

TOWN OF UNION
BROOME COUNTY, NEW YORK

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In the Matter of:

LDC Board Meeting

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November 18, 2021
3111 East Main Street
Endwell, New York 13760

APPEARANCES:

FOR THE LOCAL DEVELOPMENT CORPORATION

STEPHEN TRICHKA
President

DIANE JULIAN
Vice-President

GARY LEIGHTON

JAMES PEDUO

MARY O'MALLEY-TRUMBLE

TIMOTHY STRONG

ROSEMARIE POPE
LDC Board Attorney

RICHARD MATERESE
Town Supervisor

JOHN BERNARDO
Executive Director, S.E.P.P. Management Co.

JOSEPH MOODY
LDC Director

ROBIN SHIMER
Administrative Assistant

Digitally recorded proceeding,
Transcribed by: Elana Hulsey
Czerenda Court Reporting, 71 State St., Binghamton, NY 13901

1 (On the record at 7:59 AM)

2 MR. STEPHEN TRICHKA: Okay. It's 7:59 and thank you for
3 being on the phone at 7:25, Jim. It's 7:59, let's call the
4 meeting to order. We have the minutes of the September 23
5 meeting, so if there are any additions or corrections or
6 subtractions from that, let me know. Barring that, may I have a
7 motion to approve the minutes.

8 MR. JAMES PEDUTO: So moved.

9 MR. GARY LEIGHTON: Seconded.

10 MR. TRICHKA: Thank you Jim and Gary. All in favor?

11 MALE/FEMALE VOICES: Aye.

12 MR. TRICHKA: Opposed? All right, motion passes, and we
13 move on to the minutes of October 13. Same drill. If there are
14 no changes, please may I have a motion to approve.

15 MS. DIANE JULIAN: Motion to approve.

16 MR. TRICHKA: Thanks, Diane. Second?

17 MR. PEDUTO: Second.

18 MR. TRICHKA: Jim's on the second. All in favor?

19 MALE/FEMALE VOICES: Aye.

20 MR. TRICHKA: Opposed? All right. Thank you for that. The
21 motion carries. I don't have any special remarks other than I'm
22 excited to be in the office today. It's starting to kind of
23 creep back. Although our infection rates seem to be rising
24 locally, I feel like I need to get back in and get back to some
25 degree of normalcy, but I'm glad to see everybody on the phone

1 today and everybody is doing well and is health. Joe, over to
2 you.

3 MR. JOSEPH MOODY: I have no remarks because I know
4 people have got to get going, so we'll go right into new
5 business. I have no old business, so new business. Is that all
6 right?

7 MR. TRICHKA: Okay.

8 MR. MOODY: Yep?

9 MR. TRICHKA: Okay.

10 MR. MOODY: Okay. So, discuss a draft resolution of the
11 Town of Union Local Development Corporation approving an ARPA
12 Fund grant to SEPP for their construction of a mixed-use
13 commercial building at 121-125 Washington Avenue. As you all
14 know, it's in a very important area in Endicott. It's in our
15 Advanced Manufacturing AI District. It's also in our Hub Zone.
16 It's in an Opportunity Zone and various other zones, if you
17 will, that we'd like to see this development take place. Along
18 those lines, Broome County from past meetings approved
19 \$1,090,000 in ARPA funds. I gave you the breakdown of how the
20 ARPA funds are to be spent. \$840,000 was to go to S.E.P.P. for
21 construction and construction-related expenses, and then
22 \$250,000 was supposed to go for the 100 block Washington Avenue
23 for the rear facade improvements. We have to work out the
24 details with the LDC on that and that'll be for applicants,
25 building owners that can apply for the funds. So, we have no

1 specific buildings already picked out for that, so I asked John
2 Bernardo, the Executive Director - I believe that's your title,
3 John - or CEO of S.E.P.P. to join us if you have any questions
4 because right now he's looking for a resolution approving the
5 \$840,000 for the S.E.P.P. mixed use project. John needs that in
6 order to obviously I think to first of all have enough funds to
7 do the entire project but also show that the funds are already
8 available. Is that correct, John? Do you want to all anything
9 to that?

10 MR. JOHN BERNARDO: Perfectly said, Joe. Thank you.

11 MR. MOODY: So, we don't have the money. Just so I
12 reiterate, we have a resolution from Broome County. I indicated
13 that and gave it to you in the packet approving the funding. We
14 don't have obviously the money in our coffers, so if we prove
15 it, it's based on obviously the County coming through with the
16 ARPA funds. Also, I want to add this too that we will have to
17 adhere to any ARPA federal government guidelines when it comes
18 to using the ARPA funds. So even if we're a conduit for the
19 funds, my understanding is any of the end users of the funds
20 will have to follow the same guidelines and rules unless we
21 hear otherwise. I don't know. Rich, do you have anything to add
22 to that because I know the Town is working very diligently on
23 these ARPA funds, and there were some questions, prevailing
24 wages, Davis Bacon, etc.

25 MR. RICHARD MATERESE: No, that's the only thing we're

1 still debating is the prevailing wage. We're supposed to have
2 another meeting with Accounting coming up very shortly just to
3 go through those same rules. For some reason the County has an
4 idea that you don't have to use prevailing wage. We believe we
5 do, based on CDBG and things like that. John, do you have
6 thought on that?

7 MR. BERNARDO: I think it's still unclear. By the same
8 token, our proposal factors in prevailing wages. For obvious
9 reasons, we don't want to find ourselves midway through the
10 financing and find out we're stuck in a hole, so we're prepared
11 to proceed as if prevailing wages are going to apply.

12 MR. MATERESE: And I think that's the safest thing right
13 now.

14 MR. TRICHKA: Right. Thank you, John. Thank you, Rich.

15 MALE VOICE: Assuming that there's some administrative
16 burden, is that going to fall on you? Is it going to fall on
17 the Village? Who's going to be-

18 MR. MATERESE: Well, okay. It will not be the Village.
19 It'll fall on me, but I have John's assistance When it comes to
20 any administration from the S.E.P.P. group. Correct, John?
21 You'd be able to assist with that?

22 MR. BERNARDO: We'll have an architect/engineering - we
23 already do - on site. We'll have an administrative person
24 specific to the use of these funds because as you see in the
25 projection, or in the development budget, we're also looking at

1 using State money, so there's going to be a few complications,
2 and we want to make sure that we're prepared, and we will be,
3 so we will do the bulk of the work.

4 MR. MATERESE: And Joe's been working out, so his
5 shoulders have gotten bigger.

6 MR. BERNARDO: Absolutely.

7 MR. TRICHKA: So anyways, thank you, John. Appreciate
8 that.

9 MR. BERNARDO: Of course.

10 MR. TRICHKA: So fundamentally, the ask is just the pass-
11 through disbursement, isn't it, Joe?

12 MR. MOODY: Yes. It is.

13 MR. BERNARDO: And Steve, to speak to the that point,
14 we're not asking for funds now. What we plan to do is we plan
15 to borrow money for construction so that the project itself
16 will be fully funded by way of a construction loan, and then at
17 the end of the construction period, when we have our
18 Certificate of Occupancy and when the bank agrees to give us
19 the permanent mortgage which we're looking for, at that time we
20 will request - obviously within a month - we'll request the
21 funds from the LDC. By then, which as you can imagine, is 14
22 months away or 16 months away, we'll be in a much better
23 position to make the ask formally and to take those dollars and
24 pay off our debts.

25 MR. MOODY: Great. Thank you. That makes it easier.

1 MR. TRICHKA: Yeah. That's does help. Thanks, John. All
2 right. Any other thoughts on this discussion? Diane? Gary? You
3 got any thoughts? Are we good to go?

4 MR. LEIGHTON: Yeah. I think we knew these projects were
5 going to start coming in and flowing through the pot of money,
6 so I think we're ready for it. It's all good stuff and much
7 needed, certainly on Washington Avenue for sure, definitely
8 needed. It would be good to get some housing units in there and
9 get some people on the street regularly.

10 MR. LEIGHTON: What are the construction costs, John?

11 MR. BERNARDO: The total project budget is \$5.6 million
12 and hard costs are \$4.5 million roughly, Gary.

13 MR. LEIGHTON: Okay.

14 MR. MATERESE: Great.

15 MR. TRICHKA: All right. Anything else? You're good with
16 this? Mary? Jim and Mary, you guys?

17 MS. Mary O'MALLEY-TRUMBLE: Yeah.

18 MR. PEDUTO: I'm good.

19 MR. TRICHKA: All right.

20 MR. PEDUTO: I'm good, yeah.

21 MR. TRICHKA: Okay, so what we're really looking for is...
22 We don't have a resolution on the Board. We're just approving
23 the... I'll say what we're doing is earmarking the funds for
24 this project at this point, right?

25 MALE VOICE: Well, they need a resolution also, so I

1 will draft a resolution approving the funds for the S.E.P.P.
2 project based on-

3 MR. TRICHKA: Go ahead. I guess the resolution would be
4 probably worded - I'm just going to look to the agenda here -
5 In an amount not to exceed \$840,000 for the in-fill
6 construction to be dispersed after construction is complete and
7 a Certificate of Occupancy is issued, so I guess we have that
8 in there. If that's the resolution, if that's sufficient, I
9 think we can probably go ahead and vote on that.

10 MR. MOODY: Yes. We can.

11 MR. TRICHKA: Okay. Do I have a motion to approve this
12 resolution?

13 MR. MOODY: And I would also just add to that adhering to
14 any ARPA rules too, any and all.

15 MR. TRICHKA: Yeah. I think we're going to want to work
16 those into the resolution too, Joe.

17 MR. MOODY: Yep. Will do.

18 MALE VOICE: And contingent upon actual receipt of the
19 funds from Broome County.

20 MR. MOODY: Yep. I'll work with Rose.

21 MR. TRICHKA: You got those notes, Joe?

22 MR. MOODY: Yes, I do. And I'll work with Rose. Rose Pope,
23 you're there, right?

24 MS. ROSEMARIE POPE: I'm here, Joe, yeah.

25 MR. MOODY: Well, I'll work with Rose in drafting that

1 resolution, yes.

2 MS. POPE: Okay. Sounds good.

3 MR. TRICHKA: All right, so may I have a motion to
4 approve the resolution to set aside the funds for S.E.P.P.?

5 MR. TIMOTHY STRONG: I move.

6 MR. TRICHKA: Tim. Second?

7 MR. LEIGHTON: And I'll second it. Gary.

8 MR. TRICHKA: Gary, thank you. All in favor?

9 MALE VOICE: Aye.

10 FEMALE VOICE: Aye.

11 MR. TRICHKA: Opposed? All right. Motion carries. Thank
12 you, John, for getting on with us this morning. Appreciate it.

13 MR. BERNARDO: Thank you very much. Appreciate your
14 support, and we look forward to making this a kickoff project
15 for the Avenue.

16 MR. TRICHKA: Thank you, John.

17 MALE VOICE: Yeah, so do we.

18 MR. BERNARDO: Take care.

19 MR. TRICHKA: Yeah. Okay, so moving on to the next thing,
20 Joe. Southern Tier Cheesesteak?

21 MR. MOODY: Yeah. Southern Tier Cheesesteak requested a
22 Microenterprise Loan in the amount of \$20,000 to assist
23 basically almost in all working capital for the business that
24 was established in 2010 and has been operational and
25 unfortunately since March 2020, which was really right on the

1 onset of COVID-19, and then subsequent shutdown. That
2 operation, the business itself, shut down at least for three
3 months, but it has affected his business tremendously. You'll
4 see from the information that was put together, the Profit and
5 Loss as compared to 2019 and 2020 showed a revenue reduction I
6 think of about 50%. Now, it also shows prior to that in 2019
7 that he still was showing a net loss. I believe that's what it
8 was. Right, Gary?

9 MR. LEIGHTON: Yeah, \$19,237.

10 MR. MOODY: Net loss, so I'm in a quandary on this one.
11 It's an established business. It's in that same demographic
12 area that we'd love to see businesses. He is established
13 already there. He knows how to run a restaurant. It's not like
14 it's a startup restaurant. We do have Micro. We do have the
15 NARP, which is the National Assistance Recovery Program which
16 we had in place also, but that was really for those at the
17 onset of COVID. He did not apply back then, so the option was
18 going after the Micro. What he wants to do basically is he needs
19 money for working capital. He wants to keep his two employees
20 employed there, which is a retention of jobs. Normally we do
21 creation of jobs, but we're looking at this as a retention of
22 jobs. We have proof that 51% of those or more are low to
23 moderate income households. He wants to buy a food truck, but
24 not equip it yet, not with our funding. The food truck I guess
25 runs about \$5,000. His prior food truck got burned down

1 somehow, somehow. He's also looking at the payoff of the Knight
2 Capital Funding that, apparently, he has to pay \$85 or \$89 a
3 day on that loan, so what he's asking us to do is basically -
4 and we normally don't do this, I'm not sure how we'd handle
5 this - to pay off that loan, so basically refinance it into our
6 loan. This is obviously help with his cashflow, tremendously
7 help with his cashflow, and he gave an explanation about why
8 the credit is so low. The credit score is 507, considerably
9 low. He gave an explanation. I guess his divorce and then COVID
10 played a role in that, but I don't know which is the best
11 avenue and glad I have a board.

12 MR. TRICHKA: Is it accurate to say he's never been
13 profitable?

14 MR. MOODY: I only have two years shown, so I don't know that for a
15 fact.

16 MALE VOICE: Those two years are not.

17 MR. MOODY: Yeah. But I will tell you this much is he
18 has, from my writeup you'll see he has received PPP money.

19 MALE VOICE: \$16,000.

20 MR. MOODY: Yeah. \$14,000 in May of 2020, then another
21 \$20,000 or so that was used for payroll, and then he was
22 approved for \$11,000 in an SBA IDL Loan. Now that was a loan.
23 The other two could have been converted to grants, but I'm not
24 positive of that. Then he did apply for additional funding but
25 was either turned down. SBA Small Business Revitalization did

1 approve him for about I think it was \$100,000-plus, but then
2 they ran out of money, so he didn't get any of that money, and
3 the New York State Restaurant Revitalization Grant, he applied
4 but was not approved. So, he does have funding from other
5 assistance, and it still seems to be not enough, if you will.
6 Is this not going to be enough too? I don't know.

7 MALE VOICE: Joe, we need to know what his interim sales
8 are in 2021. I see a balance sheet, but no-

9 MR. MOODY: I don't know. If it's not in that packet. I
10 don't know if they had that immediately. Basically, he's
11 telling me that the sales are going to be about the same as
12 last year, so about \$160,000 total. Nothing has really changed.
13 Still the same percentage. I want to obviously be able to help.
14 Go ahead, I'm sorry.

15 MR. TRICHKA: I don't see anything in here. Does he lease
16 that property? Is this is one right down at the end of the
17 Avenue, near the high school?

18 MR. MOODY: Yes. He does. I did indicate he does lease.
19 The lease is up 2022, March of 2022 I believe it is. Like I
20 said, the timing was bad for him to make a move. I understand
21 why he did it. The lease at the Chenango location, he had some
22 issues with the landlord there.

23 MR. TRICHKA: I'm just worried about his ability to repay
24 this to be honest with you, Joe. I'm looking at the financials.
25 He took out this loan with Knight Capital, and it looks like a

1 very high interest loan. Then if I look at the assets, it's
2 \$35,000 of personal property, most of which might be attributed
3 to sports memorabilia, which my gut says is probably an
4 inflated value even at that.

5 MR. PEDUTO: Similarly, I'm troubled with that, and on
6 top of it, he's trying to scrape to get by, but yet we're going
7 to-

8 MR. MOODY: We lost you, Jim. I'm not sure what you were
9 saying. Yeah, he's trying to, and then I lost you.

10 MR. PEDUTO: Oh, sorry about that. The food truck, aside
11 from all the issues that Steve said, this food truck in there
12 for \$5,000. It's not even going to be operational. It's just an
13 expenditure. It just doesn't seem prudent when your scrimping
14 along to be spending \$5,000 on top of the other issues you
15 have. We have no recourse on this loan in any way, shape, or
16 form, and we have not done historically well with restaurants.

17 MR. MOODY: Well right, and on top of that COVID with
18 restaurants, but we're here to make riskier loans too and
19 restaurant loans, and we need to see more activity down on the
20 Avenue and provide more services for the business community
21 down there. Now that being said, when I talked to him I said,
22 "I don't want you just to show all working capital. Can any of
23 that money go towards the food truck or whatever?" That's why
24 he put that in there because short of that it would have been a
25 \$20,000 working capital loan without showing the food truck at

1 all. That was sort of my suggestion there that I wanted to show
2 some sort of tangible asset. Go ahead, Tim. Sorry.

3 MR. STRONG: Sorry. I'm just going to chime in. I'm
4 looking for something redeeming in this, a reason to want to go
5 for it, and I'm just struggling with it. I feel like yes, we
6 want to take some risk on loans, especially the location is
7 really what the primary thing is that says, "Hey, this is worth
8 it." But I have major concerns with his ability to pay this
9 back. While I'm not opposed to risk, I think this is beyond
10 that in my own opinion.

11 MALE VOICE: And Joe, I guess I'd have to dispute. We're
12 saying we have to increase the traffic on the Avenue. He's
13 already been there. He's been operating there for a while. I
14 don't know if this is an increase in traffic. I sense that most
15 of his business is done at lunch time with the high school
16 kids.

17 MR. MOODY: No, I don't know if that's the case because
18 his prices are not that low for high school kids.

19 MALE VOICE: You'd be surprised. I go out for walks at
20 lunch pretty often, and when I walk by there at lunch time,
21 that's pretty much all I see there.

22 MR. MOODY: And maybe you misunderstood me. I meant the
23 fact is that we need to continue that traffic flow and not lose
24 a business to the Avenue when we could potentially assist so he
25 can stay open. I didn't say an increase. I said maybe it would

1 increase down the road with everything going on with the
2 increased businesses on the Huron Campus. My concern is the
3 loss of a business.

4 MALE VOICE: I don't know. That isn't traffic that is
5 flowing from there onto the Avenue. I'm struggling with the
6 knock-on effect that's been beneficial to the rest of the
7 Avenue there, but maybe you're right. Overriding this whole
8 thing is that ability to pay back, so you're right. A lot of
9 this is just conjecturing and my gut feel, which I'll discount
10 considerably, but when it comes down to the bottom line, I
11 struggle with that ability to pay back. The only thing that
12 might sway me in terms of taking a bigger risk is if there was
13 something that had an outsized economic or social impact on the
14 Avenue, and this doesn't feel like that either.

15 MR. MOODY: Yeah. It's a tough one. I understand that.

16 MALE VOICE: Yeah. I don't know. Actually, I know this is
17 not necessarily part of the deliberation. I wouldn't mind
18 hearing from Rick what he thinks on this one.

19 MR. MATERESE: You know I'm as skilled in this business
20 as you guys are. I have doubts about it myself just listening
21 to your comments. I don't want to influence you one way or the
22 other on this.

23 MALE VOICE: Okay. Thank you.

24 MR. MOODY: [inaudible]?

25 MALE VOICE: What was that? I missed it.

1 MR. MOODY: On occasion we've asked applicants when we're
2 on the fence - if we're on the fence, it sounds like many of
3 you are on the other side of the fence - we've asked them to
4 sometimes come in either remotely or in person to talk to us,
5 so we could ask them directly questions and get a feel for the
6 ownership makeup and whatever else. Now that's generally been
7 for startup, but I think we've also done it for existing. It's
8 very rare that we do that, but I think that is an option to
9 give this gentleman an opportunity. Also, I feel obligated to
10 do this, would there be a reduced amount that you'd be
11 considering assisting him with. What do I mean by that? Well,
12 if we could pay off that high-interest loan, that obviously
13 helps with his cashflow and maybe we could do a \$10,000 Micro
14 Loan where we give \$3,000 assistance with the working capital
15 and pay off that high-interest loan with Knight Capital. It's
16 just an option. I'm just throwing it out there.

17 MALE VOICE: But Joe, the food truck purchase, it does
18 not include the buildout. What's the timeframe we're talking
19 about here? When does this all get started again? We bail him
20 out, but then where does the income come in that he can apply
21 against an outstanding loan?

22 MR. MOODY: Well, I would say the operating income
23 because he's paying 80-something dollars a day just on this
24 other loan.

25 MALE VOICE: No, well let's just assume that gets paid

1 off. We bail him out. So, what's the lag time before he gets
2 going again because he doesn't have a food truck. It burned up.

3 MR. MOODY: I'm saying he might not need the food truck.
4 Obviously, he wasn't going to do the buildout immediately. He
5 was going to use the operating income obviously to start saving
6 for the equipment for the food truck. The food truck was just a
7 purchase. It does not include the buildout, so he was going to-

8 MALE VOICE: So how is he operating?

9 MR. MOODY: He's got a site right down the Avenue. He's
10 got a physical location. He had a food truck in addition to his
11 location.

12 MALE VOICE: Oh, I thought the food truck was what was
13 sitting on the-

14 MR. MOODY: No, no, no, no. I'm sorry you were confused
15 on it.

16 MALE VOICE: That's why it made no sense.

17 MR. MOODY: No, the food truck is an additional. I said
18 his location is at 9 Washington Avenue.

19 MALE VOICE: Now I'm even less interested because how on
20 earth is he going to operate a food truck and use a food truck.

21 MR. STRONG: I recognize the brand, and I recognize the
22 name. He had both going for a while, and we partnered with him
23 At one point in time and had his food truck come to one of our
24 grand openings. It's a legitimate business, a legitimate
25 restaurant. My concern is again, looking at the credit, his

1 ability to pay it back. But what I was going to position back
2 to you, Joe, was if we were to look at it almost as a grant and
3 say how much are we comfortable losing, I'd feel better about
4 that \$10,000 level because as we look back to the things we
5 were doing during COVID, in the heart of it, that was about the
6 dollar amount we were looking at, and so if we were looking at
7 this to say, "Hey worst case scenario, he can't pay us back,
8 but we want to help because of understanding what's going on."
9 I think when you said that \$10,000 that number was in my mind
10 was well. It seems like it would definitely help him out and
11 get him out of the hole with that Knight Capital and could help
12 maybe. It's not going to solve his problems. It's not going to
13 give him cash in his pocket, but big picture, it should be a
14 help for his business.

15 MR. MOODY: And that's what I'm trying to say, so let's
16 make sure we all understand this. He's had a physical location
17 at 9 Washington Avenue. He leases that location. It's up March
18 of 2022. The food truck, he already had that like Tim
19 indicated, but somehow, somehow, it burned down. He was looking
20 as part of his overall project, could he get assistance for the
21 food truck. That's where this came into play with his food
22 truck, but doesn't include the buildout, the equipment in the
23 food truck. So, my proposal would be, okay would you consider a
24 reduction as Tim indicated to \$10,000, paying off the unsecured
25 Knight Capital loan, giving him some money in his pocket, and

1 then going back to, like we said, our grant program. Our grant
2 program probably would have done that back then if he had
3 applied at that time. Although he did shut down for a little
4 time, and our grant program was more of you had to remain open.
5 But that being said, our ARPA funds that we're going to be
6 getting may be a grant program and it may be able to assist him
7 down the road, but it won't assist him now. So, I personally
8 like the idea of the \$10,000, and I would suggest that we use
9 the UDAG money if you want to go forward in that CDBG. It would
10 require the payoff of that Knight Capital and then the
11 remaining amount for working capital, but it would be the same
12 term, the three-year term at 1.5% interest rate. It shows an
13 effort and a willingness to help on our part, so that would be
14 my only-

15 MALE VOICE: I'm sorry, Joe. I know this is dumb, but
16 don't we have a job creation requirement?

17 MR. MOODY: Job retention.

18 MALE VOICE: We don't have a job creation requirement. I'm
19 just saying we don't have a job creation requirement then?

20 MR. MOODY: No, we don't have job creation or retention.
21 The retention is much harder to provide proof of that only
22 because the family household already has to be in that low-to-
23 moderate income level, whereas creation, it doesn't have to be.
24 Eventually, it has to be. I don't know if that makes sense.
25 It's risky. I agree. You know what? Is it a risk we should take

1 for \$10,000 to keep a business on the Avenue, at least try to
2 keep a business on the Avenue?

3 MALE VOICE: I guess the most compelling thing I heard
4 Tim say was that we were giving out \$10,000 grants and we
5 weren't able to give much of those out. I mean, a lot of people
6 ended up not taking things, so if this were in the chute back
7 then. We're converting it to a loan. We can theoretically
8 recover the money. I don't know. I could feel better about
9 \$10,000. I still worry about the risk, but I don't know. Jim,
10 what are you thinking?

11 MR. PEDUTO: If it's a grant, it's a grant. If it's a
12 loan, it's a loan. I'm not comfortable with the idea of making
13 a loan with the assumption that we're not likely to get paid
14 back. I agree, he should have applied for the grant. I guess
15 I'm not comfortable. Tim's 100% right. This feels like a grant
16 because we're not going to get our money back, and I guess
17 that's what I'm not comfortable with.

18 MR. MOODY: Well, I might disagree with that. I think
19 when you help out with the cashflow and that \$80-plus a day,
20 it's got to affect his bottom line, so I mean, we're converting
21 that to a loan. At \$10,000, we're talking a payment of \$284 a
22 month, compared to what he's paying at \$2,400 a month.

23 MALE VOICE: Does this have to be done today? Can he come
24 back with an updated cashflow projection of what this
25 looks like?

1 MR. MOODY: We don't have to do it today. Absolutely.

2 MALE VOICE: An updated projection of what the cashflow
3 looks like with the food truck and the loan paid off.

4 MALE VOICE: I'd like to see what his sales are.

5 MR. MOODY: Interim sales.

6 MALE VOICE: Updated information for the \$10,000.

7 MR. MOODY: Do you want that information even for
8 \$10,000? That's reasonable. I think it's based on new cashflow
9 projections based on a \$10,000 loan, paying off the Knight
10 Capital, same terms, three years, 1.5%, and with updated
11 interim sales for 2021.

12 MALE VOICE: I can wrap my head around that.

13 MS. JULIAN: That seems reasonable.

14 MR. PEDUTA: And everybody, go buy your department
15 lunches there in the meantime. You, Steve, you're back in the
16 office.

17 MR. TRICHKA: I've got to support the little cafe that
18 opened up across the street from me, Jim.

19 MR. MOODY: Anyway, so we're tabling it, it sounds like?

20 MR. TRICHKA: Yeah. But I think what Jim and Gary laid
21 out and Diane sounds like she agrees with it, I think we should
22 be asking for that, and we'll talk about it at the next
23 meeting.

24 MR. MOODY: Basically, my recap of the same thing. Now do
25 you want him present at the next meeting?

1 Mr. TRICHKA: I don't know. I don't think we need him in
2 there.

3 MS. JULIAN: I think no.

4 MR. MOODY: Okay. So, I want to be clear. Am I
5 approaching him based on still the \$20,000 request or no matter
6 what, it's going back to the \$10,000 now?

7 MR. TRICHKA: No matter what, it's \$10,000. That sounds
8 like the consensus. Does anybody disagree with that? I mean,
9 Mary, I haven't heard from you, but does anybody disagree with
10 going back at \$10,000?

11 MR. STRONG: No, I agree. I think if it were my money, I
12 would have just already passed on it, but I get what we're
13 trying to do. I'm okay at \$10,000, but it's very high risk.

14 MR. TRICHKA: Okay. Thank you.

15 MR. MOODY: All right. Anything else, Steve? I do have
16 one thing I want to add. Under other business, can I add one
17 thing?

18 MR. TRICHKA: Okay, so we're all settled on that. Then
19 we'll move on. Okay, go ahead.

20 MR. MOODY: So other business, I just want to let you
21 know that the ARPA Grant Committee has to meet again. That'd be
22 Gary, Jeff, and myself, just to finalize the terms of the four
23 proposed programs, or maybe three proposed programs, so I want
24 to make you aware of that, but we do have projects - businesses
25 that have been contacting me about the ARPA funds - because

1 when they heard about the town getting \$31 million, they've
2 been asking how much is that going to become available, etc. I
3 said we're working on programs. One in particular program that
4 I've had a lot of recent interest in is the demo part of the
5 program for future construction, so I'm hoping to have
6 something to the committee by the next meeting, which is also
7 our Annual Meeting, so it's going to be a busy meeting if we
8 can put it all together by then. But the Town is still looking
9 at one million. I'm going to go off of that, and then if we
10 need additional funds down the road, we can approach the Town
11 for those additional funds. Now one thing I've got to let you
12 know is the funds have not been allocated as of yet. We don't
13 have them in our coffers for the million dollars, but it's been
14 discussed by the Town Supervisor and Council members and myself
15 and that's the figure we're looking at. So as soon as we get a
16 program together, I'll let you know, but I do need another
17 meeting with the committee. We did already have a meeting. It
18 was a good meeting, but we just need another one.

19 MR. MATERESE: I believe the one million dollars is the
20 lowest you're going to get. I mean, I don't see that changing
21 at all as far as going lower than that. I do believe that if
22 you guys present something, and we come to the Board and say,
23 "Hey, we have other uses for more money," I believe there's
24 going to be more money available. At this time, I just see more
25 money being available for [inaudible] if you have a way to

1 spend it properly.

2 MR. MOODY: So, Rick, let me just elaborate on that. So
3 if we have four programs and the Town Board has already seen
4 what those potential four programs are, if we were to come to
5 you for additional, do you want it to be more project-specific,
6 meaning that it doesn't necessarily fit in the four programs
7 but ABC Corporation wants to do this over there, and I can't
8 quite fit it in, but it's an Econ-Development related program?
9 Or do you want it to be fit into one of those four programs?

10 MR. MATERESE: I think if you come with a project-
11 specific program, they'll buy into that also, so I think it can
12 go either way, Joe.

13 MR. MOODY: Okay. Thank you.

14 MALE VOICE: I think Jeff, Joe, and I talked about
15 possibly more money for demolition. Is that right, Joe?

16 MR. MOODY: I think we talked about more money in
17 general, but demolition came up that it might not be enough.
18 One of the reasons why we're thinking that is that it's very
19 hard to get demolition money from anywhere, so we're looking
20 can we use these ARPA funds for something that we cannot
21 normally get funds for? That's why we're thinking that.

22 MR. MATERESE: That would be fine except that we have
23 some members of the Board who want to know how's this going to
24 be spent and when is it going to be spent? Just in case
25 something comes along that won't sell as much as, "Yeah, we've

1 got this project we can help them with."

2 MR. MOODY: Let me clear though. The one million dollars
3 is just in case something comes along. They're program-
4 specific.

5 MR. MATERESE: I'm talking about extra books.

6 MR. MOODY: Okay. Good. I don't have any other things,
7 Steve. Any other comments?

8 MR. TRICHKA: All right. You don't have anything? You put
9 something in about Open Meetings.

10 MR. MOODY: All right. Yeah, actually is Rose Pope still
11 there?

12 MS. POPE: I'm still here.

13 MR. MOODY: Okay. So, I received this regarding Open
14 Meetings, so I sent it to Rose, as I needed her opinion on what
15 does this mean if we continue remote meetings. Rose, do you
16 just want to go over what you said to me?

17 MS. POPE: Sure, sure. This is new legislation from the
18 Governor. It came about in October and actually starts today.
19 Looking for more transparency in government, so what's required
20 of any Boards that meet is that any documents that you'll be
21 discussing at the meeting, you need to post it on your website
22 24 hours before the meeting. Remote or not, this is the new
23 legislation, so every board has to do it whether you're meeting
24 virtually or you're meeting in person. So, Joe asked me about
25 the types of documents that pertain to this Board, and they are

1 all financial documents that were exempt from providing them to
2 the public for your meetings, so they're going to remain
3 exempt. They do not have to be posted. If it's something like
4 the minutes or something just about a program, nothing to do
5 with financial, yes, they need to be posted on the website
6 before the meeting.

7 MR. TRICHKA: What about our narratives? My narratives
8 that I put together?

9 MS. POPE: If they contain information that's
10 confidential or if it's somebody's business plan or something,
11 then I would say no at this point, but I think we can take it
12 on a case-by-case basis maybe, just as we're getting into this
13 to figure out what to do because if somebody's got a project,
14 you don't want to post that to the public, their proprietary
15 information or any of their financials.

16 MR. TRICHKA: The narratives are always kind of laced
17 with all kinds of financial information from those individuals.

18 MS. POPE: I think most of this Board's documentation
19 really is not going to fall under this new legislation.

20 MR. TRICHKA: Okay, great. Thank you. I appreciate your
21 assistance with that.

22 MS. POPE: You're welcome.

23 MR. MOODY: That's it.

24 MR. TRICHKA: Okay. All right. I think that's all we had.
25 I'm sorry to rush it, but I've got to run, so if I have a

1 motion to adjourn the meeting, I'd appreciate it.

2 MR. STRONG: At 8:40.

3 MR. TRICHKA: At 8:40. Thanks, Tim. Second?

4 MR. LEIGHTON: Gary second. Tim first.

5 MR. TRICHKA: All in favor?

6 MALE/FEMALE VOICES: Aye.

7 MR. TRICHKA: Opposed? All right. Motion carried. Thank
8 you for being here this morning. I appreciate the quick work
9 and thoughtfulness. Thank you.

10 (MEETING ADJOURNED 8:40 AM)


11

12 C E R T I F I C A T E

13 I, Elana Hulsey, certify that the foregoing
14 transcript of proceedings in the Town of Union's Local
15 Development Corporation Board Meeting, November 18, 2021,
16 Broome County, State of New York, was prepared using digital
17 transcription software and is a true and accurate record of the
18 proceedings.

19

20

21 Signature: 

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23 Date: January 10, 2022

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