1	STATE OF NEW YORK,
2	BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY
3	
4	Public Hearing Regarding
5	L3 TECHNOLOGIES, INC. AND TRACK DRIVE, LLC
6	
7	A Public Hearing held at 70 Crescent Drive,
8	Kirkwood, New York, on the 16th day of November, 2018,
9	commencing at 12:00 PM.
10	
11	BEFORE: JOSEPH B. MEAGHER, ESQ
12	Counsel for Broome County
13	Industrial Development Agency
14	
15	REPORTED BY: CZERENDA COURT REPORTING, INC.
16	71 State Street
17	Binghamton, New York 13901-3318
18	JESSICA BRIELMEIER
19	Shorthand Reporter
20	Notary Public
21	Binghamton - (607) 723-5820
22	(800) 633-9149
23	
24	

HEARING OFFICER: Good afternoon.

My name is Joseph Meagher and I am counsel

to the Broome County Industrial Development

Agency.

The Agency is conducting a hearing pursuant to General Municipal Law section 859A to seek public comment on the application for financial assistance submitted by L3 Technologies, Inc., and Track Drive, LLC in connection with a proposed industrial and manufacturing site to be located at 147 Industrial Park Drive in the Town of Kirkwood, County of Broome and State of New York.

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

A copy of the application, along with a cost-benefit analysis prepared by the Agency is available for your review.

Notice of this hearing was published in the PRESS & SUN-BULLETIN on October 26th, 2018. I request that each person wishing to speak state his or her name, and if you are speaking on behalf of an entity or organization, please identify that entity or organization. The hearing will remain open until all public comment is concluded.

First, I will ask Kevin McLaughlin, Executive Director of the Agency, to explain the tax benefits that have been requested by L3 Technologies, Inc, and Track Drive, LLC.

Kevin.

MR. MCLAUGHLIN: Thank you, Joe.

I'm Kevin Mclaughlin, Executive Director of the Broome County Developmental Agency. L3

Technologies, Inc and Track Drive, LLC are seeking assistance from the Broome County

IDA to relocate L3 Technologies from their current location at 265 Industrial Park

Drive to 147 Industrial Park Drive. L3 is also considering the relocation of their entire operation to L3 headquarters in

Arlington, Texas.

If the 147 Industrial Park Drive location is selected, L3 will retain the 103 jobs currently at the 265 Industrial Park Drive location and add an additional 13 jobs.

The 147 Industrial Park Drive project consists of 80,000-square-feet that is presently owned by Track Drive, LLC.

Track Drive plans to construct an additional 20,000-square-feet and lease the entire 100,000-square-feet to L3.

The total project cost is currently estimated at \$9,300,000. L3, Track and Drive, LLC are seeking a standard payment in lieu of tax agreement, along with sales tax and a mortgage tax exemption. Thank you.

HEARING OFFICER: Does anybody wish to be heard on this application?

MR. KNIFFEN: Gordie Kniffen, Town of Kirkwood. First of all let me say this:

L3 Technologies has been here for years and years and we hope that they'll be here for more years. And I'm an ex-employee of Link

and I'm gad we are going to work on the situation for them so that it's good for everybody.

I just want to say one thing for the record. The pilot as I understand it, is a standard IDA pilot, which is really not open to dispute?

HEARING OFFICER: Correct.

MR. KNIFFEN: Okay. Because there was a board member too that was questioning the pilot, okay. But they were going to be here, and they're not here. So I just wanted to make that for the record, okay. Thank you.

HEARING OFFICER: Does anybody else wish to be heard? Anyone else?

(Whereupon there was no response)

HEARING OFFICER: Hearing none,

I'm going to bring this hearing to a

conclusion. And I'm going to provide to our

stenographer the notice of public hearing;

affidavit of publication; the letter to the

taxing authorities, informing them of the

public hearing and providing them with a copy

of the notice of public hearing; the	
affidavit of mailing; and the affidavit	of
posting and request that they be spread	upon
the record of these proceedings.	

That being said this matter is concluded. Thank you all.

(Whereupon the hearing concluded at 12:06 PM)

(Whereupon Exhibits 1 through 6 were marked for identification)

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2		I N D E X	
3			
4	EXHIBIT:		PAGE:
5	1	Notice of public hearing	5
6	2	Affidavit of publication	5
7	3	Letter to taxing authorities	5
8	4	Affidavit of mailing	6
9	5	Affidavit of posting	6
10	6	List of attendees	6
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STATE	OF	$N \to W$	YORK:
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COUNTY OF BROOME:

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I, JESSICA BRIELMEIER, Shorthand Reporter, do certify that the foregoing is a true and accurate transcript of the proceedings in the matter of L3 Technologies, Inc and Track Drive, LLC, held in Kirkwood, New York, on November 16th, 2018.

3 JESSICA BRIELMEIER

4 Shorthand Reporter

Notary Public

6 CZERENDA COURT REPORTING, INC

71 State Street

Binghamton, New York 13901-3318

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STATE OF NEW YORK,
BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Public Hearing Regarding
L3 TECHNOLOGIES, INC. AND TRACK DRIVE, LLC
A Public Hearing held at 70 Crescent Drive,
Kirkwood, New York, on the 16th day of November, 2018,
commencing at 12:00 PM.
BEFORE: JOSEPH B. MEAGHER, ESQ
Counsel for Broome County
Industrial Development Agency
REPORTED BY: CZERENDA COURT REPORTING, INC.
71 State Street
Binghamton, New York 13901-3318
JESSICA BRIELMEIER
Shorthand Reporter
Notary Public
Binghamton - (607) 723-5820
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My name is Joseph Meagher and I am counsel

to the Broome County Industrial Development

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(Whereupon there was no response)

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I'm going to bring this hearing to a

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stenographer the notice of public hearing;

affidavit of publication; the letter to the

taxing authorities, informing them of the

public hearing and providing them with a copy

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of the notice of public hearing; the affidavit of mailing; and the affidavit of posting and request that they be spread upon the record of these proceedings.

That being said this matter is concluded. Thank you all.

(Whereupon the hearing concluded at 12:06 PM)

(Whereupon Exhibits 1 through 6 were marked for identification)

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PAGE:

I N D E X EXHIBIT: Notice of public hearing Affidavit of publication Letter to taxing authorities Affidavit of mailing Affidavit of posting List of attendees 

1	
2	STATE OF NEW YORK:
3	COUNTY OF BROOME:
4	
5	I, JESSICA BRIELMEIER, Shorthand Reporter,
6	do certify that the foregoing is a true and accurate
7	transcript of the proceedings in the matter of L3
8	Technologies, Inc and Track Drive, LLC, held in
9	Kirkwood, New York, on November 16th, 2018.
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11	
12	
13	JESSICA BRIELMEIER
14	Shorthand Reporter
15	Notary Public
16	CZERENDA COURT REPORTING, INC
17	71 State Street
18	Binghamton, New York 13901-3318
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#### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing, pursuant to Article 18-A of the New York State General Municipal Law, will be held by the Broome County Industrial Development Agency (the "Agency") on the 16<sup>th</sup> day of November, 2018 at 12:00 p.m., noon, local time, at the Town Hall of the Town of Kirkwood, 70 Crescent Drive, Town of Kirkwood, Broome County, New York 13795 in connection with the following matters:

L3 Technologies, Inc., a corporation organized and existing under the laws of the State of Delaware, and Track Drive, LLC, a limited liability company organized and existing under the laws of the State of New York (collectively, the "Company") have requested that the Agency assist in the financing of the leasing, renovation and equipping of a 100,000+/- square foot building located on 7.30+/- acres of land situate at 147 Industrial Park Drive in the Town of Kirkwood, Broome County, New York (the "Land") to be used as an industrial and manufacturing site (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, during regular business hours, at the Agency's offices located at FIVE South College Drive, Suite 201, Binghamton, New York 13905.

A representative of the Agency will, at the above-stated time and place, hear and accept written 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: October 24, 2018 By: Kevin McLaughlin, Executive Director



#### AFFIDAVIT OF MAILING OF NOTICE OF PUBLIC HEARING (L3 TECHNOLOGIES, INC. AND TRACK DRIVE, LLC PROJECT)

STATE OF NEW YORK:

: ss.:

COUNTY OF BROOME:

The undersigned, being duly sworn, hereby states:

That on October 24, 2018, I mailed a copy of the Notice of Public Hearing in connection with the Broome County Industrial Development Agency's proposed L3 Technologies, Inc. and Track Drive, LLC Project to the following individuals:

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

Jason A. Andrews Ed. D. Superintendent Windsor Central School District 1191 NY Route 79 Windsor, New York 13865

Gordon E. Kniffen Supervisor Town of Kirkwood 70 Crescent Drive Kirkwood, New York 13795

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

IN WITNESS WHEREOF, I have hereunto set my hand this 24th day of October, 2018.

Subscribed to and Sworn to before me

this 24th day of October, 2018

JOSEPH B. MEAGHER Notary Public, State of New York
Broome County 02ME4974837
Commission Expires Nov. 26, 20



#### AFFIDAVIT OF POSTING OF NOTICE OF PUBLIC HEARING ON PROPOSED PROJECT AND FINANCIAL ASSISTANCE RELATING THERETO (L3 TECHNOLOGIES, INC. AND TRACK DRIVE, LLC PROJECT)

STATE OF NEW YORK:

: ss.:

COUNTY OF BROOME:

The undersigned, being duly sworn, hereby states:

- That on October 24th, 2018, I posted a copy of a Notice of Public Hearing in 1. connection with the proposed L3 Technologies, Inc. and Track Drive, LLC Project to be undertaken by the Broome County Industrial Development Agency.
- Said Notice was posted on a bulletin board located at the Town Hall in the Town of Kirkwood, 70 Crescent Drive, Kirkwood, Broome County, New York.

IN WITNESS WHEREOF, I have hereunto set my hand this 24 th day of October, 2018.

Subscribed to and Sworn before me this 24T day of October, 2018

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

## 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: <u>imeagher@tcmslaw.com</u>

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

Gary H. Collison

October 24, 2018

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

Gordon E. Kniffen Supervisor Town of Kirkwood 70 Crescent Drive Kirkwood, New York 13795

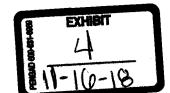
Jason A. Andrews Ed. D. Superintendent Windsor Central School District 1191 NY Route 79 Windsor, New York 13865

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

Re: BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY PROPOSED L3 TECHNOLOGIES, INC. AND TRACK DRIVE, LLC PROJECT

Ladies and Gentlemen:

Pursuant to Section 859-a(3) of the New York General Municipal Law (the "Act"), Broome County Industrial Development Agency (the "Agency") hereby informs you that the



Jason T. Garnar, Broome County Executive Gordon E. Kniffen, Supervisor Jason A. Andrews Ed. D., Superintendent Jerome Z. Knebel, Director, OMB October 24, 2018 Page 2

Agency has received an application (the "Application") from L3 Technnologies, Inc. and Track Drive, LLC (hereinafter collectively referred to as the "Company") for financial assistance in connection with a project (the "Project") consisting of the following: (A) the leasing of a 7.30+/-acre parcel of land located at 147 Industrial Park Drive in the Town of Kirkwood, Broome County, New York (the "Land"), the renovation and equipping of a 100,000+/- square foot building located on the Land to be used as an industrial and manufacturing site (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.

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/B. Meagher Agency Counsel

JBM/smm

cc: Kevin McLaughlin (via e-mail)

#### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing, pursuant to Article 18-A of the New York State General Municipal Law, will be held by the Broome County Industrial Development Agency (the "Agency") on the 16<sup>th</sup> day of November, 2018 at 12:00 p.m., noon, local time, at the Town Hall of the Town of Kirkwood, 70 Crescent Drive, Town of Kirkwood, Broome County, New York 13795 in connection with the following matters:

L3 Technologies, Inc., a corporation organized and existing under the laws of the State of Delaware, and Track Drive, LLC, a limited liability company organized and existing under the laws of the State of New York (collectively, the "Company") have requested that the Agency assist in the financing of the leasing, renovation and equipping of a 100,000+/- square foot building located on 7.30+/- acres of land situate at 147 Industrial Park Drive in the Town of Kirkwood, Broome County, New York (the "Land") to be used as an industrial and manufacturing site (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, during regular business hours, at the Agency's offices located at FIVE South College Drive, Suite 201, Binghamton, New York 13905.

A representative of the Agency will, at the above-stated time and place, hear and accept written 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: October 24, 2018 By: Kevin McLaughlin, Executive Director

### AFFIDAVIT OF PUBLICATION

# PRESS & SUN-BULLETIN

State of New York
City of Binghamton
County of Broome, SS:

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

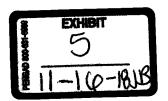
A notice of which the annexed is a printed copy, was published on the following dates:

10/26/18

Subscribed and sworn to before me this 26 day of October, 2018

Notary Public





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Dated: October 24, 2018 BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY By: Kevin McLaughlin, Executive Director 10/26/18

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Christim Calandra
Taniar Menglan
Frim Me Vanglien
Jevene Maciak
Don Ulmee
Bark North

