

**BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
BOARD MEETING  
FIVE South College Drive, Suite 201  
Binghamton, New York 13905  
Wednesday, March 20, 2024, 12:00 pm**

**SYNOPSIS OF MEETING**

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

**ABSENT:** R. Bucci, E. Miller

**GUESTS:** Bob Utter- Town of Maine Resident  
Mike Decker-Smith Site Development  
Lillian Levy-HH&K  
Jim Ehmke-Channel 34  
John Solak-City of Binghamton Resident  
Megan Cunnaga- HH&K  
Tim Henzy- Smith & Henzy Affordable Group  
Renee Franco- Exact Capital  
Kasey Eikler- Laborers Local 785  
Mike Lyons-IUOE 158  
Ian Williams- 277 Carpenters  
Robert Airkens-IUOE 158  
Frank Stento- DC#4 Painters/Tape  
Charles Hollisbur- Laborers Local 785  
Donald Meyers-DC#4 Painters/ Tape/Glaziers

**STAFF:** S. Duncan, N. Abbadessa, A. Williams, S. Guokas, M. Lucas, and G. Paugh

**COUNSEL:** J. Meagher

The meeting was called to order at 12:01 p.m.

**ITEM #1. APPROVE THE MINUTES FOR THE FEBRUARY 21, 2024, MEETING:** Chairman Bernardo requested a motion to approve the February 21, 2024 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.

Mr. Solak is concerned about the YWCA project with non-profits and private entities. Tax forms were his concern.

Mr. Utter again expressed his concerns about the proposed New Development Park on Airport Road. He is upset that the Town of Maine is the only one interested in the park besides the Agency, stating that there is a conspiracy theory between the Town of Union and The Agency. Also, the FOIL requests were made and are being handled.

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

Ms. Duncan provided updates on the following:

FAST Grant—The Agency received the award letter for a \$11 million shovel-ready grant for infrastructure development at 600 Main St.

Clean Tech Corridor— Newmark Global Strategies has started its process.

Tech Hub Application- The Agency was asked to lead the 14-county initiative by Binghamton University.

NYSEDC IDA Academy- April 18<sup>th</sup>, first time hosting in Broome County.

**ITEM #4. LOAN ACTIVITY REPORTS AS OF FEBRUARY 29, 2024:** The Loan Activity Reports for February were presented to the Board. The balances available to lend are \$840,288.50(STEED), \$514,016.43(BDF), and \$ 116,955.53(BR + E). Chairman Bernardo asked if there were any questions on the Loan Activity Reports or any of the loans. There were none.

**MOTION:** No motion necessary.

**ITEM #5: RESOLUTION APPROVING THE 2023 AUDIT OF THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY CONDUCTED BY INSERO & CO. CPAS, LLP.** Chairman Bernardo asked Mr. Crocker if the Audit & Finance Committee moved to approve. Mr. Crocker stated yes.

**MOTION:** RESOLUTION APPROVING THE 2023 AUDIT OF THE BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY CONDUCTED BY INSERO & CO. CPAS, LLP. On a MOTION by Mr. Crocker, seconded by Mr. Sopchak, the MOTION CARRIED.

**ITEM #6: RESOLUTION APPROVING THE READOPTION OF THE AGENCY'S INVESTMENT AND DEPOSIT POLICY, INTERNAL CONTROLS AND FINANCIAL ACCOUNTABILITY POLICY, THE PURCHASING POLICY, THE PROPERTY ACQUISITION GUIDELINES, AND THE PROPERTY DISPOSITION GUIDELINES WITH NO CHANGES.** Chairman Bernardo asked Mr. Crocker if the Audit & Finance Committee moved to approve. Mr. Crocker stated yes.

**MOTION:** RESOLUTION APPROVING THE READOPTION OF THE AGENCY'S INVESTMENT AND DEPOSIT POLICY, INTERNAL CONTROLS AND FINANCIAL ACCOUNTABILITY POLICY, THE PURCHASING POLICY, THE PROPERTY ACQUISITION GUIDELINES, AND THE PROPERTY DISPOSITION GUIDELINES WITH NO CHANGES. On a MOTION by Mr. Crocker, seconded by Mr. Sopchak, the MOTION CARRIED.

**ITEM #7: RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR, ON BEHALF OF THE AGENCY, TO RENEW THE AGENCY'S CONTRACT WITH HUE FOR DIGITAL ACCOUNT SERVICES FROM MARCH 1, 2024 TO FEBRUARY 28, 2027.** Chairman Bernardo asked Mr. Peduto if the Governance Committee moved to approve. Mr. Peduto stated yes.

**MOTION:** RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR, ON BEHALF OF THE AGENCY, TO RENEW THE AGENCY'S CONTRACT WITH HUE FOR DIGITAL ACCOUNT SERVICES FROM MARCH 1, 2024 TO FEBRUARY 28, 2027. On a MOTION by Mr. Peduto, seconded by Mr. Newman, the MOTION CARRIED.

**ITEM #8: RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR, ON BEHALF OF THE AGENCY, TO RENEW THE AGENCY'S CONTRACT WITH RIGER MARKETING COMMUNICATIONS FOR DIGITAL ACCOUNT SERVICES FROM MARCH 1, 2024 TO FEBRUARY 28, 2027.** Chairman Bernardo asked Mr. Peduto if the Governance Committee moved to approve. Mr. Peduto stated yes.

**MOTION:** RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR, ON BEHALF OF THE AGENCY, TO RENEW THE AGENCY'S CONTRACT WITH RIGER MARKETING COMMUNICATIONS FOR DIGITAL ACCOUNT SERVICES FROM MARCH 1, 2024 TO FEBRUARY 28, 2027. On a MOTION by Mr. Peduto, seconded by Mr. Gates, the MOTION CARRIED.

**ITEM #9. RESOLUTION AUTHORIZING A LEASE/LEASEBACK TRANSACTION TO FACILITATE THE DEMOLITION, REDEVELOPMENT, RENOVATION, DEVELOPMENT AND EQUIPPING OF THE YWCA LISLE-CARROLL INTERGENERATIONAL CAMPUS, INCLUDING THE YOUNG WONDERS CHILDCARE CENTER, WITH 68 APARTMENTS FOR LOW-INCOME, MULTI-FAMILY, AND SUPPORTIVE HOUSING TO INCLUDE TWO ELEVATORS, ONE IN THE APARTMENT BUILDING AND ONE IN THE CHILDCARE CENTER, COMMUNITY ROOMS, A LAUNDRY ROOM, A RECEPTION AREA, A LOBBY, A CONFERENCE ROOM, A MAILROOM, STAFF OFFICES, THREE OUTDOOR PLAYGROUNDS, AND A TERRACE GARDEN TO BE LOCATED AT 20 LISLE AVENUE, 22 LISLE AVENUE, 24 LISLE AVENUE, 34 LISLE AVENUE, AND 45 CARROLL STREET ALL IN THE CITY OF BINGHAMTON, BROOME COUNTY, NEW YORK APPOINTING THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION OF BINGHAMTON AND BROOME COUNTY, NEW YORK (THE "COMPANY") AGENT OF THE AGENCY FOR THE PURPOSE OF DEVELOPING, REDEVELOPING, RENOVATING, AND EQUIPPING THE PROJECT AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS WITH RESPECT THERETO, INCLUDING A PAYMENT IN LIEU OF TAX AGREEMENT, A SALES AND USE TAX EXEMPTION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$1,865,302.00, A MORTGAGE TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$274,500.00, AND A REAL PROPERTY TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$993,935.00.** Chairman Bernardo asked Mr. Peduto if the Governance Committee moved to approve. Mr. Peduto stated there was not a quorum, and it was moved to the full board. Chairman Bernardo asked for a motion.

**MOTION:** RESOLUTION AUTHORIZING A LEASE/LEASEBACK TRANSACTION TO FACILITATE THE DEMOLITION, REDEVELOPMENT, RENOVATION, DEVELOPMENT AND EQUIPPING OF THE YWCA LISLE-CARROLL INTERGENERATIONAL CAMPUS, INCLUDING THE YOUNG WONDERS CHILDCARE CENTER, WITH 68 APARTMENTS FOR LOW-INCOME, MULTI-FAMILY, AND SUPPORTIVE HOUSING TO INCLUDE TWO ELEVATORS, ONE IN THE APARTMENT BUILDING AND ONE IN THE CHILDCARE CENTER, COMMUNITY ROOMS, A LAUNDRY ROOM, A RECEPTION AREA, A LOBBY, A CONFERENCE ROOM, A MAILROOM, STAFF OFFICES, THREE OUTDOOR PLAYGROUNDS, AND A TERRACE GARDEN TO BE LOCATED AT 20 LISLE AVENUE, 22 LISLE AVENUE, 24 LISLE AVENUE, 34 LISLE AVENUE, AND 45 CARROLL STREET ALL IN THE CITY OF BINGHAMTON, BROOME COUNTY, NEW YORK APPOINTING THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION OF BINGHAMTON AND BROOME COUNTY, NEW YORK (THE "COMPANY") AGENT OF THE

AGENCY FOR THE PURPOSE OF DEVELOPING, REDEVELOPING, RENOVATING, AND EQUIPPING THE PROJECT AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS WITH RESPECT THERETO, INCLUDING A PAYMENT IN LIEU OF TAX AGREEMENT, A SALES AND USE TAX EXEMPTION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$1,865,302.00, A MORTGAGE TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$274,500.00, AND A REAL PROPERTY TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$993,935.00. On a MOTION by Mr. Peduto, seconded by Mr. Gates, the MOTION CARRIED. Mr. Bernardo and Mr. Newman abstained.

**ITEM #10: RESOLUTION AUTHORIZING A LEASE/LEASEBACK TRANSACTION TO FACILITATE THE REHABILITATION, PRESERVATION, AND EQUIPPING OF TWENTY-TWO THREE STORY BRICK GARDEN STYLE APARTMENT BUILDINGS LOCATED AT 380 CHENANGO STREET AND 13 PEARNE STREET IN THE CITY OF BINGHAMTON, BROOME COUNTY, NEW YORK TO BE USED AS A NEW AFFORDABLE HOUSING COMPLEX IN THE CITY OF BINGHAMTON, BROOME COUNTY, NEW YORK TO INCLUDE 66 ONE BEDROOM APARTMENTS, 169 TWO BEDROOM APARTMENTS, 21 THREE BEDROOM APARTMENTS, AND 296 PARKING SPACES APPOINTING VE BINGHAMTON L.P. (THE "COMPANY") AGENT OF THE AGENCY FOR THE PURPOSE OF REHABILITATING, PRESERVING AND EQUIPPING THE PROJECT AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS WITH RESPECT THERETO, INCLUDING A PAYMENT IN LIEU OF TAX AGREEMENT DEVIATING FROM THE AGENCY'S UNIFORM TAX EXEMPTION POLICY, A SALES AND USE TAX EXEMPTION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$3,156,394.00, A MORTGAGE TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$86,800.00, AND A REAL PROPERTY TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$10,233,658.** Chairman Bernardo asked Mr. Peduto if the Governance Committee moved to approve. Mr. Peduto stated yes.

**MOTION:** RESOLUTION AUTHORIZING A LEASE/LEASEBACK TRANSACTION TO FACILITATE THE REHABILITATION, PRESERVATION, AND EQUIPPING OF TWENTY-TWO THREE STORY BRICK GARDEN STYLE APARTMENT BUILDINGS LOCATED AT 380 CHENANGO STREET AND 13 PEARNE STREET IN THE CITY OF BINGHAMTON, BROOME COUNTY, NEW YORK TO BE USED AS A NEW AFFORDABLE HOUSING COMPLEX IN THE CITY OF BINGHAMTON, BROOME COUNTY, NEW YORK TO INCLUDE 66 ONE BEDROOM APARTMENTS, 169 TWO BEDROOM APARTMENTS, 21 THREE BEDROOM APARTMENTS, AND 296 PARKING SPACES APPOINTING VE BINGHAMTON L.P. (THE "COMPANY") AGENT OF THE AGENCY FOR THE PURPOSE OF REHABILITATING, PRESERVING AND EQUIPPING THE PROJECT AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS WITH RESPECT THERETO, INCLUDING A PAYMENT IN LIEU OF TAX AGREEMENT DEVIATING FROM THE AGENCY'S UNIFORM TAX EXEMPTION POLICY, A SALES AND USE TAX EXEMPTION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$3,156,394.00, A MORTGAGE TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$86,800.00, AND A REAL PROPERTY TAX EXEMPTION IN AN AMOUNT NOT TO EXCEED \$10,233,658. On a MOTION by Mr. Peduto seconded by Mr. Newman, the MOTION CARRIED.

**ITEM #11. 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 \$18,376.00, FOR A TERM NOT TO EXCEED TWELVE MONTHS, CONSISTENT WITH THE POLICIES OF THE AGENCY IN CONNECTION WITH THE EXPANSION, RENOVATION AND EQUIPPING OF VACANT SPACE AT 49 COURT STREET IN THE CITY OF BINGHAMTON, COUNTY OF BROOME AND STATE OF NEW YORK.** Chairman Bernardo asked Mr. Peduto if the Governance Committee moved to approve. Mr. Peduto stated yes.

**MOTION:** 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 \$18,376.00, FOR A TERM NOT TO EXCEED TWELVE MONTHS, CONSISTENT WITH THE POLICIES OF THE AGENCY IN CONNECTION WITH THE EXPANSION, RENOVATION AND EQUIPPING OF VACANT SPACE AT 49 COURT STREET IN THE CITY OF BINGHAMTON, COUNTY OF BROOME AND STATE OF NEW YORK. On a MOTION by Mr. Peduto, seconded by Mr. Sopchak, the MOTION CARRIED. Mr. Mirabito abstained.

**ITEM # 12: EXECUTIVE SESSION-** There was none.

**MOTION:** No motion necessary.

**ITEM # 13: ADJOURNMENT:** Chairman Bernardo requested a motion to adjourn.

**MOTION:** On a MOTION by Mr. Crocker, seconded by Mr. Peduto, the MOTION CARRIED, and the meeting was adjourned at 12:26 p.m.

The next meeting of The Agency Board of Directors is scheduled for April 17, 2024, at 12:00 p.m. at FIVE South College Drive, Suite 201, Binghamton, NY 13905.