

**RESOLUTION**

**RESOLUTION**

*(Auburn Hotel Ventures LLC)*

A special meeting of Auburn Industrial Development Authority was convened at Auburn Memorial City Hall, Council Chambers, 24 South Street, Auburn, New York 13021 at 4:00 p.m.

The following resolution was duly offered and seconded, to wit:

**RESOLUTION NO. 2017/2-4**

**RESOLUTION OF THE AUBURN INDUSTRIAL  
DEVELOPMENT AUTHORITY (THE "AUTHORITY")  
CLASSIFYING THE AUBURN HOTEL VENTURES LLC  
(AS MORE FULLY DESCRIBED BELOW) AS A TYPE II  
ACTION UNDER THE SEQRA ACT**

**WHEREAS**, Auburn Hotel Ventures LLC (the "**Company**") has requested the Authority's assistance with a certain project (the "**Project**") consisting of: (i) the acquisition of 1 parcel of land located at 75 North Street (Tax Map No. 116.37-1-39.11) in the City of Auburn, New York totaling approximately 5.08 acres (the "**Land**") improved by 1 building totaling approximately 226,500 square feet (the "**Building**"); (ii) the renovation of the Building by the Company for use as lodging and conference space (the "**Improvements**"); and (iii) the acquisition and installation in and around the Building by the Company of certain items of machinery, equipment, and other tangible personal property (the "**Equipment**" and, together with the Land, the Building and the Improvements, the "**Project Facility**"); and

**WHEREAS**, the Authority has reviewed Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended ("**SEQRA**") and the Regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (the "**Regulations**"); and

**WHEREAS**, the Project does not appear to constitute a Type I Action pursuant to 6 NYCRR §617.4;

**WHEREAS**, the Project appears to be a Type II Action pursuant to 6 NYCRR § 617.5(c);

**WHEREAS**, pursuant to 6 NYCRR § 617.5(c)(1), actions that involve "maintenance or repair involving no substantial change in an existing structure or facility" are Type II Actions;

**WHEREAS**, pursuant to 6 NYCRR § 617.5(c)(2), actions that involve "replacement, rehabilitation or reconstruction of a structure or facility, in-kind, on the same site . . ." are Type II Actions;

**WHEREAS**, pursuant to 6 NYCRR § 617.5(c)(8), actions that involve “routine activities of educational institutions, including expansion of existing facilities by less than 10,000 square feet of gross floor area . . . .” are Type II Actions;

**WHEREAS**, pursuant to the SEQRA regulations at 6 NYCRR §§ 617.5(a) and 617.6(a)(i), Type II actions have been determined not to have a significant impact on the environment and are not subject to review under SEQRA; and

**WHEREAS**, the Authority now desires to make its SEQRA classification for the Project pursuant to the SEQRA regulations at 6 NYCRR § 617.6(a).

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE AUBURN INDUSTRIAL DEVELOPMENT AUTHORITY AS FOLLOWS:**

1. Based upon a thorough review of the SEQRA regulations at 6 NYCRR Part 617 and based further on the Authority’s knowledge of the Project and such further investigation of the Project and its environmental effects as the Authority has deemed appropriate, the Authority finds that:
  - a. the Project constitutes a SEQRA Type II action pursuant to 6 NYCRR § 617.5(c);
  - b. the Project will not have a significant impact on the environment; and
  - c. the Project is not subject to further SEQRA review.
2. This resolution shall take effect immediately.

Upon motion duly made and seconded, the question of the adoption of the foregoing Resolution was duly put to a vote, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
James A. Dacey, Chairman			X	
William Andre, Member	X			
Monika Salvage, Member			X	
Roger Beer, Member	X			
Terry Cuddy, Member	X			
Michael Quill, Member	X			
Tricia Kerr, Member	X			
Ronald LaVarnway, Member			X	

This Resolution was thereupon duly adopted.

STATE OF NEW YORK     )  
COUNTY OF CAYUGA    ) SS:

I, the undersigned Secretary of the Auburn Industrial Development Authority, DO HEREBY CERTIFY:

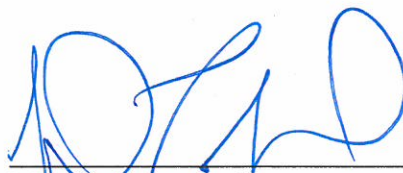
That I have compared the annexed extract of minutes of the meeting of the Auburn Industrial Development Authority (the "**Authority**"), including the resolution contained therein, held on February 28, 2017, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Authority and of such resolution 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 all members of said Authority had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Authority 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 modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Authority this 28<sup>th</sup> day of February, 2017.



Monika Salvage, Secretary

JOSEPH T. SHEPARD, ACTING SECRETARY

[SEAL]