

**RESOLUTION ISSUING NOTICE OF INTENT PURSUANT TO THE AGRICULTURE &
MARKETS LAW TO UNDERTAKE A PROJECT IN AN AGRICULTURAL DISTRICT
GREAT LAKES CHEESE LLC PROJECT BLOCK PROJECT**

A regular meeting of Allegany County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at Crossroads Commerce & Conference Center located at 6087 State Route 19 North in the Village of Belmont, Allegany County, New York on January 7, 2021 at 10:00 o'clock a.m., local time.

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

PRESENT:

Richard Ewell	Chairman
Judy Hopkins	Vice Chairman
Randy Shayler	Secretary
Douglas Frank	Treasurer
Michael Johnsen	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: None.

GUEST: Daniel Spitzer, Attorney

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Craig R. Clark, P.E., Ph.D.	Executive Director
Pamela M. Common	Recording Secretary

The following resolution was offered by D. Frank, seconded by M. Johnsen, to wit:

Resolution No. 0121-04

**RESOLUTION AUTHORIZING ISSUING A NOTICE OF INTENT PURSUANT TO
THE AGRICULTURE & MARKETS LAW TO UNDERTAKE A PROJECT IN AN
AGRICULTURAL DISTRICT REGARDING A PROPOSED PROJECT TO BE
UNDERTAKEN FOR THE BENEFIT OF GREAT LAKES CHEESE, LLC.**

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 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; and

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 LLC, a limited liability 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 or a portion of several parcels totaling 210 acres of land (tax map numbers 158.-1-2.1 and 158.-1-31 (Town of Amity) and 145.-1-5.1 (Town of Angelica)) located along County Route 20 in the Towns of Amity and Angelica, Allegany County, New York (the “Land”), (2) the construction of an approximately 486,000 sq. ft. cheese manufacturing facility with a waste water treatment facility of around 50,000 sq. ft. wastewater treatment plant, 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, pursuant to Section 305 of the Agriculture & Markets Law, prior to undertaking the requested action the Agency is required to file a Notice of Intent with the Commissioner of Agriculture; and

WHEREAS, the Agency desires to provide for compliance with the provisions of Section 305 of the Agriculture & Markets Law with respect to the Project.

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

Section 1. The Agency hereby authorizes the Executive Director of the Agency, to file a notice of intent with the Commissioner of Agriculture and the Allegany County agricultural and farmland protection board. Such notice shall include a detailed agricultural impact statement setting forth the following:

- (i) A detailed description of the proposed action and its agricultural setting;
- (ii) the agricultural impact of the proposed action including short-term and long-term effects;
- (iii) any adverse agricultural effects which cannot be avoided should the proposed action be implemented;
- (iv) alternatives to the proposed action;

- (v) Any irreversible and irretrievable commitments of agricultural resources which would be involved in the proposed action should it be implemented;
- (vi) mitigation measures proposed to minimize the adverse impact of the proposed action on the continuing viability of a farm enterprise or enterprises within the district;
- (vii) any aspects of the proposed action which would encourage non-farm development, where applicable and appropriate; and
- (viii) such other information as the commissioner may require.

Section 2. 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	AYE
Judy Hopkins	VOTING	AYE
Randy Shayler	VOTING	AYE
Douglas Frank	VOTING	AYE
Michael Johnsen	VOTING	AYE
Ward "Skip" Wilday	VOTING	AYE

The foregoing Resolution was thereupon declared duly adopted.


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 January 7, 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 7th day of January, 2021.



(Assistant) Secretary

(SEAL)