

**BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BOARD Meeting**

March 22, 2017 • 12:00 p.m. • Broome County Office Building
60 Hawley Street, Executive Conference Room, 6th Floor
Binghamton, New York 13901

SYNOPSIS OF MEETING

PRESENT: T. Kane, W. Howard, R. Bucci, J. Bernardo, L. Pinker, J. Stevens, S. Feehan, D. Marusich, and J. Rounds

ABSENT: None

GUESTS: Kevin McManus, Deputy County Executive
Robert Sweet, National Development Council
Dan Richardson, Local Roofers 203

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

COUNSEL: None

PRESIDING: T. Kane

Mr. Kane called the meeting to order at 12:03 p.m.

ITEM #1. APPROVE MINUTES FOR THE FEBRUARY 15, 2017 BOARD MEETING: Mr. Kane requested approval of the minutes for the February 15, 2017 Board Meeting.

MOTION: Resolution to approve the February 15, 2017 Board Meeting minutes. On a MOTION by Mr. Feehan, seconded by Mr. Bernardo. Mr. Stevens and Ms. Marusich abstained, they were not present at the February Board meeting. The MOTION CARRIED.

ITEM #2. PUBLIC COMMENT: None

MOTION: No motion necessary.

ITEM #3. EXECUTIVE DIRECTOR'S REPORT: Mr. McLaughlin and Ms. Duncan, along with the County Executive, met with Greg Kilmer, Commissioner of Broome County Transportation, to discuss transportation issues in the Corporate Park. Mr. McLaughlin said the Agency will help with these issues in any way they can. The Agency's workforce meetings have been well attended and are moving in the right direction. Public Hearings for Carrier Services Group and 265 Industrial Park Drive took place. There were no issues at either hearing. Mr. McLaughlin did state the Carrier Services Group project will not be discussed at this Board meeting and will now go before the Board at the April meeting. There were some unresolved issues with the assessment that he wanted taken care of before this came back to the Board. Mr. McLaughlin made a presentation to the Broome County Bar Association this morning explaining the Agency and what it does. Mr. McLaughlin attended the REDC meeting. He stated people are getting very

frustrated about the I-District. Mr. McLaughlin said a lot is happening in Johnson City though. Ms. Duncan gave a brief update concerning the Agency's new building. She said construction is moving along nicely and they are still on track for an August completion date. All tenant leases have been finalized and sent. The Center will no longer relocate to the Agency's new building. AM&T will now occupy that space. A brief discussion about the Old Depot building took place.

MOTION: No motion necessary.

ITEM #4. LOAN FUNDS AVAILABILITY AS OF FEBRUARY 28, 2017: Mr. Gray presented the Loan Funds Availability report to the Board. The balances available to lend are \$556,060.86 (STEED) and \$490,445.85 (BDF). Mr. Gray stated he will be closing on T-squared Custom Millwork, Inc. by the end of the week and Sirgany Eyecare, LLC next week. He also said he is currently looking at a few other loan prospects.

MOTION: No motion necessary.

ITEM #5. RESOLUTION TO APPROVE SUSAN PAYNE'S REVISED PROPOSAL CONCERNING A HOUSING STUDY: Mr. McLaughlin stated at the previous Board meeting a discussion of Susan Payne's contract to complete a Housing Analysis was in question. Mr. McLaughlin was under the impression this was something the entire Board felt strongly about. He said it was also discussed at the Agency's Strategic Planning session. Mr. McLaughlin feels this study is very much needed and feels Ms. Payne is more than qualified to take on this task. He said when Housing Studies are completed by developers they are very project specific. The study Ms. Payne will complete will show data for the entire County. Mr. McLaughlin said the Agency did send out an RFP back in December and Ms. Payne was the only one who replied. When first asked to complete the Housing Study Mr. McLaughlin asked Ms. Payne to include the I-Districts. With the uncertainty of funds from the REDC Mr. McLaughlin asked Ms. Payne to remove this part of the study. By doing so it reduced her initial contract from \$16,000 to \$11,500. The Agency's Procurement Policy allows them to move forward without having to request another RFP. Mr. McLaughlin stated the Governance Committee recommends the Board approve Ms. Payne's new Housing Study contract. Ms. Marusich changed her mind in regard to the Housing Study being completed by Ms. Payne. She feels this is a huge task to complete. Ms. Marusich said with Ms. Payne's involvement in the Agency's Workforce study and all the separate committees it will make it impossible for her to complete this study herself. She feels a thorough analysis will not be completed. Mr. Bucci said a lot of different Housing Study information is already out there. He would like to know why the Agency can't just gather that information and draw a conclusion from it. Mr. McLaughlin feels those studies are very self-serving. Ms. Marusich feels this study should be completed by the County Executive's office not the Agency. Mr. Feehan said this Housing Study is extremely important for the future of Broome County. He feels the Agency could use this study as a recruiting tool. Mr. Pinker said

he is glad the cost of the study has gone down and he is not against the study but would like to see the County's data first. Mr. Kane stated the purpose of this study would be to collect the data from everyone ie. developers, municipalities, and the county and have one complete and up to date study. He feels if anyone could accomplish this task it will be the Agency. A lively discussion took place. Everyone on the Board agreed the Housing Study must include a specific and definitive recommendation from Ms. Payne for strategic action.

MOTION: To approve Susan Payne's revised proposal concerning a Housing Study, which must include a specific and definitive recommendation for strategic action. On a MOTION by Mr. Bernardo, seconded by Mr. Stevens, the MOTION CARRIED UNANIMOUSLY.

ITEM #6. RESOLUTION AUTHORIZING A LEASE/LEASEBACK TRANSACTION TO FACILITATE THE ACQUISITION, RENOVATION, EQUIPPING OF A CERTAIN FACILITY FOR 265 INDUSTRIAL PARK DRIVE, LLC (THE "COMPANY"), INCLUDING A PAYMENT IN LIEU OF TAX AGREEMENT DEVIATING FROM THE AGENCY'S UNIFORM TAX EXEMPTION POLICY AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS WITH RESPECT THERETO: Mr. McLaughlin said this would be the same PILOT that was granted to Modern Marketing Concepts. All the same approvals are in place from the municipality. The PILOT agreement is also a condition of the sale that is taking place with the 265 Industrial Park Drive, LLC. Mr. McLaughlin stated the Windsor school district will benefit nicely from this PILOT as well as the municipality.

MOTION: To approve a resolution authorizing a Lease/Leaseback transaction to facilitate the acquisition, construction, equipping of a certain facility for 265 Industrial Park Drive, LLC (The "Company"), including a Payment In Lieu Of Tax Agreement Deviating from The Agency's Uniform Tax Exemption Policy and authorizing the execution and delivery of certain documents with respect thereto. On a MOTION by Ms. Marusich, seconded by Mr. Howard, the MOTION CARRIED UNANIMOUSLY.

ITEM #7. RESOLUTION TO APPROVE 2016 MISSION AND MEASUREMENT REPORT: Mr. Gray informed the Board that the Mission and Measurement Report is a requirement of the Authority Budget Office and an item that must be posted on the agency's website. Mr. Gray stated that the 2016 report is an accurate reflection of what was actually accomplished according to the strategic plan and a good indicator of the goals in 2017. Mr. Gray said the Governance Committee had approved the report and recommended its approval by the full Board.

MOTION: To approve the 2016 Mission and Measurement Report. On a MOTION by Mr. Howard, seconded by Ms. Marusich, the MOTION CARRIED UNANIMOUSLY.

ITEM #8. REVIEW SUMMARY RESULTS OF THE CONFIDENTIAL EVALUATION OF BOARD

PERFORMANCE: Ms. Campon stated that the summary results where the compilation of the Confidential Evaluation of Board Performance that was completed by each board member. The summary results

need to be forwarded to the Authority Budget Office per their regulations. No further action was necessary.

MOTION: No motion necessary.

ITEM #9. RESOLUTION TO APPROVE THE RENEWAL OF THE AGENCY’S CONTRACT WITH NATIONAL DEVELOPMENT COUNCIL:

Mr. McLaughlin said he sent out an RFP for economic development consulting. Bob Sweet from National Development Council was the only one who had responded. Mr. McLaughlin stated Mr. Sweet has been working with the Agency for three years now and has an impressive history with economic development. He feels Mr. Sweet provides the Agency with exceptional advice on different projects and has one of the best training programs in the nation for economic development. Mr. Sweet also participates on the Agency’s Loan Committee. Mr. McLaughlin stated the amount of this contract has been put in the 2017 budget.

MOTION: To approve the renewal of the Agency’s contract with National Development Council. On a MOTION by Mr. Howard, seconded by Ms. Marusich, the MOTION CARRIED UNANIMOUSLY.

ITEM #10. EXECUTIVE SESSION: TO DISCUSS THE PROPOSED ACQUISITION AND SALE OF REAL PROPERTY FOR THE BCIDA:

MOTION: To convene to Executive Session at 1:05 p.m. On a MOTION by Mr. Rounds seconded by Mr. Bucci, the MOTION CARRIED UNANIMOUSLY.

ITEM #11. RECONVENE TO PUBLIC SESSION:

MOTION: To reconvene back to public session at 1:39 p.m. On a MOTION by Mr. Stevens, seconded by Mr. Howard, the MOTION CARRIED UNANIMOUSLY.

ITEM #12. RESOLUTION AUTHORIZING THE SALE OF 121 AND 265 INDUSTRIAL PARK DRIVE IN THE TOWN OF KIRKWOOD, COUNTY OF BROOME AND STATE OF NEW YORK, TO 265 INDUSTRIAL PARK DRIVE, LLC PURSUANT TO THE TERMS OF THE ATTACHED REAL ESTATE AGREEMENT OF SALE AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS AS MAY BE NECESSARY TO EFFECT SUCH SALE:

Mr. McLaughlin stated that due to the maintenance items that were never completed by L-3 and because the Agency had already collected those funds, the potential buyers of the former Link Building, 265 Industrial Park Drive, LLC, are requesting that the Agency reduce the payment price of the building and the land from 3.7 million to 3.5 million. 265 Industrial Park Drive, LLC would like the \$200,000 of funds to be reduced from the down payment which is \$370,000. Mr. McLaughlin said he recommends this request be granted by the Board. Mr. Bucci said he supports the reduction of the building but cannot support the reduction be reduced from the down payment. Mr. Rounds said he agrees with Mr. Bucci. A brief discussion took place.

MOTION: To approve a resolution authorizing the sale of 121 and 265 Industrial Park Drive in the Town of Kirkwood, County of Broome and State of New York, to 265 Industrial Park Drive, LLC pursuant to the

terms of the attached Real Estate Agreement of Sale and authorizing the execution of all documents as may be necessary to effect such sale. On a MOTION by Mr. Stevens, seconded by Mr. Bernardo, the MOTION CARRIED 6 to 2. Mr. Rounds and Mr. Bucci opposed, Mr. Feehan abstained.

ITEM #13. ADJOURNMENT: Mr. Kane requested a motion for adjournment.

MOTION: To adjourn the meeting. On a MOTION by Mr. Bernardo, seconded by Mr. Howard, the MOTION CARRIED UNANIMOUSLY, and the meeting was adjourned at 1:40 p.m.

The next meeting of the BCIDA Board of Directors is scheduled for Wednesday, April 19, 2017 at 12:00 p.m. at the Broome County Public Library, 185 Court Street, Binghamton, NY.