

**BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY
GOVERNANCE COMMITTEE
July 17, 2019 – 11:30 AM
The Agency Conference Room, 2nd Floor
FIVE South College Drive, Suite 201
Binghamton, NY 13905**

PRESENT: R. Bucci, C. Sacco, B. Rose, J. Bernardo, J. Stevens, D. Crocker and J. Mirabito

GUESTS: Jeff Platsky, Press & Sun-Bulletin
Justin Marchuska, Marchuska Brothers
Joe Moody, Town of Union
Cynthia Totalis, Endicott, NY
John Solak, Binghamton, NY
Mayor John Bertoni, Endicott, NY
Matthew Paulus, Paulus Development

ABSENT: J. Peduto

STAFF: S. Duncan, T. Gray, N. Abbadessa, C. Hornbeck, T. Ryan and K. Wu

PRESIDING: R. Bucci

AGENDA ITEM 1: Chairman Bucci called the meeting to order at 11:35 a.m.

AGENDA ITEM 2: Accept the June 19, 2019 Governance Committee meeting minutes: Chairman Bucci stated minutes were sent to the Governance Committee and Board; there were no additions, nor deletions to the minutes. Chairman Bucci continued seeing no revisions, the minutes stand, as written.

MOTION: No motion necessary.

AGENDA ITEM 3: Public Comment: Chairman Bucci asked if there were any public comments. Mr. Solak, Binghamton, NY, addressed the Board, regarding:

Character Component of Applicants

50 Front Street

Gorick – River Run

Newman Development

Labor Policy

Chairman Bucci asked if there were other public comments; hearing none, Chairman Bucci closed the Public Comment section of the meeting.

AGENDA ITEM 4: Review/Discussion/Recommendation of a Resolution Authorizing a Lease/Leaseback Transaction to Facilitate the Acquisition, Construction and Equipping of Two Buildings to be used as an Office, Commercial and Mixed Warehouse/Retail Project, Appointing 1435-1439 Marchuska, 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, as well as a Sales and Use Tax Exemption in an Amount not to Exceed \$157,120.00, and Authorizing the Execution and Delivery of Certain Documents with Respect Thereto: Ms. Duncan stated the request before the Governance Committee is for a recommendation to take this item to the full Board for approval of benefits. Ms. Duncan continued that the reason for the revision on this resolution is a new requirement of the Authority Budget Office (ABO); The Agency must note the dollar amount in any PILOT application or Sales Tax Exemption request; it is nothing more than an administrative requirement relative to new compliance regulations. This project consists of the construction of two buildings at 1405 Main Street, in the Village of Endicott; one to be used as the offices of Marchuska Brothers Construction and the other to be used for Marchuska Brother's wholesale and commercial glass business. Marchuska, LLC is requesting a deviated PILOT. In May, the Board opted not to move the initial application forward. Upon further review by Mr. Bernardo, Ms. Duncan, the developer and members of the Village and Town assessing units, a revised PILOT schedule was brought before this Board in June, which was accepted. On July 9th, the revised PILOT schedule was approved by the Village Board by a vote of 3 to 2. It is The Agency's standard policy to consider a project, if it is the desire of a municipality to move a project forward. Ms. Duncan advised that Mr. Justin Marchuska is present, should the Board have any specific questions on the project. Ms. Sacco stated the Board received the transcripts of the public hearing, which she had an opportunity to review. Ms. Duncan continued the public hearing was held on July 15th. Chairman Bucci asked if there were any questions or discussion. A member of the public, Ms. Totalis, asked for permission to comment; Chairman Bucci replied that there would be an opportunity to comment on this or any other topics, during the Public Comment section at the regular Board meeting, following the Governance Committee meeting.

MOTION: Ms. Sacco moved the Motion to Recommend the Resolution to the Board for approval, seconded by Mr. Rose; the MOTION CARRIED.

AGENDA ITEM 5: Review/Discussion/Recommendation of a Resolution Authorizing The Agency to Declare its Intent to Act as Lead Agency in the Environmental Review for the Redevelopment Plan of the Former BAE Systems Site at 600 Main Street, Village of Johnson City, Town of Union, Broome County, New York: Ms. Duncan stated that this is a continuation of The Agency's efforts involving the redevelopment of 600 Main Street, the former BAE site. The Agency has been working with the Department of Defense on a grant to develop a redevelopment strategy; part of that strategy would be to enable The Agency to take Lead Agency status on the State Environmental Quality Review (SEQR). Ms. Duncan stated that the Department of Defense approved additional funds to The Agency to carry this project to fruition. Chairman Bucci asked if there were any questions; hearing none, requested a motion.

MOTION: Motion to move the Recommendation to the full Board for Approval. On a MOTION by Mr. Rose; seconded by Ms. Sacco, the MOTION CARRIED.

AGENDA ITEM 6: Review/Discussion/Recommendation of a Resolution Approving an Extension of the Sales and Use Tax Exemption Letter of Freewheelin AnSCO, LLC from June 15, 2019 Through and Including December 31, 2019: Ms. Duncan stated this is an extension only of the length of the term, not the dollar amount requested. Ms. Duncan stated that Mr. Matthew Paulus reached out to The Agency and requested a six-month extension of time. Ms. Duncan continued that Mr. Paulus is well within the parameters of expenditures requested; this time extension will enable Mr. Paulus to complete the project. Ms. Sacco asked if the dollar amount changed; Ms. Duncan stated the dollar amount will not change from what was authorized initially. Chairman Bucci asked for a motion.

MOTION: Motion to Move the Recommendation to the full Board for Approval. On a MOTION by Ms. Sacco; seconded by Mr. Rose, the MOTION CARRIED.

AGENDA ITEM 7: Review/Discussion/Recommendation of a Resolution Authorizing The Executive Director, on Behalf of The Agency, to Enter into an Economic Development Services Agreement with the Village of Johnson City (The "Village") to Assist the Village with Economic Development Opportunities and Services as set forth on Exhibit "A" Attached Hereto for a Period

of One Year Running From July 1, 2019 to June 30, 2020 for the sum of \$25,000.00 per Year, Payable in Quarterly Installments of \$6,250.00: Ms. Duncan stated as discussed with the Board last month, this is an administrative partnership agreement with the Village for a term of one year. The Village lost significant staff that handled a number of grants, in-process and on-going. This agreement would enable The Agency to assist their staff in this endeavor, as well as offer a new opportunity to work at the municipal level with the Village. Ms. Duncan stated it is her understanding that the Village will be taking up this matter at their August meeting. Ms. Sacco advised the committee that she must abstain on this matter, due to her relationship with the Village of Johnson City. Chairman Bucci stated the matter will be presented to the full Board.

MOTION: The Governance Committee did not Motion to Move the Recommendation, since there is no quorum.

AGENDA ITEM 8: Review/Discussion/Recommendation of a Revised Resolution Authorizing a Sales and Use Tax Exemption in an Amount not to Exceed \$418,000.00 to Facilitate the Construction and Equipping of the Property and Building Located at 1 North Page Avenue in the Town of Union, Broome County, New York Appointing National Pipe & Plastics, Inc. Agent of The Agency for the Purpose of Constructing and Equipping the Project and Authorizing the Execution and Delivery of a Sales Tax Agreement with Respect Thereto: Ms. Duncan stated this is nothing more than an administrative procedure to comply with ABO requirements. The resolution should note the specific dollar amount requested. Chairman Bucci asked if there were any questions or comments; hearing none, stated he would entertain a motion.

MOTION: Motion to Move the Recommendation to the full Board for Approval. On a MOTION by Ms. Sacco; seconded by Mr. Rose, the MOTION CARRIED.

AGENDA ITEM 9: Executive Session to Discuss the Sale of Land: Ms. Sacco advised the Governance Committee that she must abstain to Agenda Item 10; as such, there is no quorum. Chairman Bucci noted that the item would be taken up in Executive Session at the regular Board meeting.

MOTION: The Governance Committee did not convene to Executive Session, since there is no quorum.

AGENDA ITEM 10: Review/Discussion/Recommendation of a Resolution Authorizing the Executive Director, on Behalf of The Agency, to Enter into an Amendment to the Payment-In-Lieu-Of-Tax Agreement by and Between The Agency and 265 Industrial Park Drive, LLC, as Attached Hereto as Exhibit "A:" Chairman Bucci stated the matter would be presented to the full Board.

MOTION: The Governance Committee did not Motion to Move the Recommendation, since there is no quorum.

AGENDA ITEM 11: Adjournment: Mr. Bucci requested a motion for adjournment.

MOTION: On a MOTION by Ms. Sacco; seconded by Mr. Rose, the MOTION CARRIED. Chairman Bucci adjourned the meeting at 11:47 a.m.

The next meeting of The Agency Governance Committee is to be determined.