

BROOME COUNTY INDUSTRIAL DEVELOPMENT AGENCY
SPECIAL MEETING
185 Court Street
Binghamton, New York 13901
Monday, October 24, 2011, 12:00 p.m.

SYNOPSIS OF MEETING

PRESENT: G. Akel, T. Kane, P. Hankin, S. Herz. W. Howard and J. Stevens

ABSENT: P. Brennan, J. Orband and J. Rounds

GUESTS: Jerry Marinich, Chair, Broome County Legislature
Aaron Martin, Clerk, Broome County Legislature
Alfred Weissman, Alfred Weissman Real Estate (AWRE)
Alan Weissman, Alfred Weissman Real Estate (AWRE)
KJ Hong, Alfred Weissman Real Estate (AWRE)
Raymond Polak, Alfred Weissman Real Estate (AWRE)
Charles Joslyn, IBEW Local #325
Tom Spier, IBEW Local #325
Dale Robinson, Local Labor Union

COUNSEL: J. Meagher

STAFF: R. D'Attilio, P. Doyle, M. Scarinzi, T. Gray, R. Fiato and C. Campon

PRESIDING: G. Akel

Mr. Akel called the meeting to order at 12:00 pm.

ITEM #1. RESOLUTION AUTHORIZING A CERTAIN SALE OR LEASE AND LEASEBACK TRANSACTION TO FACILITATE THE FINANCING OF THE RENOVATION, CONSTRUCTION AND EQUIPPING OF A 167,000 +/- SQUARE FOOT BUILDING LOCATED AT 20 HAWLEY STREET IN THE CITY OF BINGHAMTON, BROOME COUNTY, NEW YORK TO BE USED AS AN APARTMENT COMPLEX FOR COLLEGE STUDENTS, APPOINTING HAWLEY STREET MEMBERS LLC (THE "COMPANY") AS THE AGENT FOR THE PURPOSE OF THE ACQUIRING, CONSTRUCTING, EQUIPPING AND LEASING OF THE FACILITY AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYMENT-IN-LIEU-OF-TAX AGREEMENT ("PILOT") AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS WITH RESPECT THERETO:

Mr. D'Attilio stated that after discussion with Alfred and Alan Weissman of Alfred Weissman Real Estate (AWRE), he believes the company followed the necessary steps in bidding. cMr. D'Attilio asked for public comment. Mr. Charles Joslyn, IBEW Local #325, didn't understand how electricians from Long Island could be the lowest bidder or why local contractors dropped out of the bidding process. Mr. Alfred Weissman, AWRE, stated that his company has a priority for being fair. He explained that they have historically solicited feedback from contractors and he isn't sure why local contractors dropped out of bidding. They have used local labor in the past, specifically at their recent redevelopment of the Riverwalk Hotel & Conference Center. Mr. Alan Weissman, AWRE, said the same for the 20 Hawley Street project. He distributed to the Board a long list of local contractors that have already been used at Hawley Street. He

noted that out-of-town labor was only the lowest bidder for two trades, and they are not yet finished with bidding and letting contracts. Also, one of the out-of-town contractors is going to rent a house locally and live here with his family during the project. He also plans to hire one local laborer for each out-of-town laborer. Mr. Howard asked why the contracts were put out to bid multiple times. Mr. Raymond Polak, AWRE, explained that the contracts went out to bid a second time because there was asbestos found after the first round of bidding in December 2010. The asbestos was removed, there was a redesign and contracts went out to bid for a second time in July 2011. Mr. Alan Weissman added that the finding of asbestos and subsequent redesign pushed the move-in date for students back by a year. Leases were refunded to students. AWRE worked with the University to push back the housing application deadline and offered housing to students in the Riverwalk Hotel if they could not find adequate housing. AWRE lost \$1.5 million for the asbestos removal alone in addition to one year's rent. Mr. Herz asked how many more contracts have yet to go to bid and when. Mr. Alan Weissman stated that there are 6 more to be let over the next 2 months, as they go along. The next contract they will award is between two local bidders. Mr. Alfred Weissman said that AWRE has a good reputation, especially in Binghamton, and the PILOT agreement is critical to their project. If they don't get it they will be forced to reconsider their direction.

ITEM #2. EXECUTIVE SESSION:

MOTION: To convene to executive session. On a MOTION by Mr. Stevens, seconded by Mr. Kane, the MOTION CARRIED UNANIMOUSLY.

ITEM #3. RESUMPTION OF PUBLIC SESSION:

MOTION: To reconvene back to public session. On a MOTION by Mr. Kane, seconded by Mr. Stevens, the MOTION CARRIED UNANIMOUSLY.

MOTION: To accept the RESOLUTION. On a MOTION by Mr. Hankin, seconded by Mr. Stevens, the MOTION CARRIED UNANIMOUSLY. Mr. D'Attilio reaffirmed the Agency's encouragement toward the use of local labor and reminded AWRE of the language on the certification page of the PILOT application. Mr. Akel said the Agency is encouraged to hear of a local labor contract coming forward.

ITEM #4. ADJOURNMENT: Mr. Akel requested a motion for adjournment.

MOTION: To adjourn the meeting. On a MOTION by Mr. Hankin, seconded by Mr. Howard, the MOTION CARRIED UNANIMOUSLY, and the meeting was adjourned.

The next meeting of the BCIDA Board of Directors is scheduled for Friday, December 9, 2011 at 12:00 p.m., Broome County Public Library, Binghamton, NY.