

**COUNTY OF CLINTON INDUSTRIAL DEVELOPMENT AGENCY
RESOLUTION AUTHORIZING EXPENDITURE OF AGENCY FUNDS**

A regular meeting of County of Clinton Industrial Development Agency (the "Agency") was convened in public session in the Clinton County Government Center located at 137 Margaret Street, Suite 209 in the City of Plattsburgh, Clinton County, New York on June 17, 2024 at 12:00 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:

Trent Trahan	Chairperson
David Hoover	Vice Chairperson
Michael E. Zurlo	Secretary
Keith Defayette	Treasurer and Chief Financial Officer
John VanNatten	Member
Joey Trombley	Member

ABSENT:

Mark Leta	Assistant Secretary
-----------	---------------------

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Molly F. Ryan	Executive Director
Toni Moffat	Executive Assistant
Dorothy Brunell	Administrative Assistant
Christopher C. Canada, Esq.	Agency Counsel
Shannon E. Wagner, Esq.	Agency Counsel

The following resolution was offered by J. Trombley, seconded by J. VanNatten, to wit:

Resolution No. 06-24-02

**RESOLUTION AUTHORIZING EXPENDITURE OF \$16,000 IN CONNECTION
WITH A GRANT BEING ADMINISTERED BY CLINTON GRANT FACILITATION
CORPORATION.**

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 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, Elevate518, LLC (the “Company”) is undertaking a project (the “Project”) consisting of conducting a study regarding the feasibility of, and market for, a new facility to provide indoor sports and events and the utility of the existing, vacant Crete Center located at 2 Beach Road in the City of Plattsburgh, Clinton County, New York; and

WHEREAS, in connection with the Project, the Company wished to submit an application (the “Application”) to the New York State Empire State Development (“NYSESD”) for grant funding related to the Project; and

WHEREAS, by resolution adopted by the members of the Clinton Grant Facilitation Corporation (the “Corporation”) on July 12, 2021, the members of the Corporation authorized the Application to be submitted to the NYSESD (the “Submission Resolution”); and

WHEREAS, the Corporation submitted the Application on behalf of the Company, and the Corporation has been awarded a grant in the amount of \$16,000 from the NYSESD for the Project (the “Grant”); and

WHEREAS, under the terms of the grant agreement entered into between the Corporation and NYSESD (the “Grant Agreement”), the grant proceeds may only be provided on a reimbursement basis; and

WHEREAS, to receive the Grant, the Corporation is required to demonstrate that it has reimbursed the Company for eligible costs in the amount of the Grant; and

WHEREAS, pursuant to the grant and indemnification agreement by and between the Corporation and the Company (the “Grant and Indemnification Agreement”), the Company has provided the Corporation with an invoice payable to the Company in the amount of \$16,000 demonstrating the costs incurred in connection with the Project (the “Invoice”); and

WHEREAS, the Corporation has requested the Agency to assist the Corporation with facilitating the Grant by providing the Corporation with an amount not to exceed \$16,000 (the “Expenditure”) in order for the Corporation to provide payment to the Company in connection with the Invoice and, subsequently, to request reimbursement from NYSESD in connection with the Grant; and

WHEREAS, the Corporation has advised the Agency that, upon receipt of the Grant, the Corporation will arrange to have the Agency reimbursed from the proceeds of the Grant; and

WHEREAS, the members of the Agency desire to authorize the Expenditure;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF COUNTY OF CLINTON 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 exercise all powers granted to it under the Act; and

(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 Clinton County, New York;

(D) It is desirable and in the public interest for the Agency to make the Expenditure to assist the Corporation with facilitating the Grant.

Section 2. In consequence of the foregoing, the Agency hereby determines to make the Expenditure in connection with the Corporation facilitating the Grant.

Section 3. The Agency is hereby authorized to do all things necessary or appropriate for the accomplishment of the provisions of this resolution, and all acts heretofore taken by the Agency with respect to such resolution are 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 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 resolution binding upon the Agency.

Section 5. This resolution shall take effect immediately.

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

Trent Trahan	VOTING	Yes
David Hoover	VOTING	Yes
Michael Zurlo	VOTING	Yes
Keith Defayette	VOTING	Yes
Mark Leta	VOTING	Excused
John VanNatten	VOTING	Yes
Joey Trombley	VOTING	Yes

The resolution was thereupon declared duly adopted.

[Remainder of page left blank intentionally]

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

I, the undersigned (Assistant) Secretary of County of Clinton 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 June 17, 2024 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 17th day of June, 2024.


(Assistant) Secretary

(SEAL)