

1 STATE OF NEW YORK

2 COUNTY OF BROOME

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4 In the Matter of a Public Hearing

5 regarding the

6 DICK'S MERCHANDISING & SUPPLY CHAIN, INC.

7 - - - - -

8 A Public Hearing held at 1271 Conklin Road,
9 Conklin, New York, on the 8th day of August, 2016,
10 commencing at 12:04 PM.

11
12 BEFORE: JOSEPH MEAGHER
13 Chairman of the Broome County
14 Legislature

15
16 REPORTED BY: CZERENDA COURT REPORTING, INC
17 71 State Street
18 Binghamton, New York 13901-3318
19 LAURA SCHMIEDER
20 Shorthand Reporter
21 Notary Public
22
23
24

Matter of Dick's Merchandising & Supply Chain

1 MR. MEAGHER: Good afternoon, my
2 name is Joe Meagher, and I'm counsel to the
3 Broome County Industrial Development Agency.
4 And the Agency is conducting this hearing
5 pursuant to General Municipal Law 859A to
6 seek public comment on an application for
7 financial assistance submitted to by Dick's
8 Merchandising & Supply Chain, Inc., in
9 connection with a proposed warehouse
10 distribution center, adjacent parking lots,
11 associated utilities, an access road, and
12 storm water management systems to be located
13 on the Broome Corporate Parkway in the Town
14 of Conklin, County of Broome and State of
15 New York.

16 The acceptance of the filing by the
17 Agency does not infer any position on the
18 approval or disapproval of the financial
19 assistance requested. No position will be
20 taken by the Agency until the public hearing
21 is concluded.

22 A copy of the application along
23 with the cost benefit analysis prepared by
24 the Agency is available at the offices of

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1 the Agency for your review.

2 Notice of this hearing was
3 published in the Press & Sun Bulletin on
4 July 23, 2016. I request that each person
5 wishing to speak state his and her name and
6 if are you speaking on behalf of an entity
7 or organization, please identify that entity
8 or organization. This hearing will remain
9 open until all public comment is concluded.

10 I'm going to provide to our court
11 reporter the copy of the notice of public
12 hearing dated July 21, 2016; affidavit of
13 publication from the Press & Sun Bulletin;
14 affidavit of mailing of the notice to the
15 relevant taxing authorities; affidavit of
16 posting of the notice of public hearing; and
17 a copy of our correspondence to each of the
18 effected taxing jurisdictions and request
19 that these documents be spread upon the
20 record of these proceedings.

21 At this time I'm going to ask the
22 executive director of the Agency, Kevin
23 McLaughlin, who is seated to my left to
24 explain the benefits that have been

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1 requested by Dick's Merchandising & Supply
2 Chain, Inc.

3 A SPEAKER: Do you have a sign in
4 sheet so you know everybody?

5 MR. MEAGHER: Yeah, we passed it
6 around.

7 MR. McLAUGHLIN: I think you're
8 the only one that hasn't signed it.

9 A SPEAKER: Okay.

10 MR. McLAUGHLIN: The project
11 entails the construction of an initial
12 650,000 square foot distribution facility
13 within the Broome Corporate Park. The
14 majority of the land is owned by the Broome
15 County Industrial Development Agency which
16 comprises of about 120 acres. There will be
17 two other parcels acquired by Dick's
18 directly which is presently occupied by
19 Nealon Trucking and the property here on
20 Conklin Road owned by Jeff Bump. They will
21 be purchased directly by Dick's. The agency
22 will contribute the rest of the land to the
23 project as part of the initial closing.

24 The project will create about 466

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1 jobs over a five-year period with a total
2 investment of over 84,000,000. In fact, I
3 believe at the announcement, Mr. Stacks said
4 it could go as high as \$100 Million. So,
5 this is a huge project for both the Town of
6 Conklin and Broome County and frankly for
7 the State of New York, and we are looking
8 forward to starting the construction.

9 The applicant is seeking a 30-year
10 payment in lieu of tax agreement which has
11 been reviewed and approved by the Town of
12 Conklin and they are also going to be
13 requesting an 8 percent sales tax exemption
14 on all the materials purchased for the
15 project. They are also eligible for
16 mortgage tax exemption but they are not
17 requesting that at this time. Thank you,
18 that's it.

19 MR. MEAGHER: Is there anyone who
20 wishes to speak?

21 A SPEAKER: I do.

22 MR. MEAGHER: Okay, just state
23 your name for the record.

24 A SPEAKER: I'm Gerard Minoia, I

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1 live at 1288 Conklin Road. I've lived there
2 since 1973 and I was there before the park
3 was developed and I've watched the water
4 there. And twice we've had our house
5 totally engulfed by water twice, five feet
6 through the house. And my question is: I
7 was in the construction business all my life
8 and I know when they pave lots and build
9 buildings they create water flow. And I
10 want to know where all this extra water is
11 going to go that we have already been
12 completely flooded out twice, who -- what
13 are they saying about that? Is there any
14 thoughts about it? Have there been any
15 thoughts about it?

16 MR. McLAUGHLIN: Well, this is not
17 typically a question-and-answer session.
18 But I can tell that you is all being
19 addressed as far as construction.

20 A SPEAKER: I want to put on the
21 record that I ask that question.

22 MR. McLAUGHLIN: That's fine.

23 A SPEAKER: And the other question
24 I want to ask about that situation is: I

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1 want to know who is going to maintain the
2 egress of that flowing ditch that goes to
3 the river because nobody has done it since
4 1974. And the county has been dumping on it
5 for quite a few years now through the
6 railroad tracks. That was a cow pass. Now
7 it's got two bit pipes in it.

8 MR. McLAUGHLIN: Actually, the
9 people that can answer that will be here at
10 the board meeting tonight.

11 A SPEAKER: I'll be here. But I
12 just wanted to be put on record.

13 MR. McLAUGHLIN: That's fine, sir.

14 A SPEAKER: That I am here, and we
15 have lived here all our life and we went
16 through two floods and we rebuilt our house
17 and stayed here and paid taxes and that
18 means something to me.

19 MR. McLAUGHLIN: And it should.

20 A SPEAKER: We could have left and
21 just left a hole. And this is off the
22 record or whatever. I always said through
23 the years instead of filling lots in
24 Conklin, they should have been digging holes

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1 and making retention areas. They filled
2 rentention areas. It's what part of the
3 problem is.

4 MR. MEAGHER: They are required by
5 the State of New York to design and maintain
6 a storm water management systems which is
7 not in effect now.

8 A SPEAKER: No, I realize that
9 because when all the buildings went in they
10 had to go through that process putting
11 retention ponds in. And right here
12 (indicating) they had a huge retention pond
13 they took out right at the outflow of all
14 this water. I don't quite get it. I'm
15 going to ask them tonight why did they take
16 that out.

17 MR. McLAUGHLIN: Frankly, that was
18 required by DEC. It was made, it was
19 constructed as a dam and it was never really
20 used as a dam.

21 A SPEAKER: There was never any
22 water in it. With all the water we had
23 there was nothing -- we called it the dry
24 pond.

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1 MR. McLAUGHLIN: That's all being
2 taken into account as far as the retention
3 ponds that are required for this
4 development. So, it won't effect exactly
5 what you are talking about. Exactly what
6 Joe said, this is all being reviewed by the
7 Department of Environmental Conversation.
8 Their permit is going to have to be accepted
9 and issued before they start construction.

10 A SPEAKER: Delta engineers will
11 be here tonight.

12 A SPEAKER: I'm Arlene Dubay and
13 probably my question is inappropriate too
14 because my concern is about the
15 intersection. I walk through that
16 intersection at least six times a week and I
17 pass bicyclists, I pass a few other walkers
18 and there has never been a crosswalk put in
19 place for that intersection. I spoke when
20 that corporate park was first put in. Like
21 Gerry, I spoke about what about people who
22 cross through that intersection? And I
23 guess I was speaking to the air. So, I
24 guess I have to come to this evening's

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1 meeting also.

2 A SPEAKER: That will be a
3 situation -- I don't want to interrupt you
4 guys. That will be a situation we have to
5 take up with the state. And we already
6 applied to the state to reduce the speed
7 zone from where Old Conklin Road goes down
8 to say the bridge to Conklin Forks Road to
9 reduce it to 40 miles an hour. So, that
10 will solve that and coming down Corporate
11 Drive we also applied for that to change the
12 speed to 40.

13 A SPEAKER: They fly through that.

14 A SPEAKER: So, we've already
15 processed with the state to change it and
16 we've had a meeting with them and it's in
17 the works. I haven't heard anything back, I
18 don't know if you have.

19 MR. McLAUGHLIN: It's nothing that
20 we would control. It's strictly the state.
21 The DOT has as part of this project had to
22 review if the intersection could handle the
23 additional truck traffic and it does meet --
24 that intersection meets all requirement.

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1 Now, something that you're talking about,
2 that's a separate --

3 A SPEAKER: I did hear correctly
4 that when they construct all of the
5 facilities up there they will pay no sales
6 tax on the materials?

7 MR. McLAUGHLIN: On the materials,
8 that's right. That's part of the incentives
9 that we provided as part of that project.

10 A SPEAKER: That had to be
11 approved by Cuomo also.

12 A SPEAKER: That is incentive to
13 build, right?

14 A SPEAKER: Yes. That's only on
15 products going into the plant. After that,
16 whatever happens they have to pay sales tax.

17 MR. McLAUGHLIN: It's just the
18 materials that are going to go to the
19 building the plant itself.

20 A SPEAKER: The plant?

21 A SPEAKER: Yes, that building
22 there.

23 MR. MEAGHER: Does anyone else
24 wish to be heard?

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(Whereupon there was no response)

MR. MEAGHER: I'll ask one final
time: Does anyone else wish to be heard?

(Whereupon there was no response)

MR. MEAGHER: Hearing no further
comments, I'm going to bring this public
hearing to a conclusion and let the record
reflect it is 12:11 PM. Thank you all very
much.

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1 STATE OF NEW YORK :

2 COUNTY OF BROOME :

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4 I, LAURA SCHMIEDER, Shorthand Reporter, do
5 certify that the foregoing is a true and accurate
6 transcript of the proceedings In the Matter of a Public
7 Hearing Regarding Dick's Merchandising & Supply Chain,
8 Inc., held in Conklin, New York, on August 8, 2016.

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LAURA SCHMIEDER

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Shorthand Reporter

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Notary Public

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CZERENDA COURT REPORTING, INC

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Binghamton, New York 13901-3318

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