

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

TOWN OF BROOKHAVEN
INDUSTRIAL DEVELOPMENT AGENCY

-----x

GOVERNANCE COMMITTEE MEETING
HELD VIA ZOOM VIDEOCONFERENCE

-----x

June 8, 2022
9:21 a.m.

TRANSCRIPT OF PROCEEDINGS

* * *

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S :

MEMBERS :

FREDERICK C. BRAUN, III
MARTIN G. CALLAHAN
FELIX J. GRUCCI, JR.
LENORE PAPROCKY
GARY POLLAKUSKY
ANN-MARIE SCHEIDT
FRANK TROTTA

ALSO PRESENT :

LISA M.G. MULLIGAN, CHIEF EXECUTIVE OFFICER
LORI J. LaPONTE, CHIEF FINANCIAL OFFICER
JOCELYN LINSE, EXECUTIVE ASSISTANT
TERRI ALKON, ADMINISTRATIVE ASSISTANT
AMY ILLARDO, ADMINISTRATIVE ASSISTANT
WILLIAM F. WEIR, ESQ., CORPORATION COUNSEL
HOWARD R. GROSS, ESQ.,
WEINBERG GROSS & PERGAMENT, LLP

* * *

1

2

MR. BRAUN: We will now open meeting of
the the Governance Committee of the Industrial
Development Agency. It is Wednesday,
June 8th. It is 9:21.

6

Lisa.

7

8

9

10

11

MS. MULLIGAN: Today's meeting has been
convened in accordance with Chapter 56 of the
laws of 2022 effective April 9, 2022
permitting local governments to hold public
meetings by telephone and videoconference.

12

13

14

15

16

MR. BRAUN: I should mention for the
record the following directors are here:
Mr. Callahan, Mr. Grucci, Ms. Paprocky,
Mr. Pollakusky, Ms. Scheidt, Mr. Trotta and
Mr. Braun. A quorum is present.

17

MS. MULLIGAN: Okay.

18

19

20

So we have two sets of minutes on the
agenda. We have the November 10, 2021 and the
December 21, 2021 minutes.

21

Does anyone have any questions?

22

(No response.)

23

MS. SCHEIDT: Move to approve.

24

25

MS. MULLIGAN: Maybe we should do them
individually.

1

2

MS. SCHEIDT: Move to approve the first

3

one.

4

MS. MULLIGAN: Thank you, Ann-Marie.

5

Do we have a second?

6

MR. GRUCCI: Second.

7

MS. MULLIGAN: Thank you, Felix.

8

MR. BRAUN: If there are no questions,

9

on the vote, Mr. Callahan?

10

MR. CALLAHAN: Yes.

11

MR. BRAUN: Mr. Grucci?

12

MR. GRUCCI: Yes.

13

MR. BRAUN: Ms. Paprocky?

14

MS. PAPROCKY: Yes.

15

MR. BRAUN: Mr. Pollakusky?

16

MR. POLLAKUSKY: Yes.

17

MR. BRAUN: Ms. Scheidt?

18

MS. SCHEIDT: Yes.

19

MR. BRAUN: Mr. Trotta?

20

MR. TROTTA: Yes.

21

MR. BRAUN: Mr. Braun votes yes.

22

It's unanimous. The minutes are

23

accepted.

24

MS. MULLIGAN: Then we have the

25

December 21, 2021 minutes.

1

2

Do we have a motion?

3

MR. CALLAHAN: So moved.

4

MS. SCHEIDT: So moved.

5

Second. Second to Marty.

6

MS. MULLIGAN: Marty Callahan made the

7

motion, Ann-Marie Scheidt seconded it.

8

MR. BRAUN: Mr. Trotta?

9

MR. TROTTA: Yes.

10

MR. BRAUN: Ms. Scheidt?

11

MS. SCHEIDT: Yes.

12

MR. BRAUN: Mr. Pollakusky?

13

MR. POLLAKUSKY: Yes.

14

MR. BRAUN: Ms. Paprocky?

15

MS. PAPROCKY: Yes.

16

MR. BRAUN: Mr. Grucci?

17

MR. GRUCCI: Yes.

18

MR. BRAUN: Mr. Callahan?

19

MR. CALLAHAN: Yes.

20

MR. BRAUN: Mr. Braun votes yes.

21

The minutes are accepted.

22

MS. MULLIGAN: Okay.

23

So you know when it rains it pours?

24

Right after we got the OSC's audit, we

25

got an audit from the ABO.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

The nice thing about the ABO audit was that we didn't even know it was ongoing, so we didn't have to have meetings and interactions with them, they just audited us and they've been doing a lot of these. They look at an IDA's website and they come back and they say you're missing this, you did this wrong, we don't like this and we got -- I think there were ten items that they told us to correct. A couple of them we had up on our website, but not in the format that they wanted, so it was a relatively quick fix, we just had to adjust a couple of things.

15

16

17

18

19

20

21

22

23

24

25

A couple of the things -- they audited us, which I have a little bit of an issue with, but it is what it is. They audited us between -- I can't think of it -- I have it here, but I don't know what the dates were, but right at the period where we're transitioning from one year to the next, so we had pulled some documents down from the website and replaced them with the new documents, which were due to be up in like four days, we were a couple of days early and

1

2

they dinged us, I mean it's not really much of

3

a ding, but they dinged us for not having the

4

old documents up.

5

I guess next year what we need to do is

6

leave the old documents, put the new

7

documents, wait the four days and then take

8

the new ones down. It seems a little bit

9

cooky, but whatever, it wasn't really a big

10

deal at all.

11

Honestly to tell you the truth, we went

12

through their I'm going to say ten items,

13

corrected like eight of them right away, went

14

back to them for clarification on a couple of

15

them and wrote back to them.

16

A few of the things you guys will be

17

adopting in the regular session and I can tell

18

you, they wanted us to have an investment

19

audit. They wanted us to -- I should probably

20

put my glasses on, I can't find them -- they

21

wanted us to have -- they wanted our

22

investment audit in a different format. They

23

wanted us to have a property acquisition

24

policy, which we didn't have, I didn't realize

25

that we were supposed to. They wanted some

1

2

updates on our mission statement and

3

measurement report and then a couple of other

4

things that we were able to update very

5

quickly. They didn't like the format, like I

6

said, of a couple of things.

7

So overall, when we wrote back to them

8

and said these items have to go to our board,

9

these items have been updated right away and

10

we're working on a few other things, their

11

response back to us was, you know, I'm

12

paraphrasing, but good job, you guys covered

13

90 percent of what we asked for and I'm sure

14

they're going to check back in a little while

15

and just make sure that we covered the last

16

few things that we're cleaning up right now,

17

we'll clean up in the regular session and then

18

we'll post by the end of the week.

19

So overall, it was I think a fine audit

20

and it was painless for the most part because

21

we didn't even know it was happening, so and

22

that was also included in your packets.

23

MR. BRAUN: I took particular exception

24

to the investment audit from the standpoint

25

that they audited our financial statements,

1

2

which means they had to confirm the amount of

3

money we had in the bank, the fact that we

4

have collateral above the FDIC insurance, so

5

they may not have liked the language for some

6

reason, but the accountants did what they were

7

supposed to do.

8

One of the other things, too, is I've

9

had conversations with Ryan Silva with regard

10

to trying to reach out to the ABO to get some

11

kind of advisory committee together and I

12

volunteered Lisa and Lori to that committee,

13

which they actually shook their heads to

14

because they're frustrated at how difficult it

15

is to put that form or those inputs into the

16

system. But as Ryan said to me right now,

17

unless she did something last week, it's

18

ruddle the ship, the governor has not

19

appointed a new head of the ABO, so until that

20

happens, a lot of this stuff going forward is

21

in flux.

22

Anybody have any questions for Lisa?

23

MR. GRUCCI: Yeah.

24

Would you refresh my memory, ABO stands

25

for what?

1

2

MS. MULLIGAN: Authorities Budget

3

Office.

4

MR. BRAUN: /PARIS.

5

MR. GRUCCI: Okay.

6

MS. MULLIGAN: Well, ironically PARIS

7

is an Office of the State Comptroller program,

8

but the ABO is the one who reviews it and

9

provides feedback on it.

10

MR. WEIR: The purpose of the ABO was

11

created under Governor Pataki after some

12

complaints about selling -- canal corporations

13

selling land with a lot of -- without a lot of

14

oversight; was to have oversight over all

15

state and local public authority, public

16

corporations and so forth.

17

Now could -- the Office of State

18

Comptroller's power could have been expanded

19

to cover everybody, but the legislature

20

decided to put the ABO under the auspices of

21

the executive branch and the independent

22

Office of State Comptroller, it was a

23

political decision, so there is a tremendous

24

amount of overlap between the OSC and the ABO,

25

inefficient, but this is New York, why do

1

2 something that makes sense, so . . . but we're
3 here and the ABO powers seem to grow each
4 year.

5 That's why it was done. It was
6 actually done in the Pataki administration and
7 it's continued to expand ever since.

8 MR. BRAUN: I know there was also one
9 piece of legislation that was introduced by
10 Senator Skoufis that had Ryan concerned. I
11 don't know whether that -- it may have passed,
12 but I don't know if the governor signed off on
13 that yet.

14 MS. MULLIGAN: I think that -- well, I
15 shouldn't say that, I'm not sure.

16 MR. BRAUN: But you know what.
17 Everybody thinks the ABO relates to just
18 IDA's. I mean New York Thruway Authority's
19 there, I assume the Triboro Bridge and Tunnel
20 Authority is part --

21 MR. WEIR: Every authority, public
22 development corporation and local development
23 corporation comes under the auspices of the
24 ABO, so they actually had, when they were
25 created, a broader mandate to review entities

1

2 than the OSC did, so, for example, originally
3 the OSC had no ability to audit LDC's because
4 there had been created under (inaudible), only
5 the AG's office had that. So I mean, so --
6 but the ABO has authority to regulate and
7 audit every public entity in New York State.

8 MR. BRAUN: Bill, 2008, when was that
9 created?

10 MR. WEIR: It was I believe 2005 and
11 then it was amended again in 2007.

12 MR. BRAUN: Okay.

13 MR. WEIR: So you had the Public
14 Authorities Accountability Act in 2005 and
15 then the Public Authorities Responsibilities
16 Act in 2007, I believe, so it's been around
17 for a long time and it's not going anymore.

18 MR. BRAUN: No, it's not.

19 Lisa, do you have anything else?

20 MS. MULLIGAN: I don't have anything
21 else, unless anybody has questions on the
22 audit.

23 Actually, I will say you guys, if you
24 haven't, you should look at our website, it is
25 chockful of information. I reference it

1

2 regularly when I need information.

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Fred asked me a question the other day. The easiest place for me to access the information that he was looking for was on our website. It's really -- I think for most people it's excessive, but for us as a resource, it's . . . I think it's good.

MR. BRAUN: And it is pretty user friendly.

MS. MULLIGAN: Yes.

I've seen those similar audits where they say to IDA's we did find this document, but we had to dig and that's not the way it's supposed to be.

Our information is all pretty clearly laid out and accessible for the public and it's updated almost daily because there's always something else we have to add to it.

MR. BRAUN: If there's nothing further, I will entertain a motion to adjourn the meeting of the Governance Committee of the --

MR. TROTTA: Motion.

MS. SCHEIDT: Second.

MS. MULLIGAN: I'm sorry, that was

1

2

Frank Trotta who made the motion and who

3

seconded it?

4

MS. SCHEIDT: Ann-Marie.

5

MS. MULLIGAN: Thank you, Ann-Marie.

6

MS. SCHEIDT: Always eager to move on.

7

MR. BRAUN: Mr. Callahan?

8

(No response.)

9

MR. BRAUN: Birthday child, you voting?

10

MS. MULLIGAN: He's on mute.

11

MR. CALLAHAN: I was on mute, sorry.

12

Yes, yes, yes.

13

MR. BRAUN: Mr. Grucci?

14

MR. GRUCCI: Yes.

15

MR. BRAUN: Ms. Paprocky?

16

MS. PAPROCKY: Yes.

17

MR. BRAUN: Mr. Pollakusky?

18

MR. POLLAKUSKY: Yes.

19

MR. BRAUN: Ms. Scheidt?

20

MS. SCHEIDT: Yes.

21

MR. BRAUN: Mr. Trotta?

22

MR. TROTTA: Yes.

23

MR. BRAUN: Mr. Braun votes yes.

24

It's unanimous. We are adjourned.

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(Time noted: 9:32 a.m.)

I, JOANN O'LOUGHLIN, a Notary Public
for and within the State of New York, do hereby
certify that the above is a correct transcription
of my stenographic notes.

JOANN O'LOUGHLIN

Town of Brookhaven

Industrial Development Agency

Governance Committee

MEETING AGENDA

Wednesday, December 7, 2022 at 2:00 PM

1. Minutes

June 8, 2022

2. Subtenant Application