



MINUTES

March 29, 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 Tuesday, March 29, 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 or by dialing (929) 205-6099 and entering meeting ID: 871 9851 9778 and passcode: 568651. 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, Cory Albrecht, Michael Werenczak, John Scarano, Ann Gaworecki, and Catherine (Cate) Ricci. **Quorum Present**

Members Absent: David Chlus

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

Also Present in Person: Herkimer County Legislator, Bob Hollum; Anthony Hallak (entered at 8:30AM);

Also Present Virtually: Elizabeth (Liz) Bush and Jennifer Richardson, Bowers and Company; Travis Phillips; James Wallace; Susan Jaquish on behalf of Assemblyman Brian Miller; Sabrina Underwood on behalf of Assemblywoman Marianne Buttenschon; Herkimer County Legislator, Mark Gaworecki.

2021 Audited Financial Statements:

Bowers & Company Presentation: Elizabeth (Liz) Bush of Bowers and Company was present via zoom to review the 2021 annual audit. A copy was provided to board members prior to the meeting. Official copies were also made available to board members during the presentation. After the presentation **Ann Gaworecki moved, seconded by Cate Ricci to approve the 2021 Audited Financial Statements as presented. Motion carried with 6 ayes and 0 nays. Resolution: 032922-01**

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

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

"This institution is an equal opportunity provider, employer and lender."

Minutes: The minutes of the February 17, 2022 regular meeting were offered for review. **Michael Werenczak moved, seconded by Cory Albrecht, to approve the minutes as presented. Motion carried with 6 ayes and 0 nays.**

Financial Reports: The following financial reports were offered for review and approval: February 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. **Cate Ricci moved, seconded by John Scarano to approve all financial reports as presented. Motion carried with 6 ayes and 0 nays.**

PARIS Report due to Authorities Budget Office (Exhibit A): In advance of the meeting, board members were provided a draft version of the Paris report due to the Authorities Budget Office on an annual basis. The report contained the Agency's Annual Report, Annual Certified Financial Audit, Procurement, and Investment Reports, as well as any of the additional documents and/or attachments listed on Exhibit A. **Cory Albrecht moved, seconded by Michael Werenczak, to approve the Paris Report for the fiscal year 2021 as presented. Motion carried with 6 ayes and 0 nays. Resolution: 032922-02**

NYS Comptroller Audit: The NYS Comptroller's Office has completed one part of their two-part audit. They provided a draft of the Claims Auditing report to Agency board members and staff. Changes suggested in the report as best practice have since been implemented and the Agency must submit an official response to the investigation. The Agency has requested legal consultation to implement an official policy in regards to the claims auditing process. Additional information will be provided as it becomes available.

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 in the account to support an application and all payments are being made accordingly. Two businesses recently paid off the remaining principal balance of their loans. She has had conversations with potential applicants. She also briefly spoke about the potential for CDBG CARES funding and hopes to receive award confirmation prior to the next meeting of the board.

Revamp Fitness – Title IX Loan Application: The Agency received an application from Jason Crippen of Revamp Fitness for the Title IX loan fund which is administered through the Mohawk Valley Economic Development District. Mr. Piseck gave an overview of the project stating that the applicant is current on his existing loan through the program. After brief discussion, **John Scarano moved, seconded by Cate Ricci to approve a Title IX loan to Revamp Fitness in the amount of \$37,195 at 4% for a term of 10 years. Motion carried with 5 ayes and 0 nays, and one abstention (Gaworecki). Resolution: 032922-03**

Marketing Update – Ryan Palmiotto provided an update to board members on the Agency's social media platforms, including LinkedIn and Facebook. He provided a handout to the board of two very successful recent posts and also spoke about how the pages can continue to gain followers and engage member of the public.

Project Orange Crush – Purchase and Sale Agreement: Per advice of counsel, this item is to be discussed during executive session.

Schuyler Warehouse Development – Extension: Schuyler Warehouse Development requested an increase to their sales tax exemption due to significant material cost increases. The original amount was

\$2,000,000 and the increased amount is to be \$2,909,090. Board members were provided a breakdown of the request prior to the meeting. **Ann Gaworecki moved, seconded by Cory Albrecht, to approve an increase to the sales tax exemption amount for Schuyler Warehouse Development as requested. Motion carried with 6 ayes and 0 nays. Resolution: 032922-04**

Schuyler Business Park:

Cul-de-sac Roadway Land Conveyance: It is necessary to take back a portion of the lands at the cul-de-sac next to Schuyler Warehouse Development for utility purposes. After a brief overview and description by Anthony Hallak, **Ann Gaworecki moved, seconded by Cate Ricci, to take back a portion of lands previously conveyed to Choyce Petersen for utility purposes. Motion carried with 6 ayes and 0 nays. Resolution: 032922-05**

Additional Roads (B&C): Board members were provided a map of the existing conditions at Schuyler Business Park. A proposal was received from Delta Engineers to construct new roadway extensions from the end of Roadway B and to begin Roadway C to access additional parcels of land yet to be developed. The proposal includes watermain extensions and SWPPP modifications. **Cory Albrecht moved, seconded by John Scarano to authorize the Agency to accept the proposal from Delta Engineers for Roadway Extensions and Water Main Extensions at Schuyler Business Park at a cost not to exceed \$19,500. Additional reimbursable expenses estimated at \$300 may also be assessed. Motion carried with 6 ayes and 0 nays. Resolution: 032922-06**

Eastern Mohawk Valley Water Transmission Line:

Update: The Agency has ongoing meetings with the project team. Project updates and additional funding sources are discussed regularly.

Barton and Loguidice – Amendment 2: Board members were provided an amendment to the agreement with Barton & Loguidice for the water transmission line project. The funds will come from the Municipal Restructuring Fund Grant. **Michael Werenczak moved, seconded by Cate Ricci, to approve Amendment No. 2 to the agreement in the amount of \$1,211,560 to increase the total adjusted agreement amount \$2,187,300 contingent on NYS DOS releasing phase 4 funding of the Municipal Restructuring Funding grant. Motion carried with 6 ayes and 0 nays. Resolution: 032922-07**

2571 Higby Road:

Topographic Survey: The Agency received a proposal from Emrich Land Surveying to conduct a topographic survey at the Higby Road site. **John Scarano moved, seconded by Cory Albrecht to authorize a topographic survey at the Higby Road site at a cost not to exceed \$6,488.00. Motion carried with 5 ayes and 0 nays. Resolution: 032922-08**

Attorney Cost – Water/Sewer: This topic was not discussed.

Designation of Contracting Officer: Through assistance with legal counsel, the Agency has worked to update policies and procedures. As part of the updates, it is necessary to designate a contracting officer for the Agency. **Ann Gaworecki moved, seconded by Cate Ricci to authorize the Chief Executive Officer to be the designated contracting officer for the Agency. Motion carried with 5 ayes and 0 nays. Resolution: 032922-09**

Other IDA Policies: Prior to the meeting board member were provided the following policies: Fee Schedule, Statement of Intent Regarding Debt, Project Monitoring and Enforcement, Travel Policy, Conflict of Interest, Uniform Criteria for Project Evaluation, and Cyber Security Policy. After discussion, **Cate Ricci moved, seconded by Michael Werenczak to approve all policies as presented. Motion carried with 6 ayes and 0 nays. Resolution: 032922-10**

CNY Business Journal GEAR Awards: Mohawk Valley EDGE and Feldmeier Equipment will be receiving awards at the CNY Business Journal GEAR Awards event scheduled for May 4, 2022. The Agency will be sponsoring the event. **Cate Ricci moved, seconded by Cory Albrecht to authorize the Agency to sponsor the CNY Business Journal GEAR Awards at a cost not to exceed \$750.00. Motion carried with 6 ayes and 0 nays. Resolution: 032922-11**

Mr. Bono welcomed comments from elected officials and attending legislators.

Sabrina Underwood: Sabrina expressed her excitement to attend the meeting on behalf of Assemblywoman Marianne Buttenschon.

Legislators: Hollum; Gaworecki: stated to keep up the good work

Project Updates/Other Business:

Schuyler Business Park National Grid Grant – The Agency's application for a grant through National Grid's Shovel Ready Incentive Program has been approved for the electric and gas service at Schuyler Business Park. Additional required documentation will be submitted to request at draw down of funds.

Ames True Temper – Mr. Piseck stated that the company is not interested in selling the property to the Agency and the project is currently at a stand-still with the possibility of not moving forward.

Financial Disclosure Packets: Mr. Piseck stated that any member of the board that has not already done so to provide their financial disclosure packets to be submitted to the county.

Anti-Harassment and ABO training: Victoria Adams will follow up with board members that have not met their training requirements.

Food Processing Study: The consultant conducting the food processing study has had several conversations with many individuals. The Agency will host an outreach event at HCCC as the project nears completion.

Weston Foods: The facility has closed; the Agency is marketing the site,

Fuzehub Event: Agency staff has a meeting to discuss the event scheduled for June 7th & 8th at HCCC

Mohawk Valley Brownfield Summit: Board members were invited to attend the event scheduled for April 12-13 at Fulton-Montgomery Community College

Job Fair: Chairman Bono spoke about a recent job fair; he stated the county is seeking child care options for working families

Mr. Piseck reminded the board of a special meeting scheduled for April 06, 2022.

John Scarano moved, seconded by Cate Ricci to enter into executive session at 9:25 AM to discuss property acquisition and developments of a potential project. Motion carried with 6 ayes and 0 nays. All board members; Herkimer County Legislators: Hollum, Gaworecki; James Wallace; Anthony Hallak; John Piseck, Stacey Holleran, Victoria Adams, and Ryan Palmiotto were invited to stay.

Ann Gaworecki moved, seconded by Cory Albrecht to end executive session at 9:47 AM. Motion carried with 6 ayes and 0 nays.

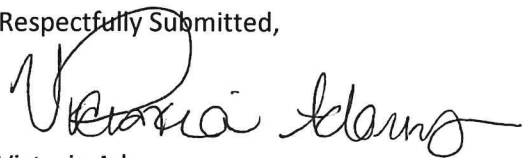
Project Orange Crush: - Cory Albrecht moved, seconded by Cate Ricci to accept offer of \$15,000 per acre for an approximate 11-acre parcel of land at Schuyler Business Park. Motion carried with 6 ayes and 0 nays. *Resolution: 032922-12*

Schuyler Business Park: – Ann Gaworecki moved, seconded by Cate Ricci to allow Counsel Anthony Hallak to prepare subdivision of Roadway B & C, one 15-acre parcel, one 25-acre parcel, 3.5-acre detention pond, 11-acre parcel and final 34-acre parcel at the Schuyler Business Park. Motion carried with 6 ayes and 0 nays. *Resolution: 032922-13*

Village of Frankfort: – Ann Gaworecki moved, seconded by Cory Albrecht to authorize the CEO to order a Phase 1 and Phase 2 of an approximate 10-acre parcel in the Village of Frankfort. Motion carried with 6 ayes and 0 nays. *Resolution: 032922-14*

Being no other business, Cate Ricci moved, seconded by Michael Werenczak to adjourn at 9:50 AM. Motion carried with 6 ayes and 0 nays.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Victoria Adams", written over a circular stamp or seal.

Victoria Adams,
Administration & Grant Coordinator