

RESOLUTION

A regular meeting of the County of Sullivan Industrial Development Agency (“Agency”) was convened on September 11, 2023 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 Vice Chairman Edward T. Sykes, and, upon the 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	[]	[√]
Philip Vallone	[]	[√]
Kathleen Lara	[√]	[]

The following persons were also present:

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

The following resolution was duly offered by Carol Roig, and seconded by Howard Siegel, to wit:

Resolution No. 32 - 23

RESOLUTION EXTENDING THE SALES TAX ABATEMENT PERIOD FOR THE NY LIBERTY II, LLC (“COMPANY”) PROJECT FROM OCTOBER 1, 2023 THROUGH AND INCLUDING MARCH 31, 2024

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 April 4, 2022, the Company presented an application to the Agency (“Application”), 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 2MWac solar photovoltaic electricity generating facility that will be interconnected to the NYSEG electrical grid (“Project”). 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 portion of a 20.05-acre parcel of real estate located on Harris Road, Town of Liberty (“Town”), County of Sullivan (“County”), State and a portion of Town tax map Section 36, Block 1, Lot 121.3 (“Land”); and

WHEREAS, on or about October 1, 2022, 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 August 30, 2023, 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 October 1, 2023 through and including March 31, 2024.

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
Philip Vallone	[] Yes	[] No	[✓] Absent	[] Abstain
Kathleen Lara	[✓] Yes	[] No	[] Absent	[] Abstain

The resolution was thereupon duly adopted.