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PUBLIC HEARING PURSUANT TO
SECTION 859-a OF
THE GENERAL MUNICIPAL LAW

IN THE MATTER OF:

Agency Allegany County Industrial Development
Agency (the "Agency")

Project Beneficiary: Pic Development Holding
Corp. (The "Company")

Project Location: Village and Town of Almond,
Allegany County, New York

Hearing Date: January 8, 2024

Hearing Time: 7:00 p.m.

Hearing Location: The Municipal Building
1 Marvin Lane
Town of Almond
Allegany County, New York

1 ATTENDEES:

2
3 Craig R. Clark, PE, PHD, Executive Director to
4 Allegany County Industrial Development Agency

5 Dennis George, Almond Mayor

6 Bill Lockwood, Village Trustee

7 Shelly Flint, Village Trustee

8 Audrea McMahon, Village Trustee

9 Joan Freeland, Town Board

10 Nathan Woodruff, Town Board

11 Joan Freeland, Town Board

12 Brian Snyder, Town Board

13 Catherine Cardet, Village Clerk

14 Julie Philips, Village Accountant and Town Clerk

15 Jeffrey Piccolo, President Pic Development

16 Arlene McMahon, Resident

17 Don and Peg Jeffords, Residents

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1 DR. CLARK: Okay. So we're live on
2 YouTube.

3 Good evening. My name is Craig
4 Clark and I'm the Executive Director of
5 the Allegany County Industrial Development
6 Agency in connection with a project, which
7 is the subject of this public hearing held
8 on January 8th, 2024, at seven o'clock in
9 the Municipal Building located at 1 Marvin
10 Lane in the Town of Almond, Allegany
11 County, New York.

12 Today I'm holding this public
13 hearing to allow citizens to make a
14 statement for the record relating to the
15 involvement of the agency with the project
16 for the benefit of PIC Development Holding
17 Corporation, a New York State business
18 corporation.

19 The proposed project consists of the
20 following: The acquisition of interest in
21 approximately of 0.4 acre parcel of land
22 located at 59 Main Street in the Village
23 of -- of -- in the Town of Almond,

1 Allegany County, New York. Together with
2 an existing approximately 8,066 square
3 foot building located thereon, the
4 renovation and reconstruction of facility,
5 the acquisition and installation therein
6 and thereon of related fixtures,
7 machinery, equipment, and other tangible
8 personal property on the land. All of the
9 fore buying -- foregoing to be owned and
10 operated by the company as a mixed-use
11 facility consisting of retail stores,
12 offices, and apartments.

13 The granting of certain financial
14 assistance with the meaning of Section
15 854(14) of the Act of the respect to the
16 foregoing, includes potential exemptions
17 from certain sales tax, use tax, and real
18 property taxes, real estate transfer taxes
19 and mortgage recording taxes, which is the
20 financial assistance the IDA will provide.
21 The lease with obligation to purchase or
22 sale of the project to the company or such
23 other person that may be designated by the

1 Company and agreed upon by the Agency.

2 My intent to provide general
3 information on the Agency's general
4 authority and public purpose to provide
5 assistance to this proposed project. I
6 will then open the comment period to
7 receive comments from all present, who
8 wish to comment on either the proposed
9 project or the financial assistance
10 contemplated by the agency with respect to
11 the proposed project.

12 However, before discussing the
13 general information and opening the
14 hearing for public comments, I would first
15 to describe some details regarding the
16 proposed project, as outlined.

17 The estimated costs of the proposed
18 project are equal to approximately \$2.8
19 million, and the estimated benefits being
20 considered by the Agency are described
21 briefly as follows: Sales Tax Exemption
22 of \$224,000 -- sorry, it's the
23 boss -- Mortgage Recording Exemption Tax,

1 zero, Real Property Tax Exemption
2 \$172,269.58.

3 The provisions of Chapter 1030 of
4 Laws of 1969 of New York, constituting
5 Table 1 of Article 18-A of the General
6 Municipal Law, Chapter 24 of the
7 Consolidated Laws of New York as amended,
8 and Chapter 99 of the 1973 Laws of the
9 State of New York, as amended, codified as
10 Section 906-a of said General Municipal
11 Law, authorize the Agency to promote and
12 develop, encourage, and assist in the
13 acquiring, constructing, reconstructing,
14 and improving, maintaining, and equipping,
15 and furnishing of manufacturing,
16 warehousing, research, commercial,
17 industrial facilities, among others.

18 Pursuant to Section 859-a of the
19 General Municipal Law of the State of New
20 York prior to the Agency providing any
21 financial assistance over \$100,000 to any
22 project, the Agency among other things,
23 must hold a public hearing pursuant to

1 Section 859-a of the Act with respect to
2 said project. Since the proposed
3 financial assistance to be provided by the
4 Agency with respect to the proposed
5 project may exceed \$100,000 and prior to
6 providing any financial assistance of more
7 than \$100,000 in a project, the Agency
8 must hold a public hearing in the nature
9 of and location of the project and
10 proposed financial assistance be provided
11 by the Agency.

12 After consideration of the
13 application received from the Company, the
14 members of the Agency adopted a resolution
15 on December 14th, 2023, to hold this
16 public hearing authorizing the Executive
17 Director of the Agency conduct the Public
18 Hearing.

19 The Executive Director of the Agency
20 caused public -- notice of the public
21 hearing be mailed on December 26th to the
22 chief executive officers of Allegany
23 County, the Village and Town of Almond,

1 and the Alfred Almond School District, and
2 published December 29th in "The Hornell
3 Spectator," a newspaper of general
4 circulation. It was also published on our
5 website and other places.

6 Copies of this notice are available on the
7 table.

8 And, now, unless any objection, I
9 will not read that. Does anybody have an
10 objection?

11 (No objections.)

12 DR. CLARK: Thank you. You can read
13 it if you want, it's been in the paper.
14 The comments received today at the public
15 hearing will be presented to the members
16 of the Agency prior to the meeting at
17 which the members of the Agency will
18 consider whether to approve the
19 undertaking of the proposed project by the
20 Agency and granting of the Agency of any
21 financial assistance in excess of
22 \$100,000. That will not happen till our
23 February meeting.

1 The notice of public hearing
2 indicated that the written comments could
3 be addressed to myself, and no written
4 comments have been received by the Agency
5 prior to this public hearing.

6 And since Jeffrey Piccolo is here
7 from the company, if you'd like to you can
8 describe the project briefly if you want,
9 too.

10 MR. PICCOLO: Sure. So the game
11 plan, we -- we have constraints based on
12 the Allegany Department of Health of the
13 amount of sewage we could produce, so we
14 are very limited on what we can do with
15 the building. So what we've had our
16 septic engineer design and what we're
17 working on with the Department of Health
18 right now is five retail stores on the
19 first floor, 14 offices and six bedrooms,
20 but four apartments, so two studio's and
21 two doubles and that meets the sewer
22 limitations that we've been constrained
23 to, unfortunately. Originally, we wanted

1 to do more multi-family, but
2 that's -- takes a lot more sewage.

3 DR. CLARK: And so far, we're
4 working through that, right?

5 MR. PICCOLO: Yeah. Yeah. It seems
6 like we've made a --

7 DR. CLARK: -- a lot of progress.

8 MR. PICCOLO: -- lot of headway in
9 the past month.

10 DR. CLARK: Good.

11 MR. PICCOLO: It seems like we're
12 getting everything approved. So it's
13 taking a lot to get to this point we've
14 had to deal with FEMA, which we were just
15 talking about. They considered it to be
16 part of a flood claim, but we were able to
17 get a letter of map amended done to remove
18 it from the flood constraints.

19 And then we had to deal
20 with -- they -- there was a special permit
21 at that property through the DEC. It's
22 called a "speedy permit." So in the past,
23 that building, all the septic that that

1 building produced was treated on site. It
2 was denitrated and (inaudible), and pumped
3 into the sewage if it was (inaudible). So
4 it went right into a river. They don't
5 offer that permit anymore, you
6 can't -- it's -- it's really, really tough
7 to get, very expensive, and it's not good
8 for the environment.

9 So we have to put a whole new septic
10 system in there and that's what -- what
11 took a while and we're still working on
12 getting approved through the Department of
13 Health, but it seems like it's been
14 approved.

15 So we've -- our -- our goal and
16 I -- I've spoken with Donna through the
17 Historical Society, and I've asked for
18 people from the community to kind of give
19 me an idea of what building -- what stores
20 they wanted in that building. We're going
21 to set it up with five retail stores, but
22 the idea would be maybe like a pharmacy,
23 kind of grocery store, a general store,

1 maybe like a Carter store, and then
2 whatever else would want to go in there.
3 So we're setting it up for people to start
4 their own businesses. If people don't
5 then we would step in and start our own,
6 and it's me, my dad, and my brother.

7 DR. CLARK: Thank you, Jeff. Now, I
8 welcome this public hearing for the public
9 comment. It's 7:06 and unless there's a
10 lot of questions, we'll -- we will close
11 the public hearing after 15 minutes.

12 So by the way of operating rules, if you
13 wish to make a comment, please let
14 me -- raise your hand, and we'll call on
15 you and I'd like to make sure you get
16 recognized, so we can keep the minutes.
17 We have to keep minutes of this, as well.

18 When everybody's had the opportunity
19 to speak, I will conclude the public
20 hearing and a record of the public hearing
21 will be prepared and reviewed by the
22 members of the Agency in connection with
23 the Agency's consideration of the Project.

1 Again, the purpose of the public
2 hearing is to solicit public comment.
3 We're not here to answer questions, but we
4 will obviously try to do that. We're not
5 trying to avoid questions. However,
6 basically, we want to be able to give you
7 a chance to go on public record as to
8 whether or not you have questions and
9 answers about the project.

10 So other than that, we're open for
11 public comment. And those who have been
12 to public hearings recognize sometimes
13 there's a lot of comments and sometimes
14 there's no comments, but we'll be here
15 until at least 7:15.

16 I do want to thank the public for
17 showing up, as I mentioned, this is one of
18 my largest number of people to show up at
19 any public hearing, so I don't know if
20 that's good or bad, but thank you -- I
21 think there's some support for what you're
22 doing, Jeff.

23 UNKNOWN FEMALE: How long is this

1 projected or how long will it take?

2 MR. PICCOLO: How long is it going
3 to take?

4 UNKNOWN FEMALE: Yeah.

5 MR. PICCOLO: So the timeline we put
6 out is three years. I'm hoping a lot
7 faster than that, but the timeline would
8 be about three years, because we're trying
9 to get -- apply for grants, as well, to
10 help renovate it and the kind of grant we
11 were working towards ended because it took
12 too long for the purchase to be approved
13 by Allegany County, so their deadline
14 ended before we could apply for it. So
15 we're hoping it's going to be restarted
16 while we're still in New York. If that
17 doesn't get restarted or re-approved, then
18 we're going to have to -- I'm going to
19 borrow money from another business. I
20 don't -- to renovate it.

21 So the timeline is two to three
22 years. It's a big building, we have to
23 deal with the Department of Health. We

1 have to deal with all the guidelines and
2 rules, so it's a slow-moving machine, but
3 I would say two to three years. And when
4 I bought it, I -- I told -- I told Dan
5 Hegerty (phonetic), right, and a bunch of
6 people that have made the place safe, so
7 when I first got it, we made it safe. We
8 ripped the back off that was collapsed and
9 sealed it off, but we -- it still is in
10 condemned status so it's going to take a
11 while to get out of that.

12 MR. LOCKWOOD: The stuff that you
13 were talking about that's for tax breaks
14 and things?

15 DR. CLARK: Yes.

16 MR. LOCKWOOD: How long a period of
17 time is that for?

18 DR. CLARK: The standard IDA tax
19 breaks. It's a five year, no property tax
20 isn't a five-year ramp-up, it's a ten-year
21 pilot.

22 MR. LOCKWOOD: It's not like the
23 railroad.

1 DR. CLARK: No.

2 MR. LOCKWOOD: It's not forever.

3 DR. CLARK: No. It's not forever
4 it's a ten year five -- it finishes in ten
5 years.

6 MR. LOCKWOOD: The railroad.

7 DR. CLARK: No. This one.

8 MR. LOCKWOOD: I just want to
9 know --

10 DR. CLARK: I know nothing about the
11 railroad.

12 MR. LOCKWOOD: The reason I'm asking
13 is because of the railroad --

14 DR. CLARK: No.

15 MR. LOCKWOOD: -- that's been out of
16 the tax thing for 20 years.

17 DR. CLARK: No.

18 MR. LOCKWOOD: That's what I --

19 MR. PICCOLO: There's a lot of
20 stipulations to get through on the
21 application --

22 DR. CLARK: Right.

23 MR. PICCOLO: So if I don't create a

1 number of jobs they could make me pay the
2 back taxes.

3 DR. CLARK: Right.

4 MR. PICCOLO: So the only reason why
5 they're even offering the grant is because
6 of the number of jobs I will create, sales
7 tax, and -- and -- and create economic
8 development in the area. So there's a lot
9 of stuff built into it that if I don't
10 meet certain deadlines, by certain time
11 periods, they take all that back and I
12 have to pay it. And I have to pay, you
13 didn't send me an e-mail, yet, but it's
14 going to be --

15 DR. CLARK: Yeah. There's fees that
16 go on top of it.

17 MR. PICCOLO: Yeah. It's going to
18 be like 40 or \$50,000 I'm going to have to
19 pay up front to even apply for this and
20 the property tax there is only like
21 \$6,000.

22 DR. CLARK: Right.

23 MR. PICCOLO: So I'm basically

1 paying it.

2 MR. LOCKWOOD: Well, I wasn't
3 concerned about what you were paying --

4 MR. PICCOLO: Yeah. Yeah.

5 MR. LOCKWOOD: -- just the period of
6 time.

7 DR. CLARK: Period of time.

8 MR. LOCKWOOD: Because the railroad
9 also promised that we were going to create
10 a lot of jobs, we put 10 million dollars
11 of taxpayer money into fixing it, and then
12 the person -- the railroad that took over
13 automatically leased it.

14 MR. PICCOLO: Now, into the --

15 MR. LOCKWOOD: This is what
16 happened. That's why I asked these
17 things.

18 MR. PICCOLO: -- three year -- built
19 into the application was about three years
20 of renovations, so that's my deadline
21 before I have to start proving to them --

22 MR. LOCKWOOD: Right.

23 MR. PICCOLO: -- what I said I -- I

1 would produce. I forget what was in the
2 application for the number of jobs. We
3 built it based on a first ten years being
4 50 percent occupied, which is 14 offices
5 and five retail stores, so giving the half
6 of the three years of renovations, ten
7 years to get everything occupied, we have
8 a 50 percent occupancy rate and then 75
9 from year 10 to 15, and I think 80 or 85
10 for the year 15 to 20, so we expect it to
11 get occupied. I -- I want it to be
12 occupied immediately.

13 MR. LOCKWOOD: No. That's a good
14 thing --

15 MR. PICCOLO: Yeah, I know want it
16 to be occupied -- if I didn't have a lot
17 of red tape, it probably would have been
18 done, I would have hoped, but so it's just
19 a lot of red tape and --

20 MR. LOCKWOOD: I was just concerned
21 about the time period that --

22 DR. CLARK: That's a ten year. The
23 longest we've had is a 15-year pilot, but

1 this is a ten-year pilot.

2 MS. FREELAND: Jeff, I've had some
3 people talk to me recently about
4 crosswalks in the village --

5 MR. PICCOLO: Mm-hmm.

6 MS. FREELAND: -- and traffic
7 concerns --

8 MR. PICCOLO: Mm-hmm.

9 MS. FREELAND: -- and so
10 my -- my -- I'm wondering, what are you
11 going to do with parking and is there a
12 study going to be done for traffic flow --

13 MR. PICCOLO: So that --

14 MS. FREELAND: -- around the square
15 or --

16 MR. PICCOLO: -- so -- so that plot
17 has 31 parking spots, right, and when
18 Coslo's was there, it probably had a
19 hundred people parking there, right?

20 So it's not going to have as much
21 parking as Coslo's. And I don't -- I
22 think everyone thought Coslo's was a
23 positive for the community and I hope this

1 would be, as well. So I don't foresee a
2 parking issue, but the number of cars that
3 pass through Almond, I believe,
4 (inaudible) research, I forget what it's
5 called, but basically they -- they
6 research that car development in the area
7 and how many cars, you could get 8,000
8 cars a day that go down that road -- that
9 already go down that road. So I don't see
10 an increase in activity, but there will be
11 people pulling in and pulling out.

12 MS. FREELAND: That's my concern.

13 MR. PICCOLO: Yeah. And I don't
14 think it will be anything drastic, but if
15 you feel we need to do a research for it,
16 we'll do a research, but it's going to be
17 less than Coslo's.

18 DR. CLARK: And I think we helped
19 the situation some by making Park Street
20 two-way --

21 MR. PICCOLO: Yes.

22 DR. CLARK: -- instead of making
23 it -- because before you had to come out

1 and you had to go this way --

2 MS. FREELAND: Yeah.

3 DR. CLARK: -- so we can alleviate
4 some of that because Angelica Street is
5 kind of a better exit, I think, looking,
6 you know, towards Hornell than the other
7 way.

8 MR. PICCOLO: And that was one of
9 the issues that we were having with the
10 septic is that in order for the septic to
11 be put in they want us to eliminate all
12 the parking lots.

13 MS. FREELAND: I wondered where you
14 were going to put the septic.

15 MR. PICCOLO: Yeah. They want us to
16 eliminate all the parking spots, but
17 that's what we were working towards is
18 trying not to do that. So it looks like
19 it's going to be along the property line.

20 MR. GEORGE: You can't even put them
21 under the gravel --

22 MR. PICCOLO: There's going to be
23 under the ground but because --

1 MR. GEORGE: No, no. A gravel lot.

2 MR. PICCOLO: What's that?

3 MR. GEORGE: Could you have a gravel
4 parking lot?

5 MR. PICCOLO: This -- so they said
6 we can't drive over the tanks. So --

7 MR. GEORGE: Well, the tanks, yeah.
8 I agree.

9 MR. PICCOLO: Yeah.

10 MR. GEORGE: But the drainage
11 field -- the drainage field you can; isn't
12 that right?

13 MR. PICCOLO: Yeah. So the -- what
14 we were able to do is we were able to
15 disregard the setbacks with the neighbor's
16 property because there's an easement in
17 place between that house and the first
18 property.

19 MR. GEORGE: Right.

20 MR. PICCOLO: So -- so we were able
21 to shift it going up the side and we will
22 have all those parking spots and because
23 we are removing all the tanks that are in

1 place there's not going to be all those
2 carriers in the middle that they have now,
3 so we're able to keep the same number of
4 parking spots.

5 MR. GEORGE: I believe that the
6 biggest issue with parking that's going to
7 be there, is the people that are using
8 this parking lot now.

9 MR. PICCOLO: Yes. Which -- they
10 can do whatever, I don't have a problem
11 with that for now.

12 MR. GEORGE: For now?

13 MR. PICCOLO: Yes.

14 MR. GEORGE: Yeah. I don't see as
15 many cars there as when Coslo's had it.

16 MR. PICCOLO: I don't see that,
17 either and I wish Coslo's would come back.
18 If I could; I would. But you can't -- I
19 can't open a restaurant there. It's too
20 much sewage, so we are trying to open like
21 a coffee shop/lunch place and with a
22 walk-up window because a lot of people in
23 the community said they wanted that, and

1 so it will be breakfast, lunch with a
2 walk-up window.

3 MS. FREELAND: So you're not going
4 to have any seating indoors.

5 MR. PICCOLO: So there's going to
6 be -- so the current design has, I think,
7 like two or three little tables setup when
8 you walk through the front doors on the
9 first floor, but it's not finalized yet,
10 and it has to go through approvals of
11 Department of Health, so it's
12 not -- remember that's the current game
13 point like a small -- I have the designs,
14 I'll -- I'll try to get it into the
15 newspaper once everything's finalized.

16 But it's essentially one long store
17 if you're looking on Main Street at the
18 building on the right-hand side, it is one
19 long store that goes from the front to the
20 back. Then next to that there's a
21 small -- in the back of the building,
22 there's a small like snack shop, sandwich
23 shop essentially with a walk-up window and

1 on the left side two stores and one in the
2 middle is --

3 MS. FREELAND: So you do have --

4 MR. PICCOLO: -- since I have three
5 little stores, one kind of smaller
6 sandwich/coffee shop --

7 MS. FREELAND: Right.

8 MR. PICCOLO: -- and then one
9 bookstore that we would like to do like a
10 grocery store, kind of a like a Rite Aid
11 with a pharmacy/grocery store --

12 MS. FREELAND: Right.

13 MR. PICCOLO: -- because all
14 everyone in the town has right now is
15 7-Eleven.

16 MS. FREELAND: Right. And that's
17 one of the things -- or like the sandwich
18 shop -- like the breakfast, sandwich
19 that's a lot of what we've been hearing
20 from --

21 MR. PICCOLO: Anyone who has ridden
22 their bike by as -- while we were working
23 there make it safe, so many people came up

1 and told us they wanted to do something
2 like that so that's what we were saying.

3 MS. FREELAND: Okay.

4 DR. CLARK: Are there any other
5 comments from the IDA's perspective or --

6 MR. LOCKWOOD: Tax exemption, you
7 said five years and then --

8 DR. CLARK: Right.

9 MR. LOCKWOOD: -- five years --

10 DR. CLARK: It's a ramp-up. It goes
11 20, 40, 60, 80, it goes back to 100
12 percent, yes. The advantage of that is we
13 try to encourage people like Jeff, you
14 know, encourage them to come in and that
15 gives the ramp-up until they get the full
16 taxes when the assessment goes back up.

17 MR. LOCKWOOD: Right now, they are
18 tax exempt of the building increase it --

19 MR. PICCOLO: Yeah. So I --

20 MR. LOCKWOOD: -- when he gets done,
21 you know, it's going to be boom, boom.

22 DR. CLARK: That's what we're trying
23 to do is make sure that he would do that,

1 so then there's a ramp-up to the full
2 assessment.

3 Are there any other comments? I can
4 close, we can still sit around and talk,
5 but otherwise I got to take minutes of all
6 of this.

7 So we will close the meeting at 7:18
8 unless there is some other public comment
9 on this project.

10 (No response.)

11 DR. CLARK: Okay. Thank you for
12 coming.

13 (Whereupon, the hearing was concluded
14 at approximately 7:18 p.m.)

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

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4 I, SARAH COLEMAN, a Court Reporter and
5 Notary Public in and for the State of New York, do
6 hereby certify that I transcribed the proceedings
7 held at the time and place noted on the title and
8 that this transcript is accurate and complete, to
9 the best of my knowledge and belief.

10 I further certify that I am in no way
11 related to any of the parties to this action nor
12 am I an employee for any of the parties involved,
13 and I am in no way interested in the outcome of
14 this matter.

15
16
17
18 Sarah Coleman

19 Notary Public

20
21
22 Dated: 01/16/2024

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