



MINUTES

January 31, 2023

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

ERIN E. SPINA
Marketing & Communications
Specialist

BOARD OF DIRECTORS

VINCENT J. BONO
Chairman

CORY ALBRECHT
Vice Chairman

JOHN SCARANO
Secretary

MICHAEL WERENCZAK
Treasurer

ANN GAWORECKI
Director

TIM DAY
Director

ALANA BASLOE
Director

COUNSEL

ANTHONY G. HALLAK, Esq.
Felt Evans, LLP

The Herkimer County Industrial Development Agency held a regular meeting of the Board of Directors on Tuesday, January 31, 2023 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: 886 8128 8098 and passcode: 402411. 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: Alana Basloe, Ann Gaworecki, Vincent (Jim) Bono, Cory Albrecht, Tim Day, John Scarano, Michael Werenczak.

Quorum Present

Members Absent: None

Staff Present: John Piseck, Stacey Holleran, Victoria Adams, Erin Spina

Also Present in Person: Herkimer County Legislators: Pete Manno, Mark Gaworecki; Anthony Hallak

Also Present Virtually: James Wallace

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

Minutes: The minutes of the December 20, 2022 regular meeting were offered for review. **Ann Gaworecki moved, seconded by Michael Werenczak, to approve the minutes as presented. The motion carried with 7 ayes and 0 nays.**

Financial Reports: The following financial reports were offered for review and approval: December 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. **Tim Day moved, seconded by Cory Albrecht to approve all financial reports as presented. The motion carried with 7 ayes and 0 nays.**

Herkimer County CARES Grant:

Update: Victoria Adams provided an update to board members regarding the status of the Herkimer County CARES Grant. She stated that in addition to the two applicants on the agenda, there are two others currently in processing.

4 Seasons Tire & Auto Center, LTD – Due to discussion of personal finances, this item was deferred to executive session.

Grippe's Contracting, LLC – Due to discussion of personal finances, this item was deferred to executive session.

Small Business Seward 2/2/2 Update: Victoria Adams provided an update on the status of the Small Business Seward 2/2/2 fund. She stated that she does have an applicant prepared to present for approval; however, the business owner will not make a purchase until spring. The application will be presented in the next couple of months. All payments are being made accordingly and annual reporting has been completed.

Marketing Update: Erin Spina presented a slideshow updating board members on marketing efforts which included a featured business on social media, profile sheets of properties to be showcased at the Brownfields Developer Summit, various handouts created for meetings attended by the CEO, as well as some winter photographs of the Agency's business parks.

Schuyler Business Park:

Lan-Co Change Order Requests #7 & #8: The Agency received change order request #7 for the purchase of additional pipe, and change order request #8 for culvert crossings. **Tim Day moved, seconded by John Scarano to authorize the Lan-Co change order #7, dated 12/21/2022 in the amount of \$45,000 and Lan-Co change order #8, dated 1/18/2023 in the amount of \$16,370 for a total contract amount of \$1,768,535.17. The motion carried with 7 ayes and 0 nays. Resolution: 013123-01.**

Delta Engineers – Geotech for Water Tank: The Agency entered into an agreement with Delta Engineers via their proposal dated December 02, 2022 to provide professional engineering and land surveying services for a fire storage water tank at Schuyler Business Park. Outlined in the proposal were costs allocated to Geotech Evaluation and Report totaling \$8,500. Due to an unexpected increase in the cost of the geotechnical services, Delta Engineers requested an increase to the contract amount by \$3,533. **John Scarano moved, seconded by Ann Gaworecki, to authorize the Agency to increase the contract amount of Delta Engineers proposal dated December 02, 2022 (originally \$38,000) by an amount not to exceed \$3,533 (updated to \$41,533). The motion carried with 7 ayes and 0 nays. Resolution: 013123-02**

Bloom Utica, LLC – Amended and Restated Authorizing Resolution: Due to an increase in cost associated with the construction and equipping of the facility, the value of financial assistance provided to the company is also increasing. In addition to amending the project application and hosting a public hearing, it is also necessary to amend and restate the authorizing resolution for the project. **Michael Werenczak made the following motion:**

RESOLUTION AUTHORIZING THE AGENCY TO TAKE CERTAIN ACTION TO EXTEND SALE TAX BENEFITS WITH RESPECT TO THE CONSTRUCTION AND EQUIPPING OF A PROJECT FACILITY SITUATE IN THE TOWN OF SCHUYLER, COUNTY OF HERKIMER AND EXECUTE DOCUMENTS RELEVANT THERETO.

Seconded by Tim Day, the motion carried with 7 ayes and 0 naves. The official resolution is attached to the original minutes. *Resolution: 013123-03*

Delta Engineers – Traffic Impact Study (ratify): The Agency requested a Traffic Impact Study be conducted to assess the intersections of a parcel of land that may be acquired for development. **Cory Albrecht moved, seconded by Ann Gaworecki to authorize the Agency to enter into an agreement with Delta Engineers to conduct a Traffic Impact Study at the intersection of a parcel of land the Agency has interest in developing, for a cost not to exceed \$7,990. The motion carried with 7 ayes and 0 naves.** *Resolution: 013123-04*

Foothills Development (Wilcor) Sales Tax Exemption:

Due to supply chain issues, Foothills Development is seeking an extension of their sales tax benefits. Agency counsel provided a written letter of opinion which was provided to board members, along with an amended application for financial assistance.

Amended and Restated Inducement Resolution: In order to extend the sales tax benefits to Wilcor, it is necessary to amend the project's Authorizing Resolution. **Ann Gaworecki made the following motion:**

RESOLUTION OF THE HERKIMER COUNTY INDUSTRIAL DEVELOPMENT AGENCY (the "AGENCY") TAKING OFFICIAL ACTION TOWARD APPROVING UPDATED PROJECT APPLICATION AND APPOINTING FOOTHILLS DEVELOPMENT, LLC (the "COMPANY), AND THE PRINCIPALS OF THE COMPANY, AS AGENT OF THE AGENCY IN CONNECTION WITH A LEASE-LEASEBACK TRANSACTION, AUTHORIZING THE EXECUTION AND DELIVERY OF ST-60 TAX FORMS AND MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE PROJECT.

Seconded by Michael Werenczak, the motion carried with 7 ayes and 0 naves. The official resolution is attached to the original minutes. *Resolution: 013123-05*

Genesis Group Sponsorship Opportunities: The Agency received a request for sponsorship from the Genesis Group. The Agency has not been a sponsor previously. After discussing the benefits offered, **John Scarano moved, seconded by Cory Albrecht to authorize the Agency to Sponsor the Genesis Group at a cost not to exceed \$5,000. The motion carried with 7 ayes and 0 naves.**

Resolution: 013123-06

Employee Vacation Carry-Over: Mr. Piseck informed board members that he will allow Agency staff to carry over unused vacation hours per his discretion.

Board Evaluation Summary: The results of the annual board evaluation were discussed. Mr. Piseck asked board members to reach out if they would like to discuss any of the items listed on the evaluation.

Cory Albrecht moved, seconded by Tim Day to approve the results of the board evaluation. The motion carried with 7 ayes and 0 nays. Resolution: 013123-07

Mr. Piseck announced the retirement of Stacey Holleran. Her last day at the Agency will be March 31, 2023.

Mr. Bono welcomed comments from elected officials.

Legislator Pete Manno: Mr. Manno stated that he hopes some work can be done to redevelop the Charlestown Mall site. Mr. Piseck stated that conversations are ongoing with various local, state, and federal agencies.

Project Updates/Other Business:

Village of Herkimer BOA: Kick off meeting scheduled for Friday, Feb 3 with village and state representatives.

Brownfields Developer Summit: Scheduled for April 25-26 at Herkimer College. Board members were encouraged to register and attend.

February Meeting: Expect to review policies and procedures.

Calendar Invites: Board members will continue to receive calendar invites through email system to request attendance at upcoming meetings.

February 24, 2023: Legislative Breakfast at Herkimer College.

NYSERDA Meeting: Mr. Piseck recently attended a meeting to discuss funding opportunities with NYSERDA.

Politician's Meeting: Mr. Piseck attended a meeting with Assemblyman Smullen, Assemblyman Miller, Senator Walczak, and Senator Griffo to discuss projects in Herkimer County.

Schuyler Business Park:

Mr. Piseck stated there is a potential developer interested in 2.5 acres at Schuyler Business Park.

Attorney Hallak stated that the directory sign is moving forward with planning states at Town level

Clearpath Energy Solar Project: Counsel in discussions.

Warrior Solar Project: Closing scheduled for next week

Tim Day moved, seconded by Ann Gaworecki to enter into executive session at 8:55 AM to discuss matters of negotiation and developments of a potential project. The motion carried with 7 ayes and 0 nays. All board members, John Piseck, Stacey Holleran, Victoria Adams, Erin Spina, and Anthony Hallak were invited to stay.

Anthony Hallak was excused at 9:35 AM

Ann Gaworecki moved, seconded by Tim Day to end executive session at 10:07 AM. The motion carried with 7 ayes and 0 nays.

Grippe's Contracting CARES Grant: The Agency received an application for the Herkimer County CARES Grant from Grippe's Contracting, LLC. The application was provided to board members prior to the meeting. **Cory Albrecht moved, seconded by Alana Basloe, to approve the Herkimer County CARES Grant application for Grippe's Contracting, LLC in the amount of \$100,000. The motion carried with 7 ayes and 0 nays. Resolution: 013123-08**

4 Seasons Tire & Auto Center CARES Grant: The Agency received an application for the Herkimer County CARES Grant from 4 Seasons Tire & Auto Center. The application was provided to board members prior to the meeting. **Tim Day moved, seconded by Michael Werenczak, to approve the Herkimer County CARES Grant application for 4 Seasons Tire & Auto Center in the amount of \$85,000. The motion carried with 7 ayes and 0 nays. Resolution: 013123-09**

Being no other business, Tim Day moved, seconded by Michael Werenczak to adjourn at 10:11 AM. The motion carried with 7 ayes and 0 nays.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Victoria Adams", written in a cursive style.

Victoria Adams
Administration & Grant Coordinator