



MINUTES

February 17, 2022

### **Herkimer County Industrial Development Agency Board of Directors Meeting**

#### STAFF

JOHN J. PISECK, JR.  
Chief Executive Officer

STACEY J. HOLLERAN  
Chief Financial Officer

VICTORIA L. ADAMS  
Administration & Grant  
Coordinator

RYAN A. PALMIOTTO  
Marketing & Communications  
Specialist

#### BOARD OF DIRECTORS

VINCENT J. BONO  
Chairman

JOHN SCARANO  
Secretary

MICHAEL WERENCZAK  
Treasurer

CORY ALBRECHT  
Director

CATHERINE RICCI  
Director

ANN GAWORECKI  
Director

#### COUNSEL

ANTHONY G. HALLAK, Esq.  
Felt Evans, LLP

The Herkimer County Industrial Development Agency held a regular meeting of the Board of Directors, as well as a meeting of the Audit, Governance, and Finance Committees on Thursday, February 17, 2022 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](http://www.zoom.com) or by dialing (929) 205-6099 and entering meeting ID: 862 3427 2683 and passcode: 425011. 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, Michael Werenczak, John Scarano. **Quorum Present**

**Members Absent:** Catherine (Cate) Ricci, Ann Gaworecki

**Staff Present:** John Piseck, Stacey Holleran, Victoria Adams, Ryan Palmiotto

**Also Present in Person:** Herkimer County Legislators: Gregory Malta Sr., Bob Hollum, Pete Compion; Bill Maxim; Bernie Peplinski

**Also Present Virtually:** Herkimer County Legislators: John Stephens, Ray Donley; Assemblyman Robert Smullen; Anthony Hallak

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

**Minutes:** The minutes of the January 25, 2022 regular meeting were offered for review. **John Scarano moved, seconded by Michael Werenczak, to approve the minutes as presented. Motion carried with 5 ayes and 0 nays.**

The minutes of the January 25, 2022 NG Herkimer Preservation public hearing were offered for review. **Cory Albrecht moved, seconded by John Scarano, to approve the minutes as presented. Motion carried with 5 ayes and 0 nays.**

**Financial Reports:** The following financial reports were offered for review and approval: January 2022 Financial Report, Balance Sheet, Check Register, RLF/Lease Balance with payment status, SBP Mortgage, and PILOT report. Mr. Piseck stated that all outstanding loans are being paid accordingly and the Agency is in good financial position. Updates have been made to budget page to separate

**420 E. German Street, Box 1 Suite 101A, Herkimer, NY 13350 315-866-3000**

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certain line items for easier interpretation. **David Chlus moved, seconded by Michael Werenczak to approve all financial reports as presented. Motion carried with 5 ayes and 0 nays.**

**Small Business Seward 2/2/2 Update:** Victoria Adams provided an update on the Small Business Seward 2/2/2 Revolving Loan/Grant fund. She stated that there is enough funding available to support an application.

**Manheim Business Park - Annexation:** The Agency's paperwork has been submitted accordingly. A previously awarded grant in the amount of \$1,800,000 for a water tower at the park has been reduced to \$800,000. Attorney Hallak stated the town has all the information that they need to hold a public hearing regarding the annexation.

**2571 Higby Road:**

*Asbestos Survey and Demolition Plan:* The Agency received a proposal from Delta Engineers to conduct Pre-Demolition Asbestos Surveys and Demolition Plans for the existing structures on the Higby Road property. Once the survey and demolition plans are complete, demolition can begin. **John Scarano moved, seconded by Michael Werenczak to approve the Agency to enter into an agreement with Delta Engineers to conduct Pre-Demolition Asbestos Surveys and Demolition Plans for the structures at the Higby Road property at a cost not to exceed \$12,821.00. Motion carried with 5 ayes and 0 nays. Resolution: 021722-01**

*Radiocarbon Analysis:* As a result of the Phase II Environmental Site Assessment at the Higby Road property, it was necessary to conduct a Radiocarbon analysis to date samples of material. It is a unique situation; however, the analysis will have no negative effects on the Agency's current projects.

NYS Health Department: No tree removals are scheduled to occur at the Higby Road site. Once the weather changes the barn will be removed, wood will be repurposed. NYS Assemblywomen Buttenschon contacted the NYS Health Department, but received little assistance.

**IDA Policies:**

*By-Laws:* Prior to the meeting, board members were provided amended by-laws of the Agency. **Cory Albrecht moved, seconded by John Scarano to adopt the amended by-laws, as presented. Motion carried with 5 ayes and 0 nays. Resolution: 021722-02**

*Mission Statement:* Prior to the meeting, board members were provided the Mission Statement of the Agency. **David Chlus moved, seconded by Michael Werenczak re-adopt the Mission Statement, as presented. Motion carried with 5 ayes and 0 nays. Resolution: 021722-03**

*Compensation, Reimbursement, & Additional Conditional Compensation Policy:* Prior to the meeting, board members were provided an amended Compensation, Reimbursement, & Additional Conditional Compensation Policy. **John Scarano moved, seconded by Michael Werenczak to adopt the amended Compensation, Reimbursement, & Additional Conditional Compensation Policy, as presented. Motion carried with 5 ayes and 0 nays. Resolution: 021722-04**

*Defense and Indemnification Policy:* Prior to the meeting, board members were provided an amended Defense and Indemnification Policy. **Cory Albrecht moved, seconded by John Scarano to adopt the**

**amended Defense and Indemnification Policy, as presented. Motion carried with 5 ayes and 0 naves.**  
*Resolution: 021722-05*

**Purchasing Policy:** Prior to the meeting, board members were provided an amended Purchasing Policy. **Michael Werenczak moved, seconded by Cory Albrecht to adopt the amended purchasing policy, as presented. Motion carried with 5 ayes and 0 naves.** *Resolution: 021722-06*

**Standard Workday Resolution:** As a result of staff title changes, it is necessary to update the standard workday established through the New York State and Local Retirement System. **Cory Albrecht moved, seconded by Michael Werenczak to approve the Standard Workday Resolution as presented to be submitted to the New York State and Local Retirement System. The motion carried with 5 ayes and 0 naves.** *Resolution: 021722-07*

**Website Checklist:** The Agency has asked the board to take a look and try to identify each line item within the IDA website. The audit that was conducted recommended the Agency add certain items to the website. For each item on checklist, a URL was provided to members to give them easy access to specific files.

**Board Meeting Requirements:** Board members were reminded to sign up and take their ABO training that is required to be taken once every three years. Some board members are already registered, while one member still needs to sign up to take his training.

**Claim Auditors:** The Staff has suggested to add Mr. Bono to the claims auditor duties due to his availability and frequent stops at the IDA office. Mr. Bono would join Mr. Scarano and Mrs. Gaworecki as claims auditors. Mr. Bono would concurrently be removed from check signing duties. **David Chlus moved, seconded by Cory Albrecht to authorize the Mr. Bono as a claims auditor and remove him of check signing duties. Motion carried with 5 ayes and 0 naves.** *Resolution: 021722-08*

**Final Audit Cost:** The current Auditing Agency for the IDA, Bowers & Company, has requested an increased payment due to greater than anticipated workload for 2021. Bowers is asking for \$14,500 for 2021, an increase of an amount of \$3,100 as previously quoted. Bowers stated that they took a loss in first year, due to the increase in workload. Also discussed future payment of \$15,000 for 2022. In a case of a single audit is required, Bowers price for that is \$3,800. The Agency agrees that Bowers is great to work with, and have gone above and beyond. **Cory Albrecht moved, seconded by Michael Werenczak to increase payment to Bowers for auditing duties. Motion carried with 5 ayes and 0 naves.**  
*Resolution: 021722-09*

**NG Herkimer Preservation HDFC:** The County voted to support bond resolution for NG Herkimer Preservation HDFC for up to \$10 million. No further action is required at this time.

**Former Chips Gas Station – Phase I ESA:** The County discussed a low-cost support phase I study on the former Chips Gas Station. Staff suggested that lot could be used as a parking lot for the Empire State Trail that runs through the town of Frankfort. On the property, many tanks have been removed; may find paint or other contaminants on site. **David Chlus moved, seconded by Michael Werenczak to support phase I ESA. Motion carried with 5 ayes and 0 naves.** *Resolution: 021722-10*

**Board Evaluation Summary:** Discussed the results of the evaluation that was distributed to board members. Mr. Piseck asked board members to reach out if they would like to discuss any of the items

listed on the evaluation. **John Scarano moved, seconded by Michael Werenczak approve results of board evaluation. Motion carried with 5 ayes and 0 naves. Resolution: 021722-11**

Mr. Bono welcomed comments from elected officials and other attendees.

*Assemblyman Robert Smullen:* Assemblyman Smullen stated that he will see fellow board members tomorrow at the Legislative Breakfast. Currently busy in Albany in terms of budget. Assemblyman Smullen also noted the loss of the \$1 million loss of the Manheim Business Park grant, suggested his assistance with the matter.

*Legislators: None to speak.*

#### **Project Updates/Other Business:**

*Anti-Harassment Training:* Mr. Piseck reminded everyone to complete their anti-harassment training ASAP. Victoria will get back to the individuals and give them the information they need to complete training.

*National Brownfields Conference – Oklahoma City August 16-19, 2022:* Mr. Piseck stated that he will be attending the National Brownfields Conference in Oklahoma City in person.

*Chamber of Commerce Legislative Breakfast 2/18/2022:* Legislative Breakfast to take place tomorrow morning at 7 AM, with a forum following the breakfast at 8 AM. Board members were invited and encouraged to attend.

*Village of Dolgeville BOA:* The Village of Dolgeville Brownfield Opportunity Area (BOA) Nomination Study Public Meeting is taking place tonight. Board members were invited and encouraged to attend. If Dolgeville BOA is successful, more communities may be interested in program throughout Herkimer County.

*New NYS Districts:* Due to the new district lines, Herkimer County will no longer be represented by Congresswoman Tenney. Assemblywoman Buttenschon's district will now be represented by Congresswoman Stefanik. Senator Oberacker is competing against Senator Tedisco in the primary replacing Senator Patty Richie who is retiring. Now, the majority of Herkimer County will be represented by Congresswoman Stefanik and Assemblyman Smullen. A meeting with Congresswoman Stefanik will be arranged soon.

*NYS Economic Development Council Annual Meeting:* Mr. Piseck stated he is attending annual EDC meeting on 2/28-3/01

*Broadband Update:* Several meetings have taken place on Broadband, status of where the county stands is TBD.

*Eastern Mohawk Valley Regional Transmission Line:* Meetings are ongoing with EDA, MVEDD, and Herkimer County seeking any possible funding.

*CDGB Cares:* A public hearing for CDGB Cares will be held during Herkimer County board meeting 3/4/22.

*Schuyler Business Park National Grid:*

National Grid has not been easy to work with. If issues continue the Public Service Commission will get involved. Current businesses are being forced to use propane for their gas use.

*Schuyler Business Park Cannabis:*

The IDA has received multiple calls on cannabis production. The Board agreed that there is not enough job creation as well as a high energy requirement to support Schuyler Business Park. It was the consensus of the board to not entertain a cannabis project at this time.

*Mohawk valley EDGE Strategic Planning Meeting:* Meeting was canceled this week, Mr. Piseck will let Board of Directors know of any updates.

*Mohawk Valley Brownfields Developer Summit:* Summit to take place in April, 12-13.

*Feldmeier Update:* Tony Hallak gave a brief update on the status of Feldmeier. He stated that they are on a fast track to close on February 25<sup>th</sup>. Mr. Bono will accompany Tony Hallak.

**John Scarano moved, seconded by Cory Albrecht to enter into executive session at 8:56 AM to discuss property acquisition and developments of a potential project. Motion carried with 5 ayes and 0 nays.**  
All board members; Herkimer County Legislators: Malta Sr., Campione, Hollum, Donley, Stephens; John Piseck, Stacey Holleran, Victoria Adams, and Ryan Palmiotto were invited to stay.

**John Scarano moved, seconded by Cory Albrecht to end executive session at 10:02 AM. Motion carried with 5 ayes and 0 nays.**

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**Being no other business, John Scarano moved, seconded by Cory Albrecht to adjourn at 10:03 AM. Motion carried with 5 ayes and 0 nays.**

Respectfully Submitted,



Victoria Adams,  
Administration & Grant Coordinator