

**Montgomery County Industrial Development Agency Meeting  
January 11, 2018  
Meeting Minutes**

**MEMBERS PRESENT:**

John McGlone, Vice Chair  
Robert Harris, Treasurer  
Mathew Beck, Secretary  
Carol Shineman, Member  
Mark Kowalczyk, Member  
John Snyder, Member

**STAFF MEMBERS PRESENT:**

Kenneth F. Rose, Chief Executive Officer  
Sheila Snell, Chief Financial Officer  
Michele Pawlik, ED Program Asst.  
Andrew Santillo, Staff Assistant  
Karl Gustafson, Jr., Grant Assistant  
A. Joseph Scott, Esq., Agency Counsel  
Christopher Canada, Esq., Agency Counsel

**ABSENT:**

Robert Hoefs, Chairman

**OTHERS:**

Roy Dimond, Eco. Dev. Committee Chairman

**I. Call to Order**

The meeting was called to order by Vice-Chairman McGlone at 4:46pm.

**II. Minutes**

Motion was made by Robert Harris, seconded by Carol Shineman to approve with spelling corrections for the IDA regular meeting minutes of October 25<sup>th</sup>, 2017 meeting. All members present were in favor.

**III. Communications**

Mr. Rose indicated that we received our bond allocations for our private activity bonds. Mr. Rose reported that it did increase to about \$1.2 million.

Mr. Rose reported that within the board packets there was a letter from Chairman Mr. Hoefs in relation to his resignation from the IDA and CRC which would be effective after the March meeting. Mr. Rose stated that we appreciated all that he has done for the board and Montgomery County.

**IV. Public Comments**

There were no public comments.

**V. Chair's Report**

None

**VI. Director's Report**

**A. Staff Reports**

Mr. Rose indicated that the staff reports were included in the packet, and to inquire directly with the appropriate staff member if there were any questions.

Mr. Rose reported that Year end project monitoring has begun and the department has been working on compiling and obtaining project reports from the Companies that the IDA has project agreements with.

Mr. Rose stated that staff will be working on the department's annual report. He went on to say that we do this every year and it's a good way for the general public to see the work and accomplishments of the board from year to year.

Mr. Rose updated the board on the Exit 29 Redevelopment project stating that debris piles are in the process of being removed. Only 6-7 trucks a day can haul material out of there due to landfill requirements in the winter months. The removal of debris should be wrapped up in the first week in February. Mr. Rose also indicated that the county submitted a \$1 million dollar Restore New York Grant, and another \$5 million Restore New York Special Grant, on behalf of the Village of Canajoharie for the redevelopment site. It is anticipated that the announcements in relation to these two grants should be within the next couple of months.

## **VII. Financial Report**

### **IDA Financial report**

Ms. Snell stated that there wouldn't be a monthly financial report until the audit is completed and that the auditors would be coming to the office during President's week.

### **Revolving Loan Fund**

Ms. Snell stated that the revolving loan fund report was included in the board packet for review. TES Corp. closed on their loan.

## **VIII. Marketing Report**

Ms. Pawlik indicated that the marketing report was included in the board packet. Ms. Pawlik reported that we did a "Focus on Business" for Lee Shops and The Leader Herald as well as the Times Union did stories on them. This was great news because we are starting to see our articles being picked up by the media. Our Facebook numbers went up from last quarter: 784 likes to 846 likes. Michele also met with local farms and created an agriculture video for Montgomery County, which has received 200 views to date. At the next meeting Michele indicated that there will be a proposal for new video equipment for in-house videos.

## **IX. Unfinished Business**

None

## **X. New Business**

### **A. Annual Board of Directors Evaluation-Action Items**

Mr. Rose stated the Annual Board of Directors evaluation forms can be found in the board packet. Mr. Rose indicated that the board needs to fill out the evaluations and send them back to Ms. Pawlik before the next IDA Board meeting. The Governance Committee will review the forms and the results will be filed with ABO.

**B. Financial and Gift Disclosure Forms**

Mr. Rose stated that the financial disclosure forms can be found in the board packet. Mr. Rose indicated that the board needs to fill out the forms and send them back to Ms. Pawlik before the next IDA Board meeting. When we receive the forms staff will be sending them over to County Legislature's office as required.

**C. County Administrative Services**

RESOLUTION FOR APPROVAL OF COUNTY ADMINISTRATIVE SERVICES

Motion was made by Carol Shineman, seconded by Mark Kowalczyk to wit:

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

Robert Hoefs	VOTING	ABSENT
John McGlone	VOTING	YES
Robert Harris	VOTING	YES
Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Mark Kowalczyk	VOTING	YES
John Snyder	VOTING	YES

The foregoing Resolution No. 18-02 was thereupon declared duly adopted.

**D. KCG Development Project Update**

Amsterdam entered into a purchase and sale agreement in the fall of 2017. It states that the Montgomery County Industrial Development Agency will work with KCG on a financing assistance package as well as binding KCG Development to dated benchmarks to complete the project.

RESOLUTION AUTHORIZING THE MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO ENTER DEVELOPMENT AGREEMENT WITH KCG.

Motion was made by Mark Kowalczyk, seconded by Robert Harris to wit:

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

Robert Hoefs	VOTING	ABSENT
John McGlone	VOTING	YES
Robert Harris	VOTING	YES

Carol Shineman	VOTING	YES
Matthew Beck	VOTING	YES
Mark Kowalczyk	VOTING	YES
John Snyder	VOTING	YES

The foregoing Resolution No. 18-03 was thereupon declared duly adopted.

**E. Florida Business Park Extension Updates**

Mr. Rose stated that he has the draft bid documents for the road widening which will have to hit the 30% MWBE requirement that is set by the State. Mr. Rose indicated that we anticipate going out to bid with this in the next couple of months. Dollar General has started putting the walls up of the facility and through the winter months.

Motion was made by Robert Harris, seconded by Carol Shineman to enter into executive session to discuss potential land transaction whereby publicity would substantially affect the value thereof at 5:14 pm. All were in favor. Motion was made by Carol Shineman, seconded by Mark Kowalczyk to adjourn executive session at 6:26 pm. All members present were in favor. No action was taken in Executive Session.

**XI. Adjournment**

A motion was made by Robert Harris, seconded Matthew Beck to adjourn the meeting at 6:27 pm. All members present were in favor.

Respectfully submitted

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Karl Gustafson Jr.  
Grant Assistant

Attachments: Resolution No. 18-02, 18-03

**RESOLUTION AUTHORIZING MONTGOMERY COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY CHAIRMAN TO SIGN AND ENTER INTO CONTRACT  
FOR ADMINISTRATIVE AND STAFF SUPPORT SERVICES,**

A meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Montgomery County Industrial Development Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on January 11, 2018.

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

**PRESENT:**

John McGlone	Vice-Chair
Robert Harris	Treasurer
Matthew Beck	Secretary
Mark Kowalczyk	Member
Carol Shineman	Member
John Snyder	Member

**ABSENT:**

Robert Hoefs	Chair
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**THE FOLLOWING PERSONS WERE ALSO PRESENT:**

Kenneth F. Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Michele Pawlik	Ec. Dev. Program Assistant
Karl Gustafson, Jr.	Grant Assistant
Andrew Santillo	Staff Assistant
A. Joseph Scott, Esq.	Agency Counsel
Christopher Canada, Esq.	Agency Counsel

The following resolution was offered by Carol Shineman, seconded by Mark Kowalczyk to wit:

Resolution No. 18-02

**RESOLUTION AUTHORIZING MONTGOMERY COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY CHAIRMAN TO SIGN AND ENTER INTO CONTRACT  
FOR ADMINISTRATIVE AND STAFF SUPPORT SERVICES, UPON COUNTY  
APPROVAL**

WHEREAS, Montgomery County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of chapter 1030 of Laws of 1969 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 furnished of industrial, manufacturing, warehouse, 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, Montgomery County Industrial Development Agency is desirous of retaining the Montgomery County Economic Development Department for administrative and staff support services per the attached contract and scope of services,

RESOLVED, that Montgomery County Industrial Development Agency, following review and approval by the Agency Attorney, hereby authorizes the Chairman to sign and enter into a contract with Montgomery County for administrative and support services for a period of January 1, 2018 to December 31, 2018.

FURTHER RESOLVED, the amount set for this service will be \$17,500.

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

Robert Hoefs	VOTING	ABSENT
John McGlone	VOTING	YES
Robert Harris	VOTING	YES
Matthew Beck	VOTING	YES
Mark Kowalczyk	VOTING	YES
Carol Shineman	VOTING	YES
John Snyder	VOTING	YES

The foregoing Resolution No. 18-02 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 January 11, 2018, 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 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 11<sup>th</sup> day of January, 2018.

(SEAL)

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(Assistant) Secretary

**RESOLUTION AUTHORIZING MONTGOMERY COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH  
KCG DEVELOPMENT**

A meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Montgomery County Industrial Development Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on January 11, 2018.

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

**PRESENT:**

John McGlone	Vice-Chair
Robert Harris	Treasurer
Matthew Beck	Secretary
Mark Kowalczyk	Member
Carol Shineman	Member
John Snyder	Member

**ABSENT:**

Robert Hoefs	Chair
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**THE FOLLOWING PERSONS WERE ALSO PRESENT:**

Kenneth F. Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Michele Pawlik	Ec. Dev. Program Assistant
Karl Gustafson, Jr.	Grant Assistant
Andrew Santillo	Staff Assistant
A. Joseph Scott, Esq.	Agency Counsel

The following resolution was offered by Mark Kowalczyk, seconded by Robert Harris to wit:

Resolution No. 18-03

**RESOLUTION AUTHORIZING MONTGOMERY COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH  
KCG DEVELOPMENT**

WHEREAS, Montgomery County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of chapter 1030 of Laws of 1969 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 furnished of industrial, manufacturing, warehouse, 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 Montgomery County Industrial Development Agency has been working with KCG Development and the City of Amsterdam on a multi-use project for the former Chalmers Site; and

WHEREAS, the Montgomery County Industrial Development Agency applied for and received a \$1 Million grant through Empire State Development to help in with the development of this project; and

WHEREAS, in order to memorialize the conditions and responsibilities of each party as it relates to this project a Development Agreement should be drafted;

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

Section 1. The Agency hereby determines to (A) enter into a Development Agreement with KCG Development, LLC. ("Company") for the purposes of memorializing the roles and responsibilities of the Agency and Company as it relates to the proposed multi-use project for the Chalmers Site. ,

Section 2. 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 3. This Resolution shall take effect immediately.

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

Robert Hoefs	VOTING	ABSENT
John McGlone	VOTING	YES
Robert Harris	VOTING	YES
Matthew Beck	VOTING	YES

Mark Kowalczyk	VOTING	YES
Carol Shineman	VOTING	YES
John Snyder	VOTING	YES

The foregoing Resolution No. 18-03 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 January 11, 2018, 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 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 11<sup>th</sup> day of January, 2018.

(SEAL)

\_\_\_\_\_  
(Assistant) Secretary