

# THE AGENCY

B R O O M E C O U N T Y I D A / L D C

**GOVERNANCE COMMITTEE MEETING**  
MARCH 15, 2023 – 11:45 A.M.  
THE AGENCY CONFERENCE ROOM, 2<sup>ND</sup> FLOOR  
FIVE SOUTH COLLEGE DRIVE, SUITE 201  
BINGHAMTON, NY 13901

## AGENDA

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| 1. | CALL TO ORDER  | J. PEDUTO |
| 2. | ACCEPT THE MINUTES FROM FEBRUARY 15, 2023  | J. PEDUTO |
| 3. | PUBLIC COMMENT   | J. PEDUTO |
| 4. | REVIEW/DISCUSSION/RECOMMENDATION OF APPROVING AN EXTENSION OF THE FEBRUARY 5, 2021, SALES AND USE TAX EXEMPTION AGREEMENT WITH BLUESTONE WIND, LLC, THROUGH AND INCLUDING JUNE 29, 2023, THE TOTAL OF WHICH SHALL NOT EXCEED \$8,807,628.00. | S. DUNCAN |
| 5. | ADJOURNMENT  | J. PEDUTO |

**BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
GOVERNANCE COMMITTEE  
February 15, 2023 – 11:30 AM  
FIVE South College Drive  
Binghamton, NY 13905**

COMMITTEE MEMBERS PRESENT: R. Bucci, J. Peduto, P. Newman, and M. Sopchak

BOARD MEMBERS PRESENT: D. Crocker

GUESTS: Michael Tanzini, Broome County Legislature

ABSENT: None

STAFF: S. Duncan, N. Abbadessa, B. O'Bryan, and S. Guokas

COUNSEL: J. Meagher

PRESIDING: R. Bucci

**AGENDA ITEM 1:** Chairman Bucci called the meeting to order at 11:35 a.m.

**AGENDA ITEM 2:** Accept January 18, 2023, Governance Committee meeting minutes: Chairman Bucci stated that the minutes were forwarded to all members; they had an opportunity to review; any modifications were forwarded. Chairman Bucci accepted the minutes for the record.

**MOTION:** No motion necessary.

**AGENDA ITEM 3:** Public Comment: Chairman Bucci asked if there were any public comments; hearing none, Chairman Bucci closed the Public Comment section of the meeting.

**AGENDA ITEM 4: REVIEW/DISCUSSION/RECOMMENDATION OF THE SUMMARY RESULTS OF THE CONFIDENTIAL EVALUATION OF BOARD PERFORMANCE DATED FEBRUARY 1, 2023.**

Ms. Duncan stated that this is an annual requirement of the Authority Budget Office. She will review the summary results with Chairman Bernardo. The results of the summary have been provided to the entire board. Ms. Duncan is requesting that the results of the summary be moved to the full Board.

**MOTION:** Mr. Sopchak moved the Motion to Recommend to the entire Board for Approval, seconded by Mr. Peduto; the MOTION CARRIED.

**AGENDA ITEM 5: REVIEW/DISCUSSION OF THE 2022 MISSION AND MEASUREMENT REPORT OF THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS ATTACHED HERETO AS EXHIBIT "A":** Ms. Abbadessa stated this is an annual requirement of the Authority Budget Office. The report is based on the achievements of the staff in 2022 and objectives and goals for the staff for 2023. It's a requirement that is to be completed annually. It ties last year's and this year's goals to the Strategic Plan approved by the Board.

**MOTION:** Mr. Sopchak moved the Motion to Recommend to the entire Board for Approval, seconded by Mr. Peduto; the MOTION CARRIED.

**AGENDA ITEM 6: REVIEW/DISCUSSION/RECOMMENDATION OF THE READOPTION OF THE AGENCY'S BYLAWS, THE CODE OF ETHICS POLICY, THE DEFENSE AND INDEMNIFICATION POLICY, THE WHISTLEBLOWER PROTECTION POLICY, THE COMPENSATION, REIMBURSEMENT AND ATTENDANCE POLICY, AND THE TRAVEL POLICY WITH NO CHANGES:** Ms. Abbadessa stated this is an annual requirement of the Authority Budget Office that the staff and Board review the Bylaws and its Policies and Procedures on an annual basis to make sure that they are in line with the Board's direction. The staff has reviewed these documents and recommends that the Committee readopt the Bylaws and Policies and Procedures, with no changes.

**MOTION:** Mr. Sopchak moved the Motion to Recommend to the entire Board for Approval, seconded by Mr. Peduto; the MOTION CARRIED.

**AGENDA ITEM 7: RESOLUTION APPROVING AN EXTENSION OF THE JUNE 10, 2021 SALES AND USE TAX EXEMPTION AGREEMENT AND THE SALES AND USE TAX EXEMPTION INCREASE AGREEMENT OF EJ VICTORY BUILDING, LLC, EXPIRING ON FEBRUARY 17, 2022, FROM FEBRUARY 17, 2023 THROUGH, AND INCLUDING, DECEMBER 31, 2023, THE TOTAL OF WHICH SHALL NOT EXCEED \$1,848,000.00 :**

EJ Victory Building LLC, is requesting an extension of time for their sales tax exemption. MS. Duncan reviewed the project with the Committee.

**MOTION:** Mr. Sopchak moved the Motion to Recommend to the entire Board for Approval, seconded by Mr. Peduto; the MOTION CARRIED.

**AGENDA ITEM 8: RESOLUTION ACCEPTING 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 \$8,000.00 FOR A TERM NOT TO EXCEED TWELVE MONTHS, CONSISTENT WITH THE POLICIES OF THE AGENCY IN CONNECTION WITH THE PREPARATION OF THE ROOF ON PREMISES LOCATED AT 1301 CLARK STREET IN THE VILLAGE OF ENDICOTT, BROOME COUNTY, NEW YORK FOR THE INSTALLATION OF A NEW THERMOPLASTIC POLYOLEFIN (TPO) ROOF SYSTEM:**

MS. Duncan stated that Phoenix Endicott Industrial Investors, LLC is requesting a sales tax exemption from the Small Business Incentive Program. The project consists of demolishing old mechanical equipment that is no longer used for the roof to be prepared for a new TPO roof system. The exemption is not to exceed \$8,0000. A discussion ensued.

**MOTION:** Mr. Sopchak moved the Motion to Recommend to the entire Board for Approval, seconded by Mr. Newman; the MOTION CARRIED.

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

**MOTION:** On a MOTION by Mr. Peduto; seconded by Mr. Sopchak, the MOTION CARRIED, and the meeting was adjourned at 11:46 a.m.

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



c/o Northland Power Inc.  
30 St. Clair Ave W  
12<sup>th</sup> Floor  
Toronto, Ontario M4V 3A1

## Stacey Duncan

Executive Director  
The Agency BCIDA/LDC  
5 South College Drive  
Binghamton, NY 13905

RE: APPLICATION FOR BENEFITS

February 13, 2023

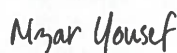
Dear Ms. Duncan:

The construction for the Bluestone Wind project is in the finalization stage, all turbines have been erected and the team is actively working on completion of the interconnection facilities. This spring and early summer, we will complete restoration of the site, which includes reseeding and final repairs to public roads. Due to winter weather, all civil activities are currently on hold with a planned restart in the spring of 2023. We expect to bring the project into commercial operation in Q2 2023.

Some outstanding activities on site, such as site restoration, will benefit from the exemption that was generously granted by The Agency on December 29, 2020. Although we have completed the majority of non-exempt activities by the end of 2022, it is clear that some of that work will take place during the first half of 2023.

We would like to request a 6-month extension to our sales tax exemption, which expired on December 29, 2022. We will promptly remit the fees associated with the processing of the extension. Please let us know what additional documentation you might need from us in order to support this request.

Sincerely,

DocuSigned by:  
  
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Authorized Signatory