

TOWN OF UNION  
UNION, NEW YORK

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In the Matter of:

Local Development Corporation  
Regular Meeting

-----x  
April 23, 2020  
3111 East Main Street  
Endwell, New York 13760

APPEARANCES:

FOR THE TOWN OF UNION

RICHARD MATERESE  
Town Supervisor

THOMAS AUGOSTINI  
Deputy Town Supervisor

STEPHEN TRICHKA  
DIANE JULIAN  
GARY LEIGHTON  
JAMES PEDUTO  
TIMOTHY STRONG  
MARY O'MALLEY-TRUMBLE  
Board Members

JOSEPH MOODY  
LCD Director

ROSEMARY POPE  
LCD Board Attorney

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

1 (On the record)

2 MR. JOSEPH MOODY: Okay. It's 8:10. Hold on  
3 one second. Bear with me. I got two of these going here.  
4 Okay. It's 8:10, Steve. Do you want to start the  
5 meeting?

6 MR. STEPHEN TRICHKA: Yes, let's call the  
7 meeting to order. And the first thing is the minutes of  
8 the LDC Board meeting on March 25, 2020 which I will put  
9 up. But I assume everybody else has received that and I  
10 guess it's been up at the table.

11 MR. MOODY: There's a lot of background here.

12 MR. TRICHKA: I guess what I'd ask is do not  
13 speak at any given time. We should mute our phones.

14 MR. MOODY: Yes. That would be good because  
15 we're hearing a lot of background on this.

16 MR. TRICHKA: Yes. Okay. Thank you. So I have  
17 the meeting, the meeting on March 25, 2020. A special  
18 meeting. So if there are any additions or corrections to  
19 that meeting, I'd appreciate it. This is now a good time.

20 MS. DIANNE JULIAN: (Indiscernible)

21 MR. TRICHKA: Okay. Barring that, may I have a  
22 motion to approve the minutes?

23 MS. JULIAN: (Indiscernible)

24 MR. MOODY: Who was that?

25 MS. JULIAN: Diane Julian.

26 MR. MOODY: Okay.

1 MR. TRICHKA: Diane?

2 MS. JULIAN: Uh-huh.

3 MR. TRICHKA: Does she have a second? Please.

4 MS. MARY O'MALLEY-TRUMBLE: I'll second.

5 MR. MOODY: Who's seconding it?

6 MS. O'MALLEY-TRUMBLE: Mary.

7 MR. MOODY: Okay. It is very hard to hear  
8 everybody. So just to let you know. Did you say all in  
9 favor?

10 MR. TRICHKA: No. I was kind of waiting for you  
11 to get your breakdown. So all in favor?

12 MR. GARY LEIGHTON: Aye.

13 MR. TIMOTHY STRONG: Aye.

14 MR. TRICHKA: And any opposed? All right. That  
15 carries it. Thank you very much. Here's a good morning  
16 to our topped up meeting.

17 MR. MOODY: Yes.

18 MR. TRICHKA: I hope everybody is well and  
19 staying safe and staying distanced. It sounds like we are  
20 here and, yes, hopefully we'll break through this thing  
21 sometime in the next month or so at the worst. I know  
22 we're just starting to actually sneak by the breakage in  
23 our supply chain in our business. So this is going to be  
24 interesting in a couple of months here as we work through  
25 it.

26 MR. MOODY: Okay.

1 MR. TRICHKA: So, Joe, yes, why don't we move on  
2 with -- what do you got?

3 MR. MOODY: Yes. Just to let you know, so we've  
4 got a lot going on. We have about a number of  
5 applications out there, but I think people are waiting for  
6 the SBA just like they were the last time. And now, with  
7 the new SBA PPP program that I supposed is going to be  
8 approved, I've been telling anybody that we've been --  
9 I've been talking to or emailing back and forth to please  
10 submit an application to us, too, because you don't know  
11 if you're going to get the PPP. It's better off getting  
12 your application in the pipeline now because, as we talked  
13 in the past year, we're looking at this as three phases to  
14 recovery: 0 to 6 months, 6 to 12 months, and 12 months on.  
15 And maybe down the road we need to adjust or add a program  
16 to meet the needs of the business. So I just want to let  
17 you know that.

18 MR. TRICHKA: Okay.

19 MR. MOODY: Okay?

20 MR. TRICHKA: Okay. Good. Yes. Let's move on  
21 to, well, if you have any old business.

22 MR. MOODY: No. No old business. No old  
23 business. So new business, discussion and resolution  
24 approved in the Town of Union Ndarv loan to Pack & Mail  
25 Endwell location. It's an S corporation amount not to  
26 exceed \$10,000. You'll see in the packet that I sent you

1 that I gave you excerpts, information from the  
2 application. Things that I thought that the loan, the  
3 Ndarp Loan Committee thought was important. So we put it  
4 in the email to you. And as indicated, he has two  
5 locations. One in Northgate Plaza, one in Endwell.

6 The gentleman's name is Sean Harrigan. He's  
7 looking to at least keep two employees in the Endwell  
8 location, low to moderate income employees. And it does  
9 fit most of our, it does fit our criteria. The one  
10 question that -- and I'll let the committee members chime  
11 in if they'd like. The one question was his personal  
12 credit. It had a very low FICO score of, I think it was 5  
13 -- bear with me, 567 I think it was. You guys all see  
14 that in front of you. And I tried to get information  
15 since the loan committee met on Friday about that and  
16 about the proof of the quarterly withholding of payroll.

17 Unfortunately, I've emailed Mr. Harrington,  
18 Harrigan, not only on his personal email but his work and  
19 also tried to reach him on cell phone in his work phone  
20 but there's been no response. Now obviously I think you  
21 probably all heard that somebody at Pack & Mail has come  
22 down with COVID. I don't know if it's him or not, but his  
23 lack of response may mean he may have come down with it.  
24 I'm not sure though. It's pure speculation on my part.  
25 I'm only sharing my attempts at reaching him.

26 So I haven't been able to get totally the

1           answers, but I think if we want to move forward with this  
2           - and I think it's important to move forward with this -  
3           that we do it in a way that we still could issue a  
4           commitment letter. But also require though that  
5           information, an explanation on the personal credit and  
6           proof for the quarterly withholding, as we normally would  
7           do anyways in our commitment letter. To send that prior -  
8           well, that was really bad - prior to any closing.

9                         And remember this is going to be a confession.  
10           A judgment closing if you will. A low UDAG closing.  
11           Normally, as you know, we have to submit this to our  
12           Planning and Community Development Department so HUD can  
13           review whether it requires an environmental review. The  
14           good news is, because we're using it as working capital  
15           and not for acquisition of equipment and building, the  
16           flood insurance does not kick in. So even though this is  
17           probably in a flood plain area - as you know, it's flooded  
18           in that area - that it would not be required to have the  
19           flood insurance. So I leave it open for discussion now.

20                        MR. TRICHKA: Yes. I guess my question, Joe, my  
21           first question is: Are we going to evaluate multiple  
22           applications against each other or do you want to just  
23           take them one by one?

24                        MR. MOODY: I think we got to take it one by  
25           one. He's the first one in, and that's why it's in that  
26           order.

1 MR. TRICHKA: okay.

2 MR. MOODY: And I don't think we need to look at  
3 this as what may be down the road. It's do we look at  
4 this as important enough to assist him, assist the  
5 business. And they've been in business for many years.  
6 You could see from the application and same with our next  
7 application.

8 MR. TRICHKA: Yes. I guess the only question is  
9 that, seeing there's a low credit score on things on his  
10 collateral, a low credit score, I think that it feels like  
11 --

12 MR. MOODY: Are you there?

13 MR. LEIGHTON: Are we taking collateral on this,  
14 Joe? I forget.

15 MR. MOODY: No. Rose, when we discussed the  
16 last time, we thought a confession of judgment would be  
17 something that we can do. Was that correct, Rose?

18 MS. ROSEMARIE POPE: Yes, that's correct.

19 MR. MOODY: We were trying to keep this simple  
20 and get the money out the door, if you will, but again we  
21 have to be able to be operational. Some of these  
22 businesses may not be operational now because of the New  
23 York State requirements that some are not essential, but  
24 it doesn't mean we shouldn't move forward with them in my  
25 opinion.

26 Now this one was open. Apparently it was deemed

1 essential the last time I knew. What shut it down was  
2 this COVID-19 outbreak at the location. But I know it was  
3 open the last time I knew.

4 MR. TRICHKA: Yes. I think it's been open for a  
5 while now, yes. And they seem, I mean it seems to be a  
6 pretty viable business. That's my thought. So I'll ask  
7 again if anybody is not speaking, who has no opinion on  
8 that, to go on mute. So please go on mute if you're not  
9 speaking.

10 MS. O'MALLEY-TRUMBLE: Steve, it's Mary. Or the  
11 host can mute everybody and then you got to take yourself  
12 off mute when you're speaking. There's a lot of  
13 background noise, it's hard to hear.

14 MR. MOODY: Yes. Don't take me off of mute,  
15 Steve, if you can avoid it because I'm probably talking a  
16 lot.

17 MR. TRICHKA: Okay.

18 MR. MOODY: I think it's coming on your end,  
19 Steve.

20 MR. TRICHKA: I'm not even moving.

21 MR. MOODY: All right.

22 MR. TRICHKA: I muted but I can still hear that.

23 MR. MOODY: Okay.

24 MR. TRICHKA: Okay. So is there any discussion?  
25 Say are any other comments from the committee in terms of  
26 what we should be looking at or paying attention to here?



1 MR. STRONG: Steve, it's Tim.

2 MR. TRICHKA: Go ahead, Tim. Go ahead.

3 MR. STRONG: I went ahead and I muted everybody.  
4 So if you're on the call, you'll have to unmute yourself  
5 before you speak.

6 MR. MOODY: Tim, did you mute me also?

7 MR. STRONG: No, Joe. I'm not going to mute  
8 you.

9 MR. MOODY: Okay. Thank you.

10 MR. STRONG: And, Steve, I'm leaving off as  
11 well.

12 MR. MOODY: Okay.

13 MR. TRICHKA: Okay. Thank you, Tim. So I guess  
14 I'll ask again if any of the committee members have any  
15 other input they want to provide to the board on this.

16 MS. O'MALLEY-TRUMBLE: So, Steve, it's Mary.

17 MR. TRICHKA: Yes, Mary, go ahead.

18 MS. O'MALLEY-TRUMBLE: So I think, as the  
19 committee, we were concerned about the low credit score.  
20 But as you mentioned, it's a long-term business. It's  
21 been around. We felt that that's why we want to go  
22 forward, pending on getting the questions answered. But  
23 we felt that they've been here. I think Joe said that he  
24 bought the business about the 2009 timeframe. So he's  
25 been around a while.

26 MR. MOODY: Yes. They were on Hooper Road and

1 then they moved to a location on Kent Avenue which is Main  
2 Street basically. Next to Burger King and the new JKS  
3 contracting facility over there. So they're right over  
4 there by the Kwik Fill.

5 MR. TRICHKA: Yes. Okay. Well, if there's no  
6 further discussion, we can entertain a motion to approve  
7 based on -- I have the terms up on the screen here which  
8 we'll put into the meeting. The term is 15 months with  
9 zero percent interest rate. Collateral is the signature  
10 loan with the required confession of judgment and to  
11 retain two employees.

12 MR. STRONG: Steve, I'm going to unmute  
13 everybody for this vote.

14 MR. TRICHKA: Okay. Thank you. So may I have a  
15 motion to approve the Ndarp loan to Pack & Mail?

16 MR. STRONG: I so move. This is Tim.

17 MR. TRICHKA: Thank you. Second?

18 MR. LEIGHTON: I'll second. This is Gary.

19 MR. TRICHKA: Thanks, Gary. All in favor?

20 MR. STRONG: Aye.

21 MS. O'MALLEY-TRUMBLE: Aye.

22 MR. MOODY: All right. Could you tell me who  
23 motioned first?

24 MR. STRONG: I did. It's Tim.

25 MR. MOODY: Okay, Tim. And then Gary seconded?

26 MR. LEIGHTON: Right.

1 MR. MOODY: Okay. And all were in favor, right?

2 MR. TRICHKA: Yes. Any opposed? All right.

3 Motion carried.

4 MR. MOODY: Thank you.

5 MR. TRICHKA: We'll move on to the next item.

6 MR. MOODY: All right. Discussion: A resolution  
7 approving a Town of Union LDC Ndarpa loan to the Greek  
8 House Restaurant's sole proprietor in an amount not to  
9 exceed \$15,000. Again I mean the Greek House has been  
10 around for a number of years right across an LBE  
11 (phonetic) site. Or 600 Main Street, if you will.  
12 They've been hit with I think every flood that we've had  
13 in the area and they've never gotten assistance from us in  
14 the past. I think this one is really putting them over  
15 the edge. I think this is a business that is a strong  
16 business, as you could see from the financials. Strong  
17 personally also with a high credit score. I think it's a  
18 business that we should definitely assist. I know they're  
19 still operational. It's take out. But they have about 15  
20 employees there and they have to meet the minimum  
21 requirement.

22 Now, just to remember, the minimum requirement  
23 is what they have to do. It's that one loan amount or  
24 income position for \$15,000. But if they create more and  
25 we can read proof of retaining more, that's what we're  
26 going to do. Show proof of that. But as of right now

1 that is the minimum requirement. So I put that out there  
2 for you for discussion.

3 MR. TRICHKA: Okay. I guess any thoughts from  
4 folks on the committee?

5 MR. STRONG: I did go ahead and unmute.

6 MR. LEIGHTON: As Joe said, this is Gary, this  
7 is a pretty strong business. That really looks good  
8 financially and credit-wise in my point of view. I think  
9 we all agreed on that - Mary, Tim, and I.

10 MR. STRONG: Correct.

11 MR. TRICHKA: Good. Okay. Any other thoughts  
12 from anybody else on the board? My feeling is the same  
13 way. I mean I used to patronize them when their building  
14 was over there. It's a good business. Good folks.

15 MR. MOODY: Good. Excellent.

16 MR. TRICHKA: Okay. So if there's no further  
17 discussion, may I have a motion to approve a Ndarp loan,  
18 \$15,000, to Greek House? The term: 15 months. Zero to 10  
19 percent interest. With collateral and signature loan.  
20 May I have a motion?

21 MS. O'MALLEY-TRUMBLE: Steve, it's Mary. I'll  
22 make the motion.

23 MR. TRICHKA: Thank you, Mary. Second?

24 MR. JAMES PEDUTO: Jim Peduto second.

25 MR. TRICHKA: Thanks, Jim. All in favor?

26 MR. LEIGHTON: Aye.

1 MR. STRONG: Aye.

2 MR. MOODY: Aye.

3 MR. TRICHKA: Opposed? Okay. Motion carried.

4 MR. MOODY: Thank you. Okay. Would you like me  
5 to move on?

6 MR. TRICHKA: Yes, please.

7 MR. MOODY: Okay. Discussion: Resolution  
8 approving the below Town of Union LDC existing loan  
9 recipient request for the Town of Union LDC three-month  
10 payment deferment program, the PDP. Loan recipients must  
11 be in good financial standing and meeting the required job  
12 creation requirements in addition to something else. But  
13 anyway, so they also have to be current with their  
14 financial documentation. That has to be sent to us on an  
15 annual basis.

16 So I think we're okay with all those criteria  
17 for these three loans, or four loans if you will, but I'd  
18 like to take these obviously one at a time. We have to  
19 take them one at a time.

20 So the first one is - can you mute us again,  
21 Tim? Tim, can you mute us again?

22 MR. STRONG: Yes. No, I didn't say anything.

23 MR. TRICHKA: Can you must us again? Because  
24 it's a lot of feedback, on my end at least.

25 MR. STRONG: Yes.

26 MR. MOODY: Okay. So the first one is 17

1 Kentucky Avenue. That's the current TUBA CDBG fund loan  
2 of \$230,000. The balance is actually now below \$200,000.  
3 They paid the April loan payment. We see the email from  
4 Jim Kirkwood that we received requesting the payment  
5 deferment. He's current and submitted the financials. I  
6 think we're pretty good along those lines, with extending  
7 the PDP to him for three months on the existing loan with  
8 the Town of Union LDC. So if you could open it back up  
9 for feedback.

10 MR. TRICHKA: So, Joe, just so I'm clear, so we  
11 have two -- well, are we talking about the two different  
12 requests for --

13 MR. MOODY: Yes. We're talking about the --  
14 number one is the existing loan that we have currently on  
15 the books that Mr. Kirkwood has been paying at 17 Kentucky  
16 Avenue all along. So that's the first one we're looking  
17 at. Not looking at number two as of yet.

18 MR. TRICHKA: Oh. Okay. So we're just looking  
19 for a deferment on number one which is the TUBA loan of  
20 \$230,000.

21 MR. MOODY: Correct.

22 MR. TRICHKA: Right?

23 MR. MOODY: Correct.

24 MR. LEIGHTON: Joe, do you extend the term on  
25 this?

26 MR. MOODY: Yes. Rose will be putting like

1 we've done with the other loans recently in the past, i.e.  
2 Sonostics, where she'll have to -- we'll get a simple  
3 paperwork together and extend it. And it will have to be  
4 signed by all parties, right? Is that correct, Rose?  
5 Rose?

6 MS. POPE: We'll do it.

7 MR. MOODY: Okay.

8 MR. TRICHKA: Okay. So I guess any thoughts on  
9 this extension? I'd like to hear from the board? Are you  
10 guys okay with deferment?

11 MR. LEIGHTON: This one seems pretty  
12 straightforward to me, yes, and it's a real good business.

13 MR. TRICHKA: Yes, that's how I see it. Okay.  
14 So, Joe, we're going to take these one by one. You want  
15 the resolution separate?

16 MR. MOODY: Yes. There'll be separate  
17 resolutions. This will be for their - just so we're clear  
18 - their May, June, and July payments.

19 MR. TRICHKA: Okay. So I guess the resolution  
20 on the table: 17 Kentucky Avenue TUBA loan, \$230,000.  
21 Three-month deferment payment program and under the terms  
22 Joe just mentioned. So I guess I'd be looking for a  
23 motion to approve that deferment.

24 MR. LEIGHTON: This is Gary. I'll make the  
25 motion to approve the 17 Kentucky Avenue loan.

26 MR. TRICHKA: Okay. Is there second?

1 MR. STRONG: Second from Tim here.

2 MR. TRICHKA: Thank you, Tim. You got that,  
3 Joe?

4 MR. MOODY: Yes. All set.

5 MR. TRICHKA: Okay. All in favor?

6 MR. STRONG: Aye.

7 MR. LEIGHTON: Aye.

8 MR. TRICHKA: Opposed? All right. Motion  
9 carries.

10 MR. MOODY: Okay.

11 MR. TRICHKA: We'll go to number two now?

12 MR. MOODY: Yes. Number two, 17 Kentucky  
13 Avenue, this is the loan that we've been trying to close,  
14 Rose and I, for almost -- I think it might be two years  
15 now. And it's all coming to fruition. Rose will be doing  
16 it by mail, the closing, I believe. Rose, is that  
17 correct?

18 MS. POPE: Yes, Joe. We were just waiting to  
19 schedule it until after the board talks about number two.

20 MR. MOODY: Yes, yes. So, Jim, in this same  
21 email he sent about -- Jim Kirkwood, in the same email, he  
22 sent about the loan that's on the books right now. He  
23 wanted to get a deferment on the new loan for the \$200,000  
24 for the interest rate reduction. It's already an interest  
25 rate reduction loan using UDAG funds for \$200,000. It was  
26 for the build-out on his building at 17 Kentucky Avenue



1 and he wanted three months on that also. I'll throw it  
2 out there, but I don't think the loan is -- that loan is  
3 not closed yet. It's not technically on our books. So  
4 I'll leave it out for discussion.

5 MR. TRICHKA: So just to sort of clarify, he's  
6 saying he wants the three-month deferment from the date  
7 the loan closes?

8 MR. MOODY: Yes. Basically.

9 MR. TRICHKA: I'm not sure. What was the  
10 intended use of those funds again?

11 MR. MOODY: It was for the renovations to 17  
12 Kentucky Avenue. The first loan --

13 MR. TRICHKA: My sense is you're going to have a  
14 lot of difficulty getting someone in to do that work right  
15 now.

16 MR. MOODY: No. He's already -- it's completed.  
17 The reason it's taken so long, our loan money is the last  
18 money in. So it's been completed. I actually toured it  
19 several months ago and it's completed. So it's not a  
20 matter of that. It's a matter of, well, it's not  
21 technically in the books. We have not closed the loans  
22 and he already wants a three-month deferment on it. And  
23 it's already on an interest rate reduction program, which  
24 is the reduced interest rate as it is.

25 MR. TRICHKA: Right. Well, I guess -- I don't  
26 know. Joe, what is -- yeah, go ahead.

1 MR. STRONG: It's Tim here, yes. What makes us  
2 optimistic that the loan will close in the next three  
3 months? That if you've been waiting for two years to  
4 close it, I guess I question what the value is in doing  
5 this. In an effort to close the loan or --

6 MR. MOODY: No, no, no. It's not anything on  
7 his part or anything on our part. It's a matter of just  
8 getting the loan documents and everything together and  
9 waiting for things that had to be sent in from his  
10 attorney and from him to us. So I don't think there's  
11 anything along those lines. I think the question is: Do  
12 we want to extend this program to a loan that technically  
13 hasn't even closed yet? And my personal opinion is I  
14 don't know why we would do that.

15 MS. O'MALLEY-TRUMBLE: Hey, Joe, it's Mary. I  
16 agree with that. As Tim and I think we were going, why  
17 don't you just defer the closing date three months, yes,  
18 if they can't?

19 MR. MOODY: No, no. They definitely need, he  
20 indicated that he needs the money because of everything  
21 that's obviously going on. And he's probably outlaid the  
22 money for the renovations, et cetera. So I think I don't  
23 want to hold up the closing for it. I just think the  
24 payments should start when they should start normally  
25 which, if we're looking at we're probably not going to  
26 close until May, so the first payment's not going to be

1 until June anyways.

2 MS. O'MALLEY-TRUMBLE: Yes, I agree. I wouldn't  
3 let a three-month deferral on something that hasn't  
4 closed.

5 MR. MOODY: Yes.

6 MR. STRONG: Joe, could he close on it? Make  
7 his first payment, and then apply for the deferral?

8 MR. TRICHKA: That's exactly what I'm going to  
9 ask, Tim.

10 MR. MOODY: He could. Yes, he could.

11 MR. STRONG: We don't have a strong -- like  
12 Visions has policies on Skip-a-Pay that we offer and you  
13 have to make at least one loan payment. So you'll see  
14 people close on a loan, make one payment, and then skip  
15 the next month. And I'm just wondering. If we don't have  
16 something that says you can't do that, then maybe that's  
17 an option for him. It's to make his first payment to show  
18 that he's paying it and then go ahead and apply for the  
19 deferral after that.

20 MR. MOODY: Yes. I mean that's an option we  
21 could at least put out to him if he's finding it difficult  
22 to pay the bills, et cetera.

23 MR. TRICHKA: I like that. I mean this program  
24 is intended to be for current loan holders. So I wouldn't  
25 consider him current until he's made one payment. I agree  
26 with Tim; I think that's a good approach.

1 MR. LEIGHTON: Yes, it sounds reasonable.

2 MR. TRICHKA: Yes. And we can let him know  
3 that, too. Just come in and ask for deferment. Just make  
4 one payment just so we get it on the books. You've shown  
5 good faith in executing on the loan and have him pay it  
6 off.

7 MR. MOODY: Okay. So do you want to approve  
8 that based on that term, that he makes one payment and  
9 then afterwards -- then we give him the three months right  
10 now or do you want to wait? Because then I'll have to  
11 bring it back to the board.

12 MR. TRICHKA: I think we should wait and just --  
13 I don't know. I don't want to jump the gun on this  
14 necessarily because I mean we're going to have another  
15 meeting before everything closes.

16 MR. MOODY: No. I think this --

17 MR. STRONG: He probably wouldn't make the first  
18 payment if he knew that he was not going to be deferred  
19 for the next three.

20 MR. MOODY: No. I don't know about that. I  
21 think what it should be, like you indicated, I verbally  
22 tell him, listen, make the first payment. If at that  
23 point, for our June meeting - it will be our June meeting  
24 - he makes the June payment at our June meeting and if you  
25 still want the three-month PDP, then I'll bring it back to  
26 my LDC board. They seem to be interested in that, but

1 they want the first payment being made and then you have  
2 to request the three-month PDP. Something along those  
3 lines.

4 MR. TRICHKA: Yes. I think that's the right way  
5 to do it procedurally, Joe, too. Jumping off it right now  
6 and then offering it as part of the loan package.

7 MR. MOODY: Yes. Agreed?

8 MR. TRICHKA: Anybody else on the board have any  
9 thoughts on that?

10 MR. LEIGHTON: I agree with it.

11 MR. TRICHKA: From that, I don't think anybody's  
12 got -- go ahead. Gary, is that you?

13 MR. LEIGHTON: I agree with it. I think that's  
14 probably the best course of action that we have.

15 MR. TRICHKA: Okay. All right. So I guess the  
16 agreement is we'll defer number two. And, Joe, you can  
17 have the conversation as you described with Jim Kirkwood.

18 MR. MOODY: Will do. All right. So we're not  
19 officially voting on this, right, to deny or anything like  
20 that?

21 MR. LEIGHTON: Right.

22 MR. MOODY: Okay.

23 MR. TRICHKA: Correct. We'll take that up in  
24 the June meeting provided that he has made the request at  
25 that time.

26 MR. MOODY: Okay. All right. Moving on. Can

1 you mute us again, Tim?

2 MR. STRONG: Yes.

3 MR. MOODY: Okay. Moving. Sonostics request.  
4 Right now they're in the E3 loan program, the CDBG fund.  
5 It was a \$200,000 loan. You guys are all aware of this  
6 loan. It's a \$129,000 balance right now. He made the  
7 last payment in April. Have been requested, as you see in  
8 the email, for the May, June, and July payments to be  
9 deferred. And we all know that, without going back into  
10 details on the financial status of Sonostics, you're all  
11 aware he's come to us in the past for payment deferments.  
12 We've agreed to that. I think we've even extended it  
13 once. So we're in a situation that I think we got to  
14 continue to work with them especially being that their  
15 sales are probably down to nil. We're stuck between a  
16 rock and a hard place to a certain extent on this one.  
17 Okay. I'll leave it open for discussion.

18 MR. TRICHKA: My question is: Is the requirement  
19 that the business be in good financial standing on this  
20 one?

21 MR. MOODY: Well, it is. But it can't be on  
22 this one. I think this is unique. I agree it's a unique  
23 situation. But here's the deal. The financial standing,  
24 when we talked about it, was good financial standing with  
25 our payments. It wasn't necessarily a good financial  
26 standing, unfortunate, with whether or not they were

1 profitable or not. It's with our payments. With  
2 financial standing, they have to be current with our  
3 payments. That's what was discussed.

4 MR. TRICHKA: Okay. Good. I just wanted to  
5 clarify that that's required.

6 MR. MOODY: Yes.

7 MR. LEIGHTON: Joe, did you say he's presently  
8 in a deferred status right now?

9 MR. MOODY: No. They came out of the deferred  
10 status.

11 MR. LEIGHTON: Okay.

12 MR. MOODY: And that's why they made the April  
13 payment.

14 MR. LEIGHTON: Well, this business is really  
15 dependent upon new sources of investment.

16 MR. MOODY: Yes.

17 MR. LEIGHTON: We really have no choice but to  
18 grant this to people with good credits.

19 MR. MOODY: Yes.

20 MR. TRICHKA: Yes. I guess if our requirement  
21 is that they stay current on their loans and even with  
22 prior deferments that we've made they're current on their  
23 obligation, I guess I'd be uncomfortable making some  
24 special exemption just because we're all nervous about the  
25 business, Joe. So I agree with you with the current  
26 situation.

1 MR. MOODY: Right.

2 MR. STRONG: Joe, it's Tim.

3 MR. MOODY: Yes.

4 MR. STRONG: Again I don't think we made a  
5 change on this one. But in the future we may want to say  
6 each organization gets an opportunity to do a deferral  
7 once a year, once every 12 months, or something like that  
8 which would then keep this from happening again. Again I  
9 hate to just keep mentioning what our policies are  
10 internally, but we do limit how many times people could do  
11 this so you wouldn't run into this problem the second time  
12 around. I don't want to create additional red tape that  
13 we don't need, but just a thought.

14 MR. MOODY: I think we've got to look at this on  
15 a case-by-case basis. I mean we're not dealing with the  
16 same volume as maybe a banker or a credit union, but I  
17 think we should look at this on a case-by-case basis.

18 MR. STRONG: Okay. Well, if that works.

19 MR. MOODY: Yes, that's my opinion. That's just  
20 my opinion.

21 MR. TRICHKA: Okay. Any other thoughts? All  
22 right. Following that, I guess we're looking at a  
23 resolution to approve a deferment for Sonostics. The  
24 current loan is \$200,000 with a balance of \$129,716. So  
25 I'm looking for a motion to approve deferment on this PDP.

26 MR. STRONG: So moved. This is Tim.



1 MR. TRICHKA: Okay.

2 MR. LEIGHTON: This is Gary. I'll second.

3 MR. TRICHKA: Thanks, Gary. All in favor?

4 MR. STRONG: Aye.

5 MR. LEIGHTON: Aye.

6 MR. TRICHKA: Mary? Anybody else got anything?

7 MR. STRONG: Nobody (interposing).

8 MR. TRICHKA: Okay. Any opposed? All right.

9 MR. MOODY: Excellent.

10 MR. TRICHKA: I think it appears that the motion  
11 is carried.

12 MR. MOODY: Yes, it does.

13 MR. TRICHKA: So let's go ahead, Joe.

14 MR. MOODY: All right. We're all set. Yes, it  
15 carries. All right. Moving on?

16 MR. TRICHKA: Yes, please.

17 MR. MOODY: Spathi Group, commercial façade  
18 loan. It was a UDAG fund. The original amount was  
19 \$100,000. Current balance is about down to \$48,000. That  
20 was with their February loan payment. They have had  
21 obviously made the March and April loan payment. We are  
22 current, they're current with the -- in good standing with  
23 us. They've done what they wanted to do with the project  
24 and they're good business. Not only that business but  
25 their other businesses also. So I would just throw that  
26 out there for discussion.

1                   And as you know right now, or you should know,  
2                   the Broadway down here last I knew was closed. And also  
3                   they can't have anything going on at this current location  
4                   at the Riverdale.

5                   MR. TRICHKA: This was for Riverdale.

6                   MR. MOODY: Yes, this was for Riverdale. But  
7                   they're the owners of Broadway and that was their income  
8                   coming in also. But this is for Riverdale, yes. I just  
9                   want to bring that up as just some additional information.  
10                  Can you --

11                  MR. TRICHKA: All right. Any other thoughts for  
12                  folks in the board?

13                  MR. STRONG: So another one that seems pretty  
14                  straightforward to me.

15                  MR. TRICHKA: Yes. All right. Well, if there's  
16                  no other thoughts, I'll look for a motion to approve  
17                  deferment of the PDP to Spathi Group on this commercial  
18                  façade UDAG fund, \$100,000, with a balance of \$48,333. So  
19                  may I have a motion please?

20                  MS. O'MALLEY-TRUMBLE: Steve, it's Mary. I'll  
21                  make the motion.

22                  MR. PEDUTO: It's Jim. I'll second it.

23                  MR. MOODY: Who's -- Jim, okay.

24                  MR. TRICHKA: All in favor?

25                  MR. STRONG: Aye.

26                  MR. PEDUTO: Aye.

1 MR. TRICHKA: Opposed? All right. The motion  
2 carries.

3 MR. MOODY: Okay.

4 MR. TRICHKA: Other business?

5 MR. MOODY: Yes. Moving on. You see an email I  
6 received from George Slavik about our façade loan inquiry  
7 for 85-87 Main Street Johnson City. It's a former Sage  
8 Supply building. I believe him and his sons have acquired  
9 the property. They'd like to obviously do a new business  
10 at that location, but also I think they're trying to  
11 attract tenants too. And he'd like to apply for façade  
12 funding. That would go above and beyond our normal façade  
13 of \$10,000 limit.

14 Now we've done that before, but it was based on  
15 availability of funds. I want to emphasize the  
16 availability of funds because, with our commitment to UDAG  
17 funds for this program -- can you mute us? Tim, can you  
18 mute us?

19 MR. STRONG: Yes, muted.

20 MR. MOODY: Okay. So I want to talk about the  
21 availability of funds in our commitment to the Ndar  
22 program and our UDAG funds for that that are in the LDC  
23 coffers, if you will. It really leads us down to maybe  
24 \$100,000 left in that program as of the moment. I,  
25 personally, I think they're going to do a great job there.  
26 I just personally don't know if we could commit over

1 \$100,000 to a façade project at that location when we have  
2 a lot of these unknowns out there right now.

3 And why do I say unknowns? Well, we don't know  
4 how many people are going to take advantage, business are  
5 going to take advantage of our \$450,000 set aside for the  
6 Ndar. But let's say they do. And I'm talking that  
7 there's going to be three stages to this recovery. Stage  
8 two will be coming up in 6 to 12 months. And we might  
9 want to come up with another program for that stage, if  
10 you will. And then stage three, which is the resiliency  
11 program, we might want to come up with a new program for  
12 that.

13 Short of any additional funds coming through,  
14 now I've got to let you know that Sara Zubalsky-Peer from  
15 our community development department did indicate that  
16 there's going to be additional \$700,000 or so funds  
17 through HUD for this disaster recovery and various other  
18 things. Now whether or not, I know Sara has indicated to  
19 HUD that economic development is important to the town.  
20 The town board members I think are in agreement with that,  
21 about how much can be set aside for that for additional  
22 programs, but at least that's another source of revenue.

23 As for the Town UDAG funds, I can't comment on  
24 that because I'm not sure what's going on with the Town  
25 UDAG funds as of the moment. But it would be something  
26 that we'd have to go back to the town and request that.

1 Now personally, the UDAG funds, the town UDAG funds are  
2 definitely more attracted to the LDC because there's  
3 definitely more flexibility. But that's not my decision  
4 to make. We can only request that of the town.

5 So I guess the question is: How do you want me  
6 to approach Mr. Slavik with his request? I said, listen,  
7 just give me a blurb, give me an email indicating what  
8 your project costs would be - and he did send that to me -  
9 and what you're sort of looking for.

10 I'd like to assist in some capacity. I just  
11 don't think, given our current situation, that we could  
12 put all that money into one façade. On a building that is  
13 still relatively in good shape. I applaud them for what  
14 they're doing and taking the initiative while we're in  
15 these interesting times, if you will, but I don't know.  
16 So I'm going to leave it open for discussion.

17 MR. STRONG: Everyone's unmuted right now.

18 MR. MOODY: Okay.

19 MR. TRICHKA: Yes. Go ahead. Just to refresh,  
20 Joe, what's the balance in the funds right now?

21 MR. MOODY: We did. I think there's about  
22 \$100,000 left in the UDAG funds in the Town LDC coffers.  
23 In the town coffers, I think there's \$295,000 or  
24 something. Yes.

25 MR. TRICHKA: So it's really \$400,000 total.

26 MR. MOODY: Well, under control of Town LDC,

1           yes.

2                       MR. TRICHKA: I understand the other part of it  
3 is not under control, right?

4                       MR. MOODY: Yes. So it leaves us, yes, at least  
5 it's like \$100,000. Right now we still have the amount  
6 that was set aside for the Ndarps in there, too, but I  
7 could see that going quickly. Again, based on this new  
8 SBA PPP, \$350 billion I think was put aside into that. I  
9 mean obviously everybody's attracted to that because it  
10 could be forgiven as a grant, but again I don't -- there's  
11 too many unknowns to commit. I think anything more than  
12 our regular UDAG commercial façade as of the moment. If  
13 they want to submit an application, then they could submit  
14 a full application. But I don't -- I hate to say to them  
15 that, you know what, there's just too many unknowns with  
16 \$100,000; with asking anything more than our regular  
17 amount.

18                      MR. TRICHKA: Yeah, my since thoughts are. I'm  
19 looking at this. I'm not familiar with Mr. Slavik, but it  
20 looks like -- I mean he's a property owner. So he's just  
21 renovating the property, then he gets to turn around and  
22 look to lease the property for business comes in. So it's  
23 not technically establishing a business yet.

24                      MR. MOODY: Well, yes and no. Yes and no. I do  
25 have more information. The sons did come in with him and  
26 one time met with me. They are establishing their own

1 business at that location, too. So yes and no. So there  
2 is an establishment of a business. Energetic young men  
3 that have considerable background in the plumbing industry  
4 and also educational-wise. So they are starting a  
5 business at that location also. My concern is more about  
6 the dollar amount.

7 MR. TRICHKA: Yes. So we've got \$100,000, too.  
8 All right. Even given that, it feels like our priority  
9 should be this \$10,000 or so increment to help the  
10 existing businesses through this current situation. The  
11 virus situation. Because we're not even meeting half of  
12 this requirement on renovation costs and we deplete the  
13 money that's available.

14 MR. MOODY: Yes, yes.

15 MR. TRICHKA: And I have a feeling there are  
16 going to be people left behind even in the second wave of  
17 small businesses coming out.

18 MR. MOODY: Yes. I'll concur with you on that  
19 one, yes.

20 MR. LEIGHTON: Joe, what's the state of the  
21 parking lot? Is that \$145,600 in there for a parking lot  
22 been paid off?

23 MR. MOODY: I think it probably needs repair. I  
24 have not visibly gone there recently to see it, but I do  
25 think there is repairs that have to be done there. But  
26 it's not -- again, even if it was \$1 million, I guess the

1 question is how much are you willing to commit to a  
2 façade. I think we have to go back to our regular goal,  
3 our regular guidelines being that we're in a situation  
4 that we were not in just a few months ago. And even if we  
5 made exceptions in the past, they were exceptions during  
6 good times I guess you can say. So being that we're in  
7 the situation we're in right now, we have to stick true to  
8 our guidelines for the façade program as of the moment.

9 MR. LEIGHTON: Yes. I think I agree with that,  
10 Joe.

11 MR. TRICHKA: Got it. Jim, Gary, you got any  
12 thoughts on it?

13 MR. PEDUTO: No. This is Jim. I concur  
14 completely with what's already been said. There's nothing  
15 to add to that.

16 MR. TRICHKA: Diane, are you on? I thought I  
17 heard you earlier.

18 MR. MOODY: Yes, Diane was on. Tim, is she  
19 still showing as that?

20 MR. STRONG: It shows she's on. I don't have  
21 her muted.

22 MR. TRICHKA: Okay.

23 MR. MOODY: Okay.

24 MR. TRICHKA: All right. But it does sound like  
25 there's a rough consensus on that. As much as we'd like  
26 to help right now, I think circumstances dictate that we



1 hold on to what we have and make it available to  
2 businesses in distress.

3 MR. MOODY: Agreed.

4 MR. TRICHKA: And I think, I mean, this looks  
5 like it would be a really, really good opportunity for us  
6 in normal circumstances. So that's a disappointment.

7 MR. MOODY: Yes, it would. Agreed.

8 MR. TRICHKA: Yes.

9 MR. MOODY: Okay. All right. So I'll let him  
10 know that he could submit an application, but it would be  
11 the maximum of \$10,000 under the UDAG.

12 MR. TRICHKA: Yes, yes.

13 MR. MOODY: Okay. All right. So I think that's  
14 it. The only thing, other thing I want to add too under  
15 other business, if you will, is that right now I'm on a  
16 COVID-19 economic response recovery resiliency task force  
17 that was set up by the chamber and the IDA and a good  
18 group of individuals, elective officials, et cetera. Rick  
19 and everybody else. We're addressing things on a weekly  
20 basis and talking through the recovery process. All that.  
21 So it's a good group. I just want to make you aware that  
22 the Town LDC and the town is actively involved with that.

23 MR. TRICHKA: Good. Good. Thanks, Joe.

24 MR. MOODY: Okay.

25 MR. TRICHKA: All right. Does anybody else have  
26 anything else they want to put on the table?

1 MR. STRONG: I just wanted to say thank you for  
2 working through this technology here. I'll make sure it's  
3 up and running earlier for the next meeting. I apologize  
4 for that.

5 MR. MOODY: No problem.

6 MR. TRICHKA: There's no apologies to make.  
7 Thank you for making this technology available to us  
8 because we wouldn't be able to have this meeting very  
9 easily if it wasn't there.

10 MR. MOODY: Yes. Absolutely.

11 MR. TRICHKA: Thank you for doing that.

12 MR. MOODY: And thank you. All right. So you  
13 want me to call the motion to --?

14 MR. TRICHKA: Yes. So a motion to adjourn the  
15 meeting.

16 MR. STRONG: So moved. This is Tim.

17 MR. TRICHKA: All right. Second?

18 MS. O'MALLEY-TRUMBLE: Mary. I'll second.

19 MR. TRICHKA: Thank you. All in favor?

20 ALL: Aye.

21 MR. MOODY: And that's it. It's 8:56 AM.

22 MR. TRICHKA Yes. That's what I've got  
23 roughly.

24 MR. MOODY: Okay.

25 MR. TRICHKA: And thank you very much,  
26 everybody, for getting on. I know it's difficult and

1 weird scheduling and we all don't necessarily look our  
2 best on these cameras, but I appreciate everybody getting  
3 on and working through this stuff this morning. It's  
4 really important to the community. We still want to  
5 continue to support it in any way we can. So thanks very  
6 much.

7 MR. MOODY: Great. Thank you. Thank you.

8 MR. STRONG: Thanks, Steve.

9 MS. POPE: Thank you.

10 MR. STRONG: Thank you, all. Bye-bye.

11 (Off the record)  
12

13 C E R T I F I C A T E

14 I, Ria Jara, certify that the foregoing transcript of  
15 proceedings in the Union Town Board Meeting, Broome, State of  
16 New York, was prepared using digital transcription software and  
17 is a true and accurate record of the proceedings.  
18  
19

20



21 Signature \_\_\_\_\_

22 Date: May 4, 2020