

1 STATE OF NEW YORK

2 COUNTY OF BROOME

3 -----

4 In the Matter of the Application by

5 KASHOU ENTERPRISES, INC.,

6 for Financial Assistance

7 -----

8 A virtual public hearing held by the Broome County
9 Industrial Development Agency on the 17th day of May,
10 2021, commencing at 5:01 PM.

11
12 BEFORE: JOSEPH B. MEAGHER
13 Counsel for Broome County
14 Industrial Development Agency

15
16 BEFORE: CZERENDA COURT REPORTING, INC.
17 PO Box 903
18 Binghamton, New York 13902-0903
19 KEVIN CALLAHAN (via video)
20 Shorthand Reporter
21 Notary Public
22 Binghamton - (607) 723-5820
23 (800) 633-9149
24

In the Matter of a Public Hearing

1 HEARING OFFICER: Good evening.
2 My name is Joseph Meagher, and I'm counsel
3 to the Broome County Industrial Development
4 Agency.

5 The Agency is conducting this
6 hearing pursuant to General Municipal Law
7 Section 859-a to seek public comment on an
8 application for financial assistance
9 submitted by Kashou Enterprises, Inc., in
10 connection with the proposed construction,
11 rehabilitation, renovation and equipping of
12 a 98,000, plus or minus, square foot Greater
13 Binghamton Sports Complex located on a
14 16.10, plus or minus, acre parcel situated
15 at 1500 Country Club Road in Town of Union,
16 County of Broome and State of New York.

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

23 A copy of the application along
24 with a cost/benefit analysis prepared by The

In the Matter of a Public Hearing

1 Agency is available for your review at The
2 Agency website located at
3 <https://theagency-ny.com>.

4 Notice of this hearing was
5 published in The Press & Sun Bulletin on
6 May 4, 2020.

7 I request that each person wishing
8 to speak state his or her name, and if
9 you're speaking on behalf of an entity or
10 organization, please, identify that entity
11 or organization.

12 The hearing will remain open until
13 all public comment is concluded. And I
14 remind each speaker that The Agency allows
15 five minutes for comment from each speaker,
16 and as you approach that limit you will be
17 so advised by a member of The Agency.

18 First I'm going to request that Tom
19 Gray, Senior Deputy Director of Operations
20 of The Agency, explain the benefits that
21 have been requested by Kashou Enterprises,
22 Inc.

23 Tom.

24 MR. GRAY: Thank you, Joe.

In the Matter of a Public Hearing

1 This -- the current project will
2 involve the construction, rehabilitation,
3 renovation and equipping of the 98,000, plus
4 are minus, square foot Greater Binghamton
5 Sports Complex to be situated on 16.10, plus
6 or minus, acres of parcel of land located at
7 1500 Country -- excuse me, County Airport
8 Road in the Town of Union, Broome County,
9 New York, to be used as a sports complex and
10 event hosting facility.

11 The company has requested financial
12 assistance from The Agency in the form of
13 abatements of sales and use taxes, a
14 mortgage tax exception and an abatement of
15 real property taxes.

16 A copy of the application along
17 with a cost/benefit analysis prepared by The
18 Agency is available for your review at The
19 Agency website located at
20 <https://theagency-ny.com>.

21 All comments made at the public
22 hearing will be transcribed by our reporter
23 and presented to The Agency's Board of
24 Directors for their review prior to any

In the Matter of a Public Hearing

1 decision on the application.

2 HEARING OFFICER: All right.

3 Thank you, Tom.

4 Reminding each speaker that the
5 limit for comment is five minutes, and,
6 please, identify yourself prior to speaking,
7 as well as identify any entity or agency
8 that you're speaking on behalf?

9 Does anyone wish to speak with
10 respect to the application of Kashou
11 Enterprises?

12 (Whereupon there was no response)

13 HEARING OFFICER: Okay. I'll ask
14 again if anyone wishes to speak with respect
15 to this application?

16 (Whereupon there was no response)

17 HEARING OFFICER: Hearing none,
18 what I'm going to do is I'm going to request
19 that we wait 10 minutes, okay, since some
20 people with this Zoom and Microsoft Teams
21 have trouble getting on sometimes.

22 MS. DUNCAN: That's fine, Joe.

23 HEARING OFFICER: Pardon?

24 MS. DUNCAN: That's fine, Joe.

In the Matter of a Public Hearing

1 Yeah.

2 HEARING OFFICER: Okay. Then if
3 we wait 10 minutes, then we can be sure we
4 captured everybody.

5 (Whereupon a short break was taken)

6 HEARING OFFICER: Before you
7 speak, Mr. Kashou, would you identify
8 yourself for the record.

9 MR. KASHOU: Sure. I'm Bob
10 Kashou. I live on -- in Binghamton, Vestal
11 Avenue, and I'm the president of Kashou
12 Enterprises.

13 HEARING OFFICER: Okay. Please,
14 speak.

15 MR. KASHOU: Thank you. I just
16 want to thank The Agency for the opportunity
17 to proceed on such a project. You know, we
18 are a great asset for the community, and I'm
19 sure a lot of you folks understand that.

20 We -- we bring in quite a bit of
21 financial support for the -- for the county
22 as a whole, for the local community with
23 this -- with the many events that we've --
24 sports events that we have run. We run some

In the Matter of a Public Hearing

1 nice national programs that we brought in a
2 lot of high-visibility athletes such as Abby
3 Wombach, Jennie Finch and others in the
4 community. We run a lot of nice, nice
5 programs, nice, nice camps that benefit the
6 community and, obviously, the local
7 children. We call it we make dreams come
8 true.

9 Really we have some kids that
10 are -- that -- that get the opportunity to
11 meet some of the biggest athletes in the
12 world and we provide them that locally in
13 Binghamton, New York, which is something we
14 should be proud of.

15 So, obviously, as you all know, we
16 had the situation with this building here
17 and we got -- the dome collapsed and now --
18 so, we want to go to the next step. So, we
19 decided to build a -- and not only a sports
20 facility but really an event center, and
21 having almost 100,000 square feet of an
22 event center in this area would be one of
23 the biggest in the northeast and will allow
24 the community to grew and allow us to bring

In the Matter of a Public Hearing

1 in more programs into the area and,
2 obviously, quite a bit of financial support
3 for the area.

4 So, we're proud of this, and it
5 should be a very nice project that you guys
6 all should be proud of.

7 HEARING OFFICER: Okay. Anything
8 else?

9 MR. KASHOU: No. That's all I
10 wanted to kind of bring to your attention.

11 HEARING OFFICER: Okay. Thank
12 you, Mr. Kashou.

13 MR. KASHOU: Thank you.

14 HEARING OFFICER: I'll -- let the
15 record reflect that 5:09. We'll wait until
16 5:15. If we don't receive anybody else
17 joining us, we will conclude the public
18 hearing at that time.

19 (Whereupon a short break was taken)

20 HEARING OFFICER: I'm going to
21 request at this time that the following
22 documents be made part of this record, the
23 record of this proceeding: 1, the notice of
24 public hearing; 2, the affidavit of

In the Matter of a Public Hearing

1 publication; 3, a letter to the taxing
2 authorities informing them of the public
3 hearing and providing them with a copy of
4 the notice of public hearing; 4, the
5 affidavit of mailing; and, 5, the affidavit
6 of posting.

7 Kevin, I will -- if you don't have
8 a copy of those, I'll --

9 THE REPORTER: I don't.

10 HEARING OFFICER: -- have my
11 paralegal scan them over to you in the
12 morning, all right.

13 THE REPORTER: Yep. Very good.
14 Thank you.

15 HEARING OFFICER: And, Kevin, you
16 can just use --

17 THE REPORTER: We're off the
18 record, right?

19 HEARING OFFICER: No. You can
20 have this on.

21 THE REPORTER: All right.

22 HEARING OFFICER: Just if you
23 would do a caption like we always do, and
24 it's in the matter of the application of

In the Matter of a Public Hearing

1 Kashou Enterprises, Inc., for financial
2 assistance.

3 THE REPORTER: Okay.

4 HEARING OFFICER: The same way we
5 always do.

6 THE REPORTER: Okay.

7 HEARING OFFICER: Okay. All
8 right. I have 5:14. So, we'll wait
9 another --

10 No one has joined us, right,
11 Brendan?

12 MR. O'BRYAN: No one new. We're
13 still at the same ones we see right here.

14 HEARING OFFICER: Okay. All
15 right. It's now 5:15. I'll ask one more
16 time. Is there anyone else who wishes to be
17 heard on the application of Kashou
18 Enterprises, Inc., for financial assistance
19 from the Broome County Industrial
20 Development Agency?

21 (Whereupon there was no response
22 from the grand jurors)

23 HEARING OFFICER: Hearing none,
24 I'm going to call this hearing to a

In the Matter of a Public Hearing

1 conclusion.

2 And we've been chatting back and
3 forth with Kevin Callahan from Czerenda
4 Court Reporting who will be providing us
5 with a record, a transcript of these
6 proceedings.

7 Okay. All right. That's it. This
8 matter is concluded. Thank you all.

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EXHIBIT:

PAGE:

1	Notice of public hearing	8
2	Affidavit of publication	8
3	Letter to the taxing authorities	8
4	Affidavit of mailing	8
5	Affidavit of posting	8

- - - - -

1 STATE OF NEW YORK :

2 COUNTY OF BROOME :

3
4 I, KEVIN CALLAHAN, Shorthand Reporter, do
5 certify that the foregoing is a true and accurate
6 transcript of the proceedings in the matter of the
7 application by Kashou Enterprises, Inc., for financial
8 assistance, held virtually on May 17, 2021.

9
10 Kevin Callahan

11 KEVIN CALLAHAN

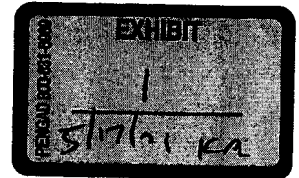
12 Shorthand Reporter

13 Notary Public

14 CZERENDA COURT REPORTING, INC

15 PO Box 903

16 Binghamton, New York 13902-0903
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23
24



NOTICE OF PUBLIC HEARING

Due to the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020 suspending the Open Meetings Law, a public hearing scheduled for May 17, 2021 at 5:00 p.m., local time, being held by the Broome County Industrial Development Agency, in accordance with the provisions of Article 18-A of the New York State General Municipal Law, with respect to Kashou Enterprises, Inc. will be held via a telephone conference call, instead of a public hearing, open for the public to attend. Members of the public may listen to the public hearing and comment on the project and the benefits to be granted to Kashou Enterprises, Inc. by the Agency during the public hearing by dialing into the conference call utilizing the contact information provided at the bottom of this Notice of Public Hearing. Comments may also be submitted to the Agency, in writing or electronically, prior to the Agency's public hearing. Minutes of the public hearing will be transcribed and posted on the Agency's website.

Kashou Enterprises, Inc., a corporation organized and existing under the laws of the State of New York, (the "Company") has requested that the Agency assist in the financing of the construction, rehabilitation, renovation and equipping of the 98,000+/- square foot Greater Binghamton Sports Complex located on a 16.10+/- acre parcel of land situate at 1500 County Airport Road in the Town of Union, Broome County, New York (the "Land") to be used as a sports complex and event hosting facility and any other directly or indirectly related activities (the "Facility") and the acquisition and installation in the Facility of certain equipment (the "Equipment"). The Land, the Facility and the Equipment are hereinafter, collectively, the "Project". The Project will be initially owned, operated and/or managed by the Company.

The Agency will acquire a leasehold interest in the Project from the Company and lease the Project back to the Company. At the end of the lease term, the Agency's interest in the Project will be reconveyed to the Company. The Agency contemplates that it will provide financial assistance to the Company in the form of the issuance of exemptions from sales and use taxes, mortgage taxes, and an abatement of real property taxes.

A copy of the Company's application to the Agency will be available for review on the Agency's website located at <https://theagency-ny.com>.

A representative of the Agency will, at the above-stated time and place, hear comments from all persons with views in favor of or opposed to either the proposed financial assistance to the Company or the location or nature of the Project.

Minutes of the hearing will be made available to the County Executive of the County of Broome.

BROOME COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

Dated: April 30, 2021

By: Stacey M. Duncan, Executive Director

Join Zoom Meeting

<https://us02web.zoom.us/j/82234976477?pwd=M3BzbWg0bjU2ZFVpcjV5VVVpadDRjUT09>

Meeting ID: 822 3497 6477

Passcode: 104277

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PRESS & SUN-BULLETIN



State of New York
City of Binghamton
County of Broome,

Nicholas Renston being duly sworn, deposes and says she is the Principal Clerk of the Binghamton Press Company Inc., publisher of the following newspaper printed in Johnson City published in the City of Binghamton, New York and of general circulation in the Counties of Broome, Chenango, Delaware, Tioga, State of New York and Susquehanna County, State of Pennsylvania PRESS & SUN BULLETIN

On the 4 day of May in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Nicholas Renston, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed, the instrument. (Signature of Notary)

A notice of which the annexed is a printed copy, was published on the following dates:

05/04/2021

[Signature]
Legal Clerk

Subscribed and sworn to before me this 4 day of May, 2021

[Signature]
Notary Public
State of Wisconsin. County of Brown

1-2-25
My commission expires

KATHLEEN ALLEN
Notary Public
State of Wisconsin

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Minutes of the hearing will be made available to the County Executive of the County of Broome.

BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Dated: April 30, 2021

By: Stacey M. Duncan, Executive Director

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+1 669 900 9128 US (San Jose)

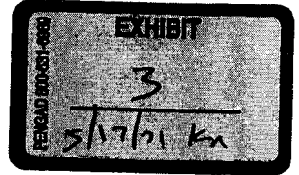
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5/4/21



THOMAS, COLLISON & MEAGHER

**Attorneys at Law
1201 Monroe Street
Post Office Box 329
Endicott, NY 13761-0329**

**Telephone: (607) 754-0410
Facsimile: (607) 754-6293
E-Mail Address: jmeagher@tcmslaw.com**

**Robert B. Thomas (1925 - 2017)
Joseph B. Meagher *
Charles H. Collison
*Also Admitted in Pennsylvania**

Gary H. Collison

April 30, 2021

(PARTIES NOTICED AT END OF CORRESPONDENCE)

**Re: BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PROPOSED KASHOU ENTERPRISES, INC. PROJECT**

Ladies and Gentlemen:

Pursuant to Section 859-a (3) of the New York General Municipal Law (the "Act"), the Broome County Industrial Development Agency (the "Agency") hereby informs you that the Agency has received an application (the "Application") from Kashou Enterprises, Inc. (the "Company") for financial assistance in connection with a project (the "Project") consisting of the following: (A) the construction, rehabilitation, renovation and equipping of the 98,000+/- square foot Greater Binghamton Sports Complex located on a 16.10+/- acre parcel of land situate at 1500 County Airport Road in the Town of Union, Broome County, New York (the "Land") to be used as a sports complex and event hosting facility and any other directly or indirectly related activities (the "Facility") and the acquisition and installation in the Facility of certain equipment (the "Equipment") (the Land, Facility and Equipment being hereinafter collectively referred to as the "Project"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, mortgage taxes, and an abatement of real property taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) of the Project to the Company or such other person or entity as may be designated by the Company and agreed upon by the Agency.

Richard A. Materese, Supervisor
Joseph Cook, Assessor
Michael T. Decker, Broome County Real Property
Jason T. Garnar, County Executive
Jerome Z. Knebel, Director, OMB
Nicole Wolfe, Superintendent
Daniel J. Reynolds
Aaron M. Martin
Kevin M. McManus
April 30, 2021
Page 2

Enclosed is a notice of public hearing to be held by the Agency relating to the proposed Project. The financial assistance being contemplated by the Agency in connection with the Project is described in said notice of public hearing.

If you have any questions regarding the foregoing, please do not hesitate to contact me.

Very truly yours,

BROOME COUNTY INDUSTRIAL
DEVELOPMENT AGENCY


Joseph E. Meagher
Agency Counsel

JBM/smm

Enc.

cc: Stacey M. Duncan (via e-mail)

Thomas M. Gray (via e-mail)

PARTIES NOTICED

Richard A. Materese
Supervisor
Town of Union
3111 East Main Street
Endwell, New York 13760

Joseph Cook
Assessor
Town of Union
3111 East Main Street
Endwell, New York 13760

Jason T. Garnar
Broome County Executive
Broome County Office Building
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P.O. Box 1766
Binghamton, New York 13902

Jerome Z. Knebel
Director, Office of Management & Budget
Broome County Office Building
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P.O. Box 1766
Binghamton, New York 13902

Michael T. Decker
Director
Broome County Real Property
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Binghamton, New York 13902

Nicole Wolfe
Superintendent of Schools
Union-Endicott Central School District
1100 East Main Street
Endicott, New York 13760

Daniel J. Reynolds
Chairman, Broome County Legislature
Broome County Office Building
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P.O. Box 1766
Binghamton, New York 13902

Aaron M. Martin
Clerk, Broome County Legislature
Broome County Office Building
60 Hawley Street, 6th Floor
P.O. Box 1766
Binghamton, New York 13902

Kevin M. McManus
Deputy Director, Broome County Legislature
Broome County Office Building
60 Hawley Street, 6th Floor
P.O. Box 1766
Binghamton, New York 13902

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BROOME COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

Dated: April 30, 2021

By: Stacey M. Duncan, Executive Director

Join Zoom Meeting

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Meeting ID: 822 3497 6477

Passcode: 104277

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+1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

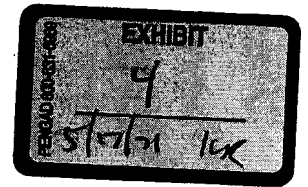
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+1 253 215 8782 US (Tacoma)

Meeting ID: 822 3497 6477

Passcode: 104277

Find your local number: <https://us02web.zoom.us/u/kbSqFa0wen>



**AFFIDAVIT OF MAILING
OF NOTICE OF PUBLIC HEARING
(KASHOU ENTERPRISES, INC. PROJECT)**

STATE OF NEW YORK:

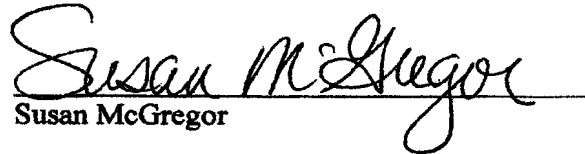
: ss.:

COUNTY OF BROOME:

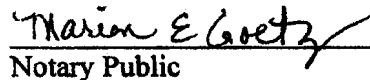
The undersigned, being duly sworn, hereby states:

That on April 30, 2021, I mailed a copy of the Notice of Public Hearing in connection with the Broome County Industrial Development Agency's proposed Kashou Enterprises, Inc. Project to the individuals set forth on page 2 hereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of April, 2021.


Susan McGregor

Subscribed to and Sworn to before
me this 30th day of April, 2021


Notary Public

MARION E. GOETZ
Notary Public, State Of New York
Broome County 4636322
My Commission Expires Sept. 30, 2022

PARTIES NOTICED

Richard A. Materese
Supervisor
Town of Union
3111 East Main Street
Endwell, New York 13760

Joseph Cook
Assessor
Town of Union
3111 East Main Street
Endwell, New York 13760

Jason T. Garnar
Broome County Executive
Broome County Office Building
60 Hawley Street
P.O. Box 1766
Binghamton, New York 13902

Jerome Z. Knebel
Director, Office of Management & Budget
Broome County Office Building
60 Hawley Street
P.O. Box 1766
Binghamton, New York 13902

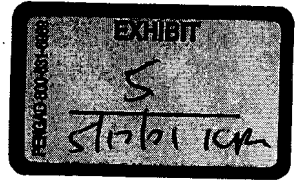
Michael T. Decker
Director
Broome County Real Property
Broome County Office Building
60 Hawley Street
P.O. Box 1766
Binghamton, New York 13902

Nicole Wolfe
Superintendent of Schools
Union-Endicott Central School District
1100 East Main Street
Endicott, New York 13760

Daniel J. Reynolds
Chairman, Broome County Legislature
Broome County Office Building
60 Hawley Street, 6th Floor
P.O. Box 1766
Binghamton, New York 13902

Aaron M. Martin
Clerk, Broome County Legislature
Broome County Office Building
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Binghamton, New York 13902

Kevin M. McManus
Deputy Director, Broome County Legislature
Broome County Office Building
60 Hawley Street, 6th Floor
P.O. Box 1766
Binghamton, New York 13902



AFFIDAVIT OF POSTING
OF NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT AND
FINANCIAL ASSISTANCE RELATING THERETO
(KASHOU ENTERPRISES, INC. PROJECT)

STATE OF NEW YORK:
: ss.:
COUNTY OF BROOME:

The undersigned, being duly sworn, hereby states:

1. That on May 3, 2021, I posted a copy of a Notice of Public Hearing in connection with the proposed Kashou Enterprises, Inc. Project to be undertaken by the Broome County Industrial Development Agency.

2. Said Notice was posted on a bulletin board located at the Town of Union Town Hall, 3111 East Main Street, Town of Union, Broome County, New York.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of May, 2021.

Daniel Yarnovich
Daniel Yarnovich

Subscribed to and Sworn before
me this 3rd day of May, 2021

Susan M. McGregor
Notary Public

SUSAN M. MCGREGOR
Notary Public, State of New York
No. 01MC6215671
Qualified in Broome County 2022
Commission Expires January 4, 2022