

**BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
BOARD MEETING  
FIVE South College Drive; Suite 201  
Binghamton, New York 13905  
Wednesday, December 21, 2022, 12:00 pm**

**SYNOPSIS OF MEETING**

**PRESENT:** J. Bernardo, J. Peduto, D. Crocker, R. Bucci, D. Gates, J. Mirabito, C. Insigna and P. Newman

**ABSENT:** S. Cornwell

**GUESTS:** Jamie Jacobs, Riger Marketing Communications  
Luc Choquette, Green Mountain Electric Supply/GMS Realty  
Paige Rauch, Broome County Executive Office  
Ben Locke, 78 Main Street LB4 Properties, LLC  
Sean McCabe, Harris Beach PLLC - attorneys for GMS Realty/GMES  
Justin A. Marchuska II, Marchuska Productions, LLC.  
Scott Fielder NBT Bank  
Bob Joseph, WNBF

**STAFF:** S. Duncan, N. Abbadessa, B. O'Bryan and A. Williamson

**COUNSEL:** J. Meagher

**PRESIDING:** J. Bernardo

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

**ITEM #1. APPROVE THE MINUTES FOR THE NOVEMBER 16, 2022 BOARD MEETING:** Chairman Bernardo requested a motion to approve the November 16, 2022, minutes.

**MOTION:** Mr. Crocker motioned to approve, seconded by Ms. Insigna; 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:

**Grant Funding-** The governor announced projects to receive Restore NY grant funding. One of the projects

is Green Mountain Electrical Supply. They will get \$350,000. The Village of Endicott is to receive \$6 million as well. 187 Clinton Street in the City of Binghamton, an affordable housing project that could come before the Board, received \$2.9 million in grant funds. The Village of Endicott is still waiting to hear from NYS on which projects have been approved for the use of DRI funds. The Village of Johnson City and the City of Binghamton have applied for next year's DRI competition.

**Project Update** – The Greater Binghamton Sports Complex had its grand opening on December 8<sup>th</sup>.

**The FAST Program** – Mr. O'Bryan and Lisa Nagel from Elan attended a webinar about the FAST Shovel Ready Program. Empire State Development has just opened the application portal. The Agency will apply for two different programs.

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 November 30, 2022:** The Internal Financial Reports for November were presented to the Board. The balances available to lend are \$455,021.85 (STEED), \$399,412.39 (BDF) and \$85,277.57 (BR + E). Chairman Bernardo asked if there were any questions on the Loan Activity Reports or on any of the loans; hearing none, moved on to New Business.

**MOTION:** No motion necessary.

**ITEM #5. RESOLUTION ACCEPTING AN APPLICATION FROM GMS REALTY, LLP (THE "COMPANY") FOR A LEASE/LEASEBACK TRANSACTION TO FACILITATE THE FINANCING OF THE ACQUISITION, RENOVATION AND EQUIPPING OF THE PROPERTY AND BUILDING LOCATED AT 219 VESTAL AVENUE LOCATED IN THE VILLAGE OF ENDICOTT, TOWN OF UNION, BROOME COUNTY, NEW YORK, TO PROVIDE FOR A SALES AND USE TAX EXEMPTION BENEFIT IN AN AMOUNT NOT TO EXCEED \$560,000.00, TO PROVIDE FOR A MORTGAGE TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$78,800.00, TO PROVIDE FOR A REAL PROPERTY TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$1,416,295.00, AND TO AUTHORIZE THE AGENCY TO SET AND CONDUCT A PUBLIC HEARING WITH RESPECT THERETO:** Ms. Duncan stated that this resolution was to accept the application and set a public hearing for GMS Realty, LLP. GMS Realty, LLP will purchase the site at 219 Vestal Avenue also known as the former Endicott K-Mart site. Its affiliated entity, Green Mountain Electric Supply, Inc. (GMES) is a wholesale supplier of electrical supplies and a third-generation family-owned business since 1953. GMES will use the facility for electrical materials and supplies in connection with its wholesale business. This facility will help fulfill its 11 New York branch

locations - including the recent location it opened in Binghamton. As a location for its wholesale business, GMES will have material from its vendors, store it, and then ship it out to and from its branch locations. Green Mountain Electric Supply will not be adding to the 100,000-square-foot building. It will only be renovating the current building. GMES also plans on donating land to the Village of Endicott to accommodate a walkway path from the school to the area behind McDonald's while also giving enough land for the municipality to build a new park. Green Mountain Electric Supply is a high-growth company with ties to its local communities. The building will be fully renovated along with the property. Instead of being an eyesore to the community, it will now be a location that the Village can be proud of again. GMES will hire 20 or more people after the completion of the project. These jobs include warehousing positions, driving positions, and some management positions. NYS awarded GMES \$350,000 in Restore Community funds and they are also in the running for a \$3.1 million grant from the Endicott DRI. Ms. Insinga asked Mr. Choquette from GMS Realty if they are not awarded the DRI monies will the project still proceed. Mr. Choquette said they have been asked that question several times and he did not feel comfortable answering the question. He stated that they would like to receive the DRI funds, but if they didn't, they would most likely need to find other funding. Chairman Bernardo asked if there were additional questions. Ms. Abbadessa stated that a new updated cost-benefit analysis was provided to the Board. Chairman Bernardo asked Mr. Bucci if the Governance Committee had moved the resolution. Mr. Bucci said yes.

**MOTION:** TO ACCEPT AN APPLICATION FROM GMS REALTY, LLP (THE "COMPANY") FOR A LEASE/LEASEBACK TRANSACTION TO FACILITATE THE FINANCING OF THE ACQUISITION, RENOVATION AND EQUIPPING OF THE PROPERTY AND BUILDING LOCATED AT 219 VESTAL AVENUE LOCATED IN THE VILLAGE OF ENDICOTT, TOWN OF UNION, BROOME COUNTY, NEW YORK, TO PROVIDE FOR A SALES AND USE TAX EXEMPTION BENEFIT IN AN AMOUNT NOT TO EXCEED \$560,000.00, TO PROVIDE FOR A MORTGAGE TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$78,800.00, TO PROVIDE FOR A REAL PROPERTY TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$1,416,295.00, AND TO AUTHORIZE THE AGENCY TO SET AND CONDUCT A PUBLIC HEARING WITH RESPECT THERETO. On a MOTION by Mr. Bucci, seconded by Ms. Insigna, the MOTION CARRIED.

**ITEM #6: RESOLUTION ACCEPTING AN APPLICATION FROM MARCHUSKA PRODUCTIONS, L.L.C. AUTHORIZING A NEW YORK STATE AND LOCAL SALES AND USE TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$18,160.00, FOR A TERM NOT TO EXCEED TWELVE MONTHS, CONSISTENT WITH THE POLICIES OF THE AGENCY IN CONNECTION WITH THE RENOVATION AND EQUIPPING OF SUITE 120 AT 49 COURT STREET IN THE CITY OF BINGHAMTON, COUNTY OF BROOME AND STATE OF NEW YORK.**

Ms. Duncan stated that this was a Small Business Incentive Program Application. Marchuska Productions, LLC will renovate Suite 120 of the Metro Center located at 49 Court Street in the City of Binghamton for a new tenant, Ramboll Americas Engineering Solutions, Inc. The total project cost is \$347,000, with a sales tax exemption of \$18,160. Chairman Bernardo asked the Board if they had questions for Ms. Duncan or Mr. Marchuska. Hearing none, requested a motion. Chairman Bernardo asked Mr. Bucci if the Governance Committee had moved the resolution. Mr. Bucci said yes.

**MOTION:** TO ACCEPT AN APPLICATION FROM MARCHUSKA PRODUCTIONS, L.L.C. AUTHORIZING A NEW YORK STATE AND LOCAL SALES AND USE TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$18,160.00, FOR A TERM NOT TO EXCEED TWELVE MONTHS, CONSISTENT WITH THE POLICIES OF THE AGENCY IN CONNECTION WITH THE RENOVATION AND EQUIPPING OF SUITE 120 AT 49 COURT STREET IN THE CITY OF BINGHAMTON, COUNTY OF BROOME AND STATE OF NEW YORK. On a MOTION by Mr. Bucci, seconded by Mr. Mirabito, Ms. Insigna abstained, the MOTION CARRIED.

**ITEM #7: RESOLUTION ACCEPTING AN APPLICATION FROM 78 MAIN STREET LB4 PROPERTIES, LLC AND AUTHORIZING A NEW YORK STATE AND LOCAL SALES AND USE TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$35,064.18, FOR A TERM NOT TO EXCEED TWELVE MONTHS, CONSISTENT WITH THE POLICIES OF THE AGENCY, IN CONNECTION WITH THE DEMOLITION OF THE BUILDING LOCATED AT 78 MAIN STREET IN THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK AND THE RENOVATION, INSTALLATION AND EQUIPPING OF THE PROPERTY AND BUILDING LOCATED AT 6 MAIN STREET IN THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK.** Ms. Duncan stated that this was a Small Business Incentive Program Application. She said there are two different parts to this project. First, the demo of 78 Main St. will take place for additional parking, and then 6 Main Street Terrace will be renovated into nine new market-rate apartments. The total project cost is \$911,402, with a sales tax exemption of \$35,064.18. Chairman Bernardo asked the Board if they had questions for Ms. Duncan or Mr. Locke. Hearing none, requested a motion. Chairman Bernardo asked Mr. Bucci if the Governance Committee had moved the resolution. Mr. Bucci said yes.

**MOTION:** TO ACCEPT AN APPLICATION FROM 78 MAIN STREET LB4 PROPERTIES, LLC AND AUTHORIZE A NEW YORK STATE AND LOCAL SALES AND USE TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$35,064.18, FOR A TERM NOT TO EXCEED TWELVE MONTHS, CONSISTENT WITH THE POLICIES OF THE AGENCY, IN CONNECTION WITH THE DEMOLITION OF THE BUILDING LOCATED AT 78 MAIN STREET IN THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK AND THE RENOVATION, INSTALLATION AND EQUIPPING OF THE PROPERTY AND BUILDING LOCATED AT 6 MAIN STREET IN THE VILLAGE OF JOHNSON CITY, BROOME COUNTY, NEW YORK. On a MOTION by Mr. Bucci, seconded by Mr. Peduto, the MOTION CARRIED.

**ITEM #8: RESOLUTION AUTHORIZING THE AGENCY TO ENTER INTO A CONTRACT WITH RIGER MARKETING COMMUNICATIONS FOR MEDIA PLANNING AND PLACEMENT ACTIVITIES FROM JANUARY 1, 2023 THROUGH, AND INCLUDING, DECEMBER 31, 2023 IN AN AMOUNT NOT TO EXCEED \$17,300.00 TO BE PAID IN EQUAL QUARTERLY EXPENDITURES OF \$4,325.00.** Ms. Duncan stated that this was a contract renewal with Riger Marketing. Riger has worked with The Agency for several years on media recommendation and placement. Ms. Duncan reviewed the proposed contract with the Board. She stated that Jamie Jacobs from Riger Marketing was on Zoom if anyone had questions. Mr. Bucci asked that this discussion occur with the entire Board and not just the Governance Committee. He also stated that he would like to understand more about the click-through process on The Agency website and if there were any opportunities to get people to go further once they click on a specific link/ad from The Agency. A discussion ensued with the Board, Ms. Jacobs and Ms. Williamson. Chairman Bernardo asked if anyone had more questions or comments. Hearing none, requested a motion.

**MOTION:** TO AUTHORIZE THE AGENCY TO ENTER INTO A CONTRACT WITH RIGER MARKETING COMMUNICATIONS FOR MEDIA PLANNING AND PLACEMENT ACTIVITIES FROM JANUARY 1, 2023 THROUGH, AND INCLUDING, DECEMBER 31, 2023 IN AN AMOUNT NOT TO EXCEED \$17,300.00 TO BE PAID IN EQUAL QUARTERLY EXPENDITURES OF \$4,325.00. On a MOTION by Mr. Bucci, seconded by Mr. Mirabito, the MOTION CARRIED.

**ITEM #9: SCOTT FIEDLER, NBT BANK END-OF-YEAR PRESENTATION.** Mr. Fiedler presented the Board with the end of the year data on The Agency's investment accounts. A discussion ensued.

**MOTION:** No motion necessary.

**ITEM #10: EXECUTIVE SESSION: TO DISCUSS THE SALE OF PROPERTY:**

**MOTION:** To Convene to Executive Session at 12:47 p.m. On a MOTION by Mr. Gates, seconded by Mr. Peduto, the MOTION CARRIED UNANIMOUSLY.

**ITEM #11: RECONVENE FROM EXECUTIVE SESSION.**

**MOTION:** To Reconvene back to Public Session at 1:12 p.m. On a MOTION by Ms. Insigna, seconded by Mr. Gates, the MOTION CARRIED UNANIMOUSLY.

**ITEM #12: ADJOURNMENT:** Chairman Bernardo requested a motion to adjourn.

**MOTION:** On a MOTION by Mr. Gates, seconded by Mr. Newman, the MOTION CARRIED, and the meeting was adjourned at 1:13 p.m.

The next meeting of The Agency Board of Directors is scheduled for Wednesday, January 18, 2023, at 12:00 p.m. at FIVE South College Drive, Suite 201, Binghamton, NY 13905.