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TOWN OF BROOKHAVEN  
INDUSTRIAL DEVELOPMENT AGENCY

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PUBLIC HEARING  
HELD BY CONFERENCE CALL  
RE: VISIONTRON CORP.

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March 22, 2021  
10:00 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: DANIEL J. BAKER, ESQ.,  
CERTILMAN BALIN  
ADLER & HYMAN LLP

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MS. MULLIGAN: It is 10:00 a.m. on March 22, 2021. This is the Town of Brookhaven Industrial Development Agency public hearing for the Visiontron project. My name is Lisa Mulligan. I am going to read the public hearing notice into the record.

NOTICE IS HEREBY GIVEN that due to the Novel 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 to date, permitting local governments to hold public hearings by telephone and video conference and/or similar device, the Public Hearing scheduled for March 22, 2021, at 10:00 a.m., local time, being 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 Municipal Law will be held electronically via conference call instead of a public hearing open for the public to attend. Members of the public may listen to the Public Hearing, and comment on

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2

the Project (defined below) and the benefits

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to be granted by the Agency to the Company

4

(defined below) during the Public Hearing, by

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calling (712-770-5505) and entering access

6

code 884-124. Comments may be also submitted

7

to the Agency in writing or electronically.

8

Minutes of the Public Hearing will be

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transcribed and posted on the Agency's

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website, all in connection with the following

11

matters:

12

925 Waverly Avenue Associates, LLC, a

13

limited liability company organized and

14

existing under the laws of the State of New

15

York, on behalf of itself and/or the

16

principals of 925 Waverly Avenue Associates,

17

LLC and/or an entity formed or to be formed on

18

behalf of any of the foregoing (collectively,

19

the "**Company**"), and Visiontron Corp., a

20

business corporation organized and existing

21

under the laws of the State of New York, on

22

behalf of itself and/or the principals of

23

Visiontron Corp., and/or an entity formed or

24

to be formed on behalf of any of the foregoing

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(the "**Sublessee**"), have applied to the Agency

1  
2 for assistance in (a) the acquisition of an  
3 approximately 6.12 acre parcel of land (the  
4 "**Land**"), the acquisition and renovation of the  
5 approximately 79,682 square foot building and  
6 other improvements thereon (the  
7 "**Improvements**"), and the acquisition and  
8 installation therein of certain equipment not  
9 part of the Equipment (as defined herein) (the  
10 "**Facility Equipment**"), located or to be  
11 located at 925 Waverly Avenue, Holtsville,  
12 Town of Brookhaven, Suffolk County, New York  
13 (and further described on the Suffolk County  
14 Tax Map as No. 200-804.00-01.00-001.005)  
15 (collectively, the Land, Improvements and  
16 Facility Equipment may be referred to as the  
17 "**Company Facility**"), which Company Facility is  
18 to be leased to the Agency by the Company, and  
19 subleased by the Agency to the Company, and  
20 further subleased by the Company to the  
21 Sublessee except, however, approximately  
22 12,000 square feet of office space of the  
23 Company Facility shall be subleased by the  
24 Company to Topaz Lighting Corp. (the "**Third**  
25 "**Party Tenant**") until on or about October 31,

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2

2021 (and thereafter subleased by the Company

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to the Sublessee), to be used for offices by

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the Third Party Tenant for its business of the

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distribution of lighting, lighting fixtures

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and other electrical fittings, and (b) the

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acquisition and installation of certain

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equipment and personal property (the

9

**"Equipment"**, together with the Company

10

Facility, the **"Facility"**) to be leased by the

11

Agency to the Sublessee, and which Facility is

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to be used by the Sublessee for the

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manufacture and distribution of, and office

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space in connection with the Sublessee's

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business of the manufacture and distribution

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of, crowd control products and related

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products, (the **"Project"**). The Company

18

Facility will be initially owned, operated

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and/or managed by the Company and the

20

Equipment will be initially owned, operated

21

and/or managed by the Sublessee.

22

The Agency will acquire a leasehold

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interest in the Land and Improvements and

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title to the Facility Equipment and the

25

Equipment, and will lease and sublease the

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2

Company Facility to the Company for further

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subleasing to the Sublessee, and will lease

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the Equipment to the Sublessee.

5

The Agency contemplates that it will

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provide financial assistance to the Company

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and the Sublessee in the form of exemptions

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from mortgage recording taxes in connection

9

with the financing or any subsequent

10

refinancing of the Facility, exemptions from

11

sales and use taxes in connection with the

12

construction/renovation and equipping of the

13

Facility, and exemption of real property

14

taxes, consistent with the uniform tax

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exemption policies ("**UTEP**") of the Agency.

16

A representative of the Agency will, at

17

the above-stated time and place, hear and

18

accept written comments from all persons with

19

views in favor of or opposed to either the

20

proposed financial assistance to the Company

21

or the location or nature of the Facility.

22

Prior to the hearing, all persons will have

23

the opportunity to review on the Agency's

24

website (<https://brookhavenida.org/>), the

25

application for financial assistance filed by

1

2

the Company with the Agency and an analysis of

3

the costs and benefits of the proposed

4

Facility.

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Dated: March 10, 2021

6

TOWN OF BROOKHAVEN  
INDUSTRIAL DEVELOPMENT AGENCY

7

By: Lisa MG Mulligan

8

Title: Chief Executive Officer

9

Has anyone joined the call who would

10

like to make comment?

11

(No response.)

12

MS. MULLIGAN: Hearing none, I will

13

leave this public hearing open.

14

(Pause.)

15

MS. MULLIGAN: It's 10:15 a.m. This is

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the Town of Brookhaven Industrial Development

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Agency public hearing for the Visiontron/925

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Waverly Avenue Associates, LLC project.

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Has anyone joined the call that would

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like to make comment?

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(No response.)

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MS. MULLIGAN: Hearing none, I'm going

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to keep this public hearing open.

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(Pause.)

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MR. BAKER: Dan Baker.



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MS. MULLIGAN: Hello, this is the public hearing for the Town of Brookhaven Industrial Development Agency for the Visiontron project.

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Has someone joined the call?

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MR. BAKER: Yeah, Dan Baker here.

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MS. MULLIGAN: Hi, Dan.

9

Did you want to make comment?

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MR. BAKER: No, I'm the attorney for the applicant.

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12

MS. MULLIGAN: Okay. We just have --

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MR. BAKER: I'm driving, so I'm going to mute.

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15

MS. MULLIGAN: Okay, sounds good.

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MR. BAKER: All right.

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Who's this?

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MS. MULLIGAN: I'm sorry, this is Lisa Mulligan.

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MR. BAKER: Oh, hey, Lisa, how are you?

21

MS. MULLIGAN: I'm good, how are you doing? Just so you know, it's being recorded.

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23

MR. BAKER: I'm doing okay.

24

Yup. That's fine. Yeah, I had to take it from the car because I just got my second

25

1

2 vaccine in the city at the Javits Center, so .

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. . .

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MS. MULLIGAN: Okay.

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MR. BAKER: All right?

6

So I'll mute, but if I need to unmute,

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I can.

8

MS. MULLIGAN: Okay, sounds good.

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MR. BAKER: Thank you.

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(Pause.)

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MS. MULLIGAN: Dan, you don't have to

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unmute yourself, just so you know, this is the

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Visiontron public hearing, which is going to

14

end in about two minutes. I'm going to hang

15

up and call back in for the next one, which is

16

I believe the one that you're interested in.

17

MR. BAKER: Oh, yeah, Parthenon.

18

You want me to call back in then?

19

MS. MULLIGAN: I'm not sure how the

20

system's going to handle it, if it's going to

21

kick you out when I hang up and make you call

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back in, but I just wanted to let you know

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that's the process.

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MR. BAKER: All right. If it's a

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problem, I'll call back.

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MS. MULLIGAN: Okay, sounds good.

MR. BAKER: Thanks, Lisa.

(Pause.)

MS. MULLIGAN: It's 10:30 a.m. This is the public hearing for the Town of Brookhaven Industrial Development Agency for the Visiontron project.

Hearing no comment, I am going to close this public hearing. Thank you.

(Time noted: 10:30 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.

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JOANN O'LOUGHLIN