

FINAL RESOLUTION
(CLP Darien Lake LLC 2016 Project)

A meeting of Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center was convened on March 3, 2016.

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

Resolution No. 03/2016 - 02

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON FEBRUARY 25, 2016, WITH RESPECT TO THE CLP DARIEN LAKE, LLC PROJECT (AS DEFINED BELOW), (ii) AUTHORIZING FINANCIAL ASSISTANCE FOR THE BENEFIT OF CLP DARIEN LAKE, LLC IN THE FORM OF A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE PROJECT; AND (iii) AUTHORIZING THE EXECUTION BY THE AGENCY OF AN AGENT AGREEMENT, NYS FORM ST-60, BILL OF SALE AND RELATED DOCUMENTS

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 565 of the Laws of 1970 of the State of New York, as amended (hereinafter collectively called the "Act"), the **GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY d/b/a GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER** (hereinafter called "Agency") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping civic, industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, **CLP DARIEN LAKE, LLC**, for itself or on behalf of an entity to be formed by it or on its behalf (the "Company") previously submitted an application (the "Application") to the Agency, a copy of which is on file with the Agency, requesting the Agency's assistance with respect to a certain project (the "Project") consisting of the acquisition and installation of certain machinery, equipment and other items of tangible personal property (the "Equipment") at the Company's existing recreational theme park and camping resort at 9993 Allegheny Road, Genesee County, New York, including but not limited to (i) an approximately 294-foot long six-flume water slide complex, and (ii) a roller coaster train to accommodate approximately 36 riders per cycle intended to replace and upgrade the existing "Ride of Steel" roller coaster, and related items of equipment, machinery and personal property; and

WHEREAS, it is contemplated that the Agency will (i) designate the Company as its agent for the purpose of undertaking the Project, (ii) negotiate and enter into an Agent Agreement (the "Agent Agreement") and related documents, and (iii) provide financial assistance (the "Financial Assistance") to the Company in the form of a sales and use tax exemption for purchases and rentals related to the acquisition and installation of the Equipment; and

WHEREAS, by resolution adopted by the Agency on February 4, 2016, the Agency adopted a resolution (the "Initial Resolution") (i) authorizing a Public Hearing (as defined below) with respect to the Project, (ii) making a determination under New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto at 6 N.Y.C.R.R. Part 617, as amended (collectively referred to as "SEQRA"), and (iii) determining that the Project constitutes a "tourism destination" as defined in Section 862(2) of the Act; and

WHEREAS, pursuant to General Municipal Law Section 859-a, on February 25, 2016, at 4:00 p.m., local time, at Darien Town Hall, Meeting Hall, 10569 Allegany Road, Darien Center, New York 14040, the Agency held a public hearing (the "Public Hearing") with respect to the Project and the proposed Financial Assistance being contemplated by the Agency, whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views. A copy of the Minutes of the Public Hearing together with the Notice of Public Hearing published and forwarded to the affected taxing jurisdictions ten (10) days prior to said Public Hearing are attached hereto as Exhibit A; and

WHEREAS, the Agency desires to adopt a resolution (i) authorizing the Company to undertake the Project as agent of the Agency; (ii) authorizing the Financial Assistance for the benefit of the Company; and (iii) authorizing the execution and delivery of the Agent Agreement and related documents.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER AS FOLLOWS:

Section 1. The Public Hearing held by the Agency on February 25, 2016, concerning the Project and the Financial Assistance was duly held in accordance with the Act, including but not limited to the giving of at least ten (10) days published notice of the Public Hearing (such notice also provided to the Chief Executive Officer of each affected tax jurisdiction), affording interested parties a reasonable opportunity, both orally and in writing, to present their views with respect to the Project.

Section 2. Based upon the representation and warranties made by the Company the Application, the Agency hereby authorizes and approves the Company, as its agent, to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax in an amount up to approximately \$2,600,000.00, which result in New York State and local sales and use tax exemption benefits ("sales and use tax exemption benefits") not to exceed \$208,000.00. The Agency agrees to consider any requests by the Company for increase to the amount of sales and use tax exemption benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services, and, to the extent required, the Agency authorizes and conducts any supplemental public hearing(s).

Section 3. Pursuant to Section 875(3) of the Act, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make

purchases for the benefit of the Project, any sales and use tax exemption benefits taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the sales and use tax exemption benefits; (ii) the sales and use tax exemption benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the sales and use tax exemption benefits are for property or services not authorized by the Agency as part of the Project; (iv) the Company has made a material false statement on its application for financial assistance; (v) the sales and use tax exemption benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project fails to comply with a material term or condition to use property or services in the manner approved by the Agency in connection with the Project; and/or (vi) the Company obtains mortgage recording tax benefits and/or real property tax abatements and fails to comply with a material term or condition to use property or services in the manner approved by the Agency in connection with the Project (collectively, items (i) through (vi) hereby defined as a "Recapture Event").

As a condition precedent of receiving sales and use tax exemption benefits and real property tax abatement benefits, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, must (i) if a Recapture Event determination is made by the Agency, cooperate with the Agency in its efforts to recover or recapture any sales and use tax exemption benefits, mortgage recording tax benefits and/or real property tax abatements abatement benefits, and (ii) promptly pay over any such amounts to the Agency that the Agency demands, if and as so required to be paid over as determined by the Agency.

Section 4. Subject to the Company executing the Agent Agreement and delivering to the Agency a binder, certificate or other evidence of liability insurance policy for the Project satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the undertaking of the Project and hereby appoints the Company as the true and lawful agent of the Agency: (i) to acquire, construct and equip the Project; (ii) to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agent for the Agency with the authority to delegate such agency, in whole or in part, to agents, subagents, contractors, and subcontractors of such agents and subagents and to such other parties as the Company chooses; and (iii) in general, to do all things which may be requisite or proper for completing the Project, all with the same powers and the same validity that the Agency could do if acting in its own behalf; provided, however, the Agent Agreement shall expire on **December 31, 2016** (unless extended for good cause by the President/CEO of the Agency).

Section 5. The Chairman, Vice Chairman and/or the President/CEO of the Agency are hereby authorized, on behalf of the Agency, to execute the Agent Agreement, a NYS Form ST-60, "IDA Appointment of Project Operator or Agent", and bill of sale (the "Bill of Sale") and related documents in connection with the Project for the purposes of providing the Company with the Financial Assistance.

Section 6. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 7. These Resolutions shall take effect immediately upon adoption.

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

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Paul Battaglia	[]	[]	[]	[X]
Mary Ann E. Wiater	[X]	[]	[]	[]
John L. Rizzo	[X]	[]	[]	[]
Mike Davis	[X]	[]	[]	[]
Peter Zeliff	[X]	[]	[]	[]
Craig Yunker	[X]	[]	[]	[]
Matthew Gray	[]	[]	[X]	[]

The Resolutions were thereupon duly adopted.

CERTIFICATION
(CLP Darien Lake LLC 2016 Project)

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

I, the undersigned Secretary of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center, DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency"), including the resolution contained therein, held on March 3, 2016, 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 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 Agency 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 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 modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this 4th day of March, 2016.

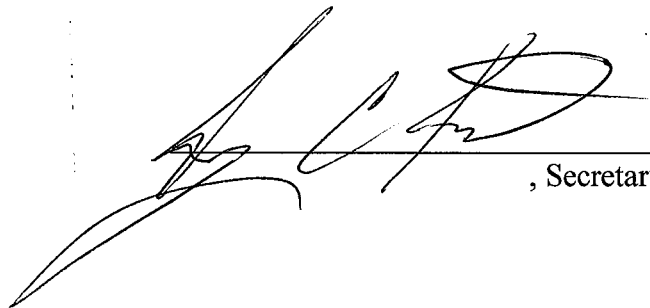

_____, Secretary

Exhibit A

Notice Documents with Respect to Public Hearing Held by the Agency
On February 25, 2016:

[Notice of Public Hearing
Notice Letter
Evidence of Mailing Notice of Public Hearing and Notice Letter
Affidavit of Publication of the *Daily News*
Minutes of Public Hearing]

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law will be held by the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") on Thursday, February 25, 2016, at 4:00 p.m., local time, at Darien Town Hall, Meeting Hall, 10569 Allegany Road, Darien Center, New York 14040, in connection with the following matter:

CLP Darien Lake, LLC, for itself or on behalf of an entity to be formed (the "Company"), has submitted an application (the "Application") to the Agency requesting the Agency's assistance with a certain project (the "Project") consisting of the acquisition and installation of certain machinery, equipment and other items of tangible personal property (the "Equipment") at the Company's existing recreational theme park and camping resort at 9993 Allegany Road, Genesee County, New York, including but not limited to (i) an approximately 294-foot long six-flume water slide complex, and (ii) a roller coaster train to accommodate approximately thirty-six (36) riders per cycle intended to replace and upgrade the existing "Ride of Steel" roller coaster, and related items of equipment, machinery and personal property.

The Agency will acquire title to the Equipment and sell the Equipment back to the Company. The Agency contemplates that it will provide financial assistance (the "Financial Assistance") to the Company in the form of sales and use tax exemptions consistent with the policies of the Agency.

A representative of the Agency will be at the above-stated time and place to present a copy of the Company's project application and hear and accept written and oral comments from all persons with views in favor of or opposed to the proposed Financial Assistance.

Dated: February 11, 2016

By:

GENESEE COUNTY INDUSTRIAL
DEVELOPMENT AGENCY D/B/A
GENESEE COUNTY ECONOMIC
DEVELOPMENT CENTER



NOTICE LETTER

February 9, 2016

To: Attached Distribution List

**Re: Genesee County Industrial Development Agency d/b/a Genesee County
Economic Development Center and CLP Darien Lake, LLC (2016 Project)**

Public Hearing

Ladies and Gentlemen:

On Thursday, February 25, 2016, at 4:00 p.m., local time, at Darien Town Hall, Meeting Hall, 10569 Allegany Road, Darien Center, New York 14040, the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") will conduct a public hearing regarding the above-referenced project. Attached is a copy of the Notice of Public Hearing describing the project and the financial assistance contemplated by the Agency. The Notice has been submitted to *The Daily News* for publication.

You are welcome to attend such hearing at which time you will have an opportunity to review the project application and present your views, both orally and in writing, with respect to the project. We are providing this notice to you, pursuant to General Municipal Law Section 859-(a), as the chief executive officer of an affected tax jurisdiction within which the project is located.

Very truly yours,

**GENESEE COUNTY INDUSTRIAL
DEVELOPMENT AGENCY d/b/a
GENESEE COUNTY ECONOMIC
DEVELOPMENT CENTER**

DISTRIBUTION LIST

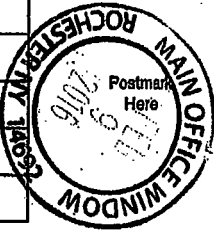
Genesee County Manager
Genesee County Courthouse
Old Courthouse
7 Main Street
Batavia, New York 14020


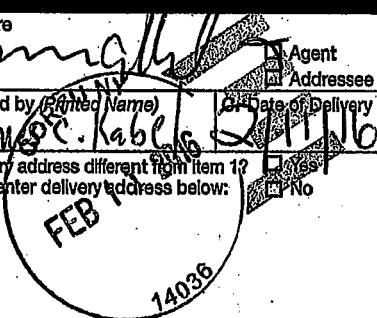
Town Supervisor
Darien Town Hall
10569 Allegany Road
Darien Center, New York 14040

Chair of Genesee County Legislature
Genesee County Courthouse
Old Courthouse
7 Main Street
Batavia, New York 14020

Pembroke Central School District
Attn: Superintendent
P.O. Box 308
Routes 5 and 77
Corfu, New York 14036

**Evidence of Mailing Notice and Notice Letter
CLP Darien Lake LLC - 282335**


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For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Postage \$ Certified Fee \$ Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) <i>1.673</i> Total Postage & Fees \$	
Sent To Pembroke Central School District Attn: Superintendent	
Street & Apt. No., or PO Box No. PO Box 308 Routes 5 and 77	
City, State, ZIP+4® Corfu, New York 14036 <i>CLP 2016 Notice</i>	
PS Form 3800, July 2014 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION <ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	COMPLETE THIS SECTION ON DELIVERY A. Signature <i>[Signature]</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee B. Received by (Printed Name) <i>James C. Kable</i> Date of Delivery <i>2/11/16</i> C. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:
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2. Article Number (Transfer from service label) 7014 2120 0002 1264 8099	 9590 9403 0671 5196 4866 82 
PS Form 3811, April 2015 PSN 7530-02-000-9053 <i>CLP 2016 Notice</i> Domestic Return Receipt	

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CLP Darien Lake LLC - 282335**


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PS Form 3800, July 2014 See Reverse for Instructions											

<p>SENDER: COMPLETE THIS SECTION</p> <ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. <p>1. Article Addressed to:</p> <p align="center">Genesee County Manager Genesee County Courthouse 7 Main St. Batavia, New York 14020</p> <p align="center">  9590 9403 0671 5196 4867 12 </p> <p>2. Article Number (Transfer from service label)</p> <p align="center">7014 2120 0002 1264 8068</p> <p align="center">Form 3811, April 2015 PSN 7530-02-000-9053</p>	<p>COMPLETE THIS SECTION ON DELIVERY</p> <p>A. Signature X <i>Vicky Muecke</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Vicky Muecke</i> C. Date of Delivery <i>2/1/16</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input checked="" type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table> <p align="center">CLP 2016 Notice Domestic Return Receipt</p>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
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Restricted Delivery Fee (Endorsement Required)	46.73										
Total Postage & Fees	\$										
Sent to Town Supervisor Street & Apt. No., or PO Box No. Darien Town Hall, 10569 Allegheny Rd. City, State, ZIP+4 Darien Center, New York 14040 PS Form 3800, July 2014											
See Reverse for Instructions CLP 2016 Notice											

<p>SENDER: COMPLETE THIS SECTION</p> <ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. <p>1. Article Addressed to:</p> <p>Town Supervisor Darien Town Hall 10569 Allegheny Road Darien Center, New York 14040</p> <p align="center">  9590 9403 0671 5196 4866 99 </p> <p>2. Article Number (Transfer from service label)</p> <p align="center">7014 2120 0002 1264 8051</p>	<p>COMPLETE THIS SECTION ON DELIVERY</p> <p>A. Signature</p> <p><i>Marcia Bontrager</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Marcia Bontrager</i> C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input checked="" type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®																
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<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery																
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PS Form 3811, April 2015 PSN 7530-02-000-9053 CLP 2016 Notice Domestic Return Receipt																	

**Evidence of Mailing Notice and Notice Letter
CLP Darien Lake LLC - 282335**

RECEIVED
 FEB 22 2016

BATAVIA NEWSPAPERS CORPORATION

Alex Neubert
 Harris Beach & Wilcox LLP
 99 Garnsey Rd
 Pittsford NY 14534

REFERENCE: 55790
 20345584 notice of public hearing

STATE OF NEW YORK)
)
 GENESEE COUNTY) SS.:

Kristin Post being duly sworn deposes and says that She is legal billing clerk of Batavia Newspapers Corporation, Publisher of "The Daily News," a Newspaper published in Batavia, County of Genesee, State of New York, and that a Legal Notice, of which the annexed is a printed copy, was duly published in said newspaper.

Kristin Post

Kristin Post
 Legal Clerk

Published on : 2/11

TOTAL COST: 41.20 AD SPACE: 78 LINES
 FILED ON:

Sworn to and subscribed before me this)
 16th day of February 2015)
Jami L. Edwards)

JAMI L EDWARDS
 Notary Public - State of New York
 NO. 01ED6283808
 Qualified in Jefferson County
 My Commission Expires Jun 17, 2017

PAID
 CHECK # _____
 DATE _____
 ACCOUNT # _____
 MATH CHECKED _____
 OK TO PAY _____

NOTICE OF PUBLIC HEARING
 NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law will be held by the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") on Thursday, February 25, 2016 at 4:00 p.m., local time, at Darien Town Hall, Meeting Hall, 10569 Allegany Road, Darien Center, New York 14040, in connection with the following matter:
 CLP Darien Lake, LLC, for itself or on behalf of an entity to be formed (the "Company"), has submitted an application (the "Application") to the Agency requesting the Agency's assistance with a certain project (the "Project") consisting of the acquisition and installation of certain machinery, equipment and other items of tangible personal property (the "Equipment") at the Company's existing recreational theme park and camping resort at 9993 Allegany Road, Genesee County, New York, including but not limited to (i) an approximately 294-foot long six-flume water slide complex, and (ii) a roller coaster train to accommodate approximately thirty-six (36) riders per cycle intended to replace and upgrade the existing "Ride of Steel" roller coaster, and related items of equipment, machinery and personal property.
 The Agency will acquire title to the Equipment and sell the Equipment back to the Company. The Agency contemplates that it will provide financial assistance (the "Financial Assistance") to the Company in the form of sales and use tax exemptions consistent with the policies of the Agency.
 A representative of the Agency will be at the above-stated time and place to present a copy of the Company's project application and hear and accept written and oral comments from all persons with views in favor of or opposed to the proposed Financial Assistance.
 Dated: February 11, 2016
 By: GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER



Economic
Development Center

Report of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center Public Hearing of CLP Darien Lake, LLC held on Thursday, February 25, 2016, 4:00 PM – Darien Town Hall – 10569 Allegany Road, Darien Center, NY

I. ATTENDANCE

Mark Masse, Senior VP of Operations, Genesee County EDC
Betsy Richardson, Staff Accountant, Genesee County EDC
Deborah Conti, Town of Darien
Dave Hagelberger, Town of Darien

II. CALL TO ORDER

The public hearing of CLP Darien Lake, LLC was called to order at 4:00 pm at the Darien Town Hall.

A notice of this public hearing describing the project was published in the Batavia Daily News, a copy of which is attached and is an official part of this transcript.

III. PROJECT SUMMARY

M. Masse described the project as follows:

The company is adding an approximately 294 foot long six-flume water slide complex and a roller coaster train to accommodate approximately 36 riders per cycle intended to replace and upgrade the existing "Ride of Steel" roller coaster.

The company is seeking assistance from the GCEDC with a sales tax exemption valued at approx. \$189,200.

IV. COMMENTS

There were no public comments.

V. ADJOURNMENT

The public hearing was closed at 4:15 PM.

