

A special meeting of the Broome County Industrial Development Agency (the "Agency") was convened in public session in the Thomas Libous Community Room on the 1<sup>st</sup> Floor of the offices of the Broome County Industrial Development Agency located at FIVE South College Drive in the Town of Dickinson, Broome County, New York on Wednesday, August 4, 2021, at 12:00 o'clock p.m., local time.

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

PRESENT:	John M. Bernardo	Chairman
	James R. Peduto	Vice Chairman
	Richard A. Bucci	Secretary
	Daniel E. Crocker	Treasurer
	Joseph Mirabito	Member
	Brian Rose	Member
	Daniel W. Gates	Member
ABSENT:	Cheryl I. Sacco	Member
	Stephen K. Cornwell	Member

THE FOLLOWING PERSONS WERE ALSO PRESENT:

Stacey Duncan	Executive Director
Joseph B. Meagher, Esq.	Agency Counsel

The following resolution was offered by Mr. Mirabito, seconded by Mr. Gates, to wit:

RESOLUTION ACCEPTING AN APPLICATION FROM SPARK JC, LLC (THE "COMPANY") FOR A LEASE/LEASEBACK TRANSACTION TO FACILITATE THE FINANCING OF THE ACQUISITION, CONSTRUCTION, REHABILITATION, RENOVATION AND EQUIPPING OF A PORTION OF THE OAKDALE MALL LOCATED ON HARRY L. DRIVE AND REYNOLDS ROAD IN THE VILLAGE OF JOHNSON CITY, TOWN OF UNION, BROOME COUNTY, NEW YORK, TO PROVIDE FOR A SALES AND USE TAX EXEMPTION BENEFIT IN AN AMOUNT NOT TO EXCEED \$3,093,333.00, TO PROVIDE FOR A MORTGAGE TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$933,234.00, TO PROVIDE FOR A REAL PROPERTY TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$7,732,421.36, PURSUANT TO THE PILOT SCHEDULE ATTACHED HERETO AS "EXHIBIT A", INCLUDING A DEVIATION FROM THE AGENCY'S UNIFORM TAX EXEMPTION POLICY, AND AUTHORIZING THE AGENCY TO SET AND CONDUCT A PUBLIC HEARING WITH RESPECT THERETO.

This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

John M. Bernardo	voting	Aye
James R. Peduto	voting	Aye
Richard A. Bucci	voting	Aye
Daniel E. Crocker	voting	Aye
Joseph Mirabito	voting	Aye
Cheryl I. Sacco	voting	Absent
Brian Rose	voting	Aye
Daniel W. Gates	voting	Aye
Stephen K. Cornwell	voting	Absent

The foregoing Resolution was thereon declared duly adopted.

STATE OF NEW YORK:

: ss.:

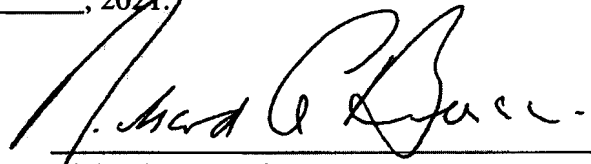
COUNTY OF BROOME:

I, the undersigned Secretary of the Broome County Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the special meeting of the members of the Agency, including the Resolution contained therein, held on August 4, 2021 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 set forth 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 4<sup>th</sup> day of August, 2021.



Richard A. Bucci  
Secretary

(SEAL)

EXHIBIT "A"

(SEE ATTACHED PILOT SCHEDULE)

**PILLOT Schedule**

Property Address: Harry L Drive, and Reynolds Rd, Johnson City NV  
 Property Owner: Spark IC, LLC

**\* WITH PILOT**

PILLOT Year	Annual PILOT Payment TOTAL	Annual PILOT PAID TO COUNTY	Annual PILOT PAID TO TOWN	Annual PILOT PAID TO JC VILLAGE	Annual PILOT PAID TO JC SCHOOL	Assessed Full Value at 4.02% Tax Rate	Full Value	Payment at County Tax Rate 172.10977	Payment at Town Tax Rate 25.78785	Payment at JC Village Tax Rate 589.518	Payment at JC School Tax Rate 613.21599	Total Tax rate 174.63156	Annual TOTAL
1	\$489,000	\$71,649.43	\$10,735.50	\$151,392.82	\$255,282.26	\$572,969	\$14,252,960.00	\$98,613.56	\$14,775.64	\$208,284.54	\$351,353.72	\$673,027.46	\$100,058.46
2	\$489,000	\$71,649.43	\$10,735.50	\$151,392.82	\$255,282.26	\$572,969	\$14,252,960.00	\$99,599.70	\$14,928.59	\$210,367.39	\$354,667.26	\$679,757.73	\$106,798.73
3	\$489,000	\$71,649.43	\$10,735.50	\$151,392.82	\$255,282.26	\$572,969	\$14,252,960.00	\$100,595.69	\$15,072.63	\$212,471.06	\$358,415.93	\$686,553.31	\$113,598.31
4	\$489,000	\$71,649.43	\$10,735.50	\$151,392.82	\$255,282.26	\$572,969	\$14,252,960.00	\$101,601.65	\$15,225.36	\$214,595.77	\$362,000.09	\$693,420.87	\$120,451.87
5	\$489,000	\$71,649.43	\$10,735.50	\$151,392.82	\$255,282.26	\$572,969	\$14,252,960.00	\$102,617.67	\$15,375.59	\$216,741.73	\$365,620.09	\$700,355.07	\$127,386.07
6	\$613,987	\$89,962.81	\$13,479.46	\$190,013.05	\$320,531.67	\$653,369	\$16,252,960.00	\$118,187.33	\$17,708.45	\$249,626.86	\$421,093.78	\$806,616.41	\$153,247.41
7	\$632,977	\$92,745.27	\$13,896.37	\$195,889.96	\$330,445.39	\$653,369	\$16,252,960.00	\$119,369.20	\$17,885.53	\$252,123.13	\$425,904.71	\$814,682.57	\$161,313.57
8	\$652,553	\$95,513.60	\$14,326.34	\$201,948.23	\$340,665.03	\$673,469	\$16,752,960.00	\$124,271.84	\$18,620.11	\$265,102.92	\$442,772.52	\$848,142.62	\$174,673.62
9	\$672,735	\$98,270.71	\$14,769.22	\$208,194.03	\$351,201.04	\$673,469	\$16,752,960.00	\$125,514.56	\$18,808.32	\$267,745.19	\$447,200.24	\$856,624.04	\$183,135.04
10	\$693,542	\$101,619.40	\$15,226.01	\$214,633.26	\$362,069.33	\$693,569	\$17,252,960.00	\$130,593.21	\$19,561.28	\$275,745.19	\$465,152.62	\$891,012.30	\$197,443.30
11	\$714,991	\$104,762.16	\$15,696.91	\$221,271.17	\$373,260.77	\$693,569	\$17,252,960.00	\$131,036.88	\$20,532.75	\$278,439.54	\$469,804.14	\$899,922.42	\$206,353.42
12	\$737,104	\$108,000.21	\$16,182.37	\$228,114.57	\$384,304.85	\$713,669	\$17,752,960.00	\$137,036.88	\$20,798.08	\$292,333.94	\$493,136.04	\$935,262.68	\$221,593.68
13	\$759,901	\$111,342.48	\$16,682.86	\$235,169.65	\$396,706.02	\$713,669	\$17,752,960.00	\$143,728.45	\$21,535.37	\$303,572.99	\$512,095.13	\$980,931.95	\$247,162.95
14	\$783,404	\$114,786.19	\$17,198.44	\$242,443.22	\$408,975.75	\$733,769	\$18,252,960.00	\$148,165.73	\$22,501.72	\$318,157.68	\$536,697.93	\$990,741.27	\$254,972.27
15	\$807,663	\$118,340.68	\$17,731.43	\$249,950.75	\$421,648.15	\$733,769	\$18,252,960.00	\$150,633.65	\$22,570.00	\$318,157.68	\$536,697.93	\$1,028,059.27	\$274,190.27
16	\$832,611	\$121,996.12	\$18,279.13	\$257,671.51	\$434,664.24	\$733,769	\$18,252,960.00	\$156,186.42	\$23,409.49	\$329,906.95	\$556,517.69	\$1,066,024.55	\$292,035.55
17	\$858,362	\$125,769.21	\$18,844.47	\$265,640.77	\$448,107.54	\$733,769	\$18,252,960.00	\$161,855.37	\$24,251.40	\$341,859.39	\$576,680.18	\$1,104,646.54	\$310,577.34
18	\$884,909	\$129,656.94	\$19,427.28	\$273,856.38	\$461,966.39	\$794,069	\$19,752,960.00	\$167,611.89	\$25,113.92	\$354,017.89	\$597,139.27	\$1,143,933.95	\$329,764.95
19	\$912,277	\$133,668.96	\$20,028.12	\$282,326.07	\$476,233.85	\$814,169	\$20,252,960.00	\$173,467.34	\$25,991.26	\$366,385.37	\$618,052.89	\$1,183,896.66	\$349,627.86
20	\$940,492	\$137,803.09	\$20,647.55	\$291,057.88	\$490,983.48	\$834,269	\$20,752,960.00	\$179,423.15	\$26,883.64	\$378,964.80	\$639,273.04	\$1,224,544.63	\$370,175.63
21	\$969,579	\$142,064.99	\$21,286.13	\$300,059.55	\$506,165.33	\$854,369	\$21,252,960.00	\$185,480.73	\$27,791.27	\$391,759.18	\$660,855.79	\$1,265,886.97	\$391,417.97
22	\$999,566	\$146,458.75	\$21,944.46	\$309,397.75	\$521,823.03	\$874,469	\$21,752,960.00	\$191,906.96	\$28,655.14	\$404,771.55	\$682,808.27	\$1,307,993.70	\$413,364.70
23	\$1,030,481	\$150,988.49	\$22,623.17	\$318,907.14	\$537,963.20	\$894,569	\$22,252,960.00	\$197,906.96	\$29,528.56	\$418,005.00	\$705,129.67	\$1,350,694.77	\$436,025.77
24	\$1,062,351	\$155,658.16	\$23,322.84	\$328,770.08	\$554,599.92	\$914,669	\$22,752,960.00	\$204,278.56	\$30,407.82	\$431,462.63	\$727,831.26	\$1,394,180.27	\$459,411.27
25	\$1,095,208	\$160,472.44	\$24,044.19	\$338,938.47	\$571,752.90	\$934,769	\$23,252,960.00	\$210,757.80	\$31,278.63	\$445,147.62	\$750,916.37	\$1,438,400.42	\$483,531.42
26	\$1,129,080	\$165,335.45	\$24,787.81	\$349,420.97	\$589,435.77	\$954,869	\$23,752,960.00	\$217,865.38	\$32,184.42	\$449,599.10	\$758,425.53	\$1,452,784.42	\$497,915.42
27	\$1,164,000	\$170,552.01	\$25,554.44	\$360,227.81	\$607,665.74	\$974,969	\$24,252,960.00	\$224,519.66	\$33,091.45	\$463,653.79	\$781,134.30	\$1,498,199.20	\$523,230.20
28	\$1,200,000	\$175,928.81	\$26,344.79	\$371,368.87	\$626,459.52	\$994,969	\$24,752,960.00	\$231,519.66	\$34,000.91	\$478,165.52	\$806,616.41	\$1,544,853.36	\$554,411.27
TOTALS	\$22,592,773.00	\$3,310,346.08	\$486,001.89	\$6,991,877.77	\$11,794,548.21	\$21,128,432	\$535,582,980.00	\$4,228,759.88	\$633,610.91	\$8,931,685.52	\$15,066,797.06	\$28,880,853.96	\$7,732,421.36

**\* WITHOUT PILOT**

1. Pilot will include Main Mall, Former Macy's Parcel and Key Bank parcel  
 2. If JC Penney lease is terminated, this parcel will make additional pilot payment at a rate equal to the same cost per square foot as the Main Mall, Macy's parcel and Key Bank parcel.  
 3. If any of the above parcels are subdivided, or if outparcels created or if a portion of any of the parcels are sold to an affiliate of Spark IC or to an unaffiliated 3<sup>rd</sup> party, and buildings constructed thereon, such parcels will be taxed pursuant to a Pilot at a rate equal to the same cost per square foot of leasable area as is taxed pursuant to the Pilot for the Main Mall, Macy's Parcel and Key Bank.