

**Montgomery County Industrial Development Agency Meeting
September 9, 2021
Meeting Minutes**

MEMBERS PRESENT:

Matthew Beck, Chair
Carol Shineman, Vice-Chair
Mark Kowalczyk, Member
Laurie Weingart, Secretary
Cheryl Reese, Member

ABSENT:

Robert Harris, Treasurer
Amanda Auricchio, Esq., Member

STAFF MEMBERS PRESENT:

Kenneth F. Rose, Chief Executive Officer
Sheila Snell, Chief Financial Officer
Vincenzo Nicosia, Economic Dev. Specialist
Andrew Santillo, Staff Assistant
A. Joseph Scott, Esq., Agency Counsel

OTHERS PRESENT:

Robert Purtell, Eco. Dev. Committee Chairman

I. Call to Order

The meeting was called to order by Chairman Beck at 4:34 p.m.

II. Minutes

A motion was made by Carol Shineman, seconded by Cheryl Reese, to approve the Finance Committee meeting minutes from the meeting of June 17, 2021. All members present were in favor.

A motion was made by Cheryl Reese, seconded by Carol Shineman, to approve the meeting minutes from the IDA regular meeting of June 17, 2021. All members present were in favor.

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 provided an update since there wasn't a meeting held over the summer. Staff worked on and submitted several Consolidated Funding Application (CFA) to the state. Mr. Rose thanked the staff for their work on those applications. The Regional Economic Development Council (REDC)

will be working to score those and then put together the regional plan, which we will keep the Agency board members updated on.

VII. Financial Report

A. Financial Report

Ms. Sheila Snell said that the financial report is included in the Agency board members' packets. A motion was made by Carol Shineman, seconded by Cheryl Reese, to approve the transaction report for June, July and August. All members present were in favor.

B. 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 staff is working to continue to promote small businesses actively on social media and continuing with video projects for the fall season to promote small business and tourism in the county.

Mr. Ken Rose said that there was a ribbon cutting for Eisenadler Brauhaus, which was very well attended and their first official week open was reportedly very successful.

IX. Unfinished Business

A. Business Attraction Blueprint

Mr. Vincenzo Nicosia stated that the first couple months have been Camoin Associates gathering background information and demographic on the county for the Business Attraction Blueprint. We recently put out a survey to the business community and are awaiting those responses. He asked any Agency board members who want to participate or be active in this process that this is the time to do so.

Staff also submitted for a National Grid grant to help offset the costs of this venture, and while we haven't received the award letter, it was explained that we would be receiving a grant of \$50,000.

X. New Business

A. Glen Canal View Business Park

Mr. Ken Rose provided some background that Prime AE has been doing work in the Glen Canal View Business Park, on behalf of the IDA. When there are leads for that park, Prime AE is able to provide quick site planning info and concept plans. This resolution would add some additional money into that agreement, so that as work is being done in the park on the well study, money is available. Mr. Rose reported to the board that the first results for the well study have come back positive, so the

next steps would be some preliminary design work and putting together a potential budget for costs to convert one of the wells into a potable water supply for the Glen park and possible the Public Safety Facility.

The following resolution was offered by Cheryl Reese, seconded by Laurie Weingart, to wit:

**RESOLUTION AUTHORIZING FOURTH 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
Robert Harris	VOTING	ABSENT
Amanda J. Auricchio, Esq.	VOTING	ABSENT
Mark Kowalczyk	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	YES

The foregoing Resolution No. 21-14 was thereupon declared duly adopted.

B. Florida Business Park Ext. Engineering

Mr. Ken Rose explained that the north side of the Florida Business Park Extension has been receiving some interest and it is critically important that soil borings are gathered for any potential project that may be located there. Prime AE has done work in the park and this resolution would allow additional money to be put towards extending the original agreement.

The following resolution was offered by Mark Kowalczyk, seconded by Cheryl Reese, to wit:

**RESOLUTION AMENDING ENGINEERING SERVICES CONTRACT EWA #2-
PRIME AE GROUP OF NY-FLORIDA PARK EXTENSION NORTH**

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

The foregoing Resolution No. 21-15 was thereupon declared duly adopted.

A motion was made by Cheryl Reese, seconded by Carol Shineman, to enter into executive session to discuss personal and company financials and for advice of counsel on a legal matter, at 4:49 p.m. All members present were in favor.

A motion was made by Mark Kowalczyk, seconded by Cheryl Reese, to adjourn executive session at 6:01 p.m. All members present were in favor. No action was taken in Executive Session.

IX. Adjournment

A motion was made by Cheryl Reese, seconded by Laurie Weingart, to adjourn the meeting at 6:02 p.m. All members present were in favor.

Respectfully submitted,

Andrew Santillo
Economic Development Staff Assistant
Attachments: Resolution No. 21-14, 21-15

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 September 9, 2021 at 4:34 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
Laurie Weingart	Secretary
Robert Harris	Treasurer
Amanda Auricchio, Esq.	Member
Mark Kowalczyk	Member
Cheryl Reese	Member

ABSENT:

Robert Harris	Treasurer
Amanda Auricchio, Esq.	Member

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Kenneth Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Vincenzo Nicosia	Economic Development Specialist
Andrew Santillo	Staff Assistant
Karl Gustafson, Jr.	Grant Assistant
A. Joseph Scott, Esq.	Agency Counsel

OTHERS PRESENT:

Robert Purtell	Legislator
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The following resolution was offered by Cheryl Reese, seconded by Laurie Weingart, to wit:

Resolution No. 21-14

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 4th amendment to the contract with PRIME AE Group of NY (formerly McDonald Engineering, P.C.) for and amount not to exceed \$15,000, 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	YES
Robert Harris	VOTING	ABSENT
Amanda J.Auricchio, Esq.	VOTING	ABSENT
Mark Kowalczyk.	VOTING	YES
Cheryl Reese	VOTING	YES

The foregoing Resolution No. 21-14 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 September 9, 2021, 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 9th day of September 2021.

(Assistant) Secretary

(SEAL)

**RESOLUTION AMENDING ENGINEERING SERVICES CONTRACT EWA #2- PRIME AE
GROUP OF NY-FLORIDA PARK EXTENSION NORTH**

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 September 9, 2021 at 4:34 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
Laurie Weingart	Secretary
Robert Harris	Treasurer
Mark Kowalczyk	Member
Amanda Auricchio, Esq.	Member
Cheryl Reese	Member

ABSENT:

Robert Harris	Treasurer
Amanda Auricchio, Esq.	Member

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Kenneth Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Vincenzo Nicosia	Economic Development Specialist
Andrew Santillo	Staff Assistant
Karl Gustafson, Jr.	Grant Assistant
A. Joseph Scott, Esq.	Agency Counsel

OTHERS PRESENT:

Robert Purtell	Legislator
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The following resolution was offered by Mark Kowalczyk, seconded by Cheryl Reese, to wit:

Resolution No. 21-15

**RESOLUTION AMENDING ENGINEERING SERVICES CONTRACT EWA #2- PRIME AE
GROUP OF NY-FLORIDA PARK EXTENSION NORTH**

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 is in the process of developing an industrial park in the Town of Florida, and

WHEREAS, on-going environmental and permitting work continues regularly in the development of the remaining north side Florida Park Extension parcels, and

WHEREAS, per Resolution 17-22 the MCIDA has a contract with Prime AE Group of NY in relation to the aforementioned work, and

RESOLVED, the Agency hereby approves a 2nd amendment to the contract with PRIME AE Group of NY for an amount not to exceed \$50,000, 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, 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
Laurie Weingart	VOTING	YES
Robert Harris	VOTING	ABSENT
Amanda J.Auricchio, Esq.	VOTING	ABSENT
Mark Kowalczyk.	VOTING	YES
Cheryl Reese	VOTING	YES

The foregoing Resolution No. 21-15 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 September 9, 2021, 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 9th day of September 2021.

(Assistant) Secretary

(SEAL)