

**NOTICE OF PUBLIC HEARING
PURSUANT TO NEW YORK GENERAL MUNICIPAL LAW §859-a
ON PROPOSED PROJECT AND FINANCIAL ASSISTANCE**

**Ultra Dairy, LLC
6750 Benedict Road, Town of Dewitt
Tax Map # 042.-13-05.1**

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Section 859-a of the New York General Municipal Law will be held by the Onondaga County Industrial Development Agency (the “Agency”).

Public Hearing Date and Time: July 26, 2021 at 10:00 A.M.

Public Hearing Location: Dewitt Town Hall, 5400 Butternut Drive, East Syracuse New York.

For assistance or questions regarding the public hearing please contact the Onondaga County Industrial Development Agency.

The public hearing is being held in connection with the following matter:

In 2003, the Agency undertook a project (the “2003 Project”) on behalf of Ultra Dairy, LLC (the “Company”) consisting of the following: (A)(1) the acquisition of an interest in an approximately 21 acre parcel of land located at 6750 Benedict Road (tax map no. 042.-13-05.1) in the Town of Dewitt, Onondaga County, New York (the “Land”); (2) the construction on the Land of an approximately 31,000 square foot manufacturing and packaging facility for use by the Company (the “2003 Facility”); and (3) the acquisition and installation in the 2003 Facility of certain machinery and equipment (the “2003 Equipment” and collectively with the Land and the 2003 Facility, the “2003 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 estate transfer taxes and real property taxes (collectively, the “2003 Financial Assistance”); (C) the lease (with an obligation to purchase) or sale of the 2003 Project Facility to the Company; and (D) assisting the Company in the financing of the 2003 Project Facility.

In 2007, the Agency undertook a project (the “2007 Project”) consisting of the following: (A)(1) construction of an approximately 4,000 square foot addition to and modification of the 2003 Facility (as modified and expanded, the “2007 Facility”); and (2) the acquisition and installation in the 2007 Facility of certain machinery and equipment (the “2007 Equipment”) (the Land, the 2007 Facility and the 2007 Equipment are sometimes hereinafter collectively referred to as the “2007 Project Facility”); and (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 (collectively, the “2007 Financial Assistance”).

In 2008, the Agency undertook a project (the “2008 Project”) consisting of the following: (A)(1) construction of an approximately 55,000 square foot expansion of the 2007 Facility (as modified and expanded, the “2008 Facility”); and (2) the acquisition and installation in the 2008 Facility of certain machinery and equipment (the “2008 Equipment”) (the Land, the 2008 Facility

and the 2008 Equipment are sometimes hereinafter collectively referred to as the “2008 Project Facility”); and (B) the granting of certain “financial assistance” (within the meaning of Section 85404) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes (collectively, the “2008 Financial Assistance”).

In 2019, the Agency undertook a project (the “2019 Project”) consisting of the following: (A)(1) the retention of the Agency’s interest in the Land and the 2008 Project Facility; (2) the construction of an approximately 38,400 square foot addition, an approximately 2,970 square foot addition and an approximately 1,165 square foot addition to the 2008 Project Facility (the “2019 Improvements” and, together with the 2008 Facility, the “2019 Facility”) located on the Land; and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the “2019 Equipment”) (the Land, the 2019 Facility, the 2003 Equipment, the 2007 Equipment, 2008 Equipment and the 2019 Equipment being collectively referred to as the “2019 Project Facility”), such 2019 Project Facility to provide manufacturing, storage and cooling space for the manufacturing, storage and shipment of dairy and non-dairy food products; (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 mortgage recording taxes subject to certain statutory limitations (collectively, the “2019 Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the 2019 Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

In 2020, the Agency undertook a project (the “2020 Project”) consisting of the following: (A)(1) the retention of the Agency’s interest in the Land and the 2019 Project Facility; (2) the construction of an approximately 26,000 square foot addition to the 2019 Project Facility (the “2020 Improvements” and, together with the 2019 Facility, the “2020 Facility”) located on the Land; and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the “2020 Equipment”) (the Land, the Facility, the 2003 Equipment, the 2007 Equipment, 2008 Equipment, the 2019 Equipment and the 2020 Equipment being collectively referred to as the “2020 Project Facility”), such 2020 Project Facility to provide space for an aseptic dairy processing area; (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 and real property taxes (collectively, the “2020 Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the 2020 Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

The Company, has submitted an application to the Agency (the “Application”) on behalf of itself and entities formed or to be formed on its behalf, a copy of which Application is on file at the office of the Agency, which Application requests that the Agency consider undertaking a new project (the “Project”) for the benefit of the Company and/or entities formed or to be formed on its behalf, said Project consisting of the following: (A)(1) the retention of the Agency’s interest in the Land and the 2020 Project Facility; (2) the addition of an approximately 6,500 square foot expansion to the 2020 Project Facility (as renovated and expanded, the “Facility”) on the Land; and (3) the acquisition and installation therein and thereon of related fixtures, machinery, equipment and other tangible personal property (collectively, the “Equipment”) (the Land, the Facility, the 2003 Equipment, the 2007 Equipment, 2008 Equipment, the 2019 Equipment, the 2020 Equipment and the Equipment being collectively referred to as the “Project Facility”), such Project Facility to provide space for a wastewater treatment 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 estate transfer taxes and real property 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

The Company will be the initial owner and/or operator of the Project Facility.

The Agency has not made a decision with respect to the undertaking of the Project or the granting of the Financial Assistance.

The Agency will at the above-stated time and place hear all persons with views in favor of or opposed to the Project and/or the Financial Assistance. A copy of the Application including a cost/benefit analysis is available at the office of the Agency for review by interested persons. A copy of a recording of the hearing will be available on the Agency’s website.

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Dated: July 13, 2021