TOWN OF BROOKHAVEN

INDUSTRIAL DEVELOPMENT AGENCY

BOARD MEETING

HELD BY ZOOM VIDEOCONFERENCE

January 20, 2021
12:17 p.m.

TRANSCRIPT OF PROCEEDINGS

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APPEARANCES:

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 & PEGAMENT, LLP

* * * *
MR. BRAUN: This is the meeting of the Industrial Development Agency. It's Wednesday, January 20th.

The minutes of our meeting of December 9th have been sent to everyone. I'll entertain a motion to accept those.

MR. GRUCCI: So moved.

MS. SCHEIDT: Second.

MR. BRAUN: Are there any questions, clarifications?

(No response.)

MR. BRAUN: Hearing none, Mr. Callahan?

MR. CALLAHAN: Yes.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Middleton?

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: And Mr. Braun votes yes.
Lori, back to you.

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.

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.

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

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.

During the month, if you look in December, we had some adjustments and I just want to point both of these out. It shows
fixed asset depreciation is not an expense, but it's favorable. The reason for that is just an adjustment. The assets were fully depreciated, so we have a little bit more. We projected more expense than we needed, so I fixed that up and also, the insurance expense was over accrued from based on what we needed for the year, the actual.

So if we look down for the -- pulling this across, this is year to date, we have a net operating loss of approximately 49,000. This is unaudited. The audit starts next week, I've tried for the most part to scrub the numbers, but there could always be some adjustments. ICP, different things could affect the numbers, but as it stands, it's 49. That's in comparison to our budget, which I expect to break even.

So when we're looking at the difference, just to explain, is while our revenue is down 124,000, our expenditures had some favorable variances, so our net loss was only 50,000.

When you combine the net loss for the
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.

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

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

MS. LaPONTE: To the positive.

MR. GRUCCI: Okay.

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.

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

MS. LaPONTE: That's okay.

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

MR. GRUCCI: Okay.

MS. LaPONTE: So I also wanted to
mention that we're a full month and a half with Flushing, our new bank. They gave us a little increase on our investment accounts. It was .25 percent. They moved the investment account up to .26 percent and then the PILOT account up to .28 percent, so whatever, every little bit helps.

The other thing I mentioned before, the audit is starting next week, we're going to be doing that virtually, but it still has a time line of when I expect some of my preliminary results from them and also, we've started a significant amount of work on PILOT, on the PARIS, so that report is well underway. At this point there's no talks of extensions, but just in case there is, we still have everything for the most part pulled together.

MR. BRAUN: Lori, I can never remember, without extension is due March 31st?

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

MR. BRAUN: So an audit has to be complete by then, too?

MS. LaPONTE: Right. And we have to incorporate the audit, so I need the audit
like almost done . . . the date I've given them is the March board meeting that I kind of need it finalized because I have to put those results in, embed them in PARIS.

MR. BRAUN: Further questions for Lori?

MR. GRUCCI: Yeah.

Lori, I had a question and now I forgot it, so I'll come back.

MR. BRAUN: Until Felix recalls it, I'll entertain a motion to accept Lori's report.

MS. SCHEIDT: So moved.

MR. BRAUN: Second?

MR. TROTTA: Second.

MR. BRAUN: Felix, did it come back yet?

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

MS. LaPONTE: Can I just mention, Felix, that any time anybody has a question or anything, always feel free to reach out to me, if it's not even in this forum, so I'm always here to answer.

MR. GRUCCI: It just popped back in.
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?

MS. LaPONTE: That's a good question. 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.

MR. GRUCCI: Okay. Thank you.

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.

The good news that Lori didn't mention is that we are sitting with -- correct me if
I'm wrong -- 3.1 million in the bank; is that the number?

MS. LaPONTE: Yes.

MR. BRAUN: If there are no further --

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

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

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

(No response.)

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

MR. CALLAHAN: Yes. I'm sorry.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Middleton?

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.

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

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


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

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.

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.

Can we make that the last item so I can
just sign off because obviously I have to recuse myself from that, from whatever that request is and then if somebody could just text me when we're into executive session, I'll call in?

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

MR. GRUCCI: Okay, great.

MS. MULLIGAN: Okay. Okay.

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

MS. LINSE: You got it.

MS. MULLIGAN: Thank you.

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

Just to remind everyone, this is a
seven point five megawatt fuel cell plant at
the Town energy park. They -- it's -- the
plan is for a 20-year PILOT. It's co-terminus
with their power purchase agreement and this
has been a long time in the works, but it
seems to be gaining some steam, so they asked
us to do the final authorizing resolution.

Bill, is there anything that you want
to alert the board about?

(No response.)

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

(No response.)

MR. BRAUN: Bill, is there anything you
want to add?

MR. WEIR: No, I think Lisa covered it
accurately. We should be able to close
shortly right after this vote.

MS. MULLIGAN: So that will be another
closing that will be happening soon.

MR. BRAUN: I'll entertain a motion to
approve that resolution.

MR. GRUCCI: So moved.

MR. BRAUN: Second?
MS. SCHEIDT: Second.

MR. BRAUN: Any other questions?

(No response.)

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

MR. CALLAHAN: Yes.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Middleton?

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.

Motion carries.

Lisa, back to you.

MS. MULLIGAN: Okay.

The next item on the agenda is

Biocogent. Joce, I think there might be

somebody in the --

MS. LINSE: Yes. Dan Dornfeld is here,

I'll bring him in.
MS. MULLIGAN: Okay.

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.

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
Brook.

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.

Howard, did you have anything to add?

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

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

MR. BRAUN: You're muted, Dan.

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

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.

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
front of you, you know, in the next six months
to a year about another building we want to
buy and hopefully after that, so we appreciate
all the support of the IDA.

MR. BRAUN: Thank you.

Somebody care to move it?

MR. GRUCCI: I'll move it.

MS. SCHEIDT: Second.

MR. BRAUN: Thank you, Felix; second,
Ann-Marie.

Any other questions for Lisa or Dan?

(No response.)

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

MR. CALLAHAN: Yes.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Middleton?

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.  The motion carries.  Thank you.  Thank you, Dan.

MR. DORNFELD:  Thanks so much.

MS. MULLIGAN:  Thank you.

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

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.

Is there anything that you wanted to add?

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.

MR. BRAUN:  Motion?

MR. TROTTA:  Moved.

MS. SCHEIDT:  Second.

MR. BRAUN:  Any other questions?

(No response.)

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

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Middleton?

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 the motion carries. Thank you.

MS. MULLIGAN: Thank you everyone.

The next item on the agenda is an application from MS Packaging, this was included in your packets.

Joce, is there anybody from MS Packaging here?

MS. LINSE: They have not responded to me if they are.

MS. MULLIGAN: Okay.

So this is a current project. MS Packaging has a building with the IDA on Zorn
Boulevard and a few months ago they came to us and they asked if we would refinance that building and they agreed that they would use that money to buy land or a building someplace else in Brookhaven, so this is the culmination of that.

They are proposing construction of a 140,000 square foot building on 11 acres on Natcon Drive in Shirley, that's the Shirley Industrial Park. It's a $13.8 million project. It's going to expand their distribution and warehousing; they make cardboard boxes for other businesses. They have 27 full-time equivalent employees at their Zorn facility and they're going to add 13 employees at the Natcon facility.

They are requesting a ten-year PILOT, sales tax exemption and mortgage recording tax exemption on the Natcon facility, but they've also asked if we would extend the PILOT at the Zorn facility so that they're co-terminus, so it's about five more years onto the Zorn facility that they're requesting.

MR. BRAUN: As Lisa said, some of you
may remember, I think it was somewhat confusing in the explanation of what they do, but they basically, as Lisa said, refinanced their building, put the proceeds in the bank and not in their pockets and I think, Howard, we gave them up to two years to relocate or -- not relocate, but to add something new in the Town of Brookhaven; if that didn't happen, then we'd claw back some of the benefits we --

MR. GROSS: If I may because we granted them a mortgage recording tax exemption on the additional monies they were taking out of the project with the understanding that they would use those monies in order to further expand within the Town and they committed to at least a -- between 90 and a hundred thousand square feet, so they've met their commitment to us and then some.

MR. BRAUN: So the request is for a ten-year abatement on the new building along with sales tax, mortgage recording tax and to extend their existing PILOT to make it co-terminus with the new one.

Motion, please?
MR. CALLAHAN: So moved.

MR. BRAUN: Second?

MR. GRUCCI: Second.

MR. BRAUN: Questions?

MS. MULLIGAN: I have a question.

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

MR. GRUCCI: Fred, what do you think?

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

MS. SCHEIDT: Sounds good.

MR. TROTTA: Question.

Is the request a usual request or is it unusual?

MR. BRAUN: Which one --

MR. TROTTA: Well --

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

MR. TROTTA: The existing -- the new building, rather, I'm sorry.
MR. BRAUN: No. Totally within what we've done for many, many years.

MR. TROTTA: Okay. Thank you.

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

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

MR. BRAUN: Okay.

On the vote, Mr. Callahan?

MR. CALLAHAN: Yes.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Middleton?

MR. MIDDLETON: Yes.

MR. BRAUN: Mr. Pollakusky?

MR. POLLAKUSKY: Yes.

MR. BRAUN: Ms. Schedit?

MS. SCHEIDT: Yes.

MR. BRAUN: Mr. Trotta?

MR. TROTTA: Yes.

MR. BRAUN: Mr. Braun votes yes.

Motion carries.

Well, two motions. We probably should
amend that because we're accepting the
application, correct, on the new building,
Lisa?

MS. MULLIGAN: Mm-hmm.

MR. GROSS: You cannot take official
action on either request.

MS. MULLIGAN: You're just directing us
to continue forward. We'll have to have a
public hearing on the extension and the other
project as well, so . . .

MR. BRAUN: Okay.

MS. MULLIGAN: We're good.

MR. BRAUN: Howard, we're okay?

MR. GROSS: Yes.

MR. BRAUN: Okay, thank you.

MS. MULLIGAN: Thank you everyone.

The next item on the agenda is
Framerica Corporation and this I'm pretty sure
I heard that --

MS. LINSE: We do. We have Josh
Eichner and Jason Van Vechten, I'm bringing
them in now.

MS. MULLIGAN: Okay.

MR. GRUCCI: Which one is this, Lisa?
MS. MULLIGAN: Framerica.

So just to let everybody know, Framerica is also a current project. They have a facility, a hundred thousand square foot facility, in Yaphank that is currently our project. They also have a 50,000 square foot facility in Holtsville, which is not our project.

They manufacture moldings for -- well, moldings for frames and for doorways and what they're requesting is to lease about 84,000 square feet of space for warehousing, manufacturing and distribution at 19 Nicholas Drive in Yaphank and this might sound familiar to you because we have Amneal Pharmaceuticals leasing I think the remainder of the space in that building. If it's not the remainder, it's very close --

MR. TULLO: It is the remainder.

MS. MULLIGAN: It is?

MR. TULLO: Yup.

MS. MULLIGAN: So this is what's available in the building.

Their lease is five years and the lease
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.

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.

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?

   MR. GRUCCI: I have a question for
them.
MS. MULLIGAN: Go ahead, Felix.

MR. GRUCCI: Are they on?

MR. EICHNER: Yes.

MR. VAN VECHTEN: We're here.

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

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

MR. EICHNER: I'm Josh Eichner, I'm executive vice president of Framerica.

MS. MULLIGAN: Thank you, Josh.

MR. VAN VECHTEN: Jason Van Vechten, also executive vice president at Framerica.

MS. MULLIGAN: Thank you.

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

Obviously we're undergoing or planning a major expansion during a pandemic, so it's sort of the great unknown. We're excited to be able to do and to need to do it, it's just the great unknown, so we wanted to be completely forthright in our application. If we ever did sell it or rent it, we would take all of those jobs and move them into Nicholas.

MR. GRUCCI: Okay. Thank you.

MR. BRAUN: Any other questions?

(No response.)

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
nice to see that they're planning on expanding.

MR. VAN VECHTEN: Thank you.

MR. BRAUN: Can I have a motion to accept the application, please?

MR. POLLAKUSKY: So moved.

MS. SCHEIDT: Second.

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

MR. CALLAHAN: Yes.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Middleton?

MR. MIDDLETON: Yup.

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.

Motion for the application is accepted.

Good luck with it guys.

MR. EICHNER: Thank you very much.

MR. VAN VECHTEN: Thank you very much.
MR. BRAUN: Tell your dads I said hello.

MR. VAN VECHTEN: Will do, take care.

MS. MULLIGAN: The next item on the agenda is Interstate Mechanical. It's a request to sublease part of their building to a company called NP Drafting.

Joce, is there anybody on for that one?

MS. LINSE: If they are, they have not told me.

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

Just to give you a quick overview, Interstate Mechanical is a project that we closed a few months ago, I think November maybe, September, in the fall.

It's a 58,000 square foot building at 355 Sills Road and they're requesting to sublease about 3,000 square feet for one year to a company called NP Drafting.

The original application, they told us that their intention was to sublease some of the facility, so this isn't surprising at all and one thing that you should be aware of when we did --
MS. LINSE: Rich Tully is on, I'm going to bring him in.

MS. MULLIGAN: Okay.

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.

Howard, did I miss anything?

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

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

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

MS. MULLIGAN: Thank you.

MR. BRAUN: Thank you.

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

MS. SCHEIDT: So moved.

MR. BRAUN: Thank you, Ann-Marie.

MR. TROTTA: Second.

MR. BRAUN: Frank, you second it?

MR. TROTTA: Yes.

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

MR. CALLAHAN: Yes.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Middleton?

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. The application is accepted. Thank you.

Thank you, Mr. Tully.

MR. TULLY: Thank you very much. Have a great afternoon.

MR. BRAUN: You, too.

MS. MULLIGAN: So the next item on the agenda is -- Fred, do you think we should keep going, go through the report and then jump into the resolutions?

MR. BRAUN: Yes.

MS. MULLIGAN: So this is relatively quick.

Middle Country Meadows. In your packets is the PILOT study that we had Camoin do. They're sizeable studies, it's not huge, but I just didn't want to give it to you and not give you time to read it and absorb it and
let me know if you have any questions on it, but it's the study for housing projects, we are going to an outside, a third party to come up with the PILOT.

So Middle Country Meadows, that's the PILOT study. I expect that we are going to have the public hearing in advance of our February meeting, so I wanted to give you time to review that.

Also included in your packets is a similar study, but for Sun River and this is another housing project and again, I suspect that we are going to hold the public hearing before our February meeting, so I just wanted to give you guys plenty of time to review them and let me know if you have any questions or any issues with them and again, that's for the PILOT.

MR. BRAUN: One of our future meetings, I suggested to Lisa that she invite the people from Camoin in to explain exactly their methodology as they go through and prepare these studies for us.

MS. MULLIGAN: Would you like me to do
that for February, would that be helpful after you've read these two studies?

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.

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

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

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
you'll see that we came up with an hourly rate of a hundred dollars an hour, that was sort of if you took everybody's salary and sort of averaged it out, it was pretty close to a hundred dollars an hour, so we went with that and I'm going to go through and just see what they expect the IDA to do and what they're going to sort of off-load to other departments within the Town, but I wanted you to be aware of this because A, it's got the potential to bring in -- I don't think it's going to be significant, but a little bit of revenue and it also has -- it's going to have the staff working on other projects, so I wanted you to be aware of where we were going with this. 

So let me know if you have questions and if you look through it later on and you have questions, that's fine, too.

Frank, did you have a question?

(No response.)

MS. MULLIGAN: You're muted.

MR. BRAUN: I think one of the ways this may work out is I suggested to Lisa go back to Matt Miner and tell him that as
opposed to $1,500 a month we pay in rent, that
we drop that to a dollar in as much as we're
picking up all of the additional costs.

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

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

Frank?

MR. TROTTA: Yeah.

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

MS. MULLIGAN: I wouldn't assume that, I think it depends on the function, so some of those --
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
reasonable middle ground.

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

MS. MULLIGAN: Exactly.

MS. LaPONTE: It's blended, yes.

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

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

MS. SCHEIDT: Thank you, Lori.

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?

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
us for the additional 2,000.

MR. GRUCCI: Okay.

MS. MULLIGAN: I --

MR. TROTTA: A hundred dollars an hour in this day and age seems cheap, counselors, right, that's all. That's good, if everybody's happy with it, that's good. Not to say that it should be a million dollars an hour, but, you know.

MS. MULLIGAN: I can go back to them and tell them that the board wants a different rate, that's fine.

MR. TROTTA: I was thinking again, you know, a two-prong rate, not to again make you crazy, but to be more fair to both sides, you know, so that we're not, you know, getting to the end of the year and saying oh, the Town got a bargain or we didn't or the IDA got a bargain, but to more truly reflect, so if it was, you know, executive level as opposed to administrative level, maybe there's two different charges, you know. You know, again I know it's an accounting, you know, I don't think it would make you too crazy to have two
rates, but, you know, it's something to consider and if that's what -- whatever you come out with, I'll support.

MS. MULLIGAN: Thank you, Frank.

MR. WEIR: Lisa, what is the rate that the Town charges projects when you're doing administrative work, your hourly rate for like billing when you're reviewing documents and so forth in your fee schedule?

MR. BRAUN: Most of those are fixed fees, though, aren't they, Lisa?

MS. MULLIGAN: Are you asking our document processing fee?

MR. WEIR: Yeah. Don't you also -- don't have you an hourly rate built into there?

MS. MULLIGAN: Yeah. The document processing is an hourly, I think it's $275 an hour and I apologize because we just changed it, I'm pretty sure that's what it is. Let me just look.

MS. LaPONTE: Bill, are you talking about the rate without any profit in it, with just pure cost, like the internal rate between
MR. WEIR: Yeah.

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 --

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

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

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

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.

MR. GRUCCI: Okay.

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

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

MS. MULLIGAN: Okay. Okay.

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.

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.

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

MS. MULLIGAN: True.

MR. GRUCCI: Do we need to do anything as a board?
MS. MULLIGAN: No, I don't think so. This is just an FYI. I just wanted you guys to be aware because it does involve the staff working on other projects basically, so I wanted you to not be caught off guard by it and a lot of what Economic Development did previously was job fairs and expos and events that we're not doing this year, just realistically speaking. Maybe we'll do something in the fall, but that's even questionable, it's a lot of work and if people are still feeling nervous about being in group settings, it's probably not something that we're going to do, so I think we have some time before this really ramps up, but we're still working on it because we're getting phone calls constantly from people who are saying what do you mean Economic Development, but we need you to do this, this and this and I just don't really know how we're supposed to respond to those yet. So that's just, again, an FYI.

The last one for right now is also an FYI. We received a press inquiry from
Newsday. We're not the only IDA that received it, Riverhead and Glen Cove both received it so far. It's a significant request. The reporter asked for the last ten years of projects and then for each project, he has a series of questions that are not just -- some of them are things like job creation promised and you know, where they actually are, but some of them are significant, you know, what are the property tax savings that they're receiving, so it's not just a quick response, it's probably going to end up being about 80 projects and I don't know how many cells for each project. Very, very lengthy.

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

I told him we had a bunch of stuff going on, this is not a great time to ask this
of any IDA's what with PARIS and audits going on, but I told him we would start gathering information, so I just again wanted you to be aware. It looks like Newsday is going to be putting together some sort of an article. When I asked him casually what it was that he was looking for, he said oh, I'm still sort of flushing it out, I'm not at liberty to say, which may be true and may not be true, so I don't know what this article will be about, but I suspect it's going to be coming out in the next year or so.

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

MR. MIDDLETON: Annette, how are you? I should know the answer to this question, but, you know, I don't.

Are we subject to FOIL?

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

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.

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.

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.
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 --

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

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.
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.

MS. MULLIGAN: Scott, I did.

MS. EADERESTO: Lisa did speak with him.

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.

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

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

MR. BRAUN: Felix, you're absolutely
right.

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

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

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

MS. MULLIGAN: Sure.

She sent me an email, she spoke to Keldy Ortiz, he's the reporter and Keldy basically said the same thing to her that he
said to me, is that he would be going through all the data kinda to see where it leads.

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

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

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

MR. TULLO: We all file the same documents.

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

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

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

MR. BRAUN: And we'll fill in the blanks.
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
getting from me from the other IDA's, that
your timing is really not good and he said oh,
I don't expect it in two to three weeks and I
said good, let's plan on two to three months,
so we haven't started looking at it honestly,
we've been working on resolutions, we've been
working on audits, we've been working on
PARIS, you know, year-end wrap-up. There's --
as you know, it's a busy time of year. So I
don't think that he has any -- I was clear
with him that this wasn't going to be a quick
turnaround and he didn't seem startled by
that, but I just again wanted you to be aware
that we did get this, I suspect there will be
a significant article eventually and some of
the other IDA's said to me I'm too busy, I'm
telling him do your own work and we do have so
much of it is on our website that it really
would be easy for me to direct him for him to
look for what it is what he's looking for,
but, you know, we'll put something together
and let him come back to us and then say well,
listen, I was hoping for this and this and you
didn't include it and we'll go all right well,
you know, it was a favor that we did it for you, so we'll go from there.

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

MR. BRAUN: Lock him in.

MR. POLLAKUSKY: Put the air conditioning on high.

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

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

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

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

MS. LaPONTE: Yeah.

MR. GRUCCI: And let's be realistic. Newsday's not spending a great deal of time doing an investigation of all the IDA's because they're going to print a beautiful, glowing piece on us. Their intent is to do what Newsday does, which is to find problems and print them.

MR. BRAUN: You and I know about that, Felix.

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

As often as you cooperate with them and as nice as they may sound during the investigation period, the piece that comes out is already written, they're just looking for a few facts and words to establish their point.

MS. MULLIGAN: A few facts I could handle. Ten years worth of data --

MR. TROTTA: It's a lot.

MR. GRUCCI: Well, they're looking for something. They'll looking for some thing or
some body, one of the two.

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

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.

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 --

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

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

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

MR. WEIR: Then that is a spreadsheet.

MR. GRUCCI: I would start with that --

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

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

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

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

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

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

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.

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

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

MS. MULLIGAN: Yeah, bring her in.

MR. GRUCCI: Annette, how do you see
them handling the response, gathering the information to handle?

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

MS. TROTTERE: Hi.

MS. MULLIGAN: Hi, Carole.

Will you just --

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

MS. MULLIGAN: Hold on.

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

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

MS. MULLIGAN: Thank you.

MS. TROTTERE: Yes. As Lisa said, I talked to the reporter and you know, gave me the same exact answer as far as well, oh we really don't know until we see it, but, you know, I think everyone knows all the regular issues that when people say -- talk about IDA's, are they going to say you're giving away too much money and is it really worth it
to the taxpayer; I figure then they're also probably looking like you said everything, you know, what are some of the companies, maybe just kind of see what kind of companies are using the IDA money.

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

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

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

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

MS. TROTTERE: But all right, even on the record, the more you do for them, the easier you make their job, you know, that's why you have people like me. Like they like to have everything; give me the picture, give me the press release, everything together. If that will help you to have me go on the site and you do just can maybe guide me a little --

MS. MULLIGAN: Yes.
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
and then we'll probably have a better idea of what he's focusing on. I think it's impossible to guess right now, so . . .

MS. MULLIGAN: Thank you, Carole.

MS. TROTTERE: Sure.

MS. MULLIGAN: So --

MS. TROTTERE: I hope that was helpful.

MS. MULLIGAN: Yeah, definitely. We'll connect and I will give you some direction and then you will be sorry that you agreed to this. I appreciate it.

MS. TROTTERE: I love the IDA, you're always so sweet to me, but thank you, I'll be happy to help.

MS. MULLIGAN: Thank you.

Okay. So I'll connect with Carole after the meeting and I'll get her working on this.

So the only thing that we haven't done yet other than the Grucci request is the organizational resolutions, so should we jump into those?

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

MS. MULLIGAN: So Fred and I, with the
assistance of the attorneys, have gone through every single one of these resolutions. We've updated, we've adjusted, we've cleaned up and so this -- Fred's yes, I would love to is probably him saying I'm so glad to get these off my plate.

MR. BRAUN: Question for the attorneys.

We've done these in groups of five.

The fact that the list was pre-sent to everyone and those that wanted to do could look at the individual resolutions, are we precluded from accepting these as a whole if we want to?

(No response.)

MR. BRAUN: Bill, Howard, Annette?

MS. EADERESTO: You can do that. If everybody's read them and they're fine with them, you could do them all at one.

MS. MULLIGAN: Fred, do you want me to go through and point out the changes in each one?

MS. EADERESTO: I would just read the name of each one.

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

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
various committees and as I said, we're combining these. Not combining them, but having everybody on each committee. Number 11 is a rental office space from Brookhaven. Twelve is our hourly requirement. Meeting schedule on number 13, we previously adopted, we'll move that to 10:00 for our next meeting. Number 14 is the appointment of website design and maintenance. Fifteen is banking and investment. Number 16 is adopting a mission statement and measurement report. Number 17 is the adoption of the ethics policy, procurement, et cetera. Number 18 is the adoption of the Uniform Tax Exempt Policy. Number 19 is the adoption of a compensation policy. Number 20 is adopting a policy concerning board member and employee loans, of which, as I said before, are none. Number 21, adopting prevailing wage policy. Number 22, adopting an adaptive reuse policy. Number 23, delegating and authorizing execution of IDA documents. Number 24, adopting an incentive compensation policy. Number 25, longevity. Number 26, adoption of deferred compensation
program policy. Number 27 is our holiday
schedule, which matches the Town's. Number
28, adopting a travel and discretionary funds
policy. Number 29, adopting an accrual policy
for full-time management employees. Number
30, adopting an accrual policy for full-time
non-management employees. Number 31,
audit/financial report service. Number 32,
adopter a bereavement policy. Number 33,
conflict of interest policy. Number 34,
appointment of insurance risk manager. Number
35, approval of unlawful harassment and
unlawful sexual harassment prohibition policy.
Number 36, the approval of the incentive
compensation payout. Number 37, jury duty.
Number 38, employee health insurance. Number
39, cancer screening. Number 40, appointment
of public relations firm. Number 41,
supplemental benefits insurance.

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

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

MR. BRAUN: All right.
Why don't I accept a motion to accept those and a second and then if there are any questions?

MR. POLLAKUSKY: So moved.

MR. BRAUN: Second?

MR. CALLAHAN: Second.

MR. BRAUN: Thank you.

Questions?

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.

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

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

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

MS. MULLIGAN: Yes.

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

Board members can get a loan from the IDA?

MR. BRAUN: No.
MR. GRUCCI: I don't know what that means.

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 --

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

MS. MULLIGAN: Yeah.

MR. GRUCCI: Yes. Much better.

MR. BRAUN: Other questions?

(No response.)

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

Mr. Callahan?

MR. CALLAHAN: Yes.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Middleton?
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.

Those resolutions pass and we'll come back after the executive session on one through six.

MR. GRUCCI: Okay. I'm going to sign off then; is this the last thing to do is that Grucci Properties East request?

MR. BRAUN: No, we need to go into executive session for about 20 minutes or so.

MS. MULLIGAN: I think what we should do, if this is agreeable, is Felix can sign off, we can take the Grucci request and then we can meet Felix in executive session.

MR. GRUCCI: Correct. That's what I thought we would do. Okay.

MS. MULLIGAN: Okay.

MR. GRUCCI: So I'll sign off.
MS. MULLIGAN: We'll see you on the call in a minute or hear you on the call.

MR. GRUCCI: Okay.

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.

MR. BRAUN: On what issue, Gary?

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

MS. MULLIGAN: Freezing.

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.

MR. BRAUN: Okay.

MS. MULLIGAN: Thank you, Gary.

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

MS. MULLIGAN: This is Bill right now.

MR. BRAUN: No.

MR. GRUCCI: Bye.

(Felix Grucci dropped off.)
MS. MULLIGAN: Joce, Bill is telling me that Zoom won't allow him back in.
MS. LINSE: I'm not seeing him at all.
MS. MULLIGAN: Okay.
Bill, we're just going to handle the Grucci request and then we're going to go into executive session.
MS. EADERESTO: Lisa, just put him on speaker so he can hear.
MS. MULLIGAN: Joce is going to resend out the call-in number.
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.
Okay. I'm putting Bill on speaker.
Bill, can you hear?
Okay, can you guys hear Bill?
MR. BRAUN: No, but you can relay any questions.
MS. MULLIGAN: I'll intervene.
MS. EADERESTO: Turn your phone all the way up, Lisa, the speaker.
MS. MULLIGAN: Okay.
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.

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.

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
enough information that I can walk us through this.

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

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

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

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

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

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

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

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

So there's that end of it.

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.

Ann-Marie, did you have a question?

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

MS. MULLIGAN: Okay.

So --

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
and training purposes.

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. TROTTO: 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
p -- smart. We would have to have a public hearing and it does . . . you know, they did get a long period where they got land only property taxes. They have met all of our requirements, they've been a good project, but this coming to the end of it, it's not like we just changed the date, they were aware that this was happening, it's in the letters that we send every year reminding them of this and we didn't just send it for the first time this year. We could adjust it, my question is, should we.

MR. MIDDLETON: My question, though, is I think the opportunity to adjust it would have been before they were fully assessed.

MS. MULLIGAN: I agree.

MR. MIDDLETON: Now, you know, the tax bill went out. Had they approached us in May anticipating that this was going to be a total disaster, which I think by the end of May everybody kind of had a good idea of what was happening, you know, they were probably busy canceling contracts and whatnot and I'm sure that they were distracted, but as Ann-Marie
points out, there's, you know, it impacted
every business, large or small.

    MR. POLLAKUSKY: But not every business
is approaching us for the support.

    MR. MIDDLETON: Right, but they may.
    MR. CALLAHAN: They may, that's right.
    MR. MIDDLETON: If we change the policy
or if we set a policy for this applicant, how
is it going to stop others from coming in and
opening the floodgates and then, you know,
we're going to have issues with respect to,
you know, the Town. I mean the Town has to
rely on tax revenues.

    MR. BRAUN: And the school districts.
    MS. SCHEIDT: And the taxing
jurisdictions as well.

    MR. TROTTA: You're absolutely correct.
    MR. CALLAHAN: We've done this before,
Lisa?

    MS. MULLIGAN: I was just going to say,
we certainly have done this before.

    When a project comes to us before they
go to full assessment and they give a series
of reasons why and you guys have said yes on
some and said no on others depending on what they've laid out. But the thing that makes this different is they came to us while they still were at zero and we ramped them up 20 percent per year, so we gave them -- this is what you've done in the past, is you gave five more years on the PILOT and you ramped them up 20 percent per year. This, they're already at 100 percent, we would have to drop them down to ramp them up.

MR. BRAUN: I just don't think there's anything we can do.

MS. MULLIGAN: I'm hearing no, but, you know, let me know if I'm misunderstanding.

MR. BRAUN: Anybody feel differently?

MR. CALLAHAN: I don't think it looks good; like you said, they waited till it expired.

MR. TROTTA: I think that's the issue. The issue is that had they come to us earlier, we could have addressed it better, but now it's a little bit more difficult to do based on what Scott and Lisa have said, I hear what you're saying.
MS. SCHEIDT: I think Scott is right. If we make a decision based on the impact of COVID, we're opening the floodgates to requests for PILOT's from hundreds of businesses in the Town of Brookhaven.

MR. CALLAHAN: Yup.

MS. MULLIGAN: I appreciate everybody thinking it through and giving it your attention.

MR. BRAUN: Okay.

MS. MULLIGAN: So now I think we should probably leave this; Joce, you stay in and we'll go into executive session.

Fred, who do you want in executive session?

MR. CALLAHAN: Lisa, you still need me?

MR. BRAUN: Yes. First of all, I need a motion to go into executive session.

MR. POLLAKUSKY: So moved.

MR. TROTTA: Second.

MR. BRAUN: Mr. Callahan?

MR. CALLAHAN: Yes.

MR. BRAUN: Mr. Grucci?

(No response.)
MR. BRAUN: Mr. Grucci's not here.

MR. POLLAKUSKY: Yes.

MS. SCHEIDT: Yes.

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 --

MR. BRAUN: Matters of personnel.

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

MR. BRAUN: Correct.

Mr. Middleton?

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.

Lisa, you there?

MS. MULLIGAN: I'm here.

MR. TULLO: Fred, do you want me to
text Felix and ask him to dial in?

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

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

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

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

MR. BRAUN: Correct.

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

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

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

MR. CALLAHAN: All right. Good-bye.

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

MS. MULLIGAN: Thank you.

MR. TULLO: You're welcome.

(Short recess taken.)
MS. MULLIGAN: Fred, are you going to go through everything that needs to be said?

MR. BRAUN: Yeah.

The following resolutions need to be approved --

MS. MULLIGAN: Fred, hold on.

No action was taken in executive session.

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

MS. MULLIGAN: It's okay.

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

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

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

MS. MULLIGAN: Fred, Bill just said yes.

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

MR. BRAUN: But that was a motion in executive session.
MS. MULLIGAN: You can't take a motion in executive session.

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

MR. CALLAHAN: All right, here we go.

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

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

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

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

MR. CALLAHAN: Yes.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Middleton?

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.

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

On the resolution --

MS. MULLIGAN: No action was taken.

MR. BRAUN: No action was taken.

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.

Motion, please.

MR. GRUCCI: So moved.

MS. SCHEIDT: Second.

MR. BRAUN: Any questions?

(No response.)

MS. MULLIGAN: Thank you everyone.
MR. BRAUN: Mr. Callahan?
MR. CALLAHAN: Yes.
MR. BRAUN: Mr. Grucci?
MR. GRUCCI: Yes.
MR. BRAUN: Mr. Middleton?
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. Those resolutions are passed and last but not least, resolution number six, the approval of the incentive compensation payout as amended. Motion?
MS. SCHEIDT: So moved.
MR. CALLAHAN: Second?
MR. BRAUN: Questions?
(No response.)
MR. BRAUN: Mr. Callahan?
MR. CALLAHAN: Yes.
MR. BRAUN: Mr. Grucci?
MR. GRUCCI: Yes.

MR. BRAUN: Mr. Middleton?

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.

Lisa, anything else?

MS. MULLIGAN: I think that's all.

We'll see you guys February 10th at ten a.m. Terri, if you would, update everybody's calendar invites and I think we need a motion to end the meeting.

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

MR. TROTTA: Second.

MR. BRAUN: Mr. Callahan?

MR. CALLAHAN: Yes.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Middleton?
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.

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JOANN O'LOUGHLIN