



Putnam County Industrial Development Agency

2 Route 164, Suite 2B

Patterson, NY 12563

845 808-1031

Resolution 2019-12-9-2

PUTNAM COUNTY INDUSTRIAL DEVELOPMENT AGENCY

**RESOLUTION EXTENDING THE PROVISIONS AND CONDITIONS OF THE INDUCEMENT
RESOLUTION ADOPTED ON NOVEMBER 29, 2018
REGARDING
THE GLENEIDA DISTILLERY PROJECT**

WHEREAS, the New York State Industrial Development Agency Act and the Putnam County Industrial Development Agency's enabling legislation, respectively constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended and Chapter 399 of the 1987 Laws of New York (collectively the "Act"), authorize the Putnam County Industrial Development Agency (the "Agency") (1) to promote the economic welfare, recreational opportunities and prosperity of its inhabitants, and (2) to promote, attract, encourage and develop recreation, economically sound commerce and industry through governmental action for the purpose of preventing unemployment and economic deterioration; and

WHEREAS, Gleneida Distillery NY Inc. (the "Applicant") has entered into negotiations with officials of the Agency requesting assistance in the form of property tax relief and corresponding PILOT payment for real property taxes in connection with the acquisition, construction, renovation, furnishing and equipping of a facility located on an approximately 13-acre parcel of land at 39 Seminary Hill Road, in the Town of Carmel, New York, for the processing of distilled spirits and related products (including a small tasting room), for lease to the Agency by the Applicant and for sublease by the Agency to the Applicant, and having an approximate total project cost of \$44,703,430 (the "Project"), as more fully described in an application (the "Application") prepared by the Applicant dated November 27, 2018; and

WHEREAS, the Application provides that the Project will both create local construction jobs and up to 61 permanent jobs, at least 48 of which will be located at the Project, a portion of the balance to be employed as a sales force throughout the continental United States; and

WHEREAS, the Applicant has also requested exemptions from sales tax on materials and equipment purchased and/or leased for development of the Project, and on mortgage recording tax to the extent available under applicable law; and

WHEREAS, the Planning Board of the Town of Carmel (the "Planning Board"), as lead agency, has issued its determination pursuant to the State Environmental Quality Review Act ("SEQRA") (Article 8 of the Environmental Conservation Law) and implementing regulations contained in 6 N.Y.C.R.R. Part 617, that the Project is an Unlisted Action and that the Project will not have a significant effect on the environment and has adopted on August 8, 2018, a Negative Declaration (the "Negative Declaration") to such effect; and

WHEREAS, based upon the Application, the Agency heretofore determined that

Agency financial assistance and related benefits in the form of a Straight-Lease Transaction between the Agency and the Applicant is necessary to induce the Applicant to proceed with the Project; and

WHEREAS, in order to provide financial assistance to the Applicant for the Project, the Agency intends to grant the Applicant financial assistance through a Straight-Lease Transaction in the form of real property tax abatements and exemptions, and sales tax exemptions and exemptions on mortgage recording tax to the extent available under applicable law, all pursuant to the Act;

WHEREAS, in furtherance of the foregoing, the Agency adopted an Inducement Resolution on November 29, 2018 (the "Inducement Resolution") containing certain provisions and conditions and making certain findings, determinations and authorizations including, determining the qualification of the Project, authorizing the Applicant to proceed with the Project, and authorizing and directing members, representatives and agents of the Agency to take all actions deemed appropriate to assist the Applicant in commencing and carrying out the Project; and

WHEREAS, the Inducement Resolution provided that it may be deemed by the Agency to have expired at any time after twelve (12) months from the date of adoption, unless (a) extended by the Applicant with the written consent of the Agency and by payment by the Applicant of any applicable Agency extension fee, or (b) the Straight-Lease Transaction has closed; and

WHEREAS, by a letter dated November 19, 2019, the Applicant has requested an extension of such Inducement Resolution,

NOW, THEREFORE, the Putnam County Industrial Development Agency hereby resolves as follows:

Section 1. The provisions and conditions of the Inducement Resolution adopted by the Agency on November 29, 2018, as well as all findings, determinations and authorizations included therein are hereby extended for a twelve-month period commencing November 29, 2019 and all such provisions, conditions, findings, determinations and authorizations are hereby incorporated herein.

Section 2. This Resolution shall in no way affect the validity of the liabilities incurred or action taken pursuant to said Inducement Resolution, and all such liabilities incurred or action taken shall be deemed to have been incurred or taken pursuant to said Inducement Resolution.

Section 3. This Resolution may be deemed by the Agency to have expired at any time after twelve (12) months from the date hereof, unless (a) extended by the Applicant with the written consent of the Agency and by payment by the Applicant of any applicable Agency extension fee, or (b) the Straight-Lease Transaction has closed. Any extension or renewal will be for an additional twelve month period.

Section 4. The Resolution shall take effect immediately upon its passage.

December 9, 2019
MEETING DATE

Motion: Mike Karlsson; Second: Joe Downey

Vote on Resolution:

Board Member	Yes	No	Abstain	Absent
Baranowski	_____	_____	_____	<u>Absent</u>
Cooke	<u>X</u>	_____	_____	_____
Downey	<u>X</u>	_____	_____	_____
Karlsson	<u>X</u>	_____	_____	_____
Tamagna-Howes	_____	_____	_____	<u>Absent</u>
Chairman Nulk	<u>X</u>	_____	_____	_____

The resolution was declared adopted.

By accepting this Resolution, Gleneida Distillery NY Inc. agrees to the terms and conditions set forth herein.

Accepted: _____, 2019

GLENEIDA DISTILLERY NY INC.

By: _____

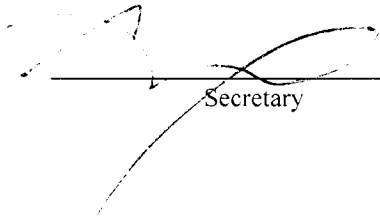
Name:

Title:

SECRETARY'S CERTIFICATE

I, Joseph Downey, being the duly appointed and acting Secretary of the Putnam County Industrial Development Agency, New York, HEREBY CERTIFY that the foregoing resolution of a meeting of the Members of the Putnam County Industrial Development Agency duly called and held on December 9, 2019, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relates to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Agency this 9th day of December, 2019.



Secretary