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TOWN OF BROOKHAVEN
INDUSTRIAL DEVELOPMENT AGENCY

- - - - -x

PUBLIC HEARING
HELD BY CONFERENCE CALL
RE: THE VISTAS OF PORT JEFFERSON LLC

- - - - -x

July 10, 2020
10:01 a.m.

TRANSCRIPT OF PROCEEDINGS

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

TOWN OF BROOKHAVEN
INDUSTRIAL DEVELOPMENT AGENCY
One Independence Hill
Farmingville, New York 11738

BY: LISA M.G. MULLIGAN,
CHIEF EXECUTIVE OFFICER

ALSO PRESENT: ERIC J. RUSSO, ESQ.,
VANBRUNT, JUZWIAK & RUSSO
DANIELLE L. RIZZO, ESQ.,
BENJAMIN DEVELOPMENT
COMPANIES

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MS. MULLIGAN: It is 10:01 a.m. on July 10, 2020. This is the public hearing for The Vistas of Port Jefferson LLC with the Town of Brookhaven Industrial Development Agency. My name is Lisa Mulligan. I'm going to read the NOTICE OF PUBLIC HEARING.

NOTICE IS HEREBY GIVEN that due to the Nouvelle Coronavirus (COVID-19) Emergency State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, as amended by Executive Order 202.14, issued on April 7, 2020, suspending the Open Meetings Law, and Executive Order 202.15 issued on April 9, 2020, as extended by Executive Order 202.28 issued on May 7, 2020 permitting Local governments to hold public hearings by telephone and video conference and/or similar device, the Public Hearing scheduled for July 10, 2020, at 10:00 a.m., local time, to be held by the Town of Brookhaven Industrial Development Agency (the "Agency"), in accordance with the provisions of Article 18-A of the New York General

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Municipal Law will be held electronically via

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conference call instead of a public hearing

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open for the public to attend. Members of the

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public may listen to the Public Hearing, and

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comment on the Project (defined below) during

7

the Public Hearing, by calling (712)770-5505

8

and entering access code 884-124. Comments

9

may also be submitted to the Agency in writing

10

or electronically. Minutes of the Public

11

Hearing will be transcribed and posted on the

12

Agency's website, all in connection with the

13

following matters:

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The Agency has previously assisted The

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Vistas of Port Jefferson LLC, a limited

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liability company organized and existing under

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the laws of the State of New York (the

18

"Company"), with the construction and

19

equipping of a senior housing rental community

20

(the **"Improvements and the Equipment"**),

21

including approximately 244 senior citizen

22

rental housing units and appurtenances,

23

located or to be located on or about a parcel

24

of land owned by the Company totaling

25

approximately 27.324 acres situate at Bicycle

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2

Path, Port Jefferson Station, Town of

3

Brookhaven, Suffolk County, New York (and

4

further identified on the SCTM as

5

0200-229.00-01.002.16, formerly

6

0200-229.00-01.00-002.11 through 002.15 and

7

0200-206.00.05.00-040.001) (the "**Land**",

8

together the Improvements and the Equipment,

9

the "**Facility**"), which Facility is owned and

10

managed by the Company. The Agency acquired a

11

leasehold interest in the Facility, and leased

12

to the Facility to the Company for further

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sublease by the Company to qualified senior

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residents of at least 55 years of age.

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The Company has requested the Agency's

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assistance in the form of advancing the

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commencement of the abatement from real estate

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taxes previously granted by the Agency to the

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Company under the Lease and Project Agreement

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between the Agency and the Company.

21

The Agency will continue to hold a

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leasehold interest in the Land and

23

Improvements and title to the Equipment, and

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will lease or sublease the Facility to the

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Company.

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The Agency contemplates that it will provide additional financial assistance to the Company in the form of advancing the commencement of the abatement from real estate taxes previously granted by the Agency to the Company under the Lease and Project Agreement between the Agency and the Company.

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A representative of the Agency will at the above-stated time and place hear and accept written comments from all persons with views in favor of or opposed to the proposed financial assistance to the Company. At the hearing, all persons will have the opportunity to review the application for financial assistance, as amended, filed by the Company with the Agency and an analysis of the costs and benefits of the Facility.

19

Dated: June 29, 2020

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TOWN OF BROOKHAVEN

21

INDUSTRIAL DEVELOPMENT AGENCY

22

By: Lisa MG Mulligan

23

Title: Chief Executive Officer

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25

I believe someone joined the conference call; will you please state your name, spell

1

2 it for the record and your affiliation?

3

4 MR. RUSSO: Eric J. Russo, Vanbrunt,
5 Juzwiak & Russo, 140 Main Street, Sayville, as
6 attorney on behalf of the applicant, The
7 Vistas of Port Jefferson, Benjamin Companies.

8

9 MS. MULLIGAN: Is there anyone else
10 who's joined the call?

11

12 (No response.)

13

14 MS. MULLIGAN: Mr. Russo, did you have
15 comment that you care to share or you're
16 listening?

17

18 MR. RUSSO: I'm listening to those who
19 may call in --

20

21 MS. MULLIGAN: Okay.

22

23 MR. RUSSO: -- for the period of the
24 public hearing, which I was advised would be
25 30 minutes.

26

27 MS. MULLIGAN: Okay. We'll just --

28

29 MR. RUSSO: And I apologize, I thought
30 this was a tape recording or I would have
31 interrupted you and let you know it was me.

32

33 MS. MULLIGAN: It is being recorded,
34 just so you know.

35

36 MR. RUSSO: Okay, not a problem. Thank

1

2

you.

3

And I believe you and who --

4

MS. MULLIGAN: I'm the only person on
the call, it's just me and you right now.

6

MR. RUSSO: Very good. Thank you.

7

I did advise the property owner of the
hearing and told him that I would participate
in the conference call. They are not joining
the conference call.

10

11

MS. MULLIGAN: Okay.

12

MR. RUSSO: So we sit and wait --

13

MS. MULLIGAN: Yes.

14

MR. RUSSO: -- at this time?

15

All right. Thank you.

16

(Pause.)

17

MS. MULLIGAN: Did someone just join
the public hearing?

18

19

MS. RIZZO: Yes. This is Danielle
Rizzo from The Vistas of Port Jefferson.

20

21

MS. MULLIGAN: Hi, Danielle.

22

MS. RIZZO: Hi.

23

MS. MULLIGAN: You're here to listen, I
assume?

24

25

MS. RIZZO: Yes, just to listen. I

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2

think Eric Russo is joining on our behalf.

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MR. RUSSO: Good morning, Danielle.

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MS. RIZZO: Hi, Eric, how are you?

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MR. RUSSO: Okay, thank you.

6

MS. MULLIGAN: Just so you're both

7

aware, this is being recorded and will be

8

transcribed.

9

MS. RIZZO: Okay, thanks.

10

(Pause.)

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MS. MULLIGAN: It's 10:30 a.m. This is

12

the public hearing for The Vistas of Port

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Jefferson LLC project with the Town of

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Brookhaven Industrial Development Agency.

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Hearing no comment, I'm going to close

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this public hearing, 10:32 a.m. on July 10,

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2020.

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Thank you so much everyone.

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(Time noted: 10:32 a.m.)

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I, JOANN O'LOUGHLIN, a Notary Public

21

for and within the State of New York, do hereby

22

certify that the above is a correct transcription

23

of my stenographic notes.

24

25

JOANN O'LOUGHLIN