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TOWN OF BROOKHAVEN  
INDUSTRIAL DEVELOPMENT AGENCY

- - - - -x

BOARD MEETING  
HELD BY ZOOM VIDEOCONFERENCE

- - - - -x

October 21, 2020  
12:18 p.m.

TRANSCRIPT OF PROCEEDINGS

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

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**MEMBERS:**

FREDERICK C. BRAUN, III

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MARTIN CALLAHAN

FELIX J. GRUCCI, JR.

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GARY POLLAKUSKY

ANN-MARIE SCHEIDT

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FRANK C. TROTTA

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**ALSO PRESENT:**

LISA M.G. MULLIGAN, CHIEF EXECUTIVE OFFICER

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LORI J. LaPONTE, CHIEF FINANCIAL OFFICER

JAMES M. TULLO, DEPUTY DIRECTOR

11

JOCELYN LINSE, EXECUTIVE ASSISTANT

TERRI ALKON, ADMINISTRATIVE ASSISTANT

12

AMY ILLARDO, ADMINISTRATIVE ASSISTANT

ANNETTE EADERESTO, ESQ., AGENCY COUNSEL

13

WILLIAM F. WEIR, ESQ., NIXON PEABODY

HOWARD R. GROSS, ESQ.,

14

WEINBERG GROSS &amp; PERGAMENT, LLP

DANIEL J. BAKER, ESQ.,

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CERTILMAN BALIN ADLER &amp; HYMAN, LLP

DANIEL P. DEEGAN, ESQ.,

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FORCHELLI DEEGAN TERRANA LLP

DANIEL S. DORNFELD, ESQ.,

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FORCHELLI DEEGAN TERRANA LLP

JOAN BUBARIS, PARTHENON FRAMING

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MICHAEL CALVANO, AMERICAN REGENT

PAUL DIOLOSA, AMERICAN REGENT

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THOMAS SHULTZABERGER, AMERICAN REGENT

FRANCIS LEE, INTEGRATED STRUCTURES

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TIM REXON, INTEGRATED STRUCTURES

CAROLE TROTTERE, TODD SHAPIRO ASSOCIATES

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MR. BRAUN: Let's move onto the  
Industrial Development Agency.

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The minutes of our August 19th meeting  
have been sent to everyone.

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Can I have a motion to accept those?

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MR. POLLAKUSKY: So moved.

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MR. BRAUN: Second?

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MS. SCHEIDT: Second.

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MR. BRAUN: Questions, corrections?

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(No response.)

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MR. BRAUN: Hearing none, on the vote,

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Mr. Grucci?

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MR. GRUCCI: Yes.

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MR. BRAUN: Mr. Pollakusky?

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MR. POLLAKUSKY: Yes.

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MR. BRAUN: Ms. Scheidt?

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MR. GRUCCI: Yes.

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MR. BRAUN: Mr. Trotta?

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MR. TROTTA: Yes.

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MR. BRAUN: Mr. Callahan?

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MR. CALLAHAN: Yes.

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MR. BRAUN: Mr. Braun votes yes.

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The minutes of September 16th similarly

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sent to everyone.

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A motion, please.

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MR. POLLAKUSKY: So moved.

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MS. SCHEIDT: Second.

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

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MR. GRUCCI: Yes.

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MR. BRAUN: Mr. Pollakusky?

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MR. POLLAKUSKY: Yes.

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MR. BRAUN: Ms. Scheidt?

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MS. SCHEIDT: Yes.

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MR. BRAUN: Mr. Trotta?

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MR. TROTTA: Yes.

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MR. BRAUN: Mr. Callahan?

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MR. CALLAHAN: Yes.

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MR. BRAUN: And Mr. Braun votes yes.

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Lori, I'll turn it back to you.

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MS. LaPONTE: Included in the package

18

is the August versus budget report and I'll

19

just go through that quickly.

20

During the month of August, we had two

21

applications received included in income, we

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had two refinances and one document fee.

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The expenditures were our normal

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recurring monthly expenditures, our rent, our

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payroll, our insurance and also we accrue for

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professional fees throughout the year.

Any questions on August's budget versus  
actual report?

(No response.)

MR. BRAUN: Need a motion to accept  
that report.

MR. CALLAHAN: So moved.

MR. POLLAKUSKY: Second.

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

(No response.)

MR. BRAUN: Felix, I think you're  
muted.

MR. GRUCCI: Yes. I muted myself.

MR. BRAUN: Mr. Pollakusky?

MR. POLLAKUSKY: Yes.

MR. BRAUN: Ms. Scheidt?

MS. SCHEIDT: Yes.

MR. BRAUN: Mr. Trotta?

MR. TROTTA: Yes.

MR. BRAUN: Mr. Callahan?

MR. CALLAHAN: Yes.

MR. BRAUN: And Mr. Braun votes yes.

MS. LaPONTE: The next report is  
September versus actual.

1  
2                   So this -- again, this report as we set  
3 it up compares September and our year to date  
4 versus our budget. So during the month of  
5 September, we had two housing studies we  
6 received income for and also two document  
7 processings. We had no closings during the  
8 month of September.

→ for Seclamarando  
Cove + Middle  
Country Meadows

9                   Included in our expenses are our normal  
10 recurring rent expense, payroll expense and  
11 allocations for our insurance and our  
12 professional fees.

13                   Is there any questions on the budget  
14 versus actual for the month of September?

15                   (No response.)

16                   MR. BRAUN: Hearing none, I'll take a  
17 motion.

18                   MR. TROTTA: So moved.

19                   MR. POLLAKUSKY: Second.

20                   MR. BRAUN: On the vote, Mr. Grucci?

21                   MR. GRUCCI: Yes.

22                   MR. BRAUN: Mr. Pollakusky?

23                   MR. POLLAKUSKY: Yes.

24                   MR. BRAUN: Ms. Scheidt?

25                   MS. SCHEIDT: Yes.

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MR. BRAUN: Mr. Trotta?

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MR. TROTTA: Yes.

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MR. BRAUN: Mr. Callahan?

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MR. CALLAHAN: Yes.

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MR. BRAUN: Mr. Braun votes yes.

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Before I let Lori describe the 2021

8

budget a little bit, as the board knows,

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there's a considerable amount of discussion

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going on in the Town with regard to personnel.

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We expect to go into executive session to

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discuss that further in a little while.

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We requested of the ABO permission to

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defer submitting our budget, which is due

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November 1st, for an additional 60 to 90 days,

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give us time to adjust some of our personnel

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expenses, if needed. They have denied that,

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so we will submit a budget on time by

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November 1st, which Lori will describe. It

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does not take into account any of the possible

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changes to personnel expenses. If and when we

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adopt that budget, we will submit it to the

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ABO as an amendment.

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So what you see today -- or what Lori

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will explain in a minute -- is a bare bones

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without any additional personnel expenses.

Lori.

MS. LaPONTE: Okay.

MS. MULLIGAN: Let me just interject  
for one second.

Sorry if I missed it, did we open the  
finance committee meeting for the IDA, also?

MR. BRAUN: No, we did not, but we can  
do that at the same time. Thank you.

MS. MULLIGAN: Okay.

MR. BRAUN: Lori.

MS. LaPONTE: Okay.

So included in the budget for 2021, we  
analyzed the different components based on  
different variables, so I'll go through them.  
It's very similar to as in the past.

Administrative fees. What we do is we  
look at the closings that are in-house that  
we -- the projects that are in-house that we  
feel there's a good chance of closing in the  
next year and then at the end of the day,  
after we do all of that, we compare it to what  
the expenses are and we adjust the revenue for  
potential projects to make the budget balance.



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Application fees are based on a percentage of what it was the prior -- I actually look back two to three years.

The other administrative fees, PILOT -- these are the annual \$1,000 admin fees that we received. That number, 62,000, is based on the prior year actual.

Interest income is a percentage of our cash and it's again, been adjusted downward for the changes in the rates. Our other fees, mortgage modifications, document processing, housing studies, all those other kind of things, is what we do is we annualize the year to date for 2019 and we use that as an actual and that's how we got the 118,440.

Office equipment and rental is the same as prior years, 18,000.

Office miscellaneous, again, it's a rounding of the prior years.

Legal services, which includes also our legal notices, is based on the prior year.

Accounting services, also prior year with the cost of inflation at three percent.

Administrative salaries is salaries

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plus the cost of inflation. I've used the

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same three percent throughout.

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Advertising promotion is based on the  
same amount as the prior year.

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Education conference, the same as the  
prior year.

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Membership, same as the prior year.

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Insurance I bumped up a little by three  
percent based on the current year actual.

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Transportation and travel is an  
estimate based on the prior year.

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Depreciation is just an -- is the  
actual allocation that we'll use and other  
special projects is the same amount as the

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prior year.

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Any questions on the budget?

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(No response.)

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MR. BRAUN: For those of you that may  
not have it in front of you, it's basically a  
break even budget for 2021 to be submitted.

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Questions?

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MR. GRUCCI: Yeah, just one for Lori.

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So, Lori, notwithstanding what needs to  
be done, what Fred was talking about a moment

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ago, if we have to readjust the budget for the

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current conditions in the Town, the budget

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that you just presented to us, do you feel

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that that would be a budget that we would

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actually be able to meet or do you think

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that's right on the line and it poses some

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problems in some areas?

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MS. LaPONTE: I think it's one we could

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possibly meet, but there's a big unknown with

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one of the revenue items, so it's really -- I

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think the expenditures we probably can meet,

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it's the revenue because it's very hard to

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predict closings. I think we found out this

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morning potentially one project we budgeted

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for for 2021 looks like it might close in

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2020. So it's the revenue generating side of

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the budget that -- and it's not the revenue --

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it's not the interest income, it's really just

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the first line, the application fees is the

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difficult number. It's the largest number in

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the budget, but it is the most difficult to

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predict.

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MS. MULLIGAN: The administrative fees

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and application fees, too.

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MS. LaPONTE: And application fees, true, but you're right, administrative fees, the first line on the budget, that's the number with the most variables, so any project that we estimate could close next year.

I mean we had -- I looked at my last year's estimates. Some of the projects that we estimated would close in 2020 now will close in 2021, so, frank -- without giving affirmative, there's definitely some unknowns in the budget. We can't meet it solid without doing any further work.

MS. MULLIGAN: Every year that's the stumbling point, that's always difficult to predict and there's projects that we have no concept of right now that will get to us and close before the end of the year, you know, get -- for next year, it will get to us in let's say January or February and be closed in August and we just don't know.

MR. BRAUN: Other questions?

MR. GRUCCI: Yeah. I'm sorry, I needed to unmute myself, my dog was barking in the background.

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The -- when we budget in 2021 for a closing and it happens in 2020, do we roll that forward or accrue it into 2021 or does it become a deficit in 2021 and a plus in '20?

MS. LaPONTE: Yeah. It's recognized in the year it closes, so we can't move it around, we have to record the revenue when we receive it.

MR. GRUCCI: Got you. Okay.

MR. BRAUN: Nice thought, Felix.

MR. GRUCCI: Just thought I'd ask.

MS. LaPONTE: I like that, though.

MR. BRAUN: Any other questions on the 2021 budget?

(No response.)

MR. BRAUN: Hearing none, I'll take a motion to approve.

MR. POLLAKUSKY: So moved.

MS. SCHEIDT: Second.

MR. BRAUN: Thank you.

On the vote, Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Pollakusky?

MR. POLLAKUSKY: Yes.

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MR. BRAUN: Ms. Scheidt?

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MS. SCHEIDT: Yes.

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MR. BRAUN: Mr. Trotta?

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MR. TROTTA: Yes.

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MR. BRAUN: Mr. Callahan?

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MR. CALLAHAN: Yes.

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MR. BRAUN: Mr. Braun votes yes.

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Thank you.

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Lisa.

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MS. MULLIGAN: The next item in our

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agenda --

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MS. LaPONTE: Lisa, I just wanted to

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mention something in the IDA meeting.

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MS. MULLIGAN: Sure, Lori.

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MS. LaPONTE: Was that Empire Bank and

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also Flushing Bank are merging next week, so

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the new entity will be called Flushing Bank.

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The IDA's resolution allows that it's our

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bank, the Empire Bank or its successors or

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assignees, so we don't need to do anything for

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this year.

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I also wanted to mention that our

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independent audit firm, AVZ, merged with PKF

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Davies, so that will also be occurring this

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2           year.

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MR. TROTTA: Lori, are you familiar  
with the new agency, the -- yeah?

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MS. LaPONTE: Yeah.

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MR. TROTTA: The new firm.

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MS. LaPONTE: The new firm that they're  
merging with is larger than AVZ, it's a larger  
firm.

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MR. TROTTA: I'm familiar with AVZ

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obviously, but not --

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MS. LaPONTE: They're more well-known  
upstate, so I've seen some other fire  
districts use that firm and they're more  
well-known in the GASB community, I've seen  
people from their firm at different society  
meetings, CPA society meetings, so . . .

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MR. TROTTA: Bigger company?

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MS. LaPONTE: It's a bigger firm, yes,  
yes.

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MR. TROTTA: And the name of it again?

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MS. LaPONTE: PKF O'Connor Davies.

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MR. BRAUN: We'll pass resolutions  
reflecting the new firms in our organizational  
meeting or reorganizational meeting in

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January.

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MR. TROTTA: Thank you.

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MS. LaPONTE: Thank you.

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Sorry, Lisa.

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MR. BRAUN: No; thank you, Lori.

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MS. MULLIGAN: That's okay, Lori.

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So the next item on our agenda is an application from Agilitas Energy, LLC/AE-ESS Cassel, LLC and just to remind everybody, we have done I think five solar installation projects with Agilitas so far.

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This is a little bit different than the norm of what we do with them in that this is a two megawatt battery energy storage system project that's going to be located at the Town's Cassel building, which is on North Ocean Avenue in Patchogue, 550 North Ocean Avenue. This is a four point four roughly million dollar project. They're requesting sales tax, mortgage recording tax and a zeroed out PILOT.

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There's no jobs associated with these types of projects, but as we've discussed in the past, these projects, you know, they're



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2 solar projects, this is a little bit different  
3 in that it's a battery storage, battery energy  
4 storage project; they refer to them as BESS, I  
5 think, so B-E-S-S.

6

7 This will result in decreased peak  
8 electricity load for -- you know, on the grid  
9 and also the decreased need for peaker plant  
energy across the area.

10

So the application is in your packets.

11

Does anyone have any questions?

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(No response.)

13

14 MR. BRAUN: Hearing none, we'll need a  
15 resolution to accept the application, that's  
all we're doing today.

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MR. POLLAKUSKY: So moved.

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MS. SCHEIDT: Second.

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

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20 MR. WEIR: Excuse me, Mr. Chairman, it  
21 should say accept the application and  
authorize holding a public hearing.

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MR. BRAUN: Thank you.

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Mr. Pollakusky?

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MR. POLLAKUSKY: Yes.

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MR. BRAUN: Ms. Scheidt?

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MS. SCHEIDT: Yes.

MR. BRAUN: Mr. Trotta?

MR. TROTTA: Yes.

MR. BRAUN: Mr. Callahan?

MR. CALLAHAN: Yes.

MR. BRAUN: Mr. Braun votes yes.

MS. MULLIGAN: Okay.

The next item on the agenda is for Lasticks Aerospace. Again, the application is in your packets. This is an adaptive reuse project. Lasticks Aerospace provides computer numerical control, conventional machine parts and assemblies to aerospace manufacturers and the Department of Defense.

They're currently leasing about 10,000 square feet in Bay Shore. They have currently 21 employees, that's going to increase to 24 employees and they're considering purchasing 28 Sawgrass Avenue in Bellport, which is an 11,400 square foot building. It's a \$1.8 million project and the application is in your packets.

MR. BRAUN: Questions?

MR. TROTTA: No.

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Welcome to Brookhaven.

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MR. BRAUN: Resolution; Bill, similar  
resolution?

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MR. POLLAKUSKY: So moved.

6

MS. SCHEIDT: Second.

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

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(No response.)

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MR. BRAUN: You're muted again, Felix.

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MR. GRUCCI: Sorry about that.

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Yes.

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MR. BRAUN: Mr. Pollakusky?

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MR. POLLAKUSKY: Yes.

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MR. BRAUN: Ms. Scheidt?

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MS. SCHEIDT: Yes.

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MR. BRAUN: Mr. Trotta?

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MR. TROTTA: Yes.

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MR. BRAUN: Mr. Callahan?

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MR. CALLAHAN: Yes.

20

MR. BRAUN: And Mr. Braun votes yes.

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MS. MULLIGAN: Okay. Moving right

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along, the next item on the agenda is for

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Parthenon Framing, also Acropolis Framing.

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This is another adaptive reuse project.

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This is a one -- roughly \$1.7 million project.

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2           They are planning to purchase 10,000 square  
3           feet at Commercial -- 15 Commercial Boulevard  
4           in Medford, they're a manufacturer of picture  
5           frames for art consultants and designers.

6                     This new space -- because they  
7           currently lease 6,400 square feet in  
8           Bohemia -- this new space will allow them to  
9           add a printing division and they have 15  
10          employees, they'll be able to add 2.5 FTE's  
11          and be aware, there is a small piece of this  
12          that will be retail, but it's within the  
13          submitted component.

14                    Did anyone have questions or anything  
15          that they wanted to add; I know there's -- I  
16          know that their attorney is on and also a  
17          representative from the project?

18                   MR. TROTTA: They're moving from  
19          Bohemia you said?

20                   MS. MULLIGAN: Yes.

21                   MR. TROTTA: This facility is how much  
22          bigger than their present facility?

23                   MS. MULLIGAN: Currently they're  
24          leasing roughly 6,400 square feet and this is  
25          a 10,000 square foot facility that they'd be

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purchasing.

MR. TROTTA: Got you. Okay.

MR. BRAUN: Anyone from the company  
care to make a comment?

MR. BAKER: Go ahead, Joan.

MS. BUBARIS: Yeah, hi.

Well, I was just going to say that we  
are just bursting at the seams and it's really  
prohibiting us from moving forward to grow the  
business. It's crazy; during the pandemic,  
everybody needs picture frames, who knew.

MR. BRAUN: Any questions from the  
board of Joan?

MR. TROTTA: So this is a second  
facility, you have Bohemia and this, correct?

MS. BUBARIS: No, we --

MS. MULLIGAN: They'll be vacating  
Bohemia.

MR. TROTTA: Okay.

So the present facility is 64 and  
you're going to 75 -- 74,000, correct?

MS. MULLIGAN: No, from 6,400 to  
10,000 --

MR. TROTTA: To ten. Okay.

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MS. MULLIGAN: -- square feet.

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MR. TROTTA: I got it now. Okay.

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MR. GRUCCI: I might have missed it earlier, what is the job creation that's associated with this?

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MS. MULLIGAN: 2.5 FTE.

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MR. GRUCCI: Okay.

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Is this also a job retention project as well?

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MS. MULLIGAN: Well, I mean if you -- depends how you think about it. Job retention for Long Island, it's all new jobs to Brookhaven, so it's yes and also, all new job creation. Just depends on what language you're using.

17

MR. GRUCCI: Okay. Thank you.

18

MS. MULLIGAN: Thank you.

19

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MR. BRAUN: Any other questions for the company?

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MR. TROTTA: No.

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Joan, welcome to Brookhaven.

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MS. BUBARIS: Thanks. Great, thank you.

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MR. BRAUN: A motion to accept the

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application?

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MR. POLLAKUSKY: So moved.

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MR. GRUCCI: Second.

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

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MR. GRUCCI: Yes.

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MR. BRAUN: Mr. Pollakusky?

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MR. POLLAKUSKY: Yes.

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MR. BRAUN: Ms. Scheidt?

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MS. SCHEIDT: Yes.

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MR. BRAUN: Mr. Trotta?

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MR. TROTTA: Yes.

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MR. BRAUN: Mr. Callahan?

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MR. CALLAHAN: Yes.

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MR. BRAUN: Mr. Braun votes yes.

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Thank you.

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MR. BAKER: Thank you all.

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MS. MULLIGAN: So the next item on the

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agenda is an application, a sublease

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application from Triple Five Aviation and

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Amazon.com Services LLC.

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So this is the former Dowling site,

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which Triple Five has an agreement with us on

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and we received a sublease application, which

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is in your packets, which would basically

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2 allow Amazon to lease part of the Dowling  
3 facility.

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5 What they have requested is that we  
6 allow them to use it for driver training and a  
7 staging area for their daily -- they refer to  
8 them as waves, waves of Amazon drivers and  
9 these are drivers associated with the new  
10 Amazon facility at Precision Drive in Shirley,  
11 so a pretty close proximity.

12

13 They basically have told us that  
14 this -- subleasing this space at the Triple  
15 Five location, the former Dowling site, would  
16 allow them to hire an additional 200 drivers.  
17 Apparently they -- the need in this area is  
18 greater than they originally anticipated at  
19 the Precision Drive location and so this will  
20 allow them to help meet that need and it's a  
21 two-year license agreement between Amazon  
22 and -- proposed agreement between Amazon and  
23 Triple Five. It's about a three point five  
24 acre parking area and there are some  
25 outstanding issues still; for one thing, our  
insurance is in the process of being  
corrected, I got an email today that they were



1

2

working on it, but also, there's -- the way

3

the zoning is set up for the Dowling -- the

4

Triple Five facility, they will need some

5

permissions through the Town and so accepting

6

this application will just sort of put us

7

ready to move ahead, but it's all going to be

8

pending the Town's final approvals.

9

Annette, did you want to add to that?

10

MS. EADERESTO: Yes.

11

So basically the applicant will need a

12

use variance. I've already spoke to the

13

planning commissioner and the chairman of the

14

zoning board.

15

Since it's a temporary use, I believe

16

they are right now saying they only need this

17

for a two-year period, that this is probably a

18

use variance that can actually make it

19

standard of proof because nobody's using a

20

facility for education right now, that's what

21

the CO's for, the athletic fields are closed

22

down, so we probably -- they probably can make

23

this use variance. Chris Kent is going to be

24

representing Amazon, in fact, he called me

25

today, I just didn't have a chance to call him

1

2

back before the meeting, so I'll touch base with him. I've talked to the chairman and alerted him that this application is going to be coming sooner rather than later and any consent we give them should just say subject to all necessary approvals by the Town of Brookhaven.

8

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MR. BRAUN: I would tell you, I was out in the Shirley Industrial Park last week and Amazon is very active in the former Rockwell building, which is 130,000 square feet. They've leased or purchased additional parking out there for a tremendous number of trucks; I think this is under the umbrella of their last mile delivery, which they're doing in several locations on Long Island.

19

20

MS. MULLIGAN: Yes.

MR. BRAUN: We need a motion to accept that application.

21

MR. CALLAHAN: So moved.

22

MS. SCHEIDT: Second.

23

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

24

MR. GRUCCI: Yes.

25

MR. BRAUN: Mr. Pollakusky?

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2

MR. POLLAKUSKY: Yes.

3

MR. BRAUN: Ms. Scheidt?

4

MS. SCHEIDT: Yes.

5

MR. BRAUN: Mr. Trotta?

6

MR. TROTTA: Yes.

7

MR. BRAUN: Mr. Callahan?

8

MR. CALLAHAN: Yes.

9

MR. BRAUN: Mr. Braun votes yes.

10

We have one more resolution?

11

MS. MULLIGAN: One more application.

12

MR. BRAUN: Excuse me, application.

13

MS. MULLIGAN: The last application on

14

your agenda also included in your packets is

15

an application from American Regent.

16

So this is a project, the former

17

Luitpold project, is located at Five Ramsey

18

Road also in Shirley. It is a roughly 95,000

19

square foot building. The proposal is to

20

add -- and I'm sorry, American Regent is a

21

pharma manufacturing company focused on

22

generic and branded injectables and IV iron

23

therapies.

24

The proposal in front of you is to add

25

14,000 square feet and renovate roughly 37,000

1  
2 square feet. It's a \$60 million project.  
3 Just so that you're aware, they have two Long  
4 Island locations as well as locations in  
5 Pennsylvania and Ohio. They have 473 current  
6 employees in Shirley and will maintain 375 of  
7 those with an average salary of roughly  
8 \$70,000 per year and they are requesting a  
9 ten-year PILOT, abatement on the improvements  
10 and sales tax and I know there's  
11 representatives from the company on, so if  
12 anyone has any questions.

13 MR. DEEGAN: Lisa, this is Dan Deegan,  
14 can I speak for a moment?

15 MS. MULLIGAN: Sure, Dan.

16 MR. DEEGAN: Thank you.

17 So thank you very much everyone. Lisa  
18 did a good job of describing it.

19 One of the things I want to clarify is  
20 that right now there's about 475 employees.  
21 While the application we submitted talks about  
22 375, we actually, after internal discussion,  
23 there's no plans on letting anybody go at this  
24 point. This really represents an expansion of  
25 investment at the site. We are willing to

1

2           commit because there's a natural ebb and flow  
3           in the economy and in the industry, they were  
4           looking to commit to a number of 425, so  
5           that's a larger number, meaning that that's  
6           the floor during the next ten years that the  
7           facility could ever go to and still be in  
8           compliance with our commitment that we'd be  
9           willing to make to the IDA.

10

          I just also wanted to point out and  
11          first let me just point out on the phone with  
12          us we have Paul Diolosa, who you saw earlier,  
13          who's the senior vice president of operations,  
14          we have Mike Calvano, who's the senior  
15          facilities manager and also Thomas  
16          Shultzaberger, who's the senior engineering  
17          manager.

18

          So this is a major pharmaceutical  
19          manufacturer located right here in Brookhaven.  
20          They do have those other facilities out of  
21          state and the FDA is requiring them to  
22          basically expand their capacity. They have a  
23          choice as to where they can do that. Ohio is  
24          a very good candidate for that, but because of  
25          the people on this meeting, we'd like to do it

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2

here and there's a lot of reasons to do it

3

here in Brookhaven. We're asking for the

4

IDA's assistance by giving us an appropriate

5

PILOT agreement on the extension and sales tax

6

exemption on the construction materials.

7

There's -- it's a very significant

8

employer, obviously and one last point I just

9

want to emphasis to the board is that we are

10

under a tight time frame from the FDA, which

11

is that we have to have this thing in place by

12

the end of this year, so if the IDA is so

13

inclined, we would like to hopefully be on

14

your next meeting for a final approval because

15

we really need that kind of time frame in

16

order to make this commitment and to satisfy

17

the request of the FDA regarding this capacity

18

and actually it's an acquisition of a lot of

19

equipment, you know, renovating the building

20

and expanding the building to accommodate that

21

equipment, so it's a pretty major investment

22

here in Brookhaven and we'd ask for your

23

support and obviously if you have any

24

questions right now, we'd be happy --

25

MR. GRUCCI: Dan, I have a question.

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2

What was the employment numbers again,  
what is it and what do you want it to go to?

3

4

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6

7

MR. DEEGAN: Well, we're not going to  
anything, so right now there's no IDA  
commitment in place at all, this is not an IDA  
project. So right now there's 475 employees  
that are at the site.

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What we're suggesting is that we'd be  
willing to commit as part of any kind of  
financial assistance from the agency to a 425  
person floor, meaning that that gives us some  
flexibility to go up and down if there's  
changes in the industry. There are no plans  
at this time to reduce any head count, but  
we're trying to look at a number that's not  
pointing out, you know, not trying to maximize  
what's there today, that could naturally  
fluctuate through attrition and industry  
trends up and down, but we're looking for a  
number of 425 to make that commitment to the  
IDA.

23

24

25

MR. GRUCCI: The thing that gives me a  
moment of pause here is that we're looking at  
an operation that's currently employing 475

1

2 people and the IDA is going to induce you with  
3 a lot of benefits going forward and one of the  
4 core missions of the IDA is to increase or  
5 retain jobs. If we're going to be giving you  
6 benefits based upon the fact that you're going  
7 to commit to 425 when you're currently at 475,  
8 it just troubles me a little bit.

9 MR. DIOLOSA: Could I expand on that on  
10 behalf of American Regent?

11 So we've been an employer in Shirley,  
12 New York, for just about 40 years now,  
13 operating in Shirley; you passed right by our  
14 facility the other day, I would have waved if  
15 I knew you were coming by.

16 We have an opportunity here, it's not  
17 so much an expansion as a renovation. We made  
18 a commitment to the FDA to modernize our  
19 factories, it's called isolate in technology.  
20 We fill injectable drug products and right now  
21 to protect those drug products, we have those  
22 people in close proximity to the injectable  
23 drugs and they're fully gownned up.

24 The technology that we're going to  
25 actually puts a barrier between the drugs and



1

2

the people who are operating the filling of  
them. So there may be a slight reduction in  
head count because the new technology is more  
efficient, it requires less people. So what  
this really is about is jobs retention, it's  
to keep the factory viable in Shirley.

8

9

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12

I've been asked by our parent company  
in Japan to consider alternatives of Shirley,  
New York, versus Ohio where we have our other  
factories and this incentive would help keep  
those jobs on Long Island.

13

MR. GRUCCI: Okay.

14

15

16

So what you're saying is that this is  
not necessarily an expansion, but more towards  
a job retention program?

17

MR. DIOLOSA: Correct.

18

MR. GRUCCI: Thank you.

19

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MR. DEEGAN: Right. So there's a  
physical expansion.

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22

23

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The other thing to point out, which I  
think is very important here, these are very  
high quality jobs, the average salary is  
\$70,000 a year.

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MR. GRUCCI: Got you.

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Thank you for that clarification.

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MR. BRAUN: I think Bill Weir and I are probably the only ones that remember probably 35 or 40 years ago we had an IDA project for Luitpold's predecessor called Natcon Pharmaceuticals.

8

MR. WEIR: Correct.

9

10

MR. BRAUN: So we've had experience with this company for many, many years.

11

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MS. MULLIGAN: Does anyone have any other questions?

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(No response.)

14

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MR. BRAUN: Hearing none, I'll entertain a resolution to accept the application.

17

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MS. MULLIGAN: And set up the public hearing.

19

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MR. POLLAKUSKY: So moved and public hearing.

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MS. SCHEIDT: Second.

22

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

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MR. GRUCCI: Yes.

24

MR. BRAUN: Mr. Pollakusky?

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MR. POLLAKUSKY: Yes.

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MR. BRAUN: Ms. Scheidt?

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MS. SCHEIDT: Yes.

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MR. BRAUN: Mr. Trotta?

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MR. TROTTA: Yes.

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MR. BRAUN: Mr. Callahan?

7

MR. CALLAHAN: Yes.

8

MR. BRAUN: Mr. Pollakusky?

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MR. POLLAKUSKY: Yes.

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MR. BRAUN: And Mr. Braun votes yes.

11

Thank you.

12

MR. DEEGAN: Thank you very much.

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MR. TROTTA: Mr. Chairman, can we

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accommodate them by getting them on the next

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calendar, Lisa or . . .

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MS. MULLIGAN: We're going to do

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everything that we can, we have to set the

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public hearing, but in all honesty, this sort

19

of falls for Dan and Bill to hustle and get

20

everything together quickly.

21

MR. TROTTA: Okay and I'm sure they

22

will.

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MR. DEEGAN: Yes, we will.

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MR. TROTTA: Thank you.

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MR. BRAUN: We need --

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MS. MULLIGAN: We're going to just keep moving ahead.

The next -- but in about ten minutes we're going to go to executive session.

The next item on the application is for a resolution for Integrated Structures Corporation. We had a public hearing for this project this morning. The cost benefit analysis and the PILOT was included in your packets. There was no comment at the public hearing this morning and this is a final authorizing resolution.

Did everyone get a chance to review everything, does anyone have any questions?

(No response.)

MR. BRAUN: I'll entertain a motion on the resolution.

MR. POLLAKUSKY: So moved.

MR. BRAUN: Second?

MR. TROTTA: Second.

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

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Pollakusky?

MR. POLLAKUSKY: Yes.

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MR. BRAUN: Ms. Scheidt?

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MS. SCHEIDT: Yes.

4

MR. BRAUN: Mr. Trotta?

5

MR. TROTTA: Yes.

6

MR. BRAUN: Mr. Callahan?

7

MR. CALLAHAN: Yes.

8

MR. BRAUN: And Mr. Braun votes yes.

9

MS. MULLIGAN: Thank you.

10

MR. DORNFELD: We would like to thank

11

the IDA for its support and we look forward to

12

being in Brookhaven for a long time.

13

MS. MULLIGAN: Thank you, Dan.

14

So the next item on the agenda -- Bill,

15

let me just ask, do we have to take -- do

16

Felix and Fred have to -- oh, wait, I'm sorry,

17

let me just go back to something real quick.

18

We never closed out the finance

19

committee meeting, so maybe we should do that.

20

MS. SCHEIDT: So moved.

21

MR. CALLAHAN: Second.

22

MS. MULLIGAN: Thank you, Ann-Marie.

23

MR. BRAUN: On that vote, Mr. Grucci?

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MR. GRUCCI: Yes.

25

MR. BRAUN: Mr. Pollakusky?

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MR. POLLAKUSKY: Yes.

3

MR. BRAUN: Ms. Scheidt?

4

MS. SCHEIDT: Yes.

5

MR. BRAUN: Mr. Trotta?

6

MR. TROTTA: Yes.

7

MR. BRAUN: Mr. Callahan?

8

MR. CALLAHAN: Yes.

9

MR. BRAUN: Mr. Braun votes yes.

10

Thank you, Lisa.

11

MS. MULLIGAN: Okay.

12

The next item on the agenda is for a

13

resolution for Brookhaven Memorial Hospital.

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Bill, do Felix and Fred have to leave

15

for this?

16

MR. WEIR: They have to recuse

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themselves and they should leave the room. I

18

would recommend that we adopt -- we address

19

this issue after executive session.

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MS. MULLIGAN: Okay. So we'll come

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back to this one.

22

The next item on the agenda is a

23

resolution for United Rentals.

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We received a request from United

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Rentals to extend both their completion date

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2

and their sales tax exemption date from

3

November 30, 2020 to March 31, 2021.

4

Basically they said COVID-19, they weren't

5

able to finish up their construction.

6

Howard, did you have anything you

7

wanted to add?

8

MR. GROSS: No.

9

MR. BRAUN: So this is just an

10

extension of our existing agreement.

11

MS. MULLIGAN: Yes.

12

MR. BRAUN: With no new benefits

13

requested.

14

MS. MULLIGAN: Correct.

15

MR. BRAUN: Motion?

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MS. SCHEIDT: So moved.

17

MR. POLLAKUSKY: So moved.

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

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MR. GRUCCI: Yes.

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MR. BRAUN: Mr. Pollakusky?

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MR. POLLAKUSKY: Yes.

22

MR. BRAUN: Ms. Scheidt?

23

MS. SCHEIDT: Yes.

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MR. BRAUN: Mr. Trotta?

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MR. TROTTA: Yes.

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MR. BRAUN: Mr. Callahan?

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MR. CALLAHAN: Yes.

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MR. BRAUN: Mr. Braun votes yes.

5

Thank you.

6

7

MS. MULLIGAN: The next item on the agenda is a resolution for Interstate

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Mechanical. Also, this was included in your

9

packets, is a letter from Williams Realty

10

Holding Group.

11

Howard, do you want to explain this

12

change?

13

MR. GROSS: Yeah, it's actually very

14

minor.

15

Originally presented how they were

16

going to structure their transaction between

17

the leasing -- between their real estate

18

company and operating companies. They had not

19

taken into account the requirements of the SBA

20

that involved, so this is just alerting us to

21

the fact they're restructuring it and we

22

prepared a resolution for your approval to

23

authorize it and simply it means that the

24

property's going to be leased by the real

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estate company to the main operating company,



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who then will sub-sublease to two of the

3

lesser operating companies and a small

4

portion, which you also approved previously,

5

to a third-party tenant, about 6,000 square

6

feet of it and that no more than 49 percent

7

will be subleased out to the smaller companies

8

or the third party as required by the SBA.

9

MR. BRAUN: Questions from the board?

10

(No response.)

11

MR. BRAUN: Hearing none, I'll

12

entertain a motion.

13

MR. POLLAKUSKY: So moved.

14

MS. SCHEIDT: So moved.

15

MR. BRAUN: On the vote again,

16

Mr. Grucci?

17

MR. GRUCCI: Yes.

18

MR. BRAUN: Mr. Pollakusky?

19

MR. POLLAKUSKY: Yes.

20

MR. BRAUN: Ms. Scheidt?

21

MS. SCHEIDT: Yes.

22

MR. BRAUN: Mr. Trotta?

23

MR. TROTTA: Yes.

24

MR. BRAUN: Mr. Callahan?

25

MR. CALLAHAN: Yes.

1

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MR. BRAUN: And Mr. Braun votes yes.

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MS. MULLIGAN: Thank you everyone.

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The last item on the agenda is a final authorizing resolution for American Organic Energy. I don't have to explain anything.

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MR. WEIR: This has only been five years in the making, so at this point, they have decided not to issue tax-exempt bonds, so we did not try to get (inaudible) allocation for this year. Instead they're getting a low interest rate loan from the New York State Green Bank, which is a subsidiary of New York State -- NYSERDA, Energy Research and Development Authority, so it just turned out to be easier all around to do that, so this will be a straight lease transaction for this project, but it's the same size project.

Did you include the package, in the packages there, the letter that we got yesterday from --

22

23

MS. MULLIGAN: Yes. The updated letter is in the packets, I believe.

24

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MR. WEIR: It's a good thing that this is happening --

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MS. EADERESTO: Tell me they want to break ground before the end of the year, Bill; can we do it?

MR. WEIR: They want to close -- this could be another closing in the next few weeks. All the documents are drafted, we're ready to roll with them as soon as we can.

MS. EADERESTO: You only drafted them five times.

MS. MULLIGAN: Seven different ways.

MR. WEIR: We drafted four different sets of bond documents and three different sets of straight lease transaction documents.

MS. EADERESTO: All right, I lied, seven times.

MR. WEIR: So it took them a long time to get here, but we're here, so . . . so, you know, at one point we thought this was going to be split between the IDA and the LDC with the LDC issuing the bonds, but it will just be all at the IDA level, so . . . so Lori doesn't have to do any kind of creative accounting figuring out how to split the fees, it just goes all to the IDA.

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MR. BRAUN: Any questions from the  
board members?

(No response.)

MR. BRAUN: Make a resolution.

MS. SCHEIDT: So moved.

MR. GRUCCI: So moved.

MR. BRAUN: Thank you.

On the vote, Mr. Grucci?

MR. GRUCCI: 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. Callahan?

MR. CALLAHAN: Yes.

MR. BRAUN: Mr. Braun votes yes.

Motion carries.

MS. MULLIGAN: Okay. So our timing is  
excellent because at 1:00 we're supposed to be  
going into executive session to discuss  
personnel and potential legal -- and potential  
lawsuits.

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Bill, do I have to explain anything  
beyond that?

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(No response.)

5

MS. MULLIGAN: Okay.

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So what I'm going to ask everyone to do  
is to log out of your Zoom, Joce, you please  
stay in just in case somebody joins us and the  
call in number has been sent, so go ahead and  
call into the (inaudible).

11

(Short recess taken.)

12

13

MS. MULLIGAN: We're back out of  
executive session.

14

15

Did you guys pass a resolution to come  
out of executive session?

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MS. EADERESTO: Yes.

17

18

MS. MULLIGAN: And that was on the Zoom  
call?

19

MS. EADERESTO: Yes.

20

MS. MULLIGAN: Okay, perfect.

21

22

MR. WEIR: No, not on the Zoom call, on  
the . . . .

23

MS. EADERESTO: The conference call.

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MS. MULLIGAN: Let's do it right now so  
that it's in the transcription, right?

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MR. WEIR: Well, you can't because people who were in executive session are not here.

MS. EADERESTO: Just --

MR. WEIR: You just have to say in the minutes that it was, I forget who --

(Inaudible comments.)

MR. WEIR: -- made the motion, who seconded it, but it was unanimous.

MR. TROTTA: Ann-Marie?

MS. SCHEIDT: I think so.

MS. EADERESTO: Just Bill.

MS. SCHEIDT: It was you and me, the great team.

MS. MULLIGAN: So Frank and Ann-Marie made the motion to come out of executive session, it was unanimously voted to come out of executive session, no action was taken during executive session and now for the record, Fred and Felix have left the meeting while we start back into the agenda and the next item is a resolution for the Brookhaven Memorial Hospital doing business as LICH.

Bill, would you --

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MR. WEIR: If you will recall from the last LDC board meeting, we are issuing a series of taxable bonds to refinance the IDA's 2006A bonds that had been issued for Brookhaven Memorial Hospital Medical Center.

Part of the use of those bonds was the refinancing loans that were outstanding on their off-site facility on West Main Street that was used for, among other purposes, a renal dialysis unit. They sold that -- in 2018, they sold that facility and then leased it back, they sold it to a for-profit entity. They did not inform the IDA nor did they pay down bonds from the sale proceeds as they should have. That has caused those taxable -- those bonds can no longer be refinanced on a tax-exempt basis because of that and it may have caused them to have gone taxable since the date of 2018.

What we have recommended to the hospital is that the IDA is going to -- they have shown to us that they have other costs at the hospital they incurred in 2018 and '19 that were covered by the original TEFRA

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notices that were at least equal to the amount

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of the sale proceeds from the sale of the West

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Main Street.

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So if you think about it, they took

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bond proceeds, turned it into bricks and

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mortar, sold the bricks and mortar, so the

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cash that they got is the equivalent of the

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bond proceeds again, could only be expanded on

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things that have been approved by the IDA.

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Had they informed us at the time, we

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could have filed a 8038, which is a tax return

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for refunds and we probably could have

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salvaged those bonds. They didn't tell

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anybody about it, they just did it. They were

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under the mis -- and again, there was no --

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nothing nefarious, they just assumed because

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there was no mortgage on the property, that

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that property was no longer secured by -- was

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no longer financed by bonds, it was just an

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honor mistake, innocent mistake that could

22

have easily been made.

23

So what we recommended, that the IDA

24

file a new 8038 on those bonds, but we also

25

want to enter into a voluntary compliance



1  
2 agreement with the IRS among the IDA, the  
3 hospital and the IRS with respect to those  
4 bonds explaining what happened, you know and  
5 we hope that the IRS will bless it and they  
6 may just charge them a small fee for bothering  
7 the IRS is basically the way to look at it.  
8 That's what we're hoping to achieve with this,  
9 so what we need is authorization by the IDA to  
10 file the 8038 -- amended 8038 with respect to  
11 the 2006A bonds and to enter into the  
12 voluntary compliance agreement with the IRS to  
13 help the hospital out.

14 If we don't do this and the IRS got  
15 wind of it say three or four years down the  
16 road, they could hit the hospital with huge  
17 fines and actually even prevent the hospital  
18 from ever doing tax-exempt bonds again, so --

19 MR. TROTTA: What are the chances,  
20 Bill, of correcting this?

21 MR. WEIR: Well, I think it's great and  
22 I think the 8038 will correct it and it will  
23 probably -- the hospital probably will have to  
24 pay a small administrative fee to the IRS and  
25 that's where we hope, but again, you've got to

1

2 be up-front and honest with the IRS. If you  
3 just ignore this issue now that they know  
4 about it, the IRS could take a far different  
5 approach down the road and that's -- and so --  
6 the hospital is willing to do this and again,  
7 this was no -- nothing nefarious, this was  
8 just an absolute innocent mistake on their  
9 part, so we're trying to help them correct it.

10 So we just need to authorize the  
11 resolution for the board to the IRS -- for the  
12 IDA to file the form 8038 with the IRS and to  
13 enter into a voluntary compliance agreement  
14 with the hospital and the IRS.

15 MR. TROTTA: I would make that motion.

16 MS. SCHEIDT: And I would second it.

17 MR. CALLAHAN: There we go.

18 MR. WEIR: You guys are a well-oiled  
19 machine here.

20 MS. MULLIGAN: All in favor?

21 I'll go around and do it by name.

22 Gary Pollakusky?

23 MR. POLLAKUSKY: Yes.

24 MS. MULLIGAN: Marty Callahan?

25 MR. CALLAHAN: Yes.

1

2

MS. MULLIGAN: Frank Trotta?

3

MR. TROTTA: Yes.

4

MS. MULLIGAN: Ann-Marie Scheidt?

5

MS. SCHEIDT: Yes.

6

MS. MULLIGAN: Okay, motion carries.

7

Would somebody ask Felix to join us and

8

ask Fred to come back in?

9

MR. CALLAHAN: I gotta go.

10

MR. POLLAKUSKY: I'm going to have to

11

go as well. I have recording sessions that I

12

have to continue --

13

MR. CALLAHAN: I have to go.

14

MR. POLLAKUSKY: -- so I apologize.

15

MS. MULLIGAN: We're losing two, but

16

we're gaining two, so we'll still good.

17

MR. GROSS: Lisa, there's no reason why

18

Fred and Felix can't be involved in the

19

discussion about 14 Glover; from your

20

viewpoint, Bill?

21

MR. WEIR: No.

22

MR. GROSS: I didn't think so, either,

23

but I just wanted to raise it.

24

MS. MULLIGAN: Thank you.

25

MR. CALLAHAN: Bye guys.

1

2

MS. SCHEIDT: So long.

3

MS. MULLIGAN: So as soon as --

4

MR. TROTTA: I'm calling Felix.

5

MS. MULLIGAN: Thank you, Frank.

6

MR. TROTTA: You want me to call Fred?

7

MS. MULLIGAN: No, I think Fred is on

8

his way back.

9

MR. TROTTA: Oh, okay.

10

MS. LINSE: He's on his way.

11

MS. MULLIGAN: I'm just going to keep

12

moving ahead just while Fred comes in.

13

So the next item on our agenda is

14

Springhill Suites.

15

Included in your packets was a letter

16

that we received from Springhill Suites. To

17

remind everybody, this is a hotel on

18

Horseblock, on the corner of Horseblock and

19

Sawgrass, I'm pretty sure.

20

MR. TROTTA: Yes.

21

MS. MULLIGAN: And basically what they

22

have requested in their letter is that we give

23

them . . . that we relax their job creation

24

numbers. Quite frankly, they're very close to

25

being at the end of their agreement with the

1

2

IDA, but what -- so this is what they

3

requested from the board, just a relaxation of

4

their job creation numbers, but the thing that

5

it brings up is if we -- and it's not

6

something that we necessarily have to do

7

today, but I just want to sort of plant the

8

seed because I know this has already been a

9

long meeting.

10

Do we want to have a COVID-19 policy or

11

do we want to take each request on a case by

12

case?

13

MR. TROTTA: I think we should take it

14

on a case by case, otherwise we might have a

15

flood in of people that we didn't think about.

16

MS. SCHEIDT: Agree with Frank.

17

MS. MULLIGAN: Okay.

18

So then Springhill Suites, what they've

19

requested is that we don't default them for

20

not having their job creation numbers as were

21

promised.

22

MR. BRAUN: They wanted us, I'm going

23

from memory here, I think they promised 36

24

jobs and I think the letter said they wanted

25

that reduced to 18. As Lisa said, it's about

1

2

to come off within the next year or so. I

3

think we just waive the violation rather than

4

recreate the job number responsibility.

5

MS. MULLIGAN: Howard, this is your

6

project?

7

MR. GROSS: Yes, it's my project.

8

I think it has two years left, if I

9

remember.

10

MS. MULLIGAN: Yeah, it's not too much

11

more time.

12

MR. GROSS: Yeah. And they've been

13

very nice to work with, by the way, for what

14

it's worth.

15

MS. MULLIGAN: Yes. I agree with

16

Howard.

17

So they promised 36 employees, they

18

have asked us to reduce that to 18. We've

19

never had any job creation issues with them

20

that I can recall, so --

21

MR. TROTTA: Fred's idea was to not

22

reduce it, but to not --

23

MR. BRAUN: To waive it.

24

MR. TROTTA: To waive it.

25

MS. SCHEIDT: To waive it, yeah.

1

2

MR. TROTTA: That sounds good.

3

MS. SCHEIDT: Excellent.

4

MR. BRAUN: Everybody all right with

5

that?

6

MR. GRUCCI: Yes.

7

MR. BRAUN: Thank you.

8

MS. MULLIGAN: Howard, do we need a

9

resolution?

10

MR. GROSS: It can't hurt if you just

11

adopt a resolution. I would suggest you want

12

to waive it for this year and revisit it next

13

year, see what the situation is. I don't know

14

if everybody else feels that way, but . . .

15

MR. TROTTA: Yes, that would be fine.

16

MR. BRAUN: If you want it in a

17

resolution, I'll put it on the table.

18

MS. SCHEIDT: Second.

19

MR. BRAUN: Okay.

20

On the vote, Mr. Grucci?

21

MR. GRUCCI: Yes.

22

MR. BRAUN: Thank you.

23

Mr. Pollakusky?

24

MS. MULLIGAN: Gary and Marty left.

25

MR. BRAUN: Okay.

1

2

Ms. Scheidt?

3

MS. SCHEIDT: Yes.

4

MR. BRAUN: Mr. Trotta?

5

MR. TROTTA: Yes.

6

MR. BRAUN: Mr. Braun votes yes.

7

Thank you.

8

MS. MULLIGAN: Okay. So we're waiving

9

that for 2020.

10

The next item on the agenda is 14

11

Glover, LLC.

12

Howard, do you want to go over this?

13

MR. GROSS: Yes.

14

MR. GRUCCI: Excuse me. Hold on,

15

Howard.

16

MS. MULLIGAN: Felix, we discussed it

17

prior to you returning that it's just a

18

discussion, so neither you nor Fred need to

19

recuse.

20

MR. GRUCCI: Thank you.

21

MS. MULLIGAN: You're welcome.

22

MR. GRUCCI: Sorry, Howard.

23

MR. GROSS: No, it's not a problem.

24

So, if you recall, this was actually

25

Brookhaven Memorial Hospital and we had



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discussions about this over the last couple of board meetings.

The hospital or 14 Glover is in the process of finalizing their application to the assessor with their eminent counsel's assistance, Mr. Weir, so that they will, in fact, on their own be exempt for the immediate future from taxation and in reality, they would no longer need our assistance because they would be exempt anyway.

However, because of their situation with possibly merging or combining with the other hospitals, they would prefer to leave the title in our name so that if they dispose of the property, it will be easier to do a transaction if it involves us.

So I just wanted to bring that to your attention and we also wanted to do this in a way that will be clear to everyone on the outside that we are not giving them any additional benefits, but we are simply allowing them to realize the benefits they would have on their own, which that is to say to eliminate all of the PILOT payments going

1

2

forward so long as they're qualified

3

independently for tax exemption. Otherwise if

4

we don't go ahead and go down this path,

5

theoretically they would be exempt on one

6

hand, but they would still be obligated to pay

7

us the PILOT payments every six months and

8

that would be unreasonable.

9

Any questions?

10

So we will have to do a public hearing

11

once they, you know, have obtained their

12

approvals from the assessor and then pass a

13

resolution to eliminate the PILOT.

14

MS. MULLIGAN: Does anyone have any

15

questions?

16

(No response.)

17

MS. SCHEIDT: What if they were all

18

that simple?

19

MS. MULLIGAN: Took us a long time to

20

get to that point.

21

So the next item on the agenda is J-CAD

22

Realty.

23

So it came to our attention that they

24

built a mezzanine space in their facility

25

without Town approval or permits. In

1

2

addition, they have not been responsive to us

3

for their insurance requirements, so although

4

I have the authority to default projects, to

5

send default letters, I just want -- it was

6

close enough to the meeting that I didn't

7

think a couple of days would make that much of

8

a difference, I just wanted to give you

9

basically a heads-up and see if you had any

10

questions about the default that's prepped to

11

be sent out.

12

(No response.)

13

MS. MULLIGAN: Okay.

14

So again, we're going -- so we'll send

15

out the default letter in the next day or so.

16

MR. BRAUN: Do you know offhand who the

17

attorney was?

18

MS. MULLIGAN: Howard, do you recall

19

who the attorney is?

20

MR. GROSS: I'll tell you in a moment,

21

I have to look it up, I don't remember off the

22

top of my head.

23

MR. BRAUN: Okay. We can move on.

24

MS. MULLIGAN: Okay.

25

The next item on the agenda is a

1  
2 request from Tate's, it's included in your  
3 packets. It's -- they're asking your approval  
4 for work that they want to do on the facility,  
5 so they're improving their parking lot and we  
6 just ask that companies -- it's a good policy  
7 to keep them -- keep us in their mind that  
8 they need the IDA's permission to do things.  
9 There's no request as far as benefits or  
10 anything, it's just basically them, you know,  
11 an FYI, this is what we're doing to the  
12 facility, so it's a parking lot improvement.  
13 I just wanted -- the letter's in your packets,  
14 I wanted to bring it to your attention.

15 Does anyone have any questions?

16 MR. TROTTA: Sounds like they're in  
17 dire need of doing this and that's a good  
18 thing because they got a lot of employees, so  
19 that's a good thing.

20 MR. TULLO: Definitely.

21 MR. GROSS: Lisa, before you move onto  
22 the next one, I just want to answer the  
23 question.

24 Sal Cataldo's the lawyer for J-CAD.  
25 I'll reach out to him and let him know it's

1

2 coming. I don't think Sal does a lot of work  
3 for that company regularly, so I don't know  
4 that it would be effective.

5

MS. MULLIGAN: Thank you, Howard.

6

The next item on the agenda is a letter  
7 that we received from Senator Martinez and we  
8 also included was the response to her

9

Subsequently I received a call from one  
10 of her -- I mean an email from one of her  
11 staff people asking if I was available to  
12 discuss her letter. She had not realized --  
13 she had not yet received our response, so I  
14 emailed it to her and then I did not get -- I  
15 said to her, you know, I'm certainly  
16 available. I have not received anything back  
17 from her since then, so I just wanted to let  
18 you know that in fairness, Fred received that  
19 letter and then we put together a response, so  
20 that --

21

MR. TROTTA: Good response.

22

MS. MULLIGAN: Thank you. That was  
23 included in your packets for your reading  
24 pleasure.

25

Any questions on that?

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(No response.)

3

4

MS. MULLIGAN: The next item on the agenda is the Long Island Collaborative.

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So included in the email was a link to the Site Selector magazine that we spoke to you about going back a few months, so there's the whole Long Island section of it, which is -- I think came out really nicely and we got a hard copy of it and our ad is in here and it's a nice publication, so I'm personally pleased with the end product and there's also included in the packets a Newsday article when we did the announcement, I guess, of the IDA collaborative working together and so that was a nice event and the press coverage was good. My kids were thrilled because I was on Newsday -- I mean News 12 for about five seconds, so they thought that was pretty cool.

20

21

MR. TROTTA: And you were on there for something positive, let's clarify that.

22

23

24

25

MS. MULLIGAN: This is Economic Development, people come in here smiling for the most part, so I'm on -- yeah, well, I've never been on News 12 for anything other than

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that for anything relevant.

Okay, so Site Selector magazine.

If anybody has any questions, let me know.

(No response.)

MS. MULLIGAN: The next item is that we got a really nice thank-you from New York State EDC, so I wanted to make sure that I shared with the board how much they appreciate this organization supporting their endeavors and their efforts and the truth of it is that they really support us, so I just wanted to let you know that they appreciate all that this agency does to support them and then the only other things in your packets are just a bunch of Newsday articles, just figured we'd share them with you, we've been in the paper -- not just Newsday actually, LIBN, also, articles, so we just wanted to bring them to your attention. There was an op-ed -- an editorial page, there was a couple of responses to it, so that was all included in the packets.

I don't have anything else.

1

2 Does anybody else have anything else?

3

MR. BRAUN: I do not.

4

5 It's been a long meeting, I appreciate

6

everybody's attention and their comments. It

7

will be very interesting over the next two

8

months as the Town moves forward with its

9

plans or not and we'll be back to you in

10

August -- excuse me, in November.

11

MS. MULLIGAN: We just skipped ahead.

12

Summertime.

13

November 18th is our next meeting.

14

MR. BRAUN: Yes. Unless we decide to

15

meet back after theirs.

16

MS. MULLIGAN: I guess we need --

17

MR. BRAUN: I mentioned it in executive

18

session, possibility.

19

MS. MULLIGAN: So I guess we need a

20

motion to adjourn the meeting.

21

MR. GRUCCI: So moved.

22

MS. SCHEIDT: Second.

23

MR. BRAUN: I assume this will be

24

unanimous, so I won't call a vote.

25

MS. MULLIGAN: Thank you everybody,  
take care, have a nice day.



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(Time noted: 3:11 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

