

Town of Brookhaven

Industrial Development Agency

MEETING AGENDA

Wednesday, November 16, 2022 at 12:45 PM

1. ROLL CALL

2. CFO'S REPORT

Actual vs. Budget Report – September 30, 2022
Timely Payments

3. APPLICATIONS

CD Ramsay Realty, LLC / Creative Biolabs, Inc.
Global Food Solutions, Inc.
44 Ramsey Owner / Frank Lowe – Galaxy Group LLC Subtenant Application

4. RESOLUTIONS

Global Food Solutions, Inc.
BLSF, LLC / Brookhaven Landfill Solar Farm, LLC
Hydro Metal Holdings, LLC / Boilermatic Welding Industries, Inc.
Peconic River Energy Storage, LLC dba North Street Energy Storage
Sunrise Wind – 22 Research Way
44 Ramsey Owner / Frank Lowe – Galaxy Group LLC Subtenant
Biocogent – Completion Date & Sales Tax Extension
United Meat Products – Completion Date Extension

5. CEO'S REPORT

Middle Country Meadows

6. EXECUTIVE SESSION

The next IDA meeting is scheduled for Wednesday, December 7, 2022.

Town of Brookhaven Industrial Development Agency

MRB Cost Benefit Calculator



Date 11.3.2022
 Project Title Sunrise Wind
 Project Location 22 Research Way East Setuaket

Economic Impacts

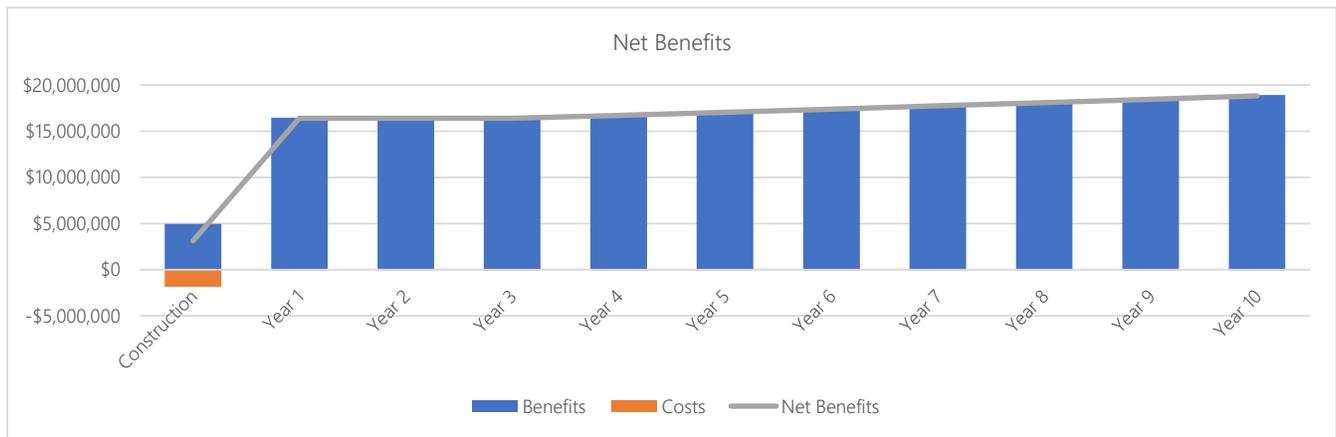
Summary of Economic Impacts over the Life of the PILOT

Project Total Investment
 \$37,799,560

		Temporary (Construction)		
		Direct	Indirect	Total
Jobs		47	13	60
Earnings		\$3,845,710	\$842,642	\$4,688,352
Local Spend		\$9,299,560	\$2,939,663	\$12,239,223

		Ongoing (Operations)		
		Direct	Indirect	Total
Jobs		65	49	114
Earnings		\$114,465,393	\$50,582,176	\$165,047,569

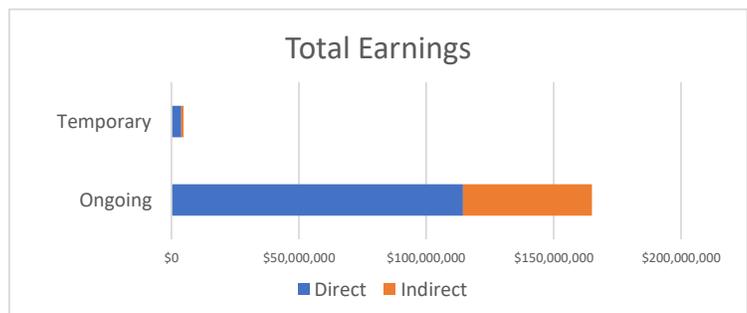
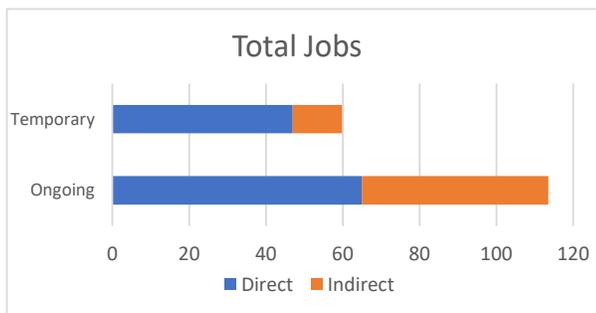
Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

Figure 3



Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$731,080	\$654,578
Sales Tax Exemption	\$1,850,902	\$1,850,902
Local Sales Tax Exemption	\$992,513	\$992,513
State Sales Tax Exemption	\$858,389	\$858,389
Mortgage Recording Tax Exemption	\$0	\$0
Local Mortgage Recording Tax Exemption	\$0	\$0
State Mortgage Recording Tax Exemption	\$0	\$0
Total Costs	\$2,581,982	\$2,505,480

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$170,378,641	\$153,116,668
To Private Individuals	\$169,735,921	\$152,536,653
Temporary Payroll	\$4,688,352	\$4,688,352
Ongoing Payroll	\$165,047,569	\$147,848,301
Other Payments to Private Individuals	\$0	\$0
To the Public	\$642,720	\$580,015
Increase in Property Tax Revenue	(\$731,080)	(\$654,578)
Temporary Jobs - Sales Tax Revenue	\$37,946	\$37,946
Ongoing Jobs - Sales Tax Revenue	\$1,335,854	\$1,196,647
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$8,826,268	\$7,931,906
To the Public	\$8,826,268	\$7,931,906
Temporary Income Tax Revenue	\$210,976	\$210,976
Ongoing Income Tax Revenue	\$7,427,141	\$6,653,174
Temporary Jobs - Sales Tax Revenue	\$32,818	\$32,818
Ongoing Jobs - Sales Tax Revenue	\$1,155,333	\$1,034,938
Total Benefits to State & Region	\$179,204,909	\$161,048,574

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$153,116,668	\$1,647,091	93:1
State	\$7,931,906	\$858,389	9:1
Grand Total	\$161,048,574	\$2,505,480	64:1

*Discounted at 2%

Additional Comments from IDA

Sunrise Wind LLC requested benefits for their 22 Research Way Operations and Maintenance Hub located in East Setauket. The project includes the renovation and equipping of the approximately 55,525 sf facility located on 4.5 acres. This facility will serve as the operations and maintenance hub for the Sunrise Wind Farm and cable project. As per our Uniform Project Evaluation Criteria Policy, the criteria met for this project include, but are not limited to, jobs retained and created and capital investment by the applicant.

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

Town of Brookhaven Industrial Development Agency

MRB Cost Benefit Calculator



Date: November 3, 2022
 Project Title: Hydro Metal Holdings/Boilermatic Welding Industries, Inc
 Project Location: 20 Pinehurst Drive Bellport

Economic Impacts

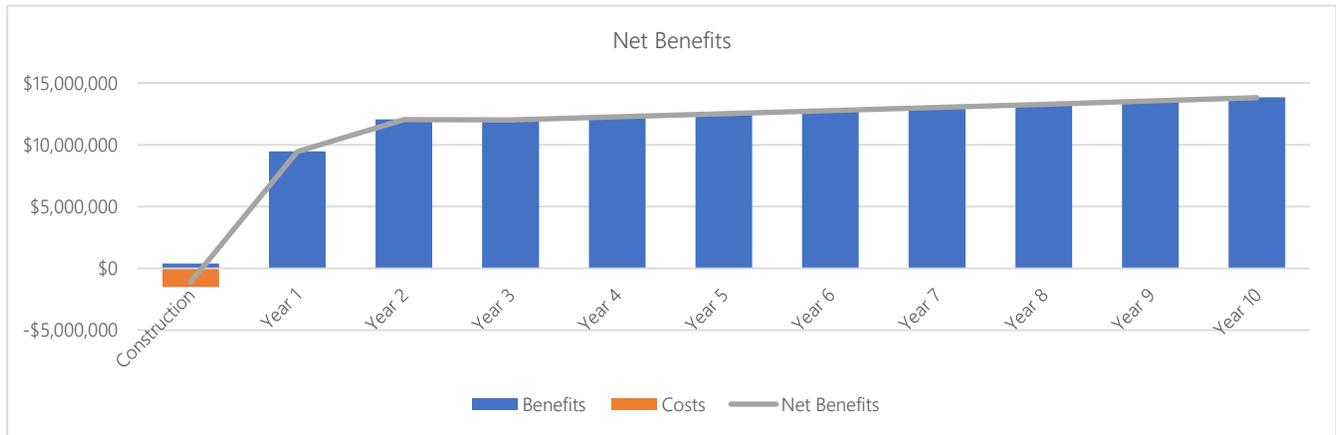
Summary of Economic Impacts over the Life of the PILOT

Project Total Investment
 \$7,100,000

		Temporary (Construction)		
		Direct	Indirect	Total
Jobs		4	1	5
Earnings		\$309,760	\$67,872	\$377,632
Local Spend		\$749,050	\$236,780	\$985,830

		Ongoing (Operations)		
		Direct	Indirect	Total
Jobs		70	61	131
Earnings		\$72,580,783	\$45,534,261	\$118,115,044

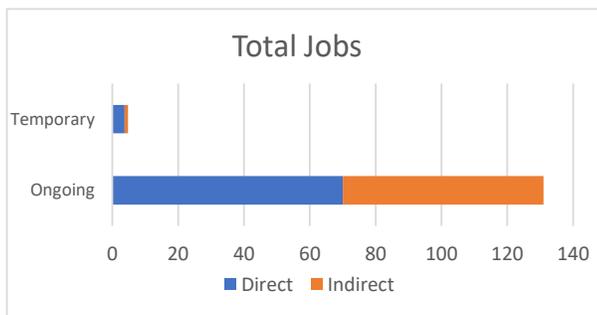
Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

Figure 3



Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$256,905	\$230,022
Sales Tax Exemption	\$1,509,388	\$1,509,388
Local Sales Tax Exemption	\$809,382	\$809,382
State Sales Tax Exemption	\$700,006	\$700,006
Mortgage Recording Tax Exemption	\$0	\$0
Local Mortgage Recording Tax Exemption	\$0	\$0
State Mortgage Recording Tax Exemption	\$0	\$0
Total Costs	\$1,766,292	\$1,739,409

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$119,194,821	\$106,605,372
To Private Individuals	\$118,492,676	\$105,977,638
Temporary Payroll	\$377,632	\$377,632
Ongoing Payroll	\$118,115,044	\$105,600,006
Other Payments to Private Individuals	\$0	\$0
To the Public	\$702,145	\$627,735
Increase in Property Tax Revenue	(\$256,905)	(\$230,022)
Temporary Jobs - Sales Tax Revenue	\$3,056	\$3,056
Ongoing Jobs - Sales Tax Revenue	\$955,994	\$854,700
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$6,161,619	\$5,510,837
To the Public	\$6,161,619	\$5,510,837
Temporary Income Tax Revenue	\$16,993	\$16,993
Ongoing Income Tax Revenue	\$5,315,177	\$4,752,000
Temporary Jobs - Sales Tax Revenue	\$2,643	\$2,643
Ongoing Jobs - Sales Tax Revenue	\$826,805	\$739,200
Total Benefits to State & Region	\$125,356,440	\$112,116,210

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$106,605,372	\$1,039,404	103:1
State	\$5,510,837	\$700,006	8:1
Grand Total	\$112,116,210	\$1,739,409	64:1

*Discounted at 2%

Additional Comments from IDA

Hydro Metal Holdings, LLC and Boilermatic Welding Industries, Inc., an affiliated entity, are requesting an assignment and assumption of the IDA benefits for the Coast 2 Coast project, which is a 19,000sf building located at 20 Pinehurst Drive in Bellport. Boilermatic Welding Industries, Inc. is a full-service mechanical construction company. As per our Uniform Project Evaluation Criteria Policy, the criteria met for this project include, but are not limited to, jobs retained and created and capital investment by the applicant.

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

Town of Brookhaven Industrial Development Agency

MRB Cost Benefit Calculator



Date: November 3, 2022
 Project Title: Global Food Solutions, Inc.
 Project Location: 905 Waverly Ave Holtsville

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

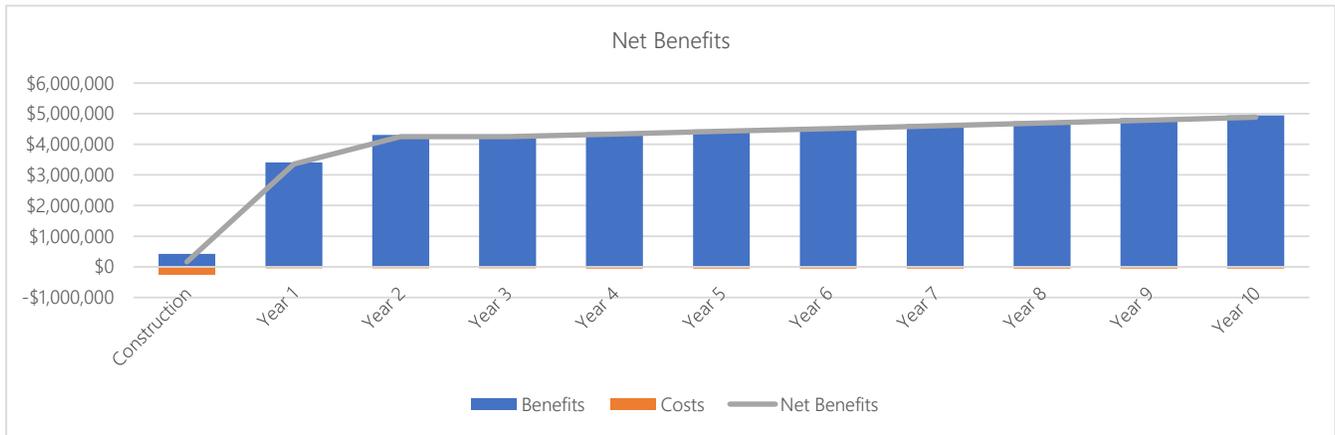
Project Total Investment
 \$14,000,000

	Temporary (Construction)		
	Direct	Indirect	Total
Jobs	4	1	5
Earnings	\$330,002	\$72,308	\$402,310
Local Spend	\$798,000	\$252,254	\$1,050,254

	Ongoing (Operations)		
	Direct	Indirect	Total
Jobs	63	0	63
Earnings	\$42,649,153	\$0	\$42,649,153

Aggregate over life of the PILOT

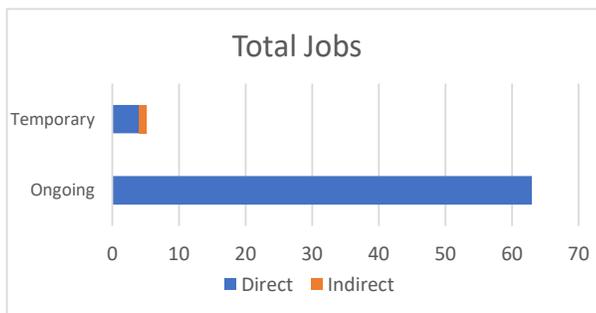
Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

Figure 3



Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$548,055	\$490,706
Sales Tax Exemption	\$263,494	\$263,494
Local Sales Tax Exemption	\$141,294	\$141,294
State Sales Tax Exemption	\$122,200	\$122,200
Mortgage Recording Tax Exemption	\$0	\$0
Local Mortgage Recording Tax Exemption	\$0	\$0
State Mortgage Recording Tax Exemption	\$0	\$0
Total Costs	\$811,549	\$754,200

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$42,851,855	\$38,356,521
To Private Individuals	\$43,051,463	\$38,535,331
Temporary Payroll	\$402,310	\$402,310
Ongoing Payroll	\$42,649,153	\$38,133,021
Other Payments to Private Individuals	\$0	\$0
To the Public	(\$199,608)	(\$178,811)
Increase in Property Tax Revenue	(\$548,055)	(\$490,706)
Temporary Jobs - Sales Tax Revenue	\$3,256	\$3,256
Ongoing Jobs - Sales Tax Revenue	\$345,192	\$308,639
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$2,238,676	\$2,003,837
To the Public	\$2,238,676	\$2,003,837
Temporary Income Tax Revenue	\$18,104	\$18,104
Ongoing Income Tax Revenue	\$1,919,212	\$1,715,986
Temporary Jobs - Sales Tax Revenue	\$2,816	\$2,816
Ongoing Jobs - Sales Tax Revenue	\$298,544	\$266,931
Total Benefits to State & Region	\$45,090,531	\$40,360,358

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$38,356,521	\$632,000	61:1
State	\$2,003,837	\$122,200	16:1
Grand Total	\$40,360,358	\$754,200	54:1

*Discounted at 2%

Additional Comments from IDA

Global Food Solutions, Inc.(GFS), a food manufacturer for school districts, plans to acquire 905 Waverly Ave Holtsville, NY, which is an approx 50,000 sf building. GFS plans to add 10,000 sf to the facility. As per our Uniform Project Evaluation Criteria Policy, the criteria met for this project include, but are not limited to, jobs retained and created and capital investment by the applicant.

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

Town of Brookhaven Industrial Development Agency

MRB Cost Benefit Calculator



Date: October 25, 2022
 Project Title: Peconic River Energy Storage, LLC
 Project Location: 62, 68, and 74 Weeks Ave Manorville

Economic Impacts

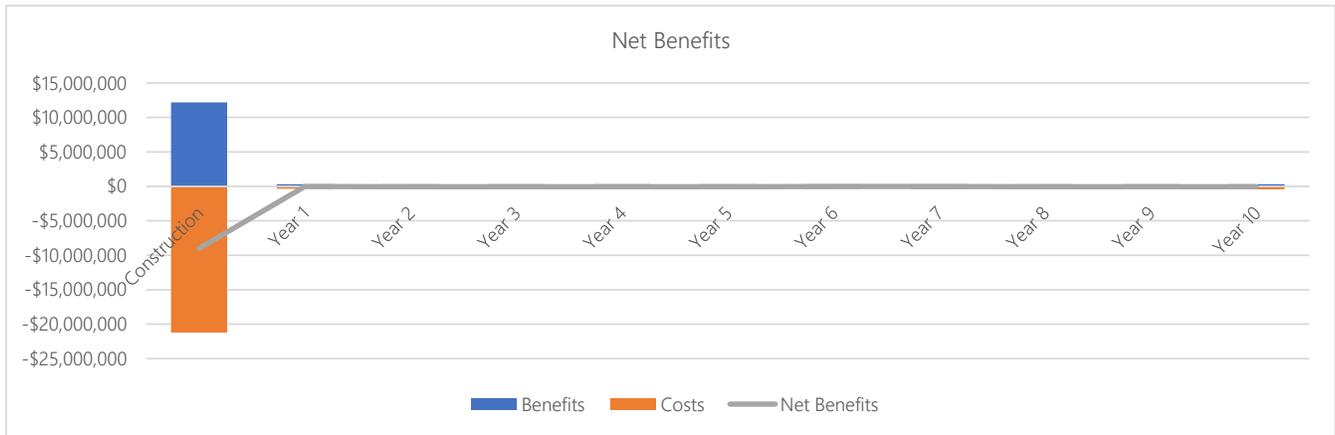
Summary of Economic Impacts over the Life of the PILOT

Project Total Investment
 \$159,415,586

	Temporary (Construction)		
	Direct	Indirect	Total
Jobs	132	47	179
Earnings	\$9,614,828	\$1,888,869	\$11,503,697
Local Spend	\$25,506,494	\$7,037,461	\$32,543,955

	Ongoing (Operations)		
	Direct	Indirect	Total
Jobs	1	0	1
Earnings	\$1,404,739	\$412,917	\$1,817,656

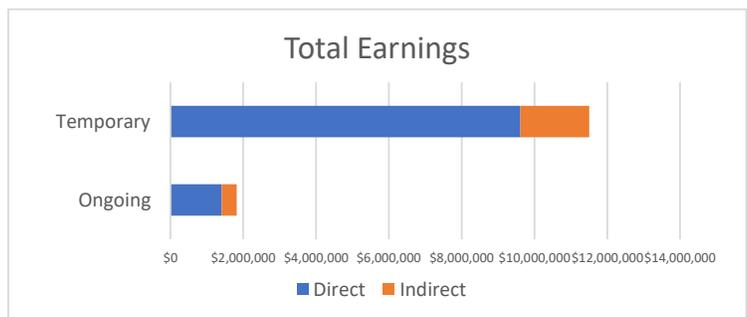
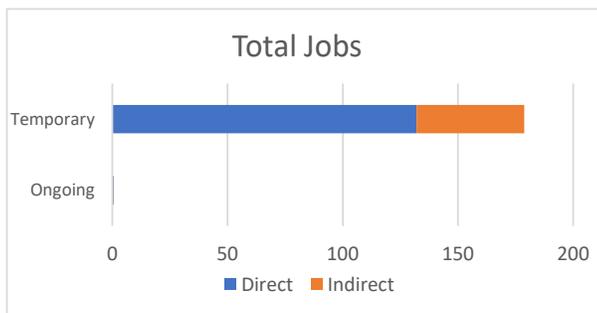
Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

Figure 3



Fiscal Impacts

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$7,938,762	\$6,125,263
Sales Tax Exemption	\$11,635,072	\$11,635,072
Local Sales Tax Exemption	\$6,239,097	\$6,239,097
State Sales Tax Exemption	\$5,395,975	\$5,395,975
Mortgage Recording Tax Exemption	\$9,564,935	\$9,564,935
Local Mortgage Recording Tax Exemption	\$3,188,312	\$3,188,312
State Mortgage Recording Tax Exemption	\$6,376,623	\$6,376,623
Total Costs	\$29,138,769	\$27,325,270

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$18,607,051	\$17,254,480
To Private Individuals	\$13,321,353	\$12,971,293
Temporary Payroll	\$11,503,697	\$11,503,697
Ongoing Payroll	\$1,817,656	\$1,467,596
Other Payments to Private Individuals	\$0	\$0
To the Public	\$5,285,698	\$4,283,187
Increase in Property Tax Revenue	\$5,177,878	\$4,178,201
Temporary Jobs - Sales Tax Revenue	\$93,108	\$93,108
Ongoing Jobs - Sales Tax Revenue	\$14,712	\$11,878
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$692,710	\$674,507
To the Public	\$692,710	\$674,507
Temporary Income Tax Revenue	\$517,666	\$517,666
Ongoing Income Tax Revenue	\$81,795	\$66,042
Temporary Jobs - Sales Tax Revenue	\$80,526	\$80,526
Ongoing Jobs - Sales Tax Revenue	\$12,724	\$10,273
Total Benefits to State & Region	\$19,299,762	\$17,928,987

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$17,254,480	\$15,552,671	1:1
State	\$674,507	\$11,772,599	:1
Grand Total	\$17,928,987	\$27,325,270	1:1

*Discounted at 2%

Additional Comments from IDA

Applicant proposes installation and operation of a 150 MW battery energy storage system on 4.4 acres on Weeks and South Street in Manorville. As per the IDA's Uniform Project Evaluation Criteria Policy, the criteria met for this project include, but are not limited to, capital investment by the applicant and advances in energy transmission goals. In addition this project helps to advance NYSERDA's CLCPA requirement of 1,500MW of energy storage by 2025 and 3,000 MW of energy storage by 2030.

Does the IDA believe that the project can be accomplished in a timely fashion? Yes



INTERNET:
www.presberg.com

100 Corporate Plaza, Suite B102
Islandia, NY 11749

(631) 232-4444
FACSIMILE:
(631) 232-2603

October 19, 2022

Via: Federal Express

Town of Brookhaven Industrial Development Agency
One Independence Hill
Farmingville, NY 11738
Attn: Lisa M. Mulligan
Chief Executive Officer

Re: Application of CD Ramsay Realty, LLC/
Creative Biomart, Inc., Creative Biolabs Inc., Creative Biogene Inc.,
CD Biosciences Inc. and BOCSI Inc. (the "Companies")
17 Ramsay Road, Shirley, NY

Dear Ms. Mulligan:

I am pleased to enclose one original and one copy of my client's application for financial assistance through the Town of Brookhaven Industrial Development Agency. The application contemplates a "straight lease" transaction for the construction of a new, approximately 18,500 square foot free-standing industrial building located at 17 Ramsay Road, Shirley, NY (the "Premises"). The total "Project" is estimated to total approximately \$4,935,000.00, which funds are being paid entirely by the Companies, and no mortgage financing is being sought.

Creative Biolabs Inc. (and its affiliates') primary business is the manufacturing and distribution of biologic proteins for the biotech industry. They supply high quality recombinant proteins, antibodies, antigens, enzymes and ELISA assays to the researchers in biology, clinical research, molecular diagnostics and biopharmaceutical drug development and related fields. Its affiliate, Creative Biogene Inc. offers various biopharmaceutical products, including antibacterial pharmaceutical products, biopharmaceutical products, oncology products, vaccines, etc. BOCSI Inc. offers personalized solutions for the conjugation of small molecules such as drugs, metabolites and labeled compounds with synthetic or natural compounds for specific applications.

The Companies presently employ 30 full time individuals and the Project will result in the retention of all of those jobs plus the creation of 8 new full time jobs upon the second year of the completion of this Project. The applicant has a separate, existing facility on the same land, which consists of an approximately 11,800 square foot building. That building was part of an IDA Project from 2018. As part of that Project, the Company projected the employment of 17 retained jobs and 5 new FT jobs within a two year period. That estimate of 22 total FT jobs grew to the existing 30

now employed amongst the entities listed above (and as reported to the Agency) and this new Project will add yet an additional 8 thereto.

This new facility to be constructed on the same land and site (but as a separate building) will assist the Companies by allowing the construction of an additional laboratory and related facilities, which will in turn assist in the expansion of their existing businesses, while allowing them to manufacture and test the products they currently sell and distribute. This additional space will give the Company added production capacity and the ability to immediately grow their company. The Company deems it impractical to expand the existing building due to the layout of the building where an addition could be affixed and the potential interruption of the existing processes.

The Company requires approximately 30,000 sq. ft. of very specialized space in order to continue its operations and projected expansion. If it could not do this separate Project, it would need to locate and relocate its entire existing facilities elsewhere, including sourcing such specialized properties outside the State of New York. Its products are distributed nationally, and, as such, there was no specific or exclusive need to retain its location in the Town of Brookhaven or State of New York; rather, however, the Company would prefer to avoid the time and expense of relocation and pursue the proposed Project in its existing location. It is for those reasons that, with the assistance of the TOBIDA, and the granting of benefits, including a 100% abatement on the improvements under the PILOT Agreement, as well as sales tax exemptions on its anticipated taxable equipment acquisitions, that this Project would make economic sense to the Company. As noted above, the Company's prior employment projections were far exceeded, and will continue to grow and prosper with the Agency's assistance.

Inasmuch as the Company is only in its third year of the existing PILOT on the prior Facility, and this new building will be constructed on the same tax lot, we would respectfully request, for ease of calculating and securing real estate tax exemptions, that the existing Lease and Project Agreement be amended to extend its term of PILOT benefits to run concurrently with the period of exemption for this new phase of Project.

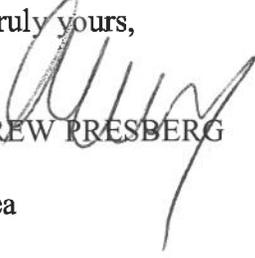
As such, we would request that the Agency issue a resolution approving (a) the Project; (b) PILOT benefits providing for a 100% abatement against the improvements for a term of ten years; (c) an extension of the PILOT for the prior Project to run concurrently with the PILOT for this new Project; and (d) sales tax exemptions in favor of on the estimated \$400,000.00 worth of equipment, furnishings and fixtures to be expended by Creative Biolabs Inc., plus sales tax exemptions on approximately \$2,100,000.00 on the portion of the construction attributable to building materials, for a total sales tax exemption of approximately \$215,625.00 (broken up \$181,125.00 to CD Ramsey Realty, LLC- who will construct the building, and \$34,500.00 to Creative Biolabs Inc.- who will acquire the equipment.

In connection with this application, I have enclosed my client's check in the amount of \$3,000.00, representing the application fee in this regard. I have also enclosed two years tax returns for each of the Companies (inasmuch as financial statements are not available), as well as NYS-45's for each of the affiliated Companies for the quarter ending June 30, 2022, all of which should be kept confidential and not made a part of the public record.

Since this is new construction, an Environmental Assessment Form will be prepared by their architect, James Manicone, and sent to you under separate cover.

If you should require anything further, please don't hesitate to contact the undersigned.

Very truly yours,



ANDREW PRESBERG

ADP:ea

Encl.

cc: William Weir, Esq.

i.on renewables, LLC
c/o Daniel Prokopy
707 Westchester Avenue, Suite 116
White Plains, NY 10604
daniel@ionrenewables.com

October 26, 2022

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

RE: Applicant: BLSF, LLC (dba “Brookhaven Landfill Solar Farm, LLC”)
Application: Brookhaven Town Industrial Development Agency
Premises: 350 Horseblock Road, Yaphank, NY 11719

Dear Ms. Mulligan,

On July 7, 2022, BLSF, LLC, a limited liability company formerly owned by i.on renewables, LLC, entered into a thirty (30) year agreement (the “Lease”) with the Town of Brookhaven to lease approximately thirty (30) acres of land at the landfill located at 350 Horseblock Road, Yaphank, NY 11719 (the “Premises”) to develop and construct photovoltaic solar arrays (the “System” or the “Project”).

BLSF, LLC has received two awards totaling six (6) MW-ac capacity from Public Service Enterprise Group Long Island (“PSEG LI”) under the “Solar Communities Feed-In-Tariff Program”, whereby PSEG LI will purchase energy produced by the System. The proposed Project as currently designed will consist of approximately 16,000 solar modules with a capacity of 540 Watts, totaling 8,640,000 MW-dc. A site plan that shows the proposed location of the solar facility has been attached to this application.

As of October 21, 2022, i.on renewables, LLC has sold its Membership Interests in BLSF, LLC via Membership Interest Purchase Agreement to Coast Energy DevCo, LLC, a project company owned by Coast Energy, LLC.

Coast Energy is an investment company located in Manhattan Beach, California that develops, constructs, owns and operates solar assets throughout the United States. The Chief Executive Officer of Coast Energy is Blair Herbert, who has been making investments in the solar energy industry since 2008. Collectively, since 2008, Mr. Herbert and Coast Energy and its management team have helped to develop over 2,000 solar projects totaling more than 1 GWs.

i.on renewables will remain intimately involved with the development and construction of the solar project until it has been completed and successfully interconnected to the grid. Specifically,

i.on renewables will continue to serve as the main point of contact for all interactions with the Town and the IDA of Brookhaven to coordinate development, construction and legal requirements to complete the project.

Coast Energy and i.on renewables will continue to work steadfastly to complete all development activities on the project, initiate construction and achieve commercial operation for the project under discussion.

If you should have any further questions, please do not hesitate to contact me. We look forward to working with the Town and the IDA of Brookhaven to construct the Project.

Thank you.

Sincerely,

Daniel Prokopy
i.on renewables, LLC

United Meat Products Inc.

50 Sawgrass Drive, Bellport New York

11/10/2022

One Independence Hill, Farmingville, NY 11738

Industrial Development Agency of Town of Brookhaven

Tel: 631-451-6563 Fax: 631-451-6925

Attn: Lisa Mulligan, Chief Executive Officer

Dear Ms. Mulligan,

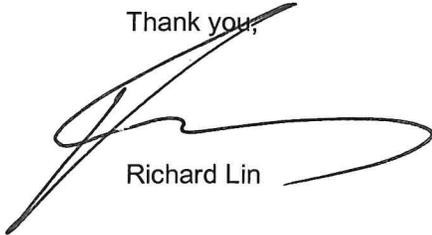
Due to Covid-19 our renovation project at 50 Sawgrass drive, Bellport is heavily delayed. We are expecting to complete the project by the end of October, 2023.

Please kindly extend the completion date.

I'll keep you posted about the project progress.

If you have any questions please feel free to contact me at 516-942-9070.

Thank you,

A handwritten signature in black ink, appearing to read 'Richard Lin', with a large, sweeping flourish extending to the right.

Richard Lin

GLOBAL FOOD SOLUTIONS, INC.
159 ADAMS AVENUE, HAUPPAUGE, NEW YORK 11788
631-332-7754 | mikelevin@globalfoodsolutions.co

November 1, 2022

VIA FEDERAL EXPRESS

Town of Brookhaven Industrial Development Agency
Attn: Ms. Lisa MG Mulligan, Chief Executive Officer
One Independence Hill
Farmingville, New York 11738

Re: Global Food Solutions, Inc.'s Application for Financial Assistance

Dear Ms. Mulligan:

Please find enclosed Global Food Solutions, Inc.'s (the "Applicant" or "GFS") Application to the Town of Brookhaven Industrial Development Agency (the "IDA") for benefits regarding GFS's acquisition, addition, and operations at 905 Waverly Avenue, Holtsville, New York 11742 (the "Property"). This Property will allow GFS to consolidate and expand its operations under one roof. GFS currently owns its corporate headquarters (via special purpose entity 159 Adams LLC), located at 159 Adams Avenue, Hauppauge, New York 11788, and leases its manufacturing/distribution space, which is located at 50 Constance Court, Hauppauge, New York 11788. The sale of GFS's headquarters will allow for the opportunity to conduct a §1031 transaction, as we are seeking to invest all of the equity in the current headquarters into the Property. Our goal with this acquisition is to position GFS for further success and long-term growth, while establishing our home base of the future in the Town of Brookhaven.

GFS is a privately owned family business that was conceived by father and son team Michael Levine and Mitchell Levine to tackle the two parallel crises that the United States is experiencing related to food and public health: (i) hunger; and (ii) diet-related diseases. In 2020, one in ten households (more than 38 million Americans) experienced food insecurity. One in seven American children (approximately 11 million) live in homes where there is, *at best*, inconsistent access to adequate healthy food. As a result, American children are struggling with hunger, and there is a growing epidemic of diet-related diseases among adults in the United States, which unfortunately starts from habits formed during childhood.

GFS is devoted to developing, manufacturing, and distributing affordable, wholesome, and sustainable food products for the school food service and general food service industry. We are advocates for feeding our children and ensuring that our country's future remains vibrant and healthy. In 2022 we were fortunate to receive our second Inc. 5000 award for our role as one of the fastest-growing private businesses in the United States.

GFS's primary market is servicing the K-12 food service industry with our various products under GFS's seven brands. GFS currently services many of the largest school food service programs in the Northeast United States, as well as a number of school food service programs throughout the country. These customers include, but are not limited to, the: (i) New York City Public Schools; (ii) Long Island Co-Op (over 70 districts); (iii) Philadelphia Public Schools; (iv) Bridgeport (Connecticut) Public Schools; (v) Boston Public Schools; and (vi) Raleigh (North Carolina) Public Schools. GFS has grown into a powerhouse in the space, and currently reaches over 7,500 school districts with our various products and brands. Additionally, GFS services other food service accounts ranging from hospitals and outpatient healthcare facilities to the Armed Forces of the United States (domestically and abroad).

GFS's products feature a variety of nutritional attributes across the breadth of our brands and product types, with many of our products and raw materials being sourced domestically. All of our products are made in accordance with strict industry nutrition and compliance standards, and many feature no artificial colors and/or flavors, are peanut/tree nut free, made with whole grains, and *never* incorporate ingredients listed on our prohibited ingredient list. In response to the COVID-19 global pandemic, GFS expanded rapidly by producing products under the brands the company had grown by utilizing a network of co-packing manufacturing facilities across the United States. GFS worked quickly across its supply chain to establish and identify multiple facilities in its network to produce grab-and-go meal kits, and opened its first manufacturing facility in Hauppauge, New York as a result of this explosive growth. This facility is now located down the street from the GFS' corporate headquarters in Hauppauge.

The current manufacturing facility utilized by GFS features refrigeration, a freezer, and dry storage. The GFS team converted two portions of the facility into food manufacturing spaces, with one space featuring three manufacturing lines, with two manufacturing lines being utilized to assemble our grab-and-go meal kits. One line assembles GFS's grab-and-go meal kits that are used primarily for the School Breakfast Program ("SBP"), and the other production line assembles components for our SBP pre-packed yogurt parfaits. GFS successfully converted the additional manufacturing space into a sandwich operation, and is currently under contract to produce over *four million sandwiches* for the 2022/2023 school year under the United States Department of Agriculture's Commodity Foods Further Processing Program, which are primarily used in the National School Lunch Program ("NSLP").

As a result of this tremendous growth, GFS hired over twenty-five (25) new manufacturing and production personnel in roles ranging from our director of quality control to our production staff, warehouse equipment staff, and skilled technicians. In 2022 we find ourselves continuing on this growth trajectory and are being asked by our current school district customer base to continue to expand our offerings and products for their programs. However, due to our rapid growth, we have simply run out of space and are unable to continue our expansion, which will result in millions of school children here in New York (and throughout the country) not being exposed to our "better for you" offerings.

As we continue to expand our manufacturing capabilities and service millions of American students, we find ourselves with an opportunity to continue our growth at the Property, which is approximately 15 minutes from the company's current locations. However, GFS will be unable to maintain this momentum without the IDA's assistance due to Suffolk County's burdensome real estate taxes and acquisition costs, which real estate taxes and acquisition costs make GFS's project financially oppressive. In order for GFS to remain competitive in the space and continue to create good paying jobs on Long Island in a financially viable manner, we respectfully request the IDA's assistance with benefits relating to real estate taxes and sales & use taxes for the Property.

We look forward to a continued dialogue with the IDA Board of Directors to review the project together and address any questions you may have regarding the Property. Thank you kindly in advance for your time and consideration.

Very truly yours,

GLOBAL FOOD SOLUTIONS, INC.

By: 
Michael Levine Chief Executive Officer

APPROVED

By Michael Levine at 6:55 am, Nov 01, 2022



INDUSTRIAL DEVELOPMENT AGENCY
Town Of Brookhaven

Lisa M. G. Mulligan, Chief Executive Officer

November 4, 2022

VIA E-MAIL AND FEDERAL EXPRESS

Middle Country Meadows, LLC
One Rabro Drive
Suite 100
Hauppauge, New York 11788
Attention: Demetrius Tsunis, Managing Member

RE: Town of Brookhaven Industrial Development Agency
(Middle Country Meadows, LLC 2021 Facility)

NOTICE OF DEFAULT

Dear Mr. Tsunis:

This letter is to notify Middle Country Meadows, LLC (the “**Company**”) of their failure to provide proof of current builder’s risk insurance and general contractor insurance to the Town of Brookhaven Industrial Development Agency (the “**Agency**”), as required by Sections 6.4 and 6.5 of the Lease and Project Agreement, dated as of December 1, 2021 (the “**Lease Agreement**”), between the Agency and the Company. Capitalized terms not otherwise defined herein shall have the meanings given thereto in the Lease Agreement.

Pursuant to the Lease Agreement, the Agency agreed to provide financial assistance to the Company in connection with its construction, equipping, and furnishing of an approximately 136,400 square foot residential facility (the “**Project Work**”) located at 1277 Middle Country Road, Selden, New York.

Section 6.4(a) and (d) requires the Company to cause the general contractor of the Project to obtain workers’ compensation and employer’s liability coverage (the “**Requisite Insurance**”). Section 6.5(c) of the Lease Agreement requires the Company to deliver certificates of insurance evidencing such insurance coverage to the Agency *prior* to the commencement of the Project Work.

Middle Country Meadows, LLC
November 4, 2022
Page 2

By e-mails dated January 4, 2022 and March 23, 2022, which e-mails are attached hereto as Exhibit A, and again by e-mail dated August 3, 2022, attached hereto as Exhibit B, a representative of the Agency reminded a representative of the Company that evidence of the Requisite Insurance must be submitted to the Agency prior to the commencement of the Project Work. The Company did not respond with evidence of the Requisite Insurance after any of the above referenced e-mails, or after several follow up communications from the Agency's counsel.

It has now come to the Agency's attention that the Project Work has begun, and the Company has still not submitted proof of the Requisite Insurance to the Agency.

Section 10.1(a)(ii) of the Lease Agreement states an Event of Default includes "the failure by the Company to observe and perform any covenant contained in Sections 2.2(e), (f) or (i), 5.2, 6.3, 6.4, 6.5, 8.2, 8.4, 8.5, 8.11, 8.12, 9.3, 10.4 and Article XIII hereof;"

In the case of an Event of Default, Article 10.2(a)(ii) of the Lease Agreement, authorizes the Agency to terminate the Lease Agreement and the Company Lease, reconvey the Equipment to the Company and terminate the Sales Tax Exemption authorization.

In addition, failure to provide evidence of the Requisite Insurance is a Recapture Event under Section 5.4 of the Lease Agreement, requiring the Company to pay to the Agency 100% of all financial benefits derived by the Company as a result of the Agency's participation in the Project (the "**Recapture Amount**").

By way of this letter, the Agency demands that you immediately cease and desist the Project Work, and provide evidence in full of the Requisite Insurance by **November 14, 2022**. Failure to do so will result in the Agency immediately terminating the Lease Agreement and the Company Lease, reconveying the Equipment to the Company, terminating the Sales Tax Exemption authorization, and declaring 100% of the Recapture Amount immediately due and payable.

Very Truly Yours,



Lisa M. G. Mulligan
Chief Executive Officer

cc: Peter L. Curry, Esq.
Jonathan J. Daniel

Middle Country Meadows, LLC
November 4, 2022
Page 3

Rab N. Nalavala, Esq.
Annette Eaderesto, Esq.
William F. Weir, Esq.

Exhibit A

Walsh, Terance

From: Amy Illardo <aillardo@brookhavenny.gov>
Sent: Friday, October 7, 2022 4:59 PM
To: Walsh, Terance
Cc: Lisa Mulligan
Subject: Fwd: Middle Country Meadows Insurance
Attachments: 220317000215_0001.pdf; Insurance Requirements- Middle Country Meadows.pdf

[EXTERNAL E-MAIL]

Be Aware of Links and Attachments

Get [Outlook for iOS](#)

From: Amy Illardo <aillardo@brookhavenny.gov>
Sent: Wednesday, March 23, 2022 2:34 PM
To: management@northwindgroup.com <management@northwindgroup.com>
Cc: Lisa Mulligan <lmulligan@brookhavenny.gov>
Subject: FW: Middle Country Meadows Insurance

Hi Lora-

An automobile policy is required. The project may already have the policy, please consult your insurance broker. I have attached the Middle Country Meadows Insurance Requirement section (6.4) from the Lease and Project Agreement. In addition to the automobile policy, please provide-

1. Workers Compensation
2. Disability
3. Property (Builder's Risk)

The property is in the clearing stage. Prior to construction, please provide all insurance certificates from the general contractor.

Thank you,
Amy

From: management <management@northwindgroup.com>
Sent: Wednesday, March 23, 2022 1:05 PM
To: Amy Illardo <aillardo@brookhavenny.gov>
Subject: RE: Middle Country Meadows Insurance

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Amy:

See attached. There is no auto needed - we do not own any vehicles.

Walsh, Terance

From: Walsh, Terance
Sent: Wednesday, October 12, 2022 11:08 AM
To: Walsh, Terance
Subject: FW: Middle Country Meadows Insurance

From: Amy Illardo <aillardo@brookhavenny.gov>
Sent: Wednesday, August 3, 2022 2:38 PM
To: Reception <management@northwindgroup.com>
Cc: Lisa Mulligan <lmulligan@brookhavenny.gov>
Subject: RE: Middle Country Meadows Insurance

Hi Lora-

I'm just checking in to see if any construction has begun. If so, please send the Builder's Risk/Property insurance when available.

Thank you,
Amy

From: Reception <management@northwindgroup.com>
Sent: Thursday, June 09, 2022 9:41 AM
To: Amy Illardo <aillardo@brookhavenny.gov>
Subject: Automatic reply: Middle Country Meadows Insurance

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I will be out of the office from 6/9/22 until 6/13/22.

I will answer your email when I return on 6/14/22. Should you need immediate attention please call the office. Thank you!

Thank you!

Exhibit B



Lora Wild
One Rabro Drive Suite 100
Hauppauge, NY 11788
P (631)582-8300/ F (631)582-8340

From: Amy Illardo <aillardo@brookhavenny.gov>
Sent: Tuesday, January 4, 2022 10:11 AM
To: Reception <reception@northwindgroup.com>
Subject: Middle Country Meadows Insurance

Hi Lora-

Happy New Year! Please let me know if you are the contact for insurance certificates for Middle Country Meadows?
If so, please send, when available-

1. General Liability/ Automobile/ Umbrella

Once the project begins construction, we will also need the general contractor's insurance certificates.

Thank you,
Amy

Amy Illardo
Brookhaven IDA
www.brookhavenida.org
(631) 451-6565

9/23/ 2022

Dear Supervisor Romaine, Brookhaven Town Council and IDA CEO Mulligan and IDA Board,

We are asking the Brookhaven Industrial Development Association (IDA) to reject the tax exemption application of BLSF, LLC (I.on Energy). We fully support large scale renewable energy projects as a requirement for a just transition away from fossil fuels and to support climate justice. Frontline communities harmed by the Brookhaven Landfill's air, water and soil pollution for the past 50 years, should be at the center of any plans for the Brookhaven Landfill. Landfill redevelopment and remediation plans should be transparent, participatory, inclusive, collaborative and community-driven.

The following questions should be addressed in a public venue with our elected officials prior to consideration of this tax exemption.

1. **COST** What is the cost of this 30 year tax exemption to South Country School District? Why is it fair that the developer can pay a significant lease to the Town of Brookhaven, but cannot pay any property taxes to the South Country School District - a majority-minority majority-economically disadvantaged NYS Target district? The IDA Cost Benefit Analysis (CBA) provided with the application does not accurately delineate the cost of this proposed tax exemption to the South Country School District. The CBA states that the cost of this property tax exemption is \$0. This is incorrect. I.on energy is a private for-profit corporation leasing Town land for a private solar array which will generate private profit. Under Real Property Tax Law (RPTL), Town land used for these purposes is taxable. For it to be not taxable "Property must be held for a public use"-- meaning a use that is of benefit to the community at large (see definition in note below). This requirement is satisfied if the property is devoted to use by the general public or public agencies. Land or improvements, as well as portions thereof, which are leased to a private individual or organization are exempt so long as they are held for a public purpose. **Conversely, if land or improvements, or portions thereof, are leased to a private individual or concern and used for nonpublic purposes they are subject to taxation for all purposes."** (Emphasis added)
https://www.tax.ny.gov/research/property/assess/manuals/vol4/pt1/sec4_03/sec406_1.htm.

Unfortunately there is a pattern of the Brookhaven IDA using CBAs that underestimate the cost of tax expenditures in the South Country community. A recent example occurred in December 2021 when the IDA inaccurately stated the Nominal Cost of the Winters NP property tax exemption when in fact the amount reported was the Discounted cost (P5 <https://brookhavenida.org/files/NP%20Winters/CBA.pdf>).

New York State's Climate Leadership and Community Protection Act (CLCPA) commits NYS by law to 70% renewable energy by 2030 and 100% by 2040. While the local Caithness fossil fuel power plant enjoys an extremely generous tax exemption via the

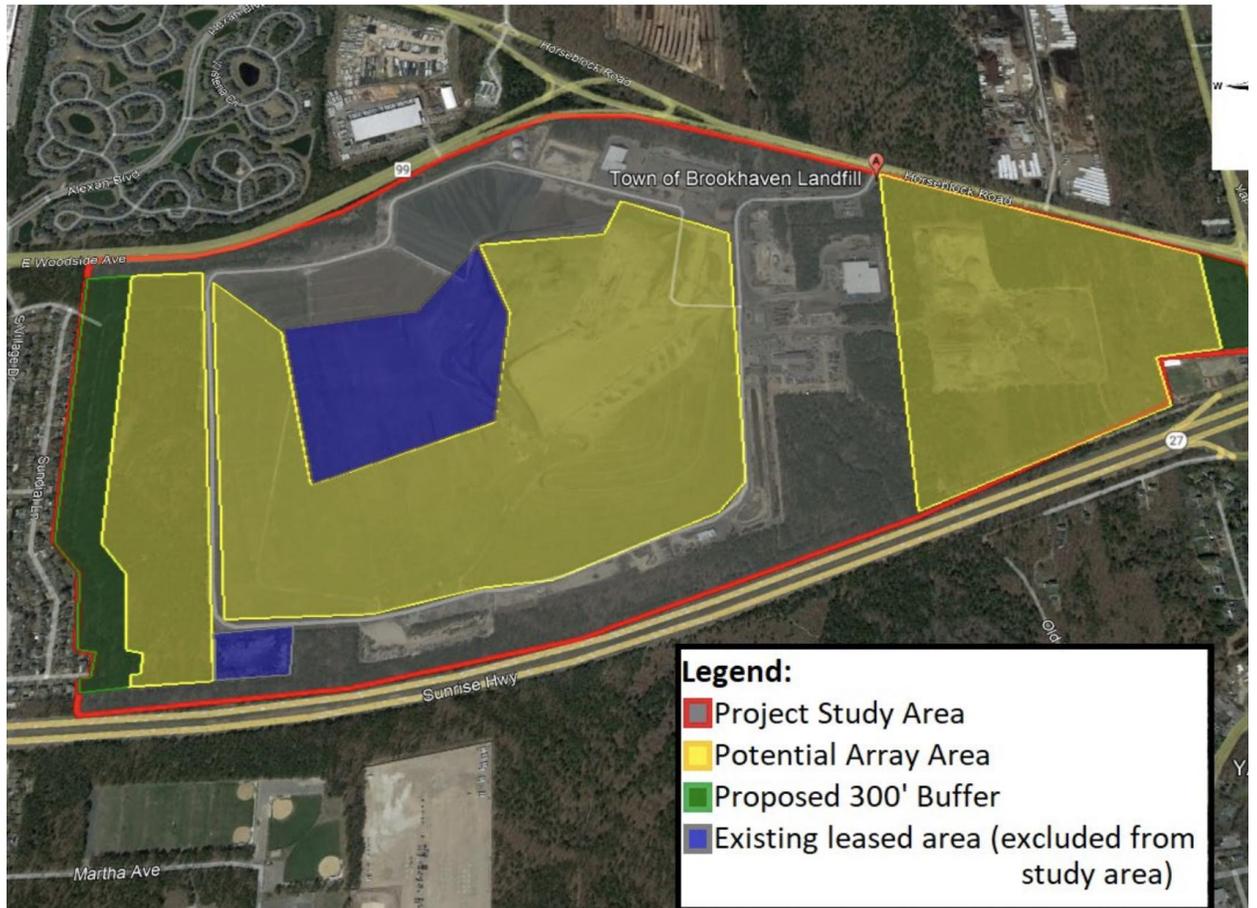
Brookhaven IDA through 2029, at the end of this tax exemption the facility will likely wind down production to meet the requirements of CLCPA. Unfortunately, our community is losing millions of dollars in tax revenue while Caithness is operating due to IDA exemptions, and our community will continue to lose millions in tax revenue after 2030 if large scale renewable projects like BLSF/I.on are also exempted by the Brookhaven IDA. If there is money to pay the Town of Brookhaven a hefty lease payment, there is money for property taxes to support the South Country School District.

2. **COMPETITION** Why was the 30 acre site non-competitively leased to I.on Energy? Communication between the Town of Brookhaven FOIL Officer and Town Clerk Donna Lent stated on August 24, 2021 that “I.on won the award under a bid issued from LIPA” yet when we reached out to LIPA’s Deputy General Council James Miskiewicz he clearly stated that LIPA did not select I.on to develop this site. I.on applied for and was accepted under the Feed-In-Tariff (FIT) program. There was nothing precluding the Town of Brookhaven from using a competitive process that would allow other potential developers to apply for a LIPA Feed-In-Tariff award and potentially offer more competitive terms for Brookhaven residents. The concerns over this non-competitive process translate to the other FIT awards I.on energy received for private solar projects on public Town of Brookhaven land including Brookhaven’s Pennysaver Amphitheater Car Ports, the Mastic Beach Aquatic Center, the Holtsville Ecology Center and the Moriches Sports Complex Car Ports.

28	PAM-2020-78664	Mastic Beach Solar, LLC (Brookhaven Aquatic Ctr)	i.on Renewables,LLC	700	Solar Photovoltaic	300 Mastic Beach Rd	Mastic Beach 11951	Preconstruction
29	PAM-2020-78665	Holtsville Solar, LC (Brookhaven Ecology Ctr)	i.on Renewables,LLC	990	Solar Photovoltaic	245 Buckley Rd	Holtsville 11742	Preconstruction
30	PAM-2020-79882	MAC Solar,LLC (Moriches Sports Complex Car Ports)	i.on Renewables,LLC	990	Solar Photovoltaic	640 Moriches-Middle Island Rd	Moriches 11955	Preconstruction
Total				18,069				

3. **COMPREHENSIVE PLANNING** Why is a piecemeal development process being used for this site? The site should be developed through a comprehensive planning process - to have two unrelated solar projects on the landfill site is not efficient nor is it comprehensive planning. In the site plan below, the blue area is the existing leased area for the proposed I.on Energy’s private solar project. The yellow area is another potential solar field currently subject to a Memorandum of Understanding (MOU) under

NYSERDA's Build Ready program. See site plan below from the NYSERDA MOU:



- 4. REMEDIATION** How does this proposal affect the possibility of landfill remediation? The Town of Brookhaven refuses to have any public discussions or make any information publicly available regarding landfill remediation. In 2017 hazardous PFAS chemicals were found in high levels in both leachate and groundwater monitoring wells; subsequent Department of Health testing found contamination in downstream private wells, repeat testing in 2022 confirmed the presence of PFAS in both leachate and groundwater. Communications from August 2022 with Councilman Loguercio and Brookhaven Town Recycling and Sustainable Management Commissioner Fetten show that the Town refuses to disclose its plume remediation plan, nor will the Town disclose how many residential and agricultural private wells continue to draw water from the plume.
- 5. COMMUNITY COMMITMENTS** Why are the needs in our diverse community, and the previous promises about the future of the landfill site being ignored? When the landfill was sited by the New York State Environmental Facilities Corporation in the 1970s, there was a public commitment to transform the landfill into a recreational park. There is no discussion of how these solar arrays honor these prior public commitments.

From a dump of sorts to a spot for sports

In terms of trees, suburban sprawl and scenery, there is not much to distinguish New York's Long Island from any other specific place in the country. It suffers all the usual national problems, including junk—which is piling up something awful. But now, slowly, something is happening to that junk. Long Island is afflicting a marriage between, of all things, garbage and sport.

Well, why not? Most communities have too much of one and probably could use more of the other. Ecologically, the move is overdue. And Long Island's sporting dumps are not entirely original—a lot of cities are on to the idea now. Here is what some of them have already done:

West Berliners built Mount Junk, an artificial hill made out of wartime bombing rubble, and it now has everything from a ski jump to a vineyard.

A huge mound of garbage sits outside Norfolk, Va., called, with a certain touch of folksy genius, Mount Trashmore. It is 40 feet high and is being converted into a recreation park.

Pittsburgh tracks its 900 to 1,000 tons of daily refuse 20 miles out of town, dumps it into old strip-mines, plants the settled debris with shrubbery, stocks the areas with game and opens them to public hunting.

In Los Angeles, refuse has been a part of recreational planning for half a century; some landfill projects in the area actually tailor the stuff to fit the desired contour of the land.

Now that Long Island has discovered sporting garbage—discovered that it is far easier to love debris than leave it—the area promises to produce the big daddy dump of all. Sanitary landfills—remember that term—is the secret. Sanitary landfills use "solid waste," which takes in a whole world of rubbish, garbage and trash, then compacts it and buries it out of sight under topsoil. But if that sounds too easy, the system is reaching artistic heights at the township of Brookhaven. Using solid wastes, workers are converting the existing landfill site

at Brookhaven's Hofsville village into a Sports City.

Through the use of "berms," or earth walls made of refuse, what now resembles a typical East Coast dump—complete with a million sea gulls—will become a 74-acre complex containing 16 tennis courts, 15 hardball courts, four basketball courts, two football fields, six baseball fields, a 7,000-seat stadium and several swimming and wading pools. The complex also will feature 700 new trees and open space for picnics, games, walks and people who just want to dig the whole concept—as long as they don't dig too deep.

"This is one of the first designed and planned landfill projects that produces a recreational and park program for a whole community, instead of a one-shot project," says George A. Dudley, who oversees the venture as president of the New York State Environmental Facilities Corporation. "In the past, the concept of solid-waste landfill was just that," says Architect Norval C. White, the project planner. "You filled up an empty space until it was level with the space adjacent. After it was full and flat, you drew lines and said, 'This is a football field or this is a baseball field.' The difference here is that we're now using the material to create topography. Solid waste becomes a three-dimensional part of the facility."

It also becomes a tremendous cost saver. Surrounding communities will be paying more than \$11 a ton for waste disposal when pollution control devices are added to existing incineration facilities, according to Brookhaven Supervisor Charles W. Barraud. The Hofsville project will cost a mere \$3.05 per ton. Brookhaven's 243,000 residents—generating one ton of garbage each—will produce a quarter of a million tons annually at the cost of \$750,000. The town will pay the bills, but the nonprofit EFC will deed the land to Brookhaven and extend the payment period over more than 20 years. The landfill should be completed by the end of 1972 and the entire

project in operation before 1976, in time to meet the 200th anniversary of a nation that suddenly has grown garbage conscious.

Landfill was not the only option open to Brookhaven when the town leaders set out in search of a long-range garbage-disposal solution, but other available means, such as composting, long-distance hauling and pyrolysis (heat distillations), proved as expensive or inconvenient as such tried-and-failed means as dumping and burning.

Now that the project is, so to speak, growing, all is strictly business at Hofsville. Bulldozers are compacting garbage into five-foot sections and covering each with six inches of soil. Each berm, when



FIRMLY MOUNTED ON A GARBAGE HEAP.

finished, will be covered by another three feet of topsoil which will, in turn, be landscaped. Dominated by graceful shapes, rather than harsh, jutting angles, the complex will simulate ancient Mayan ruins, or so says Architect White.

In fact, the pleasing appearance promised for the place is probably its biggest selling point. For all the talk of progress and environment, there are still a few folks in the community whose esthetic sensibilities won't let them forget that beneath that open center, under the playgrounds and swimming pools, is a lot of well-icky garbage. But continued assurances are winning them all over. "The garbage dumping will be discontinued a long time before the project is fully useful," says Assistant Director Ernest Warkye. "Anyone who enjoyed New York's 1964-65 World's Fair will recall that the Flushing Meadows area was built atop landfill."

After all, a lot of good old clean dirt and sand will go on top of the garbage when the dumping stops. Swimming ponds will be lined like swimming pools

everywhere. Tennis courts and other playing fields will not be installed until the garbage settles, and then blacktop, grass or clay will be applied.

Then, however, even the most skeptical residents of Brookhaven have now gone for the idea. No one wanted to live near a garbage dump, but the picture of a sports complex reversed the priorities. The idea even made garbage—a messy political problem—something of a delightful concept. Haisles that had compounded the problem disappeared when Brookhaven went to EFC, which was created by Governor Rockefeller and the New York state legislature to assist towns, villages and counties in meeting their sewage and solid-waste disposal problems. EFC did such an effective selling job that local opposition, for once, did not materialize. The landfill operation got under way Jan. 1.

At first glance Brookhaven would appear to have about as much of a garbage problem as outer space. Starting some 40 miles east of Manhattan and extending another 20 miles eastward,

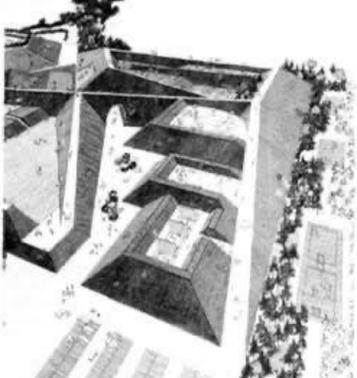
bridging Long Island Sound and the Atlantic Ocean, Brookhaven, all 37 square miles of it, is the largest legally defined town in New York State. It was officially incorporated by Royal Charter in 1866 and has largely preserved its rural character. In spite of an upper-middle-class development in Shrew Brook, there are dirt roads throughout the township and rural retreat areas in its eastern regions. Of the seven villages, the largest, Patchogue, has only 11,478 residents. It is hardly a Manhattan suburb. Even Brookhaven's nearest neighbor is a 1½-hour express ride from Penn Station on the Long Island Railroad. Most of its working residents are employed by local industries—the airports, Long Island Light, a telephone company branch and the famous Brookhaven National Laboratory. Because of transportation problems and the scarcity of water for industrial use, heavy industry has not invaded the area. There is little air pollution, thanks to a southwest wind off the Atlantic, and 130 miles of ocean frontage enhance the rural mystique.

The attitudes are not urban, either. Republicans outnumber Democrats by almost two to one, but the leaders of both major parties have agreed to forbid their candidates to accept endorsements from minor parties, so great have Conservative Party success been of late. It is quiet, reserved country, and mention of the word garbage usually conjures up visions of Greenwich Village.

But as Supervisor Barraud, the high-ranking local elective official in Brookhaven, is quick to affirm, urban problems are just over the horizon. And some have arrived—like garbage.

Even the most enthusiastic promoters of sporting garbage concede that landfill is only an interim solution. "It depends on site availability," says environmentalist Dudley, "and the supply of land, like water and air, is finite." New York City's landfills, for instance, will be full in a couple of years—and when your fill is full you are in trouble. Even Tucson, in the middle of the desert, will be out of dumpsites in 30 years.

Experts say that the only sound cure for the refuse problem is an efficient and cost-saving means of recycling, just as surely, in the words of Calvin Coolidge, as work is the ultimate cure for unemployment. Meanwhile, if you have to have a dump, says Brookhaven, who not play on it?



BROOKHAVEN'S NEW RECREATION CENTER WILL PROVIDE SEVERAL FORMS OF FUN.

The Long Island Advance

A CONSOLIDATION OF THE PATCHOGUE ADVANCE AND THE MORICHES TRIBUNE

99th Year Number 50

Published Every Thursday by The Patchogue Advance, Inc.
25 Mitchell Avenue, Patchogue, N. Y. 11772

THURSDAY, AUGUST 13, 1970

Entered as second-class matter of the postoffice at Patchogue, N. Y. (—) 20 Pages

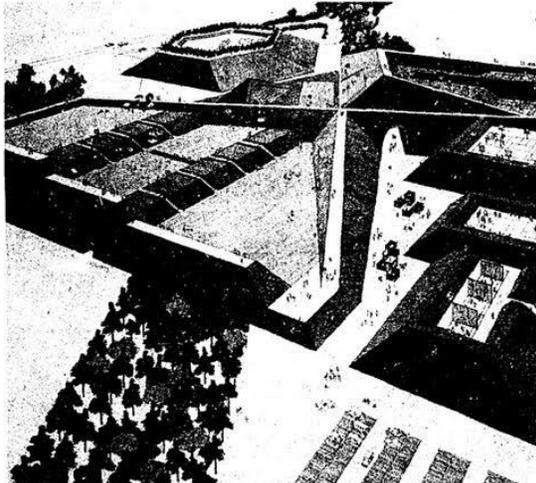
\$40 Million Cost in 25 Years:

Landfills, Super Parklands Planned in Garbage Report

Bellport SD Site

Bellport SD a new site—this is described in the summary as "Brookhaven," but is north of the Sunrise Highway and west of Horseblock Road to about one mile east of Station Road in North Bellport. Its 200-plus proposed acres will be started in 1972 on completion of the Holtsville site.

The theme will be skiing and the pyramid slopes will be constructed of the collected garbage. The ski slopes will be on the northerly sides, while the two southerly sides will have tennis, handball and basketball. There will be a meadow for picnics and a swimming pool that could also be used in the Winter for skating.



HOLTSVILLE ON COMPLETION— To be phased out in 1972, the Holtsville landfill site will complete parks and recreational area superimposed in 1973. Refuse will be used to create ramps and terraces for tennis, basketball and handball courts. The Olympic-sized swimming background will have conduits leading down to lower level pools. The park will cover 74 acres contain areas for varied recreational activities. A heavy use of the parks is seen due to population projected for Holtsville and surrounding areas.

finished sites when transformed into parklands.

Parklands Pictured
The architect, Norval C. White of Brooklyn, drew a magnificent picture of parklands and recreational centers for Brookhaven Town to be developed on the landfill sites as they were completed and handed over to the town.

The parks-recreational themes to be developed, Mr. White said, will include a 7,000-seat amphitheater and swimming pools for Holtsville; two 240-foot high pyramids at the Bellport SD site for snow and ski sports, a swimming pool, and land for the usual handball games; and for the Middle Island East site a naturalistic topography to be developed "much in the manner of Manhattan's Central Park."

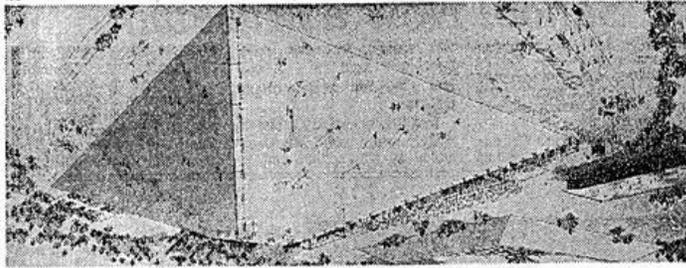
The time schedule for the 25 year program was laid down by Alan Michael of the engineering firm. This was as follows:

Holtsville to be used for the next two years as the sole town operated landfill site, and then phased out in 1972. The proposed park would be constructed and handed over to the town in 1973. It would cover 74 acres.

The general appearance for the landfill operations, as laid down by EFC, calls for the dumping to be made mostly above ground. It was pointed out that this would involve least interference with the fresh water level.

Mr. White said the refuse will be used to create sloped ramps and terraces for tennis, basketball and handball courts, also football and baseball fields. There would also be the amphitheater, swimming and bathing pools, and other recreational facilities.

Brookhaven Villages sewage treatment site will be heavily screened to by many factors, including high



An artist's rendering of the proposed conversion of a pyramid of garbage into a ski slope

Suffolk Park Rising on Garbage

By JAMES TUITE

Special to The New York Times

HOLTSVILLE, L. I., Sept. 11 —A 74-acre park with facilities for tennis, football, baseball and other sports is being built here on a massive mound of garbage.

This is one of four Suffolk areas to be developed as landfills with a view to park or recreational use. They will be constructed for the Town of Brookhaven with help from the State Environmental Facilities Corporation.

Michael Pope, president of the firm of Pope, Evans & Robbins, consulting engineers for the facility, said part of it would be opened in stages in 1973 and 1974. Besides Holtsville, parks are planned for Brookhaven, Manorville and Middle Island East.

A feature of the project —ski slopes in Brookhaven on a pyramid of garbage 240 feet high—will be ready in 1978. One side of the pyramid, which will be off Sunrise Highway between Horse Block Road and Old Town Road, will be terraced for tennis and handball courts.

Upon completion, the \$20-

million complex will include 11 tennis courts, 10 handball courts, five basketball courts, a football field, six baseball diamonds, a 7,000-seat stadium and several swimming pools.

Fourteen million tons of compacted solid waste will be covered by layers of topsoil.

The Garbage Plan

"Utilizing garbage for sports parks solves the problem of what communities are to do with their solid wastes as well as assuring space for recreational facilities," Mr. Pope said.

"Under the unique financing arrangement for the Brookhaven sports parks, every time a householder puts out a garbage can he is providing some of the land for his baseball field or basketball courts and setting aside two cents to pave the tennis courts."

Instead of a projected cost of \$10 or more a ton for waste disposal when pollution-control devices are added to existing facilities, Brookhaven's disposal cost will be about \$3.05 a ton.

The town, which is expected to triple its current population of 240,000 by the time the project is completed in 1995, will pay the bills, but the Environmental Facilities Corporation will deed the land to Brookhaven and extend the payments over 20 years.

The use of solid wastes for community projects is not new. Los Angeles, Pittsburgh and Norfolk, Va., among other cities, have built parks, game preserves and ski slopes on compacted garbage.

Creating Topography

"The difference here," said Norval C. White, the architect and master planner, "is that we're using the material to create topography. In the past, you just filled up an empty space until it was level with the space adjacent and after it was full and flat you said, 'This is a football field,' or, 'This is a baseball field.'"

The Environmental Facilities Corporation was created to help municipalities cope with ecological problems.

6. **COMMUNITY BENEFITS** The IDA hearing notice suggests that this solar array is "for the benefit of low and moderate income customers" but there is no information about income-targeted benefits in the Feed-In-Tariff application obtained by FOIL from LIPA, nor is there any information on any income targeted commitments in the IDA application. There is no commitment to train nearby residents for these green jobs.
7. **ZONING** The Ion Energy application states that this project meets zoning requirements at its current location. However, the landfill area under consideration is currently zoned residential. See "Town of Brookhaven § 85-813 Solar energy production facilities. A. Permitted locations. (1) A solar energy production facility may be permitted as a principal use or accessory use in any L Industrial 1, L Industrial 2, J Business 2, J Business 5 and J Business 4 District when authorized by special permit from the Planning Board subject to the requirements of § 85-813B and § 85-107 of this chapter. Nothing herein shall supersede or limit any other code section contained within this chapter that may pertain to solar energy production facilities. No solar energy production facility shall be located in the areas listed in Subsection A(2) below unless a special permit is granted by the Town Board. Said uses shall be subject to the criteria as set forth in Article VI, § 85-68." It does

not appear that a solar energy production facility of this size is permitted under residential zoning.

8. **CONFLICT OF INTERESTS** IDA Board Member Felix Grucci is listed on his LinkedIn site as an officer of the company Starlight Properties which owns land across the street from 350 Horseblock Road. This was confirmed by IDA Chairman Braun in the March 16th minutes of the IDA (available here p14 <https://brookhavenida.org/files/3-16-22%20IDA%20Minutes.pdf>). If this remains the case, this should be disclosed as a conflict of interest prior to the IDA considering this application, and Mr Grucci should recuse himself from this project. If this was true at the time of the Winters NP application before the IDA, Mr Grucci should have also recused himself from the Winters NP project which is located adjacent to property owned by Starlight Properties, and ultimately received almost \$80M in tax exemptions from the IDA.



Felix J. Grucci Jr.

President/CEO at Starlight Properties, Inc
Patchogue, New York, United States
1,815 followers · 500+ connections



Starlight Properties, Inc

Join to connect

Experience



President/CEO

Starlight Properties, Inc

1984 - Present · 38 years

Manages 2 lots for sale or lease

1 - 11 +/- ac.

1- 26 +/- ac

Zoned L2 Heavy industry Broikhaven contact me for details

Best,

Kerim Odekon

Abena Asare

Jennifer Greene

Hannah Thomas

Dennis Nix

11/14/2022

Dear Supervisor Romaine, Brookhaven Town Council and IDA CEO Mulligan and IDA Board,

After the news that “the agency was informed that the membership interest in BLSF, LLC is being sold to Coast Energy Dev Co, LLC, which is a project company owned by Coast Energy, LLC.”, we continue to ask the Brookhaven Industrial Development Association (IDA) to reject the tax exemption application of this project. All our concerns submitted during the initial BLSF public hearing remain and have not been addressed by the IDA and we are resubmitting that September letter along with this letter.

We fully support large scale renewable energy projects as a requirement for a just transition away from fossil fuels and to support climate justice. Frontline communities harmed by the Brookhaven Landfill’s air, water and soil pollution for the past 50 years, should be at the center of any plans for the Brookhaven Landfill. Landfill redevelopment and remediation plans should be transparent, participatory, inclusive, collaborative and community-driven.

In September, we wrote requesting the IDA information on the cost of this 30 year tax expenditure to the South Country School District. The CBA states that the cost of this property tax exemption is \$0. This is incorrect. BLSF/Coast Energy is a private for-profit corporation leasing Town land for a private solar array which will generate private profit. The September 27th 2022 minutes re-iterate this with Nixon Peabody’s Mr Weir stating “once you put a commercial project on a Town property, it would be subject to taxation.” In October, I emailed CEO Mulligan requesting information on the cost of this tax expenditure, my request was denied and further questions regarding why were ignored. This is not the action of a professional transparent public agency (see thread below).



me Oct 5
to Lisa v



If the BLSF tax exemption cost was ever calculated, could I request that via FOIL please.

...



Lisa Mulligan Oct 5
to me v



No.

...



me Oct 5
to Lisa ^



From	Kerim Odekon	kerimodekon@gmail.com
To	Lisa Mulligan	lmulligan@brookhavenny.gov
Date	Oct 5, 2022, 10:56 AM	

Why not?

...

If there is money to pay the Town of Brookhaven a hefty lease payment, there is money for property taxes to support the South Country School District.

The IDA hearing notice suggests that this solar array is “for the benefit of low and moderate income customers” but there is no information about income-targeted benefits in the Feed-In-Tariff application obtained by FOIL from LIPA, nor is there any information on any income targeted commitments in the IDA application. There is no commitment to train nearby residents for these green jobs. When we reached out to CEO Mulligan re income-targeted benefits, she cited a June 24th letter to the IDA by BLSF’s Mr Prokopy noting “The output from the Project will be credited to eligible low- and moderate-income customers, who as a byproduct of the System’s operation will receive a discount on their electric bill each month”. Prior LIPA FOIL request re i.on energy did not result in any information surrounding income targeted benefits. After receiving CEO Mulligan’s note we re-requested information from LIPA and in the past month since theFOIL was acknowledged LIPA has been unable to provide documentation surrounding income targeting. Now that Mr Prokopy is selling his membership interest in BLSF, LLC to Coast Energy Dev Co, LLC, we request the IDA please outline how the solar benefit will be targeted to low and moderate-income customers and how this will be memorialized and enforced. What incomes qualify as low and moderate-income to benefit from this solar program?

Our September letter brought up concern regarding Mr Grucci’s potential conflict of interest as he has an interest in a company (Starlight Properties) which is listed as owning land across the street from 350 Horseblock road, confirmed by IDA Chairman Braun in the March 16th minutes of the IDA (available here p14 <https://brookhavenida.org/files/3-16-22%20IDA%20Minutes.pdf>).

If this remains the case, this should be disclosed as a conflict of interest prior to the IDA considering this application, and Mr Grucci should recuse himself from this project.

In addition, Ms Eaderesto should have disclosed her role and potential conflict as both IDA attorney at \$300/hr and as a salaried Town of Brookhaven attorney for which she earns over \$150,000/year.



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PAYROLLS PENSIONS CONTRACTS EXPENDITURES BENCHMARKING NYS BUDGET WAIVERS TEACHER PAY

PAYROLLS 

THIS SEARCH: 1 RESULTS TOTAL: \$150,763 [SHARE THESE RESULTS](#)

Name	Employer/Agency	Total Pay 	Subagency/Type
- Eaderesto, Annette	Brookhaven	\$150,763	NYSLRS - General Employee
Title	NDR		
Rate of Pay	NDR		
Pay Year	2022		
Pay Basis	NDR		
Branch/Major Category	Towns		

The Payrolls section provides a database of names, positions, salaries and/or total earnings for individuals who have been employed by New York State, New York City, state and regional public authorities, public school districts, and New York's county, city, town and village governments.

[Click here](#) for more.

When IDA Board Members Mr Pally and Mr Trotta asked questions about whether there “is any way” the project could pay school taxes Ms Eaderesto, according to 9/27 IDA minutes, stated “this particular project, taxing it would be cost prohibitive, it would make this project not viable”. She provided no detail why the Town of Brookhaven must be kept whole with its lease payments while the South Country School District gets zero dollars for the next thirty years. The IDA is robbing one taxing jurisdiction of future taxes for thirty years - the South Country School District - and paying the Town of Brookhaven this balance via lease payments which are otherwise higher than if the project paid property taxes. Ms Eaderesto appears to steer the IDA board away from negotiating any PILOT payments for the South Country school district, yet fails to disclose that by waiving property taxes, the Town of Brookhaven is able to negotiate lease payments worth millions over the course of the BLSF lease. My October 3rd request to CEO Mulligan for “agreements or contracts which define/govern [Ms Eaderesto’s] relationship to the IDA via FOIL was ignored by the IDA (I was only provided a 1/22 resolution stating that Ms Eaderesto is agency counsel), as was my October 27th inquiry asking again if there is a contract governing/outlining Ms Eaderesto’s responsibilities. Ms Eaderesto appears to be in violation of the IDA’s Conflict of Interest Policy and I am requesting the IDA formally investigate this potential violation of IDA policy. The South Country School District is a majority minority majority economically disadvantaged NYS target district. Recent NYS test scores highlight the discrepancies between district students and both Suffolk and NYS scores, as well as major discrepancies across sub-groups of students. South Country is a high need school district which deserves its fair share of property taxes - especially in the case of this project which can afford to pay millions to the Town of Brookhaven over the lease period, yet leaves South Country kids and taxpayers with three decades of zero financial contribution.

Best,

Kerim Odekon
Abena Asare

From: lynne Maher <nicasirena1@gmail.com>
Sent: Monday, November 14, 2022 11:07 AM
To: Lisa Mulligan <lmulligan@brookhavenny.gov>
Subject: Coast Energy Development company

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the IDA,

Once again I am finding the Town of Brookhaven IDA being short sighted and having no regard for quality of education of the students of South School district and no humanity when it comes to the health of the community that has been burdened by the landfill for 50 years.

While I understand that the purpose of the IDA is industrial development any informed, compassionate human would consider the ramifications on the community of slapping a solar farm on a toxic dump without asking about remediation and then offer the company tax breaks that effect a school district that already has a deficit.

I realize that appealing to (most in the towns goverment) concern for the already overburned community is often a futile exercise, I won't give up.

Sincerely

Lynne C. Maher
Brookhaven,NY

DATE: 11/17/2022

PUBLIC HEARING

REQUEST TO ADDRESS THE BROOKHAVEN IDA BOARD

Speakers are limited to three (3) minutes. Longer statements may be submitted in writing to the IDA for distribution and shall become part of the permanent record if desired.

NAME (Please Print) ANTONIO SANTANA

ADDRESS 189 N DUNTON AVE
E. Patchogue NY 11772

PHONE 631 730 1501

REPRESENTING South Country USD

HANDICAPPED SERVICES AVAILABLE UPON REQUEST

①
BLSF

DATE: Nov 14, 2022

PUBLIC HEARING

REQUEST TO ADDRESS THE BROOKHAVEN IDA BOARD

Speakers are limited to three (3) minutes. Longer statements may be submitted in writing to the IDA for distribution and shall become part of the permanent record if desired.

NAME (Please Print) JENNIFER GREENE

ADDRESS 19 COUNTRY CLUB RD
BELLPORT NY 11713

PHONE 631-278-5108

REPRESENTING self (resident of South Country Central School District)

HANDICAPPED SERVICES AVAILABLE UPON REQUEST

②
BLSF

Re: Solar project Coast Energy Dev Co, LLC

I ask that the application tax breaks be withdrawn and or denied by the Brookhaven Industrial Development Association (IDA) for the tax exemption application of Coast Energy Dev Co, LLC.

Since we are again meeting to give tax breaks for a project that does not specifically plan to benefit the community proportionately to the disproportionate harm that the north Bellport community has faced for nearly 50 years from the landfill and other polluting factors in the area. I am submitting a similar letter as I did before because all are still true.

1. Our School - I am a community member of the South Country Central School District finance and facilities advisory board, an alum, both my parents were/are alums, my son is an alum and a host of my family members past and present. I say that to say that the school is near and dear to my heart! Our school is in fiscal crisis right now. We have a million dollar deficit that we have asked the community to bear. It is absurd for this Brookhaven IDA body to continue to take taxes from a school in a financial crisis. It is wrong to ask for tax breaks for a community Solar project that the school board, the pta, the finance and facilities advisory board and equity board, the students and others have not had a chance to have a discussion about. If you continue to take from our school it needs to be required that our school body has a chance to review all information pertaining to this request for tax breaks. Our school is diverse and services the area of one of the most diverse areas in the county. We cannot allow our governing bodies to continue to use that diversity when filling out for grants and then take from our diverse struggling school to fund it.

- [] Our Community-the fenceline community of the landfill is overburdened with the mountainous requirement to shoulder the needs of the entire town of Brookhaven without any host considerations. Again our community is diverse with a large Indigenous Black and Latinx community. We have some of the worst health on Long Island, Suffolk County and NYS. Where we have the lowest expectancy on the island, the second highest rates of er visits for asthma, the top 100 percentile in NYS for COPD according to the disadvantaged communities map criteria. At this point we need remediation. From the documents on this request there is no consideration for remediation. This is the second solar project at the landfill and I cannot understand how we can have two solar projects on this landfill without a plan for remediation. We have an active plume found PFAS in our groundwater. When is the time that we reverse these ills? Where is that meeting happening so I can be there?

1. Public Engagement- as touched upon already. This area is a disadvantaged community, a potential environmental justice impact area that requires meaningful public engagement. A public hearing at 10 am on a Friday is not meaningful engagement.

2. There are false promises and false appearances that the community Solar project will be a benefit to our community. But there are no direct promises for North Bellport or South Country Central School District that must stop. North Bellport and the South Country Central School District are in crisis right now today. We need remediation and every dollar available today.

I also stand in support of the comments submitted by Kerim Odekon and Abena Asare.

Lastly, having meetings at the 10 an hour on a Monday morning is absurd and puts community at a disadvantage to engage in this process. This must stop. It seems that all of these meetings that happen so often, overburdens a community already overburdened and has low turn out. This seems to me that the IDA is doing something wrong and needs to change this policy.

Sincerely,
Monique Fitzgerald, she/her
10 La Bonne Vie Dr Apt C
Patchogue, NY 11772
631 275-8236

*writing from the unceded Unkechaug Nation ancestral land

From: Santana, Antonio <ASantana@southcountry.org>
Sent: Monday, November 14, 2022 2:41 PM
To: Lisa Mulligan <lmulligan@brookhavenny.gov>
Cc: Felice, Cheryl <CFelice@southcountry.org>
Subject: South Country CSD Statement

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Mulligan,

As requested, below please find the transcript of the statement I made on behalf of the school district and its Board of Education with regards to BLSF, LLC.

The South Country Central School District is aware of a proposed project, BLSF LLC, to be situated within the District's boundaries. In that regard we request the Brookhaven Industrial Development Agency consider the potential impact of the project upon the District and its taxpayers and the needs of the school district in its consideration of the request for financial assistance by this for-profit entity. If any benefit to the District, its students or taxpayers may be achieved through this project, we would request the IDA's assistance in obtaining such benefit. The Board of Education would welcome the opportunity to discuss any such potential benefit that may accrue to the District.

It was good speaking to you today and will follow up with more information regarding the possibility of meeting with our BOE and potentially our legislative committee.

Hope all is well and I will be in touch soon.

Sincerely,
Antonio Santana
Superintendent of Schools
South Country CSD
189 N. Dunton Avenue
East Patchogue, NY 11772
Email: asantana@southcountry.org
Phone: (631) 730-1501
Fax: (631) 286-6394

Dear Ms. Mulligan,

I would like to submit the following statement on behalf of the school district and Board of Education to the IDA public hearing scheduled for today, Monday, November 16, at 10:00 a.m.:

The South Country Central School District is aware of a proposed project, Hydro Metal Holdings, LLC and Boilermatic Welding Industries, Inc., to be situated within the District's boundaries. In that regard we request the Brookhaven Industrial Development Agency consider the potential impact of the project upon the District and its taxpayers and the needs of the school district in its consideration of the request for financial assistance by this for-profit entity. If any benefit to the District, its students or taxpayers may be achieved through this project, we would request the IDA's assistance in obtaining such benefit. The Board of Education would welcome the opportunity to discuss any such potential benefit that may accrue to the District.

In addition, we would like the opportunity to meet with you and perhaps have you come to our legislative committee meeting so that we can have a better understanding of the IDA and upcoming proposals.

Thank you for the consideration and hope all is well.

Sincerely,
Antonio Santana
Superintendent of Schools
South Country CSD
189 N. Dunton Avenue
East Patchogue, NY 11772
Email: asantana@southcountry.org
Phone: (631) 730-1501
Fax: (631) 286-6394

BLSF, LLC Proposed PILOT

The facility will receive a 100% exemption for thirty (30) years based on the Agency's Uniform Tax Exemption Policy (UTEP).

Global Food Solutions DRAFT PILOT

YEAR	PILOT
1	\$ 50,053
2	\$ 51,054
3	\$ 52,075
4	\$ 53,116
5	\$ 54,179
6	\$ 55,262
7	\$ 56,367
8	\$ 57,495
9	\$ 58,645
10	\$ 59,818

**PROPOSED PILOT BENEFITS ARE
FOR DISCUSSION PURPOSES ONLY
AND HAVE NOT BEEN APPROVED BY
THE AGENCY.**

Hydro Metal/Boilermatic DRAFT PILOT

YEAR	PILOT
1	\$ 24,769
2	\$ 25,265
3	\$ 25,770
4	\$ 26,285
5	\$ 26,811
6	\$ 27,347
7	\$ 27,894
8	\$ 28,452
9	\$ 29,021
10	\$ 29,602

**PROPOSED PILOT BENEFITS ARE FOR
DISCUSSION PURPOSES ONLY AND
HAVE NOT BEEN APPROVED BY THE
AGENCY.**

Peconic River Energy Storage
LLC DRAFT PILOT

<u>YEAR</u>		<u>PILOT</u>
1	\$	300,000.00
2	\$	300,000.00
3	\$	300,000.00
4	\$	300,000.00
5	\$	300,000.00
6	\$	337,500.00
7	\$	337,500.00
8	\$	337,500.00
9	\$	337,500.00
10	\$	337,500.00
11	\$	375,000.00
12	\$	375,000.00
13	\$	375,000.00
14	\$	375,000.00
15	\$	375,000.00
16	\$	412,500.00
17	\$	412,500.00
18	\$	412,500.00
19	\$	412,500.00
20	\$	412,500.00

PROPOSED PILOT BENEFITS
ARE FOR DISCUSSION
PURPOSES ONLY AND HAVE
NOT BEEN APPROVED BY THE
AGENCY BOARD

Sunrise Wind 22 Research Way DRAFT

PILOT

YEAR	PILOT
1	\$ 69,492
2	\$ 70,882
3	\$ 72,299
4	\$ 73,745
5	\$ 75,220
6	\$ 76,725
7	\$ 78,259
8	\$ 79,824
9	\$ 81,421
10	\$ 83,049

**PROPOSED PILOT BENEFITS ARE
FOR DISCUSSION PURPOSES ONLY
AND HAVE NOT BEEN APPROVED BY
THE AGENCY.**



FORCHELLI
DEEGAN
TERRANA

DANIEL S. DORNFELD
PARTNER
DIRECT DIAL: (516) 812-6340
DIRECT FACSIMILE: (866) 568-7067
DDORNFELD@FORCHELLILAW.COM

October 27, 2022

Town of Brookhaven Industrial Development Agency
One Independence Hill
Farmingville NY 11738

Attn: Lisa MG Mulligan, Chief Executive Officer

Re: ***Request for Extension of Time***
Project: Research Property Holdings, LLC/Biocogent, LLC 2021 Facility

Dear Ms. Mulligan:

As you are aware, this firm represents Research Property Holdings, LLC and its affiliated entity, Biocogent LLC., which acquired the property at 19 Pinehurst Drive, Bellport, NY (the “Property”), with the Town of Brookhaven Industrial Development Agency’s (“TOBIDA”) assistance.

As you may recall, the Property is an existing approximately 11,574 square foot industrial building. Applicant acquired the Property, completed the design of modifications need to the Property that will allow it to execute its business plan, obtained architectural drawings for the modifications, and has begun construction; thanks to the assistance of the TOBIDA. Unfortunately, the Pandemic, the resulting supply-chain issues, and the impact both had on Applicant’s industry has prevented Applicant from acquiring all the equipment it requires for its business and completing the modifications to the building. Pursuant to the Lease and Project Agreement (the “Lease”), that project was supposed to be complete by the end of 2022.

Applicant will not be able to acquire all the equipment it needs and make all the modifications to the Property which it intended to make by the end of 2022. Applicant continues to diligently pursued the acquisition of the equipment and improvements to the Property and hopes to complete it by mid-year 2024; however, due to on-going supply chain uncertainty and economic conditions, Applicant may need more time. By virtue of this letter, we are requesting that TOBIDA extend Applicant’s time to complete the project and use of the sales tax exemption to December 31, 2024.

Fortunately, Applicant's business prospects remain good and it has already leased an additional building adjacent to the Property to support operations at the Property (which is also being renovated with expected completion date of June 2023) and continues to look for and bid on additional buildings in Bellport to expand its "campus." This extension will simply allow Applicant to execute on its business plan.

Thank you for your consideration. Should you wish to discuss, please do not hesitate to reach out.

Very truly yours,

Forchelli Deegan Terrana LLP

By: *Daniel S. Dornfeld*
Daniel S. Dornfeld

Cc: Joseph Ceccoli
Sharon Barkume

Town of Brookhaven Industrial Development Agency

MRB Cost Benefit Calculator



Date: September 8, 2022
 Project Title: BLSF LLC. UPDATED
 Project Location: 350 Horseblock Road Yaphank, NY 11719

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

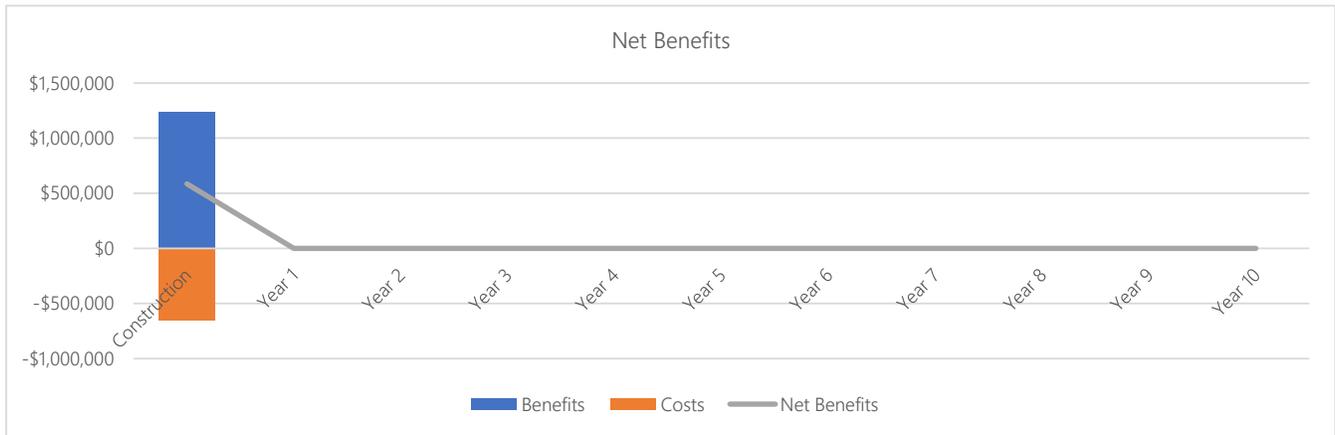
Project Total Investment
 \$12,196,102

		Temporary (Construction)		
		Direct	Indirect	Total
Jobs		13	5	18
Earnings		\$975,884	\$191,716	\$1,167,601
Local Spend		\$2,588,854	\$714,287	\$3,303,142

		Ongoing (Operations)		
		Direct	Indirect	Total
Jobs		0	0	0
Earnings		\$0	\$0	\$0

Aggregate over life of the PILOT

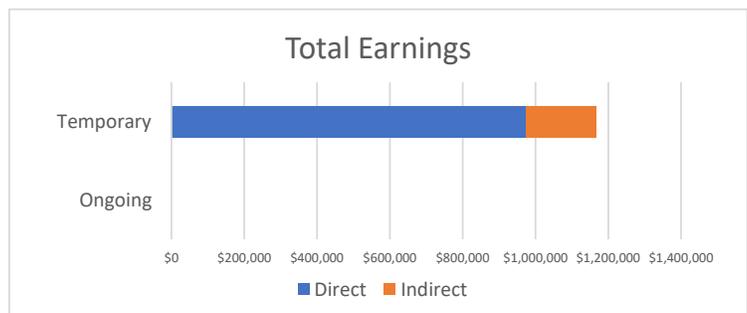
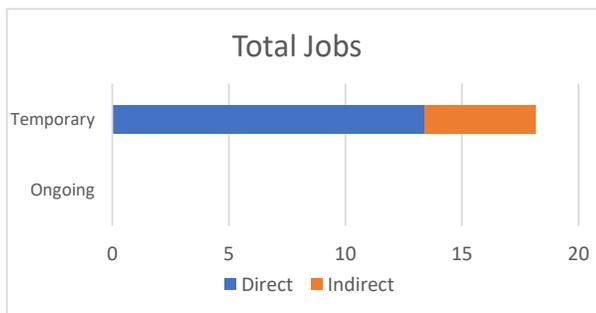
Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

Figure 3



Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$0	\$0
Sales Tax Exemption	\$560,763	\$560,763
Local Sales Tax Exemption	\$300,699	\$300,699
State Sales Tax Exemption	\$260,064	\$260,064
Mortgage Recording Tax Exemption	\$91,471	\$91,471
Local Mortgage Recording Tax Exemption	\$30,490	\$30,490
State Mortgage Recording Tax Exemption	\$60,981	\$60,981
Total Costs	\$652,234	\$652,234

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$1,177,051	\$1,177,051
To Private Individuals	\$1,167,601	\$1,167,601
Temporary Payroll	\$1,167,601	\$1,167,601
Ongoing Payroll	\$0	\$0
Other Payments to Private Individuals	\$0	\$0
To the Public	\$9,450	\$9,450
Increase in Property Tax Revenue	\$0	\$0
Temporary Jobs - Sales Tax Revenue	\$9,450	\$9,450
Ongoing Jobs - Sales Tax Revenue	\$0	\$0
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$60,715	\$60,715
To the Public	\$60,715	\$60,715
Temporary Income Tax Revenue	\$52,542	\$52,542
Ongoing Income Tax Revenue	\$0	\$0
Temporary Jobs - Sales Tax Revenue	\$8,173	\$8,173
Ongoing Jobs - Sales Tax Revenue	\$0	\$0
Total Benefits to State & Region	\$1,237,766	\$1,237,766

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$1,177,051	\$331,189	4:1
State	\$60,715	\$321,045	:1
Grand Total	\$1,237,766	\$652,234	2:1

*Discounted at 2%

Additional Comments from IDA

Applicant proposes to construct a 8,640,000MW solar installation project on approximately 30 acres of capped land at the Brookhaven Landfill. As per the IDA's Uniform Project Evaluation Criteria Policy, the criteria met for this project include, but are not limited to, capital investment by the applicant and energy production need for the region. UPDATE: The agency was informed that the membership interest in BLSF, LLC is being sold to Coast Energy Dev Co, LLC, which is a project company owned by Coast Energy, LLC.

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

**FORM APPLICATION FOR FINANCIAL ASSISTANCE
TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT AGENCY
1 Independence Hill, 2nd Floor, Farmingville, New York 11738**

DATE: 11/3/2022

APPLICATION OF: Global Food Solutions, Inc.
Name of Owner and/or User of Proposed Project

ADDRESS: 159 Adams Avenue
Hauppauge, New York 11788

Type of Application: Tax-Exempt Bond Taxable Bond
 Straight Lease Refunding Bond

Please respond to all items either by filling in blanks, by attachment (by marking space “see attachment number 1”, etc.) or by N.A., where not applicable. Application must be filed in two copies. A non-refundable application fee is required at the time of submission of this application to the Agency. The non-refundable application fee is \$3,000 for applications under \$5 million and \$4,000 for applications of \$5 million or more.

Transaction Counsel to the Agency may require a retainer which will be applied to fees incurred and actual out-of-pocket disbursements made during the inducement and negotiation processes and will be reflected on their final statement at closing.

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

Prior to submitting a completed final application, please arrange to meet with the Agency’s staff to review your draft application. Incomplete applications will not be considered. The Board reserves the right to require that the applicant pay for the preparation of a Cost Benefit Analysis, and the right to approve the company completing the analysis.

PLEASE NOTE: It is the policy of the Brookhaven IDA to encourage the use of local labor and the payment of the area standard wage during construction on the project.

IDA benefits may not be conferred upon the Company until the Lease and Project Agreement have been executed.

INDEX

PART I	OWNER AND USER DATA
PART II	OPERATION AT CURRENT LOCATION
PART III	PROJECT DATA
PART IV	PROJECT COSTS AND FINANCING
PART V	PROJECT BENEFITS
PART VI	EMPLOYMENT DATA
PART VII	REPRESENTATIONS, CERTIFICATIONS AND INDEMNIFICATION
PART VIII	SUBMISSION OF MATERIALS
EXHIBIT A	Proposed PILOT Schedule
SCHEDULE A	Agency's Fee Schedule
SCHEDULE B	Construction Wage Policy
SCHEDULE C	Recapture and Termination Policy

Part I: Owner & User Data

1. Owner Data:

A. Owner (Applicant for assistance): Global Food Solutions, Inc.

Address: 159 Adams Avenue
Hauppauge, New York 11788

Federal Employer ID # [REDACTED] Website: www.Globalfoodsolutions.CO

NAICS Code: 311

Owner Officer Certifying Application: Michael Levine

Title of Officer: CEO

Phone Number: [REDACTED]

E-mail: [REDACTED]

B. Business Type:

Sole Proprietorship Partnership Limited Liability Company

Privately Held Public Corporation Listed on _____

State of Incorporation/Formation: New York

C. Nature of Business:

(e.g., “manufacturer of ^{Food Products} _____ for ^{School Food} _____ industry”; “distributor of _____”; or “real estate holding company”)

Food Manufacturing and Distribution for the School Food Service Industry

D. Owner Counsel:

Firm Name: Certilman Balin Adler & Hyman, LLP

Address: 90 Merrick Avenue, 9th Floor

East Meadow, NY 11554

Individual Attorney: Howard M. Stein

Phone Number: 516-296-7093

E-mail: hstein@certilmanbalin.com

E. Principal Stockholders, Members or Partners, if any, of the Owner:

Name	Percent Owned
<u>Michael Levine</u>	<u>50%</u>
<u>Mitchell Levine</u>	<u>50%</u>
<u> </u>	<u> </u>

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

i. ever filed for bankruptcy, been adjudicated bankrupt or placed in receivership or otherwise been or presently is the subject of any bankruptcy or similar proceeding? (If yes, please explain)

No.

ii. been convicted of a felony, or misdemeanor, or criminal offense (other than a motor vehicle violation)? (If yes, please explain)

No.

G. If any of the above persons (see "E", above) or a group of them, owns more than 50% interest in the Owner, list all other organizations which are related to the Owner by virtue of such persons having more than a 50% interest in such organizations.

No.

H. Is the Owner related to any other organization by reason of more than a 50% ownership? If so, indicate name of related organization and relationship:

No.

I. List parent corporation, sister corporations and subsidiaries:

No.

J. Has the Owner (or any related corporation or person) been involved in or benefited by any prior industrial development financing in the municipality in which this project is located, whether by this agency or another issuer? (Municipality herein means city, town, or village, or if the project is not in an incorporated city, town or village, the unincorporated areas of the county in which it is located.) If so, explain in full:

No.

K. List major bank references of the Owner:

Joseph Barone | Sr. Relationship Manager | J.P. Morgan Chase

T: 631-755-5203 | C: 631-456-2423 - Joseph.B.Barone@chase.com

2. User Data

*** (for co-applicants for assistance or where a landlord/tenant relationship will exist between the owner and the user) ***

A. User (together with the Owner, the "Applicant"): _____

Address: _____

Federal Employer ID #: _____ Website: _____

NAICS Code: _____

User Officer Certifying Application: _____

Title of Officer: _____

Phone Number: _____ E-mail: _____

B. Business Type:

Sole Proprietorship Partnership Privately Held

Public Corporation Listed on _____

State of Incorporation/Formation: _____

C. Nature of Business:

(e.g., "manufacturer of _____ for _____ industry"; "distributor of _____"; or "real estate holding company")

D. Are the User and the Owner Related Entities? Yes No

i. If yes, the remainder of the questions in this Part I, Section 2 (with the exception of "F" below) need not be answered if answered for the Owner.

ii. If no, please complete all questions below.

E. User's Counsel:

Firm Name: _____

Address: _____

Individual Attorney: _____

Phone Number: _____

E-mail: _____

F. Principal Stockholders or Partners, if any:

Name	Percent Owned
_____	_____
_____	_____
_____	_____

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

i. ever filed for bankruptcy, been adjudicated bankrupt or placed in receivership or otherwise been or presently is the subject of any bankruptcy or similar proceeding? (If yes, please explain)

ii. been convicted of a felony or criminal offense (other than a motor vehicle violation)? (If yes, please explain)

H. If any of the above persons (see "F", above) or a group of them, owns more than 50% interest in the User, list all other organizations which are related to the User by virtue of such persons having more than a 50% interest in such organizations.

I. Is the User related to any other organization by reason of more than a 50% ownership? If so, indicate name of related organization and relationship:

J. List parent corporation, sister corporations and subsidiaries:

K. Has the User (or any related corporation or person) been involved in or benefited by any prior industrial development financing in the municipality in which this project is located, whether by this agency or another issuer? (Municipality herein means city, town, or village, or if the project is not in an incorporated city, town or village, the unincorporated areas of the county in which it is located.) If so, explain in full:

L. List major bank references of the User:

Part II – Operation at Current Location

*****(if the Owner and the User are unrelated entities, answer separately for each)*****

1. Current Location Address: 50 Constance Court, Hauppauge, New York 11788

2. Owned or Leased: Leased

3. Describe your present location (acreage, square footage, number buildings, number of floors, etc.):

Approximately 14,000 square foot, one story warehouse, together with
a mezzanine level office over a portion of the production space.

4. Type of operation (manufacturing, wholesale, distribution, retail, etc.) and products and/or services:

Applicant's operation focuses on the manufacturing and distribution of food products
for school districts across the United States, with a focus on the Northeastern portion of the country.

5. Are other facilities or related companies of the Applicant located within the State?
Yes No

A. If yes, list the Address: 159 Adams Avenue Hauppauge New York 17788

6. Will the completion of the project result in the removal of any facility or facilities of the Applicant from one area of the state to another OR in the abandonment of any facility or facilities of the Applicant located within the State? Yes No

A. If no, explain how current facilities will be utilized: _____

- B. If yes, please indicate whether the project is reasonably necessary for the Applicant to maintain its competitive position in its industry or remain in the State and explain in full:

Applicant manufactures food products for school districts on Long Island, and is the main supplier for the New York City Public School food programs.

Pursuant to our contracts, we also operate as those districts emergency food supplier for snow days, natural disasters, and other acts of god.

7. Has the Applicant actively considered sites in another state? Yes No

A. If yes, please list states considered and explain: Applicant has considered relocating to upstate New York,
as well as, New Jersey and Connecticut in an effort to identify a suitable location to expand our operations.

8. Is the requested financial assistance reasonably necessary to prevent the Applicant from moving out of New York State? Yes No

A. Please explain: Due to our goods being produced for New York City Public Schools and districts across Long Island, without the

requested financial assistance, we cannot increase manufacturing capacity, create more jobs, and distribute healthy food products for the children in those communities without the Agency's assistance due to high real estate taxes and acquisition costs

9. Number of full-time equivalent employees (FTE's) at current location and average salary (indicate hourly or yearly salary):

38 Employees

Average Salary \$19.50 Per Hour

Part III – Project Data

1. Project Type:

A. What type of transaction are you seeking? (Check one)

- Straight Lease Taxable Bonds Tax-Exempt Bonds
Equipment Lease Only

B. Type of benefit(s) the Applicant is seeking: (Check all that apply)

- Sales Tax Exemption Mortgage Recording Tax Exemption
PILOT Agreement:

2. Location of project:

A. Street Address: 905 Waverly Avenue, Holtsville, New York 11742

B. Tax Map: District 0200 Section 804.00 Block 01.00 Lot(s) 001.002

C. Municipal Jurisdiction:

- i. Town: Town of Brookhaven
ii. Village: N/A
iii. School District: 05 (Sachem)

D. Acreage: 4.94

3. Project Components (check all appropriate categories):

A. Construction of a new building Yes No

i. Square footage: 0

B. Renovations of an existing building Yes No

i. Square footage: _____

C. Demolition of an existing building Yes No

i. Square footage: 0

D. Land to be cleared or disturbed Yes No

i. Square footage/acreage: 0

E. Construction of addition to an existing building Yes No

i. Square footage of addition: 10,000 Sq Feet

ii. Total square footage upon completion: 60,000 Sq Feet

F. Acquisition of an existing building Yes No

i. Square footage of existing building: 50,000 Sq Feet

- G. Installation of machinery and/or equipment Yes No
i. List principal items or categories of equipment to be acquired: _____
Warehouse Racking, Freezer, Horizontal and Vertical Wrapping Lines, Fork Lifts, Food Manufacturing Equipment

4. Current Use at Proposed Location:

- A. Does the Applicant currently hold fee title to the proposed location?
i. If no, please list the present owner of the site: Weiss Realty Associates, LLC
- B. Present use of the proposed location: Vacant

- C. Is the proposed location currently subject to an IDA transaction (whether through this Agency or another?) Yes No
i. If yes, explain: _____

- D. Is there a purchase contract for the site? (If yes, explain): Yes No
Applicant is the contract vendee pursuant to the Agreement of Sale dated October 24, 2022. The Applicant intends to assign its rights and interest in the Agreement of Sale to a special purpose entity to take title to the project site at closing.

- E. Is there an existing or proposed lease for the site? (If yes, explain): Yes No

5. Proposed Use:

- A. Describe the specific operations of the Applicant or other users to be conducted at the project site: Applicant intends to utilize the project for its food Manufacturing, food Assembly,

food Storage, and food distribution operations.

- B. Proposed product lines and market demands: Applicant's product lines include
grab & go meal kits, pre made sandwiches, grab & go yogurt parfaits,
and 1.0oz granola bag servings for school children.

C. If any space is to be leased to third parties, indicate the tenant(s), total square footage of the project to be leased to each tenant, and the proposed use by each tenant:

Applicant intends to lease approximately 3,000 square feet of office space to Advantage Food Marketing Corp. and its 21 employees and independent contractor. We currently share our corporate

headquarters with Advantage Food Marketing for the last 10 years, and will maintain the relationship in the new facility.

D. Need/purpose for project (e.g., why is it necessary, effect on Applicant's business):

The company continues to grow into a major supplier of healthy and "better for you" food products to major school programs mainly

in the Northeast United States. The company is a major supplier to many school districts across the Northeast, including New York City Public Schools, Long Island Schools,

and many school districts across New Jersey and Connecticut. The company needs to remain in the local market to efficiently provide our products and services at a reasonable cost to our customers.

E. Will any portion of the project be used for the making of retail sales to customers who personally visit the project location? Yes No

i. If yes, what percentage of the project location will be utilized in connection with the sale of retail goods and/or services to customers who personally visit the project location? N/A.

F. To what extent will the project utilize resource conservation, energy efficiency, green technologies, and alternative / renewable energy measures?

Applicant intends to utilize energy efficient: (i) LED lighting systems; (ii) freezer systems; and (iii) temperature control systems.

6. Project Work:

A. Has construction work on this project begun? If yes, complete the following:

i. Site Clearance:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	% COMPLETE	<u>0</u>
ii. Foundation:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	% COMPLETE	<u>0</u>
iii. Footings:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	% COMPLETE	<u>0</u>
iv. Steel:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	% COMPLETE	<u>0</u>
v. Masonry:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	% COMPLETE	<u>0</u>
vi. Other:				<u>0</u>

B. What is the current zoning? Light Industrial I

C. Will the project meet zoning requirements at the proposed location?

Yes No

***Applicant also intends to lease approximately 200 square feet of office space to LineCor Distribution Solutions, Inc., a third-party freight broker, with 2 employees based in New Jersey (who will continue to operate there). LineCor expects to add 1 new FTE at the project site. Please see the schedule annexed hereto with regard to Applicant's proposed subtenants corporate information.

D. If a change of zoning is required, please provide the details/status of the change of zone request: N/A

E. Have site plans been submitted to the appropriate planning department? Yes No

7. Project Completion Schedule:

A. What is the proposed commencement date for the acquisition and the construction/renovation/equipping of the project?

i. Acquisition: On or about 02/24/2023

ii. Construction/Renovation/Equipping: 07/01/2023

B. Provide an accurate estimate of the time schedule to complete the project and when the first use of the project is expected to occur: _____

We will be immediately transitioning our corporate offices, and will complete moving our dry production and storage into the facility upon the closing of title to the premises.

Part IV – Project Costs and Financing

1. Project Costs:

A. Give an accurate estimate of cost necessary for the acquisition, construction, renovation, improvement and/or equipping of the project location:

<u>Description</u>	<u>Amount</u>
Land and/or building acquisition	\$ <u>10,000,000</u>
Building(s) demolition/construction	\$ <u>250,000</u>
Building renovation	\$ <u>350,000</u>
Site Work	\$ <u>200,000</u>
Machinery and Equipment	\$ <u>2,575,000</u>
Legal Fees	\$ <u>300,000</u>
Architectural/Engineering Fees	\$ <u>75,000</u>
Financial Charges	\$ <u>250,000</u>
Other (Specify)	\$ _____
Total	\$ <u>14,000,000</u>

Please note, IDA fees are based on the total project costs listed above. At the completion of your project, you are required to provide both a certificate of completion along with a cost affidavit certifying the final project costs. The IDA fees may be adjusted as a result of the certified cost affidavit. Money will not be refunded if the final project cost is less than the amount listed above.

2. Method of Financing:

	<u>Amount</u>	<u>Term</u>
A. Tax-exempt bond financing:	\$ <u>0</u>	<u>0</u> years
B. Taxable bond financing:	\$ <u>0</u>	<u>0</u> years
C. Conventional Mortgage:	\$ <u>0</u>	<u>0</u> years
D. SBA (504) or other governmental financing:	\$ <u>11,200,000</u>	<u>40</u> years
E. Public Sources (include sum of all State and federal grants and tax credits):	\$ _____	
F. Other loans:	\$ <u>0</u>	<u>0</u> years
G. Owner/User equity contribution:	\$ <u>2,800,000</u>	_____ years
Total Project Costs	\$ <u>14,000,000</u>	

i. What percentage of the project costs will be financed from public sector sources?

80%

3. Project Financing:

A. Have any of the above costs been paid or incurred (including contracts of sale or purchase orders) as of the date of this application? Yes No

i. If yes, provide detail on a separate sheet.

B. Are costs of working capital, moving expenses, work in progress, or stock in trade included in the proposed uses of bond proceeds? Give details:

N/A.

C. Will any of the funds borrowed through the Agency be used to repay or refinance an existing mortgage or outstanding loan? Give details:

No

D. Has the Applicant made any arrangements for the marketing or the purchase of the bond or bonds? If so, indicate with whom:

No

Part V – Project Benefits

1. Mortgage Recording Tax Benefit:

A. Mortgage Amount for exemption (include sum total of construction/permanent/bridge financing):

\$ 0

B. Estimated Mortgage Recording Tax Exemption (product of Mortgage Amount and .75%):

\$ 0

2. Sales and Use Tax Benefit:

A. Gross amount of costs for goods and services that are subject to State and local Sales and Use Tax (such amount to benefit from the Agency’s exemption):

\$ 3,055,000.00

B. Estimated State and local Sales and Use Tax exemption (product of 8.625% and figure above):

\$ 263,493.75

C. If your project has a landlord/tenant (owner/user) arrangement, please provide a breakdown of the number in “B” above:

i. Owner: \$ N/A

ii. User: \$ N/A

3. Real Property Tax Benefit:

A. Identify and describe if the project will utilize a real property tax exemption benefit other than the Agency’s PILOT benefit: N/A

B. Agency PILOT Benefit:

i. Term of PILOT requested: 15

ii. Upon acceptance of this application, the Agency staff will create a PILOT schedule and attach such information to Exhibit A hereto. Applicant hereby requests such PILOT benefit as described on Exhibit A.

**** This application will not be deemed complete and final until Exhibit A hereto has been completed. ****

Part VI – Employment Data

1. List the Applicant’s and each user's present employment and estimates of (i) employment at the proposed project location, not just new employment, at the end of year one and year two following project completion and (ii) the number of residents of the Labor Market Area* (“LMA”) that would fill the full-time and part-time jobs at the end of the second year following completion:

Present number of FTEs **: 38 2022 \$58,510
 Date Average Annual Salary of Jobs to be Retained
 FTEs to be Created in First Year: 2023 (fill in year)

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
FTE	0	0	1	2	1	1	1	2	1	1	1	1	12

FTEs to be Created in Second Year: _____ (fill in year)

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
FTE	1	1	1	1	1	1	1	2	1	1	1	1	13

Number of Residents of LMA:

Full-Time: 37

Part-Time: _____

Cumulative Total FTEs ** After Year 2 63

Construction Jobs to be Created: 10

* **The Labor Market Area includes the County/City/Town/Village in which the project is located as well as Nassau and Suffolk Counties.**

** **To calculate FTEs (Full-Time Equivalent Employees) please use the following example: if an organization considers 40 hours per week as full-time and there are four employees who work 10 hours each per week, the cumulative hours for those employees equal 1 FTE.**

2. Salary and Fringe Benefits:

Category of Jobs to be Created	Average Salary	Average Fringe Benefits
Salary Wage Earners	\$76,460	\$8,780
Commission Wage Earners	N/A	N/A
Hourly Wage Earners	\$40,560	\$4,680
1099 and Contract Workers	N/A	N/A

What is the annualized salary range of jobs to created? \$40,560 to \$110,000

Note: The Agency reserves the right to visit the facility to confirm that job creation numbers are being met.

Part VII – Representations, Certifications and Indemnification

1. Is the Applicant in any litigation which would have a material adverse effect on the Applicant's financial condition? (If yes, furnish details on a separate sheet)

Yes No

2. Has the Applicant or any of the management of the Applicant, the anticipated users or any of their affiliates, or any other concern with which such management has been connected, been cited for a violation of federal, state, or local laws or regulations with respect to labor practices, hazardous wastes, environmental pollution, or other operating practices? (If yes, furnish details on a separate sheet)

Yes No

3. Is there a likelihood that the Applicant would proceed with this project without the Agency's assistance? (If no, please explain why; if yes, please explain why the Agency should grant the benefits requested)

Yes No

Applicant would not, we need the Agency's assistance to keep our production and distribution here on Long Island so that we can

ensure high levels of service for the Schools of NYC Public Programs as well as the hundreds of schools located here on Long Island.

4. If the Applicant is unable to obtain financial assistance from the Agency for the project, what would be the impact on the Applicant and on the municipality?

The municipality would lose out on the opportunity to have a thriving company that is making a positive impact

on school children continue to create jobs on Long Island within its borders. Moreover, the Applicant would likely

have to relocate to an area with lower real estate taxes and acquisition costs, but for the Agency's financial assistance with Applicant's proposed project.

Original signature and initials are required. Electronic signatures and initials are not permitted.

5. The Applicant understands and agrees that in accordance with Section 858-b(2) of the General Municipal Law, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the project will be listed with the New York State Department of Labor, Community Services Division and with the administrative entity of the service delivery area created pursuant to the Job Training Partnership Act (PL 97-300) in which the project is located (collectively, the "Referral Agencies"). The Applicant also agrees that it will, except as otherwise provided by collective bargaining contracts or agreements to which they are parties, where practicable, first consider for such new employment opportunities persons eligible to participate in federal job training partnership programs who shall be referred by the Referral Agencies.

Initial MC

6. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement in the Project as well as may lead to other possible enforcement actions.

Initial MC

7. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

Initial MC

8. The Applicant represents and warrants that to the Applicant's knowledge neither it nor any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners, and none of their respective employees, officers, directors, representatives or agents is, nor will they become a person or entity with who United States persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control (OFAC) of the Department of the Treasury (including those named on OFAC's Specially Designated and Blocked Persons List or under any statute, executive order including the September 24, 2001, Executive Order Block Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism, or other governmental action and is not and will not assign or otherwise transfer this Agreement to, contract with or otherwise engage in any dealings or transactions or be otherwise associated with such persons or entities.

Initial MC

9. The Applicant confirms and hereby acknowledges it has received the Agency's fee schedule attached hereto as Schedule A and agrees to pay such fees, together with any expenses incurred by the Agency, including those of Transaction Counsel, with respect to the Facility. The Applicant agrees to pay such expenses and further agrees to indemnify the Agency, its members, directors, employees, and agents and hold the Agency and such persons harmless against claims for losses, damage or injury or any expenses or damages incurred as a result of action taken by or on behalf of the Agency in good faith with respect to the project. The IDA fees are based on the total project costs listed in this application. At the completion of the project, you are required to provide both a certificate of completion along with a cost affidavit certifying the final project costs. The IDA fees may be increased as a result of the certified cost affidavit. Monies will not be refunded if the final costs are below the amount listed in the application.

Initial MC

10. The Applicant confirms and hereby acknowledges it has received the Agency's Construction Wage Policy attached hereto as Schedule B and agrees to comply with the same.

Initial MC

11. The Applicant hereby agrees to comply with Section 875 of the General Municipal Law. The Company further agrees that the financial assistance granted to the project by the Agency is subject to recapture pursuant to Section 875 of the Act and the Agency's Recapture and Termination Policy, attached hereto as Schedule C.

Initial MC

12. The Applicant confirms and hereby acknowledges it has received the Agency's PILOT Policy attached hereto as Schedule D and agrees to comply with the same.

Initial MC

13. The Company hereby authorizes the Agency, without further notice or consent, to use the Company's name, logo and photographs related to the Facility in its advertising, marketing, and communications materials. Such materials may include web pages, print ads, direct mail and various types of brochures or marketing sheets, and various media formats other than those listed (including without limitation video or audio presentations through any media form). In these materials, the Agency also has the right to publicize its involvement in the Project.

Initial MC

Part VIII – Submission of Materials

1. Financial statements for the last two fiscal years (unless included in the Applicant's annual report).
2. Applicant's annual reports (or 10-K's if publicly held) for the two most recent fiscal years.
3. Quarterly reports (form 10-Q's) and current reports (form 8-K's) since the most recent annual report, if any.
4. In addition, please attach the financial information described in items A, B, and C of any expected guarantor of the proposed bond issue.
5. Completed Environmental Assessment Form.
6. Most recent quarterly filing of NYS Department of Labor Form 45, as well as the most recent fourth quarter filing. Please remove the employee Social Security numbers and note the full-time equivalency for part-time employees.

(Remainder of Page Intentionally Left Blank)

Part IX – Special Representations

1. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if financial assistance is provided for the proposed project. The Applicant hereby indicates its compliance with Section 862(1) by signing the applicable statement below. **(Please sign only one of the following statements a. or b. below).**

a. The completion of the entire project will not result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state.

Representative of the Applicant: _____

b. The completion of this entire project will result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state because the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

Representative of the Applicant: _____

2. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

Representative of the Applicant: _____

3. In accordance with Section 862(1) of the New York General Municipal Law the Applicant understands and agrees that projects which result in the removal of an industrial or manufacturing plant of the project occupant from one area of the State to another area of the State or in the abandonment of one or more plants or facilities of the project occupant within the State is ineligible for financial assistance from the Agency, unless otherwise approved by the Agency as reasonably necessary to preserve the competitive position of the project in its respective industry or to discourage the project occupant from removing such other plant or facility to a location outside the State.

Representative of the Applicant: _____

4. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving financial assistance for the proposed project is in substantial compliance with applicable local, state, and federal tax, worker protection and environmental laws, rules, and regulations.

Representative of the Applicant: _____

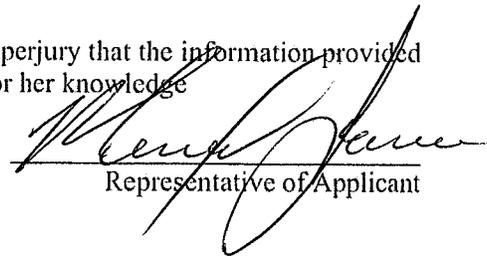
Part X – Certification

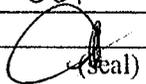
Michael Levine (Name of representative of entities submitting application) deposes and says that he or she is the CEO (title) of Global Food Solutions, Inc., the entities named in the attached application; that he or she has read the foregoing application and knows the contents thereof; and that the same is true to his or her knowledge.

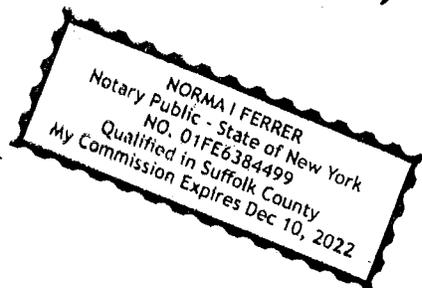
Deponent further says that s/he is duly authorized to make this certification on behalf of the entities named in the attached Application (the "Applicant") and to bind the Applicant. The grounds of deponent's belief relative to all matters in said Application which are not stated upon his/her personal knowledge are investigations which deponent has caused to be made concerning the subject matter this Application, as well as information acquired by deponent in the course of his/her duties in connection with said Applicant and from the books and papers of the Applicant.

As representative of the Applicant, deponent acknowledges and agrees that Applicant shall be and is responsible for all costs incurred by the Town of Brookhaven Industrial Development Agency (hereinafter referred to as the "Agency") in connection with this Application, the attendant negotiations and all matters relating to the provision of financial assistance to which this Application relates, whether or not ever carried to successful conclusion. If, for any reason whatsoever, the Applicant fails to conclude or consummate necessary negotiations or fails to act within a reasonable or specified period of time to take reasonable, proper, or requested action or withdraws, abandons, cancels or neglects the application or if the Applicant is unable to find buyers willing to purchase the total bond issue required, then upon presentation of invoice, Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred with respect to the application, up to that date and time, including fees to bond or transaction counsel for the Agency and fees of general counsel for the Agency. Upon successful conclusion of the transaction contemplated herein, the Applicant shall pay to the Agency an administrative fee set by the Agency in accordance with its fee schedule in effect on the date of the foregoing application, and all other appropriate fees, which amounts are payable at closing.

The Applicant hereby subscribes and affirms under the penalties of perjury that the information provided in this Application is true, accurate and complete to the best of his or her knowledge


Representative of Applicant

Sworn to me before this 31st
Day of Oct, 20 22
 (Seal)



**** Note: If the entities named in this Application are unrelated and one individual cannot bind both entities, Parts VII, IX and X of this Application must be completed by an individual representative for each entity ****

EXHIBIT A

Proposed PILOT Schedule

Upon acceptance of the Application and completion of the Cost Benefit Analysis, the Agency will attach the proposed PILOT Schedule to this Exhibit.

Global Food Solutions DRAFT PILOT

YEAR	PILOT
1	\$ 50,053
2	\$ 51,054
3	\$ 52,075
4	\$ 53,116
5	\$ 54,179
6	\$ 55,262
7	\$ 56,367
8	\$ 57,495
9	\$ 58,645
10	\$ 59,818

**PROPOSED PILOT BENEFITS ARE
FOR DISCUSSION PURPOSES ONLY
AND HAVE NOT BEEN APPROVED BY
THE AGENCY.**

Town of Brookhaven Industrial Development
Schedule of Fees

Application -	\$3,000 for projects with total costs under \$5 million \$4,000 for projects with total costs \$5 million and over (non-refundable)
Closing/Expansion Sale/Transfer/Increase of Mortgage Amount/ Issuance of Refunding Bonds -	¾ of one percent up to \$25 million total project cost and an additional 1/4 of one percent on any project costs in excess of \$25 million. Projects will incur a minimum charge of \$10,000 plus all fees incurred by the Agency including, but not limited to publication, legal, and risk monitoring.
Annual Administrative -	\$2,000 administrative fee plus \$500 per unrelated subtenant located in the project facility. This fee is due annually.
Termination -	Between \$1,000 and \$2,500
Refinance (excluding refunding bonds) -	1/4 of one percent of mortgage amount or \$5,000, whichever is greater.
Late PILOT Payment -	5% penalty, 1% interest compounded monthly, plus \$1,000 administrative fee.
PILOT extension -	a minimum of \$15,000
Processing Fee -	\$275 per hour with a minimum fee of \$275
Lease of Existing Buildings (partial or complete) -	Fee is based on contractual lease amount.

The Agency reserves the right to adjust these fees.

Updated: November 17, 2020

SCHEDULE B

CONSTRUCTION WAGE POLICY

EFFECTIVE January 1, 2005

The purpose of the Brookhaven IDA is to provide benefits that reduce costs and financial barriers to the creation and to the expansion of business and enhance the number of jobs in the Town.

The Agency has consistently sought to ensure that skilled and fair paying construction jobs be encouraged in projects funded by the issuance of IDA tax exempt bonds in large projects.

The following shall be the policy of the Town of Brookhaven IDA for application for financial assistance in the form of tax-exempt financing for projects with anticipated construction costs in excess of \$5,000,000.00 per site received after January 1, 2005. Non-profit corporations and affordable housing projects are exempt from the construction wage policy.

Any applicant required to adhere to this policy shall agree to:

- (1) Employ 90% of the workers for the project from within Nassau or Suffolk Counties. In the event that this condition cannot be met, the applicant shall submit to the Agency an explanation as to the reasons for its failure to comply and;
- (2) Be governed by the requirements of Section 220d of Article 8 of the Labor Law of the State of New York; and when requested by the Agency, provide to the Agency a plan for an apprenticeship program;

OR

- (3) Provide to the Agency a project labor agreement or alternative proposal to pay fair wages to workers at the construction site.

Furthermore, this policy may be waived, in the sole and final discretion of the Agency, in the event that the applicant demonstrates to the Agency special circumstances or economic hardship to justify a waiver to be in the best interests of the Town of Brookhaven.

Adopted: May 23, 2005

SCHEDULE C

RECAPTURE AND TERMINATION POLICY

EFFECTIVE JUNE 8, 2016

Pursuant to Sections 874(10) and (11) of Title 1 of Article 18-A of the New York State General Municipal Law (the “Act”), the Town of Brookhaven Industrial Development Agency (the “Agency”) is required to adopt policies (i) for the discontinuance or suspension of any financial assistance provided by the Agency to a project or the modification of any payment in lieu of tax agreement and (ii) for the return of all or part of the financial assistance provided by the Agency to a project. This Recapture and Termination Policy was adopted pursuant to a resolution enacted by the members of the Agency on June 8, 2016.

I. Termination or Suspension of Financial Assistance

The Agency, in its sole discretion and on a case-by-case basis, may determine (but shall not be required to do so) to terminate or suspend the Financial Assistance (defined below) provided to a project upon the occurrence of an Event of Default, as such term is defined and described in the Lease Agreement entered into by the Agency and a project applicant (the “Applicant”) or any other document entered into by such parties in connection with a project (the “Project Documents”). Such Events of Default may include, but shall not be limited to, the following:

- 1) Sale or closure of the Facility (as such term is defined in the Project Documents);
- 2) Failure by the Applicant to pay or cause to be paid amounts specified to be paid pursuant to the Project Documents on the dates specified therein;
- 3) Failure by the Applicant to create and/or maintain the FTEs as provided in the Project Documents;
- 4) A material violation of the terms and conditions of the Project Agreements; and
- 5) A material misrepresentation contained in the application for Financial Assistance, any Project Agreements or any other materials delivered pursuant to the Project Agreements.

The decision of whether to terminate or suspend Financial Assistance and the timing of such termination or suspension of Financial Assistance shall be determined by the Agency, in its sole discretion, on a case-by-case basis, and shall be subject to the notice and cure periods provided for in the Project Documents.

For the purposes of this policy, the term “Financial Assistance” shall mean all direct monetary benefits, tax exemptions and abatements and other financial assistance, if any, derived solely from the Agency’s participation in the transaction contemplated by the Project Agreements including, but not limited to:

- (i) any exemption from any applicable mortgage recording tax with respect to the Facility on mortgages granted by the Agency on the Facility at the request of the Applicant;

- (ii) sales tax exemption savings realized by or for the benefit of the Applicant, including and savings realized by any agent of the Applicant pursuant to the Project Agreements in connection with the Facility; and
- (iii) real property tax abatements granted under the Project Agreements.

II. Recapture of Financial Assistance

The Agency, in its sole discretion and on a case-by-case basis, may determine (but shall not be required to do so) to recapture all or part of the Financial Assistance provided to a project upon the occurrence of a Recapture Event, as such term is defined and described in the Project Documents. Such Recapture Events may include, but shall not be limited to the following:

- 1) Sale or closure of the Facility (as such term is defined in the Project Documents);
- 2) Failure by the Applicant to pay or cause to be paid amounts specified to be paid pursuant to the Project Documents on the dates specified therein;
- 3) Failure by the Applicant to create and/or maintain the FTEs as provided in the Project Documents;
- 4) A material violation of the terms and conditions of the Project Agreements; and
- 5) A material misrepresentation contained in the application for Financial Assistance, any Project Agreements or any other materials delivered pursuant to the Project Agreements.

The timing of the recapture of the Financial Assistance shall be determined by the Agency, in its sole discretion, on a case-by-case basis, and is subject to the notice and cure periods provided for in the Project Documents. The percentage of such Financial Assistance to be recaptured shall be determined by the provisions of the Project Documents.

All recaptured amounts of Financial Assistance shall be redistributed to the appropriate affected taxing jurisdiction, unless agreed to otherwise by any local taxing jurisdiction.

For the avoidance of doubt, the Agency may determine to terminate, suspend and/or recapture Financial Assistance in its sole discretion. Such actions may be exercised simultaneously or separately and are not mutually exclusive of one another.

III. Modification of Payment In Lieu of Tax Agreement

In the case of any Event of Default or Recapture Event, in lieu of terminating, suspending, or recapturing the Financial Assistance, the Agency may, in its sole discretion, adjust the payments in lieu of taxes due under the Project Agreements, so that the payments in lieu of taxes payable under the Project Agreements are adjusted upward retroactively and/or prospectively for each tax year until such time as the Applicant has complied with the provisions of the Project Agreements. The amount of such adjustments shall be determined by the provisions of the Project Documents.

SCHEDULE D

Agency Payment in Lieu of Taxes (PILOT) Policy

An annual fee of \$2,000 (plus \$500 per subtenant) will be due to the Agency in addition to the PILOT payment to cover ongoing costs incurred by the Agency on behalf of the project.

1. The Town of Brookhaven Industrial Development Agency (IDA) may grant or be utilized to obtain a partial or full real property tax abatement for a determined period. To be eligible for this abatement there would be a requirement of new construction, or renovation, and a transfer of title of the real property to the Town of Brookhaven IDA.
2. The Chief Executive Officer (CEO) or their designee shall consult with the Town Assessor to ascertain the amounts due pursuant to each PILOT Agreement. Thereafter, the PILOT payment for each project shall be billed to the current lessees. The lessees can pay the PILOT payment in full by January 31st of each year, or in two equal payments due January 31st and May 31st of each year of the PILOT Agreement. The CEO or their designee shall send all PILOT invoices to the lessees on a timely basis.
3. The Town of Brookhaven IDA shall establish a separate, interest-bearing bank account for receipt and deposit of all PILOT payments. The CEO or their designee shall be responsible for depositing and maintaining said funds with input from the Chief Financial Officer (CFO).
4. The CEO or their designee shall remit PILOT payments and penalties if any, to the respective taxing authorities in the proportionate amounts due to said authorities. These remittances shall be made within thirty (30) days of receipt of the payments to the Agency.
5. Payments in lieu of taxes which are delinquent under the agreement shall be subject to a late payment penalty of five percent (5%) of the amount due. For each month, or part thereof, that the payment in lieu of taxes is delinquent beyond the first month, interest shall on the total amount due plus a late payment penalty in the amount of one percent (1%) per month until the payment is made.
6. If a PILOT payment is not received by **January 31st** of any year or **May 31st** of the second half of the year the lessee shall be in default pursuant to the PILOT Agreement. The Agency may give the lessee notice of said default. If the payment is not received within thirty (30) days of when due, the CEO shall notify the Board, and thereafter take action as directed by the Board.
7. The CEO shall maintain records of the PILOT accounts at the Agency office.
8. Nothing herein shall be interpreted to require the Agency to collect or disburse PILOT payments for any projects which are not Agency projects.

9. Should the Applicant fail to reach employment levels as outlined in their application to the Agency, the Board reserves the right to reduce or suspend the PILOT Agreement, declare a default under the Lease or the Installment Sale Agreement, and/or convey the title back to the Applicant.
10. This policy has been adopted by the IDA Board upon recommendation of the Governance Committee and may only be amended in the same manner.

**Global Food Solutions, Inc.'s Application for Financial Assistance
to Town of Brookhaven Industrial Development Agency**

Schedule of Subtenants

1. Advantage Food Marketing Corp.
159 Adams Avenue, Hauppauge, New York 11788

Equity Owners:

- Mitchell Levine: 25%
- Brigitte Rounds: 25%
- John Williams: 25%
- Ron Fast: 14%
- Advantage Food Marketing Corp.: 11%

2. LineCor Distribution Solutions Inc.,
P.O. Box 326, Middlesex, New Jersey 08846

Equity Owners:

- Mitchell Levine: 25%
- Michael Levine: 25%
- Sal Bruno: 25%
- LineCor Distribution Solutions Inc.: 25%



Date: October 28th, 2022

Subject: IDA Project Costs Incurred

To Whom It May Concern,

In accordance with page 14 of the "FORM APPLICATION FOR FINANCIAL ASSISTANCE TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT AGENCY" please see the below breakdown of current costs that have been incurred as of the date of this application.

Currently the company has incurred costs as of the date of the application for the following:

Type	Amount
Building Security Deposit	\$500,000
Legal Fees	Cost TBD (20+ Hours so far)
Accounting Fees	Cost TBD (20+ Hours so far)

The company does intend to have additional costs incurred through the process.

Should any additional information be needed please let me know and we will be sure to follow up right away.

Thank you.

A handwritten signature in black ink that reads 'Michael Levine'.

Michael Levine

CEO

Global Food Solutions (All Brands)

Mikelevine@Globalfoodsolutions.CO

631-332-7754

**FORM APPLICATION FOR FINANCIAL ASSISTANCE
TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT AGENCY
1 Independence Hill, 2nd Floor, Farmingville, New York 11738**

DATE: 08/09/2022

APPLICATION OF: CD Ramsay Realty, LLC
Name of Owner and/or User of Proposed Project

ADDRESS: 17 Ramsey Road, Shirley, NY 11967

- Type of Application: Tax-Exempt Bond Taxable Bond
 Straight Lease Refunding Bond

Please respond to all items either by filling in blanks, by attachment (by marking space "see attachment number 1", etc.) or by N.A., where not applicable. Application must be filed in two copies. A non-refundable application fee is required at the time of submission of this application to the Agency. The non-refundable application fee is \$3,000 for applications under \$5 million and \$4,000 for applications of \$5 million or more.

Transaction Counsel to the Agency may require a retainer which will be applied to fees incurred and actual out-of-pocket disbursements made during the inducement and negotiation processes and will be reflected on their final statement at closing.

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

Prior to submitting a completed final application, please arrange to meet with the Agency's staff to review your draft application. Incomplete applications will not be considered. The Board reserves the right to require that the applicant pay for the preparation of a Cost Benefit Analysis, and the right to approve the company completing the analysis.

PLEASE NOTE: It is the policy of the Brookhaven IDA to encourage the use of local labor and the payment of the area standard wage during construction on the project.

IDA benefits may not be conferred upon the Company until the Lease and Project Agreement have been executed.

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PART I	OWNER AND USER DATA
PART II	OPERATION AT CURRENT LOCATION
PART III	PROJECT DATA
PART IV	PROJECT COSTS AND FINANCING
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PART VII	REPRESENTATIONS, CERTIFICATIONS AND INDEMNIFICATION
PART VIII	SUBMISSION OF MATERIALS
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SCHEDULE A	Agency's Fee Schedule
SCHEDULE B	Construction Wage Policy
SCHEDULE C	Recapture and Termination Policy

Part I: Owner & User Data

1. Owner Data:

A. Owner (Applicant for assistance): CD Ramsay Realty, LLC

Address: 17 Ramsey Road, Shirley, NY 11967

Federal Employer ID #: [REDACTED] Website: www.creative-biolabs.com

NAICS Code: 53112

Owner Officer Certifying Application: Chunwei Liang

Title of Officer: General Manager

Phone Number: [REDACTED]

E-mail: [REDACTED]

B. Business Type:

Sole Proprietorship Partnership Limited Liability Company

Privately Held Public Corporation Listed on _____

State of Incorporation/Formation: New York

C. Nature of Business:

(e.g., “manufacturer of _____ for _____ industry”; “distributor of _____”; or “real estate holding company”)

real estate holding company

D. Owner Counsel:

Firm Name: PRESBERG LAW, P.C.

Address: 100 Corporate Plaza

Islandia, NY 11749

Individual Attorney: Andrew Presberg

Phone Number: (631)232-4444

E-mail: apresberg@presberg.com

E. Principal Stockholders, Members or Partners, if any, of the Owner:

Name	Percent Owned
Donghai Chen	100%
_____	_____
_____	_____
_____	_____

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

i. ever filed for bankruptcy, been adjudicated bankrupt or placed in receivership or otherwise been or presently is the subject of any bankruptcy or similar proceeding? (If yes, please explain)

No

ii. been convicted of a felony, or misdemeanor, or criminal offense (other than a motor vehicle violation)? (If yes, please explain)

No

G. If any of the above persons (see "E", above) or a group of them, owns more than 50% interest in the Owner, list all other organizations which are related to the Owner by virtue of such persons having more than a 50% interest in such organizations.

N/A

H. Is the Owner related to any other organization by reason of more than a 50% ownership? If so, indicate name of related organization and relationship:

CD Biosciences Inc, Creative Biolabs Inc., Creative Biomart Inc., Creative Biogene
Inc. and BOSCI Inc.

I. List parent corporation, sister corporations and subsidiaries:

N/A

J. Has the Owner (or any related corporation or person) been involved in or benefited by any prior industrial development financing in the municipality in which this project is located, whether by this agency or another issuer? (Municipality herein means city, town, or village, or if the project is not in an incorporated city, town or village, the unincorporated areas of the county in which it is located.) If so, explain in full:

Yes, completed approx 11,800 sq. building with PILOT with this Agency
in or about 2018.

K. List major bank references of the Owner:

CITIBANK, N.A., 31 ALEXANDER AVE LAKE GROVE, NY 11755 USA

2. User Data

*** (for co-applicants for assistance or where a landlord/tenant relationship will exist between the owner and the user) ***

A. User (together with the Owner, the "Applicant"): Creative Biolabs Inc

Address: SUITE 203, 17 Ramsey Road,
Shirley, NY 11967, USA

Federal Employer ID #: [REDACTED] Website: https://www.creative-biolab.com
NAICS Code: 541711

User Officer Certifying Application: Chunwei Liang

Title of Officer: General Manager

Phone Number: [REDACTED] E-mail: [REDACTED]

B. Business Type:

Sole Proprietorship Partnership Privately Held

Public Corporation Listed on _____

State of Incorporation/Formation: New York

C. Nature of Business:

(e.g., "manufacturer of _____ for _____ industry"; "distributor of _____"; or "real estate holding company")

Mfg & dist of biologic proteins for biotech industry (including laboratory)

D. Are the User and the Owner Related Entities? Yes No

i. If yes, the remainder of the questions in this Part I, Section 2 (with the exception of "F" below) need not be answered if answered for the Owner.

ii. If no, please complete all questions below.

E. User's Counsel:

Firm Name: PRESBERG LAW, P.C.

Address: 100 Corporate Plaza
Islandia, NY 11749

Individual Attorney: Andrew Presberg

Phone Number: (631)232-4444

E-mail: apresberg@presberg.com

F. Principal Stockholders or Partners, if any:

Name	Percent Owned
<u>Donghai Chen</u>	<u>100%</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

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

i. ever filed for bankruptcy, been adjudicated bankrupt or placed in receivership or otherwise been or presently is the subject of any bankruptcy or similar proceeding? (If yes, please explain)

No

ii. been convicted of a felony or criminal offense (other than a motor vehicle violation)? (If yes, please explain)

No

H. If any of the above persons (see "F", above) or a group of them, owns more than 50% interest in the User, list all other organizations which are related to the User by virtue of such persons having more than a 50% interest in such organizations.

N/A

I. Is the User related to any other organization by reason of more than a 50% ownership? If so, indicate name of related organization and relationship:

CD Ramsay Realty LLC, CD Biosciences Inc, Creative Biomart Inc., Creative

Biogene Inc. and BOSCI Inc.

J. List parent corporation, sister corporations and subsidiaries:

N/A

K. Has the User (or any related corporation or person) been involved in or benefited by any prior industrial development financing in the municipality in which this project is located, whether by this agency or another issuer? (Municipality herein means city, town, or village, or if the project is not in an incorporated city, town or village, the unincorporated areas of the county in which it is located.) If so, explain in full:

Yes, see J above

L. List major bank references of the User:

CITIBANK, N.A. SMITHHAVEN
131 ALEXANDER AVE LAKE GROVE, NY 11755 USA

Part II – Operation at Current Location

***** (if the Owner and the User are unrelated entities, answer separately for each) *****

1. Current Location Address: 17 Ramsey Road, Shirley, NY 11967

2. Owned or Leased: Owned

3. Describe your present location (acreage, square footage, number buildings, number of floors, etc.):
around 4.5 acres; 11,815SF; 1 building; 2 floors;

4. Type of operation (manufacturing, wholesale, distribution, retail, etc.) and products and/or services:

Manufacturing and distribution, laboratory, biologic products and services

5. Are other facilities or related companies of the Applicant located within the State?

Yes No

A. If yes, list the Address: 17 Ramsey Road, Shirley, NY 11967

6. Will the completion of the project result in the removal of any facility or facilities of the Applicant from one area of the state to another OR in the abandonment of any facility or facilities of the Applicant located within the State? Yes No

A. If no, explain how current facilities will be utilized: Continuation of existing use for R&D, laboratory and distribution

B. If yes, please indicate whether the project is reasonably necessary for the Applicant to maintain its competitive position in its industry or remain in the State and explain in full:

7. Has the Applicant actively considered sites in another state? Yes No

A. If yes, please list states considered and explain: Investigated potential of sites in various surrounding states to replace entire existing facility if unable to further develop prop

8. Is the requested financial assistance reasonably necessary to prevent the Applicant from moving out of New York State? Yes No

A. Please explain: Financial assistance is necessary to reduce taxes and make the investment into the project financially affordable.

9. Number of full-time equivalent employees (FTE's) at current location and average salary (indicate hourly or yearly salary):

CD Biosciences-8 FTE-\$100,000/yr; Creative Biolabs-7 FTE-\$100,000/yr; Creative

Biomart-7 FTE, \$100,000/yr; BOCSCI Inc: 7 FTE-\$100,000/yr Creative Biogene 1 FTE \$100,000/yr,

Part III – Project Data

1. Project Type:

A. What type of transaction are you seeking? (Check one)

Straight Lease Taxable Bonds Tax-Exempt Bonds
Equipment Lease Only

B. Type of benefit(s) the Applicant is seeking: (Check all that apply)

Sales Tax Exemption Mortgage Recording Tax Exemption
PILOT Agreement:

2. Location of project:

A. Street Address: 17 Ramsey Road, Shirley, NY 11967

B. Tax Map: District 0200 Section 584.0 Block 0100. Lot(s) 004.040 ^{p/d}

C. Municipal Jurisdiction:

i. Town: Brookhaven
ii. Village: Shirley
iii. School District: Longwood

D. Acreage: 4.5

3. Project Components (check all appropriate categories):

- A. Construction of a new building Yes No
 - i. Square footage: 18,526 SFw/ 6351.5 SF basement
- B. Renovations of an existing building Yes No
 - i. Square footage: _____
- C. Demolition of an existing building Yes No
 - i. Square footage: _____
- D. Land to be cleared or disturbed Yes No
 - i. Square footage/acreage: approx. 10-20,000 sq.ft
- E. Construction of addition to an existing building Yes No
 - i. Square footage of addition: _____
 - ii. Total square footage upon completion: _____
- F. Acquisition of an existing building Yes No
 - i. Square footage of existing building: _____

- G. Installation of machinery and/or equipment Yes No
i. List principal items or categories of equipment to be acquired: clean room
related equip.; lab use equip., centrifuges, freezer, biosafety cabinet, lyophilizer, etc

4. Current Use at Proposed Location:

- A. Does the Applicant currently hold fee title to the proposed location?
i. If no, please list the present owner of the site: Yes
- B. Present use of the proposed location: Existing facility for laboratory research and develop
and distribution of existing bio-protein products
- C. Is the proposed location currently subject to an IDA transaction (whether through this Agency or another?) Yes No
i. If yes, explain: Town of Brookhaven IDA with CD Ramsay Realty, LLC 2018
- D. Is there a purchase contract for the site? (If yes, explain): Yes No
New Project consists of a second building on existing site.
- E. Is there an existing or proposed lease for the site? (If yes, explain): Yes No

5. Proposed Use:

- A. Describe the specific operations of the Applicant or other users to be conducted at the project site: Bio-protein production and related services, labs and offices
- B. Proposed product lines and market demands: Recombinant proteins for research use.
Customers are from universities, biotech companies & pharmaceutical companies.

C. If any space is to be leased to third parties, indicate the tenant(s), total square footage of the project to be leased to each tenant, and the proposed use by each tenant:

No, only used by affiliates.

D. Need/purpose for project (e.g., why is it necessary, effect on Applicant's business):

The recently developed facility is inadequate to meet current and projected
needs and demands. Need to either build or relocate entire facility.

E. Will any portion of the project be used for the making of retail sales to customers who personally visit the project location? Yes No

i. If yes, what percentage of the project location will be utilized in connection with the sale of retail goods and/or services to customers who personally visit the project location? _____

F. To what extent will the project utilize resource conservation, energy efficiency, green technologies, and alternative / renewable energy measures?

New LED lighting, High seer HAVC system, insulation in roof and walls

6. Project Work:

A. Has construction work on this project begun? If yes, complete the following:

i. Site Clearance:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	% COMPLETE	_____
ii. Foundation:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	% COMPLETE	_____
iii. Footings:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	% COMPLETE	_____
iv. Steel:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	% COMPLETE	_____
v. Masonry:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	% COMPLETE	_____
vi. Other:	_____			

B. What is the current zoning? L1

C. Will the project meet zoning requirements at the proposed location?

Yes No

D. If a change of zoning is required, please provide the details/status of the change of zone request: N/A

E. Have site plans been submitted to the appropriate planning department? Yes No

7. Project Completion Schedule:

A. What is the proposed commencement date for the acquisition and the construction/renovation/equipping of the project?

i. Acquisition: land already owned by Owner.

ii. Construction/Renovation/Equipping: on or about March, 2023.

B. Provide an accurate estimate of the time schedule to complete the project and when the first use of the project is expected to occur: Approximately six months from issuance of

building permits.

Part IV – Project Costs and Financing

1. Project Costs:

A. Give an accurate estimate of cost necessary for the acquisition, construction, renovation, improvement and/or equipping of the project location:

<u>Description</u>	<u>Amount</u>
Land and/or building acquisition	\$ <u> N/A </u>
Building(s) demolition/construction	\$ <u>4,000,000.00</u>
Building renovation	\$ <u> -0- </u>
Site Work	\$ <u> 400,000.00</u>
Machinery and Equipment	\$ <u> 400,000.00</u>
Legal Fees	\$ <u> 45,000.00</u>
Architectural/Engineering Fees	\$ <u> 50,000.00</u>
Financial Charges	\$ <u> -0- </u>
Other (Specify) IDA	\$ <u> 40,000.00</u>
Total	\$ <u>4,935,000.00</u>

Please note, IDA fees are based on the total project costs listed above. At the completion of your project, you are required to provide both a certificate of completion along with a cost affidavit certifying the final project costs. The IDA fees may be adjusted as a result of the certified cost affidavit. Money will not be refunded if the final project cost is less than the amount listed above.

2. Method of Financing:

	<u>Amount</u>	<u>Term</u>
A. Tax-exempt bond financing:	\$ <u> 0 </u>	_____ years
B. Taxable bond financing:	\$ <u> 0 </u>	_____ years
C. Conventional Mortgage:	\$ <u> 0 </u>	_____ years
D. SBA (504) or other governmental financing:	\$ <u> 0 </u>	_____ years
E. Public Sources (include sum of all State and federal grants and tax credits):	\$ <u> 0 </u>	
F. Other loans:	\$ <u> 0 </u>	_____ years
G. Owner/User equity contribution:	\$ <u> 0 </u>	_____ years
Total Project Costs	\$ <u>4,935,000.00</u>	

i. What percentage of the project costs will be financed from public sector sources?

0%

3. Project Financing:

A. Have any of the above costs been paid or incurred (including contracts of sale or purchase orders) as of the date of this application? Yes No

i. If yes, provide detail on a separate sheet.

B. Are costs of working capital, moving expenses, work in progress, or stock in trade included in the proposed uses of bond proceeds? Give details:

No

C. Will any of the funds borrowed through the Agency be used to repay or refinance an existing mortgage or outstanding loan? Give details:

No

D. Has the Applicant made any arrangements for the marketing or the purchase of the bond or bonds? If so, indicate with whom:

N/A

Part V – Project Benefits

1. Mortgage Recording Tax Benefit:

A. Mortgage Amount for exemption (include sum total of construction/permanent/bridge financing):

\$ 0

B. Estimated Mortgage Recording Tax Exemption (product of Mortgage Amount and .75%):

\$ 0

2. Sales and Use Tax Benefit:

A. Gross amount of costs for goods and services that are subject to State and local Sales and Use Tax (such amount to benefit from the Agency’s exemption):

\$ 2,500,000.00

B. Estimated State and local Sales and Use Tax exemption (product of 8.625% and figure above):

\$ 215,625.00

C. If your project has a landlord/tenant (owner/user) arrangement, please provide a breakdown of the number in “B” above:

i. Owner: \$ 181,125.00

ii. User: \$ 34,500.00

3. Real Property Tax Benefit:

A. Identify and describe if the project will utilize a real property tax exemption benefit other than the Agency’s PILOT benefit: Existing PILOT from prior Project-need to exempt the new building.

B. Agency PILOT Benefit:

i. Term of PILOT requested: 10 years

ii. Upon acceptance of this application, the Agency staff will create a PILOT schedule and attach such information to Exhibit A hereto. Applicant hereby requests such PILOT benefit as described on Exhibit A.

**** This application will not be deemed complete and final until Exhibit A hereto has been completed. ****

Part VI – Employment Data

1. List the Applicant’s and each user's present employment and estimates of (i) employment at the proposed project location, not just new employment, at the end of year one and year two following project completion and (ii) the number of residents of the Labor Market Area* (“LMA”) that would fill the full-time and part-time jobs at the end of the second year following completion:

Present number of FTEs **: 30 08/28/2022 \$100,000/year
 FTEs to be Created in First Year: 2024 Date Average Annual Salary of Jobs to be Retained
 (fill in year)

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
FTE	30	30	34	34	34	34	34	34	34	34	34	34	34

FTEs to be Created in Second Year: 2025 (fill in year)

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
FTE	38	38	38	38	38	38	38	38	38	38	38	38	38

Number of Residents of LMA:

Full-Time: 38

Part-Time: 0

Cumulative Total FTEs ** After Year 2 38

Construction Jobs to be Created: 120

* The Labor Market Area includes the County/City/Town/Village in which the project is located as well as Nassau and Suffolk Counties.

** To calculate FTEs (Full-Time Equivalent Employees) please use the following example: if an organization considers 40 hours per week as full-time and there are four employees who work 10 hours each per week, the cumulative hours for those employees equal 1 FTE.

2. Salary and Fringe Benefits:

Category of Jobs to be Created	Average Salary	Average Fringe Benefits
Salary Wage Earners	\$100,000/year	N/A
Commission Wage Earners	N/A	N/A
Hourly Wage Earners	N/A	N/A
1099 and Contract Workers	N/A	N/A

What is the annualized salary range of jobs to created? \$90,000/year to \$150,000/year

Note: The Agency reserves the right to visit the facility to confirm that job creation numbers are being met.

Part VII – Representations, Certifications and Indemnification

1. Is the Applicant in any litigation which would have a material adverse effect on the Applicant's financial condition? (If yes, furnish details on a separate sheet)

Yes No

2. Has the Applicant or any of the management of the Applicant, the anticipated users or any of their affiliates, or any other concern with which such management has been connected, been cited for a violation of federal, state, or local laws or regulations with respect to labor practices, hazardous wastes, environmental pollution, or other operating practices? (If yes, furnish details on a separate sheet)

Yes No

3. Is there a likelihood that the Applicant would proceed with this project without the Agency's assistance? (If no, please explain why; if yes, please explain why the Agency should grant the benefits requested)

Yes No

4. If the Applicant is unable to obtain financial assistance from the Agency for the project, what would be the impact on the Applicant and on the municipality?

Project would relocate our of LMA to a location which would be large enough to

handle growth. Jobs would be lost, as well as sales tax & related local revenues.

Original signature and initials are required. Electronic signatures and initials are not permitted.

5. The Applicant understands and agrees that in accordance with Section 858-b(2) of the General Municipal Law, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the project will be listed with the New York State Department of Labor, Community Services Division and with the administrative entity of the service delivery area created pursuant to the Job Training Partnership Act (PL 97-300) in which the project is located (collectively, the "Referral Agencies"). The Applicant also agrees that it will, except as otherwise provided by collective bargaining contracts or agreements to which they are parties, where practicable, first consider for such new employment opportunities persons eligible to participate in federal job training partnership programs who shall be referred by the Referral Agencies.

Initial DC DC

6. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement in the Project as well as may lead to other possible enforcement actions.

Initial DC DC

7. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

Initial DC DC

8. The Applicant represents and warrants that to the Applicant's knowledge neither it nor any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners, and none of their respective employees, officers, directors, representatives or agents is, nor will they become a person or entity with who United States persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control (OFAC) of the Department of the Treasury (including those named on OFAC's Specially Designated and Blocked Persons List or under any statute, executive order including the September 24, 2001, Executive Order Block Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism, or other governmental action and is not and will not assign or otherwise transfer this Agreement to, contract with or otherwise engage in any dealings or transactions or be otherwise associated with such persons or entities.

Initial DC DC

9. The Applicant confirms and hereby acknowledges it has received the Agency's fee schedule attached hereto as Schedule A and agrees to pay such fees, together with any expenses incurred by the Agency, including those of Transaction Counsel, with respect to the Facility. The Applicant agrees to pay such expenses and further agrees to indemnify the Agency, its members, directors, employees, and agents and hold the Agency and such persons harmless against claims for losses, damage or injury or any expenses or damages incurred as a result of action taken by or on behalf of the Agency in good faith with respect to the project. The IDA fees are based on the total project costs listed in this application. At the completion of the project, you are required to provide both a certificate of completion along with a cost affidavit certifying the final project costs. The IDA fees may be increased as a result of the certified cost affidavit. Monies will not be refunded if the final costs are below the amount listed in the application.

Initial DC

10. The Applicant confirms and hereby acknowledges it has received the Agency's Construction Wage Policy attached hereto as Schedule B and agrees to comply with the same.

Initial DC

11. The Applicant hereby agrees to comply with Section 875 of the General Municipal Law. The Company further agrees that the financial assistance granted to the project by the Agency is subject to recapture pursuant to Section 875 of the Act and the Agency's Recapture and Termination Policy, attached hereto as Schedule C.

Initial DC

12. The Applicant confirms and hereby acknowledges it has received the Agency's PILOT Policy attached hereto as Schedule D and agrees to comply with the same.

Initial DC

13. The Company hereby authorizes the Agency, without further notice or consent, to use the Company's name, logo and photographs related to the Facility in its advertising, marketing, and communications materials. Such materials may include web pages, print ads, direct mail and various types of brochures or marketing sheets, and various media formats other than those listed (including without limitation video or audio presentations through any media form). In these materials, the Agency also has the right to publicize its involvement in the Project.

Initial DC

Part IX – Special Representations

1. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if financial assistance is provided for the proposed project. The Applicant hereby indicates its compliance with Section 862(1) by signing the applicable statement below. **(Please sign only one of the following statements a. or b. below).**

- a. The completion of the entire project will not result in the removal of an industrial or manufacturing plant of the project occupant from one are of the stat to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state.

Representative of the Applicant: Dongha Chen

- b. The completion of this entire project will result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state because the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

Representative of the Applicant: _____

2. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

Representative of the Applicant: Dongha Chen

3. In accordance with Section 862(1) of the New York General Municipal Law the Applicant understands and agrees that projects which result in the removal of an industrial or manufacturing plant of the project occupant from one area of the State to another area of the State or in the abandonment of one or more plants or facilities of the project occupant within the State is ineligible for financial assistance from the Agency, unless otherwise approved by the Agency as reasonably necessary to preserve the competitive position of the project in its respective industry or to discourage the project occupant from removing such other plant or facility to a location outside the State.

Representative of the Applicant: Dongha Chen

4. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving financial assistance for the proposed project is in substantial compliance with applicable local, state, and federal tax, worker protection and environmental laws, rules, and regulations.

Representative of the Applicant: Dongha Chen

Part X – Certification

Donghai Chen (Name of representative of entities submitting application) deposes and says that he or she is the Member (title) of CD Ramsay Realty, LLC, the entities named in the attached application; that he or she has read the foregoing application and knows the contents thereof; and that the same is true to his or her knowledge.

Deponent further says that s/he is duly authorized to make this certification on behalf of the entities named in the attached Application (the “Applicant”) and to bind the Applicant. The grounds of deponent’s belief relative to all matters in said Application which are not stated upon his/her personal knowledge are investigations which deponent has caused to be made concerning the subject matter this Application, as well as information acquired by deponent in the course of his/her duties in connection with said Applicant and from the books and papers of the Applicant.

As representative of the Applicant, deponent acknowledges and agrees that Applicant shall be and is responsible for all costs incurred by the Town of Brookhaven Industrial Development Agency (hereinafter referred to as the “Agency”) in connection with this Application, the attendant negotiations and all matters relating to the provision of financial assistance to which this Application relates, whether or not ever carried to successful conclusion. If, for any reason whatsoever, the Applicant fails to conclude or consummate necessary negotiations or fails to act within a reasonable or specified period of time to take reasonable, proper, or requested action or withdraws, abandons, cancels or neglects the application or if the Applicant is unable to find buyers willing to purchase the total bond issue required, then upon presentation of invoice, Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred with respect to the application, up to that date and time, including fees to bond or transaction counsel for the Agency and fees of general counsel for the Agency. Upon successful conclusion of the transaction contemplated herein, the Applicant shall pay to the Agency an administrative fee set by the Agency in accordance with its fee schedule in effect on the date of the foregoing application, and all other appropriate fees, which amounts are payable at closing.

The Applicant hereby subscribes and affirms under the penalties of perjury that the information provided in this Application is true, accurate and complete to the best of his or her knowledge

Donghai Chen
Representative of Applicant

Sworn to me before this 12
Day of October, 20 22

(seal)

AARON J. KRANTZ
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01KR6370617
Qualified in New York County
Commission Expires February 5, 2026

**** Note: If the entities named in this Application are unrelated and one individual cannot bind both entities, Parts VII, IX and X of this Application must be completed by an individual representative for each entity ****

I. COMPANY DATA

A. COMPANY:

NAME: Frank Lowe Rubber & Gasket Co., Inc

ADDRESS: 44 Ramsey Road

CONTACT: Brian Atkin

POSITION: President & CEO

PHONE: [REDACTED]

FEDERAL EMPLOYER I [REDACTED]

B. RELATED USERS OF THE FACILITY:

NAME	RELATIONSHIP
<u>Frank Lowe Rubber & Gasket Co., Inc</u>	<u>Operating Mfg Co</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

C. COMPANY COUNSEL:

FIRM NAME: FDT-Forchelli, Deegan, Terrana

ADDRESS: 333 Earle Ovington Blvd, Suite 1010, Uniondale NY 11553

INDIVIDUAL ATTORNEY: Louis Fiore

PHONE: 516-248-1700

D. PRINCIPAL STOCKHOLDERS, MEMBERS OR PARTNERS, IF ANY, OF COMPANY AND RELATED USERS (5% OR MORE EQUITY):

NAME	PERCENT OWNED	COMPANY/ RELATED USER
<u>Ira Warren</u>	<u>90%</u>	<u>Frank Lowe Rubber & Gasket Co., Inc.</u>
<u>Brian Atkin</u>	<u>10%</u>	<u>Frank Lowe Rubber & Gasket Co., Inc.</u>

E. HAS THE OWNER, OR ANY SUBSIDIARY OR AFFILIATE OF THE OWNER, OR ANY STOCKHOLDER, PARTNER, MEMBER, OFFICER, DIRECTOR OR OTHER ENTITY WITH WHICH ANY OF THESE INDIVIDUALS IS OR HAS BEEN ASSOCIATED WITH:

i. EVER FILED FOR BANKRUPTCY, BEEN ADJUDICATED BANKRUPT OR PLACED IN RECEIVERSHIP OR OTHERWISE BEEN OR PRESENTLY IS THE SUBJECT OF ANY BANKRUPTCY OR SIMILAR PROCEEDING? (IF YES, PLEASE EXPLAIN)

No

ii. BEEN CONVICTED OF A FELONY, OR MISDEMEANOR, OR CRIMINAL OFFENSE (OTHER THAN A MOTOR VEHICLE VIOLATION)? (IF YES, PLEASE EXPLAIN)

No

II. PROJECT/FACILITY DATA

A. LOCATION OF PROJECT:

ADDRESS: **44 Ramsey Road**

S.C. TAX MAP:

DISTRICT **200** SECTION **584** BLOCK **0100** LOT **004038**

B. PROJECT SITE:

1. ACREAGE:

6.4

2. BUILDING:

A) SIZE

62,000SF approx.

B) CURRENT OCCUPANTS, AREA OCCUPIED AND USES

CURRENT OCCUPANT	AREA OCCUPIED (Sq. Ft.)	USE
Frank Lowe R&G Co., Inc	52,000 SF approx	Mfr of Gaskets
_____	_____	_____
_____	_____	_____
_____	_____	_____

III. PROPOSED SUBTENANT

A. NAME AND ADDRESS

Galaxy Group LLC.

B. AFFILIATES' NAMES AND ADDRESSES

N/A

C. CURRENT LOCATION

D. NAME AND ADDRESS OF PRINCIPALS OF SUBTENANT AND AFFILIATES

Robert LaGrega

 _____

E. RELATIONSHIP OF SUBTENANT TO COMPANY

F. PROPOSED AREA TO BE OCCUPIED

10,000SF approx.-2nd Floor Mezzanine Offices, including Atrium entry

G. PROPOSED USE BY SUBTENANT

Offices

H. DOES PROPOSED USE AND OCCUPANCY COMPLY WITH ALL PLANNING, ZONING, BUILDING, HEALTH AND ENVIRONMENTAL LAWS, REGULATIONS AND REQUIREMENTS, AND ALL COVENANTS, AGREEMENTS AND DECLARATIONS OF RECORD?

Yes

I. PROPOSED SUBLEASE TERMS

TERM:

4 years Lease

COMMENCEMENT DATE:

Immediate

GUARANTORS:

BASE RENT:

Year 1 = \$8/SF, Year 2 = \$11/SF, Year 3 = \$14/SF

BASE RENT INCREASES:

3% in year 4

COMMON AREA RENT:

No Charge

REAL ESTATE TAXES:

N/A

IMPROVEMENTS TO PROPOSED DEMISED AREA TO BE MADE BY
COMPANY

DESCRIPTION: **none**

COST: **\$0.00**

SOURCE OF PAYMENT: **N/A**

IMPROVEMENTS TO PROPOSED DEMISED AREA TO BE MADE BY
SUBTENANT

DESCRIPTION: **none**

COST: **\$0.00**

SOURCE OF PAYMENT: **N/A**

FAIR MARKET RENT EVALUATION
IS RENT TO BE CHARGED FAIR MARKET?

HOW WAS FAIR MARKET RENT DETERMINED? (ATTACH
SUPPORTING DOCUMENTATION)

DOES OR WILL ANY OF THE "FINANCIAL ASSISTANCE" PROVIDED BY
THE AGENCY, INCLUDING REAL ESTATE TAX EXEMPTION, SALES
AND USE TAX EXEMPTION AND MORTGAGE RECORDING TAX
EXEMPTION, BENEFIT THE SUBTENANT IN ANY MANNER? IF SO,
EXPLAIN.

No

ATTACH COPY OF EXECUTED SUBLEASE (MAY BE CONDITIONED
UPON AGENCY APPROVAL).

J. HOW MANY FULL-TIME EQUIVALENT EMPLOYEES (FTES) ARE THERE
NOW

3

HOW MANY ADDITIONAL FTEs ARE EXPECTED IN REGARDS TO THIS
APPLICATION

We anticipate adding 8-10 employees within the first year of the lease. An additional 10 over next 2 years

Salary and Fringe Benefits:

Category of Jobs to be Created	Average Salary	Average Fringe Benefits
Salary Wage Earners	approx.\$50K	23%
Commission Wage Earners	0	
Hourly Wage Earners	\$18/hr.	23%
1099 and Contract Workers	0	

What is the annualized salary range of jobs to created? \$37,000 to \$50,000

IV. MORTGAGEES

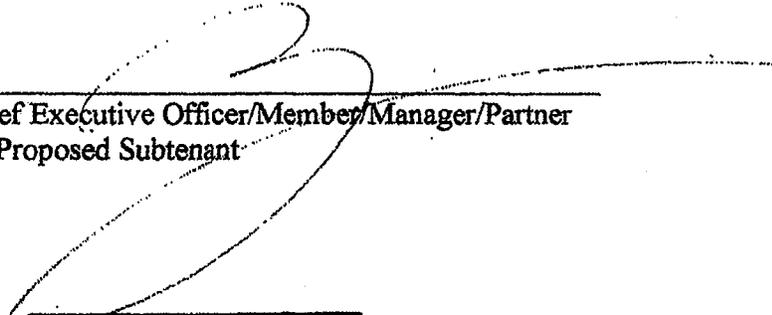
HAVE THE HOLDERS OF ALL MORTGAGES OF RECORD CONSENTED TO THE PROPOSED SUBLEASE? (ATTACH EVIDENCE THEREOF).

Yes

SUBTENANT CERTIFICATION

Robert LaGrega DEPOSES AND SAYS THAT HE IS THE Member Of Galaxy FMS, THE PROPOSED SUBTENANT Galaxy FMS NAMED IN THE ATTACHED APPLICATION; THAT HE HAS READ THE FOREGOING APPLICATION AND KNOWS THE CONTENTS THEREOF; THAT THE SAME IS TRUE TO HIS KNOWLEDGE.

DEPONENT FURTHER SAYS THAT THE REASON THIS VERIFICATION IS BEING MADE BY THE DEPONENT AND NOT BY Galaxy FMS IS BECAUSE THE SAID PROPOSED SUBTENANT IS A Partnership THE GROUNDS OF DEPONENT'S BELIEF RELATIVE TO ALL MATTERS IN THE SAID APPLICATION WHICH ARE NOT STATED UPON HIS OWN PERSONAL KNOWLEDGE, ARE INVESTIGATIONS WHICH DEPONENT HAS CAUSED TO BE MADE CONCERNING THE SUBJECT MATTER OF THIS APPLICATION AS WELL AS INFORMATION ACQUIRED BY DEPONENT IN THE COURSE OF HIS DUTIES AS AN OFFICER OF AND FROM BOOKS AND PAPERS OF SAID PROPOSED SUBTENANT.



Chief Executive Officer/Member/Manager/Partner
of Proposed Subtenant

Sworn to before me this
7 day of November 2022



NOTARY PUBLIC

RUTH S. BAYER
NOTARY PUBLIC OF NEW JERSEY
Commission # 50040210
My Commission Expires 06/15/2028