

1 STATE OF NEW YORK
2 CITY OF BINGHAMTON

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4 PUBLIC HEARING
5 PURSUANT TO GENERAL MUNICIPAL LAW 859-a
6 WASHINGTON DEVELOPMENT ASSOCIATES, LLC
7 -----

8
9 HELD ON: April 28, 2010
10 HELD AT: 185 Court Street
11 Binghamton, New York
12

13
14 BEFORE: JOSEPH MEAGHER, ESQ.
15 HEARING OFFICER
16 NICOLE M. ROCKWELL
17 Hearing Reporter
18

19 APPEARANCES:
20 RICHARD D'ATTILIO, Executive Director, IDA
21 GENE BURNS, Director, Broome County IDA
22 JEFF SMETANA, Washington Development, LLC
23 HOWARD RITTBURG, ESQ, Washington Development, LLC
24 CARL KIEPER, ESQ., Binghamton School District Attorney

VERBATIM REPORTING & VIDEO
1800-368-3302

1 HEARING OFFICER: Good
2 afternoon, my name is Joseph Meagher
3 and I'm counsel to the Broome County
4 Industrial Development Agency. The
5 agency is conducting a hearing
6 pursuant to General Municipal Law
7 859-a to seek public comment on the
8 application for financial assistance
9 submitted by Washington Development
10 Associates, LLC in connection with a
11 proposed apartment complex for
12 students attending Binghamton
13 University, to be located on
14 Washington Street and bordered on
15 the north by Susquehanna Street, on
16 the south by North Shore Drive and
17 on the west by the Chenango River,
18 in the City of Binghamton.

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

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1 the public hearing is completed. A
2 copy of the application, along with
3 a cost benefit analysis prepared by
4 the agency is available for your
5 review.

6 The notice of this hearing was
7 published in the Press & Sun
8 Bulletin on March 29, 2010. I
9 request that each person wishing to
10 speak state his or her name and if
11 they're speaking on behalf of an
12 entity or organization, please
13 identify that entity or
14 organization. The hearing will
15 remain open until all public comment
16 is concluded. I am going to spread
17 upon the record at this meeting the
18 affidavit of publication from the
19 Press & Sun Bulletin.

20 At this point I am going to ask
21 Richard D'Attilio, the executive
22 director of the agency, to explain
23 the benefits that have been
24 requested by Washington Development

1 Associates and to give us an outline
2 of the project.

3 MR. D'ATTILIO: This project is
4 a project that's being developed by
5 Washington Development Associates,
6 LLC. The project is known as College
7 Suites of Binghamton. The profile
8 of the project is basically the
9 demolition of several older
10 buildings that have resided at the
11 corner of Washington Street and
12 North Shore Drive. The demolition
13 of those buildings and the cleanup
14 of the underlying ground is being
15 conducted by New York State Electric
16 & Gas Corporation, where they
17 formerly occupied a gas main
18 fracturing plant, is part of this
19 project. NYSEG is spending in the
20 neighborhood of \$7,000,000 to do
21 this soil area, pave the way for the
22 construction of this new facility.

23 The facility is a contemporary,
24 four story, 173,600 square foot

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1 student housing residence. It will
2 have 113 units and will accommodate
3 386 new student residents in
4 downtown Binghamton. The plan calls
5 for 255 parking spaces to
6 accommodate the facility, with other
7 parking off-site being used for
8 additional requirements. The units
9 will be fully furnished with all
10 furniture, fixtures, appliances and
11 utilities. A common area, a lounge
12 area, recreation and health-related
13 facilities will be available in the
14 common area, as well as a coffee bar
15 and snack bar.

16 The estimated investment at this
17 juncture is approximately
18 \$24,000,000 which includes land, the
19 actual construction, the setup of
20 the facilities furniture, fixtures
21 and equipment, architect and
22 engineering costs, legal and other
23 related such costs. The PILOT that
24 we are considering is being advanced

6

1 through a deviation procedure which
2 is required by the agency. Whenever
3 the agency deviates from its
4 standard uniform payment tax
5 scheduling, it requires the
6 endorsement and approval of the
7 chief elected official, in this case
8 it would be the mayor of the City of
9 Binghamton, with the support of a
10 resolution by City Council. There
11 have been several meetings conducted
12 at great length to satisfy all the
13 questions that have been advanced by
14 the City Council members and we're
15 anticipating the action on the PILOT
16 to occur at their May 5th council
17 meeting.

18 Generally the PILOT, as we
19 understand it, is being advanced and
20 appears to be somewhat supported at
21 this point, again pending action at
22 their May 5th meeting, basically is
23 a 20-year PILOT that reflects a 75
24 percent abatement in the first five

7

1 years of the project, with a five
2 percent increase thereafter for the
3 following 15 years. It also
4 includes a three percent annual
5 increase in the tax rate which is in
6 addition to the five percent
7 increase as it relates to the wrap-
8 up of the PILOT. The abatement
9 represents approximately 43 percent
10 of the total taxes that will be paid
11 over the full period -- I'm sorry,
12 the abatement is 43 percent of the
13 taxes and the actual payment of
14 taxes will represent 57 percent of
15 the full taxes that would otherwise
16 have been paid. This is a little
17 over two and a half times of the
18 pre-project taxes as they currently
19 exist.

20 Those are basically the
21 comments. The PILOT, as we
22 understand it, as I said, before the
23 agency can take action has to be
24 approved by City Council.

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1 HEARING OFFICER: Is there
2 anyone who wishes to speak either
3 for or against the project?

4 (NO VERBAL RESPONSE.)

5 HEARING OFFICER: Let the record
6 reflect that we have several visuals
7 of the project have been provided by
8 the applicant. Although we won't
9 make them part of the record, we
10 will at least note that they're
11 here.

12 We'd also like the record to
13 reflect the attendance of Gene
14 Burns, member of the Board of
15 Directors of the Broome County
16 Industrial Development Agency. Jeff
17 Smetana is with Washington
18 Associates Development, LLC and
19 Howard Rittburg, counsel to
20 Washington Development, LLC. We
21 would further note the appearance of
22 Carl Kieper, attorney for the
23 Binghamton City School District.

24 Just to bring Carl up to date.

1 Carl, we basically opened the
2 hearing, Dick has given a brief
3 description of it. If you have any
4 comments you'd like to offer on
5 behalf of the school board.

6 MR. KIEPER: I'm here as an
7 observer today.

8 HEARING OFFICER: Again, I'll
9 ask if there is anyone who wishes to
10 be heard, either for or against the
11 project?

12 (NO VERBAL RESPONSE.)

13 HEARING OFFICER: Hearing none,
14 I will draw the hearing to a close
15 and I will note that it is presently
16 12:10 p.m.

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C E R T I F I C A T I O N

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the above cause and that this is a correct transcript of the same to the best of my ability.



NICOLE M. ROCKWELL

THOMAS, COLLISON, MEAGHER & SEIDEN

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
Joseph B. Meagher*
Daniel L. Seiden

Charles H. Collison
of Counsel

*Also admitted in Pennsylvania

**PLEASE DELIVER THE FOLLOWING MATERIAL
AS SOON AS POSSIBLE**

TO: Ruth

COMPANY: BCIDA

FAX NO.: 584-9009

DATE: May 10, 2010

NUMBER OF PAGES FOLLOWING: 17

FROM: Susan

REFERENCE: Washington Development Associates, LLC

COMMENTS: Resolution and Public Hearing transcript. Please take both to the meeting – per Joe. Thanks.

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