

**TOWN OF UNION
LOCAL DEVELOPMENT CORPORATION
REGULAR MEETING MINUTES
THURSDAY, JUNE 22, 2023**

SYNOPSIS OF MEETING

The Town of Union Local Development Corporation met for its regular meeting on Thursday, June 22, 2023 at the Town of Union Office Building, located at 3111 East Main Street in Endwell, New York.

I. THE MEETING WAS CALLED TO ORDER AT 7:58 A.M.

MEMBERS PRESENT: Stephen Trichka, Gary Leighton, Jeffrey L'Amoreaux,
Timothy Strong, Kimberly Ward

MEMBERS ABSENT: James Peduto, Mary O'Malley-Trumble

OTHERS PRESENT: Rosemarie Pope (LDC Board Attorney)
Scott Burto (Town ARPA Grant Coordinator)
Gina Middleton (Coughlin & Gerhart, LLP)
Daniel Brown (Dan Brown Construction, LLC)

STAFF PRESENT: Joseph Moody (LDC Director), Robin Shimer (Admin. Asst.)

II. PRESIDENT'S REMARKS

President Trichka congenially greeted all LDC Board meeting attendees.

III. DIRECTOR'S REMARKS

Director Moody advanced discussion to the agenda's Old Business topics.

IV. APPROVAL OF THE MINUTES

The Minutes of the regular LDC Board Meeting of April 20, 2023 were reviewed and approved as written.

Motion: Jeff L'Amoreaux
Motion 2nd: Tim Strong
Motion: To approve the regular LDC Board Meeting Minutes of
April 20, 2023 as written.
Vote: Motion approved [5 - Yes, 0 - No, 2 - Absent, 0 - Abstain]

V. OLD BUSINESS

A. Mr. Moody presented for discussion a prior loan for LBK Properties, LLC (an ANC Heating & Air Conditioning real estate holding company) to assist with the exterior renovation of properties at 120 and 122 Jennings Street and 100, 102 and 104 North Duane Avenue in Endicott. He noted an LBK Properties situation that may eventually require extending the project completion deadline. Discussion also included potential use of grant funds. It was ultimately decided to continue loan financing as initially approved. Mr. Moody will seek further insight from Mr. Knecht about his anticipated completion date.

- B. Mr. Moody requested the amendment of previously approved LDC ARPA grant funding for Dan Brown Construction, LLC. The LDC Board approved on December 15, 2022 a \$100,000.00 Project Specific Infrastructure grant to Dan Brown Construction, LLC. The owner of the business, Mr. Daniel P. Brown, is currently seeking reallocation of funds for the purpose of purchasing a dump truck and a roller. Mr. Brown had to fast-track his initial equipment plan with out-of-pocket payment for a paver. The dump truck and the roller will help him to competitively bid for and timely complete his paving work.

Mr. Moody then gave an overview of the proposed amendment and invited Mr. Brown to address the Board. Mr. Brown shared his perspective on equipment supply chain issues. The questions posed to him included an inquiry of the date when he can provide canceled checks and invoices. Mr. Brown said the documents can be submitted within one month.

After the completion of discussion, President Trichka requested a motion to approve an amended resolution to allow for reallocation of funds and purchase of needed equipment.

Motion: Jeff L'Amoreaux
Motion 2nd: Gary Leighton
Motion: To approve the amendment of the previously adopted Town of Union Local Development Corporation (LDC) 2021 American Rescue Plan Act (ARPA) Project Specific Infrastructure Grant Program financing in an amount not to exceed \$100,000.00 to Dan Brown Construction, LLC, as approved on December 15, 2022. The amendment shall allow for reallocation of the funds in the same not to exceed \$100,000.00 amount and substitution of equipment as specified in June 21, 2023 correspondence.
Vote: Motion approved [5 - Yes, 0 - No, 2 - Absent, 0 - Abstain].

VI. NEW BUSINESS

- A. Mr. Moody presented for discussion a 2021 American Rescue Plan Act (ARPA) Grant application submitted by Mr. Robert T. Shafer, Jr. of 500 North Street, LLC (a/k/a Southern Tier Stages, Inc./Shafer's Tour & Charter). Mr. Shafer is seeking \$45,250.00 in ARPA LDC 50/50 Commercial Façade Grant Program funds to finance exterior repairs to the metal roof and the addition of a roof ice melt system to the commercial building located at 500 North Street in Endicott.

After the completion of discussion, President Trichka requested a motion to approve 50/50 Commercial Façade Grant Program financing up to \$45,250.00 for 500 North Street, LLC.

Motion: Tim Strong
Motion 2nd: Jeff L'Amoreaux
Motion: To approve Town of Union Local Development Corporation 2021 American Rescue Plan Act (ARPA) 50/50 Commercial Façade Grant Program financing in an amount not to exceed \$45,250.00 for exterior repairs to the metal roof and the addition of a roof ice melt system to the commercial building located at 500 North Street in Endicott, New York.
Vote: Motion approved [5 - Yes, 0 - No, 2 - Absent, 0 - Abstain].

- B. Mr. Moody presented for discussion a 2021 American Rescue Plan Act (ARPA) Grant application by Mr. Thomas M. Crowley and Mr. Michael T. Crowley of Nanticoke & Wendell Holdings, Inc. (a/k/a Crowley Fabricating & Machining Co., Inc.). Messrs.

Crowley are seeking \$41,325.00 in ARPA LDC Reimagine Union Demolition & Site Prep Grant Program funds for building demolition and parking lot costs.

After the completion of discussion, President Trichka requested a motion to approve up to \$41,325.00 in Reimagine Union Demolition & Site Prep Grant Program financing to Nanticoke & Wendell Holdings, Inc.

Motion: Tim Strong
Motion 2nd: Jeff L'Amoreaux
Motion: To approve Town of Union Local Development Corporation 2021 American Rescue Plan Act (ARPA) Reimagine Union Demolition & Site Prep Grant Program financing in an amount not to exceed \$41,325.00 to Nanticoke & Wendell Holdings, Inc. (a/k/a Crowley Fabricating & Machining Co., Inc.). The purpose of the grant is to assist with demolition and site preparation work for the vacant and blighted building located at 401 North Nanticoke Avenue in Endicott, New York.
Vote: Motion approved [5 - Yes, 0 - No, 2 - Absent, 0 - Abstain].

Counselor Pope and Ms. Middleton departed at 8:41 a.m. due to business obligation.

- B. Mr. Moody presented for discussion proposals to (1) discontinue the reference to refunding the \$250.00 Grant Commitment Fee and (2) reimburse LDC Counsel for incurred grant closing filing fees. The fee also could be used to possibly partially pay for a grant recipients' required prorated percentage of potential LDC single audit cost, and any other fees incurred by the LDC due to the grant program. Further LDC Board discussion pertained to determining the most appropriate LDC bank account to hold commitment fee deposits. It was agreed the UDAG Miscellaneous Revenues savings account is the proper account for depositing ARPA Commitment Fee payments, and to pay associated fees from. There was then reiteration and affirmation of agreement that the \$250.00 will still be collected but will not be reimbursable to the grant recipient for previous fees collected and moving forward.
- C. Mr. Moody presented for discussion of approval the appointments of Ms. Kimberly A. Ward as a member of the Town of Union Local Development Corporation's Board of Directors' Audit Committee and Loan Committee to fill the vacant positions formerly held by Ms. Diane M. Julian. Ms. Ward's appointments shall be in effect for the remainder of the 2023 calendar year expiring on December 31, 2023.

After the completion of discussion, President Trichka requested a motion to approve the appointments of Ms. Ward to the LDC's Audit Committee and Loan Committee.

Motion: Jeff L'Amoreaux
Motion 2nd: Gary Leighton
Motion: To approve the appointments of Ms. Kimberly A. Ward to the Town of Union Local Development Corporation (LDC) Board of Directors' Audit Committee and Loan Committee to fill the vacant positions previously held by Ms. Julian. Ms. Ward's appointments shall be in effect for the remainder of the 2023 calendar year expiring on December 31, 2023.
Vote: Motion approved [5 - Yes, 0 - No, 2 - Absent, 0 - Abstain].

VII. OTHER BUSINESS

- A. Mr. Moody presented a status overview of CDBG and UDAG Business Assistance loan recipients as prepared by Mr. Leighton.
- B. Mr. Moody provided an overview of the LDC's 2021 ARPA Grant Funds via Town of Union and Broome County allocated funding. Presently, approximately half of the Town's \$1,500,000 will have been encumbered after today's meeting. He then asked Mr. Burto to give an update on his recent review of grant applicant documentation.

Mr. Burto shared his insight about Ramco Development & Holdings, LLC and North Street Development, LLC. He has suggested obtaining greater backup documents from Ramco Development & Holdings, LLC's subcontractors before a closing is held. He said North Street Development, LLC primarily needs to remove concrete slabs and pillars before he recommends a grant closing. He said Dan Browns Construction, LLC basically only needs to provide invoice and cancelled check copies for closing status. Mr. Burto noted the thoroughness of Grey Goose Graphics, LLC and PCSJ, LLC (Taste of Tai) and recommended their grant closings. He also supports holding a closing for The Hair Garden, LLC. Ms. Jamie Mostko (Jamie Leigh Hair Studio) has received her funds. Mr. Burto noted all grant financing is required to be allocated by December of 2024.

Mr. Moody referenced Southern Tier Leasing, LLC's recent LDC loan payoff. He said the business is doing well and plans to apply for an ARPA grant.

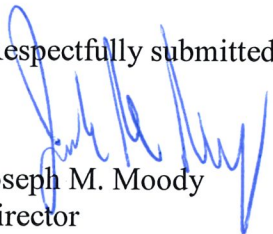
VIII. ADJOURNMENT

- A. President Trichka asked if there were other topics for consideration. Due to the LDC Board's affirmed completion of business, he requested a motion to adjourn the meeting.

Motion: Jeff L'Amoreaux
Motion 2nd: Tim Strong
Motion: To adjourn the regular LDC Board meeting of June 22, 2023.
Vote: Motion approved [5 - Yes, 0 - No, 2 - Absent, 0 - Abstain].

In recognition of there being no further business, without objection, the June 22, 2023 Regular LDC Board Meeting stood adjourned at 9:03 a.m.

Respectfully submitted,


Joseph M. Moody
Director