

**BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
BOARD MEETING  
FIVE South College Drive; Suite 201, 2nd Floor  
Binghamton, New York 13905  
Wednesday, January 15, 2020, 12:00 pm**

**SYNOPSIS OF MEETING**

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

**ABSENT:** W. Howard

**GUESTS:** Jeff Platsky, Press & Sun Bulletin  
Brian Haynes, Great Eastern Hemp  
Joseph Bertoni, Broome County Legislature

**STAFF:** S. Duncan, T. Gray, N. Abbadessa, C. Hornbeck, B. O'Bryan, T. Ryan and A. Williamson

**COUNSEL:** J. Meagher

**PRESIDING:** J. Bernardo

The meeting was called to order at 12:00 p.m.; it was announced that meetings will be live-streamed, from this point forward.

**ITEM #1. OATH OF OFFICE:** Attorney Meagher administered the Oath of Office to Mr. Bernardo, Mr. Stevens, Mr. Bucci, Mr. Crocker, Mr. Peduto, Ms. Sacco, Mr. Mirabito and Mr. Rose.

**MOTION:** No motion necessary.

**ITEM #2. NOMINATION OF OFFICERS:** Attorney Meagher asked for nominations from the floor for officers. Mr. Stevens nominated and motioned Mr. Bernardo as Chairman; seconded by Mr. Mirabito. All were in favor. Chairman Bernardo nominated and motioned Mr. Howard as Vice Chairman, seconded by Mr. Peduto. All were in favor. Mr. Stevens nominated and motioned Mr. Bucci as Secretary, seconded by Chairman Bernardo. All were in favor. Mr. Bucci nominated and motioned Mr. Stevens as Treasurer, seconded by Mr. Rose. All were in favor. Attorney Meagher asked if there were any other nominations; there were none. Chairman Bernardo stated officers were selected for the coming year.

**MOTION:** The Board approved all nominations unanimously.

**ITEM #3. APPROVE MINUTES FOR THE DECEMBER 18, 2019 BOARD MEETING:** Chairman Bernardo

requested a motion to approve the minutes of December 18, 2019.

**MOTION:** Mr. Stevens motioned to approve, seconded by Mr. Crocker, the MOTION CARRIED UNANIMOUSLY.

**ITEM #4. PUBLIC COMMENT:** No public comment.

**ITEM #5. EXECUTIVE DIRECTOR'S REPORT:**

Ms. Duncan provided updates on the following:

**LEADERSHIP ALLIANCE**

Ms. Duncan thanked Board members who were able to attend the discussion with the Greater Binghamton Chamber of Commerce on January 9<sup>th</sup>. Drafts of the concepts were created to design the alliance between the Agency and Chamber. A productive meeting with both staffs followed. Next steps include a broader community stakeholder discussion.

**2019 REGIONAL ECONOMIC DEVELOPMENT COMMISSION (REDC) AWARDS**

Ms. Duncan stated the Southern Tier region was the top performer for REDC funding, with \$88.9 million and 109 projects awarded throughout the eight-county region. Sam A. Lupo & Sons, Inc. Expansion Manufacturing Facility project was awarded a \$250,000 grant.

A project identified as a priority project is a plan to redevelop 41-43 Court Street in downtown Binghamton, known as the Galaxy Brewing Company. A young developer is interested in making that an entertainment venue.

**ANSCO LOFTS**

Matthew Paulus invited The Agency to participate in the grand opening of Ansko Lofts this afternoon. Ansko Lofts is 100% occupied. The Agency hopes to lure Mr. Paulus into doing more projects in Broome County in the future.

#### **PRE-AUDIT MEETING WITH INSERO**

Ms. Ryan, Mr. Gray and Ms. Duncan completed The Agency's pre-audit meeting with Insero. Insero will be in town next week, Monday, Tuesday and Wednesday, starting the audit process for both the IDA and LDC, with the goal of making the March 31st PARIS reporting deadline. Mr. Stevens asked if he would need to be present for those meetings; Ms. Duncan stated Insero will start going through the files and then have a session with the Treasurer, issuing a preliminary finding.

#### **ECONOMIC DEVELOPMENT COUNCIL CONFERENCE**

Lastly, our annual Economic Development Council conference in Albany will take place January 29th-30th, with somewhat of a focus on Governance and Legislation. Ms. Duncan, Ms. Abbadessa and Mr. O'Bryan will be attending.

**ITEM #4. LOAN ACTIVITY REPORTS AS OF DECEMBER 31, 2019:** The Internal Financial Reports for December were presented to the Board. The balances available to lend are \$320,205.91 (STEED), \$303,356.92 (BDF) and \$101,219.48 (BR + E). Chairman Bernardo asked if there were any questions relative to what is now the draft comparison of the budget for December 31st. Chairman Bernardo then asked if there were any questions relative to The Agency's cash situation and/or loan situation. Hearing none, Chairman Bernardo moved on to New Business.

**MOTION:** No motion necessary.

**ITEM #5. RESOLUTION ACCEPTING AN APPLICATION FROM DAVIDGE HOLDINGS, LLC AND AUTHORIZING A SALES AND USE TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$20,400.00, CONSISTENT WITH THE POLICIES OF THE AGENCY IN CONNECTION WITH THE RENOVATION AND**

**EQUIPPING OF THE PROPERTY AND BUILDING AT 31 FRONT STREET, CITY OF BINGHAMTON, BROOME COUNTY, NY:** Ms. Duncan stated this is an application for The Agency's Sales Tax Exemption program. Davidge Holdings, LLC (Davidge) is also known as Chianis & Anderson Architecture. Davidge purchased 31 Front Street, the former Savearound and Decker Mansion building. Davidge will renovate the space for offices, with anticipated job growth of one or two over time. It is an exciting project for the city to restore the building. The Sales Tax Exemption does not require a public hearing. Chairman Bernardo asked if this came out of Governance; Mr. Bucci stated the Governance Committee did not have a quorum on this particular issue, so it comes to the full Board.

**MOTION:** To Accept an Application from Davidge Holdings, LLC and Authorize a Sales and Use Tax Exemption in an Amount not to Exceed \$20,400.00, Consistent with the Policies of The Agency in Connection with the Renovation and Equipping of the Property and Building at 31 Front Street, City of Binghamton, Broome County, NY. On a MOTION by Mr. Bucci; seconded by Mr. Stevens, the MOTION CARRIED (7 to 1 – Ms. Sacco abstained).

**ITEM #6. RESOLUTION ACCEPTING AN APPLICATION FROM GREAT EASTERN HEMP, LLC, FOR A SALE/LEASEBACK OR A LEASE/LEASEBACK TRANSACTION TO FACILITATE THE FINANCING OF THE ACQUISITION, RENOVATION AND EQUIPPING OF 60 LESTER AVENUE, TOWN OF UNION, BROOME COUNTY, NEW YORK AUTHORIZING THE AGENCY TO SET AND CONDUCT A PUBLIC HEARING WITH RESPECT THERETO, INCLUDING A PAYMENT IN LIEU OF TAX AGREEMENT AND A SALES TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$80,000.00:** Ms. Duncan advised the Board of a revised Project Review Form, Cost Benefit Analysis and PILOT Schedule; a minor error in The Agency's calculations was noticed and corrected. Staff reviewed the documents with the applicant. The project is the acquisition of 60 Lester Avenue in the Village of Johnson City, constructed by Achieve. The property has not collected taxes previously; this project will put the property on the tax rolls. The purpose of the project is to renovate and equip the facility for hemp processing and extraction; a total investment of a little over \$11 million, anticipating net job creation of 40 new jobs over three years. Brian Haynes is here representing Great Eastern Hemp, LLC. The Agency started engaging with Great Eastern Hemp, LLC several years ago regarding their interest in doing a project in Broome County. Great Eastern Hemp, LLC has had conversations with the assessing units of the town and village. This standard PILOT does not require additional municipal approval. Chairman Bernardo asked if there were any questions of Ms. Duncan or Mr. Haynes. Mr. Stevens asked about what kind of jobs would be created, along with the pay range. Mr. Haynes responded a complete list is on the application, including office personnel, chemists and administration. A brief question/answer period followed.

**MOTION:** To Accept an Application from Great Eastern Hemp, LLC for a Sale/Leaseback or a Lease/Leaseback Transaction to Facilitate the Financing of the Acquisition, Renovation and Equipping of the 60 Lester Avenue, Town of Union, Broome County, NY, Including a Payment in Lieu of Tax Agreement and a Sales Tax Exemption in an Amount not to Exceed \$80,000.00. Mr. Bucci stated the MOTION was moved from the Governance Committee to the full Board to approve; seconded by Mr. Stevens. The MOTION CARRIED UNANIMOUSLY.

**ITEM #7. RESOLUTION AUTHORIZING THE AGENCY TO ENTER INTO A REAL ESTATE AGREEMENT OF SALE WITH THE BINGHAMTON LOCAL DEVELOPMENT CORPORATION (THE "BLDC") FOR THE SALE OF 6.2114 +/- ACRES OF LAND LOCATED AT 30 CHARLES STREET, CITY OF BINGHAMTON, BROOME COUNTY, NY FOR AN AMOUNT OF \$30,000.00 PER ACRE, \$20,000.00 PAYABLE AT CLOSING AND THE BALANCE PAYABLE FROM THE PROCEEDS OF SALE OF THE PARCELS BY THE BLDC:** Ms. Duncan stated this is the transfer of the remaining acreage The Agency owns at Charles Street. The contract terms state that the City would provide \$20,000.00 as a down payment on those properties, and as the properties sell, The Agency would get paid on those parcels. This contract mirrors an agreement The Agency already has with the City on 15 acres that were transferred last year. The Agency was working for some time on a potential sale to Savearound; Savearound acknowledged they are no longer interested. The Agency reached out to Mayor David, who expressed much interest in controlling those parcels on Charles Street. Both counsels have reviewed the contracts and are moving forward. Attorney Meagher confirmed the agreement was presented to court counsel. Chairman Bernardo asked if there were questions of Ms. Duncan or Attorney Meagher; hearing none, requested a motion.

**MOTION:** To Authorize The Agency to Enter into a Real Estate Agreement of Sale with the Binghamton Local Development Corporation (The "BLDC") for the Sale of 6.2114 +/- Acres of Land Located at 30 Charles Street, City of Binghamton, Broome County, NY, for an Amount of \$30,000.00 per Acre, \$20,000.00 Payable at Closing and the Balance from the Proceeds of the Sale of the Parcels by the BLDC. Mr. Bucci stated the matter comes from the Governance Committee as a MOTION to approve; seconded by Mr. Peduto. The MOTION CARRIED UNANIMOUSLY.

**ITEM #8: RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR, ON BEHALF OF THE AGENCY, TO ENTER INTO AN AGREEMENT WITH HUE FOR DIGITAL ACCOUNT SERVICES RUNNING FROM MARCH 1, 2020 THROUGH, AND INCLUDING FEBRUARY 28, 2021, IN THE FORM ATTACHED HERETO, AS EXHIBIT "A:"** Ms. Abbadessa stated The Agency has worked with Hue for about six years; Hue is responsible for The Agency brand and updated website. Hue was also instrumental in The Agency's Good Life Program and

the branding of the BR+E Program. Hue provides all the creative work and website maintenance. The contract amount has not changed; will stay the same as 2019.

**MOTION:** To Authorize the Executive Director, on Behalf of The Agency, to Enter into an Agreement with Hue for Digital Account Services Running from March 1, 2020, Through and Including February 28, 2021, in the form Attached Hereto as Exhibit "A." Mr. Bucci stated the matter comes from the Governance Committee as a MOTION to approve; seconded by Mr. Crocker. The MOTION CARRIED UNANIMOUSLY.

**ITEM #9: RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR, ON BEHALF OF THE AGENCY, TO ENTER INTO AN AGREEMENT WITH FRESHYSITES, LLC, FOR SOCIAL MEDIA AND MARKETING TO RUN FROM FEBRUARY 1, 2020 THROUGH AND INCLUDING JANUARY 31, 2021, IN THE FORM ATTACHED HERETO AS EXHIBIT "A:"** Ms. Abbadessa stated The Agency worked with Freshy Sites., LLC (Freshy) for the past two years. Freshy is responsible for the content of the Good Life website and media along with the Good Life Made in Broome stories. The Agency has lessened the monthly retainer quite significantly and Freshy's scope of work. Freshy will be responsible for the website maintenance and all of the social media content. The Agency will move all the Good Life and Made in Broome stories in-house. Ms. Abbadessa asked for questions. Chairman Bernardo stated the only question he would raise is does The Agency have the capacity timewise; to which Ms. Abbadessa confirmed. Chairman Bernardo asked if there are any other questions for Ms. Abbadessa; hearing none asked for a motion.

**MOTION:** To Authorize the Executive Director, on Behalf of The Agency, to Enter into an Agreement with Freshysites, LLC for Social Media and Marketing Services, to run from February 1, 2020, Through and Including January 31, 2021, in the Form Attached Hereto as Exhibit "A." Mr. Bucci stated the matter comes from the Governance Committee as a MOTION to approve; seconded by Mr. Mirabito. The MOTION CARRIED UNANIMOUSLY.

**ITEM #10: EXECUTIVE SESSION: DISCUSSION OF REAL PROPERTY**

**MOTION:** To Convene to Executive Session at 12:18 p.m. On a MOTION by Mr. Bucci, seconded by Mr. Stevens, the MOTION CARRIED UNANIMOUSLY.

**ITEM #11: RECONVENE FROM EXECUTIVE SESSION.**

**MOTION:** To Reconvene back to Public Session at 12:31 p.m. On a MOTION by Mr. Stevens, seconded by Mr. Peduto, the MOTION CARRIED UNANIMOUSLY.

**ITEM #12: RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A FOREBEARANCE AGREEMENT WITH 265 INDUSTRIAL PARK DRIVE, LLC, IN THE FORM ATTACHED HERETO AS EXHIBIT "A:"**

Chairman Bernardo asked Attorney Meagher for language to move the Motion for Forbearance Agreement for 265 Industrial Park.

**MOTION:** Attorney Meagher stated, To Approve and Authorize the Forbearance Agreement Subject to Such Minor Changes as Counsel Deems in the Best Interest of The Agency. On a MOTION by Mr. Mirabito; seconded by Mr. Stevens, the MOTION carried (7 to 1 – Mr. Bucci opposed).

**ITEM #13: ADJOURNMENT:** Chairman Bernardo requested a motion to adjourn.

**MOTION:** On a MOTION by Mr. Stevens, seconded by Mr. Crocker, the MOTION CARRIED UNANIMOUSLY, and the meeting was adjourned at 12:34 p.m.

The next meeting of The Agency Board of Directors is scheduled for Wednesday, February 19, 2020 at 12:00 p.m. at FIVE South College Drive, Suite 201, Binghamton, NY 13905.