



## **BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

### **GOVERNANCE COMMITTEE MEETING**

March 17, 2021 – 10:30 a.m.

The Agency Conference Room, 2<sup>nd</sup> Floor

FIVE South College Drive, Suite 201

Binghamton, NY 13901

### **AGENDA**

- |    |  |           |
|----|--|-----------|
| 1. | Call to Order  | R. Bucci  |
| 2. | Accept the February 17, 2021 Governance Committee Meeting Transcript   | R. Bucci  |
| 3. | Public Comment   | R. Bucci  |
| 4. | Review/Discussion/Recommendation to Accept an Application from Upstate Hi-Tech Properties, LLC and Authorizing a Sales and Use Tax Exemption in an Amount not to Exceed \$84,800.00, Consistent with the Policies of The Agency in Connection with the Purchase and Construction of an 18,000 Square Foot Custom-Built building to House Custom Systems Integration, Inc., to be Located at 100 Commercial Drive in the Town of Maine, Broome County, New York | S. Duncan |
| 5. | Review/Discussion/Recommendation to Authorize an Extension of the May 1, 2020 Sales Tax Agreement with Simulation and Control Technologies, Inc. from April 15, 2021 Through and Including April 15, 2022, of Which the Total Shall not Exceed \$40,880.00   | S. Duncan |
| 6. | Discussion on the Establishment of Exemption Criteria as it Relates to Solar and Other Energy Storage Projects   | S. Duncan |
| 7. | Adjournment  | R. Bucci  |

BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY

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Governance Committee Meeting Transcript

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Held telephonically, February 17, 2021, commencing at  
11:00 a.m. Adjourned at 11:21 a.m.

[See attendees at end of Transcript.]

REPORTED BY:

Carrie Hornbeck, Executive Assistant

Broome County Industrial Development Agency

Chairman Bucci: It's 11:00 a.m. We'll call the meeting to order. First order of business is to accept the January 20th, 2021 Governance Committee Meeting Transcript. Those were sent out to all members. Members had an opportunity to review them. Any additions, deletions or revisions were sent back to Carrie. So, we will accept the transcript, as presented or as/or changed, whatever it may be.

Next is our Public Comment section. We'll open up the meeting to Public Comment. Anyone who would like to speak, we ask that you give us your name and address, and you'll have five minutes to address the committee. So, at this point, I'll open the meeting up for any Public Comment.

Okay, hearing none, we'll close that portion of the meeting and move on to our first item agenda.

It's a Review, Discussion, Recommendation to Authorize a Lease/Leaseback Transaction to Facilitate the Financing of the Acquisition, Renovation and Equipping of 108 Market Rate Housing Apartments at 7,500 Square Feet of Commercial Space, Located at 59 Lester Ave., in the Village of Johnson City, Appointing the EJ Victory Building, LLC (the Company), as the 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 the 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: Thank you, Mayor. So just for some background on the project for consideration today was the approval of PILOT benefits for the adaptive and historic reuse of the former EJ Victory Building at 59 Lester Ave., in the Village of Johnson City. Matthew Paulus, Principal at Paulus Development, is the project owner. He could not be here for Governance, but will be at our full Board meeting, should the Board have any questions for him later this morning. The EJ Victory Building project includes, as was mentioned, the renovation and redevelopment of the historic building into 108 market rate apartments. That's a Phase I. He does anticipate adding more apartments over time, but for purposes of this

project, 108 market rate apartments 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 central business district along Main Street, in Johnson City. Apartments created will serve the continued demand that we're seeing for modern market rate housing for professionals, and potentially students -- graduate students, and/or faculty associated with the Pharmacy School or Decker College of Health Sciences. Previous attempts at the redevelopment of this gigantic building, as we know, have fallen short, which is why we were especially pleased to see that Paulus Development has invested time and money into the due diligence, at this stage on this project, and has moved forward with this application. Paulus Development, as you may know, completed the ANSCO Lofts in 2019, in the City of Binghamton, with support from the IDA, and is fully-leased with a significant waiting list. In addition, Paulus Development's Dietz Lofts, in Syracuse, has received awards for Excellence in Redevelopment through New York State Historic Preservation, and he is currently working on a smaller adaptive reuse of

the Smith Restaurant Supply Store, in Syracuse. The project will utilize Historic Tax Credits and Brownfield Tax Credits, in addition to seeking benefits from The Agency. Total project cost is approximately \$30 million. It is expected the project will create 100 to 125 construction jobs on the front end and Paulus Development will create four-to-five permanent jobs connected with the building. In December of 2020, the Village of Johnson City Board of Directors unanimously approved a 30-year PILOT for this project. The -- a copy of the PILOT schedule, a Project Review Form and Cost Benefit Analysis have been provided to the Board. Staff is very excited about this project and strongly encourages your support and be happy to answer any questions.

Chairman Bucci: Are there any questions for Stacey? Okay, hearing none, I'll entertain a motion.

Mr. Peduto: Jim, so moved.

Chairman Bucci: Moved by Jim. Is there a second?

Mr. Rose: Second, Brian.

Chairman Bucci: Second, Brian. All in favor?

Unknown: [Aye -- in unison.]

Chairman Bucci: Any opposed?

Ms. Sacco: I'm going to abstain.

Chairman Bucci: Okay. So, we have three ayes, one abstention. The motion is carried.

The next item on the agenda is a Review, Discussion, Recommendation to Authorize an Amendment to the Sales and Use Tax Exemption Agreement for Canopy Growth USA, LLC Lease/Leaseback Project, to Include an Extension from December 18th, 2019 through and including, December 18th, 2021. Stacey.

Ms. Duncan: Thank you, Mayor. Just a little bit of contextual background for our new Board members. When we approve a sales tax exemption, that exemption program lasts for 12 months. During that time, we notify -- usually, with about 60 days prior to the expiration of that -- we will notify the recipient of that benefit, should they find a situation where they need to extend either time, or in some cases, an increased amount. In this case, with Canopy Growth, we do have a request for an extension of time on that sales tax exemption, that we awarded in December of 2019. The letter that you have in your packet states that due to a delay in regulatory certainty regarding hemp and hemp products, Canopy USA

and HIP NY, have not been able to complete their planned activities and improvements, and to fully utilize the IDA sales tax exemption as expected, per the agreement. They are requesting an extension through the end of this year -- so, December 31, 2021. I did have conversations with both their CFO and counsel. Both have expressed their commitment to the project. As you know, through New York State, regulations with hemp manufacturing and development have taken longer than expected, so they do expect to remain conservative on additional capital expenditures, but they do remain committed to fully realizing this project. Any questions?

Chairman Bucci: Okay, hearing none, I'll entertain a motion.

Mr. Rose: I'll move it. Brian.

Chairman Bucci: Brian. Is there a second?

Mr. Peduto: Jim.

Chairman Bucci: Second, Jim. All in favor?

Unknown: [Aye -- in unison.]

Chairman Bucci: Any opposed? Four ayes.  
The motion is carried.

Next item on the agenda is Review,  
Discussion, Recommendation to Approve Summary Results

of Confidential Evaluation of Board Performance.  
Stacey.

Ms. Duncan: Thank you. So, the next several items are just annual sort of housekeeping items, if you will, that we update with the Board, the first being our annual Summary Results and Confidential Evaluation of Board Performance. It's pretty straightforward. As you can see from what's in your packets, I would be happy to answer any questions, on that. I do want to note however, for purposes of this Board evaluation, it was our previous Board -- so end of last year -- so, it included the feedback from both John Stevens and Wayne Howard. So, going into next year's year, it'll reflect this current Board makeup. I don't know if there's any specific questions on that, or discussion?

Chairman Bucci: Any questions? Okay.  
Entertain a motion.

Mr. Peduto: Jim.

Chairman Bucci: Jim. Is there a second?

Ms. Sacco: Second. Cheryl.

Chairman Bucci: Second. Cheryl. All in favor?

Unknown: [Aye -- in unison.]

Chairman Bucci: Any opposed? Motion carries.

Next item on the agenda is a Review, Discussion, Recommendation to Accept an Application from 4 Clarke Street, LLC, and Authorizing a Sales and Use Tax Exemption in an Amount 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 in the Village of Johnson City. Stacey.

Ms. Duncan: Yes, so we have another Johnson City project. I'm sure the Mayor is happy to see that -- to see the spectrum of development and investment we're seeing in Johnson City. So, 4 Clarke Street, LLC is an application from Tom, and I believe Danielle Dimmick, building owners at 14 to 16 Willow Street in the village. Their application is to our Small Business Incentive Program. So, that's our sales and/or mortgage recording tax only, benefit program. The project includes the purchase and renovation of 14-16 Willow Street in the village for eight, one-to-two-bedroom apartments. And there is currently commercial space occupied by a dance studio. The total project cost for this renovation is \$555,000.00.

And their combined sales and mortgage recording tax exemption benefit would be \$10,760.00. We are excited about this project and the grounds [sic], as I mentioned before, it's -- we're starting to see that continuation of that Main Street development, because of the larger scale investments by BU, UHS, and as we're talking today, Paulus Development, we're starting to see that small business investment happening, so we're excited to support this application.

Chairman Bucci: Any questions? Stacey, on the apartments -- what's their intent on the apartments, do you know? Is it market rate or student?

Ms. Duncan: Market rate. They're looking to -- similarly with 250 Main Street, for example, they've been successful in attracting some -- I think, some professionals at UHS, anybody associated, maybe, at the Pharmacy School, or the Decker College of Health Sciences -- potentially graduate students -- but these are not by the bed, unit apartments. They're by the apartment, pricing.

Chairman Bucci: Okay, any additional questions for Stacey? Entertain a motion.

Mr. Rose: Brian will move.

Mr. Peduto: Jim will second.

Chairman Bucci: Motion by Brian, seconded by Jim. All in favor?

Unknown: [Aye -- in unison.]

Chairman Bucci: Any opposed? Motion carries.

Next item on the agenda is a Review, Discussion, Recommendation 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. Stacey.

Ms. Duncan: Okay. On an annual basis, you have in your packets, our Mission and Measurement report. This is -- once approved by the Board, this goes into -- included in our PARIS reporting to the Authorities Budget Office, as well as posted on our website. Essentially what this is, is a self-evaluation, a staff evaluation, unlike the one we just reviewed with the Board, of our performance against our strategic objectives. So, Tom and -- reviews with staff and creates this report and then we provide that to you. I guess if there's any questions on any

specific items, that might be the best way to approach.

Mr. Peduto: This is Jim. Is that item nine on the list . . .

Chairman Bucci: Yeah. . .

Mr. Peduto: . . . or are we talking about number eight?

Chairman Bucci: Yeah, Stacey. We're talking about the 31 Washington Street.

Ms. Duncan: Oh, I apologize. I jumped ahead here. . .

Chairman Bucci: That's okay.

Ms. Duncan: . . .on the agenda. 31 -- yes -- 31 Washington Street Associates is an administrative action of the assignment of a leaseback and PILOT agreement owned by Washington Street Development Associates, for the property at 45 Washington Street, in the City of Binghamton, which is more commonly known as Twin River Commons. The Washington Street Development Associates has entered into a sale agreement with Harrison Street Real Estate, LLC. Harrison Street, LLC will assume all obligations under the leaseback and PILOT agreements with the IDA. The buyer has attested that the

premises will remain as a student housing project, as was originally approved by the IDA. There is no modification or change to the existing PILOT. The term and the schedule remains [sic] the same. This is, again, more of an administrative assignment of our leaseback and PILOT agreement to the new owner.

Chairman Bucci: Any questions for Stacey? Okay, hearing none, entertain a motion?

Mr. Rose. Hold on. I'm sorry. I couldn't unmute myself. I did have one question, Mayor.

Chairman Bucci: Oh, go ahead. Go ahead, Brian.

Mr. Rose: I know what Harrison Street is. I mean, they're a big real estate concern that has several tranches out of Chicago, and they buy student housing, and they tend to hold it for a few years, and then flip it back out. What -- do we know if they're changing anything about the management company? Or is this just behind the scenes who gets to keep it in their portfolio? Do we know?

Ms. Duncan: My understanding is there's no change to the management company. Joe, did you get it -- have any conversations with their counsel? I'm not

aware of any changes to the management company -- just the transfer of the property [inaudible] portfolio?

Attorney Meagher: Actually, there is a change.

Ms. Duncan: There is a change. Okay, that . . .

Attorney Meagher: Well, in that Newman will not continue to manage.

Ms. Duncan: Okay. So, the new group will bring their own management team.

Attorney Meagher: Correct.

Ms. Duncan: Okay.

Mr. Rose: Did they tell us who they [are] bringing in? Do we know?

Attorney Meagher: I don't know any specific entity. It was my understanding -- I took from the conversation that they were going to manage, and that, at least -- at the very least, Newman Group was going to be out.

Mr. Rose: And I'm only inquiring, because there are a couple of operators in that space that I would be concerned about in terms of the ongoing performance of the asset. But, if Harrison itself is taking it on, understood.

Attorney Meagher: Okay.

Chairman Bucci: Any additional questions?

Okay, I'll entertain a motion.

Mr. Peduto: Jim.

Chairman Bucci: Motion by Jim. Is there a second?

Mr. Gates: I'll second. Dan.

Chairman Bucci: There's a second. All in favor?

Unknown: [Aye -- in unison.]

Chairman Bucci: Any opposed?

Ms. Sacco: I'm abstaining.

Chairman Bucci: Three affirmative, one abstention. Motion carries.

Next item on the agenda is a Review, Discussion, Recommendation to Approve the 2020 Mission and Measurement Report. Stacey, here we are.

Ms. Duncan: Here we are again -- I say -- if you remember everything I said, then we'll [inaudible].

Chairman Bucci: I do.

[Laughs.]

Ms. Duncan: We'll just . . . yes.

Essentially, it's a staff evaluation of our

performance against our Strategic Plan objectives for the previous year and also outlining this year's objectives. So, I think, you know, best way might be the field any questions the Board may have on the document we included.

Mr. Gray: I couldn't have said that any better.

[Laughs.]

Ms. Duncan: I jumped in, Tom.

Mr. Gray: That's okay.

Chairman Bucci: Is there any questions for Tom or Stacy? Okay, I'll entertain a motion.

Ms. Sacco: Motion by Cheryl.

Chairman Bucci: Motion by Cheryl. Is there a second?

Mr. Rose: Brian.

Chairman Bucci: Second, Brian. All in favor?

Unknown: [Aye -- in unison.]

Chairman Bucci: Any opposed? Motion carries.

The next item on the agenda is a Review, Discussion, Recommendation 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: This is another annual requirement, excuse me, of the Authority Budget Office that the staff and Board review the Bylaws and its Policies and Procedures on an annual basis to make sure that they are in line with the Board's direction. The staff has reviewed these documents and we're recommending that the Board readopt the Bylaws and Policies and Procedures, with no changes.

Chairman Bucci: Okay. Any questions for Tom? Hearing none, I'll entertain a motion.

Ms. Sacco: Motion by Cheryl.

Chairman Bucci: Motion by Cheryl. Is there a second?

Mr. Gates: Second.

Chairman Bucci: Second.

Mr. Gates: Dan.

Chairman Bucci: All in favor?

Unknown: [Aye -- in unison.]

Chairman Bucci: Any opposed? Motion carries.

That concludes our agenda for the Governance Committee meeting. So, I'll entertain a motion to adjourn.

Mr. Rose: So, moved. Brian.

Chairman Bucci: Is there a second?

Ms. Sacco: Seconded. Cheryl.

Chairman Bucci: Cheryl. All in favor?

Unknown: [Aye -- in unison.]

Chairman Bucci: Okay. Then, we will reconvene at 11:30 for the LDC Governance Committee meeting.

Ms. Duncan: Thank you.

[Meeting adjourned on a motion by Mr. Rose, seconded by Ms. Sacco at 11:21 a.m.]

[Attendees: Rich Bucci, Jim Peduto, Brian Rose, Cheryl Sacco, Dan Crocker, Dan Gates, Stacey Duncan, Tom Gray, Natalie Abbadessa, Carrie Hornbeck, Theresa Ryan, Brendan O'Bryan, Amy Williamson, Kevin Wu, Joe Meagher, Mayor Deemie, Joe Moody, Michael Tanzini, John Solak.]

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 Governance Committee Meeting, held  
telephonically, on February 17, 2021.

*Carrie Hornbeck / signed electronically*

CARRIE HORNBECK

Executive Assistant

The Agency Broome County

Industrial Development Agency

FIVE South College Drive

Binghamton, NY 13905

# THE AGENCY

BROOME COUNTY IDA / LDC

## SMALL BUSINESS INCENTIVE PROGRAM APPLICATION

The Small Business Incentive Program can provide eligible applicants any of the following: an eight percent (8%) NYS sales tax and one percent (1%) mortgage recording tax exemption (if applicable).

Applicants seeking assistance must complete this application and provide additional documentation if required. A **non-refundable** application fee of \$250.00 must be included with this application. Make check payable to The Agency Broome County IDA.

The Applicant requesting a sales tax exemption from the Agency/IDA must include in the application a realistic estimate of the value of the savings anticipated to be received. As per NYS 2013 Budget Law and the regulations expected to be enacted thereunder are expected to require that the Agency/IDA recapture any benefit that exceeds the amount listed in the application.

Please answer all questions. Use "None" or "Not Applicable" where necessary.

### APPLICANT

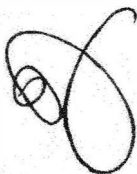
Name Upstate Hi-Tech Properties, LLC  
Address 12 Nadine Way  
City/State/Zip Johnson City, NY 13790  
Tax ID No. 85-2017807  
Contact Name Dave Jones  
Title Member  
Telephone (607) 343-2334  
E-Mail dave.jones@customsi.com

#### Owners of 20% or more of Applicant Company

Name	%	Corporate Title
<u>Dave Jones</u>	<u>100%</u>	<u>Member</u>

#### Benefits Requested (Check all that apply)

- ☒ Sales Tax Exemption  
☒ ~~Mortgage Recording Tax Exemption~~



#### Description of project (check all that apply)

- ☒ New Construction  
☐ Existing Facility  
    ☐ Acquisition  
    ☐ Expansion  
    ☐ Renovation/Modernization  
☐ Acquisition of machinery/equipment  
☐ Other (specify) \_\_\_\_\_

## GENERAL DESCRIPTION OF THE PROJECT

(Attached additional sheets as necessary)

See attached project description.

## PROJECT TIMELINE

Q2 2021

Start Date

Q4 2021

End Date

100 Commercial Drive, Town of Maine

Project Address

**Contractor(s) \*please refer to required Local Labor Policy**

**State Environmental Quality Review (SEQR) Act Compliance**

The Agency, in granting assistance to the Applicant, is required to comply with the New York State Environmental Quality Review Act (SEQR). This is applicable to projects that require the state or local municipality to issue a discretionary permit, license or other type of Approval for that project.

Does the proposed project require discretionary permit, license or other type of approval by the state or local municipality?



YES – Include a copy of any SEQR or other documents related to this project including Environmental Assessment Form, Final Determination, Local Municipality Negative Declaration.



NO

## LOCAL LABOR POLICY

It is the goal of the The Agency to maximize the use of local labor for each project that receives benefits from The Agency. This policy applies to general contractors, subcontractors, trade professionals, and their employees. The Agency's Local Labor Area consists of the following New York State counties: Broome, Chemung, Chenango, Cortland, Delaware, Otsego, Schuyler, Steuben, Tioga and Tompkins.

## **100 Commercial Drive, Town of Maine**

### **Building Project**

Upstate Hi-Tech Properties, LLC (UHTP) is a real estate holding company that is purchasing a vacant parcel of land (~4+ acres) situated at 100 Commercial Drive, Town of Maine, where it will erect a 18,000 sf custom building (with 16,000 expansion capability) that will house the New York operations of Custom Systems Integration, Inc. (CSI), an engineering and manufacturing company that has operated in Broome County for over 18 years. CSI has been actively looking for a new location to rent for over 3 years but has been unable to find a suitable location that would accommodate the high-tech company's needs without substantial business work-arounds and costs. It is important that the building be tailored to the business rather than the business adjusting to fit the building. This new location will have an additional compacted 10-20k sf area for the business's future growth.

The building will be a 190 ft x 200 ft metal structure that will house 100% of CSI's New York operations. The interior of the building will primarily have an open layout consisting of several functional areas, including offices, production, integration and test, receiving, lobby, fabrication, stock for manufacturing and miscellaneous storage. There will be some 6-foot walls that will separate some of these functional areas. Ceiling height will be 21' front to 16' back. The only enclosed areas within the building will be the restrooms, utility closets and conference rooms.

The exterior of the building will be a two-tone grey and blue (see rendering) and landscaping to be aesthetically pleasing to visitors. The building is being designed for future utilization of both renewable energy and green technologies, including solar and reclaiming water. For example, the roof will be sloped front to back to take full advantage of the building's sun exposure throughout the day. Accommodations will also be made during construction to account for reclaimed roof water for internal plumbing sometime down the road. Additional features of the building include a bump-out dock with crating room that will be located towards the back of the building and an exterior cement pad for dumpsters next to the dock.

UHTP is working closely with the Town of Maine to assure compliance with Town Code. As part of compliance, the project will include the construction of a retention pond to control stormwater runoff into the sewer system. The site will also have approximately 20-25 parking spots which includes 2 handicap and 2 visitor slots.

CSI, the company that will operate in this building, is a custom test engineering and manufacturing company that designs and manufactures one-off test systems for Department of Defense (DoD) and Commercial Original Equipment Manufacturers (OEMs). Some of its customers include Lockheed Martin (multiple locations), BAE (multiple locations), IBM, ViaSat, Telephonics, Moog, NASA (multiple locations), Continental and Ansen, as well as many others. CSI operates in a very custom but stable market. Because of the sensitive nature of some of the work and customer-driven quick turnaround times, the majority of work in this business segment cannot be performed overseas. CSI utilizes hi-tech hand equipment and production tools to perform its tasks. Other equipment includes, fab equipment, a UV printer for silk screening and precision inspection products.

CSI currently employs 21 people – 20 in Broome County and one in Chicago, IL. Its employees are a mix of Engineers, Assembly Technicians and operations staff. CSI has and will continue to manage a steady

10% - 15% growth per year. Some years were much more but CSI's objective is to perform -and focus first- on its long-standing relationships, some nearly 20+ years old. CSI generates between \$8,000,000 and \$10,000,000 on average in revenue, depending on the amount of equipment that gets integrated into the systems in any given year. CSI conducts a significant amount of local business, having relationships with many local vendors, keeping money local. CSI also supports several local organizations.

CSI was established in 2001 after another business, Symtx, closed its Broome County operations. Originally, Dave Jones – CSI General Manager/Owner, worked for IBM-Owego where, at the time, Symtx, a manufacturer of custom test equipment, was a major vendor for him. After leaving IBM, Mr. Jones put together a strong business plan and presented it to Symtx to establish a location in Broome County, touting the area's experience, skilled workforce, strong work ethic, and the access to the NE region's strategic location for Electronic Manufacturers. He was successful and Symtx-NY successfully ran operations in NY and TX for 6-7 years until Symtx headquarters made the decision to close NY's doors and condense its operations to Texas with the down turn in the telecom industry. During the 6-7 years, the NY operation became the recognized office for technical operation and lead the sales operation that grew the whole company to over 200 people. Numerous people from the NY Operation were asked to move to Texas due to the experience and technical expertise that possessed. It was then when Mr. Jones moved ahead with a plan to establish CSI, leveraging the same experienced resources that made Symtx-NY successful. The creation of CSI retained many employees formerly employed by Symtx, preventing a migration of people from the area. CSI has continued operate and grow for over 19 years.

Estimated total project cost remains in the \$1,580,000 area.

More on CSI can be found at [customsi.com](http://customsi.com).

## APPLICANT PROJECT COSTS

- A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipping of the project by the APPLICANT.

### Building Construction or Renovation

- a. MATERIALS a. \$ 800,000  
b. LABOR b. \$ 200,000

### Site Work

- c. MATERIALS c. \$ 200,000  
d. LABOR d. \$ 140,000  
e. Non-Manufacturing Equipment e. \$ 0  
f. Furniture and Fixtures f. \$ 60,000  
g. LAND and/or BUILDING Purchase g. \$ 100,000  
h. Soft Costs (Legal, Architect, Engineering) h. \$ 80,000

- Other (specify) i. \_\_\_\_\_ i. \$ \_\_\_\_\_  
j. \_\_\_\_\_ j. \$ \_\_\_\_\_  
k. \_\_\_\_\_ k. \$ \_\_\_\_\_

**TOTAL PROJECT COSTS** \$ 1,580,000

- B. Sources of Funds for Project Costs:

- a. Bank Financing a. \$ 1,200,000  
b. Public Sources b. \$ \_\_\_\_\_

Identify each state and federal grant/credit

\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_

- c. Equity c. \$ 380,000

**TOTAL SOURCES** \$ 1,580,000

- C. Has the applicant made any arrangements for the financing of this project?

☒ Yes ☐ No

If so, please specify bank, underwriter, etc.

Tioga State Bank

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## VALUE OF INCENTIVES

### A. Sales Tax Exemption Benefit

Estimated value of goods that will be exempt from New York State and local sales tax (materials, non-manufacturing equipment, furniture and fixtures - line a,c,e,f from Project Costs) \$ 1,060,000.00

Estimated value of New York State and local sales tax exemption (8% of value of eligible goods) \$ 84,800.00

Estimated duration of sales tax exemption 12 months  
(The sales tax letter shall be valid for a period of twelve (12) months.)

### ~~B. Mortgage Recording Tax Exemption Benefit~~

~~Estimated value of Mortgage Recording Tax Exemption (1% of value of mortgage) \$ 12,000.00~~

~~TOTAL SALES AND MORTGAGE RECORDING TAX EXEMPTION BENEFIT~~

~~\$ 96,800.00~~ 84,800.00

## PROJECTED EMPLOYMENT *CSI employment figures*

Will this investment result in the creation of new jobs? If so, how many? 4.00

Current number of full time employees: 20.00

Estimated annual salary range of jobs to be created:

Annual Salary range from: \$30,000 to 85,000

Estimated annual salary range of current jobs:

Annual Salary range from: \$33,000 to \$180,000

**\*Upon approval of this application, the business agrees to provide FTE and all construction job information, along with its NYS 45 in all years that a sales and/or mortgage recording tax benefit is claimed.**

## APPLICATION & ADMINISTRATIVE FEES

### A. Application Fee:

A non-refundable application fee of two hundred fifty dollars shall be charged to each applicant and accompany the completed application.

\$ 250.00

### B. Administrative Fee:

A non-refundable fee of **\$500.00** is due and payable prior to the issuance of a Sales Tax Letter or a Mortgage Tax Exemption Form if the benefit is **under \$100,000**. A non-refundable fee of **1% of the total project cost** is due and payable prior to the issuance of a Sales Tax Letter or a Mortgage Tax Exemption Form if the benefit is **over \$100,000**.

\$ 500.00

TOTAL TAX EXEMPTION FEES

\$ 750.00

***This Application, including without limitation, information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete.***

***The Agency reserves the right to terminate, modify, or recapture Agency benefits if :***

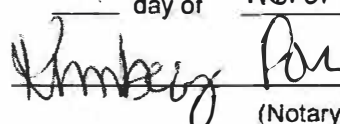
- (i) an applicant or its sub-agency (if any) authorized to make purchases for the benefit of the project is not entitled to the sales and use tax exemption benefits;***
- (ii) sales and use tax exemption benefits are in excess of the amounts authorized by the Agency to be taken by the applicant or its sub-agents;***
- (iii) sales and use tax exemption benefits are for property or services not authorized by the Agency as part of the project;***
- (iv) the applicant has made material, false, or misleading statements in its application for financial assistance;***
- (v) the applicant has committed a material violation of the terms and conditions of a Project Agreement.***

***(vi) As of the date of the Application this project is in substantial compliance with all provisions of GML Article 18-A, including but not limited to, the provisions of GML Section 859-a and GML Section 862(1) (the anti-raid provision) and if the project involves the removal or abandonment of a facility or plant within the state, notification by the IDA to the chief executive officer or officers of the municipality or municipalities in which the facility or plant was located.***

### APPLICANT COMPANY

Upstate Hi-Tech Properties, LLC  
 Gael 3-4-21  
Signature Title Date

### Sworn to before me this

4<sup>th</sup> day of March, 20 21  
  
(Notary Public)

**KIMBERLY A. POTTER**  
Notary Public - State of New York  
No. 01PD6131780  
Qualified in Broome County  
My Commission Expires August 15, 21

## LABOR POLICY

### Local General Contractor, Subcontractor, Trades and Labor Policy

It is the goal of the The Agency/**IDA** to maximize the use of local labor for each project that receives benefits from the Agency/**IDA**. This policy applies to general contractors, subcontractors, trade professionals, and their employees. The Agency/**IDA**'s Local Labor Area consists of the following New York State counties: Broome, Chemung, Chenango, Cortland, Delaware, Otsego, Schuyler, Steuben, Tioga and Tompkins.

Every applicant is obligated to provide written proof and data (see attached ... forms) to the Agency/**IDA** as to the physical location of all the contractors who will work on the project.

The Agency/**IDA** will review the data provided and determine, on a case-by-case basis and in a fully transparent manner, whether the Applicant has substantially conformed to the policy.

An Applicant **will not be deficient** if the proposed project requires specifically skilled labor that is unavailable in the Local Labor Area.

An Applicant **will not be deficient** if the proposed project utilizes parts and supplies assembled elsewhere because no such assembly is available in the Local Labor Area.

An Applicant **will be held non-compliant** with the Labor Policy if it imports labor from outside the Local Labor Area when equal labor that is ready, willing, cost competitive, etc. resides in the Local Labor Area.

***The Agency/**IDA** may determine on a case-by-case basis to waive any portion of this policy for a project or a portion of a project where consideration of warranty issues, necessity of specialized skills, significant cost differentials between local and non-local services, documented lack of workers meeting the Local Labor Requirement or if other compelling circumstances exist.***

In consideration of the extension of financial assistance by the Agency/**IDA** UPSTATE HI-TECH PROPERTIES, LLC (the Applicant) understands the Local Labor Policy and agrees to submit either or both a Local Labor Utilization Report or a Non Local Labor Utilization Report at the time that construction begins on the project to the Agency and as part of a request to extend the valid date of the Agency/**IDA**'s tax-exempt certificate for the 100 COMMERCIAL DRIVE (TOWN OF MAINE) (the project).

The Applicant understands an Agency/**IDA** tax-exempt certificate is valid for 90 days effective the date of the project inducement and extended for 90 day periods thereafter upon request by the Applicant.

The Applicant further understands any request for a waiver to this policy must be submitted in writing and approved by the Agency/**IDA** before a tax-exempt certificate is issued or extended.

The Applicant further understands that if the required forms are not submitted to the Agency/**IDA**, the Agency/**IDA** shall have the authority to immediately terminate any and all Financial Assistance being provided to the Project.

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the Project as of February 3, 2021 (date).

APPLICANT: Upstate Hi-Tech Properties, LLC

REPRESENTATIVE FOR CONTRACT BIOS/AWARDS: Dave Jones

ADDRESS: 12 Nadine Way

CITY: Johnson City STATE: NY ZIP: 13790 PHONE: 607-343-2334

EMAIL: dave.jones@customsi.com

PROJECT ADDRESS: 100 Commercial Drive, Town of Maine

AUTHORIZED REPRESENTATIVE: Dave Jones

TITLE: Member

SIGNATURE:

Sworn to before me this

4<sup>th</sup> day of March, 2021

  
(Notary Public)

KIMBERLY A. POTTER  
Notary Public - State of New York  
No. 01PO6131700  
Qualified in Broome County  
My Commission Expires August 15, 21

The following organizations must be solicited in writing for the purpose of meeting the requirements of this Agreement:

**\*\*Documentation of solicitation MUST be provided to the Agency.**

The Builders Exchange of the Southern Tier, Inc.  
15 Belden Street  
Binghamton, NY 13903  
brad@bxstier.com  
(607) 771-7000

Southern Tier Building Trades Council  
1200 Clemens Center Parkway  
Elmira, NY 14901  
ibew139ba@aol.com  
(607) 732-1237

Binghamton/Oneonta Building Trades Council  
11 Griswold Street  
Binghamton, NY 13904  
raikens@iuoe158.org  
(607) 723-9593

Dodge Reports  
<http://construction.com/dodge/submit-project.asp>  
830 Third Ave., 6th Floor  
New York, NY 10022  
support@construction.com

(877) 784-9556  
Tompkins-Cortland Building Trades Council  
622 West State Street  
Ithaca, NY 14850  
tbrueribew241@gmail.com  
(607) 272-3122

Building Trades  
Katie Fairbrother, Secretary  
kfairbrother@ualocal112.org  
607-723-9593

# LOCAL LABOR UTILIZATION REPORT

To be completed for all contractors residing within the Broome County IDA Local Labor Area

APPLICANT:

PROJECT ADDRESS:

CITY:

STATE:

ZIP:

EMAIL:

PHONE:

GENERAL CONTRACTOR/CONSTRUCTION MANAGER:

CONTACT:

ADDRESS:

CITY:

STATE:

ZIP:

EMAIL:

PHONE:

ITEM	CONTRACT/SUB	ADDRESS	EMAIL	PHONE	AMOUNT
Site/Demo					
Foundation/Footings					
Building					
Masonry					
Metals					
Wood/Casework					
Thermal/Moisture					
Doors, Windows & Glazing					
Finishes					
Electrical					
HVAC					
Plumbing					
Specialties					
M& E					
FF & E					
Utilities					
Paving/Landscaping					

CHECK IF CONSTRUCTION IS COMPLETE

☐

CHECK IF THIS IS YOUR FINAL REPORT

☐

I CERTIFY THAT THIS IS AN ACCURATE ACCOUNTING OF THE CONTRACTORS THAT ARE WORKING AT THE PROJECT SITE.

Company Representative

Date

**NON LOCAL LABOR UTILIZATION REPORT**

To be completed for all contractors not residing within the Broome County IDA  
Local Labor Area

APPLICANT: PROJECT ADDRESS: CITY: STATE: ZIP: EMAIL: PHONE: GENERAL CONTRACTOR/CONSTRUCTION MANAGER: CONTACT: ADDRESS: CITY: STATE: ZIP: EMAIL: PHONE: 

ITEM	CONTRACT/SUB	ADDRESS	EMAIL	PHONE	AMOUNT
Site/Demo					
Foundation/Footings					
Building					
Masonry					
Metals					
Wood/Casework					
Thermal/Moisture					
Doors, Windows & Glazing					
Finishes					
Electrical					
HVAC					
Plumbing					
Specialties					
M& E					
FF & E					
Utilities					
Paving/Landscaping					

CHECK IF CONSTRUCTION IS COMPLETE

☐

CHECK IF THIS IS YOUR FINAL REPORT

☐

I CERTIFY THAT THIS IS AN ACCURATE ACCOUNTING OF THE CONTRACTORS  
THAT ARE WORKING AT THE PROJECT SITE.

\_\_\_\_\_  
Company Representative\_\_\_\_\_  
Date

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: 100 Commercial Drive - Custom Systems Integration New Building Construction			
Project Location (describe, and attach a location map): 100 Commercial Drive , Town of Maine, NY 13802 Tax Map # 075.04-2-33			
Brief Description of Proposed Action:  This project will create the new CSI headquarters location at 100 Commercial Drive in the Town of Maine. This will involve all site work and new building construction to create the 18,000 square feet building, parking area, loading dock and paved access drives necessary to operate the business. The site work will include all grading/ drainage, storm water, utility paving and landscaping work necessary for the new CSI headquarters building.			
Name of Applicant or Sponsor:  Custom Systems Integration, Inc. David Jones, General Manager		Telephone: 607-757-0200 x500  E-Mail: dave.jones@customsi.com	
Address:  1020 Perimeter Road West, Building 1			
City/PO: Binghamton		State: NY	Zip Code: 13760
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: NYDEC SWPPP			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? <span style="float: right;">4.29 acres</span> b. Total acreage to be physically disturbed? <span style="float: right;">2.50 acres</span> c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <span style="float: right;">4.29 acres</span>			
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	N/A  <input type="checkbox"/>  <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO  <input type="checkbox"/>	YES  <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO  <input type="checkbox"/>	YES  <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Private Well be installed	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Private Septic System will be installed	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe: _____ Storm Water will be collected and treated on site with Storm water detention basin. _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: <u>Custom Systems Integration, Inc. David Jones</u> Date: <u>2/15/21</u>  Signature: <u>David Jones</u> Title: <u>General Manager</u>		



**SIMULATION AND CONTROL TECHNOLOGIES, INC.**

42 Corbettsville Road  
Conklin, NY 13748  
(607) 722-3450 FAX (607) 722-3486

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Stacey Duncan  
Executive Director  
THE AGENCY  
Broome County IDA/LDC  
FIVE South College Drive, Suite 201  
Binghamton, NY 13905

March 10, 2021

RE: Sales Tax Exemption Extension

Dear Executive Director Duncan,

Simulation and Control Technologies, Inc (SCT) is kindly requesting an extension to the previously approved sales tax exemption for IDA project number 03012004b which expires on April 15, 2021. We would like to request the exemption period be extended to April 15, 2022.

The extension request is necessary because of the project's completion timeframe which has shifted to the right in larger part due to business uncertainty as a result of COVID-19 and related issues. While we have been able to complete a portion of the project, a majority of work still remains.

Regards,

A handwritten signature in black ink, appearing to read 'Mitch Gorton', is written over a horizontal line.

Mitch Gorton  
Operating Officer

Enclosure:  
Extension Request Payment



*SIMULATION AND CONTROL TECHNOLOGIES, INC.*

## Broome County Industrial Development Agency

### Solar and Energy Storage Projects PILOT Policy

(DRAFT)

**Purpose:** The creation of an exemption policy for solar and energy storage projects located in Broome County, NY. The policy has been created to provide consistency in the approach to each of these projects in order to maximize the economic benefits for each taxing jurisdiction where such projects are located. The policy will be uniformly applicable to any solar or energy storage project located within the County of Broome.

**Eligibility:** Eligible projects must produce a minimum of one (1) megawatt of electricity. These include:

- Community distributed solar/shared solar
- Off-site generation projects that have a wholesale purchase power agreement with or more users
- Energy storage projects

**Criteria:** When a project owner seeks a payment in lieu of tax or PILOT Agreement from The Agency, the following requirements must be met for consideration:

1. Payment in lieu of taxes shall be established at \$10,000 per Megawatt taking into account other benefits received, e.g. a Host Community Agreement or Road Use Agreement.
2. The term of the payment shall be no more than fifteen (15) years in length
3. Each year of the payment schedule will include a two percent (%) escalator A "Host Community Agreement" must be negotiated and approved by all relevant taxing jurisdictions, unless specifically waived by them. If an HCA is waived, a letter of endorsement from the host municipality is required.
4. The project owner must provide proof that it has entered into a decommissioning fund or bond with the local municipality sufficient to remove the solar arrays at the end of the project without cost to the municipality.
5. Compliance with the Agency's local labor policy is required.
6. It is a requirement that the energy generated must be pre-offered or be given a preference to Broome County residents. If such term is proved to be impossible, some local benefit must be provided to satisfy a commensurate benefit.

**Fee Schedule:** The Agency will assess a project development fee of 1% of the Total Project Costs. The company will reimburse The Agency for any expenses incurred for the use of subject matter experts.

**Deviations to the Policy:** Pursuant to NYS Real Property Tax Law (RPTL) Section 412-a, a project owner can propose terms deviating from this policy, however, the Agency has determined that it is in the best interest of the taxpayers of Broome County that the uniform exemption policy be utilized as outlined herein.

Pursuant to the Agency's Uniform Tax Exemption Policy (UTEP), project owners could be eligible for applicable sales and mortgage record taxes as outlined in our UTEP.

Unless specifically outlined in this policy the project owner is responsible for complying with all other rules and regulations as outlined in the IDAs policies.