

**BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BOARD MEETING
FIVE South College Drive, Suite 201
Binghamton, New York 13905
Wednesday, August 21, 2024, 1:30 pm**

SYNOPSIS OF MEETING

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

ABSENT: None

GUESTS: John Solak, Binghamton Resident
Jerry Willard, First Action Ward Council
Lou Callea, The Raymond Group
Art Robinson, Town of Maine Board Member
Frank Pavia, Harris Beach

STAFF: S. Duncan, N. Abbadessa and M. Lucas

COUNSEL: J. Meagher

The meeting was called to order at 1:36 p.m.

ITEM #1. APPROVE THE MINUTES FOR JULY 17, 2024, MEETING: Chairman Bernardo requested a motion to approve the July 17, 2024 minutes.

MOTION: Mr. Gates motioned to approve, seconded by Mr. Mirabito; the MOTION CARRIED.

ITEM #2. PUBLIC COMMENT: Chairman Bernardo asked if there were any public comments.

Mr. Solak, a resident of the City of Binghamton, offered comments regarding the Executive Director's contract and the state of the economy and workforce in the area generally. Mr. Robinson, representing the Town of Maine Board, thanked Stacey and the Agency staff for engaging with himself and members of the public at the recent Open House for the proposed Broome Tech Park. He shared that the Town of Maine Board will not rezone the property as they believe it to be spot zoning; he also shared his wishes that this project was happening elsewhere in the county. Mr. Robinson referenced the recent FOIL request submitted by the Town of Maine, noting that they were still going through all the materials submitted. Mr. Robinson requested a response during the meeting regarding two studies the Town has requested to see. Ms. Duncan noted that counsel was still reviewing the studies as they contain proprietary information of the contractor that The Agency may not be legally authorized to share. After ensuring that no one else wanted to make a statement, Mr. Bernardo closed the public comment section.

ITEM #3. EXECUTIVE DIRECTOR'S REPORT:

Ms. Duncan provided updates on the following:

- Ms. Duncan represented the Chamber and the Agency at Congressman Molinaro's first Broome Next Chapter, roundtable meeting. The roundtables are designed to bring public and private sectors together to discuss the most pressing economic and community development goals over the next several years. Topics of note were housing, childcare, and small business development.

ITEM #4. LOAN ACTIVITY REPORTS AS OF JULY 30, 2024: The Loan Activity Reports for June were presented to the Board. The balances available to lend are \$977,247.37(STEED), \$560,853.47(BDF), and \$127,114.81(BR + E). Chairman Bernardo asked if there were any questions on the Loan Activity Reports or any of the loans.

Ms. Abbadessa noted that Odyssey Semiconductor Technologies has paid off its loan.

MOTION: No motion necessary.

Due to scheduling constraints, Chairman Bernardo moved Agenda Item #10 to the first item under new business.

ITEM #5: Resolution Accepting Draft Scoping Document for Generic Environmental Impact Statement Pursuant to SEQRA.

Ms. Duncan, with the assistance of counsel Mr. Pavia, explained to the Board of Directors the next step in the SEQRA process for the proposed Broome Technology Park. Ms. Duncan noted that as the lead agency, one of the required next steps is to issue the draft scoping document for the New York State's environmental quality review. This draft scoping document outlines the areas of study that the IDA will conduct over the next several months and gives the public opportunities to comment directly on the contents of the study. Ms. Miller noted that this was one of the most in-depth scoping documents she has seen, covering all topics that community members may be concerned about. Mr. Pavia noted that a 30-day public comment period in addition to the public hearing will be set.

MOTION: Resolution Accepting Draft Scoping Document for Generic Environmental Impact Statement Pursuant to SEQRA. Mr. Peduto motioned to approve, seconded by Ms. Miller; the MOTION CARRIED.

ITEM #6. Resolution Accepting an Application from the First Ward Action Council, Inc. (The "Company") for a Lease/Leaseback Transaction to Facilitate the Financing of the Construction, Renovation and Equipping of Property and Buildings Located in the City of Binghamton, Broome County, New York, to provide for a Real Property Tax Exemption in an Amount not to Exceed \$216,197.00, and Authorizing The Agency to set and Conduct a Public Hearing with Respect Thereto. No discussion was held following the recommendation from the Governance Committee. Chairman Bernardo asked for a motion.

MOTION: To Accept a Resolution Accepting an Application from the First Ward Action Council, Inc. (The "Company") for a Lease/Leaseback Transaction to Facilitate the Financing of the Construction, Renovation and Equipping of Property and Buildings Located in the City of Binghamton, Broome County, New York, to provide for a Real Property Tax Exemption in an Amount not to Exceed \$216,197.00, and Authorizing 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 UNANIMOUSLY.

ITEM #7. Resolution Accepting an Application from The Raymond Corporation (The "Company") for a Lease/Leaseback Transaction to Facilitate the Financing of the Modernization, Renovation, and Equipping of the Properties and Buildings Located at 191 And 196 Corporate Drive 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 \$1,448,000.00, to Provide for a Real Property Tax Exemption in an Amount not to Exceed \$2,380,110.00, and Authorizing The Agency to set and Conduct a Public Hearing with Respect Thereto.

Mr. Gates asked the project representative, Mr. Callea, if work has begun on the project. Mr. Callea noted that no work has been completed on the inside on the actual project, just some exterior sprucing done to prepare for the upcoming ribbon cutting. Mr. Crocker asked if local labor would be utilized, which Ms. Ducnan confirmed.

MOTION: To Accept a Resolution Accepting an Application from The Raymond Corporation (The "Company") for a Lease/Leaseback Transaction to Facilitate the Financing of the Modernization, Renovation, and Equipping of the Properties and Buildings Located at 191 And 196 Corporate Drive 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 \$1,448,000.00, to Provide for a Real Property Tax Exemption in an Amount not to Exceed \$2,380,110.00, and Authorizing The Agency to set and Conduct a Public Hearing with Respect Thereto. On a MOTION by Mr. Bucci, seconded by Mr. Mirabito, the MOTION CARRIED UNANIMOUSLY.

ITEM #8. Resolution Authorizing The Agency to Contract with Cook's Tree Service to Trim Back all Trees and Remove Overgrown Trees and Bushes up to the Fence on The Agency's Property Located at 162 Endwell Street, Johnson City, Broome County, New York at a Cost of \$15,400.00 Pursuant to the Estimate Dated July 10, 2024. No discussion was held following the recommendation from the Governance Committee. Chairman Bernardo asked for a motion.

MOTION: Resolution Authorizing The Agency to Contract with Cook's Tree Service to Trim Back all Trees and Remove Overgrown Trees and Bushes up to the Fence on The Agency's Property Located at 162 Endwell Street, Johnson City, Broome County, New York at a Cost of \$15,400.00 Pursuant to the Estimate Dated July 10, 2024. On a MOTION by Mr. Bucci, seconded by Mr. Gates, the MOTION CARRIED UNANIMOUSLY

ITEM #9. Resolution Approving an Extension of the September 1, 2021 Sales and Use Tax Exemption Agreement with Spark JC, LLC from August 18, 2024, through and including August 18, 2025, the Total of which shall not exceed \$3,093,333.00. No discussion was held following the recommendation from the Governance Committee. Chairman Bernardo asked for a motion.

MOTION: Resolution Approving an Extension of the September 1, 2021 Sales and Use Tax Exemption Agreement with Spark JC, LLC from August 18, 2024, through and including August 18, 2025, the Total of which shall not exceed \$3,093,333.00. On a MOTION by Mr. Bucci, seconded by Ms. Miller, the MOTION CARRIED UNANIMOUSLY

ITEM #10: EXECUTIVE SESSION: Related To The Acquisition Of Property And Personnel Related Items.

MOTION: Chairman Bernardo requested a motion to enter an executive session. Mr. Gates motioned to approve, seconded by Ms. Miller, the MOTION CARRIED. Executive Session began at 2:00 p.m.

MOTION: Chairman Bernardo requested a motion to exit the executive session. Mr. Mirabito motioned to approve, seconded by Ms. Miller, the MOTION CARRIED. Executive Session ended at 2:31 p.m.

ITEM #11 ADJOURNMENT: Chairman Bernardo requested a motion to adjourn.

MOTION: On a MOTION by Mr. Crocker, seconded by Mr. Sopchak, the MOTION CARRIED, and the meeting was adjourned at 2:34 p.m.

The next meeting of The Agency Board of Directors is scheduled for September 16, 2024, at 12:00 p.m. at FIVE South College Drive, Suite 201, Binghamton, NY 13905.