

Town of Brookhaven
Industrial Development Agency

MEETING AGENDA

Wednesday, August 16, 2023 at 8:05 A.M.

1. ROLL CALL
2. EXECUTIVE SESSION
3. MINUTES

July 19, 2023

4. CFO'S REPORT

Budget vs. Actual Report – July 31, 2023

Insurance

Timely Payments

5. APPLICATIONS

Fairfield Knolls at Mount Sinai Owner, LLC / EB at Mt. Sinai

Ronk Hub Subtenant – Catholic Health Services

6. RESOLUTIONS

Ronk Hub Condemnation

Ronk Hub Subtenant – Catholic Health Services

10 Donald's Way, LLC

Applications & Resolutions Expiration

6. CEO'S REPORT

September Event

Community Development Corporation Annual Luncheon

The next IDA meeting is scheduled for September 20, 2023 at 8:05 A.M.

TOWN OF BROOKHAVEN
INDUSTRIAL DEVELOPMENT AGENCY

MEETING MINUTES

JULY 19, 2023

MEMBERS PRESENT: Frederick C. Braun, III
Martin Callahan
Mitchell H. Pally
Ann-Marie Scheidt
Gary Pollakusky (via Zoom)
Frank C. Trotta

EXCUSED MEMBER: Felix J. Grucci, Jr.

ALSO PRESENT: Lisa M. G. Mulligan, Chief Executive Officer
Lori LaPonte, Chief Financial Officer
Amy Illardo, Director of Marketing
Jocelyn Linse, Executive Assistant
Terri Alkon, Administrative Assistant
Annette Eaderesto, IDA Counsel
William F. Weir, Nixon Peabody, LLP
Howard Gross, Weinberg, Gross & Pergament, LLP (via Zoom)
Peter Curry, Farrell Fritz, P.C.
Michael Webb, Farrell Fritz, P.C.

Chairman Braun opened the Industrial Development Agency meeting at 8:05 A.M. on Wednesday, July 19, 2023, in the Agency's Office on the Second Floor of Brookhaven Town Hall, One Independence Hill, Farmingville, New York. A quorum was present.

MEETING MINUTES OF MAY 17, 2023

The motion to approve these Minutes as presented was made by Mr. Trotta and seconded by Mr. Pally. All voted in favor.

MEETING MINUTES OF JUNE 26, 2023

The motion to approve these Minutes as presented was made by Ms. Scheidt, seconded by Mr. Callahan, and unanimously approved.

CFO'S REPORT

Ms. LaPonte presented the Actual vs. Budget Report for the period of January 1, 2023 through June 30, 2023. Revenue is on target with the budget; some of the expense line items are over budget due to the non-capitalized costs related to the purchase of new computers, printers and phones. Interest income has increased. Insurance coverage costs have increased to cover the new fixed assets. All PILOT payments have been disbursed within thirty days and all payroll taxes and related withholdings have been paid timely in accordance with Federal and State guidelines. All regulatory reports have been filed in a timely fashion.

The motion to accept the report was made by Mr. Callahan and seconded by Ms. Scheidt. All voted in favor.

EB AT EAST PATCHOGUE – FINAL AUTHORIZING RESOLUTION

A public hearing was held yesterday for this \$54 million 139-unit senior housing development west of Sipp Avenue in East Patchogue. One comment was received from the South Country school district and was shared with the Board Members. Two studies, the proposed PILOT and cost benefit analysis were included in the meeting packet. Mr. Trotta noted that the South Country school district comment requested the IDA consider the impact to the school district.

The motion to approve the final authorizing resolution was made by Ms. Scheidt, seconded by Mr. Callahan, and approved with Mr. Pally abstaining.

Mr. Curry and Mr. Webb left the meeting at 8:16 A.M.

SELDEN COMMERCIAL – MOVE ACADEMIA SUBTENANT APPLICATION

Move Academia has requested to sublease approximately 1,000 square feet of the Selden Commercial facility to conduct fitness classes. The owner of Move Academia is the sole employee.

The motion to accept the application was made by Mr. Pally, seconded by Mr. Trotta, and unanimously approved.

AVR-SP BROOKHAVEN JV, LLC – RESOLUTION

This spec industrial project in the Shirley Industrial Park currently is set up as two buildings on one parcel. They have requested that the PILOT and job requirements be split proportionately between the two buildings. The total amount of the PILOT will not change.

The motion to approve this resolution was made by Ms. Scheidt and seconded by Mr. Pally. All voted in favor.

SELDEN COMMERCIAL – MOVE ACADEMIA RESOLUTION

The motion to approve the resolution to allow Move Academia to sublease a portion of the Selden Commercial facility was made by Mr. Pally, seconded by Mr. Callahan, and unanimously approved.

SEPARATION PAYOUT POLICY

This resolution allows an employee the option to split the payout of any money owed at separation such as accruals or lagged payroll over a couple of years when they separate from the Agency. If the payout is \$30,000 or greater it will be paid out over a few years. If the payout is less than \$30,000 an employee has the option to elect to have it paid out over a few years.

The motion to approve the resolution was made by Mr. Callahan and seconded by Mr. Trotta. All voted in favor.

CEO'S REPORT

Job Creation Numbers

Letters were sent to projects that did not meet their job creation numbers requesting an explanation of why their job creation numbers were not met. In addition, we requested their most up to date NYS Form 45. Responses are coming in; projects were given a deadline of August 1, 2023.

IDA Meeting
July 19, 2023

Project Tours

Some Board Members and staff recently toured the Brightview Senior Living facility, a tour of the Ronkonkoma Hub project will be scheduled.

Ms. Eaderesto joined the meeting at 8:25 A.M.

Association for a Better Long Island Membership Request

Mr. Trotta made a motion to join the Association for a Better Long Island at a cost of \$2,500 per year. The motion was seconded by Mr. Callahan and unanimously approved.

At 8:30 A.M., Mr. Callahan made a motion to enter executive session to discuss proposed, pending or current legislation. The motion was seconded by Ms. Scheidt, and all voted in favor.

At 8:49 A.M., Mr. Pally made a motion to resume the regular agenda. The motion was seconded by Ms. Scheidt, and unanimously approved. No action was taken in executive session.

The motion to close the meeting at 8:50 A.M. was made by Mr. Callahan and seconded by Ms. Scheidt. All voted in favor.

The next IDA meeting is scheduled for Wednesday, August 16, 2023 at 8:00 A.M.

GERMANO & CAHILL, P.C.

Of Counsel to MEYER, SUOZZI, ENGLISH & KLEIN, P.C.

Guy W. Germano
Michael J. Cahill
G. William Germano, Jr.

Meghan Healy, *Of Counsel*
Alyssa Solarsh-Sinatra, *Associate*

August 7, 2023

Via Email

Ms. Lisa M.G. Mulligan, CEO
Brookhaven Industrial Development Agency
One Independence Hill
Farmingville, NY 11738

Re: Application of 10 Donald's Way LLC - 10 Donald's Way, Medford, NY

Dear Ms. Mulligan:

The Town of Brookhaven Industrial Development Agency previously approved an exemption from mortgage recording taxes for one or more mortgages securing an aggregate principal amount not to exceed \$35,000,000 in connection with the above-referenced project. We respectfully request that the Agency approve and consent to an increase in the aggregate principal amount of such mortgage(s) to \$37,000,000 at its next meeting on August 16th. The requested increase is not due to an increase in overall project costs.

Thank you for your consideration.

Very truly yours,



Guy W. Germano

From: Kyle Strober <stroberabli@gmail.com>
Sent: Thursday, July 20, 2023 12:19 PM
To: Kyle Strober <stroberabli@gmail.com>
Subject: ABLI Update: Governor Hochul's Executive Action on Housing Crisis

To: All ABLI Members
From: Kyle Strober, Executive Director
Date: 7/20/23
Re: Governor Hochul's Executive Action on Housing Crisis

This memo is for ABLI members only. Please do not disseminate this information.

Earlier this week Governor Hochul announced a multipronged plan to address NYS' housing crisis, underscoring her earlier advocacy in this year's NYS budget proposal. Ultimately, it was left out of the final budget so rather than negotiating legislation with the NYS Senate & Assembly once more, this plan seeks to circumvent the Legislature by utilizing various executive actions. This strategy also avoids a housing plan that includes the deliberately misnamed legislation, "Good Cause Eviction."

There are six tranches within the Governor's plan:

1. Gowanus Neighborhood Mixed Income Housing Development Program

This program targets specific benefits and housing obligations in line with the former 421-a(16) program for development proposals in the Gowanus neighborhood in Brooklyn.

ABLI Analysis: This tranche is New York City centric. If you have a project within the Gowanus neighborhood and would like additional information, please email me directly.

2. Pro-Housing Community Program

This program will prioritize \$650m in funding based on a new certification process determined by NYS Homes and Community Renewal and will be based on factors assessing municipalities' success in and commitment to identifying impediments to and promoting housing growth. These factors will include whether municipalities have committed to taking important steps to support housing, such as streamlining permitting and adopting pro-housing policies, and whether they have submitted critical housing and zoning data to the state to help identify challenges to and track progress on housing growth. Communities that additionally meet annual housing growth targets of one percent downstate and one-third of a percent upstate will receive top prioritization.

On Long Island, once a municipality receives a "Pro Housing" certification, they will be able to access the \$650m and apply for the funds. For Long Island, the following programs will be available:

- Downtown Revitalization Initiative, administered by the Department of State;
- NY Forward, administered by the Department of State;
- Regional Council Capital Fund, administered by Empire State Development;
- New York Main Street, administered by New York State Homes and Community Renewal;
- Market New York capital grants, administered by Empire State Development;
- Long Island Investment Fund, administered by Empire State Development;
- Public Transportation Modernization Enhancement Program, administered by the Department of Transportation

As you may recall, the Long Island Investment Fund (LIIF) initially had approximately \$350M in funding, of which:

- \$100M for multi-year, catalytic, large-scale real estate development projects that must be ready to commence within three years of selection, or complete within seven years. Minimum award would be \$25M.
- \$150M for all other transformative projects, with a minimum award of \$5M.

Thus far, NYS has awarded:

- \$46M to three universities; Farmingdale State, Stony Brook and Long Island University
- \$10M to Feinstein Institute at Northwell

ABLI Analysis: It is critical that NYS HCR issue guidance that encourages municipalities to apply for "Pro Housing" certification. Should they issue restrictive criteria, which might require municipalities to pass ADU laws, specific affordability regulations (i.e. 20% of units at 50 AMI), overlay zones near LIRR stations, etc., Long Island municipalities will likely balk and it will be a repeat of this year's earlier budget fight on housing.

Second, should municipalities apply and receive "Pro Housing" certification, it will be critical that ESD, who administers Long Island Investment Funds, establishes requirements that encourage housing development as well. Guidance similar to the failed NY Housing Compact, which required at least 20% of the units at 50% AMI, or at least 25% of the units at 80% AMI, will not spur the additional housing Long Island desperately needs.

3. Identifying State-Owned Sites for Potential Housing

A state executive order mandates that all State entities must review lands in their ownership and control to determine whether the sites could be used either for housing development or to support nearby housing developments. For example, NYS will issue an RFP to redevelop Downstate Correctional Facility in Fishkill and Javits Center Site K in Manhattan, both of which allow for residential uses.

ABLI Analysis: Generally, it is beneficial to the economic development community when municipalities sell or lease its excess properties for development opportunities.

4. Addressing Regulatory Hurdles to Housing Production

These are NYS administrative actions to address state regulatory hurdles to building new housing. The Department of State has initiated regulatory updates that will align its regulations under the State Environmental Quality Review Act ("SEQR") with other agencies' SEQR regulations and will help facilitate obtaining variances under the Uniform Fire Prevention and Building Code and Energy Conservation Construction Code. The Department of Environmental Conservation will also be exploring opportunities to balance identifying efficiencies in its SEQR regulations to promote environmentally friendly housing growth while maintaining SEQR's critical protections for all communities.

ABI Analysis: While the devil is in the details, ABLI has strongly advocated for streamlining the SEQR process.

5. New Portal for Housing Data

Governor Hochul announced the launch of the beta version of a Housing Data Dashboard to share

statistics and information about housing and zoning trends and practices from around the state. The Housing Data Dashboard will provide critical information to help the State and municipalities identify challenges and track progress on housing growth.

ABLI Analysis: Last year, ABLI supported a similar initiative, the *Long Island Zoning Atlas Mapping Project*, with the Long Island Community Foundation. We are awaiting a briefing on how our project will blend with the Governor's new executive action.

6. FY 2024 Budget Investments

The budget adds \$391 million in rental assistance to expand New York's Emergency Rental Assistance Program to cover additional tenants and families - including NYCHA and other public housing residents. The budget also adds \$50 million for tenant legal services and creates a new Tenant Protection Unit office in upstate New York to provide guidance, advocacy, and legal support to a diverse range of tenants outside of New York City.

Conclusion

The Governor's actions appear relatively innocuous, especially compared to the prior NY Housing Compact proposal, with real potential to facilitate additional housing on Long Island. ABLI has contacted the Governor's office to request a briefing and provide comments to help ensure this housing proposal addresses our region's economic needs.

If you have any questions or comments, please don't hesitate to contact me.

KS

Kyle Strober
Executive Director
ABLI
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[516-850-8801](tel:516-850-8801) cell
[@ForABetterLI](https://www.facebook.com/ForABetterLI)

nyabli.com



A new center in Queens Village will be able to serve up to 1,000 single adult men seeking asylum.

HOWARD SCHNAPP

Mayor: Asylum-seekers to cost NYC \$12B by '25

BY MATTHEW CHAYES
matthew.chayes@newsday.com

New York City's cost to shelter, feed and otherwise care for tens of thousands of asylum-seeking migrants could balloon to more than \$12 billion by 2025, Mayor Eric Adams warned Wednesday.

By 2025, Adams said, over 100,000 migrants could be living in homeless shelters in the city, which is under a decades-old, rare-in-the-nation judicial mandate to shelter anyone in need.

The forecast is based on the current arrival trends of thousands each week. The city's previous estimate put the total cost, by next summer, at \$4.3 billion.

Speaking from City Hall, Adams urged, as he has for months, the state and federal governments for subsidies and space outside the city to place migrants.

"We are past our breaking point," Adams said. "New Yorkers' compassion may be limitless, but our resources are not."

The biggest cost the city bears for the migrants is housing, Adams' budget chief, Jacques Jiha, said at a news conference with Adams. (The city's entire municipal budget is \$107 billion.)

The federal government, which has dispatched a small team to visit the city's shelters, has so far promised the city \$160 million to help, but Jiha said the city has yet to receive a "dollar" of that money.

The mayor's lawyers have asked a judge to loosen the mandate requiring the city to provide free shelter, pursuant to a legal settlement dating to the 1980s.

"Right now, the way it currently states, you could come to New York from anywhere on the globe, you could come to New York City, and we are supposed to feed, clothe, house you as long as you want," Adams said. "That is just not sustainable."

As of last week, 18,000 migrant children were in the city schools. Asked on Wednesday about those costs, Adams said, "it's a moving number."

The mayor warned there would be more budget cuts to other city services without federal and city help.

"We are out of room," Adams said.

Almost 100,000 migrants have been processed through the city's system. Of those, over 57,000 live in city facilities. The rest are on their own, either in the city or elsewhere.

The city is hoping that kicking childless adult migrants out of shelters and requiring them to reapply every 60 days — a policy the Adams administration adopted earlier this summer — will, among other as-yet unannounced policy changes, yield a "20 percentage reduction in census growth" of the shelter population, a budget official said Wednesday on a background call with reporters. Asked where those migrants would go, the official did not an-

swer.

Adams says the city spends \$383 per household on the migrants — \$9.8 million a day.

Adams has sought to place migrants elsewhere in the state, such as on Long Island, but most local leaders have chafed.

Earlier this year, dozens of municipalities around the state — including Suffolk and Riverhead — passed orders restricting the ability of the city to place migrants elsewhere. Although hundreds of migrants have moved to Long Island on their own, according to advocates, none are known to have been relocated to the Island as part of an official program by the city.

Since the first of the asylum-seekers began arriving in spring 2022 — mostly sent by U.S. border state governors in protest of the Biden administration's immigration policies — the city has opened almost 200 sites to house migrants.

They generally have a year from crossing the border to file for asylum; if they don't, they forfeit the right. But "very few" have formally applied, Adams' deputy overseeing the crisis, Anne Williams-Isom, said in May. The city has helped 1,700 file so far, she said Wednesday.

In June, Newsday reported that most applicants were unlikely to be granted asylum — and an unknown number will stay here anyway, illegally.

Migrants cannot apply to work legally until at least six months after formally applying for asylum.

POT COMPANY

Tilray to acquire it, and seven others, in \$85 million deal

BY VICTOR OCASIO
victor.ocio@newsday.com

Blue Point Brewing Co., the local maker of Blue Point Toasted Lager and Hoptical Illusion brand beers, will be sold by parent company Anheuser-Busch to cannabis giant Tilray Brands along with seven other craft beer makers in an \$85 million deal.

Patchogue-based Blue Point, which was originally purchased by Anheuser-Busch in 2014, distributes its brews across the United States and operates out of a 54,000-square-foot brewery and headquarters at the site of the former Briarcliffe College.

Tilray, a New York City-based cannabis researcher and cultivator with operations in the United States, Canada, Europe and Latin America, distributes cannabis consumer products, hemp-based foods and craft beverages in more than 20 countries.

In addition to Blue Point, Tilray is purchasing Shock Top,

Breckenridge Brewery, 10 Barrel Brewing Co., Redhook Brewery, Widmer Brothers Brewing, Square Mile Cider Co. and Hi-Ball Energy, according to a company announcement made Monday.

Current employees at the breweries and brewpubs associated with the brands are part of the transaction, Tilray said.

The deal is likely to make Tilray the fifth-largest craft beer brewer in the United States, up from its current spot as the ninth, the company said.

The all-cash purchase is expected to be finalized later this year.

"We are excited to work with the teams behind these iconic brands that command great consumer loyalty and have a history of delivering strong award-winning products with tremendous growth opportunities," Tilray chairman and chief executive Irwin D. Simon said in a statement.

A statement from Andy Thomas, president of The High End, Anheuser-Busch's business unit in charge of craft brewers, said, "We are committed to working with Tilray Brands over the coming months to ensure this is a smooth transition for the people who are working

'Blueprint' for

BY YANCEY ROY
AND TIFFANY CUSAAC-SMITH
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tiffany.cusaac-smith@newsday.com

Gov. Kathy Hochul announced a "blueprint" Wednesday for beefing up cybersecurity across state agencies and local governments to try to block computer hacks such as the one that wreaked havoc in Suffolk County.

On the same day, Sen. Chuck Schumer (D-NY) announced help for schools through federal "engagement teams" to identify and mitigate security risks.

It all comes on the heels of cybersecurity attacks against a number of local governments, including Suffolk and the City of Albany, where hackers demanded ransom payments. Schools have been hit too:

Newsday recently reported the hacks targeting Long Islands schools doubled from 2021 to 2022.

"Cybercriminals are intended to disrupt our systems and our lives," Hochul said at a Brooklyn news conference with cybersecurity experts. "So, we're going to keep bulking up our defense against these attacks, and this is to protect critical infrastructure, but also personal information and our digital assets."

One of the key issues for New York and other states is the proliferation of various security systems across government agencies and departments, experts have said.

Hochul's plan seeks to promote what she called "unification" — a "whole of state" approach to cybersecurity that cre-

WILL BUY BLUE POINT BREWING CO.



Blue Point Brewing in Patchogue was founded by Long Islanders Mark Burford and Peter Cotter in 1998.

every day to get these amazing beers and beverages to consumers across the U.S.”

Local executives with Blue Point Brewing could not be reached for comment.

Tilray’s announcement comes after the company purchased Montauk Brewing Co. late last year for an undisclosed

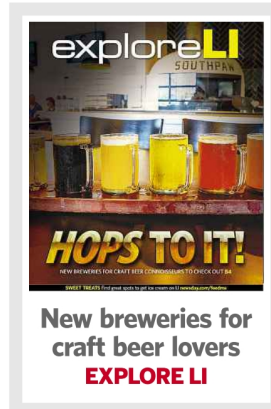
amount. Since that purchase, Montauk’s distribution has expanded beyond the New York metro market into Pennsylvania.

Blue Point’s start

Blue Point, founded in 1998 by Long Islanders Mark Burford and Peter Cotter, got its start two years prior when the two

home-brewing enthusiasts began experimenting with what would become the brand’s signature Toasted Lager.

At the time, Burford and Cotter maxed out credit cards and used their homes as collateral to secure loans for fermentation tanks, a brew kettle and other equipment secondhand.



Anheuser reportedly paid \$24 million for the company in 2014. Anheuser, based in St. Louis, is owned by Belgium-based multinational AB InBev.

Industry challenges

The craft beer industry has faced challenges in recent years, industry observers said, potentially explaining at least in part Anheuser’s decision to sell.

The transaction also comes on the heels of a conservative backlash and boycott against the beer giant’s Bud Light brand for using a transgender influencer

in a promotion. The company said last week that its U.S. revenue fell 10.5% in the second quarter.

Benj Steinman, editor at Beer Marketer’s Insights, told the St. Louis Post-Dispatch that the deal signals that both the craft industry and Anheuser have been seeing challenges in the market.

“It’s a different moment for craft beer,” Steinman said. “It’s not the shiny new toy, not the growth engine it once was. It’s not as attractive of a [market] segment.”

The craft beer space has also grown more competitive over the last decade, data shows.

The number of craft brewers has exploded since the time of Blue Point’s first acquisition, growing from 4,803 breweries in 2015 to 9,552 in 2022, according to figures from the Brewers Association, an industry trade group.

Despite that saturation, Bart Watson, chief economist for the Brewers Association, said Tilray’s purchase shows interest in the craft beverages remains strong.

“There’s a reason that Tilray is choosing to invest here as opposed to other sectors,” Watson said in a statement.

curbing cyberattacks

ates partnerships across various levels of government to make states, counties, towns and cities more secure by hunting and fixing security breaches.

“Unification means, very simple, we’re aligning the whole of state government against this problem,” Hochul said.

The network of state agencies offers “a lot of points of entry, a lot of vulnerabilities” for hackers, as do county and local government systems, Hochul said.

“If our local governments and our county governments allow something in to infiltrate our system because of those connections, then our security is compromised,” she said.

A September 2022 cyberattack in Suffolk shut down a broad cross-section of county services for several months.

In the aftermath, County Executive Steve Bellone has called for centralizing cyber infrastructure to improve security across disparate computer networks. Other officials want to go in the other direction, by giving more autonomy to agencies.

On the state level, the governor’s plan calls for beefing up the New York Security Operations Center, modernizing the state’s computer networks and expanding security help for local governments.

The administration also wants to boost technology programs at State University of New York campuses and increase recruitment incentives for recent graduates to join the state workforce.

At a news conference at Baldwin High School, Schumer announced Long Island school dis-

tricts will be the first to get access to a federal “engagement team” offered by the U.S. Education Department and the Cybersecurity and Infrastructure Security Agency.

Starting in September, the team will work with schools to identify risk and mitigation strategies, including password polices and regular software updates, Schumer said. It also will work to minimize cybersecurity breaches, he said.

Anthony Mignella, assistant superintendent for instruction for Baldwin schools, said the district will reach out to the cybersecurity experts. The district has advanced firewalls and conducts regular security audits, but the threat is evolving, Mignella said.

“So as these threats continue to evolve in complexity and fre-



Sen. Chuck Schumer discusses the cybersecurity plan in Baldwin.

quency, we find ourselves in a relentless struggle to stay ahead and ensure continuity of education for our students,” he said.

Schumer, the Senate majority leader, also noted authorization of more than \$370 million in federal grants to schools in the Biden administration’s recent infrastructure law. Through the

state, Long Island localities can access the money by presenting plans, showcasing their need and requesting awards, Schumer said.

“This problem of cyberattacks, and the ransomware they traffic, is nails on the chalkboard for our schools,” Schumer said.

2023 ANNUAL LUNCHEON

JOIN US

10.12.2023

Crest Hollow Country Club
8325 Jericho Turnpike,
Woodbury, NY 11797

We are thrilled to invite you to CDCLI's highly anticipated 2023 Annual Luncheon!

Join Us to celebrate significant milestones in creating homeownership and maintaining it throughout our communities. Milestones that are possible because of our partnerships with Long Island's contracting and lending leaders



**DID YOU
KNOW?**

The current median sales price of a single family home on Long Island is \$600,000 (\$671,000 in Nassau and \$535,000 in Suffolk), except a family of four earning 80% AMI can only afford about half that at current interest rates and typical property taxes and down payments.

As an organization committed to affordable housing, we are working tirelessly to find solutions to this problem. Join us in creating safe and affordable homes for all!

We believe that everyone deserves a safe and stable place to call home, and we are dedicated to making that a reality for as many people as possible. Our Annual Luncheon allows us to continue the work that we do!

We cannot emphasize enough how grateful we are for your past support, and we hope you will join us on this special day to celebrate our collective impact and the bright future ahead of us.

Attendees will also get a first-look at our new and improved rebrand!

[Sponsorships & Tickets](#)



2023 ANNUAL LUNCHEON



October 12th, 2023
From 12:00PM to 2:30PM



Crest Hollow Country Club
8325 Jericho Turnpike,
Woodbury, NY 11797

[Get Directions](#)

For all questions surrounding CDCLI's Annual Luncheon, please contact
Events@cdcli.org

CONNECT WITH US!





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Our File No.
39268/106

July 31, 2023

VIA E-MAIL – lmulligan@brookhavenny.org

Lisa M.G. Mulligan
Director of Economic Development
Office of Economic Development
1 Independence Hill
Farmingville, NY 11738

**Re: Hawkins Ave Development RH2, LLC Sublease with
Catholic Health System of Long Island, Inc.**

Lisa:

Attached please find the Application for Consent to Sublease submitted by the above parties in connection with premises located at the Station Yards community in Ronkonkoma, New York. Please feel free to contact me with any questions or comments on the contents of this Application. If there are none, I request that you place the Application on your August 16th calendar for Agency consent.

I look forward to working with the Brookhaven IDA on this leasing transaction.

Very truly yours,

A handwritten signature in black ink that reads 'Peter'.

Peter L. Curry

PLC/an

cc: William F. Weir, Esq.
Barry Carrigan, Esq.
Ms. Elizabeth Wood
Ms. Kelley Coughlan Heck
Kylie Springs, Esq.

\$1.25M for development

Suffolk legislature OKs funding for housing project

BY JONATHAN LAMANTIA
jonathan.lamantia@newsday.com

The Suffolk County Legislature approved \$1.25 million in funding Tuesday for a mixed-use affordable housing development in East Patchogue with 55 apartments.

Georgia Green Ventures, the developer on the \$34 million project, plans to use the money for infrastructure improvements including the cost of connecting to sewers. It will also make streetscape improvements, such as expanding sidewalks, adding street lighting, and making the area accessible for people with physical disabilities.

The goal is “creating a space where people could come and congregate and having a real focal point,” said David Gallo, president of Georgia Green Ventures. “We want to have something there that’s memorable.”

Georgia Green is partnering on the development with The Kulka Group based in Hauppauge. Seventeen of the units will permanently serve as supportive housing for survivors of domestic violence. Levittown-based nonprofit New Ground will provide those services.



RENDERING

WHAT TO KNOW

- The Suffolk County Legislature approved \$1.25 million for infrastructure improvements tied to a planned apartment complex in East Patchogue.
- Georgia Green Ventures plans to break ground on The Grove, a 55-unit mixed-use development, in the fall.
- The income-restricted apartments will have rents ranging from \$1,227 to \$2,994 and 17 units will be set aside for survivors of domestic violence.

BEATTY HARVEY COCO ARCHITECTS LL

The Grove will have 55 apartments, including 17 designated for survivors of domestic violence.

The funding still requires approval from Suffolk County Executive Steve Bellone.

The three-building development at 400 East Main Street, called The Grove, will allow tenants earning between 50% to 90% of the area median income.

The Grove will have one-, two- and three-bedroom apartments. Proposed rents start at \$1,227 for the five one-bedroom units reserved for people earning no more than 50% of area median income, which is \$53,900 for an individual. Three-bedroom units will rent from \$1,671 to \$2,994, depending on the tenant’s income.

The project was supported by Suffolk Legis. Dominick Thorne (R-Patchogue), who represents the area.

“The decision to support this plan was made after receiving community input and feedback,” Thorne said in a statement to Newsday through a spokesman. “I will always seek to support projects that enhance our downtowns, help our small businesses grow and increase our tax base.”

Additional financing for the project comes from state affordable housing tax credits. The development will also receive certain tax exemptions from the Town of Brookhaven Industrial Development Agency.

“The reality is for something like this to happen, we need all levels of government to participate,” Gallo said.

Georgia Green expects to break ground in the fall on the site, with leasing to begin in

early 2025.

The site is part of a broader development of a blighted stretch of East Patchogue that has been ongoing for years. In March 2020, the Town of Brookhaven created an overlay zoning district with the aim of increasing residential density, transitioning away from a commercial district and maintaining the community’s character.

Other projects in East Patchogue include a 91-unit Greymbarn apartment development from Rechler Equity Partners on the site of the former Mediterranean Manor catering hall and a 40-unit complex from G4 Development on the onetime site of the since-demolished Plaza Theatre.

Brookhaven Councilman Neil Foley, a Republican whose dis-

trict includes the site, said the fact that sewers were extended to the area years ago made the development possible. “We want to create housing for everybody,” Foley said. “We all know Long Island is an expensive place to live, so we wanted the concept of affordable housing.”

The project is an example of what can be accomplished without the type of mandates to build more housing that were floated by Gov. Kathy Hochul in the spring, said Eric Alexander, director of Vision Long Island, a downtown planning organization. He noted recent lotteries for affordable apartments in Westbury and Greenport generated far more applications than could be accommodated.

Retired NYPD detective to challenge Santos

BY CANDICE FERRETTE
candice.ferrette@newsday.com

Republican Mike Sapricono, CEO of a private security company and a retired NYPD detective, on Tuesday announced his campaign to oust Rep. George Santos (R-Nassau/Queens) in the 3rd Congressional District.

Sapricono, 67, of Glen Head, is the second Republican to challenge Santos in what likely will be among the most closely watched House races in the nation next year. Federal prosecutors have charged Santos with 13 counts of wire fraud, money laundering, theft of public funds and making false statements to Congress. He has



Republican Mike Sapricono

pleaded not guilty.

Republican Kellen Curry, a business executive and U.S. military veteran, also has announced a campaign against Santos, who is seeking reelection.

“This is a challenge for me but I have met many challenges in life,” Sapricono, a first-time candidate, said Tuesday. “I believe in the Republican Party but I also believe in common sense and I think we spend a lot of time worrying about what side we belong to and not enough time worrying about the people who elect.”

Sapricono said his top campaign priorities will be to address “public safety, border security and fiscal responsibility to get our country back on the right track.”

Sapricono was born and raised in Queens but has lived on Long Island for 32 years.

He began his career in 1980

as an NYPD Transit Police officer and was eventually promoted to detective. He attended John Jay College of Criminal Justice as a part-time student for nearly a decade while working for the NYPD and raising a family but never earned a degree, he said. He retired in 2000.

While still on the force, Sapricono founded Squad Security, a private security firm that now employs more than 600 active and retired police.

Federal Election Commission data show Sapricono has donated thousands of dollars to the Nassau County GOP and the campaigns of Republicans such as former Rep. Lee Zeldin,

Rep. Anthony D’Esposito and former Rep. Pete King. He also has given to Democrats such as former Rep. Tom Suozzi and Suffolk County Legis. Kara Hahn.

Sapricono is married to Eileen Daly-Sapricono, a State Supreme Court justice in Nassau County.

Nassau Republican Committee chairman Joseph Cairo in a statement called Sapricono “a well-respected business owner and former NYPD Detective” but noted the party has made “no decision on the candidate to replace disgraced Congressman Santos.”

A spokeswoman for Santos declined to comment.

TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT AGENCY
APPLICATION FOR CONSENT TO SUBLEASE

APPLICATION OF: Hawkins Ave Development RHP2, LLC (“Company”)
FOR CONSENT TO SUBLEASE TO
Catholic Health System of Long Island, Inc. (“Subtenant”)
FACILITY/PROJECT: Hawkins Ave Development RHP2, LLC 2021 Facility - Ronk Hub Phase 2A
DATE: July 19 2023

Please respond to all items either by filing in blanks, by attachment (by marking space “see attachment number 1”, etc.) or by N.A., where not applicable.

Application must be filed in one (1) original and one (1) electronic form.

A \$750.00 non-refundable application fee made payable to the Town of Brookhaven Industrial Development Agency is required at the time of submission to the Agency.

Information provided herein will not be made public by the Agency prior to the passage of an official Resolution but may be subject to disclosure under the New York State Freedom of Information Act.

Please write or call:

Town of Brookhaven Industrial Development Agency
One Independence Hill
Farmingville, New York 11738

(631) 406-4244

I. Company Data

A. Company: Hawkins Ave Development RH2, LLC
Contact: Robert J. Coughlan
Title/Position: Managing Member
Address: 40 Three Real Estate Company, Inc. Stony Brook Technology Center, 45 Research Way, Suite 100, East Setauket, NY 11733
Phone: [REDACTED]
Federal Employer I.D.: [REDACTED]

B. Related User of the Facility:

Name	Relationship
<u>N/A</u>	<u>N/A</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

C. Company Counsel

Firm Name: Farrell Fritz, P.C.
Individual Attorney: Peter L. Curry, Esq.
Address: 400 RXR Plaza, Uniondale, NY 11556
Phone: (516) 227-0772

II. Project/Facility Data

A. Location of Project: North Side of Railroad Avenue and East Side of Hawkins Avenue
Address: Railroad Avenue and Hawkins Avenue, Ronkonkoma, NY 11779

S.C. Tax Map: 044.000, 047.001, 048.000,
049.000, 051.001, 052.000,
District 0200 Section 799.00 Block 04.00 Lot 053.000 & 054.000
0200 800.00 2 01.00 027.001

B. Current Occupants, Area Occupied, and Uses

Current Occupant	Area Occupied (Sq. Ft.)	Use	Current # of FTEs
Vacant	N/A	N/A	N/A

III. Proposed Subtenant

- A. Name of Subtenant: Catholic Health System of Long Island, Inc.
- B. Address: 992 North Village Avenue, Rockville Centre, New York 11570
- C. Contact:
- Name: Christine Flaherty
- Phone: [REDACTED]
- D. Affiliates Names and Addresses: _____
- E. Current Location: N/A
- F. Subtenant Counsel:
- Firm Name: Catholic Health Office of General Counsel
- Individual Attorney: Susan Gabriel, Esq.
- Address: 992 North Village Avenue, Rockville Centre, NY 11570
- Phone: [REDACTED]

G. Will the completion of the project or the subleasing to the Subtenant result in the removal of any facility or facilities of the Applicant from one area of the State to another OR in the abandonment of any facility or facilities of the Applicant located within the State?

YES _____ NO X

i. If no, explain how current facilities will be utilized

Current facilities will continue to operate regularly.

ii. If yes, please indicate whether the subleasing of the Facility to the Subtenant is reasonably necessary for the Subtenant to maintain its competitive position in its industry or remain in the State and explain in full:

N/A

H. Principal stockholders, members, or partners, if any, of Subtenant:

Name and Address	Percent Owned
<u>N/A</u>	_____
_____	_____
_____	_____

I. Has the Subtenant, or any subsidiary or affiliate of the Subtenant, or any stockholder, partner, member, officer, director, or other entity with which any of these individuals is or has been associated with:

i. Ever filed for bankruptcy, been adjudicated bankrupt or placed in receivership or otherwise been or presently is the subject of any bankruptcy or similar proceeding?

YES _____ NO X

1. If yes, please explain

ii. Been convicted of a felony, or misdemeanor, or criminal offense (other than a motor vehicle violation)?

YES _____ NO X

1. If yes, please explain

J. Relationship of Subtenant to Company (e.g., affiliate, arm's-length tenant, etc.)

Arm's-length tenant

K. Proposed area of the facility to be occupied by the Subtenant (Sq. Ft.) 2,631

L. Describe the specific operations of the Subtenant or other users to be conducted at the project site:

Operation of a medical urgent care retail office of quality similar to Subtenant's other
locations staffed by physicians and other healthcare professionals and support
personnel providing routine checkups, medical consultations and examinations
and for customary ancillary uses in connection with such use.

M. Does the proposed use and occupancy of the Subtenant conform with all applicable zoning, planning, building and Environmental Laws, ordinances, rules and regulations of governmental authorities having jurisdiction over the Facility?

YES X NO _____
i. If no, please explain _____

IV. Proposed Sublease Agreement Terms

A. **Attach a copy of Executed Sublease Agreement (may be conditioned upon Agency approval)**

Term: 10 years and five months
Commencement Date: The date of Delivery of Possession
Guarantors: N/A
Base Rent: \$97,347.00
Base Rent Increases and Intervals: 3% per annum
Common Area Rent: \$8.77 per square foot estimated common area costs

B. **Improvements to Proposed Demised Area to be Made by Company**

Description: See attachment 1.

Cost: _____

Source of Payment: Equity and construction loan.

C. **Improvements to Proposed Demised Area to be Made by Subtenant**

Description: Typical fit out for a medical urgent care retail office.

Cost: TBD - Estimated at \$855,240.00
Source of Payment: Company allowance and Subtenant equity.

D. Fair Market Rent Evaluation

Is rent to be charged Fair Market? YES X NO _____

How was Fair Market rent determined? (Attach supporting documentation)

Company retained a Long Island based commercial real estate broker.

E. Does or will any of the "Financial Assistance" provided by the Agency, including Real Estate Tax Exemption, Sales and Use Tax Exemption, benefit the Subtenant in any manner?

YES X NO _____

If yes, explain

Subtenant will benefit because the tax payment Subtenant is responsible for will be lower than if there was no Financial Assistance and Company's work letter will benefit from the sales tax exemption. Subtenant is a not for profit organization.

F. How many Full-Time Equivalent Employees (FTEs) are there presently at the subtenant's current location: approximately 12,034 throughout the Catholic Health System

How may additional FTEs are to be expected at the Facility regarding this application: 6.5

G. Salary and Fringe Benefits by Subtenant (Estimated)

Jobs To be Created:

	Average Salary	Average Fringe Benefits
Salary Wage Earners	<u>\$211,000.00</u>	<u>Approx 29-30%</u>
Commission Wage Earners	<u>N/A</u>	<u></u>
Hourly Wage Earners	<u>\$48,000.00</u>	<u>Approx 29-30%</u>
1099/Contract Workers	<u>N/A</u>	<u></u>

What is the annualized salary range of jobs to be created?

\$ 50,000.00 to \$ 273,000.00

What is the number of construction jobs created as a result of this Subtenant Application? N/A (FTEs)

V. Mortgagees

Have the Holders of all mortgages or record consented to the proposed sublease?

YES _____ NO X

If yes, attach evidence thereof.

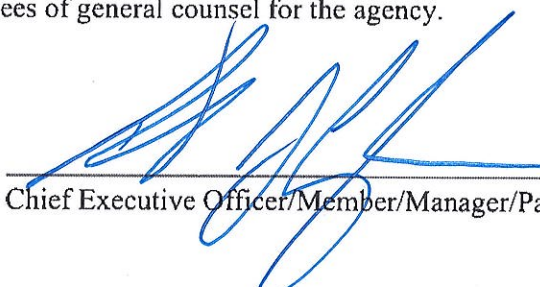
COMPANY CERTIFICATION

Robert J. Coughlan [Insert name of Chief Executive Officer/Manager/Partner of proposed Company] deposes and says that s/he is the
Managing Member [insert title] of Hawkins Ave Development RHP2, LLC
[insert name of Company], the company named in the attached application; that s/he has read the foregoing application and knows the contents thereof; that the same is true to her/his knowledge.

Deponent further says that the reason this verification is being made by the deponent and not by Hawkins Ave Development RHP2, LLC


[insert name of Company] is because the said company is a limited liability company [insert type of entity]. The grounds of deponent's belief relative to all matters in the said application which are not stated upon her/his own personal knowledge, are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from books and papers of said company.

As an Managing Member [insert position, e.g., officer, member, manager, partner] of said company (hereinafter referred to as the "applicant"), deponent acknowledges and agrees that applicant shall be and is responsible for all costs incurred by the Town of Brookhaven Industrial Development Agency (hereinafter referred to as the "Agency") in connection with this application and all matters relating to the proposed sublease, including the Agency's attorneys' fees, regardless of whether or not the applicant fails to conclude or consummate necessary negotiations or fails to act within a reasonable or specified period of time to take reasonable, proper, or requested action or withdraws, abandons, cancels, or neglects the application or if the applicant is unable to consummate the sublease for any reason. upon presentation of invoices, applicant shall pay to the agency, its agents or assigns, all costs incurred with respect to the application, including fees to counsel for the agency and fees of general counsel for the agency.



Chief Executive Officer/Member/Manager/Partner of Company

Sworn to before me this
18th day of JULY 2023



NOTARY PUBLIC

ROBERT KENT
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02KE6107247
Qualified in Suffolk County
Commission Expires June 11, 2024

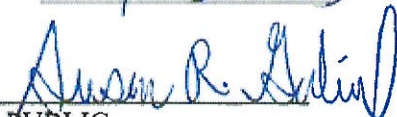
SUBTENANT CERTIFICATION

Christine Flaherty _____ [*Insert name of Chief Executive Officer/Manager/Partner of proposed Subtenant*] deposes and says that s/he is the SVP, Real Estate Development & Facilities [*insert title*] of Catholic Health System of Long Island, Inc. [*insert name of Subtenant*], the proposed subtenant named in the attached application; that s/he has read the foregoing application and knows the contents thereof; that the same is true to her/his knowledge.

Deponent further says that the reason this verification is being made by the deponent and not by Catholic Health System of Long Island, Inc. [*insert name of Subtenant*] is because the said proposed subtenant is a New York not-for-profit corporation [*insert type of entity*]. The grounds of deponent's belief relative to all matters in the said application which are not stated upon her/his own personal knowledge, are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from books and papers of said proposed subtenant.



Chief Executive Officer/Member/Manager/Partner of Subtenant

Sworn to before me this
13~~th~~ day of July, 2023


NOTARY PUBLIC

SGSAN R. GABRIEL
Notary Public, State of New York
No. 02GA6004163
Qualified in Kings County
Commission Expires March 16, 2026

The IDA (Sun)rises again: The nation's highest clean-energy designs – and Long Island's greatest socioeconomic hopes – have been boosted, again, by the [Town of Brookhaven Industrial Development Agency](#).

The IDA has approved a tax-incentives package for [Sunrise Wind LLC](#), which is constructing 18 miles' worth of on-land transmission capabilities connecting its offshore wind farm to the Long Island Power Authority in Holbrook. Subcontractor Haugland Energy Group LLC, spun off the Melville-based [Haugland Group](#), is projected to create 400-plus construction-phase jobs while installing the underground duct system, with the wind farm – under construction 30 miles east of Montauk – expected to pump enough wind-generated juice to power 600,000 homes by 2025.

The incentives package – the [second Brookhaven IDA break of the year](#) for the joint venture of Danish multinational Ørsted A/S and Connecticut-based Eversource Energy – is another example of Brookhaven's "clean-energy leadership," according to Industrial Development Agency Chairman Frederick Braun III. "This project will bring new investment to the town and many good-paying jobs," Braun added. "[We] look forward to seeing this transmission cable providing critical support for the regional development of offshore wind."

Initial work begins for wind farm cable

BY MARK HARRINGTON
mark.harrington@newsday.com

Sunrise Wind this month began preliminary construction work for a 17.5-mile underground cable for its offshore wind farm through Brookhaven Town, even as its developers await word from the state on whether its contract can be adjusted upward to accommodate ballooning costs.

In filings with the state Department of Public Service in June and July, Sunrise Wind requested and received approval to begin phase one of construction for the cable, which includes “clearing and construction activities within the project boundary area,” chiefly in Holtsville.

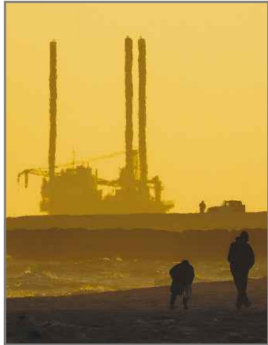
The state gave its authorization to start construction on July 13. The \$4.2 billion project, which promises to power some 600,000 homes, is expected to be operational in 2025.

Meaghan Wims, a spokeswoman for Sunrise Wind, confirmed preliminary construction work had begun, but said bigger work activities wouldn’t come until early next year.

“Sunrise Wind development continues to progress and the project remains on-track” to be operational in 2025, she said. “We expect that the most significant construction activities will begin in early 2024.”

The project includes a 6.2-mile undersea cable in state waters that will make landfall at Smith Point, before it begins its 17.5-mile run along William Floyd Parkway and Horseblock Road to the Long Island Expressway South Service Road before connecting to a LIPA substation in Holbrook. The offshore cable will run more than 100 miles in federal waters to a turbine field set to be built off the Massachusetts-Rhode Island coast.

For the work on land, Sunrise Wind has confirmed that it has “all materials necessary to commence the phase one work,” according to its state filings. The company said it planned to install erosion and



A barge off Smith Point does seafloor survey work for the Sunrise Wind farm in 2020.

WHAT TO KNOW

- Sunrise Wind has begun preliminary construction work for a 17.5-mile underground cable for its offshore wind farm through Brookhaven Town.
- The project includes a 6.2-mile undersea cable that will make landfall at Smith Point, before it begins a 17.5-mile run to connect to a LIPA substation in Holbrook.
- Sunrise Wind recently asked the state whether its contract can be adjusted upward to accommodate ballooning costs.

sediment control equipment prior to starting work, which it said it expected to begin on or before July 10.

Work underway includes “civil work” at an onshore converter Station at 608 Union Ave. in Holtsville, and preparation and use of two “laydown yards” at 580 Union Ave., Holtsville, and 60 Zorn Blvd., Yaphank.

Last month, Sunrise Wind’s developers said they “would not be able to obtain a final investment decision allowing it to fully construct the project” unless the state allowed their previously negotiated contract to be adjustable for rising material, construction and other costs. Other wind farm developers,

including Empire Wind developers Equinor/bp, made similar requests.

Observers say the state is in a bind to approve the request, which it has already included in a new round of wind farms set to be awarded this year.

“The Public Service Commission is in a no-win position, but what is certain is that whatever choice it makes, offshore wind prices are going to rise, and every New York ratepayer will pay their share of the increase,” James Hanley, a fellow at the fiscally conservative Empire Center think tank in Albany, wrote earlier this month.

But Bob Catell, chairman of the National Offshore Wind Research and Development Consortium, said those cost questions won’t stop the projects.

“Offshore wind energy projects are very important to our energy future and will go forward,” he said. “As with any other major development, there may be some bumps along the way that need to be overcome.”

Separately this week, the Brookhaven Town Industrial Development Agency said it closed on an agreement that will provide more than \$90 million tax breaks in support of Sunrise Wind’s land-based construction, which will support hundreds of local jobs. The package includes \$87.4 million in tax savings for construction of the converter station and cable duct banks. It also includes \$2.6 million in tax breaks for an operations center in East Setauket.

In April, Newsday reported that Sunrise Wind awarded Long Island’s largest wind-farm contract to date to Melville-based Haugland Group for construction of the cable. The \$200 million-plus contract is expected to bring more than 400 jobs during construction and provide the region with an economic boost through use of regional contractors, food vendors and workforce development. Work is slated to be substantially complete in 15 months, by the end of 2024, Haugland said.

A.I. tech

Latest weapon in the fight against fare beaters

BY ALFONSO A. CASTILLO
alfonso.castillo@newsday.com

The MTA is using artificial intelligence to combat fare beaters on the New York City subway system but says it has no plans to bring the same technology to the Long Island Rail Road.

Still, a privacy activist who uncovered new details about the Metropolitan Transportation Authority’s “video analytics fare evasion software” said Long Island commuters should be concerned that the LIRR could incorporate A.I. into its existing surveillance camera system.

The MTA first disclosed its plans in a report issued in May about the agency’s fare evasion problem, which cost it \$690 million last year, including \$24 million lost on the LIRR.

The report noted that the MTA already had begun to “experiment with the use of computer technology” across seven subway stations to extrapolate the number of fare beaters across the subway system — about 16% of all riders. The MTA has said it plans to expand the use of the technology to about two dozen more sta-

tions by the end of this year.

Although the report did not explain how the technology works, the Surveillance Technology Oversight Project (S.T.O.P.), a New York-based privacy and civil rights group, last week released the MTA’s contract with Spanish technology firm Awaait Artificial Intelligence. It explained how the “video analytics fare evasion software” combines streamed video and actual fare “swipe data” made available by the MTA to zero-in on fare beaters.

The software even keeps tabs on the fare beaters’ preferred methods: “jumping over turnstile, passing underneath turnstile, swinging the turnstile tripods arms back and forth, reverse entering at the emergency gates,” according to the contract.

The amount paid by the MTA for the technology is redacted in the documents obtained by S.T.O.P. MTA officials would not disclose the cost of the contract.

‘A counting tool’

In a statement, MTA communications director Tim Minton said the MTA is using the technology “as a counting tool” and is not using it to identify riders.

“The objective is to determine how many people are evading the fare and how are they doing it,” Minton said.

Still, subway rider Malcolm Combs, 23, said learning that the MTA is using A.I. to track

Suffolk detective

BY BART JONES
bart.jones@newsday.com

A Suffolk County detective testified Friday that he could not verify that a 25-year-old Bay Shore man at the heart of a federal wrongful death lawsuit tried to grab an officer’s gun amid an altercation with police that contributed to his death.

Under questioning by plaintiff attorney Fred Brewington, Det. John Newton said in a Central Islip federal courtroom that he did not see Kenny Lazo reach for the officer’s gun on the night of April 12, 2008, during a struggle

that Lazo’s family says led to his death. Police have said that is a key reason they had to beat Lazo into submission, as he tried to flee from a traffic stop in Bay Shore for alleged drug dealing.

But Newton, under questioning by Marc Lindemann, an attorney for the county, said he did not see the alleged gun-grab because he had momentarily turned his back to Lazo and the other officers trying to control him while looking for his handcuffs in the dark.

At that moment, he said, he did hear officer William Judge shout out, “Gun! Gun!”