

## RESOLUTION

A regular meeting of the County of Sullivan Industrial Development Agency ("Agency") was convened on September 13, 2021 at 11:00 a.m. local time via videoconference as authorized by Chapter 417 of the Laws of 2021, which took effect on September 2, 2021.

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

	<u>PRESENT</u>	<u>ABSENT</u>
Suzanne Loughlin	[   √   ]	[       ]
Edward T. Sykes	[   √   ]	[       ]
Carol Roig	[   √   ]	[       ]
Howard Siegel	[   √   ]	[       ]
Scott Smith	[   √   ]	[       ]
Paul Guenther	[       ]	[   √   ]
Sean Brooks	[       ]	[   √   ]

The following persons were also present:

Jennifer M. Flad, Executive Director  
John W. Kiefer, Chief Executive Officer  
Julio Garaicoechea, Project Manager  
Walter F. Garigliano, Agency General Counsel

The following resolution was duly offered by Edward T. Sykes, and seconded by Scott Smith, to wit:

Resolution No. 27 - 21

***RESOLUTION IMPOSING A TEMPORARY PAUSE ON RECEIVING NEW APPLICATIONS UNDER CERTAIN OF THE AGENCY'S UNIFORM TAX EXEMPTION PROGRAMS ("UTEPS")***

***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***, the United States and New York State are currently experiencing a labor crisis; and

***WHEREAS***, the labor crisis in Sullivan County is acute with many established local businesses unable to hire enough employees to effectively operate; and

***WHEREAS***, the Agency believes that providing financial assistance and tax exemptions as a catalyst to the creation of new jobs in the face of the current labor crisis may be unwise; and

**WHEREAS**, the Agency wishes to adopt a temporary pause on new applications under certain of the Agency's UTEPs to allow time for the Agency, in collaboration with the Sullivan County Legislature, to perform an in-depth review of the Agency's UTEPs; and

**WHEREAS**, the Agency believes that certain targeted UTEPs and industries should be excluded from the temporary pause to be imposed by this resolution.

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

Section 1. The Agency shall not accept applications for new projects prior to March 1, 2022, except for applications for financial assistance under the following UTEPs:

Tourism  
Agricultural Industry  
Community Distributed Generation

and in addition to the aforementioned UTEPs, the following shall also be excluded from the temporary pause:

- Applications for healthcare projects under the Agency's General Abatement UTEP;
- Applications for projects contemplated by and pursuant to the Master Development and Agent Agreement by and between the Agency and EPT Concord II, LLC;
- Applications for projects contemplated by and pursuant to the Master Development and Agent Agreement by and between the Agency and Veria Lifestyle Inc.;
- Applications for projects contemplated by and pursuant to the Master Development and Agent Agreement by and between the Agency and Rock Meadow Partners, LLC, Great Pine, LLC, NARO Building, LLC and Indian Fields, LLC; and
- Applications for projects contemplated by and pursuant to the Option Agreement dated April 19, 2021 by and between Sullivan County Funding Corporation and Monticello Industrial Park, LLC

Section 2. The Agency will not be accepting any requests for a deviation from the Agency's UTEPs prior to March 1, 2022.

Section 3. This Resolution shall be effective as to all applications received by the Agency after August 27, 2021.

Section 4. It is hereby found and determined that all formal actions of the Agency concerning and relating to the adoption of this resolution were adopted in an open meeting of the Agency; and that all deliberations of the Agency and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

Section 5. The Executive Director of the Agency is hereby authorized and directed (i) to distribute copies of this resolution to the Chairman of the County Legislature, Chief Executive Officer of the Partnership for Economic Development in Sullivan County, Inc., Chief Executive Officer of the Sullivan County Visitor's Association, and Chief Executive Officer of the Sullivan County Chamber of Commerce; 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 6. This resolution shall take effect immediately.

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

Suzanne Loughlin	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Edward T. Sykes	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Carol Roig	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Howard Siegel	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Scott Smith	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Paul Guenther	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Sean Brooks	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Absent	<input type="checkbox"/> Abstain

The resolution was thereupon duly adopted.



STATE OF NEW YORK :  
:SS  
COUNTY OF SULLIVAN :

I, the undersigned Secretary 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 via videoconference on September 13, 2021 at 11:00 a.m. at which the following members were present:

	<u>PRESENT</u>	<u>ABSENT</u>
Suzanne Loughlin	[ <input checked="" type="checkbox"/> ]	[ ]
Edward T. Sykes	[ <input checked="" type="checkbox"/> ]	[ ]
Carol Roig	[ <input checked="" type="checkbox"/> ]	[ ]
Howard Siegel	[ <input checked="" type="checkbox"/> ]	[ ]
Scott Smith	[ <input checked="" type="checkbox"/> ]	[ ]
Paul Guenther	[ ]	[ <input checked="" type="checkbox"/> ]
Sean Brooks	[ ]	[ <input checked="" type="checkbox"/> ]

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

Suzanne Loughlin	[ <input checked="" type="checkbox"/> ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Edward T. Sykes	[ <input checked="" type="checkbox"/> ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Carol Roig	[ <input checked="" type="checkbox"/> ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Howard Siegel	[ <input checked="" type="checkbox"/> ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Scott Smith	[ <input checked="" type="checkbox"/> ] Yes	[ ] No	[ ] Absent	[ ] Abstain
Paul Guenther	[ ] Yes	[ ] No	[ <input checked="" type="checkbox"/> ] Absent	[ ] Abstain
Sean Brooks	[ ] Yes	[ ] No	[ <input checked="" type="checkbox"/> ] 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 103(a) and (c) and 104 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public via videoconference and public notice of the time and place of said meeting was duly given in accordance with such Sections 103(a) and (c) and 104, (iii) the meeting in all respects was duly held via videoconference as authorized by Chapter 417 of the Laws of 2021, and (iv) there was a quorum present throughout.

***IN WITNESS WHEREOF***, I have hereunto set my hand and seal on the 13<sup>th</sup> day of September, 2021.

  
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Carol Roig, Secretary