

**TOWN OF UNION
LOCAL DEVELOPMENT CORPORATION
REGULAR MEETING MINUTES
THURSDAY, SEPTEMBER 21, 2023**

DRAFT

SYNOPSIS OF MEETING

The Town of Union Local Development Corporation met for its regular meeting on Thursday, September 21, 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 7:57 A.M.

MEMBERS PRESENT: Gary Leighton, James Peduto, Timothy Strong,
Kimberly Ward

MEMBERS ABSENT: Stephen Trichka, Mary O'Malley-Trumble,
Jeffrey L'Amoreaux

OTHERS PRESENT: Rosemarie Pope (LDC Board Attorney) via telephone

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

II. VICE PRESIDENT'S REMARKS

Vice President Strong shared a warm welcome and referenced the meeting's agenda.

III. DIRECTOR'S REMARKS

Director Moody advanced discussion to the agenda's items for potential LDC action.

IV. APPROVAL OF THE MINUTES

The Minutes of the regular LDC Board Meeting of August 24, 2023 were reviewed and approved as written.

Motion:	Jim Peduto
Motion 2 nd :	Gary Leighton
Motion:	To approve the regular LDC Board Meeting Minutes of August 24, 2023 as written.
Vote:	Motion approved [4 - Yes, 0 - No, 3 - Absent, 0 - Abstain]

V. OLD BUSINESS

- A. Mr. Moody presented for discussion a resolution amending the September 22, 2022 Town LDC ARPA Grant funding allocation and reallocating all remaining Town of Union 2021 ARPA Grant Revenue Replacement Funds into one pool of funds for the previously approved five Town of Union LDC ARPA Grant Programs. He referenced the prior discussion at the August meeting about potential redistribution of funds and combine the programs' balance amounts into one collective pool of financing.

Following the completion of discussion, Vice President Strong requested a motion to

approve the amendment of the September 22, 2022 Town LDC ARPA Grant funding allocation and reallocating all remaining Town of Union 2021 ARPA Grant Revenue Replacement Funds into one pool of funds for the previously approved five Town of Union LDC ARPA Grant Programs.

Motion: Gary Leighton
Motion 2nd: Kim Ward
Motion: To approve the amendment of the September 22, 2022 Town LDC ARPA Grant funding allocation and reallocating all remaining Town of Union 2021 ARPA Grant Revenue Replacement Funds into one pool of funds for the previously approved five Town of Union LDC ARPA Grant Programs.
Vote: Motion approved [4 - Yes, 0 - No, 3 - Absent, 0 - Abstain].

- B. Mr. Moody referenced the agenda-listed update about Mr. Nick Terzella and Bada Bing Hospitality, LLC (d/b/a/ Southern Tier Cheesesteak Co.). Counselor Pope advised that Executive Session discussion would be appropriate.

Vice President Strong requested a motion to enter into Executive Session at 8:02 a.m.

Motion: Gary Leighton
Motion 2nd: Jim Peduto
Motion: To enter into Executive Session at 8:02 a.m.
Vote: Motion approved [4 - Yes, 0 - No, 3 - Absent]

Vice President Strong requested a motion to exit from Executive Session at 8:12 a.m.

Motion: Jim Peduto
Motion 2nd: Kim Ward
Motion: To exit from Executive Session at 8:12 a.m.
Vote: Motion approved [4 - Yes, 0 - No, 3 - Absent]

VI. NEW BUSINESS

- A. 1. Mr. Moody presented a 2021 American Rescue Plan Act (ARPA) Grant request submitted by Ms. Kanaka Tatikola of Mallika Ashwin Maya Corporation (d/b/a M.A.M. Inc.). Ms. Tatikola sought \$75,800.00 in LDC Project Specific Infrastructure Improvement Program Grant Program funds to assist with the acquisition of machinery and equipment for manufacturing of battery pack application for power electronics systems. The business will relocate from its Bridgewater, New Jersey site to the Huron/Phoenix Investors Campus in Endicott.

Mr. Moody noted his communication work with Mr. Seshu Taitkola of Mallika Ashwin Maya Corporation about ARPA LDC financing. The business anticipates creating ten full-time and five part-time positions.

Mr. Leighton asked about equipment site and financing process; Ms. Ward shared her familiarity with similar expense reimbursement procedure within the banking industry. Mr. Moody affirmed all expenses are reimbursement-based. Mr. Strong inquired if M.A.M. Inc. will have a dependent or independent relationship with lithium-ion battery cell manufacturer Imperium 3 NY (iM3NY). Mr. Moody affirmed M.A.M. Inc. is a stand-alone business, but anticipates a relationship with iM3NY. Mr. Peduto asked if a formal agreement exists between M.A.M. Inc. and iM3NY; Mr. Moody replied there

is no agreement that he is aware of. Mr. Strong observed the \$75,800.00 request exceeded the LDC ARPA Project Specific Infrastructure Improvement Program 40% maximum total project cost guideline. Mr. Moody verified the amount is indeed 58.2% of project cost. Mr. Strong inquired if Mr. Moody prefers consideration of the requested \$75,800 or a 40% project cost amount of \$52,116.00. Mr. Moody replied he was comfortable with the desired sum, and also remarked Mr. Tatikola sought a minimum amount of \$65,000.00. Mr. Peduto noted the purpose of the potential grant to M.A.M. Inc. was consistent with the LDC's economic development objectives.

Following the completion of discussion, Vice President Strong requested a motion to approve Project Specific Infrastructure Improvement Grant Program financing of \$75,800.00 to Mallike Ashwin Maya Corporation (d/b/a M.A.M. Inc.).

Motion: Jim Peduto
Motion 2nd: Kim Ward
Motion: To approve Town of Union Local Development Corporation 2021 American Rescue Plan Act (ARPA) Project Specific Infrastructure Improvement Grant Program financing in an amount not to exceed \$75,800.00 to Mallike Ashwin Maya Corporation (M.A.M. Inc.). The grant's purpose is to assist with the acquisition of machinery and equipment.
Vote: Motion approved [4 - Yes, 0 - No, 3 - Absent, 0 - Abstain].

- A. 2. Mr. Moody presented a 2021 American Rescue Plan Act (ARPA) Grant request submitted by Mr. John Seliga of Bella Props., LLC. Mr. Seliga sought \$50,000.00 in ARPA LDC 50/50 Commercial Façade Program Grant funds to finance the exterior renovation of the vacant building located at 114 Odell Avenue in Endicott to meet the needs of the new tenant (Cup O'Jo Café, LLC.).

Mr. Moody noted the business inter-relationship grant requests from Bella Props. LLC., and the Cup O'Jo Café LLC's grant request of \$25,000.00 submitted by Ms. Burda. He also referenced a prior LDC loan to Mr. Seliga and his reliable repayment history to the LDC. Discussion of the requests ensued and included the desired financing purposes by both businesses.

Following the completion of discussion, Vice President Strong requested a motion to approve 50/50 Commercial Façade Program Grant Program financing of \$50,000.00 to Bella Props., LLC., pending Endicott's zoning and planning approvals.

Motion: Gary Leighton
Motion 2nd: Kim Ward
Motion: To approve Town of Union Local Development Corporation 2021 American Rescue Plan Act (ARPA) 50/50 Commercial Façade Program Grant financing in an amount not to exceed \$50,000.00 to Bella Prop., LLC. The purpose of the grant is to assist with the exterior renovations for the vacant building located at 114 Odell Avenue in the Village of Endicott within the Town of Union, New York, which is based on the issuance of a special use permit by the Village of Endicott.
Vote: Motion approved [4 - Yes, 0 - No, 3 - Absent, 0 - Abstain].

- A. 3. Mr. Moody presented a 2021 American Rescue Plan Act (ARPA) Grant request submitted by Ms. Naomi A. Burda of Cup O'Jo Café, LLC. Ms. Burda sought \$25,000.00 in ARPA LDC Small Business Sustainability Program Grant funds to finance interior leasehold improvements, acquisition of furniture, fixtures & equipment, and working capital. Mr. Moody provided a project narrative overview and noted Ms. Burda's prior business history.

Following the completion of discussion, Vice President Strong requested a motion to approve Small Business Sustainability Program Grant financing of \$25,000.00 to Cup O'Joe Café, LLC., pending Endicott's zoning and planning approvals.

Motion: Gary Leighton

Motion 2nd: Kim Ward

Motion: To approve Town of Union Local Development Corporation 2021 American Rescue Plan Act (ARPA) Small Business Sustainability Program Grant financing in an amount not to exceed \$25,000.00 to Cup O'Jo Café, LLC. The purpose of the grant is to assist with interior leasehold improvements, acquisition of furniture, fixtures & equipment, and working capital for the business to be located at 114 Odell Avenue in the Village of Endicott within the Town of Union, New York, which is based on the issuance of a special use permit by the Village of Endicott.

Vote: Motion approved [4 - Yes, 0 - No, 3 - Absent, 0 - Abstain].

- A. 4. Mr. Moody presented a 2021 American Rescue Plan Act (ARPA) Grant request submitted by Ms. Kelly Pacheco of The B Line Deli & Grocery, LLC. Ms. Pacheco sought \$10,000.00 in ARPA LDC Kick-Start Entrepreneurial Program Grant funds. The purpose of the grant is to assist with furniture, fixtures & equipment purchases for the business to be located at 15 Delaware Avenue in Endicott.

Mr. Moody provided a project narrative overview and referenced the project cost, funding sources and equipment to be purchased. Discussion included remarks about the business's need to obtain a special use permit from the town.

Following the completion of discussion, Vice President Strong requested a motion to approve Kick-Start Entrepreneurial Program Grant financing of \$10,000.00 to The B Line Deli & Grocery, LLC. The LDC Board's approval is contingent on the business's obtaining of a special use permit.

Motion: Jim Peduto

Motion 2nd: Kim Ward

Motion: To approve Town of Union Local Development Corporation 2021 American Rescue Plan Act (ARPA) Kick-Start Entrepreneurial Program Grant financing in an amount not to exceed \$10,000.00 to The B Line Deli & Grocery, LLC. The purpose of the grant is to assist with furniture, fixtures & equipment for the business to be located at 15 Delaware Avenue in the Town of Union, New York. The approval is contingent upon The B Line Deli & Grocery, LLC receiving a special use permit from the Town of Union Planning and Zoning Departments for the intended commercial use.

Vote: Motion approved [4 - Yes, 0 - No, 3 - Absent, 0 - Abstain].

- A. 5. Mr. Moody presented a 2021 American Rescue Plan Act (ARPA) pending grant request from Larry Regan of Regan Development Corporation for the redevelopment of vacant parcels at 333 Grand Avenue and 54 Allen Street for a proposed residential and commercial project in Johnson City to be known as Homesteads on Grand Apartments. Broome County is proposing an allocation of \$800,000.00 in ARPA funds to the Town of Union LDC to be applied towards the acquisition of the land for proposed project. The purpose of the grant funding would eventually lead to the construction of a 72-unit residential multi-family affordable housing building and commercial space for a daycare facility.

The agreement would need LDC Board approval to accept the \$800,000.00 in 2021 American Rescue Plan Act (ARPA) Grant funds from Broome County. Due to LDC Board preference to further review the proposed agreement, it was decided to act on the request at the October 19, 2023 LDC Board meeting. The LDC Board asked LDC Counsel to discuss the agreement with Broome County Attorney prior to the meeting to iron out a few details. The LDC Board was in agreement to request submittal of an actual grant application for the proposed project based on an acceptable negotiated agreement.

VII. OTHER BUSINESS

- A. Mr. Moody provided a Loan Portfolio overview. Bada Bing Hospitality, LLC, a September 15, 2023 payoff demand letter from Counselor Pope was sent to the business owner.
- B. Mr. Moody provided a summary of available LDC 2021 ARPA Grant Program funds.
- C. Mr. Moody said he still is waiting for an official request from Michael Shapiro for his December 15, 2022 previously approved ARPA 50/50 Commercial Façade Grant.

VIII. ADJOURNMENT

- A. Vice President Strong 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: Kim Ward
Motion 2nd: Jim Peduto
Motion: To adjourn the regular LDC Board meeting of September 21, 2023.
Vote: Motion approved [4 - Yes, 0 - No, 3 - Absent, 0 - Abstain].

In recognition of there being no further business, without objection, the September 21, 2023 Regular LDC Board Meeting stood adjourned at 9:32 a.m.

Respectfully submitted,

Joseph M. Moody
Director

Town of Union Local Development Corporation														
Loans Receivable														
For the Month Ending October 2023														
Borrower's Name	Closing Date	Original Loan/Grant Amount	Payment Amount	Balance 31-Dec-22	New Loans/Grant Additions	YTD Principal Payments	(+ or -)		Balance @ 31-Oct-23	Loans Committed	Reserve For Loan Loss	YTD Interest/Fees Paid	Late/Other Fees	Payment Due Date
							Adjustments	Other						
CDBG Loans														
402 Airport Road Holding, LLC	23-Jun-16	60,000.00	332.76	44,503.05	0.00	2,240.13	0.00		42,262.92	x	x	1,087.47	x	1-Nov-23
17 Kentucky Avenue, LLC	21-Dec-17	230,000.00	1,588.34	169,170.07	0.00	11,786.14	0.00		157,383.93	x	x	4,097.26	x	1-Nov-23
Crooked Mouth Brewery, LLC	27-Jun-22	50,000.00	660.66	47,308.27	0.00	5,485.32	0.00		41,822.95	x	x	1,121.28	x	1-Nov-23
Fuller Holding Company, LLC	10-Jan-20	162,500.00	1,026.13	132,987.20	0.00	8,211.72	0.00		124,775.48	x	x	1,933.42	x	1-Nov-23
Sonostics, Inc.	18-Nov-16	200,000.00	2,504.14	59,392.84	0.00	24,232.71	0.00		35,160.13	x	x	808.69	x	1-Nov-23
Southern Tier Leasing, LLC	9-Dec-16	50,000.00	481.95	22,214.21	0.00	22,214.21	0.00		0.00	x	x	230.52	x	Paid
Southern Tier Technologies, Inc.	9-Dec-16	50,000.00	Paid	21,956.97	0.00	21,956.97	0.00		0.00	x	x	141.97	x	Paid
Taylor's Pizza (George Patricia Taylor)	24-Jan-22	50,000.00	481.95	48,401.54	0.00	4,043.04	0.00		44,358.50	x	x	776.46	x	1-Nov-23
Totals for CDBG Loans		852,500.00	7,075.93	545,934.15	0.00	100,170.24	0.00		445,763.91	0.00	0.00	10,197.07		1-Nov-23
UDAG - Façade Loans														
LBK Properties, LLC	x	0.00	0.00	0.00	0.00	0.00	0.00		0.00	100,000.00	x	0.00	x	x
None	x	0.00	0.00	0.00	0.00	0.00	0.00		0.00	x	x	0.00	x	x
Totals for UDAG - Façade Loans		0.00	0.00	0.00	0.00	0.00	0.00		0.00	100,000.00	0.00	0.00		
UDAG - Business Assistance Loans														
Bada Bing Hospitality, LLC	26-Jan-22	10,000.00	284.25	7,267.17	0.00	1,656.16	0.00		5,611.01	x	x	103.55	x	1-Jul-23
(Southern Tier Cheestek Co.)							0							
SSE3, LLC	22-Dec-20	300,000.00	1,663.80	278,394.39	0.00	35,165.10	0.00		243,229.29	x	x	6,472.90	x	1-Nov-23
Totals for UDAG Business Assistance Loans		310,000.00	1,948.05	285,661.56	0.00	36,821.26	0.00		248,840.30	0.00	0.00	6,576.45		
Totals for Loans		1,162,500.00	9,023.98	831,595.71	0.00	136,991.50	0.00		694,604.21	100,000.00	0.00	16,773.52		

TOWN OF UNION LDC ARPA FUNDING PROGRAMS

RE-IMAGINE UNION - DEMOLITIONS & SITE PREP - Initially \$500,000	Grant Funding	Approved/Allocated To Date	Funding Remaining	Approval Date	Funding Disbursed to Date	Grant Payment Date	Application Fees Received	Project/Location To Be Funded
Ramco Development & Holdings, LLC	\$56,250.00	\$56,250.00	\$0.00	15-Dec-22	\$56,250.00	3-Aug-23	\$250.00	217 Madison Avenue, Endicott
Tioga Learning Properties, LLC	93,750.00	93,750.00	0.00	15-Dec-22	93,750.00	3-Aug-23	250.00	208 - 210 East Franklin St., Endicott
North and Main Street Development, LLC	200,000.00	200,000.00	0.00	15-Dec-22	200,000.00	6-Jul-23	250.00	304, 310, 314 & 316 Scarborough & 2812 & 2910 East Main St., Endwell
Nanticoke & Wendell Holdings, Inc. a/ka/ Crowley Fabricating & Machining Co., Inc. Lasar Holdings, LLC	41,325.00	41,325.00	0.00	22-Jun-23	0.00		x	401 N. Nanticoke Ave., Endicott
Ramco Development & Holdings, LLC	11,775.00	11,775.00	\$0.00	23-Feb-23	0.00		250.00	3109 Watson Blvd., Endwell
Tioga Learning Properties, LLC	76,050.00	76,050.00	0.00	24-Aug-23	0.00		x	218 Washington Ave., Endicott
Uncommitted Funds	52,500.00	52,500.00	0.00	24-Aug-23	0.00		x	206 E. Franklin St., Endicott
Sub-total Re-Imagine Union	0.00	0.00	0.00		0.00			
	\$531,650.00	\$531,650.00	\$0.00		\$350,000.00		\$1,000.00	
50/50 COMMERCIAL FACADE - Initially \$250,000								
Schapiro Realty, LLC	\$50,000.00	\$50,000.00	\$0.00	15-Dec-22	\$0.00		x	707 North St. Endicott
Brad Kirby (America's Attic, Inc.)	45,000.00	45,000.00	0.00	19-Jan-23	0.00		250.00	308 Harry L Drive, JC
500 North Street, LLC (So. Tier Stages, Inc./Shafer's	45,250.00	45,250.00	0.00	22-Jun-23	0.00		250.00	500 North Street, Endicott
Shia Teitelbaum	100,000.00	100,000.00	0.00	24-Aug-23	0.00		x	257 Main Street, Johnson City
Bella Props, LLC	50,000.00	50,000.00	0.00	21-Sep-23	0.00		x	114 Odell Avenue, Endicott
Uncommitted Funds	0.00	0.00	0.00		0.00			
Sub-total 50/50 Commercial Façade	\$290,250.00	\$290,250.00	\$0.00		\$0.00		\$500.00	
PROJECT SPECIFIC INFRA-STRUCTURE - \$250,000								
Dan Brown Construction, LLC	\$100,000.00	\$100,000.00	\$0.00	15-Dec-22	\$0.00		\$250.00	2 Valley St., Endwell
Jamie Motsko d/b/a Jamie Leigh Hair Studio	38,000.00	38,000.00	0.00	23-Mar-23	38,000.00	22-May-23	250.00	Acq. - 1412-1414 North St., Endicott
Mallika Ashwin Maya Corp (d/b/a MAM, Inc.)	75,800.00	75,800.00	0.00	21-Sep-23	0.00		x	1300 West Clark St., Endicott
Uncommitted Funds	36,200.00	0.00	36,200.00		0.00			
Sub-total Project Specific Infra-structure	\$250,000.00	\$213,800.00	\$36,200.00		\$38,000.00		\$500.00	
KICK START ENTREPRENEURIAL - \$250,000 (Adjusted \$ Below)								
PCSJ, LLC (a/k/a Taste of Tai)	\$10,000.00	\$10,000.00	\$0.00	19-Jan-23	\$10,000.00	3-Aug-23	\$250.00	4 S. Liberty Avenue, Endicott
The B Line Deli & Grocery, LLC	\$10,000.00	10,000.00	0.00	21-Sep-23	0.00			15 Delaware Avenue, Endicott
Uncommitted Funds	189,660.00	0.00	189,660.00		0.00		\$250.00	
Sub-total Kick Start Entrepreneurial	\$209,660.00	\$20,000.00	\$189,660.00		\$10,000.00			
SMALL BUSINESS SUSTAINABILITY - \$250,000 (Adjusted \$ Below)								
Hashey Enterprises, LLC (d/b/a Synergy Athletics)	\$13,226.90	\$13,226.90	\$0.00	19-Jan-23	\$13,226.90	6-Jul-23	\$250.00	800 Hooper Road, Endwell
Hair Garden, LLC (d/b/a Hair By Alyse)	9,224.88	9,224.88	0.00	19-Jan-23	9,224.98	19-Jul-23	250.00	365 Harry L. Drive, JC
Grey Goose Graphics, LLC	22,632.75	22,632.75	0.00	19-Jan-23	22,632.75	30-Jun-23	250.00	633 Valley View Drive, Endwell
Cup O' Joe Café, LLC	25,000.00	25,000.00	0.00	21-Sep-23	0.00		x	114 Odell Avenue, Endicott
Uncommitted Funds	148,355.47	0.00	148,355.47		0.00			
Sub-total Kick Start Entrepreneurial	\$218,440.00	\$70,084.53	\$148,355.47		\$45,084.63		\$750.00	
					\$443,084.63		\$3,000.00	
TOTAL FOR TOWN LDC ARPA FUNDING	\$1,500,000.00	\$1,125,784.53	\$374,215.47					

1/ The approval of 12/15/22 for Dan Brown Construction, LLC was amended on 6/22/23 for substitution of equipment.



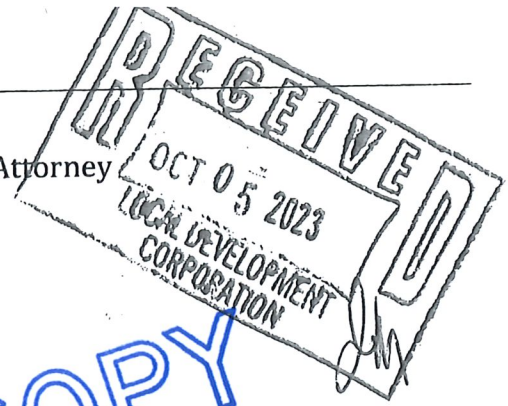
State of New York

County of Broome Government Offices

Broome County Attorney's Office

Jason T. Garnar, County Executive · Robert G. Behnke, County Attorney

October 3, 2023




Town of Union Local Development Corporation
3111 East Main Street
Endwell, NY 13760

Re: **ARPA Funding – K Mart Plaza**
CA 2927M

Dear Sir:

This funding agreement expired on December 31, 2022. Since this proposed project will not be developed, the County will not be extending this agreement.

Very Truly Yours,


Robert G. Behnke
County Attorney

RGB/ams

cc: Jane St. Amour

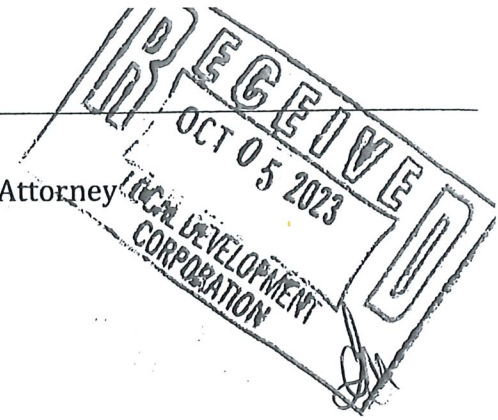


State of New York
County of Broome Government Offices

Broome County Attorney's Office

Jason T. Garnar, County Executive · Robert G. Behnke, County Attorney

October 3, 2023



Town of Union Local Development Corporation
3111 East Main Street
Endwell, NY 13760

COPY

Re: ARPA Funding – 749 West Main Street
CA 2927D

Dear Sir:

This funding agreement expired on December 31, 2022. Since this proposed project will not be developed, the County will not be extending this agreement.

Very Truly Yours,

A handwritten signature in black ink, appearing to be "R. Behnke", written over a horizontal line.

Robert G. Behnke
County Attorney

RGB/ams

cc: Jane St. Amour