

## Minutes of Public Hearing for Skyline Hospitalities April 18, 2023

Present: Jody Zakrevsky, CEO of County of Otsego Industrial Development Agency, Gina Gardner, Innovation Center Director, Niren Patel of Skyline Hospitality & Oneonta Hotels (by Zoom), and Sarah Spross, Superintendent of Cooperstown Schools.

Jody Zakrevsky opened the meeting at 10:00 a.m. and read the following notice:

Notice is hereby given that a public hearing pursuant to Section 859-a(2) of the General Municipal Law of the State of New York (the "Act") will be held by the County of Otsego Industrial Development Agency (the "Agency") on the 18th day of April, 2023 at 10:30 o'clock a.m., local time, at the Town of Hartwick Town Hall located at 103 Town Drive in the Town of Hartwick, Otsego County, New York in connection with the following matters:

Pursuant to an application (the "Application") submitted in February, 2020, the Agency conducted a public hearing on May 13, 2020 for Skyline Hospitality LLC (the "Company") with respect to the following project (the "Project") for the benefit of the Company, said Project consisting of the following:

(A) (1) the acquisition of an interest in approximately 6.1503 acres of land located at 4882 State Highway 28 (Tax Map No. 146.00-1-26.04) in the Town of Hartwick, Otsego County, New York (the "Land"), (2) the construction on the Land of a new building to contain approximately 60,000 square feet of space (the "Facility") and (3) the acquisition and installation of certain machinery and equipment therein and hereon (collectively, the "Equipment") (the Land, the Facility and the Equipment hereinafter referred to as the "Project Facility"), all of the foregoing to be owned and operated by the Company as a hotel facility and other directly and indirectly related activities; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real property transfer taxes and mortgage recording 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 and agreed upon by the Agency.

On April 3, 2023, the Agency received an amended application from the Company to amend the Application (the "Amended Application"), a copy of which Application and Amended Application are on file at the office of the Agency, to consider providing additional benefits to the Company due to the increased cost of the Project, resulting in the need for the Agency, pursuant to Section 859-a of the Act, to hold a public hearing with respect to the Project and the amount of the Financial Assistance, as described in the Amended Application.

Pursuant to the Amended Application, the Agency is considering whether (A) to undertake the Project and (B) to provide certain exemptions from taxation with respect to the Project, including (1) exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Agency with respect to the Project in the office of the County Clerk of Otsego County, New York or elsewhere, (2) exemption from deed transfer taxes on any real estate transfers, if any, with respect to the Project, (3) exemption from sales taxes relating to the acquisition, construction and installation of the Project

Facility, and (4) in the event that the Project Facility would be subject to real property taxation if owned by the Company but shall be deemed exempt from real property taxation due to the involvement of the Agency therewith, exemption from real property taxes (but not including special assessments and special ad valorem levies), if any, with respect to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility. If any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency's uniform tax exemption policy, the Agency will follow the procedures for deviation from such policy set forth in Section 874(4) of the Act prior to granting such portion of the Financial Assistance.

If the Agency determines to proceed with the Project, the Project Facility will be acquired, constructed and installed by the Agency and will be leased (with an obligation to purchase) or sold by the Error! Unknown document property name.

Agency to the Company or its designee pursuant to a project agreement (the "Agreement") requiring that the Company or its designee make certain payments to the Agency.

Pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), by resolution adopted by the members of the Agency on April 23, 2020 (the "SEQR Resolution"), the Agency (A) concurred in the determination that the Town of Hartwick Planning Board (the "Planning Board") is the "lead agency" with respect to SEQRA and (B) acknowledged receipt of a negative declaration from the Planning Board issued on March 5, 2019 (the "Negative Declaration"), in which the Planning Board determined that the Project would not have a significant adverse environmental impact on the environment, and therefore, that an environmental statement need not be proposed with respect to the Project.

The Agency will at said time and place hear all persons with views on either the location and nature of the proposed Project, or the Financial Assistance being contemplated by the Agency in connection with the proposed Project. A copy of the Application and the Amended Application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, is available for public inspection during business hours at the offices of the Agency. A transcript or summary report of the hearing will be made available to the members of the Agency.

Additional information can be obtained from, and written comments may be addressed to: Jody Zakrevsky, Chief Executive Officer, County of Otsego Industrial Development Agency, 189 Main Street, Suite 500, Oneonta, New York 13820; Telephone: (607) 267- 4010.

Jody Zakrevsky then asked if a member of Skyline Hospitalities would like to speak. Niren Patel of Skyline Hospitality & Oneonta Hotels gave a brief description of the proposed project and expects to go to construction in 2023.

Jody Zakrevsky then asked if anyone else would like to speak. Ms. Sarah Spross, Superintendent of the Cooperstown Central School District located at 39 Linden Avenue, Cooperstown, NY 13326, wished to ask a question: will the proposed project involve a PILOT Application and if so, can she get a copy mailed to her. Jody Zakrevsky indicated that a PILOT Application was being considered for the project. However, unlike a manufacturing project, this project was being treated as a retail operation. As such, the PILOT

would be structured as under Section 485B of the tax law, a 10 year PILOT which would be holding the assessment at 50% of the assessment in year one, and then increasing over a ten year period to 100%. In addition, a sales tax exemption and mortgage recording tax exemption were also being considered.

Sarah Spross thanked Mr. Zakrevsky.

Jody Zakrevsky held the hearing open until 10:45 at which time the public hearing was closed.