

**BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BOARD MEETING
FIVE South College Drive, Suite 201
Binghamton, New York 13905
Wednesday, December 18, 2024, 12:00 pm**

SYNOPSIS OF MEETING

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

ABSENT:

GUESTS: Mayor Meany, Village of Johnson City
Dave Drew, Square Deal Partners
Eddie Pezzino, Square Deal Partners
Jim Ehmke, News Channel 34
David Whalen, Sun Development Team

STAFF: S. Duncan, N. Abbadessa, G. Dean, Amy Williamson, and M. Lucas

COUNSEL: J. Meagher

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

ITEM #1. APPROVE THE MINUTES FOR NOVEMBER 20, 2024, MEETING: Chairman Bernardo requested a motion to approve the November 20, 2024 minutes.

MOTION: Mr. Newman motioned to approve, seconded by Mr. Sopchak; the MOTION CARRIED.

ITEM #2. PUBLIC COMMENT: Chairman Bernardo asked if there were any public comments. Hearing none, Mr. Bernardo closed this portion of the meeting.

ITEM #3. EXECUTIVE DIRECTOR'S REPORT:

Ms. Duncan provided updates on the following:

- Ms. Duncan noted they are working on year-end financials. Ms. Duncan said they have closed on the Regan Development project and VV Binghamton properties. Ms. Duncan said they are working towards closing the Raymond Corporation and NYPEN redevelopment projects in the Village of

Johnson City. Staff is working on documents to terminate and recapture benefits related to Chenango Empire, a student housing project in the City of Binghamton. Ms. Duncan noted that they have been working to make contact, and have enlisted the Mayor's office to assist. Ms. Miller asked if this property was the Perry building. Ms. Duncan clarified that this is the Printing Housing property. The property is in the mortgage foreclosure process.

- Ms. Duncan commended Amy Williamson, Business and Community Development Specialist at The Agency, for her extensive work on the Southern Tier ON RAMP grant application. Ms. Duncan noted that they have submitted the ON RAMP application, highlighting five applicants, and three will be awarded. Ms. Duncan said that this grant would potentially allow The Agency to construct a regional workforce training facility. Ms. Duncan shared that the model chosen would make Greater Binghamton a hub with spokes in Elmira, Corning, Ithaca, and Delhi areas. Ms. Duncan noted that she completed an interview with the selection team for the grant and will be informed in the new year if they have been awarded.
- Work with staff on the 600 Main Street project in the Town of Union has started. Ms. Duncan noted an \$11 million FAST Award fund from New York State to redevelop and elevate a portion of that site out of the floodplain. Ms. Duncan shared that the agency has selected EDR, Rambol, and LeChase as the team. Work is expected to begin in spring.
- Ms. Duncan provided a brief update on the Broome County Tech Park, noting that they are continuing the schedule of study. There is a lot of activity about finalizing the generic environmental impact study, and there's a cultural group doing the archaeological review and engineers doing traffic. Noise, air and visual studies will also be completed in the next several weeks. A draft final GEIS will come before the Board for review in February or March of 2025. Ms. Duncan also noted that an essential part of this study is looking at the power capacity for that area. An ISO Study is in the process, specifying that ISO is the Independent System Operator, which leads the distribution of power throughout the state. Ms. Duncan noted that a study would be required since they are looking at a sizable amount of over 10 megawatts. The energy team is looking at potential interconnection points. Ms. Duncan shared that they are finalizing the interconnection report, which will be shared with the Board when completed.
- Ms. Duncan shared that Empire State Development has created a County Infrastructure Grant Program, which will be used to support infrastructure projects that support housing, and that there is no requirement for the type of housing. There is a total of \$50,000,000.00 to be awarded, and each award can be up to \$500,000.00 or \$1,000,000.00 per County.

ITEM #4. LOAN ACTIVITY REPORTS AS OF NOVEMBER 31, 2024: The Loan Activity Reports for November were presented to the Board. The balances available to lend are \$1,064,236.36(STEED), \$576,321.88(BDF), and \$133,596.82(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 authorizing a Lease/Leaseback Transaction to facilitate the acquisition, renovation and equipping of the property and buildings located at 400 Riverside Drive in the Village of Johnson City, Broome County, New York to be used as a mixed use development consisting of 67 housing units equipped with fitness, gaming, and recreation centers with surveillance cameras and key fob access as well as a restaurant, gymnasium, and outdoor grilling area which will be open to the public and appointing Square Deal Partners LLC (the "company"), agent of The Agency for the

purpose of acquiring, renovating and equipping the project, to provide for a Sales and Use Tax Exemption Benefit in an amount not to exceed \$355,542.00, to provide for a mortgage tax exemption benefit in an amount not to exceed \$119,000.00, to provide for a Real Property Tax Exemption in an amount not to exceed \$4,002,710.00, including authorizing a Payment in Lieu of Tax Agreement deviating from The Agency's uniform tax exemption policy, a copy of which is attached hereto as Exhibit "A", and authorizing the execution and delivery of certain documents with respect thereto.

Chairman Bernardo asked if there were any comments. Hearing none, he called for a Motion. Mr. Bucci, representing the Governance Committee, moved the Motion forward for approval.

MOTION: To accept a Resolution authorizing a Lease/Leaseback Transaction to facilitate the acquisition, renovation and equipping of the property and buildings located at 400 Riverside Drive in the Village of Johnson City, Broome County, New York to be used as a mixed use development consisting of 67 housing units equipped with fitness, gaming, and recreation centers with surveillance cameras and key fob access as well as a restaurant, gymnasium, and outdoor grilling area which will be open to the public and appointing Square Deal Partners LLC (the "company"), agent of The Agency for the purpose of acquiring, renovating and equipping the project, to provide for a Sales and Use Tax Exemption Benefit in an amount not to exceed \$355,542.00, to provide for a mortgage tax exemption benefit in an amount not to exceed \$119,000.00, to provide for a Real Property Tax Exemption in an amount not to exceed \$4,002,710.00, including authorizing a Payment in Lieu of Tax Agreement deviating from The Agency's uniform tax exemption policy, a copy of which is attached hereto as Exhibit "A", and authorizing the execution and delivery of certain documents with respect thereto. Mr. Bucci motioned to approve, seconded by Mr. Sopchak; the MOTION CARRIED.

ITEM #6. Resolution accepting an application from 1020 VPE, LLC and authorizing a New York State and Local Sales and Use Tax Exemption in an amount not to exceed \$56,400.00, for a term not to exceed twelve months, consistent with the policies of The Agency in connection with the construction and equipping of a 3,500+/- square foot addition to the building located at 1020 Vestal Parkway East in the Town of Vestal, County of Broome and State of New York to house an open MRI, ZAPX radiosurgical machine, x-ray, together with an elevator for the use of patients. Chairman Bernardo called for a Motion. Mr. Bucci, representing the Governance Committee, moves the Motion forward for approval.

MOTION: To accept a Resolution accepting an application from 1020 VPE, LLC and authorizing a New York State and Local Sales and Use Tax Exemption in an amount not to exceed \$56,400.00, for a term not to exceed twelve months, consistent with the policies of The Agency in connection with the construction and equipping of a 3,500+/- square foot addition to the building located at 1020 Vestal Parkway East in the Town of Vestal, County of Broome and State of New York to house an open MRI, ZAPX radiosurgical machine, x-ray, together with an elevator for the use of patients. On a MOTION by Mr. Bucci, seconded by Mr. Peduto, the MOTION CARRIED.

ITEM #7. Resolution accepting an Application from NSSGP, LLC for a New York State and local Sales and Use Tax Exemption in an amount not to exceed \$148,000.00, for a term not to exceed one year, consistent with the policies of The Agency in connection with the acquisition and installation of a ZAPX Advanced Robotic Radiosurgical Machine for the treatment of brain tumors to be located at 1020 Vestal Parkway East in the Town of Vestal, County of Broome and State of New York and authorizing The Agency to set and conduct a public hearing with respect thereto. Chairman Bernardo asked if there were any comments. Hearing none, he called for a motion. Mr. Bucci representing the Governance Committee

moves the Motion forward for approval. Mr. Bucci highlighted that the ZapX Advanced Robotic Radiosurgical Machine will be the first in New York State and one of 30 worldwide.

MOTION: To accept a Resolution accepting an Application from NSSGP, LLC for a New York State and local Sales and Use Tax Exemption in an amount not to exceed \$148,000.00, for a term not to exceed one year, consistent with the policies of The Agency in connection with the acquisition and installation of a ZAPX Advanced Robotic Radiosurgical Machine for the treatment of brain tumors to be located at 1020 Vestal Parkway East in the Town of Vestal, County of Broome and State of New York 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.

ITEM #8. Resolution authorizing the Executive Director, on behalf of The Agency, to enter into a Six Month Option Agreement for the sale of 162 Endwell Street, Johnson City in the Town of Union, Broome County, New York to Andre B. Haykal for a purchase price of \$45,000.00. Chairman Bernardo asked if there were any comments. Hearing none, he called for a Motion. Mr. Bucci, representing the Governance Committee, moved the Motion forward for approval.

MOTION: To accept a Resolution authorizing the Executive Director, on behalf of The Agency, to enter into a Six Month Option Agreement for the sale of 162 Endwell Street, Johnson City in the Town of Union, Broome County, New York to Andre B. Haykal for a purchase price of \$45,000.00. On a MOTION by Mr. Bucci, seconded by Mr. Newman the MOTION CARRIED.

ITEM #9. Resolution authorizing the Executive Director, on behalf of The Agency, to enter into an Agreement of Sale with Old Dominion Freight Line, Inc. for the sale of 129 Carlin Road in the Town of Conklin, Broome County, New York for a purchase price of \$26,000.00 per acre and to undertake any and all actions necessary to convey title in accordance with the terms of the Agreement of Sale.

Chairman Bernardo asked if there were any questions. Hearing none, he called for a Motion. Mr. Bucci, representing the Governance Committee, moved the Motion forward for approval. Ms. Duncan noted that Ms. Abbadessa put a lot of great work into this.

MOTION: To accept a Resolution authorizing the Executive Director, on behalf of The Agency, to enter into an Agreement of Sale with Old Dominion Freight Line, Inc. for the sale of 129 Carlin Road in the Town of Conklin, Broome County, New York for a purchase price of \$26,000.00 per acre and to undertake any and all actions necessary to convey title in accordance with the terms of the Agreement of Sale. On a MOTION by Mr. Bucci, seconded by Mr. Gates, the MOTION CARRIED.

ITEM #10. Resolution accepting an Application from Skate Estate of Vestal, LLC and authorizing a New York State and local Sales and Use Tax Exemption in an amount not to exceed \$37,360.00, for a term not to exceed twelve months, consistent with the policies of The Agency in connection with the renovation, modernization, and equipping of the Property and building located at 3401 Vestal Road and the Property located at 3360 Vestal Road in the Town of Vestal, County of Broome and State of New York. Chairman Bernardo asked if there were any questions. Hearing none, he called for a Motion. Mr. Bucci, representing the Governance Committee, moved the Motion forward for approval.

MOTION: To accept a Resolution accepting an Application from Skate Estate of Vestal, LLC and authorizing a New York State and local Sales and Use Tax Exemption in an amount not to exceed \$37,360.00, for a term not to exceed twelve months, consistent with the policies of The Agency in connection with the renovation, modernization, and equipping of the Property and building located at 3401 Vestal Road and the Property located at 3360 Vestal Road in the Town of Vestal, County of Broome and State of New York. On a MOTION by Mr. Bucci, seconded by Ms. Miller, the MOTION CARRIED.

ITEM #11. Resolution accepting an Application from Sun Development Team LLC (the “Company”) for a Lease/Leaseback Transaction to facilitate the financing of the renovation and equipping of the property and building located at 214 Main Street in the Village of Johnson City, Broome County, New York, to provide for a Sales and Use Tax Exemption Benefit in an amount not to exceed \$20,000.00, to provide for a real property tax exemption, deviating from The Agency’s uniform tax exemption policy, in an amount not to exceed \$122,616.00, and authorizing the agency to set and conduct a public hearing with respect thereto. Chairman Bernardo asked if there were any questions. Hearing none, he called for a Motion. Mr. Bucci, representing the Governance Committee, moved the Motion forward for approval.

MOTION: To accept a Resolution accepting an Application from Sun Development Team LLC (the “Company”) for a Lease/Leaseback Transaction to facilitate the financing of the renovation and equipping of the property and building located at 214 Main Street in the Village of Johnson City, Broome County, New York, to provide for a Sales and Use Tax Exemption Benefit in an amount not to exceed \$20,000.00, to provide for a real property tax exemption, deviating from The Agency’s uniform tax exemption policy, in an amount not to exceed \$122,616.00, and authorizing the agency to set and conduct a public hearing with respect thereto. On a MOTION by Mr. Bucci, seconded by Ms. Miller, the MOTION CARRIED.

ITEM #12: Executive Session. Mr. Bernardo called for a motion to enter Executive Session. The Executive Session was held to discuss Sale of Property and Local Labor Policy.

MOTION: On a MOTION by Mr. Crocker, seconded by Mr. Sopchak, the MOTION CARRIED. Executive Session started at 12:23 pm.

MOTION: On a MOTION by Mr. Mirabito, seconded by Mr. Sopchak, Executive Session ended at 12:52 pm.

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

MOTION: On a MOTION by Mr. Newman, seconded by Mr. Gates, the MOTION CARRIED, and the meeting was adjourned at 12:54 pm

The next meeting of The Agency Board of Directors is scheduled for January 22, 2025, at 12:00 p.m. at FIVE South College Drive, Suite 201, Binghamton, NY 13905.