

A regular meeting of the Town of Babylon Industrial Development Agency (the "Agency") was convened in public session on November 20, 2024 at 8:00 o'clock A.M., at the Town Hall, 200 E. Sunrise Highway, Lindenhurst, New York.

The foregoing meeting was called to order by the Chief Executive Officer, with the following members being:

PRESENT: Thomas Gaulrapp, Chairman
Justin Belkin, Vice Chairman
Paulette LaBorne, Secretary
Marcus Duffin
William Bogardt
William Celona
Rosemarie Dearing
Vincent Piccoli
Carol Quirk

ALSO PRESENT: Thomas Dolan, TOBIDA Chief Executive Officer
Frank Dolan, Chief Operations Officer
Alyson McDonough, Executive Assistant
Gregory Heilbrunn, Special Projects Manager
Andrew Berger, Special Projects Advisor
Antonio Martinez, TOB Deputy Supervisor

Upon motion duly made and seconded, the following resolution was placed before the members of the Agency:

**INDUCEMENT RESOLUTION
DATED NOVEMBER 20, 2024**

**INDUCEMENT RESOLUTION OF THE TOWN OF BABYLON
INDUSTRIAL DEVELOPMENT AGENCY RELATING TO THE GRANTING OF
PRELIMINARY APPROVAL TO GUL M CORP., SHAH'S HALAL FOOD AND
PRODUCTS, INC., GULIB M LLC AND GULIB M II LLC IN CONNECTION
WITH THE POTENTIAL GRANT OF CERTAIN FINANCIAL ASSISTANCE**

WHEREAS, representatives of Gul M Corp., a New York corporation, on behalf of itself and/or the principals of Gul M Corp., Shah's Halal Food and Products, Inc., a New York corporation, on behalf of itself and/or the principals of Shah's Halal Food and Products, Inc. and/or any entity or entities formed on behalf of Gul M Corp. or Shah's Halal Food and Products, Inc. or any of the foregoing (collectively, the "**Company**") and GULIB M LLC, a New York limited liability company, on behalf of itself and/or the principals of GULIB M LLC, GULIB M II LLC, a New York limited liability company, on behalf of itself and/or the principals of GULIB M II LLC and/or any entity or entities formed on behalf of GULIB M LLC or GULIB M II LLC, or any other real estate holding company created in connection with the foregoing or any of the foregoing (collectively, the "**Owner**") have filed or caused to be filed a preliminary application with the Town of Babylon Industrial Development Agency (the "**Agency**") concerning a project (the "**Project**") consisting of (i) the acquisition, renovating and equipping of an approximately 49,063 square foot industrial building and the demolition of an approximately 19,421 square foot mezzanine located thereto on that certain approximately 1.8 acre lot, piece or parcel of land located at 5100 New Horizons Boulevard in Amityville, New York (the "**5100 New Horizon Facility**") and (ii) the renovation and equipping of an approximately 13,002 square foot industrial building located on that certain approximately 1.6 acre lot, piece or parcel of land located at 6500 New Horizons Boulevard, Amityville, New York (the "**6500 New Horizons Facility**") and, together with the 5100 New Horizons Facility, the "**Facility**") all for use by the Company as a food processing, wholesale and distribution business that prepares, processes, sells and distributes Halal food; and

WHEREAS, in order to induce the Company to retain and grow additional jobs in the Town of Babylon (the "**Town**"), it appears necessary for the Agency to assist the Company by taking leasehold title to or undertaking control of the Facility so as to afford the Company of certain relief from real property taxation, sales and use taxation and mortgage recording taxation with respect to the Facility; and

WHEREAS, in connection with the Agency's evaluation of the Project for the provision of financial assistance, the Agency has (i) assessed all material information relating to the project included in the Company's project application (the "**Project Application**") in order to afford a reasonable basis for the decision of the Agency to provide financial assistance to the Project; (ii) reviewed the Agency's written cost benefit analysis for the Project which identifies the extent to which (A) the Project will create or retain permanent, private sector jobs; (B) the estimated value of any tax exemption to be provided to the Project, (C) the amount of private sector investment generated or likely to be generated by the Project; (D) reviewed the likelihood of accomplishing the proposed

project in a timely fashion; and (E) considered the extent to which the Project will provide additional sources of revenue for the Town and the school district where the Facility is located; and

WHEREAS, in connection with the adoption of this resolution the Agency has reviewed the statement of the Company that the Project at the date of the Project Application, as amended, is in substantial compliance with Article 18-A of the General Municipal Law of the State of New York (the “Act”) including Section 862 thereof; and

WHEREAS, there has been submitted to the Agency an environmental assessment form with respect to this proposed action in accordance with the State Environmental Quality Review Act and the regulations promulgated thereunder (“SEQRA”); and

WHEREAS, provision of aforesaid financial assistance with respect to the Facility is to be negotiated by the Chief Executive Officer (“CEO”) or Chief Financial Officer (“CFO”) of the Agency with the result of said negotiations to be presented to a future meeting of the Agency for final approval; and

WHEREAS, the Agency would like to now indicate its intention to provide financial assistance to the Company with respect to the Project and the Facility.

NOW, THEREFORE, BE IT RESOLVED by the Agency as follows:

- Section 1. (a) The Agency hereby finds and determines that (i) the Project constitutes a “Project” within the meaning of the Act; and (ii) the granting of real property tax abatements, sales and use tax abatements and mortgage recording tax (collectively the “**Financial Assistance**”) by the Agency with respect to the Facility pursuant to the Act, will promote job opportunities, health, general prosperity and the economic welfare of the inhabitants of the Town and the State of New York and improve their standard of living, and thereby serve the public purposes of the Act.
- (b) It is desirable and in the public interest for the Agency to grant Financial Assistance to the Company with respect to the Facility.
- Section 2. With respect to the Agency’s evaluation criteria for Manufacturing, Warehousing and Distribution Projects the Agency makes the following determinations:
- (a) It has reviewed the information in the Cost Benefit Analysis with respect to the Project.
- (b) The Company proposes a capital investment in the land, building, machinery and equipment and capital improvements in the Facility of approximately \$8,665,000.

- (c) The wage rates for the approximately 23 full-time and 2 part-time employees at the 6500 New Horizons Facility average \$80,000 – 200,000 per year for management positions, \$35,000 to 90,000 per year for administrative positions, \$41,500 per year for supervisor positions and \$53,000 per year for production positions.
- (d) The Project will not have significant impact from local labor construction in the Town.
- (e) The Project will not have a significant effect on in-region purchases or research and development.
- (f) The Project will not have a significant effect on energy efficiency.
- (g) The Project will not affect existing land use or zoning.
- (h) Project is important to the retention of an employer of the Town. The Company currently employs 23 full-time and 2 part-time employees. If the Company does not receive financial assistance from the Agency the Company is considering relocating its current operations in the Town to facilities in one of the other eleven States the Company currently has facilities in, which would achieve substantial costs savings for the Company.

Section 3. The CEO or the CFO of the Agency is hereby authorized to negotiate the terms of agreements between the Agency, the Company which will permit the Company to enjoy the grant of Financial Assistance with respect to the Facility as herein provided.

Section 4. The CEO or the CFO of the Agency shall present substantially final forms of such agreements with the Company incorporating the grant of such Financial Assistance for final approval by the Agency at a future meeting of the Agency.

Section 5. This Resolution shall also constitute a “declaration of official intent” under the Treasury Regulations of the Internal Revenue Code of 1986 as amended.

Section 6. The Agency will not grant any Financial Assistance to be granted hereunder in excess of \$100,000 to the Company until the Agency has held a public hearing with respect to the grant of financial assistance in accordance with the provisions of the Act.

Section 7. In accordance with SEQRA, the Agency finds that this proposed action will not have any significant environmental impacts based upon the following:

- (a) The proposed action will not result in a substantial adverse change in existing air quality, traffic or noise levels.

(b) The proposed action is consistent with existing zoning at the site of the Facility.

(c) The proposed action will not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.

(d) The proposed action will not result in the creation of a hazard to human health.

(e) No other significant effects upon the environment that would require the preparation of an Environmental Impact Statement are foreseeable.

Section 8. This inducement resolution shall take effect immediately.

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>Nea</i>	<i>Absent</i>	<i>Abstain</i>
Tom Gaulrapp	[X]	[]	[]	[]
Justin Belkin	[X]	[]	[]	[]
William Bogart	[X]	[]	[]	[]
Bill Celona	[X]	[]	[]	[]
Rosemarie Dearing	[X]	[]	[]	[]
Marcus Duffin	[X]	[]	[]	[]
Paulette LaBorne	[X]	[]	[]	[]
Vincent Piccoli	[X]	[]	[]	[]
Carol Quirk	[]	[]	[X]	[]

The Resolution was thereupon declared adopted.

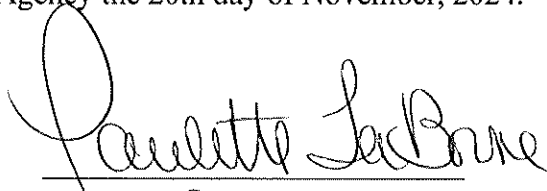
STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, Paulette LaBonne, the duly elected, qualified Secretary of the Town of Babylon Industrial Development Agency (the "Agency"), hereby certify that:

1. The foregoing is a true, correct and complete copy of the record of proceedings of the Agency had and taken at a lawful meeting of the Agency held at the Town Hall, 200 E. Sunrise Highway, Lindenhurst, New York on November 20, 2024, commencing at the hour of 8:00 A.M., as recorded in the regular official book of the proceedings of the Agency, those proceedings were duly had and taken as shown therein, the meeting shown therein was duly held, and the persons named therein were present at that meeting as shown therein.

2. All members of the Agency and the public were duly notified of that meeting pursuant to law.

IN WITNESS WHEREOF, I have signed this certificate and affixed the seal of the Agency the 20th day of November, 2024.


Secretary

(SEAL)