

RESOLUTION
(Seneca Dairy Systems LLC Project)

A meeting of the Seneca County Industrial Development Agency was convened on June 6, 2019.

The following resolution was duly offered and seconded, to wit:

Resolution No. 2019 - 16

RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY DECLARING ITSELF LEAD AGENCY WITH RESPECT TO THE REVIEW OF A CERTAIN PROJECT DESCRIBED IN THE APPLICATION OF SENECA DAIRY SYSTEMS LLC DATED APRIL 25, 2019

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 63 of the Laws of 1972 of the State of New York, as amended (hereinafter collectively called the "Act"), the **SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY** (hereinafter called "Agency") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping civic, industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, **SENECA DAIRY SYSTEMS LLC**, a New York limited liability company, for itself or on behalf of an entity to be formed by it or on its behalf (the "Company") has submitted an application (the "Application"), a copy of which is on file with the Agency, requesting the Agency's assistance with respect to a certain project (the "Project") consisting of: (i) the acquisition of an interest in approximately seventy-five (75) acres within the former Seneca Army Depot situated south of former County Road 135 and west of the former Fayette Street (the "Land"), (ii) the phased construction on the Land of approximately 223,000 square feet of manufacturing and warehousing facilities, an office complex and related amenities (collectively, the "Improvements"), and (iii) the acquisition and installation by the Company in and around the Improvements of certain items of equipment and other tangible personal property (the "Equipment" and, collectively with the Land and the Improvements, the "Facility"); and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto at 6 N.Y.C.R.R. Part 617, as amended (collectively referred to as "SEQRA"), the Agency must satisfy the applicable requirements set forth in SEQRA, as necessary, prior to making a final determination whether to assist the Project; and

WHEREAS, with the Application the Company has submitted to the Agency a completed Part 1 of the Full Environmental Assessment Form ("EAF") in the form required by SEQRA, with supporting materials, including an Analysis of Environmental Impacts ("EA") (together with the

EAF, the “Environmental Documentation”); and

WHEREAS, based upon the Application and the Environmental Documentation, the Agency has (i) determined that the Project constitutes a “Type I Action” under SEQRA, pursuant to 6 N.Y.C.R.R. 617.4(b)(6)(i), as it involves the physical alteration of more than ten (10) acres and (ii) identified the parties listed on Exhibit A attached hereto as potentially “interested and involved agencies” under SEQRA (collectively, the “Potentially Interested and Involved Agencies”); and

WHEREAS, by Resolution adopted May 2, 2019, the Agency accepted the Application and declared its intent to act as lead agency for purposes of a coordinated review of the Project with all identified Potentially Interested and Involved Agencies pursuant to SEQRA; and

WHEREAS, on or before May 3, 2019 the Agency caused to be delivered to the Potentially Interested and Involved Agencies copies of the Application and the Environmental Documentation, together with notice of the Agency’s intent to act as lead agency for a coordinated review of the Project pursuant to SEQRA (collectively, the “SEQRA Notice”); and

WHEREAS, none of the Potentially Interested and Involved Agencies have objected to the Agency acting as lead agency for a coordinated review of the Project pursuant to SEQRA, and the time period for an Involved Agency to object has expired.

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

Section 1. The Agency hereby adopts as findings the recitations above.

Section 2. The Agency hereby declares itself lead agency for purposes of a coordinated review of the Project pursuant to SEQRA.

Section 3. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions. Without limiting the foregoing, the officers, employees and agents of the Agency are authorized and directed to conduct a coordinated review of the Project under SEQRA and to retain engineering and other professional consultants as shall be necessary to facilitate the SEQRA review.

Section 4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	Yea	Nay	Abstain	Absent
Steven Brusso				
Thomas L. Kime				
G. Thomas Macinski				
Donald Trout				
Menzo Case				
Jeffrey Shipley				
Stephen Wadhams				
Valerie Bassett				
Erica Paolicelli				

The Resolution was thereupon duly adopted.

EXHIBIT A

POTENTIALLY INTERESTED AND INVOLVED AGENCIES

The following is a list of potentially involved agencies:

1. Seneca County Industrial Development Agency 1
DiPronio Drive
Waterloo, New York 13165
(315) 539-1725
2. New York State Homes & Community Renewal 38-
40 State Street, Hampton Plaza, 4th Floor South
Albany, New York 12207
(866) 275-3427
3. New York State Department of Environmental Conservation
Region 8
6274 E. Avon-Lima Road Avon,
New York 14414-9519 (585)
226-2466
4. Town of Romulus Planning Board
1435 Prospect Street
P.O. Box 177
Willard, New York 14588 (607)
869-9326
5. Town of Romulus Town Board
1435 Prospect Street
P.O. Box 177
Willard, New York 14588 (607)
869-9326
6. Town of Romulus Zoning Board of Appeals
1435 Prospect Street
P.O. Box 177
Willard, New York 14588 (607)
869-9326

7. Empire State Development
Finger Lakes Region
400 Andrews Street, Suite 300
Rochester, New York 14604
(585) 399-7050

8. United States Army Corps of Engineers
c/o Randy Battaglia
BRAC Environmental Coordinator
Seneca Army Depot Activity
5786 State Route 96
Romulus, New York
14541

9. New York State Department of Transportation
Region 3
State Office Building
333 E. Washington Street
Syracuse, New York
13202 (315) 428-4351

10. New York State Department of Transportation
Cayuga/Seneca Residency
c/o Christopher Covert,
P.E. 78 East River Street
Waterloo, New York 13165
(315) 539-3112

11. Seneca County Planning Board
c/o Harriet A. Haynes, Senior Planner
Seneca County Department of Planning and Community
Development 1 DiPronio Drive
Waterloo, New York 13165
(315) 539-1730

12. Seneca County Board of Supervisors
c/o Margaret Li, Clerk to the Board
1 DiPronio Drive
Waterloo, New York 13165
(315) 539-1700

13. Seneca County Public Works Seneca
County Water District No. 1 Seneca
County Sewer District No. 2
c/o Samuel R. Priem, P.E., Public Works Commissioner 1
DiPronio Drive
Waterloo, New York 13165
(315) 539-1634

14. Seneca County Office of Emergency Management
c/o Melissa Taylor, Director
1 DiPronio Drive Waterloo,
New York 13165 (315) 539-
1756

15. Village of Ovid Fire Department
c/o William J. Palmer, Sr., Chief
P.O. Box 33
Ovid, New York 14521
(607) 869-5560

16. Romulus Volunteer Fire Dept., Inc.
c/o Robert Steele, Chief
2010 Cayuga Street
Romulus, New York 14541
(607) 869-5282

17. Varick Volunteer Fire Co., Inc.
c/o Jeff Case, Chief
4682 Route 96-A
Geneva, New York 14456 (315)
585-9535

SECRETARY'S CERTIFICATION
(Seneca Dairy Systems LLC Project)

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

I, the undersigned, Secretary of the Seneca County Industrial Development Agency DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the Seneca County Industrial Development Agency (the "Agency"), including the resolution contained therein, held on June 6, 2019, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Agency present 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 modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this ___ day of _____, 2019.

Secretary