

**BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BOARD MEETING
185 Court Street
Binghamton, New York 13901
Wednesday, May 18, 2016, 12:00 pm**

SYNOPSIS OF MEETING

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

ABSENT: None

GUESTS: Jim Baumgartner, Broome County Resident
Greg Deemie, Johnson City Mayor
John Solak, City of Binghamton Resident
Tom Spicer, IBEW 325
Michael Duke, Johnson City Resident
Thomas Sheredy, Johnson City Resident
Larry Regan, Regan Development
Daniel Reynolds, Legislator Chairman

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

COUNSEL: J. Meagher

PRESIDING: T. Kane

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

ITEM #1. APPROVE MINUTES FOR THE April 20, 2016 BOARD MEETING: Mr. Kane requested approval of the minutes for the April 20, 2016 Board Meeting.

MOTION: Resolution to approve the April 20, 2016 Board Meeting minutes. On a MOTION by Mr. Howard, seconded by Ms. Marusich the MOTION CARRIED.

ITEM #2. PUBLIC COMMENT: Mr. Solak feels the lenders are in charge of the Agency. He said the Agency is nothing more than a risk mitigation department. Mr. Solak said when the Century Sunrise project was announced it was portrayed as part of the BU Pharmacy School. Now it is affordable housing. He feels the developer, who is from out of town, should not have been able to receive grant and free money towards this project. Mr. Solak asked "could it have been possible that this money be used on local businesses instead". He feels this project will not turn Johnson City around. Mr. Solak questioned the lease/leaseback. He stated it is normally a sale/leaseback. He feels this developer should take a chance with his own money. Next to speak is Mr. Baumgartner. He said he grew up in Johnson

City and 50 years ago he remembers playing as a child in the abandoned EJ buildings. They were an eyesore then like they are now. He said there has not been a local developer that wanted to take on these blighted buildings, so he is very happy and excited that someone is willing to do so now. Mr. Baumgartner is in full support of the Century Sunrise Redevelopment project. Mr. Sheredy, a Johnson City Resident, stated to the Board he and his wife invested in a business in Johnson City. He is in full support of Century Sunrise but would like to have the income levels explained in more detail. Mr. McLaughlin assured him Mr. Regan would explain more when he gave his presentation. Last to speak was Johnson City Mayor, Greg Deemie. He is well aware the Century Sunrise Redevelopment project will not revitalize the entire village of JC, but he feels it is a great starting point. He said Mr. Regan has brought forward a great plan and idea for the EJ buildings. Mayor Deemie stated Binghamton University is also investing in the village with the Pharmacy School. He understands some of Wilson Hospital's buildings are in need of repair but they are taking the appropriate steps necessary to fix the issues. Mayor Deemie also said those buildings are owned by a private entity, they are not the responsibility of the village.

MOTION: No motion necessary.

ITEM #3. EXECUTIVE DIRECTOR'S REPORT: Mr. McLaughlin said The Agency recently held their 3rd annual community breakfast. He felt it was well attended and wanted to thank the Board of Directors for coming. Mr. McLaughlin was invited to attend a meeting with Harvey Stenger in Endicott. This meeting was to discuss plans for the URI and how it was going to move forward. Mr. McLaughlin and Ms. Duncan have been working with the Greater Binghamton Fund. They are hopeful to have feedback from the municipalities shortly to pass along to the Regional Council. Mr. McLaughlin stated he attended the Regional Economic Development meeting. He said the URI is progressing. Mr. McLaughlin said he and Mr. Kane will serve on the committee that will review all the URI applications. He was chosen as Chairman of this committee. Mr. McLaughlin said a Public Hearing was held for the Century Sunrise Redevelopment project. He felt the hearing turned into a questions and answer session. There were positive responses from most who attended. Mr. McLaughlin, Mr. Gray and Ms. Duncan will attend the Economic Development Conference in Cooperstown, NY next week. Mr. McLaughlin has been nominated to be on the Board of Directors and this will be confirmed at the conference. Mr. Kane stated round 6 of the CFA process has begun. It was opened the first week of May, applications need to be received no later than July 29, 2016, with a decision by the state in the fall. The formula has been changed a bit. He said five regions will receive \$5 million dollars in capital and five regions will receive \$10 million dollars in capital. Mr. McLaughlin said the Governor has put into place another competition. It is for downtown revitalization. A brief discussion amongst the Board in regard to the new downtown revitalization competition took place.

MOTION: No motion necessary.

ITEM #4. THE AGENCY'S ONE-STOP FACILITY UPDATE: Ms. Duncan said during the Agency's community breakfast the new One-Stop Facility was revealed. She has been working closely with DASNY on the completion of the required paperwork for the grant distribution. There are two components for the required paperwork. The first is the execution of the lease, which has been completed with Broome County and SUNY Broome. The second is going through the state environmental quality review process. This has been completed as well. The Agency has been working with the county as lead agency, DASNY and the Town of Dickson. Ms. Duncan said tomorrow the Legislators will hold their regular monthly meeting and they will take up a resolution for a negative declaration. This will demonstrate there is no significant environmental impact. Once this is complete all paperwork will be sent to DASNY. Ms. Duncan stated interim financing has been completed through NBT Bank. She said the Agency has been working closely with Delta Engineers and Fahs Construction on the vision of the building and making it fit into the budget. Ms. Duncan said tentatively Fahs could be ready for groundbreaking mid-June. She stated she would like to hold an event for the groundbreaking with the partners of the One-Stop Facility. Mr. Kane asked Ms. Duncan if she will be reporting on the One-Stop Facility monthly. She stated she most certainly could. Mr. Kane asked Ms. Duncan if she could report monthly on SUNY Broome's project at the Library in downtown since it pertains to the One-Stop. Mr. Kane would like to make sure it is moving along.

MOTION: No motion necessary.

ITEM #5. BR&E PROGRAM UPDATE: Ms. Duncan stated the BR&E program is still a work in progress in many ways. She said the Agency is working to formalize a program and create outreach material. Ms. Duncan explained a promotional piece will air locally that will specifically target small to mid-size businesses. She said this is set to launch in the summer. Ms. Duncan said the staff is working to become better versed in the use of Salesforce, where all interactions with businesses can be logged and tracked.

MOTION: No motion necessary.

ITEM #6. 2015-2016 COMMUNICATIONS AND MARKETING REPORT: Ms. Duncan gave each Board member a report that included marketing and communication material from April 2015 to April 2016 for the Agency. A brief discussion took place.

MOTION: No motion necessary.

ITEM #7. LOAN FUNDS AVAILABILITY AS OF APRIL 30, 2016: Mr. Gray presented the Loan Funds Availability report to the Board. The balances available to lend are \$431,530.30 (STEED) and \$195,440.81 (BDF). No comment was made.

MOTION: No motion necessary.

ITEM #8. RESOLUTION AUTHORIZING A LEASE/LEASE BACK TRANSACTION TO FACILITATE THE

RENOVATION AND EQUIPPING OF A CERTAIN AFFORDABLE HOUSING APARTMENT COMPLEX PROJECT FOR CENTURY SUNRISE REDEVELOPMENT LLC INCLUDING A PAYMENT IN LIEU OF PILOT AGREEMENT DEVIATING FROM THE AGENCY'S UNIFORM TAX EXEMPTION POLICY AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS WITH RESPECT THERETO:

Mr. McLaughlin explained the steps of the project and why a 30 year PILOT was necessary. He then asked Mr. Regan to come before the Board and make his presentation. Mr. Regan described in full detail his intentions for the Century Sunrise Redevelopment project. A thorough discussion between Mr. Regan and the Board took place. Ms. Marusich stated she opposes a 30 year PILOT and could not support this project. She feels there will not be enough job growth and does not want to continue with the tax exemptions and tax delays in Johnson City. Ms. Marusich also said putting a low to middle income housing project next to a state of the art Binghamton University building is not the right footprint for Johnson City. Mr. Bucci stated that he cannot support a 30 year PILOT. He said this would set a precedence for any other developer who wanted to build a housing development. Mr. Kane stated 30 year PILOTS have been approved for several years. He feels each project is evaluated on a case by case basis. Mr. Feehan, Mr. McLaughlin and Mr. Regan discussed the rents and the sales tax abatement. Mr. Rounds wanted to make sure Mr. Regan was fully committed to the local labor policy the Agency has in place. Mr. Regan assured the Board he was 100% committed to using local labor.

MOTION: To Authorizing A Lease/Lease Back Transaction To Facilitate The Renovation And Equipping Of A Certain Affordable Housing Apartment Complex Project For Century Sunrise Redevelopment LLC Including A Payment In Lieu Of Pilot 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 Mr. Howard, seconded by Mr. Stevens, the MOTION CARRIED. Ms. Marusich and Mr. Bucci opposed.

ITEM #9. RESOLUTION ACCEPTING AN APPLICATION FROM PACEMAKER STEEL AND PIPING COMPANY, INC. FOR A SALE/LEASEBACK OR A LEASE/LEASEBACK TRANSACTION TO FACILITATE THE FINANCING OF THE PURCHASE AND RENOVATION OF 172 BROAD AVENUE, BINGHAMTON, BROOME COUNTY, NEW YORK AND AUTHORIZING THE AGENCY TO SET AND CONDUCT A PUBLIC HEARING WITH RESPECT THERETO:

Mr. McLaughlin stated Pacemaker Steel and Piping Company, Inc. manufactures and distributes steel, aluminum, pipes, valves and fittings to fabricators, manufactures and mechanical contractors. It has served the Southern Tier customers from its facility at 2 North Floral Ave, Binghamton, for 48 years, and is in need of additional space to expand operations. Pacemaker Steel would like to purchase 172 Broad Avenue, in the City of Binghamton. Mr. McLaughlin said they are requesting a standard 10 year PILOT in their application, but this resolution is only for the acceptance of their application and to set a public hearing. There was some confusion surrounding the actual building

Pacemaker Steel wanted to buy. Ms. Duncan and Mr. Gray said they would clarify with Pacemaker Steel and report back to the Board.

MOTION: To approve a Resolution Accepting an Application from Pacemaker Steel and Piping Company, Inc. for a Sale/Leaseback or a Lease/Leaseback Transaction to Facilitate the Financing of the Purchase and Renovation of 172 Broad Avenue, Binghamton, Broome County, New York and Authorizing the Agency to Set and Conduct a Public Hearing with Respect Thereto. On a MOTION by Mr. Stevens, seconded by Mr. Feehan, 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 1:20 p.m. On a MOTION by Ms. Marusich, seconded by Mr. Stevens, the MOTION CARRIED UNANIMOUSLY.

ITEM #11. RECONVENE TO PUBLIC SESSION:

MOTION: To reconvene back to public session at 1:43 p.m. On a MOTION by Mr. Stevens, seconded by Mr. Howard, the MOTION CARRIED UNANIMOUSLY.

ITEM #12. ADJOURNMENT: Mr. Kane requested a motion for adjournment.

MOTION: To adjourn the meeting. On a MOTION by Mr. Howard, seconded by Mr. Stevens, the MOTION CARRIED UNANIMOUSLY, and the meeting was adjourned at 1:45 p.m.

The next meeting of the BCIDA Board of Directors is scheduled for Wednesday June 15, 2016 at 12:00 p.m. at the Broome County Public Library, 185 Court Street, Binghamton, NY.