

**Annual Project Review Resolution
City of Utica Industrial Development
Agency**

Date: May 3, 2023

At a meeting of the City of Utica Industrial Development Agency, Utica, New York (the "Agency"), held at One Kennedy Plaza, Utica, New York on May 3, 2023, the following members of the Agency were:

Members Present:

Member Excused:

Staff Present:

Others Present:

After the meeting had been duly called to order, the Chairman announced that among the purposes of the meeting was to perform the annual review of active projects and consider and take action as may be determined.

The following resolution was duly moved, seconded, discussed and adopted with the following members voting:

RESOLUTION RELATING TO THE ANNUAL REVIEW OF ACTIVE PROJECTS OF THE AGENCY, MAKING DETERMINATIONS AND AUTHORIZING CERTAIN ACTION PERTAINING TO ACTIVE PROJECTS.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 710 of the Laws of 1981 of the State of New York (collectively, the "Act"), the City of Utica Industrial Development Agency (the "Agency") was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, under the Act, the Agency is obligated to evaluate on at least an annual basis whether recipients of its financial assistance are achieving the investment, job retention or creation, or other objectives of the project indicated in the project application and report to New York State that it is taking appropriate action when those objectives are not being met; and

WHEREAS, the Agency members received a report from the Executive Director summarizing the data collected from the various project operators and copies of relevant correspondence submitted by certain project operators; and

WHEREAS, the members of the Agency desire to confirm the results of the annual project review.

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

Section 1. The Agency hereby confirms it has completed its annual project review and determines to take to the following action:

(A) The Agency requests the following project operators **provide additional information** for further consideration by the Agency in order to determine if they are meeting their stated objectives:

[List project operators, if any]

(B) The Agency determines to **amend the project obligations** for the following project operators, based on information provided to the Agency by the project operators:

[List project operators, if any]

(C) The Agency determines that, based on information provided by the project operators, all other project operators are meeting the stated objectives of their respective projects.

Section 2. The Agency hereby authorizes the Chairman and the Executive Director to work with Agency Counsel to take all steps necessary to implement the actions described in Section 1.

Section 3. This Resolution shall take effect immediately.

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

I, the undersigned Assistant Secretary of the City of Utica Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the City of Utica Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on May 3, 2023 with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that (i) all members of the Agency had due notice of said meeting, (ii) pursuant to Sections 103a and 104 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public and public notice of the time and place of said meeting was duly given in accordance with such Sections, (iii) the meeting in all respects was duly held, and (iv) there was a quorum present throughout.

IN WITNESS WHEREOF, I have hereunto set my hand as of May 3, 2023.

CITY OF UTICA INDUSTRIAL
DEVELOPMENT AGENCY

By: _____
Jack N. Spaeth, Assistant Secretary