

BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Governance Meeting

Held on October 18, 2023, commencing at
11:32 PM. Adjourned at 12:21 PM.

[See attendees at end of transcript.]

Digitally recorded proceeding
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MR. BUCCI: Good morning. We'll call the Governance Committee to order. Our first item on the agenda is to accept the minutes from the September 20, 2023, meeting. Is there a motion?

MR. NEWMAN: So moved.

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

ALL: Aye.

MR. BUCCI: The next part of our meeting is public comment. If anyone wishes to address us, they have five minutes. We just ask that they state their name and address. So we'll open that portion of the meeting now. Anyone who would like to address the Governance Committee meeting? All right, hearing or seeing none, we'll close the public comment.

First action item: Review/discussion/recommendation authorizing a lease/leaseback transaction to facilitate the construction, renovation, and equipping of the properties and buildings located at 200 Court Street, 38 Fayette Street, 34 Stuyvesant Street, and 25 Rutherford Street, to be used as a single four-story apartment building, including the basement, with 111 units consisting of 23 studio apartments, 70 one-bedroom apartments, and 18 two-bedroom apartments, two elevators serving all four floors, a common area, office space, an unfinished basement, conference room area, a lobby/reception area, a community room and fitness center, with lounges, laundry facilities, and trash rooms on each floor, and appointing 200 Court Street Apartments Housing Development Fund Corporation (the "Company") agent of The Agency for the purpose of constructing, renovating, and equipping the

project, and authorizing the execution and delivery of certain documents with respect thereto, including a real property tax exemption in an amount not to exceed \$1,020,982.00 pursuant to a payment in lieu of tax agreement. Stacey?

MS. DUNCAN: Okay. So for the Board's consideration today is the approval of the aforementioned benefits for this project. A public hearing was held in the City of Binghamton on October 10th, and the transcript has been provided to the Board. Just a refresher on the project description, and then we can go into any questions. We do have I believe Whitney McClary, here to answer any specific questions. I know some questions came up on really just how the services are provided, what a typical day might look like for the residents of this facility, but just as a reminder, 200 Court Street Apartments Housing Development Fund Corporation, in partnership with Helio Health, has proposed the development of new affordable and integrated supportive housing in the downtown area of the City of Binghamton.

The proposed development will convert an existing vacant historic office and manufacturing warehouse into 111 new and high-quality affordable apartments for individuals and families who suffer from substance use disorder, mental illness challenges, and homeless veterans. The site was selected because of the area's vital need for affordable and supportive housing, and it's worth noting that the Department of Veterans Affairs has a clinic right across the street from this location. The site also has easy access to public transportation and near amenities for those who lack transportation, such as grocery stores, pharmacies, and retail amenities.

The housing will include 51 affordable units and 56 supportive units. The supportive units will serve multiple special needs populations with 30 units reserved for persons with substance use disorder, 16 units reserved for individuals with severe mental illness, and 10 units reserved for homeless veterans. The remainder of the 55 units will be available for those with limited income and resources. The income of the tenants will include 60% of area median income. This supportive housing is being financed through the Empire State Supported Housing Initiative, or ESSHI, which will subsidize the special needs units. Residents must qualify for this facility under the ESSHI definition of homeless, including homeless households and households at risk of homelessness. Total area is approximately 77,480 square feet.

The proposed project features elevators serving all floors. Each floor will be adaptable and divisible. The building also includes approximately 42,000 square feet of common area and office space for service providers that will come and provide service daily to the residents in approximately 22,615 square feet of basement space. It will include offices and a conference room. It will also include things like common areas, a community room, fitness center, lounges, laundry, and trash rooms on each floor. Community room and secure resident bulk storage will be provided. 200 Court Street Apartments is seeking a 30-year standard affordable housing PILOT at the request of the financing agencies, including Homes and Community Renewal, and is requesting a property tax exemption not exceeding \$1,020,982.00.

Approximately \$3,342,599.00 of new payments through the PILOT will be divided among the Binghamton City School District, the City of Binghamton, and Broome County. Over

three years approximately 100 construction jobs will be created, totaling \$11.8 million in new annual wages, and the project itself will net 12 new jobs, with a total payroll of roughly \$1.9 million over three years. If there are any questions on the project or any questions for Mr. McClary, who is on the call.

MR. BUCCI: Yeah. I have a couple. One, in the narrative it says there are 51 affordable units and 56 supportive units, and says 55 units will be available for families with limited income and possibly homeless. So I'm trying to add up the numbers, and the numbers are like 55 and 56 equals 111. I don't know what the 51 affordable units are. I'm trying to get a sense of what the figures are.

MS. DUNCAN: Whitney, can you speak to the breakdown of the units?

MR. McCLARY: Yeah, I can. [inaudible] Can you guys hear me?

MR. BUCCI: Start over again, please because you broke up in the very beginning.

MR. McCLARY: Okay. Yeah, for some reason my internet connection is unstable, but I said it potentially could have been a typo. I didn't quite hear the exact numbers you said, but the difference is that there are units just based on AMI, so people that make limited incomes that can qualify. There are specific units for that, so it's 51 units of just that so any individual family who earns money [inaudible].

STACEY: So 51 units are set aside for affordable.

MR. McClary: Maybe if I turn my video off.

STACEY: Sure, try that, but I'm guessing 56 are the supportive. That should have read 56 instead of 55. So, was that a typo?

MR. BUCCI: Which one are you talking about?

MS. DUNCAN: So if 51 are set aside for, I guess I would say, traditional --

MR. BUCCI: 55 for financial.

MS. DUNCAN: The remaining is 56 rather than 55.

MR. BUCCI: I just don't know where that 51 affordable units came from.

MS. DUNCAN: 51 will be set aside for the traditional HCR, 61% of area median income, the traditional low-to-moderate.

MR. BUCCI: So that's coming out of the 55?

MS. DUNCAN: Yeah.

MR. BUCCI: So 51 of the 55 are affordable units? Is that what he was trying to say?

MS. DUNCAN: I think 51 in total, and the remainder of 56 are for the ESSHI supported housing.

MR. BUCCI: Yeah, but that doesn't add up to 111 though, I was just wondering.

MR. McCLARY: So again, it might have just been timing. It could have been a typo, might have been timing [inaudible].

MR. BUCCI: So if the number of affordable units is 55, I'm just wondering that 51 is. The 56 and 55 add up to 111 in the narrative, but then there's something about 51 affordable units, and I'm just wondering what those are? I mean, are they part of the 55, or is it just a typo?

MR. McCLARY: I'm going to try to type in the message what the exact numbers are. I do think there was a typo. So there are 51 affordable units, and then there are 60 supportive units. 30 of those supportive units are for substance use disorder, 16 are for severe mental illness, and then 14 are for veterans. So I do think the numbers might have been a typo or it might have just been an update. These numbers change as we work our pro forma. So those numbers are locked in now, but at the time when we applied, the numbers might have been a little different or it might have been a typo, but the exact numbers are 51 affordable units, 60 supportive, 30 SUD, 16 SMI, and 14 veterans.

MR. BUCCI: So it's 51 affordable, 60 supportive, and then you're adding another four to the homeless, so that gets you to the 111?

MR. NEWMAN: So it's 51 and 60 versus -- so throughout the document when it talks about 56, it should be 51 and 60.

MR. BUCCI: Right, okay.

MR. PEDUTO: Because the difference with the four is that originally there were 10 units reserved for homeless veterans and now there's 14. That's the four.

MR. BUCCI: Right. Okay, the numbers were kind of screwy. Math was my worst subject in high school, so I wanted to make sure it wasn't me. All right, the other question I have is it says the staff - well, let me put this way, it says there are 60 supportive units now I guess. Okay, are all 60 residents going to get case manager support?

MR. McCLARY: Correct. So, upon move in, the way it happens is the staff, their caseworkers will meet with each individual and come up with a supportive service plan, so this will be tailored to that unique person. So one person might need help trying to find a job location, another person might need help with educational services or social services, so those plans would be tailored for the individual, but that's part of the move-in process for each individual.

MR. BUCCI: Okay. So it says that there is one administrator, there's two assistant case managers, one peer support specialist, and then two drivers. So in the narrative, the administrator and each case manager will be responsible for up to 15 residents. So that takes you to 45, unless is the peer support specialist in case management too?

MR. McCLARY: Yeah. The peer support person, they jump around to what's needed and then -

MR. BUCCI: Do they also do case management?

MR. McCLARY: They will assist with the case management. The other nuance here is that we have two supportive service providers, so Helio Health will be responsible for the 30 SUD, so their staff will focus on that. That's what they're trained in, and that's what they're specialized in. For the SMI and the veterans, Eagle Star Housing, a not-for-profit that focuses on veterans, so each group will have two unique offices, and they will manage and monitor those respective populations. So there might be some crossover if an individual finds a liking to a Helio staff person and wants to work with them, of course, we'll let that happen.

In addition, beyond just the supportive units, a lot of the individuals who are in the AMI units will also need some services and need some help, and we won't restrict those people. So if someone comes down and says, "Hey, I heard that you're helping a veteran with this, I actually kind of want to get access to those resources and services as well," we'll keep that door open and allow those individuals to get those additional services. And the ESSHI is what funds the staffing for the building, so for each ESSHI unit, you get \$25,000.00 per year to go toward help paying that individual's rent, subsidizing the rent and also subsidizing the wages for the staff. So if there are opportunities where there is additional staff needed in the building, there is kind of some fluff in the ESSHI budget to permit that.

Again, if there's some additional services around security or things like that, there's some fluff in the budget

to make sure because you try to predict and you use your past experience in what staffing model works, but there might be some adjustments needed as we get into the operation of the building.

MS. MILLER: If I can just follow up on that, if you don't mind. I want to follow up on the staffing issue as well. The reason I'm concerned about it and I think the Mayor is too - I don't want to speak for him - but 60 supportive units is a huge number to put right in the middle of downtown Binghamton. There's no doubt there's a huge need for this as well, but I guess we just want to be assured that there's going to be enough support staff that are going to be able to control what's happening there. I found that a little confusing in the write up. There all these different agencies providing support services, but I was a little confused as to which agencies are actually going to be onsite full-time.

MR. McCLARY: So Helio will be onsite for the SUD population, and Eagle Star Housing will be onsite for the veterans and for the SMI population.

MS. MILLER: All right, and what about the mentally ill?

MR. McCLARY: Yeah. The SMI is the mentally ill. It's just an acronym for Severe Mental Illness.

MS. DUNCAN: Helio, their special place is substance use issues.

MS. MILLER: I'm sorry, so who is there for the mentally ill?

MS. DUNCAN: Eagle Star.

MR. McCLARY: Eagle Star. Eagle Star is for both the veterans and the mental illness. I guess one clarification point too is that as we lease this building, we will be very cognizant of who we think can be successful living independently. Not all people who qualify, they're SUD and they're homeless, we're not necessarily going to sign up these people. The people who are going to be managing the building are the same people who will be leasing the building, and so we want to set people up for success. We aren't going to bring in people that we think are going to have problems. Of course, they're human beings, and we can't predict human behavior, but we do everything we can up front to make sure.

If during the interview process, this person showed signs that they can't get along with people, that's probably not a person for this type of facility. Maybe they can go into a smaller unit that Helio manages, maybe a single-family unit, things like that. So throughout the whole process, even in the design of the building and the security cameras and hiring a security agency as well, we're thinking it through to make this building as successful as possible. Will it be perfect? Is any apartment where you're bringing 100 people together perfect? No, because you can't predict human behavior, but we make sure we staff and make sure we put security. We do things like ensuring that every single person that enters this building goes to the front where there's Eagle Star, Helio, or property managers there to monitor who's coming in and out of the building. We make sure that we have offices on each floor, so we are monitoring not just the lobby area, but throughout the building.

This is our third project with Helio. Helio has two other projects in Syracuse. We're also working with both of these not-for-profit partners in Rochester, where we just are starting construction on 164 units, which is 95 units of supportive housing. So we've been at this for some time, and we believe that every step of the way we keep in mind the success the building, success the project, and making sure it becomes an asset for the community and not a liability.

MS. MILLER: Right. So to follow up on the 60 supportive units, are they going to be randomly selected or are they going to start out that way and then be further vetted?

MR. McCLARY: Can you clarify your question on randomly selected?

MS. MILLER: I know with an affordable housing project, there has to be a lottery system to select tenants.

MR. McCLARY: So there's a lottery for the AMI units. For the supportive units, it operates differently. Both of these groups, especially Helio, they have a presence within the community, so a lot of their residents would be people that have maybe come through their treatment programs or people that they've gotten to know as they provide resources throughout Central New York, and that's how really part of the referral process will be. People that they already know that can apply, but it doesn't work in the lottery way.

People who are applying have to show that they have a substance use disorder, been diagnosed that way. They're going to be able to apply, and we're going to vet them and make sure

they can be successful in this project. The lottery is only for AMI residents.

MS. MILLER: Is it 60% AMI? Do you have any 50%?

MR. McCLARY: So because it's subsidized, the ESSHI supportive units, each individual is only paying 30% of their rent. That will fluctuate on the supportive side, but on the affordable side it is 60% AMI.

MS. MILLER: And then one last question on staffing. What are the hours of the day that they're going to be there onsite?

MR. McCLARY: So Helio and Eagle Star will be there from 8:00 to 5:00, and then we'll have security in the off hours, so let's call it that entire time from 6:00PM to the next morning, and then on the weekends as well. It won't be the full staff that will be there Monday through Friday, but we will have a caseworker or peer specialist there on the weekends from each group.

MS. MILLER: So will there be somebody there 24/7 because we all know the trouble starts after 5:00.

MR. McCLARY: Yeah. We want to try to make sure that the security person becomes a part of the community as well, that they're not just someone that's sitting at a desk, and that they have the numbers of the staff people from Helio and Eagle Star. So a lot of times if there's an issue, rather than calling the police or other staff, it's probably better to call the Eagle Star person and say, "Hey, can you get down

here? This person is showing some signs of behavior that we want to try to nip in the bud."

A lot of times you can prevent those 911 calls because that staff person has been working with that individual for some time and has a rapport. So we try to have that connection between the support service and security as well.

MS. MILLER: And is there anybody providing medication management?

MR. McCLARY: No, it's not a clinical space. So that's not permitted in these types of projects.

MS. MILLER: Their caseworkers don't do that, their own individual caseworkers? Do they help them with that?

MR. McCLARY: That will be handled off site. If someone needs that, it will be handled. So for Helio specifically, if there's someone who needs some treatment, they will be going off site for treatment. For the ESSHIs, supportive housing projects, they aren't allowed to be clinical providers. A lot of times their staff are trained to, but they aren't going to be that touch point, to be providing that service to those individuals.

MS. MILLER: I think it's really important. That's a big deal because with the mentally ill, more often than not, they're fine when they're on their medication, but they can't manage their medications, and then they're not fine. So let me ask you, what do you do? You've got experience in other projects. What do you do if you have a tenant with mental illness that is going through a crisis? Maybe they're seeing

demons, and they decide that they're telling them that they probably should set a fire in their apartment. What do you do? They're just threatening it. Maybe they haven't done it yet, but they're threatening it. What do you do on a situation like that? How do you watch them and make sure that it doesn't happen?

I'm speaking from experience. That happened to me, and the person actually did set the place on fire after she warned everyone that she was going to do that.

MR. McCLARY: Yeah. Kind of the first touchpoint again would be with whoever has that relationship with that individual. So if it's an Eagle Star unit, hopefully that person can go in and have that conversation. Of course, if we do think there's any percent chance, even a single-digit chance, that someone is going to cause harm to themselves or to the building or to others, then that's when we would have to get the attorneys involved, and we would potentially have to call.

MS. MILLER: Well speaking from experience, that sometimes does absolutely nothing. Usually, nothing happens until the person actually follows through with the threat.

MR. McCLARY: Again, a lot of times if we think someone is going to cause harm to themselves or just not being able to be in the community, it's just like any other. If I'm living in a market rate apartment, and I make a verbal threat or something like that, it's hard to try to take that all the way through eviction. You do need some type of footage, so we would try to document those verbal threats. We try to document anything that the person does. Because we have cameras

throughout the building, we can kind of create that case, but we would have to go through the same kind of legal parameters that you would do for any eviction.

Yeah. We just can hope that this person has a relationship and it can kind of be prevented before it goes that far. Not everyone that we bring into this building potentially will be successful, and there will be times where we do have to take it to the extreme case in which we will have to try to re-house them in another building with less people.

MS. MILLER: Yeah. I'm really glad to hear that you are going to have someone there 24/7. I'm just really concerned. I support the project. I kind of wish it wasn't in the heart of downtown Binghamton just because I'm afraid of unleashing a whirlwind on downtown Binghamton, it's been doing so well in recent years. I really believe that it's all going to come down to support services and the availability of caseworkers to stay on top of what's happening.

MR. McCLARY: Yeah. That's really the difference. A lot of these individuals are currently living in scattered sites with landlords or other apartment buildings. The rents are low, so they're low income, but they don't have staff there. So that's really the beauty of this ESSHI program that the State rolled out, in which each individual has a budget with which we can provide staff and other support services toward it. So again, it's not perfect, but it is a much better situation than to have these individuals living in a multifamily building, or even a single-family or a double, in which they don't have someone checking on them. They don't

have someone saying hello to them. They don't have the opportunity to interact with others in the community.

So there's a big distinguishing factor there that we have seen success, and we'll continue to see success, by making sure that at every step of the way we think about these potential issues that could come up with a population like this.

MS. MILLER: Okay, last question, and then I'll shut up. Do you already have your tax credits?

MR. McCLARY: We do. We did get an award. We're looking to close in December. This is a 4% deal.

MS. MILLER: Well, congratulations.

MR. McCLARY: Thank you.

MR. NEWMAN: Whitney, just a quick question. Is it safe to assume that all the residents will come from our community?

MR. McCLARY: Yes. There is a big emphasis on that, but there is a lottery program. Yeah, I would say that's safe to say, but it's something that we can't fully control because of the lottery side. In our experience, we did a small project in Corinth, New York, recently, we did a small project in Johnstown, New York, and what we see in these communities is that the bulk of the residents are directly from the community.

MS. MILLER: I think you mean the supportive units, right?

MR. NEWMAN: Yeah. I meant all the units. Okay, thank you.

MR. BUCCI: Let me follow up on that. What do you mean by there's a lottery? Who is the lottery open to?

MS. MILER: The applicants.

MR. BUCCI: I mean, from where? The whole state of New York?

MS. MILLER: Anywhere.

Mr. McCLARY: Yeah. It's the state that takes that.

MR. BUCCI: Yeah. I know, but to his point.

MR. McCLARY: Yeah. It's State-managed. We have a whole marketing plan in which we would only market toward the Binghamton area, letting people become aware that the lottery is coming up. The State does publish it on their website and some other things that are outside our control, but our market emphasis will be the Binghamton area, to try to get local residents to be aware of it and be able to apply to the program.

MR. BUCCI: You said right now you're in Syracuse, where else are you right now?

MR. McCLARY: So we're in Syracuse. We have a couple of projects in Rochester. We're just getting ready to start another big one here. We have some in small communities like

Corinth, New York, Saratoga Springs, New York. A lot of our work is in Downstate as well, so we just had a ribbon cutting for a project in Brooklyn, New York, and another one in Queens, so about half of our work is in Upstate, half in Downstate.

Our model is we really are more so a consultancy, so we partner with not-for-profits. We try to find local not-for-profits within the community, who are already providing services and realize that housing could be another piece, but they aren't developers, so we come in and become kind of a development arm for those not-for-profits. We pretty much go anywhere where there's a need and we can find a strong not-for-profit partner to develop this type of housing.

MS. DUNCAN: So it's important to note Helio Health, who the group is partnering with, does have a facility and has been providing services for a number of years. They took over a significant amount of space at the former Broome Developmental Center. So Whitney, it's safe to say a lot of your referrals will come through that organization, and you also get some through case management at Broome County Social Services as well, I would assume?

MR. McCLARY: Correct, and then the other bulk will come from Continuum of Care, so working with that group to recognize and get referrals from them as well.

MR. BUCCI: In Syracuse and Rochester, how frequent are the police called to your facilities would you say?

MR. McCLARY: I would say it's rare. I can't sit here and have the stats in front of me, but I would say it's rare. I

mean, we just opened one about a year-and-a-half ago right outside of downtown Rochester. It's 112 units, and it's 55 supportive units. I believe I'm aware of two cases in which the authorities had to be called, and in both cases, those people are no longer residents in the community. So again, you try to do your screening, your due diligence up front, but there are people that slip in.

Another thing we learned from that building too is that we had multiple ingress and egress points in the building, and so a lot of times people were allowing their friends or their family in, and a lot of the issues we were having were from people who weren't even residents. So that's why, for projects going forward, we have kind of one central point which we can monitor and control and make sure that everyone that comes into the building, we have eyes on and know who they are. There's a sign-in sheet, and they try to nip in the bud having outsiders come in and become a nuisance for the community and for residents.

MR. NEWMAN: Is there a reason why the number is 16 for the severe mentally ill?

MR. McCLARY: Typically when we find a site, our first stop is to the Continuum of Care. They are the ones that manage all the homeless data and the point-in-time counts for the area, so we really try to dig in on that data, like where's the biggest need? We try to allocate our set-aside supportive units based on the data we see in the community for homelessness, from the statistics where the biggest need is, and that's how we try to break up the units.

In reality, a homeless veteran probably is going to qualify for SUD and vice versa, so there's going to be a lot

of crossover. From our experience, we've seen that it's not going to be that clear cut. A lot of these people are really just people who need a little help and need a little stabilization. With some services, they can live independently. Both Helio and Eagle Star are experts.

MR. NEWMAN: You don't have a formula for getting a specific number or is there?

MR. McCLARY: So again, it's based on the homeless data that we saw. We saw that SUD was a greater need than SMI, and SMI was a little bit greater need than veterans. There is no unique formula, but we do try to base it on the homeless data that we receive from the C of C.

MR. NEWMAN: Is there a procedure for a tenant that is overly disruptive?

MR. McCLARY: Yes. There's going to be a third-party property manager that will operate this building, and it would be the same way for any apartment community. It'd be the same approach. Of course, there'll be a little bit more care. It's likely this person doesn't have an alternative, so there'll be some care in trying to prevent that from happening.

But again, both Helio and Eagle Star have other housing resources in the area so maybe that can be an alternative, but there would be the same course of action with going through the court system as far as an eviction that it would be for any apartment community, but I'm just saying the nuance up front is really to try our best to make sure that person could be successful or try to find another place for them to live. But if it does go all the way through those channels and we

feel like we did all we can for this individual, then we would just go through the traditional court system process to try to pursue an eviction.

MR. BUCCI: Any additional comments or questions?

MS. MILLER: Yeah, one final one. Your \$6 million plus in equity, what is the source of your equity funds besides tax credits?

MR. McCLARY: So for the supportive units, we did a source called SHOP, and in Upstate it's \$85,000 per unit in which we get equity coming into the project. Let me just take a quick look at the other sources.

MS. MILLER: What did you call them?

MR. McCLARY: Shop, S-H-O-P. We also got historic tax credits for this project, so that was a really long and lengthy process and it also dictated some of our design, but there are federal historic tax credits coming into the project as well. Then because we did follow a Green Energy program, there's some NYSEERDA. I forget what the acronym stands for, but CEI money. If you make sure the building has solar and has different green building programs, you get some equity there as well into the project.

MS. MILLER: Are some of those tax credits refundable tax credits from the Brownfield Cleanup Program?

MR. McCLARY: No, we didn't go after any Brownfield tax credit, it's all historic.

MS. MILLER: I'm getting my projects mixed up.

MR. McCLARY: No worries.

MR. BUCCI: Okay. Well my main concern, I just don't want the Binghamton Police Department to have to be kind of there regularly, after hours in particular, to deal with the issues that flare up, so it sounds like that will not be the case based on other experiences and you have staff in place to prevent that. Obviously, there are isolated situations where you need help, but we don't want to see them there on a daily basis. That's what I'm saying.

MR. McCLARY: Yeah. I mean, the goal is just the opposite. Again, a lot of these individuals are already in the community and are already having the authorities call on them pretty regularly going in and going out, so the goal is really to do the opposite, where we're providing housing for this person, where they're signing lease, they're stabilizing their lives, they're getting services, they're getting casework, and now this person can contribute to society, can contribute to community. So really, the goal is the opposite, and we've seen it in every single case.

The 911 calls should drastically go down because this individual isn't on the street anymore. This individual has built a relationship with their caseworker and other individuals within community. That's what success looks like for these projects, and so that's my hope as well, that you'll see a reduction in the number of 911 calls across the community because you have over 111 people now with more stable housing than they had previously.

MR. BUCCI: Any other comments or questions at this point?

MS. MILLER: I've got another comment. I wish you luck with it. I think it's badly needed project. We need a lot more of these.

MR. McCLARY: Thank you.

MR. BUCCI: Okay. Is there is there a motion?

MR. PEDUTO: I'll move it.

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

ALL: Aye.

MR. BUCCI: Next item on the agenda is:
Review/discussion/ recommendation authorizing a lease/leaseback transaction that facilitates construction and equipping of 3.96-plus acres of land located at 33 Grand Avenue in the Village of Johnson City, and 0.16 acre of land located at 154 Allen Street in the Village of Johnson City to be used as a single four-story elevator building with 72 dwelling units, including 27 one-bedroom apartments, 40 two-bedroom apartments, four three-bedroom apartments, and a two-bedroom apartment for a live-in building superintendent, commercial space for a children's daycare, laundry facilities, a community room with a kitchen, a management office, storage, a playground, and a parking lot, and appointing Regan Development Corporation or an entity to be later named (the "Company") agent of The Agency for the purpose of constructing

and equipping the project and authorizing the execution and delivery of certain documents with respect thereto, including a Sales and Use Tax Exemption Agreement in an amount not to exceed \$955,000.00, a Mortgage Tax exemption in an amount not to exceed \$209,000.00, and a Property Tax exemption in an amount not to exceed \$1,698,715.00, pursuant to a Payment in Lieu of Tax Agreement.

MS. DUNCAN: Okay. So again for consideration today is the approval of the requested benefits for Homesteads on Grand Apartments. A public hearing was held on October 12th in the Village of Johnson City, and the transcript has been provided to the Board. Briefly, Regan Development Corporation is proposing Homesteads on Grand, affordable residential multifamily building, with approximately 72 dwelling units and some commercial space to be developed on two connected vacant real estate properties, totaling approximately 4.1 acres.

It is currently owned by the Village of Jensen City. The property is at 330 Grand Avenue and 164 Allen Street. Regan was selected for the redevelopment through a competitive Request for Proposal process and has executed a Purchase and Sale Agreement with the Village for these parcels. They will establish Homesteads on Grand, a New York Limited Liability Company, that will develop and manage the project. Development team member Sep, Inc. will have a 50% interest on Homesteads on Grand, managing member for the project.

The project involves the new construction of a single four-story elevator building with 72 units, including 27 one-bedroom apartments, 40 two-bedroom apartments, and four three-bedroom apartments. A two-bedroom apartment is designated to be occupied in addition by a live-in building superintendent. These apartments will be provided for individuals and families

with a range of incomes up to 80% of area median income. Gross monthly basic rents will range from \$763.00 to \$1,350.00. This will also include a utility allowance of \$60.00 per month for one-bedroom units, \$66.00 per month for two, and \$74.00 per month for three-bedroom units.

11 units will be built as fully accessible and adapted for residents with mobility, hearing, and/or vision impairments. This includes 10% of the units that will be fully accessible, adapted, and move-in ready for persons with disabilities, and 4% of the units will be fully accessible and adapted for persons with a hearing or vision impairment. The project also includes 6,200 square feet of non-residential space targeted for a daycare center, and they do have a private management group that will manage the daycare facility.

A copy of the cost/benefit analysis and project review form have been provided in your packets. Larry Regan and Gabe Regan are both on the call virtually. If there are any questions, they'd be happy to answer those now.

MR. BUCCI: Are there any questions at this time?

MR. NEWMAN: Just a quick question on the sources and uses. Other costs, almost \$5 million, about 16% of total budget. Could you just give a little color the other costs?

MR. REGAN: So the breakdown of our development, this is a 9% tax credit submission going in. Those sources are the portions of the equity for both the LIHTC equity going in, as well as the 80%-of-median SLIHC state equity going in. There's also a Brownfield equity in the development and a deferral of our development fee for permanent deferral of about

\$800,000.00, and another sponsor loan of another \$176,000.00 that we're contributing towards the buildout of the daycare facility to help an affordable daycare for-profit come into the site to afford the buildout. So those are some of the sources other than the HCR, secondary loan sources.

MR. NEWMAN: My question I guess was on the expense side, other costs of \$4.9 million, not on the source side.

MR. REGAN: On the cost side? I don't have the application in front of me, so maybe you could help me on that question.

MR. NEWMAN: Total project costs of \$30.9 million. We've got direct costs, \$20 million for renovation of the structure. There's \$5 million of professional service development costs, and then \$4.9 million of other costs.

MR. REGAN: I don't have it in front of me, but those would be other soft costs involved, the financing, the interest, all of the professional costs, and then the costs involved with the development.

MR. NEWMAN: Okay. There's probably contingency costs in there as well?

MR. REGAN: So yeah, there's a 5% contingency as well, so that's about \$800,000.00 as well.

MR. NEWMAN: Thank you.

MS. MILLER: I think I saw that you had over a million dollars, coming from the Brownfield Cleanup Program. How much is the cleanup itself going to cost?

MR. REGAN: So we've tested the soils. It's not severe, the problems there. We've worked with the DEC regional folks, and we'll be putting a two-foot clean cap on the whole site to cap it off and doing long-term groundwater monitoring. So it'll probably be a little over a million dollars in additional costs for the capping and the site work involved, plus have the requisite testing and the professional services, but the Brownfield equity for the project is bringing in a total of about \$3.5 million in equity.

So it's a little higher than the million dollars, but the equity is going to go a long way towards bringing down the overall development costs to make sources meet uses so that we're able to keep these rents at an affordable level up to the 80% of median for Broome County residents.

MS. MILLER: I don't remember seeing this. Are there units on the first floor?

MR. REGAN: There are ground floor units, absolutely. There'll be access through a central lobby, where there'll be an office for our management staff as well as an office adjacent to the to the commercial. So there's the commercial, and then next to that, just a little bit off, there's a main entry for the building.

MS. MILLER: So the contamination can't have been very bad. I see that DEC accepted your application. Did they approve it yet, or is that still in the works?

MR. REGAN: So we've submitted our fee for the application process, and we're about to go forward with the next step as we're submitting for our tax credits from ACR, so I would say by spring, everything will be cleared and good to go.

MR. BUCCI: Any additional questions or comments? Okay, is there a motion?

MR. NEWMAN: So moved.

Is there a second? All in favor?

ALL: Aye.

MR. BUCCI: Okay. Next item on the agenda is:
Review/discussion/ recommendation authorizing The Agency to exercise its option to purchase premises located in the Town of Union, more particularly described as Broome County Tax Map 110.03-1-20, and premises located in the Town of Maine, more particularly described as Broome County Tax Map Parcel 110.15-1-1, pursuant to the terms of an Option Agreement with Roseann M. Dellapenna, dated November 7, 2022, and to execute any and all documents necessary to effectuate the exercise of said Option Agreement.

MS. DUNCAN: I know there were some discussion points that maybe wanted to come up during the Executive Session, some additional questions that have come up since our last for a special meeting on the sixth. I might recommend move that to a full board so we can have those discussions in Executive Governance Committee.

MR. BUCCI: Okay. I guess.

MR. BERNARDO: I'll leave it to you to have a discussion, but I know there's been a couple of concerns.

MR. BUCCI: Well, if there's more pertinent information, I guess, it makes sense.

MR. BERNARDO: I think there is as a result of a recent meeting we had, sort of official.

MR. BUCCI: Okay. So are we just going to adjourn this now?

MR. NEWMAN: I'll move to table this to the full board.

MR. PEDUTO: Second.

MS. DUNCAN: We need a motion to adjourn.

MR. BUCCI: Motion to adjourn?

[The meeting was adjourned on a motion by Mr. Newman, seconded by Mr. Peduto, at 12:21PM.]

[Attendees: Rich Bucci, Peter Newman, Mike Sopchak, Jim Peduto, Joe Mirabito, Dan Gates, Elaine Miller, John Bernardo, Dan Crocker, Stacey Duncan, Natalie Abbadessa, Amy Williamson, Gina Paugh, Stacey Guokas, John Scott, Larry Regan, Gabe Regan, Whitney McClary, Caity Mesoley, and Riccardo Monico]

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 Board Meeting

on October 18, 2023, was prepared using digital transcription software and is a true and accurate record of the proceedings.

Signature:  _____

Date: October 23, 2023