

BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY

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IDA Board Meeting Transcript

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Held telephonically, February 17, 2021, commencing at  
12:00 p.m. Adjourned at 1:15 p.m.

[See attendees at end of Transcript.]

REPORTED BY:

Carrie Hornbeck, Executive Assistant

Broome County Industrial Development Agency

Chairman Bernardo: I'd like to call to order the meeting of the Broome County Industrial Development Agency of February 17th, 2021. And I trust everyone has reviewed, or seen and reviewed the transcript of our meeting of January 20th, 2021. Assuming there are no concerns with that, I'd like a motion to receive or accept those -- that transcript.

Mr. Crocker: I read the transcript. I'll make the motion.

Chairman Bernardo: Thank you, Dan. Is there a second?

Mr. Mirabito: Second, Joe.

Chairman Bernardo: Thank you, Joe. All those in favor, say aye.

Unknown: [Aye -- in unison.]

Chairman Bernardo: Any opposed? Okay, transcript is accepted.

At this time, we welcome Public Comment from anybody wishing to speak about matters concerning the IDA. I would ask if you wish to speak, to state your name and address for the record, and note that we have a five-minute limit on comments. So, if anybody would like to speak, please say so now.

Mr. Williams: Hello, Ian Williams.

Chairman Bernardo: Hi, Ian.

Mr. Williams: Hi. Good afternoon, everyone. My name is Ian Williams. I'm with the Local 277 Carpenters Union, here in town. I missed the Planning Board meeting for the Hearing for the project for the Victory Building. I just wanted to address a couple of things on that. I have an actual documented report that we did on a project involving Matthew Paulus and the ANSCO Camera Factory, which was a good project and turned out very nice. And I'm not going to take shots at anybody. I just wanted to raise some concern about some of the contractors and the subcontractors that were involved on that project, in hopes that it's not going to be a reoccurring issue with the Victory Building, when that project takes place. So, and I realize that once the construction manager or the GC for the project is confirmed, it's kind of out of Matthew Paulus's hands, and he's probably not aware of everything that goes on the project. He's not visiting it regularly. So, the main issue was the GC that was selected for the ANSCO Factory Project, was a contractor called Hueber-Breuer, out of Syracuse. They used a subcontractor called GIS Fox, also from the Syracuse area. GIS Fox

is notorious for misclassifying their workers and wage theft, and have actually been convicted and had to pay back over \$300,000.00 in lost wages to workers at one time. On this project, in this particular scenario, myself and some other reps did interview some of the workers for a subcontractor under GIS Fox, called Vegas Drywall. The workers were coming up from Virginia. They were all Spanish-speaking, so there were some language barriers. I had a representative who was bilingual, interview the workers. Majority of them were getting cash, paid under the table through a labor broker, Tony Vegas, who was the owner of the company. And what happens is -- to the workers [sic] were getting paid cash, because obviously, didn't have the correct documentation to be processed through any kind of payroll. So, in exchange for getting them the work and providing them with the work, the workers would actually give a three dollar an hour kickback to the labor broker that they were working for. So, there's no work comp involved, there's no unemployment, the proper insurances are not in place, the workers are losing wages and having to pay back portions of their wages actually, to the subcontractor for getting the work. So, a lot of illegal dealings

going on. It was -- last I knew it was still being investigated. There were multiple projects across the state, involving the same contractors, including the new nursing school, the LECOM project that was in Elmira, and multiple projects, in Syracuse. And the connection was all the same and went from Hueber-Breuer to GIS Fox and then to Vegas Drywall, with the bad subs. So, outside of the local labor policy entirely, along -- adding on top of that, a lot of illegal dealings. So, I guess what I'm asking for is, just for this project to be monitored a little bit better, and hopefully Mr. Paulus will -- that the contractors that he is going to work with a little bit better, so that these things don't continue to happen in our area.

Chairman Bernardo: Thank you, Ian.

Appreciate your comments. Would anybody else like to speak at this Public Comment session?

Mr. Solak: John Solak, would.

Chairman Bernardo: Hi, John.

Mr. Solak: How you doing?

Chairman Bernardo: Very well, thank you.

Mr. Solak: Well, there you have it. There you have it, as far as Matt Paulus. You need to turn

this project down, 100 percent. That's the secret sauce. What he described -- prior speaker described as the secret sauce, of Matt Paulus. It's a shame. Now, I spoke at the Public Hearing on Monday and was interrupted. And I'm fully aware of Public Hearings and Public Comments, and all that. I filed a Freedom of Information request with Stacey and she sent back a brochure that I have about public meetings in New York State. I was interrupted by Stacey. Joe, the hearing officer, gave the parameters of the Public Hearing, and it has been the policy of The Agency, I don't know, for decades, to allow no limitation in the time for Public Hearings. All of a sudden, I'm four minutes in, and Stacey interrupts. And, Joe, to his credit, said, well, he didn't announce a time limitation, and Stacey said we talked about it. So, I requested -- what I requested is the documentation, Board votes that would -- that allowed this to happen -- or was it just done on the fly, by Stacey? That's not a legitimate Public Hearing. I mean, I wasn't -- the time constraints, doesn't concern me. But the fact of the matter is, I was at a school district that reduced Public Comments, but they did it with a Board vote. So, how did this transpire? Who engineered it?

Whose okay, was given on it? And why didn't Joe simply just say that there's now a five-minute limitation? You can't keep slapping people in the face -- and that's what this is -- and pretend that people are dumb. So, I would suspect that unless Board action is taken, that the Executive Director exceeded her authority, because she wasn't the Hearing Officer. She was there in an Executive Director capacity and just put her will in, at the last minute, and since she has no documentation of who she talked to, or a vote of Board approval on it, I think it's absolutely outlandish. But that's the way this Agency operates. On the payments in lieu of taxes -- flipping, flipping. They're not selling a building; they're selling a tax schedule. And everybody knows it. And to me, why you don't start from scratch, when a building is flipped -- particularly buildings that are in the tens of millions of dollar range, is beyond me. This is not something where the payment in lieu of taxes is ready to expire in one, or two, or three years. So, the original sale to Newman Development when it was in the trade papers, said that Newman would continue to manage it. Now, it comes over to your desk and Newman is out. The phrase jumpstart is

often used -- well, the jumpstart -- the payment in lieu of taxes that allowed the jumpstart -- the jumpstart has been made. This is a fully-functional building. There's no reason for these payment in lieu of taxes to continue. It's a special favor that results in tremendous capital gains to people and for you to pretend anything otherwise is, nonsensical. So that's another scam. So that's about it. Thank you.

Chairman Bernardo: Thank you, John. Would anybody else like to speak during this Public Comment period?

Mr. Williams: [Inaudible.]

Mayor Deemie: Yes, I. . .

Mr. Williams: Go ahead, I'm sorry.

Mayor Deemie: Go ahead, Ian.

Mr. Williams: I'm unmuted right? [Laughs.]

So, I just want to say that we're totally for the project. This building -- I can see it right from my office window. It's a huge eyesore. It's been there -- it's just decomposing, sitting there. So, we -- we're totally on board with it, and we'd love to do the work on the project. But outside of it being a union/non-union issue, it [would] just be nice if we did a little bit better job policing the local labor



policy and take care of it that way. And I guess that's pretty much it, in a nutshell, from me.

Chairman Bernardo: Thank you.

Mr. Williams: Yes, sir.

Mr. Bucci: John. John, this is Rich.

Chairman Bernardo: Yes.

Mr. Bucci: I have a question for Ian, if I might -- if I may.

Mr. Williams: Sure.

Mr. Bucci: Ian, when you said that workers come up from Virginia, and don't have the appropriate documentation, are they in the country illegally? Are those illegal workers?

Mr. Williams: Yeah, I -- you could perceive it as that way. So, they don't have documentation, no driver's licenses, anything like that, that would allow them -- or, not even citizenship -- that would allow them to be processed through payroll, or be taxed, I guess -- where -- so, there's no -- they don't live here -- there's no property taxes, they don't pay school taxes, they're not from our local area, they don't do anything to stimulate the local economy, and really, it's not the worker's fault. They're just, they're trying to establish themselves

and provide for their families, but they're being taken advantage of in that sense, very much so, because like I talked about with the labor broker deal, they're giving a portion of their wages back to him for providing them with the work. So yes, they are illegally, undocumented -- however you want to put it. I try to say it in the most sensitive way, and be politically correct about it. But yeah.

Mr. Bucci: No, the reason I bring it up is because that is going to be a growing concern. And that's one of the issues that are raised about just having -- not to get too far afield here -- but having a coordinated legal immigration system, because when you have individuals entering the country illegally, they're taking advantage of, it impacts the workforce, and, to your point about being sensitive, my grandparents were born in Italy, my mother was born in Italy, so I have no problem with immigration. I'm the son and grandson of Italian immigrants. But, we all -- they came legally. And there's a reason for that. So, you just highlight a concern that I had sensed, is that illegal immigration undercuts the workforce, and we see it even here in the Southern Tier sometimes.

Mr. Williams: Yes, and it's becoming more and more frequent, especially with these -- the contractors that I specified, are -- GIS Fox is probably one of the worst. They hire a lot of subcontractors through labor brokers from outside of the area. They come in; they do the work. And again, it's a -- it's kind of coming down the line, because the developer's gotten a PILOT through the IDA, their tax incentives, there's a local labor policy in place, and they're basically abusing and taking advantage of the system.

Mr. Bucci: Okay, thank you.

Mr. Williams: Yes. Yep. Unfortunately, on the backside of it, the workers are the ones that are paying for it.

Chairman Bernardo: Thank you. Would anybody else like to speak at this Public Comment session?

Mr. Cornwell: John, I will.

Mayor Deemie: Yeah, I . . .

Chairman Bernardo: Who was that?

Mayor Deemie: Go ahead.

Mr. Cornwell: Steve Cornwell.

Chairman Bernardo: Steve, you're always welcome to speak. Go ahead.

Mr. Cornwell: Thank you. Ian, I had a question regarding being on job sites. Have you seen any activity from Department of Labor coming on job sites to check on those things and any enforcement that you've seen?

Mr. Williams: Ah, so the past year has been pretty difficult for everybody, and as far as I know, the DOL representatives that I'm familiar with, are for the most part, have been working from home. They have a lot of cases. Normally, we bring stuff like this to their attention. They will go and do a job site visit. In this case, would have to be task force which involves -- there's a labor entity, work comp, unemployment insurance -- they put together a task force, and they send their investigators to the job site to interview the workers. A lot of times, we do have very minimal luck getting their participation or their help, depending on -- really depends on how extreme it is and how much money is involved, it seems like -- how extreme the case is, as far as whether it's a priority to them or not. So, we have had some good luck on some projects where there was an extreme

amount of wage theft going on with undocumented workers. And we've had some success, but not -- I'd say in the past couple of years, we've been struggling. And the pandemic, the virus and everything, is making it very difficult for even us to operate and do our in-person meetings and stuff, like we normally would. So, I imagine [inaudible] . . . as well, is operating the same way.

Mr. Cornwell: So, there is a method to contact DOL and the task force to get them involved normally, but. . .

Mr. Williams: Yes.

Mr. Cornwell: . . . maybe a little bit less, and obviously with some of the in-person to person visits.

Mr. Williams: Right. Yeah, especially. . .

Mr. Cornwell: It's a real concern. I appreciate you bring [sic] it up. I appreciate the concern. It does happen quite often, and it's something that needs to be addressed. Thank you.

Mr. Williams: Yes, sir. Thank you.

Chairman Bernardo: Thank you, both. Any additional comments?

Mayor Deemie: Yeah. Mayor Deemie. The Village Johnson City.

Chairman Bernardo: Hi, Mayor.

Mayor Deemie: Hi, John. Hi, everybody. Again, I understand Mr. Williams' concerns in regards to projects of this size. These kinds of concerns and questions come up with all the large projects. There was [sic] many questions, concerns with the JSTP project, when that came along. There was [sic] questions and concerns with the nursing project, I've had to deal with over the course of that time. I don't know how far your arm reaches in regards to these types of situations as The Agency, but I agree with Mr. Cornwell -- the Department of Labor -- somebody that needs to be involved with this. I'm glad you're behind the project, because we're 100 percent behind the project. It's an eyesore that I can see from my house, as you said you can see from your office. It's had its issues with trying to get projects done. Mr. Paulus has done a wonderful job with the ANSCO factory, and I know he will do a wonderful job with this project, too. Your concerns are concerns that have been going on for years, not just with this project, or any of the projects. These

are concerns I've heard from many different trades, not just carpenters, but plumbers, electrical. And as you know, in Johnson City, we have the -- you have to be a light [sic] plumber or electrician in the village to do the work in the village. So, we've had many concerns with that and we've changed some laws and things to make it a little more trade-friendly too, in the village. So, but I'm glad everybody's pretty much behind this project. In regards to Mr. Solak's comments in regards to Stacey interrupting him. I don't believe it was Stacey. It was, I believe, Natalie had given him the thirty-second [sic] to talk, and then Stacey had jumped in and said, yes, we had a five-minute rule. And yes, Joe did say that he did not bring that up at the beginning of the meeting, but I just wanted to clarify that it was not Stacey that interrupted him. It was Natalie giving him thirty-second clock. And again, as you know, the village did vote unanimously for the 30-year PILOT. We look forward to the project to go into [sic] fruition and, we're totally on board with it. And, hopefully some of your issues either can be taken care of and looked at, and as you said, COVID does make -- things that need to be taken care of and looked at [sic] and it's

ongoing for quite a while. So again, I hope the Board is in favor of this project, and we look forward to moving forward. So again, thank you, everybody.

Chairman Bernardo: Thank you, Mayor. Would anybody else like to speak? Okay, we'll close this Public Comment period and we will move on to the Executive Director's Report. Stacey, please give us some updates.

Ms. Duncan: Sure. Thank you. Good afternoon, everyone. Just a few updates, before we get into our agenda items. Staff is continuing to work on the final phases of our 2020 Audit with the Insero group. My thanks to Theresa for leading this effort, as well to Carrie, Tom and the rest of staff on tracking client compliance. We are near completion and plan to have an Audit and Finance Committee meeting in March and present to the full Board in March to meet our required reporting deadline of March 31. So, we'll be scheduling that for next month. We are beginning -- per several conversations with both The Agency and the Chamber Board of Directors, when we formed the Leadership Alliance, as we're calling it -- one of the goals was the development of an Economic Development Blueprint, if you will, or a long-term



strategy for economic recovery post-COVID, but also a long-term economic development plan. We are in the early stages of crafting this. I've asked Amy Williamson, our Communications Manager, to be lead on aggregating data and content, utilizing and leveraging a lot of existing reports, as well as hosting a number of community forums through the month of March. Goal will be to have a draft to both Boards, by April. Brendan is working closely with Elan Planning and the -- our new rep at the EPA. For those of you that may not recall, in May of, I believe, last year, or maybe it was 2019 -- the time is flying. We received a \$300,000.00 Brownfield Assessment Grant through the EPA. And Brendan did a fantastic job of putting the grant documents together, planning our budget and identifying priority projects in and around Broome County. This grant allows us to do a number of assessments, including Phase I's, Phase II's, Market Feasibility, as well as Redevelopment Strategies. We have submitted a number of properties to the EPA. It's sort of the first phase of getting them all, I guess, okayed, if you will, at a high level, and then we can begin identifying what properties we want to start some assessments with. You may notice the

Village of Endicott identified some priority projects -- the K Mart Plaza, being one. This was one of the projects we've identified for a Phase I and Phase II, so we'll keep you posted on that, as well as others. In addition, we have completed with Elan, our Phase I Site Inventory. Right now, we have about over 200 Greenfield and existing -- Greenfield sites and existing village buildings combined. I have to say and I can send -- we're just kind of weeding through all of those properties, but I can tell you that Elan's done a fantastic job. They are categorized by municipality and also identified and graded by state of readiness for development. This will certainly help us better prepare for development opportunities, as well as funding opportunities. I will send a link to the Board to review those sites, and we'll plan a community presentation with our municipal partners sometime, early spring. Finally, a quick note on our financials. We did have one tenant lease expire. That is NDC, National Development Council -- Bob Sweet. You may know Bob has now taken the position of Regional Director for the Southern Tier for Empire State Development. And as thus, his lease was expiring anyways, and it was not renewed. So, we do

have one -- currently one empty office space. There will be financial impact, month-to-month as we seek to identifying a new tenant for that. And then finally, I would just like to offer some kudos to some of my team: Natalie completed her first credit analysis course with NDC. Brendan is near completion on that, as well. Amy completed a certificate program for grant writing -- an online platform that we were able to take advantage of during quarantine through the University of Notre Dame. So, my thanks to all of them for putting their time into these professional development opportunities. And we'll keep them engaged until we can -- online, until we can do some more traveling. Any questions?

Chairman Bernardo: Stacey, what's the financial impact of the Bob Sweet space?

Ms. Duncan: That's \$7,200.00 annually.

Chairman Bernardo: Thank you.

Mr. Bucci: Stacey. I have a question. You sent out an update on the Conklin Senior Center project that they are not moving -- or community center -- they're not moving forward with it, and they were going to return the Industrial Park land to us.

Ms. Duncan: Yes.

Mr. Bucci: Is that correct?

Ms. Duncan: Yes.

Mr. Bucci: [Inaudible]

Ms. Duncan: I did speak with Supervisor Dumian, and I know the construction budget they were challenged with came in over -- significantly higher than expected, and they did do as much value engineering -- but it got to the point where they have tabled or stopped that project. We did tie -- we did transfer the land in the Corporate Park to the Town for that purpose. And as such, I spoke with Bill and we'll plan to -- we'll have to do a process of deeding that back to us, so we can market that site. But I think it's about six to nine acres in the Corporate Park.

Mr. Bucci: Okay, so they're obviously -- everybody's amenable for that to be transferred . . .

Ms. Duncan: Yep, yeah. Very much so.

Mr. Bucci: Okay. All right. Thank you.

Chairman Bernardo: Any other questions for Stacey relative to her report or the Financial Reports? Thank you, Stacey. Loan Activity Reports. I trust everybody's had a chance to look at those. If

-- Tom, do you care to tell us anything specific we need to know or is it all, quite evident?

Tom, you're muted. You're still muted, Tom.

Mr. Gray: Sorry, about . . .

Chairman Bernardo: There you go. Thank you.

Mr. Gray: Sorry about that.

[Laughs.]

Mr. Gray: I've got nothing, John, to add to the report. As you can see, we're getting down on the loan funds and we'll be reducing it further, assuming that the Board looks favorably on the two loans I'll be presenting later in the agenda.

Chairman Bernardo: Thank you, Tom. Any questions for Tom?

Mr. Mirabito: John, I have a question on Mountain Fresh Dairy, there. I see . . .

Chairman Bernardo: [Inaudible] Joe.

Mr. Mirabito: . . .litigation. So, what -- how long does this drag out? Or what are we litigating, cause [sic] this . . .

Attorney Meagher: This -- Joe, this is Joe, speaking.

Mr. Mirabito: Yep.

Attorney Meagher: We are in the midst of a foreclosure action. We've completed it all the way to the appointment of a referee. We're trying to get the court to agree to schedule a sale. That's where -- we had a complication because one of the guarantors died over this period -- it's a fella down in New Jersey. An estate had to be set-up for him and then that estate had to be substituted in to the action, as a deferment. But we're all the way at the end. The referee has been appointed. So, we aren't there yet, but we're close, and, as I think everybody knows, foreclosures have been on hiatus us since the -- since COVID started. So that's all we're waiting for.

Mr. Mirabito: So that'll be auctioned off at some point, Joe? Is that how it . . . ?

Attorney Meagher: Correct. And we've foreclosed both on our behalf and on behalf of the BLDC, who was the art -- co-lender.

Mr. Mirabito: Co-lender. Okay. Thank you.

Attorney Meagher: Yep.

Chairman Bernardo: Thank you, Joe. Any other questions, relative to the Loan Activity Report?

Okay, moving on to New Business. We have a Resolution Authorizing a Lease/Leaseback Transaction

to Facilitate the Financing of the Acquisition, Renovation and Equipping of 108 Market -- 108, I'm sorry -- Market Rate Apartments and 7,500 +/- Square Feet of Commercial Space, Located at 59 Lester Avenue in the Village Johnson City, Broome County, New York and appointing EJ Victory Building, LLC, the Company, as Agent of The Agency for the Purpose of Financing the Acquisition, Renovation and Equipping of 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 and a Sales Tax Exemption in an Amount not to Exceed \$1,440,000.00, to Provide a Mortgage Tax Exemption in an Amount not to Exceed \$250,000.00 and a Real Property Tax Exemption in an Amount not to Exceed \$2,700,538.00. Stacey.

Ms. Duncan: John. [Inaudible] the Board's consideration today, as was mentioned, is the approval of PILOT benefits, sales tax -- sales and mortgage recording tax exemptions for the adaptive and historic reuse of the former EJ Victory Building at 59 Lester Ave., in the Village of Johnson City. I'd like to make a note that Matthew Paulus, Principal at Paulus Development is here, should the Board have questions

for him, following my quick review of the project.

The EJ Victory Building project includes the renovation and redevelopment of the historic building into 108 market rate apartments upon first phase and approximately 7,500 square feet of commercial space.

The redevelopment of this building connects an important corridor between the emerging Health Sciences Campus to the south and the central business district along Main Street in Johnson City.

Apartments will serve the continued demand, as we're seeing, for modern market rate housing for professionals, potential graduate students and/or faculty associated with either the Pharmacy School or the Decker College of Health Sciences and the planned growth at UHS hospitals. As we do know, previous attempts at redevelopment of this very large building have fallen short, which is why we were especially pleased that Paulus Development has approached this investment of this -- in this property and spent a lot of time on the due diligence of this project. Paulus Development, as you know, completed the ANSCO Lofts in 2019, in the City of Binghamton and is fully-leased with [a] significant waiting list. In addition, Paulus Development's Dietz Lofts in Syracuse has



received awards from the state for Excellence in Redevelopment and Historic Preservation and the firm is currently working on a small adaptive reuse of the Smith Restaurant Supply Store in Syracuse. This is a model that Paulus Development knows well. This project will utilize Historic Tax Credit and Brownfield Tax Credit program, in addition to seeking benefits from The Agency today. Total project cost is approximately \$30 million. It is estimated that the project will create somewhere between 100 and 125 construction jobs on the front-end. And Matthew and I have already had conversations on our local labor policy and adherence and compliance to that, before we even put forth this project -- were to break ground. Paulus Development will create four to five permanent jobs connected with the building. In December of 2020, the Village Board unanimously approved the -- a 30-year PILOT schedule for this project. PILOT schedule, Project Review Form and Cost Benefit Analysis by staff has -- completed by staff has been provided to you in your packets. And I can say personally, and with staff support, we strongly support and encourage support of this project. With

that, we do have Matthew here. I'm happy to take any questions, as well.

Chairman Bernardo: Thank you. I trust that this was discussed in Governance. And, Mayor, before I asked you to give us your shtick here. Would anybody like to raise questions directly with Matthew, who is on this call or Stacey, at this time?

Mr. Crocker: This is Dan. Was Matthew on the line when Ian gave his comments and the discussion afterwards? I didn't see his name up on the screen.

Chairman Bernardo: I believe he was, Dan. But I'm going to let Matthew speak for himself.

Mr. Crocker: Okay.

Mr. Paulus: I didn't catch the first. I'm not sure where it started. I think I understand the request and the concern and I heard the majority of the conversation. You know, for -- from a local labor standpoint, we obviously make the commitment there; we understand the rules. And, a project like the ANSCO Camera Factory -- we've had great local contractors, like Blanding Electrical. They did a fantastic job -- a union local contracting shop -- and I think you said this too -- but there's a there's a nuance to consider with this, right? We enter -- all enter into a

contract with a construction manager to perform the tasks of the redevelopment, and the responsibilities of subcontractor generally fall with the construction manager. So, I understand your concern, and we'll work -- listen, I -- we haven't had chance to meet, so I'd be happy to speak with you in more detail about this, to ensure that you have an opportunity to do this. I know we've -- we provide all the opportunities, as required, for the Local Labor Agreement, to give everyone a chance to bid on this. This is a unique project. It's a historic preservation project. But we'd be happy to address those concerns. We will be abiding by the local labor requirements. And, if there's things that -- on the ownership side that I need to do better, then I'm happy to do that. We'll do that. I mean, this is a big project, and I guess I would go on to say this -- and this is -- I believe this and anything we've done -- the projects we do are not successful, unless the community wins, and we can put together something that also is successful. So, I holistically look at this as an inclusive project for this community. I am from upstate, I know I'm from Syracuse, and not from the Broome County area, but I -- everyone here has treated

me very fairly. I do consider this place very important and special to me. I want to make sure that the local community feels like this project is benefiting them and we'll prioritize that. So, I'd be happy to speak further with you about that Ian and make sure that you feel that we're meeting those requirements, and we're giving everyone opportunity.

Chairman Bernardo: Thank you, Matthew.

Would anybody else like to raise questions for Matthew, or for Stacey, for that matter?

Mr. Williams: John, do you mind if I just jump in and say one of the things -- I didn't know if it was appropriate for me to jump in previously, but . . .

Unknown: [Inaudible.]

Mr. Williams: . . . I just want to make -- one general comment, if you don't mind. You know, years ago and I don't know how long ago, but the Upstate Revitalization Initiative came out. And the Southern Tier, through a list of community stakeholders, business leaders, civic leaders, came up with a strategy that focused in Johnson City on the collaboration of medical and educational institutions -- taking two of the biggest resources and assets that

the community has -- and creating a special economy. And I am following the leader, on this. It is -- I am a firm believer in this investment strategy, that the community stakeholders have laid out in this area. I personally think there are great historical assets here, which is why I love the EJ Victory Building. But this investment is following the leadership that has been put forward over the last five to seven years on this strategy -- the investment that has taken place through Binghamton University, the investment from you UHS, and the ongoing investment. These anchors in this economic strategy is a great strategy, something that I'm fully supportive of, and something that I want to follow. And that is -- that was the premise behind the ANSCO Camera Factory. That is the premise behind this project. The private and public sector partnership that is underway here in this community is terribly exciting. And I know we forget, in these COVID -- during these days of COVID fatigue -- we forget how long some things take. But this is a strategy that is great, and something that over the long term, it's a reason to continue to invest in this community and be a part of the community. So, I just -- I wanted to say that I listen. I'm thankful for

this opportunity again. I said, thank you before for the opportunity to the ANSCO Camera Factory project. It meant the world to me. It's -- very excited about the way that came together. I hope to develop more of a relationship with this community with the Victory building. But this community has a lot to look forward to, and I hope I can contribute to that vision that everyone's laid out and see the benefits of all the economic investment that has taken place in the region. So, thank you.

Chairman Bernardo: Thank you, Matthew. One more chance to ask Matthew questions.

Mr. Williams: I just want to say thank you, Matt. I appreciate your comments, and I'd definitely like an opportunity to meet with ya [sic] and talk with ya [sic] a little bit and address those concerns, and maybe even hopefully, work with ya [sic] on the project.

Mr. Paulus: Yes, I would.

Mr. Williams: Definitely appreciate your comments and your time. Thank you.

Chairman Bernardo: Thank you. Mayor.

Mr. Bucci: Yes, this was a -- this was considered in Governance, and we move it forward, as a motion to approve.

Chairman Bernardo: Any other comments before we have a second? Looking for a second on that motion.

Mr. Crocker: I'll second it.

Chairman Bernardo: Thank you, Dan. Any further discussion?

Mr. Crocker: I'd just like to make a comment on the Mayor's comment from last meeting -- that it is a gateway project and everybody sees it when they go by. It's much needed. That project will say a lot about people coming into our community. What they see. That's one of the first things you see coming up the 17 corridor.

Chairman Bernardo: Thanks, Dan. Let's have a vote. All those in favor, say aye.

Unknown: [Aye -- in unison.]

Chairman Bernardo: Any opposed?

Ms. Sacco: I need to abstain.

Chairman Bernardo: Cheryl has abstained. Any other abstentions? Resolution carries.

Moving on to Resolution Authorizing an Amendment to the Sales and Use Tax Exemption Agreement for the Canopy Growth USA, LLC Lease/Leaseback Project to Include an Extension from December 18th, 2019, Through and including December 18th, 2021. Stacey.

Ms. Duncan: John, again, some contextual background for some of our newer Board members to make sure I'm -- if I haven't said this before, a little technical aspect of this -- when we -- when a project receives a sales tax exemption, they receive up to a year of benefit. Typically, somewhere around the 60-day mark before expiration, we will notify the client that their exemption is set to expire. In some situations, a project may need more time or may need more sales tax exemption or sometimes, both. In the case of Canopy Growth, this is a request for an extension of the term -- just the length of the sales tax exemption that was awarded in December of 2019. The reason being due to a delay in the regulatory certainty regarding hemp and hemp products, Canopy USA and HIP New York, have not been able to complete their planned activities/improvements and to fully utilize the IDA sales tax exemption in the term, as provided. They are requesting an extension through the end of



December 31, 2021. So, through the end of this year. I did have the opportunity to speak with both CFO and counsel for Canopy. They've maintained their commitment to the project. They plan to stay conservative on capital expenditures, given the uncertainty of the regulatory environment, but do plan to move forward with the project as the regulations allow, quite frankly. So, any questions on that?

Chairman Bernardo: Thank you, Stacey. Any questions for Stacy? Okay, Mayor. Was this reviewed in Governance?

Mr. Bucci: It was. We move it forward, as a motion to approve. Okay. Is there a second to that motion?

Mr. Rose: Second, Brian.

Chairman Bernardo: Thanks, Brian. It was a long silence there. [Laughs.] Is there any further discussion? All those in favor, say aye.

Unknown: [Aye -- in unison.]

Chairman Bernardo: Any opposed? Motion carried.

Resolution Accepting an Application from 4 Clarke Street, LLC and Authorizing the Sales and Use Tax Exemption in an Amount not to Exceed \$7,200.00, as

well as a Mortgage Recording Tax Exemption Benefit, not to exceed \$3,560.00, Consistent with the Policies of The Agency in Connection with the Renovation of the Property and Building Located at 14-16 Willow Street, Village of Johnson City, Broome County, New York. Stacey.

Ms. Duncan: Thank you, John. Yeah, and just to echo a little bit -- to me, this speaks to the plan that Matthew referenced when through the JC Health and Cultural District was first envisioned, and how those large investment dollars from BU and UHS and others, can leverage the Main Street Revitalization. I think this is one of those projects that does that. 4 Clarke Street, LLC -- Danielle and Tom Dimmick are the -- they are purchasing and renovating 14-16 Willow Street, and have applied for benefits through our Small Business Incentive Program, which is just our sales and mortgage recording tax-only program. The project includes the purchase and renovation of, as I mentioned, 14-16 Willow in the Village of Johnson City, for eight, one to two-bedroom apartments. And there is currently leased commercial space, there's a dance studio on the first floor. Total project cost is \$555,000.00. And their combined exemption of both

sales and mortgage recording tax is \$10,750.00. As I mentioned before, we're seeing a lot of investors -- small investors -- buying into the vision in Johnson City and purchasing these buildings and we're thrilled to see the investment. Any questions?

Chairman Bernardo: Thank you, Stacey. Any questions for Stacey? Mayor, [did] this go through Governance?

Mr. Bucci: It did. We move it forward, as a motion to approve.

Chairman Bernardo: Thank you, Mayor. Is there a second?

Mr. Mirabito: Joe. Second.

Chairman Bernardo: Thank you, Joe. Any discussion? We'll have a vote. All those in favor, say aye.

Unknown: [Aye -- in unison.]

Chairman Bernardo: Any opposed? Anybody want to walk away from this, Cheryl? I didn't hear you. Was that a yes?

Ms. Sacco: I said, aye.

Chairman Bernardo: Thank you. Motion carried.

Resolution Consenting to the Assignment by  
31 Washington Street Associates, LLC to Harrison  
Street Real Estate, LLC, of a Certain Leaseback  
Agreement Dated as of August 31st, 2010, covering  
premises set forth in Exhibit A attached hereto.  
Stacey.

Ms. Duncan: Thank you. This is an action  
of the Assignment of the Leaseback. . .

[An unsolicited interruption occurred for several  
minutes.]

Chairman Bernardo: Stacey, you were saying?

Ms. Duncan: I was saying, yeah, this item  
is an administrative action of the assignment of a  
leaseback transaction and PILOT agreement, currently  
held by Washington Street Development Associates for  
the property at 45 Washington Street, in the City of  
Binghamton, better known to all of us as Twin River  
Commons Student Housing Complex. The seller,  
Washington Street Development Associates, has entered  
into agreement with Harrison Street Real Estate, LLC,  
and will -- and Harrison Street seeks to assume all

obligations under the Leaseback Agreement and PILOT Agreement with the IDA and that does mean that all of the Compliance Agreements hold, as well. The buyer has attested that the premises will remain as a Student Housing project, as was originally approved by the IDA. I did want to provide an update from a question that Brian raised in our Governance Committee meeting on the management of that. It will no longer be managed by Newman Development Group. However, Harris Real Estate, LLC, will use a group called Campus Life and Style to manage the property. So, I just wanted to update that question that came up at our previous meeting. If there's any questions, I'm happy to take them.

Chairman Bernardo: Any questions for Stacey? Okay. Mayor, this came through Governance? And Mayor, we can't see you anymore.

Mr. Bucci: Oh, hold on a second here.

Chairman Bernardo: I got that, you know, I mean, you're handsome, but, go ahead.

Mr. Bucci: It did -- was considered by Governance. We move it forward, as a motion to approve.

Chairman Bernardo: Is there a second to that motion?

Mr. Peduto: Jim.

Chairman Bernardo: Thank you, Jim. Is there any further -- or any discussion? Okay, we'll take a vote. All those in favor. You're gonna [sic] have to unmute yourself. All those in favor, say aye.

Unknown: [Aye -- in unison.]

Chairman Bernardo: Any opposed?

Ms. Sacco: I'm abstaining.

Chairman Bernardo: Cheryl has abstained. Any opposed? Okay, motion carried.

Resolution to Make an Amendment to the 2021 BCIDA Operational Budget. Stacey.

Ms. Duncan: Yes, this was an item that came out of our November 2020 meeting recommendation from the Board, to do -- to take this action in current-year budget. If you see the financials we outlined in red, the change is a net zero change, as far as there's no impact on the total dollar of the budget, but we would be moving 72,000 from the Benefits line to the Business Development line, per the Board's recommendation.

Chairman Bernardo: Thank you, Stacey. Are there any questions for Stacey relative to this? Now, I did not attend Governance. Mayor, did this come through Governance?

Mr. Bucci: No, it did not.

Chairman Bernardo: Okay. Are there . . .

Ms. Duncan: John. . .

Chairman Bernardo: Are there any questions relative to this? I'll ask again.

Mr. Bucci: I'll just make a comment, because I was one of the ones that kind of was supportive of the concept. I think it's money well spent. I think, as we've all discussed, as COVID continues to morph here, I think people and businesses are still reevaluating where they want to be. And I still think there's a lot of thought about do people want to stay in large urban areas. So, I think this is going to be money well spent to continue to market our region. Because in -- even in post-COVID times, I think we have a lot to offer. And you can talk to realtors, and they'll tell you, they're seeing an enhanced activity, for that exact reason. So, I think this will be money well spent -- used to market our area and promote our area.

Chairman Bernardo: Thank you, Mayor. Any other comments? Let's take a vote. All those in favor, say aye.

Unknown: [Aye -- in unison.]

Chairman Bernardo: Any opposed? Motion carried.

Resolution Approving Summary Results of Confidential Evaluation of Board Performance. Stacey.

Ms. Duncan: Yes, every year, usually at the end of every year, we provide this summary. This confidential Board evaluation [that] we ask you to complete. We have submitted the results of the evaluation in your packet. Just one note -- is this is the makeup of last year. So, this would include previous Board members that -- whose terms expired at the end of 2020. So, just a small note -- housekeeping note on that. I don't know if there's any specific questions on that. But it's part of an annual process, and we do post these, I believe, to our website.

Chairman Bernardo: Any questions for Stacey? Or comments? This did not go through Governance, Mayor?

Mr. Bucci: Oh, no, it did.



Chairman Bernardo: It did? I'm sorry.

Mr. Bucci: Yeah. So, we move forward as a motion to approve.

Chairman Bernardo: Thank you. Is there a second?

Mr. Crocker: I'll second.

Chairman Bernardo: Thank you, Dan. Any further discussion? All those in favor, say aye.

Unknown: [Aye -- in unison.]

Chairman Bernardo: Any opposed? Motion carried.

Resolution Approving a \$40,000.00 Loan Request from ZDD LLC, dba The Shop from the STEED Loan Fund Program to Assist it with Working Capital for use at its Facility at 219 Washington Street, Binghamton, New York. Tom.

Mr. Gray: The Shop is a small, full service, casual style restaurant owned equally by husband and wife, Eugenie Zynda and Zoran Nenadich. The restaurant has been in business six years and it's located in downtown Binghamton. The restaurant, which was growing prior to COVID-19, initially provided only takeout orders as required by the state, and is now operating in the 50% capacity, as is mandated. The

effect of these actions is reduced sales and income, with steady ongoing operational costs. The Shop is requesting an emergency loan to help with continuing operating costs, including payroll, inventory and debt obligations. The Advisory Loan Committee and I are recommending approval of this request for the following reasons: there's adequate cash to cover the debt, and all 5.5 full-time equivalents will be retained in three years.

Chairman Bernardo: Thank you. Are there questions for Tom relative to this loan request?

Mr. Bucci: Tom, I have one question. Correct me if I'm wrong -- did I see in our packet that there were letters already written that said we approved this?

Ms. Duncan: Yes.

Mr. Bucci: . . . and the next one?

Ms. Duncan: Yeah. If you recall, Mayor, in April of 2020, when we created sort of the revised guidelines for the Broome County Emergency Loan Fund, what -- or, one of the goals was to be able to expedite the process of getting this, these loans out the door. So, I think at the time there was a decision that Tom would manage the underwriting and

run the process through the Advisory Loan Committee, and as such, bring it to the Board for a final resolution.

Mr. Bucci: Well, I understand that, but my point is that there's letters already written, that we approved that before we approved it. There were letters in our packet saying the loans have been approved, and we haven't approved them yet.

Mr. Gray: Mayor, the commitment letter -- I think what you're referring to -- is actually dated today.

Mr. Bucci: Right.

Mr. Gray: As Stacey said, what the Board agreed to when COVID first hit was in order to expedite the loan process, which pre-COVID takes anywhere [sic] from 40 to [inaudible] days to get an approval, and then we hand it off Joe [inaudible] to take additional time. So, what we did was we consolidated that timeframe [inaudible] loan request around underwriting, site visit, approval, and closing within two weeks. The Board agreed that as long as the Advisory Loan Committee had approved the loan, that the Board would formally approve it at a later date at its next Board meeting. But that we could go

ahead and close, if the case worked out that way, so that we could get the money into the borrower's hands as quickly as possible. And that's what we've done up to this point. I think we've done -- Natalie, you can correct me -- I think we've done somewhere [sic] in the vicinity of 17 or 18 of those loans. So. . .

Ms. Abbadessa: Nineteen.

Mr. Gray: . . . what I did on all of those is prepare a commitment letter for the final official approval of the date of the Board meetings, but we have approved loans, we've underwritten them, and we've closed them in many cases, prior to the official Board meeting.

Mr. Bucci: Okay. That sounds kind of counterintuitive, but I can understand expediting, but to approve it before it comes to us, then don't -- why bother?

Chairman Bernardo: Because it requires a formal Board approval. It requires a stamp.

Mr. Bucci: Yeah. Okay. I just -- seems -- okay. I understand. It seems kind of counterintuitive that we're approving something that's already been out the door, but I understand.

Mr. Cornwell: Do we know how many more there are, that have to be approved?

Chairman Bernardo: It's going to come down to funds that are available, right Tom?

Mr. Gray: Yes. I mean, I have another one I'm going to be doing here shortly. It's all, Steve, based on the availability of funds. When we started this back in March, we had about, I believe, a little over a million dollars. And the direction of the Board was how do we help businesses either stay in operation or weather the storm, if you will. And we have, through those loan programs, assisted 18 businesses and in an eight-county area, from hairdressers to technology companies and everything in between, and the response that I've heard from our program so far, is that we are the most user-friendly and the quickest turnaround. So, the whole intent was how do we keep these businesses afloat, until the economy fully reopens. So . . .[inaudible].

Mr. Cornwell: So, if I . . .[inaudible]. . . can I just ask you -- so money went out the door without Board approval?

Mr. Gray: No.

Mr. Cornwell: In order to act quickly?

Mr. Gray: No. No, no. Every loan that we had requested, received Advisory Loan pre-approval and no loan can be approved without the Advisory Loan Committee first approving it. So, all of those loans received approval from the Advisory Loan Committee and subsequent approval from the Board. In some cases, prior to closing other cases, after closing. In the case of these two, the Board will be approving these hopefully, prior to closing, even though the Advisory Loan Committee approved them about a week or so ago.

Mr. Bucci: What -- Tom, I'm confused then. Does the Advisory Loan Committee have any legal status in regards to officially approving these loans? Or is it us?

Mr. Gray: Well, Mayor, the Advisory Loan Committee is comprised of individuals that have lending experience. We actually have three committees: one that covers that Regional Loan Fund, which is STEED, which is the loan that I just presented. The other two committees are local funds, specific to funds just for Broome County. So . . .

Mr. Bucci: My question is, let me interrupt. So, my question, though is, does approval by the Advisory Loan Committee -- is that enough to

approve the loan, or does it have to come to us, for actual approval?

Mr. Gray: It comes to the Board for official approval. However, the Advisory Loan -- the consensus has been -- has always been, that the committee is comprised of individuals with lending experience. So, when I'm presenting my underwriting report to them, I'm presenting it to individuals that have either background training, or experience in lending. So, the STEED guidelines, which are federal guidelines for that regional fund, are the guidelines that we use for all of our funds. And those guidelines indicate that no loan can be approved without the pre-approval of the Advisory Loan Committee, and that Board approval subsequent to that, is the official approval, which again, is why I think the Board last year, agreed that the fastest way that we could get this money to borrowers, was to underwrite it, get it an approval, get the documents into Joe's hands, so Joe could turn around closing documents, so that we could get money to folks that needed it. Now, what we didn't want to do, and I'm sure we had this discussion, was to have those folks

wait three or four additional weeks, in some instances for the next Board meeting.

Mr. Bucci: Okay, well, a couple of things. I'm not gonna [sic] debate this much further. I understand the concept of trying to get them out, as quickly as possible. I just have, kind of, a philosophical concern over closing loans, in some cases, before we've actually approved them. I just think is -- if we're the formal approval, I don't know how we can close a loan, without us formally approving it, first. Regard -- hell is paved with good intentions -- the way to hell is paved with good intentions. So, I understand the concept here. But if it was that critical, we could call a Special Meeting, but I -- just hit me as -- it looks like we're just a formality. If loans are being approved -- I understand the role of the Advisory Committee and their expertise. I understand the need to get it out. It's a noble need. It's done good work. But it -- just something struck me as odd is -- if loans are going out the door, before we formally approve them, whatever the circumstances may be. . .

Mr. Gray: Mayor. Well, I . . .

Mr. Gates: The only thing I can say . . .



Mr. Cornwell: They already got the money?

Mr. Bucci: These guy . . .not in this case, no. But I think in other cases, I think loans -- my understanding [is] loans have been closed before we've approved them.

Mr. Gray: Well, Mayor, let me just say that I can assure you that this issue was fully vetted with the Board, back in March. And, I certainly wouldn't have the authority to administer or, to disperse funds without the Board's understanding of what we were doing here and I wouldn't have done that on my own, that's . . .

Mr. Cornwell: Tom, I don't think anybody's questioning you. I think, my and perhaps some other's belief is that we need to approve money before it goes out the door. We understand there was emergency [sic] last year and the intent was good, but I'm uncomfortable continuing with that practice. I don't know if anybody else is. If we had to come back and do an emergency meeting to get somebody some money to save their business, then I think we would be willing to do that, but I'm uncomfortable going forward and I'd like to find out how many more approvals we have to approve, and especially ones that were already

closed. Because if it's already closed, and we don't approve it, it puts us all in a very interesting position. So, if we could address that, maybe -- I would like to continue that process. I don't know what the thoughts the other Board members are, without listening to them.

Mr. Gray: I can tell you, Steve, that all of the loans, with the exception of the two that I'm presenting today, have already closed and already have been approved by the Board. So, the only two that haven't been closed or approved by the Board, are the two I'm presenting today.

Mr. Cornwell: Seems these are the last loose ends that are out there.

Chairman Bernardo: Tom, is there an answer to that question?

Mr. Gray: I'm sorry, I didn't hear it.

Mr. Cornwell: So, these are the last two then, that we have this issue with? So, if we deal with them today, and they're approved, or whatever, then, that will -- it will be caught up, if you will, on those emergency measures that you took last year.

Mr. Gray: If the Board . . .

Mr. Cornwell: Is that accurate?

Mr. Gray: . . . well if the Board saw fit, from this point on, to not close any more loans until they had approved them officially, then the answer is [inaudible].

Mr. Bucci: Have we -- have these loans already been closed?

Mr. Gray: No.

Mr. Bucci: Okay. No, I understand. No, Tom, I understand what you're trying to do, and I understand the urgency and emergency we're under. I just think, going forward -- yeah, if we get -- these haven't been closed yet, so there's no issue with this. It was just the letters were prepared, which is fine. I've said that's just what caught my attention. But just going forward, if we can approve a loan before it's closed, if that requires a Special Meeting for 15 minutes, I think we're all comfortable with that.

Chairman Bernardo: Okay, so let's address the loan, first. And then let's, Mayor, I'll let you or Steve make a motion to modify our policy. Fair enough?

Mr. Bucci: Sure.

Chairman Bernardo: So, is there a motion to approve this \$40,000.00 loan request for ZDD LLC?

Mr. Bucci: This came through -- oh, this did not come through Governance.

Chairman Bernardo: Right. So, is there a motion?

Mr. Mirabito: I'm . . . Joe makes the motion.

Chairman Bernardo: Thank you, Joe. Is there a second?

Mr. Peduto: Jim.

Mr. Gates: [Inaudible] . . .second.

Chairman Bernardo: Jim beat you to it, Dan. I think Jim seconded. All those in favor, say aye.

Unknown: [Aye -- in unison.]

Chairman Bernardo: Any opposed?

Ms. Sacco: I'm abstaining.

Chairman Bernardo: [Laughs.] Cheryl has abstained. That motion is carried.

I want to go backwards for a second, because Stacey informed me that maybe we didn't formally approve the resolution number 10, which is Amending the Operational Budget. So, I'm looking to -- who am I looking to? Theresa? No, not Theresa. Stacey.

Carrie. Did you see that come through as a motion and a second and a full vote?

Ms. Hornbeck: I did not. I just saw that you put it as a vote to the whole Board.

Chairman Bernardo: Okay.

Ms. Hornbeck: I didn't hear a first or a second.

Chairman Bernardo: All right. So, I'm looking -- I'm going to go back in time, here. I'm looking for a motion, or, yeah -- a motion on Number 10 Resolution.

Mr. Bucci: I'll make . . .

Chairman Bernardo: Go ahead.

Mr. Bucci: I'll make a motion. Rich will make the motion.

Chairman Bernardo: Thank you, Mayor.

Ms. Sacco: Cheryl Sacco. . .

Chairman Bernardo: Thank you.

Ms. Sacco: . . . seconds.

Chairman Bernardo: Thank you, Cheryl. All those in favor, say aye.

Unknown: [Aye -- in unison.]

Chairman Bernardo: Any opposed? Okay, so that's carried and we've cleaned that up.

Now we're gonna [sic] move on to Resolution Number 13, and that's going to be a Resolution Approving a \$25,000.00 Loan Request from Antonio's Bar and Trattoria LLC, from the BR+E Loan Fund Program to Refinance Existing Loans and Assist with Working Capital for use in its Facility at 100 Oak Hill Avenue, Endicott, New York. Tom.

Mr. Gray: Antonio's Bar and Trattoria is a Tuscan-themed Italian-style restaurant owned by Antonio Gobbo, that has been in business in Little Italy in Endicott, New York, for 16 years. The business is noted for its award-winning drinks, family-style meals and homemade gelato. The restaurant, like many others, has struggled during the COVID-19 crisis, with adhering to state mandates requiring only takeout orders or reduced seating, and the subsequent loss of revenues. Antonio's has requested an Emergency Loan to refinance two existing loans -- will immediately increase monthly cash flow and working capital that can assist with operating costs. The Advisory Loan Committee and I are recommending approval of this request for the following reasons: projections indicate adequate cash

to cover the debt, and all eight full-time equivalents will be retained in three years.

Chairman Bernardo: Thank you, Tom. Are there any questions for Tom relative to this loan request? Okay, looking for a motion to approve this.

Mr. Crocker: I'll make a motion.

Chairman Bernardo: Dan, thank you. Is there a second?

Ms. Sacco: I'll second. Cheryl.

Chairman Bernardo: Cheryl. Thank you. All those in favor, say aye.

Unknown: [Aye -- in unison.]

Chairman Bernardo: Any opposed? Any abstentions? Okay. Going back to the discussion relative to how these loans get approved, the timing.  
. .

Unknown: Second it.

Chairman Bernardo: . . .required. Excuse me. Okay. Mayor, would you like to make a motion changing our policy, requiring a Special Board Meeting in order to facilitate these loans on a -- on an expeditious basis? I think Special Meeting can be a -  
- Joe, you can correct me if I'm wrong -- a Special

Meeting can be called by two members of the Board or the Chair. So, I'm happy to call it . . .

Attorney Meagher: Right.

Chairman Bernardo: . . .but you know, Dan Crocker, as Treasurer, you may want to just get with the -- a finance person and call for a Special Meeting, so that we -- so that we have a quorum, and we make these things happen in the proper order.

Mr. Bucci: Yeah, and the point to this is that, you know, that may be rare, because if we're close to a regular meeting, if we're within, you know, less than a week of a regular meeting, I don't think there's a problem holding it to the regular meeting, at all.

Chairman Bernardo: Absolutely, right.

Mr. Bucci: So, I guess my point is, I feel more comfortable formally approving a loan before we close it. And so, on those rare occasions when the timing is imperfect, and we want to get the money out the door, I make a motion that we call a Special Meeting in order to accommodate the objectives that Tom laid out.

Chairman Bernardo: Makes sense.

Mr. Cornwell: Cornwell seconds the motion.



Chairman Bernardo: Steve, thank you. Is there any further discussion on this topic? Let's have a vote. All those in favor, say aye.

Unknown: [Aye -- in unison.]

Chairman Bernardo: Any opposed? Okay. Carrie, as you know, that kind of went off the rails, as far as the agenda, but you'll make sure it presents well.

Resolution Number 14 Approving the 2020 Mission and Measurement Report. Tom.

Mr. Gray: This is a [sic] annual requirement of the Authority Budget Office. The report is based on achievements of -- from the staff in 2020, and objectives and goals for the staff, for 2021. It's a requirement that we do annually, and we tie both last year's goals and this year's goals to the Strategic Plan approved by the Board.

Chairman Bernardo: Thank you, Tom. Are there questions for Tom? Did this come through Governance, Mayor?

Mr. Bucci: It did. We move it forward, as a motion to approve.

Chairman Bernardo: Thank you, Mayor. Is there a second?

Mr. Crocker: I'll second.

Chairman Bernardo: Dan, thank you. Any further discussion on this? Let's call for a vote. All those in favor, say aye.

Unknown: [Aye -- in unison.]

Chairman Bernardo: Any opposed? Thank you.

Resolution to Approve the Readoption of The Agency Bylaws and Policies and Procedures: Code of Ethics Policy, Whistleblower Protection Policy, Defense and Indemnification Policy, Compensation, Reimbursement and Attendance Policy and Travel Policy, with no changes. Tom.

Mr. Gray: Yeah, another requirement of the Authority Budget Office, that the Bylaws and Policies and Procedures of The Agency be reviewed annually. The staff has done so, and we're recommending that the Board readopt them in their current form, with no changes.

Chairman Bernardo: Thank you, Tom. Any questions for Tom? Mayor, this came through Governance?

Mr. Bucci: It did. We move it forward, as a motion to approve.

Chairman Bernardo: Thank you, Mayor. Is there a second?

Mr. Crocker: I'll second.

Chairman Bernardo: Thank you, Dan. All those -- any further discussion? All those in favor, say aye.

Unknown: [Aye -- in unison.]

Chairman Bernardo: Any opposed? Motion carried. Any Old Business, Stacey?

Ms. Duncan: I'm not muted? Okay. No, I'm not muted. No, I don't have any.

Chairman Bernardo: Thank you. Any -- nothing to cover in Executive Session, correct?

Ms. Duncan: I do not. I expect a discussion next month, on property values.

Chairman Bernardo: Thank you, Stacey. With that in mind, is there a motion to adjourn?

Mr. Crocker: Motion.

Mr. Peduto: Jim.

Chairman Bernardo: Jim, thank you. Is there a second?

Mr. Crocker: Dan.

Chairman Bernardo: Thank you, Dan. All those in favor, say aye.

Unknown: [Aye -- in unison.]

Chairman Bernardo: Any opposed? Okay, we are adjourned.

[The meeting was adjourned on a motion by Mr. Peduto, seconded by Mr. Crocker at 1:15 p.m.]

[Attendees: John Bernardo, Rich Bucci, Jim Peduto, Brian Rose, Cheryl Sacco, Dan Crocker, Dan Gates, Joe Mirabito, Steve Cornwell, Stacey Duncan, Tom Gray, Natalie Abbadessa, Carrie Hornbeck, Theresa Ryan, Brendan O'Bryan, Amy Williamson, Kevin Wu, Joe Meagher, Matthew Paulus, Aaron Martin, Mayor Deemie, Michael Tanzini, John Solak, Ian Williams.]

STATE OF NEW YORK :

COUNTY OF BROOME :

I, CARRIE HORNBECK, Executive Assistant,  
do certify that the foregoing is a true and accurate  
transcript of the Broome County Industrial Development  
Agency Board Meeting, held telephonically, on February  
17, 2021.

*Carrie Hornbeck / signed electronically*

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CARRIE HORNBECK

Executive Assistant

The Agency Broome County

Industrial Development Agency

FIVE South College Drive

Binghamton, NY 13905