

**TOWN OF UNION
LOCAL DEVELOPMENT CORPORATION
REGULAR MEETING MINUTES
THURSDAY, DECEMBER 15, 2022**

SYNOPSIS OF MEETING

The Town of Union Local Development Corporation met for its regular meeting on Thursday, December 15, 2022 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 8:16 A.M.

MEMBERS PRESENT: Diane Julian, Gary Leighton, James Peduto, Mary O'Malley-Trumble, Jeffrey L'Amoreaux, Timothy Strong

MEMBERS ABSENT: Stephen Trichka

OTHERS PRESENT: Rosemarie Pope (LDC Board Attorney)
Richard Materese (Town Supervisor)
Scott Burto (Town ARPA Grant Coordinator) via phone
Gina Middleton (Coughlin & Gerhart, LLP)
Lillian Bomysoad (Connolly Companies, LLC)

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

II. VICE PRESIDENT'S REMARKS

Vice President Julian shared her best wishes for a joyful holiday season.

III. DIRECTOR'S REMARKS

Director Moody thanked the Board members for their help and support over the last year, including Mr. Strong's assistance for remotely held meetings.

IV. APPROVAL OF THE MINUTES

Minutes of the regular LDC Board Meeting of September 29, 2022 were reviewed and approved, as written.

Motion: Jim Peduto

Motion 2nd: Jeff L'Amoreaux

Motion: To approve the regular LDC Board Meeting Minutes of September 22, 2022, as written.

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

V. OLD BUSINESS

VI. NEW BUSINESS

A. Mr. Moody initiated discussion of the town's hiring of Mr. Gary E. Leighton to provide accounting help for the Local Development Corporation. Mr. Leighton's work as an

independent contractor is desired, on the interim, which will assist the recently hired Town Comptroller. Counselor Pope advised a resolution is unnecessary, but the LDC Board should be on record affirming non-objection to Mr. Leighton's hiring. She also said he should not serve on the LDC Audit Committee while serving as bookkeeper. Upon inquiry, the LDC Board members stated no objections to Mr. Leighton's assistance with the LDC.

- B. Mr. Moody presented for discussion and review the four (4) 2021 American Rescue Plan Act (ARPA) fund agreements with Broome County government for economic development-related projects.

Initial discussion prior to actions about the four agreements pertained to performance and aspects of required General and Single LDC audits. Counselor Pope stated that no issue is anticipated for adding the LDC to the town's casualty insurance policy. In regard to a single audit, discussion focused on sharing of audit costs amongst the grant recipients on a proportional basis, and agreements should be drafted in such a manner.

The LDC Board then began its review and consideration of the four referenced ARPA fund agreements with Broome County government

- The first agreement discussed was CA 2927D: \$350,000.00 to Promote Economic Development at 749 West Main Street, Endicott (Town of Union). The project site is also known as the former Red Carpet Inn. Funding was previously designated for provision to OM Shirda Sai, LLC to be used for a proposed motel project, but it looks like that will need to be modified at a future date.

Following discussion, Vice President Julian requested a motion authorizing LDC signing of CA 2927D.

Motion: Tim Strong

Motion 2nd: Jeff L'Amoreaux

Motion: To authorize LDC signing of the 2021 American Rescue Plan Act (ARPA) fund agreement with Broome County government for economic development project CA 2927D: \$350,000.00 to Promote Economic Development at 749 West Main Street, Endicott (Town of Union), New York. The project site is also known as the former Red Carpet Inn.

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

- The second agreement discussed was CA 2927H: \$420,000.00 to Promote Economic Development with Construction of a Multi-Use Building at 121-125 Washington Avenue, Endicott (Town of Union), New York. The project is a SEPP-proposed mixed-use commercial building.

Following discussion, Vice President Julian requested a motion authorizing LDC signing of CA 2927H.

Motion: Jeff L'Amoreaux

Motion 2nd: Jim Peduto

Motion: To authorize LDC signing of the 2021 American Rescue Plan Act (ARPA) fund agreement with Broome County government for economic development project CA 2927H: \$420,000.00 to promote economic development with construction of a multi-use building at

121-125 Washington Avenue, Endicott (Town of Union), New York.
The project is a SEPP-proposed mixed use commercial building.

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

- The third agreement discussed was CA 2927I: \$250,000.00 to Promote Façade and Parking Improvements on Washington Avenue, Endicott (Town of Union), New York. The proposed program is to be crafted by the Town of Union Local Development Corporation in the near future.

Following discussion, Vice President Julian requested a motion authorizing LDC signing of CA 2927I.

Motion: Tim Strong

Motion 2nd: Jeff L'Amoreaux

Motion: To authorize LDC signing of the 2021 American Rescue Plan Act (ARPA) fund agreement with Broome County government for economic development project CA 2927I: \$250,000.00 to promote façade and parking improvements on Washington Avenue, Endicott (Town of Union), New York. The proposed program is to be crafted by the Town of Union Local Development Corporation.

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

- The fourth agreement discussed was CA 2927M: \$1,000,000.00 to Support Revitalization of the former Kmart Plaza at 219 Vestal Avenue & 216 Harrison Avenue, Endicott (Town of Union), New York. The site is that of the proposed Green Mountain Electric Supply distribution project.

Following discussion, Vice President Julian requested a motion authorizing LDC signing of CA 2927M.

Motion: Jim Peduto

Motion 2nd: Jeff L'Amoreaux

Motion: To authorize LDC signing of the 2021 American Rescue Plan Act (ARPA) fund agreement with Broome County government for economic development project CA 2927M: \$1,000,000.00 to support revitalization of the former Kmart Plaza at 219 Vestal Avenue & 216 Harrison Avenue, Endicott (Town of Union), New York. The site is that of the proposed Green Mountain Electric Supply distribution project.

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

- C. Mr. Moody presented for discussion and consideration of adoption six (6) individual resolutions approving 2021 American Rescue Plan Act (ARPA) Grant Program funding application requests totaling \$522,500.00.

- The first resolution and grant application request was by Mr. Justin A. Marchuska, II and Mr. Bernard J. Marchuska of Ramco Development & Holdings, LLC, for ARPA Reimagine Union Demolition & Site Preparation grant program funding in the amount of \$56,250.00.

Following discussion, Vice President Julian requested a motion adopting the resolution approving the 2021 ARPA grant program funding application request

by Messrs. Marchuska.

Motion: Tim Strong

Motion 2nd: Jim Peduto

Motion: To adopt the resolution approving the 2021 American Rescue Plan Act (ARPA) Reimagine Union Demolition & Site Preparation grant program funding application request by Mr. Justin A. Marchuska, II and Mr. Bernard J. Marchuska of Ramco Development & Holdings, LLC, in an amount not to exceed \$56,250.00.

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

Due to a prior commitment, Mr. L'Amoreaux departed at 9:00 a.m.

- The second resolution and grant application request was by Mr. Justin A. Marchuska, II and Mr. Bernard J. Marchuska of Tioga Learning Properties, LLC for ARPA Reimagine Union Demolition & Site Preparation grant program funding in the amount of \$93,750.00.

Following discussion, Vice President Julian requested a motion adopting the resolution approving the 2021 ARPA grant program funding application request by Messrs. Marchuska.

Motion: Jim Peduto

Motion 2nd: Mary O'Malley-Trumble

Motion: To adopt the resolution approving the 2021 American Rescue Plan Act (ARPA) Reimagine Union Demolition & Site Preparation grant program funding application request by Mr. Justin A. Marchuska, II and Mr. Bernard J. Marchuska of Tioga Learning Properties, LLC, in an amount not to exceed \$93,750.00.

Vote: All yes, motion approved [5 - Yes, 0 - No, 2 - Absent, 0 - Abstain].

- The third resolution and grant application request was by Mr. Michael Schapiro of Schapiro Realty, LLC for ARPA 50/50 Commercial Façade grant program funding in the amount of \$50,000.00.

Following discussion, Vice President Julian requested a motion adopting the resolution approving the 2021 ARPA grant program funding application request by Mr. Schapiro.

Motion: Jim Peduto

Motion 2nd: Tim Strong

Motion: To adopt the resolution approving the 2021 American Rescue Plan Act (ARPA) 50/50 Commercial Façade grant program funding application request by Mr. Michael Schapiro of Schapiro Realty, LLC, in an amount not to exceed \$50,000.00.

Vote: All yes, motion approved [5 - Yes, 0 - No, 2 - Absent, 0 - Abstain].

- The fourth resolution and grant application request was by Mr. John J. Hussar and Ms. Mary Lou Hussar of Grey Goose Graphics, LLC for ARPA Small Business Sustainability grant program funding in the amount of \$22,500.00.

Following discussion, Vice President Julian requested a motion tabling the resolution pertaining to the 2021 ARPA Small Business Sustainability grant program funding

application request by Mr. Hussar and Ms. Hussar pending a request for additional information.

Motion: Mary O'Malley-Trumble

Motion 2nd: Jim Peduto

Motion: To table the resolution pertaining to the 2021 American Rescue Plan Act (ARPA) Small Business Sustainability grant program funding application request by Mr. John J. Hussar and Ms. Mary Lou Hussar of Grey Goose Graphics, LLC.

Vote: All yes, motion approved [5 - Yes, 0 - No, 2 - Absent, 0 - Abstain].

- The fifth resolution and grant application request was by Mr. Timothy P. Connolly, Ms. Lillian Bomysoad, and Mr. Timothy S. Connolly of North & Main Street Development, LLC for ARPA Reimagine Union Demolition & Site Preparation grant program funding in the amount of \$200,000.00.

Following discussion, Vice President Julian requested a motion adopting the resolution approving the 2021 ARPA grant program funding application request by Messrs. Connolly and Ms. Bomysoad.

Motion: Tim Strong

Motion 2nd: Jim Peduto

Motion: To adopt the resolution approving the 2021 American Rescue Plan Act (ARPA) Reimagine Union Demolition & Site Preparation grant program funding application request by Mr. Timothy P. Connolly, Ms. Lillian Bomysoad, and Mr. Timothy S. Connolly, in the amount not to exceed \$200,000.00.

Vote: All yes, motion approved [5 - Yes, 0 - No, 2 - Absent, 0 - Abstain].

Due to a prior commitment, Mr. Strong departed at 9:08 a.m.

- The sixth resolution and grant application request was by Mr. Daniel P. Brown of Dan Brown Construction, LLC for ARPA Project Specific Infrastructure grant program funding in the amount of \$100,000.00.

Following discussion, Vice President Julian requested a motion adopting the resolution approving the 2021 ARPA grant program funding application request by Mr. Brown.

Motion: Diane Julian

Motion 2nd: Gary Leighton

Motion: To adopt the resolution approving the 2021 American Rescue Plan Act (ARPA) Project Specific Infrastructure grant program funding application request by Mr. Daniel P. Brown of Dan Brown Construction, LLC, in the amount not to exceed \$100,000.00.

Vote: All yes, motion approved [4 - Yes, 0 - No, 3 - Absent, 0 - Abstain].

- D. Mr. Moody presented for discussion an inquiry by current \$10,000.00 Town of Union LDC Microenterprise loan recipient Nick Terzella of Bada Bing Hospitality, LLC (d/b/a Southern Tier Cheesesteak Factory). Mr. Terzella asked about possibly applying for ARPA Small Business Sustainability or Project Specific Infrastructure grant funding to

acquire a food truck (to be based out of his Washington Avenue, Endicott restaurant location).

The LDC Board members expressed reservation with approving Mr. Terzella's request. Reference was made to Bada Bing Hospitality, LLC's insufficient funds at the time of its December 2022 loan payment. Consequently, the LDC Board would entertain an application, but sought the provision of business financial statements and status of the December insufficient funds.

- E. Mr. Moody presented for discussion potential provision of Town of Union LDC 2021 American Rescue Plan Act (ARPA) grant funding for existing and start-up home-based businesses and former LDC COVID-19 Cares Act grant recipients. The LDC Board expressed preference to presently not offer ARPA funds to start-up home-based businesses and former Cares Act grant recipients.

VII. OTHER BUSINESS

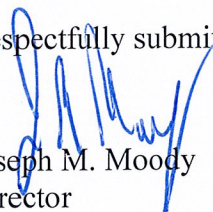
VIII. ADJOURNMENT

- A. Vice President Julian asked if there were other topics for consideration. Due to the LDC Board's affirmed completion of business, she requested a motion to adjourn the meeting.

Motion: Mary O'Malley-Trumble
Motion 2nd: Jim Peduto
Motion: To adjourn the regular LDC Board meeting of December 15, 2022.
Vote: Motion approved [4 - Yes, 0 - No, 3 - Absent, 0 - Abstain].

In recognition of there being no further business, without objection, the December 15, 2022 Regular LDC Board Meeting stood adjourned at 9:37 a.m.

Respectfully submitted,


Joseph M. Moody
Director