

1 STATE OF NEW YORK

2 COUNTY OF BROOME

3 - - - - -

4 In the Matter of the Application by

5 EJ VICTORY BUILDING, LLC,

6 for Financial Assistance

7 - - - - -

8 A virtual public hearing held by the Broome County
9 Industrial Development Agency on the 15th day of
10 February, 2021, commencing at 5:00 PM.

11
12 BEFORE: JOSEPH B. MEAGHER

13 Counsel for Broome County

14 Industrial Development Agency

15
16 REPORTED BY: CZERENDA COURT REPORTING, INC.

17 71 State Street

18 Binghamton, New York 13901-3318

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 am
3 counsel to the Broome County Industrial
4 Development Agency.

5 The Agency is conducting a hearing
6 pursuant to General Municipal Law, Section
7 859-a, to seek public comment on an
8 application for financial assistance
9 submitted by EJ Victory Building, LLC, in
10 connection with a proposed market-rate
11 apartment building with a 7,500-square-foot
12 commercial space for prospective businesses
13 to be located at 59 Lester Avenue in the
14 Village of Johnson City, Town of Union,
15 County of Broome and the State of 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 for your review at

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1 the Agency's website located at
2 <https://theagency.ny.com>.

3 Notice of this hearing was
4 published in the PRESS & SUN BULLETIN on
5 February 12, 2021.

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

11 The hearing will remain open until
12 all public comment is concluded.

13 First I will ask Stacey Duncan,
14 Executive Director of the Agency, to explain
15 the project and the tax benefits that have
16 been requested by EJ Victory Building, LLC.

17 Stacey.

18 MS. DUNCAN: Thank you, Joe.

19 EJ Victory Building, LLC, and its
20 representative Matthew Paulus have submitted
21 an application to the Agency for real
22 property -- a real property tax exemption,
23 sales tax exemption and mortgage recording
24 tax exemption per our uniform tax exemption

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1 policy.

2 The project includes a -- the
3 adaptive reuse and redevelopment of
4 59 Lester Avenue, a building in the Village
5 of Johnson City that has sat dormant for a
6 number of years.

7 Mr. Paulus acquired the building
8 about two years ago and seeks to renovate
9 the building with 1 -- initially 108
10 market-rate apartments, as Joe mentioned,
11 about 7,500 square feet of commercial space.
12 Mr. Paulus will be utilizing programs
13 including the brownfield remediation and
14 cleanup program, tax credit program, the
15 historic tax credit program, as well as
16 seeking Agency benefits.

17 He is seeking a 30-year PILOT.
18 Because this is a deviation from our
19 standard term, Mr. Paulus did seek the
20 approvals of the municipality and its taxing
21 jurisdictions. On December 15th of last
22 year the Village of Johnson City Board
23 approved the PILOT benefits unanimously, and
24 as such the application has moved through

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1 the Agency's process up until our public
2 hearing date today.

3 Total project cost is just shy of
4 \$30 million. Sales tax benefits is about
5 \$1.4 million. Mortgage recording tax,
6 \$250,000. Property -- real property tax
7 exemption is about 2.7 million.

8 A cost-benefit analysis was
9 provided to the board of directors at the
10 time of acceptance and review of the
11 application. Mr. Paulus will create three
12 to four permanent jobs through Paulus
13 Development that will maintain and operate
14 this building, as well as Matthew --
15 Mr. Paulus' other property in Binghamton,
16 the Ansco Camera Factory project.

17 This project will rehabilitate a
18 substantially vacant historic building in
19 Johnson City into a thriving mixed-use
20 structure with a combination of market-rate
21 and residential units and commercial space.

22 HEARING OFFICER: All right. At
23 this time I'm going to ask if anyone wishes
24 to make a public comment and, again, I will

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1 repeat that if you're speaking on behalf of
2 an entity or organization, please, identify
3 that organization and, please, identify
4 yourself prior to speaking.

5 Does anyone wish to be heard
6 regarding this project?

7 MR. SOLAK: Yes, I do, if you can
8 hear me.

9 HEARING OFFICER: I can. We can.

10 MR. SOLAK: Okay. My name -- my
11 name is John Solak, and if anybody has
12 trouble hearing me, just say so.

13 I note with interest that, well,
14 this project has been failed already at
15 least a couple of times in various forms.
16 Politicians have been out in front heralding
17 the dawn of a new era, and for some strange
18 reason this building never made any progress
19 even though the politicians took credit for
20 it, no completion bond or anything like
21 that.

22 So, here we are with a young
23 developer, and I -- I disagree with the fact
24 that the IDA hasn't made a decision on this

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1 because you've granted Matt Paulus \$200,000
2 worth of working capital, and, to my
3 knowledge, he hasn't got any other projects
4 going that would require that \$200,000. So,
5 if that money has been disbursed, you have
6 already, essentially, approved this project
7 despite the protestations to the contrary.

8 You know, the late Jack Cheevers,
9 who was the Superintendant -- Supervisor in
10 the Town of Union at the time of the NYSEG
11 Stadium told me that he objected to the
12 stadium being located there because you
13 don't use up valuable rail link space for --
14 for that type of project, and this is
15 another misuse of what is a valuable rail
16 corridor that really will affect our future.

17 Not to mention the fact that you
18 know my objection that people that live near
19 trains. I can hear a train where I am and
20 I'm far, far away from those sites. People
21 don't last long in those kind of buildings
22 unless you're on the 3:00 AM shift somewhere
23 and not there. Those trains go pretty fast
24 when they move. They carry a lot of

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1 hazardous substances. Railroad track living
2 is not for me.

3 I -- I think that this project is a
4 waste, I think, and it's interesting, you
5 know, for many years at governmental
6 meetings we were told that the real thing
7 that was keeping Broome County behind was
8 the mentality of the EJ worker. Once those
9 people had passed on, we could make real
10 progress, and it's interesting to note that
11 these assets that were built by workers like
12 my grandparents, my father, my aunt are --
13 are still being gobbled up by Binghamton
14 University and others, and we're still
15 operating off the fumes of those Ellis
16 Island immigrants' labor.

17 So, I -- I don't think this is a
18 wise idea. I don't think the project is
19 needed. I think it's unnecessary, but more
20 importantly, since we've -- and the history
21 of this building, by the way, is interesting
22 because a guy had a storage, automobile
23 storage, place there and he didn't pay the
24 taxes, I guess he was from Johnson City, and

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1 then he got cute. In order to prolong
2 foreclosure he moved to Florida, filed
3 bankruptcy down there costing the county --
4 they hired a white-shoe law firm down in
5 Florida costing the county over six figures
6 in legal fees to get the property back.
7 That -- that was a big expense, and, to my
8 knowledge, the county when these buildings
9 were sold never got really the full amount
10 of the back taxes and the legal fees. And,
11 perhaps, that was the county's fault for --
12 for getting this property back and not
13 letting the -- and fighting the bankruptcy
14 and not letting the Bankruptcy Court
15 determine its fate.

16 But you didn't make out very good
17 with Isaac Anzaroot. That was a failure. I
18 brought it up. He flipped it. And I think
19 it should be noted here that Jason Garnar's
20 biggest campaign contributor other than his
21 father, his parent, is Matthew Paulus,
22 Matthew Paulus, his wife, Ansco
23 Freewheeling, Ansco, LLC.

24 MS. ABBADESSA: Thirty seconds,

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1 John.

2 MR. SOLAK: Excuse me?

3 MS. ABBADESSA: Thirty seconds.

4 MR. SOLAK: I didn't realize we
5 were on a time basis. Joe didn't -- did Joe
6 announce that plan?

7 HEARING OFFICER: I did not
8 disclose it, but we are limiting speakers to
9 five minutes.

10 MR. SOLAK: Okay. Well, that
11 would be nice to know.

12 Anyway, Jason Garnar has received
13 \$10,000 or more in campaign contributions
14 from the Paulus enterprise, some of them
15 made after you gave the -- the working
16 capital to Mr. Paulus. He doesn't know a
17 cap rate. I've got him on tape. He doesn't
18 know what a cap rate is. He's a neophyte.
19 You're going to be in big, big problems with
20 this kid and --

21 MS. ABBADESSA: Thank you, John.

22 MR. SOLAK: Thank you.

23 HEARING OFFICER: Thank you, John.

24 All right. Does anyone wish to

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1 speak?

2 MR. DEEMIE: Yeah. Excuse me. I
3 do, Mayor Deemie with the Village of Johnson
4 City.

5 Yeah. It's great in this -- this
6 great country we can agree to disagree. I
7 mean, you know, Mr. Solak loves to disagree
8 with a lot of these projects we have going
9 on, and, you know, it's his right to do
10 that. He seems to have, you know,
11 information he likes to put out there in
12 regards to this, but I don't believe all of
13 his information is correct. Again, he
14 always seems to have a reason for not having
15 these projects. He never seems to have an
16 idea to what to do with these projects or
17 something in place of those.

18 As you stated before, Stacey, the
19 village board did vote unanimously to agree
20 to the 30-year PILOT. We believe in
21 Mr. Paulus. I've met Mr. Paulus. He's a
22 fine individual. He's got a great project
23 lined up. He did a great job with the Ansco
24 Camera Factory project. I have all the

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1 faith in the -- faith that this project will
2 come to fruition.

3 Yes, we did have a little bump in
4 the road with Mr. Anzaroot. Don't know what
5 his real problems were, but, yeah, he did
6 buy the building and he did flip it, held
7 onto it for a couple years. I don't know
8 the reason behind it or what the reasoning
9 was.

10 Again, with the car place, yes,
11 some of that information is correct, but
12 there's other information in regards to
13 that.

14 But we are fully behind the project
15 moving forward and fully behind Mr. Paulus
16 and his company in regards to doing what we
17 need to do on our end to make sure this
18 project comes to fruition and that it is a
19 success.

20 You know, in regards to the rail,
21 yeah, there's a rail line there. It's used
22 periodically. And what he says, yeah, there
23 is -- you know, train cars go back and
24 forth, but what I'm told most of them are

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1 empty because I did check into that once
2 because they kind of scared me, the
3 hazardous cars that were there, but we
4 checked into that with Endwell, and that's
5 the empty ones coming back through.

6 You know, in regards to, you know,
7 what we've seen and what we know about
8 Mr. Paulus and the project that he's put
9 forth, we're very excited about it. We
10 think it's -- again, as I said, I think it's
11 a great project.

12 Like I said, I've had many
13 conversations with Mr. Paulus. He's been
14 very forthcoming with everything. He's
15 been, you know, working really well with us
16 working with everybody else in regards to
17 making this project happen, and I don't see
18 any reason why it's not going to happen
19 and -- and move forward.

20 I think it's -- you know, we've had
21 a building that's an eyesore that I can
22 actually see from my house, and, again, it's
23 an eyesore that needs to be taken care of.
24 It's the biggest -- one of the biggest

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1 buildings in -- in Broome County. It's a
2 very prominent building. You can see it
3 from the highway everywhere, and it needs to
4 be taken care of. And I believe Mr. Paulus
5 and his company will do that and will make a
6 great project out of this, and you've seen
7 some of the renderings and stuff that's been
8 forward.

9 I'm very excited and can't wait to
10 see -- see the final project. So, looking
11 forward for that ribbon -- ribbon cutting,
12 Matt, and that groundbreaking.

13 So, thank you very much.

14 HEARING OFFICER: Thank you,
15 Mayor.

16 All right. Does anyone else wish
17 to speak?

18 (Whereupon there was no response)

19 HEARING OFFICER: Stacey, is there
20 anyone else who signed in who may be
21 having --

22 MS. DUNCAN: Joe, somebody is
23 signing in right now. I'm not sure --

24 HEARING OFFICER: Okay.

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1 MS. DUNCAN: -- if they're going
2 to want to speak or not.

3 HEARING OFFICER: Other than this
4 one is there anyone who else may be having
5 muting problems?

6 MS. SLOTA: Don Slota is here.

7 MS. DUNCAN: Did Don wish to
8 speak?

9 MS. SLOTA: Well --

10 MR. SLOTA: No thank you.

11 MS. SLOTA: No. I'm going to log
12 off and get back on for him and see if it
13 works.

14 MS. DUNCAN: It works. We --

15 HEARING OFFICER: Yeah. We can
16 see.

17 MS. SLOTA: Oh, you can?

18 MS. DUNCAN: Yep.

19 HEARING OFFICER: Yes.

20 MS. SLOTA: Well, then, how come
21 he can't see you, all of you?

22 HEARING OFFICER: Well, we can
23 listen to him.

24 MR. SLOTA: Okay.

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1 MS. SLOTA: Don't.

2 HEARING OFFICER: Well, there's a
3 ringing endorsement.

4 Would you state your name for the
5 record.

6 MS. SLOTA: His wife.

7 I don't know where you want it.

8 MR. SLOTA: I'm just Don Slota,
9 I'm with the ZBA of Johnson City.

10 HEARING OFFICER: Well, we can
11 both see and hear you.

12 MS. DUNCAN: Yep. We hear you.

13 MS. SLOTA: Okay. Good. Thank
14 you.

15 MS. DUNCAN: Did you want to speak
16 on the record, Mr. Slota?

17 MS. SLOTA: No. No. That's okay.
18 No. I don't have anything to say. I'm
19 listening in.

20 MS. DUNCAN: Just making sure it's
21 working, yeah.

22 MS. SLOTA: A lot of good
23 viewpoints here.

24 HEARING OFFICER: Okay.

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1 MS. DUNCAN: Okay. And other than
2 that we don't have anyone noting in the chat
3 that they wish to speak, or, Natalie, I
4 don't think we have anyone in the waiting
5 room.

6 MS. ABBADESSA: No.

7 HEARING OFFICER: Is that it?
8 Okay.

9 All right. Well, if we have no
10 more speakers, we will call this hearing to
11 a conclusion and -- I'm sorry. Was it
12 Mr. Slota, the last --

13 MR. SLOTA: That's right.

14 HEARING OFFICER: Mr. Slota.

15 MR. SLOTA: S-L-O-T-A.

16 HEARING OFFICER: The hearing
17 video will be available on our website if
18 you want to hear the two previous speakers,
19 okay?

20 MS. SLOTA: Thank you.

21 HEARING OFFICER: All right. When
22 would that be available, Natalie?

23 MS. ABBADESSA: Probably five
24 minutes after.

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1 HEARING OFFICER: Oh, okay. So,
2 just tune into the website, Mr. Slota, and
3 you can watch the video of the two, if you
4 missed it, if you missed the two previous
5 speakers.

6 All right. So, I'll ask again is
7 there anyone else that wishes to be heard
8 either for or against or neutral on the EJ
9 Victory Building, LLC, IDA project?

10 (Whereupon there was no response)

11 HEARING OFFICER: Hearing none, I
12 will draw this --

13 MS. ABBADESSA: Wait. Joe, I
14 think we have --

15 MS. BEEBE: Karen, Karen Beebe.

16 HEARING OFFICER: Oh, I'm sorry.

17 MS. BEEBE: Hi. Thank you.

18 Karen Beebe. I'm the Broome County
19 Legislator for District 12, which that
20 covers Johnson City and actually has the
21 Victory Building within that jurisdiction.

22 I just want to express my pleasure
23 with this. I think it's awesome. I love
24 restoration of historic buildings. I think

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1 it preserves the, well, the history of the
2 area and I think it's really important
3 moving forward.

4 I noted that there were going to be
5 108 market-rate apartments within the
6 structure and then 7,500 square feet of
7 retail space. I would just like to note
8 maybe consider adding -- maybe reducing 108
9 market-rates to maybe 100 and having a lower
10 income or low-to-moderate income units
11 available because I know that's an issue
12 that we struggle with locally.

13 But, otherwise, I fully support
14 this project. I think it's great and I
15 really look forward to seeing what that
16 looks like on the other side of that
17 construction.

18 So, thank you.

19 HEARING OFFICER: Thank you very
20 much for your comments.

21 All right. Has anyone else tuned
22 in who would like to be heard either for or
23 against this project?

24 (Whereupon there was no response)

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1 HEARING OFFICER: Hearing none,
2 I'll try to draw this to a conclusion again
3 and I'm going to ask that the notice of
4 public hearing, affidavit of -- affidavits
5 of mailing and affidavit of posting be
6 spread upon the record of these proceedings.

7 A transcript of all comments made
8 tonight will be provided to the members of
9 the Board of Directors of the Broome County
10 Industrial Development Agency prior to their
11 making a decision on this project.

12 Natalie, is there anything else
13 from the Agency side?

14 MS. ABBADESSA: Nope. We're all
15 set.

16 HEARING OFFICER: Okay. All
17 right. We are concluded. Thank you all
18 very much.

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

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

23 - - - - -
24

I N D E X

EXHIBIT:

PAGE:

1	Notice of public hearing	20
2	Affidavit of mailing	20
3	Affidavit of posting	20
4	Affidavit of publication	20
5	Letter to the taxing authorities	20

- - - - -

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 EJ Victory Building, LLC, for financial
8 assistance, held virtually on February 15, 2021.

9
10
11 

12 -----
13 KEVIN CALLAHAN

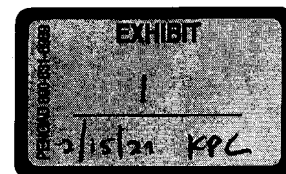
14 Shorthand Reporter

15 Notary Public

16 CZERENDA COURT REPORTING, INC

17 71 State Street

18 Binghamton, New York 13901-3318
19
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21
22
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, and amended by Executive Order 202.92 issued January 27, 2021, suspending the Open Meetings Law through February 26, 2021, a public hearing scheduled for February 15, 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 EJ Victory Building, LLC 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 EJ Victory Building, LLC by the Agency during the public hearing by dialing into the conference call via the Zoom contact information below. Comments may also be submitted to the Agency in writing or electronically prior to the Agency's February 15, 2021 public hearing. Minutes of the public hearing will be transcribed and posted on the Agency's website.

EJ Victory Building, LLC, a limited liability company 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 acquisition, renovation, and equipping of 265,000+/- square feet within the building located on a 4.13+/- acre parcel of land situate at 59 Lester Avenue in the Village of Johnson City, Town of Union, Broome County, New York (the "Land") to be used as 108 market rate apartments and 7,500+/- square feet of commercial space for prospective businesses 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 tax, and an abatement of real property taxes deviating from the Agency's Uniform Tax Exemption Policy.

A copy of the Company's application to the Agency will be available for review at 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.

BROOME COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

Dated: February 28, 2021
Director

By: Stacey M. Duncan, Executive

Zoom Meeting Information:

Join Zoom Meeting

[https://us02web.zoom.us/j/83735649906?](https://us02web.zoom.us/j/83735649906?pwd=U0wvdGxsRGFFRFMrL1lsSU5PNi9sZz09)
[pwd=U0wvdGxsRGFFRFMrL1lsSU5PNi9sZz09](https://us02web.zoom.us/j/83735649906?pwd=U0wvdGxsRGFFRFMrL1lsSU5PNi9sZz09)

Meeting ID: 837 3564 9906

Passcode: 471550

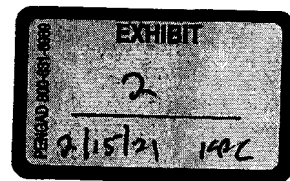
One tap mobile

+16465588656,,83735649906#,,,,*471550# US (New
York)

+13017158592,,83735649906#,,,,*471550# US
(Washington DC)

Dial by your location

- +1 646 558 8656 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 312 626 6799 US (Chicago)
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 669 900 9128 US (San Jose)



AFFIDAVIT OF MAILING
OF NOTICE OF PUBLIC HEARING
(EJ VICTORY BUILDING, LLC PROJECT)

STATE OF NEW YORK:

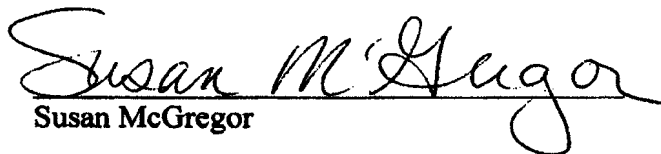
: ss.:

COUNTY OF BROOME:

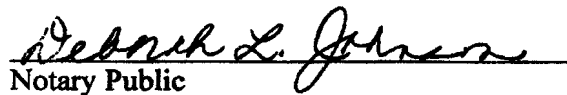
The undersigned, being duly sworn, hereby states:

That on January 28, 2021, I mailed a copy of the Notice of Public Hearing in connection with the Broome County Industrial Development Agency's proposed EJ Victory Building, LLC Project to the individuals on the "List of Parties Noticed" attached hereto:

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of January, 2021.


Susan McGregor

Subscribed to and Sworn to before me
this 28th day of January, 2021


Notary Public

DEBORAH L. JOHNSON
Notary Public, State of New York
Registration No. 01JO4623704
Qualified in Broome County
Commission Expires 01/31/23

LIST OF PARTIES NOTICED

Gregory W. Deemie
Mayor
Village of Johnson City
243 Main Street
Johnson City, New York 13790

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

Michael T. Decker
Director
Broome County Real Property
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

Daniel J. Reynolds
Chairman, Legislative Branch
Broome County Office Building
60 Hawley Street
P.O. Box 1766
Binghamton, New York 13902

Aaron M. Martin
Clerk, Legislative Branch
Broome County Office Building
60 Hawley Street
P.O. Box 1766
Binghamton, New York 13902

Mary Kay Roland
Superintendent
Johnson City Central School District
666 Reynolds Road
Johnson City, New York 13790

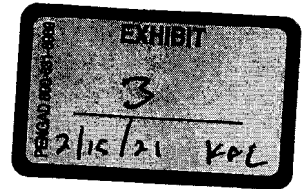
Joseph Cook
Assessor
Town of Union
3111 East Main Street
Endwell, New York 13760

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

Joseph M. Moody
Director of Economic Development
Town of Union
3111 East Main Street
Endwell, New York 13760

Kevin M. McManus
Deputy Director, Legislative Branch
Broome County Office Building
60 Hawley Street
P.O. Box 1766
Binghamton, New York 13902

AFFIDAVIT OF POSTING
OF NOTICE OF PUBLIC HEARING
ON PROPOSED PROJECT AND
FINANCIAL ASSISTANCE RELATING THERETO
(EJ VICTORY BUILDING, LLC PROJECT)



STATE OF NEW YORK:

: ss.:

COUNTY OF BROOME:

The undersigned, being duly sworn, hereby states:

1. That on January 29, 2021, I posted a copy of a Notice of Public Hearing in connection with the proposed EJ Victory Building, LLC Project to be undertaken by the Broome County Industrial Development Agency.

2. Said Notice was posted on a bulletin board located at the Village of Johnson City Village Hall, 243 Main Street, Village of Johnson City, Broome County, New York.

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of January, 2021.

Daniel Yarnovich
Daniel Yarnovich

Subscribed to and Sworn before me
this 29th day of January, 2021

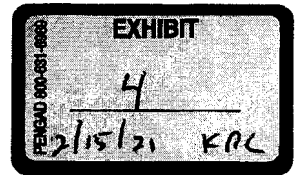
Susan M. McGregor
Notary Public

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

AFFIDAVIT OF PUBLICATION

0004578964, BGM-086470

PRESS & SUN-BULLETIN



State of New York
City of Binghamton
County of Broome,

Nicholas Renstrom 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 1 day of February in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Nicholas Renstrom, 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:

02/01/2021

[Signature]
Legal Clerk

Subscribed and sworn to before me this 1 day of February, 2021

[Signature: Kathleen Allen]
Notary Public
State of Wisconsin. County of Brown

1-17-25
My commission expires

KATHLEEN ALLEN
Notary Public
State of Wisconsin

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, and amended by Executive Order 202.92 issued January 27, 2021, suspending the Open Meetings Law through February 26, 2021, a public hearing scheduled for February 15, 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 EJ Victory Building, LLC 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 EJ Victory Building, LLC by the Agency during the public hearing by dialing into the conference call via the Zoom contact information below. Comments may also be submitted to the Agency in writing or electronically prior to the Agency's February 15, 2021 public hearing. Minutes of the public hearing will be transcribed and posted on the Agency's website.

EJ Victory Building, LLC, a limited liability company 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 acquisition, renovation, and equipping of 265,000+/- square feet within the building located on a 4.13+/- acre parcel of land situate at 59 Lester Avenue in the Village of Johnson City, Town of Union, Broome County, New York (the "Land") to be used as 108 market rate apartments and 7,500+/- square feet of commercial space for prospective businesses 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 tax, and an abatement of real property taxes deviating from the Agency's Uniform Tax Exemption Policy.

A copy of the Company's application to the Agency will be available for review at 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.

BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Dated: February 28, 2021

By: Stacey M. Duncan, Executive Director

Zoom Meeting Information:

Join Zoom Meeting

<https://us02web.zoom.us/j/83735649906?pwd=U0wvdGxsRGFFRFMrL1hSU5PNi9sZz09>

Meeting ID: 837 3564 9906

Passcode: 471550

One tap mobile

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+13017158592,,83735649906#,,,,*471550# US (Washington DC)

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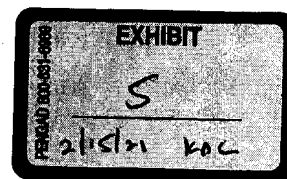
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+1 346 248 7799 US (Houston)

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2/1/2021

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E-Mail Address: jmeagher@tcmslaw.com**

**Robert B. Thomas (1925 - 2017)
Joseph B. Meagher *
Charles H. Collison**

Gary H. Collison

***Also Admitted in Pennsylvania**

(LIST OF PARTIES NOTICED ON LAST PAGE)

January 28, 2021

**Re: BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PROPOSED EJ VICTORY BUILDING, LLC 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 EJ Victory Building, LLC (the "Company") for financial assistance in connection with a project (the "Project") consisting of the following: (A) the renovation and equipping of 265,000+/- square feet within the building located on a 4.13+/- acre parcel of land situate at 59 Lester Avenue in the Village of Johnson City, Town of Union, Broome County, New York (the "Land") to be used as 108 market rate apartments and 7,500+/- square feet of commercial space for prospective businesses 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 tax, and an abatement of real property taxes deviating from the Agency's Uniform Tax Exemption Policy (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.

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.

(LIST OF PARTIES NOTICED ON LAST PAGE)

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

Very truly yours,

BROOME COUNTY INDUSTRIAL
DEVELOPMENT AGENCY


Joseph B. Meagher
Agency Counsel

JBW/smm

Enc.

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

Thomas M. Gray (w/enc.) (via e-mail)

(LIST OF PARTIES NOTICED)

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Johnson City, New York 13790

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Chairman, Legislative Branch
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Assessor
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Kevin M. McManus
Deputy Director, Legislative Branch
Broome County Office Building
60 Hawley Street
P.O. Box 1766
Binghamton, New York 13902

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**BROOME COUNTY INDUSTRIAL
DEVELOPMENT AGENCY**

Dated: February 28, 2021

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+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)