

BOARD MEETING
FIVE South College Drive; Suite 201, 2nd Floor
BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Binghamton, New York 13905
Wednesday, August 15, 2018, 12:00 pm

SYNOPSIS OF MEETING

PRESENT: T. Kane, W. Howard, J. Bernardo, J. Stevens, M. Pinker, D. Marusich and R. Bucci

ABSENT: S. Feehan and D. Crocker

GUESTS: Jeff Platsky, Press & Sun-Bulletin
Richard C. David, Mayor
Robert Sweet, National Development Council
Brian Haynes, Resident

STAFF: K. McLaughlin, T. Gray, S. Duncan, C. Norton, N. Abbadessa and C. Hornbeck

COUNSEL: J. Meagher

PRESIDING: T. Kane

Prior to calling the meeting to order, Mr. Kane introduced Mr. Robert Sweet, National Development Council (NDC), who presented Ms. Duncan with a plaque, recognizing the achievement of completing NDC's rigorous four-course series of Economic Development Finance Training to become a Certified Economic Development Professional. Ms. Duncan thanked Mr. Sweet, the Board and The Agency staff for their support. Mr. Kane called the meeting to order at 12:05 p.m.

ITEM #1. APPROVE MINUTES FOR THE JULY 18, 2018 BOARD MEETING: Mr. Kane asked if there were any revisions of the minutes for the July 18, 2018 Board Meeting; hearing none, Mr. Kane stated minutes will be recorded.

MOTION: No motion necessary.

ITEM #2. PUBLIC COMMENT: None.

ITEM #3. EXECUTIVE DIRECTOR'S REPORT: Mr. McLaughlin gave updates on the following:
BAE (Elan and Stakeholders), identifying possible uses for the site, with a goal of using Elans' report as

part of an RFP.

TransPro study on transportation and the accessibility for workforce; completing next month.

Lehigh Career & Technical Institute's Dr. Rushton presented educational model for Broome County to possibly replicate; well-attended.

Public Hearing:

7 Hawley Street Project; transcript distributed to the Board.

Consolidated Funding Application (CFA) Round completed:

Meetings anticipated with Mr. Harvey Stenger, Mr. Kane and Mr. McLaughlin to start scoring CFA's; hoping for success with projects in Broome County.

Binghamton Airport Loan:

Mr. McLaughlin stated he had planned to advise the Governance Committee; but since there was not a quorum, advised the Board that Mr. Kevin McManus, Deputy County Executive, requested The Agency waive payment on the Airport Loan (\$400,000.00 was loaned to the County to cover a bond with the expectation of being repaid over a three to four-year period, approximately \$100,000.00 per year). Mr. McLaughlin consulted the Chairman of the Governance Committee, Chairman of the Finance Committee and Chairman Kane; however, having heard differing opinions, requested feedback from the Board on how to proceed. To summarize, Mr. McLaughlin stated the County Administration requested the loan be waived two years consecutively. The Agency agreed, however, requested interest payments, which were paid those two years. Mr. McLaughlin advised the Board the County has now asked for a waiver request a third year. After an extensive discussion, Mr. Kane asked the Board if they would consider allowing Mr. McLaughlin to determine an appropriate principal and interest payment adjustment. The Board concurred. Mr. McLaughlin asked if there were any questions regarding the Internal Financial Report. There were none.

ITEM #4. LOAN FUNDS AVAILABILITY AS OF JULY 31, 2018: The Loan Funds Availability Report was presented to the Board by Mr. Gray. The balances available to lend are \$406,310.11 (STEED), \$461,212.57

(BDF) and \$150,000.00 (BR + E). Mr. Gray stated prospective loan requests are pending, which will impact some of the stated balances. Mr. Kane asked if there were questions of Mr. Gray concerning the loan funds. A short discussion ensued regarding STEED Loans SpecOp Tactical, Mountain Fresh Dairy and Roberts Stone, with Mr. Gray describing status of each loan.

MOTION: No motion necessary.

ITEM #5. RESOLUTION AUTHORIZING A LEASE/LEASEBACK TRANSACTION TO FACILITATE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A MULTI-UNIT DWELLING, GENERAL RETAIL CENTER, AND PARKING GARAGE PROJECT APPOINTING PIKE DEVELOPMENT GROUP, LLC (THE "COMPANY"), AGENT OF THE AGENCY, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EQUIPPING AND LEASING THE PROJECT AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS WITH RESPECT THERETO, INCLUDING A PAYMENT IN LIEU OF TAX AGREEMENT DEVIATING FROM THE AGENCY'S UNIFORM TAX EXEMPTION POLICY: Mr. McLaughlin stated this development by Pike includes 18 apartments and approximately 6,000 square feet of retail space. More important, is the partnership with the city. Mr. McLaughlin acknowledged comments from one concerned citizen at the Public Hearing; however, stated the project is ready to go; this is the last piece of the puzzle. Once approved, Pike expects to start construction. This is essentially the same project that was presented last month. Mr. McLaughlin introduced Mayor David, who spoke in favor of the development project addressing parking and housing issues in the City of Binghamton. A short question and answer period ensued. At the end of the discussion, Mr. Kane thanked Mayor David.

MOTION: To authorize a Lease/Leaseback Transaction to Facilitate the Acquisition, Construction and Equipping of a Multi-Unit Dwelling, General Retail Center, and Parking Garage Project Appointing Pike Development Group, LLC (The "Company"), Agent of The Agency, for the Purpose of Acquiring, Constructing, Equipping and Leasing the Project and Authorizing the Execution and Delivery of Certain Documents with Respect Thereto, Including a Payment In Lieu of Tax Agreement Deviating from The Agency's Uniform Tax Exemption Policy. On a MOTION by Mr. Stevens, seconded by Mr. Bernardo, the MOTION CARRIED UNANIMOUSLY.

ITEM #6: A RESOLUTION ACCEPTING AN APPLICATION FROM ONE NORTH DEPOT, LLC FOR A SALE/LEASEBACK OR A LEASE/LEASEBACK TRANSACTION TO FACILITATE THE FINANCING OF THE ACQUISITION, RENOVATION AND EQUIPPING OF 1 NORTH DEPOT STREET, CITY OF BINGHAMTON, BROOME COUNTY, NEW YORK AND AUTHORIZING THE AGENCY TO SET AND CONDUCT A PUBLIC HEARING WITH RESPECT THERETO: Mr. McLaughlin stated that 1 North Depot Street is diagonal from Remliks, from the back of the building. The Agency has been working on this project for some time,

helping the developer secure financing through New York State. The developer has all financing in place, and is ready to move ahead with this project: a complete renovation of 1 North Depot Street, with five units of commercial space on the first floor, with some office space (8,000 square feet shared workspace for small businesses and entrepreneurs); 10,000 square feet of outdoor green space and 55 units of residential upper floor housing, mostly in the form of one-bedroom loft apartments, starting at \$695.00 per month. The developer is targeting Work/Live Packages, which will include both an apartment and a workspace; very unique from what we have seen in the past. This young developer has been very successful in the Binghamton market; recently bought the old Burger Monday's building and completely renovated the Ridley Lowell building. Mr. McLaughlin recommended the Board accept this application, which is a 20-year deviated PILOT, reviewed and approved by the City of Binghamton. The Mayor has negotiated with the developer, who will attend the next Governance Committee and the Board Meetings. A short discussion followed, identifying the developer as Josh Bishop.

MOTION: To accept an Application from One North Depot, LLC for a Sale/Leaseback or a Lease/Leaseback Transaction to Facilitate the Financing of the Acquisition, Renovation and Equipping of 1 North Depot Street, City of Binghamton, Broome County, New York and Authorizing The Agency to Set and Conduct a Public Hearing with Respect Thereto. On a MOTION by Mr. Howard, seconded by Mr. Bucci, the MOTION CARRIED UNANIMOUSLY.

ITEM #9: EXECUTIVE SESSION: REQUESTED BY MS. MARUSICH:

MOTION: To convene to Executive Session at 12:34 p.m. On a MOTION by Ms. Marusich, seconded by Mr. Bernardo, the MOTION CARRIED UNANIMOUSLY.

ITEM #10: RECONVENE TO PUBLIC SESSION:

MOTION: To reconvene back to public session at 12:38 p.m. On a MOTION by Mr. Stevens, seconded by Ms. Marusich, the MOTION CARRIED UNANIMOUSLY.

ITEM #11: ADJOURNMENT: Mr. Kane requested a motion for adjournment.

MOTION: To adjourn the meeting. On a MOTION by Mr. Bucci, seconded by Ms. Marusich, the MOTION CARRIED UNANIMOUSLY, and the meeting was adjourned at 12:39 p.m.

The next meeting of The Agency Board of Directors is scheduled for Wednesday, September 19, 2018 at 12:00 p.m. at FIVE South College Drive, Suite 201, Binghamton, NY 13905.

