

BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Board Meeting

Held via Zoom, June 15, 2022, commencing at
12:01PM. Adjourned at 1:36PM.

[See attendees at end of transcript.]

Digitally recorded proceeding
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CHAIRMAN BERNARDO: Okay. I'd like to call to order this meeting of the Broome County Industrial Development Agency of June 15, 2022. Looking for approval on the transcript of our meeting of May 18, 2022. Is there a motion?

MR. CROCKER: Motion to approve as corrected.

CHAIRMAN BERNARDO: Thank you, Dan. Is there a second?

MR. BUCCI: Second.

CHAIRMAN BERNARDO: Thank you, Mayor. Any questions, comments on that? Discussion? If not, we'll have a vote. All those in favor say aye.

ALL: Aye.

CHAIRMAN BERNARDO: Any opposed? Moving on, we've come to the part of our agenda where we have our Public Comment session. Anybody wishing to speak on any matter concerning the IDA, feel free to state your name and address for the record and please limit your comments to five minutes. Nobody in the crowd? We'll call this Public Comment session to a close. Executive Director's report?

MS. DUNCAN: Just a few quick things just to address the Board on, excuse me, update the Board. Just a quick note relating to Open Meetings Law, the Executive Order from the Governor allowing us to do remote meetings has been extended for one month. They seem to fall right about the day before our meetings, so we check regularly but we are still now good for another month for a remote meeting cycle.

Just a quick note, we held our Annual Breakfast - our first in two years - on June 7th, and we had a nice turnout. A lot of positive feedback on that moving forward and actually one to two hopeful projects. A couple of companies that were in attendance that are looking to expand followed up with us afterwards and have a few meetings set up on our services that they weren't quite aware of, so that was a successful event.

Next week, I will be presenting for the second year in a row-- Every year New York State Economic Development Council does sort of a one-on-one basic economic development course. We typically send all of our new staff through that program. I don't think we have any right now, but I'll be presenting on the 28th in Albany at that event, providing an overview of our services but also serve the organizational structure of the Leadership Alliance.

So, two other items are CDBG grants. This is the \$1 million grant program that we partnered with Broome County Planning on to provide assistance to businesses as they continue to recover from COVID. We are hopeful that our first grant the State will approve and enable it to be paid out. We do have the check cut from the County, which is an indication that the State is nearing their readiness to approve.

Just a quick synopsis of the sequencing: We vet and review and prepare all the applications. They then go to the County Planning for quick review, then they go up to the State, which is where a lot of it has been held up, but we do think once this first one goes, we'll know better the format the State would prefer these to be in and we can move forward because we do have all of the money expended as far as applications, so we're hopeful to get that money out the door.

And then lastly, it's been some time, but I know at one point in time in 2021, I reported Brendan was working closely with Southern Tier Eight on ARC, Appalachian Regional

Commission, dollars to do a Phase Two of our site inventory analysis. This was a request for \$150,000.00 in funds from ARC to do a deeper dive into a lot of our potential development sites. So that also goes through a State review, then a federal review, which is an indication that we're getting near, so I think we just have a final notification coming anytime now. Those will be funds that we can use to expand our site analysis. I think that is all that I have for my report.

CHAIRMAN BERNARDO: Good. Not very busy. Just kidding. Thank you. Any questions for Stacey? Moving on, Internal Financial Reports. I trust everybody's had a chance to review them. Are there any questions for Stacey on those?

MS. DUNCAN: And I will just note the Transition Account, we will be doing a sweep of that \$308,000.00. That is the account that when Treasuries are mature they sit in that account and then they go into our Investment Account. However, I am looking at a few potential feasibility studies germane to economic development that I may be coming to the Board to use utilize some of those funds, maybe next month.

CHAIRMAN BERNARDO: Any questions on the financial reports? Loan Activity Reports. Any questions for Natalie on those reports? Moving onward to New Business. Item No. 6, Resolution Accepting an Application from OCSH Binghamton Holdings, LLC and Authorizing a New York State and Local Sales and Use Tax Exemption in an Amount Not to Exceed \$37,176.00 for a Term Not to Exceed 12 Months, Consistent with the Policies of The Agency, in Connection with the Construction, Renovation, and Equipping of the Property and Building Located at 257 Washington Street in the City of Binghamton, County of Broome, State of New York. Stacey?

MS. DUNCAN: Yes. This is a request from Kevin Findley, who is on the meeting today remotely should the Board have any questions, at 257 Washington Street in the City of Binghamton. I believe it was once a former Boys & Girls Club across from the Assembly of God facility. Kevin is looking for a Small Business Sales Tax Exemption in the amount of \$37,176.00 for a project with total cost of about \$756,000.00.

The project includes the conversion of existing large apartments into one-bedroom and studio apartments - that's based on current market demand for smaller units and studios - and the construction of five new studio apartments in the lower level - the basement level - construction of a community room, installation of heat pumps in the renovated apartments and new studios, a modernized control access system, and then the installation of new roofs/doors on the south side of the building and the replacement of windows that are currently older than six years old.

Again, the total amount of the Sales Tax Exemption is \$37,176.00. No need for public hearing based on that amount.

CHAIRMAN BERNARDO: Any questions for Stacey or the developer?

MR. CROCKER: I see that they're from Poughkeepsie, the developer or the CM, whatever you want to call them, that's just listed in the application.

MS. DUNCAN: Kevin, you are a CM? Is that correct?

MR. FINDLEY: Yes.

MR. CROCKER: They're listed in Poughkeepsie, so have you reached out to local contractors for bidding on this project? Or you will?

MR. FINDLEY: Everybody that we're trying to use is local, yes.

MR. CROCKER: Okay.

MS. DUNCAN: And there will be the notification requirement as part of the Sales Tax Exemption.

MR. FINDLEY: We're going to comply with that. The other thing is so we can have the correct type of insurances, we have a little construction company to do some of the smaller aspects of the project. I'm trying to count right now. We have three guys that we've brought on, and another guy is going to start the 5th of July after he's back from vacation, and there's another guy I'm talking to. So as much as possible, as far as the construction work, is local. Some of the accoutrements - the fancy Murphy beds that we're planning for the studios and those sorts of things - are going to come out of New York City. They're imported from Italy. But other than that, everything's local. I can't think of one person that's not a local contractor.

CHAIRMAN BERNARDO: Thank you. Any other questions for the developer or Stacey? Mayor, this came through Governance?

MR. BUCCI: Yes, it did. So, we move it forward as a motion to approve.

CHAIRMAN BERNARDO: Thank you. Is there a second?

MR. CROCKER: Second.

CHAIRMAN BERNARDO: Thank you, Dan. Any discussion? Let's have a vote. All those in favor say aye.

ALL: Aye.

CHAIRMAN BERNARDO: Any opposed? Any abstentions? Thank you. Moving on to Item No. 7, Resolution Authorizing the Board of Directors of The Agency Broome County IDA/LDC to Approve the Request to Close the ARC Grant NY-6007 and Subsequent Amendments Totaling \$1,727,472.79 (and not a penny more) Plus Net Program Income. In Addition, a Revised Revolving Loan Fund (RLF) Plan is Recommended by the Executive Director and Staff That Will Follow the Access to Capital Projects Application and Operating Guidelines Updated on May 16, 2022, and Resolved Further That the RLF Plan Shall Provide Guidance for the New RLF and Is Directed to Assist Local Businesses and to Strengthen the Area's Investment Capital and Improve Economic Development. Further, That the RLF Plan Outlines the Purpose of the RLF, New ARC Reporting Requirements, and the Flexibilities Permitted by ARC During the Life of the RLF.

Wow. Natalie, could you make that just a little briefer for us?

MS. ABBADESSA: To refresh everyone's memory, the STEED Revolving Loan Fund provides low-interest financing to small businesses in the eight-county STEED region unable to fully finance their projects with equity, conventional financing, or other private and public sources. Back in 1995, we received over \$1.7 million from ARC for the STEED Revolving Loan Fund. Since that time, ARC has established new operating guidelines

for its programing, so in order for us to be able to adopt those new guidelines and continue using the funds that we have, we must agree to close out the existing program. With the new guidelines, the program will continue to be essentially the same. There are a few changes. We're now able to lend to nonprofits, local governments, and social enterprises, and the annual reporting on the STEED Loan Program is no longer required. This will lessen the administrative burden. ARC feels that if you've had a successful RLF program for over seven years, there's no need for them to track or report on the funding. We will continue to track and report internally and provide the Board with the yearly report that we have been doing.

ARC's only requirement is that we update our guidelines to reflect these new changes, present them a Board Resolution with the language John stated, and sign the agreement to close the original ARC Revolving Loan Fund. I provided you all with our new STEED guidelines and the new ARC operating guidelines. Are there any questions?

CHAIRMAN BERNARDO: With that in mind, Mayor? You had the painful process of going through[inaudible].

MR. BUCCI: Governance did consider it, and we move it forward as a motion to approve.

CHAIRMAN BERNARDO: Thank you. Is there a second?

MR. MIRABITO: Second.

CHAIRMAN BERNARDO: Thank you, Joe. Any discussion or questions? With that in mind, let's have a vote. All those in favor say aye.

ALL: Aye.

CHAIRMAN BERNARDO: Any opposed? Any abstentions?

Carried. Item No. 8, Resolution Authorizing The Agency, Broome County IDA Board of Directors, and All Its Committees to Use Videoconferencing Technology to Participate in Public Meetings Under Extraordinary Circumstances as Set Forth in Exhibit A Attached Hereto.

MS. DUNCAN: Yes. Per our discussion last month, this is a follow up with changes to Open Meetings Law. For the continuation of remote meetings, the State has made some changes to that. By resolution, we have to adopt a policy that would enable us to provide the ability to do remote video and teleconferencing I think through 2024, if I'm correct. But with that, comes a need to have extraordinary circumstances why a Board member would not be able to attend in person. And just a few caveats, in order to have your vote counted if you are sitting remotely, you have to have a quorum present in person. Now all of that being said, the State is still continuing their executive month-to-month orders on remote, so we're doing this sort of in advance of that moment when that changes. So, the Board had asked the staff to create factors that would be considered extraordinary circumstances to allow Board members to participate through videoconference or other remote tools. That's been included in your packet. I don't know if there are any questions on this specifically, but we need the Board to adopt these as extraordinary circumstances.

CHAIRMAN BERNARDO: Questions for Stacey?

MR. MIRABITO: Is vacation an extraordinary circumstance?

MS. DUNCAN: We talked a lot about that, but we came to the unfortunate conclusion that typically those are scheduled in advance.

CHAIRMAN BERNARDO: Unless you're sick while on vacation.

MR. PEDUTO: Or have car trouble.

MS. DUNCAN: Or you have car trouble while on vacation.

CHAIRMAN BERNARDO: Okay. 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: Second.

CHAIRMAN BERNARDO: Thank you, Dan. Any discussion or suggestions? Let's have a vote. All those in favor say aye.

ALL: Aye.

CHAIRMAN BERNARDO: Any opposed? Any abstentions? I wouldn't think so. Thank you. That's carried. Moving on to Executive Session, correct?

MS. DUNCAN: Yes. I have a number of items to address to the Board. All are related to either the lease or sale of IDA property.

CHAIRMAN BERNARDO: Thank you. Is there a motion to go into Executive Session?

MR. GATES: I'll move it.

CHAIRMAN BERNARDO: Thank you, Dan. Is there a second?

MR. BUCCI: Second.

CHAIRMAN BERNARDO: Thank you, Mayor. All those in favor say aye.

ALL: Aye.

CHAIRMAN BERNARDO: Any opposed? Okay, we're going into Executive Session.

(OFF THE RECORD)

CHAIRMAN BERNARDO: Okay. Out of Executive Session. Is there any Old Business to cover? I will look for a motion to adjourn this IDA meeting.

[The meeting was adjourned on a motion by Mr. Mirabito, seconded by Mr. Gates, at 1:36PM.]

[Attendees: John Bernardo, Jim Peduto, Rich Bucci, Dan Crocker, Cheryl Sacco, Joe Mirabito, Dan Gates, Stacey Duncan, Natalie Abbadessa, Carrie Hornbeck, Brendan O'Bryan, Amy Williamson, Patrick Doyle, Emma Augustini, Joe Meagher, Kevin Findley, Mike Tanzini]

C E R T I F I C A T E

I, Elana Hulsey, certify that the foregoing transcript of the Broome County Industrial Development Agency Board Meeting on June 15, 2022, was prepared using digital transcription software and is a true and accurate record of the proceedings.

Signature: 

Date: June 17, 2022