

**Montgomery County Industrial Development Agency Meeting
March 11, 2021
Meeting Minutes**

MEMBERS PRESENT:

Matthew Beck, Chairman
Carol Shineman, Vice-Chair
Robert Harris, Treasurer
Mark Kowalczyk, Member
Amanda Auricchio, Esq., Member
Laurie Weingart, Secretary

STAFF MEMBERS PRESENT:

Kenneth F. Rose, Chief Executive Officer
Sheila Snell, Chief Financial Officer
Vincenzo Nicosia, Economic Dev. Specialist
Andrew Santillo, Staff Assistant
Karl Gustafson Jr., Grant Assistant

ABSENT:

Cheryl Reese, Member

OTHERS PRESENT:

I. Call to Order

The meeting was called to order by Chairman Beck at 4:42 p.m.

II. Minutes

A motion was made by Carol Shineman, seconded by Mark Kowalczyk, to approve the meeting minutes from the Governance Committee of January 14, 2021. All members present were in favor.

A motion was made by Robert Harris, seconded by Amanda Auricchio, Esq., to approve the meeting minutes from the Organizational Meeting of January 14, 2021. All members present were in favor.

A motion was made by Carol Shineman, seconded by Mark Kowalczyk, to approve the meeting minutes from the IDA regular meeting of January 14, 2021. Amanda Auricchio, Esq., stated a correction was needed to resolution 21-02 that listed her as voting, when she was absent. All members present were in favor of approving the amended meeting minutes.

III. Communications

There were no communications.

IV. Public Comments

There was no public comment.

V. Chair's Report

There was no Chair's report.

VI. Director's Report

Mr. Ken Rose reported that bids were received and compiled for demolition work on the West Side of the Exit 29 Redevelopment Site in Canajoharie. Staff is working with the County Executive's office and the County Legislature to discuss the next steps, with regards to awarding some, none or all of that work. If any work takes place, it would just be selective demo on the western side of the site this year.

The license agreement between the IDA and the county has been executed for the property in the Glen Canal View Business Park for the Shared Service Facility Project. The 90-day clock has started, as the Authorities Budget Office (ABO) has posted the disposition of that property. They have started mobilizing and anticipate breaking ground next week.

VII. Financial Report

A. Revolving Loan Fund

Ms. Sheila Snell said that the Revolving Loan Fund is included in the Agency board members' packets.

VIII. Marketing Report

Mr. Vincenzo Nicosia reported that the Small Business of the Month continues to be a successful initiative. Each month, the news is picking up the information and the small businesses are getting a nice spotlight.

Staff did a drawing, back in January, for those who signed up for the Buy It In Montgomery website, for two short promotional videos to be produced. The video for Center Street Station is complete and the one for Open Canvas Beauty Salon should be finalized shortly.

Mr. Mark Kowalczyk said he likes seeing the attention the local businesses are receiving from being recognized as the Small Business of the Month. He likes that different mix of businesses that have been honored.

IX. Unfinished Business

There was no unfinished business.

X. New Business

A. 2020 Annual Independent Audit

Chairman Beck says the Annual Audit was prepared by West & Company and presented to the Audit Committee, which provided a positive recommendation to the full Agency board. At the committee meeting, Mike Rossi and Amy Pedrick, from West & Company, explained their process of the audit and that it received a clean opinion.

The following resolution was offered by Amanda Auricchio, Esq., seconded by Mark Kowalczyk, to wit:

RESOLUTION ACCEPTING 2020 AUDIT REPORT

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Robert Harris	VOTING	YES
Amanda J. Auricchio, Esq.	VOTING	YES
Mark Kowalczyk	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	ABSENT

The foregoing Resolution No. 21-04 was thereupon declared duly adopted

B. 2020 Financial and Investment Report

Chairman Beck reported that this Financial Report and Investment Report was part of the audit done by West & Company during the independent audit. Both reports received a clean opinion, which is the highest opinion they can give.

The following resolution was offered by Robert Harris, seconded by Carol Shineman, to wit:

RESOLUTION ACCEPTING 2020 ANNUAL FINANCIAL AND INVESTMENT REPORTS

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Robert Harris	VOTING	YES
Amanda J. Auricchio, Esq.	VOTING	YES
Mark Kowalczyk	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	ABSENT

The foregoing Resolution No. 21-05 was thereupon declared duly adopted

C. 2020 PARIS Report

The 2020 PARIS report was transmitted to Agency board members by Sheila Snell through email. A motion is needed, in order submit the 2020 PARIS report document.

A motion was made by Mark Kowalczyk, seconded by Amanda Auricchio, Esq, and was put to a vote on roll call, which resulted as follows:

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Robert Harris	VOTING	YES
Amanda J. Auricchio, Esq.	VOTING	YES
Mark Kowalczyk	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	ABSENT

D. 2021 Mission Statement and Performance Measure Report

Chairman Beck states that this 2021 Mission Statement and Performance Measure Report was sent to the full Agency board with a positive recommendation by the Governance Committee.

The following resolution was offered by Carol Shineman, seconded by Robert Harris, to wit:

RESOLUTION ADOPTING 2021 MISSION STATEMENT AND MEASUREMENT REPORT

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Robert Harris	VOTING	YES
Amanda J. Auricchio, Esq.	VOTING	YES
Mark Kowalczyk	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	ABSENT

The foregoing Resolution No. 21-06 was thereupon declared duly adopted

E. Internal Management Assessment

Mr. Ken Rose reports that the CEO and CFO of the Agency are supposed to provide an Internal Management Assessment yearly, report it to the Agency board, send it in the PARIS, and post the document on the Agency's website. This shows the internal controls and other administrative controls that are in place.

Mr. Mark Kowalczyk says how grateful he is as an Agency board member that all of this is being done properly by staff and he appreciates the work.

Chairman Beck echoes the statement saying, when you look at how detailed some of the reporting items are to the state and how much time and effort they take, it shows how much work staff is doing to make sure things are being done properly.

F. Real Property Transactions Report

A report is required for both real property and personal property. Mr. Ken Rose says that Agency board members can see on the report that the 6.5-acre parcel in the Florida Business Park Extension, was closed on in 2020, and sold for the Vida Blend for its project. Staff is also setting up a site visit for the coming weeks to see the inside of the facility.

G. National Grid Marketing Grant (City of Amsterdam)

Mr. Ken Rose says that the IDA was approached by the City of Amsterdam Mayor and Economic Development Director about sponsoring the city’s application for a National Grid marketing grant. This is needed because in order to qualify for these programs, the application had to come through a county agency. Since there is a good partnership between the county and the city, we signed off on it and they received the grant for \$135,000, which is to be matched solely with money from the City of Amsterdam Downtown Revitalization Initiative monies. There is no county money involved, just in-kind service in staff time to process payments with National Grid.

This grant accepts the grant from National Grid and authorizes Agency to sign it, and also execute an agreement with the City of Amsterdam.

The following resolution was offered by Mark Kowalczyk, seconded by Amanda Auricchio, Esq., to wit:

RESOLUTION APPROVING GRANT AGREEMENT AND ENTERING INTO AGREEMENT WITH CITY OF AMSTERDAM-NATIONAL GRID MARKETING GRANT

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Robert Harris	VOTING	YES
Amanda J. Auricchio, Esq.	VOTING	YES
Mark Kowalczyk	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	ABSENT

The foregoing Resolution No. 21-07 was thereupon declared duly adopted

IX. Adjournment

A motion was made by Laurie Weingart, seconded by Robert Harris, to adjourn the meeting at 5:12 p.m. All members present were in favor.

Respectfully submitted,

Andrew Santillo

Economic Development Staff Assistant
Attachments: Resolution No. 21-04, 21-05, 21-06, 21-07

RESOLUTION ACCEPTING 2020 AUDIT REPORT

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on March 11, 2021, at 4:42 p.m., local time.

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

PRESENT:

Matthew Beck	Chair
Carol Shineman	Vice-Chair
Robert Harris	Treasurer
Laurie Weingart	Secretary
Amanda Auricchio, Esq.	Member
Mark Kowalczyk	Member

ABSENT:

Cheryl Reese	Member
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THE FOLLOWING PERSONS WERE ALSO PRESENT:

Kenneth F. Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Vincenzo Nicosia	Ec. Development Specialist
Andrew Santillo	Staff Assistant
Karl Gustafson, Jr.,	Grant Assistant

The following resolution was offered by Amanda Auricchio, Esq., seconded by Mark Kowalczyk, to wit:

Resolution No. 21-04

RESOLUTION ACCEPTING AUDIT REPORT PRESENTED BY WEST AND COMPANY FOR FINANCIAL PERIOD ENDING DECEMBER 31, 2020

WHEREAS, Montgomery 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 666 of the 1970 Laws of New York, as amended, constituting Section 895-d 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 industrial, manufacturing, warehousing, commercial, research, recreation and civic 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, West and Company, CPA presented the Agency with the final audit report for financial period ended December 31, 2020;

RESOLVED, that report be accepted by the Montgomery County Industrial Development Agency.

FURTHER RESOLVED, 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:

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Robert Harris	VOTING	YES
Laurie Weingart	VOTING	YES
Amanda Auricchio, Esq.	VOTING	YES
Mark Kowalczyk	VOTING	YES
Cheryl Reese	VOTING	ABSENT

The foregoing Resolution No. 21-04 was thereupon declared duly adopted.

**RESOLUTION ACCEPTING 2020 ANNUAL FINANCIAL AND INVESTMENT
REPORTS**

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on March 11, 2021, at 4:42 o'clock p.m., local time.

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

PRESENT:

Matthew Beck	Chair
Carol Shineman	Vice-Chair
Robert Harris	Treasurer
Laurie Weingart	Secretary
Amanda Auricchio, Esq.	Member
Mark Kowalczyk	Member

ABSENT:

Cheryl Reese	Member
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THE FOLLOWING PERSONS WERE ALSO PRESENT:

Kenneth F. Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Vincenzo Nicosia	Ec. Development Specialist
Andrew Santillo	Staff Assistant
Karl Gustafson	Grant Assistant

The following resolution was offered by Robert Harris, seconded by Carol Shineman to wit:

Resolution No. 21-05

**RESOLUTION TO ACCEPT 2020 ANNUAL FINANCIAL AND INVESTMENT
REPORTS OF MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT
AGENCY IN ACCORDANCE WITH PUBLIC AUTHORITY ACCOUNTABILITY
ACT OF 2005 AS PRESENTED AND CERTIFIED BY THE CEO AND CFO**

WHEREAS, Montgomery 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 666 of the 1970 Laws of New York, as amended, constituting Section 895-d 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 industrial, manufacturing, warehousing, commercial, research, recreation and civic 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, the Public Authority Accountability Act of 2005 requires an Annual Financial and Investment Reports to be prepared and certified in writing by the Chief Executive Officer and the Chief Financial Officer, and

WHEREAS, the Public Authority Accountability Act of 2005 further requires the MCIDA to approve such Annual Financial and Financial Investment Reports, therefore be it

RESOLVED that the Montgomery County Industrial Development Agency has reviewed the attached Annual Financial and Investment Reports presented to them by the Chief Executive Officer and the Chief Financial Officer and accepts the presented 2020 Annual Financial and Investment Reports.

FURTHER RESOLVED, 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:

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Robert Harris	VOTING	YES
Laurie Weingart	VOTING	YES
Amanda Auricchio, Esq.	VOTING	YES
Mark Kowalczyk	VOTING	YES
Cheryl Reese	VOTING	ABSENT

The foregoing Resolution No. 21-05 was thereupon declared duly adopted.

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

I, the undersigned (Assistant) Secretary of Montgomery County Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency held on March 11, 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 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 respect duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) 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 rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 11th day of March, 2021.

(Assistant) Secretary

(S E A L)

**RESOLUTION ADOPTING 2021 MISSION STATEMENT AND MEASUREMENT
REPORT**

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on March 11, 2021, at 4:42 o'clock p.m., local time.

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

PRESENT:

Matthew Beck	Chair
Carol Shineman	Vice-Chair
Robert Harris	Treasurer
Laurie Weingart	Secretary
Amanda Auricchio, Esq.	Member
Mark Kowalczyk	Member

ABSENT:

Cheryl Reese	Member
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THE FOLLOWING PERSONS WERE ALSO PRESENT:

Kenneth F. Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Vincenzo Nicosia	Ec. Development Specialist
Andrew Santillo	Staff Assistant
Karl Gustafson, Jr.	Grant Assistant

The following resolution was offered by Carol Shineman, seconded by Robert Harris, to wit:

Resolution No. 21-06

**RESOLUTION ADOPTING 2021 MISSION STATEMENT AND MEASUREMENT
REPORT**

WHEREAS, Montgomery 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 666 of the 1970 Laws of New York, as amended, constituting Section 895-d 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 industrial, manufacturing, warehousing, commercial, research, recreation and civic 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, the 2009 Public Authorities Reform Act added a new Section 2824-a in the Public Authorities Law requiring state and local public authorities to develop and adopt a mission statement and establish performance measures and review those annually,

RESOLVED, that the Montgomery County Industrial Development Agency's Board of Directors hereby adopts the Performance Measures and Measurement Report for 2021 attached hereto as Attachment A, and

FURTHER RESOLVED, 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 or provided to carry out the terms of this Resolution, and to execute and deliver any additional 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 Resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of this Resolutions, and

FURTHER RESOLVED, 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:

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Robert Harris	VOTING	YES
Laurie Weingart	VOTING	YES
Amanda Auricchio, Esq.	VOTING	YES
Mark Kowalczyk	VOTING	YES
Cheryl Reese	VOTING	ABSENT

The foregoing Resolution No. 21-06 was thereupon declared duly adopted.

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

I, the undersigned (Assistant) Secretary of Montgomery County Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency held on March 11, 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 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 respect duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) 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 rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 11th day of March, 2021.

(Assistant) Secretary

(S E A L)

Attachment A

New York State Local Public Authority Mission Statement and Measurement Report

Local Public Authority Name: Montgomery County Industrial Development

Fiscal Year: January 2021– December 31, 2021

Enabling Legislation: Industrial development agencies (“IDAs”) are formed under Article 18-A of New York State General Municipal Law, as public benefit corporations. IDAs were created to actively promote, encourage, attract and develop job and recreational opportunities and economically-sound commerce and industry in cities, towns, villages and counties throughout New York State (the “State”). IDAs are empowered to provide financial assistance to private entities through tax incentives in order to promote the economic welfare, prosperity and recreational opportunities for residents of a municipality (“Benefited Municipality”).

Mission Statement: *The Montgomery County Industrial Development Agency was created in 1970 as a public benefit corporation of the State of New York. The MCIDA’s mission is to assist in creating and maintaining jobs, thereby strengthening the economic base of the community as well as improving the quality of life of the residents of Montgomery County. This mission is accomplished by providing access to real estate solutions through the development of “shovel ready industrial parks”, offering financial assistance and incentives along with business development and technical assistance to businesses looking to expand or locate in Montgomery County.*

Date Adopted: March 11, 2021

2020 Measurements and 2021 Report On Those Measurements:

A. Assist at least five existing firms with some combination of funding, technical assistance, and problem solving.

The Agency assisted numerous firms and not-for-profit employers in the reporting period with technical assistance, grant application and procurement, financial assistance, and outreach campaigns. The Agency initiated periodic informational campaigns targeted to over 100 area businesses and not-for-profit employers detailing services and programs available through State, Federal and Local Agencies. The Agency developed and dedicated a portion of their website specifically for Covid-19 relief information and resources. Dozens of social media posts were developed throughout the year in relation to resources for area businesses as it related to the Covid-19 pandemic.

As businesses continued to adapt to the changing work environments surrounding the ongoing global health pandemic, many small businesses faced challenges meeting the needs for personal protective equipment (PPE). To assist these businesses and help protect both employees and local residents during the COVID-19 pandemic, the Agency launched a coordinated purchase and distribution effort, in conjunction with local manufacturer Saratoga Horseworks. Agency staff in conjunction with the Montgomery County Capital Resource Corporation distributed 10,000 masks to over 50 companies throughout Montgomery County.

In an effort to build upon Montgomery County's success in creating a more diverse and dynamic economy, The Agency along with the County Executive, formed a Business Advisory Committee. This quarterly meeting of business leaders fostered a collaborative discussion and an increased engagement between local stakeholders and county government to advance pro-jobs, pro-economic growth initiatives. Major discussion topics for business leaders were improving workforce development initiatives and expanding the labor pool for both skilled and unskilled talent. Another priority discussed, which could assist the employee retention efforts, was creating accessible childcare options. The committee also discussed strategies to help mitigate the effects of the COVID-19 pandemic along with various ways to support existing small businesses in our community.

Additionally, the Agency through the Montgomery County Outreach Consortium, met with businesses throughout the year as part of the Outreach and Retention Program. Direct Technical assistance in grant writing, problem solving or financial assistance was provided to Eisenadler Braushaus, LLC., Valley View Hospitality, Inc., Dollar General Northeast Distribution Center,.

B. Through some combination of funding, technical assistance, and problem solving secure new Job Creation and Capital Investment Commitments.

Valley View Hospitality, Inc. – Microtel held a grand opening on their 67 room hotel on State Highway 5s in the City of Amsterdam. The project was assisted with a \$500,000 loan through the Montgomery County Revolving Loan Fund as well financial incentives through the Agency. The estimated \$7 Million dollar project will lead to the creation of 14 FTE's.

Eisenadler Brauhaus, LLC - Located in Nellyton, on Route 5, Eisenadler Brauhaus is almost complete with renovations on its building, which had to be retrofitted from a previous business venture. With a few minor things to complete on the building itself, Eisenadler has been approved for its Federal Alcohol and Tobacco Tax and Trade Bureau (TTB) license and is currently awaiting approval of a New York State liquor license. Once approved, they can begin the fermentation process and two weeks later, they can begin serving product. They anticipate receiving authorization from the State Liquor Authority in May 2021, and are hoping for an opening later that month. Eisenadler Brauhaus would be the first brewery in Montgomery County and it is anticipated to lead to the creation of five full-time jobs. In 2019, Eisenadler was approved for a loan through the County's Revolving Loan Fund, in order to officially launch its brewery operations and to purchase equipment, including the fermentation tanks.

Vida-Blend, LLC – Vida-Blend finished their construction of their new facility located in the Florida Park Extension. The project consisted of the construction of a pre-mix nutrient manufacturing facility entailing approximately 14,000 square feet. The project will result in a capital investment estimated at \$1.4 million with 18 new full time jobs and 18 retained full time jobs.

Montgomery County Agricultural Micro Enterprise Grant II – Agriculture Microenterprise Program: Agriculture has long been a staple of the regional economy and continues to play a central role in Montgomery County's economy. With more than 60 local farms run by someone 35 years old or younger, farmers continue to look for assistance to survive long-term. To help

family farms continue to thrive in a competitive international marketplace and to provide these farmers a boost, the Montgomery County Business Development Center, in partnership with the Montgomery County Soil & Water Conservation District issued a second round of grant funding through the Agriculture Microenterprise grants. In 2020, staff continued to administer the Ag Micro grant program. Grant funding was awarded to nine farms, totaling more than \$185,000. The grant awards, which ranged from \$8,000 to \$25,000 were primarily used for farm equipment to help these local farms continue to grow and meet the ever changing needs of the industry. In its two rounds, the Agriculture Microenterprise program has enabled farms in Montgomery County to be able to receive essential financial assistance to help keep their agri-business's viable in a changing and challenging marketplace. Ensuring farmers have the resources they need to support their operation ensures we continue to have a diversity of employers locally.

C. Work cooperatively with local governments and school districts to further economic development progress.

In 2020, the Agency worked with various municipalities on a variety of strategic initiatives and projects. Projects ranged from community development projects to private sector initiatives which and some are highlighted here.

Fonda Fairgrounds Sewer Upgrades Study- Staff administered a \$30,000 NYSDEC and EFC Grant for the Fonda Fairgrounds to study potential sewer upgrades for the site which could potentially lead to being able to accommodate year round activities.

Exit 29 Local Water Revitalization Plan- Staff and their consultants completed the Local Water Revitalization Plan (LWRP) in the Village of Canajoharie with a focus on the reuse of the former Beech Nut facility at Exit 29. The plan was made possible with a \$85,000 grant from the New York State Department of State.

EPA Assessment Grant- Staff applied for a \$300,000 Community Wide Hazardous Substances Assessment grant through the Environmental Protection Agency to complete Phase II environmental assessments at four strategic redevelopment sites. The grant was awarded and the RFP to undertake this work will be released in early 2021.

D. Continue to focus on Exit 29 Redevelopment Project by applying for additional grant opportunities as well as implement the work plans associated with the grants received to date on the project.

Apollo Dismantling Services, LLC worked through 2020 on hazardous and asbestos abatement on the western side of the site. Apollo completed the project in October 2020 and bids were developed for the demolition of the western side buildings which was slated to be released in early 2021. On-going monitoring and reporting were conducted throughout the year to Empire State Development as part of the RESTORE NY Grants that were awarded for this project.

E. Continue Implementing the County and Regional Branding Action Plan to further the Agency's

mission.

The Agency, along with county officials, worked with leaders in the business community to explore the feasibility of developing a new childcare facility in the Amsterdam area, along the Route 5S corridor – the central business hub in the county. The study included an examination of demographic and socioeconomic trends in Montgomery County, a competitor inventory and analysis complete with a review of existing assets, interviews with local employers, interviews with existing childcare facilities, and a survey to examine how local employees view current childcare supply and demand. The study also analyzed the cost of local childcare services, desired amenities and programming, remote learning supplement needs, and support from Montgomery County and its employers. Now that the comprehensive study and planning document is complete, the County will look to gauge interest from a number of childcare providers.

The global pandemic left many businesses across the country, including many local small businesses in Montgomery County, facing unprecedented economic hardship. Recognizing that a key focus to long-term financial recovery for businesses had to be a highlight of shopping local, the Agency launched a “Buy It In Montgomery” campaign, intended to help promote local businesses. The campaign included a branded logo and created an online website to connect consumers with Montgomery County businesses, products and services. Participation in the “Buy It In Montgomery” campaign was open to all businesses in Montgomery County and used a variety of methods such as social-digital ads, strategically placed billboard advertisements, and newspaper ads to support the initiative.

The Agency continued to build upon long-term relationships with local businesses through an array of marketing techniques. The video equipment purchased by the Agency was used to expand marketing efforts in attracting new business to come to the county, and to continue assisting existing and emerging local businesses in growing and thriving in the community. This equipment has been use to create a Focus on Business series where promotional videos are produced to showcase local businesses and provide viewers more insight on companies in Montgomery County. The Agency through their public relations and marketing firm, Empire Solutions, was utilized to help supplement efforts behind the branding initiative, which seeks to capture the positive attributes of the county and its residents, and more effectively track the results of the use of the brand. Empire Solutions was instrumental in its efforts to grow the audience for positive news happening throughout the county and enhance marketing efforts to continue the positive economic news and development taking place. Through their efforts, the Agency effectively consolidated webpages, updated marketing materials, expanded social & digital reach.

F. Review and update the Agency’s Policy and Procedure Manual to incorporate any new laws and regulations.

The Agency continued to review and monitor any new guidelines and/or regulations that were passed and to monitor that the Agency’s Policy and Procedure Manual was up to date.

2021 Measurements:

- A. Assist at least five existing firms with some combination of funding, technical assistance, and problem solving.

- B. Through some combination of funding, technical assistance, and problem solving secure new Job Creation and Capital Investment Commitments.
- C. Work cooperatively with local governments and school districts to further economic development progress.
- D. Continue to focus on the Exit 29 Redevelopment Project by implementing the work plans associated with the grants received to date on the project.
- E. Continue Implementing Marketing on behalf of the County to further the Agency's mission.

Authority Stakeholder(s): Authority Stakeholders include the following: (A) The Montgomery County Legislature (B) The residents of Montgomery County, (C) The businesses located or intending to locate in the County, (D) School districts located within the County, (E) the State of New York, and (F) local workforce.

Authority Beneficiaries: The residents, businesses and taxing jurisdictions of Montgomery County

Authority Customers: The Business and Not-for-Profit establishments of Montgomery County

Authority self-evaluation of prior year performance (based upon established measurements): To Be provided by March 31, 2022 related to 2021 performance.

Governance Certification:

1. Have the Board Members acknowledged that they have read and understood the mission of the public authority?

Yes
2. Who has the power to appoint management of the public authority?

The Board Members
3. If the Board appoints management, do you have a policy you follow when appointing the management of the public authority.

Yes

4. Briefly describe the role of the Board and the role of management in the implementation of the mission.

The role of the Board regarding the implementation of the public authority's mission is to provide strategic input, guidance, oversight, mission authorization, policy setting and validation of the authority's mission, measurements and results. The role of management is to collaborate with the board in strategy development / strategy authorization and to implement established programs, processes, activities and policies to achieve the public authority's mission.

5. Has the Board acknowledged that they have read and understood the response to each of these questions?

Yes

**RESOLUTION APPROVING GRANT AGREEMENT AND ENTERING INTO
AGREEMENT WITH CITY OF AMSTERADM-NATIONAL GRID MARKETING GRANT**

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on March 11, 2021, at 4:42 o'clock p.m., local time.

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

PRESENT:

Matthew Beck	Chairman
Carol Shineman	Vice Chair
Robert Harris	Treasurer
Laurie Weingart	Secretary
Amanda Auricchio, Esq.	Member
Mark Kowalczyk	Member

ABSENT:

Cheryl Reese	Member
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THE FOLLOWING PERSONS WERE ALSO PRESENT:

Kenneth Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Vincenzo Nicosia	Ec. Dev. Specialist
Andy Santillo	Staff Assistant
Karl Gustafson	Grant Assistant

The following resolution was offered by Mark Kowalczyk, seconded by Amanda Auricchio, Esq., to wit:

Resolution No. 21-07

**RESOLUTION APPROVING GRANT AGREEMENT AND ENTERING INTO
AGREEMENT WITH CITY OF AMSTERADM-NATIONAL GRID MARKETING GRANT**

WHEREAS, Montgomery 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 666 of the 1970 Laws of New York, as amended, constituting Section 895-d 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 industrial, manufacturing, warehousing, commercial, research, recreation and civic 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 properly position the County and City for future economic and job development initiatives, the Agency, on behalf of the City applied through National Grid's Strategic Economic Development Outreach Program for marketing funds to be used by the City of Amsterdam for their marketing initiative; and

WHEREAS, funds were awarded to the Agency for an amount up to \$135,000 through this National Grid Grant Program and National Grid prepared a Project Funding Agreement to be executed which is attached hereto as Schedule A; and

WHEREAS, all matching funds and costs associated with this grant will be the sole responsibility of the City.

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

Section 1. The Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(B) Entering into the Project Funding Agreement with National Grid will promote and maintain the job opportunities, general prosperity and economic welfare of the citizens of Montgomery County, New York and the State of New York and improve their standard of living.

Section 2. In consequence of the foregoing, the Agency hereby determines to execute and deliver the Project Funding Agreement with National Grid.

Section 3. In consequence of the foregoing, the Agency hereby determines to execute and deliver a Grant Sponsorship Agreement with the City of Amsterdam attached hereto as Schedule B.

Section 4. Any action heretofore taken by the Agency, its officers or its staff in carrying out the matters contemplated by this Resolution is hereby ratified, confirmed and approved.

Section 5. 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 or provided for by the provisions of this Resolution, and to execute and deliver all such additional 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 this Resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of this Resolution.

Section 5. 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:

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Robert Harris	VOTING	YES
Laurie Weingart	VOTING	YES
Amanda Auricchio, Esq.	VOTING	YES
Mark Kowalczyk	VOTING	YES
Cheryl Reese	VOTING	ABSENT

The foregoing Resolution No. 21-07 was thereupon declared duly adopted.

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

I, the undersigned (Assistant) Secretary of Montgomery County Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency held on March 11, 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 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 respect duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) 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 rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 11th day of March, 2021.

(Assistant) Secretary

(S E A L)

Schedule A
Project Funding Agreement

January 29, 2021

Kenneth F. Rose
Director/CEO
Montgomery County IDA
9 Park St. - PO Box 1500
Fonda, NY12068

Dear Kenneth F. Rose:

Congratulations! Montgomery County IDA's application for a grant from National Grid's Strategic Economic Development Outreach Program has been approved for your City of Amsterdam Strategic Marketing Project.

You have been awarded a grant of up to \$135,000. This program requires you to match these funds 1:1 with funding from sources other than National Grid. As indicated in the program application, grant funding is only released to you upon the successful completion of the project, as verified by National Grid. Web sites, advertisements, or collateral material being produced by the project should include the following acknowledgment: 'The creation of this (brochure, ad, web site, etc) was assisted with a grant from National Grid, through the NYS Public Service Commission approved Economic Development Plan'.

National Grid's Economic Development Grant programs are available to customers as part of a current regulatory agreement with the New York State Public Service Commission (PSC). Under no circumstances will funding be released by National Grid without continued authorization to do so by the PSC.

Enclosed is a Project Funding Agreement. Please sign and return to: Lynne.Hickman@nationalgrid.com

It is important that you return the signed agreement. We will return a fully-executed agreement to you for your file.

Upon completion of your project and to request payment you will need to do the following:

Log back into your account at www.ShovelReady.com and go to the Project Completion section:

- a. Fill out and upload the Certification of Project Completion Form and the Payment Requisition; and
- b. Upload all paid invoices and a brief final report describing what was done to achieve the goals outlined in your application.

We will be contacting you to insure compliance with the program, which may include one or more site visits. If you have questions or need more information regarding your grant, please contact Joe Russo at (315) 428-6798.

Also, please contact us prior to issuing any press release or arranging for a news conference concerning this grant.

Again, congratulations on behalf of all of us at National Grid. We look forward to working with you.

Sincerely,



Arthur W. Hamlin
Manager, Economic Development

xc: Joe Russo



ECONOMIC DEVELOPMENT PROGRAM

PUBLIC CUSTOMER AGREEMENT

BETWEEN

**NIAGARA MOHAWK POWER CORPORATION
d/b/a NATIONAL GRID**

AND

***MONTGOMERY COUNTY IDA
9 Park St / P.O. Box 1500
Fonda, NY 12068***

Application Number: 5735

**300 Erie Boulevard West
Syracuse, New York 13202**

**ECONOMIC DEVELOPMENT PROGRAM
PUBLIC CUSTOMER/DEVELOPER AGREEMENT**

1. DEFINITIONS.

"Agreement" means this document and the Approved Online Application.

"Award Letter" means the letter that informs the Grantee that they have received approval of an Economic Development grant and the amount of that grant.

"Developer" means the entity receiving project funding under this Agreement.

"Project" means the activity described in the Approved Application.

"Program" means the NM Economic Development Program that is providing funding for the Project.

"Company" means Niagara Mohawk Power Corporation, d/b/a National Grid, or its successor or assign.

2. SCHEDULE. The Developer shall complete its Project by the dates set forth in the Approved Application, unless the Project is delayed by occurrences beyond the reasonable control of the Developer. Under no circumstances will funding be released by Niagara Mohawk Power Corporation, d/b/a National Grid, without continued authorization to do so by the New York State Public Service Commission.

3. COMPENSATION. The Project may be funded, in whole or in part, by Company. The Developer shall be responsible for all sums necessary to complete the Project not provided Company. The grant award shall be described in the Agreement and the Award Letter. Under no circumstances will funding be released by Niagara Mohawk Power Corporation, d/b/a National Grid, without continued authorization to do so by the New York State Public Service Commission.

4. PAYMENT. The Developer will advise Company of its completion of the Project. Company will conduct a site visit, inspect the work, determine its completion, and verify its compliance with Program requirements. If Company confirms that the Project has been completed and is in compliance with Program requirements, the parties will execute a Certificate of Project Completion and the Developer will submit a Payment Requisition form. Company will remit a check to the Developer in the amount of the Program grant stipulated in the Award Letter.

- Under certain conditions Customers in the following programs may be eligible for Progress Payments: Strategic Economic Development, Industrial Building Redevelopment, Capital Investment Incentive, Brownfield Redevelopment, 25 Cycle Investment Incentive, Energy Efficiency in Empire Zones and Dairy Industry Productivity. The Customer must

request a Progress Payment in writing on their letterhead prior to submittal of the attached Certificate of Progress Payment. Included in the request must be justification for the Progress Payment, all invoices and evidence that corresponding matching funds have been expended. Progress Payment requests are subject to approval by the Vice President Economic Development and the Sr. Vice President Business Services & Economic Development.

5. DEVELOPER REQUIREMENTS.

- The Developer agrees to conduct the Project in accordance with the Approved Application and Program requirements. If the Developer fails to do so, Company may require Developer to return all funding received.
- The Developer will cooperate fully with Company, and provide full information regarding its business and costs to the extent necessary to enable Company to evaluate the Project or determine whether Program funds should be remitted to the Developer. This cooperation shall include the Developer's designation of a representative with whom Company can interact on all matters related to this Agreement and whose decisions are binding on the Developer. If Developer provides false, inaccurate, misleading or otherwise deceptive information, Company may require Developer to return all funding received.
- The Developer will be required to complete a survey upon receipt of funding. Our regulatory requirements prohibit us from continuing to fund recipients who fail to fulfill reporting requirements.
- The Developer agrees to give credit to Company on any collateral materials produced as a result of funding received through the Program.

6. CHANGES. The Developer may request changes or amendments to the Agreement. Any such changes must be in a writing signed by the Developer and Company.

7. LIMITATION OF NM LIABILITY. NM MAKES NO WARRANTY WHATSOEVER, WHETHER STATUTORY, WRITTEN, ORAL, OR IMPLIED (INCLUDING WARRANTIES OF MERCHANTABILITY OR FITNESS FOR USE FOR A PARTICULAR PURPOSE) WITH RESPECT TO THE PROJECT.

To the fullest extent allowed by law, Company is exempt from any and all liability to the Developer for any damage, injuries, or losses of any nature, whether direct or indirect, special, consequential, incidental or otherwise, including, but not limited to, those arising out of, resulting from, or related to this Agreement and/or any Company actions pursuant or related to this Agreement or to the Program. The Developer releases Company, its directors, officers, employees, agents, successors and assigns, from any and all liabilities to the Developer.

8. TERMINATION. Any party to this Agreement may terminate this Agreement for convenience upon thirty (30) days written notice to the other party. Company may terminate the Agreement at any time for any nonconformance with a material term of this Agreement. Company may terminate the Agreement at any time for legislative, court or regulatory changes effecting its rates, tariffs or Economic Development Programs. In the event of any termination, no amount shall be paid or payable by Company for the Developer's termination

costs, including, but not limited to, costs associated with the transfer or termination of personnel or other contracts.

9. **ASSIGNMENT AND SUBCONTRACTING.** The Developer shall neither assign this Agreement, nor subcontract any portion of the work, nor assign any moneys payable under this Agreement, without first obtaining the written consent of Company. Company may reject any assignee, delegatee or other transferee, or any subcontractor, within its absolute discretion, that it considers unable or unsuitable to perform activities under this Agreement. Any Company – authorized assignment or subcontracting of this Agreement shall not relieve the Developer of the responsibility for full compliance with the requirements of this Agreement. The requirements of this Agreement shall be included in any subcontracts placed by the Developer.
10. **THIRD-PARTY BENEFICIARY.** The parties have no intent, and do not create any third-party rights or interest in this Agreement or in the Project.
11. **NOTICES.** Each party shall designate the name and address of that party's representative. Any legal or contractual notices required to be sent to either party shall be deemed duly sent when mailed to the intended party's designated representative by means of certified or registered mail, return receipt requested.
12. **WAIVER.** No term of this Agreement may be waived except in a writing signed by the parties.
13. **LAWS.** This Agreement shall be interpreted and enforced according to the laws of the State of New York, exclusive of those laws determined by application of New York's choice of law principles. All parties hereby consent to personal jurisdiction and venue in the courts in the State of New York.
14. **SEVERABILITY.** To the extent that any provision of this Agreement shall be held to be invalid, illegal or unenforceable, it shall be severed from this Agreement without affecting the validity, legality or enforceability of the remaining provisions of the Agreement.
15. **INTEGRATION AND MERGER.** The parties agree that there are no understandings, agreements, or representations, expressed or implied, other than those expressed herein. This Agreement supersedes and merges all prior discussions and understandings, and constitutes the entire agreement between the parties.

IN WITNESS WHEREOF, the parties hereto agree to the terms and conditions of this Agreement, and agree to be bound by the same, and represent that their signatories have complete authority to sign and accept this Agreement.

MONTGOMERY COUNTY IDA

Project #5735

By: *Kenneth T. Rose*

Title: CEO

Date: February 12, 2021

NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID

By: _____
Arthur W. Hamlin

Title: Manager, Economic Development

Date: _____