

COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY

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

MEETING NOTICE

TO: Suzanne Loughlin, IDA Chairperson
Edward Sykes, IDA Vice Chairman
Carol Roig, IDA Secretary
Howard Siegel, IDA Treasurer & Chief Financial Officer
Scott Smith, IDA Assistant Treasurer
Paul Guenther, IDA Member
Sean Brooks, IDA Member
Chairman and Members of the Sullivan County Legislature
Josh Potossek, Sullivan County Manager
John Kiefer, IDA Chief Executive Officer
Walter Garigliano, Esq., IDA Counsel
FROM: Jennifer Flad, Executive Director
DATE: November 2, 2021

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

Date: Monday, November 8, 2021
Time: 11:00 AM
Location: Via Zoom Videoconference Call

Because of the Novel Coronavirus (COVID-19) pandemic and in accordance with Chapter 417 of the Laws of 2021, which took effect on September 2, 2021 and which allows state and local government meetings that are normally held in person to be held remotely instead, this meeting will be held via Zoom videoconference call.

Members of the public may attend the meeting by dialing 929-205-6099 and entering Meeting ID 678-518-8985 or by using the following meeting link:
<https://us06web.zoom.us/j/6785188985>

This meeting video will also be livestreamed on the [IDA's YouTube Channel](#).

Meeting documents will be posted online [here](#).

SEE REVERSE FOR AGENDA

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MEETING AGENDA
Monday, November 8, 2021

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MEETING MINUTES

October 18, 2021 Regular Meeting; October 26, 2021 Special Meeting

IV. BILLS AND COMMUNICATIONS

V. STAFF ACTIVITY REPORT

VI. NEW BUSINESS

Resolution: Extending the Sales Tax Abatement Period for the Doetsch Family III LLC Project From December 1, 2021 Through and Including May 31, 2022

Resolution: Extending the Sales Tax Abatement Period for the Psychedelic Solar, LLC Project From December 1, 2021 Through and Including May 31, 2022

Any and All Other Business Before the Board

VII. PUBLIC COMMENT AND ADJOURN

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COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY

548 Broadway

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MEETING MINUTES

Monday, October 18, 2021

I. CALL TO ORDER

Chairperson Loughlin called to order the regular meeting of the County of Sullivan Industrial Development Agency at approximately 11:05AM via video conference.

II. ROLL CALL

Members Present-

Suzanne Loughlin
Edward Sykes
Carol Roig
Paul Guenther
Scott Smith

Members Absent-

Howard Siegel
Sean Brooks

Staff Present-

John Kiefer, Chief Executive Officer
Jennifer Flad, Executive Director
Julio Garaicoechea, Project Manager

Staff Absent-

None

Others Present-

Walter Garigliano, Agency Counsel
Joseph Abraham, *SC Democrat*
Ken Walter

III. APPROVAL OF MEETING MINUTES

On a motion made by Mr. Sykes, and seconded by Mr. Smith the minutes of the September 13, 2021 Regular Meeting were unanimously approved.

IV. BILLS AND COMMUNICATIONS

On a motion made by Mr. Guenther, and seconded by Ms. Roig, the schedule of payments showing 9 payments totaling \$9,666.67 was unanimously approved.

V. STAFF ACTIVITY REPORT & FINANCIAL REPORT

There were no additions to the Staff Activity Report. Ms. Flad presented a Quarterly Financial Report to the Board consisting of a Balance Sheet showing a Total Net Position of \$9,796,457.30 and a Profit & Loss Statement showing Net Income of \$451,021.73. On a motion made by Mr. Guenther, and seconded by Mr. Smith, the Quarterly Financial Report was unanimously approved.

VI. NEW BUSINESS

On a motion made by Ms. Roig, and seconded by Mr. Sykes, the Board reviewed and discussed a resolution extending the Sales Tax Abatement period for the **Amytra Development, LLC., Eldred Entertainment, LLC., and**

Eldred Hospitality, LLC. project from November 1, 2021 through and including April 30, 2022. Attorney Garigliano stated the project plans to complete construction of water supply treatment and a swimming pool. Chairperson Loughlin called the motion to question, the Board voted, and the resolution was unanimously approved.

On a motion made by Mr. Guenther, and seconded by Ms. Roig, the Board reviewed and discussed a resolution authorizing the execution and delivery of one or more mortgages and related financing documents in favor of Jeff Bank in an amount not to exceed \$600,000 relating to the **Doetsch Family III LLC** Project. Mr. Sykes recused from the discussion and abstained from voting because he is a Director of the Jeff Bank. Due to a lack of quorum, the resolution was tabled to the next meeting.

On a motion made by Mr. Sykes, and seconded by Ms. Roig, the Board reviewed and discussed a resolution authorizing the recapture of unauthorized Sales and Use Tax benefits from the **Empire Resorts Real Estate II, LLC.** Project. Chairperson called the motion to question, the Board voted, and the resolution was unanimously approved.

On a motion made by Mr. Guenther, and seconded by Mr. Sykes, the Board reviewed and discussed an **AgriBusiness Revolving Loan to Murray Bresky.** Mr. Garaicoechea stated that Mr. Bresky is the owner of Murray's Chickens in Fallsburg, and that he plans to construct an animal waste lairage area for a total project cost of \$300,000. He requests \$100,000 from the AgriBusiness Revolving Loan Fund with complementary financing requested from Hudson Valley AgriBusiness Development Corporation (HVADC) for which the status is pending. Mr. Sykes made a motion to amend the resolution to include a provision that other financing be secured through HVADC prior to disbursement. Mr. Kiefer suggested that other financing could be secured from any other source, including owner equity. Attorney Garigliano stated that the project is in a late stage. After some discussion, Mr. Sykes requested to rescind his motion to amend. Chairperson Loughlin disclosed that Mr. Bresky is a sponsor of the Trevor Loughlin Foundation. Chairperson Loughlin called the motion to question, the Board voted, and the loan to Murray Bresky was unanimously approved.

Ms. Flad discussed the **FY 2022 Agency Budget** presented in the PARIS format and internal Agency format. She stated there have been no changes since originally presented to the Board and public in late September. A public information session was held on October 6, 2021 and no members of the public attended. She further stated that the Board must adopt the Agency Budget by November 1 and a special meeting will be required on or before November 1 to meet the public notice requirements.

VII. PUBLIC COMMENT AND ADJOURNMENT

Chairperson Loughlin asked the public for comment. There was none. On a motion made by Mr. Smith, and seconded by Mr. Guenther the meeting was adjourned at approximately 11:30AM.

Respectfully submitted:

Julio Garaicoechea, Project Manager

##

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SPECIAL MEETING MINUTES

Monday, October 26,2021

I. CALL TO ORDER

Chairperson Loughlin called to order a special meeting of the County of Sullivan Industrial Development Agency at approximately 2:32 PM via video conference.

II. ROLL CALL

Members Present-

Suzanne Loughlin
Edward Sykes
Howard Siegel
Carol Roig
Paul Guenther
Scott Smith
Sean Brooks

Members Absent-

None

Staff Present-

John Kiefer, Chief Executive Officer
Jennifer Flad, Executive Director
Julio Garaicoechea, Project Manager

Staff Absent-

None

Others Present-

None

III. OLD BUSINESS

On a motion made by Mr. Siegel, and seconded by Mr. Guenther, the Board reviewed and discussed a resolution authorizing the execution and delivery of a Mortgage (and related financing documents) in favor of Jeff Bank in an amount not to exceed \$600,000 relating to the **Doetsch Family III, LLC**. Project. Mr. Sykes recused from discussion because he is a Director of the Jeff Bank. Chairperson Loughlin called the motion to question, and the Board voted 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 type="checkbox"/>] Yes	[<input type="checkbox"/>] No	[<input type="checkbox"/>] Absent	[<input checked="" type="checkbox"/>] Abstain
Howard Siegel	[<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
Scott Smith	[<input checked="" type="checkbox"/>] Yes	[<input type="checkbox"/>] No	[<input type="checkbox"/>] Absent	[<input type="checkbox"/>] Abstain
Paul Guenther	[<input checked="" type="checkbox"/>] Yes	[<input type="checkbox"/>] No	[<input type="checkbox"/>] Absent	[<input type="checkbox"/>] Abstain
Sean Brooks	[<input checked="" type="checkbox"/>] Yes	[<input type="checkbox"/>] No	[<input type="checkbox"/>] Absent	[<input type="checkbox"/>] Abstain

On a motion made by Mr. Guenther, and seconded by Mr. Smith the Board reviewed and discussed the **FY 2022 Agency Budget and Financial Plan**. Chairperson Loughlin called the motion to question, the Board voted, and unanimously approved the **FY 2022 Agency Budget and Financial Plan**.

IV. PUBLIC COMMENT AND ADJOURNMENT

Chairperson Loughlin asked the public for comment. There was none. On a motion made by Mr. Guenther, and seconded by Mr. Sykes the meeting was adjourned at approximately 2:38PM.

Respectfully submitted:

Julio Garaicoechea, Project Manager

##

COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY**548 Broadway, Monticello, NY 12701****845-428-7575****REVISED SCHEDULE OF PAYMENTS: NOVEMBER 8, 2021**

No.	Vendor	Description	Amount
1	AT&T Mobility	Cell Phone Service 10/21/21 - 11/20/21	\$ 91.57
2	Cardmember Services	Zoom, Adobe, GoToMyPC, Spectrum (October)	\$ 711.13
3	Garigiano Law Offices	Retainer November 2021	\$ 250.00
4	Garigiano Law Offices	Sales Tax Exemption Legal Fees: Psychedelic Solar LLC, Doetsch Family III LLC	\$ 500.00
5	Kristt Kelly Office Systems	Office Supplies	\$ 103.99
6	New Southern Tier Title Agency LLC	Office Rent December 2021	\$ 2,700.00
7	Time Warner Cable	Telephone and Internet Service- November 2021	\$ 259.95
8	USDA Rural Development	RMAP Loan Repayment - November 2021	\$ 2,370.41
TOTAL			\$ 6,987.05

I certify that the payments listed above were audited by the Board of the IDA on November 8, 2021 and allowed in the amounts shown. You are hereby authorized and directed to pay each of the claimants in the amount opposite its name.

11/8/2021_____
Signature**Date****Expenses Approved and Paid Since Last Regular Meeting (10/18/21)**

No.	Vendor	Description	Amount
	none		
TOTAL			\$ -

Other Expenses and Items Paid Since Last Regular Meeting (10/18/21)—no approval required

No.	Vendor	Description	Amount
1	Payroll Expenses	Payroll Check Dates: 10/22/21, 11/5/21	\$ 17,086.64
TOTAL			\$ 17,086.64

ACTIVITY REPORT – OCTOBER 2021
COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY (IDA), SULLIVAN
COUNTY FUNDING CORPORATION (SCFC), THE SULLIVAN COUNTY
INFRASTRUCTURE LOCAL DEVELOPMENT CORPORATION (TSCILDC)

November 2, 2021

At its regular monthly meeting on October 18, the IDA Board approved a six-month extension of the sales tax abatement period for the **Amytra Development LLC, Eldred Entertainment, LLC, and Eldred Hospitality, LLC** project for the development of a hospitality facility at the site of the former Eldred Preserve in the Town of Highland. The Board also authorized the recapture of unauthorized sales and use tax benefits from the **Empire Resorts Real Estate II, LLC** project (Alder Hotel in the Town of Thompson), in accordance with IDA policy and New York State Law. Finally, the Board approved an AgriBusiness Loan in the amount of \$100,000 to **Murray Bresky**, owner of Murray's Chicken in the Town of Fallsburg. Loan funds will help to finance the construction of a live bird holding facility that prevents contamination of storm water.

The Boards of the Sullivan County Funding Corporation (SCFC) and The Sullivan County Infrastructure Local Development Corporation (TSCILDC) also met on October 18, at which time they adopted their **fiscal year 2022 budgets and financial plans**.

The IDA Board held a special meeting on October 26. At this meeting the Board adopted its **fiscal year 2022 budget and financial plan**, and adopted a resolution authorizing the execution and delivery of a mortgage in favor of Jeff Bank relating to the **Doetsch Family III LLC** Project (Seminary Suites boarding house project in the hamlet of Callicoon, Town of Delaware).

Staff submitted the 2022 budgets and financial plans for the IDA, SCFC, and TSCILDC to various New York State and Sullivan County agencies and officials as required by law.

Staff members participated in the IDA's required Sexual Harassment Prevention Training on October 12th.

IDA Board and staff representatives attended the groundbreaking event for the Town of Bethel Solar Array on October 20. The IDA provides incentives for the construction of this project through a Payment in Lieu of Tax Agreement and related agreements with **Psychedelic Solar LLC**.

Jennifer Flad attended the Pattern for Progress **Hudson Valley Housing Forum** on October 27 through 29, via Zoom.

The November IDA Board meeting will be held on Monday, November 8 at 11:00 AM via Zoom.

##

Jennifer Flad

From: Julio Garaicoechea
Sent: Tuesday, November 2, 2021 11:14 AM
To: Julio Garaicoechea
Subject: FW: CSIDA w/ Doetsch Family III Seminary Hill Suites

Follow Up Flag: Follow up
Flag Status: Completed

From: Doetsch, Douglas A. <DDoetsch@mayerbrown.com>
Sent: Tuesday, November 2, 2021 11:13 AM
To: Julio Garaicoechea <juliog@sullivanida.com>
Subject: Re: CSIDA w/ Doetsch Family III Seminary Hill Suites

Julio,
Yes, we would request a six month extension of the tax abatement period through May 31, 2022 for the Seminary Hill Suites project.
We have opened and are receiving guests, but some work is ongoing, including installing commercial signage, laundry facilities, upgraded bathrooms, window treatments and other finishes.
Please let me know if you need additional information.
Regards
Doug

Sent from my iPhone

RESOLUTION

A regular meeting of the County of Sullivan Industrial Development Agency ("Agency") was convened on November 8, 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 _____, and seconded by _____, to wit:

Resolution No. _____ - 21

RESOLUTION EXTENDING THE SALES TAX ABATEMENT PERIOD FOR THE DOETSCH FAMILY III LLC ("COMPANY") PROJECT FROM DECEMBER 1, 2021 THROUGH AND INCLUDING MAY 31, 2022

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 October 23, 2019, 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) construction, reconstruction, renovation, rehabilitation, installation and equipping of two (2) buildings aggregating approximately 7,870+/- square feet intended to be used as a short-term lodging facility comprising a total of eight (8) units with bedrooms, bathrooms, living rooms, and kitchens (collectively, the "Buildings") together with related parking accommodations ("Parking Accommodations") situate on two (2) parcels of real estate consisting of approximately 0.64+/- acres located along State Route 97 at 8

Hospital Road and Mitchell Avenue, Town of Delaware (“Town”), County of Sullivan, State of New York and identified on the Town’s tax map as Section 14, Block 5, Lot 29 and Section 15, Block 2, Lot 1 (“Land”); (ii) acquisition, construction and equipping of the Buildings and Parking Accommodations; (iii) acquisition, construction and installation thereon and therein of certain furniture, fixtures, machinery, equipment and tools (“Equipment”); (iv) construction of improvements to the Buildings, the Parking Accommodations, the Land and the Equipment (collectively, the Buildings, the Parking Accommodations, 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 November 18, 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 November 2, 2021, 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 from December 1, 2021 through and including May 31, 2022.

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 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
Carol Roig	<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
Sean Brooks	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

The resolution was thereupon duly adopted.



November 1, 2021

Julio Garaicoechea
Project Manager
County of Sullivan Industrial Development Agency
548 Broadway
Monticello, New York 12701
845-428-7575

Re: Psychedelic Solar LLC Sales Tax Abatement Letter Extension Request

Mr. Garaicoechea:

Psychedelic Solar LLC requests a six (6) month extension, to May 31, 2022, for its existing Sales Tax Abatement Letter, dated May 31, 2021, currently set to expire November 30, 2021. The project construction has obtained a building permit from the Town of Bethel and has begun procurement of major equipment and preparation for the start of civil work prior to the winter. Construction mobilization is expected in early spring 2022, subject to weather.

Please contact me if you have any questions about the project or otherwise in connection with this request for extension. We understand that the next meeting of the Board of Directors is scheduled for November 8, and we respectfully request that this request be included in the agenda for the upcoming meeting. Thank you for your attention to this matter.

Yours truly,

A handwritten signature in blue ink, reading "Erik Schiemann", with a horizontal line underneath.

Erik Schiemann
President
(518)949-0165
erik.schiemann@dsdrenewables.com

dsdrenewables.com

Distributed Solar Operations, LLC
200 Harborside Drive, Suite 200 / Schenectady, NY 12305

RESOLUTION

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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 _____, and seconded by _____, to wit:

Resolution No. _____ - 21

RESOLUTION EXTENDING THE SALES TAX ABATEMENT PERIOD FOR THE PSYCHEDELIC SOLAR LLC (“COMPANY”) PROJECT FROM DECEMBER 1, 2021 THROUGH AND INCLUDING MAY 31, 2022

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 4, 2020, 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: construction of an approximately 2.7 MWAC/4.3MWDC solar photovoltaic electricity generating facility that will be interconnected to the New York State Electric and Gas (“NYSEG”) electrical grid (“Project”) whereby NYSEG customers in NYSEG Load Zone E that are part of the Company’s Community Solar Program will receive such electricity at a discounted price to the then current NYSEG price. The Project is new construction and will be comprised of (a) racking to mount the solar modules (such racking generally to be pile

driven into the ground); (b) solar modules; (c) inverters and transformers to sit on a concrete inverter pad and (d) assorted electrical components and wiring. The solar array will be constructed on a 14.5 ± acre parcel of real estate which is a portion of (2) parcels of real estate consisting of approximately 59.19± acres in the aggregate located at 608-636 Old White Lake Turnpike, Town of Bethel (“Town”), County of Sullivan (“County”), State and identified on the Town tax map as Section 18, Block 1, Lots 26.1 and 25.2 (collectively, the “Solar Array”); and

WHEREAS, on or about December 1, 2020, 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 2, 2021, 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 from December 1, 2021 through and including May 31, 2022.

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

Suzanne Loughlin	[] Yes	[] No	[] Absent	[] Abstain
Edward T. Sykes	[] Yes	[] No	[] Absent	[] Abstain
Carol Roig	[] Yes	[] No	[] Absent	[] Abstain
Howard Siegel	[] Yes	[] No	[] Absent	[] Abstain
Scott Smith	[] Yes	[] No	[] Absent	[] Abstain
Paul Guenther	[] Yes	[] No	[] Absent	[] Abstain
Sean Brooks	[] Yes	[] No	[] Absent	[] Abstain

The resolution was thereupon duly adopted.