



Montgomery County Industrial Development Agency
Meeting
Agenda July 14, 2022

- I. Call to Order
- II. Minutes
 - A. Audit Committee-March 10, 2022
 - B. Governance Committee-March 10, 2022
 - C. Regular Meeting-March 10, 2022
- III. Communications
- IV. Public Comments
- V. Chair's Report
- VI. Director's Report
- VII. Financial Report
 - A. Financial Report-Action Item
 - B. Revolving Loan Fund
- VIII. Marketing Report
- IX. Unfinished Business
- X. New Business
 - A. Project Assessment Report
 - B. Appraisal Services-Action Item
 - C. Website Redesign-Action Item
 - D. IDA Application-Action Item
 - E. Cost Benefit Analysis Contract-Action Item
- XI. Adjournment



MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Audit Committee Meeting Minutes
March 10, 2022

MEMBERS PRESENT:

Matthew Beck, Chair
Carol Shineman, Co-Chair
Cheryl Reese, Treasurer
Amanda Auricchio, Esq., Member (via Zoom)
Mark Kowalczyk, Member

STAFF MEMBERS PRESENT:

Kenneth F. Rose, Chief Executive Officer
Sheila Snell, Chief Financial Officer
Vincenzo Nicosia, Director of Program Dev.
Andrew Santillo, Staff Assistant
Christopher Canada, Agency Counsel

MEMBERS ABSENT:

OTHERS PRESENT:

Michael W. Rossi, West & Company, CPAs
Amy Pedrick, West & Company, CPAs

Each of the members of the Agency present participated in the meeting either in person or remotely pursuant to Chapter 417 of the Laws of 2021 as signed into law on September 2, 2021, as amended by Chapter 1 of the Laws of 2022 as signed into law on January 14, 2022.

I. Call to order

The meeting was called to order by Chairman Beck at 4:17 p.m.

II. IDA Audit Report

West & Company presented the 2021 MCIDA Financial and Independent Audit Reports. The financials were reported as presented fairly, an unmodified opinion, which is the highest opinion there is.

West & Company also presented the IDA with an Investment Audit, and because the IDA has no investments that was a clean, unmodified opinion.

Mr. Rossi said that these reports are required by Authorities Budget Office (ABO), and once they are audited, they will be uploaded to the PARIS Report to comply. The Basic Financial Statements present fairly, with a clean opinion.

Mr. Rossi said that Mr. Ken Rose, Ms. Sheila Snell and the staff do a great job getting all of the pertinent documents together for the audit, which goes very smoothly and there are no compliance issues.

A motion was made by Carol Shineman, seconded by Cheryl Reese, to pass on a positive recommendation of the Schedule of Investments and the Basic Financial Statements to the full board. All members present were in favor.

III. Adjournment

A motion was made by Carol Shineman, seconded by Cheryl Reese, to adjourn the meeting at 4:27 p.m. All members present were in favor.

Respectfully submitted,

Andrew Santillo
Economic Development Staff Assistant

MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Governance Committee Meeting Minutes
March 10, 2022

MEMBERS PRESENT:

Matthew Beck, Chair
Carol Shineman, Co-Chair
Cheryl Reese, Treasurer
Amanda Auricchio, Esq., Member (via Zoom)
Mark Kowalczyk, Member

STAFF MEMBERS PRESENT:

Kenneth F. Rose, Chief Executive Officer
Sheila Snell, Chief Financial Officer
Vincenzo Nicosia, Director of Program Dev.
Andrew Santillo, Staff Assistant
Christopher Canada, Agency Counsel

Each of the members of the Agency present participated in the meeting either in person or remotely pursuant to Chapter 417 of the Laws of 2021 as signed into law on September 2, 2021, as amended by Chapter 1 of the Laws of 2022 as signed into law on January 14, 2022.

I. Call to Order

The meeting was called to order by Chairman Beck at 4:33 p.m.

II. Discussion

Chairman Beck states that there are two pieces of business to complete – first is the board evaluations and all of them have been received, except for our newest member, who was just recently added to the board, and didn't feel appropriate completing an evaluation. All Agency Board Members agreed that there was nothing that stood out as areas of improvement and there was a lot of positive feedback, which is a sign that we are things the right way.

Mr. Ken Rose said that these evaluations are confidentially assembled and submitted to the Authorities Budget Office (ABO), as part of the reporting process.

The second item is the review of the Mission Statement and Performance Measurement Report from 2021, based on the measurements the Board Members have provided and responses gathered.

The committee reviewed the 2022 Mission Statement and Performance Measurement Report that was presented by Mr. Rose, and discussed goals for the Agency for the upcoming year.

Chairman Beck asks for a recommendation from the Governance Committee to bring this forward to the full Agency board. A motion is made by Cheryl Reese, seconded by Carol Shineman. All members present were in favor.

III. Adjournment

A motion was made by Carol Shineman, seconded by Cheryl Reese, to adjourn the meeting at 4:38 p.m. All members present were in favor.

Respectfully submitted,

Andrew Santillo
Economic Development Staff Assistant

**Montgomery County Industrial Development Agency Meeting
March 10, 2022
Meeting Minutes**

MEMBERS PRESENT:

Matthew Beck, Chairman
Carol Shineman, Vice-Chair
Cheryl Reese, Member
Amanda Auricchio, Esq., Member
Laurie Weingart, Secretary

STAFF MEMBERS PRESENT:

Kenneth F. Rose, Chief Executive Officer
Sheila Snell, Chief Financial Officer
Vincenzo Nicosia, Director of Program Dev.
Andrew Santillo, Staff Assistant
Christopher Canada, Agency Counsel

ABSENT:

Mark Kowalczyk, Member
Brent Phetteplace, Member

OTHERS PRESENT:

Robert Purtell, Eco. Dev. Committee Chairman

Each of the members of the Agency present participated in the meeting either in person or remotely pursuant to Chapter 417 of the Laws of 2021 as signed into law on September 2, 2021, as amended by Chapter 1 of the Laws of 2022 as signed into law on January 14, 2022.

I. Call to Order

The meeting was called to order by Chairman Beck at 4:49 p.m.

II. Minutes

A motion was made by Amanda Auricchio, Esq., seconded by Cheryl Reese, to approve the meeting minutes from the Governance Committee of January 13, 2022. All members present were in favor.

A motion was made by Carol Shineman, seconded by Matthew Beck, to approve the meeting minutes from the Organizational Meeting of January 13, 2022. All members present were in favor.

A motion was made by Cheryl Reese, seconded by Matthew Beck, to approve the meeting minutes from the IDA regular meeting of January 13, 2022.

III. Communications

There were no communications.

IV. Public Comments

There was no public comment.

V. Chair's Report

There was no Chair's report.

VI. Director’s Report

Mr. Ken Rose reported that staff is working on the department’s Annual Report, which will be completed this spring.

VII. Financial Report

A. Revolving Loan Fund

Ms. Sheila Snell said that the Revolving Loan Fund is included in the Agency board members’ packets.

A motion was made by Cheryl Reese, seconded by Matthew Beck, to approve the financial transaction report for the previous month. All members present were in favor.

VIII. Marketing Report

Mr. Vincenzo Nicosia stated that staff is continuing promotional and marketing items and is focusing this year on enhancing the tourism program. The department will be working with the county and the regional chamber of commerce to more broadly focus on tourism, attracting people to the county and helping to promote our local small businesses.

The following resolution was offered by Cheryl Reese, seconded by Laurie Weingart, to wit:

RESOLUTION AUTHORIZING EXTENSION OF THE MONTGOMERY COUNTY
INDUSTRIAL DEVELOPMENT AGENCY INTO AN AGREEMENT FOR
PROFESSIONAL SERVICES – MARKETING & CONSULTING SERVICES

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Mark Kowalczyk	VOTING	ABSENT
Amanda J. Auricchio, Esq.	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	YES
Brent Phetteplace	VOTING	ABSENT

The foregoing Resolution No. 22-06 was thereupon declared duly adopted

IX. Unfinished Business

There was no unfinished business.

X. New Business

A. 2021 Annual Independent Audit

Chairman Beck says the Annual Audit was prepared by West & Company and presented to the Audit Committee, which provided a positive recommendation, the highest you can receive, to the full Agency board. At the committee meeting, Mike Rossi and Amy Pedrick, from West & Company, explained their process of the audit and that it received a clean opinion.

The following resolution was offered by Cheryl Reese, seconded by Amanda Auricchio, Esq., to wit:

RESOLUTION ACCEPTING 2021 AUDIT REPORT

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Mark Kowalczyk	VOTING	ABSENT
Amanda J. Auricchio, Esq.	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	YES
Brent Phetteplace	VOTING	ABSENT

The foregoing Resolution No. 22-07 was thereupon declared duly adopted

B. 2021 Financial and Investment Report

Chairman Beck reported that this Financial Report and Investment Report was part of the audit done by West & Company during the independent audit. Both reports received a clean opinion, which is the highest opinion they can give.

The following resolution was offered by Cheryl Reese, seconded by Carol Shineman, to wit:

RESOLUTION ACCEPTING 2021 ANNUAL FINANCIAL AND INVESTMENT REPORTS

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Mark Kowalczyk	VOTING	ABSENT
Amanda J. Auricchio, Esq.	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	YES
Brent Phetteplace	VOTING	ABSENT

The foregoing Resolution No. 22-08 was thereupon declared duly adopted

C. 2021 PARIS Report

A draft of the 2021 PARIS report was handed out to Agency board members. A motion is needed, in order submit the 2021 PARIS report document by March 31. It is submitted to the Authorities Budget Office (ABO) and on the department's website.

A motion was made by Carol Shineman, seconded by Matthew Beck, and all members present were in favor.

D. 2022 Mission Statement and Performance Measure Report

Mr. Ken Rose reports that the measurements and mission statement were discussed in the Governance Committee.

Chairman Beck states that this 2022 Mission Statement and Performance Measure Report was sent to the full Agency board with a positive recommendation by the Governance Committee.

The following resolution was offered by Cheryl Reese, seconded by Amanda Auricchio, Esq., to wit:

RESOLUTION ADOPTING 2022 MISSION STATEMENT AND MEASUREMENT REPORT

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Mark Kowalczyk	VOTING	ABSENT
Amanda J. Auricchio, Esq.	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	YES
Brent Phetteplace	VOTING	ABSENT

The foregoing Resolution No. 22-09 was thereupon declared duly adopted

E. Internal Management Assessment

Ms. Sheila Snell reports that this is an internal audit of departmental procedures, provided to Agency Board Members, which is reviewed by the CEO and CFO, signed off upon and put on the department's website.

F. Real Property Transactions Report

A report is required for both real property and personal property. While two land sales were approved in 2021, through the Agency, they were not closed on, so those will be seen in 2022 Real Property Transaction Report.

A motion was made by Cheryl Reese, seconded by Carol Shineman, to enter into executive session to discuss financials of a company and potential land transaction that could be impacted if discussed publically, at 5:04 p.m. All members present were in favor.

A motion was made by Cheryl Reese, seconded by Carol Shineman, to adjourn executive session at 5:31 p.m. All members present were in favor. No action was taken in Executive Session.

G. DAIM Logistics IDA Application

DAIM Logistics is looking to expand its operations which are located in the Glen Canal View Business Park. These resolutions authorize 131 Riverside LLC, which is the holding company of DAIM Logistics to enter property to begin construction on its expansion project.

The following resolution was offered by Cheryl Reese, seconded by Matthew Beck, to wit:

RESOLUTION RELATING TO LICENSE ON PROPERTY LOCATED IN GLEN CANAL VIEW BUSINESS PARK

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Mark Kowalczyk	VOTING	ABSENT
Amanda J. Auricchio, Esq.	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	YES
Brent Phetteplace	VOTING	ABSENT

The foregoing Resolution No. 22-10 was thereupon declared duly adopted

This resolution relates to the sale of the property for the DAIM Logistics expansion. This resolution authorizes the sale of property to move forward, but it also authorizes the IDA to send out the required letters under the Public Authorities law.

The following resolution was offered by Cheryl Reese, seconded by Laurie Weingart, to wit:

RESOLUTION AUTHORIZING SALE OF PROPERTY LOCATED IN GLEN CANAL VIEW BUSINESS PARK TO 131 RIVERSIDE LLC

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES

Mark Kowalczyk	VOTING	ABSENT
Amanda J. Auricchio, Esq.	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	YES
Brent Phetteplace	VOTING	ABSENT

The foregoing Resolution No. 22-11 was thereupon declared duly adopted

This application to the IDA came from DAIM Logistics. A few weeks later, the company got back to us that a new company was created, Peters Properties Holdings, LLC.

The following resolution was offered by Carol Shineman, seconded by Amanda Auricchio, Esq., to wit:

RESOLUTION DESIGNATING COMPANY DAIM LOGISTICS INC. n/k/a PETERS PROPERTIES HOLDINGS, LLC PROJECT

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Mark Kowalczyk	VOTING	ABSENT
Amanda J. Auricchio, Esq.	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	YES
Brent Phetteplace	VOTING	ABSENT

The foregoing Resolution No. 22-12 was thereupon declared duly adopted

The SEQR process has to be undertaken for new properties. In this case, the Town of Glen Planning Board acted as lead agency.

The following resolution was offered by Carol Shineman, seconded by Amanda Auricchio, Esq., to wit:

RESOLUTION CONFIRMING SEQR DETERMINATION DAIM LOGISTICS INC. n/k/a PETERS PROPERTIES HOLDINGS, LLC PROJECT

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Mark Kowalczyk	VOTING	ABSENT
Amanda J. Auricchio, Esq.	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	YES
Brent Phetteplace	VOTING	ABSENT

The foregoing Resolution No. 22-13 was thereupon declared duly adopted

This resolution approves the IDA entering into the documents for the sale of the property for the DAIM Logistics expansion.

The following resolution was offered by Cheryl Reese, seconded by Matthew Beck, to wit:

APPROVING RESOLUTION DAIM LOGISTICS INC. n/k/a PETERS PROPERTIES HOLDINGS, LLC PROJECT

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Mark Kowalczyk	VOTING	ABSENT
Amanda J. Auricchio, Esq.	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	YES
Brent Phetteplace	VOTING	ABSENT

The foregoing Resolution No. 22-14 was thereupon declared duly adopted

IX. Adjournment

A motion was made by Carol Shineman, seconded by Cheryl Reese, to adjourn the meeting at 5:40 p.m. All members present were in favor.

Respectfully submitted,

Andrew Santillo

Economic Development Staff Assistant

Attachments: Resolution No. 22-06, 22-07, 22-08, 22-09, 22-10, 22-11, 22-12, 22-13, 22-14

**RESOLUTION AUTHORIZING EXTENSION OF THE MONTGOMERY COUNTY
INDUSTRIAL DEVELOPMENT AGENCY INTO AN AGREEMENT FOR
PROFESSIONAL SERVICES-MARKETING & CONSULTING SERVICES**

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on March 10, 2022 at 4:49 P.M.

The meeting was called to order by the Chair and, upon roll being called, the following members of the Agency were:

PRESENT:

Matthew Beck	Chair
Carol Shineman	Vice Chair
Cheryl Reese	Treasurer
Laurie Weingart	Secretary
Amanda Aurrichio, Esq.	Member

Each of the members of the Agency present participated in the meeting either in person or remotely pursuant to Chapter 417 of the Laws of 2021 as signed into law on September 2, 2021, as amended by Chapter 1 of the Laws of 2022 as signed into law on January 14, 2022.

ABSENT:

Mark Kowalczyk	Member
Brent Phetteplace	Member

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Kenneth Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Vincenzo Nicosia	Director of Program Development
Andrew Santillo	Staff Assistant
Christopher Canada, Esq.	Agency Counsel

The following resolution was offered by Carol Shineman, seconded by Laurie Weingart to wit:

Resolution No. 22-06

RESOLUTION AUTHORIZING THE ENTERING OF THE MONTGOMERY
COUNTY INDUSTRIAL DEVELOPMENT AGENCY INTO AN AGREEMENT
FOR PROFESSIONAL SERVICES-MARKETING & CONSULTING SERVICES

WHEREAS, Montgomery County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 666 of the 1970 Laws of New York, as amended, constituting Section 895-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage, and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, warehousing, commercial, research and manufacturing facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration, and

WHEREAS, Montgomery County administers the Economic Development Program for the purpose of creating and retaining jobs, and

WHEREAS, to properly position Montgomery County, New York, for future economic development initiatives, the Agency would like to engage the services of a consulting firm; and

WHEREAS, the Agency adopted Resolution 21-09 entering into a contract with Empire Solutions Consulting LLC, for the purposes of creating a coherent, salable mission/vision and helped to execute on an enhanced marketing and communications strategy to drive the message of the positive benefits of working and doing business in Montgomery County; and

WHEREAS, the Agency in conjunction with Montgomery County wishes to continue with this contract at a cost not to exceed \$8,000 per month plus reimbursable expenses of which Montgomery County will contribute up to \$30,000; and

WHEREAS, the Agency has adopted a Procurement Policy to guide the Agency in contracting for goods and services, and

WHEREAS, the Procurement Policy permits the Agency, in its sole discretion, to exempt entering into of a contract from the Procurement Policy based on the circumstances of the contact and the needs of the Agency,

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Agency hereby finds and determines that:

(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 enter into a contract for Professional Services, and

(B) Entering into the contract for professional services will promote and maintain the job opportunities, general prosperity and economic welfare of the citizens of Montgomery County, New York and the State of New York and improve their standard of living.

Section 2. In consequence of the foregoing, the Agency hereby determines to enter into an on-going contract with Empire Solutions Consulting LLC, for the purposes of creating a coherent, salable mission/vision and helped to execute on an enhanced marketing and communications strategy to drive the message of the positive benefits of working and doing business in Montgomery County for the Agency at a cost of a monthly retainer in the amount of \$8,000.00 plus reimbursable expenses and to exempt the selection of the contractor from the Agency's Procurement Policy for the following reasons: (1) The contractor is familiar with the Agency, its mission and operations (2) The contractor has contracted with the Agency in the past, as well as an on-going contract and produced timely and professional services for the Agency.

Section 3. Any action heretofore taken by the Agency, its officers or its staff in carrying out the matters contemplated by this Resolution is hereby ratified, confirmed and approved.

Section 4. 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 this Resolution, and to execute and deliver all such additional certificates, instruments and documents, to 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 this Resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of this Resolution.

Section 4. This Resolution shall take effect immediately.

Matthew Beck
Carol Shineman

VOTING
VOTING

YES
YES

Cheryl Reese	VOTING	YES
Laurie Weingart	VOTING	YES
Mark Kowalczyk	VOTING	ABSENT
Amanda J. Auricchio, Esq.	VOTING	YES
Brent Phetteplace	VOTING	ABSENT

The foregoing Resolution No. 22-06 was thereupon declared duly adopted.

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

I, the undersigned (Assistant) Secretary of Montgomery County Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency held on March 10, 2022 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respect duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present through-out said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 10th day of March 2022.

(Assistant) Secretary

(S E A L)

RESOLUTION ACCEPTING 2021 AUDIT REPORT

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on March 10, 2022, at 4:49 p.m., local time.

The meeting was called to order by the (Vice) Chair and, upon roll being called, the following members of the Agency were:

PRESENT:

Matthew Beck	Chair
Carol Shineman	Vice-Chair
Cheryl Reese	Treasurer
Laurie Weingart	Secretary
Amanda Auricchio, Esq.	Member

Each of the members of the Agency present participated in the meeting either in person or remotely pursuant to Chapter 417 of the Laws of 2021 as signed into law on September 2, 2021, as amended by Chapter 1 of the Laws of 2022 as signed into law on January 14, 2022.

ABSENT:

Mark Kowalczyk	Member
Brent Phetteplace	Member

THE FOLLOWING PERSONS WERE ALSO PRESENT:

Kenneth F. Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Vincenzo Nicosia	Director of Program Development
Andrew Santillo	Staff Assistant
Christopher Canada, Esq.	Agency Counsel

The following resolution was offered by Cheryl Reese, seconded by Amanda Auricchio, Esq., to wit:

Resolution No. 22-07

**RESOLUTION ACCEPTING AUDIT REPORT PRESENTED BY WEST
AND COMPANY FOR FINANCIAL PERIOD ENDING DECEMBER 31,
2021**

WHEREAS, Montgomery County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 666 of the 1970 Laws of New York, as amended, constituting Section 895-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research, recreation and civic facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, West and Company, CPA presented the Agency with the final audit report for financial period ended December 31, 2021;

RESOLVED, that report be accepted by the Montgomery County Industrial Development Agency.

FURTHER RESOLVED, This Resolution shall take effect immediately.

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Cheryl Reese	VOTING	YES
Laurie Weingart	VOTING	YES
Amanda Auricchio, Esq.	VOTING	YES
Mark Kowalczyk	VOTING	ABSENT
Brent Phetteplace	VOTING	ABSENT

The foregoing Resolution No. 22-07 was thereupon declared duly adopted.

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

I, the undersigned (Assistant) Secretary of Montgomery County Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency held on March 10, 2022 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respect duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 10th day of March, 2022.

(Assistant) Secretary

(S E A L)

RESOLUTION ACCEPTING 2021 ANNUAL FINANCIAL AND INVESTMENT REPORTS

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on March 10, 2022, at 4:49 o'clock p.m., local time.

The meeting was called to order by the (Vice) Chairman and, upon roll being called, the following members of the Agency were:

PRESENT:

Matthew Beck	Chair
Carol Shineman	Vice-Chair
Cheryl Reese	Treasurer
Laurie Weingart	Secretary
Amanda Auricchio, Esq.	Member

Each of the members of the Agency present participated in the meeting either in person or remotely pursuant to Chapter 417 of the Laws of 2021 as signed into law on September 2, 2021, as amended by Chapter 1 of the Laws of 2022 as signed into law on January 14, 2022.

ABSENT:

Mark Kowalczyk	Member
Brent Phetteplace	Member

THE FOLLOWING PERSONS WERE ALSO PRESENT:

Kenneth F. Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Vincenzo Nicosia	Director of Program Development
Andrew Santillo	Staff Assistant

The following resolution was offered by Cheryl Reese, seconded by Carol Shineman to wit:

Resolution No. 22-08

**RESOLUTION TO ACCEPT 2020 ANNUAL FINANCIAL AND INVESTMENT
REPORTS OF MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT
AGENCY IN ACCORDANCE WITH PUBLIC AUTHORITY ACCOUNTABILITY
ACT OF 2005 AS PRESENTED AND CERTIFIED BY THE CEO AND CFO**

WHEREAS, Montgomery County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 666 of the 1970 Laws of New York, as amended, constituting Section 895-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research, recreation and civic facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, the Public Authority Accountability Act of 2005 requires an Annual Financial and Investment Reports to be prepared and certified in writing by the Chief Executive Officer and the Chief Financial Officer, and

WHEREAS, the Public Authority Accountability Act of 2005 further requires the MCIDA to approve such Annual Financial and Financial Investment Reports, therefore be it

RESOLVED that the Montgomery County Industrial Development Agency has reviewed the attached Annual Financial and Investment Reports presented to them by the Chief Executive Officer and the Chief Financial Officer and accepts the presented 2021 Annual Financial and Investment Reports.

FURTHER RESOLVED, This Resolution shall take effect immediately.

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Cheryl Reese	VOTING	YES
Laurie Weingart	VOTING	YES
Amanda Auricchio, Esq.	VOTING	YES
Mark Kowalczyk	VOTING	ABSENT
Brent Phetteplace	VOTING	ABSENT

The foregoing Resolution No. 22-08 was thereupon declared duly adopted.

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

I, the undersigned (Assistant) Secretary of Montgomery County Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency held on March 10, 2022 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respect duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 10th day of March, 2022.

(Assistant) Secretary

(S E A L)

RESOLUTION ADOPTING 2022 MISSION STATEMENT AND MEASUREMENT REPORT

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on March 10, 2022, at 4:49 o'clock p.m., local time.

The meeting was called to order by the (Vice) Chair and, upon roll being called, the following members of the Agency were:

PRESENT:

Matthew Beck	Chair
Carol Shineman	Vice-Chair
Cheryl Reese	Treasurer
Laurie Weingart	Secretary
Amanda Auricchio, Esq.	Member

Each of the members of the Agency present participated in the meeting either in person or remotely pursuant to Chapter 417 of the Laws of 2021 as signed into law on September 2, 2021, as amended by Chapter 1 of the Laws of 2022 as signed into law on January 14, 2022.

ABSENT:

Mark Kowalczyk	Member
Brent Phetteplace	Member

THE FOLLOWING PERSONS WERE ALSO PRESENT:

Kenneth F. Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Vincenzo Nicosia	Director of Program Development
Andrew Santillo	Staff Assistant
Christopher Canada	Agency Counsel

The following resolution was offered by Cheryl Reese, seconded by Amanda Auricchio, Esq., to wit:

Resolution No. 22-09

RESOLUTION ADOPTING 2022 MISSION STATEMENT AND MEASUREMENT REPORT

WHEREAS, Montgomery County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated

Laws of New York, as amended (the "Enabling Act") and Chapter 666 of the 1970 Laws of New York, as amended, constituting Section 895-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research, recreation and civic facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, the 2009 Public Authorities Reform Act added a new Section 2824-a in the Public Authorities Law requiring state and local public authorities to develop and adopt a mission statement and establish performance measures and review those annually,

RESOLVED, that the Montgomery County Industrial Development Agency's Board of Directors hereby adopts the Performance Measures and Measurement Report for 2022 attached hereto as Attachment A, and

FURTHER RESOLVED, 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 to carry out the terms of this Resolution, and to execute and deliver any additional certificates, instruments and documents, to 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 this Resolutions, and

FURTHER RESOLVED, This Resolution shall take effect immediately.

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Cheryl Reese	VOTING	YES
Laurie Weingart	VOTING	YES
Amanda Auricchio, Esq.	VOTING	YES
Mark Kowalczyk	VOTING	ABSENT
Brent Phetteplace	VOTING	ABSENT

The foregoing Resolution No. 22-09 was thereupon declared duly adopted.

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

I, the undersigned (Assistant) Secretary of Montgomery County Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency held on March 10, 2022 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respect duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 10th day of March, 2022.

(Assistant) Secretary

(S E A L)

Attachment A

New York State Local Public Authority Mission Statement and Measurement Report

Local Public Authority Name: Montgomery County Industrial Development

Fiscal Year: January 2022– December 31, 2022

Enabling Legislation: Industrial development agencies (“IDAs”) are formed under Article 18-A of New York State General Municipal Law, as public benefit corporations. IDAs were created to actively promote, encourage, attract and develop job and recreational opportunities and economically-sound commerce and industry in cities, towns, villages and counties throughout New York State (the “State”). IDAs are empowered to provide financial assistance to private entities through tax incentives in order to promote the economic welfare, prosperity and recreational opportunities for residents of a municipality (“Benefited Municipality”).

Mission Statement: *The Montgomery County Industrial Development Agency was created in 1970 as a public benefit corporation of the State of New York. The MCIDA's mission is to assist in creating and maintaining jobs, thereby strengthening the economic base of the community as well as improving the quality of life of the residents of Montgomery County. This mission is accomplished by providing access to real estate solutions through the development of “shovel ready industrial parks”, offering financial assistance and incentives along with business development and technical assistance to businesses looking to expand or locate in Montgomery County.*

Date Adopted: March 10, 2022

2021 Measurements and 2022 Report On Those Measurements:

A. Assist at least five existing firms with some combination of funding, technical assistance, and problem solving.

The Agency assisted numerous firms and not-for-profit employers in the reporting period with technical assistance, grant application and procurement, financial assistance, and outreach campaigns. The Agency initiated periodic informational campaigns targeted to over 100 area businesses and not-for-profit employers detailing services and programs available through State, Federal and Local Agencies.

The Agency in conjunction with Montgomery County initiated a Small Business of the Month Award highlighting area businesses that are making a difference in their community.

In an effort to build upon Montgomery County’s success in creating a more diverse and dynamic economy, The Agency along with the County Executive, formed a Business Advisory Committee in 2020 that continued meet through zoom during 2021. This quarterly meeting of business leaders fostered a collaborative discussion and an increased engagement between local stakeholders and county government to advance pro-jobs, pro-economic growth initiatives.

B. Through some combination of funding, technical assistance, and problem solving secure new Job Creation and Capital Investment Commitments.

Cookies from Brooklyn, Inc. – The Agency processed a loan through the County’s Revolving Loan Fund for Cookies from Brooklyn Inc., a company that is selling its breads and cookies in Amsterdam. Cookies from Brooklyn wholesales its products to states throughout the northeast, mid-atlantic and midwest regions, while continuing to look to expand. Six jobs will be created over the next three years.

DAIM Logistics Expansion – The Agency authorized the sale of approximately 4.14 acres of land in the Glen Canal View Business Park to 131 Riverside LLC, to be utilized for future expansion of the DAIM Logistics existing operations in the park.

Eisenadler Brauhaus, LLC – In August, Eisenadler Brauhaus, LLC, officially opened its doors. The proprietors worked with the Agency, through the County’s Revolving Loan Fund, back in 2020, to procure funding to officially launch its brewery operations and to purchase equipment, including the fermentation tanks. The first microbrewery in the county is located on Route 5, in the Village of Nelliston.

National Grid Grant – The Agency, on behalf of the City of Amsterdam, applied for and was awarded through National Grid’s Strategic Economic Development Outreach Program for marketing funds to be used by the City of Amsterdam. This \$135,000 grant award will be matched for a marketing initiative to properly position the County and the City for future economic and job development initiatives. This is to help amplify the work being done surrounding the successful Downtown Revitalization Initiative (DRI) award that Amsterdam received in 2018.

County Micro Grant – The County through a grant written by Agency Staff received a New York State Office of Homes & Community Renewal’s Community Development Block Grant award in the amount of \$300,000 for a microenterprise grant program. Following two successful Ag Micro rounds, this third round will be open to all small businesses, including agricultural businesses. The microenterprise program targets start-up and expanding businesses throughout the boundaries of Montgomery County. The program provides much needed working capital and financing, in order to get these businesses off of the ground or allowing them to get to the next level of economic prosperity. These grants are typically ranging from \$5,000 - \$25,000 for start-up or expansion projects. The funding aims to benefit low- and moderate-income individuals and their families and to create jobs in the county. There were 24 applications from small businesses received by the department and those applications will be reviewed and decision will be made on funding in 2022.

C. Work cooperatively with local governments and school districts to further economic development progress.

In 2021, the Agency worked with various municipalities on a variety of strategic initiatives and

projects. Projects ranged from community development projects to private sector initiatives which and some are highlighted here.

EPA Assessment Grant- In 2020, the County was awarded a \$300,000 Community Wide Hazardous Substances Assessment grant that through the Environmental Protection Agency that is being administered by the Staff of the Agency. In 2021, a consultant was hired and work began on Phase I and Phase II studies on four strategic redevelopment sites in the City of Amsterdam and Villages of Canajoharie and St. Johnsville.

Potable Water Supply Study – The Agency, in collaboration with Montgomery County, hired an engineering firm to evaluate three existing wells in the Glen Canal View Business Park for the potential use as a potable water supply, which could potentially serve the tenants in the park, as well as the county's Public Safety Facility.

County Shared Services Facility – The Agency authorized the sale of approximately 20 acres of land to Montgomery County for the purposes of constructing a shared services facility, which would be used by the Montgomery County Department of Public Works and the Montgomery County Business Development Center for their operations.

D. Continue to focus on Exit 29 Redevelopment Project by applying for additional grant opportunities as well as implement the work plans associated with the grants received to date on the project.

Progress continued at the Exit 29 Redevelopment Site, in Canajoharie, with investors from E29 Labs entering into a purchase-and-sale agreement on a portion of the former Beech-Nut Foods plant. Under the terms of the agreement with E29 Labs, Montgomery County received a non-refundable deposit against a \$550,000 purchase price for the land encompassing their portion of the site. E29 Labs is a team of experienced commercial cannabis production professional that are poised to capitalize on the recent legalization of the industry by the state of New York. This announcement had the potential to realize significant private investment by the company, as well as the creation of job opportunities and additionally generate critical new revenue streams for the county, as well as the Village and Town of Canajoharie. Redevelopment of the Exit 29 site continues to be a centralized focus of the county's Economic Development office and the Agency, more than 10 years since the site became vacant.

E. Continue Implementing the Marketing on behalf of the County to further the Agency's Mission

In 2021, the Agency hired Camoin Associates, Inc. to start development of the Montgomery County Business Attraction Blueprint. The Blueprint actually began as the Montgomery County Economic Development Strategy as a plan to conduct a strategic plan to identify an industry cluster for the economic development of Montgomery County. The proposal received an award from the Consolidated Funding Application (CFA) announcements, in 2019. Following the onset of the pandemic, the scope of the Montgomery County Blueprint shifted slightly to contain many of the same elements sought after in the original proposal, but also to include the analysis of the county's current

economic situation, identifying workforce and demographics, and to provide an assessment of the current and emerging industries that are suited for Montgomery County. Whereas, the original proposals was an overarching strategy, this new scope closed in on a specific industry and prepared a detailed plan for a micro-economic development project. Camoin Associates was hired in the summer to develop and deliver the Montgomery County Business Attraction Blueprint. Included in this document will be, but not limited to, a Labor Market Analysis, a SWOT Analysis and a Targeted Industry Analysis. In addition to the ESD grant award, the Agency also received a National Grid award, in September, for a grant from the Strategic Economic Development Outreach program to additionally offset the costs of this initiative. This plan will not only provide an economic assessment of the county and the surrounding regions, but also help implement a plan of action that will produce tangible results for Montgomery County.

2022 Measurements:

- A. Assist at least five existing firms with some combination of funding, technical assistance, and problem solving.
- B. Through some combination of funding, technical assistance, and problem solving secure new Job Creation and Capital Investment Commitments.
- C. Work cooperatively with local governments and school districts to further economic development progress.
- D. Continue to focus on the Exit 29 Redevelopment Project by implementing the work plans associated with the grants received to date on the project.
- E. Continue Implementing Marketing on behalf of the County to further the Agency's mission.

Authority Stakeholder(s): Authority Stakeholders include the following: (A) The Montgomery County Legislature (B) The residents of Montgomery County, (C) The businesses located or intending to locate in the County, (D) School districts located within the County, (E) the State of New York, and (F) local workforce.

Authority Beneficiaries: The residents, businesses and taxing jurisdictions of Montgomery County

Authority Customers: The Business and Not-for-Profit establishments of Montgomery County

Authority self-evaluation of prior year performance (based upon established measurements): To Be provided by March 31, 2023 related to 2022 performance.

Governance Certification:

1. Have the Board Members acknowledged that they have read and understood the mission of the public authority?

Yes
2. Who has the power to appoint management of the public authority?

The Board Members

3. If the Board appoints management, do you have a policy you follow when appointing the management of the public authority.

Yes

4. Briefly describe the role of the Board and the role of management in the implementation of the mission.

The role of the Board regarding the implementation of the public authority's mission is to provide strategic input, guidance, oversight, mission authorization, policy setting and validation of the authority's mission, measurements and results. The role of management is to collaborate with the board in strategy development / strategy authorization and to implement established programs, processes, activities and policies to achieve the public authority's mission.

5. Has the Board acknowledged that they have read and understood the response to each of these questions?

Yes

**RESOLUTION RELATING TO LICENSE ON PROPERTY
LOCATED IN GLEN CANAL VIEW BUSINESS PARK**

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at the Old County Courthouse, Fonda, New York on March 10, 2022 at 4:30 o'clock p.m., local time.

The meeting was called to order by the (Vice) Chairperson and, upon roll being called, the following members of the Agency were:

PRESENT:

Matthew Beck	Chairperson
Carol Shineman	Vice-Chairperson
Amanda Auricchio	Member
Laurie Weingart	Member
Cheryl Reese	Member

Each of the members of the Agency present participated in the meeting either in person or remotely pursuant to Chapter 417 of the Laws of 2021 as signed into law on September 2, 2021, as amended by Chapter 1 of the Laws of 2022 as signed into law on January 14, 2022.

ABSENT:

Mark Kowalczyk	Member
Brent E. Phetteplace	Member

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Kenneth F. Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Andrew Santillo	Staff Assistant
Karl Gustafson, Jr.	Grant Assistant
Vincenzo Nicosia	Economic Development Specialist
Christopher C. Canada, Esq.	Agency Counsel

The following resolution was offered by Cheryl Reese, seconded by Matthew Beck, to wit:

Resolution No. ~~22~~-10

**RESOLUTION RELATING TO LICENSE ON CERTAIN PROPERTY LOCATED IN
THE GLEN CANAL VIEW BUSINESS PARK.**

WHEREAS, Montgomery County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 666 of the 1970 Laws of New York, as amended, constituting Section 895-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting,

attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, the Agency is currently the fee title owner to approximately 212.8 acres of certain real property located within the Glen Canal Business Park on Park Drive in the Town of Glen, Montgomery County, New York; and

WHEREAS, the Agency has been approached by DAIM Logistics, Inc. (the "Company") with regard to the purchase of approximately 200 acres of such real property (such portion being referred to hereinafter as the "Land") as more particularly described on Exhibit A attached hereto by 131 Riverside LLC (the "Purchaser"), a New York limited liability company, as holding company of the Company, in connection with the expansion of the Company's current operations (the "Future Development"); and

WHEREAS, in connection with the Future Development, the Agency intends to sell the Land (the "Disposition") to the Purchaser; and

WHEREAS, in order to facilitate the Future Development, and recognizing that some time will be required in order to complete the Disposition in accordance with the Public Authorities Law of the State of New York, the Agency is willing to grant the Purchaser a license to enter upon the Land and to initiate the Future Development, subject to the conditions described in a license agreement to be entered into between the Agency and the Purchaser (the "License Agreement"); 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 (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), it appears that the execution of License Agreement and compliance with the terms thereof (collectively, the "Transaction") collectively constitute a "Type II action" (as said quoted term is defined in the Regulations), and therefore it appears that no further determination or procedure under SEQRA is required with respect to the Transaction; and

WHEREAS, the Agency desires to authorize the Agency to undertake the Transaction;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Agency hereby determines that the Transaction constitutes a "Type II action" (as said quoted term is defined in the Regulations), and therefore that no further determination or procedure under SEQRA is required with respect to the Transaction.

Section 2. The Agency hereby finds and determines that the granting to the Purchaser of a license to enter upon the Land is in the public interest and will preserve and advance the job opportunities, health, general prosperity and economic welfare of the people of Montgomery County, New York.

Section 3. In consequence of the foregoing, the Agency hereby determines to enter into the License Agreement and any related documents (collectively, the "Transaction Documents") recommended by Hodgson Russ LLP, as counsel to the Agency ("Agency Counsel") and comply with the terms thereof.

Section 4. The Chairperson, Vice Chairperson and/or Chief Executive Officer of the Agency, with the assistance of Agency Counsel, is authorized to negotiate and approve the form and substance of the Transaction Documents.

Section 5. The Chairperson, Vice Chairperson and Chief Executive Officer of the Agency is hereby further authorized, on behalf of the Agency, to execute and deliver the Transaction Documents, and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, all in the forms thereof as the Chairperson, Vice Chairperson and/or Chief Executive Officer of the Agency shall approve, the execution thereof by the Chairperson, Vice Chairperson and/or Chief Executive Officer of the Agency to constitute conclusive evidence of such approval.

Section 6. The form and substance of the Transaction Documents and any documents necessary and incidental thereto including, but not limited to, any documents approved by counsel to the Agency in the forms thereof presented to this meeting are hereby approved.

Section 7. The Chairperson, Vice Chairperson or Chief Executive Officer of the Agency, each of them without the other, are hereby authorized, on behalf of the Agency, to execute, acknowledge (if appropriate) and deliver the Transaction Documents and such other documents as may be necessary or appropriate in order to effectuate the execution and delivery of the Transaction Documents and the transfer of title to the Land, in the forms thereof presented to this meeting, with such changes, variations, omissions and insertions as the Chairperson, Vice Chairperson or Chief Executive Officer shall approve, the execution thereof by the Chairperson, Vice Chairperson or Chief Executive Officer to constitute conclusive evidence of such approval.

Section 8. 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 Transaction Documents, and to execute and deliver all such additional certificates, instruments and documents, to 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 this resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Transaction Documents binding upon the Agency, and all actions heretofore taken or taken hereinafter by the Chairperson, Vice Chairperson or Chief Executive Officer of the Agency in furtherance of the actions herein authorized are ratified, confirmed, adopted and approved in all respects.

Section 9. This resolution shall take effect immediately.

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Mark Kowalczyk	VOTING	ABSENT
Amanda Auricchio	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	YES
Brent E. Phetteplace	VOTING	ABSENT

The foregoing resolution was thereupon declared duly adopted.

[Remainder of page left blank intentionally]


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

I, the undersigned Secretary of Montgomery County Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency held on March 10, 2022 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Chapter 417 of the Laws of 2021 as signed into law on September 2, 2021, as amended by Chapter 1 of the Laws of 2022 as signed into law on January 14, 2022 (the "Laws"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given; and (D) there was a quorum of the members of the Agency, either in person or attending remotely in accordance with the Laws, throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 10th day of March, 2022.



(Assistant) Secretary

(SEAL)

DESCRIPTION OF LAND



**RESOLUTION AUTHORIZING SALE OF PROPERTY
LOCATED IN GLEN CANAL VIEW BUSINESS PARK
TO 131 RIVERSIDE LLC**

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at the Old County Courthouse, Fonda, New York on March 10, 2022 at 4:30 o'clock p.m., local time.

The meeting was called to order by the (Vice) Chairperson and, upon roll being called, the following members of the Agency were:

PRESENT:

Matthew Beck	Chairperson
Carol Shineman	Vice-Chairperson
Amanda Auricchio	Member
Laurie Weingart	Member
Cheryl Reese	Member

Each of the members of the Agency present participated in the meeting either in person or remotely pursuant to Chapter 417 of the Laws of 2021 as signed into law on September 2, 2021, as amended by Chapter 1 of the Laws of 2022 as signed into law on January 14, 2022.

ABSENT:

Mark Kowalczyk	Member
Brent E. Phetteplace	Member

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Kenneth F. Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Andrew Santillo	Staff Assistant
Karl Gustafson, Jr.	Grant Assistant
Vincenzo Nicosia	Economic Development Specialist
Christopher C. Canada, Esq.	Agency Counsel

The following resolution was offered by Cheryl Reese, seconded by Laurie Weingart, to wit:

Resolution No. ~~62~~22- 11

**RESOLUTION AUTHORIZING THE SALE OF LAND LOCATED IN THE TOWN
OF GLEN, MONTGOMERY COUNTY, NEW YORK AND THE EXECUTION BY
MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY OF
CERTAIN DOCUMENTS IN CONNECTION WITH SUCH SALE.**

WHEREAS, Montgomery County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 666 of the 1970 Laws of New York, as amended, constituting Section 895-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter

collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research, and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, reconstruct, renovate and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, reconstructed, renovated and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, the Agency is currently the fee title owner to approximately 212 acres of certain real property located within the Glen Canal Business Park on Park Drive in the Town of Glen, Montgomery County, New York; and

WHEREAS, the Agency has been approached by DAIM Logistics, Inc. (the "Company") with regard to the purchase of approximately 200 acres of such real property (such portion being referred to hereinafter as the "Land") as more particularly described on Exhibit A attached hereto by 131 Riverside LLC (the "Purchaser"), a New York limited liability company, as holding company of the Company, in connection with the expansion of the Company's current operations (the "Future Development"); and

WHEREAS, in connection with the Future Development, the Agency wishes to sell the Land (the "Disposition") to the Purchaser; and

WHEREAS, the Agency has arranged for a purchase contract to be provided to the Purchaser (the "Purchase Contract"), which Purchase Contract shall provide for the conveyance of the Land from the Agency to the Purchaser at a price of \$406,000 (the "Purchase Price"); and

WHEREAS, the Disposition is governed by various subsections of the New York State Public Authorities Law ("PAL"); and

WHEREAS, in connection with the Disposition, the Agency desires to comply with the requirements imposed by such subsections of the PAL, the Agency's Property Disposition Policy and the Agency's Property Acquisition Policy, respectively; and

WHEREAS, pursuant to PAL Section 2897(3), property owned by the Agency must be (i) be appraised prior to sale, (ii) sold for an amount not less than fair market value and (iii) sold pursuant to a public sale; and

WHEREAS, the Land will be conveyed by the Agency through the execution and delivery of the Purchase Contract and any other deeds, resolutions and certificates relating to the Disposition (together with the Purchase Contract, the "Conveyance Documents");

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 (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), it appears that the Disposition constitutes a "Type II action" (as said quoted term is defined in the Regulations), and therefore it appears that no further determination or procedure under SEQRA is required with respect to the Disposition; and

WHEREAS, the Agency wishes to authorize the Disposition and the actions contemplated by the Conveyance Documents; and

WHEREAS, PAL Section 2897(6)(d)(ii) requires that the Agency file an explanatory statement (an "Explanatory Statement") with the (i) the Comptroller, (ii) the Director of the Budget, (iii) the Commissioner of General Services, (iv) the State Legislature, and (v) the Authority Budget Office (collectively, the "State Officials and Entities") at least ninety (90) days prior to the Disposition; and

WHEREAS, the Agency now wishes to authorize the Disposition;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby determines that the Disposition constitutes a "Type II action" (as said quoted term is defined in the Regulations), and therefore that no further determination or procedure under SEQRA is required with respect to the Disposition.

Section 2. The Agency hereby finds and determines that:

(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;

(B) An appraisal of the Land (the "Appraisal") was obtained by the Agency, pursuant to which the Land was appraised at \$430,000 (copies of the Appraisal are on file with the Agency);

(C) Based on the Appraisal, the Purchase Price represents fair market value for the Land;

(D) The Disposition is within the purpose, mission and governing statutes of the Agency, and thus is exempted from a public sale pursuant to PAL Section 2897(6)(c)(v); and

(E) In no event shall the Disposition occur earlier than ninety (90) days after the date on which the Agency transmits the Explanatory Statement relating to the Disposition to the State Officials and Entities.

Section 3. In consequence of the foregoing, and subject to the approval of the form of the Conveyance Documents by Agency counsel, the Agency hereby determines to: (A) convey the Land to the Purchaser according to the terms of the Conveyance Documents and (B) execute the Conveyance Documents.

Section 4. The Agency is hereby authorized to convey the Land to the Purchaser pursuant to the Conveyance Documents and to do all things necessary and appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisition are hereby approved, ratified and confirmed.

Section 5. The Chairperson, Vice Chairperson and the Chief Executive Officer of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Conveyance Documents and the other documents related thereto and, where appropriate, the Secretary of the Agency

is hereby authorized to affix the seal of the Agency thereto and to attest the same, all in substantially the forms thereof presented to this meeting, with such changes, variations, omissions and insertions as the Chairperson, Vice Chairperson or the Chief Executive Officer shall approve, the execution thereof by the Chairperson, Vice Chairperson or the Chief Executive Officer to constitute conclusive evidence of such approval.

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 Conveyance Documents, and to execute and deliver all such additional certificates, instruments and documents, to 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 this resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Conveyance Documents binding upon the Agency.

Section 7. This resolution shall take effect immediately.

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Mark Kowalczyk	VOTING	ABSENT
Amanda Auricchio	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	YES
Brent E. Phetteplace	VOTING	ABSENT

The foregoing resolution was thereupon declared duly adopted.

[Remainder of page left blank intentionally]


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

I, the undersigned Secretary of Montgomery County Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency held on March 10, 2022 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Chapter 417 of the Laws of 2021 as signed into law on September 2, 2021, as amended by Chapter 1 of the Laws of 2022 as signed into law on January 14, 2022 (the "Laws"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given; and (D) there was a quorum of the members of the Agency, either in person or attending remotely in accordance with the Laws, throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

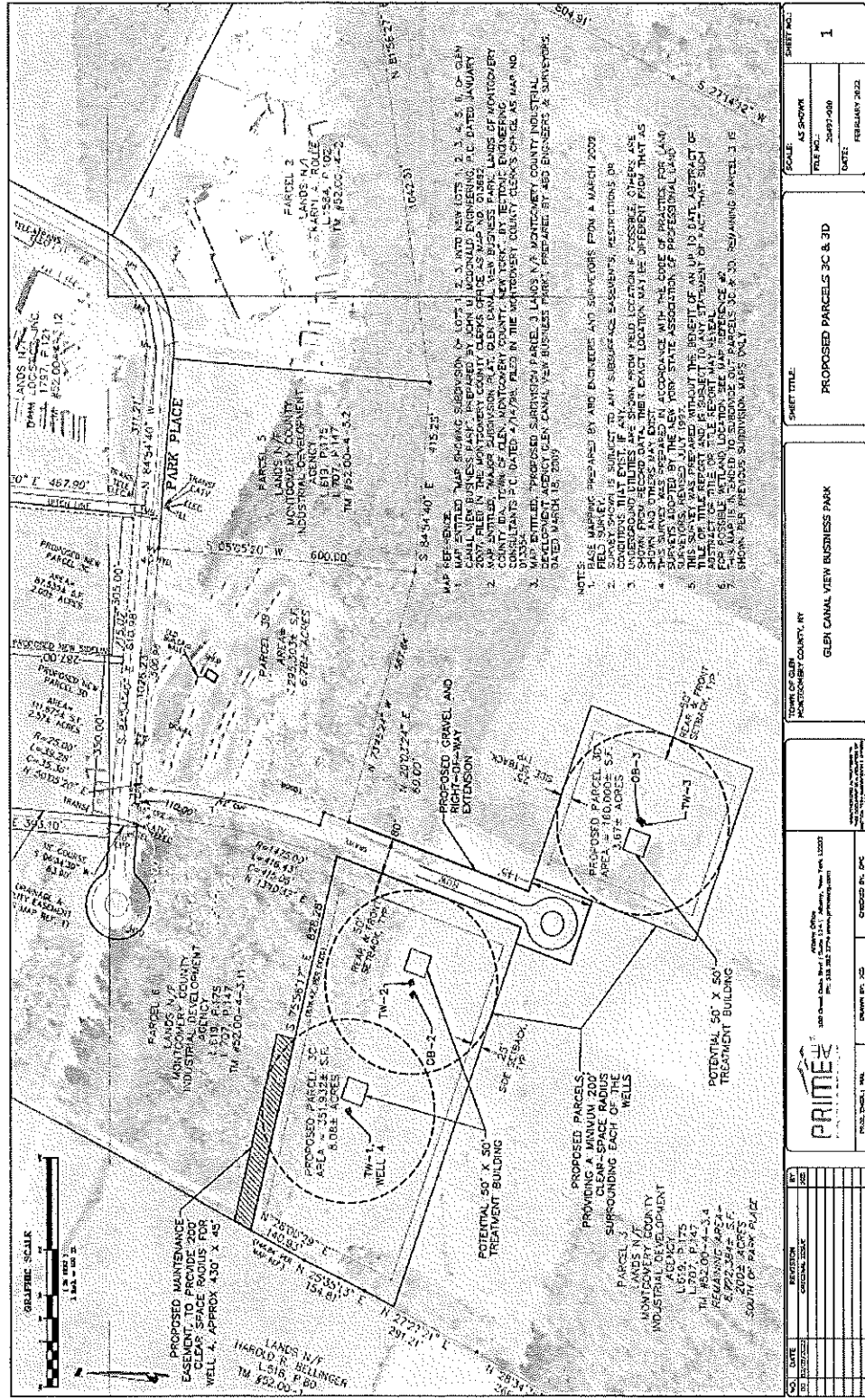
10th IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this day of March, 2022.

BY:  _____
Secretary

(SEAL)

EXHIBIT A

DESCRIPTION OF LAND



**RESOLUTION DESIGNATING COMPANY
DAIM LOGISTICS INC. n/k/a
PETERS PROPERTIES HOLDINGS, LLC PROJECT**

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on March 10, 2022 at 4:30 o'clock p.m., local time.

The meeting was called to order by the (Vice) Chairman of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Matthew Beck	Chairman
Carol Shineman	Vice-Chairman
Amanda Auricchio	Member
Laurie Weingart	Member
Cheryl Reese	Member

Each of the members present participated in the meeting either in person or remotely pursuant to the signing into law on September 2, 2021 of Chapter 417 of the Laws of 2021, as amended by Chapter 1 of the Laws of 2022 signed into law on January 14, 2022.

ABSENT:

Mark Kowalczyk	Member
Brent E. Phetteplace	Member

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Kenneth F. Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Andrew Santillo	Staff Assistant
Karl Gustafson, Jr.	Grant Assistant
Vincenzo Nicosia	Economic Development Specialist
Christopher C. Canada, Esq.	Agency Counsel

The following resolution was offered by Carol Shineman, seconded by Amanda Auricchio, to wit:

Resolution No. ~~2022-12~~ **22-12**

**RESOLUTION DESIGNATING PETERS PROPERTIES HOLDINGS, LLC AS
COMPANY WITH RESPECT TO A WAREHOUSING PROJECT.**

WHEREAS, Montgomery County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 666 of the 1970 Laws of New York, as amended, constituting Section 895-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring,

constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more “projects” (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, in January, 2022, DAIM Logistics Inc., a business corporation organized and existing under the laws of the State of New York (the “Original Company”) submitted an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the “Project”) for the benefit of the Original Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an 8.13 acre parcel of land located in the Glen Canal View Business Park, referred to as Lot 3A, in the Town of Glen, Montgomery County, New York (the “Land”), (2) the construction of an approximately 54,000 square foot facility on the Land (the “Facility”), (3) the acquisition and installation of certain machinery and equipment therein and thereon (the “Equipment”) (the Land, the Facility and the Equipment hereinafter collectively referred to as the “Project Facility”), all of the foregoing to be owned by the Original Company and used for warehousing space for the Original Company’s operations and to be leased by the Company to other commercial and industrial users for warehousing space; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Original Company or such other person as may be designated by the Original Company and agreed upon by the Agency; and

WHEREAS, by resolution adopted by the members of the Agency on January 13, 2022 (the “Public Hearing Resolution”), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act with respect to the Project; and

WHEREAS, pursuant to the authorization contained in the Public Hearing Resolution, the Chief Executive Officer of the Agency (A) caused notice of a public hearing of the Agency (the “Public Hearing”) pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project, to be mailed on January 20, 2022 to the chief executive officers of the county and of each city, town, village and school district in which the Project is or is to be located; (B) caused notice of the Public Hearing to be posted on January 23, 2022 on a bulletin board located at 7 Erie Street in the Town of Glen, Village of Fultonville, Montgomery County, New York and on January 20, 2022 on the Agency’s website; (C) caused notice of the Public Hearing to be published on January 21, 2022 and January 22, 2022 in the Recorder, a newspaper of general circulation available to the residents of the Town of Glen, Village of Fultonville, Montgomery County, New York; (D) conducted the Public Hearing on February 10, 2022 at 1:00 o’clock p.m., local time at the Town of Glen Town offices located at 7 Erie Street in the Town of Glen, Village of Fultonville, Montgomery County, New York, and (E) prepared a report of the Public Hearing (the “Hearing Report”) fairly summarizing the views presented at such Public Hearing and caused copies of said Hearing Report to be made available to the members of the Agency; and

WHEREAS, pursuant to correspondence dated March 1, 2022 (the “Request”), which Request is attached hereto as Exhibit A, the Original Company has informed the Agency that the Original Company

has formed a new company, Peters Properties Holdings, LLC, a New York State limited liability company (the "Company"), which Company is owned by the same individuals (collectively, the "Owners") as the Original Company, to provide for the ownership of the Project Facility in a single purpose entity, to undertake the Project and desires the Agency to agree to the designation of the Company, as the Company with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Agency hereby agrees to the designation of Peters Properties Holdings, LLC as the Company.

Section 2. This Resolution shall take effect immediately.

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Mark Kowalczyk	VOTING	ABSENT
Amanda Auricchio	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	YES
Brent E. Phetteplace	VOTING	ABSENT

The foregoing Resolution was thereupon declared duly adopted.

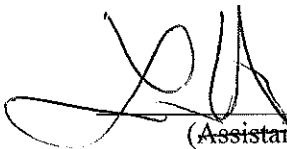
STATE OF NEW YORK)
) SS.:
COUNTY OF MONTGOMERY)

I, the undersigned (~~Assistant~~) Secretary of Montgomery County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on March 10, 2022 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Issuer had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Chapter 417 of the Laws of 2021, as amended (the "2022 Laws"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given; and (D) there was a quorum of the members of the Issuer, either in person or attending remotely in accordance with the 2022 Laws, throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

10th IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this day of March, 2022.



(Assistant) Secretary

(SEAL)

EXHIBIT A

REQUEST

- SEE ATTACHED -

STOCKLI SLEVIN, LLP

ATTORNEYS AND COUNSELORS AT LAW

1826 WESTERN AVENUE
ALBANY • NEW YORK • 12203
TEL: (518) 449-3125
FAX: (518) 449-4798

March 1, 2022

Montgomery County Industrial Development Agency
110 Bracken Road
Montgomery, NY 12549

Re: DAIM Logistics Inc and 128 Park Drive, Fultonville, New York

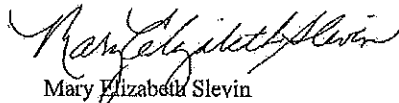
Dear Sir or Madam:

We are requesting, on behalf of our Clients DAIM Logistics Inc and Peters Properties Holdings LLC, that the Application submitted by DAIM Logistics Inc. for consideration of benefits from the Montgomery Industrial Development Agency, be considered in the name of Peters Properties Holdings LLC instead of DAIM Logistics Inc.

Peters Properties Holdings LLC is owned by the same individuals (Patrick Oare and Christian Oare) as DAIM Logistics Inc. Each of the Companies has the same management as the other. The change is strictly a reorganizational change for the Owners to provide for the ownership of the Real Estate located at 128 Park Drive, in Fultonville, in a single purpose entity.

Your consideration of this request is appreciated. If you should need additional information, please let me know.

Very Truly Yours,



Mary Elizabeth Slevin

CC: Patrick Oare

March 2, 2022 | 4:06 pm

COVID-19 Vaccines

Children ages 5+ are eligible for the COVID-19 vaccine and children ages 12+ are eligible for a booster. Parents and guardians: make sure your child gets vaccinated and stays up to date with all recommended doses.

[VAX FOR KIDS >](#)

Department of State

Division of Corporations

Entity Information

[Return to Results](#)
[Return to Search](#)

Entity Details

ENTITY NAME: PETERS PROPERTIES HOLDINGS, LLC	DOS ID: 6241152
FOREIGN LEGAL NAME:	FICTITIOUS NAME:
ENTITY TYPE: DOMESTIC LIMITED LIABILITY COMPANY	DURATION DATE/LATEST DATE OF DISSOLUTION:
SECTION OF LAW: LIMITED LIABILITY COMPANY LAW - 203	ENTITY STATUS: ACTIVE
LIMITED LIABILITY COMPANY LAW - LIMITED LIABILITY COMPANY LAW	
DATE OF INITIAL DOS FILING: 08/11/2021	REASON FOR STATUS:
EFFECTIVE DATE INITIAL FILING: 08/11/2021	INACTIVE DATE:
FOREIGN FORMATION DATE:	STATEMENT STATUS: CURRENT
COUNTY: MONTGOMERY	NEXT STATEMENT DUE DATE: 08/31/2023
JURISDICTION: NEW YORK, UNITED STATES	NFP CATEGORY:

ENTITY DISPLAY

[Entity Display](#)
[Entity History](#)
[Entity Status](#)
[Entity History/Display](#)

Service of Process Name and Address

Name: C/O GLEN CANAL VIEW HOLDINGS, INC.

Address: 128 PARK DRIVE, FULTONVILLE, NY, UNITED STATES, 12072

Chief Executive Officer's Name and Address

Name:
Address:

Principal Executive Office Address

Address:

Registered Agent Name and Address

Name:
Address:

Entity Primary Location Name and Address

Name:
Address:

Farmcorpflag

Is The Entity A Farm Corporation: NO

Stock Information

Share Value	Number Of Shares	Value Per Share
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**RESOLUTION CONFIRMING SEQR DETERMINATION
DAIM LOGISTICS INC. n/k/a
PETERS PROPERTIES HOLDINGS, LLC PROJECT**

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on March 10, 2022 at 4:30 o'clock p.m., local time.

The meeting was called to order by the (Vice) Chairman of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Matthew Beck	Chairman
Carol Shineman	Vice-Chairman
Amanda Auricchio	Member
Laurie Weingart	Member
Cheryl Reese	Member

Each of the members present participated in the meeting either in person or remotely pursuant to the signing into law on September 2, 2021 of Chapter 417 of the Laws of 2021, as amended by Chapter 1 of the Laws of 2022 signed into law on January 14, 2022.

ABSENT:

Mark Kowalczyk	Member
Brent E. Phetteplace	Member

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Kenneth F. Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Andrew Santillo	Staff Assistant
Karl Gustafson, Jr.	Grant Assistant
Vincenzo Nicosia	Economic Development Specialist
Christopher C. Canada, Esq.	Agency Counsel

The following resolution was offered by Cheryl Reese, seconded by Amanda Auricchio, to wit:

Resolution No. ~~2022-12~~ 2022-13

RESOLUTION CONCURRING IN THE DETERMINATION BY TOWN OF GLEN PLANNING BOARD, AS LEAD AGENCY FOR THE ENVIRONMENTAL REVIEW OF THE DAIM LOGISTICS INC. n/k/a PETERS PROPERTIES HOLDINGS, LLC PROPOSED PROJECT.

WHEREAS, Montgomery County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 666 of the 1970 Laws of New York, as amended, constituting Section 895-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively

referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more “projects” (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, in January, 2022, DAIM Logistics Inc., (the “Original Company”), business corporation duly organized and validly existing under the laws of the State of New York, presented an application (the “Application”) to the Agency, which Application requested that the Agency consider undertaking a project (the “Project”) for the benefit of the Original Company, said Project to include the following: (A) (1) the acquisition of an interest in an 8.13 acre parcel of land located in the Glen Canal View Business Park, referred to as Lot 3A, in the Town of Glen, Montgomery County, New York (the “Land”), (2) the construction of an approximately 54,000 square foot facility on the Land (the “Facility”), (3) the acquisition and installation of certain machinery and equipment therein and thereon (the “Equipment”) (the Land, the Facility and the Equipment hereinafter collectively referred to as the “Project Facility”), all of the foregoing to be owned by the Original Company and used for warehousing space for the Original Company’s operations and to be leased by the Original Company to other commercial and industrial users for warehousing space; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real property transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Original Company or such other person as may be designated by the Original Company and agreed upon by the Agency; and

WHEREAS, by resolution adopted by the members of the Agency on January 13, 2022 (the “Public Hearing Resolution”), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act with respect to the Project; and

WHEREAS, pursuant to the authorization contained in the Public Hearing Resolution, the Chief Executive Officer of the Agency (A) caused notice of a public hearing of the Agency (the “Public Hearing”) pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project, to be mailed on January 20, 2022 to the chief executive officers of the county and of each city, town, village and school district in which the Project is or is to be located; (B) caused notice of the Public Hearing to be posted on January 23, 2022 on a bulletin board located at 7 Erie Street in the Town of Glen, Village of Fultonville, Montgomery County, New York and on January 20, 2022 on the Agency’s website; (C) caused notice of the Public Hearing to be published on January 21, 2022 and January 22, 2022 in the Recorder, a newspaper of general circulation available to the residents of the Town of Glen, Village of Fultonville, Montgomery County, New York; (D) conducted the Public Hearing on February 10, 2022 at 1:00 o’clock p.m., local time at the Town of Glen Town offices located at 7 Erie Street in the Town of Glen, Village of Fultonville, Montgomery County, New York, and (E) prepared a report of the Public Hearing (the “Hearing Report”) fairly summarizing the views presented at such Public Hearing and caused copies of said Hearing Report to be made available to the members of the Agency; and

WHEREAS, pursuant to a request submitted by the Original Company on March 1, 2022 (the "Request"), the Agency by resolution adopted on March 10, 2022 (the "Resolution Designating Company"), agreed to the designation of Peters Properties Holdings, LLC, a New York State limited liability company (the "Company"), as the "Company" to undertake and complete the Project; 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 (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), the Agency has been informed that (1) the Town of Glen Planning Board (the "Planning Board") was designated to act as "lead agency" with respect to the Project, and (2) the Planning Board issued a Determination of Non Significance on January 20, 2022 (the "Negative Declaration"), attached hereto as Exhibit A, determining that the acquisition, reconstruction, renovation and installation of the Project Facility will not have a "significant effect on the environment"; and

WHEREAS, the Agency is an "involved agency" with respect to the Project and the Agency now desires to concur in the determination by the Planning Board, as "lead agency" with respect to the Project, to acknowledge receipt of a copy of the Negative Declaration and to indicate whether the Agency has any information to suggest that the Planning Board was incorrect in determining that the Project will not have a "significant effect on the environment" pursuant to SEQRA and, therefore, that no environmental impact statement need be prepared with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency has received copies of, and has reviewed, the Application and the Negative Declaration (collectively, the "Reviewed Documents") and, based upon said Reviewed Documents, the Agency hereby ratifies and concurs in the designation of the Planning Board as "lead agency" with respect to the Project under SEQRA (as such quoted term is defined in SEQRA).

Section 2. The Agency hereby determines that the Agency has no information to suggest that the Planning Board was incorrect in determining that the Project will not have a "significant effect on the environment" pursuant to the SEQRA and, therefore, that environmental impact statement need not be prepared with respect to the Project (as such quoted phrase is used in SEQRA).

Section 3. The members of the Agency are hereby directed to notify the Planning Board of the concurrence by the Agency that the Planning Board shall be the "lead agency" with respect to the Project, and to further indicate to the Planning Board that the Agency has no information to suggest that the Planning Board was incorrect in its determinations contained in the Negative Declaration.

Section 4. This Resolution shall take effect immediately.

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Mark Kowalczyk	VOTING	ABSENT
Amanda Auricchio	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	YES
Brent E. Phetteplace	VOTING	ABSENT

The foregoing Resolution was thereupon declared duly adopted.

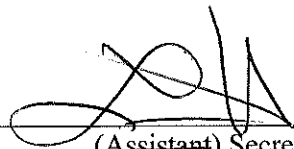
STATE OF NEW YORK)
) SS.:
COUNTY OF MONTGOMERY)

I, the undersigned (~~Assistant~~) Secretary of Montgomery County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on March 10, 2022 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Issuer had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Chapter 417 of the Laws of 2021, as amended (the "2022 Laws"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given; and (D) there was a quorum of the members of the Issuer, either in person or attending remotely in accordance with the 2022 Laws, throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

10th IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this day of March, 2022.



(Assistant) Secretary

(SEAL)

EXHIBIT A
NEGATIVE DECLARATION
-SEE ATTACHED-

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

1. Impact on Land: The project includes minor tree removal and grubbing during construction. The disturbance of land and impervious surface (7.3 acres) runoff has been mitigated with the erosion & sediment control design and stormwater management facility design.

3. Impact on Surface Water: The project will increase the amount of impervious surface from what exists prior to the project. The stormwater management design for the project will mitigate the potential impacts.

4. Impact on Ground Water: The proposed action will result in an increase in potable water use, however, it is only estimated to be 600 gallons per day, which is within the capabilities of the existing municipal supply wells.

9. Impact on Aesthetic Resources: The project is located within a few miles of the Mohawk-Hudson Bike Hike /Erie Canal Trail. The project is located in an existing industrial park.

13. Impact on Transportation: The project is proposed to have an additional 40 semi-trailer trips per day. This will average about 3.5 trips per hour during the twelve hour period of operation (6 AM - 6 PM).

14. Impact on Energy: There will be an increase in power consumption to operate the proposed warehouse, however it is expected to be a small impact.

15. Impact on Noise, Odor, and Light: The facility will increase noise in the area temporarily during construction and also have lasting impacts on noise and light due to being a warehouse. Although there may be an increase in noise and light, the surrounding properties are of similar nature being industrial/commercial uses.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

FEAF 2019

Upon review of the information recorded on this EAF, as noted, plus this additional support information provided by the applicant including: Empire Engineering response Letter dated 12/10/2021, Revised Site Plan Set latest revision date 12/30/2021, SWPPP Report latest revision date 12/30/2021, OPRHP letter dated 12/10/21, building drawings prepared by Chief Buildings dated 9/16/2021 and NYSDEC Environmental Assessment Form (EAF) Mapper / EAF Part 1.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Town of Glen Planning Board as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: DAM Logistics, Inc. Warehouse

Name of Lead Agency: Town of Glen Planning Board

Name of Responsible Officer in Lead Agency: JD Downing

Title of Responsible Officer: Planning Board Chairperson

Signature of Responsible Officer in Lead Agency:

Date: 1/24/2022

Signature of Preparer (if different from Responsible Officer) Douglas P. Cole, PE, *Douglas P. Cole* Date: 1/20/2022

For Further Information:

Contact Person: JD Downing, Planning Board Chairperson

Address: Town of Glen, 7 Erie Street, Fultonville, NY 12072

Telephone Number: 518-853-3633

E-mail: jdowning816@gmail.com

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

Page 2 of 2

PLANNING BOARD DECISION DOCUMENT

At a meeting of the Town of Glen Planning Board on January 20, 2022, the following motion was made:
Cheryl Huxhold (name of PB member), I move that the Planning Board:

- ☐ Deny
☐ Approve
☒ Approve with conditions (see below)

The application for:

- ☐ Site Plan Review Approval
☐ Preliminary Subdivision Approval
☐ Final Subdivision Approval
☒ Special Use Permit Approval
☐ Other _____

Made by _____ Dalm Logistics, LLC _____ (applicant name)

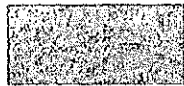
For property located at _____ 128 Park Drive, Fultonville, NY 12072 _____ (address)

Approval of this application is subject to the following conditions:

1. Approval is conditioned upon applicant addressing all Town Designated Engineer (TDE) and Montgomery County Planning comments and full and final approval of the TDE and County.
2. Prior to the Issuance of site development and/or building permits by the Town of Glen, the applicant shall:
 - a) Obtain a SPDES General Permit for Stormwater Discharges from Construction Activity from the New York State Department of Environmental Conservation (NYSDEC GP-0-15-002).
 - b) Submit a Professional Engineer Stamped Comcheck (latest version) Building Envelope Compliance Certificate.
 - c) Submit the New York State Building Code review checklist showing required/allowed versus actual.
3. The applicant shall submit the proposed 45' Drainage Easement Agreement to the Town for review and approval.
4. The applicant shall submit final interior layout plans to the building department for review and approval.
5. Prior to the issuance of Site Development and/or Building Permit(s) by the Town of Glen, the applicant shall attend a pre-construction meeting with the Building Inspector and the TDE to confirm the completion of the above stated conditions.
6. Completion of SWPPP inspections and reporting during construction by a Qualified Inspector.
7. Provide Hydrant Flow test results
8. Must follow DOT / DEC regulations

Record of Vote:

Chair: JD Downing	Aye	Nay	X Not present
Member: Jenn Mete-Jeffer	Aye	Nay	X Not present
Member: Sandy Hemstreet	X Aye	Nay	Not present
Member: Tim McMurray	Aye	Nay	X Not present
Member: Boddy White	X Aye	Nay	Not present
Member: Cheryl Huxhold	X Aye	Nay	Not present
Member: Nancy Langdon	X Aye	Nay	Not present



Sandra J Hemstreet

2/14/22

**APPROVING RESOLUTION
DAIM LOGISTICS INC. n/k/a
PETERS PROPERTIES HOLDINGS, LLC PROJECT**

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on March 10, 2022 at 4:30 o'clock p.m., local time.

The meeting was called to order by the (Vice) Chairman of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Matthew Beck	Chairman
Carol Shineman	Vice-Chairman
Amanda Auricchio	Member
Laurie Weingart	Member
Cheryl Reese	Member

Each of the members present participated in the meeting either in person or remotely pursuant to the signing into law on September 2, 2021 of Chapter 417 of the Laws of 2021, as amended by Chapter 1 of the Laws of 2022 signed into law on January 14, 2022.

ABSENT:

Mark Kowalczyk	Member
Brent E. Phetteplace	Member

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Kenneth F. Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Andrew Santillo	Staff Assistant
Karl Gustafson, Jr.	Grant Assistant
Vincenzo Nicosia	Economic Development Specialist
Christopher C. Canada, Esq.	Agency Counsel

The following resolution was offered by Cheryl Reese, seconded by Matthew Beck, to wit:

Resolution No. ~~00~~22-14

RESOLUTION AUTHORIZING EXECUTION OF DOCUMENTS IN CONNECTION WITH A LEASE/LEASEBACK TRANSACTION FOR A PROJECT FOR PETERS PROPERTIES HOLDINGS, LLC (THE "COMPANY").

WHEREAS, Montgomery County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 666 of the 1970 Laws of New York, as amended, constituting Section 895-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing,

reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, in January, 2022, DAIM Logistics Inc., a business corporation organized and existing under the laws of the State of New York (the "Original Company") submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the "Project") for the benefit of the Original Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an 8.13 acre parcel of land located in the Glen Canal View Business Park, referred to as Lot 3A, in the Town of Glen, Montgomery County, New York (the "Land"), (2) the construction of an approximately 54,000 square foot facility on the Land (the "Facility"), (3) the acquisition and installation of certain machinery and equipment therein and thereon (the "Equipment") (the Land, the Facility and the Equipment hereinafter collectively referred to as the "Project Facility"), all of the foregoing to be owned by the Original Company and used for warehousing space for the Original Company's operations and to be leased by the Company to other commercial and industrial users for warehousing space; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Original Company or such other person as may be designated by the Original Company and agreed upon by the Agency; and

WHEREAS, by resolution adopted by the members of the Agency on January 13, 2022 (the "Public Hearing Resolution"), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act with respect to the Project; and

WHEREAS, pursuant to the authorization contained in the Public Hearing Resolution, the Chief Executive Officer of the Agency (A) caused notice of a public hearing of the Agency (the "Public Hearing") pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project, to be mailed on January 20, 2022 to the chief executive officers of the county and of each city, town, village and school district in which the Project is or is to be located; (B) caused notice of the Public Hearing to be posted on January 23, 2022 on a bulletin board located at 7 Erie Street in the Town of Glen, Village of Fultonville, Montgomery County, New York and on January 20, 2022 on the Agency's website; (C) caused notice of the Public Hearing to be published on January 21, 2022 and January 22, 2022 in the Recorder, a newspaper of general circulation available to the residents of the Town of Glen, Village of Fultonville, Montgomery County, New York; (D) conducted the Public Hearing on February 10, 2022 at 1:00 o'clock p.m., local time at the Town of Glen Town offices located at 7 Erie Street in the Town of Glen, Village of Fultonville, Montgomery County, New York, and (E) prepared a report of the Public Hearing (the "Hearing Report") fairly summarizing the views presented at such Public Hearing and caused copies of said Hearing Report to be made available to the members of the Agency; and

WHEREAS, pursuant to a request submitted by the Original Company on March 1, 2022 (the "Request"), the Agency by resolution adopted on March 10, 2022 (the "Resolution Designating

Company”), agreed to the designation of Peters Properties Holdings, LLC, a New York State limited liability company (the “Company”), as the “Company” to undertake and complete the Project; 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 (the “Regulations”) adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, “SEQRA”), by resolution adopted by the members of the Agency on March 10, 2022 (the “Resolution Confirming SEQR Determination”), the Agency (A) concurred in the determination that the Town of Glen Planning Board (the “Planning Board”) is the “lead agency” with respect to SEQRA, and (B) acknowledged receipt of a negative declaration from the Planning Board issued on January 20, 2022 (the “Negative Declaration”), in which the Planning Board determined that the Project would not have a significant adverse environmental impact on the environment, and therefore, that an environmental statement need not be prepared with respect to the Project; and

WHEREAS, the Agency has given due consideration to the Application, and to representations by the Company that (A) the granting by the Agency of the Financial Assistance with respect to the Project will be an inducement to the Company to undertake the Project in Montgomery County, New York and (B) the completion of the Project will not result in the removal of a plant or facility of any proposed occupant of the Project Facility from one area of the State of New York to another area in the State of New York and will not result in the abandonment of one or more plants or facilities of any occupant of the Project Facility located in the State of New York; and

WHEREAS, the Agency desires to encourage the Company to preserve and advance the job opportunities, health, general prosperity and economic welfare of the people of Montgomery County, New York by undertaking the Project in Montgomery County, New York; and

WHEREAS, in order to consummate the Project and the granting of the Financial Assistance described in the notice of the Public Hearing, the Agency proposes to enter into the following documents (hereinafter collectively referred to as the “Agency Documents”): (A) a certain lease to agency (the “Lease to Agency” or the “Underlying Lease”) by and between the Company, as landlord, and the Agency, as tenant, pursuant to which the Company will lease to the Agency a portion of the Land and all improvements now or hereafter located on said portion of the Land (collectively, the “Leased Premises”); (B) a certain license agreement (the “License to Agency” or the “License Agreement”) by and between the Company, as licensor, and the Agency, as licensee, pursuant to which the Company will grant to the Agency (1) a license to enter upon the balance of the Land (the “Licensed Premises”) for the purpose of undertaking and completing the Project and (2) in the event of an occurrence of an Event of Default by the Company, an additional license to enter upon the Licensed Premises for the purpose of pursuing its remedies under the Lease Agreement (as hereinafter defined); (C) a lease agreement (and a memorandum thereof) (the “Lease Agreement”) by and between the Agency and the Company, pursuant to which, among other things, the Company agrees to undertake the Project as agent of the Agency and the Company further agrees to lease the Project Facility from the Agency and, as rental thereunder, to pay the Agency’s administrative fee relating to the Project and to pay all expenses incurred by the Agency with respect to the Project; (D) a payment in lieu of tax agreement (the “Payment in Lieu of Tax Agreement”) by and between the Agency and the Company, pursuant to which the Company will agree to pay certain payments in lieu of taxes with respect to the Project Facility; (E) a uniform agency project agreement (the “Uniform Agency Project Agreement”) by and between the Agency and the Company regarding the granting of the financial assistance and the potential recapture of such assistance; (F) a certain recapture agreement (the “Section 875 GML Recapture Agreement”) by and between the Company and the Agency, required by the Act, regarding the recovery or recapture of certain sales and use taxes; (G) a sales tax exemption letter (the “Sales Tax Exemption Letter”) to ensure the granting of the sales tax exemption which forms a part of the Financial Assistance; (H) a New York State Department of Taxation and Finance form entitled “IDA

Appointment of Project Operator or Agency for Sales Tax Purposes” (the form required to be filed pursuant to Section 874(9) of the Act) (the “Thirty-Day Sales Tax Report”) and any additional report to the Commissioner of the State Department of Taxation and Finance concerning the amount of sales tax exemption benefit for the Project (the “Additional Thirty-Day Project Report”); (I) if the Company intends to finance the Project with borrowed money, a mortgage and any other security documents and related documents (collectively, the “Mortgage”) from the Agency and the Company to the Company’s lender with respect to the Project (“the “Lender”), which Mortgage will grant a lien on and security interest in the Project Facility to secure a loan from the Lender to the Company with respect to the Project (the “Loan”); (J) if the Company requests the Agency to appoint a contractor or contractors, as agent(s) of the Agency (each, a “Contractor”) (1) a certain agency indemnification agreement (the “Contractor Agency and Indemnification Agreement”) by and between the Agency and the Contractor, (2) a certain recapture agreement (the “Contractor Section 875 GML Recapture Agreement”) by and between the Agency and the Contractor, (3) a sales tax exemption letter (the “Contractor Sales Tax Exemption Letter”), and (4) a Thirty-Day Sales Tax Report (the “Contractor Thirty-Day Sales Tax Report”) and any additional report to the Commissioner of the State Department of Taxation and Finance concerning the amount of sales tax exemption benefit for the Project (the “Additional Thirty-Day Project Report”) (collectively, the “Contractor Documents”); (K) if the Company intends to request the Agency to appoint (1) the Company, as agent of the Agency and (2) a Contractor, as agent(s) of the Agency prior to closing on the Project and the Lease Agreement or Installment Sale Agreement, interim agency and indemnification agreements, interim Section 875 GML recapture agreements, interim sales tax exemption letters and interim thirty-day sales tax reports (collectively, the “Interim Documents”) and (L) various certificates relating to the Project (the “Closing Documents”);

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. All action taken by the Chief Executive Officer of the Agency with respect to the Public Hearing with respect to the Project is hereby ratified and confirmed.

Section 2. The law firm of Hodgson Russ LLP is hereby appointed Agency Counsel to the Agency with respect to all matters in connection with the Project. Agency Counsel for the Agency is hereby authorized, at the expense of the Company, to work with the Company, counsel to the Company, counsel to the Agency and others to prepare, for submission to the Agency, all documents necessary to effect the transactions contemplated by this Resolution. Agency Counsel has prepared and submitted an initial draft of the Agency Documents to staff of the Agency.

Section 3. The Agency hereby finds and determines that:

(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;

(B) The Project constitutes a “project,” as such term is defined in the Act;

(C) The Project site is located entirely within the boundaries of Montgomery County, New York;

(D) It is estimated at the present time that the costs of the planning, development, acquisition, construction, reconstruction and installation of the Project Facility (collectively, the “Project Costs”) will be approximately \$3,420,000;

(E) The completion of the Project will not result in the removal of a plant or facility of any proposed occupant of the Project Facility from one area of the State of New York to another area in the State of New York and will not result in the abandonment of one or more plants or facilities of any occupant of the Project Facility located in the State of New York;

(F) (1) The Project Facility does not constitute a project where facilities or property that are primarily used in making retail sales of goods and/or services to customers who personally visit such facilities constitute more than one-third of the total cost of the Project Facility, and accordingly the Project is not prohibited by the provisions of Section 862(2)(a) of the Act, and (2) accordingly the Agency is authorized to provide financial assistance in respect of the Project pursuant to Section 862(2)(a) of the Act;

(G) The granting of the Financial Assistance by the Agency with respect to the Project will promote and maintain the job opportunities, general prosperity and economic welfare of the citizens of Montgomery County, New York and the State of New York and improve their standard of living, and thereby serve the public purposes of the Act;

(H) The Agency has reviewed the Public Hearing Report and has fully considered all comments contained therein;

(I) The Project should receive the Financial Assistance in the form of exemptions from sales tax, mortgage recording tax and real property tax based on the description of expected public benefits to occur as a result of this Project, as described on Exhibit A attached hereto, and failure by the Company to meet the expected public benefits will result in a recapture event; and

(J) It is desirable and in the public interest for the Agency to enter into the Agency Documents.

Section 4. In consequence of the foregoing, the Agency hereby determines to: (A) accept the License Agreement; (B) lease the Project Facility to the Company pursuant to the Lease Agreement; (C) acquire, construct and install the Project Facility, or cause the Project Facility to be acquired, installed and constructed; (D) enter into the Payment in Lieu of Tax Agreement; (E) enter into the Uniform Agency Project Agreement; (F) enter into the Section 875 GML Recapture Agreement; (G) enter into the Contractor Documents; (H) enter into the Interim Documents; (I) secure the Loan by entering into the Mortgage; and (J) grant the Financial Assistance with respect to the Project.

Section 5. The Agency is hereby authorized (A) to acquire a license in the Licensed Premises pursuant to the License Agreement, (B) to acquire a leasehold interest in the Leased Premises pursuant to the Underlying Lease, (C) to acquire title to the Equipment pursuant to a bill of sale (the "Bill of Sale to Agency") from the Company to the Agency, and (D) to do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisitions are hereby approved, ratified and confirmed.

Section 6. The Agency is hereby authorized to acquire, construct and install the Project Facility as described in the Lease Agreement and to do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisition, construction and installation are hereby ratified, confirmed and approved.

Section 7. The Chairman (or Vice Chairman) or Chief Executive Officer of the Agency, with the assistance of Agency Counsel, is authorized to negotiate and approve the form and substance of the Agency Documents.

Section 8. (A) The Chairman (or Vice Chairman) or Chief Executive Officer of the Agency is hereby authorized, on behalf of the Agency, to execute and deliver the Agency Documents, and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, all in the forms thereof as the Chairman (or Vice Chairman) or Chief Executive Officer shall approve, the execution thereof by the Chairman (or Vice Chairman) or Chief Executive Officer to constitute conclusive evidence of such approval.

(B) The Chairman (or Vice Chairman) or Chief Executive Officer of the Agency is hereby further authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency (as defined in and pursuant to the Lease Agreement).

Section 9. 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 Agency Documents, and to execute and deliver all such additional certificates, instruments and documents, to 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 Agency Documents binding upon the Agency.

Section 10. This Resolution shall take effect immediately.

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Mark Kowalczyk	VOTING	ABSENT
Amanda Auricchio	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	YES
Brent E. Phetteplace	VOTING	ABSENT

The foregoing Resolution was thereupon declared duly adopted.

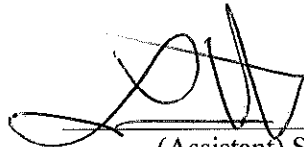
STATE OF NEW YORK)
) SS.:
COUNTY OF MONTGOMERY)

I, the undersigned (~~Assistant~~) Secretary of Montgomery County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on March 10, 2022 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Issuer had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Chapter 417 of the Laws of 2021, as amended (the "2022 Laws"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given; and (D) there was a quorum of the members of the Issuer, either in person or attending remotely in accordance with the 2022 Laws, throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

10th IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this day of March, 2022.



(Assistant) Secretary

(SEAL)

EXHIBIT A

DESCRIPTION OF THE EXPECTED PUBLIC BENEFITS

In the discussions had between the Project Beneficiary and the Agency with respect to the Project Beneficiary's request for Financial Assistance from the Agency with respect to the Project, the Project Beneficiary has represented to the Agency that the Project is expected to provide the following benefits to the Agency and/or to the residents of Montgomery County, New York (the "Public Benefits"):

<u>Description of Benefit</u>		<u>Applicable to Project</u> (indicate Yes or NO)		<u>Expected Benefit</u>
1.	Retention of existing jobs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Retaining 10 FTEs.
2.	Creation of new permanent jobs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	15 FTEs at the Project Facility.
3.	Estimated value of tax exemptions	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Approximately \$218,400 of tax exemptions from sales and use tax, \$30,000 from mortgage recording tax and \$532,327.30 from real property tax.
4.	Private sector investment	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Approximately \$3,420,000 of private sector investment at the Project Facility within two (2) years of the date hereof.
5.	Likelihood of project being accomplished in a timely fashion	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	High likelihood of project being completed in a timely manner.
6.	Extent of new revenue provided to local taxing jurisdictions	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	The Project will result in increased revenues to the local taxing jurisdictions.
7.	Any additional public benefits	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	The Project will provide capital improvements to a parcel that has been underutilized for several years.
8.	Local labor construction jobs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	The Company will make efforts to use local labor during construction.
9.	Regional wealth creation (% of sales/customers outside of the County)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	N/A
10.	Located in a highly distressed census tract	<input type="checkbox"/> Yes	<input type="checkbox"/> No	N/A

11.	Alignment with local planning and development efforts	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	The Project is consistent with local planning and development efforts.
12.	Promotes walkable community areas	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	The Project site is not located in an urban setting with sidewalks.
13.	Elimination or reduction of blight	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	The Project site is not located in a blighted area.
14.	Proximity/support of regional tourism attractions/facilities	<input type="checkbox"/> Yes	<input type="checkbox"/> No	N/A
15.	Local or County official support	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	The Project has local and County support.
16.	Building or site has historic designation	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	There is no historic designation.
17.	Provides brownfield remediation	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	No brownfields present.

3:46 PM
07/11/22
Cash Basis

Montgomery County Industrial Development Agency

Balance Sheet

As of June 30, 2022

	Jun 30, 22
ASSETS	
Current Assets	
Checking/Savings	
200 · Cash	
200.1 · NBT-General Fund	-9,110.85
200.2 · NBT-MMDA	2,035,650.80
200.4 · NBT-USDA	90,623.91
200.7 · NBT Payroll	10,391.84
Total 200 · Cash	2,127,555.70
Total Checking/Savings	2,127,555.70
Other Current Assets	
480 · Prepays	
480.2 · Prepaid Insurance	3,603.49
Total 480 · Prepays	3,603.49
Total Other Current Assets	3,603.49
Total Current Assets	2,131,159.19
Other Assets	
100.1 · GP-Land Adams Purchase	913,809.22
100.10 · Clark-Ld Dvlp(TBK)-Phs II	2,665.13
100.20 · Land FP- Gage Parcel	7,534.25
100.23 · FP Land-Lot1 Parcel A	11,003.85
100.28 · FP Land Lot 1 Parcel AA	9,859.60
100.29 · FP Land New Account	-100.00
100.30 · FP Land Bushman Property	115,886.81
100.31 · FP Land Trnsfr-Twn Florida	9,282.93
100.32 · FP Land Transfer to NYSDOT	1.00
100.33 · FP Land Cell Tower	6,329.14
100.40 · FP Extension	932,022.25
100.50 · Land-Parking Lot	10.00
100.51 · Prkng Lot Lease Hld Imprv	97,530.23
100.52 · NBT-Parking Lot Accum Depr	-88,329.38
251 · Lease Receivable-NBT	86,202.76
Total Other Assets	2,103,707.79
TOTAL ASSETS	4,234,866.98
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
622 · PILOT Clearing BeechNut	-391,158.68
605 · Accounts Payable-Misc	16,772.20
620 · PILOTS Clearing Account	375,609.93
660 · Deferred Revenues	
660.1 · Dfrd Int Revenue-NBT	10,788.51
Total 660 · Deferred Revenues	10,788.51
Total Other Current Liabilities	12,011.96
Total Current Liabilities	12,011.96
Long Term Liabilities	
630 · Due to Other Gov'ts	
630.1 · Due To MC3 Development	490,327.23
630.2 · Due To MC Parks	295,000.00
630.3 · Due To MC-Parks Res 108-97	739,550.00
630.4 · Due To MC-IAP Reimbursemnt	369,634.53
Total 630 · Due to Other Gov'ts	1,894,511.76

3:46 PM
07/11/22
Cash Basis

Montgomery County Industrial Development Agency
Balance Sheet
As of June 30, 2022

	Jun 30, 22
650 · USDA Clearing Account	18.75
Total Long Term Liabilities	1,894,530.51
Total Liabilities	1,906,542.47
Equity	
922 · Retained Earnings - USDA	83,418.86
920 · Opening Bal Equity	1,611,682.78
921 · Retained Earnings	643,478.24
Net Income	-10,255.37
Total Equity	2,328,324.51
TOTAL LIABILITIES & EQUITY	4,234,866.98

3:47 PM

07/11/22

Cash Basis

Montgomery County Industrial Development Agency

Profit & Loss

January through June 2022

	Jan - Jun 22
Income	
2221 · Revenue Administrative Fees	82,210.46
2215 · Application Fees	2,000.00
2220 · Agency Fees(Bonds)	25,650.00
2401 · Interest & Earnings	
2401.1 · Bank Interest-NBT Gen Fd	10.49
2401.2 · Bank Interest-NBT MMDA	813.38
Total 2401 · Interest & Earnings	823.87
2405 · Interest on Mortgages/Leases	
2405.2 · Revenue-NBT	3,748.97
2405.5 · Revenue-NBT Parking Lot	4,500.00
Total 2405 · Interest on Mortgages/Leases	8,248.97
Total Income	118,933.30
Expense	
6110 · Professional Fees	73,112.70
6125 · Auditing	9,000.00
6130 · Legal Fees	1,224.00
6145 · Appraisal Expense	5,000.00
6160 · Insurance Expense	6,226.20
6165 · Bank Service Charges	15.00
6170 · Administrative Expense	1,501.32
6175 · General Office Expense	7,757.29
6210 · Property Taxes Expense	381.74
6275 · Miscellaneous Expense	25.00
6460 · Depreciation Expense	1,625.70
9000 · Payroll	20,307.72
9005 · Payroll Taxes	1,976.64
9010 · Payroll Fees (Paychex)	1,035.36
Total Expense	129,188.67
Net Income	-10,255.37



**MONTGOMERY
COUNTY** NY

BUSINESS DEVELOPMENT CENTER

Made of Something Stronger



2021 Annual Project Assessment Review Report



Project name: Dollar General Distribution Corp
State Highway 5S
Amsterdam, NY 12010

Project type: PILOT

Exemptions (N/A)

	<u>State</u>	<u>Town</u>	<u>County</u>	<u>School</u>	<u>Total</u>
Real Property			539,577	754,339	1,293,916
Sales Tax					
Mortg Recording					

Payment in Lieu of Taxes Received

	<u>Town</u>	<u>County</u>	<u>School</u>	<u>Total</u>
2021	68	679	951	1,698
2020	67	669	938	1,674
2019	68	678	949	

Taxes Paid - N/A

School
Town/County
City \$ -
 \$ -

Employment

<u>FTE Employees Prior to IDA Involvement</u>	<u>Original Estimate Jobs Created</u>	<u>Original Estimate Jobs Retained</u>	<u>Current FTE Employees</u>
0	430	430	547

Represents 2020 total
Failed to report 2021

Grant (N/A)

Type of Grant: CDBG
Contract Date: 9/6/2018
Grant Amount: 750,000

Project Description: The project consists of constructing a 750,000 sq. ft. building in the Florida Business Park Extension to service the northeast regional stores. The project will result in a capital investment estimated at \$85 million with 430 full time jobs.

Project name: Family Counseling Center Of Fulton County, Inc.
11-21 Broadway
Gloversville NY 12078

Project type: BOND

Exemptions (N/A)

	<u>State</u>	<u>Town</u>	<u>County</u>	<u>School</u>	<u>Total</u>
Real Property					-
Sales Tax					
Mortg Recording					

Payment in Lieu of Taxes Received (N/A)

	<u>Town</u>	<u>County</u>	<u>School</u>	<u>Total</u>
2021				
2020				-
2019				

Taxes Paid

Exempt from Real Property Taxes

Employment

<u>FTE Employees</u> <u>Prior to IDA</u> <u>Involvement</u>		<u>Original Estimate</u> <u>Jobs Created</u>	<u>Original Estimate</u> <u>Jobs Retained</u>	<u>Current FTE</u> <u>Employees</u>
94		10	94	97

Debt

<u>Type of Debt:</u>	<u>Bond Agreement</u>	<u>Bond Agreement</u>	<u>Bond Agreement</u>	
<u>Date of issue:</u>	03/18/20	03/18/20	03/18/20	
<u>Interest rate:</u>	4.95%	5.40%	5.3750%	
<u>Original Amount:</u>	1,080,000	6,865,000	385,000	
<u>Outstanding:</u>				
<u>Beginning of year:</u>	1,080,000	6,868,000	385,000	
<u>Issued during year:</u>	-	-	-	
<u>Prin.Pd during year:</u>	1,080,000	453,000	40,000	
<u>Principal Balance:</u>	-	6,415,000	345,000	
<u>Final maturity date:</u>	7/1/2030	7/1/2050	7/1/2025	

BOND through the CRC in March 2020

Grant (N/A)

Type of Grant:

Contract Date:

Grant Amount:

Project Description: The construction and acquisition of an addition to contain approximately 18,578 square feet of space to the existing facility containing approximately 9,000 square feet of space located at 11-21 Broadway in the City of Gloversville, Fulton County

Project name: Hero/ Beechnut
100 Hero Drive
Amsterdam, NY 12010

Project type: PILOT

Exemptions

	<u>State</u>	<u>Town</u>	<u>County</u>	<u>School</u>	<u>Total</u>
Real Property			681,666	994,428	1,676,094
Sales Tax					
Mortg Recording					

Payment in Lieu of Taxes Received

	<u>Town</u>	<u>ESD</u>	<u>County</u>	<u>School</u>	<u>Total</u>
2021	60,000	-	976,000	1,464,000	2,500,000
2020	18,000	2,500,000	292,800	439,200	3,250,000
2019	30,000	2,500,000	285,000	435,000	2,500,000

Note: In 2019 and 2020 employment holdback calculations were in effect.
ESD Grant Repayment- \$2,500,000

Employment

<u>FTE Employees Prior to IDA Involvement</u>		<u>Original Estimate Jobs Created</u>	<u>Original Estimate Jobs Retained</u>	<u>Current FTE Employees</u>
356		136	356	302

Grant (N/A)

Type of Grant:

Contract Date:

Grant Amount:

Project Description: This project consists of the acquisition of property located at 100 Hero Drive, Amsterdam, the construction of an approximately 635,000 square foot facility and the purchase of machinery and equipment. Beechnut will be relocating its manufacturing operations from Canajoharie and Fort Plain and its headquarters from St Louis, MO. This project will result in the creation of 136 full time positions and the retention of 356 full time positions.

Project name: HFM BOCES
2755 State Highway 67
Johnstown, NY 12095

Project type: BOND

Exemptions (N/A)

	<u>State</u>	<u>Town</u>	<u>County</u>	<u>School</u>	<u>Total</u>
Real Property					-
Sales Tax					
Mortg Recording					

Payment in Lieu of Taxes Received (N/A)

	<u>Town</u>	<u>County</u>	<u>School</u>	<u>Total</u>
2021				
2020				-
2019				

Taxes Paid

Exempt from Real Property Taxes

Employment

<u>FTE Employees</u> <u>Prior to IDA</u> <u>Involvement</u>		<u>Original Estimate</u> <u>Jobs Created</u>	<u>Original Estimate</u> <u>Jobs Retained</u>	<u>Current FTE</u> <u>Employees</u>
0		0	0	381

*Excludes pt, substitutes and grant related employees.

Debt

Type of Debt:	Bond Agreement	Type of Debt:	Bond Agreement
Date of issue:	01/12/05	Date of issue:	09/01/14
Interest rate:	2.81%	Interest rate:	2.00%
Original Amount:	29,500,000	Original Amount:	22,975,000
Outstanding:		Outstanding:	
Beginning of year:	26,230,000	Beginning of year:	18,030,000
Issued during year:	-	Issued during year:	
Prin.Pd during year:	26,230,000	Prin.Pd during year:	945,000
Principal Balance:	-	Principal Balance:	17,085,000
Final maturity date:	7/1/2034	Final maturity date:	7/1/2034

Renewed BOND through the CRC in September 2014

Grant (N/A)

Type of Grant:

Contract Date:

Grant Amount:

Project Description: This project consists of the acquisition of property located at 2755 State Highway 67, Johnstown and the construction of an approximately 150,000 facility as well as the purchase of machinery and equipment.

Project name: Hill & Markes, Inc/ Hill & Markes Realty, LLC
1975 Route 5S
Amsterdam, NY 12010

Project type: REVOLVING LOAN/ PILOT

Exemptions

	<u>State</u>	<u>Town</u>	<u>County</u>	<u>School</u>	<u>Total</u>
Real Property			78,235	109,375	187,610
Sales Tax					
Mortg Recording					

Payment in Lieu of Taxes Received

	<u>Town</u>	<u>County</u>	<u>School</u>	<u>Total</u>
2021	6,757	67,568	94,595	168,920
2020	5,927	59,267	82,974	148,168
2019	8,156	81,660	114,183	203,999

*PILOT agreement applies to new facility at 1997 State Hwy 5S.

Taxes Paid - N/A

School
Town/County
Total \$ -

Employment

<u>FTE Employees</u> <u>Prior to IDA</u> <u>Involvement</u>	<u>Original Estimate</u> <u>Jobs Created</u>	<u>Original Estimate</u> <u>Jobs Retained</u>	<u>Current FTE</u> <u>Employees</u>
141	40	141	180

Debt

Type of Debt:	Loan Agreement	Outstanding:	PAID IN FULL
Date of issue:	07/06/10	Beginning of year:	
Interest rate:	3.25%	Issd during year:	
		Prin.Pd dur year:	
Original Amount:	500,000	Principal Balance:	
		Final Maturity	7/6/2020

Grant (N/A)

Type of Grant:
Contract Date:
Grant Amount:

Project Description: This project consists of the construction of a new 115,000 square foot facility in the Florida Park Ext. This project will lead to the creation of 40 full time positions and the retention of 141 full time positions within 3 years.

Project name: Mohawk Solar
Town of Canajoharie/Town of Minden

Project type: PILOT

Exemptions

	<u>State</u>	<u>Town</u>	<u>County</u>	<u>School</u>	<u>Total</u>
Real Property	Not applicable for this year				
Sales Tax					
Mortg Recording					

Payment in Lieu of Taxes Received

	<u>Town</u>	<u>County</u>	<u>School</u>	<u>Total</u>
2021	N/A	-	-	-
2020	N/A			
2019	N/A			

Taxes Paid

School	\$	-	
Town/County	\$		-
Village	\$	-	
	\$	-	

Employment

<u>FTE Employees Prior to IDA Involvement</u>		<u>Original Estimate Jobs Created</u>	<u>Original Estimate Jobs Retained</u>	<u>Current FTE Employees</u>
5		5	0	0

Project description: This project consists of a solar farm located in various lots/parcels throughout the Town of Minden and Town of Canajoharie.

Project name: RAMA Real Property-Home Helpers and Direct Link of Amsterdam
52 Pawling Avenue
Hagaman, NY 12086

Project type: Grant/Loan/PILOT

Exemptions

	<u>State</u>	<u>Village</u>	<u>County</u>	<u>School</u>	<u>Total</u>
Real Property		3,435	20,301	29,542	53,278
Sales Tax					
Mortg Recording					

Payment in Lieu of Taxes Received

	<u>Village</u>	<u>County</u>	<u>School</u>	<u>Total</u>
2021	1,751	10,031	15,063	26,845
2020	687	7,018	15,508	23,213
2019				

Taxes Paid

School
Town/County
Village
\$ -

Employment

<u>FTE Employees Prior to IDA Involvement</u>	<u>Original Estimate Jobs Created</u>	<u>Original Estimate Jobs Retained</u>	<u>Current FTE Employees</u>
76	6	76	197

DEBT

Type of Debt:	Loan Agreement	Outstanding:	
Date of issue:	06/21/16	Beginning of year:	87,760
Interest rate:	3.25%	Issd during year:	-
		Prin.Pd dur year:	4,054
Original Amount:	106,000	Principal Balance:	83,706
		Final Maturity	6/21/2036

Grant

Type of Grant: CDBG - Small Cities
Contract Date: 5/1/2016
Grant Amount: 284,000
Project Description: This project consisted of the purchase of Real Property located at 52 Pawling Street, Hagaman, NY

Project name: Target Corporation
T3802
1800 State Highway 5S
Amsterdam, NY 12010

Project type: PILOT/ GRANT

Exemptions

	<u>State</u>	<u>Town</u>	<u>County</u>	<u>School</u>	<u>Total</u>
Real Property			248,206	360,726	608,932
Sales Tax					
Mortg Recording					

Payment in Lieu of Taxes Received

	<u>Town</u>	<u>County</u>	<u>School</u>	<u>Total</u>
2010 Project				
2021	13,403	209,982	359,052	582,437
2020	11,999	187,986	372,530	572,515
2019	-	244,595	578,883	823,478

Taxes Paid

School	\$	42,648
Town/County	\$	769,143
	\$	811,791

Employment

<u>FTE Employees Prior to IDA Involvement</u>		<u>Original Estimate Jobs Created</u>	<u>Original Estimate Jobs Retained</u>	<u>Current FTE Employees</u>
0 (2003 project)		690	0	
541 (2010 project)		0	541	1308

*peak employment includes an additional 378 part time/seasonal employees

Grant (N/A)

Type of Grant:
Contract Date:
Grant Amount:

Project Description: The 2003 project consists of the acquisition of an approximately 1,500,000 square foot facility and property located at 1800 State Highway 5S. The grant awarded by the Office of Small Cities was for the purchase of machinery and equipment. This project will lead to the creation of 690 full time positions.
The 2010 project consists of the construction of a 470,000 square foot addition to the existing facility.

Project name: Valley View Hosp/Microtel
Route 5S
Amsterdam, NY 12095

Project type: PILOT/LOAN

Exemptions - N/A

	<u>State</u>	<u>City</u>	<u>County</u>	<u>School</u>	<u>Total</u>
Real Property		2,172	2,369	3,251	7,792
Sales Tax					
Mortg Recording					

Payment in Lieu of Taxes Received - N/A

	<u>City</u>	<u>County</u>	<u>School</u>	<u>Total</u>
2021	9,094	9,919	13,612	32,625
2020	9257	9,687	13,681	32,625
2019				

Taxes Paid (N/A)

School
Town/County
City

\$ -

Employment

<u>FTE Employees Prior to IDA Involvement</u>	<u>Original Estimate Jobs Created</u>	<u>Original Estimate Jobs Retained</u>	<u>Current FTE Employees</u>
0	14	0	12

DEBT

Type of Debt:	Loan Agreement	Outstanding:	
Date of issue:	07/12/19	Beginning of year:	444,057
Interest rate:	5.25%	Issd during year:	-
		Prin.Pd dur year:	444,057
Original Amount:	500,000	Principal Balance:	-
		Final Maturity	7/12/2029

Grant - N/A

Type of Grant:

Contract Date:

Grant Amount:

Project Description: Building new facility located on Route 5S in the City of Amsterdam. Full service Hotel.

Project name: Vida Blend LLC
Route 5S
Amsterdam, Ny 12095

Project type: PILOT

Exemptions - N/A

	<u>State</u>	<u>Town</u>	<u>County</u>	<u>School</u>	<u>Total</u>
Real Property		-	4,556	11,243	15,799
Sales Tax					
Mortg Recording					

Payment in Lieu of Taxes Received - N/A

	<u>Town</u>	<u>County</u>	<u>School</u>	<u>Total</u>
2021		1,724	2,811	4,535
2020	N/A	N/A	1,593	-
2019				

Taxes Paid

School N/A
Town/County
City \$ -
\$ -

Employment

<u>FTE Employees Prior to IDA Involvement</u>	<u>Original Estimate Jobs Created</u>	<u>Original Estimate Jobs Retained</u>	<u>Current FTE Employees</u>
11	18	11	7
9 PT			

Debt

Type of Debt:	N/A	Outstanding:	
Date of issue:		Beginning of year:	
Interest rate:		Issd during year:	
		Prin.Pd dur year:	
Original Amount:		Principal Balance:	
		Final Maturity	

Grant - N/A

Type of Grant:
Contract Date:
Grant Amount:
Project Description: Building new facility located on Route 5S in the Town of Florida - Nutrient Manufacturer



MONTGOMERY COUNTY NY

BUSINESS DEVELOPMENT CENTER

Made of Something Stronger

Montgomery County Business Development Center
9 Park Street, P.O. Box 1500, Fonda, NY 12068 p: (518) 853-8334
www.montgomerycountyworks.com

**RESOLUTION AUTHORIZING ADDITIONAL MONETARY ALLOCATION FOR EXISTING
RETAINER AGREEMENT FOR PROFESSIONAL APPRAISAL OF REAL PROPERTY**

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at the Old County Courthouse, Fonda, New York on July 14, 2022 at 4:30 o'clock p.m., local time.

The meeting was called to order by the (Vice) Chair and, upon roll being called, the following members of the Agency were:

PRESENT:

Matthew Beck	Chair
Carol Shineman	Vice Chair
Laurie Weingart	Secretary
Cheryl Reese	Treasurer
Amanda J. Auricchio, Esq.	Member
Mark Kowalczyk	Member
Brent Phetteplace	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Kenneth Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Vincenzo Nicosia	Director of Program Development
Christopher C. Canada, Esq.	Agency Counsel

OTHERS PRESENT:

The following resolution was offered by _____, seconded by _____ to wit:

Resolution No. 22-15

**RESOLUTION AUTHORIZING ADDITIONAL MONETARY ALLOCATION FOR EXISTING
RETAINER AGREEMENT FOR PROFESSIONAL APPRAISAL OF REAL PROPERTY**

WHEREAS, the Agency is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 666 of the 1970 Laws of New York, as amended, constituting Section 895-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively

referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, warehousing, commercial, research and manufacturing facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, the Public Authority Accountability Act requires that any Public Authority conduct an appraisal by an independent appraiser prior to the acquisition and disposition of real property,

WHEREAS, the Agency per Resolution Numbers 11-26 and 19-20 entered into a retainer agreement with Conti Appraisal and Consulting, LLC for the purposes of conducting appraisals on an as needed basis with the original budgeted amount not to exceed \$10,000 and an amended amount not to exceed \$20,000,

RESOLVED, the Agency hereby authorizes an additional \$10,000 for the purposes of appraisals under the existing retainer agreement with Conti Appraisal and Consulting, LLC., and

FURTHER RESOLVED, 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 to carry out the terms of this Resolution, and to execute and deliver any additional certificates, instruments and documents, to 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 this Resolutions, and

FURTHER RESOLVED, Any action heretofore taken by the Agency, its officers or its staff in carrying out the matters contemplated by this Resolution is hereby ratified, confirmed and approved, and

FURTHER RESOLVED, this Resolution shall take effect immediately.

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

Matthew Beck	VOTING
Carol Shineman	VOTING
Laurie Weingart	VOTING
Cheryl Reese	VOTING
Mark Kowalczyk	VOTING
Amanda J. Auricchio, Esq.	VOTING
Brent Phetteplace	VOTING

The foregoing Resolution No. 22-15 was thereupon declared duly adopted.

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

I, the undersigned (Assistant) Secretary of Montgomery County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the resolution contained therein, held on July 14, 2022, with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of the Agency and of such resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 14th day of July, 2022.

(Assistant) Secretary

(SEAL)

**RESOLUTION AUTHORIZING THE ENTERING OF THE MONTGOMERY COUNTY
INDUSTRIAL DEVELOPMENT AGENCY INTO AN AGREEMENT FOR
PROFESSIONAL SERVICES-WEBSITE DEVELOPMENT REDESIGN**

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on July 14, 2022 at 4:30 P.M.

The meeting was called to order by the Chair and, upon roll being called, the following members of the Agency were:

PRESENT:

Matthew Beck	Chair
Carol Shineman	Vice Chair
Laurie Weingart	Secretary
Cheryl Reese	Treasurer
Amanda J. Auricchio, Esq.	Member
Mark Kowalczyk	Member
Brent Phetteplace	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Kenneth Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Vincenzo Nicosia	Director of Program Development
Andrew Santillo	Staff Assistant
Christopher Canada	Agency Counsel

The following resolution was offered by _____, seconded by _____ to wit:

Resolution No. 22-16

**RESOLUTION AUTHORIZING THE ENTERING OF THE MONTGOMERY
COUNTY INDUSTRIAL DEVELOPMENT AGENCY INTO AN AGREEMENT
FOR PROFESSIONAL SERVICES-WEBSITE DEVELOPMENT**

WHEREAS, Montgomery County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 666 of the 1970 Laws of New York, as amended, constituting Section 895-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage, and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, warehousing, commercial, research and manufacturing facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration, and

WHEREAS, Montgomery County administers the Economic Development Program for the purpose of creating and retaining jobs, and

WHEREAS, after the Agency's strategic marketing consulting firm undertook a review of the Agency's websites it was recommended that various changes be made to the site, and

WHEREAS, the Agency has adopted a Procurement Policy to guide the Agency in contracting for goods and services, and

WHEREAS, the Procurement Policy permits the Agency, in its sole discretion, to exempt entering into of a contract from the Procurement Policy based on the circumstances of the contact and the needs of the Agency,

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Agency hereby finds and determines that:

(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 enter into a contract for Professional Services, and

(B) Entering into the contract for professional services will promote and maintain the job opportunities, general prosperity and economic welfare of the citizens of Montgomery County, New York and the State of New York and improve their standard of living.

Section 2. In consequence of the foregoing, the Agency hereby determines to enter into a contract with Engines of Creation, for the purposes of revamping the Agency's website based upon internal review and recommendations from the Agency's strategic marketing consulting firm in the amount of \$21,000 and to exempt the selection of the contractor from the Agency's Procurement Policy for the following reasons: (1) The contractor is familiar with the Agency, its mission and operations and (2) The contractor has provided services for the Agency in the past which were provided in a timely, professional and cost effective manner (3) The Contractor currently provides website maintenance for the Agency's existing website.

Section 3. 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 this Resolution, and to execute and deliver all such additional certificates, instruments and documents, to 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 this Resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of this Resolution.

Section 4. Any action heretofore taken by the Agency, its officers or its staff in carrying out the matters contemplated by this Resolution is hereby ratified, confirmed and approved, and

Section 5. This Resolution shall take effect immediately.

Matthew Beck	VOTING
Carol Shineman	VOTING
Laurie Weingart	VOTING
Cheryl Reese	VOTING
Mark Kowalczyk	VOTING
Amanda J. Auricchio, Esq.	VOTING
Brent Phetteplace	VOTING

The foregoing Resolution No. 22-16 was thereupon declared duly adopted.

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

I, the undersigned (Assistant) Secretary of Montgomery County Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency held on July 14, 2022 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

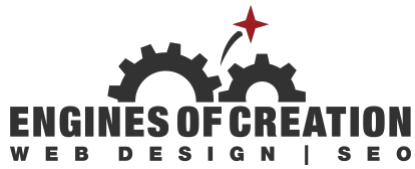
I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respect duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present through-out said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 14th day of July 2022.

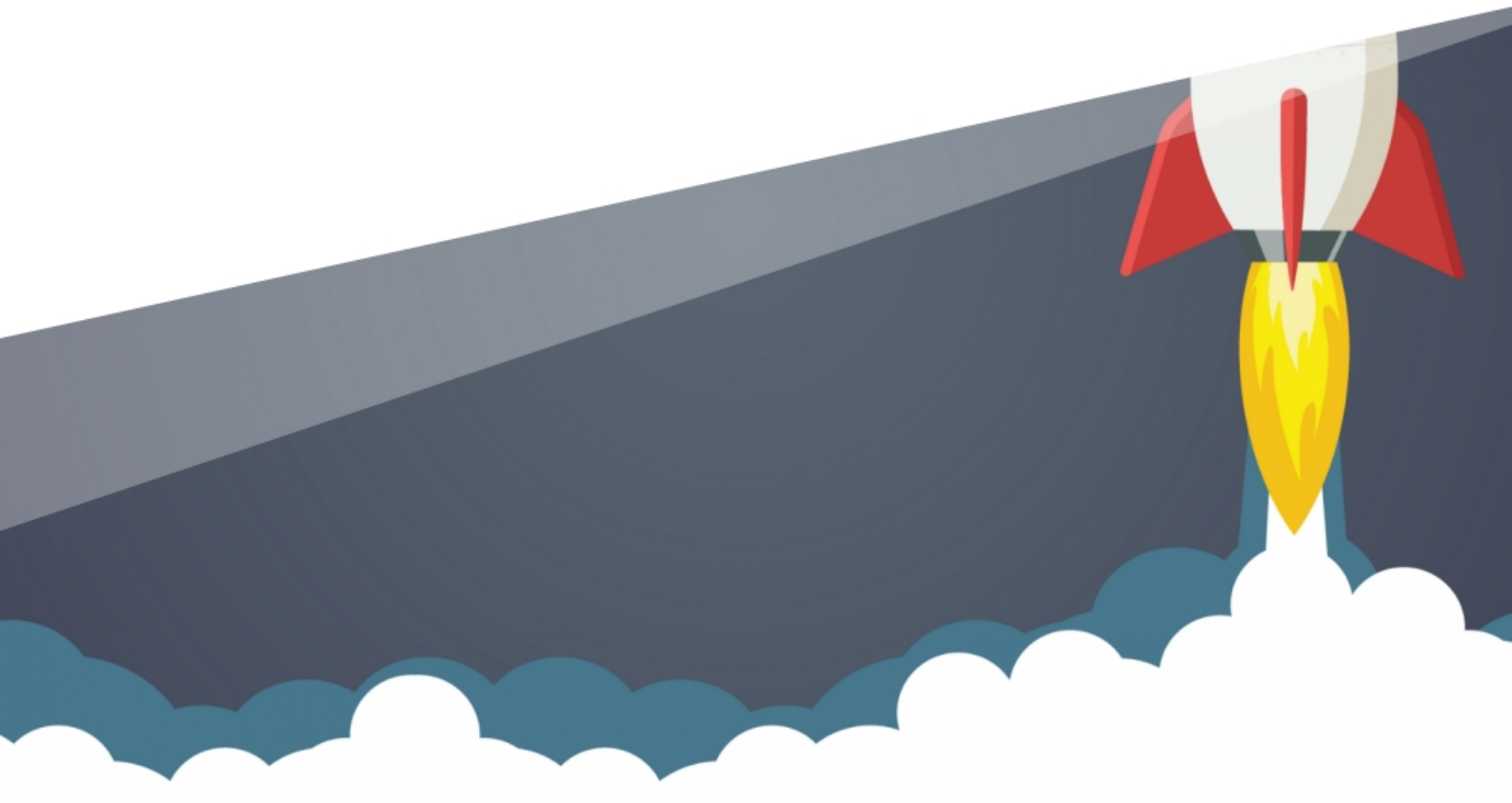
(Assistant) Secretary

(S E A L)



Website Proposal

Prepared for Montgomery County Economic Development



Project Overview

Montgomery County Economic Development needs a new website with a more impactful design, improved site structure, navigation, functionality, document management, and ease of use.

In addition, the Buy it in Montgomery website will be incorporated into the new website, streamlining the business listings and creating one source for everything business in Montgomery County, NY.

Our Website Design services are the perfect solutions to help your business grow.

Engines of Creation will plan, design, and launch a new website with a clean, high-impact design that matches your company branding, has easy-to-use navigation, and professional presentation of your content.



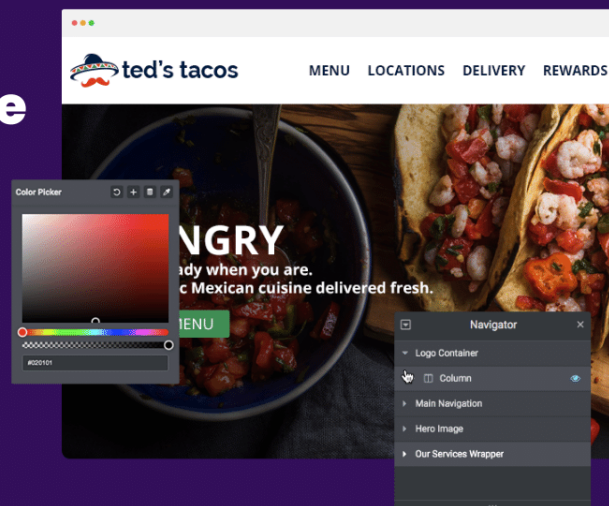
MONTGOMERY
COUNTY_{NY}
BUSINESS DEVELOPMENT CENTER



Continue reading to see how Engines of Creation can make a difference in your business performance in 2022.

Let's create an amazing website together.

Our web design & local SEO experts will work alongside you to plan, design, and launch your new mobile-friendly, optimized website.



Every website we create is custom-tailored to meet our client's needs. Your dedicated project manager will work with you to ensure that every aspect of your new site exceeds your expectations.

Once your professionally designed site is live, you have complete freedom to manage every aspect of your site. From updating photos and text to adding pages and altering the design; you have complete control to manage your online presence.

SEO & Digital Marketing

Looking for SEO or Local SEO for your new website? Our experts can work with you to create an SEO strategy to improve your website visibility in your local area, from social posting, on-page SEO, content creation, link-building, and online advertising.

Call us at (518) 842-3242 to learn more about our managed SEO & Digital Marketing.

Website Core Features

Responsive Website w/CMS

Website Strategy Session

Worry-Free Managed WordPress Hosting

Website Security Tools

Lead Capture Form

Automatic Daily Backups (hosting)

Dedicated Project Manager

Phone, Chat & Email Support

Website Training & Onboarding

Dedicated Project Manager

Your Website Structure & Pages

Engines of Creation will work with you to strategize, re-structure, and plan your new website through meetings, discussions, and a collaborative design process.

Your current website contains many pages, some of which we have determined will be removed and redirected.

Those pages/sections are as follows:

- Montgomery County Snowmobile Trails
- Mapping Section under Planning Services
- Grant Services Section under Planning Services
- Local Waterfront Revitalization Plan Section under Planning Services
- Work Here under Employment Opportunities
- Featured Articles under Media and News

Preliminary Navigation Structure:

Invest, Grow, Live, Connect, About, Public Documents, Press and News

Key Industries: TBD

Home page:

Your home page will serve as the portal to the rest of your website. We will feature your main services or areas that you want to highlight to push people to explore. In addition, a clear call to action for contacting you and

subscribing to your mailing list will be present.

Special Content Pages & Function:

Engines of Creation will transform data with visual representations such as graphs, charts & maps to better present numerical data and statistics.

***GIS, interactive Grant Service Map:** This will be supplied to us by you to embed in your website. Alternatively, we can research a more effective way to easily create this function with tools available within your WordPress CMS.

Document Management: We propose using a system like DropBox or Google Drive to manage documents. We recommend creating an archive of previous year's data to keep the newest content prominent and to keep your design clean and organized.

Video Content: All videos will need to be hosted on YouTube or Vimeo channel. We will call the video using native plugins, this makes updating videos easier as well as limiting your storage and bandwidth.

News & Media: We will restructure the navigation of your news and media, this includes creating semantic taxonomies to categorize and archive information.

Items that simply link, i.e.)

<https://montgomerycountyworks.com/addendum-no-7-rfp-montgomery-county-shared-services-facility/> will be consolidated into one custom page, where this limited content can be displayed and organized. This will eliminate numerous URLs that provide little or no value to the site content but are required to post.

Buy it in Montgomery

Engines of Creation will create a custom section to house the business data currently on Buyitinmontgomery.com. The business data will be displayed with the business name, address, phone, and website address categorized by business type.

Utility/General Pages

Contact/Directions: Standard Contact page with a short form as well as driving directions, and staff.

Blog/News Section: We will create your blog/news section so that you may use it to create a content strategy to drive more inbound traffic.

COVID-19 messaging: This is a general statement providing visitors with information about Coronavirus resources for business.

Logo/Branding

We will use your existing logo.

Additional Features

- Site-wide we will create a call to action to contact you and subscribe to your mailing list.
- We will utilize marketing assets provided by your current marketing firm.

Recommended Integrations

Take your website to the next level with recommended software, SEO, and digital marketing services.

Website Compliance & Accessibility



**The #1 Automated Web
Accessibility Solution for
ADA & WCAG Compliance**



What is the web accessibility legislation? □

Due to the increased use of the Internet, many countries have incorporated web accessibility into existing civil rights legislation that protects people with disabilities or created new ones.

This includes the ADA, AODA, EEA, and many more. Most countries have

adopted the WCAG 2.1 AA, or Web Content Accessibility Guidelines, as a standard for accessible websites and refer to them in settlements.

How does legislation impact my website?

In 2018, the DOJ clarified that websites are considered places of public accommodation and should therefore comply with the ADA Title III. US courts refer to WCAG 2.1 AA as the accessibility standard

Ready to Become Accessible?

Accessibility lawsuits since 2018 are up 300%, 25% of websites have been sued more than once and 98% of websites are inaccessible.

We highly recommend this service, it's easy, affordable, and a smart decision. Making your business compliant is easy with AccessiBe, and with a **low cost of \$49/mo.** (paid annually), your website can be compliant with ECAG, ADA, EAA & more.

Additional services for video captions, audio descriptions, or PDF remediation are also available.

Engines of Creation is awesome! We are very happy with their customer service and response time. I would highly recommend them.

Kathi Basset - NYSRTA.org

Pricing & Marketing Options

"Been a customer for over 10 years without a regret. Dan & Paul are on top of their game and are the oil which keeps my online business running strong."

Frank Salamone - WeSpeakWine.com

Website Plan Pricing

Website Design & Development Strategy, planning, design & development for MCBDC.org website, including Buy it in Montgomery and redirection of all relocated/removed URLs.	\$21,000
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Managed Hosting Managed Hosting w/nightly backups, security, CDN and Plugin Suite	\$44 /month
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Recommended Software

- (check box to add option)

AccessiBe Compliance Software	\$490 /year
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OPTIONAL

All features, for websites under 1,000 unique pages.

One-off Total \$21,000

Monthly Total \$44/month

"EOC is great to work with. Fair priced and very responsive. I've been with them for about ten years and even though I'm in Chicago it's been seamless. Highly recommend. "

Michael Helfand - www.illinoislawyers.com

Next Steps

how to Move Forward

Become part of our growing list of happy clients. To get your project started, simply follow the steps below.

1. Accept the proposal by typing your name in the digital signature box
 2. Submit the initial retainer payment once you receive our invoice.
 3. Someone will reach out to you to schedule a project onboarding call.
- Welcome aboard!

**Please note that changes to the scope of the project can be made at any time, additional charges may apply.*

Frequently Asked Questions

**We have compiled a list of the most commonly asked questions.
If your question is not listed, feel free to contact us.**

Q: What happens if I cancel?

Hopefully, you will never want to cancel, but if you are no longer in need of our services you can simply cancel anytime before your monthly billing cycle. Advanced SEO or marketing campaigns may require 6 months or more to be effective or to complete necessary goals.

- Your website will no longer be available, you will need to arrange your own hosting.
- Your email will remain the same, we don't provide email service.
- Any social medial accounts, Google, etc. will always be yours.
- Access to any software including review generation, social media or email will end, unless you arrange for individual access plans, please inquire about monthly pricing for each service.

Q: When does my monthly billing start?

Our billing for your monthly hosting or services starts when you start utilizing the service, depending on the software or required service. Certain services for hosting, reputation management tools, SEO, may start prior to your site launch or your marketing campaign.

Q: Where is the website hosted?

Your new website is hosted on our Managed WordPress Servers. We handle everything from software licenses for certain plugins and theme builders, daily backups, security plugins, a CDN for loading images faster, and updates to the WordPress core and plugins.

We don't offer email, so you should look to use Google's G Suite for Business, Microsoft's Office 365, or another professional service.

Q: Who do I call if something goes wrong or I can't figure something out?

You can reach us M - F 9 am - 5 pm by phone, and 24/7 by email and chat.

We will determine whether it is something that is covered under your managed hosting or something you need to cover with paid support.

***Design changes or updates to the site are paid support:** We will provide a 1 hr training via webinar so you can have the knowledge to **update your own website** once it is launched. If you would rather we handle changes, pricing is hourly a-la-carte and billed with your next cycle.

Q: What happens after the website is launched?

Once your website is launched, you are ready to start promoting and growing your business. If you have any issues, we are available by phone or email for support. We are here for your success.

Q: How long will it take for my website to appear at the top of Google?

The time it takes for your website to appear on page 1 of Google depends on a number of factors:

It depends on the search phrase people are using to find your website and the number of other websites that are also available for those search phrases. Nobody can truly say how long it will take or if your website to appear at the top of search engine results pages (including people who actually work for Google), however, there are a number of factors that can improve your chances:

Building your website on WordPress is a good start as WordPress has some great Search Engine Optimization fundamentals built-in. Creating unique and interesting content on a regular basis for your website is also critical to increase your visibility amongst search engines. Launching your website and then forgetting about it is a surefire way to get lost amongst the noise.

If you are signing up for our advanced SEO we will discuss your KPI's and target goals.

Q: How will I know if anyone is visiting my website?

We will set up your Google Analytics account where you can see a wide range of statistics about your website including the number of visits, page views than the amount of time people are spending on your website.

If your services include Advanced SEO or Local SEO you will also receive a more detailed analysis regarding your website performance and recommendations on how to improve.

Q: What happens if I want to add features while you're building it?

Whilst we like to be flexible and responsive to your needs, we also like to deliver what we promise within the time frames and budgets that are allowed in your proposal.

Each website/service comes with certain features, and design time, you may need to upgrade to include a feature. If you ask us to add new features to your website while we are building it, we will first simply ask "why?" and see if it makes sense to do so. If we all agree that your new request will help us achieve our objectives then we will be more than happy to discuss it further and see if any pricing or additional charges are required.

Have a question not listed?

Contact us | (518) 842-3242

Terms & Conditions

Q: What happens if I cancel?

Answer: Hopefully, you will never want to cancel, but if you are no longer in need of our services you can simply cancel anytime. Advanced SEO or marketing campaigns may require 6 months or more to be effective or to complete necessary goals.

- Your website will no longer be available, you will need to arrange your own hosting.
- Your email will remain the same, we don't provide email service.
- Any social medial accounts, Google, etc. will always be yours.
- Access to any software including review generation, social media or email will end, unless you arrange for individual access plans, please inquire about monthly pricing for each service.

Q: Can I upgrade or downgrade my services?

Answer: You can downgrade any service before your monthly billing cycle ends. Be aware, features may be lost. You can upgrade to the next plan by paying the difference between the next level chosen service.

Q: What is your cancellation policy for my services?

Answer: You can cancel anytime prior to your monthly billing cycle. Advanced SEO services may require minimums depending on the service.

Q: When does my monthly billing start?

Answer: Our billing for your monthly hosting or services starts when you start utilizing the service, depending on the software or required service. Certain services for hosting, reputation management tools, SEO, may start prior to your site launch or your marketing campaign.

Terms may be updated, please visit our [terms of service page](#) for updates.

#1 The client, Montgomery County Economic Development, hereafter client, is engaging Engines of Creation Web Design & Development, Inc., hereafter EOC, as an independent contractor for the specific project of developing and/or improving a website, code, programming application, and/or assisting with digital marketing or any other service noted in the project proposal or outlined in our service description. The client hereby authorizes EOC to access any account necessary and authorizes EOC with "write permission" for the client's web pages, social media accounts, advertising accounts, and any other files, accounts or programs, etc. which need to be accessed and changed for this project.

#2 Standard Maintenance and Hourly Rates: Rates will be based on the nature of the changes necessary to complete the request. The amount charged will be based on current hourly rates for the service requested, unless service is a flat rate fee or unless negotiated between the client and EOC in a written agreement as an addendum to this document.

- The minimum charge is 1/2hr; Consecutive time billed in 1/2hr. increments,
- Retainers for services, i.e) maintenance plans, projects, etc. are billed in 15 min increments.
- The minimum hourly rate is \$125/hr. Unless otherwise noted.
- The client is responsible for all external and third-party fees or charges. i.e.) Software for social media posting, advertising spend, software licenses etc.

#3 Payments of fees: Fees to EOC are due and payable on the following schedule:

Third-Party Costs & Pass-through Billing: Any third-party costs paid on behalf of the client by EOC, and not paid directly by the client to that vendor/party will be marked up a minimum of 15% to cover the cost of credit card processing & billing administration, this includes one-time, monthly or other recurring fees or licenses.

Project-Based:

Phase One: All Design & Programming Projects: A Project Retainer of 60% of the estimated time is due upon signing this contract, except for projects less than \$5,000, where 100% of the project retainer is collected to expedite the process.

Phase Two: The remainder of the project time estimate is due (30 days after the initial project retainer). If your project requires additional time or services, a new retainer will be required based on project status. Any fees, including all applicable hosting, domain registration fees, and overages or any other applicable fees are due upon receipt. We base our projects and project end date on the client's original written specifications.

SEO, Marketing, Digital Advertising, SAAS, and Subscription-Based

Products including Plans and Packages: All payments and services are due in advance for the coming 30 day period.

Payments: All payments will be made in U.S. funds. All payments are due upon receipt. Clients will be given (3) three business days upon completion for final review and approval for any specific project. Payments must be received no later than (7) seven days from the sent invoice. Any monies past due will result in an additional \$35.00 charge.

Subscription-based product billing **must be auto-billed to a credit card or paid annually by check.**

Subscription-based Website Plans: Basic, Starter, Pro, Business: *Billing begins 30 days after signing*, regardless if your website is live/active. This schedule is worked into our pricing model and is a continuation of your onboarding until launch, in addition, this encourages you to provide us with your content quickly.

You agree that in any case that you refuse payment or your payment fails billing, Engines of Creation Web Design & Development will retain all rights to material until full payment is received including late penalties, charges, legal fees, and/or collection fees, and retains the option to remove or “turn off” the client’s website, services or advertising/marketing campaigns from view. This agreement becomes effective only when signed by the client and an initial down-payment, onboarding, or payment is received. Regardless of the place of signing of this agreement, the client agrees that for purposes of venue, this contract was entered into in Montgomery County, New York, and any dispute will be litigated or arbitrated in Montgomery County, New York.

a.) Non-payment due to chargebacks or canceled checks for services knowingly purchased from EOC, EOC shall immediately shut off services for that client and will pursue full legal recourse against the client to recoup any and all losses and fees.

#4 Legal Information: EOC warrants the functions of any website or programming specifically done by EOC for a period of 3 months. If any defects arise, EOC will make any necessary changes to these Web Pages to restore functionality; except in cases involving hacking or malicious acts, changing technology, including but not limited to: Internet Browsers, updates & changes to third party plugins or software, changes to the Internet, changing local state and governmental regulations, guidelines etc. and/or if the bug/error or defect is the result of third party application, and/or modification of the website or code by any other party other than EOC, then the entire risk as to the quality and the performance of the Website, program or application, etc. lies solely with the client.

Indemnification: In no event will EOC be liable to the client or any third party for any damages, including any lost profits, lost savings, or other incidental,

consequential, or special damages arising out of the operation of or inability to operate these Web pages or Web site, in all cases, including cases of non-payment, even if EOC has been advised of the possibility of such damages. The client agrees to protect, and legally defend EOC and its subcontractors from any claim, suit, penalty, tax, etc., from any third party claim or suit that might arise for any reason. If any provision of this agreement shall be unlawful, void, or for any reason is unenforceable, then that provision shall be deemed severable from this agreement and shall not affect the validity and enforceability of any remaining provisions.

Claims for defects, damages, and/or shortages must be made by the client in writing within a period of fifteen (15) days after delivery of all or any part of the order. Failure to make such a claim within the stated period shall constitute irrevocable acceptance and an admission that they fully comply with terms, conditions, and specifications.

Opportunity to Cure: Prior to any claim for damages being made, you must provide EOC with reasonable notice of any alleged deficiencies in performance, and EOC shall have a reasonable opportunity to cure any alleged defect in performance.

a.) SEO/Marketing & Digital Advertising & Services: We work closely with our clients to identify realistic goals and timelines and employ the appropriate mix of tactics to achieve them. EOC shall be given the opportunity to cure as stated above. If we are unable to cure any alleged defect in performance, we offer to terminate our agreement and if pre-paid we will refund any unused portion of the contract. Setup/Onboarding charges are non-refundable.

b.) EOC reserves the right to review each account claim for refunds. If anyone or any agent other than EOC has performed/performing work or is engaging in unspecified search engine optimization, search engine marketing activities related to your website without consultation with our SEO team prior, any and all rights to claims will be forfeited by the client.

c.) Late payments will be considered a breach of this agreement and will forfeit all rights to claims by the client since no work shall be performed without payment; non-payment or late payment is deemed as an obstruction of the SEO or Marketing process.

d.) SEO & Digital Marketing/Advertising Terms: EOC MAKES NO WARRANTY, EXPRESS, IMPLIED OR STATUTORY, WITH RESPECT TO THE SERVICES PROVIDED HEREUNDER, INCLUDING WITHOUT LIMITATION ANY IMPLIED WARRANTY OF RELIABILITY, USEFULNESS, MERCHANTABILITY, and FITNESS FOR A PARTICULAR PURPOSE, NONINFRINGEMENT, OR THOSE ARISING FROM THE COURSE OF PERFORMANCE, DEALING, USAGE OR TRADE. By signing this agreement, you acknowledge that EOC neither owns nor governs the actions of any search engine or advertising network, or social media platform, etc. You also acknowledge that due to fluctuations in the relative competitiveness of some

search terms, recurring changes in the search engine algorithms, and other competitive factors, it is impossible to guarantee number one rankings or consistent top ten rankings, or any other specific rankings or performance for any particular search term or marketing campaign.

LIMITATION OF LIABILITY: Notwithstanding any provision to the contrary, the total liability of "EOC," and its employees and consultants, for all losses, damages, costs, and expenses, including attorneys fees, shall not exceed the aggregate amount paid to "EOC" under this Agreement, regardless of the legal theory under which such liability is imposed. Some jurisdictions do not allow excluding or limiting implied warranties or limiting liability for incidental or consequential damages, and some jurisdictions have special statutory consumer protection provisions that may supersede the foregoing disclaimers and limitations. As a result, these disclaimers and/or limitations may not apply to you if prohibited by law.

#5 Claims: Proofing of Final Product: EOC shall make every effort to ensure the final product is free of any grammatical and spelling errors, before giving the final product to the client, however it is agreed that it is the client's responsibility to ensure that there are no errors contained in the final product and it is agreed that EOC will not responsible or held liable, and the client will INDEMNIFY EOC as stated in section #4 of this document.

#6 CONFIDENTIALITY: All correspondence and documents provided will be treated as confidential between the client and EOC, unless consent has been granted by both parties involved unless co-operating with law enforcement or other government agency.

#7 Laws Affecting Websites & Electronic Commerce: From time to time governments enact laws and levy taxes and tariffs, change or add local state and governmental regulations, guidelines, etc. that may affect the internet, your website, or electronic commerce. The client agrees that the client is solely responsible for complying with such laws, taxes, regulations, guidelines, tariffs, etc. **(including website accessibility)**, and that the client will hold harmless and INDEMNIFY EOC, and that the client shall protect, and legally defend EOC and its subcontractors from any claim, suit, penalty, tax, or tariff, etc. arising from the client's exercise of Internet electronic commerce and/or operation of a website.

In addition, you agree to abide by the terms of service of any third-party software/service provider that is used or offered with your plan, website, website marketing, etc. This may include email marketing providers, ecommerce platforms, plug-ins, reputation software etc.

#8 Copyrights and Trademarks: The client represents to EOC and unconditionally guarantees that any elements of text, graphics, photos, designs, trademarks, or other artwork furnished to EOC for inclusion in web pages or for publishing are owned by the client, or that the client has

permission from the rightful owner to use each of these elements, and will hold harmless, protect, and defend EOC from any claim or suit arising from the use of such elements furnished by the client.

#9 Copyright to Web Pages:

Subscription-based websites a.k.a. website packages/plans or other marketing solutions which are paid monthly are considered a subscription-based product, usage ends upon cancellation of said service; the design or content may not be transferred, copied, or ported to another platform, and ownership and the copyright is solely the property of EOC at all times.

"Build and Buy" Websites: Web page designs paid for in full or purchased outright from EOC are commissioned work by the client and as such are owned by the client upon full payment as outlined in sections 3, 4 & 5 of this contract.

In any case, all programming and website code is considered the intellectual property of EOC, and its ownership is not transferred to the client. The client is granted a license to use the code solely on this domain/project; in addition, it shall not be re-distributed or re-sold for any reason without the expressed written permission of EOC.

Engines of Creation web design & development retains personal rights to use the completed project for the marketing and advertising of services.

#10 Sole Agreements: The agreement contained in this "Terms of Service Agreement" constitutes the sole agreement between EOC and the client regarding your service, website, or plan. Any additional work not specified in this contract, scope of work, or in your service, must be authorized by written change order, and potentially subject to additional fees and/or charges.

#11 Initial Payments and Refund Policy: This agreement begins with an initial payment, set up or onboarding fee. If the client halts work and apply for a written refund within 3 days, any work completed shall be billed at current hourly rates or 20% of the project cost, whichever is greater. The refund amount will be deducted from the initial payment, the balance of which shall be returned to the client. If, at the time of the request for a refund, work has been completed beyond the amount covered by the initial payment the client shall be liable to pay for all work completed at a current hourly rate(s) and in accordance with the section titled "Payment of Fees" of this agreement. *Annual Commitments must be paid in full, regardless of cancellation requests.*No portion of this initial payment will be refunded unless a written application is made to EOC.

#12 Cancellation of Service: Cancellations of Service must be made by email to support@enginesofcreation.com, according to guidelines for your specific service. The client will be responsible for the full contract term length, this includes unused portions of services. Upon cancellation, the client may

choose to pay in full the complete unused contract length to EOC or continue monthly billing until the contract is paid in full.

#13 Domain Name Service: EOC can assist the client to obtain a Domain Name (i.e www.yourcompany.com). The domain name will be the property of the client and as such the client will be solely responsible for maintaining said service and any resulting fees. EOC does not warrant that the Domain Services will meet the client's requirements or that these services will be uninterrupted or error-free. The entire risk in obtaining and maintaining the client's domain name lies with the client.

#14 Advertising & Web Signature: The bottom of the client's website will contain a link to enginesofcreation.com. This link will be made unobtrusive and is generally found at the bottom of the home page so it does not interfere with the client's content. Engines of Creation also reserves the right to publish and advertise the completed work online for purposes of promotion.

#15 Consulting for the Web Page: Your project retainer or onboarding covers consultation time, meetings, phone calls, and emails related to your project scope. During the project, you are billed for this time at the appropriate rate of service.

#16 Right to Refuse: EOC reserves the right to refuse service for any reason. (Subject to a full refund of all monies received minus work performed or service delivered.) In no event will EOC be liable to the client or any third party for any damages, including any lost profits, lost savings, or other incidental, consequential, or special damages arising out of the refusal of services even if EOC has been advised of the possibility of such damages.

#17 Production Schedule/Delivery of Project: The client will assume any costs related to the project. Any alteration or deviation from the scope of work/specifications by either party will be accepted only upon prior written approval. EOC shall not incur any liability or penalty for delays in the completion of the project due to actions or negligence of the client, unusual delays, unforeseen illness, or external forces beyond the control of EOC. If such event(s) occur, it shall entitle EOC to extend the completion/delivery date, by the time equivalent to the period of such documented delay.

#18 Scope of work: (See proposal document above)

#19 Amendments and Addendums:

Please Read: BY SIGNING THIS AGREEMENT ABOVE, AND/OR USING THE SERVICES OFFERED BY EOC, YOU ACKNOWLEDGE THAT YOU HAVE READ THIS AGREEMENT AND AGREE TO BE BOUND BY THE TERMS AND CONDITIONS CONTAINED HEREIN AS WELL AS ALL POLICIES AND GUIDELINES INCORPORATED BY REFERENCE.

EOC reserves the right to change or modify any of the terms and conditions contained in this Agreement and any policy or guideline incorporated by reference at any time and from time to time in its sole discretion, and to determine whether and when any such changes apply to both existing and future customers.

IF YOU DO NOT AGREE TO THE TERMS OF THIS AGREEMENT, DO NOT SIGN OR SIGN UP FOR SERVICE. IF YOU DO NOT AGREE TO THE TERMS OF ANY MODIFICATION, DO NOT CONTINUE TO USE THE SERVICES AND IMMEDIATELY NOTIFY EOC OF YOUR TERMINATION OF THIS AGREEMENT IN THE MANNER DESCRIBED TITLED "Initial Payments and Refund Policy" and "Cancellation of Service" ABOVE. The signer agrees to the terms of this agreement on behalf of his organization or business and is authorized by the said entity to sign legal agreements.

**PUBLIC HEARING RESOLUTION
DG DISTRIBUTION NORTHEAST, LLC
D/B/A DOLLAR GENERAL CORPORATION**

A regular meeting of Montgomery County Industrial Development Agency (the “Agency”) was convened in public session at the offices of the Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on July 14, 2022 at 4:30 o’clock p.m., local time.

The meeting was called to order by the (Vice) Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Matthew Beck	Chair
Carol Shineman	Vice-Chair
Laurie Weingart	Secretary
Cheryl Reese	Treasurer
Amanda Auricchio, Esq.	Member
Mark Kowalczyk	Member
Brent E. Phetteplace	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Kenneth F. Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Andrew Santillo	Staff Assistant
Karl Gustafson, Jr.	Grant Assistant
Vincenzo Nicosia	Economic Development Specialist
Christopher C. Canada, Esq.	Agency Counsel

The following resolution was offered by _____, seconded by _____, to wit:

Resolution No. 22-17

RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER OF MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO HOLD A PUBLIC HEARING REGARDING A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF DG DISTRIBUTION NORTHEAST, LLC D/B/A DOLLAR GENERAL CORPORATION.

WHEREAS, Montgomery County Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”) and Chapter 666 of the 1970 Laws of New York, as amended, constituting Section 895-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing

economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more “projects” (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, in July, 2022, DG Distribution Northeast, LLC, d/b/a Dollar General Corporation, a limited-liability company organized and existing under the laws of the State of Tennessee (the “Company”) submitted an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 21 acre portion of a 54.4 acre parcel of land located at NYS Route 5S (Tax Map No. 54-2-2.31), in the Town of Florida, Montgomery County, New York (the “Land”), (2) the construction of an approximately +/- 150,000 square foot facility on the Land (the “Facility”), and (3) the acquisition and installation of certain machinery and equipment therein and thereon (the “Equipment”) (the Land, the Facility and the Equipment hereinafter collectively referred to as the “Project Facility”), all of the foregoing to be owned and operated by the Company and used as a perishable goods warehousing and distribution space for the Company’s operations and any other directly or indirectly related activities; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes and real property taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, pursuant to Section 859-a of the Act, prior to the Agency providing any “financial assistance” (as defined in the Act) of more than \$100,000 to any project, the Agency, among other things, must hold a public hearing pursuant to Section 859-a of the Act with respect to said project; and

WHEREAS, the Agency desires to provide for compliance with the provisions of Section 859-a of the Act with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby authorizes the Chief Executive Officer of the Agency, after consultation with the members of the Agency and Agency Counsel, (A) to establish the time, date and place for a public hearing of the Agency to hear all persons interested in the Project (the “Public Hearing”); (B) to cause the Public Hearing to be held in a city, town or village where the Project Facility is or is to be located, and to cause notice of such Public Hearing to be given to the public by publishing a notice or notices of such Public Hearing in a newspaper of general circulation available to the residents of the governmental units where the Project Facility is or is to be located, such notice or notices to comply with the requirements of Section 859-a of the Act; (C) to cause notice of the Public Hearing to be given to the chief executive officer of the county and of each city, town, village and school district in which the Project Facility is or is to be located to comply with the requirements of Section 859-a of the Act; (D) to conduct such Public Hearing; (E) to cause a report of the Public Hearing fairly summarizing the views presented at such Public Hearing (the “Report”) to be prepared; and (F) to cause a copy of the Report to be made available to the members of the Agency.

Section 2. The Chairman, Vice-Chairman and/or Chief Executive Officer of the Agency is hereby authorized and directed to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 3. All action taken by the Chief Executive Officer of the Agency in connection with the Public Hearing with respect to the Project prior to the date of this Resolution is hereby ratified and confirmed.

Section 4. This Resolution shall take effect immediately.

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

Matthew Beck	VOTING	_____
Carol Shineman	VOTING	_____
Mark Kowalczyk	VOTING	_____
Amanda Auricchio	VOTING	_____
Laurie Weingart	VOTING	_____
Cheryl Reese	VOTING	_____
Brent E. Phetteplace	VOTING	_____

The foregoing Resolution was thereupon declared duly adopted.

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

I, the undersigned (Assistant) Secretary of Montgomery County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on July 14, 2022 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 14 day of July, 2022.

(~~Assistant~~) Secretary

(SEAL)

MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION

IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from the Montgomery County Industrial Development Agency. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Agency.

TO: Montgomery County Industrial Development Agency
9 Park Street
Fonda, New York 12068
Attention: Chief Executive Officer

This application by applicant respectfully states:

APPLICANT: DG Distribution Northeast, LLC dba Dollar General Corporation

APPLICANT'S STREET ADDRESS: 100 Mission Ridge

CITY: Goodlettsville STATE: TN ZIP CODE: 37072

PHONE NO.: 404-309-9846 FAX NO.: _____ E-MAIL: klevine@dollargeneral.com

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION:

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: Rebekah Fisher & Associates, PLLC

NAME OF ATTORNEY: Rebekah Fisher Esq.

ATTORNEY'S STREET ADDRESS: 414 Bridge Street

CITY: Franklin STATE: TN ZIP CODE: 37064

PHONE NO.: 615-224-8708 FAX NO.: _____ E-MAIL: rfisher@rfisherandassociates.com

NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 HEREOF BEFORE FILLING OUT THIS FORM.

INSTRUCTIONS

1. The Agency will not approve any application unless, in the judgment of the Agency, said application and the summary contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return two (2) copies of this application to the Agency at the address indicated on the first page of this application.
6. The Agency will not give final approval to this application until the Agency receives a completed environmental assessment form concerning the Project which is the subject of this application.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
8. The applicant will be required to pay to the Agency all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Agency’s bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel/special counsel to the Agency. The costs incurred by the Agency, including the Agency’s general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
9. The Agency has established an application fee of One Thousand Dollars (\$1,000) to cover the anticipated costs of the Agency in processing this application. A check or money order made payable to the Agency must accompany each application. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
10. The Agency has established a project fee for each project in which the Agency participates. **UNLESS THE AGENCY AGREES IN WRITING TO THE CONTRARY, THIS PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE AGENCY.**

FOR AGENCY USE ONLY

1. Project Number	_____
2. Date application Received by Agency	_____, 20____
3. Date application referred to attorney for review	_____, 20____
4. Date copy of application mailed to members and Elected Officials	_____, 20____
5. Preliminary Inducement Resolution (if Bond Project)	_____, 20____
6. Resolution Scheduling Public Hearing	_____, 20____
7. Hold Public Hearing	_____, 20____
8. Resolution Authorizing Mailing of PILOT Deviation Letter (if applicable)	_____, 20____
9. Post IDA Application and Construction Employment Agreement on Website	_____, 20____
10. Perform Inform Analytics Cost/Benefit Analysis present to Board	_____, 20____
11. Perform Written Evaluation Report and present to Board	_____, 20____
12. SEQR Resolution	_____, 20____
13. PILOT Deviation Resolution (if applicable)	_____, 20____
14. Approving Resolution	_____, 20____
15. Final Project Agreement Posted to Website	_____, 20____

AGENCY FEE SCHEDULE INFORMATION

1. APPLICATION FEE: \$1,000.00 (Non-refundable)

2. AGENCY FEE:

- (a) Bond Transactions: $\frac{3}{4}$ of 1% of bond amount
- (b) Sale Leaseback Transactions: $\frac{3}{4}$ of 1% of Total Project Cost
- (c) Rental Payments: The Company shall pay basic annual rental payments for the Project Facility in an amount equal to \$.0005 x the cost of the Agency Project on January 1 of each year during the term of the Lease Agreement.

3. AGENCY COUNSEL FEE:

- (a) Determine on a Project by Project Basis

SUMMARY OF PROJECT

Applicant: DG Distribution Northeast, LLC

Contact Person: Kacey Levine

Phone Number: (404) 309-9846

Occupant: DG Distribution Northeast, LLC

Project Location: NYS Route 5S, Montgomery County

Approximate Size of Project Site: 21 acres est

Description of Project:

Company plans to establish a +/-150,000 sf perishable goods distribution center to serve current and future stores in the region. The project will result in a capital investment of approximately \$35M (excluding land) and roughly 150 full-time company jobs. The average annual salary of company jobs created will be approximately \$39,520.

Type of Project: ☐ Manufacturing ☒ Warehouse/Distribution
☐ Commercial ☐ Not-For-Profit
☐ Other-Specify

Employment Impact: Existing Jobs 0
New Jobs 150 est

Project Cost: \$35M est

Type of Financing: ☐ Tax-Exempt ☐ Taxable ☒ Straight Lease

Amount of Bonds Requested: \$0

Estimated Value of Tax-Exemptions:

N.Y.S. Sales and Compensating Use Tax:	\$ 2.5M estimate
Mortgage Recording Taxes:	\$ 0
Real Property Tax Exemptions:	\$ 2.2M estimate including fees
Other (please specify):	\$ 0

Provide estimates for the following:

Number of Full Time Employees at the Project Site before IDA Status:	0
Estimate of Jobs to be Created:	150
Estimate of Jobs to be Retained:	0
Average Estimated Annual Salary of Jobs to be Created:	\$39,520
Annualized Salary Range of Jobs to be Created:	\$37,440-\$100k+ est
Estimated Average Annual Salary of Jobs to be Retained:	N/A

I. INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").

A. Identity of Company:

1. Company Name: DG Distribution Northeast, LLC
 Present Address: 100 Mission Ridge, Goodlettsville, TN
 Zip Code: 37072
 Employer's ID No.: 812148182
2. If the Company differs from the Applicant, give details of relationship:
3. Indicate type of business organization of Company:
 - a. LLC Corporation (If so, incorporated in what country? USA
 What State? Tennessee 4/6/16 Date Incorporated? Type of
 Corporation? LLC Authorized to do business in New York?
 Yes x; No ____).
 - b. ____ Partnership (if so, indicate type of partnership _____,
 Number of general partners ____, Number of limited partners ____).
 - c. ____ Limited liability company,
 Date created? _____.
 - d. ____ Sole proprietorship
4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship:
 Parent is Dollar General Corporation.

B. Management of Company:

1. List all owners, officers, members, directors and partners (complete all columns for each person): Publicly held company - see annual report attached.

NAME (First, Middle, Last) HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes ____; No _____. See legal proceedings in annual report.

Not to the company's knowledge other than what is indicated in the annual report. If any litigation, there will be no impact to the proposed project.

3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes ____; No ____.

Not to the company's knowledge. If any litigation, there will be no impact to the proposed project.

4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes ____; No _____. (If yes to any of the foregoing, furnish details in a separate attachment).

N/A - public company. If any litigation, there will be no impact to the proposed project.

5. If the answer to any of questions 2 through 4 is yes, please, furnish details in a separate attachment.

C. Principal Owners of Company:

1. Principal owners of Company: Is Company publicly held? Yes x ____; No _____. If yes, list exchanges where stock traded:

2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING

- D. Company's Principal Bank(s) of account: Key Bank

II. DATA REGARDING PROPOSED PROJECT

A. Summary: (Please provide a brief narrative description of the Project.)

DG Distribution Northeast, LLC plans to establish a NE US perishable goods distribution center to serve current and future stores in the region. The project will include the construction of approximately 150,000 sf. The company is expected to identify the preferred location in Q2 2022, with the real estate transaction occurring as soon as possible thereafter.

B. Location of Proposed Project:

1. Street Address NYS Route 5S
2. City of
3. Town of Florida
4. Village of
5. County of Montgomery

C. Project Site:

1. Approximate size (in acres or square feet) of Project site: +/- 21 acres, 150,000 sf est
Is a map, survey, or sketch of the project site attached? Yes ____; No x.
2. Are there existing buildings on project site? Yes ____; No x.
 - a. If yes, indicate number and approximate size (in square feet) of each existing building:
 - b. Are existing buildings in operation? Yes ____; No ____.
If yes, describe present use of present buildings:
 - c. Are existing buildings abandoned? Yes ____; No ____.
About to be abandoned? Yes ____; No ____.
If yes, describe:
 - d. Attach photograph of present buildings.

3. Utilities serving project site:
 Water-Municipal: City of Amsterdam (Town of Florida Water District)
 Other (describe)
 Sewer-Municipal:
 Other (describe) City of Amsterdam (Town of Florida Sewer District)
 Electric-Utility:
 Other (describe) National Grid
 Heat-Utility:
 Other (describe) National Grid
4. Present legal owner of project site: MCIDA
- a. If the Company owns project site, indicate date of purchase: _____, 20____; Purchase price: \$_____.
- b. If Company does not own the Project site, does Company have option signed with owner to purchase the Project site? Yes x; No _____. If yes, indicate date option signed with owner: _____, 20____; and the date the option expires: _____, 20____. LOI Executed 2/2/22
- c. If the Company does not own the project site, is there a relationship legally or by common control between the Company and the present owners of the project site? Yes ____; No x. If yes, describe:
5. a. Zoning District in which the project site is located: Industrial Business Park - Town of Florida
- b. Are there any variances or special permits affecting the site? Yes ____; No _____. If yes, list below and attach copies of all such variances or special permits: Site plan review by Town of Florida Planning Board

Perishable goods distribution center.

D. Buildings:

1. Does part of the project consist of a new building or buildings? Yes x; No _____. If yes, indicate number and size of new buildings: 150,000 sf est
2. Does part of the project consist of additions and/or renovations to the existing buildings? Yes ____; No x. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:
3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed, or expanded: Perishable goods distribution center

E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes^x____; No____. If yes, describe the Equipment: Racking, conveyors, fork trucks, IT equipment, FF&E, etc.
2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes____; No^x____. If yes, please provide detail:
3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed: Perishable goods distribution center

F. Project Use:

1. What are the principal products to be produced at the Project?
N/A
2. What are the principal activities to be conducted at the Project?
Perishable goods distribution center
3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes ____; No ^x____. If yes, please provide detail:
4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? ____%
5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:

- a. Will the Project be operated by a not-for-profit corporation? Yes____; No____. If yes, please explain:
- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes____; No____. If yes, please explain:
- c. Would the Project occupant, but for the contemplated financial assistance from the Agency, locate the related jobs outside the State of New York? Yes____; No____. If yes, please explain:
- d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes____; No____. If yes, please provide detail:
- e. Will the Project be located in one of the following: (i) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (ii) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes____; No____. If yes, please explain: _____

6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes____; No____. If yes, please explain: N/A

7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes____; No^x____. If yes, please explain:

8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes____; No^x____. If yes, please provide detail:

9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project: N/A

- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes____; No____. If yes, please provide detail:

- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes____; No____. If yes, please provide detail:

10. Will the Project be owned by a not-for-profit corporation? Yes____; No~~x~~____. If yes, please provide detail:

11. Will the Project be sold or leased to a municipality? Yes____; No~~x~~____. If yes, please provide detail:

G. Other Involved Agencies:

1. Please indicate all other local agencies, boards, authorities, districts, commissions or governing bodies (including any city, county and other political subdivision of the State of New York and all state departments, agencies, boards, public benefit corporations, public authorities or commissions) involved in approving or funding or directly undertaking action with respect to the Project. For example, do you need a municipal building permit to undertake the Project? Do you need a zoning approval to undertake the Project? If so, you would list the appropriate municipal building department or planning or zoning commission which would give said approvals.

New York State DOT, DEC
 Army Corp of Engineers
 Town of Florida Planning Board for Site Plan Review
 County Planning Board 239M Review

2. Describe the nature of the involvement of the federal, state, or local agencies described above: NYS DOT Traffic Impact Study
 NYS DEC SPDES Permit
 Army Corp of Engineers-Nationwide Permit

H. Construction Status:

1. Has construction work on this project begun? Yes ____; No ~~x~~____. If yes, please discuss in detail the approximate extent of construction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings; etc.:

2. Please indicate amount of funds expended on this Project by the Company in the past three (3) years and the purposes of such expenditures:

N/A

3. Please indicate the date the applicant estimates the Project will be completed:
4/30/2024 est.

I. Method of Construction after Agency Approval:

1. If the Agency approves the project which is the subject of this application, there are two methods that may be used to construct the project. The applicant can construct the project privately and sell the project to the Agency upon completion. Alternatively, the applicant can request to be appointed as “agent” of the Agency, in which case certain laws applicable to public construction may apply to the project. Does the applicant wish to be designated as “agent” of the Agency for purposes of constructing the project? Yes x; No ____.

2. If the answer to question 1 is yes, does the applicant desire such “agent” status prior to the closing date of the financing? Yes____; No____. TBD

III. INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT. (PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).

A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes____; No^x____. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee name:
 Present Address:
 City: _____ State: _____ Zip: _____
 Employer's ID No.: _____
 Sublessee is: ____ Corporation: ____ Partnership: ____ Sole Proprietorship
 Relationship to Company: _____
 Percentage of Project to be leased or subleased: _____
 Use of Project intended by Sublessee: _____
 Date of lease or sublease to Sublessee: _____
 Term of lease or sublease to Sublessee: _____
 Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes____; No____. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

2. Sublessee name:
 Present Address:
 City: _____ State: _____ Zip: _____
 Employer's ID No.: _____
 Sublessee is: _____
 _____ Corporation: _____ Partnership: _____ Sole Proprietorship
 Relationship to Company: _____
 Percentage of Project to be leased or subleased: _____
 Use of Project intended by Sublessee: _____
 Date of lease or sublease to Sublessee: _____
 Term of lease or sublease to Sublessee: _____
 Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes____; No____. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

3. Sublessee name:
Present Address:
City: _____ State: _____ Zip: _____
Employer's ID No.: _____
Sublessee is: _____ Corporation: _____ Partnership: _____ Sole Proprietorship
Relationship to Company: _____
Percentage of Project to be leased or subleased: _____
Use of Project intended by Sublessee: _____
Date of lease or sublease to Sublessee: _____
Term of lease or sublease to Sublessee: _____
Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes _____; No _____. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

- B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

IV. EMPLOYMENT IMPACT

- A.
- A. Indicate the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first, second and third year after the Project has been completed. Also include an monthly breakdown of full-time and part-time jobs to be created during the first three years. Using the tables below, provide an overview of these job numbers for (1) employees of the Applicant, (2) independent contractors, and (3) employees of independent contractors. (Do not include construction workers). Also indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant. Such information regarding relocated positions should also indicate whether such positions are relocated from other project sites financed by obligations previously issued by the Agency.

TYPE OF EMPLOYMENT Employees of Applicant					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals

Present Full Time					0
Present Part Time					0
Present Seasonal					0
First Year Full Time	5% est		95% est		92 est
First Year Part Time					0
Second Year Full Time	5% est		95% est		120 est
Second Year Part Time					0
Third Year Full Time	5% est		95% est		150 est
Third Year Part Time					0

TYPE OF EMPLOYMENT Employees of Applicant First Year Full Time					
Month	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December	5% est		95% est		92 est

TYPE OF EMPLOYMENT No part-time employees Employees of Applicant First Year Part Time					
Month	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
January					

February					
March					
April					
May	No part-time employees				
June					
July					
August					
September					
October					
November					
December	0	0	0	0	0

TYPE OF EMPLOYMENT Employees of Applicant Second Year Full Time					
Month	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
January					
February					
March					
April					
May					
June	5% est		95% est		100 est
July					
August					
September					
October					
November					
December	5% est		95% est		120 est

TYPE OF EMPLOYMENT Employees of Applicant Second Year Part Time					
Month	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
January					
February	No part-time employees				
March					

April					
May					
June					
July					
August					
September					
October					
November					
December	0	0	0	0	0

TYPE OF EMPLOYMENT Employees of Applicant Third Year Full Time					
Month	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
January					
February					
March					
April					
May					
June	5% est		95% est		130 est
July					
August					
September					
October					
November					
December	5% est		95% est		150 est

TYPE OF EMPLOYMENT Employees of Applicant Third Year Part Time					
Month	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
January					
February					
March					
April					

No part-time employees

May					
June					
July					
August					
September					
October					
November					
December	0	0	0	0	0

TYPE OF EMPLOYMENT Independent Contractors					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time	0	0	0	0	0
Present Part Time	0	0	0	0	0
Present Seasonal	0	0	0	0	0
First Year Full Time	TBD	TBD	TBD	TBD	TBD
First Year Part Time	0	0	0	0	0
First Year Seasonal	0	0	0	0	0
Second Year Full Time	TBD	TBD	TBD	TBD	TBD
Second Year Part Time	0	0	0	0	0
Second Year Seasonal	0	0	0	0	0

Type text here

TYPE OF EMPLOYMENT Employees of Independent Contractors					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time	0	0	0	0	0
Present Part Time	0	0	0	0	0
Present Seasonal	0	0	0	0	0
First Year Full Time	TBD	TBD	TBD	TBD	TBD
First Year Part Time	0	0	0	0	0
First Year Seasonal	0	0	0	0	0
Second Year Full Time	TBD	TBD	TBD	TBD	TBD
Second Year Part Time	0	0	0	0	0
Second Year Seasonal	0	0	0	0	0

- B. Indicate below (1) the estimated salary and fringe benefit averages or ranges and (2) the estimated number of employees residing in the Mohawk Valley Economic Development Region for all the jobs at the Project site, both retained and created, listed in the tables described in subsection A above for each of the categories of positions listed in the chart below.

RELATED EMPLOYMENT INFORMATION				
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled
Estimated Salary and Fringe Benefit Averages or Ranges	TBD	\$45,760 est	\$37,440 est to \$39,520 est	
	Benefits estimated at 30% of payroll for all positions			
Estimated Number of Employees Residing in the Mohawk Valley Economic Development	60-70% est		60-70% est	

Region				
--------	--	--	--	--

- C. Please describe the projected timeframe for the creation of any new jobs with respect to the undertaking of the Project:

All jobs will be created within 3 years of the certificate of occupancy.

- D. Please prepare a separate attachment describing in detail the types of employment at the Project site. Such attachment should describe the activities or work performed for each type of employment.

General warehouse worker - material handler
Maintenance - maintain M&E
Clerical
Management

V. PROJECT COST AND FINANCING SOURCES

- A. Anticipated Project Costs. State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<u>Description of Cost</u>	<u>Amount</u>
Land	\$ <u>420,000 est</u>
Buildings	\$ <u>\$29,000,000 est</u>
Machinery and equipment costs	\$ <u>6,000,000 est</u>
Utilities, roads and appurtenant costs	\$ <u>TBD</u>
Architects and engineering fees	\$ <u>TBD</u>
Costs of Bond Issue (legal, financial and printing)	\$ _____
Construction loan fees and interest (if applicable)	\$ _____
Other (specify)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL PROJECT COSTS	\$ <u>35,420,000 est</u>

- B. Anticipated Project Financing Sources. State the sources reasonably necessary for the financing of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

Company will internally fund the project.

<u>Description of Sources</u>	<u>Amount</u>
Private Sector Financing	\$ <u>35,420,000 est</u>
Public Sector	
Federal Programs	\$ _____
State Programs	\$ _____
Local Programs	\$ _____
Applicant Equity	\$ _____
Other (specify, e.g., tax credits)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL AMOUNT OF PROJECT FINANCING SOURCES	\$ _____

- C. Have any of the above expenditures already been made by the applicant?
Yes ____; No x____. If yes, indicate particulars.
- _____
- _____
- _____
- _____
- D. Amount of loan requested: \$ N/A _____;
- Maturity requested: _____ years.
- E. Has a commitment for financing been received as of this application date, and if so, from whom?
- Yes ____; No _____. Institution Name: N/A _____
- Provide name and telephone number of the person we may contact.
- Name: _____ Phone: _____
- F. The percentage of Project costs to be financed from public sector sources is estimated to equal the following: _____%

G. The total amount estimated to be borrowed to finance the Project is equal to the following:
\$ N/A

VI. BENEFITS EXPECTED FROM THE AGENCY

A. Financing

1. Is the applicant requesting that the Agency issue bonds to assist in financing the project? Yes ____; No x____. If yes, indicate:
 - a. Amount of loan requested: ____Dollars;
 - b. Maturity requested: ____Years.
2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes ____; No ____.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
 - a. retail food and beverage services: Yes____; No____
 - b. automobile sales or service: Yes____; No____
 - c. recreation or entertainment: Yes____; No____
 - d. golf course: Yes____; No____
 - e. country club: Yes____; No____
 - f. massage parlor: Yes____; No____
 - g. tennis club: Yes____; No____
 - h. skating facility (including roller skating, skateboard and ice skating): Yes____; No____
 - i. racquet sports facility (including handball and racquetball court): Yes____; No____
 - j. hot tub facility: Yes____; No____
 - k. suntan facility: Yes____; No____
 - l. racetrack: Yes____; No____
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.

B. Tax Benefits

1. Is the applicant requesting any real property tax exemption in connection with the Project that would not be available to a project that did not involve the Agency? Yes x____; No____. If yes, is the real property tax exemption being sought consistent with the Agency's Uniform Tax Exemption Policy? Yes x____; No____.
2. Is the applicant expecting that the financing of the Project will be secured by one or more mortgages? Yes ____; No x____. If yes, what is the approximate amount of financing to be secured by mortgages? \$____.
3. Is the applicant expecting to be appointed agent of the Agency for purposes of avoiding payment of N.Y.S. Sales Tax or Compensating Use Tax? Yes x____; No _____. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ 31.5M estimate_____.

4. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of the exemption.

a.	N.Y.S. Sales and Compensating Use Taxes:	\$ <u>2.5M estimate</u>
b.	Mortgage Recording Taxes:	\$ _____
c.	Real Property Tax Exemptions:	\$ <u>2.2M estimate</u> included fees
d.	Other (please specify):	\$ _____
	_____	\$ _____
	_____	\$ _____

5. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Agency's Uniform Tax Exemption Policy? Yes ____; No x__. If yes, please explain.

C. Project Cost/Benefit Information. Complete the attached Cost/Benefit Analysis so that the Agency can perform a cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Agency undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Agency undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. REPRESENTATIONS BY THE APPLICANT. The applicant understands and agrees with the Agency as follows:

A. Job Listings. 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 Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the “DOC”) and with the administrative entity (collectively with the DOC, the “JTPA Entities”) of the service delivery area created by the federal job training partnership act (Public Law 97-300) (“JTPA”), as replaced by the Workforce Investment Act of 1998 (Public Law 105-220), in which the Project is located.

B. First Consideration for Employment. 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 Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.

C. Annual Sales Tax Filings. In accordance with Section 874(8) 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.

D. Annual Employment 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, including (1) the NYS-45 – Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return – for the quarter ending December 31 (the “NYS-45”), and (2) the US Dept. of Labor BLS 3020 Multiple Worksite report if applicable.

E. Uniform Agency Project Agreement. The applicant agrees to enter into a project benefits agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack of success of such project in delivering certain described public benefits (the “Public Benefits”) and (2) the Agency will be entitled to recapture some or all of the Financial Assistance granted to the applicant if the project is unsuccessful in whole or in part in delivering the promised Public Benefits.

F. Representation of Financial Information. Neither this Application nor any other agreement, document, certificate, project financials, or written statement furnished to the Agency or by or on behalf of the applicant in connection with the project contemplated by this Application contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements contained herein or therein not misleading. There is no fact within the special knowledge of any of the officers of the applicant which has not been disclosed herein or in writing by them to the Agency and which materially adversely affects or in the future in their opinion may, insofar as they can now reasonably foresee, materially adversely affect the business, properties, assets or condition, financial or otherwise, of the applicant.

G. Agency Financial Assistance Required for Project. The Project would not be undertaken but for the Financial Assistance provided by the Agency or, if the Project could be undertaken without the Financial Assistance provided by the Agency, then the Project should be undertaken by the Agency for the following reasons:

H. Compliance with Article 18-A of the General Municipal Law: The Project, as of the date of this Application, is in substantial compliance with all provisions of article 18-A of the General Municipal including, but not limited to, the provisions of Section 859-a and subdivision one of Section 862; and the provisions of subdivision one of Section 862 of the General Municipal Law will not be violated if Financial Assistance is provided for the Project.

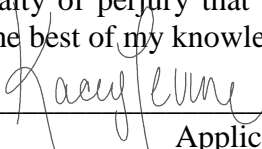
I. Compliance with Federal, State, and Local Laws. The applicant is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.

J. False or Misleading Information. The applicant understands 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 exemptions claimed by reason of Agency involvement in the Project.

K. Absence of Conflicts of Interest. The applicant acknowledges that the members, officers and employees of the Agency are listed on the Agency's website. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

L. Additional Information. Additional information regarding the requirements noted in this Application and other requirements of the Agency are included in the Agency's Policies which can be accessed at <http://www.mcbdc.org/>.

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.



Applicant
By: Kacey Levine
Title: Director of Supply Chain Operations

NOTE: APPLICANT MUST ALSO COMPLETE THE APPROPRIATE VERIFICATION APPEARING ON PAGES 26 THROUGH 29 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 30.

VERIFICATION

(If Applicant is a Corporation)

STATE OF _____)
) SS.:
COUNTY OF _____)

_____deposes and says that he is the
(Name of chief executive of applicant)

_____ of _____,
(Title) (Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said company is because the said company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

(officer of applicant)

Sworn to before me this
_____day of _____, 20__.

(Notary Public)

VERIFICATION

(If applicant is sole proprietor)

STATE OF _____)
)
COUNTY OF _____) SS.:

_____, deposes and says
(Name of Individual)

that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application.

Sworn to before me this
 ____ day of _____, 20__.

(Notary Public)

VERIFICATION

(If applicant is partnership)

STATE OF _____)
)
COUNTY OF _____) SS.:

_____, deposes and says

(Name of Individual)

that he is one of the members of the firm of _____,

(Partnership Name)

the partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

Sworn to before me this
____ day of _____, 20__.

(Notary Public)

VERIFICATION

(If applicant is limited liability company)

STATE OF _____)
) SS.:
COUNTY OF _____)

_____, deposes and says
(Name of Individual)

that he is one of the members of the firm of _____,

(Limited Liability Company)

the limit liability company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said limited liability company.

DocuSigned by:

Tony Buazo

268A9C32E137472...

Sworn to before me this
6th day of July, 2022.

DocuSigned by:

Jamie Adler

56FDB727ABE6469...
(Notary Public)



NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 30 IS SIGNED BY THE APPLICANT.

HOLD HARMLESS AGREEMENT

Applicant hereby releases Montgomery County Industrial Development Agency and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Agency") and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability directly arising from (i) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether Applicant's application or the project described therein are favorably acted upon by the Agency, (ii) the Agency's financing of the Project described therein; and (iii) 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 reasonable attorneys' fees and any other reasonable expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing, except to the extent attributable to the Agency's negligence, willful acts or omissions. If, for any reason (except to the extent attributable to the Agency's negligence, willful acts or omissions), the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable period of time, to take reasonable, proper or necessary action, or withdraws, abandons, cancels or neglects the Application, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all actual costs reasonably incurred by the Agency in the processing of the Application, including reasonable attorneys' fees, if any, within sixty (60) days of Applicant's receipt of Agency's invoice.

(Applicant)

DocuSigned by:

BY: _____

Tony Euzo

268A9C32E137472...

Sworn to before me this
6th day of July, 2022.

DocuSigned by:

*Jamie Adler*56F0B727ABE6466
(Notary Public)

TO: Project Applicants
 FROM: Montgomery County Industrial Development Agency
 RE: Cost/Benefit Analysis

In order for the Montgomery County Industrial Development Agency (the “Agency”) to prepare a Cost/Benefit Analysis for a proposed project (the “Project”), the Applicant must answer the questions contained in this Project Questionnaire (the “Questionnaire”) and complete the attached Schedules. This Questionnaire and the attached Schedules will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

This Questionnaire must be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

PROJECT QUESTIONNAIRE

1. Name of Project Beneficiary (“Company”):	DG Distribution Northeast, LLC
2. Brief Identification of the Project:	Perishable goods distribution center
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$0
B. Value of Sales Tax Exemption Sought	\$2.5M estimate
C. Value of Real Property Tax Exemption Sought	\$2.2M estimate including fees
D. Value of Mortgage Recording Tax Exemption Sought	\$0
4. Likelihood of accomplishing the Project in a timely fashion:	Project should be completed in a timely fashion.

PROJECTED PROJECT INVESTMENT

A. Land-Related Costs	
1. Land acquisition	\$420,000 est
2. Site preparation	\$ Included in construction cost total
3. Landscaping	\$ Included in construction cost total
4. Utilities and infrastructure development	\$ TBD
5. Access roads and parking development	\$ Included in construction cost total
6. Other land-related costs (describe)	\$
B. Building-Related Costs	
1. Acquisition of existing structures	\$
2. Renovation of existing structures	\$
3. New construction costs	\$29,000,000 est
4. Electrical systems	\$ Included in construction cost total
5. Heating, ventilation and air conditioning	\$ Included in construction cost total
6. Plumbing	\$ Included in construction cost total
7. Other building-related costs (describe)	\$

C.	Machinery and Equipment Costs	
1.	Production and process equipment	\$ _____
2.	Packaging equipment	\$Included in warehouse equipment total
3.	Warehousing equipment	\$5,000,000 est
4.	Installation costs for various equipment	\$Included in warehouse equipment total
5.	Other equipment-related costs (describe)	\$ _____
D.	Furniture and Fixture Costs	\$1,000,000 est
1.	Office furniture	\$ _____
2.	Office equipment	\$ _____
3.	Computers	\$ _____
4.	Other furniture-related costs (describe)	\$ _____
E.	Working Capital Costs	
1.	Operation costs	\$ _____
2.	Production costs	\$ _____
3.	Raw materials	\$ _____
4.	Debt service	\$ _____
5.	Relocation costs	\$ _____
6.	Skills training	\$ _____
7.	Other working capital-related costs (describe)	\$ _____
F.	Professional Service Costs	
1.	Architecture and engineering	\$ _____
2.	Accounting/legal	\$ _____
3.	Other service-related costs (describe)	\$ _____
G.	Other Costs	
1.	_____	\$ _____
2.	_____	\$ _____
H.	Summary of Expenditures	
1.	Total Land-Related Costs	\$ 420,000 est
2.	Total Building-Related Costs	\$ 29,000,000 est
3.	Total Machinery and Equipment Costs	\$ 5,000,000 est
4.	Total Furniture and Fixture Costs	\$ 1,000,000 est
5.	Total Working Capital Costs	\$ _____
6.	Total Professional Service Costs	\$ _____
7.	Total Other Costs	\$ _____

PROJECTED PROFIT

- I. Please provide projected profit as defined by earnings after income tax but before depreciation and amortization:

YEAR	Without IDA benefits	With IDA benefits
1	\$ <u>No profit will be derived from this project with or without IDA benefits.</u>	\$ _____
2	\$ _____	\$ _____
3	\$ _____	\$ _____
4	\$ _____	\$ _____
5	\$ _____	\$ _____

PROJECTED CONSTRUCTION EMPLOYMENT IMPACT

- I. Please provide estimates of total construction jobs and the total annual wages and benefits of construction jobs at the Project:

Year	Number of Construction Jobs	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year		\$ _____	\$ _____
Year 1	100-200 est	\$ <u>TBD by GC</u>	\$ <u>TBD by GC</u>
Year 2	100-200 est	\$ <u>TBD by GC</u>	\$ <u>TBD by GC</u>
Year 3		\$ _____	\$ _____
Year 4		\$ _____	\$ _____
Year 5		\$ _____	\$ _____

PROJECTED PERMANENT EMPLOYMENT IMPACT

- I. Estimates of the total number of existing permanent jobs to be preserved or retained as a result of the Project are described in the tables in Section IV of the Application.
- II. Estimates of the total new permanent jobs to be created at the Project are described in the tables in Section IV of the Application.
- III. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

- IV. Provide the projected percentage of employment that would be filled by Montgomery County residents: TBD

A. Provide a brief description of how the project expects to meet this percentage:

Company will host job fairs and partner with local economic resources to employ the maximum amount of Montgomery County residents possible.

PROJECTED OPERATING IMPACT

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 st year following project completion)	\$ <u>250,000 est</u>
Additional Sales Tax Paid on Additional Purchases	\$ <u>20,000 est</u>
Estimated Additional Sales (1 st full year following project completion)	\$ <u>0</u>
Estimated Additional Sales Tax to be collected on additional sales (1 st full year following project completion)	\$ <u>0</u>

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes (“Pilot Payments”):

Year	Existing Real Property Taxes (Without IDA involvement)	New Pilot Payments (With IDA)	Total (Difference)
Current Year	\$2,330 per MCIDA		
Year 1		See attached MCIDA exhibit	
Year 2		See attached MCIDA exhibit	
Year 3		See attached MCIDA exhibit	
Year 4		See attached MCIDA exhibit	
Year 5		See attached MCIDA exhibit	
Year 6		See attached MCIDA exhibit	
Year 7		See attached MCIDA exhibit	
Year 8		See attached MCIDA exhibit	
Year 9		See attached MCIDA exhibit	
Year 10		See attached MCIDA exhibit	
Year 11		See attached MCIDA exhibit	
Year 12		See attached MCIDA exhibit	
Year 13		See attached MCIDA exhibit	
Year 14		See attached MCIDA exhibit	
Year 15		See attached MCIDA exhibit	

New Construction - Industrial Project

Full Value	\$	9,589,500.00																														
Equalization Rate		93.00%																														
Assessed Value	\$	8,918,235.00	\$	2,229,558.75	\$	2,229,558.75	\$	2,229,558.75	\$	2,229,558.75	\$	2,229,558.75	\$	4,459,117.50	\$	4,459,117.50	\$	4,459,117.50	\$	4,459,117.50	\$	4,459,117.50	\$	6,688,676.25	\$	6,688,676.25	\$	6,688,676.25	\$	6,688,676.25	\$	6,688,676.25
Original Assessed	\$	89,900.00	\$	89,900.00	\$	89,900.00	\$	89,900.00	\$	89,900.00	\$	89,900.00	\$	89,900.00	\$	89,900.00	\$	89,900.00	\$	89,900.00	\$	89,900.00	\$	89,900.00	\$	89,900.00	\$	89,900.00	\$	89,900.00	\$	89,900.00

		PILOT SCHEDULE														
Taxing Jurisdiction	Rate	25% Year 1	25% Year 2	25% Year 3	25% Year 4	25% Year 5	50% Year 6	50% Year 7	50% Year 8	50% Year 9	50% Year 10	75% Year 11	75% Year 12	75% Year 13	75% Year 14	75% Year 15
Original Assessment 100%	11.69844	\$ 978.07	\$ 978.07	\$ 978.07	\$ 978.07	\$ 978.07	\$ 978.07	\$ 978.07	\$ 978.07	\$ 978.07	\$ 978.07	\$ 978.07	\$ 978.07	\$ 978.07	\$ 978.07	\$ 978.07
County	11.69844	\$ 26,082.36	\$ 26,082.36	\$ 26,082.36	\$ 26,082.36	\$ 26,082.36	\$ 52,164.72	\$ 52,164.72	\$ 52,164.72	\$ 52,164.72	\$ 52,164.72	\$ 78,247.08	\$ 78,247.08	\$ 78,247.08	\$ 78,247.08	\$ 78,247.08
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Original Assessment 100%	16.176946	\$ 1,352.51	\$ 1,352.51	\$ 1,352.51	\$ 1,352.51	\$ 1,352.51	\$ 1,352.51	\$ 1,352.51	\$ 1,352.51	\$ 1,352.51	\$ 1,352.51	\$ 1,352.51	\$ 1,352.51	\$ 1,352.51	\$ 1,352.51	\$ 1,352.51
FFCS	16.176946	\$ 36,067.45	\$ 36,067.45	\$ 36,067.45	\$ 36,067.45	\$ 36,067.45	\$ 72,134.90	\$ 72,134.90	\$ 72,134.90	\$ 72,134.90	\$ 72,134.90	\$ 108,202.35	\$ 108,202.35	\$ 108,202.35	\$ 108,202.35	\$ 108,202.35
	Original total	\$ 2,330.58	\$ 2,330.58	\$ 2,330.58	\$ 2,330.58	\$ 2,330.58	\$ 2,330.58	\$ 2,330.58	\$ 2,330.58	\$ 2,330.58	\$ 2,330.58	\$ 2,330.58	\$ 2,330.58	\$ 2,330.58	\$ 2,330.58	\$ 2,330.58
	New total	\$ 62,149.81	\$ 62,149.81	\$ 62,149.81	\$ 62,149.81	\$ 62,149.81	\$ 124,299.62	\$ 124,299.62	\$ 124,299.62	\$ 124,299.62	\$ 124,299.62	\$ 186,449.43	\$ 186,449.43	\$ 186,449.43	\$ 186,449.43	\$ 186,449.43
		\$ 64,480.39	\$ 64,480.39	\$ 64,480.39	\$ 64,480.39	\$ 64,480.39	\$ 126,630.20	\$ 126,630.20	\$ 126,630.20	\$ 126,630.20	\$ 126,630.20	\$ 188,780.01	\$ 188,780.01	\$ 188,780.01	\$ 188,780.01	\$ 188,780.01

Taxing Jurisdiction	Rate	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
County	11.69844	\$ 104,329.44	\$ 104,329.44	\$ 104,329.44	\$ 104,329.44	\$ 104,329.44	\$ 104,329.44	\$ 104,329.44	\$ 104,329.44	\$ 104,329.44	\$ 104,329.44	\$ 104,329.44	\$ 104,329.44	\$ 104,329.44	\$ 104,329.44	\$ 104,329.44
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
		\$ -														
FFCS	16.176946	\$ 144,269.81	\$ 144,269.81	\$ 144,269.81	\$ 144,269.81	\$ 144,269.81	\$ 144,269.81	\$ 144,269.81	\$ 144,269.81	\$ 144,269.81	\$ 144,269.81	\$ 144,269.81	\$ 144,269.81	\$ 144,269.81	\$ 144,269.81	\$ 144,269.81
		\$ 248,599.24	\$ 248,599.24	\$ 248,599.24	\$ 248,599.24	\$ 248,599.24	\$ 248,599.24	\$ 248,599.24	\$ 248,599.24	\$ 248,599.24	\$ 248,599.24	\$ 248,599.24	\$ 248,599.24	\$ 248,599.24	\$ 248,599.24	\$ 248,599.24
SAVINGS		\$ 184,118.85	\$ 184,118.85	\$ 184,118.85	\$ 184,118.85	\$ 184,118.85	\$ 121,969.04	\$ 121,969.04	\$ 121,969.04	\$ 121,969.04	\$ 121,969.04	\$ 59,819.23	\$ 59,819.23	\$ 59,819.23	\$ 59,819.23	\$ 59,819.23
Total Savings		\$ 1,829,535.66														

Disclaimer Notice:

Please note that these numbers are based on assumptions on the property in question with a full value of \$9,589,500. The projected PILOT is based on current tax rates and equalization rates for the applicable municipality and these rates will change from year to year. There are no capabilities of projecting what the future rates will be.

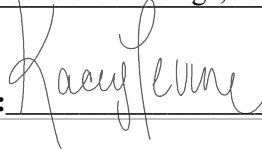
III. Please provide a detailed description for the impact of other economic benefits and all anticipated community benefits expected to be produced as a result of the Project (attach additional pages as needed for a complete and detailed response):

CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge; such responses are true, correct, and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Agency in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Agency of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.

Date Signed: <u>July 7</u> __, 20 <u>22</u>	Name of Person Completing Project Questionnaire on behalf of the Company. Name: <u>Kacey Levine</u> Title: <u>Director, Supply Chain Operations</u> Phone Number: <u>404-309-9846</u> Address: <u>100 Mission Ridge, Goodlettsville, TN 37072</u> Signature: 
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SCHEDULE A

CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

[illegible]

Should you need additional space, please attach a separate sheet.

SCHEDULE B

CONSTRUCTION EMPLOYMENT REPORTING AGREEMENT

Recognizing the mission of the Industrial Development Agency of Montgomery County (IDA) to promote construction employment opportunities for residents of Montgomery County and in consideration of the extension of financial assistance by the IDA, DG Distribution Northeast, LLC, (Project Beneficiary) understands that it is the Agency's policy that benefiting companies should employ New York State residents and agrees to request the information below from its construction contractors and subcontractors and provide the information received to the IDA.. Project Beneficiary also agrees to provide an estimate of the number, type and duration of construction jobs to be created through IDA financial assistance, whether employment is gained directly through the Company, its general contractor, or individual vendors. Nothing in this Agreement is intended to require Project Beneficiary or its construction contractors or subcontractors to hire New York state residents exclusively or to give New York state residents preference in hiring. The only requirement of Project Beneficiary in this Agreement is to make a good faith effort to request and collect the information below and provide it to the IDA.

Upon project completion Project Beneficiary shall, if requested by the Agency, submit to the IDA a Construction Completion Report in which is identified names and business addresses of the prime contractor, subcontractors and vendors engaged in the construction of the facility.

Company: DG Distribution Northeast, LLC
 Company Representative for Contract Bids and Awards:
 Kacey Levine
 Mailing Address:
 100 Mission Ridge, Goodlettsville, TN 37072
 Phone: 404-309-9846
 Email: klevine@dollargeneral.com

General Contractor, if determined
 Company: _____
 Representative: _____
 Mailing Address: _____

 Phone: _____ Fax: _____
 Email: _____

Construction start date is estimated to be March 2023 with occupancy to be taken on April 2024

Construction Phase or Process	Duration of Construction Phase	# to be Employed
Grading	Approximately three months	Approximately 100
Building	Approximately twelve months	Approximately 100

(Attach additional sheets if needed)

Name of Applicant: Antonio Zuazo

Dated: July 6, 2022

DocuSigned by:

Company Position: Chief Executive Officer

Signed:


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