

Legals

NOTICE OF PUBLIC HEARING ON PROPOSED PROJECT AND FINANCIAL ASSISTANCE RELATING THERETO

Notice is hereby given that a public hearing (the "Public Hearing"), pursuant to Article 2 of the New York State Eminent Domain Procedure Law, will be held by the Allegany County Industrial Development Agency (the "Agency") on the 22nd day of February, 2021 at 11:00 a.m. local time, in connection with the Great Lakes Cheese Manufacturing Plant Project, as described below. As a result of the (1) ban on large meetings or gatherings pursuant to Executive Order 202.1 issued on March 12, 2020, as supplemented, (2) ban on non-essential gatherings of individuals of any size for any reason pursuant to Executive Order 202.10 issued on March 23, 2020, as supplemented, and (3) suspension of the Open Meetings Law relating to public hearings pursuant to Executive Order 202.15 issued on April 9, 2020, as supplemented, each as issued by Governor Cuomo in response to the novel Coronavirus (COVID-19) pandemic, the Public Hearing will be held electronically via conference call rather than in person. Members of the public may attend the Public Hearing by listening to and/or commenting on the Project and the benefits to be granted to Great Lakes Cheese (the "Company"), by the Agency during the Public Hearing by calling 1-888-850-7138 and entering passcode 299446.

The Company submitted an application, (the "Application") to the Agency, a copy of which is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") for the benefit of the Company, said Project consisting of the following:

(A) (1) the acquisition of an interest in certain parcels of property located in Allegany County, New York (collectively, the "Land").

No. Address Tax Map Number

1. Old State Road, Town of Amity 158-1-2.1
2. Trianna Road, Town of Amity 158-1-31
3. County Road 20, Town of Angelica 145-1-5.1

(2) the construction of a manufacturing plant around 480,000 square feet, with a waste water treatment facility of around 50,000 square feet, and any other required improvements (all said improvements being collectively referred to as the "Facility") and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other personal property (the "Equipment"), all of the foregoing to constitute a cheese manufacturing plant to be owned and operated by the Company (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility").

(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 and real estate transfer 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.

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 Allegany 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, renovation 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, reconstructed and installed by the Agency and will be leased (with an obligation to purchase) or sold by the 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.

The Agency has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law (the "SEQRA Act") regarding the potential environmental impact of 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 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, Craig R. Clark, P.E., Ph.D., Executive Director, Allegany County Industrial Development Agency, Crossroads Commerce and Conference Center, 6087 NYS Route 19N, Suite 100, Belmont, New York 14813; Telephone: (585) 268-7445.

Dated: February 4, 2021

ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY

By: Craig R. Clark, P.E., Ph.D., Executive Director