

RESOLUTION OF THE ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY DETERMINING THAT ACTION TO PROVIDE FINANCIAL ASSISTANCE RELATING TO A PROJECT FOR THE BENEFIT OF PARCO PROPERTIES, INC. WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT

WHEREAS, The Fountainhead Group, Inc., on behalf of itself and/or the principals of The Fountainhead Group, Inc., and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "Sublessee") has applied to the Oneida County Industrial Development Agency (the "Agency") to enter into a transaction in which the Agency will assist in the renovation of a 160,000± square foot facility (collectively, the "Improvements") situated on parcels of land measuring 11.92± acres in the aggregate located at 23 Garden Street, Village of New York Mills, Town of Whitestown, Oneida County New York (the "Land") and acquisition and installation of equipment in the Improvements (the "Equipment"), all for the purpose of repurposing warehouse space to allow for expanded manufacturing, assembly, research and development to increase capacity (the Land, the Improvements and the Equipment are referred to collectively as the "Facility" and the renovation and equipping of the Improvements is referred to as the "Project"); and

WHEREAS, Parco Properties, Inc. (the "Company") owns the Land and Improvements, and subleases the same to the Sublessee for its operation; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations"), the Agency desires to determine whether the renovation and equipping of the Facility may have a "significant effect on the environment" (as said quoted term is defined in the SEQR Act and the Regulations) and therefore require the preparation of an environmental impact statement; and

WHEREAS, to aid the Agency in determining whether the renovation and equipping of the Facility may have a significant effect upon the environment, the Sublessee has prepared and submitted to the Agency a short environmental assessment form (the "EAF"), a copy of which was presented to and reviewed by the Agency at this meeting and copies of which are on file at the office of the Agency; and

WHEREAS, pursuant to the Regulations, the Agency has examined the EAF and the Planning Board review in order to make a determination as to the potential environmental significance of the Facility.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. Based on an examination of the Application, the EAF, and based further upon the Agency's knowledge of the area surrounding the Facility and such further investigation of the Facility and its environmental effects as the Agency has deemed appropriate, the Agency has determined that the Project constitutes a "Type II Action" under 6 NYCRR § 617.5(c)(31), and no further action under the SEQRA Act and the Regulations is required.

Section 2. This resolution shall take effect immediately.

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STATE OF NEW YORK        )  
  : SS.:  
COUNTY OF ONEIDA        )

I, the undersigned Secretary of the Oneida County Industrial Development Agency, DO HEREBY CERTIFY THAT:

I have compared the foregoing copy of a resolution of the Oneida County Industrial Development Agency (the "Agency") with the original thereof on file in the office of the Agency, and the same is a true and correct copy of such resolution and of the proceedings of the Agency in connection with such matter.

Such resolution was passed at a meeting of the Agency duly convened in public session on April 30, 2021 at eight a.m., local time, at Rome, New York which the following members were:

Members Present: David Grow, L. Michael Fitzgerald; Steve Zogby; Kirk Hinman

Members Webex/Teleconference: Ferris Betrus, Mary Faith Messenger, Eugene Quadraro

Members Excused: None

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

*F. Betrus voting aye;  
M. Fitzgerald voting aye;  
D. Grow voting aye;  
K. Hinman voting aye;  
M.F. Messenger voting aye;  
E. Quadraro voting aye; and  
S. Zogby voting aye.*

*F. Betrus disclosed that he has a relative who works in a management position at the Company*

and, therefore, the resolution was declared duly adopted.

I FURTHER CERTIFY that (i) all directors of the Agency had due notice of said meeting, (ii) pursuant to the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 220.1 issued on March 12, 2020 suspending the Open Meetings Law, the meeting was held electronically via webinar instead of a public meeting open for the public to attend and public notice of the call-in information for said meeting was duly given, (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 as of the 21st day of December 2021.

  
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Shawna Papale, Secretary