

**FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

*Adopted April 10, 2018*

*Introduced by Joseph Gillis  
who moved its adoption.*

*Seconded by Todd Rulison*

**RESOLUTION TO SCHEDULE A PUBLIC HEARING RELATING TO THE  
BENJAMIN MOORE CORPORATION PROJECT**

WHEREAS, Benjamin Moore Corporation, a business corporation established pursuant to the laws of the State of New York, having an address of P.O. Box 220, Union Avenue, Johnstown, New York 12095 (the "Company") has requested that the Agency provide financial assistance in the form of property and sales tax abatements regarding an industrial project (the "Project") to consist of: (i) the acquisition of an interest in the real property known as 101 Union Avenue, City of Johnstown, County of Fulton, State of New York (the "Land") and referred to as tax map parcel number 174.14-1-8; (ii) the construction of a 73,000+/- square foot facility to manufacture paints for industrial customers (collectively referred to as (the "Facility"); and (iii) the acquisition and installation therein of certain furnishing and fixtures (the "Equipment" and together with the Land and the Facility, collectively (the "Project Facility") to be used in connection with the contemplated uses; and (iv) the lease the Project Facility to the Company, all pursuant to Title 1 of Article 18-A of the General Municipal Law of the State of New York and Section 895-c of the General Municipal Law (collectively, the "Act"); and

WHEREAS, Chapters 356 and 357 of the Laws of 1993 require that prior to granting financial assistance of more than \$100,000.00 to any project, an IDA must (a) adopt a resolution describing the project and the financial assistance contemplated by the IDA with respect thereto, and (b) hold a public hearing in the city, town or village where the project proposes to locate upon at least ten (10) days published notice and, at the same time, provide notice of such hearing to the Chief Executive Officer of each affected taxing jurisdiction within which the project is located; and

WHEREAS, the Agency is in the process of reviewing and considering the Company's Application requesting the Agency to provide financial assistance for the proposed Project, which may include: a sales tax abatement during the construction of the Facility, a mortgage tax exemption and a payment in lieu of taxes, all of which shall be consistent with the uniform tax exemption policy of the Agency.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Agency hereby schedules a public hearing pursuant to Article 18-A of the New York State General Municipal Law (the "Law") to be held by the Agency on the 28<sup>th</sup> day of March, 2018, at 10:15 am, local time, at the Fulton County IDA Offices located at 1 East Montgomery Street, City of Johnstown, New York, in connection with the Proposed Project.
2. The Agency hereby authorizes the publication of a Notice of Public Hearing for the Proposed Project and in accordance with the Law and the Agency's policies and procedures.

3. This resolution shall take effect immediately.

AYES: 6  
NAYS: 0  
ABSENT: 0  
ABSTAIN: 1 (Joe Semione)

I, James E. Mraz, Executive Director of the Fulton County Industrial Development Agency, hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Fulton County Industrial Development Agency, at a duly called and held meeting of said Agency on the 10<sup>th</sup> day of April, 2018, and the same is a true and correct transcript there from and the whole thereof.

Witness my hand and official seal  
This 10<sup>th</sup> day of April, 2018

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James E. Mraz, Executive Director