

RESOLUTION AUTHORIZING EASEMENT TO NYSDOT-FLORIDA PARK EXTENSION

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 Matthew Beck, seconded by Cheryl Reese to wit:

Resolution No. 23-23

RESOLUTION AUTHORIZING EASEMENT TO NYSDOT-FLORIDA PARK EXTENSION

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 Florida Business Park Extension in the Town of Florida, and

WHEREAS, the MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY (the "MCIDA") has been in discussions with the NEW YORK STATE DEPARTMENT OF TRANSPORTATION ("The State") in regards to the donation of a permanent easement over property owned by the MCIDA in the Town of Florida, Montgomery County, New York; located along or in the vicinity of State Route 5S on Tax Parcel No. 54.-2-2.31 (the Parcel), to The State, and

WHEREAS, the MCIDA wishes to adopt a resolution authorizing the MCIDA Chairperson and/or the CEO upon review and approval by the MCIDA Board, to sign any necessary documents donating the permanent easement over the Parcel to The State, and

WHEREAS, once the permanent easement over said parcel is donated to The State, The State will release maintenance jurisdiction over another parcel owned in fee by Montgomery County, and Montgomery County will convey said parcel to the MCIDA at a cost of \$1.00 in order to facilitate further development of the Florida Park Extension.

RESOLVED, the MCIDA hereby authorizes the Chairperson and/or CEO to sign and accept the MCIDA donating a permanent easement over the Parcel, located along or in the vicinity of State Route 5S in the Town of Florida, New York to The State, and

FURTHER RESOLVED, the MCIDA hereby authorizes the MCIDA Chairperson and/or CEO to sign, upon review and approval of the MCIDA Board, any documents associated with the transfer of property from Montgomery County to the MCIDA.

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	ABSENT
Mark Kowalczyk.	VOTING	YES
Brent Phetteplace	VOTING	YES

The foregoing Resolution No. 23-23 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 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 11 day of January 2024.



(Assistant) Secretary

(SEAL)