

**BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY**  
**60 Hawley Street**  
**Binghamton, New York 13901**  
**Friday, March 14, 2008, 12:00 p.m.**

**SYNOPSIS OF MEETING**

**PRESENT:** G. Akel, P. Hankin, E. Burns, B. Fiala, V. Pasquale, W. Tastle and S. Herz

**ABSENT:** J. Rounds

**GUESTS:** Mark Whalen, Alan Hertel, Lois Defleur, Michael McNally, Kevin McLaughlin, Mike Hanbury

**COUNSEL:** Joseph Meagher

**STAFF:** R. D'Attilio, T. Gray, P. Doyle, and R. Fiato

**PRESIDING:** George Akel, Chairman

**ITEM # 1. APPROVE MINUTES, FEBRUARY 8, 2008 Meeting:** Chairman Akel called the meeting to order at 12:00 p.m. requesting a motion to approve the minutes of the February 8, 2008 Meeting of the Board of Directors.

**MOTION:** On a MOTION by Mr. Pasquale, seconded by Ms. Fiala the MOTION CARRIED UNANIMOUSLY.

**ITEM # 2. PUBLIC COMMENT:** None

**MOTION:** No motion necessary.

**ITEM # 3. EXECUTIVE DIRECTOR'S REPORT: Updates** – Mr. D'Attilio said a resolution was before the County Legislature to appoint Wayne Howard as the replacement for Kevin McLaughlin on the BCIDA Board of Directors. Mr. D'Attilio added that the County Legislature was requesting a home rule message from the State that would allow the Legislature to require that a member of the minority party of the Legislature be appointed to the BCIDA Board of Directors. Mr. D'Attilio indicated that the Agency had received approval for an amended site plan for the Charles Street Business Park. There are some issues regarding City of Binghamton easements through the Charles Street Business Park and the Emerson project site that the City and the Agency are addressing. Mr. D'Attilio let the Board know that Broome County had received a grant to begin the planning process for future development of the Brandywine Corridor. The City of Binghamton is in the process of designating the location an urban renewal area. Mr. D'Attilio has been working with the County and Empire State Development on a high technology incubator that may be located on the Huron Campus in Endicott. He and Kevin McLaughlin from Empire State Development are in discussions with a small growing firm that may locate in such incubator. Mr. D'Attilio said that the Board needed to come to a consensus on whether to advance \$100,000 to the Dick's Sporting Goods Open for a \$50,000 tournament sponsorship in 2008 and 2009. Ms. Fiala confirmed that the tournament will take place in Endicott in 2009. Mr. D'Attilio said he needed to better understand the value of the sponsorship as it relates to the Agency's overall outreach and marketing efforts. Apparently the \$50,000 sponsorship for 2008 does not include any television advertising time on the Golf Channel. Mr. D'Attilio discussed two projects in the Broome Corporate Park. He said the steel was up on the FedEx building, and the distribution center for Darden Foods was complete. The Agency has received more than 150 resumes for the administrative assistant position. Review of the resumes continues. The Agency's night with the Binghamton Senators is April 11. Mr. D'Attilio said Agency counsel would provide an opinion on whether the gift from the Senators fell within

the guidelines of the Agency's ethics policies. Mr. D'Attilio concluded by informing the Board that the Agency, the Greater Binghamton Coalition and the County were participating in a business continuity conference next week in New York City. Leigh Ann Scheider and Dan Schofield were representing Greater Binghamton at this event.

**ITEM # 4. LOAN FUNDS AVAILABILITY AS OF FEBRUARY 29, 2007:** Mr. Gray presented the Loan Funds Availability report to the Board. The balances available to lend are \$197,462.64 (STEED) and \$611,645.68 (TITLE IX).

**MOTION:** No motion necessary.

**ITEM# 5. RESOLUTION AUTHORIZING THE PAYMENT IN ADVANCE FOR A 2008 AND 2009 DICK'S OPEN SPONSORSHIP IN THE AMOUNT OF \$100,000 REPRESENTING \$50,000 PER YEAR:** After some discussion, Mr. Pasquale moved to table the resolution to give Mr. D'Attilio as much leverage as possible in negotiating the value of the BCIDA's package with the tournament.

**MOTION:** On a MOTION by Mr. Pasquale, seconded by Ms. Fiala, the MOTION CARRIED UNANIMOUSLY.

**ITEM# 6. A REQUEST NOT TO TAKE PUNITIVE ACTION AGAINST A STEED BORROWER WHO HAS NOT MET ITS JOB CREATION REQUIREMENTS:** Mr. Gray presented a request from Ithaca Materials Research & Testing, Inc., (IMR&T) located in Ithaca, New York not to take punitive action against them for not meeting their job creation requirements. IMR&T was required to create 15 new full time jobs by December 29, 2007. As of December 31, 2007 employment report, IMR&T indicated the creation of 12.5 new jobs. A conversation with IMR&T CFO indicated that the sub par job creation was based on timing and not the company's operating performance. He further explained that they had hired a new employee in February and are expected to hire a few more employees in early 2008 bringing the total number of new employees to be 15.5. Mr. Gray also mentioned that IMR&T has maintained an exemplary payment record on all loans it has had with the Agency as well as exceeded its job creation requirements. Mr. Gray recommends that the BCIDA not take punitive action against the company.

**MOTION:** On a MOTION by Mr. Tastle, seconded by Mr. Herz, the MOTION CARRIED UNANIMOUSLY.

**ITEM# 7. EXECUTIVE SESSION:** Chairman Akel requested a motion that the Board convene to executive session to discuss confidential plans of certain agency clients, prospects, projects and personnel matters.

**MOTION:** To convene to executive session. On a MOTION by Mr. Pasquale, seconded by Mr. Tastle, the MOTION CARRIED UNANIMOUSLY.

**ITEM# 8. RESUMPTION OF PUBLIC SESSION:** Chairman Akel requests a motion to reconvene into Public Session.

**MOTION:** To reconvene back to Public Session. On a MOTION by Mr. Hankin, seconded by Mr. Pasquale, the MOTION CARRIED UNANIMOUSLY.

**OLD BUSINESS:** None was discussed at this time.

**MOTION:** No motion necessary.

**ITEM # 9. ADJOURNMENT:** Chairman Akel requested a motion for adjournment.

**MOTION:** On a MOTION by Mr. Hankin seconded by Mr. Pasquale, the meeting was adjourned, and the MOTION CARRIED UNANIMOUSLY.

The next scheduled Board Meeting of the BCIDA Board of Directors is April 11<sup>th</sup>, 2008 at 12:00 p.m., at 60 Hawley Street, 6<sup>th</sup> Floor, Large Legislative Conference Room, Binghamton, NY.