

**BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
BOARD MEETING  
FIVE South College Drive, Suite 201  
Binghamton, New York 13905  
Wednesday, May 17, 2023, 12:00 pm**

**SYNOPSIS OF MEETING**

**PRESENT:** J. Bernardo, J. Peduto, D. Crocker, M. Sopchak, E. Miller, R. Bucci, D. Gates, P. Newman, and J. Mirabito

**ABSENT:** None

**GUESTS:** Michael Tanzini, Broome County Legislature  
Luc Choquette, Green Mountain Electric Supply  
Lew Grubham, Town of Kirkwood Supervisor  
Michael Decker, Broome County Real Property Tax  
Jeremy Speich, Harris Beach

**STAFF:** S. Duncan, N. Abbadessa, B. O'Bryan, S.Guokas, G. Paugh, and P. Doyle

The meeting was called to order at 12:02 pm.

**ITEM #1. APPROVE THE MINUTES FOR THE APRIL 19, 2023, BOARD MEETING:** Chairman Bernardo requested a motion to approve April 30, 2023, minutes.

**MOTION:** Mr. Crocker motioned to approve, seconded by Ms. Miller; the MOTION CARRIED.

**ITEM #2. PUBLIC COMMENT:** Chairman Bernardo asked if there were any public comments. There was none.

**ITEM #3. EXECUTIVE DIRECTOR'S REPORT:**

Ms. Duncan provided updates on the following:

**4301 Watson Blvd.:** She explained the Town of Union Planning Board approved the Conifer/LeChase workforce housing project. However, conifer is still waiting on HCR to open its application so they can apply for the tax credits.

**FAST:** Two applications have been submitted—one for 600 Main St. for infrastructure improvements. The second is a predevelopment grant for acreage in the Town of Maine and Union for the proposed new Corporate Park.

The Board had a few questions pertaining to ongoing projects:

**Save Around:** Mr. Bucci asked about the letter from Save Arouns attorney, HH&K, regarding The Agency's Leaseback Agreement. He felt they did not adequately address the language in Article VI, Section 6.1 (b) of the Leaseback Agreement from the IDA to SAVEAROUND. Ms. Duncan said she would have The Agency's counsel investigate it and provide answers for the Board. Chairman Bernardo thought maybe a Special Meeting should take place. Ms. Duncan said she would speak to Mr. Meagher and then get back to the Board.

**Airport RD:** Ms. Miller asked if any land had been recently bought on Airport Rd that new houses would be built on, where the potential new Corporate Park would be located. Mr. O'Bryan explained that no properties we are inquiring about have homes on them. It is all vacant land.

**ITEM #4. LOAN ACTIVITY REPORTS AS OF APRIL 30, 2023:** The Loan Activity Reports for April were presented to the Board. The balances available to lend are \$589,095.18(STEED), \$425,152.48 (BDF), and \$95,713.77 (BR + E). Chairman Bernardo asked if there were any questions on the Loan Activity Reports or any of the loans.

**MOTION:** No motion necessary.

**ITEM #5. RESOLUTION ACCEPTING AN EXTENSION OF THE JUNE 10, 2021, SALES AND USE TAX EXEMPTION AGREEMENT GRANTED TO KASHOU ENTERPRISES, INC. THROUGH, AND INCLUDING, MAY 19, 2024 AND AUTHORIZING AN INCREASE THEREOF IN THE AMOUNT OF \$63,840.00 FOR A TOTAL SALES AND USE TAX EXEMPTION NOT TO EXCEED \$395,280.00.** Ms. Duncan reviewed the project. She explained that this was for the renovation of the front concession stand. They are looking for an extension of time and dollar amount for the applicable material costs. Mr. Newman had concerns that the exemption amount had doubled. Chairman Bernardo asked Mr. Bucci if the Governance Committee moved to approve. He stated yes.

**MOTION:** TO APPROVE AN EXTENSION OF THE JUNE 10, 2021, SALES AND USE TAX EXEMPTION AGREEMENT GRANTED TO KASHOU ENTERPRISES, INC. THROUGH, AND INCLUDING, MAY 19, 2024 AND

AUTHORIZING AN INCREASE THEREOF IN THE AMOUNT OF \$63,840.00 FOR A TOTAL SALES AND USE TAX EXEMPTION NOT TO EXCEED \$395,280.00. On a MOTION by Mr. Bucci, seconded by Mr. Mirabito, the MOTION CARRIED.

**ITEM #6. RESOLUTION ACCEPTING AN EXTENSION OF THE JUNE 12, 2020, SALES AND USE TAX EXEMPTION AGREEMENT GRANTED TO GJS PROPERTY GROUP LLC THROUGH, AND INCLUDING, MAY 20, 2024 FOR A TOTAL SALES AND USE TAX EXEMPTION NOT TO EXCEED \$60,000.00.** Ms. Duncan stated this is a request for a time extension due to delays in scheduling with contractors for the renovation work. Chairman Bernardo asked Mr. Bucci if the Governance Committee moved to approve. He stated yes. Chairman Bernardo asked if there were any questions or comments.

**MOTION:** TO APPROVE AN EXTENSION OF THE JUNE 12, 2020, SALES AND USE TAX EXEMPTION AGREEMENT GRANTED TO GJS PROPERTY GROUP LLC THROUGH, AND INCLUDING, MAY 20, 2024 FOR A TOTAL SALES AND USE TAX EXEMPTION NOT TO EXCEED \$60,000.00. On a MOTION by Mr. Bucci, seconded by Mr. Newman, the MOTION CARRIED.

**ITEM #7. 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 47-51 PINE CAMP DRIVE LOCATED IN THE TOWN OF KIRKWOOD, BROOME COUNTY, NEW YORK, TO PROVIDE FOR A SALES AND USE TAX EXEMPTION BENEFIT IN AN AMOUNT NOT TO EXCEED \$184,120.00, TO PROVIDE FOR A REAL PROPERTY TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$6,647,409.00, INCLUDING A DEVIATION FROM THE AGENCY'S UNIFORM TAX EXEMPTION POLICY, AND TO AUTHORIZE THE AGENCY TO SET AND CONDUCT A PUBLIC HEARING WITH RESPECT THERETO.** Ms. Duncan reviewed the project with the Board. First, explaining why the already approved project that was to take place in Endicott could not happen. She also said this resolution was only to accept the application and set a Public Hearing. The project will now take place in Kirkwood. She stated that the new building is approximately 287,000 square feet, and GMS Realty, LLP will be leasing 70,000 square feet and occupying the rest. Its affiliated entity, Green Mountain Electric Supply, Inc. (GMES), has been 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 for its wholesale business. This facility will help fulfill its 11 New York branch locations - including the recent location it opened in Binghamton. GMES will hire 20 or more people after the completion of the project. These jobs include warehousing positions, driving positions, and some management positions.

Ms. Duncan explained that Canopy, the former owner of the building, had not fulfilled its obligations to the project, so the PILOT recapture process was taking place. Ms. Miller asked if this was being treated as

a new project and asked about the assessment of the current building. Ms. Duncan explained that this was an entirely new project and the building was not re-assessed after Canopy had put several millions of dollars into the building renovations. Since GMS Realty, LLP will only be doing five million dollars of renovations, the current assessment will stay the same. Mr. Sopchak asked Mr. Choquette about the building they had acquired in Endicott and its future plans. Mr. Choquette explained that GMS Realty, LLP still owns the building and property and plans to resell if possible. Chairman Bernardo asked Mr. Bucci if the Governance Committee moved to approve. He stated yes. Chairman Bernardo asked if there were any other questions or comments.

**MOTION:** TO APPROVE A 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 47-51 PINE CAMP DRIVE LOCATED IN THE TOWN OF KIRKWOOD, BROOME COUNTY, NEW YORK, TO PROVIDE FOR A SALES AND USE TAX EXEMPTION BENEFIT IN AN AMOUNT NOT TO EXCEED \$184,120.00, TO PROVIDE FOR A REAL PROPERTY TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$6,647,409.00, INCLUDING A DEVIATION FROM THE AGENCY'S UNIFORM TAX EXEMPTION POLICY, AND TO AUTHORIZE THE AGENCY TO SET AND CONDUCT A PUBLIC HEARING WITH RESPECT THERETO. On a MOTION by Mr. Bucci, seconded by Mr. Crocker, the MOTION CARRIED.

**ITEM #8: EXECUTIVE SESSION: None was needed.**

**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 **12:40 pm.**

The next meeting of The Agency Board of Directors is scheduled for Wednesday, June 21, 2023, at 12:00 pm at FIVE South College Drive, Suite 201, Binghamton, NY 13905.