

A meeting of the Cortland County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at 40 Main Street, Suite A, in the City of Cortland, Cortland County, New York on February 14, 2022 at 12:00 o'clock p.m., local time and also in accordance with the Act to amend chapter 417 of the laws of 2021 relating to authorizing political subdivisions to permit any public body to hold meetings remotely and without in-person access during the COVID-19 state disaster emergency, in relation to public bodies holding meetings remotely and to the effectiveness thereof.

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

PRESENT:

Michael McMahon	Chairman
Stephen Compagni	Vice Chairman
Clint Brooks	Secretary
Johanna Ames	Member
Donald Richards	Member

EXCUSED:

John O. Reagan	Treasurer
Kathleen Burke	Member

FOLLOWING PERSONS WERE ALSO PRESENT:

Garry VanGorder	Executive Director
Karen Niday	Chief Financial Officer
Eric J. Mulvihill	Community Relations Specialist
John P. Sidd, Esq.	Agency Counsel
Savannah Hempstead	Clerk, Cortland County Legislature
Jason Hage	Director, Cortland County BDC
Paul Dries	Director, Cortland County BDC
Gerald Contento Jr.	Director, Cortland County BDC
Marie Weiss	Council of Carpenters

The following resolution was offered by Mr. McMahon, seconded by Mr. Compagni, to wit:

Resolution No. 2022-02-14-01

RESOLUTION DETERMINING THAT AN ACTION TO
UNDERTAKE A COMMERCIAL PROJECT TO UPGRADE
SKIING EQUIPMENT AND INFRASTRUCTURE FOR
GREEK PEAK HOLDINGS, LLC WILL NOT HAVE A
SIGNIFICANT EFFECT ON THE ENVIRONMENT.

WHEREAS, Cortland 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 77 of the 1974 Laws of New York, as amended, constituting Section 902 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 commercial 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, Greek Peak Holdings, LLC (the "Company") has presented an application (the "Application") to the Agency, a copy of which was presented at this meeting and copies of which are on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") consisting of the following: (A) (1) the extension of its interest in approximately 1,550 acres of real property of which approximately 2 acres will be subject to the Project (the "Land") located at 2000 NYS Route 392 in the Town of Virgil, Cortland County, New York, and (2) the acquisition and installation therein and thereon of certain machinery and equipment consisting of replacement of "double chair" ski lift Chair #3 with a "triple chair" to increase capacity from 900 skiers per hour to 1,800 skiers per hour, upgraded snowmaking guns and grooming equipment (collectively the "Equipment"); all of the foregoing to improve the existing recreational facility and tourism destination open to the public and operated by the Company and occupied by the Company (the Land and the Equipment being collectively referred to as the "Project Facility"); (B) the granting of certain additional "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales 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 agreed upon by the Agency; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended, known as the State Environmental Quality Review Act ("SEQRA") together with the regulations promulgated
(H4658388.1)

thereunder (the "SEQRA Regulations"), the Agency must determine whether the Project is subject to SEQRA, and if so, determine whether the Project may have a significant adverse effect on the environment (the "Determination of Significance") and if so, to require the preparation of an environmental impact statement; and

WHEREAS, the Company has prepared and submitted a Short Environmental Assessment Form (the "Short EAF") to the Agency, a copy of which EAF Part 1 was reviewed by the Agency at this meeting and a copy of which is on file at the office of the Agency; and

WHEREAS, in accordance with its obligations under SEQRA, the Agency has examined the Short EAF Part 1, determined that the Project is subject to SEQRA, and characterized the action as "Unlisted"; and

WHEREAS, as an "unlisted action", "coordinated review" with other "involved agencies" is not required by the SEQRA Regulations, and the Agency will not conduct a coordinated SEQRA review of the Project; and

WHEREAS, the Agency has completed Part 2 of the Short EAF to assist it in making its Determination of Significance;

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

Section 1. Based upon its review, analysis, and consideration of: the Application; the Short EAF Part 1; the completed Short EAF Part 2; the criteria for determining Significance contained in Part 617.7 (c) of the SEQRA Regulations; and its knowledge of the Project Facility and surrounding areas; the Agency makes the following findings and decision with respect to the Project:

A. The Project consists of: (A) (1) the extension of its interest in approximately 1,550 acres of real property of which approximately 2 acres will be subject to the Project (the "Land") located at 2000 NYS Route 392 in the Town of Virgil, Cortland County, New York, and (2) the acquisition and installation therein and thereon of certain machinery and equipment consisting of replacement of "double chair" ski lift Chair #3 with a "triple chair" to increase capacity from 900 skiers per hour to 1,800 skiers per hour, upgraded snowmaking guns and grooming equipment (collectively the "Equipment"); all of the foregoing to improve the existing recreational facility and tourism destination open to the public and operated by the Company and occupied by the Company (the Land and the Equipment being collectively referred to as the "Project Facility"); (B) the granting of certain additional "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales 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 agreed upon by the Agency.

B. No potential significant adverse impacts to the environment are evident from a review and analysis of the EAF Parts 1 and 2 or the criteria for determining significance in the SEQRA Regulations, and none are known to the Agency.

C. The Project essentially involves the acquisition, installation, and replacement of existing equipment and infrastructure, with similar but more modern equipment and infrastructure, within a previously developed and operating ski resort. Therefore, the Agency finds that there will be no appreciable change to the operations within the Project area.

Section 2. As a result of the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact as indicated in the EAF Part 2, the Agency makes the following findings and determinations with respect to the Project:

A. The Project constitutes an "Unlisted Action" for purposes of SEQRA and, therefore, coordinated review with notification of other involved agencies will not be undertaken and, therefore, the Agency will independently review the environmental impacts associated with the Project.

B. The Action will not result in any appreciable physical change to the Project Facility, will not cause or create any impairment of or impacts to land, waters, vegetation, habitat, or fauna. Additionally, while the upgraded facilities are intended to attract additional skiers and to lengthen the ski season, the Agency finds that the proposed changes will not create any material increase in traffic, density, noise or lighting, beyond existing levels, or increased energy usage. The Agency finds that the roads and other infrastructure in the Project area are adequate to support the changes resulting from the Project.

C. Because of the foregoing, the Agency has determined that the Project will not result in any significant adverse environmental impacts, does not require the preparation of an Environmental Impact Statement, and therefore, issues a "Negative Declaration" for purposes of SEQRA.

Section 3. The Executive Director of the Agency is hereby directed to: complete the box at the bottom of the EAF Part 3, checking the box indicating that the Project will not create a significant adverse impact; append this Resolution issuing a Negative Declaration to the Short Environmental Assessment Form Parts 1, 2 and 3 confirming the Agency has determined that the Project will not result in any significant adverse environmental impacts, and to cause copies of said negative declaration to be (A) filed in the main office of the Agency, and (B) distributed to the Company.

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:

Michael McMahon	VOTING	Aye
Stephen Compagni	VOTING	Aye
Clint Brooks	VOTING	Aye
John O. Reagan	VOTING	Excused
Johanna Ames	VOTING	Aye
Kathleen Burke	VOTING	Excused
Donald Richards	VOTING	Aye

The foregoing Resolution was thereupon declared and duly adopted.

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

I, the undersigned Secretary of Cortland 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 February 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 related 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 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 February, 2022.



Clint Brooks, Secretary