



MINUTES

December 21, 2021

STAFF

JOHN J. PISECK, JR.
Executive Director

STACEY J. HOLLERAN
Office Manager

VICTORIA L. ADAMS
Administration & Grant
Coordinator

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.
Felt Evans, LLP

Herkimer County Industrial Development Agency Annual Board of Directors Meeting

The Herkimer County Industrial Development Agency held its annual meeting of the Board of Directors on Tuesday, December 21, 2021 at 8:00 AM. The meeting was held electronically via zoom conference as well as a public meeting open for the public to attend in person. Members of the public were invited to join the meeting virtually by going to www.zoom.com or by dialing (929) 205-6099 and entering meeting ID: 857 1959 2271 and passcode: 974852. Members of the public were invited to attend the meeting in person in the Herkimer County Chamber of Commerce conference room at 420 E. German Street, Herkimer, NY 13350.

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 and answered the roll call: Vincent (Jim) Bono, David Chlus, Cory Albrecht, Catherine (Cate) Ricci, Michael Werenczak, John Scarano.

The following members were present through videoconference and answered the roll call: Ann Gaworecki. **Quorum Present**

Members Absent: None

Staff Present: John Piseck, Stacey Holleran, Victoria Adams

Also Present in Person: Herkimer County Legislators: Bob Holum, John Stephens, Pete Campione; Bernie Peplinski

Also Present Virtually: Herkimer County Legislators: Mark Gaworecki, Bill Weakley; Susan Jaquish (on behalf of Assemblyman Brian Miller); Sabrina Underwood (on behalf of Assemblywoman Marianne Buttenschon); James Wallace

Mission Statement: Mr. Piseck read the Agency's Mission Statement

Minutes: The minutes of the November 30, 2021 regular meeting were offered for review. **Cate Ricci moved, seconded by Michael Werenczak, to approve the minutes as presented. Motion carried with 7 ayes and 0 nays.**

Financial Reports: The following financial reports were offered for review and approval: November 2021 Financial Report, Balance Sheet, Check Register, RLF/Lease Balance with payment status, and SBP Mortgage. Mr. Piseck stated that all outstanding loans are being paid accordingly and the Agency

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is in good financial position. **David Chlus moved, seconded by Cory Albrecht to approve all financial reports as presented. Motion carried with 7 ayes and 0 nays.**

Annual Election of Officers, Committees:

Cate Ricci moved, seconded by Michael Werenczak to retain the following officers and committees for 2022:

- **Vincent J. Bono as Chairman**
- **David Chlus as Vice-Chairman**
- **John Scarano as Secretary**
- **Michael Werenczak as Treasurer**
- **Stacey Holleran as Assistant Secretary/Treasurer**
- **Revolving Loan Fund Committee – Gaworecki, Chlus, Scarano**
- **Audit and Governance Committee – Board as a whole**
- **Finance Committee – Board as a whole**
- **Marketing Committee – Chlus, Scarano**
- **Claims Auditors – Scarano, primary; Gaworecki, secondary**

There were no other nominations. Motion carried with 7 ayes and 0 nays.

2020 PARIS Report Update: Per recommendation made by the Office of the New York State Comptroller's Office during their audit of the Agency, pages 23, 25, and 26 of the 2020 PARIS report shall be amended as presented. Changes were requested to calculate real property tax exemptions based on property assessment for two solar projects and correct an error in calculation of real property tax exemption for Higby Gold, LLC. **Cory Albrecht moved, seconded by Cate Ricci to approve the amendment of the 2020 PARIS Report. Motion carried with 7 ayes and 0 nays.**

Microenterprise and Seward 2/2/2 Update: Victoria Adams provided a final update on the Microenterprise Grant. In total, 9 businesses were assisted. Awarded business owners committed to adding a total of 13 full-time equivalent positions and as a result of grant funding, 28 full-time equivalent positions were added. Board members were provided a chart listing each awarded business, their project amount, amount awarded, and employment commitments, if applicable. She continued by providing a brief update on the status of the Seward 2/2/2 loan/grant program. The Agency does not have any outstanding applications for the program, and applications are always welcome.

Schuyler Business Park:

Lan-co Companies: The Agency received a bid from Lan-co Companies for construction of "Roadway B" at Schuyler Business Park. After discussion, **David Chlus moved, seconded by Cate Ricci to approve the Agency to enter into contract with Lan-co Companies for the construction of "Roadway B" at Schuyler Business Park, at a cost not to exceed \$155,040. Motion carried with 7 ayes and 0 nays.**

Land Sale Agreement: Per the advice of counsel, this subject is to be discussed during executive session.

Land Payment: The Agency will be remitting a final payment to the previous owner of the land at Schuyler Business Park. The Agency agreed to pay mitigation fees as a compensation relating to

agricultural services. The agreed upon amount was based on acres taken out of production from the total acreage which were computed by a surveyor. Based on the formula, the Agency will pay \$31,836. This final crop payment completes all contractual obligations to the previous owner. **Cate Ricci moved, seconded by Michael Werenczak to approve the final mitigation payment to the previous owner of land at Schuyler Business Park, in the amount of \$31,836. Motion carried with 7 ayes and 0 nays.**

Mr. Piseck stated that a solar company has reached out to him regarding a connection of their substations, which would require an easement through the property. The connection would be through current easements and would not interfere with the site. He will provide additional information as it becomes available.

Manheim Business Park – Annexation: Per the advice of counsel, this subject is to be discussed during executive session.

National Grid: There have been minor setbacks on the progress of electric and gas through National Grid due to their staffing changes. Mr. Piseck has pushed through to higher up representatives of the company to keep things moving forward. He will continue to provide updates as they become available.

Cost Benefit Analysis Tool / IDA Application: The Agency has recently acquired a Cost Benefit Analysis Tool to assist in the evaluation of projects. It is necessary to update and improve the Agency's Application for Financial Assistance to request additional information from the applicant to input into the tool.

NG Herkimer Preservation HDFC: The project is moving ahead and half of the administration fee will be received upon completion of the required public hearing.

Mr. Bono welcomed comments from elected officials.

Project Updates/Other Business:

2022 Meeting Dates: Board members were provided a list of meeting dates for 2022

Board Evaluations: A handout was provided to board members to confidentially submit their evaluation of the Agency's practices required as part of the yearly reporting to the Authorities Budget Office.

Publications Submitted to Times Telegram: There has been difficulty in submitting meeting notices to the Times Telegram due to their recent organizational changes. The Agency now sends requests to the Observer Dispatch for publication in the Times Telegram.

Paychex: The weekly fees charged by Paychex to process payroll have been steadily increasing without notification or reason. Upon further investigation, there is a less expensive option through the company that the Agency will be moving forward with beginning in the new year. The process will remain the same; however, when assistance is needed, the Agency will contact customer service to speak with a representative opposed to being assigned a designated representative as with the previous plan. Estimated yearly savings will be \$2,500.

Project East: The project is moving ahead

Project Twilight: The project is moving ahead

CDC/LDC: The Capital Resource Corporation/Local Development Corporation will be formed early on in the new year.

Village of Dolgeville BOA: The project is progressing on schedule.

Mr. Bono offered his condolences to Mr. Werenczak on the recent passing of his father.

John Scarano moved, seconded by Michael Werenczak to enter into executive session at 8:40 AM to discuss developments of a potential project and the potential purchase of property. Motion carried with 7 ayes and 0 nays. All in-person board members; Herkimer County Legislators: Stephens, Campione, and Hollum; Anthony Hallak; John Piseck, Stacey Holleran, and Victoria Adams were invited to stay.

Cate Ricci moved, seconded by John Scarano to end executive session at 9:30 AM. Motion carried with 6 ayes and 0 nays.

Ames True Temper/Union Tool: After discussion, **Cory Albrecht moved, seconded by John Scarano to authorize the Executive Director to offer a sum of \$150,000 for the purchase of the former Ames True Temper/Union Tool site. Motion carried with 6 ayes and 0 nays.**

Manheim Business Park – Annexation: After discussion, **Cate Ricci made the following motion:**

RESOLUTION AUTHORIZING THE HERKIMER COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO PETITION THE TOWN OF MANHEIM TO PERMIT THE VILLAGE OF DOLGEVILLE TO ANNEX LANDS UTILIZED IN THE DEVELOPMENT OF THE MANHEIM BUSINESS PARK.

Seconded by Michael Werenczak, the motion carried with 6 ayes and 0 nays. The official resolution is attached to the original minutes.

Land Sale: The Agency received a potential sales commission agreement from a company for approximately 10 acres at Schuyler Business Park. After discussion, **John Scarano moved, seconded by David Chlus to authorize the Agency to pay 5% commission to the company should the project come to fruition. Motion carried with 6 ayes and 0 nays.**

Village of Frankfort - Canal Street: There is a desperate need for workforce housing in our area. After discussion, **Cory Albrecht moved, seconded by Michael Werenczak to authorize the Agency to have the site surveyed by Emrich Land Surveying for an estimated cost of \$5,000. The motion carried with 6 ayes and 0 nays.**

Schuyler Business Park Signage: Mr. Piseck is looking into having signage placed along the thruway near the Schuyler Business Park site for additional marketing of the site. **After discussion, David Chlus**

moved, seconded by Mike Werenczak to proceed with getting more information on a billboard. Motion carried with 6 ayes and 0 nays. Mr. Piseck will keep the board informed.

Being no other business, Cory Albrecht moved, seconded by Michael Werenczak to adjourn at 9:40 AM. Motion carried with 6 ayes and 0 nays.

Respectfully Submitted,



Victoria Adams
Administration & Grant Coordinator

**HERKIMER COUNTY INDUSTRIAL DEVELOPMENT AGENCY
AUTHORIZING RESOLUTION – ANNEXATION OF MANHEIM BUSINESS PARK**

At a meeting of the Herkimer County Industrial Development Agency, Herkimer County, New York (the “Agency”), convened at the Herkimer County Chamber of Commerce Room at 420 E. German Street, Herkimer, New York on December 21, 2021 at 8:00 o’clock a.m., local time.

The meeting was called to order by the Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Vincent J. Bono	Chairman
David Chlus	Vice Chair
John Scarano	Secretary
Michael Werenczak	Treasurer
Catherine Ricci	Member
Cory Albrecht	Member

Each of the members present participated in the meeting either in person or remotely pursuant to the signing into law on September 2, 2021 of Chapter 417 of the Laws of 2021.

ABSENT: Ann Gaworecki Director

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

John Piseck	Executive Director
Stacey Holleran	Office Manger
Victoria Adams	Administration & Grant Coordinator
Anthony Hallak, Esq.	Agency Counsel

The following resolution was offered by Catherine Ricci, seconded by Michael Werenczak, to wit:

RESOLUTION AUTHORIZING THE HERKIMER COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO PETITION THE TOWN OF MANHEIM TO PERMIT THE VILLAGE OF DOLGEVILLE TO ANNEX LANDS UTILIZED IN THE DEVELOPMENT OF THE MANHEIM BUSINESS PARK.

WHEREAS, the Herkimer County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 410 of 1970 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 410 of the 1970 Laws of New York, as amended, constituting Section 898 of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research, and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health and 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 Agency has the power under Section 858 of the Act to acquire real estate; and

WHEREAS, the Agency has the power under Section 858 of the Act to petition for the annexation of ; and

WHEREAS, the Agency wishes to acquire lands from the abutting property owner, consolidate the lands into the Business Park parcel and have the entirety of the parcel annexed by the Village of Dolgeville to assist in the delivery of water to the park for development purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE HERKIMER COUNTY INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby resolves to acquire lands from Tumble Forms and consolidate the lands into the Business Park.

Section 2. The Agency hereby resolves to petition the Town of Manheim and Village of Dolgeville for annexation.

Section 3. The Agency hereby authorizes the Chair, the Vice Chair and the Executive Director to take all steps necessary to implement this Resolution.

Section 4. This Resolution shall take effect immediately.

The question of adoption of the foregoing resolution as duly put to vote on roll call, which resulted as follows:

Vincent J. Bono	VOTING	<u>yes</u>
David Chlus	VOTING	<u>yes</u>
John Scarano	VOTING	<u>yes</u>
Michael Werenczak	VOTING	<u>yes</u>
Ann Gaworecki	VOTING	<u>absent</u>
Catherine Ricci	VOTING	<u>yes</u>
Cory Albrecht	VOTING	<u>yes</u>

This Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) ss.:
COUNTY OF HERKIMER)

I, Stacey Holleran, the undersigned Assistant Secretary of the Herkimer County Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the members of the Herkimer County Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on the 21st day of December, 2021 with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related 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 Chapter 417 of Laws of 2021 (the "2021 Laws"), said meeting was open to the general public and public notice of the time and place of said meeting was duly given in accordance with the 2021 Laws, 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 as of this 21st day of December, 2021.

HERKIMER COUNTY INDUSTRIAL
DEVELOPMENT AGENCY



Stacey Holleran, Assistant Secretary