



## MINUTES

May 20, 2025

### STAFF

JOHN J. PISECK, JR.  
Chief Executive Officer

VICTORIA L. ADAMS  
Operations Manager

ERIN E. SPINA  
Marketing & Communications  
Specialist

### BOARD OF DIRECTORS

VINCENT J. BONO  
Chairman

CORY ALBRECHT  
Vice Chairman

JOHN SCARANO  
Secretary

TIM DAY  
Treasurer

ANN GAWORECKI  
Director

ALANA BASLOE  
Director

FRANK MENDEL  
Director

ROBERT DAVENPORT  
Director

### COUNSEL

SPECIAL:  
CHARLES MALCOLM, Esq.  
SHANNON WAGNER, Esq.  
Hodgson Russ, LLP.

## Herkimer Local Development Corporation

The Herkimer Local Development Corporation held a regular meeting of the Board of Directors on Tuesday, May 20, 2025 immediately following the Herkimer County Industrial Development Agency board meeting. 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](https://www.zoom.com) or by dialing (929) 205-6099 and entering ID: 864-4681-6879 and passcode: 226094. 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 Bono called the meeting to order at 9:30 am.

**The following members were present in person and answered the roll call:** Vincent (Jim) Bono, Cory Albrecht, Tim Day, Ann Gaworecki, Frank Mendl and Robert Davenport. **Quorum Present (6)**

**Members Absent:** Alana Basloe

**Agency Staff Present:** John Piseck, Victoria Adams, and Jennifer Young.

**Also Present in Person:** none

**Also Present Virtually:** Shannon Wagner, Hodgson Russ, LLP.

**Minutes:** The meeting minutes of the board meeting on April 22, 2025 were offered for review. **Cory Albrecht moved, seconded by Tim Day to approve the minutes as presented. The motion carried with 6 ayes and 0 nays.**

**Financial Reports:** The following financial reports were offered for approval: April 2025 Income & Expense Report, Balance Sheet, and Check Register. Following review and discussion, **Frank Mendl moved, seconded by Cory Albrecht to approve the April 2025 financial reports as presented. The motion carried with 6 ayes and 0 nays.**

**Bills School:** Board members were presented with a resolution authorizing agreement of purchase and sale and related actions for the Bills School property. Following review, **Tim Day made the following motion;**

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

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

**RESOLUTION AUTHORIZING (A) THE EXECUTION AND DELIVERY OF AN AGREEMENT OF PURCHASE AND SALE (THE "AGREEMENT"), AND ANY RELATED DOCUMENTS, WITH THE VILLAGE OF HERKIMER, NEW YORK (THE "VILLAGE"), AND (B) THE PURCHASE OF CERTAIN REAL PROPERTY FROM THE VILLAGE IDENTIFIED IN THE AGREEMENT.**

**Seconded by Cory Albrecht with a vote by roll call as follows;**

|                  |        |        |
|------------------|--------|--------|
| Vincent J. Bono  | VOTING | Yes    |
| Cory Albrecht    | VOTING | Yes    |
| Alana Basloe     | VOTING | Absent |
| Tim Day          | VOTING | Yes    |
| Ann Gaworecki    | VOTING | Yes    |
| Frank Mendl      | VOTING | Yes    |
| Robert Davenport | VOTING | Yes    |

**The motion carried with 6 ayes and 0 nays. The official resolution is attached to the original minutes.**

*Resolution: HLDC-25-10*

**Charlestown Mall:** The board was presented with a Memorandum of Agreement between the Environmental Protection Agency and Herkimer Local Development Corporation. Following review, **Tim Day moved to authorize entering into the agreement. Seconded by Cory Albrecht with voting via roll call as follows;**

|                  |        |        |
|------------------|--------|--------|
| Vincent J. Bono  | VOTING | Yes    |
| Cory Albrecht    | VOTING | Yes    |
| Alana Basloe     | VOTING | Absent |
| Tim Day          | VOTING | Yes    |
| Ann Gaworecki    | VOTING | Yes    |
| Frank Mendl      | VOTING | Yes    |
| Robert Davenport | VOTING | Yes    |

**The motion carried with 6 ayes and 0 nays.**

*Resolution: HLDC- 25-11*

Project Updates:

- Masonic Building

**Being no other business, Tim Day moved, seconded by Cory Albrecht to adjourn at 9:40 AM. The motion carried with 6 ayes and 0 nays.**

Respectfully Submitted,



Victoria Adams  
Operations Manager

**RESOLUTION AUTHORIZING AGREEMENT OF  
PURCHASE AND SALE AND RELATED ACTIONS**

A regular meeting of Herkimer Local Development Corporation (the "Corporation") was convened in public session at the Herkimer County Chamber of Commerce Conference Room located at 420 E. German Street, in the Village and Town of Herkimer, Herkimer County, New York, on May 20, 2025 at 9:30 o'clock a.m., local time.

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

**PRESENT:**

|                  |               |
|------------------|---------------|
| Vincent J. Bono  | Chairman      |
| Cory Albrecht    | Vice Chairman |
| Tim Day          | Treasurer     |
| Ann Gaworecki    | Director      |
| Frank Mendl      | Director      |
| Robert Davenport | Director      |

**ABSENT:**

|              |           |
|--------------|-----------|
| Alana Basloe | Secretary |
|--------------|-----------|

**ADDITIONAL INDIVIDUALS PRESENT INCLUDED THE FOLLOWING:**

|                         |                             |
|-------------------------|-----------------------------|
| John J. Piseck, Jr.     | Chief Executive Officer     |
| Victoria Adams          | Operations Manager          |
| Jennifer Young          | Office Administration       |
| Anthony Hallak, Esq.    | Corporation Counsel         |
| Shannon E. Wagner, Esq. | Special Corporation Counsel |

The following resolution was offered by Tim Day, seconded by Cory Albrecht, to wit:

**Resolution No. HLDC-25-10**

RESOLUTION AUTHORIZING (A) THE EXECUTION AND DELIVERY OF AN AGREEMENT OF PURCHASE AND SALE (THE "AGREEMENT"), AND ANY RELATED DOCUMENTS, WITH THE VILLAGE OF HERKIMER, NEW YORK (THE "VILLAGE"), AND (B) THE PURCHASE OF CERTAIN REAL PROPERTY FROM THE VILLAGE IDENTIFIED IN THE AGREEMENT.

WHEREAS, Herkimer Local Development Corporation (the "Corporation") is authorized and empowered by the provisions of 402 and Section 1411 of the Not-For-Profit Corporation Law of the State of New York (the "NFPCL") to promote community and economic development and the creation of jobs for the citizens of Herkimer County, New York (the "County") by, among other things, facilitating the purchase of real property; and

WHEREAS, to accomplish its stated purposes, the Corporation is authorized and empowered under the NFPCL and its certificate of incorporation (the "Certificate") to enter into contracts with any other economic development organizations to help achieve the purposes described in the NFPCL and the

Certificate; and to perform any and all acts and things, and exercise any and all powers which may or now hereafter be lawful for the Corporation to do or exercise under and pursuant to the laws of the State of New York for the purpose of accomplishing any of the purposes of the Corporation; and

WHEREAS, the Village of Herkimer, New York (the "Village") has requested that the Corporation and the Herkimer County Industrial Development Agency (the "Agency") participate in a project (the "Project") involving (A) the redevelopment and reuse of the former L.W. Bills School Building located at 217 N. Washington Street (Tax Map No.: 120.25-2-14) in the Village of Herkimer, Herkimer County, New York (the "Property") to abate the nuisance and blighted condition of the Property, (B) to facilitate the foregoing, the sale of the Property by the Village to the Corporation pursuant to an agreement of purchase and sale (the "Agreement") by and between the Village and the Corporation; and

WHEREAS, the Village acquired title to the Property pursuant to a proceeding commenced by the Village pursuant to Article 19-B of the Real Property Actions and proceedings Law (the "RPAPL") wherein the Property was declared vacant and abandoned by the Supreme Court, Herkimer County; and

WHEREAS, in connection with the Project, by resolution adopted by the members of the Board of Trustees of the Village on May 19, 2025, the Village (A) pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA") determined (1) to act as "lead agency" (as defined in SEQRA) with respect to the sale of the Property to the Corporation, (2) that the sale of the Property to the Corporation is an action that will not have a significant adverse impact on the environment, and (3) as a consequence of the foregoing, to prepare a negative declaration (the "Negative Declaration") with respect to the sale of the Property to the Corporation; and (B) determined to sell the Property to the Corporation pursuant to the terms of the Agreement and in accordance with the requirements of the NFPCL; and

WHEREAS, the Corporation desires to (A) facilitate the Project, the redevelopment and reuse of the Property, and, as a result of the foregoing, facilitate the abatement of nuisance and blight within the Village; (B) in connection with the foregoing, to purchase the Property from the Village for a purchase price of one-dollar (\$1.00) pursuant to the terms of the Agreement; and (C) to enter into such Agreement and any related documents as may be necessary to complete the acquisition of the Property from the Village (collectively, the "Acquisition Documents"); and

WHEREAS, pursuant to SEQRA, the Corporation must satisfy the requirements contained in SEQRA prior to making a final determination whether to proceed with the acquisition of the Property and the execution and delivery of the Acquisition Documents; and

WHEREAS, the Corporation is an "involved agency" with respect to the Project and the Corporation now desires to concur in the determination by the Village, as "lead agency" with respect to the sale of the Property by the Village to the Corporation, to acknowledge receipt of a copy of the Negative Declaration and to indicate whether the Corporation has any information to suggest that the Village was incorrect in determining that the sale of the Property by the Village to the Corporation will not have a significant adverse impact on the environment; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF HERKIMER LOCAL DEVELOPMENT CORPORATION, AS FOLLOWS:

Section 1. (A) The Corporation has received a copy of, and has reviewed, the Negative Declaration and, based upon said review, the Corporation hereby ratifies and concurs in the determination of the Village as "lead agency" under SEQRA with respect to the sale of the Property by the Village to the Corporation.

(B) The Corporation hereby determines that the Corporation has no information to suggest that the Village was incorrect in determining that the sale of the Property by the Village to the Corporation will not have a significant adverse impact on the environment.

Section 2. The Corporation ratifies the Village's determination to act as the "lead agency" with respect to the sale of the Property by the Village to the Corporation.

Section 3. The Corporation has reviewed the Project and the acquisition of the Property and hereby makes the following findings and determinations with respect thereto:

(A) By virtue of the Certificate and the NFPCL, the Corporation has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the NFPCL and to exercise all powers granted to it under the NFPCL;

(B) the Project constitutes a project as contemplated by the Certificate;

(C) the completion of the Project and the redevelopment and reuse of the Property will promote community and economic development and the creation of jobs for the citizens of Herkimer County, New York, relieve and reduce unemployment, better and maintain job opportunities, and lessen the burdens of government;

(D) It is desirable and in the public interest for the Corporation to facilitate the Project, to acquire the Property, and to execute and deliver the Acquisition Documents.

Section 4. In consequence of the foregoing, and subject to review of the Acquisition Documents by the Chairman, Vice Chairman, and/or Chief Executive Officer of the Corporation and approval of the Acquisition Documents by counsel to the Corporation, the Corporation hereby determines to: (A) approve the Acquisition Documents, (B) enter into the Acquisition Documents, (C) authorize the execution and delivery by the Corporation of the Acquisition Documents, and (D) acquire the Property from the Village.

Section 5. All action taken by the Chairman, Vice Chairman, Chief Executive Officer, and or counsel of the Corporation with respect to the Project, the Acquisition Documents and the acquisition of the Property is hereby ratified and confirmed.

Section 6. The Chairman, Vice Chairman, and/or Chief Executive Officer of the Corporation is hereby authorized to execute and deliver the Acquisition Documents, and, where appropriate, the Secretary of the Corporation is hereby authorized to affix the seal of the Corporation thereto and to attest the same, all in substantially the forms thereof approved by the Chairman, Vice Chairman, and/or Chief Executive Officer of the Agency, with such changes, variations, omissions and insertions as the Chairman, Vice Chairman, and/or Chief Executive Officer shall approve, the execution thereof by the Chairman, Vice Chairman, and/or Chief Executive Officer to constitute conclusive evidence of such approval.

Section 7. The officers, employees and agents of the Corporation are hereby authorized and directed for and in the name and on behalf of the Corporation to do all acts and things required or provided for by the provisions of the Acquisition Documents, and to execute and deliver all such 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 Corporation with all of the terms, covenants and provisions of the Acquisition Documents binding upon the Corporation.

Section 8. This resolution shall take effect immediately.

[Remainder of page left blank intentionally]

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

|                  |        |        |
|------------------|--------|--------|
| Vincent J. Bono  | VOTING | Yes    |
| Cory Albrecht    | VOTING | Yes    |
| Alana Basloe     | VOTING | Absent |
| Tim Day          | VOTING | Yes    |
| Ann Gaworecki    | VOTING | Yes    |
| Frank Mendl      | VOTING | Yes    |
| Robert Davenport | VOTING | Yes    |

The foregoing resolution was thereupon declared duly adopted.

[Remainder of page left blank intentionally]



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

I, the undersigned Assistant Secretary of Herkimer Local Development Corporation (the "Corporation"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Corporation, including the resolution contained therein, held on May 20, 2025 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such resolution contained 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 Corporation 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 duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Corporation 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 Corporation this 20<sup>th</sup> day of May, 2025.



  
\_\_\_\_\_  
Victoria Adams, Assistant Secretary