

STATE OF NEW YORK

SUPREME COURT: COUNTY OF CORTLAND

VICTOR LAMOUREAUX, on behalf of FRIENDS FOR RESPONSIBLE VESTAL ZONING, an Unincorporated Association,

Petitioner,

AFFIDAVIT OF DIRAN KRADJIAN

against

TOWN OF VESTAL TOWN BOARD; LCD ACQUISITIONS, LLC; and BHL VENTURES, LLC,

Respondents.

Index No.: EF22-260 RJI No.: 2022-0160-M

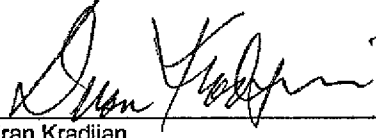
STATE OF NEW YORK )
) ss
COUNTY OF BROOME )

Diran Kradjian, under penalty of perjury, affirms and states:

- 1. I, Diran Kradjian, am a Member of BHL Ventures, LLC, Respondent in the above-captioned matter.
2. BHL Ventures, LLC is the owner of the properties which are the subject of this lawsuit.
3. In early January, 2022, Councilman Donnelly, of the Town of Vestal Town Board contacted my partner, Brian Kradjian and requested a meeting with us.
4. On or about January 26, 2022, we met with Councilman Donnelly.
5. The sum and substance of the conversation with Mr. Donnelly was his pledge to support business advancement in the Town of Vestal.
6. He also indicated that he would not participate in any Town activity associated with the Landmark project moving forward. We also discussed that he had been employed by Friends for Responsible Vestal Zoning in his capacity as a Public Relations Professional.
7. This information was communicated to our attorney, Sarah Grace Campbell.
8. In the Petition it is suggested that Mr. Donnelly recused himself from consideration of this project in April of 2022 because he did not have sufficient time to become familiar enough with the project to vote.

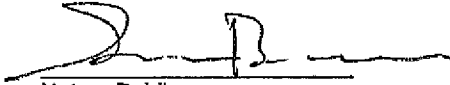
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AFFIDAVIT
Elizabeth Larkin, County Clerk

- 9. It appears that Mr. Donnelly had a conflict of interest due to his prior employment by Petitioners.
- 10. In addition, notwithstanding this allegation, the vote of the five-member Town Board was four votes unanimously in favor – even with Mr. Donnelly’s recusal. Thus, his vote would not have been a deciding vote in any instance.
- 11. Whatever reason Mr. Donnelly chose to announce at the Public Hearing for his recusal, he clearly had a conflict of interest which would have prohibited him from participating in any consideration of this project notwithstanding.

Dated: 8/2/2022   
 Diran Kradjian

On this 2<sup>nd</sup> day of August, in the year of 2022, before me, the undersigned, personally appeared DIRAN KRADJIAN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

SHAWN PETER BRENNAN  
 Notary Public, State of New York  
 NO. 01BR6398845  
 Qualified in Broome County  
 Commission Expires 10/07/2023

  
 Notary Public