

**Minutes of the
County of Clinton
Industrial Development Agency
December 13, 2021**

Due to COVID-19, the meeting of the County of Clinton Industrial Development Agency held on Monday, December 13, 2021 was livestreamed via GoToMeeting.

The meeting was called to order by Trent Trahan, Chairperson, at 12:26 p.m. via GoToMeeting.

MEMBERS PRESENT: Trent Trahan, Chairperson
David Hoover, Vice Chairperson
Keith Defayette, Treasurer and Chief Financial Officer
Michael Zurlo, Secretary
Kim Murray, Assistant Secretary
John VanNatten, Member
Mark Leta, Member

STAFF PRESENT: George Cregg, Jr., Esq., Agency Counsel
Christopher Canada, Esq., Agency Counsel
Shannon Wagner, Law Clerk, Hodgson Russ LLP
Toni Moffat, Executive Assistant
Dorothy Brunell, Administrative Assistant

ALSO PRESENT: C.J. Madonna, Esq., Schluter Systems, L.P. Counsel
Molly Ryan, Executive Director of CCIDA (Effective January, 2022)
William McGahay, Representing Hydro-Quebec

T. Trahan stated there was a quorum present.

T. Trahan waived the reading of the notice of the meeting published in the Press Republican on December 18, 2020.

Presentation: None

Approval of the Minutes of the November 15, 2021

T. Trahan asked if there were any questions regarding the draft minutes of the November 15, 2021 meeting of the County of Clinton Industrial Development Agency (CCIDA). There were none.

On a motion by K. Defayette, and seconded by M. Leta, it was unanimously carried to approve the minutes of the November 15, 2021 CCIDA meeting as presented.

Public Comment

There was no public comment.

Reports

Treasurer's Report:

K. DeFayette reviewed the November 2021 Treasurer's Report. There were no questions or concerns.

On a motion by M. Zurlo, and seconded by J. VanNatten, it was unanimously RESOLVED to approve the November 2021 Treasurer's Report as presented by K. Defayette.

Committee Reports

Audit Committee

K. DeFayette advised that the Audit Committee met and it is the Committee's recommendation that the Audit for 2021 be initiated.

On a motion by M. Leta, and seconded by J. VanNatten, it was unanimously carried to accept the Committee recommendation and approve to initiate the 2021 CCIDA audit.

Governance Committee

M. Zurlo noted the Governance Committee met and reviewed the 2021 annual reports and recommends Full Board approval of the:

- 2021 CCIDA Missions and Operations Statement
- 2021 CCIDA Operations and Accomplishments
- 2021 CCIDA Performance Measures Report
- 2021 CCIDA Procurement Report
- 2021 CCIDA Real Property
- 2021 CCIDA Investment Report

M. Zurlo advised there was discussion regarding the 2021 CCIDA Investment Report and the fact that the amount of money in our Money Market Account exceeds the FDIC limits. It was determined that early in 2022, the CCIDA Executive Director will work with Counsel to facilitate a solution which does not involve opening of a third bank account.

On a motion by D. Hoover, and seconded by J. VanNatten, it was unanimously carried to accept the recommendation of the Committee and approve the 2021 annual reports as presented and authorize the posting of same to PARIS.

Old Business

County Reimbursement for Legal Fees – Update

M. Zurlo advised that the CCIDA's request to the County for reimbursement of legal fees was approved and has been paid.

GoToMeeting Subscription

M. Zurlo requested authorization for payment of \$192 for the CCIDA's twelve-month subscription to GoToMeeting for 2022.

On a motion by J. VanNatten, and seconded by D. Hoover, it was unanimously carried to approve payment of the invoice for the GoToMeeting subscription in the amount of \$192.

New Business

TDC NNY, Inc. Project Update

C. Canada advised that the Town of Plattsburgh Planning Board is scheduled to meet on January 18, 2022 to make their final SEQR determination. If approved, the CCIDA will piggyback off of this SEQR. The CCIDA will adopt its SEQR Resolution at the February 2022 CCIDA meeting, along with the Final Approving Resolution.

CHPE, LLC Project Update

M. Zurlo advised that a plan has been established with the applicant, the applicant's counsel and Hodgson Russ which will facilitate proper notice for the deviation letter to go out to all the taxing jurisdictions, and allow the Board to entertain the Final Approving Resolution at our January 18, 2022 meeting.

Preparation and Processing of 2021 PILOT Agreements Invoice

An invoice in the amount of \$4,000 from Clinton County for Services Related to the Preparation and Processing of 2021 PILOT agreements was presented to the Board for authorization of payment.

On a motion by K. Defayette, and seconded by K. Murray, it was unanimously carried to approve payment of the Clinton County invoice for services related to the preparation and processing of the 2021 PILOT agreements.

Schluter Systems, L.P. Project – Request for Extension of Sales Tax Exemption

CJ Madonna summarized his letter to the Agency, dated December 2, 2021, in which he requested an extension of the deadline for Sales Tax Exemption to the end of May 2022. CJ Madonna advised that there have been project delays due to construction crew closures, mandated worker quarantines and lack of building materials as related to the pandemic. Therefore, the Project will not be finished as originally scheduled.

RESOLUTION AUTHORIZING AMENDMENT TO BASIC DOCUMENTS SCHLUTER SYSTEMS LP

The following resolution was offered by M. Zurlo, seconded by M. Leta, to wit:

Resolution No. 12-21-01

RESOLUTION AUTHORIZING THE EXECUTION BY COUNTY OF CLINTON INDUSTRIAL DEVELOPMENT AGENCY OF A CERTAIN MODIFICATION AGREEMENT IN CONNECTION WITH THE SCHLUTER SYSTEMS L.P. PROJECT.

WHEREAS, County of Clinton 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 225 of the 1971 Laws of New York, as amended, constituting Section 895-f 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 distribution 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, pursuant to a closing on September 24, 2020 (the "Closing") the Agency entered into a lease agreement dated as of September 1, 2020 (the "Lease Agreement") with Schluter Systems L.P. (the "Company") in connection with a project (the "Project") consisting of the following: (A) (1) the acquisition of an interest in an approximately 3.028 acre portion of an approximately 49 acre parcel of land located at 109 Pleasant Ridge Road (formerly 194 Pleasant Ridge Road with Tax Map No. 232.-3-10.1) in the Town of Plattsburgh, Clinton County, New York (the "Land"), (2) the construction on the Land of an approximately 26,572 square foot research and development facility to include site improvements (the "Facility") and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the "Equipment") (the Land, the Facility, and the Equipment hereinafter collectively referred to as the "Project Facility"), all of the foregoing to constitute a research and development facility to be owned and operated by the Company and other directly and 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 sales taxes, real property transfer taxes, mortgage recording taxes and real estate taxes (collectively, the "Financial Assistance"); and (C) the lease of the Project Facility to the Company pursuant to the Lease Agreement; and

WHEREAS, simultaneously with the Closing, (A) the Company executed and delivered to the Agency (1) a certain lease to agency dated as of September 1, 2020 (the "Underlying Lease") by and between the Company, as landlord and the Agency, as tenant pursuant to which the Company leased to the Agency the Land and all improvements now or hereafter located on the land (collectively, the "Leased Premises"), and (2) a certain license agreement dated as of September 1, 2020 (the "License to Agency") by and between the Company, as licensor, and the Agency, as licensee, pursuant to which the Company granted to the Agency (a) a license to enter upon the balance of the Land (the "Licensed Premises") for the purpose of undertaking and completing the Project and (b) 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; and (3) bill of sale dated as of September 1, 2020 (the "Bill of Sale to Agency"), which conveyed to the Agency all right, title and interest of the Company in the Equipment, (B) the Company and the Agency executed and delivered (1) a certain payment in lieu of tax agreement dated as of September 1, 2020 (the "Payment in Lieu of Tax Agreement") by and between the Agency and the Company, pursuant to which the Company agreed to pay certain payments in lieu of taxes with respect to the Project Facility, (2) 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; (C) the Agency and the Company executed and delivered the uniform project benefits agreement dated as of September 1, 2020 (the “Uniform Project Benefits Agreement”) by and between the Agency and the Company relating to the terms of the granting by the Agency of the Financial Assistance to the Company; the Agency filed with and/or mailed to the assessor and the chief executive officer of each “affected tax jurisdiction” (within the meaning of such quoted term in Section 854(16) of the Act) a copy of a New York State Board of Real Property Services Form 412-a (the form required to be filed by the Agency in order for the Agency to obtain a real property tax exemption with respect to the Project Facility under Section 412-a of the Real Property Tax Law) (the “Real Property Tax Exemption Form”) relating to the Project Facility, (D) the Agency executed and delivered to the Company 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 and (E) the Agency filed with the New York State Department of Taxation and Finance the form entitled “IDA Appointment of Project Operator or Agent for Sales Tax Purposes” (the form required to be filed pursuant to Section 874(9) of the Act) (the “Thirty-Day Sales Tax Report”) (collectively, with the Lease Agreement, the “Basic Documents”); and

WHEREAS, the Company has requested, pursuant to the correspondence attached hereto as Exhibit A, that the Agency modify the terms of the Basic Documents in order to extend the Completion Date (as defined in the Lease Agreement), from December 31, 2021, to May 31, 2022 (the “Modification”); and

WHEREAS, in connection with the Modification, the Company has requested that the Agency enter into a certain modification agreement dated as of December 1, 2021 (the “Modification Agreement”), by and between the Company and the Agency, a copy of which is attached hereto as Exhibit B; 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 adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the “Regulations” and collectively with the SEQR Act, “SEQRA”), it appears that the Modification constitutes a Type II action under SEQRA;

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

Section 1. Based upon an examination of the Modification, the Agency hereby makes the following determination:

(A) The Modification constitutes a “Type II action” pursuant to 6 NYCRR 617.5(1), (2), (23) and (26), and therefor that, pursuant to 6 NYCRR 617.6(1)(i), the Agency has no further responsibilities under SEQRA with respect to the Modification.

(B) That since compliance by the Agency with the Modification will not result in the Agency providing more than \$100,000 of “financial assistance” (as such quoted term is defined in the Act) to the Company, Section 859-a of the Act does not require a public hearing to be held with respect to the Modification.

Section 2. Subject to (A) compliance with the terms and conditions in the Basic Documents, (B) evidence of current certificates of insurance acceptable to the Agency, and (C) payment by the

Company of all fees and expenses of the Agency in connection with the delivery of the Modification Agreement, including the fees of Special Agency Counsel, the Agency hereby (a) consents to the Modification and (b) determines to enter into the Modification Agreement.

Section 3. The form and substance of the Modification Agreement (in substantially the form presented to this meeting) are hereby approved.

Section 4. Subject to the satisfaction of the conditions described in Section 2 hereof,, the Chairperson (or Vice Chairperson) of the Agency is hereby authorized to execute and deliver the Modification Agreement to the Company, 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 substantially the form thereof presented to this meeting, with such changes, variations, omissions and insertions as the Chairperson (or Vice Chairperson) shall approve, the execution thereof by the Chairperson (or Vice Chairperson) to constitute conclusive evidence of such approval.

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 or provided for by the provisions of the Modification Agreement, 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 Modification Agreement binding upon the Agency.

Section 6. 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:

Trent Trahan	VOTING	YES
David Hoover	VOTING	YES
Michael E. Zurlo	VOTING	YES
Kim Murray	VOTING	YES
Keith Defayette	VOTING	YES
Mark Leta	VOTING	YES
John VanNatten	VOTING	YES

The foregoing Resolution was thereupon declared duly adopted.

EXHIBIT A

REQUEST



PROFILE OF INNOVATION

December 2, 2021

County of Clinton Industrial Development Agency
137 Margaret Street
Plattsburgh, NY 12901

**RE: Request for Extension of Sales Tax Exemption
SSLP CCIDA R & D Facility Project**

As indicated in Schluter Systems LP (SSLP) application for financial assistance with the CCIDA, construction of the future SSLP R & D Facility was projected to be completed by the end of 2021. However, due to construction crew closures, mandated worker quarantines and lack of necessary building materials as related to the pandemic, the project will not be finished on time. Project closeout will also be stalled due to the fact that paving has not been installed and local asphalt companies do not operate when the ground is frozen or wet.

Schluter Systems LP respectfully requests an extension of deadline for Sales Tax Exemption due to current construction delays, as explained above. In consideration of the delays related to the current pandemic and the lead time for asphalt paving, SSLP asks that construction time frames be extended to the end of May 2022.

Your time and consideration regarding this matter is appreciated. Should you have any questions or concerns, please contact the undersigned.

A handwritten signature in black ink, appearing to read 'CJ Madonna'.

CJ Madonna, General Counsel
Schluter Systems LP

Plattsburgh - 194 Pleasant Ridge Road, Plattsburgh, NY 12901-5841 • Reno - 100 Germany Circle, Sparks, NV 89437
Tel.: 800-472-4588 • Fax: 800-477-9783

www.schluter.com

EXHIBIT B
MODIFICATION AGREEMENT

DRAFT FOR DISCUSSION PURPOSES ONLY
DATED: DECEMBER 13, 2021

COUNTY OF CLINTON INDUSTRIAL DEVELOPMENT AGENCY

AND

SCHLUTER SYSTEMS L.P.

MODIFICATION AGREEMENT

DATED AS OF DECEMBER 1, 2021

RELATING TO (A) THE LEASE/LEASE BACK TRANSACTION OF
COUNTY OF CLINTON INDUSTRIAL DEVELOPMENT AGENCY
DATED SEPTEMBER 24, 2020 AND (B) CERTAIN RELATED
DOCUMENTS.

TABLE OF CONTENTS

(This Table of Contents is for convenience of reference only and is not part of the Modification Agreement)

	<u>PAGE</u>
PARTIES	1
RECITALS	1
Section 1. Definitions	
Section 2. Modification of Basic Documents.....	
Section 3. Provisions of the Modification Agreement Construed with the Basic Documents.....	
Section 4. Basic Documents as Amended to Remain in Effect.....	
Section 5. Recording	
Section 6. Execution of Counterparts	
SIGNATURES	
ACKNOWLEDGEMENTS	

MODIFICATION AGREEMENT

THIS MODIFICATION AGREEMENT dated as of December 1, 2021 (the "Modification Agreement") by and between COUNTY OF CLINTON INDUSTRIAL DEVELOPMENT AGENCY, a public benefit corporation organized and existing under the laws of the State of New York having an office for the transaction of business located at 137 Margaret Street, Suite 209, Plattsburgh, New York ("Agency") and SCHLUTER SYSTEMS L.P., a limited partnership duly organized and existing under the laws of the State of New York (the "State") having an office for the transaction of business located at 194 Pleasant Ridge Road, Plattsburgh, New York (collectively, the "Company");

WITNESSETH:

WHEREAS, Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "Enabling Act") was duly enacted into law as Chapter 1030 of the Laws of 1969 of the State of New York; and

WHEREAS, the Enabling Act authorizes and provides for the creation of industrial development agencies for the benefit of the several counties, cities, villages and towns in the State of New York (the "State") and empowers such agencies, among other things, to acquire, construct, reconstruct, lease, improve, maintain, equip and dispose of land and any building or other improvement, and all real and personal properties, including, but not limited to, machinery and equipment deemed necessary in connection therewith, whether or not now in existence or under construction, which shall be suitable for manufacturing, warehousing, research, commercial or industrial purposes, in order to advance the job opportunities, health, general prosperity and economic welfare of the people of the State and to improve their standard of living; and

WHEREAS, the Enabling Act further authorizes each such agency to lease or sell any or all of its facilities, for the purpose of carrying out any of its corporate purposes and any agreements made in connection therewith, to mortgage and pledge any or all of its facilities, whether then owned or thereafter acquired, and to pledge the revenues and receipts from the lease or sale thereof; and

WHEREAS, the Agency was created, pursuant to and in accordance with the provisions of the Enabling Act, by Chapter 225 of the Laws of 1971 of the State (collectively, with the Enabling Act, the "Act") and is empowered under the Act to undertake the Project (as hereinafter defined) in order to so advance the job opportunities, health, general prosperity and economic welfare of the people of the State and improve their standard of living; and

WHEREAS, pursuant to a closing on September 24, 2020 (the "Closing") the Agency entered into a lease agreement dated as of September 1, 2020 (the "Lease Agreement") with Schluter Systems L.P. (the "Company") in connection with a project (the "Project") consisting of the following: (A) (1) the acquisition of an interest in an approximately 3.028 acre portion of an approximately 49 acre parcel of land located at 109 Pleasant Ridge Road (formerly 194 Pleasant Ridge Road with Tax Map No. 232.-3-10.1) in the Town of Plattsburgh, Clinton County, New York (the "Land"), (2) the construction on the Land of an approximately 26,572 square foot research and development facility to include site improvements (the "Facility") and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the "Equipment") (the Land, the Facility, and the Equipment hereinafter collectively referred to as the "Project Facility"), all of the foregoing to constitute a research and development facility to be owned and operated by the Company and other directly and 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 sales taxes, real property transfer taxes, mortgage recording taxes and real estate taxes (collectively, the "Financial Assistance"); and (C) the lease of the Project Facility to the Company pursuant to the Lease Agreement; and

WHEREAS, simultaneously with the Closing, (A) the Company executed and delivered to the Agency (1) a certain lease to agency dated as of September 1, 2020 (the "Underlying Lease") by and between the Company, as landlord and the Agency, as tenant pursuant to which the Company leased to the Agency the Land and all improvements now or hereafter located on the land (collectively, the "Leased Premises"), and (2) a certain license agreement dated as of September 1, 2020 (the "License to Agency") by and between the Company, as licensor, and the Agency, as licensee, pursuant to which the Company granted to the Agency (a) a license to enter upon the balance of the Land (the "Licensed Premises") for the purpose of undertaking and completing the Project and (b) 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; and (3) bill of sale dated as of September 1, 2020 (the "Bill of Sale to Agency"), which conveyed to the Agency all right, title and interest of the Company in the Equipment, (B) the Company and the Agency executed and delivered (1) a certain payment in lieu of tax agreement dated as of September 1, 2020 (the "Payment in Lieu of Tax Agreement") by and between the Agency and the Company, pursuant to which the Company agreed to pay certain payments in lieu of taxes with respect to the Project Facility, (2) 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; (C) the Agency and the Company executed and delivered the uniform project benefits agreement dated as of September 1, 2020 (the "Uniform Project Benefits Agreement") by and between the Agency and the Company relating to the terms of the granting by the Agency of the Financial Assistance to the Company; the Agency filed with and/or mailed to the assessor and the chief executive officer of each "affected tax jurisdiction" (within the meaning of such quoted term in Section 854(16) of the Act) a copy of a New York State Board of Real Property Services Form 412-a (the form required to be filed by the Agency in order for the Agency to obtain a real property tax exemption with respect to the Project Facility under Section 412-a of the Real Property Tax Law) (the "Real Property Tax Exemption Form") relating to the Project Facility, (D) the Agency executed and delivered to the Company 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 and (E) the Agency filed with the New York State Department of Taxation and Finance the form entitled "IDA Appointment of Project Operator or Agent for Sales Tax Purposes" (the form required to be filed pursuant to Section 874(9) of the Act) (the "Thirty-Day Sales Tax Report") (collectively, with the Lease Agreement, the "Basic Documents"); and

WHEREAS, the Company has requested that the Agency modify the terms of the Basic Documents in order to extend the Completion Date (as defined in the Lease Agreement) (the "Modification"); and

WHEREAS, by resolution adopted by the members of the Agency on December 13, 2021 (the "Modification Resolution"), the members of the Agency (A) determined that pursuant to SEQRA, the Modification is a "Type II Action" and, therefore, the Agency has no further responsibilities under SEQRA with respect to the Modification; (B) determined to amend the Basic Documents to extend the Completion Date; and (C) authorized the execution and delivery of this Modification Agreement with respect to the Modification;

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE MUTUAL COVENANTS HEREINAFTER CONTAINED, THE PARTIES HERETO HEREBY FORMALLY COVENANT, AGREE AND BIND THEMSELVES AS FOLLOWS, TO WIT:

SECTION 1. DEFINITIONS. Except as otherwise provided herein, all words and terms used herein shall have the respective meanings ascribed thereto in Article I of the Basic Documents.

SECTION 2. MODIFICATION OF BASIC DOCUMENTS. (A) In each of the Basic Documents where the date of December 31, 2021 appears it shall be replaced by the date of May 31, 2022.

SECTION 3. PROVISIONS OF MODIFICATION AGREEMENT CONSTRUED WITH THE BASIC DOCUMENTS. All of the covenants, agreements and provisions of this Modification Agreement shall be deemed to be and shall be construed as part of the Basic Documents and vice versa to the same extent as if fully

set forth verbatim therein and herein. In the event of any variation or inconsistency between any covenant, agreement or provision contained in any Basic Document and any covenant, agreement or provision contained in this Modification Agreement, such covenant, agreement or provision contained herein shall govern.

SECTION 4. BASIC DOCUMENTS AS AMENDED TO REMAIN IN EFFECT. Except as amended by this Modification Agreement, the Basic Documents shall remain unmodified and in full force and effect and the terms and conditions thereof are hereby confirmed.

SECTION 5. RECORDING. This Modification Agreement may, at the request of the Company, be recorded by the Agency in such office or offices as may at the time be provided by law as the proper place or places for the recordation thereof. The Company agrees to pay all costs in connection with said recording.

SECTION 6. EXECUTION OF COUNTERPARTS. This Modification Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the Agency and the Company have caused this Modification Agreement to be executed by their duly authorized officer and to date this Modification Agreement as of the day and year first above written.

COUNTY OF CLINTON INDUSTRIAL
DEVELOPMENT AGENCY

BY: _____
(Vice) Chairperson

SCHLUTER SYSTEMS L.P.

BY: _____
Authorized Officer

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

On the ___ day of December, in the year 2021, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

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

On the ____ day of December, in the year 2021, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

New York State Economic Development Council Invoice

An invoice in the amount of \$850 from the New York State Economic Development Council for annual membership dues was presented to the Board for authorization of payment.

On a motion by K. Murray, and seconded by J. VanNatten, it was unanimously carried to approve payment of the invoice from the New York State Economic Development Council for annual membership dues.

2022 Meeting Dates

M. Zurlo advised that in order to accommodate proper notice associated with the PILOT deviation letter for the CHPE LLC Project, the date of the January 2022 CCIDA meeting has been moved to Tuesday, January 18, 2022.

On a motion by M. Zurlo, and seconded by T. Trahan, it was unanimously carried to approve the 2022 Meeting Dates of the CCIDA.

There being no further business to discuss, on a motion by K. Defayette, and seconded by J. VanNatten, the meeting adjourned at 12:43 p.m.



Trent Trahan, Chairperson