

RESOLUTION AUTHORIZING EASEMENTS 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 January 9, 2025 at 3:35 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
Mark Kowalczyk	Vice Chair
Cheryl Reese	Treasurer
Brent Phetteplace	Secretary
Jessica Cyr	Member
Daniel Roth	Member
Edward Watt	Member

ABSENT:

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
Shannon Wagner, Esq.	Agency Counsel

OTHERS PRESENT:

The following resolution was offered by Cheryl Reese, seconded by Edward Watt to wit:

Resolution No. 25-02

RESOLUTION AUTHORIZING EASEMENTS 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 two permanent easements 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) and detailed in Exhibit A as Map 52, Parcels 65 & 66, 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 easements over the Parcel to The State, and

WHEREAS, once the permanent easements over said parcel are 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 Agreement of Adjustment and Release of Owner donating the two permanent easements over the Parcel as detailed in Exhibit A as Map 52, Parcels 65 & 66, 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 Resolution, 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
Mark Kowalczyk	VOTING	YES
Cheryl Rees	VOTING	YES
Brent Phetteplace	VOTING	YES
Jessica Cyr	VOTING	YES
Daniel Roth	VOTING	YES
Edward Watt	VOTING	YES

The foregoing Resolution No. 25-02 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, including the resolution contained therein, held on January 9, 2025, 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 _____ 2025.



(Assistant) Secretary

(SEAL)

Exhibit A

MAP REFERENCE INFORMATION:

Portion of Lot 3 as shown on "Map Showing
Proposed Subdivision Lands N/F Carl E. Gottler L.663,
P.277 & Lands N/F Montgomery County Industrial
Development Agency L.1655, P.75", by ABD Engineers,
Surveyors, dated March 23, 2009 and filed June 22,
2009.

"Subdivision Plan of Property of Florida Business Park
Lot 3 Subdivision, Montgomery County Industrial
Development Agency", by Susan M. Anacker,
Professional Land Surveyor, PLLC, dated November
28, 2022.

PARCEL LOCATOR POINTS

Parcel No. 65
N: 1495064.83
E: 556114.86

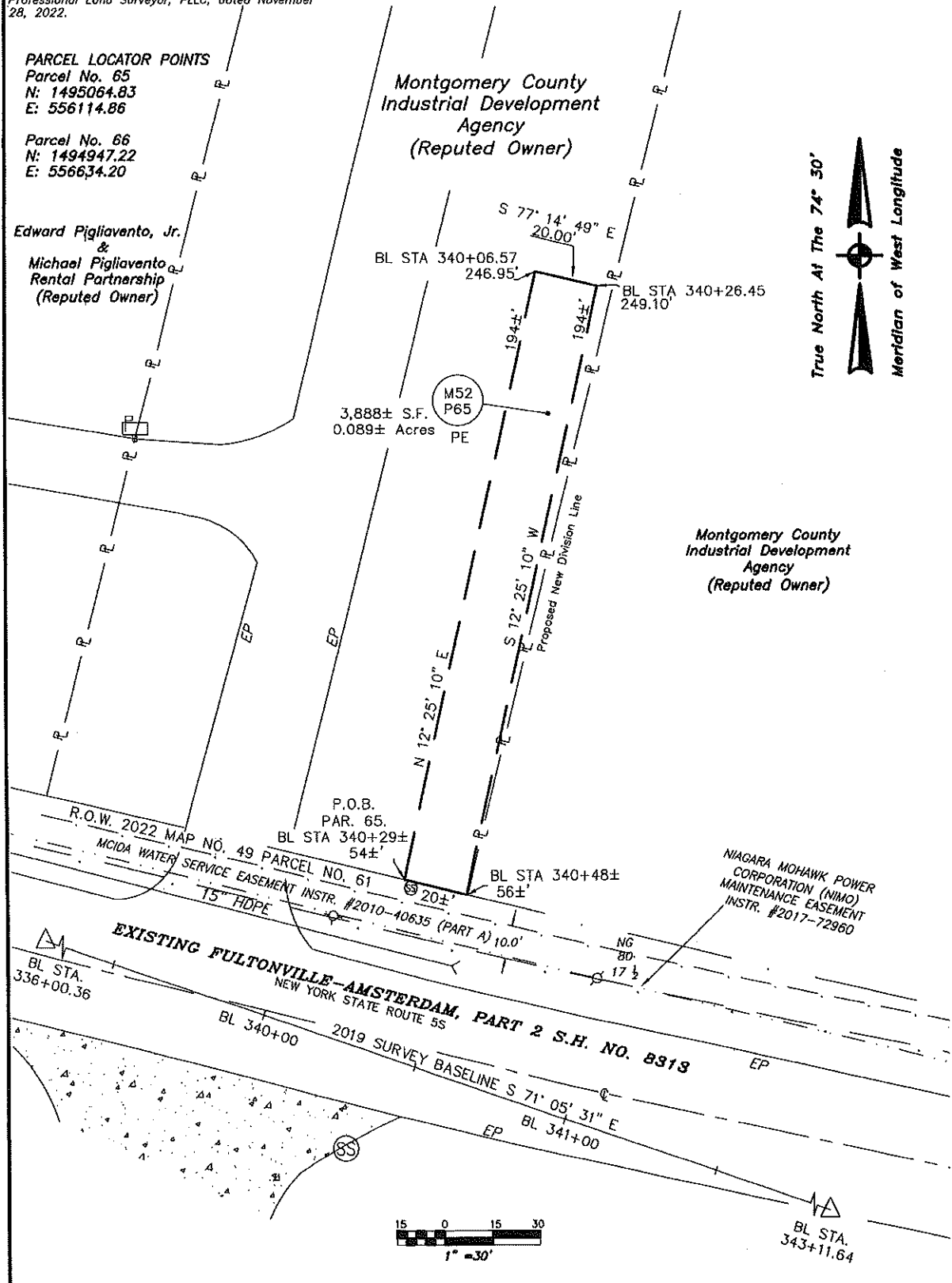
Parcel No. 66
N: 1494947.22
E: 556634.20

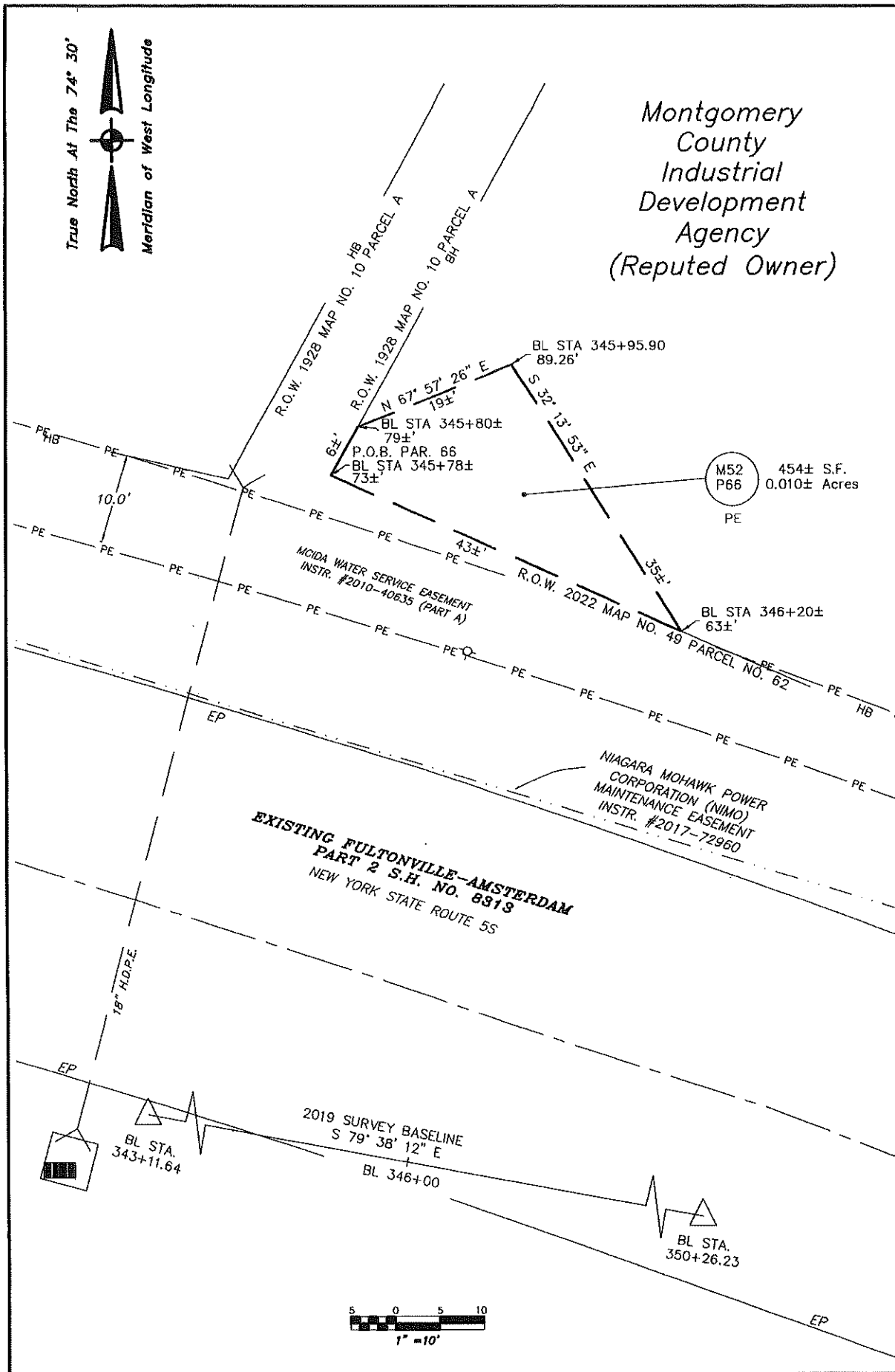
Edward Pigliavento, Jr.
&
Michael Pigliavento
Rental Partnership
(Reputed Owner)

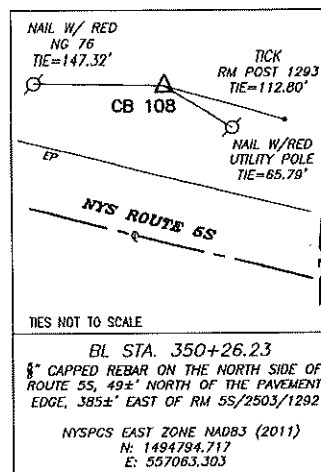
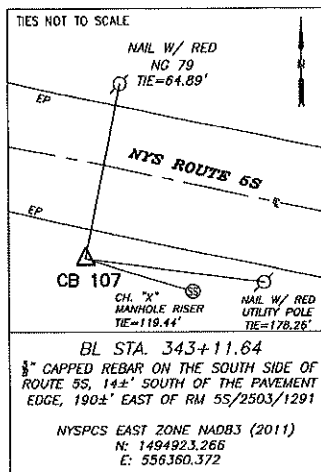
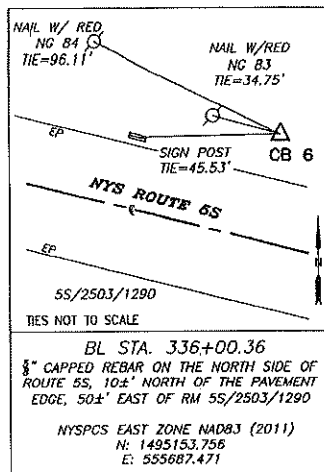
MONTGOMERY COUNTY
INDUSTRIAL DEVELOPMENT
AGENCY
(REPUTED OWNER)
L. 1755 P. 108

PARCEL SUMMARY

Type: PERMANENT EASEMENT
Portion of 2024 Tax Map
Ref. No. 54-2-231
Town of Florida
County of Montgomery
State of New York







PERMANENT EASEMENT FOR DRAINAGE PIPELINE

A permanent easement to be exercised in, on and over the property above delineated for the purpose of constructing, reconstructing, and maintaining thereon a drainage pipeline and appurtenances in and to all those pieces or parcels of property designated as Parcel Nos. 65 and 66, as shown on the accompanying map.

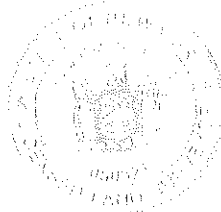
RESERVING, however, to the owner of any right, title or interest in and to the property above delineated, and such owner's successors or assigns, the right of access and the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction or reconstruction and as so constructed or reconstructed, the maintenance, of the herein identified project.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date 10/31/2024

Brian R. Hoffmann

Brian R. Hoffmann, P.E.
Regional Design Engineer
for the Regional Director of
Transportation Region No. 2



MONTGOMERY COUNTY
INDUSTRIAL DEVELOPMENT
AGENCY
(REPUTED OWNER)

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map was prepared in accordance with current NYSDOT policies, standards and procedures.

Date October 29, 2024

Susan M. Anacker
Susan M. Anacker Land Surveyor
P.L.S. License No. 50321

Total Area = 4,342± SQ. FT. OR
0.099± ACRE

Map of property in and to which an easement as hereinabove defined is deemed necessary by the Commissioner of Transportation to be acquired by appropriation in the name of the People of the State of New York for purposes connected with the highway system of the State of New York pursuant to Section 30 of the Highway Law and the Eminent Domain Procedure Law.

There is excepted from this appropriation all the right, title and interest, if any, of the United States of America in or to said property.

Pursuant to the statute (s) set forth above and the authority delegated to me by Official Order of the Commissioner of Transportation, this acquisition map is hereby approved and filed in the main office of the New York State Department of Transportation.

I have compared the foregoing copy of the map with the original thereof, as filed in the Office of the State Department of Transportation, and I do hereby certify the same to be a true and correct copy of the original and the whole thereof.

Date _____ 20____

Real Estate Division

Real Estate Division

DATE ARCHIVED _____ PREPARED BY _____ CHECKED BY _____ FINAL CHECK BY _____

