

AUTHORIZING RESOLUTION

(Riedman Purcell CH II LLC – Sales and Use Tax Exemption Extension (Phase II Project))

A regular meeting of the Steuben County Industrial Development Agency was convened on Thursday, January 28, 2021.

The following resolution was duly offered and seconded, to wit:

Resolution No. 01/2021 - _____

RESOLUTION OF THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) AN EXTENSION TO JANUARY 31, 2022 OF SALES AND USE TAX EXEMPTION BENEFITS APPROVED FOR RIEDMAN PURCELL CH II LLC (THE "COMPANY") IN CONNECTION WITH A CERTAIN PROJECT (THE "PROJECT") UNDERTAKEN BY THE COMPANY, AS AGENT OF THE AGENCY; AND (ii) THE EXECUTION AND DELIVERY OF DOCUMENTS NECESSARY TO EFFECTUATE THE FOREGOING

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 178 of the Laws of 1972 of the State of New York, as amended (hereinafter collectively called the "Act"), the **STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY** (the "Agency") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, by resolutions previously adopted by the Agency on January 23, 2020 (the "Authorizing Resolution"), the Agency appointed **RIEDMAN PURCELL CH II LLC** (the "Company") the true and lawful agent of the Agency to undertake a certain project (the "Project") consisting of (i) the acquisition by the Agency of a leasehold or other interest in certain property located at 171 East First Street, City of Corning, Steuben County, New York (the "Land"), commonly known as the former Corning Hospital, (ii) the construction on the Land of an approximately thirty-five (35) unit market-rate apartment building with associated site improvements (the "Improvements") and (iii) the acquisition and installation in and around the Improvements of certain items of equipment, machinery and other tangible personal property (the "Equipment"); and collectively with the Land and the Improvements, the "Facility"); and

WHEREAS, pursuant to the Authorizing Resolution, the Agency appointed the Company to act as its true and lawful agent to make purchase of goods and services relating to the Project exempt from sales and use tax ("Sales and Use Tax Exemption Benefits"); and

WHEREAS, the status of the Company to act as agent of the Agency expires on January 31, 2021; and

WHEREAS, the Company has submitted to the Agency correspondence dated January 25, 2021 (the "Correspondence") requesting that, due to the negative impact of the COVID-19 pandemic and other delays, the Agency extend the agent status of the Company for the Project from January 31, 2021 to January 31, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. Based upon the representation and warranties made by the Company in the Correspondence, the Agency hereby authorizes and approves an extension of the Company's status as agent of the Agency for the Project from January 31, 2021 to **January 31, 2022**.

Section 2. The Agency hereby ratifies and confirms the finding made in its Authorizing Resolution pursuant to New York State Environmental Quality Review Act, Articles 9 of the Environmental Conservation Law and the regulations adopted pursuant thereto at N.Y.C.R.R. Part 617, as amended (collectively, SEQRA").

Section 3. The Executive Director, Chairman and/or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and file with NYS IDA Unit an extended NYS Form ST-60 (**now expiring January 31, 2022**) and any documents necessary and incidental thereto.

Section 4. The Executive Director, Chairman and/or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any documents necessary and incidental to extend the status of the Company, as agent of the Agency for the Project, to **January 31, 2022**, with such changes as shall be approved by the Executive Director, Chairman and/or Vice Chairman upon execution.

Section 5. 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 and to execute and deliver all such 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 resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 6. These Resolutions shall take effect immediately upon adoption.

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

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Mark Alger	[✓]	[]	[]	[]
Scott VanEtten	[]	[]	[✓]	[]
Dean Strobel	[✓]	[]	[]	[]
Tony Russo	[✓]	[]	[]	[]
Christine Sharkey	[✓]	[]	[]	[]
Michael Nisbet	[✓]	[]	[]	[]
Michael Davidson	[✓]	[]	[]	[]

The Resolutions were thereupon duly adopted.

CERTIFICATION

(Riedman Purcell CH II LLC – Sales and Use Tax Exemption Extension (Phase II Project))

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

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

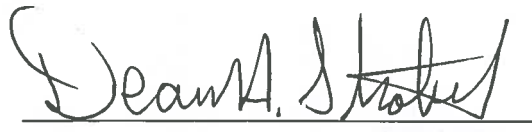
That I have compared the annexed extract of minutes of the meeting of Steuben County Industrial Development Agency (the "Agency"), including the resolution contained therein, held on January 28, 2021, with the original thereof on file in the Agency's offices, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that 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 modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this 29th day of January, 2021.



, Secretary

