

COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY

ETAİN, LLC PUBLIC HEARING MINUTES

DECEMBER 3, 2020

Dave O'Brien, Chair of the Counties of Warren and Washington Industrial Development Agency (the "Agency"), called to order a duly-noticed Public Hearing for Etain, LLC at 10:00 a.m. on the 3rd day of December, 2020 at the Town Hall located at 6307 State Route 9, Chestertown, New York.

Present:

Dave O'Brien

Alie Weaver

Craig Leggett

Kara Lais

Hillary Peckham

Richard Levine

JD Peckham

Joe Stevens

Representing:

Chair, WWIDA/WWCDC

Office Administrator, WWIDA/WWCDC

Vice Chair, WWIDA/WWCDC and Town Supervisor of Chester

FMBF, Legal Counsel for WWIDA/WWCDC

Chief Operating Officer, Etain LLC

Chief Financial Officer, Etain, LLC

Managing Member, KDBF Ventures

Chief Compliance Officer, Etain, LLC

Alie Weaver, WWIDA Office Administrator read into the minutes the published statement (legal notice) describing the proposed project.

Richard Levine, Chief Financial Officer of Etain LLC, stated that they are entering an expansion of their Chestertown facility of 18,000 square feet more of manufacturing space and 42,000 more square feet of greenhouse. He stated this expansion projects 18 additional full-time employees.

Mr. O'Brien asked if there were any questions or comments on the subject matter of this Public Hearing at three separate intervals.

There being no questions or comments, Mr. O'Brien adjourned the Public Hearing for Etain, LLC at 10:06 a.m.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York State General Municipal Law will be held by the Counties of Warren and Washington Industrial Development Agency (the “Agency”) on the 3rd day of December, 2020, at 10:00 am local time, at the Town Hall of the Town of Chester located at 6307 State Route 9, Chestertown, County of Warren, New York, 12817 or, in accordance with Governor Cuomo’s Executive Order 202.1, as extended, the public hearing is also accessible via ZOOM at:

<https://us02web.zoom.us/j/88907813140?pwd=ZU93MFN1Qmc5bytaaxpBbE85Y25kZz09>

Meeting ID: 889 0781 3140

Passcode: 341930

Dial by your location

+1 646 558 8656 US (New York)

Meeting ID: 889 0781 3140

Passcode: 341930

Find your local number: <https://us02web.zoom.us/j/88907813140?pwd=ZU93MFN1Qmc5bytaaxpBbE85Y25kZz09>

, in connection with the following matter:

KDBF Ventures, a limited liability company established pursuant to the laws of the State of New York, having an address of 29 Old Aspetong Road, Katonah, New York 10536 (the “Company”) has requested that the Agency provide financial assistance in the form of a payment in lieu of taxes, a mortgage recording tax exemption and sales tax abatements regarding a project (the “Project”) to consist of: (i) the acquisition by the Agency of a leasehold interest in certain real property located at 6030 State Route 9 in the Town of Chester, County of Warren, New York (the “Land”); (ii) the planning, design, expansion, renovation, operation and maintenance by the Company of an approximately 18,000+/- square foot facility which will be used by the Company for the manufacture of medical cannabis and an approximately 42,000 +/- square foot greenhouse facility for use by the Company (collectively, the “Improvements”); (iii) the acquisition of and installation in and around the Land and Improvements by the Company of machinery, equipment, fixtures and other items of tangible personal property (the “Equipment” and, collectively with, the Land and the Improvements, the “Facility”); and (iv) entering into a straight lease transaction (within the meaning of subdivision (15) of Section 854 of the Act), pursuant to which the Agency will retain a leasehold interest in the Facility for a period of time and sublease such interest in the Facility back to the Company (the “Straight Lease Transaction”), all pursuant to Title 1 of Article 18-A of the General Municipal Law of the State of New York, Chapter 862 of the Laws of 1971 of the State of New York (collectively, the “Act”), as amended.

The Agency may be providing financial assistance with respect to the Project in the form of sales tax exemptions related to the construction and equipping of the Project Facility, a mortgage recording tax exemption on eligible mortgages and a payment in lieu of taxes, which are consistent with the policies of the Agency. Should other financial assistance be requested, it shall be consistent with the policies of the Agency.

A representative of the Agency will be in attendance at the above-stated time and place to

hear and accept written comments from all persons with views in favor of or opposed to the granting of financial assistance contemplated by the Agency or the location or nature of the Facility. The application of the Company is available for public inspection during normal business hours at the offices of the Agency, located at 5 Warren Street, Glens Falls, New York 12801.

Minutes of the hearing will be made available to all necessary parties.

Counties of Warren and Washington
Industrial Development Agency
David O'Brien, Chairman
Published: November 19, 2020