

B240 LLC
18 Division Street Suite 401
Saratoga Springs, New York 12866

August 9th, 2024

Ms. Shawna Papale
Oneida County Industrial Development Agency
584 Phoenix Drive
Rome, New York 13441

Dear Shawna:

Please accept this letter as a project update and formal request for IDA approval for the conversion of a portion of Phase 2, Building 2B, at Air City Lofts into 9 residential units.

Currently, the two buildings that comprise Phase 2 are completed, and residential lease up has been strong. However, commercial lease up has been an ongoing challenge. 100% of the 26,110 SF of leasable commercial square footage in Phase 2 has remained vacant since the property came on market in April 2022. The commercial vacancy plaguing us at Air City Lofts, and especially across Phase 2 has caused ownership to consider alternative options to achieve the revenues necessary to make this development a success. After much consideration we are proposing converting the remaining 8,352 SF of commercial space in Building 2B to residential rental units. This would still leave us with 17,758 of commercial space in Phase 2 of which 11,276 is currently under LOI.


Prior to moving forward with the conversion, we want to ensure that we are not at risk of violating any covenants regarding the PILOT awarded to this project. Phase 2 at Air City Lofts would not have been possible without the PILOT; therefore, it is crucial that we remain in compliance with our agreement. The PILOT was awarded based on the development purpose being to "provide housing and amenities within the community for the existing employees of the Griffis Business and Technology Park, and to enhance talent recruitment and economic development in the region". We had projected that we would create 34.5 full-time equivalent positions. It is our belief that event with the change we are requesting the purpose of this development has been achieved and that we will still be able to meet the projected full-time equivalent employee positions.

We are requesting that the IDA review and provide confirmation that the proposed conversion of 2B into residential units is not in violation of our exiting PILOT agreement.

Additionally, we are requesting OCIDA to extend the previously authorized sales tax exemption for this conversion project through May 2025. OCIDA authorized \$752,000 in sales tax exemption for the Phase 2 Project of which we have only used \$309,438. As per the attached budget we are anticipating that approximately \$57,142 in sales tax abatement would be used on this conversion.

We look forward to hearing back from you on this request.

Sincerely,


Alfio Bonacio Jr.
Member

Phase 2B Conversion Project

USES:

Land Acquisition	\$0
Existing Building Renovation	\$1,865,880
Legal Fees	\$5,000
A&E	\$77,800
Municipal Fees	\$250
Financial Fees	\$84,700
Other	\$30,000
Total Uses:	\$2,063,630

SOURCES:

Sales Tax Abatement*	\$57,143
Bank Financing	\$1,168,050
Cash Equity	\$389,350
Other **	\$449,087
Total Sources	\$2,063,630

* Calculation is 35% of Existing Renovation Building cost multiplied by 8.75% (Sales Tax Rate)

**Funds available from existing project funding for Phase 2



584 Phoenix Drive,
Rome, New York 13441-4105
(315) 338-0393, fax (315) 338-5694
info@mvedge.org;
www.oneidacountyida.org

REQUEST FOR EXTENSION OR INCREASE OF SALES TAX EXEMPTION

Companies that wish to request either an extension of time, an increase in value, or both should complete this form and submit to the IDA at least 14 days prior to (i) the expiration of the current exemption or (ii) date on which increased purchases will be made. Please submit a current certificate of insurance evidencing the IDA is named as additional insured with this request. If necessary, please attach additional sheets to provide the IDA with all relevant information to consider this request.

Company Name: B240 LLC IDA Project # 3001- 20- B24 0P2

Nature of Request: Extension of time until (date) 05/31/2025 (mm/dd/yyyy)
 Increase in value to (amount) \$ 0

Current FTEs at Facility: 1.50

Please describe the work that has been performed to date:

Construction of mixed use buildings with apartments on the upper floors and commercial space on the first level

Please describe the work that remains to be performed:

The conversion of a portion of the 1st floor of the Phase 2B building into additional residential space

Please describe the reasons that an extension of time and/or increase in value is being requested (be specific about what has changed from the time the original application was submitted). If the Project Costs have changed from the original application, please complete the attached sheet that compares the original costs to the revised costs and provide an explanation for the change.

A portion of the first floor space has not been successfully leased to a commercial tenant despite being aggressively marketed since the buildings completion. The landlord is undertaking a conversion of this space into additional residential units.

Value of purchases and exemptions claimed to date:

Purchases	Exemptions
\$ <u>3,536,434</u>	\$ <u>309,438</u>

Value of purchases and exemptions projected to complete the project:

Purchases	Exemptions
\$ <u>653,058</u>	\$ <u>57,142</u>

Part IX: Estimated Project Cost and Financing

11(a) List the costs necessary for preparing the facility.

	Original	Revised	Difference (Use minus symbol where applicable)
LAND Acquisition	\$ 0	0	0
Existing Building(s) ACQUISITION	\$ 0		0
Existing Building(s) RENOVATION	\$ 1,865,880	1,865,880	1,865,880
NEW Building(s) CONSTRUCTION	\$ 0		0
Site preparation/parking lot construction	\$ 0		0
Machinery & Equipment that is TAXABLE	\$ 0		0
Machinery & Equipment that is TAX-EXEMPT	\$ 0		0
Furniture & Fixtures	\$ 0		0
Installation costs	\$ 0		0
Architectural & Engineering	\$ 77,800	77,800	77,800
Legal Fees (applicant, IDA, bank, other counsel)	\$ 5,000	5,000	5,000
Financial (all costs related to project financing)*	\$ 84,700	84,700	84,700
Permits (describe below)	\$ 250	250	250
Other (describe below)	\$ 30,000	30,000	30,000
Subtotal	\$ 0	2,063,630	2,063,630
Agency Fee ¹	\$ 0	0	0
Total Project Cost	\$ 0	2,063,630	2,063,630

* **Bank fees, title insurance, appraisals, interest, environmental reviews, etc.**

¹ **See Attached Fee Schedule (Page 25) for Agency Fee amount to be placed on this line.**

Space for Additional Information

Other - Consultant Fees, Lease Up related Op Expenses, and Soft Cost Contingency.

Space for Additional Information

TO BE COMPLETED BY OCIDA

Date original exemption was granted: 05/15/2020 (mm/dd/yyyy)

* Date of any prior extensions authorized: _____ (mm/dd/yyyy)

Has the Company remitted annual rent and reporting requirements? Yes No

** Employment Obligation: 34.5

(If housing project, attach original Project Obligation)

*** There have been two prior, one-year extensions. The second extension expired 5/15/2023.**

**** The 12/31/2023 Annual Report reported 6 FTE.**

REPRESENTATIONS AND CERTIFICATION BY APPLICANT

The undersigned requests that the attached materials be submitted as an amendment to the Applicant's original Application for Financial Assistance for review to the Oneida County Industrial Development Agency (the "Agency") and its Board of Directors.

Approval of the modifications to the Application can be granted solely by this Agency's Board of Directors. The Agency reserves the right to request Applicant complete a full Application for Financial Assistance if, after reviewing the attached materials, the Agency determines one is required to properly evaluate the Applicant's request. The undersigned acknowledges that Applicant shall be responsible for all costs incurred by the Agency and its counsel in connection with the attendant negotiations whether or not the transaction is carried to a successful conclusion.

The Applicant further understands and agrees with the Agency as follows:

1. **Annual Sales Tax Filings.** In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
2. **Annual Employment, Tax Exemption & Bond Status Reports.** The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site as well as tax exemption benefits received with the action of the Agency. For Applicants not responding to the Agency's request for reports by the stated due date, a \$500 late fee will be charged to the Applicant for each 30-day period the report is late beyond the due date, up until the time the report is submitted. Failure to provide such reports as provided in the transaction documents will be an Event of Default under the Lease (or Leaseback) Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Annual Employment, Tax Exemption & Bond Status Report may be reported to Agency board members, said report being an agenda item subject to the Open Meetings Law.
3. **Absence of Conflict of Interest.** The Applicant has consulted the Agency website of the list of the Agency members, officers and employees of the Agency. No member, officer, or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein after described (if none, state "none"):
4. **Hold Harmless.** Applicant hereby releases the Agency and its members, officers, servants, agents and employees from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final

agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

5. The Applicant acknowledges that the Agency has disclosed that the actions and activities of the Agency are subject to the Public Authorities Accountability Act signed into law January 13, 2006 as Chapter 766 of the 2005 Laws of the State of New York.
6. The Applicant acknowledges that the Agency is subject to New York State's Freedom of Information Law (FOIL). **Applicant understands that all Project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions.**
7. The Applicant acknowledges that it has been provided with a copy of the Agency's recapture policy (the "Recapture Policy"). The Applicant covenants and agrees that it fully understands that the Recapture Policy is applicable to the Project that is the subject of this Application, and that the Agency will implement the Recapture Policy if and when it is so required to do so. The Applicant further covenants and agrees that its Project is potentially subject to termination of Agency financial assistance and/or recapture of Agency financial assistance so provided and/or previously granted.
8. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

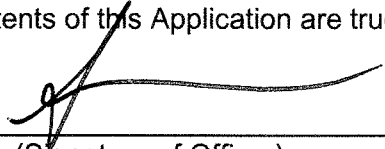
§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
9. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
10. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
11. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.
12. The Applicant and the individual executing this Application on behalf of the Applicant acknowledge that the Agency will rely on the representations made herein when acting on this Application and hereby represent that the statements made herein do not contain any untrue statement of a material

fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

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

Alfo Bonado Jr, being first duly sworn, deposes and says:

1. That I am the member (Corporate Office) of BDO LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.



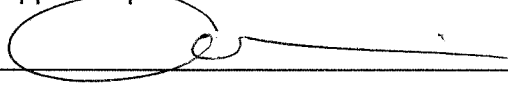
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this 4th day of September, 2024

Brandee Armer
(Notary Public)

BRANDEE ARMER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01AR6335030
Qualified in SARATOGA County
Commission Expires 12/28/2027

If the application has been completed by or in part by other than the person signing this application for the applicant please indicate who and in what capacity:

By: 

Name: Amber Mathias

Title: Director of Project Management

Date: 9/3/24

- Any applicant submitting this form should submit it with a non-refundable application fee of **\$500**.
- If the applicant is requesting an increase in the value of the sales tax exemption, the applicant will also pay an additional fee equal to the increased OCIDA fee (see page 25 of original application) relating to the additional financial assistance. This fee will be payable as a condition of the sales tax exemption being issued.
- If the request is the first request for an extension of time, the \$500 application fee will be the only fee payable.
- If the request is for an extension of time that is not the first request, the OCIDA has the discretion of charging an additional fee.

Please submit to the Oneida County Industrial Development Agency, 584 Phoenix Drive, Rome NY 13441-1405, **within 14 days prior to the OCIDA Board of Directors meeting at which you want the Application to be included on the Agenda**. Wire transfer and ACH payments are acceptable but all related fees incurred by the Agency are payable by the Applicant. It is advised that an electronic version of the application accompany the original application via hard copy or e-mail. An electronic version of the application must accompany the original application via physical media or e-mail.

2023 Report Year

Project Code: 3001-20-B240P2 Type: Lease Project Name: B240 LLC, Phase 2 Page 2b

Questions for Housing Projects ONLY - (Please provide additional information if needed to provide adequate detail)

(1) Describe the housing project constructed or renovated in detail (type of housing, number of units, etc.):

This project is comprised of 2 mixed use buildings with the floor one (1) being dedicated to commercial/retail space and the other three (3) floors dedicated to residential. This is the same break up for both buildings. There is +/- 26,000 SF of commercial/retail and 72 apartments spread across floors two (2) through four (4). The apartment mix is a combination of 1- and 2-bedroom layouts.

If construction or renovation is incomplete, when is the issuance of a Certificate of Occupancy anticipated? _____
If complete, please attach copy of Certificate of Occupancy.

(2) Describe how you changed the pre-Project use of the facility or property being utilized, for the Project.

The project consisted of a complete revitalization of an underutilized parcel of land in order to provide class A commercial/retail space and residential units that will fill some of the void that the City of Rome has in both of these areas.

(3) Did the project have any impact on the existing infrastructure or upgrades to the current infrastructure (water, sewer, electrical, gas, etc.)? If yes please provide detail and who you are working with at the applicable organization(s).

During this project, we needed to bring electric service and gas service to the parcel of land to support the size and use of the buildings. We utilized GUSC for the electrical service and National Grid for the gas service, both services were extended to the project. The water and sewer infrastructure was already on site for the project to be completed.

(4) If your project is a multi-use facility please provide details of the project, project square footage breakdown of non-housing to housing usage: detail the job creation and retention associated with the non-housing component.

Looking at the project as a whole, the first floor of phase 2 is dedicated to commercial/retail space. 75% of each building in the phase is dedicated to residential units and the remaining 25% is dedicated to commercial/retail space. Out of the commercial space (100%), +/-12% is made up of storage, a utility room, and the lobby.

(5) Does the project provide a community benefit? If yes, provide detail substantiating the community benefit (reference the IDA policy).

This project is to provide housing in close proximity to Griffis Technology Park, reducing the commute time and traffic congestion of travel to the park. This also assists companies in acquiring multi-dimensional talent. The project provides housing for the influx of employees that Central New York is expecting with new businesses coming to the area. The project also has amenities that create sales tax revenue for the city and the surrounding county. The project will also make water and sewer connections and connect multi-use trails which will encourage non-motorized transportation.

2023 Schedule of Supplemental Information (Straight Lease) PAGE 2

Full- Time Equivalent (FTE) Jobs Created and Retained - As of December 31 (see report instructions tab for more information)							
# FTE Employees at Project Location Prior to IDA Status	Original Estimate of Jobs to be Created	Original Estimate of Jobs to be Retained	Estimated average annual salary of jobs to be retained	# Current FTE Employees	# FTE Jobs Created During Fiscal Year	# FTE Jobs Retained During Fiscal Year	# FTE Contruction Jobs Created during Fiscal Year
0	34.5	0	0	6		6	

Project Code:	3001-20-B240P2
Type:	Lease
Project Name:	B240 LLC Phase 2

FOR PROJECTS CLOSED WITH THE AGENCY AFTER JULY 2016 ONLY. if the salary and benefit information for categories of jobs retained and jobs created that was provided in the original project application is still accurate, please mark the box with an X. If the information is no longer accurate please complete the chart below.


X

Category of Jobs to be Retained and Created	# Of Current FTE Per Category	Average Annual Salary or Range of Salary				Average Annual Fringe Benefits or Range of Fringe Benefits
		Average	Range From	-	Range To	
Management				-		
Administrative				-		
Production				-		
Independent Contractor				-		
Other				-		

Contact Information (if different from Supplemental Info Page 1)	
NAME:	
Address:	
Telephone:	
Fax:	
Email:	
Person Completing Form:	Dominic Barnett

I certify that to the best of my knowledge and belief all of the information on page 1 and 2 of the Annual Report is correct. I also understand that failure to report completely and accurately may result in enforcement of provisions of my agreement, including but not limited to voidance of the agreement and potential claw back of benefits.

For instructions on how to sign your name in excel please see below this box.

Signed:	 (Authorized Company Representative)
Type name:	Alfio Bonacio, Jr.
Date:	2/2/2023

To draw your name in excel:

- Click on the "Insert" Tab
- Click on "Illustrations"
- Select the "Shapes" Option
- Select the "Lines" subcategory
- The last option, if you hover your mouse over it will say "Freeform: Scribble" and looks like a looping line. This is the option you want to select. It will turn your mouse into a pencil after selecting. Then just click and hold to draw your signature in the box above.

**Resolution to Authorize Conversion
Project and Extend Period of Agency
Appointment
B240 LLC (Air City Lofts Phase 2)
Facility**

Date: September 5, 2024

At a meeting of the Oneida County Industrial Development Agency (the "Agency") held at 584 Phoenix Drive, Rome, New York 13441 on September 5, 2024, the following members of the Agency were:

Members Present:

EDGE Staff Present:

Other Attendees:

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 on certain matters pertaining to a proposed conversion of commercial space into residential units and extending the period of the agency appointment relating to previously approved financial assistance to B240 LLC.

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

Voting Aye

Voting Nay

RESOLUTION AUTHORIZING THE CONVERSION OF COMMERCIAL SPACE INTO RESIDENTIAL UNITS AND TO EXTEND THE PERIOD OF THE AGENCY APPOINTMENT AND EXECUTE RELATED DOCUMENTS WITH RESPECT TO THE B240 LLC (AIR CITY LOFTS PHASE 2) FACILITY LOCATED IN THE CITY OF ROME, 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 Company previously requested the Agency's assistance in connection with Phase 2 of a multi-phased mixed-use community which consists of the acquisition of a 6.655± acre parcel of land located at 129 & 143 Air City Boulevard, Griffiss Business and Technology Park, City of Rome, Oneida County, New York (the "Land"); construction on the Land of two, four-story mixed-use buildings comprised of 26,000± square feet of retail/commercial space on the first floor and 72 market rate residential one- and two-bedroom apartments on the second through fourth floors, together with sidewalks and infrastructure to service the same (collectively, the "Improvements"); and acquisition and installation of equipment in the Improvements (the "Equipment"), all for the purpose of providing housing and amenities within the community for existing employees of the Griffiss Business and Technology Park, and to enhance talent recruitment and economic development in the region (the Land, the Improvements and the Equipment are referred to collectively as the "Facility" and the construction and equipping of the Improvements is referred to as the "Project"); and

WHEREAS, on June 19, 2020 the Agency adopted a resolution authorizing financial assistance in support of the Facility, which included exemptions from sales and uses taxes in an amount not to exceed \$752,000; and

WHEREAS, on August 17, 2021 the Agency adopted a resolution extending the period of the agency appointment through May 31, 2022; and

WHEREAS, on May 20, 2022 the Agency adopted a resolution extending the period of the agency appointment through May 31, 2023; and

WHEREAS, the Company has submitted to the Agency a request to convert a portion of the commercial space into nine (9) residential units (the "Conversion Project"), and further extend the period of the agency appointment under which the Company may utilize the exemption to May 31, 2025 (the "Extended Financial Assistance") to complete the Conversion Project.

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 Conversion Project and the Extended Financial Assistance 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; and

(d) The Conversion Project and the Extended Financial Assistance is reasonably necessary to induce the Company to maintain and expand its business operations in the State of New York; and

(e) The SEQRA findings adopted by the Agency on May 15, 2020 encompassed the actions to be undertaken by this resolution and no changes have been made since that time to the proposed action that would create new or increased adverse environmental impacts; and

(f) It is desirable and in the public interest for the Agency to approve the Conversion Project and the Extended Financial Assistance.

Section 2. In consequence of the foregoing, the Agency hereby determines to (i) authorize the Conversion Project; (ii) extend the agency appointment to May 31, 2025 and (iii) execute and deliver an agency appointment letter, Form ST-60 and related documents (the "Extended Sales Tax Documents") in support of the Project.

Section 3. The Agency is hereby authorized to do all things necessary or appropriate for the accomplishment of the Conversion Project and the Extended Financial Assistance, and all acts heretofore taken by the Agency with respect to such Extended Financial Assistance are hereby approved, ratified and confirmed.

Section 4. The form and substance of the Extended Sales Tax Documents (each in substantially the forms presented to the Agency and which, prior to the execution and delivery thereof, may be redated) are hereby approved.

Section 5.

(a) The Chairman, Vice Chairman, Executive Director, Secretary or any member of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Extended Sales Tax Documents, all in substantially the forms thereof presented to or approved by this meeting with such changes, variations, omissions and insertions as the Chairman, Vice Chairman, Executive Director, Secretary or any member of the Agency shall approve, and such other related documents as may be, in the judgment of the Chairman and Agency Counsel, necessary or appropriate to effect the transactions contemplated by this resolution. The execution thereof by the Chairman, Vice Chairman, Executive Director or any member of the Agency shall constitute conclusive evidence of such approval.

(b) The Chairman, Vice Chairman, Executive Director, Secretary or member of the Agency are further hereby authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency (as defined in and pursuant to the Leaseback Agreement).

Section 6. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Extended Sales Tax Documents, and to execute and

deliver all such additional certificates, instruments and documents, pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Extended Sales Tax Documents binding upon the Agency.

Section 7. This resolution shall take effect immediately.

DRAFT

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 September 5, 2024 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 September 5, 2024.

ONEIDA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

By: _____
Shawna M. Papale, Secretary

DRAFT