

**Frank S. Venezia**

*Chair*

**Victoria Storrs**

*Vice Chair*

**Richard Kotlow**

*Secretary*

**Catherine M.**

**Hedgeman, Esq.**

*Assistant Secretary*

**Tim Maniccia**

*Member*

**David Kidera**

*Member*

**Jared Finke**

*Member*

## **TOWN OF BETHLEHEM**

*Albany County - New York*

### **INDUSTRIAL DEVELOPMENT AGENCY**

445 DELAWARE AVENUE

DELMAR, NEW YORK 12054

Telephone: (518) 439-4955

Email: [info@bethlehemida.com](mailto:info@bethlehemida.com)

[www.bethlehemida.com](http://www.bethlehemida.com)

#### **Regular Meeting Agenda**

**Friday, May 28, 2021**

**8:00 AM**

**Zoom**

**Thomas P. Connolly**

*Executive Director,*

*Assistant Secretary and*

*Agency Counsel*

*518-573-2200*

**Allen F. Maikels**

*Treasurer, Chief Financial Officer*

*and Contracting Officer*

*518-487-4679*

**Vacant**

*Economic Development*

*Coordinator*

**Robin Nagengast**

*Assistant to the Executive Director*

*and Clerk*

*Ext. 1164*

#### **I. Notice**

Due to the Novel Coronavirus (COVID-19), the Board will not be meeting in-person. The Meetings to be held electronically Due to the Novel Coronavirus (COVID-19) the Board will not be meeting in-person. An Executive Order (202.1) issued by Governor Cuomo on 3/12/2020 suspended the Open Meetings Law. Members of the public may listen to and view the meetings live by visiting [www.townofbethlehem.org](http://www.townofbethlehem.org), click the Meetings button found on left side of webpage and select the appropriate board from the dropdown. Agendas, minutes, and videos are available at this same link. Please check the Town website for updates.

#### **II. Call to Order/Roll Call/Quorum Determination**

#### **III. Minutes Approval**

1. Bethlehem Industrial Development Agency - Regular Meeting - Mar 26, 2021 8:00 AM

#### **IV. Reports of Committees**

1. Report of the Governance Committee 4/23/2021
  - a. 2020 Board Evaluation
  - b. Proposed Revisions to Bylaws
    - i. Revisions to Agency bylaws Article II Section 3. Responsibility of Members.
    - ii. Approve revisions to Agency bylaws Article VI Section 3. REGULAR MEETINGS.
    - iii. Approve revisions to Agency bylaws Article VI Section 4. SPECIAL MEETINGS.
    - iv. Approve revisions to Agency bylaws Article V Section 8. MANNER OF VOTING.
  - c. Performance Review Executive Director Template
2. Minutes of Governance Committee 4/23/2021

Meeting of Friday, May 28, 2021

**V. Communications**

1. None

**VI. Old Business**

1. Planning Board Update (Leslie)
2. Report of ED Coordinator (Leslie)

**VII. New Business**

1. Financial Statements 4/30/21 (Maikels)
2. BIDA COVID-19 Grant Program Committee Recommendations of Grants (Kotlow)
  - a. Memorandum 5/5/2021 Grant Recommendation to Chair & Board
  - b. Public Comment
  - c. I Love Books, Inc.
  - d. COVID-19 Grant Award Recommendation Spreadsheet
  - e. Resolution Approving COVID-19 Small Business Grant

**VIII. Future Meetings**

1. Regular Meeting - Wednesday, June 23, 2021 8:00 a.m. Remote

**IX. Adjournment**

Adjourn

**Frank S. Venezia**  
*Chair*

**Victoria Storrs**  
*Vice Chair*

**Richard Kotlow**  
*Secretary*

**Catherine M. Hedgeman, Esq.**  
*Assistant Secretary*

**Tim Maniccia**  
*Member*

**David Kidera**  
*Member*

**Jared Finke**  
*Member*

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[www.bethlehemida.com](http://www.bethlehemida.com)

**Regular Meeting Minutes**  
**Friday, March 26, 2021**  
**8:00 AM**  
**Zoom**

**Thomas P. Connolly**  
*Executive Director,*  
*Assistant Secretary and*  
*Agency Counsel*  
518-573-2200

**Allen F. Maikels**  
*Treasurer, Chief Financial Officer*  
*and Contracting Officer*  
518-487-4679

**Vacant**  
*Economic Development*  
*Coordinator*  
Ext. 1189

**Robin Nagengast**  
*Assistant to the Executive Director*  
*and Clerk*  
Ext. 1164

**Notice**

- **THE NOVEL CORONAVIRUS (COVID-19) THE BOARD WILL NOT BE MEETING IN-PERSON. AN EXECUTIVE ORDER (202.1) ISSUED BY GOVERNOR CUOMO ON 3/12/2020 SUSPENDED THE OPEN MEETINGS LAW. MEMBERS OF THE PUBLIC MAY LISTEN TO AND VIEW THE MEETINGS LIVE BY VISITING WWW.TOWNOFBETHLEHEM.ORG, CLICK THE MEETINGS BUTTON FOUND ON LEFT SIDE OF WEBPAGE AND SELECT THE APPROPRIATE BOARD FROM THE DROPDOWN. AGENDAS, MINUTES, AND VIDEOS ARE AVAILABLE AT THIS SAME LINK. PLEASE CHECK THE TOWN WEBSITE FOR UPDATES.**

**I. Call to Order/Roll Call/Quorum Determination**

A Regular Meeting of the Bethlehem Industrial Development Agency of the Town of Bethlehem was held on the above date at the Zoom, 445 Delaware Ave, Delmar, NY. The Meeting was called to order at 8:00 AM with the presence of a quorum noted.

Attendee Name	Title	Status	Arrived
Frank S. Venezia	Board Member/Chairman	Remote	
Victoria Storrs	Board Member/Vice Chair	Remote	
Richard Kotlow	Board Member/Secretary	Remote	
Catherine Hedgeman	Board Member/Assistant Secretary	Remote	
Tim Maniccia	Board Member	Excused	
David Kidera	Board Member	Remote	
Jared Finke	Board Member	Remote	
Thomas P. Connolly	Executive Director/Agency Counsel	Remote	
Allen F. Maikels	CFO and Contracting Officer	Remote	
Robin Nagengast	Assistant to the Executive Director	Remote	
David VanLuven	Town Supervisor	Remote	

Minutes Acceptance: Minutes of Mar 26, 2021 8:00 AM (Minutes Approval)

**II. Welcome to New Member Jared Finke**

**III. Minutes Approval**

**A. Annual Meeting Minutes**

Friday, February 26, 2021

**RESULT:** ACCEPTED [UNANIMOUS]  
**MOVER:** David Kidera, Board Member  
**SECONDER:** Victoria Storrs, Board Member/Vice Chair  
**AYES:** Venezia, Storrs, Kotlow, Hedgeman, Kidera, Finke  
**EXCUSED:** Tim Maniccia

**B. Regular Meeting Minutes**

Friday, February 26, 2021

**RESULT:** ACCEPTED [UNANIMOUS]  
**MOVER:** Victoria Storrs, Board Member/Vice Chair  
**SECONDER:** Richard Kotlow, Board Member/Secretary  
**AYES:** Venezia, Storrs, Kotlow, Hedgeman, Kidera, Finke  
**EXCUSED:** Tim Maniccia

**IV. Reports of Committees**

- **REPORT OF THE AUDIT COMMITTEE 3/12/2021 (VENEZIA)**

**V. Communications**

- **NONE**

**VI. Old Business**

- **REPORT OF ED COORDINATOR**

Burt Crane has begun clearing the site.

**VII. New Business**

- **FINANCIAL STATEMENTS 2/28/21 (MAIKELS)**

Mr. Maikels reported on the February financial statements.

- **REVIEW/APPROVAL OF 2020 AUDITED FINANCIAL STATEMENT AND SAS 114 LETTER/INDEPENDENT ACCOUNTANT REPORT INVESTMENT COMPLIANCE/RESOLUTION (VENEZIA)**

Minutes Acceptance: Minutes of Mar 26, 2021 8:00 AM (Minutes Approval)

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** David Kidera, Board Member  
**SECONDER:** Richard Kotlow, Board Member/Secretary  
**AYES:** Venezia, Storrs, Kotlow, Hedgeman, Kidera, Finke  
**EXCUSED:** Tim Maniccia

- **REVIEW/APPROVAL OF 2020 ASSESSMENT OF INTERNAL CONTROL STRUCTURE & PROCEDURE/RESOLUTION (VENEZIA)**

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Catherine Hedgeman, Board Member/Assistant Secretary  
**SECONDER:** Victoria Storrs, Board Member/Vice Chair  
**AYES:** Venezia, Storrs, Kotlow, Hedgeman, Kidera, Finke  
**EXCUSED:** Tim Maniccia

- **REVIEW/APPROVAL 2020 PARIS REPORT/RESOLUTION (MAIKELS)**

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** David Kidera, Board Member  
**SECONDER:** Richard Kotlow, Board Member/Secretary  
**AYES:** Venezia, Storrs, Kotlow, Hedgeman, Kidera, Finke  
**EXCUSED:** Tim Maniccia

- **REVIEW/APPROVAL 2020 PERFORMANCE MEASURES/RESOLUTION (CONNOLLY)**

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Victoria Storrs, Board Member/Vice Chair  
**SECONDER:** David Kidera, Board Member  
**AYES:** Venezia, Storrs, Kotlow, Hedgeman, Kidera, Finke  
**EXCUSED:** Tim Maniccia

- **REVIEW/APPROVAL 2020 ANNUAL INVESTMENT REPORT/RESOLUTION (MAIKELS)**

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Richard Kotlow, Board Member/Secretary  
**SECONDER:** Victoria Storrs, Board Member/Vice Chair  
**AYES:** Venezia, Storrs, Kotlow, Hedgeman, Kidera, Finke  
**EXCUSED:** Tim Maniccia

- **REVIEW/APPROVAL 2020 ANNUAL PROCUREMENT REPORT/RESOLUTION (MAIKELS)**

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Catherine Hedgeman, Board Member/Assistant Secretary  
**SECONDER:** David Kidera, Board Member  
**AYES:** Venezia, Storrs, Kotlow, Hedgeman, Kidera, Finke  
**EXCUSED:** Tim Maniccia

- **REVIEW/APPROVAL 2020 ANNUAL REPORT OF REAL PROPERTY OWNED (MAIKELS)**

Minutes Acceptance: Minutes of Mar 26, 2021 8:00 AM (Minutes Approval)

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Richard Kotlow, Board Member/Secretary  
**SECONDER:** Victoria Storrs, Board Member/Vice Chair  
**AYES:** Venezia, Storrs, Kotlow, Hedgeman, Kidera, Finke  
**EXCUSED:** Tim Maniccia

- **BIDA COVID-19 GRANT PROGRAM COMMITTEE RECOMMENDATIONS OF GRANTS (KOTLOW)**
- **NONE**

#### **VIII. Future Meetings**

- **REGULAR MEETING - FRIDAY, APRIL 23, 2021 8:00 A.M. REMOTE**
- **GOVERNANCE COMMITTEE MEETING - FRIDAY, APRIL 23, 2021 8:30 A.M. REMOTE**

#### **IX. Adjournment**

**Motion To:** Adjourn

**RESULT:** ADJOURN [UNANIMOUS]  
**MOVER:** David Kidera, Board Member  
**SECONDER:** Catherine Hedgeman, Board Member/Assistant Secretary  
**AYES:** Venezia, Storrs, Kotlow, Hedgeman, Kidera, Finke  
**EXCUSED:** Tim Maniccia

**TOWN OF BETHLEHEM INDUSTRIAL DEVELOPMENT AGENCY  
BY-LAWS**

Pursuant to the authority contained in Section 858, Title 1 of Article 18-a of the General Municipal Law, as set out in Chapter 1030 of the Laws of 1969, and Section 909-b of the General Municipal Law, as set out in Chapter 582 of the Laws of 1973 of the State of New York, the Town of Bethlehem Industrial Development Agency hereby approves the following By-Laws for the regulation of its activities.

**ARTICLE I**

NAME, SEAL

Section 1. NAME. The name of the Agency shall be the "Town of Bethlehem Industrial Development Agency."

Section 2. SEAL. The official seal of the Agency shall be in a design circular in form bearing the words and dates as follows:

TOWN OF BETHLEHEM INDUSTRIAL DEVELOPMENT AGENCY, NEW YORK  
CORPORATE SEAL  
1980

Section 3. OFFICE. The office of the Agency shall be at 445 Delaware Avenue, Delmar, New York 12054.

**ARTICLE II**

MEMBERS

Section 1. Members. The members of the Agency shall be appointed by the Town Board of the Town of Bethlehem, and shall serve at the pleasure of the Town Board.

Section 2. Number of Members. The members of the Agency shall consist of not less than three nor more than seven members.

Section 3. Responsibility of Members.

(Option A) It is the policy of the Agency that board members commit themselves to acting in accordance with accepted principles of good corporate governance. Board members have a duty to be informed, knowledgeable and engaged in the activities of the Agency and to actively exercise oversight of Agency management. This includes regular attendance at board meetings and serving on one or more Agency committees.

If a board member is unable to fulfill these commitments, it is the duty of the board member to resign from the Agency board. Furthermore, the Chairman, in consultation with board members, may recommend to the Town Board that such member be replaced, pursuant to Section 1 of this Article, if the persistent absence of such member compromises the effectiveness of the Agency's governance and oversight responsibilities.

(Option B) Responsibility of Members. It is the policy of the Agency that board members commit themselves to acting in accordance with accepted principles of good corporate governance. Board members have a duty to be informed, knowledgeable and engaged in the activities of the Agency and to actively

exercise oversight of Agency management. This includes regular attendance at board meetings and serving on one or more Agency committees.

If a board member is unable to fulfill these commitments, it is the duty of the board member to resign from the Agency board. If a Board member should refuse to voluntarily resign from the board, the Chairman, in consultation with board members, may recommend to the Town Board that such member be replaced, pursuant to Section 1 of this Article for not fulfilling his or her responsibilities as a board member.

### ARTICLE III

#### OFFICERS

Section 1. OFFICERS. The officers of the Agency shall be a Chairman, Secretary, Treasurer and such other officers as it may determine who shall have such duties, powers and functions as hereinafter provided, all of whom shall be elected by the members of the Agency, except the original Chairman, who shall be appointed by the Town Board of the Town of Bethlehem. Such officers shall be elected at the annual meeting of the Agency in each fiscal year.



## ARTICLE IV

### TENURE OF OFFICE

Section 1. Each officer of the Agency shall hold office for one year and each member shall continue to hold office until his successor is appointed or elected and qualifies in his stead. If the term of an Agency member should terminate, his term of office as an officer shall also terminate and at the regular meeting next succeeding such termination the members of the Agency shall elect from among their number a successor who shall serve until the next annual meeting of the Agency.

Section 2. Each member shall continue to hold office as a member until his successor is appointed or elected and qualifies in his stead.

## ARTICLE V

### DUTIES OF OFFICERS

Section 1. CHAIRMAN. The Chairman shall preside at all meetings of the Agency. He shall sign and execute on behalf of the Agency all contracts, notes, bonds, trust indentures or other evidences of indebtedness when so authorized by the Agency, and shall perform such other duties as may be prescribed for him by law or by Agency. The Chairman shall submit to the Agency such recommendations and information as he may consider proper concerning the business, affairs, and policies of the Agency.

Section 2. SECRETARY. The Secretary shall record all the votes and record the minutes of the Agency in a journal to be kept for that purpose; attend to the serving of notice of all meetings when required; shall keep in safe custody the seal of the Agency and shall have power to affix such seal to all papers or other documents as may be required; shall attend to such correspondence as may be assigned; shall perform all duties as the Agency may designate.

Section 3. TREASURER. The treasurer shall have the care and custody of all funds and securities of the Agency and shall deposit the same forthwith in the name of the Town of Bethlehem Industrial Development Agency in such bank or banks in the State of New York as the Agency shall designate.

The Treasurer shall have charge of the treasury and custody of receipts, deposits and disbursements of all Agency moneys. He shall keep full and accurate and separate accounts of the various funds and moneys in his custody. The Treasurer shall at a reasonable time exhibit his books and accounts to any member of the Agency upon application at the office of the Agency during business hours and render a full financial report at the annual meeting of the Agency if so required. He shall have such other powers and duties as are conferred upon him by any special or general law.

Section 4. ADDITIONAL DUTIES. The officers of the Agency shall perform such other duties and functions as may from time to time be required by the Agency, by the By-Laws of the Agency, or by the rules and regulations of the Agency.

Section 5. REMOVAL, RESIGNATION, SALARY, ETC. Any officer elected or appointed by the Agency may be removed by the Agency with or without cause. In the event of the death, resignation or removal of an officer, the Agency in its discretion may elect a successor to fill the unexpired term at the next regular meeting of the Agency. All officers who are members of the Agency shall serve without compensation.

Section 6. ADDITIONAL PERSONNEL. The Agency may appoint such other officers and employees including a Chief Executive Officer and a Chief Financial Officer, as the Agency may require for the performance of its duties. The Agency may also appoint Counsel and may retain and employ private consultants for professional and technical assistance and advice. The appointment duties and compensation of all personnel shall be determined by the Agency subject to the laws of the State of New York.

Section 7. BONDING OF OFFICERS. The Chairman, the Treasurer, and such other officers as the Agency may require, shall execute bonds conditioned upon the faithful performance of the duties of their offices, the amount and sufficiency of which shall be specified by the Agency and the premiums thereof shall be paid by the Agency.

## ARTICLE VI

### GENERAL PROVISIONS

Section 1. FISCAL YEAR. The fiscal year of the Agency shall begin on January 1.

Section 2. ANNUAL MEETING. The annual meeting of the Agency shall be held in February each year at the regular meeting place of the Agency in conjunction with the Regular Meeting for February.

Section 3. REGULAR MEETINGS. Regular meetings of the Agency shall take place ~~as necessary on the third Tuesday of each month at a time and manner approved by the Agency at its annual meeting.~~ Regular meetings may be adjourned to any other place at the will of a majority of the members of the Agency present and voting at such meeting.

Section 4. SPECIAL MEETINGS. The Chairman of the Agency may, when he deems it desirable, and shall, upon the ~~written-formal~~ request of two members of the Agency, call a special meeting of the Agency for the purpose of transacting any business designated in the notice of such meeting. The notice of such meeting shall be served on each member of the Agency by delivery or mail received by each such member at least 24 hours prior to the date of such meeting. Pursuant to Section 94 of the Public Officers Law, notice of such special meeting shall be given to news media at the same time.

Section 5. EXECUTIVE SESSIONS. When determined by the Agency that any matter pending before it is confidential in nature it may, in accordance with the laws of the State of New York, establish an executive session and exclude non-members from such session.

Section 6. QUORUM. At all meetings of the Agency, a majority of the members of the Agency then in office shall constitute a quorum and the vote of a majority of the members present and voting at a meeting of the Agency shall be deemed the act of the Agency. A majority of the members present whether or not a quorum is present may adjourn any meeting to another time and place.

Section 7. ORDER OF BUSINESS. The order of business at regular meetings shall be:

- (a) Roll call. Determination of quorum.
- (b) Reading of minutes of previous meeting.
- (c) Approval of the minutes of previous meeting.
- (d) Reports of Committees.
- (e) Communications.
- (f) Unfinished business.
- (g) New business.
- (h) Adjournment.

Section 8. MANNER OF VOTING. The voting on all questions coming before the Agency shall be ~~by roll call~~ ~~by the recorded vote of its members~~, and the yeas and nays shall be entered in the minutes of each meeting, except in the case of appointment when the vote may be by ballot.

Section 9. COMMITTEES. The Chairman, Vice Chairman and members of all committees shall be appointed by the chairman of the Agency who shall be an ex officio member of each committee. A quorum of any committee shall consist of a majority of members of that committee.

Section 10. EXECUTION OF INSTRUMENTS. All Agency instruments and documents shall be signed or countersigned, executed, verified or acknowledged by such officer or officials or other person or persons as provided in these By-Laws or as the Agency may from time to time designate.

## ARTICLE VII

### AMENDMENTS

Section 1. AMENDMENTS TO BY-LAWS. The By-Laws of the Agency shall be amended only with the approval of at least a majority of all of the members of the Agency at a regular or a special meeting, but no such amendment shall be adopted unless at least seven days written notice thereof has been previously given to all members of the Agency.

~~As adopted January 23, 2006~~

**Section 1: Achievement of goals from last review period**

*Use ratings described: EE, ME, NI. When using NI, please give specific example(s) below the goal statement.*

**Performance appraisal ratings**

- **Exceeds expectations** – The individual is making an exceptional, significant contribution to the organization. This person constantly accepts responsibilities beyond those of the job held and continuously exceeds expectations regarding completion of work assignments. There are few areas regarding performance of job responsibilities in which she could improve.
- **Meets expectations** – The individual is a steady, consistent, dependable performer and carries out duties in a fully responsible and effective manner. Meets and occasionally exceeds expectations regarding job responsibilities and completion of work assignments. Even though present performance is acceptable, there may be areas regarding performance of job responsibilities in which the person should improve.
- **Needs improvement** – The individual falls below standards or expectations. It is expected that with the appropriate improvement plan, performance will reach a fully satisfactory level within a specified time period.
- **N/A Does not apply.**

**Section 1: Performance on key responsibilities of the job description:** Use ratings described on page 2 of this document: EE, ME, NI. When using NI, please give specific example(s) below the goal statement.

Responsibility	Rating
<b><u>Legal and regulatory compliance</u></b>	
1. Files legal and regulatory documents and complies with relevant laws and regulations.	
<b><u>Mission, policy, planning</u></b>	
2. Helps Board determine values, mission, vision and goals.	
3. Helps Board monitor and evaluate organization's relevancy, effectiveness, and results.	
4. Keeps Board fully informed re: organization's condition and all important factors influencing it.	
5. Keeps informed of developments in the organization's mission area, general business management including the nonprofit focus, governance, philanthropy and fund development.	
6. Assures that appropriate policies are in place to guide the organization's work in all areas.	
<b><u>Management, administration</u></b>	
7. Provides general oversight of all agency activities, manages day-to-day operations, and assures a smoothly functioning, efficient organization.	
8. Assures program quality and organizational stability through development and implementation of standards and controls, systems and procedures, and regular evaluation.	
9. Assures a work environment that recruits, retains and supports quality staff and volunteers.	
10. Assures process for selecting, developing, motivating, and evaluating staff and volunteers.	

<b><u>Responsibility</u></b>	<b><u>Rating</u></b>
11. Recommends staffing, compensation, and financing to Board. Recruits personnel, negotiates professional contracts, and assures development and maintenance of appropriate salary structures.	
12. Specifies responsibilities and accountabilities for personnel; evaluates performance regularly.	
<b><u>Governance</u></b>	
13. Works effectively with Board, its officers and committees to define their roles and responsibilities; helps evaluate their performance regularly.	
14. Works with Board Chair to enable Board to fulfill its governance functions and manages Board's due diligence process to assure timely attention to core issues.	
15. Works with Board Chair to focus Board attention on long-range strategic issues.	
16. Works with Board officers and committee chairs to get best thinking and involvement of each Board member & to stimulate each Board member to give his / her best.	
17. Frames significant questions and complex issues in ways that facilitate Board dialogue and action.	
18. Recommends volunteers to participate in the Board and its committees.	
<b><u>Finance</u></b>	
19. Promotes programs and services that are produced in a cost-effective manner, employing economy while maintaining an acceptable level of quality.	
20. Oversees the fiscal activities of the organization, assures adequate controls.	
21. With Board, ensures financing to support goals, including effective fund development program.	
22. Fosters a culture of philanthropy, and assures a donor-centered organization that nurtures loyalty through a comprehensive relationship-building program.	

<b><u>Relationship building</u></b>	
29. Identifies the key relationships necessary to support an effective organization and assures proper planning, relationship building and communications to develop and maintain these.	
30. Facilitates the integration of the organization into the fabric of the community by assuring the use of effective marketing and communications activities.	
31. Acts as an advocate, within the public and private sectors, for issues relevant to ABC, its services and constituencies.	
32. Listens to clients, volunteers, donors and the community in order to improve services and generate community involvement. Assures community awareness of the organization's response to community needs.	
33. Serves as agency's chief spokesperson and acts as advocate for issues relevant to the agency.	
34. Listens to s stakeholders in order to improve services and generate community involvement.	

<b>Responsibility</b>	<b>Rating</b>
35. Works with legislators, regulatory agencies, volunteers and representatives of the nonprofit sector to promote legislative and regulatory policies that encourage a healthy community and address the issues of the organization’s constituencies.	
<b>Leadership</b>	
36. Demonstrates initiative and creativity in identifying and addressing strategic issues facing the organization.	
37. Effectively manages continuity, change and transition.	
38. Sets and achieves clear and measurable goals and reasonable deadlines.	
39. Deals effectively with demanding situations and designs and implements effective interventions.	
40. Consistently displays integrity and models the organization’s values.	

**As appropriate, additional factors not in job description:**



**Section 3: Goals for the next review period**

**Section 4: Performance improvement plan:** *Outline any areas where the CEO needs improvement to reach higher levels of performance.*

**Section 5: Development plan:** *Outline training / development that will enhance CEO’s contribution to the organization. Also specify areas of support and action that the Board can do to help the CEO.*

**Overall performance rating / comments for CEO for this evaluation period**

**Action and approvals**

Board Member’s Name: \_\_\_\_\_

Performance appraisal results (through memo) acted on by Board of Directors on: \_\_\_\_\_

Authorizing signature / date from Performance Appraisal Task Force: \_\_\_\_\_

CEO signature and meeting date: \_\_\_\_\_

*Please write any comments from CEO on the other side of these pages.*



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**MINUTES**  
**GOVERNANCE COMMITTEE MEETING**

April 23, 2021 Remote

A meeting of the Town of Bethlehem Industrial Development Agency Governance Committee Meeting met via Zoom at 8am on Friday, April 23, 2021.

Attendance was recorded as follows:

David Kidera, Chair  
Richard Kotlow  
Kate Hedgeman  
Tom Connolly  
Robin Nagengast

Chair Kidera called the meeting to order at 8am.

**Approval of Minutes**

Upon motion by Mr. Kotlow, seconded by Mr. Kidera, the members approved the minutes of the Governance Committee Meeting held on April 24, 2020.

**Review 2020 Evaluation of Board Performance by BIDA Members**

The 2020 evaluation was reviewed and compared to the 2019 evaluation. The 2020 evaluation will be presented to the full board at the next regular meeting.

**Review BIDA Bylaws**

(a) Mr. Kotlow proposed that Article II of the agency bylaws be revised as follows:

“Members have a responsibility to attend and participate at Board meetings. A member who has not attended 50% of annual scheduled meetings shall retire from the Board. However the Town Board may if deemed appropriate reappoint such retired member.” No action was taken as further language revision seems likely.

(b) A discussion took place about the CFO having the responsibilities of the Treasurer and about the role of the Assistant Secretaries.

(c) The Committee unanimously agreed to propose to the full Board of the Agency that Bylaws Article VI General Provision should be amended as follows:

1. Section 3. Replace the first sentence with the following: “Regular meetings of the Agency shall take place the time and in the manner approved at the Agency’s annual meeting.” The second sentence is unchanged.

2. Section 4. In the first sentence, delete “written” so that a request for a special meeting can be verbal. The rest of Section 4 is unchanged.

**Ethics Policy**

Members discussed the Ethics Policy.

**Review Responsibilities of Members**

The Committee reviewed the “Responsibilities of Members” which call for an annual review of the Executive Director. Ms. Hedgeman will circulate an evaluation form.

**Advise Town Board on Skills and Experiences required of Potential Agency Members**

The Committee approved the use of the 1/19/2021 letter to the Supervisor and Town Board on skills and experiences required of potential Agency members.

**Review Training of New Members and Staff**

The Committee discussed additional training after three years of initial training. Chair Kidera will take the ABO training and report to the Committee.

**Fees for Project Transfers**

The issue of the fee schedule when transferring benefits to a new owner was referred to the Finance Committee.

**Discuss Best Governance Practices/Review Committee Charter**

The Committee discussed the Charter, ABO Model Charter and ABO Advice on Understanding Corporate Government Concepts. The Committee approved the Governance Committee Charter with no changes.

**Motion to Adjourn**

The meeting was adjourned at 9:41am on a motion by Ms. Hedgeman, seconded by Mr. Kotlow.

Respectfully submitted,  
Robin Nagengast

BETHLEHEM INDUSTRIAL DEVELOPMENT AGENCY  
STATEMENT OF NET ASSETS  
April 30, 2021

<b>ASSETS</b>	<u>April, 30, 2021</u>
Current Assets	
Checking/Savings	
200.04 Cash-M&T Bank Agency Account	447,177.13
Total Checking/Savings	447,177.13
Other Current Assets	
380 Fee Receivable	26,078.60
480 Prepaid Expense	2,948.36
Total Other Current Assets	<u>29,026.96</u>
Total Current Assets	<u>476,204.09</u>
<b>TOTAL ASSETS</b>	<u><u>476,204.09</u></u>
<b>LIABILITIES &amp; EQUITY</b>	
Liabilities	
Current Liabilities	
601 Accrued Expenses	35,650.83
Total Current Liabilities	<u>35,650.83</u>
Total Liabilities	<u>35,650.83</u>
Equity	
924 Net Assets	
924.3 Net Assets-Unassigned	440,553.26
Total 924 Net Assets	<u>440,553.26</u>
Total Equity	<u>440,553.26</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>476,204.09</u></u>

BETHLEHEM INDUSTRIAL DEVELOPMENT AGENCY  
STATEMENT OF REVENUE AND EXPENSES  
April 30, 2021

ORDINARY INCOME/EXPENSE

Income

2116 FEE INCOME	16,743.35
2116.1 PSEG ENERGY REIMB	39,723.83
Total Income	56,467.18

Expenses

6460.1 Salaries and Wages	16,189.36
6460.4 Contractual Expenses	25,902.08
6460.8 Employee Benefits	2,705.00
Total Expenses	44,796.44

NET ORDINARY INCOME

11,670.74

Other Income/Expense

Other Income

2401 Interest Income	46.76
6460.8 Grants for Economic Dev	0.00
Total Other Income	46.76

NET INCOME

11,717.50

BETHLEHEM INDUSTRIAL DEVELOPMENT AGENCY  
 BUDGET VS ACTUAL  
 April 30, 2021

Ordinary Income/Expense	Apr-21	YTD Budget	Variance	Annual Budget
Income				
2116 Fee Income	16,743.35	17,581.33	-837.98	52,744.00
2106.1 PSEG Energy Reimb	39,723.83	12,666.67	27,057.16	38,000.00
Total Income	56,467.18	30,248.00	26,219.18	90,744.00
Expenses				
6460.1 Salaries and Wages	16,189.36	16,189.33	0.03	48,568.00
6460.4 Contractual Expenses	25,902.08	25,033.33	868.75	75,100.00
6460.8 Employee Benefits	2,705.00	2,705.00	0.00	8,115.00
Total Expenses	44,796.44	43,927.66	868.78	131,783.00
Net Ordinary Income	11,670.74	-13,679.66	25,350.40	-41,039.00
Other Income/Expense				
2401 Interest Income	46.76	400.00	-353.24	1,200.00
6460.8 Grants for Economic Dev	0.00	6,500.00	-6,500.00	19,500.00
Total Other Income	46.76	-6,100.00	6,146.76	-18,300.00
Net Income	11,717.50	-19,779.66	31,497.16	-59,339.00

**Frank S. Venezia**  
*Chair*

**Victoria Storrs**  
*Vice Chair*

**Richard Kotlow**  
*Secretary*

**Catherine M. Hedgeman, Esq.**  
*Assistant Secretary*

**Tim Maniccia**  
*Member*

**David Kidera**  
*Member*

**Jared Finke**  
*Member*

## TOWN OF BETHLEHEM

*Albany County - New York*

### INDUSTRIAL DEVELOPMENT AGENCY

445 DELAWARE AVENUE  
DELMAR, NEW YORK 12054  
Telephone: (518) 439-4955  
www.bethlehemida.com

**Thomas P. Connolly**  
*Executive Director,  
Assistant Secretary and  
Agency Counsel*  
518-573-2200

**Allen F. Maikels**  
*Treasurer, Chief Financial  
Officer and Contracting Officer*  
518-487-4679

**Vacant**  
*Economic Development  
Coordinator*  
Ext. 1189

**Robin Nagengast**  
*Assistant to the Executive  
Director and Clerk*  
Ext. 1164

+

TO: Frank S. Venezia, Chair and BIDA Board  
FROM: Thomas Connolly, Executive Director  
DATE: May 5, 2021

SUBJECT: Recommendations for COVID-19 Small Business State Disaster  
Emergency Grants

On May 4, 2021 Richard Kotlow, Catherine Hedgeman, Rob Leslie, and Thomas Connolly reviewed an application for COVID-19 Small Business State Disaster Emergency Grants. The business identified below is in compliance with the Agency's Policy on COVID-19 Small Business Grants. The review committee recommends that the Agency Board award a grant in the amounts indicated below:

1. I Love Books, Inc. \$500

Following action by the Agency on the grant award, the minutes of Board action and the applications of successful grant recipients will be posted on the Agency's website in accordance with New York State Chapter 109 of the Laws of 2020 amending Section 858 of the General Municipal Law and the Authorities Budget Office Policy Guidance 20-02, and staff will prepare the final Grant Agreement document to be signed by the Chairman of the Agency or the Executive Director and the grant recipient.



The public can provide comments on the COVID-19 Small Business State Disaster Emergency Grant by registering to attend the meeting via Zoom. This is the link to the registration:

[https://us02web.zoom.us/webinar/register/WN\\_LsnWJty-RFOK9R0321ccvQ](https://us02web.zoom.us/webinar/register/WN_LsnWJty-RFOK9R0321ccvQ)

Please register **at least** 15 minutes prior to the meeting.

The Zoom meeting starts at 7:45am and the meeting webcast begins at 8am.

The public may also submit comments directly to the BIDA members anytime at

[IDA@townofbethlehem.org](mailto:IDA@townofbethlehem.org)

**Business Principle Business Address**

**Email Phone**

**Amount requested for PPE/fixtures**

**Use of funds for PPE/fixtures**

**Criteria:**

- located in Town
- in operation as of 3/7/2020
- 50 or less employees
- conducts business within Town
- business has been negatively affected by disaster emergency
- was financially viable as of 3/7/2020 and as of date of application
- proof of purchase of PPE or Fixtures
- financial statement
- list of loans and grants
- written agreement
- recapture of funds used for unauthorized purposes
- report name/address, amount of grant, date, specific use

**Type of Business Entity**

**Did the business close during the pandemic?**

If Yes, what was the duration of the closure?

If Yes, when did you reopen?

**Average monthly expenditure on PPE items/fixtures**

**Describe how affected**

**Application complete with financials and receipts**

**I Love Books**  
 Melissa Steen  
 380 Delaware Ave  
 Delmar 12054  
[ilovebooksdelmar@gmail.com](mailto:ilovebooksdelmar@gmail.com)  
 518-478-0715  
 \$500  
 HEPA filter, masks, counter guards

Yes  
 2/15/1990  
 3  
 Yes  
 Yes  
 Yes  
 Yes  
 Yes  
 Yes

LLC  
 Yes  
 3 months  
 blank  
 blank

could only open at 50% capacity,  
needed extra staff to monitor

Yes

RESOLUTION APPROVING COVID-19  
SMALL BUSINESS GRANTS 05-28-2021

WHEREAS, Town of Bethlehem Industrial Development Agency (the "Agency") is a public benefit corporation authorized and empowered by the provisions of Chapter 1030 of Laws of 1969 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 582 of the 1973 Laws of New York, as amended constituting Section 909-b of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to encourage economic growth in the Town of Bethlehem; and

WHEREAS, the Agency intends to implement New York State Chapter 109 of the Laws of 2020 amending section 858 of the General Municipal Law ("State Legislation") which allows the Agency to provide grants to small businesses or not-for-profits for the purpose of purchasing personal protective equipment ("PPE") and other fixtures ("Fixtures") necessary to prevent the spread of COVID-19;

WHEREAS, the Agency has received an application from I Love Books, Inc. for a grant by the Agency of \$500.00; and

WHEREAS, the applicant:

- a. is physically located in the Town of Bethlehem,
- b. was in operation as of 3/7/2020,
- c. has not more than 50 full-time employees (FTEs) as of 3/7/2020 and as of the
- d. date of the application,
- e. conducts business within the Town,
- f. has been negatively affected by the State disaster emergency,
- g. has been financially viable as of 3/7/2020 and as of the date of the application,
- h. has provided proof satisfactory to the Agency of the purchase of PPE and/or installation of PPE and fixtures,
- i. has provided financial statements or internally prepared financial statements for the most recent fiscal year,
- j. has provided a list of loans and grants the applicant has received or applied for with a similar purpose,

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

Section 1. The Agency approves the grant to the above named applicant for the amount specified above conditioned upon the applicant executing a Grant Agreement with the Agency; and

Section 2. The Agency hereby authorizes the Chairman or the Executive Director to execute the Grant Agreement and to take all steps necessary to implement this Resolution; and

Section 3. This Resolution shall take effect immediately.