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TOWN OF BROOKHAVEN
INDUSTRIAL DEVELOPMENT AGENCY

- - - - -x

BOARD MEETING
HELD BY ZOOM VIDEOCONFERENCE

- - - - -x

January 20, 2021
12:17 p.m.

TRANSCRIPT OF PROCEEDINGS

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

MEMBERS :

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

ALSO PRESENT :

LISA M.G. MULLIGAN, CHIEF EXECUTIVE OFFICER
LORI J. LaPONTE, CHIEF FINANCIAL OFFICER
JAMES M. TULLO, DEPUTY DIRECTOR
JOCELYN LINSE, EXECUTIVE ASSISTANT
TERRI ALKON, ADMINISTRATIVE ASSISTANT
AMY ILLARDO, ADMINISTRATIVE ASSISTANT
ANNETTE EADERESTO, ESQ., AGENCY COUNSEL
WILLIAM F. WEIR, ESQ., NIXON PEABODY
HOWARD R. GROSS, ESQ.,
WEINBERG GROSS & PERGAMENT, LLP

* * *

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MR. BRAUN: This is the meeting of the
Industrial Development Agency. It's

3

4

Wednesday, January 20th.

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6

The minutes of our meeting of December
9th have been sent to everyone. I'll

7

entertain a motion to accept those.

8

MR. GRUCCI: So moved.

9

MS. SCHEIDT: Second.

10

MR. BRAUN: Are there any questions,
clarifications?

11

12

(No response.)

13

MR. BRAUN: Hearing none, Mr. Callahan?

14

MR. CALLAHAN: Yes.

15

MR. BRAUN: Mr. Grucci?

16

MR. GRUCCI: Yes.

17

MR. BRAUN: Mr. Middleton?

18

MR. MIDDLETON: Yes.

19

MR. BRAUN: Mr. Pollakusky?

20

MR. POLLAKUSKY: Yes.

21

MR. BRAUN: Ms. Scheidt?

22

MS. SCHEIDT: Yes.

23

MR. BRAUN: Mr. Trotta?

24

MR. TROTTA: Yes.

25

MR. BRAUN: And Mr. Braun votes yes.

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2

Lori, back to you.

3

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MS. LaPONTE: Included in your packages is the operating statement for the month of November and also December. I'll start off on the month of November.

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8

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11

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13

For the month of November, we had some applications, we had five applications. We had one closing for Interstate and we had some document processing fees for Agilitas with the new owner in there. The expenditures were normal monthly expenditures in line with what is budgeted.

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16

The next page is the operating statement, budget versus actual for the month of December and year to date.

17

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19

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21

22

So for the month of December, I just want to go through, we had five applications for renewables, we had a termination fee for Stafford, that was \$2,000; we had a PILOT extension fee and other document fees during the month.

23

24

25

During the month, if you look in December, we had some adjustments and I just want to point both of these out. It shows

1

2

fixed asset depreciation is not an expense,

3

but it's favorable. The reason for that is

4

just an adjustment. The assets were fully

5

depreciated, so we have a little bit more. We

6

projected more expense than we needed, so I

7

fixed that up and also, the insurance expense

8

was over accrued from based on what we needed

9

for the year, the actual.

10

So if we look down for the -- pulling

11

this across, this is year to date, we have a

12

net operating loss of approximately 49,000.

13

This is unaudited. The audit starts next

14

week, I've tried for the most part to scrub

15

the numbers, but there could always be some

16

adjustments. ICP, different things could

17

affect the numbers, but as it stands, it's 49.

18

That's in comparison to our budget, which I

19

expect to break even.

20

So when we're looking at the

21

difference, just to explain, is while our

22

revenue is down 124,000, our expenditures had

23

some favorable variances, so our net loss was

24

only 50,000.

25

When you combine the net loss for the

1

2

IDA, although this is kind of separate,
remember there was a net gain for the LDC, so
the two entities together netted 280, I just
want to point that out.

6

7

8

There's some other items I want to
mention, but did anybody have questions on the
financial report before?

9

10

11

MR. GRUCCI: When you say netted out to
280, are you saying that to the positive or
negative?

12

MS. LaPONTE: To the positive.

13

MR. GRUCCI: Okay.

14

15

16

MS. LaPONTE: So the IDA had a negative
of 49 and the LDC had a positive of 328, so
it's a net positive of 280.

17

18

MR. GRUCCI: Got it. I just didn't
have the LDC in the front of me.

19

MS. LaPONTE: That's okay.

20

21

22

23

MS. MULLIGAN: Felix, just to remind
you, we had two significant LDC closings this
year, Brookhaven Memorial Hospital and
Jefferson's Ferry.

24

MR. GRUCCI: Okay.

25

MS. LaPONTE: So I also wanted to

1

2

mention that we're a full month and a half

3

with Flushing, our new bank. They gave us a

4

little increase on our investment accounts.

5

It was .25 percent. They moved the investment

6

account up to .26 percent and then the PILOT

7

account up to .28 percent, so whatever, every

8

little bit helps.

9

The other thing I mentioned before, the

10

audit is starting next week, we're going to be

11

doing that virtually, but it still has a time

12

line of when I expect some of my preliminary

13

results from them and also, we've started a

14

significant amount of work on PILOT, on the

15

PARIS, so that report is well underway. At

16

this point there's no talks of extensions, but

17

just in case there is, we still have

18

everything for the most part pulled together.

19

MR. BRAUN: Lori, I can never remember,

20

without extension is due March 31st?

21

MS. LaPONTE: Exactly, March 31st, yes.

22

MR. BRAUN: So an audit has to be

23

complete by then, too?

24

MS. LaPONTE: Right. And we have to

25

incorporate the audit, so I need the audit

1

2

like almost done . . . the date I've given

3

them is the March board meeting that I kind of

4

need it finalized because I have to put those

5

results in, embed them in PARIS.

6

MR. BRAUN: Further questions for Lori?

7

MR. GRUCCI: Yeah.

8

Lori, I had a question and now I forgot

9

it, so I'll come back.

10

MR. BRAUN: Until Felix recalls it,

11

I'll entertain a motion to accept Lori's

12

report.

13

MS. SCHEIDT: So moved.

14

MR. BRAUN: Second?

15

MR. TROTTA: Second.

16

MR. BRAUN: Felix, did it come back

17

yet?

18

MR. GRUCCI: No, that's all right, you

19

can move on.

20

MS. LaPONTE: Can I just mention,

21

Felix, that any time anybody has a question or

22

anything, always feel free to reach out to me,

23

if it's not even in this forum, so I'm always

24

here to answer.

25

MR. GRUCCI: It just popped back in.

1

2

3

4

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6

The question that I wanted to ask you, Lori, was the performance of our budget in 2020, how does it affect, if at all, the projections that we used off of the 2020 budget to create the 2021 budget?

7

MS. LaPONTE: That's a good question.

8

9

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16

We've looked at some of those accounts, in particular some of the expenses that were off. We're close enough where we don't need to amend them because the biggest difference between the budget is in the revenue line, which is almost impossible to predict, so we did look at it to see if we needed to make any more adjustments to 2021, but not further, nothing was material enough.

17

MR. GRUCCI: Okay. Thank you.

18

19

20

21

22

23

MR. BRAUN: You know, one thought, too, Felix, if you look back, we've tracked our financial statements going back pretty close to 30 years and I have been I wouldn't say 50 percent of the time, but pretty close to that, we have been in the red.

24

25

The good news that Lori didn't mention is that we are sitting with -- correct me if

1

2 I'm wrong -- 3.1 million in the bank; is that
3 the number?

4 MS. LaPONTE: Yes.

5 MR. BRAUN: If there are no further --

6 MS. SCHEIDT: We're down to our last \$3
7 million.

8 MR. BRAUN: Yes, Mr. O'Leary.

9 There's a motion on the floor, if there
10 are no further questions on the vote,
11 Mr. Callahan?

12 (No response.)

13 MR. BRAUN: Marty, are you muted, you
14 there?

15 MR. CALLAHAN: Yes. I'm sorry.

16 MR. BRAUN: Mr. Grucci?

17 MR. GRUCCI: Yes.

18 MR. BRAUN: Mr. Middleton?

19 MR. MIDDLETON: Yes.

20 MR. BRAUN: Mr. Pollakusky?

21 MR. POLLAKUSKY: Yes.

22 MR. BRAUN: Ms. Scheidt?

23 MS. SCHEIDT: Yes.

24 MR. BRAUN: Mr. Trotta?

25 MR. TROTTA: Yes.

1

2

MR. BRAUN: Mr. Braun votes yes.

3

4

Lisa, how do you want to proceed, we've got some guests I think or not?

5

6

MS. MULLIGAN: Joce, is there anybody in the waiting room?

7

8

9

10

MS. LINSE: Yes. There's Dan Dornfeld, Jean, Jason Van Vechten, Josh Eichner, Liptenstein B, Richard Newman and Richard Tully.

11

12

MS. MULLIGAN: So I think we should just go ahead.

13

14

15

16

17

18

19

20

Joce, will you just ask all of them to say what project they're here for and that way it will be easiest for you to pull them in when appropriate and I guess we should just skip over the organizational resolutions, handle the rest of the resolutions and the applications and then we can come back to the organizational resolutions and my report.

21

22

23

24

MR. GRUCCI: Lisa, Fred, before we let them in, I see that there is a request from my nephew, Phil Grucci, the Fireworks with the Grucci.

25

Can we make that the last item so I can

1

2 just sign off because obviously I have to
3 recuse myself from that, from whatever that
4 request is and then if somebody could just
5 text me when we're into executive session,
6 I'll call in?

7 MR. BRAUN: I think we can put it at
8 the very end. We'll do executive session and
9 then when we come back in, if we need to
10 approve anything from executive session, then
11 we'll address the Grucci situation, you can
12 drop off.

13 MR. GRUCCI: Okay, great.

14 MS. MULLIGAN: Okay. Okay.

15 So I'll just go to the next item on the
16 resolutions. Joce, if there's anybody for the
17 Yaphank Fuel Cell project, just have them pop
18 in.

19 MS. LINSE: You got it.

20 MS. MULLIGAN: Thank you.

21 Included in your packet was a cost
22 benefit analysis and a PILOT for this project.
23 We did the public hearing quite sometime ago,
24 there were no comments.

25 Just to remind everyone, this is a

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2

seven point five megawatt fuel cell plant at

3

the Town energy park. They -- it's -- the

4

plan is for a 20-year PILOT. It's co-terminus

5

with their power purchase agreement and this

6

has been a long time in the works, but it

7

seems to be gaining some steam, so they asked

8

us to do the final authorizing resolution.

9

Bill, is there anything that you want

10

to alert the board about?

11

(No response.)

12

MR. BRAUN: Bill, you're muted. Bill,

13

Bill.

14

(No response.)

15

MR. BRAUN: Bill, is there anything you

16

want to add?

17

MR. WEIR: No, I think Lisa covered it

18

accurately. We should be able to close

19

shortly right after this vote.

20

MS. MULLIGAN: So that will be another

21

closing that will be happening soon.

22

MR. BRAUN: I'll entertain a motion to

23

approve that resolution.

24

MR. GRUCCI: So moved.

25

MR. BRAUN: Second?

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MS. SCHEIDT: Second.

3

MR. BRAUN: Any other questions?

4

(No response.)

5

MR. BRAUN: On the vote, Mr. Callahan?

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MR. CALLAHAN: Yes.

7

MR. BRAUN: Mr. Grucci?

8

MR. GRUCCI: Yes.

9

MR. BRAUN: Mr. Middleton?

10

MR. MIDDLETON: Yes.

11

MR. BRAUN: Mr. Pollakusky?

12

MR. POLLAKUSKY: Yes.

13

MR. BRAUN: Ms. Scheidt?

14

MS. SCHEIDT: Yes.

15

MR. BRAUN: Mr. Trotta?

16

MR. TROTTA: Yes.

17

MR. BRAUN: Mr. Braun votes yes.

18

Motion carries.

19

Lisa, back to you.

20

MS. MULLIGAN: Okay.

21

The next item on the agenda is

22

Biocogent. Joce, I think there might be

23

somebody in the --

24

MS. LINSE: Yes. Dan Dornfeld is here,

25

I'll bring him in.

1

2

MS. MULLIGAN: Okay.

3

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8

So while Dan's joining us, this is a project that actually came before the board, I think it may have just been last meeting, it was very recent. They did come before us a while ago when actually all of us were together, tells you how long ago it was.

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Included in your packet is the cost benefit analysis and the PILOT. We had the public hearing yesterday. There was no comment and just to remind everybody, they are purchasing an 11 and a half thousand square foot building from a current IDA project. This resolution actually includes the consent to the assignment of the facility by NAA plus authorizing the project through Biocogent. It's in Bellport on Sawgrass and this is an \$11.2 million project and just to remind you, they're going to be creating 15 employees, but they have another facility -- Ann-Marie, this dovetails with the presentation you just did -- they have another facility at the Stony Brook incubator with I think 31, around that, employees that are going to remain at Stony

1

2

Brook.

3

4

5

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8

They've also told us, not that it's part of the project exactly, but their plan is to create sort of a campus, so this is the first building, then they're going to probably buy another one, but right now we're just dealing the building on Sawgrass in Bellport.

9

Howard, did you have anything to add?

10

MR. GROSS: No, I don't, thank you.

11

12

MS. MULLIGAN: Dan, did you want to add anything?

13

MR. BRAUN: You're muted, Dan.

14

15

16

MS. LINSE: Dan, can you also just state your full affiliation for the stenographer, please?

17

18

19

20

MR. DORNFELD: Yeah, hi, this is Dan Dornfeld. I'm with Forchelli Deegan Terrana. I don't really -- I m rely on what has been said.

21

22

23

24

25

Just to let you know, originally we had come before you, we were going to buy a much larger building, but unfortunately that fell through, but we need that space in order to grow, so the expectation is we'll be back in

1

2

front of you, you know, in the next six months

3

to a year about another building we want to

4

buy and hopefully after that, so we appreciate

5

all the support of the IDA.

6

MR. BRAUN: Thank you.

7

Somebody care to move it?

8

MR. GRUCCI: I'll move it.

9

MS. SCHEIDT: Second.

10

MR. BRAUN: Thank you, Felix; second,

11

Ann-Marie.

12

Any other questions for Lisa or Dan?

13

(No response.)

14

MR. BRAUN: On the vote, Mr. Callahan?

15

MR. CALLAHAN: Yes.

16

MR. BRAUN: Mr. Grucci?

17

MR. GRUCCI: Yes.

18

MR. BRAUN: Mr. Middleton?

19

MR. MIDDLETON: Yes.

20

MR. BRAUN: Mr. Pollakusky?

21

MR. POLLAKUSKY: Yes.

22

MR. BRAUN: Ms. Scheidt?

23

MS. SCHEIDT: Yes.

24

MR. BRAUN: Mr. Trotta?

25

MR. TROTTA: Yes.

1

2

MR. BRAUN: Mr. Braun votes yes. The motion carries. Thank you. Thank you, Dan.

3

4

MR. DORNFELD: Thanks so much.

5

MS. MULLIGAN: Thank you.

6

7

The next item on the agenda is for H.O. Penn Machinery/Medford Branch project.

8

9

10

11

They actually have requested that the IDA give consent for them to go into a sewer agreement with the County, so, Bill, I know that it's more detailed than that.

12

13

Is there anything that you wanted to add?

14

15

16

17

18

19

MR. WEIR: No. The County's requiring an easement so they can access the facility for the sewer and the County requires us to consent to it because of our lease structure. Pretty straightforward, just so they can be in compliance with the County sewer requirements.

20

MR. BRAUN: Motion?

21

MR. TROTTA: Moved.

22

MS. SCHEIDT: Second.

23

MR. BRAUN: Any other questions?

24

(No response.)

25

MR. BRAUN: On the vote, Mr. Callahan?

1

2 MR. CALLAHAN: Yes.

3 MR. BRAUN: Mr. Grucci?

4 MR. GRUCCI: Yes.

5 MR. BRAUN: Mr. Middleton?

6 MR. MIDDLETON: Yes.

7 MR. BRAUN: Mr. Pollakusky?

8 MR. POLLAKUSKY: Yes.

9 MR. BRAUN: Ms. Scheidt?

10 MS. SCHEIDT: Yes.

11 MR. BRAUN: Mr. Trotta?

12 MR. TROTTA: Yes.

13 MR. BRAUN: Mr. Braun votes yes and the
14 motion carries. Thank you.

15 MS. MULLIGAN: Thank you everyone.

16 The next item on the agenda is an
17 application from MS Packaging, this was
18 included in your packets.19 Joce, is there anybody from MS
20 Packaging here?21 MS. LINSE: They have not responded to
22 me if they are.

23 MS. MULLIGAN: Okay.

24 So this is a current project. MS
25 Packaging has a building with the IDA on Zorn

1

2

Boulevard and a few months ago they came to us

3

and they asked if we would refinance that

4

building and they agreed that they would use

5

that money to buy land or a building someplace

6

else in Brookhaven, so this is the culmination

7

of that.

8

They are proposing construction of a

9

140,000 square foot building on 11 acres on

10

Natcon Drive in Shirley, that's the Shirley

11

Industrial Park. It's a \$13.8 million

12

project. It's going to expand their

13

distribution and warehousing; they make

14

cardboard boxes for other businesses. They

15

have 27 full-time equivalent employees at

16

their Zorn facility and they're going to add

17

13 employees at the Natcon facility.

18

They are requesting a ten-year PILOT,

19

sales tax exemption and mortgage recording tax

20

exemption on the Natcon facility, but they've

21

also asked if we would extend the PILOT at the

22

Zorn facility so that they're co-terminus, so

23

it's about five more years onto the Zorn

24

facility that they're requesting.

25

MR. BRAUN: As Lisa said, some of you

1

2

may remember, I think it was somewhat

3

confusing in the explanation of what they do,

4

but they basically, as Lisa said, refinanced

5

their building, put the proceeds in the bank

6

and not in their pockets and I think, Howard,

7

we gave them up to two years to relocate or --

8

not relocate, but to add something new in the

9

Town of Brookhaven; if that didn't happen,

10

then we'd claw back some of the benefits we --

11

MR. GROSS: If I may because we granted

12

them a mortgage recording tax exemption on the

13

additional monies they were taking out of the

14

project with the understanding that they would

15

use those monies in order to further expand

16

within the Town and they committed to at least

17

a -- between 90 and a hundred thousand square

18

feet, so they've met their commitment to us

19

and then some.

20

MR. BRAUN: So the request is for a

21

ten-year abatement on the new building along

22

with sales tax, mortgage recording tax and to

23

extend their existing PILOT to make it

24

co-terminus with the new one.

25

Motion, please?

1

2 MR. CALLAHAN: So moved.

3 MR. BRAUN: Second?

4 MR. GRUCCI: Second.

5 MR. BRAUN: Questions?

6 MS. MULLIGAN: I have a question.

7 Does the board want, assuming that
8 you're going to move forward with it, do you
9 want that five-year add-on to the original
10 building to be land only or do you want it at
11 20 percent step-ups?

12 MR. GRUCCI: Fred, what do you think?

13 MR. BRAUN: We've done it 20 percent
14 step-ups in the past, I think it's probably
15 appropriate.

16 MS. SCHEIDT: Sounds good.

17 MR. TROTTA: Question.

18 Is the request a usual request or is it
19 unusual?

20 MR. BRAUN: Which one --

21 MR. TROTTA: Well --

22 MR. BRAUN: -- for the new building or
23 the existing?

24 MR. TROTTA: The existing -- the new
25 building, rather, I'm sorry.

1

2

MR. BRAUN: No. Totally within what we've done for many, many years.

3

4

MR. TROTTA: Okay. Thank you.

5

6

MR. BRAUN: Is there a motion on the floor?

7

8

MR. GRUCCI: There is and a second, I believe, with the amendment that Lisa put forward or the addition that Lisa put forward.

9

10

MR. BRAUN: Okay.

11

On the vote, Mr. Callahan?

12

MR. CALLAHAN: Yes.

13

MR. BRAUN: Mr. Grucci?

14

MR. GRUCCI: Yes.

15

MR. BRAUN: Mr. Middleton?

16

MR. MIDDLETON: Yes.

17

MR. BRAUN: Mr. Pollakusky?

18

MR. POLLAKUSKY: Yes.

19

MR. BRAUN: Ms. Schedit?

20

MS. SCHEIDT: Yes.

21

MR. BRAUN: Mr. Trotta?

22

MR. TROTTA: Yes.

23

MR. BRAUN: Mr. Braun votes yes.

24

Motion carries.

25

Well, two motions. We probably should

1

2

amend that because we're accepting the

3

application, correct, on the new building,

4

Lisa?

5

MS. MULLIGAN: Mm-hmm.

6

MR. GROSS: You cannot take official

7

action on either request.

8

MS. MULLIGAN: You're just directing us

9

to continue forward. We'll have to have a

10

public hearing on the extension and the other

11

project as well, so . . .

12

MR. BRAUN: Okay.

13

MS. MULLIGAN: We're good.

14

MR. BRAUN: Howard, we're okay?

15

MR. GROSS: Yes.

16

MR. BRAUN: Okay, thank you.

17

MS. MULLIGAN: Thank you everyone.

18

The next item on the agenda is

19

Framerica Corporation and this I'm pretty sure

20

I heard that --

21

MS. LINSE: We do. We have Josh

22

Eichner and Jason Van Vechten, I'm bringing

23

them in now.

24

MS. MULLIGAN: Okay.

25

MR. GRUCCI: Which one is this, Lisa?

1

2

MS. MULLIGAN: Framerica.

3

So just to let everybody know,

4

Framerica is also a current project. They

5

have a facility, a hundred thousand square

6

foot facility, in Yaphank that is currently

7

our project. They also have a 50,000 square

8

foot facility in Holtsville, which is not our

9

project.

10

They manufacture moldings for -- well,

11

moldings for frames and for doorways and what

12

they're requesting is to lease about 84,000

13

square feet of space for warehousing,

14

manufacturing and distribution at 19 Nicholas

15

Drive in Yaphank and this might sound familiar

16

to you because we have Amneal Pharmaceuticals

17

leasing I think the remainder of the space in

18

that building. If it's not the remainder,

19

it's very close --

20

MR. TULLO: It is the remainder.

21

MS. MULLIGAN: It is?

22

MR. TULLO: Yup.

23

MS. MULLIGAN: So this is what's

24

available in the building.

25

Their lease is five years and the lease

1

2

that they have proposed with the owner of the building is five years and two months and it's about 62 to \$71,000 a month, you know, it escalates over time.

5

6

7

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11

They will -- they've told us in the application that they will hire eight additional employees, they have about 300 plus employees already in the Town of Brookhaven, between the Holtsville and the Yaphank facilities.

12

13

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23

They are requesting sales tax and PILOT for the lease of the space and this falls under our existing building -- existing/lease building policies and one thing that they did mention is that they may in the future -- I just to be upfront, make sure everybody hears all of this -- they may sell the Holtsville building, but that's a non-IDA facility and that's something that they might do, not that it's done and I know that we have guests representing the project, so does anyone have questions for me or for them?

24

25

MR. GRUCCI: I have a question for them.

1

2 MS. MULLIGAN: Go ahead, Felix.

3 MR. GRUCCI: Are they on?

4 MR. EICHNER: Yes.

5 MR. VAN VECHTEN: We're here.

6 MR. GRUCCI: If you do sell that
7 Holtsville building, are you planning on
8 relocating the jobs and the production that
9 was coming from that building somewhere else
10 in Brookhaven or would you be moving those
11 jobs out of the Town?

12 MS. MULLIGAN: Before, I should have
13 done this earlier, before you answer, can you
14 just state your names, spell your names and
15 your affiliation because we have everything
16 transcribed?

17 MR. EICHNER: I'm Josh Eichner, I'm
18 executive vice president of Framera.

19 MS. MULLIGAN: Thank you, Josh.

20 MR. VAN VECHTEN: Jason Van Vechten,
21 also executive vice president at Framera.

22 MS. MULLIGAN: Thank you.

23 MR. EICHNER: Our intent is not
24 necessarily to sell the Waverly Avenue
25 location, but we want to keep that option

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2

open.

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MR. GRUCCI: Okay. Thank you.

12

MR. BRAUN: Any other questions?

13

(No response.)

14

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MR. BRAUN: I've known these people for a very long time, probably before Jason and Josh maybe, but boy, somebody that worked for me, as the story goes, gave them their first, I think it was an SBA loan when the business started in a garage, so they've been a good friends, they've been terrific tenant for the Town and some of you were probably there I would guess maybe five or six years ago when we actually had a board meeting in their board room and took a tour of the facility. It's quite remarkable what they do there and it's

1

2

nice to see that they're planning on

3

expanding.

4

MR. VAN VECHTEN: Thank you.

5

MR. BRAUN: Can I have a motion to

6

accept the application, please?

7

MR. POLLAKUSKY: So moved.

8

MS. SCHEIDT: Second.

9

MR. BRAUN: On the vote, Mr. Callahan?

10

MR. CALLAHAN: Yes.

11

MR. BRAUN: Mr. Grucci?

12

MR. GRUCCI: Yes.

13

MR. BRAUN: Mr. Middleton?

14

MR. MIDDLETON: Yup.

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

Motion for the application is accepted.

23

Good luck with it guys.

24

MR. EICHNER: Thank you very much.

25

MR. VAN VECHTEN: Thank you very much.

1

2

MR. BRAUN: Tell your dads I said

3

hello.

4

MR. VAN VECHTEN: Will do, take care.

5

MS. MULLIGAN: The next item on the

6

agenda is Interstate Mechanical. It's a

7

request to sublease part of their building to

8

a company called NP Drafting.

9

Joce, is there anybody on for that one?

10

MS. LINSE: If they are, they have not

11

told me.

12

MS. MULLIGAN: That's fine. Thank you.

13

Just to give you a quick overview,

14

Interstate Mechanical is a project that we

15

closed a few months ago, I think November

16

maybe, September, in the fall.

17

It's a 58,000 square foot building at

18

355 Sills Road and they're requesting to

19

sublease about 3,000 square feet for one year

20

to a company called NP Drafting.

21

The original application, they told us

22

that their intention was to sublease some of

23

the facility, so this isn't surprising at all

24

and one thing that you should be aware of when

25

we did --

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2

MS. LINSE: Rich Tully is on, I'm going to bring him in.

3

4

MS. MULLIGAN: Okay.

5

6

So when we did the original application, the original resolution, we told them that they could use the space for office, the sublease space, but this applicant does basically the same thing that Interstate Mechanical does, it's a sheet metal fabrication, so -- steel fabrication, so I just want to bring that to your attention. I don't know that that's a major sticking point, but I did want to just mention it and the company NP Drafting is moving from Woodside, so I think that that's a nice addition.

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Howard, did I miss anything?

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MR. GROSS: No. I was just going to point out that they had always contemplated that they were going to rent out the office space, which was about 6,000 square feet of about a 58,000 square foot building, but this is only 3,000 square feet and it's separate and apart from the office space use and as Lisa said, it's very similar to what they do.

1

2

MR. BRAUN: Mr. Tully is on the Zoom,
so if anybody has any questions for him.

3

4

MS. MULLIGAN: Rich, would you just
state your name and your affiliation for our
transcription, please?

5

6

7

MR. TULLY: Yes. My name is Richard
William Tully, Jr. and I'm the owner of the
Interstate Mechanical Services and Williams
Realty Holdings.

8

9

10

11

MS. MULLIGAN: Thank you.

12

MR. BRAUN: Thank you.

13

If there are no questions, I'll
entertain a motion.

14

15

MS. SCHEIDT: So moved.

16

MR. BRAUN: Thank you, Ann-Marie.

17

MR. TROTTA: Second.

18

MR. BRAUN: Frank, you second it?

19

MR. TROTTA: Yes.

20

MR. BRAUN: On the vote, Mr. Callahan?

21

MR. CALLAHAN: Yes.

22

MR. BRAUN: Mr. Grucci?

23

MR. GRUCCI: Yes.

24

MR. BRAUN: Mr. Middleton?

25

MR. MIDDLETON: Yes.

1

2

MR. BRAUN: Mr. Pollakusky?

3

MR. POLLAKUSKY: Yes.

4

MR. BRAUN: Ms. Scheidt?

5

MS. SCHEIDT: Yes.

6

MR. BRAUN: Mr. Trotta?

7

MR. TROTTA: Yes.

8

MR. BRAUN: Mr. Braun votes yes. The

9

application is accepted. Thank you.

10

Thank you, Mr. Tully.

11

MR. TULLY: Thank you very much. Have

12

a great afternoon.

13

MR. BRAUN: You, too.

14

MS. MULLIGAN: So the next item on the

15

agenda is -- Fred, do you think we should keep

16

going, go through the report and then jump

17

into the resolutions?

18

MR. BRAUN: Yes.

19

MS. MULLIGAN: So this is relatively

20

quick.

21

Middle Country Meadows. In your

22

packets is the PILOT study that we had Camoin

23

do. They're sizeable studies, it's not huge,

24

but I just didn't want to give it to you and

25

not give you time to read it and absorb it and

1

2

let me know if you have any questions on it,

3

but it's the study for housing projects, we

4

are going to an outside, a third party to come

5

up with the PILOT.

6

So Middle Country Meadows, that's the

7

PILOT study. I expect that we are going to

8

have the public hearing in advance of our

9

February meeting, so I wanted to give you time

10

to review that.

11

Also included in your packets is a

12

similar study, but for Sun River and this is

13

another housing project and again, I suspect

14

that we are going to hold the public hearing

15

before our February meeting, so I just wanted

16

to give you guys plenty of time to review them

17

and let me know if you have any questions or

18

any issues with them and again, that's for the

19

PILOT.

20

MR. BRAUN: One of our future meetings,

21

I suggested to Lisa that she invite the people

22

from Camoin in to explain exactly their

23

methodology as they go through and prepare

24

these studies for us.

25

MS. MULLIGAN: Would you like me to do

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2

that for February, would that be helpful after
you've read these two studies?

3

4

5

MR. BRAUN: Let's give it a week or so
to see what the agenda's going to look like.
If it's relatively light, the answer is yes.

6

7

8

MS. MULLIGAN: Okay. I'm going to just
jot it down as a possible.

9

10

Okay. The next item on the agenda is
Economic Development Function.

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So as I know you're all aware, the
division of Economic Development has been
eliminated, but there's still the functions
that the office did, so I just wanted to bring
what we put together to your attention and let
you know that I have a meeting scheduled next
week with reps from the Supervisor's office to
go through this list of the things that
Economic Development did and sort of figure
out who's going to do these functions and what
they have told me -- we're going to go through
all of them. What they've told me is that
their intention is to have us bill the Town
for completing -- for doing this work.

So I think at the top of that page

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2

you'll see that we came up with an hourly rate

3

of a hundred dollars an hour, that was sort of

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if you took everybody's salary and sort of

5

averaged it out, it was pretty close to a

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hundred dollars an hour, so we went with that

7

and I'm going to go through and just see what

8

they expect the IDA to do and what they're

9

going to sort of off-load to other departments

10

within the Town, but I wanted you to be aware

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of this because A, it's got the potential to

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bring in -- I don't think it's going to be

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significant, but a little bit of revenue and

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it also has -- it's going to have the staff

15

working on other projects, so I wanted you to

16

be aware of where we were going with this.

17

So let me know if you have questions

18

and if you look through it later on and you

19

have questions, that's fine, too.

20

Frank, did you have a question?

21

(No response.)

22

MS. MULLIGAN: You're muted.

23

MR. BRAUN: I think one of the ways

24

this may work out is I suggested to Lisa go

25

back to Matt Miner and tell him that as

1

2 opposed to \$1,500 a month we pay in rent, that
3 we drop that to a dollar in as much as we're
4 picking up all of the additional costs.

5 I think what will happen is that we'll
6 keep track of the time that we spend on
7 Economic Development projects and it will
8 probably be an offset to the rent, at least
9 that's what we're talking about now.

10 MS. MULLIGAN: Yeah. I think that is
11 how it's going to flush out. But however the
12 payment passes or doesn't, whatever that
13 mechanism is, it still has the potential to
14 bring a little bit of cash in.

15 Frank?

16 MR. TROTTA: Yeah.

17 My question was, is a hundred dollars
18 an hour adequate when you take the individuals
19 that will probably be doing most of the work
20 on this, which would be the top end of the
21 scale as opposed to the lowest end of the
22 scale or are --

23 MS. MULLIGAN: I wouldn't assume that,
24 I think it depends on the function, so some of
25 those --

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MR. TROTTA: So they shouldn't have a scale that, you know, similar to attorneys, if the executive, you know or somebody at this level, it's this rate, when it's this level, it's this rate and then you have an appropriate bill to adequately compensate us for the time that's involved, I don't know?

MS. MULLIGAN: I totally understand what you're saying and we played around with this for a while and what we sort of came up with is that in some cases the Town is going to get a great deal and in other cases they're going to a pay a little bit more than -- I think it's going to sort of all come out in the wash, I think it's going to average out and we thought that it would be accounting and monitoring a nightmare if we tried to track and allocate specific dollar amounts to specific things. This way we can just get a monthly, a weekly or however it works out, we put in ten hours, okay, we're taking that off the rent, just to keep it clean. So we could adjust it, but we really did play with this a lot and I also . . . I thought that that was a

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2

reasonable middle ground.

3

4

MS. SCHEIDT: Lisa, it sounds like what you've done is come up with a blended rate?

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MS. MULLIGAN: Exactly.

6

MS. LaPONTE: It's blended, yes.

7

8

MS. MULLIGAN: And really Lori came up with the blended rate.

9

MR. GRUCCI: As long as we don't --

10

MS. SCHEIDT: Thank you, Lori.

11

12

MR. GRUCCI: If we exceed \$18,000 worth of labor in a year, then the benefit goes to the Town. If we increase -- if we expend less than 18,000 a year in that project, it benefits to us if we make this deal with the rent; \$1,500 a month would be 18,000 a year, wouldn't it?

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MS. MULLIGAN: Right, but, Felix, as it stands right now, I haven't had the meeting, there's no cap on it, so we just thought that would be a clean way to not have to be writing a check to write a check back. So let's say we do a project -- and there's nothing that this is going to happen -- but we do a project and it's \$20,000; the Town would have to pay

1

2

us for the additional 2,000.

3

MR. GRUCCI: Okay.

4

MS. MULLIGAN: I --

5

6

MR. TROTTA: A hundred dollars an hour
in this day and age seems cheap, counselors,

7

right, that's all. That's good, if

8

everybody's happy with it, that's good. Not

9

to say that it should be a million dollars an

10

hour, but, you know.

11

MS. MULLIGAN: I can go back to them

12

and tell them that the board wants a different

13

rate, that's fine.

14

MR. TROTTA: I was thinking again, you

15

know, a two-prong rate, not to again make you

16

crazy, but to be more fair to both sides, you

17

know, so that we're not, you know, getting to

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the end of the year and saying oh, the Town

19

got a bargain or we didn't or the IDA got a

20

bargain, but to more truly reflect, so if it

21

was, you know, executive level as opposed to

22

administrative level, maybe there's two

23

different charges, you know. You know, again

24

I know it's an accounting, you know, I don't

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think it would make you too crazy to have two

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rates, but, you know, it's something to

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consider and if that's what -- whatever you

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come out with, I'll support.

5

MS. MULLIGAN: Thank you, Frank.

6

MR. WEIR: Lisa, what is the rate that

7

the Town charges projects when you're doing

8

administrative work, your hourly rate for like

9

billing when you're reviewing documents and so

10

forth in your fee schedule?

11

MR. BRAUN: Most of those are fixed

12

fees, though, aren't they, Lisa?

13

MS. MULLIGAN: Are you asking our

14

document processing fee?

15

MR. WEIR: Yeah. Don't you also --

16

don't have you an hourly rate built into

17

there?

18

MS. MULLIGAN: Yeah. The document

19

processing is an hourly, I think it's \$275 an

20

hour and I apologize because we just changed

21

it, I'm pretty sure that's what it is. Let me

22

just look.

23

MS. LaPONTE: Bill, are you talking

24

about the rate without any profit in it, with

25

just pure cost, like the internal rate between

1

2

departments?

3

MR. WEIR: Yeah.

4

5

MS. LaPONTE: The internal rate is close to what we're using. We're using an internal rate, not a profit mode of rate, so that might be why --

6

7

8

MR. WEIR: That's all I was just trying to understand.

9

10

MS. MULLIGAN: Sorry, I didn't understand that question.

11

12

MR. GRUCCI: When you came up with a hundred dollar an hour rate, that's fully loaded, that's before their benefits included?

13

14

15

MS. LaPONTE: Yes, it is. It's including their health insurance, their payroll taxes that we have to match, everything. So it's a fully loaded blended rate.

16

17

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MR. GRUCCI: Okay.

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22

MR. BRAUN: Lisa said that we thought it was a fair rate that they wouldn't push back on.

23

24

MS. MULLIGAN: Annette, did you get any feedback on that rate?

25

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MS. EADERESTO: No, not at all, but they're hard to talk to these days, they're in, you know, dealing with COVID every day, so I'm sure once they meet with you, but they didn't mention it at all.

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MS. MULLIGAN: Okay. Okay.

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MS. SCHEIDT: I appreciate Frank's effort to make sure that we're being fair to everybody here, but it sounds like a significant amount of work went into figuring out the blend and I trust Lori and Lisa to have come up with something that makes sense for both sides. I'm glad I didn't have to do it.

16

17

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19

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MS. MULLIGAN: I'm glad I didn't have to do it, Lori took care of it and I can go to them and say that there was a little bit of uncertainty about that rate and see what they say.

21

22

MR. BRAUN: Can always come down, you're never going to be able to go up.

23

MS. MULLIGAN: True.

24

25

MR. GRUCCI: Do we need to do anything as a board?

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MS. MULLIGAN: No, I don't think so.

3

This is just an FYI. I just wanted you guys

4

to be aware because it does involve the staff

5

working on other projects basically, so I

6

wanted you to not be caught off guard by it

7

and a lot of what Economic Development did

8

previously was job fairs and expos and events

9

that we're not doing this year, just

10

realistically speaking. Maybe we'll do

11

something in the fall, but that's even

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questionable, it's a lot of work and if people

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are still feeling nervous about being in group

14

settings, it's probably not something that

15

we're going to do, so I think we have some

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time before this really ramps up, but we're

17

still working on it because we're getting

18

phone calls constantly from people who are

19

saying what do you mean Economic Development,

20

but we need you to do this, this and this and

21

I just don't really know how we're supposed to

22

respond to those yet. So that's just, again,

23

an FYI.

24

The last one for right now is also an

25

FYI. We received a press inquiry from

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2 Newsday. We're not the only IDA that received
3 it, Riverhead and Glen Cove both received it
4 so far. It's a significant request. The
5 reporter asked for the last ten years of
6 projects and then for each project, he has a
7 series of questions that are not just -- some
8 of them are things like job creation promised
9 and you know, where they actually are, but
10 some of them are significant, you know, what
11 are the property tax savings that they're
12 receiving, so it's not just a quick response,
13 it's probably going to end up being about 80
14 projects and I don't know how many cells for
15 each project. Very, very lengthy.

16 The one thing about it is that we
17 provide all of this information, it's all
18 certified to the State annually through PARIS,
19 but when I spoke to him about doing the
20 research and going to PARIS, I even offered to
21 sort of walk him through it, I was met with
22 resistant that it needed to come from us. So
23 this is a heavy project.

24 I told him we had a bunch of stuff
25 going on, this is not a great time to ask this

1

2 of any IDA's what with PARIS and audits going
3 on, but I told him we would start gathering
4 information, so I just again wanted you to be
5 aware. It looks like Newsday is going to be
6 putting together some sort of an article. Whn
7 I asked him casually what it was that he was
8 looking for, he said oh, I'm still sort of
9 flushing it out, I'm not at liberty to say,
10 which may be true and may not be true, so I
11 don't know what this article will be about,
12 but I suspect it's going to be coming out in
13 the next year or so.

14 MR. GRUCCI: Simply because they asked
15 doesn't mean that we have to jump. I mean if
16 you think that ten years is a burden, then
17 whatever number you would think would be the
18 more appropriate number, go back to him and
19 tell him you need to refine your request to
20 these years.

21 MR. MIDDLETON: Annette, how are you?

22 I should know the answer to this
23 question, but, you know, I don't.

24 Are we subject to FOIL?

25 MS. MULLIGAN: Yes.

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2

MR. MIDDLETON: Did this guy FOIL it or just make the request?

3

4

MS. EADERESTO: Well, we treat Newsday requests as FOIL's because as I told Lisa, it's often better to cooperate. You don't want to look like you're hiding things and it's public record, it's on our website.

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MR. MIDDLETON: No, I agree with that, I agree with that. I just, you know, I agree with Felix's position as well. I mean this . . . the IDA has a lot on its plate.

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MS. EADERESTO: It can't be like the number one priority and you have to get all your other work done, but I'll tell you from years of dealing with Newsday -- and you've never seen my name in a really bad article -- when they've come in and asked for stuff, I put them at a table and I throw all the files out there and I said what do you want in those days, you know and I've always found that dealing with them more openly has been a better policy, especially when we don't have anything to hide, you know.

MR. MIDDLETON: I agree.

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MS. EADERESTO: We've done everything right, we've created jobs. I mean they may question why we're doing residential or it may be supportive, we don't know or there may be an angle, like where these are, who's renting them. I think a good part of the story could be that we require more affordable and workforce housing than the Town if you want these benefits, so there's always ways to deal with them. I find like obfuscating and making things hard for them is never good because then they start --

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MR. MIDDLETON: No, I agree with that, too, I agree with that, too.

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You know, I had an experience as Village Attorney in Lake Grove with a really obnoxious FOIL request and I called the guy up and we worked it out and I said, you know, it's not . . . I have six people in the office, so, you know, what you're asking for in terms of ten years of records is going to take a very long time to put that together, is there another way we can get to what you need and we worked it out.

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That's really my point. I didn't know if, you know, we should go back to him and say hey, you know, memorialize this in terms of a more formal request and maybe you could pare it down because we've got a limited staff and we're not hiding anything, but, you know, it's going to take a long time to put this together.

10

MS. MULLIGAN: Scott, I did.

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MS. EADERESTO: Lisa did speak with him.

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MS. MULLIGAN: I went back to him and I pointed out to him that everything that he's looking for is available through PARIS and that our website has not the full ten years, but a lot of information and he basically told me that it must come in a spreadsheet form from us.

20

21

MR. GRUCCI: He doesn't want to do the job, he wants you to do the job.

22

23

24

MS. SCHEIDT: What happened to investigative reporters, this guy doesn't want to do any work?

25

MR. BRAUN: Felix, you're absolutely

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2 right.

3

4 MS. MULLIGAN: I offered to walk him
5 through PARIS so he would understand what each
6 piece is and how to pull it together.

7

8 MR. POLLAKUSKY: I'm trying to find out
9 the angle, Lisa, as to what they're really
10 looking for. I agree with Scott. I mean if
11 they're looking to do a hit job on IDA's, I
12 mean and you're going to be doing all of this
13 work, you know, I've seen Newsday go the
14 complete opposite direction no matter how much
15 time and effort you put in to helping them.
16 So, you know, I agree with Scott, I would try
17 to have a conversation with them and figure
18 out if there's really something specific
19 they're looking for.

20

21 MS. EADERESTO: Well, at my suggestion,
22 Lisa had Todd's associate, I forget her name,
23 call him and Lisa, you want to share what they
24 shared with you?

25

26 MS. MULLIGAN: Sure.
27 She sent me an email, she spoke to
28 Keldy Ortiz, he's the reporter and Keldy
29 basically said the same thing to her that he

1

2 said to me, is that he would be going through
3 all the data kinda to see where it leads.

4

5 I can tell you that the other IDA's
6 have said to him it's in PARIS and it's -- not
7 all of them are done on their website, but
8 it's in PARIS, so you need to go to PARIS and
9 you need to learn how to use it and you need
10 to find what it is you're looking for.

11

12 I did offer to give him a tutorial
13 through PARIS, but that was not -- didn't seem
14 acceptable to him.

15

16 MR. GRUCCI: Can you print out ten
17 years of worth --

18

19 MR. TULLO: We all file the same
20 documents.

21

22 MR. GRUCCI: Lisa, can you print out
23 ten years of PARIS reports?

24

25 MS. MULLIGAN: Yeah. It's right on the
26 website, Felix, you could print it out if you
27 were so inclined.

28

29 MR. GRUCCI: So what I'm suggesting is
30 print them out and send it to him.

31

32 MR. BRAUN: And we'll fill in the
33 blanks.

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MR. MIDDLETON: I like the way Annette approaches this, you know, that's not going to placate him, that's probably just going to get his back up. I would just try to explore it a little bit more detail with the fellow and explain to him what the reality of the situation is in terms of getting him what he's asking for. If he doesn't listen, then get it to him when you get it to him, but at least put it out there that, you know, we'll try, we'll be as compliant as we can be in as timely a fashion as it can be done without burdening the business of the IDA.

MS. SCHEIDT: With regard to timing, can you point out that the kind of information he's looking for is exactly what is being compiled now to be submitted and it's not realistic to really be able to put a lot of staff effort into this until our current PARIS report is in?

MS. MULLIGAN: I told him that between now and March 31st is crunch time for not just us, but all IDA's I said, so you're going to get basically the same reaction that you're

1
2 getting from me from the other IDA's, that
3 your timing is really not good and he said oh,
4 I don't expect it in two to three weeks and I
5 said good, let's plan on two to three months,
6 so we haven't started looking at it honestly,
7 we've been working on resolutions, we've been
8 working on audits, we've been working on
9 PARIS, you know, year-end wrap-up. There's --
10 as you know, it's a busy time of year. So I
11 don't think that he has any -- I was clear
12 with him that this wasn't going to be a quick
13 turnaround and he didn't seem startled by
14 that, but I just again wanted you to be aware
15 that we did get this, I suspect there will be
16 a significant article eventually and some of
17 the other IDA's said to me I'm too busy, I'm
18 telling him do your own work and we do have so
19 much of it is on our website that it really
20 would be easy for me to direct him for him to
21 look for what it is what he's looking for,
22 but, you know, we'll put something together
23 and let him come back to us and then say well,
24 listen, I was hoping for this and this and you
25 didn't include it and we'll go all right well,

1

2 you know, it was a favor that we did it for
3 you, so we'll go from there.

4

 Annette, I would love to put him in our
5 conference room with all of the documents and
6 tell him to review it and be fine with that
7 approach.

8

 MR. BRAUN: Lock him in.

9

 MR. POLLAKUSKY: Put the air
10 conditioning on high.

11

 MS. EADERESTO: And again, that was the
12 first time I was Town Attorney, you know, it
13 was different age, like everything's online
14 now and I wouldn't lock anybody in anywhere
15 near me right now, just saying.

16

 MS. MULLIGAN: No, but seriously, I
17 could email him and direct him to almost
18 everything that he's looking for. Having to
19 type it into a spreadsheet is a heavy lift,
20 but . . .

21

 MS. LaPONTE: I mean I was thinking of
22 sending him a box and printing everything out
23 and say here you go, call me if you have any
24 questions.

25

 MS. MULLIGAN: Yeah.

1

2

MR. TULLO: By the time he's done going through it, his eyes will be rolling.

3

4

MS. LaPONTE: Yeah.

5

6

MR. GRUCCI: And let's be realistic. Newsday's not spending a great deal of time

7

doing an investigation of all the IDA's

8

because they're going to print a beautiful,

9

glowing piece on us. Their intent is to do

10

what Newsday does, which is to find problems

11

and print them.

12

MR. BRAUN: You and I know about that,

13

Felix.

14

MR. GRUCCI: Yeah, we've been there a

15

few times.

16

As often as you cooperate with them and

17

as nice as they may sound during the

18

investigation period, the piece that comes out

19

is already written, they're just looking for a

20

few facts and words to establish their point.

21

MS. MULLIGAN: A few facts I could

22

handle. Ten years worth of data --

23

MR. TROTTA: It's a lot.

24

MR. GRUCCI: Well, they're looking for

25

something. They'll looking for some thing or

1

2 some body, one of the two.

3

4

MR. WEIR: Couple of things to think about under FOIL.

5

6

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12

First of all, they have the right to ask for documents or information. They do not have the right to tell you the format to put that information into. I mean basically your duty is to hand over all the raw materials, documents or files. You don't have to synthesize it for them or repackage it for them.

13

14

15

16

17

The other thing, you have the right to charge reasonable costs for putting that information together including copying costs, so two things to consider. I'm not telling you not to cooperate, but --

18

19

20

MR. GRUCCI: I would shy away from charging them the cost. I would shy away from charging them the cost.

21

22

MR. WEIR: It takes time doing their work for them.

23

24

25

MS. MULLIGAN: Listen, it won't take us very long if we just send them ten years of PARIS, that's a few clicks on a computer.

1

2

That I can do very quickly and I have no
problem doing that.

3

4

MR. WEIR: Then that is a spreadsheet.

5

MR. GRUCCI: I would start with that --

6

7

MR. WEIR: You can even print out
everything that's on your --

8

MR. GRUCCI: I'm sorry, go ahead.

9

10

MR. WEIR: I said you print out
everything --

11

12

MS. MULLIGAN: Bill, you're breaking
up, but I think your --

13

14

MS. EADERESTO: Lisa, why can't Todd
Shapiro's office put this together?

15

MR. TROTTA: Now that's a great idea.

16

17

MS. EADERESTO: They're getting paid
and let them handle it. They should be
handling the press for you. This is a really
good thing.

18

19

20

MS. MULLIGAN: Joce, is Carole in the
waiting room?

21

22

MS. LINSE: Yes, she is; would you like
me to bring her in?

23

24

MS. MULLIGAN: Yeah, bring her in.

25

MR. GRUCCI: Annette, how do you see

1

2 them handling the response, gathering the
3 information to handle?

4 MS. EADERESTO: Well, Lisa says it's
5 right on the website.

6 MS. TROTTERE: Hi.

7 MS. MULLIGAN: Hi, Carole.

8 Will you just --

9 MS. TROTTERE: I've been listening to
10 everything.

11 MS. MULLIGAN: Hold on.

12 Would you just say your name and spell
13 your name and your affiliation for the
14 transcription?

15 MS. TROTTERE: Carole Trottere. I am a
16 publicist associate with Todd Shapiro.

17 MS. MULLIGAN: Thank you.

18 MS. TROTTERE: Yes. As Lisa said, I
19 talked to the reporter and you know, gave me
20 the same exact answer as far as well, oh we
21 really don't know until we see it, but, you
22 know, I think everyone knows all the regular
23 issues that when people say -- talk about
24 IDA's, are they going to say you're giving
25 away too much money and is it really worth it

1

2 to the taxpayer; I figure then they're also
3 probably looking like you said everything, you
4 know, what are some of the companies, maybe
5 just kind of see what kind of companies are
6 using the IDA money.

7 MS. MULLIGAN: Carole, if I direct you
8 to the ABO, the PARIS website, can you pull
9 all this information?

10 MS. TROTTERE: Yes. I have no problem
11 with that.

12 Look, this is off the record, reporters
13 can be lazy and --

14 MS. MULLIGAN: Just so you know, it's
15 being transcribed, you're not off the record.

16 MS. TROTTERE: But all right, even on
17 the record, the more you do for them, the
18 easier you make their job, you know, that's
19 why you have people like me. Like they like
20 to have everything; give me the picture, give
21 me the press release, everything together.

22 If that will help you to have me go on
23 the site and you do just can maybe guide me a
24 little --

25 MS. MULLIGAN: Yes.

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MS. TROTTERE: -- this is the page, do this for the past ten years, I'd be happy to do that. We can send him -- I'll send him links and I'll also reprint it out for him, whatever's easier and I totally agree with Annette that, you know, as far as getting people to do a FOIL, if it's something that's public record and you know by law that you have to give it to them, I never see how you gain anything to like make someone wait and just say well, put in a FOIL and then wait 60 days, so I think you're handling it totally right. I wouldn't worry and make it a big huge priority, I'll be happy to, you know, do that and you can look over obviously before I send it to him if that makes it easier for you and then you really -- we really don't know what exactly they're going to focus on. I wouldn't think it would be the same thing with every IDA because you're both focused on different things and you're different towns and entities, so we'll just have to check in with him once in a while and I'm sure he'll call with additional questions at some point

1

2

and then we'll probably have a better idea of

3

what he's focusing on. I think it's

4

impossible to guess right now, so . . .

5

MS. MULLIGAN: Thank you, Carole.

6

MS. TROTTERE: Sure.

7

MS. MULLIGAN: So --

8

MS. TROTTERE: I hope that was helpful.

9

MS. MULLIGAN: Yeah, definitely. We'll

10

connect and I will give you some direction and

11

then you will be sorry that you agreed to

12

this. I appreciate it.

13

MS. TROTTERE: I love the IDA, you're

14

always so sweet to me, but thank you, I'll be

15

happy to help.

16

MS. MULLIGAN: Thank you.

17

Okay. So I'll connect with Carole

18

after the meeting and I'll get her working on

19

this.

20

So the only thing that we haven't done

21

yet other than the Grucci request is the

22

organizational resolutions, so should we jump

23

into those?

24

MR. BRAUN: Sure, I'd love to.

25

MS. MULLIGAN: So Fred and I, with the

1

2

assistance of the attorneys, have gone through

3

every single one of these resolutions. We've

4

updated, we've adjusted, we've cleaned up and

5

so this -- Fred's yes, I would love to is

6

probably him saying I'm so glad to get these

7

off my plate.

8

MR. BRAUN: Question for the attorneys.

9

We've done these in groups of five.

10

The fact that the list was pre-sent to

11

everyone and those that wanted to do could

12

look at the individual resolutions, are we

13

precluded from accepting these as a whole if

14

we want to?

15

(No response.)

16

MR. BRAUN: Bill, Howard, Annette?

17

MS. EADERESTO: You can do that. If

18

everybody's read them and they're fine with

19

them, you could do them all at one.

20

MS. MULLIGAN: Fred, do you want me to

21

go through and point out the changes in each

22

one?

23

MS. EADERESTO: I would just read the

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name of each one.

25

MR. BRAUN: All right, I'll go down and

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read the name.

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Number one is the appointment of Lisa as CEO. Number two is the appointment of Jim Tullo as Executive Director. Number three is the Chief Financial Officer, Lori LaPonte.

Number four is Executive Assistant, Jocelyn Linse. Number five is the appointment of the

Administrative Assistant Terri Alkon. Number six, the appointment of Administrative

Assistant Amy Illardo. Number seven is the appointment of legal counsel, Annette

Eaderesto. Number eight is the appointment of insurance broker, which I don't have off the

top of my head. Number nine is the slate of IDA officers and I'm happy to read that again

if you want me to:

Fred Braun is chairperson, Felix Grucci

is vice chairperson, Marty Callahan is

treasurer, Scott Middleton is assistant

treasurer, Ann-Marie Scheidt is secretary,

Gary Pollakusky is assistant secretary. As I

said during the LDC, we're still finding a

title for Frank.

Number ten was the adoption of the

1
2 various committees and as I said, we're
3 combining these. Not combining them, but
4 having everybody on each committee. Number 11
5 is a rental office space from Brookhaven.
6 Twelve is our hourly requirement. Meeting
7 schedule on number 13, we previously adopted,
8 we'll move that to 10:00 for our next meeting.
9 Number 14 is the appointment of website design
10 and maintenance. Fifteen is banking and
11 investment. Number 16 is adopting a mission
12 statement and measurement report. Number 17
13 is the adoption of the ethics policy,
14 procurement, et cetera. Number 18 is the
15 adoption of the Uniform Tax Exempt Policy.
16 Number 19 is the adoption of a compensation
17 policy. Number 20 is adopting of a policy
18 concerning board member and employee loans, of
19 which, as I said before, are none. Number 21,
20 adopting prevailing wage policy. Number 22,
21 adopting an adaptive reuse policy. Number 23,
22 delegating and authorizing execution of IDA
23 documents. Number 24, adopting an incentive
24 compensation policy. Number 25, longevity.
25 Number 26, adoption of deferred compensation

1
2 program policy. Number 27 is our holiday
3 schedule, which matches the Town's. Number
4 28, adopting a travel and discretionary funds
5 policy. Number 29, adopting an accrual policy
6 for full-time management employees. Number
7 30, adopting an accrual policy for full-time
8 non-management employees. Number 31,
9 audit/financial report service. Number 32,
10 adopting a bereavement policy. Number 33,
11 conflict of interest policy. Number 34,
12 appointment of insurance risk manager. Number
13 35, approval of unlawful harassment and
14 unlawful sexual harassment prohibition policy.
15 Number 36, the approval of the incentive
16 compensation payout. Number 37, jury duty.
17 Number 38, employee health insurance. Number
18 39, cancer screening. Number 40, appointment
19 of public relations firm. Number 41,
20 supplemental benefits insurance.

21 Lisa, did I miss any because I didn't
22 print out the most recent one?

23 MS. MULLIGAN: No, I think you got
24 everything.

25 MR. BRAUN: All right.

1

2

Why don't I accept a motion to accept those and a second and then if there are any questions?

3

4

MR. POLLAKUSKY: So moved.

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MR. BRAUN: Second?

6

MR. CALLAHAN: Second.

7

MR. BRAUN: Thank you.

8

Questions?

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10

MS. MULLIGAN: I think we should table number 24 because we have to update the goals in that one, so I think that one should probably go for February.

11

12

13

MR. BRAUN: That will be in February, thank you.

14

15

MS. MULLIGAN: Okay. And typically, we take one through six in executive session.

16

17

MR. BRAUN: Which we can approve after we come out of the executive session.

18

MS. MULLIGAN: Yes.

19

MR. GRUCCI: I have a question on number 20.

20

21

Board members can get a loan from the IDA?

22

MR. BRAUN: No.

23

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MR. GRUCCI: I don't know what that means.

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MS. MULLIGAN: The resolution says we do not give loans to board -- I think that the requirement was that we said we won't give them to board members, but we took it a step further and said we won't give loans to board members, to employees and we won't give loans to anyone who's affiliated, like a business interest, also, so --

12

13

MS. EADERESTO: Felix, that's a required resolution.

14

15

MS. MULLIGAN: Yeah.

16

MR. GRUCCI: Yes. Much better.

17

MR. BRAUN: Other questions?

(No response.)

18

19

MR. BRAUN: So tabling number 24 and tabling one through six for now, let's go on the vote then for the remaining ones.

20

21

Mr. Callahan?

22

MR. CALLAHAN: Yes.

23

MR. BRAUN: Mr. Grucci?

24

MR. GRUCCI: Yes.

25

MR. BRAUN: Mr. Middleton?

1

2

MR. MIDDLETON: Yes.

3

MR. BRAUN: Mr. Pollakusky?

4

MR. POLLAKUSKY: Yes.

5

MR. BRAUN: Ms. Scheidt?

6

MS. SCHEIDT: Yes.

7

MR. BRAUN: Mr. Trotta?

8

MR. TROTTA: Yes.

9

MR. BRAUN: Mr. Braun votes yes.

10

Those resolutions pass and we'll come

11

back after the executive session on one

12

through six.

13

MR. GRUCCI: Okay. I'm going to sign

14

off then; is this the last thing to do is that

15

Grucci Properties East request?

16

MR. BRAUN: No, we need to go into

17

executive session for about 20 minutes or so.

18

MS. MULLIGAN: I think what we should

19

do, if this is agreeable, is Felix can sign

20

off, we can take the Grucci request and then

21

we can meet Felix in executive session.

22

MR. GRUCCI: Correct. That's what I

23

thought we would do. Okay.

24

MS. MULLIGAN: Okay.

25

MR. GRUCCI: So I'll sign off.

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2

MS. MULLIGAN: We'll see you on the
call in a minute or hear you on the call.

3

4

MR. GRUCCI: Okay.

5

6

MR. POLLAKUSKY: I've been trying to
direct message Bill because I'd like to help
with his video latency issue and he's been in
and out of the call, I think he's off now.

7

8

9

MR. BRAUN: On what issue, Gary?

10

11

MR. POLLAKUSKY: He's got video and
audio latency issues --

12

MS. MULLIGAN: Freezing.

13

14

MR. POLLAKUSKY: -- something's going
on with his bandwidth, I know how to fix it,
but I told him to just give me a call outside
of this and I'll help him with it.

15

16

17

MR. BRAUN: Okay.

18

MS. MULLIGAN: Thank you, Gary.

19

20

MR. GRUCCI: You don't need me any
longer, do you, Fred, you don't need me any
longer?

21

22

MS. MULLIGAN: This is bill right now.

23

MR. BRAUN: No.

24

MR. GRUCCI: Bye.

25

(Felix Grucci dropped off.)

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2

MS. MULLIGAN: Joce, Bill is telling me that Zoom won't allow him back in.

3

4

MS. LINSE: I'm not seeing him at all.

5

MS. MULLIGAN: Okay.

6

Bill, we're just going to handle the Grucci request and then we're going to go into executive session.

7

8

9

MS. EADERESTO: Lisa, just put him on speaker so he can hear.

10

11

MS. MULLIGAN: Joce is going to resend out the call-in number.

12

13

Joce, will you send Bill both the call-in number and the Zoom link so he can try and get back in? I can put you on speaker next to my phone, too, my computer.

14

15

16

17

Okay. I'm putting Bill on speaker.

18

Bill, can you hear?

19

Okay, can you guys hear Bill?

20

MR. BRAUN: No, but you can relay any questions.

21

22

MS. MULLIGAN: I'll intervene.

23

MS. EADERESTO: Turn your phone all the way up, Lisa, the speaker.

24

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MS. MULLIGAN: Okay.

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So the last item on the agenda is a request from Grucci Fireworks East and I just want to state for the record that Felix Grucci has left the meeting.

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Grucci has been a project with us for a number of years. They took over an existing project and we gave them the remainder of the PILOT benefits and they actually went to full assessed value this year, for the first year they're paying full taxation and I just want to say for everybody, just so that you know, when we send PILOT bills, we let them know, be aware you're going to full taxation because especially if you have a land only tax -- PILOT, it can be a significant jump, so we give them three years of notice. Apparently they missed it in the cover letter, I'm not quite sure, but when they got the full taxation bill, it caught their attention.

21

22

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25

They sent us the letter that I included in your packets and I apologize, I didn't get that until just right before it got mailed to you, so I don't have the research that I typically like to do done, but I think I have

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2

enough information that I can walk us through

3

this.

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5

MS. EADERESTO: Lisa, just for the record, Felix Grucci has no interest in this business or this property.

6

7

8

MS. MULLIGAN: Okay. But out of an abundance --

9

10

MS. EADERESTO: No, no, but I just want for the record to say that because it says Grucci.

11

12

13

MS. MULLIGAN: Right. He has no interest in it, but he chose to leave the meeting just so there wasn't --

14

15

16

MS. EADERESTO: Well, it's his relatives.

17

18

MS. MULLIGAN: Yeah, someone he's related to.

19

20

So they got a full taxation bill and what they've requested is that we get them back onto a reduced bill.

21

22

23

I'm not sure what the board's feeling is on this, but I can tell you that the letter -- they've been hit pretty hard by COVID if you read through the letter, they

24

25

1

2 typically have, I don't recall, 200 events a
3 year and like 60 on the Fourth of July and
4 they had like 20 last year because of COVID.
5 They do have an operation in Virginia, so
6 there is that retention concern with this
7 location here, but, you know, obviously
8 they're a Brookhaven family.

9

So there's that end of it.

10

11

12

13

14

The flip side of it is that the taxing
jurisdiction now for the first year got full
taxation from this, so I'm a little bit
uncertain of how we pull back on that at this
point.

15

Ann-Marie, did you have a question?

16

17

MS. SCHEIDT: No, just waving my arms
around, thank you.

18

MS. MULLIGAN: Okay.

19

So --

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MR. BRAUN: I don't think we can pull
back and just for everybody's knowledge, that
Virginia operation has nothing to do with
fireworks, unless it's changed recently, it
basically has military contracts to produce
simulated bombs and other things for tactical

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and training purposes.

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MS. SCHEIDT: I feel for them, they're certainly not alone, many small businesses in Brookhaven Town and so forth have suffered severely, they just happened to have recently had a tax abatement, but it's already expired.

I don't know how we justify trying to turn back the clock for them when there are I'm certain hundreds of businesses in the Town who are feeling this way.

MR. MIDDLETON: Yeah and I think the easy answer is I don't think that there's any mechanism to do what they're asking us to do.

MR. TROTTA: That was going to be my question.

You know, has this been done? I mean you're dealing with COVID here and you're dealing with a company that is fully involved in entertainment that doesn't exist, so are there any mechanisms to address their request?

MS. MULLIGAN: So they're still in our name, so we could adjust the PILOT, there is a mechanism to do it, I just don't know if it's politically -- and I use that with a small

1

2

p -- smart. We would have to have a public

3

hearing and it does . . . you know, they did

4

get a long period where they got land only

5

property taxes. They have met all of our

6

requirements, they've been a good project, but

7

this coming to the end of it, it's not like we

8

just changed the date, they were aware that

9

this was happening, it's in the letters that

10

we send every year reminding them of this and

11

we didn't just send it for the first time this

12

year. We could adjust it, my question is,

13

should we.

14

MR. MIDDLETON: My question, though, is

15

I think the opportunity to adjust it would

16

have been before they were fully assessed.

17

MS. MULLIGAN: I agree.

18

MR. MIDDLETON: Now, you know, the tax

19

bill went out. Had they approached us in May

20

anticipating that this was going to be a total

21

disaster, which I think by the end of May

22

everybody kind of had a good idea of what was

23

happening, you know, they were probably busy

24

canceling contracts and whatnot and I'm sure

25

that they were distracted, but as Ann-Marie

1

2

points out, there's, you know, it impacted

3

every business, large or small.

4

MR. POLLAKUSKY: But not every business

5

is approaching us for the support.

6

MR. MIDDLETON: Right, but they may.

7

MR. CALLAHAN: They may, that's right.

8

MR. MIDDLETON: If we change the policy

9

or if we set a policy for this applicant, how

10

is it going to stop others from coming in and

11

opening the floodgates and then, you know,

12

we're going to have issues with respect to,

13

you know, the Town. I mean the Town has to

14

rely on tax revenues.

15

MR. BRAUN: And the school districts.

16

MS. SCHEIDT: And the taxing

17

jurisdictions as well.

18

MR. TROTТА: You're absolutely correct.

19

MR. CALLAHAN: We've done this before,

20

Lisa?

21

MS. MULLIGAN: I was just going to say,

22

we certainly have done this before.

23

When a project comes to us before they

24

go to full assessment and they give a series

25

of reasons why and you guys have said yes on

1

2

some and said no on others depending on what

3

they've laid out. But the thing that makes

4

this different is they came to us while they

5

still were at zero and we ramped them up

6

20 percent per year, so we gave them -- this

7

is what you've done in the past, is you gave

8

five more years on the PILOT and you ramped

9

them up 20 percent per year. This, they're

10

already at 100 percent, we would have to drop

11

them down to ramp them up.

12

MR. BRAUN: I just don't think there's

13

anything we can do.

14

MS. MULLIGAN: I'm hearing no, but, you

15

know, let me know if I'm misunderstanding.

16

MR. BRAUN: Anybody feel differently?

17

MR. CALLAHAN: I don't think it looks

18

good; like you said, they waited till it

19

expired.

20

MR. TROTTA: I think that's the issue.

21

The issue is that had they come to us earlier,

22

we could have addressed it better, but now

23

it's a little bit more difficult to do based

24

on what Scott and Lisa have said, I hear what

25

you're saying.

1

2

MS. SCHEIDT: I think Scott is right.

3

If we make a decision based on the impact of

4

COVID, we're opening the floodgates to

5

requests for PILOT's from hundreds of

6

businesses in the Town of Brookhaven.

7

MR. CALLAHAN: Yup.

8

MS. MULLIGAN: I appreciate everybody

9

thinking it through and giving it your

10

attention.

11

MR. BRAUN: Okay.

12

MS. MULLIGAN: So now I think we should

13

probably leave this; Joce, you stay in and

14

we'll go into executive session.

15

Fred, who do you want in executive

16

session?

17

MR. CALLAHAN: Lisa, you still need me?

18

MR. BRAUN: Yes. First of all, I need

19

a motion to go into executive session.

20

MR. POLLAKUSKY: So moved.

21

MR. TROTTA: Second.

22

MR. BRAUN: Mr. Callahan?

23

MR. CALLAHAN: Yes.

24

MR. BRAUN: Mr. Grucci?

25

(No response.)

1

2

MR. BRAUN: Mr. Grucci's not here.

3

MR. POLLAKUSKY: Yes.

4

MS. SCHEIDT: Yes.

5

6

MS. MULLIGAN: Bill wants us to say --
I don't know if you guys can hear him -- that
we need to say why we're going into executive
session, so it's to --

7

8

9

MR. BRAUN: Matters of personnel.

10

11

MS. MULLIGAN: And there's also a
lawsuit, a legal issue that I'd like to bring
up as well.

12

13

MR. BRAUN: Correct.

14

Mr. Middleton?

15

MR. MIDDLETON: Yes.

16

MR. BRAUN: Mr. Pollakusky?

17

MR. POLLAKUSKY: Yes.

18

MR. BRAUN: Ms. Scheidt?

19

MS. SCHEIDT: Yes.

20

MR. BRAUN: Mr. Trotta?

21

MR. TROTTA: Yes.

22

MR. BRAUN: Mr. Braun votes yes.

23

Lisa, you there?

24

MS. MULLIGAN: I'm here.

25

MR. TULLO: Fred, do you want me to

1

2

text Felix and ask him to dial in?

3

4

MR. BRAUN: Lisa, let's go into executive session and we may ask you to step out, but I don't know.

5

6

7

MS. MULLIGAN: I'm sorry, Fred, what did you say?

8

9

MR. BRAUN: Initially go into executive session with us.

10

11

MS. MULLIGAN: Okay, okay. So just me and the board and the attorneys?

12

MR. BRAUN: Correct.

13

14

MR. TROTTA: What time are we reconvened, immediately?

15

16

17

MS. MULLIGAN: As soon as we're done with executive session, I guess at the -- kind of depends on you guys.

18

19

MR. BRAUN: I'm hoping 20 minutes, no more.

20

MR. CALLAHAN: All right. Good-bye.

21

22

MR. TULLO: I'm letting Felix know to dial in.

23

MS. MULLIGAN: Thank you.

24

MR. TULLO: You're welcome.

25

(Short recess taken.)

1

2

MS. MULLIGAN: Fred, are you going to go through everything that needs to be said?

3

4

MR. BRAUN: Yeah.

5

The following resolutions need to be approved --

6

7

MS. MULLIGAN: Fred, hold on.

8

No action was taken in executive session.

9

10

MR. BRAUN: I keep forgetting to say that. Thank you very much.

11

12

MS. MULLIGAN: It's okay.

13

MR. BRAUN: We'll get it down eventually.

14

15

MS. MULLIGAN: Does there have to be a motion to come out of executive session said now?

16

17

18

MR. BRAUN: No because we came out from executive session.

19

20

MS. MULLIGAN: Fred, Bill just said yes.

21

22

MR. GRUCCI: I make a motion that we come out of executive session.

23

24

MR. BRAUN: But that was a motion in executive session.

25

1

2

MS. MULLIGAN: You can't take a motion
in executive session.

4

MR. BRAUN: Maybe we need a motion to
resume our meeting.

5

6

MR. CALLAHAN: All right, here we go.

7

MS. MULLIGAN: Let me just find out
from Bill.

8

9

MR. MIDDLETON: It's a motion to come
out of executive session and resume the
meeting, that's all.

10

11

12

MS. EADERESTO: It's fine, you can do
that, but if you want to do it on the Zoom,
that's fine, too.

13

14

15

MR. BRAUN: On the motion,
Mr. Callahan?

16

17

MR. CALLAHAN: Yes.

18

MR. BRAUN: Mr. Grucci?

19

MR. GRUCCI: Yes.

20

MR. BRAUN: Mr. Middleton?

21

MR. MIDDLETON: Yes.

22

MR. BRAUN: Mr. Pollakusky?

23

MR. POLLAKUSKY: Yes.

24

MR. BRAUN: Ms. Scheidt?

25

MS. SCHEIDT: Yes.

1

2

MR. BRAUN: Mr. Trotta?

3

MR. TROTTA: Yes.

4

MR. BRAUN: Mr. Braun votes yes.

5

So we are out of executive session and
back into our regular meeting.

7

On the resolution --

8

MS. MULLIGAN: No action was taken.

9

MR. BRAUN: No action was taken.

10

On the resolutions, the appointment of
CEO Lisa Mulligan; number two, the appointment
of Deputy Executive Director Jim Tullo; number
three, the appointment of Chief Financial
Officer Lori LaPonte; number four, the
appointment of Executive Assistant Jocelyn
Linse; number five, the appointment of
Administrative Assistant Terri Alkon; number
six, the appointment of Administrative
Assistant Amy Illardo.

20

Motion, please.

21

MR. GRUCCI: So moved.

22

MS. SCHEIDT: Second.

23

MR. BRAUN: Any questions?

24

(No response.)

25

MS. MULLIGAN: Thank you everyone.

1

2

MR. BRAUN: Mr. Callahan?

3

MR. CALLAHAN: Yes.

4

MR. BRAUN: Mr. Grucci?

5

MR. GRUCCI: Yes.

6

MR. BRAUN: Mr. Middleton?

7

MR. MIDDLETON: Yes.

8

MR. BRAUN: Mr. Pollakusky?

9

MR. POLLAKUSKY: Yes.

10

MR. BRAUN: Ms. Scheidt?

11

MS. SCHEIDT: Yes.

12

MR. BRAUN: Mr. Trotta?

13

MR. TROTTA: Yes.

14

MR. BRAUN: Mr. Braun votes yes. Those

15

resolutions are passed and last but not least,

16

resolution number six, the approval of the

17

incentive compensation payout as amended.

18

Motion?

19

MS. SCHEIDT: So moved.

20

MR. CALLAHAN: Second?

21

MR. BRAUN: Questions?

22

(No response.)

23

MR. BRAUN: Mr. Callahan?

24

MR. CALLAHAN: Yes.

25

MR. BRAUN: Mr. Grucci?

1

2 MR. GRUCCI: Yes.

3 MR. BRAUN: Mr. Middleton?

4 MR. MIDDLETON: Yes.

5 MR. BRAUN: Mr. Pollakusky?

6 MR. POLLAKUSKY: Yes.

7 MR. BRAUN: Ms. Scheidt?

8 MS. SCHEIDT: Yes.

9 MR. BRAUN: Mr. Trotta?

10 MR. TROTTA: Yes.

11 MR. BRAUN: Mr. Braun votes yes.

12 Lisa, anything else?

13 MS. MULLIGAN: I think that's all.

14 We'll see you guys February 10th at ten

15 a.m. Terri, if you would, update everybody's

16 calendar invites and I think we need a motion

17 to end the meeting.

18 MR. BRAUN: We sure do. I'm happy to

19 make it.

20 MR. TROTTA: Second.

21 MR. BRAUN: Mr. Callahan?

22 MR. CALLAHAN: Yes.

23 MR. BRAUN: Mr. Grucci?

24 MR. GRUCCI: Yes.

25 MR. BRAUN: Mr. Middleton?

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MR. MIDDLETON: Yes.

MR. BRAUN: Mr. Pollakusky?

MR. POLLAKUSKY: Yes.

MR. BRAUN: Ms. Scheidt?

MS. SCHEIDT: Yes.

MR. BRAUN: Mr. Trotta?

MR. TROTTA: Yes.

MR. BRAUN: Mr. Braun votes yes and we
are adjourned. Thank you everyone.

(Time noted: 2:09 p.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