

COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY

ETAIN, LLC PUBLIC HEARING MINUTES

DECEMBER 20, 2021

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 3:45 p.m. on the 20th day of December 2021 via Zoom.

Present:

Representing:

Dave O'Brien	Chair, WWIDA/WWCDC
Alie Weaver	Office Administrator, WWIDA/WWCDC
Craig Leggett	Vice Chair, WWIDA/WWCDC and Town Supervisor of Chester
Kara Lais	FMBF, Legal Counsel for WWIDA/WWCDC
Amy Peckham	CEO, Etain LLC
Ginny Sullivan	Member WWIDA
Michael Bittel	Sec/Treasurer WWIDA
Dan Bruno	Member WWIDA
Mike Wild	Member WWIDA
Mary King	Member WWIDA
Michael Ostrander	Executive Director WWIDA
Brian Campbell	Member WWIDA
Nick Caimano	Member WWIDA

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

Mr. O'Brien stated that the purpose of this Public Hearing is to consider new information provided by Etain, LLC for an increase from their original project costs.

Ms. Lais stated that the original total project cost was estimated at 7 million dollars and the new total project cost estimate is \$12,904,629. She also stated that the previous sales tax authorization was for purchases up to \$1,450,000 with an exempted amount of \$101,500.

Ms. Lais explained that Etain, LLC. is now seeking an increase for total sales tax authorization to be for purchases up to 3 million dollars with an exempted amount of \$1,550,000.

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 via Zoom or via the livestream YouTube, Mr. O'Brien adjourned the Public Hearing for Etain, LLC at 3:57 p.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 20th day of December, 2021, at 3:45 pm local time, via ZOOM at the meeting information below, in accordance with Legislation S. 50001/A. 40001, amending subpart A of part BB of Chapter 56 of the Law of 2001, in connection with the following matter at:

<https://us02web.zoom.us/j/83927976091?pwd=VUUxVTVBWm5kOEFuUFYycnBsOFNEdz09>

Meeting ID: 839 2797 6091

Passcode: 968696

Dial by your location

+1 646 558 8656 US (New York)

Find your local number: <https://us02web.zoom.us/j/83927976091?pwd=VUUxVTVBWm5kOEFuUFYycnBsOFNEdz09>

KDBF Ventures, LLC, 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") was appointed agent of the Agency for the purpose of undertaking a certain 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 Company has requested that the Agency provide additional financial assistance in the form of an increased sales and use tax abatement.

The Agency may be providing additional financial assistance with respect to the Project in the form of an increased sales tax exemption 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: December 10, 2021