

**RESOLUTION AUTHORIZING THE AGENCY
TO ESTABLISH A STATE DISASTER
EMERGENCY GRANT PROGRAM FOR SMALL BUSINESSES**

A regular meeting of the Town of Montgomery Industrial Development Agency (the "Agency") was convened at Town Hall, 110 Bracken Road, Montgomery, New York and by telephone conference call in accordance with the State of Emergency declared by the Town's Supervisor on March 13, 2020 and Governor Cuomo's Executive Order Nos. 202.1 and 202.15, as extended, on July 14, 2020 at 5:30 o'clock p.m., local time.

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

PRESENT:

Jeffrey D. Crist	Chairperson
Edwin Williams	First Vice Chairperson
John W. Dickson	Second Vice Chairperson
Matthew P. Stoddard	Treasurer
Robert Santo	Member
Randi Greene	Member
Donald Berger	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Suzanne Hadden	Clerical and Recording Secretary
Robert J. McLaughlin, Esq.	Agency Counsel

The following resolution was offered by Member John W. Dickson, seconded by Member Donald Berger, to wit:

Resolution No. 0720-02

**RESOLUTION AUTHORIZING THE AGENCY
TO ESTABLISH A STATE DISASTER
EMERGENCY GRANT PROGRAM FOR SMALL BUSINESSES**

WHEREAS, the Town of Montgomery 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 527 of the 1971 Laws of New York, as amended, constituting Section 911-c 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, Executive Order 202 of 2020, as amended, declared a state disaster emergency; and

WHEREAS, Chapter 109 of the Laws of 2020 made certain amendments to the Act, authorizing the Agency to establish a grant program for eligible small businesses for the purpose of acquiring personal protective equipment or the installation of fixtures necessary to prevent the spread of novel coronavirus, COVID-19, during the period in which Executive Order 202 of 2020, as amended, is in effect; and

WHEREAS, Executive Order 202 of 2020 remains in effect; and

WHEREAS, the Agency has determined that there is a need to assist businesses in the Town of Montgomery with respect to the purchase or installation of equipment and fixtures that can prevent the spread of COVID-19; and

WHEREAS, to address the need determined to exist in the Town, the Agency desires to establish a grant program pursuant to Chapter 109 of the Laws of 2020, and the Act, upon such terms as provided herein; and

WHEREAS, the Agency by prior resolution dated April 14, 2020 authorized the use of up to \$200,000 for a to be established grant and loan program and up to \$15,000 in professional services for businesses in the Town experiencing hardship due to the COVID-19 pandemic; and

WHEREAS, the Agency desires to amend such April 14, 2020 resolution in accordance with the terms hereof.

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

Section 1. The Agency hereby establishes a grant program to be known as the “Town of Montgomery Industrial Development Agency State Disaster Grant Program” (“SDGP”) for the purposes provided in Chapter 109 of the Laws of 2020. The SDGP will be available to small businesses located in the Town consisting of not more than 50 employees located in the Town of Montgomery who have met the criteria established by Section 859-c(3)(a) of the Act and who have not received similar assistance for the purchase of personal protective equipment of fixtures from other industrial development agencies in the state.

Section 2. The Agency hereby amends resolution No. 0420-01 dated April 14, 2020 as follows: The sum of \$200,000 of the Agency is made available for the SDGP. Each application for grant funding will be evaluated by the Executive Director with assistance from other consultants as approved by the Agency. No application for grant funding can be approved without further action of the Agency.

Section 3. The Agency hereby further amends resolution No. 0420-01 dated April 14, 2020 as follows: The sum of \$15,000 is made available from the Agency general fund for purposes of paying for the marketing and administration of the SDGP in accordance with the furtherance of such grant

program.

Section 4. The Agency's Chairperson and Executive Director are authorized to develop and issue program rules for the SDGP in substantially the form of the Rules and Guidelines set forth in **Exhibit A** hereto, with such changes and modification as the Chairperson and Executive Director authorize from time to time consistent with this resolution, Chapter 109 of the Laws of 2020, and the Act.

Section 5. The Agency's Chairperson and Executive Director are authorized to develop a SDGP Application form in substantially the form set forth in **Exhibit B** hereto, with such changes and modification as the Chairperson and Executive Director authorize from time to time consistent with this resolution, Chapter 109 of the Laws of 2020, and the Act.

Section 6. The Agency's Chairperson and Executive Director may enter into the following agreements for the marketing or administration of the SDGP: (i) agreement for publication and advertising of the SDGP by Acquisitions Marketing; and (ii) an amendment to the existing service agreement with the Agency's approved accounting firm, Nugent & Haessler, P.C., to establish a process for the Agency to determine the financial viability of SDGP applicants in accordance with Section 859-c(3)(a) of the Act.

Section 7. This Resolution shall take effect immediately.

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

Jeffrey D. Crist	VOTING	YES
Edwin Williams	VOTING	YES
John W. Dickson	VOTING	YES
Matthew P. Stoddard	VOTING	YES
Robert Santo	VOTING	YES
Randi Greene	VOTING	YES
Donald Berger	VOTING	YES

The foregoing resolution was thereupon declared duly adopted.

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

I, the undersigned Secretary of Town of Montgomery 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 held on July 14, 2020 with the original thereof on file in my office, and that the same is a true and correct copy of said original 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 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.

^{4th}
15 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this day of July, 2020.


Secretary

(SEAL)

EXHIBIT A

RULES AND GUIDELINES OF THE TOWN OF MONTGOMERY
INDUSTRIAL DEVELOPMENT AGENCY GRANT PROGRAM

Montgomery

INDUSTRIAL DEVELOPMENT AGENCY

About the program

Town of Montgomery Industrial Development Agency (IDA) State Disaster Grant Program: The New York State Legislature has granted IDA's temporary authority to provide grants to qualified local small businesses and non-for-profit organizations that have been negatively impacted by COVID-19.

Rules and Guidelines of the Town of Montgomery IDA Grant Program

1. Eligible entities include for-profit businesses and 501(c)(3) organizations with not more than 50 employees.
2. Businesses and non-profit organizations must be located within the Town of Montgomery.
3. Businesses and non-profit organizations must have been financially viable prior to the state disaster declaration and negatively affected by COVID-19.
4. Businesses and non-profit organizations must submit three (3) years' worth of financial statements and tax returns, with the most recent information included. If an applicant cannot submit three (3) years' worth of information, the applicant must submit the information that they are able to.
5. Grants of up to \$10,000 can be awarded solely for the purpose of personal protective equipment (PPE) or fixtures necessary to prevent the spread of novel coronavirus, COVID-19.
 - a. Grants may be used for reimbursement **only** if PPE and/or fixtures were purchased on or after June 17, 2020. Receipts and/or proof of purchase date must be provided to the Agency to be eligible.
6. Town of Montgomery IDA staff or counsel may request additional information or clarification, including financial projections.
7. Each Applicant must provide to the Town of Montgomery IDA: (i) payroll certification that employment does not exceed 50 employees, (ii) documentation showing they are physically located in the community served by the Town of Montgomery IDA, and (iii) certification that they in fact a business or non-profit organization.



8. Grants can be provided during the period of the state disaster emergency declaration and the program will sunset no later than December 31, 2021.

EXHIBIT B

FORM OF THE TOWN OF MONTGOMERY
INDUSTRIAL DEVELOPMENT AGENCY GRANT PROGRAM APPLICATION

(<https://montgomeryida.com/>)

HOME
([HTTPS://MONTGOMERYIDA.COM/](https://montgomeryida.com/))

ABOUT
([HTTPS://MONTGOMERYIDA.COM/ABOUT/](https://montgomeryida.com/about/))

MEETINGS & H
([HTTPS://MON](https://montgomeryida.com/meetings-h/)

Grants

Thank you for bringing your request for assistance in purchasing Personal Protective Equipment (PPE) to the **Town of Montgomery IDA**. We look forward to working with you to evaluate your application for possible financial assistance. To begin this process, please complete and return the application below.

[Read the Program Guidelines \(https://montgomeryida.com/wp-content/uploads/2020/07/SDGP-Program-Guidelines-Final-Document-.pdf\)](https://montgomeryida.com/wp-content/uploads/2020/07/SDGP-Program-Guidelines-Final-Document-.pdf)

[Read the FAQ \(https://montgomeryida.com/wp-content/uploads/2020/07/TOMIDA-FAQ-SDGP-2.pdf\)](https://montgomeryida.com/wp-content/uploads/2020/07/TOMIDA-FAQ-SDGP-2.pdf)

PROGRAM OVERVIEW

- Limited to businesses and 501(c)(3) organizations **in the Town of Montgomery** with not more than 50 employees who were operating prior to the COVID-19 emergency and were negatively impacted by it. Businesses and non-profits must have been financially viable prior to the state disaster declaration.
- IDAs may offer grants of up to \$10,000 exclusively for the purpose of allowing recipients to buy PPE or install fixtures (e.g., plexiglass barriers) to prevent the spread of COVID.

PLEASE NOTE THE FOLLOWING:

- Grants may be used for reimbursement only if PPE and/or fixtures were purchased on or after June 17, 2020. Receipts and/or proof of purchase date must be provided to the Agency to be eligible.
- This is NOT a contract. This information is needed to help **The Town of Montgomery IDA** evaluate your project for possible financial assistance. If the Town of Montgomery IDA offers assistance, a formal contract will be issued along with other financial documents and receipts required to issue a grant.
- **Town of Montgomery IDA** staff or counsel may request additional information or clarification, including financial projections.
- **Applicant Must provide to the Town of Montgomery IDA payroll certification that employment does not exceed 50 employees, documentation showing they are physically located in the community served by the Montgomery IDA and certification that they in fact a business or non-profit organization.**

DEFINITIONS:

Full-time Permanent Employee: (i) a full-time, permanent, private-sector employee on the Recipient's payroll, who has worked at the Project Location for a minimum of 35 hours per week for not less than four consecutive weeks and who is entitled to receive the usual and customary fringe benefits extended by Recipient to other employees with comparable rank and duties; or (ii) two part-time, permanent, private-sector employees on Recipient's payroll, who have worked at the Project Location for a combined minimum of 35 hours per week for not less than four consecutive weeks and who are entitled to receive the usual and customary fringe benefits extended by Recipient to other employees with comparable rank and duties.

Full-time Contract Employee: a full-time private sector employee (or self-employed person) who is not on the Recipient's payroll but who works exclusively for the Recipient at the project location for a minimum of 35 hours per week for not less than four consecutive weeks, providing services that would otherwise be provided by a Full-time Permanent Employee. The position held by a Full-time Contract Employee must be a year-round position.

PERSONAL PROTECTIVE EQUIPMENT:

Qualifying purchases include but are not limited to **(Use CDC definitions):**

- Masks (N95)
- Hand sanitizers
- Sneeze Guards
- Face Guards and Face Shields
- Gloves and Eye Protection
- Safety Footwear
- Other respiratory devices (air purifiers)
- Cleaning materials and disinfectants
- Specialized packaging for shipping
- Signage
- COVID Testing Kits

PPE GRANT APPLICATION

APPLICATION

COMPANY INFORMATION

Business Name*

Business Address*

Street Address

Address Line 2

City

State

ZIP Code

If a DBA, what is DBA name?

Applicant Contact Name*

First

Last

Applicant Contact Address*

Street Address

Address Line 2

City

State

Armed Forces Pacific

ZIP Code

Contact Phone Number*

Contact Email Address*

Type of Business*

Please Describe

Non-Profit Organization

Yes

No

Privately Held

Yes

No

Is this a start-up company with no operating history?

Yes

No

Ownership*

Please attach a description of the company's ownership structure, including the % of ownership for each individual and entity owning 5% or more of the company. Indicate if the company is a parent, subsidiary and /or affiliate of another company.

No file chosen

Primary North American Industrial Classification System (NAICS) Code of the Company*

Please provide at least the three-digit code, but the six-digit code is preferable

Primary North American Industrial Classification System (NAICS) Code associated with the activity of the business at the project location*

Please provide at least the three-digit code, but the six-digit code is preferable

Select the applicant ID type that you normally use to identify your organization on applicant forms

- Charity Registration Number
- Duns Number
- NYS Unemployment Insurance Tax Number
- Social Security Number
- Federal Tax ID Number
- Other

Company's Annual Sales*

What share of the company's product or service is sold within NYS?*

STATEMENT OF NEED

Provide a summary of the need for the project including all PPE materials and equipment the business or non-profit entity will be purchasing and how they will be used:*

ADDITIONAL QUESTIONS

How long has your business or non-profit been in operation?*

Please describe the impact COVID-19 has had on your business or non-profit*

Have you applied for or received COVID relief related funding from any other sources?*

Please list those sources below

Was your business or non-profit financially viable prior to the state disaster declaration?*

FINANCIAL STATEMENTS

Please provide three years' worth of financial statements and tax returns for your business or non-profit, with the most recent information included. (Note: If you do not have three (3) years' worth of financial information for your business or non-profit, please submit the information that you have.)

File 1

No file chosen

File 2

No file chosen

File 3

No file chosen

File 4

No file chosen

File 5

No file chosen

File 6

No file chosen

EMPLOYMENT INFORMATION

Existing Jobs – A full-time equivalent job equals any combination of two or more part-time jobs that, when combined, constitute the equivalent of a job of at least 35 hours per week.

Average Annual Gross Salary – Compensation paid to an employee that excludes payroll taxes, benefits, overtime, and bonuses.

Indicate how many existing full-time equivalent jobs the applicant and its related entities employ in all NYS LOCATIONS and the average annual gross salary for these employees as of the date this application is signed.

Number of Jobs in NYS*

Avg annual gross salary*

BUDGET AND INVOICE

Type of Purchase and Estimated Cost*

Please list out types of purchase and estimated cost. EX: Machinery & Equipment - \$\$

Total Estimated Costs*

Total Amount of Funding Requested*

WORKSHEET COMPLETION

Name of Company Official Completing Worksheet*

First

Last

Title*

Date Completed*


Date Format: MM slash DD slash YYYY

Comments


This field is for validation purposes and should be left unchanged.


SUBMIT FORM →

SEARCH

110 Bracken Road
Montgomery, NY 12549

 (845)-457-6910 (tel:845-457-6910)

 executivedirector@montgorn

