

**TOWN OF UNION
LOCAL DEVELOPMENT CORPORATION
REGULAR MEETING MINUTES
THURSDAY, FEBRUARY 16, 2017**

The Town of Union Local Development Corporation met for its regular meeting on Thursday, February 16, 2017 at the Town of Union Office Building, located at 3111 East Main Street, Endwell, NY 13760

THE MEETING WAS CALLED TO ORDER AT 8:00 A.M.

I. MEMBERS PRESENT: Stephen Tricka, Diane Julian, Robert Corwin, Gary Leighton, James Peduto, Mary O'Malley-Trumble

MEMBERS ABSENT: Kay Adams, Rosemarie Pope, Esq. (LDC Board Attorney)

OTHERS PRESENT: None

STAFF PRESENT: Joseph Moody (LDC Director)

II. PRESIDENT'S REMARKS

A. President Tricka shared welcoming remarks with the meeting attendees.

III. DIRECTOR'S REMARKS

A. Director Moody referenced the various topics listed on the Board agenda.

IV. APPROVAL OF THE MINUTES

A. Minutes of the Regular LDC Board Meeting of November 17, 2016, Special LDC Board Meeting of November 30, 2016, Regular LDC Board Meeting of January 5, 2017, and Annual LDC Board Meeting of January 5, 2017 are pending.

V. OLD BUSINESS

A. Mr. Moody and Board members discussed withdrawal of the Town of Union Local Development Corporation \$13,000,000 Central Business District (CDB) Loan Commitment to Ms. Taylor Stupski of Taylor Irene Properties, LLC.

B. Mr. Moody presented Board members with a draft LDC Brochure and Pocket Folder, as produced by Bob Carr 2.0 Printing. Discussion followed the Board members' inspection and review of the publications.

C. Mr. Moody and the Board discussed the NYS Fiscal Year 2006-2007 \$10,000.00 Legislative Initiative Award to the Local Development Corporation of the Town of Union-Community Projects Appropriation #TM61429 for Washington Avenue. It is to be paid back to the LDC by the NYDOS on a reimbursable basis for eligible items related to the project area (i.e. decorative hanging planter baskets, decorative trash receptacles and some signage). It was noted that on April 26, 2016 the LDC Board approved use of UDAG Funds for utilization on a reimbursable basis for such related

costs. To date, the LDC has outlayed \$8,750.56 to Kirby Built for the trash receptacles. The Village of Endicott has paid Nanticoke Gardens \$1,200.00 for hanging baskets. Also, there was a request for payment of \$129.44 for signage provided by Jax Signs, Inc. The signage should be the last invoice for LDC payment in order for the LDC to submit required paperwork to the NYSDOS for full reimbursement. A motion was requested to approve LDC payment of \$129.44 to Jax Signs for signage production.

Motion: Diane Julian

Motion 2nd: Jim Peduto

Motion: To approve LDC payment of \$129.44 for signage produced by Jax Signs, Inc.

Vote: All yes, motion approved [6 - Yes, 0 - No, 1 - Absent].

- D. Mr. Moody provided the Board with an update about the RSpoor Enterprises, LLC loan. Counselor Pope recently shared with Mr. Moody, for conveyance to the Board, that the LDC had not received a response about the LDC's \$29,000.00 demand for the short sale of the related Wayne Street building. The LDC did receive a stipulation of discontinuance for the M&T Bank foreclosure, which may indicate the short sale is proceeding. Mr. Spoor will need the LDC to release its liens; consequently, the LDC will likely soon be contacted by Mr. Spoor's attorney concerning the LDC's demand.

VI. NEW BUSINESS

- A. A resolution of the Town of Union Local Development Corporation approving a \$36,000.00 Central Business District Loan request from Mr. Marwan "Mark" Yammine of Rayak, LLC (d/b/a Original Italian Pizza). The loan is to be used to acquire the 5,450 square foot commercial building located at 25 Washington Avenue in Endicott to house the existing Original Italian Pizza business. The building is within the Central Business District of Washington Avenue and Advanced Manufacturing iDistrict of Endicott. The building is owned by Mr. Yammine's brother, Michael Yammine. There was discussion by Mr. Moody and Board members regarding the need for more information – including a Tioga State Bank Commitment Letter, additional financial data about the business, and personal credit documentation. It was decided that any LDC Board action on the loan request would await the provision of greater information as desired by the Board.
- B. A resolution of the Town of Union Local Development Corporation approving a \$5,000.00 Commercial Façade Loan request from Mr. Marwan "Mark" Yammine of Rayak, LLC (d/b/a Original Italian Pizza) for the commercial building located at 25 Washington Avenue, Endicott. The building is within the Central Business District of Washington Avenue and Advanced Manufacturing iDistrict of Endicott. The building is owned by Mr. Yammine's brother, Michael Yammine. There was discussion by Mr. Moody and Board members regarding the need for more information – including an explanation of the absence of an SBA loan and a response to the question about ability to meet job creation requirements with minimal growth in sales. It was decided that any LDC Board action on the loan request would await the provision of greater information as desired by the Board.

VII. OTHER BUSINESS

- A. Mr. Moody and Board members discussed the situational status of the loan to Ms. Diane Lopez-Edouard (d/b/a Unforgettable Parties). There was particular concern about recent

loan payment difficulties, as noted by insufficient funds for payment in January, 2017 and an absence of payment in February, 2017. Aspects of the Microenterprise loan included a 3 year term at 1.5% interest. The loan was closed on 9/27/2015. The original loan amount was \$20,000.00, and the monthly payment amount is \$568.50. The outstanding loan balance is \$11,775.77. Board discussion resulted in the decision to send a demand letter to Ms. Lopez-Edouard. Mr. Moody will immediately try electronic withdrawal processing of February's payment, and then attempt in March electronic withdrawal processing of the March payment. Also, he will allow Ms. Lopez-Edouard one week to provide correspondence of reply to prior LDC communication. If such a response is not provided, Mr. Moody will then send a demand letter – in making a reasonable attempt to collect payment – to Mr. Lopez-Edouard.

- B. Mr. Moody and the Board discussed the situational status of the loan to Jewels of Java, LLC (Karel "Carl" Simeon). Mr. Moody advised the Board there were insufficient funds for the February, 2017 loan payment. Aspects of the Business Assistance loan included a 20 year term at 4% interest. The loan was closed on 4/17/2003. The original loan amount was \$100,000.00, and the monthly payment amount is \$605.98. The outstanding balance is \$40,624.42. Discussion resulted in the decision for Mr. Moody to make another site visit. Also, he will try direct withdrawal processing for the next two months.
- C. Mr. Moody shared with Board members correspondence he received from the NYS Authority Budget Office regarding LDC Board member training. He also informed the Board of his response to the correspondence.
- D. Mr. Moody advised Board members of a State University of New York Business and Education Cooperative of the Southern Tier (SUNY BEST) College Town Meeting, scheduled for March 3, 2017 at the B.U. Downtown Center in Binghamton.
- E. Mr. Moody informed the Board of a Binghamton University Breaking Down the Silos sponsorship opportunity. The purpose of Breaking Down the Silos is to build and further enhance networking of entrepreneurs in the community.
- F. Mr. Moody and Board members discussed the Cider Mill Playhouse/former Burt's building, located on Washington Avenue in Endicott.

VIII. ADJOURNMENT

- A. There being no further business to come before the Board, President Trichka requested a motion to adjourn the meeting.

Motion: Diane Julian

Motion 2nd: Jim Peduto

Motion: To adjourn the regular meeting of February 16, 2017.

Vote: Motion approved [6 - Yes, 0 - No, 1- Absent].

The meeting was adjourned at 8:37 a.m.

Respectfully submitted,

Joseph M. Moody
Director