

*The Mission of Otsego Now is to transform Otsego County's economy so that it can provide a prosperous livelihood for all its residents by attracting and retaining business investment from established and growing firms that will bring high-paying skilled jobs to our community.*

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## **COIDA BOARD AGENDA**

### **THURSDAY, AUGUST 22<sup>ND</sup>, 2024**

- ROLL CALL
- CHAIR'S REMARKS
- EXECUTIVE SESSION
- APPROVAL OF MEETING MINUTES
  - June 27<sup>th</sup> COIDA Board Meeting Minutes
  - August 8<sup>th</sup> Audit & Finance Committee Meeting Minutes, Project Committee Meeting Minutes and Governance Committee Meeting Minutes
- REPORT OF THE AUDIT & FINANCE COMMITTEE AND TREASURER
- BILLS AND COMMUNICATIONS
- REPORT OF THE PROJECTS COMMITTEE
- NEW AND UNFINISHED BUSINESS
  - Public hearing resolution for Vacino Group New York, LLC
  - Deviation notice resolution Vecino Group New York, LLC
  - Resolution for hiring JMS Contracting to do the rear building repair for IOXUS
  - Motion to hire Concrete Worx to replace new loading dock at Ioxus building
  - Motion to approve contract with Birchwood Archeology
- PUBLIC COMMENT PERIOD
- ADJOURNMENT

**COUNTY OF OTSEGO INDUSTRIAL DEVELOPMENT AGENCY**

**June 27<sup>th</sup>, 2024**

**MEETING MINUTES**

**CALL TO ORDER**

Vice Chair D. Rowley called to order the meeting of COIDA at 8:02am. Voting members present included:

Andrew Marietta  
Jeffrey Lord **(v)**  
Patricia Kennedy  
James Seward **(v)**

David Rowley  
Craig Gelbsman  
Tom Armao

Absent Board Member(s): Cheryl Robinson

Also, in attendance:

**STAFF**

Jody Zakrevsky, **CEO**  
Jordan Allen, **Administrative Assistant**

**GUESTS**

Joe Scott, **Bond Counsel**  
Chris Canada, **Bond Counsel**

(v) – virtual

**CHAIR'S REMARKS**

Vice chair, D. Rowley, welcomed fellow board members and staff to the June board meeting and moved immediately onto the agenda.

**MEETING MINUTES**

D. Rowley presented the meeting minutes from the May 23<sup>rd</sup>, 2024 COIDA board meeting. Board members were given a copy of the minutes prior to the meeting for review. P. Kennedy noted a correction

to be made prior to approval. D. Rowley also presented the June 13<sup>th</sup> Audit & Finance Committee minutes.

T. Armao made a motion to approve the May 23, 2024 Board Meeting minutes with the noted corrections and the June 13<sup>th</sup>, 2024 Audit & Finance Committee Meeting minutes. The motion was seconded by P. Kennedy and was approved by the remaining members present.

## **BILLS & COMMUNICATIONS**

J. Zakrevsky explained that EDA has permitted a one-year time extension on the grant for infrastructure in the Richfield Springs Business Park. Documentation of this was received last week.

## **COMMITTEE REPORTS**

- Audit & Finance – The Audit & Finance Committee meeting was held on June 13<sup>th</sup>, 2024. J. Lord, Chair of the Committee, due to a lack of in-person quorum meeting was cancelled.
- Governance Committee – The Governance Committee meeting was held on April 11, 2024. The Governance Committee meets quarterly, and the next meeting will take place on August 8<sup>th</sup>, 2024.
- Projects Committee – The Projects Committee meeting was held on June 13<sup>th</sup>, 2024. D. Rowley, Vice Chair of the Committee, due to a lack of in-person quorum meeting was cancelled.

## **NEW BUSINESS / UNFINISHED BUSINESS**

**Housing Discussion with Joe Scott & Chris Canada:** J. Scott was asked to attend the board meeting to discuss whether IDA's should be involved in housing. The lack of which has been an issue that continues throughout the state. He noted that NYS legislature doesn't see that IDA's should be involved. He stated what his firm is seeing now in the IDA's they represent is pressure for IDA's to be involved with the lack of housing and what can be done at federal, state, and local level. J. Scott noted that IDA's are very active in the housing area. Albany county IDA identified the 24/7 city, as a core to their mission which brought tremendous amount of housing projects into downtown area. J. Scott states it is up to the COIDA board to come up with a strategic vision and mission they would like to succeed in the realm of housing. The board was advised that to get involved in housing there needs to be a commercial element. Key factors include documentation, be at certain questions in the application or local/county wide studies.

**Richfield Springs:** J. Zakrevsky explained that he received an email from Department of Transportation, who is finishing up their review and shall grant COIDA a permit next week for a right of way from the entrance to the park from the highway. Also, the timeline extension from the EDA will be granted until 8/26/25. NYSEG had in administrative hearing with the public service commission about three weeks ago, the board still needs to approve it, but the project can proceed. T. Armao asked if we could anticipate by the end of the summer to be done. J. Zakrevsky

answered for the water, sewer, and roadway improvements should be done, but he is unsure about the construction of the gas line. Lastly, the mayor, the town supervisor, and the two attorneys met 6/26/24 to discuss any last-minute differences on the agreements of water sewer district creations.

## **RESOLUTIONS**

There were no Resolutions for this meeting.

## **PUBLIC COMMENT**

There were no Public Comments for this meeting.

## **ADJOURNMENT**

D. Rowley made a motion to adjourn the meeting of the IDA board at 9:05 am.

## **UPCOMING MEETING SCHEDULE**

- COIDA/OCCRC Audit & Finance Committee Meeting / Projects Committee Meeting/– July 11<sup>th</sup>, 2024
- COIDA/OCCRC Board Meeting – July 25<sup>th</sup>, 2024

**\*All meetings are held at the Otsego Now offices at 189 Main Street, Oneonta. NY. 13820, unless otherwise specified.**

**COUNTY OF OTSEGO INDUSTRIAL DEVELOPMENT AGENCY  
OTSEGO COUNTY CAPITAL RESOURCE CORPORATION**

**AUDIT & FINANCE COMMITTEE  
AUGUST 8<sup>TH</sup>, 2024  
MEETING MINUTES**

**CALL TO ORDER**

The COIDA and OCCRC's joint Audit & Finance Committee meeting was called to order at 8:02am at the Otsego Now offices at 189 Main Street in Oneonta, NY. Committee members present included:

Andrew Marietta \*  
Craig Gelbsman (v)

Jeffrey Lord (v)

Absent Committee Member(s): Patricia Kennedy

Also, in attendance:

**BOARD**

Cheryl Robinson  
David Rowley  
Tom Armao

**STAFF**

Meaghan Remillard, **Director of Finance and Administration**  
Jordan Allen, **Administrative Assistant**  
Kurt Schulte, **Agency Counsel \***

**GUEST**

Larry Frigault, **Town of Richfield (v)**

(v) – virtual

\* - arrived after start of meeting

**CHAIR'S COMMENTS**

J. Lord, Chair of the Audit & Finance Committee, moved immediately into the agenda.

**REVIEW OF FINANCIALS**

M. Remillard pointed out financially July was a slow month. PILOT administrative fees were started last week. CRC admin fees hasn't been billed yet, that will start later this year. C. Gelbsman suggested to put money in the CD's account.

## **NEW AND UNFINISHED BUSINESS**

**IOXUS:** M. Remillard states JMS Contracting did a job previously on a different section, J. Zakrevsky suggests JMS Contracting to do the rear building repair for IOXUS. On the loading dock replacement M. Remillard added that J. Zakrevsky recommends going with the lowest bid, Concrete Worx.

**Apple Converting renewal lease:** M. Remillard stated that Apple Converting lease renewal for one year starts in September with a 5% increase. She mentioned that it was a renewable option in the previous lease.

**Retirement plan:** M. Remillard notes that J. Zakrevsky spoke with Jason Tabor from Allied Financial Partners, he sent an email of comparisons containing 401 K, SEP IRA, and SIMPLE IRA. She states that J. Zakrevsky wanted to provide the options to the board, and he will have a recommendation at the next board meeting.

## **ADJOURNMENT**

There being no further business to discuss, the Audit & Finance committee meeting was adjourned at 8: 21 am.

## **UPCOMING MEETING SCHEDULE**

The next Audit & Finance Committee meeting is September 12<sup>th</sup>, 2024 at 8:00am.

**COUNTY OF OTSEGO INDUSTRIAL DEVELOPMENT AGENCY  
OTSEGO COUNTY CAPITAL RESOURCE CORPORATION**

**GOVERNANCE COMMITTEE  
AUGUST 8<sup>TH</sup>, 2024  
MEETING MINUTES**

**CALL TO ORDER**

The COIDA and OCCRC's joint Governance Committee meeting was called to order at 8:40 am at the Otsego Now offices at 189 Main Street in Oneonta, NY. Members present included:

David Rowley

Cheryl Robinson

Andrew Marietta

Tom Armao

Also, in attendance:

**BOARD:**

Jeffrey Lord (v)

Craig Gelbsman (v)

**STAFF**

Meaghan Remillard, **Director of Finance and Administration**

Jordan Allen, **Administrative Assistant**

Kurt Schulte, **Agency Counsel (v)**

**GUESTS:**

Larry Frigault, **Town of Richfield (v)**

(v) – virtual

**CHAIR'S COMMENTS**

Governance Committee Chair, Andrew Marietta, moved immediately into the agenda.

**NEW / UNFINISHED BUSINESS**

**Vacation for part – time employees:** A.Marietta noted that small organizations tend to use pro rating for paid time off. C. Gelbsman agrees, with his part time employees he calculates the number of hours worked to determine holiday, vacation, and sick time. J. Lord proposed to check with other IDA's for further recommendation.

## **EXECUTIVE SESSION**

C. Robinson made a motion to enter executive session with committee members only, under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 8:45 am for the following reasons: To discuss proposed acquisition, sale, or lease of property. The motion was seconded by D. Rowley and approved by all committee members present. The committee entered executive session at 8:46 am.

There was no action taken in executive session.

A. Marietta made a motion to enter back into public session; C. Robinson seconded, and all members approved. The committee exited executive session at 9:25 am and the meeting adjourned.

## **ADJOURNMENT**

There being no further business to discuss, the Governance Committee meeting was adjourned at 9:25 am.

## **UPCOMING MEETING SCHEDULE**

The next Governance Committee meeting will be held on December 12<sup>th</sup>, 2024 at 8:00am.



**COUNTY OF OTSEGO INDUSTRIAL DEVELOPMENT AGENCY  
OTSEGO COUNTY CAPITAL RESOURCE CORPORATION**

**PROJECTS COMMITTEE  
AUGUST 8<sup>TH</sup>, 2024  
MEETING MINUTES**

**CALL TO ORDER**

The COIDA and OCCRC's joint Projects Committee meeting was called to order at 8:21 am at the Otsego Now offices at 189 Main Street in Oneonta, NY. Members present included:

Tom Armao

Andrew Marietta

Absent Committee Member(s): James Seward, Patricia Kennedy

Also, in attendance:

**BOARD**

Jeffrey Lord (v)

Craig Gelbsman (v)

**STAFF**

Meaghan Marino, **Director of Finance and Administration**

Jordan Allen, **Administrative Assistant**

Kurt Schulte, **Agency Counsel (v)**

**GUEST**

Larry Frigault, **Town of Richfield (v)**

(v) – virtual

**CHAIR'S REMARKS**

Projects Chair, T. Armao, moved immediately into the agenda.

## **CEO REPORT OF PROJECTS**

**Richfield Springs:** M. Remillard reported that Ango Construction started clearing the site to allow surveyors to stake out the property boundaries. Larry states that at the meeting two weeks ago J. Zakrevsky attended with the town and village board to hammer out conflicts that has been slowing the project down. This past week resolutions have been made in connection to initiate creations of the water and sewer tax districts. A. Marrieta asked for weekly updates of progress reports.

**Oneonta Rail Yards:** M. Remillard stated that Otsego County Highway Department has started clearing the road to start paving. It was added that R. Braun Land Surveyors are surveying a portion of land currently, no appraisal cost at this time.

## **NEW/UNFINISHED BUSINESS**

**CDBG Grants:** M. Remillard stated that she was approached by two businesses for CDBG Grants. Both businesses preexist and looking to expand in Oneonta. Moving forward, M. Remillard will need to meet with the town and county to see if they will be willing to be the municipalities on those grants.

## **ADJOURNMENT**

There being no further business to discuss, the Projects Committee meeting was adjourned at 8:40 am.

## **UPCOMING MEETING SCHEDULE**

The next Projects Committee meeting will be held on September 12<sup>th</sup>, 2024 at 8:00 am.

**COIDA EXPENSES**  
5/23/24 - 8/22/24

Vendor	Amount Due	Due Date	Reimbursable?	Notes
ISD	\$358.00	1-Aug		monthly Microsoft email exchange (never sent invoices)
C & A Lawn Care	\$900.00	22-Aug		mowing 7/5, 7/17, and 7/25
ISD	\$89.50	31-Aug		monthly microsoft email exchange august
NYSEG	\$126.80	25-Aug		pony farm rd street lighting
NYSEG	\$547.90	24-Aug		189 main st utilities
Capital Energy Partners	\$15,000.00	22-Aug		consulting services Richfield Springs Industrial Park Feb-Jul 2024
Great America Financial Services	\$375.66	25-Aug		copier agreement and insurance
Barton & Logudice	\$120.00	22-Aug		grant admin services
Fyr-Fyter	\$585.00	22-Aug		EM24 annual monitoring - cellular emergency 24 alarm monitoring
Melex	\$4,116.67	5-Sep		september rent
First Bankcard	\$150.73	25-Aug		quickbooks subscription fee and vistaprint (business cards)
Hummel's	\$73.98	22-Aug		office supplies

<b>COIDA TOTAL</b>	<b>\$22,219.53</b>
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**COIDA PAID EXPENSES**  
5/23/24-8/22/24

Vendor	Amount	Date Paid	Notes
Melex	\$4,116.67	1-Jun	june rent
Spectrum	\$304.95	31-May	otsego now wifi & voice
MVEDD	\$5,000.00	28-May	administrative yearly cost of operation of the MVEDD Inc
C & A Lawn Care	\$1,100.00	10-Jun	new general maintenance at Pony Farm
First Bankcard	\$1,199.00	10-Jun	2024 basic economic development course/ Zoom monthly subscription
NYSEG	\$413.45	17-Jun	189 main st utilities
NYSEG	\$125.18	17-Jun	pony farm rd street lighting
BST CFO for HIRE	\$70.00	17-Jun	quick books monthly fee
Hummel's	\$23.98	17-Jun	office supplies
Great America Financial Services	\$174.83	17-Jun	copier agreement and insurance
Philadelphia Insurance Companies	\$4,934.70	17-Jun	non profit umbrella/non profit insurance
Otsego County Code Enforcement	\$100.00	17-Jun	building fee for Richfield Springs Eco-Business Park
Meaghan Ramillard	\$463.64	25-Jun	travel expense for Utica and Albany
Melex	\$4,116.67	27-Jun	july rent
Jim Lozano	\$750.00	27-Jun	monthly accounting services for july
Capital Energy Partners	\$7,500.00	27-Jun	consulting services Richfield Springs Industrial Park Nov 2023-Jan 2024
Ed & Ed	\$80.70	27-Jun	copies/prints for
Spectrum	\$304.95	27-Jun	otsego now wifi & voice
Dept of Labor Unemployment Insurance	\$80.01	27-Jun	re-employment service fund
NYSEG	\$441.95	19-Jul	189 main st utilities
C & A Lawn Care	\$1,200.00	25-Jul	new general maintenance at Pony Farm
ISD	\$684.95	25-Jul	monthly Microsoft email exchange (never sent invoices)
BST CFO for HIRE	\$70.00	25-Jul	quick books monthly fee
Eddie Halstead	\$442.00	25-Jul	march & april cleaning service
First Bankcard	\$139.74	15-Jul	quickbooks subscription fee/amazon no trespassing sign/walmart sharpie marker
Great America Financial Services	\$174.83	25-Jul	copier agreement and insurance
NYSEG	\$119.48	25-Jul	pony farm rd street lighting
Ed & Ed	\$39.57	19-Jul	copies/prints
Hummel's	\$73.99	25-Jul	office supplies
Melex	\$4,116.67	6-Aug	august rent
R. Braun Land Surveyor	\$1,425.00	25-Jul	boundary survey/line adjustment
Lawson Surveying & Mapping	\$1,900.00	29-Jul	establish 4 control points for richfield springs industrial park
Jim Lozano	\$750.00	31-Jul	monthly accounting services for august
Ed & Ed	\$66.81	7-Aug	copies/prints
Spectrum	\$304.95	7-Aug	otsego now wifi & voice
Amazon	\$32.78	20-Aug	office supplies

**COIDA DEPOSITS**  
5/23/24 - 8/22/24

<b>Vendor</b>	<b>Amount</b>	<b>Date of Deposit</b>	<b>Notes</b>
Warms Waste Not	\$50.00	23-May	may rent
ST8	\$200.00	23-May	june rent
Spectrum Cade	\$25.23	3-Jun	refund from CADE cancelling service
IOXUS	\$6,562.50	3-Jun	may rent
CADE	\$1,100.00	6-Jun	june rent
Apple Converting	\$5,000.00	6-Jun	june rent
Foothills Performing Arts Center	\$1,666.67	6-Jun	may loan repayment
Foothills Performing Arts Center	\$1,666.67	25-Jun	june loan repayment
Warms Waste Not	\$100.00	2-Jul	june/july rent
IOXUS	\$6,562.50	28-Jun	june rent
Apple Converting	\$5,000.00	2-Jul	july rent
ST8	\$200.00	5-Jul	july rent
CADE	\$1,100.00	10-Jul	july rent
COIDA grant fund	\$6,334.00	10-Jul	micro draw #1
Foothills Performing Arts Center	\$1,666.67	19-Jul	july loan repayment
ST8	\$200.00	30-Jul	august rent
CADE	\$1,100.00	1-Aug	august rent
Foothills Performing Arts Center	\$1,666.67	6-Aug	august loan repayment
Warms Waste Not	\$50.00	6-Aug	august rent
Apple Converting	\$5,000.00	6-Aug	august rent
IOXUS	\$6,562.50	12-Aug	july rent
ZAED	\$2,037.89	20-Aug	Admin billing PILOT fee 2024
<b>TOTAL</b>	<b>\$53,851.30</b>		

**OCCRC EXPENSES***5/23/24 - 8/22/24*

<b>Vendor</b>	<b>Amount</b>	<b>Reimbursable?</b>	<b>Description</b>
MidTel	\$50,000		wifi services on Main Street Cooperstown
TEDXOneonta	\$200.00		sponsorship fee for TEDXOneonta event
<b>TOTAL</b>	<b>\$50,200.00</b>		

**PUBLIC HEARING RESOLUTION  
VECINO GROUP NEW YORK, LLC**

A regular meeting of County of Otsego Industrial Development Agency (the “Agency”) was convened in public session in the office of the Agency located at 189 Main Street, Suite 500 in the City of Oneonta, Otsego County, New York on August 22, 2024 at 8:00 o’clock, a.m., local time.

The meeting was called to order by the (Vice) Chairperson of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Cheryl Robinson	Chairperson
David Rowley	Vice Chairperson
Jeffrey C. Lord	Treasurer
Tom Armao	Secretary
Craig Gelbsman	Member
Patricia Kennedy	Member
Andrew Marietta	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Jody Zakrevsky	Chief Executive Officer
Meaghan Marino	Director of Finance and Administration
Jordan Allen	Administrative Assistant
Kurt D. Schulte, Esq.	Agency Counsel
Christopher C. Canada, Esq.	Special Counsel

The following resolution was offered by \_\_\_\_\_, seconded by \_\_\_\_\_, to wit:

Resolution No. 0824-\_\_

RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER OF COUNTY OF OTSEGO INDUSTRIAL DEVELOPMENT AGENCY TO HOLD A PUBLIC HEARING REGARDING A PROPOSED PROJECT TO BE UNDERTAKEN FOR THE BENEFIT OF VECINO GROUP NEW YORK, LLC.

WHEREAS, County of Otsego Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 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 252 of the 1973 Laws of New York, as amended, constituting Section 910-a of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, 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, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more “projects” (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Vecino Group New York, LLC, (the “Company”), has presented an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in a parcel of land containing approximately 1.17 acres located at 217 Main Street (Tax Map No. 115.17-1-52.00) in the Village of Cooperstown, Town of Otsego, Otsego County, New York (the “Land”) together with an existing building located thereon (the “Existing Facility”), (2) the construction on the Land of a new three-story building to contain approximately 45,000 square feet (the “New Facility”) (the Existing Facility and the New Facility collectively hereinafter referred to as the “Facility”), and (3) the acquisition and installation of certain machinery and equipment therein and thereon (the “Equipment”) (the Land, the Facility and the Equipment hereinafter referred to as the “Project Facility”), all of the foregoing to be owned and operated by the Company, or an affiliate thereof, as a multifamily affordable housing development containing approximately 50 units and other directly or indirectly related activities; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, pursuant to Section 859-a of the Act, prior to the Agency providing any “financial assistance” (as defined in the Act) of more than \$100,000 to any project, the Agency, among other things, must hold a public hearing pursuant to Section 859-a of the Act with respect to said project; and

WHEREAS, the Agency desires to provide for compliance with the provisions of Section 859-a of the Act with respect to the Project;

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

Section 1. The Agency hereby authorizes the Chief Executive Officer of the Agency, after consultation with the members of the Agency and Agency Counsel, (A) to establish the time, date and place for a public hearing of the Agency to hear all persons interested in the Project (the “Public Hearing”); (B) to cause the Public Hearing to be held in a city, town or village where the Project Facility is or is to be located, and to cause notice of such Public Hearing to be given to the public by publishing a notice or notices of such Public Hearing in a newspaper of general circulation available to the residents of the governmental units where the Project Facility is or is to be located, such notice or notices to comply with the requirements of Section 859-a of the Act; (C) to cause notice of the Public Hearing to be given to the chief executive officer of the county and of each city, town, village and school district in which the Project Facility is or is to be located to comply with the requirements of Section 859-a of the Act; (D) to conduct such Public Hearing; (E) to cause a report of the Public Hearing fairly summarizing the views presented at such Public Hearing (the “Report”) to be prepared; (F) to cause a copy of the Report to be made available to the members of the Agency; and (G) to cause this resolution to be sent via certified mail, return receipt requested to the chief executive officer of Otsego County, New York and of each city, town, village and school district in which the Project Facility is to be located to comply with the requirements of Section 859-a of the Act.

Section 2. The Chairperson, Vice Chairperson and/or Chief Executive Officer of the Agency is hereby authorized and directed to distribute copies of this resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this resolution.

Section 3. All action taken by the Chief Executive Officer of the Agency in connection with the Public Hearing with respect to the Project prior to the date of this Resolution is hereby ratified and confirmed.

Section 4. This resolution shall take effect immediately.

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

Cheryl Robinson	VOTING	_____
David Rowley	VOTING	_____
Jeffrey C. Lord	VOTING	_____
Tom Armao	VOTING	_____
Craig Gelbsman	VOTING	_____
Patricia Kennedy	VOTING	_____
Andrew Marietta	VOTING	_____

The foregoing resolution was thereupon declared duly adopted.

[Remainder of page left blank intentionally]



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

I, the undersigned Secretary of County of Otsego Industrial Development Agency (the “Agency”), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the resolution contained therein, held on August 22, 2024 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 set forth 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 Agency 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 Agency 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 Agency this 22<sup>nd</sup> day of August, 2024.

\_\_\_\_\_  
Secretary

(SEAL)

**PILOT DEVIATION NOTICE RESOLUTION  
VECINO GROUP NEW YORK, LLC**

A regular meeting of County of Otsego Industrial Development Agency (the “Agency”) was convened in public session in the office of the Agency located at 189 Main Street, Suite 500 in the City of Oneonta, Otsego County, New York on August 22, 2024 at 8:00 o’clock, a.m., local time.

The meeting was called to order by the (Vice) Chairman of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Cheryl Robinson	Chairman
David Rowley	Vice Chairman
Jeffrey C. Lord	Treasurer
Tom Armao	Secretary
Craig Gelbsman	Member
Patricia Kennedy	Member
Andrew Marietta	Member
James L. Seward	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Jody Zakrevsky	Chief Executive Officer
Meaghan Marino	Director of Finance and Administration
Jordan Allen	Administrative Assistant
Kurt D. Schulte, Esq.	Agency Counsel
Christopher C. Canada, Esq.	Special Counsel

The following resolution was offered by \_\_\_\_\_, seconded by \_\_\_\_\_, to wit:

Resolution No. 0824-\_\_

RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO SEND A LETTER TO THE CHIEF EXECUTIVE OFFICERS OF THE AFFECTED TAX JURISDICTIONS INFORMING THEM OF A PROPOSED DEVIATION FROM COUNTY OF OTSEGO INDUSTRIAL DEVELOPMENT AGENCY’S UNIFORM TAX EXEMPTION POLICY IN CONNECTION WITH THE PROPOSED VECINO GROUP NEW YORK, LLC PROJECT.

WHEREAS, County of Otsego Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 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 252 of the 1973 Laws of New York, as amended, constituting Section 910-a of said General Municipal Law (said Chapter and the Enabling Act being hereinafter

collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, 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, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more “projects” (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Vecino Group New York, LLC (the “Company”) submitted an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 1.17 acre parcel of land located at 217 Main Street (Tax Map No. 115.17-1-52.00) in the Village of Cooperstown, Town of Otsego, Otsego County, New York (the “Land”), together with an existing building located thereon (the “Existing Facility”), (2) the construction on the Land of an approximately three-story, 45,000 square foot building (the “New Facility”) (the Existing Facility and the New Facility being collectively referred to as the “Facility”) and (3) the acquisition and installation of certain machinery and equipment therein and thereon (the “Equipment”) (the Land, the Facility and the Equipment hereinafter referred to as the “Project Facility”), all of the foregoing to be owned and operated by the Company, or an affiliate thereof, as an approximately 50 unit multifamily affordable housing development and other directly or indirectly related activities; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, in connection with the Application, the Company has made a request to the Agency (the “PILOT Request”) to deviate from its uniform tax exemption policy (the “UTEP”) with respect to the payments to be made under a payment in lieu of tax agreement by and between the Agency and the Company (the “Proposed PILOT Agreement”); and

WHEREAS, pursuant to the PILOT Request, the Proposed PILOT Agreement would provide (A) for a thirty (30) year abatement on the Facility and any portion of the Equipment assessable as real property pursuant to the Real Property Tax Law of the State of New York and (B) that the Company would make payments in lieu of taxes (each a “PILOT Payment”) equal to ten percent (10%) of the “shelter rent” payments generated at the Project Facility; and

WHEREAS, the UTEP provides that, for a facility similar to the Project Facility, payments in lieu of taxes will normally be determined under the following abatement schedule: a fifty percent (50%) abatement of real property taxes on the change in assessed value of the Project Facility as a result of the Project in years one (1) through five (5); and a twenty-five (25%) abatement in years six (6) through ten (10); and

WHEREAS, pursuant to Section 874(4) of the Act and the UTEP, prior to taking final action on such PILOT Request for a deviation from the UTEP, the Agency must give the chief executive officer of the county and of each city, town, village and school district in which the Project Facility is or is to be

located (collectively the “Affected Tax Jurisdictions”) thirty (30) days’ written notice of the proposed deviation from the UTEP and the reasons therefore; and

WHEREAS, pursuant to Section 856(15) of the Act, unless otherwise agreed by the Affected Tax Jurisdictions, payments in lieu of taxes must be allocated among the Affected Tax Jurisdictions in proportion to the amount of real property tax and other taxes which would have been received by each Affected Tax Jurisdiction had the Project Facility not been tax exempt due to the status of the Agency;

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

Section 1. Having considered both the Application and the PILOT Request, the Agency hereby authorizes the Chief Executive Officer of the Agency to send a written notice to the chief executive officers of each of the Affected Tax Jurisdictions informing them that the Agency is considering a proposed deviation from the UTEP with respect to the Project and the reasons therefore (in substantially the form of the draft of said letter attached hereto as Exhibit A), and soliciting any comments that such Affected Tax Jurisdictions may have with respect to said proposed deviation.

Section 2. This resolution shall take effect immediately.

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

Cheryl Robinson	VOTING	_____
David Rowley	VOTING	_____
Jeffrey C. Lord	VOTING	_____
Tom Armao	VOTING	_____
Craig Gelbsman	VOTING	_____
Patricia Kennedy	VOTING	_____
Andrew Marietta	VOTING	_____
James L. Seward	VOTING	_____

The foregoing resolution was thereupon declared duly adopted.

[Remainder of page left blank intentionally]

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

I, the undersigned Secretary of County of Otsego Industrial Development Agency (the “Agency”), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the resolution contained therein, held on August 22, 2024 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 set forth 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 Agency 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 Agency 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 Agency this \_\_\_\_\_ day of August, 2024.

\_\_\_\_\_  
Secretary

(SEAL)

EXHIBIT A

PROPOSED FORM OF PILOT DEVIATION LETTER

- SEE ATTACHED -

DRAFT FOR DISCUSSION PURPOSES ONLY

COUNTY OF OTSEGO INDUSTRIAL DEVELOPMENT AGENCY

189 Main Street, 5<sup>th</sup> Floor  
Oneonta, New York 13820  
TEL: 607-267-4010

August \_\_, 2024

Edwin Fraxier Jr., Board Chair  
Otsego County Board of Representatives  
197 Main Street  
Cooperstown, New York 13326

Sarah Spross, Superintendent  
Cooperstown Central School District  
39 Linden Avenue  
Cooperstown, New York 13326

Ben Bauer, Supervisor  
Town of Otsego  
P.O. Box 183  
Fly Creek, New York 13337

Pete Iorizzo, School Board President  
Cooperstown Central School District  
39 Linden Avenue  
Cooperstown, New York 13326

Ellen Tillapaugh, Mayor  
Village of Cooperstown  
P.O. Box 346  
22 Main Street  
Cooperstown, New York 13326

District Clerk  
Cooperstown Central School District  
39 Linden Avenue  
Cooperstown, New York 13326

RE: Proposed Deviation from Uniform Tax Exemption Policy by  
County of Otsego Industrial Development Agency in connection with its  
Proposed Vecino Group New York, LLC Project

Ladies and Gentlemen:

This letter is delivered to you pursuant to Section 874(4)(c) of the General Municipal Law.

County of Otsego Industrial Development Agency (the “Agency”) received an application (the “Application”) from Vecino Group New York, LLC, a limited liability company organized and existing under the laws of the State of Missouri (the “Company”), a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an approximately 1.17 acre parcel of land located at 217 Main Street (Tax Map No. 115.17-1-52.00) in the Village of Cooperstown, Town of Otsego, Otsego County, New York (the “Land”), together with an existing building located thereon (the “Existing Facility”), (2) the construction on the Land of an approximately three-story, 45,000 square foot building (the “New Facility”) (the Existing Facility and the New Facility being collectively referred to as the “Facility”) and (3) the acquisition and installation of certain machinery and equipment therein and thereon (the “Equipment”) (the Land, the Facility and the Equipment hereinafter referred to as the “Project Facility”), all of the foregoing to be owned and operated by the Company, or an affiliate thereof, as an approximately 50 unit multifamily affordable housing development and other directly or indirectly related activities; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including

potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

In connection with the Application, the Company has made a request to the Agency (the “PILOT Request”) to enter into a payment in lieu of tax agreement (the “Proposed PILOT Agreement”) which terms would deviate from the Agency’s Uniform Tax Exemption Policy (the “UTEP”). Capitalized terms not otherwise defined herein are defined in the UTEP.

The Proposed PILOT Agreement would not provide any abatements for any special assessments levied on the Project Facility. The Proposed PILOT Agreement would (A) for a thirty (30) year abatement on the Facility and any portion of the Equipment assessable as real property pursuant to the Real Property Tax Law of the State of New York and (B) that the Company would make payments in lieu of taxes (each a “PILOT Payment”) equal to ten percent (10%) of the “shelter rent” payments generated at the Project Facility.

The UTEP provides that, for a facility similar to the Project Facility, payments in lieu of taxes will normally be determined under the following abatement schedule: a fifty percent (50%) abatement of real property taxes on the change in assessed value of the Project Facility as a result of the Project in years one (1) through five (5); and a twenty-five percent (25%) abatement in years six (6) through ten (10).

The purpose of this letter is to inform you of such PILOT Request and that the Agency is considering whether to grant the PILOT Request and to approve the Proposed PILOT Agreement conforming to the terms of the PILOT Request. The Agency expects to consider whether to approve the terms of the Proposed PILOT Agreement at its meeting scheduled for September 26, 2022 at 8:00 o’clock a.m., local time at the offices of the Agency located at 189 Main Street, 5<sup>th</sup> Floor, Oneonta, New York (the “Meeting”). As described in this letter, during the Meeting the Agency will review the terms of the PILOT Request and, based on the discussions during such Meeting, the terms of the PILOT Request may be modified.

The Agency considered the following factors in considering the proposed deviation:

- 1. The nature of the Project.** The Project is anticipated to be a multi-family affordable housing development.
- 2. The present use of the property:** The property is currently a storage facility used by an individual owner.
- 3. The economic condition of the area at the time of the request of the Company and the economic multiplying effect that the Project will have on the area:** The Project is located in the Village of Cooperstown and Town of Otsego and will create full-time equivalent jobs and generate increased tax and other revenues for the Affected Tax Jurisdictions and local businesses. Additional benefits created by the Project are described in the Application.
- 4. The extent to which the Project will create or retain permanent, private sector jobs and the number of jobs to be created or retained and the salary range of such jobs:** The Project is expected to create approximately sixty (60) full-time construction jobs in connection with the Project. After completion of the Project, it is expected that three (3) full-time jobs will be created by the third year of operation of the Project.



**5. The estimated value of new tax exemptions to be provided:** Sales tax exemption of approximately \$ \_\_\_\_\_], mortgage recording tax exemption of approximately [\$ \_\_\_\_\_] and a real property tax exemption of approximately [\$ \_\_\_\_\_].

**6. The economic impact of the Proposed Pilot Agreement on affected tax jurisdictions:** The development of the Project Facility will have an overall positive affect on the tax jurisdictions. The Proposed Pilot Agreement will provide definitive tax revenue for budgeting purposes for the affected tax jurisdictions in the form of thirty (30) years of PILOT and special district tax payments. Additionally, the Project will provide necessary affordable housing for low-income individuals [and is expected to partner with a local residential treatment center to offer housing for developmentally disabled individuals.]

**7. The impact of the Proposed Pilot Agreement on existing and proposed businesses and economic development projects in the vicinity:** The Project will have a positive impact on existing and proposed businesses and economic development projects in the vicinity of the Project, as the Project will [rely on local services and procure construction materials locally.]

**8. The amount of private sector investment generated or likely to be generated by the Proposed Pilot Agreement:** \$1,500,000.

**9. The effect of the Proposed Pilot Agreement on the environment:** It is likely that the Project will not have a significant effect on the environment.

**10. Project Timing:** It is anticipated that the Project will be accomplished in a timely fashion.

**11. The extent to which the Proposed Pilot Agreement will require the provision of additional services including, but not limited to, additional educational, transportation, police, emergency medical or fire services:** It is not anticipated that any additional educational, transportation, police, emergency medical or fire services will be required as a result of the Project.

**12. Anticipated tax Revenues:** It is expected that sales tax, income tax, and real property tax revenues will increase due to the undertaking of the Project.

**13. The extent to which the Proposed PILOT Agreement will provide a benefit (economic or otherwise) not otherwise available within the municipality in which the Project Facility is located:** The benefit is a positive one economically, in that the Project will further promote the development of Otsego County. [Additionally, the Project will provide additional resources to an existing residential treatment center which assists developmentally disabled individuals located in Otsego County.]

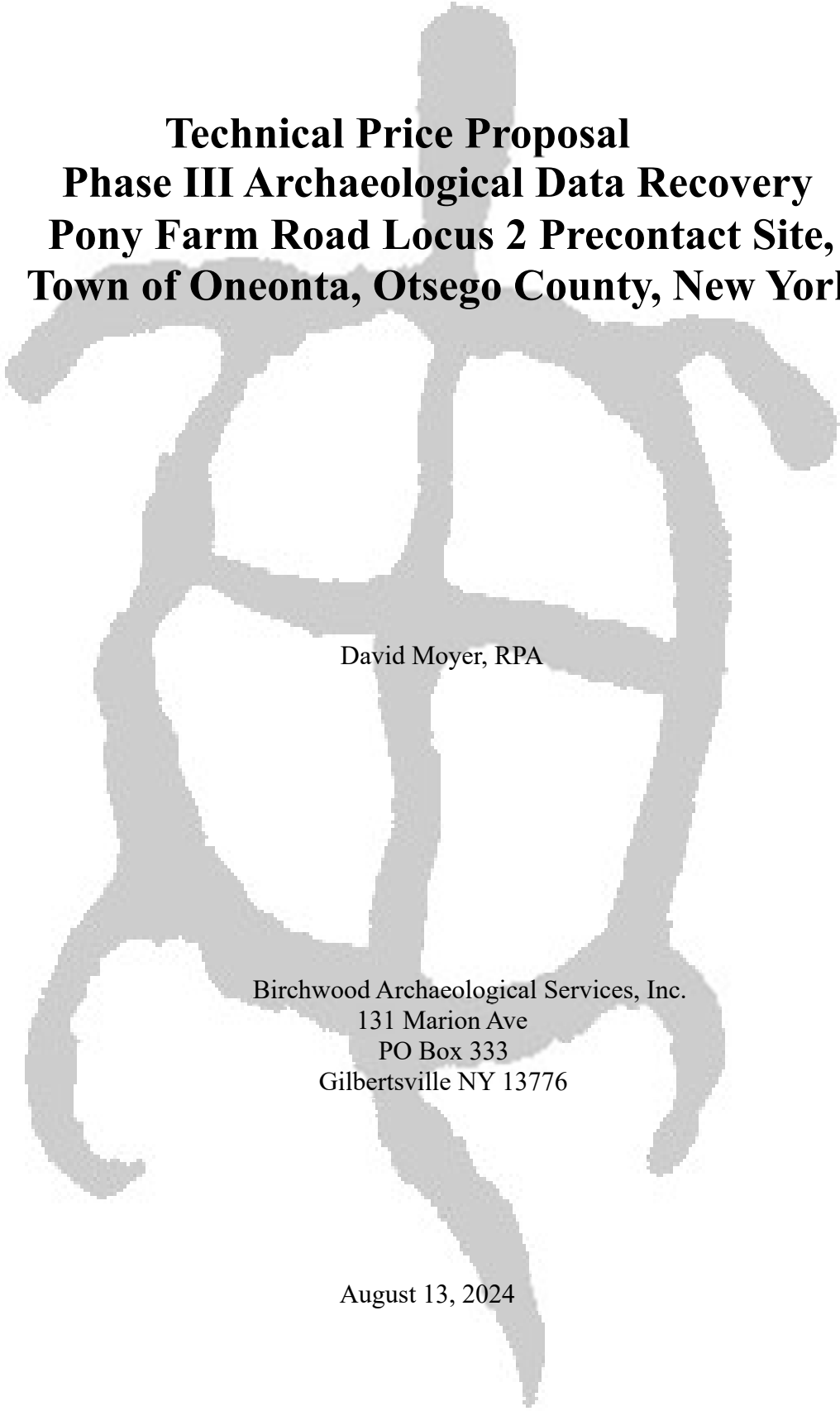
The Agency will consider the Proposed Pilot Agreement (and the proposed deviation from the Agency's UTEP) at the Meeting. The Agency would welcome any written comments that you might have on this proposed deviation from the Agency's UTEP. In accordance with Section 874(4)(c) of the General Municipal Law, prior to taking final action at the Meeting, the Agency will review and respond to any written comments received from any affected tax jurisdiction with respect to the proposed deviation. The Agency will also allow any representative of any affected tax jurisdiction present at the Meeting to address the Agency regarding the proposed deviation.

If you have any questions or comments regarding the foregoing, please do not hesitate to contact me at the above telephone number.

Sincerely yours,

---

Jody Zakrevsky, Chief Executive Officer



**Technical Price Proposal  
Phase III Archaeological Data Recovery  
Pony Farm Road Locus 2 Precontact Site,  
Town of Oneonta, Otsego County, New York**

David Moyer, RPA

Birchwood Archaeological Services, Inc.  
131 Marion Ave  
PO Box 333  
Gilbertsville NY 13776

August 13, 2024

## Introduction

The Pony Farm Locus 2 Precontact Site as initially identified as part of a Phase IA/IB cultural resources survey as part of an industrial park expansion project located at the end of Corporate Drive just north of I-88 in the Town of Oneonta, Otsego County, New York. The survey identified three precontact sites, including Locus 2. Phase II archaeological investigations were conducted at Locus 2 in the spring of 2013 in order to determine if the site is eligible for inclusion on the National Register of Historic Places. Phase II field methods included a detailed surface inspection, the excavation of 554 shovel test pits (STPs) in 3 m (9.8 ft) intervals over the entire site and the excavation of three 1 x 1 m square excavation units in areas of high artifact density.

A total of 69 precontact artifacts were found during the Phase II excavations, expressing a moderate artifact density. Artifacts recovered include a diverse array of functional types, including 51 flake fragments and six complete flakes, a projectile point tip, two bone fragments, two utilized flake tools, a fragment of chert shatter and three fragments of fire cracked rock. One feature was identified during the Phase II study: a diffuse charcoal and ash lens that was initially identified during the shovel testing, occurring 35 cm (13.8 in.) below the ground surface in STP N105/E39, in the northern extents of the project area. The feature, designated Feature 1, was excavated and screened separately in keeping with the field methodology. Unit 1 as placed directly adjacent to the test pit containing Feature 1, which it encountered at a depth of encountered at a depth of 47 cm (18.5 in) below datum. The soil matrix consisted of 7.5YR 5/6 strong brown silty loam and appeared reddish when compared to the surrounding soils. Although no definite artifacts were recovered, a fragment of fire cracked rock was identified and returned to the lab for analysis. A high concentration of charcoal and ash was noted within the feature and larger pieces were carefully collected for potential C-14 Dating. Additionally, a soil sample was collected for potential paleobotanical analysis. Higher concentrations of FCR found within such fire-affected soils would be indicative of prehistoric hearths or roasting pits. The recovery of fire-cracked rock from the site suggests that additional fire-related features might occur in the vicinity.

Results of the Phase II study indicate that the Pony Farm Locus 2 Precontact Site is eligible for inclusion on the National Register of Historic Places under Criterion D because of the rich and diverse precontact artifact assemblage, the presence of an intact archaeological feature, and the site's ability to address important research questions about the precontact lifeways in the Upper Susquehanna Valley in the centuries prior to the arrival of Europeans. The presence of flake tools and a projectile point tip all reflect past activities taking place at the site. Additionally, Locus 2 also encountered a small charcoal and ash feature, suggesting the potential for additional fire related features as well as opportunities for radiocarbon analyses useful in the development of cultural chronologies and the reconstruction of past environments.

## **Proposed Field Methodology**

The proposed field methods are tailored specifically to address the research questions developed for the site. The first step of the proposed data recovery effort is to reestablish the archaeological site datum based upon the original Phase IA/IB survey and later used as part of the Phase II investigations. Once the 3 m close interval STP grid has been re-established Locus 2 will be examined using the field methods described below:

### **Excavation Units**

Following the establishing of a site datum, we propose the excavation of twelve to sixteen 1 x 1 meter square excavation units within the boundaries of the Pony Farm Road Precontact Site. Excavation units will be tied in to the existing site grid and will be placed at the discretion of the principal investigator in areas of high artifact density and in areas where tools were recovered that might be related to specific site activities or where cultural features may have been suspected.

Excavation units will be excavated and screened in 10 cm levels in natural layers to allow for tight vertical control in stratigraphic contexts. Excavation will proceed to a depth of 20 cm into sterile soil. Test units may be stepped in order to comply with all OSHA standards as necessary to provide a safe work environment for all involved. Prior to backfilling, walls and floors will be drawn and photographed. An STP will be excavated in the center of the bottom of each unit prior to backfilling to examine deeper soils and look for deeper cultural remains.

If precontact features are encountered during the excavation of these units, the floor will be leveled, and the feature outline drawn in plan view. The feature will then be bisected along its longest axis to allow for stratigraphic profiling. Half of each feature will be screened separately while the remaining half will be saved and submitted for flotation and paleobotanical analysis. Other samples may also be taken for additional studies, including radiometric dating, pollen and phytolith analysis.

### **Mechanized Stripping**

Stripping will be performed by a qualified operator and will take place covering a minimum of fifty percent (50%) of the unexcavated portions of the site. This stripping will follow the completion of manual excavations. Stripping will be performed with the intention of adequately addressing the potential for cultural features integrally important to the interpretation of the site as a whole. An archaeological crew will monitor all stripping activities to ensure careful attention is paid to stratigraphy and possible anomalies/features. Following the mechanical stripping, our crew will shovel skim the area in order to cleanly expose the surface of the subsoil allowing for clear visibility of any possible anomalies. If features are encountered during the mechanical stripping, all excavation will stop and the feature will be subjected to further examination and documentation. Samples from any prehistoric contexts will be collected and submitted for radiocarbon and/or macrofloral analysis as appropriate.

## **Specialized Analysis**

Specialized subconsultants will be used to help supplement of staff's areas of experience and expertise. The Phase II study recommended using a qualified geomorphologist to examine the site's stratigraphy. In cases where precontact charcoal features are identified, a radiocarbon sample will be taken and submitted to **Beta Analytic, Inc.** for radiometric assay. Beta Analytic is the largest private radiocarbon dating service in the world and routinely works with material from New York State. In addition, samples from the feature fill will be bagged and submitted for macrofloral or potentially phytolith analysis. All macrofloral analysis will be conducted by **PaleoResearch Laboratories, Inc.**, a team of world respected paleobotanists and pollen specialists. We have used PaleoResearch Laboratories on past projects and found their studies to be of the highest quality. Other analysis, such as faunal analysis, use wear analysis, and lithic raw material analysis, will be conducted by our in house staff.

As mentioned previously, lithic raw material identification and analysis will also be conducted in house using our collection. Because even the best experts in their fields still confer with other researchers on difficult examples, our staff may involve other experts as necessary to ensure the most complete and accurate findings. Data recovered as part of this effort will be quantitatively compared with other known, like sites in the region, providing a clearer definition of the site and its import within the larger vicinity.

## **Unanticipated Discoveries and Burials**

In the event that human remains are encountered during construction or archaeological investigations, the State Historic Preservation Office (SHPO) requires that the following protocol be implemented:

Human remains must be treated with the utmost dignity and respect at all times. Should human remains or suspected human remains be encountered, work in the general area of the discovery will stop immediately and the location will be secured and protected from damage and disturbance.

If skeletal remains are identified and the archaeologist is not able to conclusively determine whether they are human, the remains and any associated materials must be left in place. A qualified forensic anthropologist, bioarchaeologist or physical anthropologist will assess the remains in situ to help determine if they are human.

No skeletal remains or associated materials will be collected or removed until appropriate consultation has taken place and a plan of action has been developed.

The SHPO, the appropriate Indian Nations, the involved state and federal agencies, the coroner, and local law enforcement will be notified immediately. Requirements of the coroner and local law enforcement will be adhered to. A qualified forensic anthropologist, bioarchaeologist or physical anthropologist will assess the remains in situ to help determine if the remains are Native American or non-Native American.

If human remains are determined to be Native American, they will be left in place and protected from further disturbance until a plan for their avoidance or removal can be generated. Please note that avoidance is the preferred option of the SHPO and the Indian Nations. The involved agency will consult SHPO and the appropriate Indian Nations to develop a plan of action that is consistent with the Native American Graves Protection and Repatriation Act (NAGPRA) guidance. Photographs of Native American human remains and associated funerary objects should not be taken without consulting with the involved Indian Nations.

If human remains are determined to be non-Native American, the remains will be left in place and protected from further disturbance until a plan for their avoidance or removal can be generated. Please note that avoidance is the preferred option of the SHPO. Consultation with the SHPO and other appropriate parties will be required to determine a plan of action.

To protect human remains from possible damage, the SHPO recommends that burial information not be released to the public.

### **The End of Field letter**

Within ten (10) days of the completion of all of the above-mentioned fieldwork, an end-of-field (EOF) letter will be submitted to NYSOPRHP for review detailing the preliminary results of the data recovery. This EOF letter will contain specific information about the methods used, preliminary findings of the results, and detailed information about the public participation component and documentation of the acceptance of the artifacts and associated documentation at a qualified institution.

### **Phase III Report Preparation and Submittal**

Upon NYSOPRHP approval of the end-of field-letter construction activities will commence while the Phase III report is being prepared. Information recovered during the Phase III data recovery will be compiled into a final report document in accordance with the NYAC Standards within one year of the acceptance of the end-of-field (EOF) letter submitted to the NYSOPRHP. This task includes all work required to generate and submit a final completed Phase III Archaeological Report to the client and to submit cultural materials; including (but not limited to):

- Generation of tables and appendices.
- Submittal of cultural materials.
- Creation of digital versions of maps and figures for inclusion in the report.
- Generation and submittal of two paper copies and two copies on CD in .pdf format of the final report to the client, with one copy in each format to be further submitted to the appropriate NYSORHP reviewer.
- Making revisions to the report (if any) to satisfy any review comments from the client and/or NYSOPRHP.

### **Curation of Material**

All material collected as part of the Phase III Recovery at the Pony Farm Locus 2 Precontact Site will be housed at our office until curated with an appropriate facility,

such as the New York State Museum in Albany, the the Oneida Nation Cultural Center, or possibly a local smaller museum should the NYSM or other institutions not exhibit an interest in the collection. All artifacts, field notes, original photographs, maps, and a copy of the final report will be housed with the collection. Birchwood staff will work with the appropriate facility to ensure that the collection is prepared for curation under the guidelines set forth for that institution.

### **Public Participation**

Prior to the initiation of fieldwork, our office will contact local historical societies and school districts to make them aware of our investigations and allow them the possibility to arrange for limited groups to visit the site during the excavations.

After the data recovery is completed, a public presentation will take place at the Upper Susquehanna Chapter of the New York State Archaeological Association and/or other appropriate venue(s). Our findings may also be published in a local chapter bulletin of the New York State Archaeological Association or could potentially be presented at an archaeological conference. While these latter stages of the proposed public participation plan are necessarily vague, more detailed information about these efforts will be included with the end of field letter.

### **Quality Control**

Birchwood Archaeological Services will perform all work to the utmost standards of quality. All employees will be directly supervised by our Principal Investigator, David Moyer at all times. Our Principal has over 30 years experience in the field of cultural resource management. Daily records of all field activities will be collected and held on file in the project folder. The Principal Investigator will also be the primary author of the Phase III report in order to provide continuity from the field to final report preparation.

All cultural resources identified will be recorded in the field as permanent record. This information will be transcribed in the office to conform to the highest archaeological standards. Additionally, a chain of title will be created for transferal of all field notes and related cultural material recovered. These records as well as all other documentation will be curated along with the artifacts and a copy of the report at the appropriate curatorial institution.

### **Facilities**

Our offices and laboratory are located in the Village of Gilbertsville in Otsego County, New York. In addition to field equipment such as vehicles, screens, a commercial dronemand a computer interfacing GPS system, we maintain extensive office and laboratory equipment and facilities. For data analysis and desktop publishing, we utilize the latest computers and software to produce timely and professional reports. Laboratory equipment includes a computer, digital scales and calipers, drying rack and other ancillary equipment.



## Technical Price Proposal

TASK ITEM	HOURS	COST
<b>Data Recovery Plan (includes consultation with SHPO)</b>		
Principal Archaeologist x \$65.00/hour	40	\$2,600.00
<b>Field Excavations (includes unit excavations and mechanized scraping)</b>		
Principal Archaeologist x \$65.00/hour	120	\$7,800.00
Field Archaeologist x \$26.50/hour	240	\$6,360.00
<b>Artifact Analysis and Processing</b>		
Principal Investigator x \$65.00/hour	40	\$2,600.00
Lab Archaeologist x \$26.50/hour	80	\$2,120.00
<b>Report Preparation</b>		
Principal Investigator x \$65.00/hour	120	\$7,800.00
Staff Archaeologist x \$26.50/hour	240	\$6,360.00
<b>Public Participation</b>		
Principal Investigator x \$65.00/hour	20	\$1,300.00
<b>Consultation with Federally Recognized Tribes (informal)</b>		
Principal Investigator x \$65.00/hour	20	\$1,300.00
<b>Total Direct Cost:</b>		<b>\$31,240.00</b>
<b>Indirect Costs</b>		
Mileage x \$0.56/mile	0	\$0.00
Curation Fees (assumes three bankers boxes of artifacts @ \$400/box)		\$1,200.00
<b>Total Indirect Costs</b>		<b>\$1,200.00</b>
<b>Subconsultant Cost (assumes five features will be processed)</b>		
Radiocarbon Dating \$970.00/sample x 5 samples		\$4,850.00
Paleobotanical Analysis \$485.00/sample x 5 samples		\$2,425.00
Geomorphologist		\$1,850.00
<b>Total Subconsultant Costs</b>		<b>\$9,125.00</b>
<b>Total Cost:</b>		<b>\$41,025.00</b>
<b>(excludes backhoe and operator)</b>		
<b>20% retainer required to begin the fieldwork</b>		<b>\$8,205.00</b>

**Additional Stipulations**

Existing field survey data, topographic information, engineered plans, maps, reports, and environmental studies, data, and associated reports shall be provided by the Property Owner/Representative at no cost. These reports are presumed to be technically accurate and correct; any inaccuracies resulting from false studies or data not gathered by Birchwood Archaeological Services will be the sole responsibility of the Property Owner/Representative.

Birchwood Archaeological Services will be responsible for any modifications or additions resulting from agency review. This agreement is not intended to cover additional work not discussed in the above proposal. All regulatory fees are to be paid for by the Property Owner/Representative. This proposal is valid for a period of ninety (90) days, unless Birchwood Archaeological Services is contacted by the Property Owner/Representative for an extension. Liability shall be limited to total cost for services rendered.

**Acceptance of Contract**

If found acceptable, please execute this contract in the appropriate space below and forward it, along with any appropriate down payment, to our office. This will serve as our official Notice to Proceed, at which time, scheduling for this project will take place.

SUBMITTED:



8/13/24

David Moyer- Authorized Representative

Date

ACCEPTED:

\_\_\_\_\_  
Authorized Representative

\_\_\_\_\_  
Date