

**TOWN OF UNION
LOCAL DEVELOPMENT CORPORATION
REGULAR MEETING MINUTES
THURSDAY, OCTOBER 19, 2023**

SYNOPSIS OF MEETING

The Town of Union Local Development Corporation met for its regular meeting on Thursday, October 19, 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, James Peduto,
Mary O'Malley-Trumble, Jeffrey L'Amoreaux, Kimberly Ward

MEMBERS ABSENT: Timothy Strong

OTHERS PRESENT: Rosemarie Pope (LDC Board Attorney),
Scott Burto (Town ARPA Grant Coordinator)
John Bernardo (Executive Director, SEPP Management Group)

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

II. PRESIDENT'S REMARKS

President Trichka extended a warm welcome to all attendees.

III. DIRECTOR'S REMARKS

Director Moody advanced the agenda's topics for discussion.

IV. APPROVAL OF THE MINUTES

The Minutes of the regular LDC Board Meeting of September 21, 2023 were reviewed and approved as written.

Motion: Jim Peduto
Motion 2nd: Jeff L'Amoreaux
Motion: To approve the regular LDC Board Meeting Minutes of
September 21, 2023 as written.
Vote: Motion approved [6 - Yes, 0 - No, 1 - Absent, 0 - Abstain]

V. OLD BUSINESS

A. Mr. Moody presented for discussion a resolution approving a 2021 American Rescue Plan Act (ARPA) fund agreement with Broome County government. The resolution establishes LDC acceptance and approval of the agreement conveying \$800,000.00 in ARPA funds from Broome County to the LDC. The agreement pertains to the proposed multi-family affordable housing and daycare complex project at 333 Grand Avenue and 154 Allen Street in Johnson City.

In response to Mr. Peduto's prior meeting inquiry about proposed agreement cost of court

expenses, Counselor Pope referenced her follow-up discussion with the Broome County Attorney's Office seeking agreement revision relieving the LDC of responsibility for paying expenses associated with county legal action against the LDC to enforce the county's rights under the agreement. In responding to the LDC's revision overture, the county maintained its position of LDC obligation for such payments.

Following the completion of discussion, President Trichka requested a motion to approve an ARPA Fund Agreement (CA 2927U) with Broome County conveying \$800,000.00 to the LDC for the purpose of the proposed multi-family affordable housing and daycare complex project to be located at 333 Grand Avenue and 154 Allen Street in Johnson City.

Motion: Jeff L'Amoreaux
Motion 2nd: Kim Ward
Motion: To approve an American Rescue Plan Act (ARPA) Fund Agreement with Broome County government conveying \$800,000.00 to the Town of Union Local Development Corporation (LDC) to support the proposed multi-family affordable housing and daycare complex project to be located at 333 Grand Avenue and 154 Allen Street in the Village of Johnson City within the Town of Union, New York.
Vote: Motion approved [6 - Yes, 0 - No, 1 - Absent, 0 - Abstain].

B. Mr. Moody presented for discussion a resolution approving a 2021 American Rescue Plan Act (ARPA) Grant application request by Messrs. Larry and Kenneth Regan as members of Regan Development Corporation for 333 Grand Avenue, LLC for \$800,000.00 in Town of Union Broome County Economic Development Project ARPA funds.

There was thorough discussion about the request, including project construction timeframe insight provided by Mr. Bernardo and propriety of ARPA funds use for property acquisition affirmation by Mr. Burto. Also, in response to an inquiry by Mr. Trichka, Mr. Bernardo verified both the paramount need for and the lack of local affordable housing.

Following the completion of discussion, President Trichka requested a motion to approve a 2021 American Rescue Plan Act (ARPA) Town of Union Broome County Economic Development Project Grant of \$800,000.00 to 333 Grand Avenue, LLC.

Motion: Jim Peduto
Motion 2nd: Jeff L'Amoreaux
Motion: To approve 2021 American Rescue Plan Act (ARPA) Town of Union Broome County Economic Development Project Grant Program funding in an amount not to exceed \$800,000.00 to 333 Grand Avenue, LLC (i.e. Homesteads on Grand Apartments) to assist with the acquisition of properties at 333 Grand Avenue and 154 Allen Street in the Village of Johnson City within the Town of Union, New York.
Vote: Motion approved [6 - Yes, 0 - No, 1 - Absent, 0 - Abstain].

C. Mr. Moody wanted to provide an update on legal action pertaining to loan recipient Mr. Nick Terzella of Bada Bing Hospitality, LLC (Southern Tier Cheesesteak Co.), as Counselor Pope has been in recent contact with Mr. Terzella.

President Trichka requested a motion to enter into Executive Session at 8:12 a.m.
Mr. Burto left the room prior to the beginning of discussion by the LDC Board.

Motion: Jeff L'Amoreaux
Motion 2nd: Gary Leighton
Motion: To enter into Executive Session at 8:12 a.m.
Vote: Motion approved [6 - Yes, 0 - No, 1 - Absent, 0 - Abstain].

President Trichka requested a motion to exit from Executive Session at 8:22 a.m.
Mr. Burto returned to the room after the LDC Board's completion of discussion.

Motion: Jeff L'Amoreaux
Motion 2nd: Mary O'Malley-Trumble
Motion: To exit from Executive Session at 8:22 a.m.
Vote: Motion approved [6 - Yes, 0 - No, 1 - Absent, 0 - Abstain]

Following the discussion of Bada Bing Hospitality, LLC, Counselor Pope informed the LDC Board members that effective November 1, 2023, she will begin working at Coughlin & Gerhart, LLP's Binghamton office, but she will remain LDC Counsel.

VI. NEW BUSINESS

- A. Mr. Moody presented a 2021 American Rescue Plan Act (ARPA) Grant request submitted by Mr. Daniel S. Lee and Ms. Ola M. Lee of Jaygold, LLC. Mr. Lee and Mrs. Lee sought \$33,817.50 in ARPA LDC 50/50 Commercial Façade Grant Program financing to assist with exterior repairs to the commercial building located at 1412 East Main Street, and paving of the parking lot (which includes adjacent parcels at 1410 East Main Street and 306 Grant Avenue) in Endicott.

The one story commercial building was unoccupied before its purchase by Mr. and Mrs. Lee. Subsequent to renovation the owners will occupy most of the building's 3,760 square feet to operate their respective businesses, Jaygold African Market and Jaygold Afrique.

Following the completion of discussion, President Trichka requested a motion to approve 50/50 Commercial Façade Grant Program financing of \$33,817.50 to Jaygold, LLC.

Motion: Jeff L'Amoreaux
Motion 2nd: Kim Ward
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 \$33,817.50 to Jaygold, LLC. The purpose of the grant funding is to assist with exterior improvements to the building at 1412 East Main Street and paving of the adjoining lots (which includes adjacent parcels at 1410 East Main Street and 306 Grant Avenue) at in the Village of Endicott within the Town of Union, New York.
Vote: Motion approved [6 - Yes, 0 - No, 1 - Absent, 0 - Abstain].

VII. OTHER BUSINESS

- A. Mr. Moody informed the LDC Board about the Notification from the Broome County Attorney stating previously allocated funding for two project agreements have not been extended and funding is no longer available. Those agreements are CA 2927D (\$350,000.00 for the proposed project at the former Red Carpet Inn site located at 749 West Main Street, Endicott) and CA 2927M (\$1,000,000.00 for the proposed project at the former Kmart Plaza site located at 219 Vestal Avenue, Endicott).
- B. Mr. Moody provided for the LDC Board members' review the monthly LDC Loan Portfolio Summary.
- C. Mr. Moody provided for the Board's review data identifying the available amount of LDC 2021 ARPA grant funds, non-inclusive of the LDC Board's October 19, 2023 actions. He remarked about pending applications and closing dates for approved grants. Mr. Moody is awaiting information from Mr. Schapiro and insight from Mr. Brown about a closing date.

Mr. Moody said the end of 2024's first quarter is the LDC's target date for approving the remaining \$300,000.00 of ARPA grant money. Mr. Burto also noted the end of 2024 as the date by which the town needs to allocate ARPA funds. Mr. Peduto identified the Corporate Park as a potential beneficiary of LDC grant funds.

Mr. Moody remarked about a pending ARPA Grant application by JH Robotics, Inc. After discussion with the LDC Board members, it was decided LDC Project Specific Infrastructure Improvement Grant Program funding would be the most applicable for JH Robotics' needs.

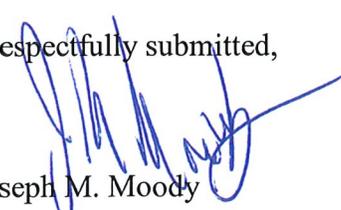
VIII. ADJOURNMENT

- 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: Mary O'Malley-Trumble
Motion 2nd: Jeff L'Amoreaux
Motion: To adjourn the regular LDC Board meeting of October 19, 2023 at 8:44 a.m.
Vote: Motion approved [6 - Yes, 0 - No, 1 - Absent, 0 - Abstain].

In recognition of there being no further business, without objection, the October 19, 2023 Regular LDC Board Meeting stood adjourned at 8:44 a.m.

Respectfully submitted,


Joseph M. Moody
Director