

**Supplemental Resolution
The Indium Corporation of America
Woods Park Drive Facility**

Date: August 19, 2022

At a meeting of the Oneida County Industrial Development Agency (the "Agency") held at 584 Phoenix Drive, Rome, New York 13441 on August 19, 2022, the following members of the Agency were:

Members Present: David Grow, Michael Fitzgerald; Ferris Betrus, Steve Zogby.

Members Present Virtually: Gene Quadraro

EDGE Staff Present: Bill Van Shufflin, Tim Fitzgerald, Laura Cohen; Shawna Papale, Maureen Carney, Mark Kaucher, and Hannah Phillips.

Other Attendees: Rome Mayor Jackie Izzo; Paul Goldman, Esq., Goldman Attorneys, PLLC (WebEx); Linda Romano (WebEx) and Laura Ruberto, Bond, Schoeneck & King; Mark Levitt (WebEx) and Jenna Peppenelli, Levitt & Gordon; Jef Saunders, Saunders-Kahler; Greg Evans, The Indium Corporation of America; Jolene Cleaver, The Daily Sentinel (call-in)

After the meeting had been duly called to order, the Chairman announced that among the purposes of the meeting was to consider and take action to amend the Inducement Resolution pertaining to proposed financial assistance to The Indium Corporation of America.

The following resolution was duly moved, seconded, discussed and adopted with the following members voting:

Voting Aye

Voting Nay

David Grow
Michael Fitzgerald
Ferris Betrus
Steve Zogby

(Gene Quadraro exited the meeting before the vote)

RESOLUTION SUPPLEMENTING AND AMENDING THE INDUCEMENT
RESOLUTION WITH RESPECT TO THE THE INDIUM CORPORATION OF AMERICA
FACILITY LOCATED IN THE TOWN OF NEW HARTFORD, ONEIDA COUNTY.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 372 of the Laws of 1970 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, The Indium Corporation of America, on behalf of itself and/or the principals of The Indium Corporation of America, and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "Company") has applied to the Agency to enter into a transaction in which the Agency will assist in the acquisition and renovation of a three-story, 124,000± square foot office building (the "Improvements") situated on a 13.5± acre parcel of land located at 301 Woods Park Drive, Town of New Hartford, Oneida County, New York (the "Land") and acquisition and installation of equipment in the Improvements (the "Equipment"), all for the purpose of providing a corporate headquarters to support, expand and better utilize the Company's current manufacturing facilities in Oneida County (the Land, the Improvements and the Equipment are referred to collectively as the "Facility" and the acquisition and equipping of the Facility is referred to as the "Project"); and

WHEREAS, by resolution duly adopted on July 15, 2022, (the "Inducement Resolution") the Agency decided to proceed under the provisions of the Act to lease the Facility and directed that a public hearing be held and enter into the Lease Agreement and Leaseback Agreement; and

WHEREAS, on July 29, 2022 the Company submitted an amendment to its Application for Financial Assistance dated July 11, 2022 (the "Application") amending the value of financial assistance requested and submitting a revised budget; and

WHEREAS, the amended financial assistance (the "Financial Assistance") which is a deviation from the Agency's Uniform Tax Exemption Policy and which will be more particularly set forth in a final authorizing resolution is described as follows:

- Sales and use tax exemption not to exceed \$148,750 (increased from \$131,250.00)
- Mortgage recording tax exemption not to exceed \$82,200 (decreased from \$99,750)
- Exemptions from real property taxes, valued at approximately \$1,270,000 (unchanged)

WHEREAS, the Agency has received the amendment to the Application and a revised cost-benefit analysis reflecting the revised information; and

WHEREAS, the Agency wishes to amend the value of Financial Assistance.

NOW, THEREFORE, BE IT RESOLVED by the Oneida County Industrial Development Agency (a majority of the members thereof affirmatively concurring) as follows:

Section 1. The Agency hereby finds and determines:

(a) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(b) The Facility constitutes a “project”, as such term is defined in the Act; and

(c) The acquisition, renovation and equipping of the Facility, the leasing of the Facility to the Company and the Agency’s revised Financial Assistance with respect thereto, will promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of Oneida County and the State of New York and improve their standard of living and thereby serve the public purposes of the Act.

Section 2. In consequence of the foregoing, the Agency hereby determines to: (i) receive the amendment to the Application, (ii) amend the Inducement Resolution to reflect the amended Financial Assistance, and (iii) authorize the Agency to conduct a public hearing based on the revised Financial Assistance, such Financial Assistance subject to satisfaction of the conditions described in Section 3 of the Inducement Resolution.

Section 3. The Chairman of 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.

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

I, the undersigned Secretary of the Oneida County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Agency, including the resolutions contained therein, held on August 19, 2022 with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand as of August 19, 2022.

ONEIDA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

By: 
Timothy Fitzgerald, Assistant Secretary