

Special Meeting of the Allegany County Industrial Development Agency

March 29, 2021

Crossroads Conference Center, Belmont, New York 14813

OPENING REMARKS

- Chairman Ewell called the Board meeting to order, by teleconference, at 11:18 A.M. after solving some technical difficulties.
- Present: Rich Ewell, Judith Hopkins, Mike Johnsen, Randy Shayler and Doug Frank and Ward “Skip” Wilday, by phone.
- Absent: None.
- Others present, by phone: Dr. Craig Clark, IDA Executive Director
- Pamela Common, Recording Secretary
- Guest: Dan Spitzer, Attorney
- Live streaming on YouTube at: <https://www.youtube.com/watch?v=Jbl7Z8IEKdE>

ADJOURNMENT

The Chairman asked the Board members for an adjournment, for an attorney/client session. J. Hopkins made the motion and D. Frank seconded, for adjournment, at this time. All members of the Board were in agreement, with no opposition.

The Chairman called the meeting back to order at 11:22 A.M. The first order of business is to discuss the environmental review. We have Dan Spitzer here to review this with us.

ACTION ITEMS

D. Spitzer explained the documents we are discussing today are on the IDA website (ACIDA.org) under the projects tab for Great Lakes Cheese-Project Block. The full EAF part one has been on the website for some time. We are going to go over today the parts two and three and to consider a resolution issuing a negative declaration. The draft resolution has been posted to the website. The environmental review has been led by Clark, Patterson, and Lee on behalf of the IDA and includes input from Sheila Hess from CC Environmental. The environmental review includes significant work from the other consultants including the Dennis Group on behalf of the applicant. Trinity Consultants which did the air related work and there is a SHPO consultant. The IDA also received input from many other agencies. There have been numerous meetings with the NYSDEC branches contained in the review. We believe the proposed document in front of you for this project will have impacts that can be fully mitigated.

If you look at the full assessment form we will review the first section on land. Obviously the project will have an impact on land. The form has from no or small impacts to moderate or large impacts that may occur. In each of these cases as explained in the draft negative declaration we believe the impacts have been mitigated to the maximum extent practical. There is no question building a four hundred eighty thousand square foot plus facility has an impact. The question is; are you mitigating any impacts to the maximum extent possible? There are a number of issues, with the disturbance of land that is not applicable. Construction is not on land with a high water table. Construction is not going to involve construction on slopes of 15% or greater and there is no exposed bedrock on this site. Does everyone see the proposed section on section 1 regarding impact on land? Are there any questions? There was no discussion.

Continuing on, there are no impacts on geological features. There aren't any specific geological landforms on this site. There is nothing on the national natural landmark of life for example. The impact on surface water is the third section. There are some impacts expected because the proposed action requires the construction of a new wastewater treatment facility. This wastewater facility is really going to be a state of the art facility. It was interesting listening to the engineers describe this facility that will be enclosed. In comparison to the current facility in Cuba is open and at the end of its life. The new facility will have state of the art odor control and will meet the requirements for the discharge into the surface water under the SPDES program that will minimize any discharge. The company is building into the wastewater treatment plant significant efforts of sustainable development with an attitude of minimizing environmental impacts. In regard to surface water the facility is reusing as much water as possible. Part of their process and will therefore only discharge minimal amounts of water and that is covered in the environmental impacts and the negative declaration resolution. We don't expect to create a new body of water or to increase or decrease over ten percent or more in the surface area of any body. The only impact on a surface water area is the discharge to the river. The discharge will be done in a way that minimizes the impact and the area where the discharge is located will be restored. D. Spitzer asked the Board is there where any questions on surface water. There were no questions or discussions.

There will be two impacts on ground water. First we have a waterline that serves the Crossroads that come from Friendship. It is intended that would be part of the water service including for fire protection which draws from Friendship's wells. The other impact is drawing water for the project operations. There is adequate groundwater available in Friendship and within the Genesee River watershed to provide water for the plant. We do not expect it to introduce in any way any contaminant to groundwater. The water is being withdrawn to be used as part of the food production. Questions in the impact section simply don't apply. The plant does not have any discharge of wastewater to groundwater. The waste water plant does not involve or allow residential uses. We do not expect the water supply demand, from the proposed action to exceed safe and sustainable withdrawal capacity. We have a contract, with the Town of Friendship, related to the water wells and, there is no reason to expect any impacts on groundwater, from using the groundwater. Mr. Spitzer asked the Board if there were any questions on the groundwater impact section, of the EAF. There were no questions or comments.

The next question is the impact on flooding. Obviously, we don't expect there to be any flooding caused by the facility. On the forms, you mark "yes" if there could be impacts even if it's a small potential. Part of this overall facility will be built within the flood plain. This is allowed for purposes of the wastewater treatment facility but none of the cheese plant facility will be in the flood plain. Nothing going on here will increase the likelihood of flooding and nothing that is going on involves a dam or will result in development beyond the wastewater treatment in the flood plain. An important part of this proposed project is to do everything possible to maintain the river banks and the floodway. There's significant buffering along the river way and all of that is being maintained except for a potential minor disturbance for the discharge into the river. Trees along the river will not be removed except for a small area where the discharge is located and that will be restored. D. Spitzer asked the Board if there were any questions regarding the impact on the flooding section of the EAF. There were not questions or comments.

The next section is the impact on air. The facility will have air emissions that require a title five state air permit. The draft negative declaration provides significant information about the specific sources of emissions that is part of the air permit submission. The facility will be serviced by a new electric line and a new natural gas line and there are combustion facilities on site. Again if

we look at the draft negative declaration the details are listed. The review has been very thorough. For example, we look at how we are handling the paint on the new building. How are we complying with potential visibility from emissions? When you have a new facility, you have the ability to create a state-of-the-art facility that meets or is significantly lower than the limits allowed under state law. The company has put together an air permit and has been working with the NYDEC and Trinity Consultants on that permit. When you look at the negative declaration, you will see a lot of specifics about what does and doesn't apply to this facility. All this was designed with the company's mission and the IDA's mission to minimize the environmental impacts as much as possible. While there will be impacts on air, the proposal mitigates them to the maximum extent practicable. D. Spitzer asked the Board if there were any discussion or questions about the impact on air.

We have identified there could be impacts on plants and animals. Ms. Hess went over this in detail and the goal here is not to have an impact. We have as the Board knows but the public may not know there is an eagle nesting on site. We have people who are observing that nest on a regular basis from a distance. The eagle is sitting on that nest and we are hopeful we will soon have a new addition to the eagle community. While eagles are no longer considered a federal endangered species, they are still protected under the Bald Eagle Act and protected under NY rules. The communication on this has directly involved the Department of Environmental Conservation and the US Fish & Wildlife Service. We look for a 660 foot circle around the nests to avoid disturbance. If you look at the maps that are on the website, we have gone out of our way to avoid removing the area where the eagle is listed or where bats may be. We are putting protocols in place to minimize any impact. We are acquiring the buffer land to protect the eagle nesting and to protect and minimize the impacts to that natural resource and the other natural resources. We also recognize that there could be an impact on the eagles and have applied for what is known as a section 182 take permit. The take permit covers the protocols that are in place to minimize any potential impact to the eagles. If worse comes to worse and there is a disturbance of the eagle, we have committed to making a net conservation benefit payment. This includes a commitment to fund a portion of an eagle sanctuary that is maintained in the region. The goal is to avoid any impact but if there is any impact there are protocols in place to deal with it. There are no environmental impacts that have not been mitigated to the maximum extent possible. This is one of the areas where we worked very closely with other agencies. We appreciate the effort that the DEC has put into all these things. D. Spitzer asked the Board for questions or comments. There were no questions or comments from the Board.

Next, we will talk about agricultural resources. The project will be impacting agricultural resources in a way that is unavoidable. We are converting good farmland that was discussed at the last public hearing into a manufacturing plant. This is an irretrievable commitment of resources. There is simply no way to mitigate that and do the project. We are only taking the absolute, minimum portion of the farm land that the project needs. We are not, for example, taking the other side of the road where the abandoned farm buildings are located. We have limited the amount of tillable land and the actual impact to the individual farmer is recognized, as a significant impact. But, in terms of farmland, in this county, we are talking about, approximately 88 lost acres of farmland out of the 229 acres of the total acquisition. And, even if it were 229 acres of farmland there are 161,000 acres of farmland plus in this county alone. We are talking about far less than one tenth of one percent of an impact on agricultural resources. We have before us an action that will have a significant positive benefit on agriculture in the county and the region. The landowners have indicated to us that they are one of the largest dairies, in the region. The project preserves use of two million pounds of milk daily. This will give farmers the opportunity to expand and strengthen the dairy economy and stay in business. The project will

create an additional demand of two million pounds of milk a day. While we focus on an EAF on the negative impacts, we also note the project will have a positive impact by securing the economic future of agricultural resources, across the county and the region. Mr. Spitzer asked the Board for any questions or comments on agricultural section of the EAF. There was no further discussion or questions asked.

In terms of the impact on aesthetic resources, a large manufacturing plant that is being placed on a farm field has an impact on aesthetic resources. He submits to the Board respectfully that the EAF reflects and the discussions reflect that the project is the right location for such a disturbance. It is not a residential area. It is an area between two closed landfills and an interstate highway and a third landfill not far off from this area. We were able to acquire a significant buffer so we will not have a significant impact to the historic area of Belvidere. We will have a slight view of the tower above the trees. It is not possible to mitigate the tower. The tower which is the largest part of the structure needs to be that height in order to work. There will be visual impact to people driving along the interstate and State Route 19. County Road 20 gets very little traffic. You will, obviously see the plant instead of farm fields. There will be small visual impacts in accordance with the comprehensive plans. This is the right site for this facility. It has been mitigated to the maximum extent possible by maintaining buffers to the maximum extent we can. Mr. Spitzer asked for any questions or comments on the aesthetic resources.

R. Shayler asked a question, regarding section D, in that routine travel to and from work, by residents, would there would be a potential increase, in travel time, for employees?

D. Spitzer replied; this would be focused on the view of who sees it. That box is checked because routine travel by residents traveling to and from work will be impacted by a population of employees who were going to Cuba instead, coming to this site. It is not about the length of time but more about the quantum of people who will see the visual change. You will now see a factory instead of a farm field. Mr. Spitzer asked the Board if there were any further questions or comments. There were no further questions or discussions.

Mr. Spitzer continued the discussion, stating there are no historic or other structures on this property. We have previously conducted SHPO reviews on portion of this property. There have been no indications of a settlement by earlier first peoples. During testing we have found no indications of foundations any other indications. We continue to work with SHPO to ensure protocols are in effect. If we start to dig for the project and you find evidence of a historic relic construction will stop. You work with SHPO to address the issue. What is done depends on what you find and what your investigation has shown. So far the investigation has not uncovered any reason to believe there are any impacts here. We have fully mitigated any, potential impact through protocols. As an example, having evidence of the first peoples on site does not necessarily stop to the project but it does outline next steps. If you are familiar with the Tops warehouse in Lancaster, NY which is a building that is much larger and three times the size of Rich Stadium, they excavated an entire Indian village at that site. We worked, closely, with the native tribe responsible for that area in a cooperative effort. But here there has been no indication of any concerns. Are there any questions on this information? There were no questions

There is no impact expected on open space and recreation since this is private land and not recreational land. Obviously, there is a loss of open space if you consider farm fields as open space. Farm fields are not open space and are used for agricultural purposes. D. Spitzer asked the Board for questions or comments, and there were none. We have also put in a no as to the impact on environmental areas.

Traffic is the next area of impact. There will be an increase in traffic to this area as the truck traffic moves here from Cuba. The site could not be better located to minimize this impact. We have already redeveloped the Crossroads area to bring back the truck stop. There is a traffic light at State Route 19 and County Road 20. There is an interstate highway in extraordinarily close proximity to the site. It would be difficult to think of a site that would have less traffic impact, on a community. There is a traffic report that has been posted on the ACIDA website which reached the conclusion there will be no impacts. We have some mitigation in effect regarding patterns of traffic within the facility to minimize traffic impacts. The experts who did the traffic study have not found any problems with change in levels of service or the need for additional improvements. Obviously, the NYDOT has been copied on everything related to this and we have their comments included. Mr. Spitzer asked for questions or comments regarding the impact of transportation. There were no questions or comments.

Mr. Spitzer spoke, next, on the impact on energy. We are bringing in new electric and gas line services to this facility. It does not require new generation sources. The company is using state of the art equipment to absolutely minimize the consumption of energy by the facility. The proposed action will result in an upgraded substation. This substation is only being sized to serve this facility. It's the minimum impact possible. It is the same with the gas line and they will be using existing corridors. They will not disturb any areas in order to create the new corridors. There is an electrical service and upgrading the service and providing a substation upgrade to the service the facility. There will be impacts but those impacts will not require new generation sources. They will not require any significant changes that will have a moderate or large impact in any way. Mr. Spitzer asked for questions about the impact on energy. There were no questions or comments.

Mr. Spitzer went on to the section on impact on noise, odor and light. The company has spent considerable time, making sure the plant does not create an issue in terms of odors. We heard comments from a Village of Angelica resident, which is potentially downwind. We also had a comments regarding the landfill there creates odor problems. He suspects there are significant other odors problems when these fields are covered with manure as part of the agricultural process. This particular field will eliminate spreading of manure on the proposed site which is an odor issue. There a number of mechanisms for minimizing odor of the new plant unlike the current wastewater facility at Cuba plant. The new plant will be enclosed and follow all the NYSDEC rules to minimize odors. The plant will be operated in a way that does not create odors. Odor emissions in the plant are regulated, by the state. This plant operates in accordance with its permits. Everything is being mitigated to the maximum extent possible. We do not expect there to be odors creating a nuisance in any of the communities. It is in an area that is not residential. It is right near the highway as mentioned. It is buffered from the nearest residential area so that the noise and light is minimized. The light is also being minimized to avoid any impacts on the eagle's nest. They will be using LED lighting and other state of the art lighting for security and for the people at the plant. The plant operates 24/7 so there is security lighting that is modern lighting that does not create significant glare or glow outside of the area intended to be lit. Are there questions about the lighting? There were no questions or comments.

The next section is the impact on human health from a food manufacturing facility. There is a question about whether or not this will cause an increase in the amount of solid waste. This company is extremely good at minimizing its waste production. Virtually all the process waste is through a beneficial use of spreading on farmer's fields so the waste is really a fertilizer and gets

reused. This will be ongoing and will increase. There will be minimal waste that goes to a landfill and will increase with a larger plant and more employees. That increase is handled as any other waste product that isn't handled through the wastewater treatment plant or the land spreading in accordance with the NYSDEC standards. They do not create hazardous waste at the plant and they don't need to be shipping off anything to a hazardous waste facility. If there was hazardous waste or anything that happened that was determined to be hazardous waste this is taken care of by NYSDEC protocols. All of those protocols are in place and potential impacts, on solid waste, are mitigated, to the fullest step possible. Mr. Spitzer asked if there were any questions on the impacts on human health? There were no comments or questions.

Mr. Spitzer spoke of two impacts together which are important to cover because we had some comments at the public hearing which are respectfully wrong and we disagree with. This facility is located exactly where these three communities want this facility to be located as per their community plans. The development of the Crossroads is the number one priority, in the Allegany County plan. At the public hearing there were certain comments, by the representative of the landowners talking about the violation of the agricultural sections of the comprehensive plans. In fact, the reference to some of the agricultural sections, in the Amity plan, was a mistake. The plan was referring to land south of Belmont and not for this area. The Amity plan, specifically calls out the Crossroads, for development in the corridor along State Route 19. It recognizes the site. The Angelica plan references supporting agriculture. It does not call out this section in any way. We have received a letter from the supervisor of Angelica specifically stating the project is in accordance with their plan.

H. Kier Dirlam, the Allegany County Director of Planning has pointed out to us that in the 1990's this particular area was designated for development. Some interesting information was supplied to us, from the county agriculture department stating this property is not in an agricultural district. In terms of concern over agriculture resources, the IDA prepared a Notice of Intent outlining the impacts on agricultural resources that is posted on the ACIDA.org website. This was also shared with the county and the county agriculture department. The agriculture department states this is not an agriculture district according to a resolution that was passed in 2006 by Allegany County. The county removed this land and it was removed from the agriculture district protections at the request of the landowners. The owners submitted a written request in 2005 to remove these lands. According to the county resolution it was purchased for purposed development and it was removed for that purpose. It has been 15 odd years and, there has been no request to put it back in the agricultural district. It is active farmland and it's been evaluated as active farmland. The project is very consistent with the farm district and with the comprehensive plans of the communities. The project has little impact on community character since we are talking about a site that is away from people, between two landfills and near an interstate and a truck stop. This fits in well here. Mr. Spitzer asked the Board for questions or comments. There were no questions or comments.

Part 2 of the EAF is backed up by the information that is in Part 3 of the EAF. In the Part 3 information the draft Negative Declaration is included. If you look at the Negative Declaration at the top it specifically says it is Part 3 and notes the draft Negative Declaration. Within the Negative Declaration is a lot of the information we have talked about. With your permission, Mr. Chairman, I would like to highlight some of the things that are important. All of this review has been done in coordination with state and county agencies. They were involved in the effort, to coordinate the review and agreeing who the lead agency should be. The information that was in the Part 2 EAF is further documented. For example, on the impact of surface water that we

discussed that is item number 3 on the 5th page of the draft Negative Declaration. You will see the actual amount of gallons per day for both the processed wastewater and the sanitary wastewater which will be served by a septic system. The reason for the size of the proposed acquisition is for the need for septic system at this site. Other supporting information to note for example is the impacts on air which is one of the longer sections. We went through in detail the sources of the specific units that are creating potential emissions. You will see it is pretty thorough and even goes down to the roadway and parking lots. Impacts to air starts on page six at the top of page ten. Talking about air there are a number of important things to note and we didn't want to leave anything unconsidered. New York has adopted the Climate Leadership & Community Protection Act. It is still a work in progress. We worked with the NYSDEC to what the GHG (greenhouse gas emissions) would be. Trinity put this all together as part of the Title V permits. We presume that GHG reduction is going to be part of the permit even though at this date it may not be. This is the approach we took to minimize impacts and maximizing mitigation. The company is implementing sustainability design analysis for the facility to ensure, this facility is not just creating jobs but, is also, having the minimum footprint and the minimum impact on our children's future in many ways. All of this is the supporting information we talked about in the EAF in great detail. For example, one of the real concerns was air and it is always about particulate matter. The facilities equipment has been controlled by bag houses, dust collectors and a scrubber that will meet the standards of particulate matters. This follows what is known as good engineering practices and standards to make sure there are no visible emissions. All of this is built into the facility mandates.

Other aspects of the draft Negative Declaration worth noting is a detailed section on starting on page ten, section seven, goes through in great detail the impact of plants and animals and the protocols which we discussed to protect the species including timing of construction, lighting and other monitoring that goes on. This includes the commitment to the wildlife care and education center as part of the take permit conservation benefit. Looking at the draft Negative Declaration, number 8 on the impact on agriculture the IDA is not in any way, minimizing the fact the farmland here, will be irretrievably converted and that it is a potential, significant loss. But this is an absolute minimum loss compare to the farmlands in the county let alone the region. There is simply no way to build a project and not do this on agricultural land. If you recall, from our discussions of the site, the site selection was done by the company looking at over 70 sites. These were few types of property that are large enough to host this. Agricultural and particularly flat agricultural land would have an impact on agriculture in the region or county regardless where the project was built. This property is outside the agricultural district and there is, certainly an impact. It has been mitigated to maximum extent possible. Mr. Spitzer asked the Board if there were any questions on the EAF or the draft Negative Declaration. There were no questions or comments.

Mr. Spitzer informed the Chairman of the Board that the appropriate action, now, would be to make a motion to adopt the resolution approving the Negative Declaration. Specifically this is a resolution entitled a draft resolution determining that actions to undertake a manufacturing project will not have a significant effect on the environment and issuing a Negative Declaration.

Consideration of SEQRA & Review of the Full EAF, Part 2 and 3- A motion was made by M. Johnsen and, seconded by S. Wilday, to approve a Negative Declaration for the SEQRA & Review of the Full EAF, Part 2 and 3. All members were in favor by a vote of 6-0, with no opposition or further comment.

Voice vote results, as follows:

S. Wilday-Aye	R. Shayler-Aye	D. Frank-Aye
M. Johnson-Aye	J. Hopkins-Aye	R. Ewell-Aye

D. Spitzer states that we have been requested by Great Lakes Cheese as part of their application, for assistance in acquiring an interest in these properties. This has been the key thing we have been talking about. Mr. Spitzer leaves it to the company in disclosing any specifics they wish. But we should be clear that despite certain comments at the public hearings, both the IDA and the company have gone to every extent they can to try to get a deal with this landowner, that fairly compensates them and to avoid Eminent Domain. The action today does not mean you will absolutely acquire it. This is not the offer. This is the determination to proceed with Eminent Domain. He is hopeful the company and the landowners will come to a deal. The company has put an offer on the table, which appears to be eight times the fair market value of the property from what we are hearing from our appraiser. The appraisal amount will be available once it's public either through a compensation process or certainly the amount would be known before you make an offer. Let's be clear, due to certain things that we have seen in the press and public hearings or heard from otherwise, the representative says this company doesn't need you to do this but if the landowner refuses to negotiate or simply, makes a demand that is impossible, it can be done. The IDA has had multiple meetings, with the landowners and the company to attempt to resolve this issue. We have involved the two largest dairy co-operatives in the area to assist us through trying to, assist these farmers and maximize their gain, from this transaction. We have offered to work with them if possible, using a 1031 transaction, to minimize the impact of taxes, on them. We have gone over and beyond to do so. This step authorizing the taking but is the conclusion of the EDPL article 2 process. It is not the actual taking. It is not the court filing for the taking. It is not the offer which would be future steps. Looking at whether or not to proceed, there are a number of questions in front of you.

You are looking at a termination and findings resolution and schedules A & B with schedule A the key document for your consideration. There are a number of issues to the learned representative of the landowners and we are fairly comfortable that everything was published correctly. We heard, at the last, public hearing a concern regarding the Hornell Evening Tribune/The Spectator, is not a daily paper and that the dates of publication cited by the representative were insufficient. If you are not a daily paper you are a weekly paper and you only have to publish in successive issues of the weekly paper. We note, during those comments, there was no objection to the fact that it had been in the Cuba paper for that same hearing and therefore any claim, at the public hearing have been waived because it wasn't brought up in that hearing. In fact, most importantly, those representatives were there and you hear directly from one of the landowners on the phone as you may recall on the first hearing of February 9,

2021. Their attorneys had been on the phone or present, at all other meetings. They have received notices and we have heard good commentary from the public, on this. The overwhelming issue for you to decide is this a public use or benefit? It is very important because you are taking land currently privately owned and putting support in a dairy operation of a different use and giving it to a different, private party. The law is very clear that this is an allowable use. The question for you, are you sure you are comfortable with and asking for your comments on, is the public use the dominant use and the benefit to the company incidental? We undertook a number of methodologies to answer that question. We went to Invest Buffalo Niagara, to ask for help, with the creation of impact statements on the cost benefit of the project. In one sense, you can look at and say we are saving two hundred jobs with a twelve million dollar payroll. Frankly you could stop there. The two hundred families being added and two hundred twenty nine families that will not lose their livelihood because of the project that is an overwhelming public benefit right there. But when you look at the operations, currently the construction and future operations it becomes substantially overwhelming wide spread public benefit.

Please note Allegany County's resolution in support of the project and knowing this is a conservative legislature that would not support Eminent Domain unless it felt there was no option. Certainly they would only support it if it was in the public interest. In their resolution they talked about among other things the construction aspects and what those construction jobs will do. It is obviously going to go on for several years. It will reach up to 420 jobs and have a very, specific impact, for the county. The county resolution based on what Buffalo Niagara said stated the output demand and the goods and services from the construction project creates a total of 3,114 full time equivalents for the 2075 direct, 320 indirect and 619 induced jobs. The payroll is over one hundred million dollars with the impacts of almost four hundred million dollars. This is a very large project and they are investing half a billion dollars in your community. This is a widespread benefit. It is not one company from Ohio that's getting that benefit. In fact that one company from Ohio is paying the nine million dollars a year and financing five hundred million dollars. They are not the one receiving the benefit of the land site but it is what your community is receiving. If you look at what this payroll and the expanded payroll, a chart on the proposed findings for the cheese manufacturing, for 2025 including the employment plus expected direct contractors shows conservatively almost a billion dollars of impact across the eight, county region. When we talk about widespread output, we talk about employment and payroll. The dominant benefits are to the community, the region and the county. There is a negative impact, which is recognized in these proposed findings. The Town of Cuba and the Cuba Rushford school district will lose some tax dollars and we have a chart posted on the website giving the estimate of that over a period of time. So we are clear and the company has made clear, those jobs are leaving Cuba and no one is staying in Cuba. This is not Amity/Angelica versus Cuba. This is Amity/Angelica versus bye-bye New York. The loss to the town is certainly something you should consider but it doesn't change the overwhelming numbers. In terms of the current tax payments, the PILOT that will be paid overwhelms the amount of the taxes that would be paid in Cuba, although it is in a different tax district, different school district and a different town, while the county will remain the same. The company is not paying less

taxes as a result of this project. If you look at, potentially what will happen in 2030, where there will be additional contractors and there will be over a billion dollar annually generated from this facility. The benefits are extraordinarily widespread. This also goes to this direct industry that we have been talking about, which is the agriculture industry. There are letters of support, in this record, from the two large cooperatives who represent farmers. The farmers don't like Eminent Domain, if they can avoid it. What they talked about, in those letters, was how important this company is to the region, the industry, the economy of the Southern Tier. Both companies wholeheartedly supported this project as essential and moving forward in the best interest of the region. Buffalo/Niagara has called it the most important project, in Allegany County as demonstrated in terms of the numbers. The widespread nature of the benefit demonstrates the benefits to the company are incidental. Any company will always receive some benefits when they receive financial incentives and when they receive property that they are paying full market value for. The company is not getting this property for free. They are required, through the funding agreement and by law to pay fair market value and, fully compensate the landowner including any applicable consequential damages to their farming operation. This is not a subsidy in terms of Eminent Domain. The enormous benefit to the community is laid out, within the schedule. We have also discussed the general effects on the proposed project and on the environment, which we've talked about in great detail, today including other factors. There should be nothing new to, either the community or to the Board in terms of what we are discussing. This is what we have discussed at three public meetings and other meetings. Mr. Spitzer now, turned the meeting over to the Board for questions or comments regarding proposed determination and findings.

S. Wilday would like to add, not just speaking for himself but also for the Board that the IDA has done everything they can to try to accommodate Great Lakes Cheese in their efforts to find a site. We have asked them several times to go back and relook at sites in Cuba. Unfortunately, they were not able to find a site that suited their needs in Cuba. We do not make the decision on that. We know it is a disappointment for Cuba and certainly for all of the Cuba residents. The fact is that Great Lakes Cheese is going to invest a half a billion dollars in our county and it is going to be extensive. This is the reason why I know we want to support this strongly. He thanked D. Spitzer and C. Clark for all their efforts and going forward with this. You and Great Lakes Cheese have worked extensively and thank you for all your effort.

D. Spitzer states, at the pleasure of the Chairman, the appropriate, next step would be consideration of a motion, to adopt the Determination and Findings, including the Schedule A & B that have been discussed. If the Board approves the findings synopsis known as Schedule B this will be published for two, successive issues in a paper of general circulation of the county. As the Board knows and the public knows, there was some confusion from some representative about what newspaper. This Board has always taken the view that since some of the newspapers are published less often and, since the Wellsville paper has disappeared, that you have multiple papers that you use. In this case, there are two papers, in general circulation that we have used and will continue to use. We will also send a certified copy of the resolutions, to the landowner and their attorneys with the hope this spurs on greater conversation between the company and the

landowners. This is the motion to approve the Terminations of Findings Resolution.

➤ **Consideration of Determination and Findings Pursuant to EDLP Article 2-**

After comments from D. Spitzer, S. Wilday and R. Ewell.

The Chairman asked for a motion to approve the resolution. A motion was made by D. Frank and, seconded by M. Johnsen, to approve the Consideration of Determination and Findings, Pursuant to EDLP Article 2.

Chairman Ewell stated that myself and the Board, have taken into account all the factors involved and take Eminent Domain very seriously. Our country has been created with the idea that we should all have freedom to be left alone. But, in this case, 200 of our friends and neighbors face being left without a job, through no fault of their own. We do not want that to happen. The IDA does not want that to happen.

The Chairman asked the Board if anyone else had anything to discuss, otherwise, we will do a roll call vote.

Voice vote results, as follows:

J. Hopkins-Aye	M. Johnsen-Aye	D. Frank-Aye
R. Shayler-Aye	S. Wilday-Aye	R. Ewell-Aye

R. Shayler asked D. Spitzer what to expect, in terms of this project. D. Spitzer states, at your regular meeting, in April, there will be a proposed resolution on the agenda to grant the financial incentives if we choose to do so. The appraisal for the project as he understands was to be completed Friday. He has received an email from the appraiser stating it is not finished due to an emergency. It is expected to be done Wednesday. We will notify the applicant and the landowners if and when we decide to move forward with acquiring the property. We will continue to push the company and landowners to have the professional discussions to try to resolve this issue without us. The company and the landowner have the opportunity to go to court if they don't agree with what you have done here, today, either, in terms of the environmental determination or in terms of the determination to initiate the taking. We will publish everything in the newspapers and hopefully everything will be resolved and we will get on with this project.

OLD BUSINESS-None

NEW BUSINESS-None

GOOD OF THE ORDER-None

CALENDAR

Next Meeting: April 8, 2021 @ 10:00 A.M.
The Crossroads Commerce Center, Belmont, NY

ADJOURNMENT

With no further business, a motion to adjourn, at 11:29 AM was made by J. Hopkins, seconded by M. Johnsen, with all in favor and no one opposed, by a voice vote of 6-0, the meeting was adjourned.

Respectfully submitted,
Pamela Common
Recording Secretary