

**BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BOARD MEETING
FIVE South College Drive; Suite 201
Binghamton, New York 13905
Wednesday, October 19, 2022, 12:00 pm**

SYNOPSIS OF MEETING

PRESENT: J. Bernardo, J. Peduto, D. Crocker, C. Sacco, D. Gates and P. Newman

ABSENT: S. Cornwell, R. Bucci, J. Mirabito

GUESTS: D. Dimmick, Spark Broome, LLC
J. Platsky, Press and Sun Bulletin (via Teleconference)
M. Meany, Mayor Village of JC (via Teleconference)

STAFF: S. Duncan, N. Abbadessa, B. O’Bryan, T. Ryan, A. Williamson and P. Doyle

COUNSEL: J. Meagher

PRESIDING: J. Bernardo

The meeting was called to order at 12:00 p.m.

ITEM #1. APPROVE THE MINUTES FOR THE SEPTEMBER 21, 2022 BOARD MEETING: Chairman Bernardo requested a motion to approve September 21, 2022, minutes.

MOTION: Mr. Crocker motioned to approve, seconded by Mr. Newman; the MOTION CARRIED.

ITEM #2. PUBLIC COMMENT: Chairman Bernardo asked if there were any public comments.

No public comments were made.

ITEM #3. EXECUTIVE DIRECTOR’S REPORT:

Ms. Duncan provided updates on the following:

Former IBM Country Club – A demolition press event with Lechase Construction will occur on October 20th at 1:30 pm. The LOI letter for the project is waiting on SHPO to finalize. Should be completed by next week. A cornerstone, including a time capsule, was found in the building. The plan is to preserve the cornerstone and either put it somewhere in the new building or have it go to the Heritage Museum in Endicott. The time capsule will be opened by IBM representatives at the groundbreaking with Conifer

Realty in late spring 2023. A follow-up with Conifer Realty took place. They will begin doing final site plan approvals in the months ahead. It's anticipated that their application for the low-income housing tax credits will likely be applied for in the spring of 2023. The lot will be vacant for some time after the demo as the state processes the tax credit program. Ms. Duncan will make the community aware of this.

600 Main Street- The FAST program, New York State's shovel-ready new site program, should have the application process open by the end of the year. The program will have different tracks. One will be a certification track, and the other will be a pre-development funding track. Ms. Duncan anticipates that an application will be submitted for 600 Main Street to raise the site and prepare for development as outlined in the feasibility study.

ARC Grant - Ms. Duncan commended Brendan O'Bryan for his work on securing an ARC or Appalachian Regional Commission grant in the amount of \$174,000. This grant will help phase two of the site inventory analysis get underway.

Water Street Project- Ms. Duncan stated she was having a call with Jeff Smetana on Friday to discuss the project and get an update. She will let the Board know the outcome and next steps.

Staff Updates - Ms. Abbadessa will host a Lunch and Learn on October 26th to discuss The Agency's loan programs. Ms. Abbadessa and Mr. O'Bryan will attend the IDA Academy in Utica on November 9th & 10th. Ms. Duncan is participating in a roundtable event at Binghamton University for the new Energy New York kickoff.

NBT Bank Investment - Brad Eaton, who has been The Agency's representative from NBT Bank for its investment accounts, has left NBT Bank. The new representative is Scott Fiedler. Ms. Duncan will invite Mr. Fiedler to a Board meeting right after the first of the year to provide an update. She also provided an update on the investment portfolio and stated she would be moving money from the transition account to be reinvested.

Chairman Bernardo asked if there were any other questions related to the Executive Director's Report or questions on the Internal Financial Reports. Hearing none, moved on to Loan Activity Reports.

ITEM #4. LOAN ACTIVITY REPORTS AS OF SEPTEMBER 30, 2022: The Internal Financial Reports for September were presented to the Board. The balances available to lend are \$567,398.24 (STEED),

\$389,487.65 (BDF) and \$81,137.10 (BR + E). Chairman Bernardo asked if there were any questions on the Loan Activity Reports; hearing none, moved on to New Business.

MOTION: No motion necessary.

ITEM #5. RESOLUTION AUTHORIZING AN EXTENSION OF THE OCTOBER 16, 2019 SALES AND USE TAX EXEMPTION GRANTED TO SPARK BROOME, LLC, THROUGH AND INCLUDING OCTOBER 16, 2023, AND AUTHORIZING AN INCREASE THEREOF IN AN AMOUNT OF \$100,000.00, FOR A TOTAL SALES AND USE TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$885,000.00: Ms. Duncan stated this resolution is for the Sears project, Spark Broome not Spark JC which is the Oakdale Commons project. Dave Dimmick was in attendance representing Spark Broome. The request is for both an extension of time for a term of one year but also an increase in the amount of sales tax exemption provided. Due to Covid, numerous delays occurred in the completion of the project. The rise in cost and shortages of materials impeded construction activities. Spark Broome is seeking an additional \$100,000 in sales tax exemption benefits. Chairman Bernardo asked if there were any questions; hearing none, Chairman Bernardo asked for a motion.

MOTION: To Accept a Resolution Authorizing an Extension of the October 16, 2019 Sales and Use Tax Exemption Granted to Spark Broome, LLC, Through and Including October 16, 2023, and Authorizing an Increase Thereof in an Amount of \$100,000.00, for a Total Sales and Use Tax Exemption in an Amount Not to Exceed \$885,000.00. On a MOTION by Mr. Crocker, seconded by Mr. Peduto, the MOTION CARRIED.

EXECUTIVE SESSION: Chairman Bernardo asked the Board of Directors if an Executive Session was needed. He suggested that if anyone had questions pertaining to the next agenda item, then the Board should go into Executive Session. All Board members agreed that Executive Session was not needed.

ITEM #6: RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT WITH SHUMAKER CONSULTING ENGINEERING AND LAND SURVEYING, D.P.C. FOR THE PURPOSE OF SITE EVALUATION ON PREMISES LOCATED IN THE TOWN OF MAINE AND THE TOWN OF UNION, BROOME COUNTY, NEW YORK WITH AN ANALYSIS SERVICE CONTRACT AMOUNT OF \$27,490.50 AND A FULL CONTRACT AMOUNT NOT TO EXCEED \$62,890.50: Ms. Duncan stated an RFP and resolution was done at the beginning of 2022 to enable The Agency to have contracts with six Architect & Engineering Firms for various services related to engineering, architectural, and general economic development consulting services. An RFP was submitted to four of those firms, LaBella, Shumaker, Keystone and Delta, by Elan Planning, serving as the technical consultant for this project. The

requested proposal was for site evaluations on property located in the Town of Union and the Town of Maine. This request will take a deeper dive into the ability to develop that acreage. The firm will look at things like endangered species analysis, soil analysis & testing, and generally, any other potential barriers to development. Elan Planning reviewed all the RFPs and then prepared a summary of recommendations. The costs at this stage are for the site evaluation analysis services and the Geotech. The RFP called for up to 15 soil borings. That is the potential amount. It may shift depending on what the engineer's analysis says and change the cost. The recommendation from Elan was that The Agency select Shumaker Engineering to complete this phase of the project. Chairman Bernardo asked if there were questions for Ms. Duncan; hearing none he requested a motion.

MOTION: To Accept a Resolution Authorizing the Executive Director to Enter into a Professional Service Contract with Shumaker Consulting Engineering and Land Surveying, D.P.C. for the Purpose of Site Evaluation on Premises Located in the Town of Maine and the Town of Union, Broome County, New York With an Analysis Service Contract Amount of \$27,490.50 and a Full Contract Amount Not to Exceed \$62,890.50. On a MOTION by Mr. Crocker, seconded by Mr. Newman, the MOTION CARRIED.

ITEM #9: ADJOURNMENT: Chairman Bernardo requested a motion to adjourn.

MOTION: On a MOTION by Mr. Gates, seconded by Mr. Peduto, the MOTION CARRIED, and the meeting was adjourned at 12:15 p.m.

The next meeting of The Agency Board of Directors is scheduled for Wednesday, November 16, 2022 at 12:00 p.m. at FIVE South College Drive, Suite 201, Binghamton, NY 13905.