

**Montgomery County Industrial Development Agency Meeting
November 17, 2022
Meeting Minutes**

MEMBERS PRESENT:

Matthew Beck, Co-Chair
Carol Shineman, Co-Chair
Cheryl Reese, Treasurer
Amanda Auricchio, Esq. Member
Mark Kowalczyk, Member
Brent Phetteplace, Member

STAFF MEMBERS PRESENT:

Kenneth F. Rose, Chief Executive Officer
Sheila Snell, Chief Financial Officer
Vincenzo Nicosia, Director of Program Dev.
Stephanie Battisti, Economic Dev. Specialist

ABSENT:

Laurie Weingart, Secretary

OTHERS PRESENT:

I. Call to Order

The meeting was called to order by Chair Beck at 2:07 p.m.

II. Minutes

A motion was made by Mark Kowalczyk, seconded by Cheryl Reese, to approve the Governance Committee meeting minutes from October 13, 2022.

A motion was made by Brent Phetteplace and seconded by Carol Shineman to approve the Regular Meeting minutes from October 13, 2022.

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 the first meeting is tonight to start the review of the proposed subdivision application in the Glen Canal View Business Park for the land sale to 131 Riverside LLC. for the

back acreage. Mr. Rose noted that the wells on the site will be subdivided out and will remain property of the IDA.

VII. Financial Report

A. Financial Report

Mrs. Sheila Snell said that the Financial Report has been included in the packet and that there are no transactions out of the ordinary.

A motion was made by Mark Kowalczyk and seconded by Cheryl Reese to accept the financial report. All members present voted in favor.

B. Revolving Loan Fund

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

VIII. Marketing Report

Mr. Vincenzo Nicosia reports that the department is still doing a lot of the marketing on social media and Small Business of the Month. Pine & Plaid in Amsterdam was announced as December's Small Business of the Month. He also expressed to the board if there are any nominations to get them over to our office.

Mr. Nicosia then went on to explain the transition of the Montgomery County Tourism Program from the Chamber of Commerce to the County. Montgomery County Business Development Center has been named the TPA and will be working closely with all agencies to promote business and visitors to the County. One of the upcoming tourism events will be Elves Day Out in Canajoharie.

Ms. Auricchio asked if the Small Business of the Month had to have a storefront. It was explained to her as long as they live within the County and are servicing the County they can be nominated.

Mr. Nicosia explained the MCBDC & IDA website progress by stating he is still working with Engines of Creations on some of the content of the new website and that a draft visual should be produced soon.

IX. Unfinished Business

There was no unfinished business.

X. New Business

A. Engineering Contract

Mr. Rose stated that the on-going contract with Prime AE Group needed to be amended to reflect the additional work associated with subdividing property in the Park and that this should be the last amendment.

The following resolution was offered by Cheryl Reese, seconded by Amanda Auricchio, to wit:

RESOLUTION AUTHORIZING THIRD AMENDMENT TO AGREEMENT PRIME AE GROUP OF NY-ENGINEERING AND PERMITTING WORK GLEN CANAL VIEW BUSINESS PARK

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
Mark Kowalczyk	VOTING	YES
Amanda J. Auricchio, Esq.	VOTING	YES
Laurie Weingart	VOTING	ABSENT
Cheryl Reese	VOTING	YES
Brent Phetteplace	VOTING	YES

The foregoing Resolution No. 22-23 was thereupon declared duly adopted

B. Marketing and Consulting Services

Mr. Ken Rose reported the County will be taking over tourism and promotion for the County in 2023 and provided a proposal from Empire Solutions Consulting, LLC who is the IDA's existing marketing and consulting firm. The revised scope for 2023 takes into account this new active role of the County and partnership between the IDA and County as it relates to tourism promotion and economic development. Mr. Rose informed the board that the overall cost to the IDA for 2023 for this contract would be reduced due to more funds being provided by the County.

The following resolution was offered by Cheryl Reese, seconded by Brent Phetteplace, to wit:

RESOLUTION AUTHORIZING EXTENSION OF THE MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY INTO AN AGREEMENT FOR PROFESSIONAL SERVICES-MARKETING & CONSULTING SERVICES

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
Mark Kowalczyk	VOTING	YES
Amanda J. Auricchio, Esq.	VOTING	YES
Laurie Weingart	VOTING	ABSENT
Cheryl Reese	VOTING	YES
Brent Phetteplace	VOTING	YES

The foregoing Resolution No. 22-24 was thereupon declared duly adopted

A motion was made by Cheryl Reese, seconded by Carol Shineman to enter Executive Session at 2:25 P.M. to discuss a companies financials. All members present voted in favor.

A motion was made by Mark Kowalczyk, seconded by Cheryl Reese to exit Executive Session at 3:01 P.M.

Chairperson stated that no action was taken in Executive Session.

IX. Adjournment

A motion was made by Brent Phetteplace, seconded by Cheryl Reese, to adjourn the meeting at 3:03 p.m. All members present were in favor.

Respectfully submitted,

Vincenzo Nicosia, Director of Program Development

Attachments: Resolution No. 22-23, 22-24

RESOLUTION AUTHORIZING FOURTH AMENDMENT TO AGREEMENT PRIME AE GROUP OF NY-ENGINEERING AND PERMITTING WORK GLEN CANAL VIEW BUSINESS PARK

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, Fonda, New York on November 17 at 2:07 o'clock p.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:

Matthew Beck	Chair
Carol Shineman	Vice Chair
Cheryl Reese	Treasurer
Amanda Auricchio, Esq.	Member
Mark Kowalczyk	Member
Brent Phetteplace	Member

ABSENT:

Laurie Weingart	Secretary
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AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Kenneth Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Vincenzo Nicosia	Director of Program Development
Stephanie Battisti	Economic Dev. Specialist

OTHERS PRESENT:

The following resolution was offered by Cheryl Reese, seconded by Amanda Auricchio to wit:

Resolution No. 22-23

RESOLUTION AUTHORIZING THIRD AMENDMENT TO AGREEMENT PRIME AE GROUP OF NY-ENGINEERING AND PERMITTING WORK GLEN CANAL VIEW BUSINESS PARK

WHEREAS, 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, warehousing, commercial, research and manufacturing 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 Montgomery County Industrial Development Agency has developed the Glen Canal View Business Park in the Town of Glen, and

WHEREAS, to further on-going development within this Park, the Montgomery Industrial Development Agency per Resolution #06-20 entered into a contract with McDonald Engineering, P.C. (now PRIME AE Group of NY) to provide continued engineering services as needed, and

WHEREAS, PRIME AE Group of NY has submitted an estimated cost for conducting a engineering and a feasibility study in relation to various wells located at the park for the potential of being utilized as a public water source; and

WHEREAS, preliminary well flow tests have been positive and further preliminary engineering work needs specifically for water quality testing and preliminary well and treatment system design;

RESOLVED, the Agency hereby approves a 5th amendment to the contract with PRIME AE Group of NY (formerly McDonald Engineering, P.C.) for and amount not to exceed \$20,000, 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, 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.

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
Laurie Weingart	VOTING	ABSENT
Cheryl Reese	VOTING	YES

Amanda J.Auricchio, Esq.	VOTING	YES
Mark Kowalczyk.	VOTING	YES
Brent Phetteplace	VOTING	YES

The foregoing Resolution No. 22-23 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, including the resolution contained therein, held on November 17, 2022, with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of the Agency and of such resolution set forth 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"), 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 17th day of November 2022.

(Assistant) Secretary

(SEAL)

RESOLUTION AUTHORIZING EXTENSION OF THE MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY INTO AN AGREEMENT FOR PROFESSIONAL SERVICES-MARKETING & CONSULTING SERVICES

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 November 17, 2022 at 2:07 P.M.

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

PRESENT:

Matthew Beck	Chair
Carol Shineman	Vice Chair
Cheryl Reese	Treasurer
Amanda Aurrichio, Esq.	Member
Mark Kowalczyk	Member
Brent Phetteplace	Member

ABSENT:

Laurie Weingart	Secretary
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AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Kenneth Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Vincenzo Nicosia	Director of Program Development
Stephanie Battisti	Economic Dev. Specialist

The following resolution was offered by Cheryl Reese, seconded by Amanda Auricchio wit:

Resolution No. 22-24

RESOLUTION AUTHORIZING THE ENTERING OF THE MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY INTO AN AGREEMENT FOR PROFESSIONAL SERVICES-MARKETING & CONSULTING SERVICES

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, warehousing, commercial, research and manufacturing 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, Montgomery County administers the Economic Development Program for the purpose of creating and retaining jobs, and

WHEREAS, to properly position Montgomery County, New York, for future economic development and tourism initiatives, the Agency would like to engage the services of a consulting firm; and

WHEREAS, the Agency adopted Resolution 21-09 entering into a contract with Empire Solutions Consulting LLC, for the purposes of creating a coherent, salable mission/vision and helped to execute on an enhanced marketing and communications strategy to drive the message of the positive benefits of working and doing business in Montgomery County; and

WHEREAS, the Agency in conjunction with Montgomery County wishes to continue with this contract at a cost not to exceed \$8,000 per month plus reimbursable expenses of which Montgomery County will contribute up to \$71,000; and

WHEREAS, the Agency has adopted a Procurement Policy to guide the Agency in contracting for goods and services, and

WHEREAS, the Procurement Policy permits the Agency, in its sole discretion, to exempt entering into of a contract from the Procurement Policy based on the circumstances of the contact and the needs of the Agency,

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 enter into a contract for Professional Services, and

(B) Entering into the contract for professional services 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 enter into an on-going contract with Empire Solutions Consulting LLC, for the purposes of creating a coherent, salable mission/vision and helped to execute on an enhanced marketing and communications strategy to drive the message of the positive benefits of working and doing business in Montgomery County for the Agency at a cost of a monthly retainer in the amount of \$8,000.00 plus reimbursable expenses and to exempt the selection of the contractor from the Agency's Procurement Policy for the following reasons: (1) The contractor is familiar with the Agency and County along with their mission and operations (2) The contractor has contracted with the Agency and County in the past, as well as an on-going contract and produced timely and professional services for the Agency and County.

Section 3. 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 4. 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 4. This Resolution shall take effect immediately.

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

Brent Phetteplace

VOTING

YES

The foregoing Resolution No. 22-24 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 November 17, 2022 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 through-out 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 17th day of November 2022.

_____ (Assistant) Secretary

(S E A L)