

1 STATE OF NEW YORK

2 COUNTY OF BROOME

3 - - - - -

4 In the Matter of the Application by
5 AMERICAN HORIZONS GROUP, LLC,
6 for Financial Assistance

7 - - - - -

8 A virtual public hearing held by the Broome County
9 Industrial Development Agency on the 18th day of May,
10 2021, commencing at 5:00 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: All right. Good
2 evening. My name is Joseph Meagher, and I'm
3 counsel to the Broome County Industrial
4 Development Agency.

5 The Agency is conducting this
6 hearing pursuant to General Municipal Law,
7 Section 859-A, to seek public comment on the
8 application for financial assistance
9 submitted by American Horizons Group, LLC,
10 in connection with the proposed construction
11 and equipping of a 21-acre housing
12 development to be located at 105 1/2 Skye
13 Island Drive in the Village of Johnson City,
14 Town of Union, Broome County, New York, to
15 be used as a 124-story housing development
16 community and any other directly or
17 indirectly related activities and the
18 acquisition and installation in the facility
19 of certain equipment.

20 The acceptance by The Agency of the
21 filing of this application does not infer
22 any position on the approval or disapproval
23 of the financial assistance requested. No
24 position will be taken by The Agency until

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1 the public hearing is concluded.

2 A copy of the application along
3 with a cost-benefit analysis prepared by The
4 Agency is available for your review at The
5 Agency's website. Notice of this hearing
6 was published in the PRESS & SUN BULLETIN on
7 May 4, 2021.

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

13 The hearing will remain open until
14 all public comment is concluded. Please,
15 limit your remarks to five minutes.

16 First I'm going to request that the
17 Executive Director of The Agency explain the
18 tax benefits that have been requested by
19 American Horizons Group, LLC.

20 Stacey.

21 MS DUNCAN: Thank you, Joe.

22 Good evening, everyone. My name is
23 Stacey Duncan, and I'm Executive Director of
24 the Broome County Industrial Development

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1 Agency.

2 We are conducting a hearing this
3 evening to seek public comment on an
4 application made to The Agency by American
5 Horizons Group, LLC, for financial benefits
6 from The Agency for a project to be located
7 on a 21-acre site situated at 105 1/2 Skye
8 Island Drive in the Village of Endicott,
9 Town of Union, Broome County, New York.

10 The project will involve the
11 construction and equipping of a proposed
12 55-and-over rental community contiguous with
13 the existing Skye View Heights housing
14 development, which will also be known as
15 Altura at Skye View Heights.

16 There will be an iron-gated front
17 entrance on Skye Island Drive leading to a
18 four-story building with landscaping, a
19 portico and fountain at the entrance.

20 The building will contain 120 units
21 consisting of one-bedroom units with a
22 fireplace, two-bedroom units with a
23 fireplace and two-bedroom units with a den
24 and a fireplace. The development will also

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1 include an indoor pool with Jacuzzi and as
2 well as community room space.

3 The company has requested financial
4 assistance from The Agency in the form of
5 abatement of sales and use taxes and
6 mortgage recording tax exception and a
7 property tax exception deviating from The
8 Agency's uniform tax exemption policy.

9 A copy of the application along
10 with a cost-benefit analysis prepared by The
11 Agency is now available for your review at
12 The Agency's website located at
13 <https://theagency-ny.com>.

14 All comments made at this public
15 hearing will be transcribed by our reporter
16 and presented to The Agency's Board of
17 Directors for their review prior to any
18 decision. Our regular board meeting will
19 take place tomorrow at noon. That will be
20 virtual, and all information related to that
21 meeting can be found, again, at the Agency's
22 website, theagency-ny.com.

23 Thank you.

24 HEARING OFFICER: Okay. Thank

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1 you, Stacey.

2 All right. I'm going to open this
3 up for public comment at this time. Is
4 there anyone who wishes to be heard? And if
5 you do, please, first state your name,
6 address, and if you're speaking on behalf of
7 an entity or organization, identify that
8 entity or organization. And, again, limit
9 your comments to five minutes. Thank you.

10 Is there anyone who wishes to
11 speak?

12 MS. ABBADESA: It looks like, it
13 just says, Galaxy tablet, raised their hand
14 to speak.

15 HEARING OFFICER: Okay.

16 MS. ABBADESA: I'm not sure who.
17 There's no name associated with that.

18 HEARING OFFICER: Have you let
19 them in?

20 MS. ABBADESA: Yeah. They just
21 have to unmute. It just --

22 Yeah. Why don't we just move on.

23 MS DUNCAN: Natalie, I think --
24 Pat, you had your hand up.

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1 MS. ABBADESA: Go ahead, Pat.

2 MR. DORNER: Okay. Can you hear
3 me?

4 MS DUNCAN: Yes.

5 MR. DORNER: Okay. My name is
6 Patrick Dorner. I'm a Village of Endicott
7 trustee trying awfully hard with little pay
8 to change the perception in Endicott that it
9 is dead for business, crime ridden and a bad
10 place to raise a family.

11 My wife and I built our home in
12 1993 on Skye Island Drive by Gouverneurs
13 Lane. It's been a great place to live. I
14 can't say I'm too enthused about our real
15 estate taxes, but I'm presently trying to
16 work on that item, also.

17 The village is starving for taxes.
18 That's no secret. It's been stagnant over
19 the past decade or two. Now we have a cliff
20 down the street from my house on the north
21 side of Endicott. It's been vacant since
22 the Good Lord created the universe. There's
23 not been one iota of interest to put
24 anything on that property until now.

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1 will go to the avenue or go to Vestal or
2 online and she gave the perception that when
3 this project is approved will cost the
4 taxpayers \$32 million in tax revenue, which
5 is totally -- I just can't believe that kind
6 of thing would be able to get in the paper.

7 She took the 20 -- she took the
8 22-and-a-half-year assessment, multiplied it
9 by two years and told the people that that's
10 the amount of loss the village would have to
11 pick up and Rocky would not be paying. She
12 never took into it all the taxes he'd be
13 paying over the 22 years.

14 So, I warned the Mayor and the
15 other village -- one of the other members
16 that when they lie or not tell the truth,
17 I'm going to -- I'm going to put them on the
18 mat for it and then tell the people the
19 truth, and that's what I did last night.

20 What else do I have?

21 I think her disapproval all comes
22 from Rocky's being against the SungEel
23 project. I can understand Rocky's position.
24 He has phase one right across the street

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1 from where SungEel was going to be. That
2 was the Mayor -- Mayor's baby to bring
3 SungEel, and now that that's been killed she
4 feels that she's going to take her revenge
5 out on Rocky and that's payback, which is --
6 which is pretty sick and pretty sad for the
7 development for the rest of us.

8 So, I am all for this project. I
9 voted last night or not last night, but the
10 week before I passed this project on for
11 approval. Proud of the decision and you --
12 you agree and put this project into effect.

13 Thank you very much.

14 HEARING OFFICER: Thank you,
15 Mr. Dorner.

16 Does anyone else to speak?

17 MS. ABBADESA: Linda Jackson, you
18 may speak.

19 MS. JACKSON: Thank you so much.

20 I'm afraid that Mr. Dorner is
21 mistaken. I am very much for this project,
22 and so is Deputy Mayor Eileen Konecny. I'm
23 just worried about the deviated PILOT. The
24 project itself is very -- no problem with

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1 it, and I'm afraid that I -- I'm not going
2 to say anything derogatory as he would
3 because I only have facts to bring out, but
4 the deviated PILOT, no other place in the
5 Village of Endicott has asked for one. We
6 have an \$85 million project that I have to
7 leave this meeting to go and attend, and
8 they haven't asked for a cent. They have
9 \$85 million invested. Plus, they have
10 \$250 million worth of equipment. Plus,
11 they're going to give us a lot of jobs. I'm
12 just very excited over that.

13 I don't mind if Rocky has this
14 housing project. I'm sure it will be really
15 nice, and it's great that these place --
16 people will have such a beautiful place to
17 live. I have no problem with that at all.
18 I just don't feel I should have to help pay
19 for it. I wouldn't pay for a mansion. I
20 wouldn't pay for a country club. I wouldn't
21 pay for any of that, to be perfectly honest
22 with you, because, as Mr. Dorner said, our
23 taxes are pretty high now, and I'm the one
24 who has to answer for all these taxes and I

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1 feel bad. I pay them, also. I want people
2 to know I pay them, also.

3 So, I'm not against this project.
4 I don't know why everybody seems to think I
5 am just because I'm against the PILOT. So,
6 I would appreciate if we could correct that
7 and go on.

8 And I don't know why he's still
9 worried about a battery company that left a
10 year ago. I -- I'm not upset about it.
11 It's gone. It's fine with me. I have no
12 idea why -- why the people that are still
13 worried about it are still fretting over it.
14 That's very confusing. We need to go on
15 with our lives.

16 So, I really want this project to
17 happen. I have found out that he does not
18 have to have a PILOT to make this happen as
19 with anybody who's spending millions of
20 dollars. If they can't afford it, scale
21 down.

22 So, thank you so much. And I'm
23 sorry I have to leave, but I have a town
24 hall meeting I have to go to. So, thank you

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1 so much for allowing me to speak.

2 HEARING OFFICER: Thank you.

3 Does anyone else wish to speak?

4 Mr. DiFrancesco, do you wish to
5 speak? Rocky?

6 MR. DiFRANCESCO: Unmute. I
7 unmuted myself.

8 HEARING OFFICER: Do you wish --

9 MR. DiFRANCESCO: Sorry.

10 HEARING OFFICER: Do you wish to
11 speak, Rocky?

12 MR. DiFRANCESCO: Well, on behalf
13 of American Horizons Group and this project,
14 I'd just like to tell you a little bit about
15 why we chose that location and why we're
16 doing the project.

17 The current Skye View is, of
18 course, if you know, if you're from the
19 area, is a sheared-off cliff. I think I
20 dramatically changed the look of that
21 hillside and I did receive the same PILOT on
22 the first phase of Skye View, and most of
23 the moneys that I saved on taxes were spent
24 on site work. I moved tens of thousands of

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1 yards of gravel. I'm 100 percent occupied
2 in there. I -- I think that the statistics
3 speak for themselves.

4 Within the next five years a
5 quarter of our population in this country
6 will be senior citizens, and if we don't
7 provide some good housing for them, they're
8 going to go elsewhere. It's as simple as
9 that.

10 That's -- a lot of the people on
11 that hillside, and I've been a commercial
12 developer for years, you can't build
13 commercial or draw new businesses to a
14 community without that balance of
15 residential to support the business, and I
16 think it would really be an asset.

17 For Linda Jackson to say that this
18 project is going to cost the taxpayers \$32
19 million, I would have liked the opportunity,
20 but she's always on her Zoom and off her
21 Zoom. She'll say what she wants, but she
22 never sticks around long enough for comment.
23 How much did the Village of Endicott or the
24 taxpayers have to repair roads, spend money

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1 on emergency and police? How much did it
2 actually cost the Village of Endicott on the
3 first phase of Skye View? I beg to differ
4 from her \$32 million. I think they may have
5 provided a few ambulances, and the people
6 that live at Skye View were not indigent.
7 I'm sure that they paid for their ambulance
8 calls.

9 The roads that were broke up, she
10 talked about the roads being destroyed, the
11 roads on Brooks and Overton were destroyed
12 before I -- from the lumber wagons of clear
13 cutting that hill taking those logs out of
14 there. All the excavating I did on that
15 site stayed on that site. I took gravel
16 from the bottom and moved it to the top and
17 I cut my own road in on that property. I
18 never drove on the city streets.

19 So, I think that a lot of Linda's
20 comments in that editorial in last Sunday's
21 paper were not factual, they were
22 misleading, and I do feel that I'm being
23 unjustly treated by the Mayor and the Deputy
24 Mayor due to the fact that it was my company

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1 that was a named plaintiff stopping SungEel,
2 which she was adamantly supporting, her,
3 Cheryl Chapman and Eileen Konecny, and I
4 feel that this is my repercussion of
5 opposing her and doing everything that I
6 could to stop SungEel.

7 But I think that this project will
8 not only have a community room,
9 indoor/outdoor pool and Jacuzzi, it will
10 also have a gym facility, a gathering area,
11 and the fireplaces will only be in the large
12 apartments, not in the one and two bedrooms.
13 It will be the two bedrooms with a den will
14 have a fireplace on the top floor.

15 But I appreciate you listening to
16 me and considering this project for some
17 financial help because the costs are going
18 to be significant, and I feel it will be a
19 real plus. This is the largest housing
20 development since George F. Johnson in
21 Endicott. There isn't anybody beating the
22 doors down, and Linda Jackson seems to think
23 that if you can't afford to do something you
24 shouldn't come asking for help.

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1 Deviated PILOTs across the country
2 have been encouraged to encourage new
3 businesses and new development in all states
4 across the country. Deviated PILOTs aren't
5 something new or something that I came up
6 with two weeks ago. Eileen Konecny --

7 MS. ABBADESA: Rocky, that's five
8 minutes. Thank you.

9 MR. DiFRANCESCO: Oh.

10 MS. ABBADESA: Sorry.

11 MR. DiFRANCESCO: Thank you.

12 MS. ABBADESA: Nick Burlingame.

13 MR. BURLINGAME: Can you hear me
14 now?

15 MS. ABBADESA: Yes.

16 MR. BURLINGAME: Okay. My name is
17 Nicholas Burlingame. I am a Village of
18 Endicott resident and trustee.

19 First, I'd like to thank Rocky for
20 his dedication to Endicott and I fully
21 support the Altura project and PILOT.
22 Endicott has a \$6 million revitalization
23 grant for Washington Avenue. This is a
24 strategic piece of the Endicott puzzle, but

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1 unaccompanied with another project the
2 overall vision could fall short. Washington
3 Avenue will have a new look, a safer feel, a
4 cleaner image, a better perception, but
5 nothing indicates that there will be
6 increased foot traffic. We need people to
7 support our local businesses, restaurants,
8 cafés and shops.

9 We are also proud that Imperium3
10 has chosen Endicott to be its new home. We
11 would love some of the young professionals
12 to relocate here and call Endicott their
13 home.

14 Right now Endicott has a very
15 limited housing market, and I feel that the
16 Altura project could free up that tight
17 housing market. The Altura project will
18 help Endicott become economically viable.
19 So, support it and thank you.

20 MS. SALMON: May I speak? Hello?

21 MS. ABBADESA: Yes.

22 MS. SALMON: Hi. May I speak?

23 MS. ABBADESA: Sure. Just state
24 your name.

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1 MS. SALMON: Okay.

2 MS. ABBADESA: And where you're
3 from.

4 MS. SALMON: Okay. My name is
5 Jackie Salmon, and I live in the Village of
6 Endicott and I think one thing that you
7 folks need to know is that the trustees on
8 the board, Nick, Pat and Ted, were all for
9 this project. And even though Linda and
10 Eileen said they were for it, it's strange
11 they talk out of both sides of their mouth
12 because then they voted no against it.

13 I think it shows with what Rocky
14 has already done on all of those houses that
15 are there, and I know a lot of the people
16 that live in those houses, and they are so
17 satisfied and so happy. And I think the
18 same thing will happen.

19 The things that Linda and Eileen
20 tend to do all the time is downplay
21 everything instead of welcoming with open
22 harms because we don't have a lot of things
23 going in Endicott like Vestal and Binghamton
24 do. So, anything that comes here is

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1 positive for the Village of Endicott and
2 positive for our tax base and everything
3 else.

4 And I just want Rocky and everyone
5 to know there, and I hope that you go along
6 with this, that we will welcome him and them
7 with open arms.

8 Thank you.

9 HEARING OFFICER: Can you hear me
10 now?

11 MS. ABBADESA: You're coming
12 through my phone, Joe.

13 HEARING OFFICER: Okay. Why don't
14 you ask if anyone else wishes to --

15 MS. ABBADESA: There is one
16 gentleman here that would like to --

17 Yep. Go ahead, sir.

18 MR. COPPOLA: Can you hear me?

19 MS. ABBADESA: Yes. Just state
20 your name, please, and where you're from.

21 MR. COPPOLA: I'm on the planning
22 board in the Village of Endicott. I have
23 sat and listened --

24 (Whereupon there was an outside

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1 interruption)

2 MR. COPPOLA: I'm sorry. I'm in a
3 car, and we're traveling.

4 My name is Larry Coppola. I'm on
5 the planning board with the Village of
6 Endicott, and I just listened to five people
7 talk about this project. This has nothing
8 to do with politics. This has nothing to do
9 with whether you are for or against this
10 project. This is strictly a financial
11 matter before the IDA to determine whether
12 the PILOT put forward by the developer is
13 meritorious.

14 I, myself, hope this project goes
15 forward. I am in favor of a PILOT, but
16 there are some qualifications to a PILOT.
17 Usually there is some negotiation involved
18 in a PILOT. There has been none as of yet.

19 I am very concerned about one
20 thing. If the PILOT goes through for 23
21 years, I would seek as a renter a
22 qualification that should it cease to be
23 senior living or get sold that the PILOT
24 either is void or goes back to the IDA for

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1 consideration.

2 And, secondly, I do feel that the
3 23 years is somewhat excessive and I know
4 between the developer and the IDA a mutually
5 acceptable level could be reached. And I
6 would like to point out the developer is
7 very proud of what he's done, and he should
8 be. With everything he puts into his
9 business he gets out quality for sale in the
10 future, and he has rightly pointed out at
11 the last meeting that Lower Skye Valley --
12 View has a 23-year PILOT, and they have far
13 exceeded their projections on how well they
14 would do. They are doing phenomenally well.
15 There is a small profit found there based on
16 his first projections, and I feel that needs
17 to be considered and I understand that he
18 paid a lot of the money back and should be
19 very, very proud of what he's doing.

20 All I ask is that the IDA -- I have
21 also sent an e-mail in that I hope everybody
22 on the board has received or if you have not
23 that it should -- that it could get put
24 forward. I just wish they will spend time

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1 to read it. I hope that they will assist in
2 this program and I wish everyone else would
3 take the politics out of it.

4 Thank you very much.

5 MS. ABBADESA: Thank you, Larry.

6 HEARING OFFICER: Okay. Do we
7 have anyone else who wishes -- Natalie, can
8 you discern whether we have --

9 MS. ABBADESA: Yeah. I don't -- I
10 don't see anybody else unmuting or --

11 MR. WARNER: Yes.

12 MS. ABBADESA: Oh.

13 MR. WARNER: Yeah. I'm -- I'm on
14 here. I would like to speak, if I could.

15 MS. ABBADESA: Sure. Yeah.

16 MR. WARNER: My name is Ted
17 Warner. I'm a trustee on the village board.

18 And if -- I think almost everybody
19 has driven by this property. And if they
20 saw it and even now, the Skye View number 1
21 was -- is 52 units, I believe, and if you
22 look at that hill, you can't even imagine
23 that anybody would have ever done a project
24 there, but the same developer did that one.

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1 It's 52 units, 100 percent occupancy. And
2 if you figure half of those people are
3 couples and half are singles, you're talking
4 about 75 people in that first development.
5 So, they're a very successful development.
6 The PILOT for that project was 23 years,
7 same thing as this one. There was no
8 negotiation done on that one. There was
9 just a 23-year request and a 23-year PILOT
10 given. So, that was very successful for
11 Endicott.

12 I'll include a comment now that I
13 was going to use as a closing comment, but
14 Rocky took it, was the new project, 120
15 units, the Altura project, is 120 units, and
16 it's the biggest housing project in the
17 history of Endicott except for when George
18 F. Johnson built EJ houses. So, this is a
19 big, viable piece of -- like Nick says, a
20 piece of the puzzle to bring Endicott back
21 to economic viability.

22 120 units, half of them are
23 couples, that's 180 people would be in
24 this -- in this project. Right now the

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1 piece of land that it's going to be built on
2 would pay in -- would pay a total amount of
3 taxes in the next 23 years, it would pay
4 \$53,000. It's been paying that kind of
5 money for decades. No one has done anything
6 up there. So, that's \$2,500 a year is all.

7 So, all of a sudden along comes the
8 developer, Mr. DiFrancesco, who is willing
9 to put his name on the line to a huge
10 project fantastic for Endicott. And what
11 this will do is give Endicott \$5 million
12 over the next 23 years. The total taxes he
13 will pay is 16 million over the next 23
14 years. Endicott will get 5 million. The UE
15 Schools will get 8 million. So, other than
16 what he's planning, there's probably no
17 other plan or development that will go up
18 there.

19 So, we have a choice, 50 -- 53,000
20 in taxes or 16 million in taxes, and I think
21 it's very easy to decide which is the best
22 one. And this is a very -- for economic
23 reviveability for Endicott this is a very
24 key piece of the puzzle.

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1 When Nick and Pat, Nick Burlingame,
2 Pat Dorner and myself at the beginning of
3 the year, we were -- we helped get rid of
4 the incinerator from last year and now we've
5 started a 10-point plan which is Endicott is
6 open for business, and this project is one
7 of the key pieces of those 10 points.

8 So, I'm for the project and I'm,
9 also, for the deviated PILOT. And thank you
10 very much.

11 HEARING OFFICER: Thank you, Ted.

12 Can you hear me now, Natalie?

13 MS. ABBADESA: Yes, we can.

14 HEARING OFFICER: Okay. All
15 right. Do we have anyone else in the lobby
16 or waiting room?

17 MS. ABBADESA: Yes. Anthony
18 Paniccia would like to speak.

19 Go ahead, Anthony.

20 MR. PANICCIA: Anthony Paniccia,
21 Delta Engineers. I've been involved with
22 Rocky's project of -- the first one and now
23 the Altura and I just want to make two
24 clarifications. One, Joe, when you started

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1 this, you said the Town of Johnson City.
2 It's in the Village of Endicott. So, that
3 would be just a note to Kevin.

4 And, secondly, everyone keeps
5 talking about no negotiations were done on
6 both projects. That's a false statement.
7 Mark Minoia has met with Joe Cook at the
8 Town of Union. They've come up with what
9 the PILOT should be. They went back and
10 forth and they've come up with the first
11 PILOT and the second PILOT. That was run by
12 Stacey at the IDA. So, negotiations have
13 occurred on the deviated PILOT, and it's
14 acceptable, to my knowledge, to all parties.
15 And I just want to make that clarification.

16 Thank you.

17 HEARING OFFICER: Thank you,
18 Anthony.

19 Natalie, do we have anyone else in
20 the waiting room?

21 MS. ABBADESA: I don't believe so
22 unless you want to do one last call.

23 HEARING OFFICER: Okay. Do we
24 have anyone else who wishes to be heard with

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1 following documents be made part of the
2 record of this proceeding: 1, the notice of
3 public hearing; 2, the affidavit of
4 publication; 3, the letter to the taxing
5 authorities informing them of the public
6 hearing and providing them with a copy of
7 the notice of public hearing; 4, the
8 affidavit of mailing; and 5, the affidavit
9 of posting.

10 Kevin, I will provide those
11 documents to you tomorrow morning and
12 request that you make them part of the
13 transcript of these proceedings.

14 That being said, I'm going to call
15 this matter to a conclusion. I want to
16 thank everybody for your comments and for
17 joining us tonight and good night and good
18 luck.

19 (Whereupon the hearing concluded at
20 5:33 PM)

21 (Whereupon Exhibits 1 through 5
22 were marked for identification)

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I N D E X

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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 American Horizons Group, LLC, for
8 financial assistance, held virtually on May 18, 2021.

9

10

Kevin Callahan

11

KEVIN CALLAHAN

12

Shorthand Reporter

13

Notary Public

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