

RESOLUTION AUTHORIZING 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 113 Park Drive, Fonda, New York on December 14, 2023 at 3:06 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
Mark Kowalczyk	Member
Brent Phetteplace	Member

ABSENT:

Laurie Weingart	Secretary
Amanda Auricchio, Esq.	Member

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
Andrew Santillo	Staff Assistant
Christopher Canada, Esq.	Agency Counsel

OTHERS PRESENT:

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

Resolution No. 23-22

RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT PRIME AE GROUP OF NY-ENGINEERING 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, Resolutions #08-13, 12-19, 20-13, 21-14 and 22-23 provided amendments for on-going development of the park which required further engineering services; and

WHEREAS, PRIME AE Group of NY has submitted an estimated cost for conducting on going engineering studies and concept designs in relation to various wells located at the park for the potential of being utilized as a public water source or for fire suppression services; and

RESOLVED, the Agency hereby approves an extra work authorization to the contract with PRIME AE Group of NY (formerly McDonald Engineering, P.C.) for an additional amount not to exceed \$52,200, 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, In consequence of the foregoing, the Agency hereby determines to amend the on-going contract with Prime AE Group of Albany, for the purposes of providing on-going engineering services for the Glen Canal View Business Park 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 along with their mission and operations and all of the infrastructure associated with the Glen Park as well as the Village of Fultonville and Town of Glen (2) The contractor has contracted with the Agency in the past, as well as an on-going contract and produced timely and professional services for the Agency.

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	ABSENT
Mark Kowalczyk.	VOTING	YES
Brent Phetteplace	VOTING	YES

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

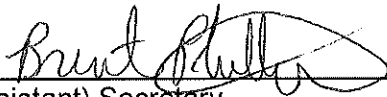
STATE OF NEW YORK)
) SS.:
COUNTY OF MONTGOMERY)

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 December 14, 2023, 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 _____ day of _____ 2024.



(Assistant) Secretary

(SEAL)