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**DETERMINATION AND FINDINGS RESOLUTION
GREAT LAKES CHEESE PROJECT BLOCK**

A regular meeting of Allegany County Industrial Development Agency (the “Agency”) was convened in public session at the office of the Agency located at Crossroads Commerce & Conference Center, 6087 State Route 19 North, Belmont, New York, on March 29, 2021 at 10 o’clock a.m., local time.

The meeting was called to order by the (Vice) Chair and, upon roll being called, the following members of the Agency were:

PRESENT:

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Richard Ewell	Chairperson
Judy Hopkins	Vice Chairperson
Michael Johnsen	Secretary
Douglas Frank	Treasurer
Randy Shayler	Member
Ward “Skip” Wilday	Member

Each of the members present participated in the meeting telephonically pursuant to Executive Order No. 202.1, as supplemented, issued by New York State Governor Andrew M. Cuomo, suspending provisions of Article 7 of the Public Officers Law that require public in-person access to public meetings and authorizing board members to participate in said meetings by conference call or similar service.

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Dr. Craig Clark	Executive Director
Pam Common	Recording Secretary
Daniel Spitzer	Agency Counsel

The following resolution was offered by _____, seconded by _____, to wit:

Resolution No. 0321-

**RESOLUTION MAKING DETERMINATION AND FINDINGS CONCERNING THE
PROPOSED ACQUISITION OF CERTAIN PROPERTY LOCATED IN THE TOWNS
OF AMITY AND ANGELICA, ALLEGANY COUNTY, NEW YORK.**

WHEREAS, Allegany County Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”) and Chapter 99 of the 1973 Laws of New York, as amended, constituting Section 906-a of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing

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economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration;

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more “projects” (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Great Lakes Cheese Co., Inc., a State of Ohio business company (the “Company”), has submitted an application (the “Application”) to the Agency, a copy of which Application 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 a portion of several parcels of land totaling approximately 229 acres located on Trianna Road (Tax map number 158.-1-31) and Old State Road (Tax map number 158.-1-2.1) in the Town of Amity and County Road 20 (Tax map number 145.-1-5.1) in the Town of Angelica, Allegany County, New York (collectively, the “Land”), (2) the construction on the Land of an approximately 486,000 square foot cheese manufacturing facility and an approximately 50,000 square foot waste water treatment facility, utility interconnections, site preparation, access roads 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 facility to be owned and operated by the Company (the Land, 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, real estate transfer taxes and mortgage recording 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; and

WHEREAS, the undertaking of the Great Lakes Cheese Project Block includes the acquisition of the certain parcels of property described above located in the Towns of Amity and Angelica, Allegany County, New York (hereinafter collectively referred to as the “Land Parcels”); and

WHEREAS, pursuant to the authorization contained in a resolution adopted by the members of the Agency on January 7, 2021 (the “Public Hearing Resolution”), the Agency’s staff (A) caused notice of a public hearing of the Agency pursuant to Article 2 of the EDPL (the “Public Hearing”) to be published in the Hornell Evening Tribune (the Spectator), a newspaper of general circulation available to the residents of the Allegany County at least ten, but not more than thirty, days before the public hearing in five successive issues in the beginning February 9, 2021 and ending on February 21, 2021, (C) in the Cuba Patriot a newspaper of general circulation available to the residents of the Allegany County for two successive issues of February 10, 2021 and February 17 2021 in each case commencing at least ten, but not more than thirty, days before the public hearing (D) provided notice of the Public Hearing on February 8, 2021 to all record assessment billing owners and counsel, at least ten, but not more than thirty, days before the Public Hearing by certified mail, return receipt requested, and (D) conducted the Public Hearing on February 22, 2021 at 11:00 o’clock a.m., local time remotely utilizing the Zoom video and teleconference platform rather than in person; and

WHEREAS, thereafter pursuant to the Public Hearing Resolution the Agency’s staff (A) caused notice of an additional public hearing of the Agency pursuant to Article 2 of the EDPL (the “Additional Public Hearing”) to be published in the Hornell Evening Tribune (the Spectator), a newspaper of general circulation available to the residents of the Allegany County at least ten, but not more than thirty, days

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before the public hearing in five successive issues in the beginning on March 7, 2021 and ending on March 19, 2021; (C) in the Cuba Patriot a newspaper of general circulation available to the residents of the Allegany County for two successive issues of March 10, 2021 and March 17, 2021, in each case commencing at least ten, but not more than thirty, days before the public hearing (D) provided notice of the Public Hearing on March 8, 2021 to all record assessment billing owners and counsel, at least ten, but not more than thirty, days before the Public Hearing by certified mail, return receipt requested, and (D) conducted the Public Hearing on March 22, 2021 at 11:00 o'clock a.m., local time in person at the Crossroads Commerce & Conference Center, 6087 State Route 19 North, Belmont, New York in the Town of Angelica, as well as remotely utilizing the Webex video and teleconference platform rather than; and

WHEREAS, at each of the Public Hearing and the Additional Public Hearing (collectively herein the "Public Hearings"), the Agency outlined the purpose, proposed location of the proposed public project and any other information it considered pertinent, including maps and descriptions of the property to be acquired and adjacent parcels and provided any person in attendance a reasonable opportunity to present oral or written statements and to submit any other documents concerning the proposed public project; and

WHEREAS, following the Public Hearings, the Agency caused a transcript of the Public Hearings to be made and compiled the application materials and written comments received (collectively referred to as the "Record"); and

WHEREAS, the Agency caused the Record to be made available to the public for examination without cost on its website and during normal business hours at the Agency's principal office and at the office of the clerk or register of Allegany County, New York in which the property proposed to be acquired is located; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act"), and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (the "Regulations", and collectively with the SEQR Act, "SEQRA"), by resolution adopted by the members of the Agency on January 7, 2021, the Agency (1) determined that the Project constitutes an "Type I Action" (as said quoted term is defined in SEQRA), (2) and authorized a Notice of Intent to act as Lead Agency, which was posted on the Agency website, and distributed to Involved and Interested Agencies, and provided to the counsel for the landowners; and

WHEREAS, further pursuant to SEQRA, on March 29, 2021 the agency adopted a resolution determining (1) that the Agency shall act as Lead Agency and (2) that the Project will not result in a significant adverse impact on the environment, and (3) prepared and issued a negative declaration with respect to the Project; and

WHEREAS, the Agency, pursuant to Article 2 of the EDPL, desires to adopt the determination and findings and brief synopsis attached hereto in connection with the acquisition of the Land Parcels; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF ALLEGANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. Based on the entire record of proceedings, including, but not limited to, the Application, information set forth in the Full EAF, the Negative Declaration, the detailed conceptual plans, the technical reports, the record of the Public Hearings, and the Agency's knowledge of the site and the community, and pursuant to the requirements of the EDPL, the Agency makes the following findings with respect to the Project:

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A. Pursuant to Article 2 of the EDPL, the form and substance of the determination and findings attached hereto as Schedule “A” is hereby adopted and incorporated herein by reference.

B. Pursuant to Article 2 of the EDPL the form and substance of the brief synopsis of the determination and findings attached hereto as Schedule “B” is hereby adopted and incorporated herein by reference.

Section 2. The Chair is hereby authorized and directed to take such further action on behalf of the Agency to effectuate the provisions of this Resolution and so as to fulfill the requirements of Article 2 of the EDPL.

Section 3. This 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:

Richard Ewell	VOTING
Judy Hopkins	VOTING
Randy Shayler	VOTING
Douglas Frank	VOTING
Michael Johnson	VOTING
Ward “Skip” Wilday	VOTING

The foregoing Resolution was thereupon declared _____

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

I, the undersigned (Assistant) Secretary of Allegany County Industrial Development Agency (the “Agency”), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on March 29, 2021 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the “Open Meetings Law”) except as modified by Executive Order 202.1, as supplemented, said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present, either in-person or appearing telephonically in accordance with Executive Order 202.1, as supplemented, 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 rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this ____ day of January, 2021.

(Assistant) Secretary

(SEAL)