village of Monticello, Town of Thompson (“Town”), County of Sullivan, State and identified on the Town tax map as Section 115, Block 6, Lot 2 (“Land”); (ii) acquisition and installation thereon and therein of certain furniture, fixtures, machinery, equipment and tools (“Equipment”); (iii) construction of improvements to the Building, the Land and the Equipment (collectively, the Building, the Land and the Equipment are referred to as the “Project” or “Facility”); and (iv) lease of the Project from the Agency to the Company; and

**WHEREAS**, on or about June 10, 2019, the Agency and the Company entered into a Second Amended and Restated Agent and Project Agreement (“Agent Agreement”) pursuant to which the Agency designated the Company as agent of the Agency; and

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

**WHEREAS**, on or about November 25, 2019, the Company requested that the sales tax abatement period be extended for another six (6) months to continue the Project.

**NOW, THEREFORE, BE IT RESOLVED**, that the sales tax abatement period for the Project be, and hereby is, extended through and including June 30, 2020.

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 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Sean Rieber	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Edward T. Sykes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Howard Siegel	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Scott Smith	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Joseph Perrello	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain

The resolution was thereupon duly adopted.

## Julio Garaicoechea

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**To:** Julio Garaicoechea  
**Subject:** FW: CSIDA w/ NY Delaware II, III, IV, V, VI

**From:** Richard W. Chun <rchun@rwc-legal.com>  
**Sent:** Tuesday, December 3, 2019 4:16 PM  
**To:** Julio Garaicoechea <juliog@sullivanida.com>  
**Subject:** RE: CSIDA w/ NY Delaware II, III, IV, V, VI

Hi Julio,

Thank you very much for the follow-up.

NY Delaware III, NY Delaware IV, NY Delaware V, and NY Delaware VI, each requests a 6-month extension to the sale tax abatement letter.

Please find below a brief description of the work that needs to be completed.

NY Delaware III: MV pole work, inverter connections, fencing and Combiner boxes terminations

NY Delaware IV: MV pole work, setting inverter and transformer, inverter connections, fencing and Combiner boxes terminations

NY Delaware V: MV pole work, panels installation, racking installation, setting inverter and transformer, inverter connections, fencing and Combiner boxes terminations

NY Delaware VI: MV pole work , panels installation, racking installation, setting inverter and transformer, inverter connections, fencing and Combiner boxes terminations

I am confirming whether the extension is needed for NY Delaware II and will get back to you asap.

In the meantime, please feel free to contact me with any questions.

Thanks,  
Richard

## RESOLUTION

A regular meeting of the County of Sullivan Industrial Development Agency ("Agency") was convened in public session on December 9, 2019, 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  
Edward T. Sykes, Chief Executive Officer  
Julio Garaicoechea, Project Manager  
Walter F. Garigliano, Agency General Counsel

The following resolution was duly offered by \_\_\_\_\_, and seconded by \_\_\_\_\_, to wit:

Resolution No. \_\_\_\_ - 19

***RESOLUTION EXTENDING THE SALES TAX ABATEMENT PERIOD FOR  
THE NY DELAWARE III, LLC ("COMPANY") PROJECT FROM JANUARY 1,  
2020 THROUGH AND INCLUDING JUNE 30, 2020***

***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 March 6, 2019, the Company presented an application to the Agency, a copy of which is on file at the office of the Agency, requesting that the Agency consider undertaking a project consisting of the construction of an approximately 2MW solar photovoltaic electricity generating facility that will be interconnected to the New York State Electric and Gas ("NYSEG") electrical grid ("Project"). The Project is new construction and will be comprised of (a) racking to mount the solar modules; (b) solar modules; (c) inverters and transformers to sit on a concrete inverter

pad; and (d) assorted electrical components and wiring (“Solar Array”). The Solar Array will be constructed on a portion of 76.56± acres of real estate located at 93 Villa Roma Road, Town of Delaware (“Town”), County of Sullivan, State and identified on the Town tax map as Section 21, Block 1, Lot 28 (“Land”); and

**WHEREAS**, on or about June 10, 2019, the Agency and the Company entered into an Agent and Project Agreement pursuant to which the Agency designated the Company as agent of the Agency; and

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

**WHEREAS**, on or about December 3, 2019, the Company requested that the sales tax abatement period be extended for another six (6) months to continue the Project.

**NOW, THEREFORE, BE IT RESOLVED**, that the sales tax abatement period for the Project be, and hereby is, extended through and including June 30, 2020.

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 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Sean Rieber	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Edward T. Sykes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Howard Siegel	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Scott Smith	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Joseph Perrello	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain

The resolution was thereupon duly adopted.

## RESOLUTION

A regular meeting of the County of Sullivan Industrial Development Agency ("Agency") was convened in public session on December 9, 2019, 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  
Edward T. Sykes, Chief Executive Officer  
Julio Garaicoechea, Project Manager  
Walter F. Garigliano, Agency General Counsel

The following resolution was duly offered by \_\_\_\_\_, and seconded by \_\_\_\_\_, to wit:

Resolution No. \_\_\_\_ - 19

***RESOLUTION EXTENDING THE SALES TAX ABATEMENT PERIOD FOR  
THE NY DELAWARE IV, LLC ("COMPANY") PROJECT FROM JANUARY 1,  
2020 THROUGH AND INCLUDING JUNE 30, 2020***

***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 March 6, 2019, the Company presented an application to the Agency, a copy of which is on file at the office of the Agency, requesting that the Agency consider undertaking a project consisting of the construction of an approximately 2MW solar photovoltaic electricity generating facility that will be interconnected to the New York State Electric and Gas ("NYSEG") electrical grid ("Project"). The Project is new construction and will be comprised of (a) racking to mount the solar modules; (b) solar modules; (c) inverters and transformers to sit on a concrete inverter

pad; and (d) assorted electrical components and wiring (“Solar Array”). The Solar Array will be constructed on a portion of 76.56± acres of real estate located at 93 Villa Roma Road, Town of Delaware (“Town”), County of Sullivan (“County”), State and identified on the Town tax map as Section 21, Block 1, Lot 28 (“Land”); and

**WHEREAS**, on or about June 10, 2019, the Agency and the Company entered into an Agent and Project Agreement pursuant to which the Agency designated the Company as agent of the Agency; and

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

**WHEREAS**, on or about December 3, 2019, the Company requested that the sales tax abatement period be extended for another six (6) months to continue the Project.

**NOW, THEREFORE, BE IT RESOLVED**, that the sales tax abatement period for the Project be, and hereby is, extended through and including June 30, 2020.

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 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Sean Rieber	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Edward T. Sykes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Howard Siegel	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Scott Smith	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Joseph Perrello	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain

The resolution was thereupon duly adopted.



## RESOLUTION

A regular meeting of the County of Sullivan Industrial Development Agency ("Agency") was convened in public session on December 9, 2019, 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  
Edward T. Sykes, Chief Executive Officer  
Julio Garaicoechea, Project Manager  
Walter F. Garigliano, Agency General Counsel

The following resolution was duly offered by \_\_\_\_\_, and seconded by \_\_\_\_\_, to wit:

Resolution No. \_\_\_\_ - 19

***RESOLUTION EXTENDING THE SALES TAX ABATEMENT PERIOD FOR  
THE NY DELAWARE V, LLC ("COMPANY") PROJECT FROM JANUARY 1,  
2020 THROUGH AND INCLUDING JUNE 30, 2020***

***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 March 6, 2019, the Company presented an application to the Agency, a copy of which is on file at the office of the Agency, requesting that the Agency consider undertaking a project consisting of the construction of an approximately 2MW solar photovoltaic electricity generating facility that will be interconnected to the New York State Electric and Gas ("NYSEG") electrical grid ("Project"). The Project is new construction and will be comprised of (a) racking to mount the solar modules; (b) solar modules; (c) inverters and transformers to sit on a concrete inverter

pad; and (d) assorted electrical components and wiring (“Solar Array”). The Solar Array will be constructed on a portion of 76.56± acres of real estate located at 93 Villa Roma Road, Town of Delaware (“Town”), County of Sullivan (“County”), State and identified on the Town tax map as Section 21, Block 1, Lot 28 (“Land”); and

**WHEREAS**, on or about June 10, 2019, the Agency and the Company entered into an Agent and Project Agreement pursuant to which the Agency designated the Company as agent of the Agency; and

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

**WHEREAS**, on or about December 3, 2019, the Company requested that the sales tax abatement period be extended for another six (6) months to continue the Project.

**NOW, THEREFORE, BE IT RESOLVED**, that the sales tax abatement period for the Project be, and hereby is, extended through and including June 30, 2020.

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 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Sean Rieber	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Edward T. Sykes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Howard Siegel	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Scott Smith	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Joseph Perrello	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain

The resolution was thereupon duly adopted.

## RESOLUTION

A regular meeting of the County of Sullivan Industrial Development Agency ("Agency") was convened in public session on December 9, 2019, 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  
Edward T. Sykes, Chief Executive Officer  
Julio Garaicoechea, Project Manager  
Walter F. Garigliano, Agency General Counsel

The following resolution was duly offered by \_\_\_\_\_, and seconded by \_\_\_\_\_, to wit:

Resolution No. \_\_\_\_ - 19

***RESOLUTION EXTENDING THE SALES TAX ABATEMENT PERIOD FOR  
THE NY DELAWARE VI, LLC ("COMPANY") PROJECT FROM JANUARY 1,  
2020 THROUGH AND INCLUDING JUNE 30, 2020***

***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 March 6, 2019, the Company presented an application to the Agency, a copy of which is on file at the office of the Agency, requesting that the Agency consider undertaking a project consisting of the construction of an approximately 2MW solar photovoltaic electricity generating facility that will be interconnected to the New York State Electric and Gas ("NYSEG") electrical grid ("Project"). The Project is new construction and will be comprised of (a) racking to mount the solar modules; (b) solar modules; (c) inverters and transformers to sit on a concrete inverter

pad; and (d) assorted electrical components and wiring (“Solar Array”). The Solar Array will be constructed on a portion of 76.56± acres of real estate located at 93 Villa Roma Road, Town of Delaware (“Town”), County of Sullivan (“County”), State and identified on the Town tax map as Section 21, Block 1, Lot 28 (“Land”); and

**WHEREAS**, on or about June 10, 2019, the Agency and the Company entered into an Agent and Project Agreement pursuant to which the Agency designated the Company as agent of the Agency; and

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

**WHEREAS**, on or about December 3, 2019, the Company requested that the sales tax abatement period be extended for another six (6) months to continue the Project.

**NOW, THEREFORE, BE IT RESOLVED**, that the sales tax abatement period for the Project be, and hereby is, extended through and including June 30, 2020.

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 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Sean Rieber	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Edward T. Sykes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Howard Siegel	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Scott Smith	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Joseph Perrello	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain

The resolution was thereupon duly adopted.

## Julio Garaicoechea

---

**From:** Julio Garaicoechea  
**Sent:** Wednesday, December 4, 2019 3:40 PM  
**To:** Julio Garaicoechea  
**Subject:** FW: CSIDA w/ Veria Lifestyle, Inc. Infrastructure

---

**From:** Namasivayam SriKumar <srikumar@atl.esselgroup.com>  
**Sent:** Wednesday, December 4, 2019 3:22 PM  
**To:** Julio Garaicoechea <juliog@sullivanida.com>  
**Cc:** Gaurav Bidasaria <gaurav.b@atl.esselgroup.com>; Ahsan Raza <Ahsan.Raza@yo1.com>  
**Subject:** RE: CSIDA w/ Veria Lifestyle, Inc. Infrastructure

Hello Julio,  
The Sales Tax Abatement Letter for Veria Lifestyle, Inc., infrastructure project is set to expire on December 31, 2019. We kindly request you to extend the period for another six months since we need to purchase sewer system equipment.  
Thanks  
Regards  
Sri

**Namasivayam SriKumar**  
**Senior Accountant**  
**Office: (732) 486-2831**  
**Cell: (929) 666-1296**



INDIA'S HOLISTIC  
WELLNESS PROGRAM

420 ANAWANA LAKE RD  
MONTICELLO, NY 12701  
WWW.YO1.COM



## RESOLUTION

A regular meeting of the County of Sullivan Industrial Development Agency (“Agency”) was convened in public session on December 9, 2019, 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  
Edward T. Sykes, Chief Executive Officer  
Julio Garaicoechea, Project Manager  
Walter F. Garigliano, Agency General Counsel

The following resolution was duly offered by \_\_\_\_\_, and seconded by \_\_\_\_\_, to wit:

Resolution No. \_\_\_\_ - 19

***RESOLUTION EXTENDING THE SALES TAX ABATEMENT  
PERIOD FOR THE VERIA LIFESTYLE INC. PROJECT FROM  
JANUARY 1, 2020 THROUGH AND INCLUDING JUNE 30, 2019***

***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 November 27, 2013, the Agency closed a lease/leaseback transaction with the Company consisting of: (i) the acquisition by the Agency of a leasehold interest in approximately 22 parcels of land containing in the aggregate approximately 1,310 acres located in the Town of Thompson, Sullivan County, New York, and being comprised of the

commonly known Kutshers Country Club, Camp Anawana, Camp Sherwood, Old Liberty Road Sewer Treatment Plant, Fair Hills Bungalow Colony and Kutshers Country Club Golf Course, all as more particularly identified in the Company's Application (collectively, the "Land") and the existing building, buildings, structure or structures located thereon (collectively, the "Existing Improvements"), (ii) the demolition of certain of the Existing Improvements (the "Building Improvements"), (iii) the construction, reconstruction, renovation and/or repair of water and sewer infrastructure located on the Land (the "Infrastructure Improvements"), and (iv) the acquisition and installation by the Company in and around the Existing Improvements, the Building Improvements and the Infrastructure Improvements of certain items of equipment and other tangible personal property (the "Equipment" and, collectively with the Land, the Existing Improvements, the Building Improvements and the Infrastructure Improvements, the "Project" or "Facility"); and

**WHEREAS**, on or about November 27, 2013, the Agency and the Company entered into a Master Development and Agent Agreement ("MDAA") pursuant to which the Agency designated the Company as the Master Developer of the Project for a period of ten (10) years; and

**WHEREAS**, contemporaneously with execution of the MDAA, the Agency delivered to the Company a Sales Tax Exemption Letter, which letter will expire; and

**WHEREAS**, by Letter, dated December 4, 2019, the Company requested that the sales tax abatement period be extended to continue the construction of the Project.

**NOW, THEREFORE, BE IT RESOLVED**, that the sales tax abatement period for the Project be, and hereby is, extended through and including June 30, 2020.

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 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Sean Rieber	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Edward T. Sykes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Howard Siegel	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Scott Smith	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Joseph Perrello	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain

The resolution was thereupon duly adopted.



NARROWSBURG  
UNION

December 03, 2019

Edward Sykes  
Chief Executive Officer  
County of Sullivan Industrial Development Agency  
One Cablevision Center  
Ferndale, NY 12734

RE: Rock Meadow Partners LLC  
Great Pine LLC  
Indian Fields LLC  
NARO Building LLC  
Project # 48011503C

Dear CEO Sykes:

This letter constitutes a formal request for extension of the sales tax exemption for the above-named project for the first half of calendar year 2020. Our current sales tax exemption expires on December 31, 2019.

Thank you for your consideration.

Very truly yours,

Kathleen M. Weiden  
Managing Member, Rock Meadow Partners LLC



## RESOLUTION

A regular meeting of the County of Sullivan Industrial Development Agency ("Agency") was convened in public session on December 9, 2019, 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  
Edward T. Sykes, Chief Executive Officer  
Julio Garaicoechea, Project Manager  
Walter F. Garigliano, Agency General Counsel

The following resolution was duly offered by \_\_\_\_\_, and seconded by \_\_\_\_\_, to wit:

Resolution No. \_\_\_\_ - 19

***RESOLUTION EXTENDING THE SALES TAX ABATEMENT PERIOD FOR THE ROCK MEADOW PARTNERS, LLC ("RMP"), GREAT PINE, LLC ("GP"), NARO BUILDING, LLC ("NB") AND INDIAN FIELDS, LLC ("IF" TOGETHER WITH RMP, GP AND NB ARE COLLECTIVELY REFERRED TO AS "COMPANY") PROJECT FROM JANUARY 1, 2020 THROUGH AND INCLUDING JUNE 30, 2020***

***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 July 1, 2015, the Agency closed a sale/leaseback transaction with the Company consisting of:

(i) the acquisition, construction, renovation, installation and equipping of existing buildings (collectively, the “Initial Phase”) situate on two (2) parcels of real estate consisting of approximately 2.78 acres located at 23 Erie Avenue and 7 Erie Avenue, Town of Tusten (“Town”), County of Sullivan (“County”), State and identified on the Town’s tax map as Section 10, Block 3 and Lots 19 and 1 (“Initial Phase Land”); (ii) the construction and equipping of the Initial Phase; (iii) the acquisition, construction and installation thereon and therein of certain furniture, fixtures, machinery, equipment and tools (“Initial Phase Equipment”); (iv) the construction of improvements to the Initial Phase, the Initial Phase Land and the Initial Phase Equipment (collectively, the Initial Phase, the Initial Phase Land and the Initial Phase Equipment are referred to as the “Initial Phase Project”); and (v) leasing of the Initial Phase Project from the Agency to the Company; and

(i) the acquisition and future development of four (4) parcels of real estate consisting of approximately 16.03 acres located along Kirk Road, 6483 Route 97, West of Route 97 and North of Route 24 in the Town, County, State and identified on the Town Tax map as Section 10, Block 2, Lots 5.1, 17, 18 and 11 (“Future Phase Land” and together with Initial Phase Land collectively, the “Land”); (ii) the demolition of structures on the Future Phase Land; (iii) the construction, reconstruction, renovation and/or repair of sewer, water, storm sewer, utilities, roads and other infrastructure to ready the Future Phase Land for development (“Infrastructure Improvements”); (iv) the acquisition and installation in and around the Infrastructure Improvements of certain items of equipment and other tangible personal property (collectively, the Future Phase Land and future development of the Future Phase Land are referred to as the “Future Phases” and together with the Initial Phase, the “Project”).

**WHEREAS**, on or about July 1, 2015, the Agency and the Company entered into an Agent Agreement pursuant to which the Agency designated the Company as the Master Developer of the Project for a period of five (5) years; and

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

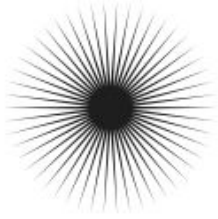
**WHEREAS**, on or about December 3, 2019, the Company requested that the sales tax abatement period be extended to continue the construction of the Project.

**NOW, THEREFORE, BE IT RESOLVED**, that the sales tax abatement period for the Project be, and hereby is, extended through and including June 30, 2020.

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 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Sean Rieber	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Edward T. Sykes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Howard Siegel	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Scott Smith	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Joseph Perrello	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain

The resolution was thereupon duly adopted.



# ANOTHER SKY

December 3, 2019

Julio Garaicoechea  
Project Manager  
County of Sullivan Industrial Development Agency  
548 Broadway  
Monticello, New York 12701

Re: Forestburgh Hospitality (Another Sky)  
CSIDA Sales Tax Abatement Letter Extension

Dear Mr. Garaicoechea:

I am writing to request an extension of the Sales Tax Abatement Letter for the above-referenced project. The current letter is set to expire on December 31, 2019.

We continue to make progress on the development of the project site, but work will continue for several more months. Due to an approval delay, installation of our septic system and the construction of the bathhouse will continue beyond the current expiration date.

Please let me know if you need any further information in support of this request.

Sincerely,

John C. Knapp

## RESOLUTION

A regular meeting of the County of Sullivan Industrial Development Agency ("Agency") was convened in public session on December 9, 2019, 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  
Edward T. Sykes, Chief Executive Officer  
Julio Garaicoechea, Project Manager  
Walter F. Garigliano, Agency General Counsel

The following resolution was duly offered by \_\_\_\_\_, and seconded by \_\_\_\_\_, to wit:

Resolution No. \_\_\_\_ - 19

***RESOLUTION EXTENDING THE SALES TAX ABATEMENT PERIOD FOR THE FORESTBURGH PROPERTY LLC ("FORESTBURGH PROPERTY") AND FORESTBURGH HOSPITALITY LLC ("FORESTBURGH HOSPITALITY" TOGETHER WITH FORESTBURGH PROPERTY COLLECTIVELY, THE "COMPANY") PROJECT FROM JANUARY 1, 2020 THROUGH AND INCLUDING JUNE 30, 2020***

***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 December 6, 2018, the Company submitted an Application For Financial Assistance to the Agency consisting of the (i) acquisition, construction, installation and

equipping of (a) an approximately 100 fully-assembled, canvas bell tents for overnight camping (“Tents”); (b) an approximately 650 square foot general store (“General Store”); (c) an approximately 1750 square foot bath house with showers, toilets and sinks (“Bath House”); and (d) an approximately 3800 square foot lodge for entertainment (“Building” together with the Tents, General Store, Bath House collectively, the “Campground”) situate on seven (7) parcels of real estate consisting of approximately 320 acres located at 80 Tannery Road, Town of Forestburgh (“Town”), County of Sullivan (“County”), State of New York and identified on the Town tax map as Section 24, Block 1, Lots 3; 26.3; 26.4; 26.5; 26.6; 26.7; and 26.8 (“Land”); (ii) construction and equipping of the Campground; (iii) the construction, reconstruction, renovation and/or repair of water and sewer infrastructure located on the Land; (iv) the construction, reconstruction, renovation and/or repair of roadway and drainage infrastructure located on the Land; (v) the construction, reconstruction, renovation and/or repair of lighting, electricity and connectivity infrastructures on the Land and the development of infrastructure (collectively, (iii), (iv) and (v) are referred to as the “Infrastructure Improvements”); (vi) acquisition, construction and installation thereon and therein of certain furniture, fixtures, machinery, equipment and tools (“Equipment”); (vii) construction of improvements to the Campground, the Land, the Infrastructure Improvements and the Equipment (collectively, the Campground, the Land, the Infrastructure Improvements and the Equipment are referred to as the “Facility” or the “Project”); and (viii) lease of the Project from the Agency to the Company; and

**WHEREAS**, on or about December 17, 2018, the Agency and the Company entered into an Agent and Project Agreement pursuant to which the Agency designated the Company its agent (“Agent Agreement”); and

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

**WHEREAS**, on December 3, 2019, the Company requested that the sales tax abatement period be extended to continue the construction of the Project.

**NOW, THEREFORE, BE IT RESOLVED**, that the sales tax abatement period for the Project be, and hereby is, extended through and including June 30, 2020.

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 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Sean Rieber	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Edward T. Sykes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Howard Siegel	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Scott Smith	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Joseph Perrello	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain

The resolution was thereupon duly adopted.

## RESOLUTION

A regular meeting of County of Sullivan Industrial Development Agency ("Agency") was convened in public session at the Sullivan County Government Center, 100 North Street, Village of Monticello, Sullivan County, New York on December 9, 2019, at 11:00 a.m. local time.

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  
Edward T. Sykes, Chief Executive Officer  
Julio Garaicoechea, Project Manager  
Walter F. Garigliano, Agency General Counsel

The following resolution was duly offered by \_\_\_\_\_, and seconded by \_\_\_\_\_, to wit:

Resolution No. \_\_\_\_ - 19

***RESOLUTION OF THE AGENCY AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY A MORTGAGE (AND RELATED FINANCING DOCUMENTS) IN FAVOR OF ULSTER SAVINGS BANK, A NEW YORK STATE CHARTERED MUTUAL SAVINGS BANK ("ULSTER SAVINGS") IN AN AMOUNT NOT TO EXCEED THREE MILLION DOLLARS RELATING TO THE BRR BROTHERS III, LLC ("BRR") AND SULLIVAN COUNTY FABRICATIONS, INC. ("SCF" AND TOGETHER WITH BRR COLLECTIVELY, THE "COMPANY") PROJECT***

***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 January 28, 2016, the Company presented an application (“Application”) to the Agency, a copy of which is on file at the office of the Agency, requesting that the Agency consider undertaking a project consisting of the: (i) acquisition, construction, reconstruction, renovation, rehabilitation, installation and equipping of six (6) buildings aggregating approximately 180,000± square feet intended to be used to accommodate a metal fabrication factory and storage of manufactured products (collectively, “Existing Buildings”) situate on two (2) parcels of real estate consisting of approximately 138.26± acres located along Glen Wild Road, Town of Fallsburg (“Town”), Woodridge, County of Sullivan (“County”), State and identified on the Town tax map as Section 62, Block 1, Lot 20.1 and Section 63, Block 1, Lot 4 (“Land”); (ii) acquisition, construction and equipping of the Existing Buildings; (iii) acquisition, construction and installation thereon and therein of certain furniture, fixtures, machinery, equipment and tools (“Equipment”); (iv) construction of improvements to the Existing Buildings, the Land and the Equipment (collectively, the Existing Buildings, the Land and the Equipment are referred to as the “Facility” or the “Project”); and (v) lease of the Facility from the Agency to the Company; and

**WHEREAS**, on April 18, 2016, the Agency adopted resolution #11-16 authorizing a mortgage tax exemption for financing related to the Project; and

**WHEREAS**, on or about April 22, 2016, the Agency and the Company closed on a lease/leaseback transaction; and

**WHEREAS**, pursuant to a Commitment Letter, dated November 18, 2019, Ulster Savings has approved a loan of THREE MILLION AND 00/100 (\$3,000,000.00) Dollars to be secured by a mortgage on the Land; and

**WHEREAS**, it is contemplated that the Agency will join in the execution of a mortgage (together with any and all related financing documents) which shall secure an amount not to exceed THREE MILLION AND 00/100 (\$3,000,000.00) Dollars in favor of Ulster Savings.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE AGENCY AS FOLLOWS:**

Section 1. The Chief Executive Officer or Chairman of the Agency, each acting individually, are each hereby authorized, on behalf of the Agency, to execute and deliver a mortgage (together with any and all related financing documents) in favor of Ulster Savings to secure an amount not to exceed THREE MILLION AND 00/100 (\$3,000,000.00) Dollars thereby abating mortgage tax in an amount not to exceed THIRTY THOUSAND AND 00/100 (\$30,000.00) Dollars all in form approved by Counsel to the Agency and with such changes, variations, omissions and insertions as the Chief Executive Officer or Chairman of the Agency shall approve, the execution thereof by the Chief Executive Officer or Chairman of the Agency to constitute conclusive evidence of such approval.

Section 2. The officers, employees and agents of the Agency are hereby authorized and directed in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such 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 this resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 3. The Chief Executive Officer, Executive Director or Counsel to the Agency is hereby authorized and directed (i) to distribute copies of this resolution to the Company; and (ii) to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this resolution.

Section 4. This resolution shall take effect immediately.

THE MEMBERS VOTED ON THE FOREGOING RESOLUTION AS FOLLOWS:

Ira Steingart	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Sean Rieber	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Edward T. Sykes	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Howard Siegel	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Scott Smith	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Joseph Perrello	<input 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 type="checkbox"/> Absent	<input type="checkbox"/> Abstain

and therefore, the resolution was declared duly adopted.

STATE OF NEW YORK :  
:ss.:  
COUNTY OF SULLIVAN :

I, the undersigned Secretary (or Assistant) of the Agency DO HEREBY CERTIFY THAT:

1. I have compared the foregoing copy of a resolution of the Agency with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of such resolution and of the proceedings of the Agency in connection with such matter.
2. Such resolution was passed at a meeting of the Agency duly convened in public session on the 9<sup>th</sup> day of December, 2019 at 11:00 a.m. at the Sullivan County Government Center, 100 North Street, Village of Monticello, New York at which the following members were present:

	<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	[ ]	[ ]

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

Ira Steingart	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Suzanne Loughlin	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Sean Rieber	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Edward T. Sykes	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Howard Siegel	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Scott Smith	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Paul Guenther	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Joseph Perrello	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Carol Roig	[ ] Yes	[ ] No	[ ] Absent	[ ] Abstain

and therefore, the resolution was declared duly adopted.

I FURTHER CERTIFY that (i) all members of the Agency had due notice of said meeting, (ii) pursuant to Sections 103a and 104 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public and public notice of the time and place of said meeting was duly given in accordance with such Sections 103a and 104, (iii) the meeting in all respects was duly held, and (iv) there was a quorum present throughout.

***IN WITNESS WHEREOF***, I have hereunto set my hand and seal on the 9<sup>th</sup> day of December, 2019.

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Secretary