

**Montgomery County Industrial Development Agency Meeting
November 14, 2019
Meeting Minutes**

MEMBERS PRESENT:

Matthew Beck, Chairman
Carol Shineman, Vice Chair
Robert Harris, Treasurer
Mark Kowalczyk, Member
Laurie Weingart, Member
Cheryl Reese, Member

STAFF MEMBERS PRESENT:

Kenneth F. Rose, Chief Executive Officer
Andrew Santillo, Staff Assistant
Vincenzo Nicosia, Economic Dev. Specialist
Karl Gustafson, Jr., Grant Assistant
Alex Kuttesch, Senior Planner (GIS)
A. Joseph Scott, Esq., Agency Counsel

ABSENT:

Amanda Auricchio, Esq., Member (on phone)

OTHERS PRESENT:

Robert Purtell, Eco. Dev. Committee Chairman
Jodie Rodriguez
John Rodriguez
Jessica Rodriguez

I. Call to Order

The meeting was called to order by Chairman Beck at 4:32 p.m.

II. Minutes

A motion was made by Mark Kowalczyk, seconded by Cheryl Reese, to approve the minutes from the Governance Committee meeting of October 10, 2019. All members present were in favor.

A motion was made by Robert Harris, seconded by Carol Shineman, to approve the minutes from the IDA regular meeting of October 10, 2019. All members present were in favor.

III. Communications

There was no communications.

IV. Public Comments

There was no public comment.

V. Chair's Report

Chairman Beck introduced Cheryl Reese as a new agency board member, welcomed her to the board, and thanked her for volunteering, adding that he knows she'll be a great addition.

Ms. Reese introduced herself, stating she is currently the Clerk of the County Legislature for Montgomery County and has worked at the county since 1986, while also being the Town of Minden Supervisor since 2014, and serving on various other boards.

VI. Director's Report

Mr. Ken Rose informed the board that the billboard that the board authorized at the Exit 29 redevelopment site in Canajoharie is going up this weekend. Once it's up, staff will put out a release about it, with also an update on the project itself.

Mr. Rose also provided the board with an update on the groundbreaking at the Vida-Blend location in the Florida Business Park Extension. It went well and we received some good press about the Florida Business Park and the growth we've seen there.

Mr. Mark Kowalczyk commented that he drives through that portion of Route 5S and it is exciting that there are people working at the hotel site, pouring cement at the Vida-Blend location and hundreds of cars in the Dollar General parking lot, and there really are a lot of good things going on.

Chairman Beck said it was good to hear Vida-Blend's Freddy Luna talk positively about the department's staff. The big takeaway he had was the involvement the staff has in these projects and it was nice to get confirmation and affirmation about the staff working well with the local businesses and helping them to grow.

Mr. Rose says they have broken ground and the foundations have been poured at the Vida-Blend site. They are hoping to have the building turn-key this June.

Mr. Vinnie Nicosia provided an update on the work that Empire Solutions has been doing over the past few months. They provided a summary sheet that shows the marketing results, which have been growing and they have been pushing Montgomery County and our business sector into some different markets. Empire has also been updating some marketing materials for us, and overall, been a real asset to the department.

Mr. Andrew Santillo reminded the agency board that the state's legislation of live streaming all meeting takes effect on January 1, 2020. Staff is working with partners to go over best practices and make sure we are compliant for January meeting.

VII. Financial Report

IDA Financial Report

Ms. Sheila Snell reported that the financial report is included in the packet for review.

Revolving Loan Fund

Mr. Snell reported that the revolving loan report is included in the packet for review.

VIII. Unfinished Business

A. Florida Business Park Extension

Mr. Ken Rose provided the board with the information about the letter regarding this change order is in their packet. This was for the reconciliation at the end of the project on Route 5S, in the Florida Business Park Extension.

This would close the project out and be the final payment to Rifenburg. Prime AE provided an explanation for the change order.

Staff is now working on the paperwork for the submittal to Empire State Development for the reimbursement, which, once submitted, could take six to seven months to receive.

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

RESOLUTION AUTHORIZING CHANGE ORDER #4-RIFENBURG
CONSTRUCTION STHWY 5S INFRASTRUCTURE IMPROVEMENTS

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	ABSENT
Mark Kowalczyk	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	YES

IX. New Business

A. RLF Application

A motion was made by Robert Harris, seconded by Mark Kowalczyk, to enter into executive session to discuss company financials at 4:58 p.m. All members present were in favor.

A motion was made by Cheryl Reese, seconded by Mark Kowalczyk, to adjourn executive session at 5:55 p.m. All members present were in favor. No action was taken in Executive Session.

Chairman Beck stated that there is no action on the revolving loan fund application tonight and that the applicant will be returning to a future meeting to discuss their application to the agency board.

X. Adjournment

Chairman Beck states that there is no other business to come before the board.

A motion was made by Mark Kowalczyk, seconded by Carol Shineman, to adjourn the meeting at 5:59 p.m. All members present were in favor.

Respectfully submitted,

Andrew Santillo
Economic Development Staff Assistant
Attachments: Resolution No. 19-31

**RESOLUTION AUTHORIZING CHANGE ORDER #4-RIFENBURG CONSTRUCTION STHWY
5S INFRASTRUCTURE IMPROVEMENTS**

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 14, 2019 at 4:30 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 Chairman
Laurie Weingart	Secretary
Robert Harris	Treasurer
Mark Kowalczyk	Member
Cheryl Reese	Member

ABSENT:

Amanda J. Auricchio, Esq.	Member
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AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Kenneth Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Vincenzo Nicosia	Economic Development Specialist
Alex Kuttesch	Sr. Planner/GIS
Andrew Santillo	Staff Assistant
Karl Gustafson	Grant Assistant
Alex Kuttesch	Sr. Planner/GIS

OTHERS PRESENT:

Robert Purtell	Ec. Development Committee Chairperson
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The following resolution was offered by Carol Shineman, seconded by Mark Kowalczyk to wit:

Resolution No. 19-31

**RESOLUTION AUTHORIZING CHANGE ORDER #4-RIFENBURG CONSTRUCTION STHWY
5S INFRASTRUCTURE IMPROVEMENTS**

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, road widening associated with the Dollar General Distribution Center project and further development of the Park Extension as requested by the New York State Department of Transportation is on-going, and

WHEREAS, Resolution No. 18-15 authorized entering into a contract with Rifenburg Construction, Inc. for an amount of \$1,891,421.25 to undertake said work; and

WHEREAS, said road widening project scope was subsequently changed since the bid award to reflect changes to drainage and design due to new improvements proposed by NYS DOT in a couple of years along with developing a road into the northern side of the Florida Park Extension,

WHEREAS, the final payment request reflecting final work and quantities was received from Rifenburg Construction, and

RESOLVED, the Agency hereby approves a change order for the with Rifenburg Construction, Inc. for an amount not to exceed \$87,862.25, 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
Laurie Weingart	VOTING	YES
Robert Harris	VOTING	YES

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

The foregoing Resolution No. 19-31 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 14, 2019, 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 14th day of November, 2019.

(Assistant) Secretary

(SEAL)