



MINUTES

November 24, 2020

Because of the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 220.1 issued on March 12, 2020 suspending the Open Meetings Law, the Herkimer County Industrial Development Agency meeting of the Board of Directors was held Tuesday, November 24, 2020 at 8:00 AM electronically via conference call instead of a public meeting open for the public to attend in person. Members of the public were invited to listen to the meeting by calling (605) 313-6315 and entering access code 827250.

STAFF

JOHN J. PISECK, JR.
Executive Director

STACEY J. HOLLERAN
Office Manager

VICTORIA L. ADAMS
Administrative Assistant

BOARD OF DIRECTORS

VINCENT J. BONO
Chairman

DAVID M. CHLUS
Vice Chairman

JOHN SCARANO
Secretary

MICHAEL WERENCZAK
Treasurer

CORY ALBRECHT
Director

CATHERINE RICCI
Director

ANN GAWORECKI
Director

COUNSEL

ANTHONY G. HALLAK, Esq.
Fell Evans, LLP

After the Pledge of Allegiance, Chairman Vincent (Jim) Bono called the meeting to order at 8:00 AM.

The following members were present in person: Vincent (Jim) Bono, Michael Werenczak, John Scarano, Catherine (Cate Ricci)

The following members were present via phone: Ann Gaworecki, David Chlus, Cory Albrecht.
Quorum Present.

Members Absent: None

Staff Present: John Piseck, Stacey Holleran, Victoria Adams

Also Present: Brian Mula, IDA Intern

Also Present via Call-In: Anthony Hallak, Ray Donley, Bill Weakley, Pete Campione, Michelle Roberts, Bob Schrader, Pete Campione, Mark Gaworecki.

Minutes: The minutes of the October 27, 2020 regular meeting were offered for review. **Cate Ricci moved, seconded by Michael Werenczak to approve presented minutes. Motion carried with 7 Ayes and 0 Nays.**

Financial Reports: The following financial reports were offered for review and approval: 2020 October Financial Report, Balance Sheet, Check Register, RLF/Lease Balance with payment status. Mr. Piseck stated that any outstanding loans are being paid accordingly, administration fees are being received as required, and the Agency is looking good for 2021. **John Scarano moved, seconded by Michael Werenczak, to approve all financial reports as presented. Motion carried with 7 Ayes and 0 Nays.**

Mission Statement: Mr. Piseck read the Agency's Mission Statement. The Agency Mission Statement is in place to help determine IDA projects, and is a guide used by the Authorities Budget Office (ABO) to outline what qualifies as a project for the Agency. The statement contains verbiage to include solar and housing projects, and it is critical that those types of projects be included in the scope of acceptable projects.

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Cate Ricci moved, seconded by Ann Gaworecki, to adopt the Mission Statement as presented. Motion carried with 7 Ayes and 0 Nays. The Mission Statement is attached to the original minutes.

Uniform Evaluation Criteria: In December of 2015, the State Comptroller's Office enacted a law to increase accountability and improve the efficiency and transparency of the operations of industrial development agencies and authorities by requiring standard uniform criteria for the evaluation and selection for each category of projects for which financial assistance is provided. The Agency currently includes a less detailed criteria in their application for financial assistance. Board members were provided with a detailed draft of Universal Evaluation Criteria prior to the meeting. It was recommended that going forward, the Universal Evaluation Criteria be used in conjunction with the current process of evaluating IDA project eligibility. **John Scarano moved, seconded by Michael Werenczak, to approve the use of the presented Universal Evaluation Criteria when evaluating IDA project eligibility. Motion carried with 7 Ayes and 0 Nays.**

Schuyler Business Park:

Mr. Piseck informed the board that the Covenants and Restrictions for Schuyler Business Park have been filed with the County.

SHPO Phase 1A/1B: The Agency received two proposals for the completion of a Phase IA cultural resource assessment and Phase 1B archaeological survey at Schuyler Business Park. Binghamton University provided the lowest price. Mr. Piseck requested board approval for the completion of Phase IA only. Phase IA will consist of walking the property and researching the history of the site, for a cost of \$2,280. **John Scarano moved, seconded by Cory Albrecht, to approve a Phase IA cultural resource assessment to be conducted at Schuyler Business Park by Binghamton University, at a cost not to exceed \$2,280. Motion carried with 7 Ayes and 0 Nays.**

Intermunicipal Development Agreement: The Agency received an intermunicipal development agreement from the Town of Schuyler outlining Town and Agency obligations associated with the development, maintenance, and installation of the roadway. Mr. Piseck stated that the Town will be responsible for the construction of the road; however, the Agency will pay for any equipment rentals that are required, as well as the materials for construction. The Town will own and maintain the road once the park is developed. No name has been selected for the roadway. **Michael Werenczak moved, seconded by Cate Ricci, to approve the agency to enter into an intermunicipal development agreement with the Town of Schuyler for the construction of the roadway at Schuyler Business Park. Motion carried with 7 Ayes and 0 Nays.**

Wladis Law Firm - Representative for Sewer: Mr. Piseck stated that this item would be tabled at this time.

Old Forge Properties – Enchanted Forest: For companies to be able to purchase supplies for a project under a tax-exempt status, an ST-60 is required. Due to Covid19 restrictions and delays, the project is still underway. Being that the certificate lapsed July 30, 2020, it is not possible to extend it; however, Mr. Piseck would like to offer the company a new ST-60 for the remainder of their project. After some discussion, it was decided that Mr. Piseck will attempt to reach out to the owner of the business, and that the item would be tabled and discussed at a future meeting. Mr. Hallak recommended the Agency adopt a deviation policy for instances of this nature.

Pitch Herkimer County: The Agency worked through several opportunities for the creation of the Pitch Herkimer County contest, to no avail. Many of the lending sources would only grant funds to non-profit organizations. After a discussion with our partners at Mohawk Valley EDGE, they decided to lead the project and apply for grant funding offered by M&T Bank in the amount of \$6,000 to support the project. They have also committed to adding \$1,000 to the budget to be a sponsor of the competition. Mr. Piseck expects to kick off the competition in 2021.

SunEast Watkins Road and SunEast Hills – Deviation Request: The Agency received a request for deviation from SunEast Watkins Road, LLC and SunEast Hills, LLC to use a land cost of \$400,000 as opposed to the total value of the 15-year land lease used in calculating the total project cost which affects the agency fee. Mr. Piseck recommend against approving the deviation request, as it may cause issues with other potential projects. **John Scarano moved, seconded by Jim Bono, to reject the request for deviation made by SunEast Watkins Road, LLC and SunEast Hills, LLC. Motion carried with 7 Ayes and 0 Nays.**

Cate Ricci moved, seconded by Michael Werenczak to retract the original resolution dated February 20, 2020 approving the application for financial assistance. Motion carried with 7 Ayes and 0 Nays

Small Business RLF Seward – Stumpin’ By Mike: The Agency received an application from Stumpin’ By Mike, LLC for the Small Business RLF 2-2-2 loan/grant program. The project is for the purchase of a mulching attachment for an existing piece of equipment. The application was approved by the RLF Committee. **Cate Ricci moved, seconded by John Scarano to approve a loan in the amount of \$2,000, a grant in the amount of \$2,000, with proof of owner injection of at least \$2,000. The funds will come from the Seward account. The loan terms will be 2% for 24 months. The motion carried with 7 Ayes and 0 Nays.**

Schuyler Business Park Signage: The Agency requested a proposal from Valley Signs for the design, construction, and installation of a 5’ X 10’ single-sided sign at the entrance of Schuyler Business Park. The sign will say “We are Growing” and will list the IDA and partners that have assisted, and continue to assist, with the development of the park. A proof of the sign was shared with the board. **Cate Ricci moved, seconded by Michael Werenczak, to approve the purchase of an entryway sign at Schuyler Business Park, with a cost not to exceed \$1,450. Motion carried with 7 Ayes and 0 Nays.**

Village of Frankfort – Housing Study: The Agency received a proposal from GHD Consulting Services, Inc. to perform a Phase I Environmental Site Assessment on approximately 6.6 acres of land located on Canal Street in the Village of Frankfort. The assessment will be performed as part of the first steps in the development process, and will recognize any environmental conditions in connection with the parcels through a non-intrusive investigation. **John Scarano moved, seconded by Michael Werenczak, to authorize GHD to proceed with Phase I Environmental Site Assessment study on parcels 112.74-3-5 and 112.74-3-37, at a cost not to exceed \$4,500. Motion carried with 7 Ayes and 0 Nays.**

Supplemental Insurance – Staff & Board: The Agency received information and pricing for supplemental insurance for staff members and their families. Mr. Piseck asked that the board consider paying for the cancer and accidental insurance offered by Aflac at a cost to the Agency of approximately \$3,800 per year. He also informed board members that they could join the plan with staff members; however, they would be responsible for paying for their coverage. After some discussion, it was decided that the matter should further be discussed in executive session.

Mohawk Valley EDGE – Leading EDGE Awards: Mohawk Valley EDGE hosted their Leading EDGE Awards via a virtual event. The Agency contributed a \$250 sponsorship for the awards. Mr. Piseck explained the benefits of the Agency's partnership with EDGE, and stated that he is honored that they are looking into our community for potential awardees, as Environmental Composites in Frankfort was awarded.

HPK Industries – CDBG Subrecipient Agreement: Herkimer County has been the lead on submitting a CDBG application for \$450,000 for HPK Industries. The County will set a public hearing if awarded. As with other CDBG projects, the Agency will be named subrecipient and will administer the grant and receive \$16,000 administrative and delivery fees for this service. **Michael Werenczak moved, seconded by John Scarano, to approve the Agency to enter into a subrecipient agreement with Herkimer County for the administration and delivery of the CDBG Grant for HPK Industries, Inc. This is contingent on a successful award to Herkimer County. Motion carried with 7 Ayes and 0 Nays.**

December – New Meeting Date (12/22) “Annual Meeting”: The Agency proposed a new date for the Board of Directors' meeting in December. The original date was 12/29; however, due to the holiday, it was suggested to move the meeting up one week. There were no objections to the change. Board members also have the option to call-in due to current restrictions on open meetings.

Project Updates/Other Business:

EPA Regional Administrator Visit: EPA Regional Administrator Pete Lopez visited three brownfield sites in the Mohawk Valley, including the Duofold Site in Ilion, Charlestown Mall in Utica, and the Navigation Center in Rome. Mr. Piseck spoke highly of the tour and was most impressed by the turnout at the Duofold site.

Manheim Business Park: Discussions are still ongoing on the progress of the water and sewer district formation.

Remington Arms: Mr. Piseck reached out to the new owners of the company to offer any assistance he may be able to provide.

Executive Session: John Scarano moved, seconded by Cate Ricci to enter into executive session 8:58 AM to discuss developments of a potential project and matters of personnel. Motion carried with 7 Ayes and 0 Nays. All board members, Anthony Hallak, John Piseck, Stacey Holleran, and Victoria Adams were invited to stay.

David Chlus exited the meeting at 9:51 AM.

Cory Albrecht exited the meeting at 10:03 AM.

Cate Ricci moved, seconded by Michael Werenczak to end executive session at 10:13 AM. Motion carried with 5 Ayes and 0 Nays.

Supplemental Insurance – Staff: John Scarano moved, seconded by Michael Werenczak, to approve the Agency provide supplemental insurance offered by Aflac to staff members and their families up to

a yearly cost of \$3,800. The rates are not subject to change once members are locked in. The employee may take the policy with them in the event of a separation from the Agency and will be responsible for payment at that time. The policy will not cover any past or future retired employees. Motion carried with 5 Ayes and 0 Nays.

Being no other business, John Scarano moved, seconded by Michael Werenczak to adjourn at 10:17 AM. Motion carried with 5 Ayes and 0 Nays.

Respectfully Submitted,

Victoria Adams

Victoria Adams
Administrative Assistant

MISSION STATEMENT

2020

The Herkimer County Industrial Development Agency delivers economic incentives to business and industry to diversify and strengthen Herkimer County's tax base and enhance community vitality by supporting job creation, business and industrial development, and community revitalization. We strive to develop the local economy in an organized, sustainable and environmentally beneficial manner.

Adopted 1/29/2019

Re-adopted 11/24/2020