



BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY

GOVERNANCE COMMITTEE MEETING

August 17, 2022 – 11:30 a.m.

The Agency Conference Room, 2nd Floor

FIVE South College Drive, Suite 201

Binghamton, NY 13905

AGENDA

- | | |
|--|------------|
| 1. Oath of Office / Acknowledgement of Fiduciary <ul style="list-style-type: none">• Peter G. Newman | J. Meagher |
| 2. Accept the July 20, 2022 Governance Committee Meeting Transcript | J. Peduto |
| 3. Public Comment | J. Peduto |
| 4. Review/Discussion/Recommendation to Accept an Application from LBK Properties, LLC and Authorizing a New York State and Local Sales and Use Tax Exemption in an Amount Not to Exceed \$11,429.00, for a Term Not to Exceed Twelve (12) Months, Consistent with the Policies of The Agency in Connection with the Renovation, Installation and Equipping of the Property and Building Located at 102-104 North Duane Avenue, Broome County, Tax Map Parcel Number 156.12-3-44, in the Village of Endicott, Town of Union, County of Broome and State of New York | S. Duncan |
| 5. Review/Discussion/Recommendation to Approve a Proposal for a Study to Determine the Feasibility of the Development of a Rod Serling Center for the Arts in the City of Binghamton, County of Broome and State of New York, as Set Forth in Exhibit "A" Attached Hereto | S. Duncan |
| 7. Executive Session: To Discuss the Sale or Lease of Broome County IDA Land; Purchase of Property by the Broome County IDA | S. Duncan |
| 8. Review/Discussion/Recommendation to Authorize the Executive Director to Execute, on Behalf of The Agency, a One (1) Year Option Agreement to Tarpon Towers II, LLC, for the Lease of Property Located at 147 Broome Corporate Parkway in the Town of Conklin, Broome County, New York | S. Duncan |
| 9. Adjournment | J. Peduto |

BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Governance Committee Meeting

Held on July 20, 2022, Commencing at
11:01 AM. Adjourned at 11:21 AM.

[See attendees at end of transcript.]

Digitally recorded proceeding
Transcribed by: Elana Hulsey
Reporters Transcription Center
P.O. Box 903
Binghamton, NY 13902

MR. BUCCI: Okay. We'll call the meeting to order. The first item on the agenda is to accept the June 13, 2022, Governance Committee Meeting transcript. Carrie sent that out to all committee members. They had an opportunity to review it. Any revisions were sent back to her, so we will accept that for the record.

The next item on the agenda is we open the meeting to public comment. If there is anyone who wishes to address the committee at this time, we ask that they state their name and address, and they have five minutes to make their presentation to us. So at this time, we'll open it up. If there is anyone who would like to speak, either here or by phone, let us know. Okay, hearing none, we'll close that section of the meeting.

The first item on the agenda is a Review/Discussion/Recommendation to Approve an Extension of the September 1, 2021, Sales and Use Tax Exemption Agreement with Spark JC, LLC, from August 18, 2022, through and including August 18, 2023, the Total of Which Shall Not Exceed \$3,093,333. Stacey?

MS. DUNCAN: Yes. So you have a request for an extension of time, given the multifaceted redevelopment of the Oakdale Mall, now called Oakdale Commons. Much of the work has just been in planning at this point, and so Spark JC is requesting an extension for one year on the approved sales tax exemption for that project. Marc Newman and Alexandra Davis are here representing Spark JC.

Again, this is multifaceted. There are some national retailers involved, as well as local partners involved in the redevelopment. I know there were some questions posed prior to the meeting, so I would just recommend we can have that discussion.

MR. BUCCI: There were questions raised about the nature of local labor participation in the project to date, and I'll turn it over to Dan with any comments or questions in that regard.

MR. CROCKER: My question was on the point of the GC for the project of Dick's House of Sports. In Appendix A it states that we shall try and do all local labor. Professionals shall be local labor, and the firm that was chosen is not.

MS. DUNCAN: So Purcell has been selected, and they are serving in sort of a CM management role for this project, similar in the way in which Bluestone's CM was selected. They're not self-performing the work. Marc, jump in if I'm incorrect on any of this. They're managing all bids and securing local specialties, subcontractors, etc.

Since I last emailed you with a few questions, they did seek a waiver request to us just recently, so they are seeking that waiver. But again, they're not self-performing any of the work, but they will be managing the process of creating and issuing bids for the subcontracted work.

MR. CROCKER: So I have no skin in the game as far as construction management. I mean, if I were construction management personnel, I might take objection to it, but you can't compare Bluestone with a mall redevelopment. I mean, that's a heavy industrial project. Everything is going through Marsden there. The building trades actually took charge of that, and that's the reason it's all local people on that job. They tried doing that too, and we just told them, "All right, go ahead and do it, but when it comes time for setting cranes, you're not going to have any crane operators."

A waiver should be an ask for permission to vary from the agreement, not an ask for forgiveness. The waiver should come ahead of time before it's done, in my eyes. I have to deal with contracts every day. I just Zoomed right now in the hall with a contractor wanting to vary from my contract. It rolls right off my tongue easy, no. I have to deal with contracts all the time. They signed the contract, and Appendix A of that says they will seek to use them. Like I say, I have no skin in the game as far as that part goes.

MS. DUNCAN: Yeah. We've maintained our process with waiver requests. They come to us, staff reviews, has a follow-up conversation with the developer on this. We felt that the majority of the work in this situation, given the nature of the developer's experience with Purcell, given the fact that all of the work will be subcontracted locally, that it maintained our historical process.

MR. CROCKER: I have no problem with you and the staff and the due diligence they do. Everybody does a great job, and I have no qualm with the extension because I know how the economy is in the construction field right now, and it's bad. I just wanted to bring that point up.

MS. DUNCAN: No, I appreciate that.

MR. BUCCI: I have question on waivers in general. To your point, I mean, do the waivers come to us for approval?

MS. DUNCAN: They do not.

MR. BUCCI: They don't?

MS. DUNCAN: They've never-

MR. BUCCI: No, they haven't, but I'm just wondering. When they request a waiver, you review it, and then I'm just wondering if we should see it just to understand what the purpose of the waiver is.

MS. ABBADESSA: I understand that. It's just the process. That would hold it up. I mean, so if we did it over email, okay. But if we had to do it at a Board meeting, that would hold up the process further.

MR. BUCCI: We could do it over mail. I'm not speaking per se about this. I mean, questions came up with Paulus project in JC because there were waivers there, and there were questions about what the nature of the waiver was. I mean, like it says, "Waiver is granted," or "Waiver is approved," but we just don't know the rationale. We don't know the rationale. You might know, but we don't know the rationale why the waiver was approved. I'm just wondering on the Board, you can just email them to us and we can just look at them. Then if we have any questions, we can get back to you.

MS. DUNCAN: Sure. That's something we can do administratively, yes.

MR. BUCCI: Yes. So it doesn't hold up the project and stuff.

MS. DUNCAN: Marc, did you want to just add-

MR. NEWMAN: Yeah. I just want to sort of give you all some background on this. So, it's a multifaceted project to

start with. [Inaudible]. That contract was signed long before. That contract is in excess of \$14 million. There's a lot of requirements. There are certain general contractors that don't meet the bonding requirements that we have. That's a major [inaudible]. Purcell is capable of getting the bonding. They did over \$70 million worth of construction work for us in the last three years. They're a very capable group. It's also a group that the anchor tenant there is comfortable with. The anchor tenants, if they're not comfortable with the contractors, they actually wanted to use their own contractor from out of town.

It was extremely important to them. It came down to really -- I don't want to say a negotiation -- but it got a little hostile in the sense that they said, "This is someone that we use, we're going to use, and that's just the way it is." We talked about local labor and this and that and the other thing. They said, "We think this is going to be an asset to a mall that is on the decline and will be completely closed down, so we want to use ours." We said, "No, we really need to do it this way." Purcell is New York State for starters. Secondly, they've done a lot of work in this region. They're highly regarded throughout. They're doing a ton of work for Cornell.

Anyway, having said that, we're working very hand-in-hand with them. The bids on the current demolition that's being done right now, the interior demolition, at one point, we went to Purcell because Matthews and our group went and bid it out to three local contractors who all declined on the demo portion. So the demo portion right now, Ostrowski, UM Local, and-- help me out please.

MS. DAVIS: [Inaudible]

MR. NEWMAN: Yeah. But they're out of town. We had another local contractor, so a lot of it is being done local. Everything's being bid across the board. We're involved in the bids. We're looking at them. We have relationships with the local contractors. It is our goal and objective to keep as much local here as we can, which was why we got involved with the mall in the first place and not allowing it to go to an outside group, a national group that does the malls.

I do want to be completely transparent and let you know in advance the other anchor that is going to be going in Bon-Ton -- Bon-Ton will be demolished, but in the Bon-Ton area -- that is also a national tenant. They use a group, and there is no discussion with them on who their CM is going to be. That will be what we call a reverse build-to-suit. They're going to be doing it. However, they've been advised, and it is in the lease and in the agreement, that they have to follow the local labor law.

They understand that, but it's going to be a very similar situation. They're going to want to have a group because in that building it's a lot more involved. There's a lot of configuration. There's a lot of different things that they want this group involved with, so I think we're going to face similar circumstances throughout. There's going to be a medical component on the west side of the mall at some point, and we're in discussions now. There again, depending on how it all shakes out, because of the nature of that particular complex that's going in, they also want to CM that and will also go along with the local labor law.

The objective by all groups is to keep it local. There's certain things that aren't going to be done locally because some contractors don't have the ability to do some of it or don't have the time right now, but it is our goal. We see all the bids. It's all open bids. We see everything, and we're not

going to just let it slip away to out of town. We take it very seriously, and we know how important it is to our local community.

MR. MIRABITO: Dan, the important thing is who does the work, right? I mean, isn't that the important thing?

MR. CROCKER: I guess, unless you're a CM. No, I ask that from the building trades. I mean, they're all workers, but very valid point. I understand that with national chains and stuff, where they have the people that they like.

MR. BUCCI: Well, I agree. I think the key is the CM's focus or intent is to hire as much or all local labor as possible?

MR. NEWMARK: Absolutely. And they're not self-performing.

MR. BUCCI: Right. So that's the caveat that underscores this whole thing?

MR. NEWMARK: Exactly.

MR. MIRABITO: That's good.

MR. BUCCI: Okay. Any other questions on this point?

MR. CROCKER: No, I'm fine. I'm good.

MR. BUCCI: Okay. So is there a motion to approve the sales tax extension?

MR. PEDUTO: Jim.

MR. BUCCI: Second?

MR. MIRABITO: Joe.

MR. BUCCI: All in favor?

ALL: Aye.

MR. BUCCI: Any opposed? Any abstentions? Okay, the motion is carried. The next item on the agenda is Review/Discussion/Recommendation to Approve an Extension of the August 24, 2021, Sales and Use Tax Exemption Agreement and the February 24, 2022, Revised Sales and Use Tax Exemption Agreement with LCP Group, Inc., from August 18, 2022, through and including August 18, 2023, the Total of Which Shall Not Exceed \$98,800.

MS. DUNCAN: Yes. This again is another request for an extension of the term of the sales tax exemption for an additional 12 months. LCP Group, if you recall, we approved a sales tax exemption when they purchased the former National Pipe & Plastics building in the Town of Vestal. A portion of that facility will be used for their own operations, and they were also renovating a portion of building for leasable space. So due to a number of labor shortages, product back orders, and shipping delays, as I'm sure many are experiencing still as an outcome of the pandemic, they have requested additional time.

MR. BUCCI: Any questions? Comments? Is there a motion?

MR. MIRABITO: Motion, Joe.

MR. BUCCI: Is there a second? Second, Jim. All in favor?

ALL EXCEPT MS. SACCO: Aye.

MR. BUCCI: Any opposed?

MS. SACCO: [Inaudible].

MR. BUCCI: One abstention. Okay, motion is carried. The next item is Review/Discussion/Recommendation to Accept an Application from 33 South Washington Street. I think we have two extensions?

MS. DUNCAN: Yes.

MR. BUCCI: We won't have a quorum on this, so we'll move this right to the main meeting at noon.

MS. DUNCAN: Go straight to the Board, yeah.

MR. BUCCI: And obviously without any recommendation. Okay, the next item on the agenda is Review/Discussion/Recommendation to Accept an Application from Phoenix Endicott Industrial Investors, LLC, and Authorizing a New York State and Local Sales and Use Tax Exemption in an Amount Not to Exceed \$99,202.40, for a Term Not to Exceed 12 Months, Consistent with the Policies of The Agency in Connection with the Decommissioning of a Boiler and the Purchase and Installation of a New 80 KPPH Industrial Watertube Boiler, to be Installed in Building 39, Located at 1701 North Street in Endicott. Stacey?

MS. DUNCAN: Yes. So if you have not been by the Huron Campus, recently purchased by Phoenix Investors, I'd encourage you to take a drive over there. You can already visibly see the changes that Phoenix Investors are making in the facility, and it's looking fantastic. The request they have today is, as you can imagine, in facilities of this size, much of the equipment needs replacement, so the request today for a sales tax exemption only would support the direct purchase of a new 80 KPPH industrial watertube boiler to replace a boiler that had failed.

The new boiler will be installed in Building 39 -- I'm not sure exactly where 39 is on the campus, but we do have representatives from Phoenix on the line -- the existing utility plant for the entire campus. There will also be various contractors hired to decommission the former boiler and install the new boiler. It will be the main boiler serving the campus, just under four million square feet, with both comfort heating and process steam for various applications. The total project cost on this is \$1.2 million approximately, and the value of that sales tax exemption is \$99,202.40. Again, we do have a representative from Phoenix Investors if the Governance Committee has any questions.

MR. BUCCI: Any questions?

MR. CROCKER: Nice to see something that actually has the word "industrial" in it.

MS. DUNCAN: It looks nice over there. [Crosstalk].

MR. BUCCI: Okay. Is there a motion to approve?

MS. SACCO: Motion.

MR. BUCCI: Cheryl. Joe, second. All in favor?

ALL: Aye.

MR. BUCCI: Okay. Motion is carried. Do we need to go into Executive Session?

MS. DUNCAN: We do not.

MR. PEDUTO: There's one more.

MR. BUCCI: Oh, I'm sorry. Review/Discussion/
Recommendation to Authorize The Agency to Require 25% of its
Agency Fee to be Paid by Applicants Upon Approval of
Sales/Leaseback Transaction or Lease/Leaseback Transaction
Benefits, with the Remaining Balance of its Agency Fee to be
Paid in 25% Increments Every Six Months, or in Full at the Time
of Closing, Whichever Occurs First. Stacey?

MS. DUNCAN: Yes. So after a number of discussions both
at the staff level and with the Board in recent months, this is
essentially the creation of a new policy related to The Agency
fee. As you know, The Agency derives all of our income through
our projects or through the sale or lease of the buildings.
That is how we are funded and, as such, we build our
operational budget on those projected fees. The request that
staff brought to the Board is for a stronger and tighter
process with regard to collection of Agency fees. We assess a
1% fee on the total project cost. Typically that's paid at the
time of closing.

For many understandable reasons, what we're seeing is projects are just taking a lot longer to get to close and some are not making it through. That does have financial implications on this organization. There is a cost of doing business with our organization, and as I mentioned, we make a projection on an annual basis of those fees. So this would essentially establish a policy that at the time of approval, rather than closing, 25% of that Agency fee would be payable to The Agency and in increments following such every six months or in full at the time of closing if it's within I would say a six-month period of time.

I don't know if there's any questions on that. This simply just establishes the policy, and we will communicate that with applicants as they come to us moving forward.

MR. BUCCI: So that 25% is not refundable?

MS. DUNCAN: No, correct.

MR. BUCCI: Okay. That's the important part of this. Any questions or comments? Is there a motion?

MS. SACCO: Motion.

MR. BUCCI: Motion, Cheryl. Is there a second? Second, Jim. All in favor?

ALL: Aye.

MR. BUCCI: Okay. Then we're not going into Executive Session, so is there a motion to adjourn?

[The meeting was adjourned on a motion by Ms. Sacco, seconded by Mr. Peduto, at 11:21 AM.]

[Attendees: Rich Bucci, Jim Peduto, Cheryl Sacco, Joe Mirabito, Dam Crocker, Stacey Duncan, Natalie Abbadessa, Carrie Hornbeck, Brendan O'Bryan, Amy Williamson, Nicolas Gregoris, Emma Augostini, Joe Meagher, Marc Newman, Alexandra Davis, Brett Pritchard, Jake Tomachek, Adam Green, Michael Tanzini, Christina Pierce, Roy Santa Croce, Nicholas Otey]

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 Governance Committee on July 20, 2022, was prepared using digital transcription software and is a true and accurate record of the proceedings.

Signature: _____



Date: July 23, 2022

THE AGENCY

BROOME COUNTY IDA / LDC

SMALL BUSINESS INCENTIVE PROGRAM APPLICATION

The Small Business Incentive Program can provide eligible applicants the following: an eight percent (8%) NYS sales tax exemption on all construction materials, machinery & equipment and FF&E.

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 LBK Properites LLC
Address 964 Taft Ave
City/State/Zip Endwell, NY 13760
Tax ID No. 16-1541008
Contact Name Lloyd Knecht
Title Member
Telephone (607) 222-1341
E-Mail Lloyd@ANCHeating.com

Owners of 20% or more of Applicant Company

Name	%	Corporate Title
<u>Lloyd Knecht</u>	<u>100%</u>	<u>Member</u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>

Benefit Requested

☒ Sales 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)

Installing new facade on 104 and 102 N Duane Ave
Re-painting entire building
New Signage throughout building
New Awnings to be installed on all three sides
Repair loading docks and dry wells
New blacktop throughout
Re-wiring outside electric to accomodate new signage and LED outdoor lighting

TAX MAP ID NUMBER: 156.12-3-44

PROJECT TIMELINE

July 20, 2022

Start Date

September 2022

End Date

102 + 104 N. Duane Ave. (100 Duane Ave N.)

Project Address

Endicott, NY 13760

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 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.

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. \$ 142871
b. LABOR b. \$ 109768

Site Work

- c. MATERIALS c. \$ _____
d. LABOR d. \$ _____
e. Non-Manufacturing Equipment e. \$ _____
f. Furniture and Fixtures f. \$ _____
g. LAND and/or BUILDING Purchase g. \$ _____
h. Soft Costs (Legal, Architect, Engineering) h. \$ _____
Other (specify) i. _____ i. \$ _____
j. _____ j. \$ _____
k. _____ k. \$ _____

TOTAL PROJECT COSTS \$252639

- B. Sources of Funds for Project Costs:

- a. Bank Financing a. \$ 0
b. Public Sources b. \$ 100000

Identify each state and federal grant/credit

Town of Union Loan
\$ 100000
\$ _____
\$ _____
\$ _____

- c. Equity \$ 152639

TOTAL SOURCES \$252639

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

☐ Yes ☒ No

If so, please specify bank, underwriter, etc.

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) \$ 142,871.00

Estimated value of New York State and local sales tax exemption (8% of value of eligible goods) \$ 11,429.00

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

PROJECTED EMPLOYMENT

Will this investment result in the creation of new jobs? If so, how many? 12.00

Current number of full time employees: 36.00

Estimated annual salary range of jobs to be created:

Annual Salary range from: 50000 to 90000

Estimated annual salary range of current jobs:

Annual Salary range from: 50000 to 90000

****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 tax benefit is claimed.***

APPLICATION & ADMINISTRATIVE FEES

A. Application Fee:

A non-refundable application fee of \$250.00 shall be charged to each applicant and accompany the completed application.

\$ 250.00

B. Administrative Fee:

A non-refundable administrative fee is due and payable prior to the issuance of a Sales Tax Letter. The administrative fee is based on the size and scope of the project, and is determined on a case by case basis.

\$ 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

LBK Properties LLC

Signature

Member

Title

7/19/2022

Date

Sworn to before me this

19 day of July, 20 22.

Sue Hillis

(Notary Public)

SUE HILLIS

Notary Public - State of New York

No. 01H16076255

Qualified in Broome County

My Commission Expires June 24, 2024

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 worked 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** LBK 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 ends on the project to the Agency.

The Applicant understands an Agency/**IDA** tax-exempt certificate is valid for one year from the effective date of the project inducement. If an Applicant wishes to request an extension, a letter must be sent 30 days prior to the end date to the Executive Director, on company letterhead, explaining the necessity for the extension.

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 7/19/2022 (Submission date).

APPLICANT: LBK Properties LLC

REPRESENTATIVE FOR CONTRACT BIDS/AWARDS: Lloyd Knecht

ADDRESS: 964 Taft Ave

CITY: Enwell

STATE: NY

ZIP: 13760

PHONE: 607.222.1341

EMAIL: Lloyd@ANCHeating.com

PROJECT ADDRESS: 122 Jennings Street / 102 & 104 N Duane Ave. / Endicott, NY 13760


AUTHORIZED REPRESENTATIVE: Lloyd Knecht

TITLE: Member

SIGNATURE:

Sworn to before me this

19 day of July, 2022.


(Notary Public)

SUE HILLIS
Notary Public - State of New York
No. 01H16078255
Qualified in Broome County
My Commission Expires June 24, 2022

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@bxs-tier.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@juoe158.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	Clark Brothers LLC	120 N Broad Street Johnson City, NY	clarkbrosllc@gmail.com	607.422.1291	109,700.00
Metals					
Wood/Casework					
Thermal/Moisture					
Doors, Windows & Glazing	Howards Windows & Doors	210 N Nanticoke Ave Endicott, NY	Jim@howardwindow.com	607.785.8656	13,435.20
Finishes	Brushes Over Broome	325 Cyprus Lane Endicott, NY	nicole@brushesoverbroom e.com	607.744.0224	25,742.89
Electrical	Albright Electric	91 Broad Ave Binghamton, NY	ksa@albrightelectric.com	607.748.2105	2,440.80
HVAC					
Plumbing					
Specialties	Rapp Signs	3979 Route 206 Greene, NY	signs@rappsigns.com	607.656.8167	20,070.50
M&E					
FF & E					
Utilities					
Paving/Landscaping	Magliocca	620 Squires Ave Endicott, NY		607.754.1647	63,000.00

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	Skylight Signs	607 Industrial Park Circle Rochester NY	jumc@sklylightsigns.com	585.594.2500	18,252.00
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