

**BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
BOARD MEETING  
185 Court Street  
Binghamton, New York 13901  
Friday, May 9, 2014, 12:00 pm**

**SYNOPSIS OF MEETING**

**PRESENT:** J. Davis, T. Kane, R. Keibel, R. Nielsen, D. Preston and J. Stevens

**ABSENT:** W. Howard, D. Reynolds and J. Rounds

**GUESTS:** Angelo Gallo, Piaker & Lyons  
Jeri Fiorentino, Piaker & Lyons  
Maureen Wilson, Pyramid Brokerage  
John Bernardo, Broome County Deputy Executive  
Jerry Marinich, Broome County Legislative Chairman  
Aaron Martin, Broome County Legislative Clerk  
Emmanuel Priest, Office of Senator Thomas Libous  
Patrick Doyle, BCIDA Business Development Consultant  
Pat Hogan, Broome County Engineer

**STAFF:** K. McLaughlin, S. Duncan, T. Gray and C. Campon

**COUNSEL:** J. Meagher

**PRESIDING:** T. Kane

Mr. Kane called the meeting to order at 12:05 p.m.

**ITEM #1. APPROVE MINUTES FOR THE APRIL 11, 2014 BOARD MEETING:** Mr. Kane requested approval of the minutes for the April 11, 2014 Board meeting. There was one correction on page 3 regarding the real estate services contract. The contract should have been with Pyramid Brokerage rather than Cushman & Wakefield.

**MOTION:** Resolution to approve the April 11, 2014 Board meeting minutes with the amendment. On a MOTION by Mr. Davis, seconded by Ms. Preston, the MOTION CARRIED.

**ITEM #2. PUBLIC COMMENT:** Mr. John Solak said he takes issue with the County Executive serving on the IDA board and voting on behalf of the County and the IDA. He said he also takes issue with Newman Development buying back its land in University Plaza from the Binghamton University Foundation. Mr. Solak said he felt Alfred Weissmann Development invested a lot of money into the community with its hotel and student housing projects, and was still treated as an outsider when the City of Binghamton denied its student housing expansion project.

**MOTION:** No motion necessary.

**ITEM #3. EXECUTIVE DIRECTOR'S REPORT:** Mr. McLaughlin said all the parcels at the incubator site have been combined into a single tax map number. The address is 120 Hawley Street. Work is ongoing in making the site shovel-ready. Mr. McLaughlin suggested sending

out an RFP for marketing and public relations. Mr. Davis and Mr. Stevens volunteered to serve on an ad hoc committee to review proposals. Mr. McLaughlin will make a presentation regarding the Agency's services, accomplishments and strategic plan to SUNY BEST on June 5<sup>th</sup>. Mr. Kane, Mr. McLaughlin and Mr. Gray will be attending the upcoming annual EDC conference. Mr. Kane will be a speaker at the event. The Governance Committee met earlier this week to review policies and procedures. The newly drafted policies and procedures will be distributed to the board for review. Mr. McLaughlin hopes to get board approval for those at either the June or July meeting; Agency by-laws will be reviewed next. The Personnel Committee will meet next Monday to discuss and review the Agency's organization chart and job descriptions. Mr. McLaughlin said an economics and communications major from Cornell University may be interning with the Agency over the summer.

**MOTION:** No motion necessary.

**ITEM #4. LOAN FUNDS AVAILABILITY AS OF MARCH 31, 2014:** Mr. Gray presented the Loan Funds Availability report to the Board. The balances available to lend are \$364,888.98 (STEED) and \$851,249.35 (BDF). Mr. Gray said he had mentioned four prospective borrowers last month. Two of them fell through, but he's received three new prospects since then. There was a question regarding the status of Mountain Fresh Dairy. Mr. Gray said Mountain Fresh is waiting for City approvals regarding parking and water. Mr. Gray said the Agency can extend the commitment to Mountain Fresh since it has been delayed at no fault of the borrower. The project is expected to create 100 jobs.

**MOTION:** No motion necessary.

**ITEM #5. PRESENTATION OF THE 2013 AUDITED FINANCIAL STATEMENT BY MR. ANGELO GALLO FROM PIAKER & LYONS COUNTY, NEW YORK:** Item 5 and 6 were combined.

**MOTION:** No motion necessary.

**ITEM #6. RECOMMENDATION FROM THE CHAIRMAN OF THE AUDIT COMMITTEE TO ACCEPT THE 2013 AUDITED FINANCIAL STATEMENTS:** In Chairman Rounds' absence, Mr. Stevens reported that the Audit Committee had met with the auditors from Piaker & Lyons, Mr. Gallo and Ms. Fiorentino, prior to the board meeting. He said there was little discussion with concern to the findings. The auditors reported complete compliance and no irregularities. Mr. Nielsen suggested the Board be mindful that unrestricted funds are not unlimited. Commitments to the Regional Farmers Market and the Southern Tier High Tech Incubator made large impacts. Mr. Stevens suggested seeking consultation regarding poor returns on the few investments that the Agency has.

**MOTION:** No motion necessary.

**ITEM #7. RESOLUTION TO ACCEPT THE 2013 AUDITED FINANCIAL STATEMENT:** Mr. Kane requested a motion to accept the 2013 audited financial statement as presented.

**MOTION:** To accept the 2013 audited financial statement as presented. On a MOTION by Mr. Stevens, seconded by Mr. Keibel, the MOTION CARRIED UNANIMOUSLY.

**ITEM #8. RESOLUTION TO INCREASE THE CONTRACT FOR PLANNING AND DESIGN SERVICES WITH O'BRIEN & GERE IN RELATION TO DAMS 1 AND 2 AT THE BROOME CORPORATE PARK:**

Mr. McLaughlin explained that O'Brien & Gere had been retained for engineering services at the Broome Corporate Park dams for \$106,000. Of that, \$36,000 has already been spent just to meet DEC standards. The new proposal, working with Broome County, will bring the dams up to the construction phase, but requires a lot of DEC permitting. Mr. McLaughlin and Ms. Preston met with the Town of Conklin to discuss the possibility of the Town acquiring some of the property for flood retention, which could offset the cost for the Agency. Mr. McLaughlin reminded the board that this project has been budgeted for in the amount of \$300,000.

**MOTION:** To approve the resolution to increase the contract for planning and design service with O'Brien & Gere in relation to dams 1 and 2 at the Broome Corporate Park in an amount not to exceed \$168,100. On a MOTION by Mr. Davis, seconded by Ms. Preston, the MOTION CARRIED UNANIMOUSLY.

**ITEM #9. RESOLUTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE CERTAIN DOCUMENTS IN CONNECTION WITH THE REFINANCING OF THE HAWLEY STREET MEMBERS, LLC PROJECT:**

Mr. Meagher explained that Hawley Street Members, LLC is refinancing its IDA project. The process will have no impact on the Agency, but the banks involved are requiring a resolution from the board to authorize the Executive Director to execute the necessary documents. Per a policy adopted last year, this transaction will include a \$1,000 admin fee payable to the Agency.

**MOTION:** To authorize the Executive Director to execute certain documents in connection with the refinancing of the Hawley Street Members, LLC project. On a MOTION by Mr. Stevens, seconded by Mr. Keibel, the MOTION CARRIED UNANIMOUSLY.

**ITEM #10. DISCUSSION OF FUTURE LOCATION OF BCIDA OFFICES:** Mr. McLaughlin reminded the board that part of the strategic plan included a new location for its offices. A criteria list for possible new locations, existing or new-construction, was sent to the board prior to the meeting. There was discussion about the size of the staff and the possibility of its growth. Ms. Preston suggested looking to the Chamber or AMT to possibly colocate. Mr. Kane said the new building could include space to be used as a business incubator. He said the search should focus on the urban center. Ms. Maureen Wilson, Pyramid Brokerage, suggested an iterative approach by looking at what is currently available. She said parking should be considered as well as a professional image, accessibility, a space that reflects the organization and what image the IDA wants to portray. She said there are currently 10 to 15 sites worth considering, mostly vacant buildings rather than land. Mr. McLaughlin said the staff will work with Ms. Wilson to further develop the criteria and list of possibilities. He recommended looking at potential spaces before establishing a budget.

**MOTION:** No motion necessary.

**ITEM #11. RESCHEDULING OF JUNE BOARD MEETING:** Mr. McLaughlin asked that the board

reschedule next month's board meeting from June 13<sup>th</sup> to June 20<sup>th</sup>. The board obliged.

**MOTION:** No motion necessary.

**ITEM #12. EXECUTIVE SESSION: TO DISCUSS THE PROPOSED ACQUISITION AND SALE OF REAL PROPERTY TO THE BCIDA:**

**MOTION:** To convene to executive session. On a MOTION by Mr. Stevens, seconded by Ms. Preston, the MOTION CARRIED UNANIMOUSLY.

**ITEM #13. RECONVENE TO PUBLIC SESSION:**

**MOTION:** To reconvene back to public session. On a MOTION by Mr. Stevens, seconded by Ms. Preston, the MOTION CARRIED UNANIMOUSLY.

**ITEM #14. ADJOURNMENT:** Mr. Kane requested a motion for adjournment.

**MOTION:** To adjourn the meeting. On a MOTION by Mr. Stevens, seconded by Ms. Preston, the MOTION CARRIED UNANIMOUSLY, and the meeting was adjourned at 1:30 p.m.

The next meeting of the BCIDA Board of Directors is scheduled for June 20, 2014 at 12:00 p.m. at the Broome County Public Library, 185 Court Street, Binghamton, NY.