

**BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY
GOVERNANCE COMMITTEE
August 11, 2021 – 9:00 AM
The Agency Community Room
FIVE South College Drive
Binghamton, NY 13905**

PRESENT: R. Bucci, J. Peduto, B. Rose, D. Gates, J. Mirabito, D. Crocker and J. Bernardo
(via Teleconference)

GUESTS: Doug Matthews, Spark JC, LLC
Mayor Greg Deemie, Village of Johnson City
John Solak, Binghamton, NY
Amy Hogan, Fox 40
Tyler Cunnington, Fox 40

ABSENT: C. Sacco and S. Cornwell

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

COUNSEL: J. Meagher

PRESIDING: R. Bucci

AGENDA ITEM 1: Chairman Bucci called the meeting to order at 9:04 a.m.

AGENDA ITEM 2: Accept the July 21, 2021 Governance Committee meeting minutes: Chairman Bucci stated that the minutes were sent to members to review; any changes or revisions were forwarded back to Carrie. Chairman Bucci accepted the minutes, for the record.

MOTION: No motion necessary.

AGENDA ITEM 3: Public Comment: Chairman Bucci asked if there is anyone wishing to address the committee to speak for five minutes and if so, that they identify themselves with their name and address.

Mr. John Solak, Binghamton, New York, addressed the Board, regarding:

Mortgage Tax Exemptions

Broome County Clerk

Broome County Legislature

Deviated PILOT
20-Year Bond
Spark Broome, LLC
Spark JC, LLC Project
Broome County Executive

Chairman Bucci asked if anyone else would like to address the committee; hearing none, closed the comment section of the meeting.

AGENDA ITEM 4: Review/Discussion/Recommendation to Accept an Application from LCP Group, Inc., and Authorizing a Sales and Use Tax Exemption in an Amount not to Exceed \$98,800.00, Consistent with the Policies of The Agency in Connection with the Renovation of the Former National Pipe and Plastics Manufacturing Facility into a Multi-use Facility, to be Located at 3421 Vestal Road, in the Town of Vestal, Broome County, New York. Ms. Duncan stated everyone received this application as a revision of the agenda. This application is for a sales tax benefit for the LCP Group. Christina and Larry Pierce have purchased 3421 Vestal Road intending to renovate the facility formerly known as the National Pipe and Plastics, to utilize 30,000 feet of space for their asbestos, demolition and recycling business and allow for some expansion. They are also planning to update, remodel and offer approximately 115,000 square feet of building space, best suited as shared space with commercial industrial companies, including construction, recycling, manufacturing and warehouse. Total project costs are about \$3.1 million, with an exemption of \$98,800.00. This action today before the full Board would satisfy the request for the benefit; no need for a Public Hearing. Chairman Bucci asked if there were any questions or comments. Mr. Crocker remarked that it's nice to see that the jobs created are actually substantial amounts of salary; there are no low paying jobs according to the application. Chairman Bucci asked for a motion.

MOTION: Mr. Rose moved the Motion to Recommend the Revised Resolution to the full Board for Approval, seconded by Mr. Gates; the MOTION CARRIED UNANIMOUSLY.

AGENDA ITEM 5: Review/Discussion/Recommendation to Accept an Application from Spark JC, LLC (The "Company"), for a Lease/Leaseback Transaction to Facilitate the Financing of the Acquisition, Construction, Rehabilitation, Renovation and Equipping of a Portion of the Oakdale Mall Located on Harry L. Drive and Reynolds Road in the Village of Johnson City, Town of Union, Broome County, New York; to Provide for a Sales and Use Tax Exemption Benefit in an Amount not to Exceed \$3,093,333.00, to Provide

for a Mortgage Tax Exemption in an Amount not to Exceed \$933,234.00, to Provide for a Real Property Tax Exemption in an Amount not to Exceed \$7,732,421.36, Pursuant to the PILOT Schedule Attached Hereto as "Exhibit A," Including a Deviation from The Agency's Uniform Tax Exemption Policy and Authorizing The Agency to Set and Conduct a Public Hearing with Respect thereto. Chairman Bucci stated the Board had a discussion at the last meeting with regard to the application and questions for the developer. The Board had additional questions regarding the application and the project itself. Chairman Bucci opened up the discussion to the floor, asking if any members have any questions for Mr. Matthews, representing the developers. Board members hesitated, so Chairman Bucci stated that when the Board met last week, they were on the cusp of hearing about a potential manufacturing tenant that was going to make a determination if they were going to locate in the Oakdale Mall, and the size and scope of that project. Chairman Bucci's understanding was they were going to meet the next day and make a decision. Chairman Bucci asked if there was any update on that tenant? Mr. Matthews responded that they did have their Board meeting and this proposal was discussed. Their Board asked for further information; their Board is looking for documentation showing that the PILOT and some funding were actually going to get pushed through. Mr. Matthews stated we don't have a decision at this point; it seems like the focus has become this one particular tenant. Mr. Matthews continued, they're looking at ways of obtaining stimulus funding that could help be directed into infrastructure, looking at state financing potential, as a key component to make the project work. Mr. Matthews stated he doesn't have a definite answer, without a structured statement. Chairman Bucci stated that for some Board members, the scope of the PILOT is a major factor in approving a PILOT of this size. A series of questions were posed by committee members; Mr. Matthews explained Spark JC, LLC's position. After a lengthy discussion, Chairman Bucci stated he would save financing questions for an Executive Session. Chairman Bucci continued that he wanted to show, for the general public, that the committee discussed as much as possible in an open forum. Chairman Bucci stated he would entertain a motion for an Executive Session.

MOTION: No MOTION was made. A follow-up Governance Committee Meeting was scheduled for August 18, 2021.

AGENDA ITEM 6: Executive Session to Discuss the Sale of Property:

MOTION: To Convene to Executive Session at 9:44 a.m. On a MOTION by Mr. Rose, seconded by Mr. Gates; the MOTION CARRIED UNANIMOUSLY.

AGENDA ITEM 7: To Reconvene from Executive Session:

MOTION: To Reconvene back to Public Session at 10:43 a.m. On a MOTION by Mr. Peduto, seconded by Mr. Gates; the MOTION CARRIED UNANIMOUSLY.

AGENDA ITEM 8: Adjournment: Chairman Bucci asked for a Motion to Adjourn.

MOTION: On a MOTION by Mr. Peduto; seconded by Mr. Gates, the MOTION CARRIED and the meeting was adjourned at 10:46 a.m.

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