

Town of Brookhaven

Industrial Development Agency

MEETING AGENDA

Wednesday, May 17, 2023 at 8:05 A.M.

1. ROLL CALL

2. MINUTES

March 29, 2023

3. CFO'S REPORT

Banking
Timely Payments

4. RESOLUTIONS

Applications & Resolution Expiration
Port Jefferson Crossing Permanent Loan Request
Wallace Oakland Request

5. APPLICATION

September Morning

6. CEO'S REPORT

IT Update
Uniform Tax Exemption Policy Updates
LIBDC Request June Luncheon & Annual Conference

7. EXECUTIVE SESSION

The next IDA meeting is scheduled for Wednesday, June 14, 2023 at 8:05 AM.

TOWN OF BROOKHAVEN
INDUSTRIAL DEVELOPMENT AGENCY

MEETING MINUTES

MARCH 29, 2023

MEMBERS PRESENT: Frederick C. Braun, III
Martin Callahan
Mitchell H. Pally
Ann-Marie Scheidt

EXCUSED MEMBERS: Felix J. Grucci, Jr.
Gary Pollakusky
Frank C. Trotta

ALSO PRESENT: Lisa M. G. Mulligan, Chief Executive Officer
Lori LaPonte, Chief Financial Officer
Amy Illardo, Director of Marketing
Jocelyn Linse, Executive Assistant
William F. Weir, Nixon Peabody, LLP (via Zoom)
Howard Gross, Weinberg, Gross & Pergament (via Zoom)

Chairman Braun opened the Industrial Development Agency meeting at 12:45 P.M. on Wednesday, March 29, 2023, in the Agency's Office on the Second Floor of Brookhaven Town Hall, One Independence Hill, Farmingville, New York. A quorum was present.

MEETING MINUTES OF DECEMBER 7, 2022

The motion to approve these Minutes as presented was made by Mr. Pally and seconded by Mr. Callahan. All voted in favor.

MEETING MINUTES OF JANUARY 11, 2023

The motion to approve these Minutes as presented was made by Mr. Pally, seconded by Ms. Scheidt, and unanimously approved.

At 12:46 P.M., Ms. Scheidt made a motion to enter executive session to discuss proposed, pending or current litigation and the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion,

demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Mr. Pally seconded this motion, and all voted in favor.

Mr. Callahan made a motion to resume the regular agenda at 1:07 P.M., which was seconded by Ms. Scheidt and unanimously approved. No action was taken in executive session.

CFO'S REPORT

Ms. LaPonte noted the audit was accepted by the Audit Committee. The motion to accept the financial statements and audit based upon the recommendation of the Audit Committee and authorize management to file all necessary documents in the State's PARIS system was made by Mr. Callahan and seconded by Mr. Pally. All voted in favor.

Flushing Bank and Hanover Bank recently sent letters outlining the strength of their positions in the market considering recent events in the banking industry. The interest rate for the investment account has increased to 3.75% in both banks.

Due to changes in accounting with lease standards, a portion of the office rental will no longer be paid for by the LDC. The motion to amend the intermunicipal agreement between the IDA and LDC was made by Mr. Braun, seconded by Mr. Pally and unanimously approved.

All payroll taxes and related withholdings have been paid timely in accordance with Federal and State guidelines. All regulatory reports have been filed in a timely fashion. All PILOT payments have been received and disbursed within the required 30-day time period. Mr. Braun noted that to the extent that deposits exceed the FDIC limit they are covered by liquid collateral and letters of credit from the Federal Home Loan Bank.

The motion to accept the report was made by Mr. Pally and seconded by Ms. Scheidt. All voted in favor.

EXCEL 6 – RESOLUTION

Excel 6 has submitted a request to modify their loan increasing the principal by \$2.5 million to a total of \$22.5 million. Hotel renovations will be completed soon. It is not known if the project would request a sales tax exemption which would require a public hearing. The motion to authorize exemptions from the mortgage recording tax and sales tax pending payments of outstanding invoices and a public hearing, if required, was made by Mr. Pally, seconded by Mr.

Callahan and unanimously approved. A public hearing will be scheduled if Excel 6 requests a sales tax exemption.

APPLICATIONS & AUTHORIZING RESOLUTION EXPIRATION

This resolution calls for applications and resolutions to expire if no action has been taken. Applications would need to be refiled after one year with a new application fee charged. Resolutions will expire six months after adoption. Letters will be sent to projects that have not closed and have expired applications and resolutions giving them 60 days to determine how they will proceed. This will ensure the Board is working with the most current information. The motion to approve this change was made by Mr. Pally and seconded by Mr. Callahan. All voted in favor.

AUTHORIZING CEO TO DEFAULT

This resolution authorizes the CEO, in consultation with the Chairman, to default a project when the issue is time sensitive such as but not limited to insurance coverage. The motion to approve this resolution was made by Mr. Callahan, seconded by Mr. Pally, and unanimously approved.

HSRE-EB HOLTSVILLE – RESOLUTION

This project has requested the Agency execute documents to consolidate their mortgage, no new benefits have been requested. The motion to allow for the execution of these documents was made by Mr. Pally and seconded by Ms. Scheidt. All voted in favor.

HSRE-EB MT. SINAI – RESOLUTION

This project has requested to extend the maturity date of their loan to January 9, 2024. No new funds are being borrowed and they are not requesting any additional benefits. The motion to approve this request was made by Ms. Scheidt, seconded by Mr. Callahan, and unanimously approved.

INFORMATION TECHNOLOGY SERVICES – RESOLUTION

This resolution authorizes the CEO and staff to spend up to \$35,000 on capital equipment to support our internal IT functions along with related service contracts. The motion to approve this resolution was made by Mr. Callahan and seconded by Ms. Scheidt. All voted in favor.

MACEDO CONSTRUCTION, INC. – RESOLUTION

This resolution authorizes the CEO to execute a settlement agreement with Macedo Construction, Inc. to resolve outstanding issues over their termination and recapture of benefits. The motion to approve this resolution was made by Mr. Braun, seconded by Mr. Pally, and unanimously approved.

CEO'S REPORT

Board Assessments

The two standout issues that were indicated in the board assessments were serving the community and board member education. The assessments have been submitted to the Authority Budget Office.

2023 Bond Allocation

The bond allocation for 2023 is approximately \$9.7 million. There are currently no projects requesting any bond allocation, and there are no outstanding bond projects in the IDA.

Tate's Bake Shop Request

Tate's is seeking permission to put in a new parking lot and drainage. The motion to approve this request was made by Mr. Pally and seconded by Ms. Scheidt. All voted in favor.

R Squared Patchogue, LLC

A public hearing is expected to be held soon for the R Squared project; the application was accepted some time ago. The PILOT Study was included in the meeting packets. The motion to schedule the public hearing was made by Mr. Braun, seconded by Ms. Scheidt, and unanimously approved.

NYSEDC Sponsorship

Mr. Callahan made a motion to sponsor the conference in Cooperstown for \$5,000. The motion was seconded by Mr. Pally, and all voted in favor.

LIBDC Sponsorship

This matter will be deferred to the next meeting.

IDA Meeting
March 29, 2023

Job Creation Numbers

Any project that falls below an approximately 85% threshold of their promised job numbers will be asked for an explanation, if any are problematic, they will be brought before the Board.

The motion to close the IDA meeting at 1:35 P.M. was made by Mr. Pally, seconded by Ms. Scheidt, and unanimously approved.

The next IDA meeting is scheduled for Wednesday, April 19, 2023 at 8:00 A.M.

DRAFT

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

DATE: APRIL 4, 2023

APPLICATION OF:

SEPTEMBER MORNING LLC

Name of Owner and/or User of Proposed Project

ADDRESS:

5 PLANT 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 and should be made payable to the Town of Brookhaven Industrial Development Agency.

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 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): **SEPTEMBER MORNING LLC**

Address: **5 PLANT AVENUE**
HAUPPAUGE, NEW YORK 11788

Federal Employer ID #: **[REDACTED]** Website: **N/A**

NAICS Code: **531190**

Owner Officer Certifying Application: **RON YAKUEL**

Title of Officer: **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 DEVELOPER

D. Owner Counsel:

Firm Name: **FARRELL FRITZ, P.C.**

Address: **400 RXR PLAZA**
UNIONDALE, NEW YORK 11556

Individual Attorney: **PETER L. CURRY**

Phone Number: **516-227-0772** E-mail: **PCURRY@FARRELLFRITZ.COM**

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

<u>Name</u>	Percent Owned
<u>NOR HOLDINGS LLC</u>	<u>99</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.

NOR HOLDINGS LLC HOLDS AN INTEREST IN THE FOLLOWING ORGANIZATIONS: BIG GREY ROCK LLC, MARCH MORNING LLC, MONDAY AFTERNOON LLC, PLAN AVE LLC, AUS GROUP LLC, DOM STORES, LLC, OSER AVE LLC, 35 ENG ROAD LLC, AND NOR REALTY LLC. THE SOLE MEMBER OF NOR HOLDINGS LLC IS THE NOR 2014 FAMILY TRUST.

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:

SEE G. ABOVE

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:

ROBERTO X. CARBONO, J.P. MORGAN CHASE
ROBERT.X.CARBONO@JPMCHASE.COM

2. User Data

for co-applicants for assistance or where a landlord/tenant relationship will exist between the owner and the user) **THE TENANTS THAT WILL OCCUPY THE PREMISES WILL BE IDENTIFIED DURING THE CONSTRUCTION PERIOD OF THE PROJECT.**

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

Address: _____

Federal Employer ID #: _____ Website: _____

NAICS Code: _____

User Officer Certifying Application: _____

Title of Officer: _____

Phone Number: _____ E-mail: _____

B. Business Type: N/A

Sole Proprietorship Partnership Privately Held

Public Corporation Listed on _____

State of Incorporation/Formation: _____

C. Nature of Business: N/A
(e.g., “manufacturer of _____ for _____ industry”; “distributor of _____”; or “real estate holding company”)

D. Are the User and the Owner Related Entities? N/A 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: N/A

Firm Name: _____

Address: _____

Individual Attorney: _____

Phone Number: _____

E-mail: _____

F. Principal Stockholders or Partners, if any: N/A

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)

N/A.

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

N/A

- 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:

N/A

- 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:

N/A

- L. List major bank references of the User:

N/A

Part II – Operation at Current Location

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

1. Current Location Address: **N/A: THE OWNER HAS BEEN FORMED TO DEVELOP THE SUBJECT PROPERTY.**

2. Owned or Leased: **N/A**

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

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

5. Are other facilities or related companies of the Applicant located within the State?
Yes No
A. If yes, list the Address: **5 PLANT AVENUE, HAUPPAUGE, NEW YORK 11788**

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: **WAREHOUSE, DISTRIBUTION AND/OR LOGISTICS FACILITY**

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:
THE PROJECT IS BEING CONSTRUCTED TO ATTRACT THE SMALL AND MEDIUM-SIZED WAREHOUSE AND DISTRIBUTION USERS THAT ARE THE MAINSTAY OF THE LONG ISLAND INDUSTRIAL COMMUNITY

7. Has the Applicant actively considered sites in another state? Yes No
A. If yes, please list states considered and explain: _____

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

A. Please explain: **HOWEVER, WITHOUT ASSISTANCE, THE APPLICANT WOULD SEEK DEVELOPMENT OPPORTUNITIES IN AREAS WHERE IT CAN MAKE A REASONABLE RETURN ON ITS INVESTMENT.**

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

N/A

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: **RAMSAY ROAD, SHIRLEY, NEW YORK 11967**

B. Tax Map: District **0200** Section **554.00** Block **03.00** Lot(s) **004.043**

C. Municipal Jurisdiction:

i. Town: **BROOKHAVEN**

ii. Village: **N/A**

iii. School District: **LONGWOOD**

D. Acreage: **6.14**

3. Project Components (check all appropriate categories):

A. Construction of a new building Yes No

i. Square footage: **APPROXIMATELY 70,000 SQUARE FEET**

- 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: **3.888 ACRES**
- 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: **FIXTURES AND EQUIPMENT NORMALLY PLACED IN WAREHOUSE DISTRIBUTION AND LOGISTICS FACILITIES.**

4. Current Use at Proposed Location:

- A. Does the Applicant currently hold fee title to the proposed location? **YES**
 - i. If no, please list the present owner of the site: **N/A**
- B. Present use of the proposed location: **VACANT LAND**
- 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

- 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: THE APPLICANT WILL CONSTRUCT THE BUILDING AND LEASE TO TWO OR THREE TENANTS FOR WAREHOUSE, DISTRIBUTION, AND /OR LOGISTICS PURPOSES.

B. Proposed product lines and market demands: SMALL TO MID-SIZED MANUFACTURING AND DISTRIBUTION COMPANIES REQUIRING NEW, FIRST-CLASS PREMISES IN WHICH TO CONDUCT THEIR OPERATIONS.

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:
SEE ANSWER 5. A.

D. Need/purpose for project (e.g., why is it necessary, effect on Applicant's business):
MUCH OF THE NEW CONSTRUCTION OF DISTRIBUTION AND LOGISTICS SPACE IS CONCENTRATING ON LARGE NATIONAL USERS. HOWEVER, LONG ISLAND HAS TRADITIONALLY HAD A SIGNIFICANT NUMBER OF SMALLER LOCAL COMPANIES THAT SERVE THE REGION'S ECONOMY AND REQUIRE UP-TO-DATE FACILITIES FROM WHICH TO OPERATE THEIR BUSINESSES.

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?

ENERGY EFFICIENT DESIGN AND OPERATIONS WILL BE AN ESSENTIAL CONSIDERATION OF DEVELOPMENT. IN ADDITION TO ENERGY EFFICIENT LIGHTING, ENERGY EFFICIENCY AND SUSTAINABILITY CONSIDERATIONS WILL INCLUDE CLIMATE CONTROL, BUILDING ENVELOPE AND LANDSCAPING.

6. Project Work:

A. Has construction work on this project begun? **NO**. 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 INDUSTRIAL**

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: **NO; HOWEVER, A SPECIAL PERMIT HAS BEEN APPLIED FOR TO ALLOW FOR OUTDOOR OR OVERNIGHT PARKING OF REGISTERED VEHICLES AS AN ACCESSORY USE TO A PERMITTED PRINCIPAL USE.**

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: _____

ii. Construction/Renovation/Equipping: **JULY 1, 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 12 MONTHS FROM COMMENCEMENT OF CONSTRUCTION –APPROXIMATELY JULY 1, 2024.**

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>2,350,000.00</u>
Building(s) demolition/construction	\$ <u>9,845,000.00</u>
Building renovation	
Site Work	\$ <u>1,105,000.00</u>
Machinery and Equipment	
Legal Fees	
Architectural/Engineering Fees	\$ <u>245,000.00</u>
Financial Charges	\$ <u>900,000.00</u>
Other (Specify)[<u>CLOSING COSTS</u>]	\$ <u>75,000.00</u>
Total	\$ <u>14,520,000.00</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:	\$ _____	_____ years
B. Taxable bond financing:	\$ _____	_____ years
C. Conventional Mortgage:	\$ <u>11,616,000.00</u>	<u>20</u> years
D. SBA (504) or other governmental financing:	\$ _____	_____ years
E. Public Sources (include sum of all State and federal grants and tax credits):	\$ _____	_____ years
F. Other loans:	\$ _____	_____ years
G. Owner/User equity contribution:	\$ _____	_____ years
Total Project Costs	\$ _____	

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

NONE.

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):

\$11,616,000.00

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

\$87,120.00

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):

\$5,907,000.00

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

\$509,478.75

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

i. Owner: \$ _____

ii. User: \$ _____

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 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. ****

2. Salary and Fringe Benefits:

Category of Jobs to be Created	Average Salary	Average Fringe Benefits
Salary Wage Earners	<u>45,000.00</u>	<u>10,000.00</u>
Commission Wage Earners		
Hourly Wage Earners		
1099 and Contract Workers		

What is the annualized salary range of jobs to be created? 35,000.00 to 55,000.00

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

THE APPLICANT WOULD SEEK OPPORTUNITIES IN AREAS WHERE IT CAN MAKE A REASONABLE RETURN ON ITS INVESTMENT.

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?

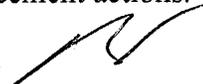
THE APPLICANT WOULD NOT CONSTRUCT THE PROJECT AND THE TOWN WOULD NOT RECEIVE THE DIRECT AND INDIRECT ECONOMIC BENEFITS OF JOB AND TAX CREATION. LOCAL COMPANIES THAT SERVE THE REGION WOULD NOT GAIN THE BENEFIT OF UP-TO-DATE FACILITIES FORM WHICH TO OPERATE THEIR BUSINESSES TO MOST EFFECTIVELY SERVE THE TOWN AND PUBLIC.

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

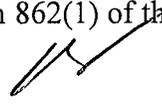
5. The Applicant understands and agrees that in accordance with Section 858-b(2) of the General Municipal Law, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the project will be listed with the New York State Department of Labor, 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

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  _____

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  _____

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  _____

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  _____

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 

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 

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 

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 

Part VIII – Submission of Materials

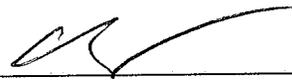
1. Financial statements for the last two fiscal years (unless included in the Applicant's annual report).
2. Applicant's annual reports (or 10-K's if publicly held) for the two most recent fiscal years.
3. Quarterly reports (form 10-Q's) and current reports (form 8-K's) since the most recent annual report, 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: _____

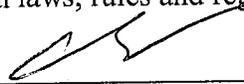
2. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New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

RON YAKUEL (Name of representative of entities submitting application) deposes and says that he is the **MANAGER** (title) of **SEPTEMBER MORNING, 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



Representative of Applicant

Sworn to me before this 4
Day of April, 2023


(seal)

EDWARD P ZEBROWSKI III
NOTARY PUBLIC-STATE OF NEW YORK
No. 01ZE6363166
Qualified In Suffolk County
My Commission Expires 08-14-2025

**** 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.

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 -	$\frac{3}{4}$ of one percent up to \$25 million total project cost and an additional $\frac{1}{4}$ 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) -	$\frac{1}{4}$ 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.



Office of the NEW YORK
STATE COMPTROLLER
NYS Comptroller Thomas P. DiNapoli

NEWS from the Office of the New York State Comptroller

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Contact: Press Office 518-474-4015

DiNapoli: Value of IDA Projects Grew 10% in 2021 to \$126 Billion Number of Projects Rose 1.5% to 4,324

April 11, 2023

New York's 107 local Industrial Development Authorities (IDAs) reported 4,324 active projects with an aggregate value of \$126 billion in 2021, a 10.4%, or \$11.9 billion, increase compared to 2020, according to a report released today by State Comptroller Thomas P. DiNapoli. The number of IDA projects increased by 1.5%.

"IDAs can play an important role in helping local economies and businesses expand. This report provides taxpayers with a look at the financial and project data reported by local IDAs so they can track their activities," DiNapoli said. "The tax breaks IDAs provide can impact local taxes so it's important to ensure these projects are creating or retaining the jobs and economic benefits they are supposed to. Publishing this information, including IDA costs, helps to increase their accountability."

Since 2011, the number of active IDA projects has remained relatively stable, but total project value has been increasing. Average project value over the period increased 76% from \$16.5 million per project in 2011 to

\$29.2 million in 2021. County IDAs were responsible for 61.2% of all active IDA projects in 2021, followed by towns (18.5%), cities (12.3%), New York City (7.4%), villages (0.5%), and city-town IDAs (0.1%).

The report summarizes data as reported by IDAs for fiscal year end 2021 through the Public Authorities Reporting Information System (PARIS) and is not independently verified by the State Comptroller's Office. While most IDAs operate on a calendar year basis, several, including the New York City IDA, do not.

DiNapoli's report found that:

- Tax exemptions for IDA projects totaled almost \$1.9 billion, an increase of \$134 million, or 7.7%, over 2020. The largest exemptions in any year are property tax exemptions, which totaled \$1.7 billion, or 89.1% of the total exemptions.
- Net tax benefits for IDA projects (reflecting total tax exemptions minus payments in lieu of taxes) totaled almost \$1.1 billion for the year, an increase of \$87 million (9%) from the previous year. This continues a longer-term trend of increasing net tax benefits.
- Project operators estimated that 221,287 jobs would be created during the life of their projects, with a median salary of \$40,000. This is 1.7% (3,942 jobs) lower than in 2020. Another 241,236 jobs were retained with a median salary of \$45,000.
- IDAs had total revenues of \$132 million, an increase of \$60 million from 2020. The New York City IDA had the largest revenues at \$14.6 million, \$12.3 million of which was attributed to the project finance fees from the refunding bond closings of Yankee Stadium LLC and Queens Ballpark Co. LLC (Citi Field).
- Total IDA expenses in 2021 were \$79.3 million, down \$5.4 million from 2020. The largest operating expense category for IDAs was professional service contracts for accounting, legal, or marketing services (\$21.7 million, or 27%, of the total). Erie County IDA had the highest expenses (\$9 million), followed by New York City IDA (\$6.8 million), and Genesee County IDA (\$5.9 million).
- IDAs reported 359 new projects in 2021, led by Finger Lakes region IDAs, which reported 80 new projects with a combined project value of \$1.9 billion, followed by Long Island IDAs with 69 new projects with a combined project value of nearly \$2.8 billion.
- The number of "clean energy" projects, increased from 25 to 85. Some of the increase is a result of the election by some IDAs to reclassify existing projects, but 34 of the 60 new clean energy projects were approved in 2021. North Country IDAs reported 30 clean energy projects in 2021, far outpacing other regions. In addition, Western New York IDAs reported 18 such projects and Southern Tier IDAs reported 14.

- Legislation enacted in 2020 temporarily authorized IDAs to provide loans and grants to small businesses and not-for-profit corporations during the COVID-19 State disaster emergency. Erie County IDA, which established a COVID-19 Emergency Grant Program in July 2020, was responsible for \$5.8 million (68.1%) of all reported grants and donations in 2021.

Three IDAs – Town of Concord IDA, Town of Corinth IDA and City of Mount Vernon IDA – did not submit their data in time for this report. The report also contains information on Local Development Corporations, a related type of local authority.

DiNapoli’s office examines IDA costs and outcomes in several ways, including performing audits of the operations of individual IDAs, providing training to IDA officials on various topics, and encouraging improvements in IDA procedures and reporting.

Annual Report

Performance of Industrial Development Agencies in New York State

IDA Data by Region

Office of the New York State Comptroller - 2021 IDA Data by Region

Track state and local government spending at Open Book New York. Under State Comptroller DiNapoli’s open data initiative, search millions of state and local government financial records, track state contracts, and find commonly requested data.

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Eversource eyes 'exit' from offshore wind projects affecting Long Island

By Mark Harrington May 15, 2023

Eversource, a 50-50 partner in at least two offshore wind projects destined for Long Island, said it expects to announce a “clean exit” from its interests in the business by the end of June.

Eversource’s chairman and chief executive Joe Nolan, on a conference call with Wall Street analysts, said the company has a shortlist of two parties to buy its interest in three contracted offshore projects it owns with partner Orsted of Denmark, and 175,000 acres of uncommitted wind-lease areas off the New England coast.

The projects include South Fork Wind, a 130-megawatt project with energy set to make land at Wainscott later this year, and Sunrise Wind, a 924-megawatt project with a 17-mile cable set to make land at Smith Point in 2025. Eversource is also a partner in Revolution Wind, a project slated for the New England grid. They have also proposed Sunrise II and Revolution II projects.

Nolan declined to name the parties expected to buy its offshore wind interests or disclose a potential price, other than to say, “I think that at the end of the day it will be a very good outcome for Eversource and Eversource’s shareholders,” according to a [transcript](#) on financial website, Seeking Alpha.

Eversource, a New England electric utility with a long expertise in land-based transmission work, brought that expertise to bear in the planning and build-out of the South Fork project, and planning for Sunrise.

In both cases, Eversource helped the partnership overcome the sometimes acrimonious opposition that can swell around such projects, while helping to meet construction milestones.

South Fork Wind on Monday announced that it had completed the onshore construction work for the 4.1-mile land cable, which had been beset by years of complaints and lawsuits by neighbors who worried about its impacts. Most

of the work was done by the Haugland Group, a Melville-based construction firm, with project management by Burns & McDonnell, a longtime Eversource partner.

Earlier this month, Haugland announced it had also won the \$200 million-plus contract to construct the 17-mile Sunrise Wind land-based cable and infrastructure.

Haugland chief executive Billy Haugland said he expects any potential Eversource asset sale to be "invisible" from his company's perspective.

"It's our expectation that Eversource will still see the [South Fork and Sunrise] projects through to completion and remains steadfast in its commitment toward Long Islanders and our green-energy future," he wrote in a text.

An Eversource statement cautioned a "final decision on whether to divest has not been reached," but that appeared to be news to Nolan.

Asked by analysts if there was any possibility of Eversource retaining even a portion of the wind-farm assets, Nolan said, "No ... It's not a strong possibility. We see a path for a clean exit from this. So that's not, that's definitely not the case."

After the divestiture, Eversource is expected to continue to play a role in the interconnection of offshore wind throughout the New England region, Nolan said.

ISLAND'S IDAs TOP STATE JOB CREATORS

43,900 new posts from tax breaks, comptroller says

BY JAMES T. MADORE
james.madore@newsday.com

Long Island ranks No. 1 among the state's 10 regions in the number of jobs created by industrial development agencies, according to a new report.

The office of state Comptroller Thomas P. DiNapoli found 43,923 people had been added to local payrolls as of Dec. 31, 2021, by expanding businesses, housing developments and other projects that were awarded tax breaks by the Island's eight IDAs in recent years. That's one-quarter of the 177,164 jobs created statewide by IDA projects.

The ranking represents a return to the norm for Long Island. The region placed first in job creation in the state for five consecutive years before being displaced by New York City in 2020.

Among local IDAs, projects supported by the Suffolk County IDA hired the most people, 13,660, followed by Nassau County IDA projects with 11,724. The two trailed only the New York City IDA in the number of jobs created across the state.

The comptroller calculated the "net jobs gained" at each project by comparing its 2021 employment with that for the year before the project received IDA aid. Data for 2022 will be published next year.

DiNapoli's annual IDA report card looked at hiring that took place over multiple years because the state's 107 active IDAs confer tax breaks for 10, 15, 20, and in a few instances, 40 years. The duration of the aid depends on the project's size and the number of jobs to be created and retained. Companies failing to keep employment promises can have tax breaks rescinded.

"The tax breaks IDAs provide can impact local taxes, so it's important to ensure these projects are creating or retaining the jobs and economic benefits they are supposed to," DiNapoli said last week.

On Long Island, the Suffolk IDA's 142 projects received the least amount of tax incentives per new job, \$1,149, while the



A \$410 million warehouse project to be built in Yaphank is projected to generate nearly 1,100 jobs. Above, a view of the site in 2014.

WHAT TO KNOW

- **Projects receiving tax breaks** from Long Island's eight industrial development agencies had created 43,923 jobs as of Dec. 31, 2021, the most in New York State.
- **The projects, as a group, saved \$224 million** on taxes in 2021, or \$77 per Long Island resident, state Comptroller Thomas P. DiNapoli found.
- **The largest project** to win tax breaks in 2021 is a proposed warehouse complex in Yaphank that was aided by the Brookhaven Town IDA.

Glen Cove IDA's 14 projects had the highest, \$50,000 per job, according to a Newsday analysis of the report card's data.

885 LI projects in 2021

Islandwide, the 2021 tax savings received by 855 projects totaled \$224 million off their property, sales and mortgage recording taxes. That's the highest among the state's 10 regions. It also translates to \$5,097 in tax breaks per job gained and \$77 per Long Island resident.

"Long Island's IDAs have all played a role in growing our economy by assisting businesses who then provide the additional job opportunities for residents," said Anthony J. Catapano, executive director of the Suffolk IDA.

Richard Kessel, Nassau IDA chairman, agreed, adding that his IDA and others have been aiding more housing developments in recent years, many of which include some affordable units.

"Two out of every three projects that come to us are housing projects, which is completely opposite from what it was 10 years ago," he said, adding that IDAs should also be judged on the number of housing units created, not only the number of jobs created.

In Glen Cove, Ann S. Fangmann, executive director of the city's IDA, said it "has a higher proportion of residential projects than most other IDAs and these projects produce fewer jobs per dollar of benefit." Glen Cove IDA projects had created 268 jobs as of the end of 2021.

She said the Garvies Point and Village Square housing projects in the city's downtown "will spur spinoff economic development that does not show up in the state-generated statistics but

is nonetheless part of the IDA's mission."

The report card consists of data from all active IDA projects, whether they've been receiving tax savings for many years or just one year.

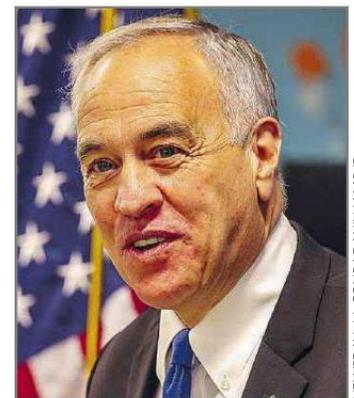
Long Island ranked No. 2 behind the Rochester/Finger Lakes region in the number of new projects approved for IDA tax incentives in 2021.

Brookhaven: 6,500 new jobs

Islandwide, 69 projects with a total value of nearly \$2.8 billion were awarded aid. More than 20 projects are in Brookhaven Town, and as a group, are expected to create about 6,500 jobs, according to Lisa M.G. Mulligan, Brookhaven IDA CEO.

The largest project is a \$410 million warehouse development at the Brookhaven Rail Terminal on Sills Road in Yaphank. North Point Development of Kansas City and Winters Bros. Waste Systems in West Babylon are proposing to build 2.5 million square feet over four buildings. Nearly 1,100 people are expected to work in the warehouses, the report states.

The project received 15 years of tax breaks, totaling \$73.5 million, from the Brookhaven IDA in December 2021, according to IDA records.



New York State Comptroller Thomas P. DiNapoli

COST OF JOB CREATION

IDA tax breaks given per job created as of Dec. 31, 2021

- Glen Cove IDA:** \$50,000
- Hempstead Town IDA:** \$23,106
- Islip Town IDA:** \$9,979
- Nassau County IDA:** \$6,508
- Brookhaven Town IDA:** \$4,061
- Riverhead Town IDA:** \$3,250
- Babylon Town IDA:** \$2,427
- Suffolk County IDA:** \$1,149

SOURCE: 2023 REPORT ON IDAs BY NEW YORK STATE COMPTROLLER'S OFFICE



New York State Comptroller
THOMAS P. DiNAPOLI

Performance of Industrial Development Agencies in New York State

2023 Annual Report

(Data for Fiscal Year Ending 2021)

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Introduction

Since 1969, Industrial Development Agencies (IDAs) have supported economic development in New York State. Local governments establish IDAs, a type of public benefit corporation under State law, to encourage local economic development projects by offering financial incentives to private companies with the goal of increasing job opportunities and overall economic welfare in the area. In 2021, there were 107 active IDAs, including 56 county IDAs, 1 IDA for New York City, and 50 IDAs for other cities, towns and villages.

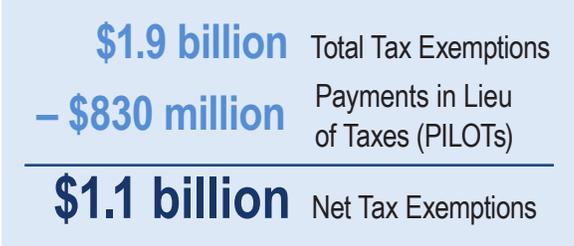
In general, IDA projects are eligible for exemptions from property taxes, mortgage recording taxes, and sales taxes on some purchases. They may also be eligible for tax-exempt financing through the IDA, although these arrangements have become less common in recent years.

IDAs generally fund their operations by charging fees to the businesses that are receiving their financial assistance. They do not impose taxes themselves. However, the tax exemptions they grant to their projects can reduce the tax base of local governments and school districts. This does not necessarily reduce the revenue received by these local entities, but it may result in increases to taxpayer's bills. Therefore, it is vital that New Yorkers are aware of these costs along with the benefits realized by these authorities.

2021 IDAs BY THE NUMBERS



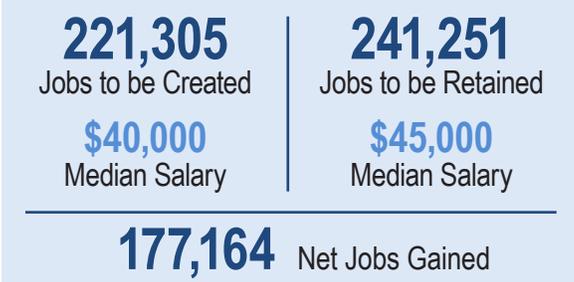
NET TAX EXEMPTIONS



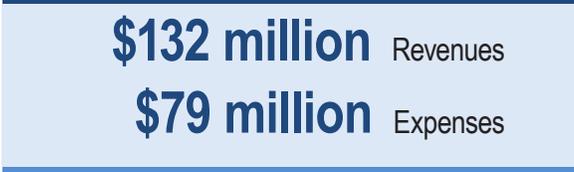
IDA CONDUIT DEBT



JOBS DATA



IDA FINANCES



This report summarizes data as reported by IDAs for local authority fiscal years ending 2021 (referred to throughout this report as “2021”) in the Public Authorities Reporting Information System (PARIS). Most IDAs operate on a calendar year basis, but several, notably including the New York City IDA, do not.¹ The data summarized in this report is not independently verified by the Office of the State Comptroller (OSC).² Three IDAs did not submit their data in time for this report.³ This report also contains information on Local Development Corporations (LDCs), a related type of local authority.

A more detailed statewide and regional view of the IDA data can be found on OSC’s website at <https://www1.osc.state.ny.us/localgov/ida/ida-data-by-region.cfm>.

OSC also furthers the goal of achieving transparency about IDA costs and accountability for IDA outcomes in several other ways, including:

- Publishing all financial and project data reported by IDAs on its *Financial Data for Local Governments* web portal;
- Performing audits of the operations of individual IDAs; and
- Supporting legislation that seeks to improve IDA procedures and reporting.

IDA Data for 2021

Number and Value of Projects

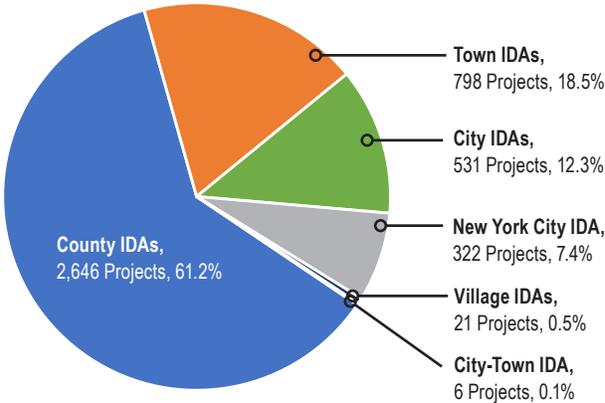
IDAs typically provide incentives for an economic development project by entering into an agreement with the business that will be operating the project. As part of this agreement, the project operator transfers the title of the relevant property to the IDA. Since IDAs are tax-exempt and have access to the municipal bond market, they can confer these benefits to their projects. The IDA then leases back the property to the operator for the duration of the project. At the conclusion of the project, title reverts back to the operator.

In 2021, New York’s 107 IDAs reported 4,324 active projects with an aggregate project value (the total value of the projects’ property and improvements) of \$126 billion. (See Figure 1.) This was a 10.4 percent, or \$11.9 billion, increase in project values compared to 2020; the number of IDA projects also increased by 1.5 percent (62 projects).

Figure 2 shows the trend in all three elements – number of projects, total value of all projects and average value per project – indexing each to their 2011 value. As this illustrates, since 2011, the number of IDA projects has remained relatively stable (increasing slightly in some years, decreasing in others, as old projects end and new ones start), but total project value has been increasing steadily. Average project value over the decade increased 76 percent, from \$16.5 million per project in 2011 to \$29.2 million per project in 2021. One reason for this may be the overall increase in value of commercial property which, in turn, affects projects.

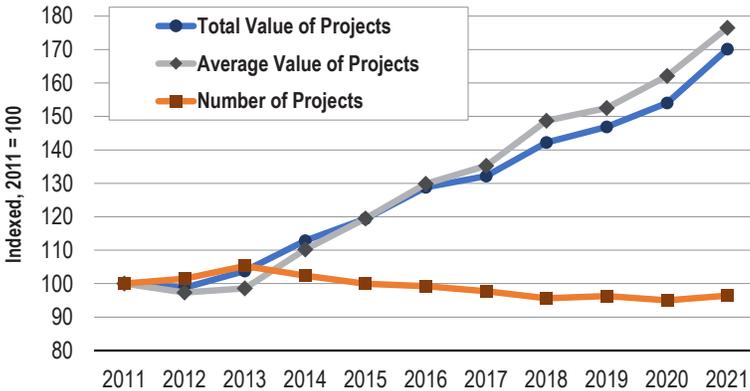
FIGURE 1
Number of IDA Projects by Local Government Class, 2021

4,324 Total Active Projects



Source: Office of the State Comptroller (OSC), Public Authorities Reporting Information System (PARIS).

FIGURE 2
Trend in Total Value, Average Value, and Number of Projects, 2011-2021

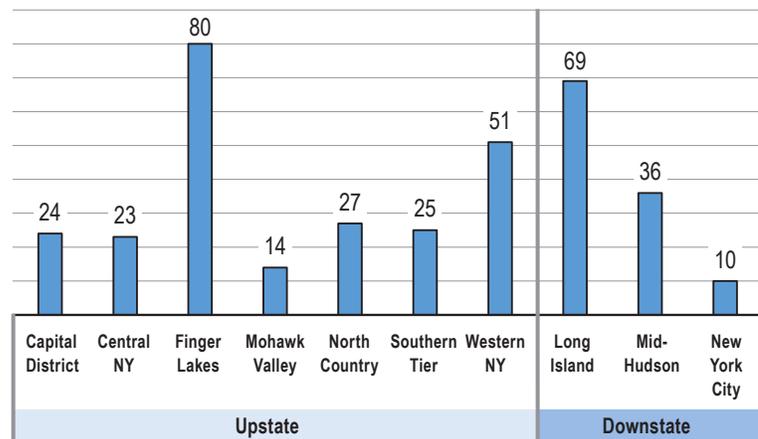


Source: OSC, PARIS.

New IDA Projects

IDAs reported 359 new projects in 2021.⁴ The Finger Lakes region IDAs reported 80 new projects, more than any other region, with a combined project value of \$1.9 billion. (See Figure 3.) Most of these – 54 – were Monroe County IDA projects, 25 of which were short-term (less than three year) “tax exemption” projects granting only sales or mortgage recording tax benefits to assist with large capital purchases. (See the Tax Exemptions section on page 6 for more information on these types of projects.)

FIGURE 3
Count of New Projects, by Region, 2021



Source: OSC and PARIS.

Note: Projects were counted as being new projects if the project code was not included in the FYE 2020 report and had a project approved date within 2021.

IDAs on Long Island reported 69 new projects, with a combined total project value of nearly \$2.8 billion. This region has several large, active IDAs, including the Town of Brookhaven IDA, which reported 21 new projects with a combined total project value of almost \$1.4 billion. This was both the largest number of new projects in the region and the most that the IDA has approved in several years. The Nassau County, Suffolk County and Town of Islip IDAs are very active as well.

In contrast, New York City’s single IDA only approved 10 new projects in 2021, two of which were actually refunding bonds used to finance existing projects (see page 15). Although the NYC IDA used to approve more projects annually – peaking at 37 in calendar year 1999 – 10 projects is more consistent with its performance over the past decade.⁵

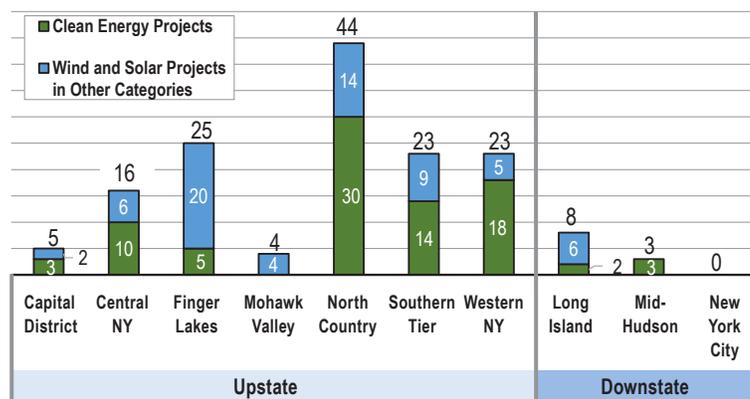
Clean Energy Projects

In 2021, there was a major increase in the number of “clean energy” projects, increasing from 25 to 85. PARIS (the reporting system used by IDAs) introduced this new category in 2020, and some of the increase is a result of the election by some IDAs to reclassify existing projects. Even so, 34 of the 60 additional clean energy projects were newly approved in 2021, indicating true growth in these types of projects.⁶

To get a better sense of the number of clean energy projects, Figure 4 adds in 68 projects in other categories that were approved before 2020 that included either “wind” or “solar” in their project names, for a total of 151. (See Appendix C for a listing of all clean energy projects used in analysis.)

Beginning in 2020, PARIS was updated with a new project purpose category of Clean Energy to give IDAs the ability to better classify projects. Before 2020, clean energy projects were mostly reported in the project purpose category of Transportation, Communication, Electric, Gas and Sanitary Services.

FIGURE 4
Count of Clean Energy Projects and Projects with Wind or Solar in the Title, by Region, 2021



Source: OSC and PARIS.

Looking only at officially classified “clean energy” projects, North Country IDAs reported 30 such projects in 2021, far outpacing other regions. In addition, Western New York IDAs reported 18 such projects and Southern Tier IDAs reported 14. When including projects with “wind” or “solar” in the name as well, North Country IDAs had 44 in total, and the number reported by IDAs in the Finger Lakes jumped to 25.

Most of these projects (no matter how categorized) were approved recently. Although 7 have been in place since 2007 (the oldest in the group), 133 (88 percent of the total) started in 2017 or later, with 52 projects approved in 2020 alone.

These illustrate how different projects may have different goals and may benefit their respective communities in ways other than creating jobs, such as energy generation or helping achieve the State’s carbon reduction goals.⁷ The New York State Economic Development Council (EDC) released a report in 2021 in which they discussed survey responses from 60 IDAs.⁸ The report stated that 31 percent of responding IDAs had approved projects they described as being “clean energy projects” (regardless of the PARIS category used to report them), for a total of 68 such projects statewide. They estimated that these projects produced a total of 870 megawatts of power in 2020 – enough to power 720,000 homes.

Tax Exemptions

A common way for IDAs to provide financial assistance is by entering into a “straight lease” transaction, in which the IDA takes title to land, improvements or real property, thereby making it exempt from certain taxes, and then leases it back to a private entity developer for a nominal fee. As a condition of the financial assistance (the tax exemption), an IDA typically negotiates a payment in lieu of taxes (PILOT agreement). Under a PILOT agreement, the private entity agrees to pay an amount equal to the amount of all or a portion of the real property or other taxes that would have otherwise been levied by or on behalf of affected taxing jurisdictions if the project was not tax exempt by reason of IDA involvement.

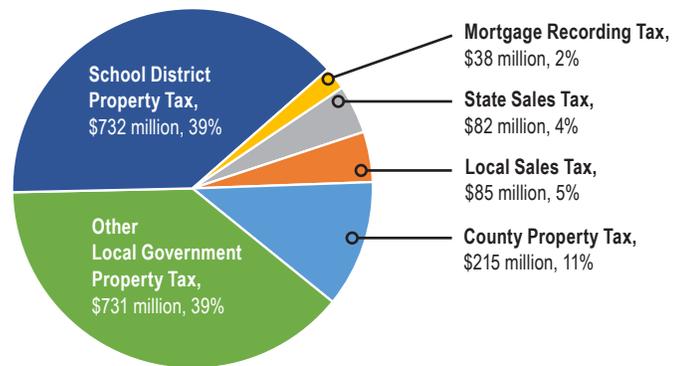
An IDA may also confer sales tax exemption benefits to a private entity developer, such that purchases by the developer to build or equip an IDA project would be exempt from sales tax.

In 2021, tax exemptions for IDA projects totaled almost \$1.9 billion, an increase of \$134 million, or 7.7 percent, over 2020. Figure 5 shows a breakdown of total exemptions by government class and type of tax. By far the largest exemptions in any year are property tax exemptions, which totaled \$1.7 billion, or 89.1 percent of the total exemptions for 2021. These include county, school and “other” property taxes. This “other” category is made up of city, town, and village property tax exemptions and includes \$216 million in real property tax exemptions granted by New York City, which notably includes taxes for both municipal and school functions.⁹

Almost \$830 million collected through PILOT agreements has been used to partially offset tax exemptions. Although this amount increased by \$48 million over 2020, the 6.1 percent increase was not as high as the rise in total exemptions.

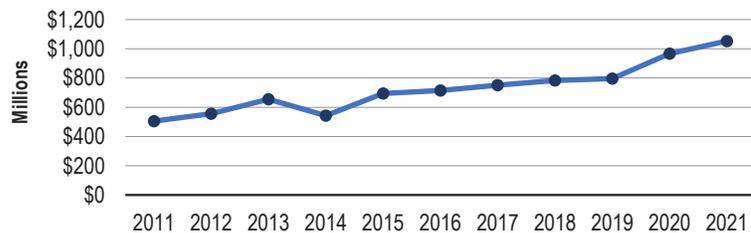
The resulting net tax exemptions (including all types of tax exemptions less PILOTs) totaled almost \$1.1 billion for the year, an increase of \$87 million (9 percent) from 2020. This continues a longer-term trend of increasing net tax exemptions, although it was a smaller increase than noted from 2019 to 2020 (21 percent).¹⁰ (See Figure 6.)

FIGURE 5
Total Tax Exemptions by Class of Taxing Jurisdiction and Type of Tax, 2021



Source: OSC and PARIS.

FIGURE 6
Net Tax Exemptions, 2011-2021



Source: OSC, PARIS.

Tax Exemptions by Project Purpose

IDAs must identify the primary purpose of each project they report in PARIS. Figure 7 shows the number of projects they reported in each category in 2021, the total net exemptions for those projects and the total net exemption by project for that category.

Manufacturing accounted for the highest number, representing nearly a quarter of all IDA projects. However, these had a relatively low net tax exemption per project (\$92,409). This is largely because they tend to have lower-than-average gross tax exemptions, but may also be because many of these projects are nearing completion. PILOT agreements are often structured so that the payments increase over time and are close to or at the full amount of the tax exemption by the planned end date, and therefore a project near that date would have low net tax exemptions.

Civic facilities projects had the lowest net exemptions per project for the same reason, since the provision authorizing IDAs to finance civic facilities expired on July 1, 2006. Thus, even the newest of these projects was at least 15 years old in 2021.¹¹ Even so, civic facilities projects can have very long project lives (2030 is the median planned end-year for civic facilities projects reported in 2021).

FIGURE 7

Net Tax Exemptions by Project Purpose Category, 2021

Project Purpose Category	Number of Projects	Total Net Exemptions	Net Exemptions Per Project
Agriculture, Forestry and Fishing	22	\$2,185,855	\$99,357
Civic Facility	144	\$7,491,003	\$52,021
Clean Energy	85	\$26,122,770	\$307,327
Construction	535	\$139,899,168	\$261,494
Continuing Care Retirement Communities	26	\$5,893,743	\$226,682
Finance, Insurance and Real Estate	531	\$229,010,426	\$431,281
Manufacturing	1,064	\$98,322,743	\$92,409
Other Categories	573	\$158,398,554	\$276,437
Retail Trade	185	\$37,101,234	\$200,547
Services	689	\$155,886,816	\$226,251
Transportation, Communication, Electric, Gas and Sanitary Services	226	\$132,734,639	\$587,321
Wholesale Trade	244	\$59,751,168	\$244,882
Grand Total	4,324	\$1,052,798,119	\$243,478

Source: OSC and PARIS.

In contrast, projects classified as “transportation, communication, electric, gas and sanitary services” had the highest average net tax exemption per project at \$587,321. This was mostly due to three very large projects, which together received nearly \$64 million in net tax exemptions, or 48.1 percent of this category.¹²

Clean energy projects also had some of the highest net exemptions per project, likely due to the fact that this category is relatively new. These are also somewhat unique among IDA projects, since land improvements due to wind and solar farms may be exempt from local property taxes at the option of the local government, even without IDA involvement. However, local governments may choose instead to grant exemptions on a case-by-case basis through the IDA to negotiate PILOTs. In some cases, these PILOT payments, while considerably lower than the exemption granted, are large enough to reduce or eliminate the need for property taxes in some rural communities.¹³

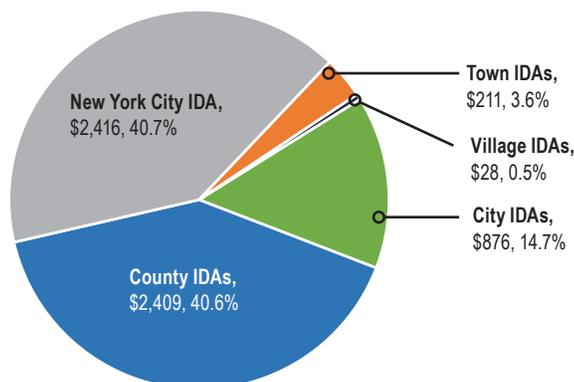
Conduit Debt

IDAs may issue bonds on behalf of a project operator to help finance project costs, although the project operator is responsible for repayment of this debt. Although the initial issuance amount of each bond is reported by project, the amount of outstanding conduit debt in any given year is reported only on the IDA level.

In 2021, IDAs reported \$5.9 billion in outstanding conduit debt. The New York City IDA accounted for nearly 41 percent of this total, with almost \$1.5 billion of the balance for the Queens Ballpark Company LLC (Citi Field) and Yankee Stadium LLC projects. County and city IDAs together reported another 55 percent of the outstanding IDA conduit debt. (See Figure 8.)

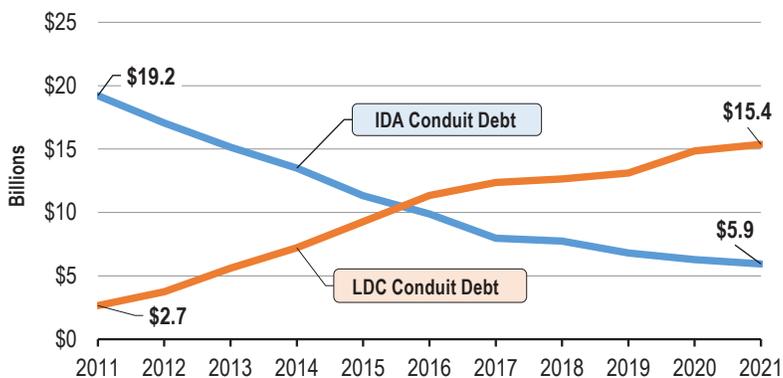
IDA conduit debt has been declining over the past several years, falling 69 percent from \$19.2 billion in 2011. Interestingly, total conduit debt issued by another type of local authority, Local Development Corporations (LDCs), has grown over 479 percent during that same time frame. LDCs can issue debt for many of the same purposes as IDAs, as well as for purposes for which IDAs cannot issue debt, such as civic facilities.¹⁴ (For more on LDCs, see page 17.) IDA and LDC conduit debt combined declined from \$21.9 billion in 2011 to \$21.3 billion in 2021, or 2.5 percent. (See Figure 9.)

FIGURE 8
Conduit Debt Outstanding, by Class, 2021 (millions)



Source: OSC and PARIS.

FIGURE 9
IDA and LDC Conduit Debt Outstanding, 2011 - 2021



Source: OSC, PARIS.

Jobs

The standard metric for evaluating IDA performance is whether projects are increasing employment opportunities in their communities. Project operators are required to estimate jobs to be created or retained when applying for assistance, and then to track the net jobs created during each year of the project.

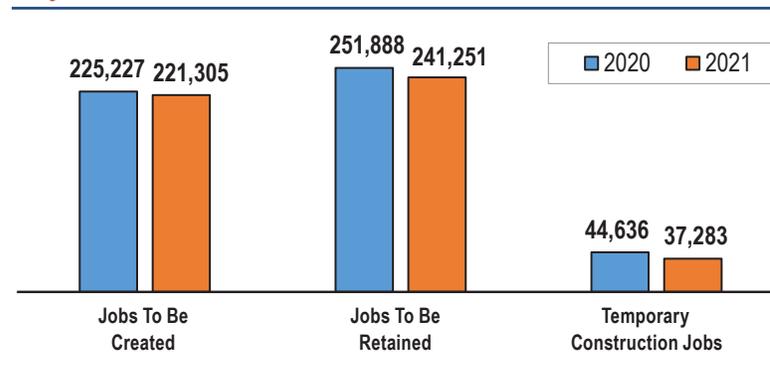
For all projects active in 2021, project operators estimated that 221,305 jobs would be created during the life of their projects, with a median salary of \$40,000. This is 1.7 percent (3,922 jobs) lower than in 2020.

Jobs to be retained and temporary construction jobs also decreased slightly. Project operators estimated that 241,251 previously existing jobs would be retained, with a median salary of \$45,000, a decline of 4.2 percent (10,637 jobs) over 2020. Temporary construction jobs decreased 16.5 percent (7,353 jobs). (See Figure 10.)

To track net jobs gained, project operators must report the total number of employees they have at the beginning of their projects and for every year thereafter (excluding temporary construction jobs) until the project ends. PARIS then calculates the difference as of the report year; thus the aggregate contains amounts for projects in all stages of their existence, from first to final year. In 2021, IDA projects reported a total of 177,164 net jobs gained, with 62 percent of all IDA projects reporting net job gains. (All initial and current jobs reported are full-time equivalents.)

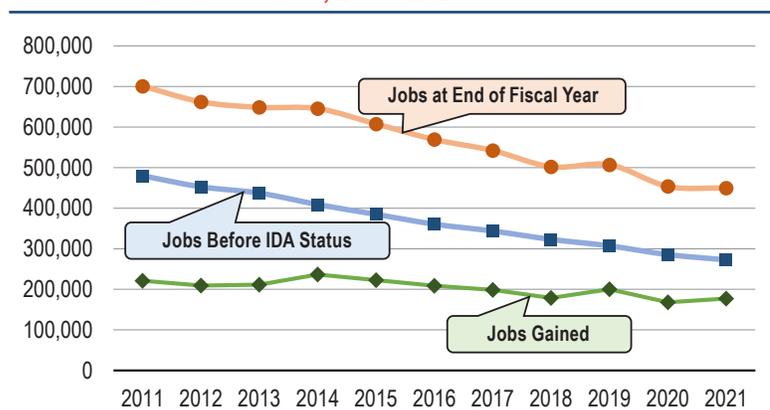
This was an increase of 5.5 percent from 2020, although it was 20 percent lower than a decade ago. Interestingly, both the total number of jobs at the start of the projects and the total number of jobs reported at the end of the year have been declining – by 43 percent and 36 percent, respectively – over the past decade. (See Figure 11.)

FIGURE 10
Estimated Jobs to be Created or Retained Over the Life of Active Projects, 2020 and 2021



Source: OSC and PARIS.

FIGURE 11
Net Jobs Gained Over Time, 2011 - 2021



Source: OSC, PARIS.

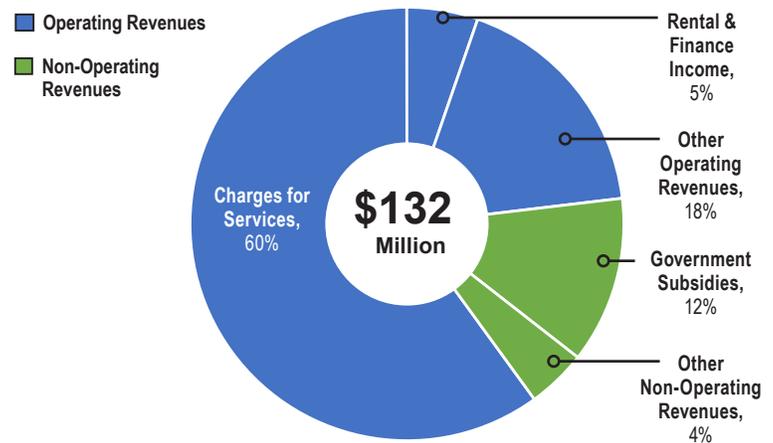
IDA Finances

As noted earlier, IDAs pay for their administrative expenses primarily by charging project fees for their services. Charges for services represent the primary revenue source generated by the IDA; however, IDAs also collect rent on properties they own and may receive subsidies and grants from other governments. (See Figure 12.)

In 2021, IDAs had total revenues of \$132 million, an increase of \$60 million from 2020. The New York City IDA had the largest revenues, at \$14.6 million, \$12.3 million of which was attributed to the project finance fees recognized from the refunding bond closings of Yankee Stadium, LLC and Queens Ballpark Company, LLC.¹⁵ The Genesee County IDA reported \$13.6 million in revenues, with grant income increasing from \$4.2 million in 2020 to \$7.6 million in 2021, with another \$2.9 million for the Plug Power project origination fee.¹⁶

Total IDA expenses in 2021 were \$79.3 million, down \$5.4 million from 2020. (See Figure 13.) The largest operating expense category for IDAs was professional service contracts, such as for accounting, legal, or marketing services (\$21.7 million or 27 percent of the total). The Erie County IDA had the highest expenses (\$9 million), followed by the New York City IDA (\$6.8 million) and the Genesee County IDA (\$5.9 million).

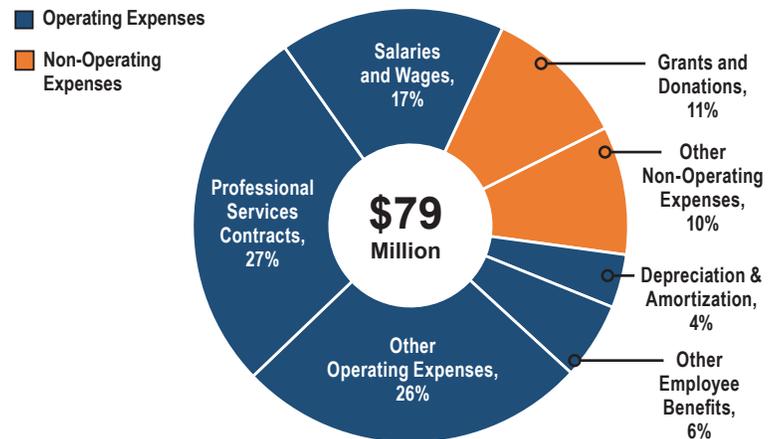
FIGURE 12
Revenues by Source, 2021



Source: OSC and PARIS.

Note: Other nonoperating revenues includes investment earnings.

FIGURE 13
Expenses by Item, 2021



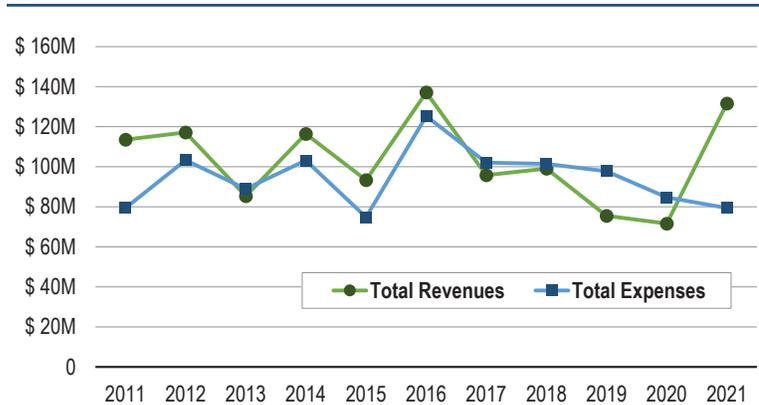
Source: OSC, PARIS

Legislation enacted in 2020 temporarily authorized IDAs to provide loans and grants to small businesses and not-for-profit corporations during the COVID-19 State disaster emergency.¹⁷ This law initially took effect on June 17, 2020 and expired on December 31, 2022. Fiscal year 2021 was the first full year with this authorization in place and grants and donations increased from \$3.9 million to \$8.4 million from 2020 to 2021 (a 117 percent increase). However, the activity in this area appears to have been limited as only 17 of the IDAs which certified annual reports for 2021 recorded an expense in the grants and donations expense category. Erie County IDA, which established a COVID-19 Emergency Grant Program in July 2020, was responsible for \$5.8 million (68.1 percent) of all reported grants and donations in 2021.

IDA finances can fluctuate greatly from year to year, since their primary revenue source – charges for services – is dependent on new projects started each year. (See Figure 14.) Further, projects tend to vary in size and type.

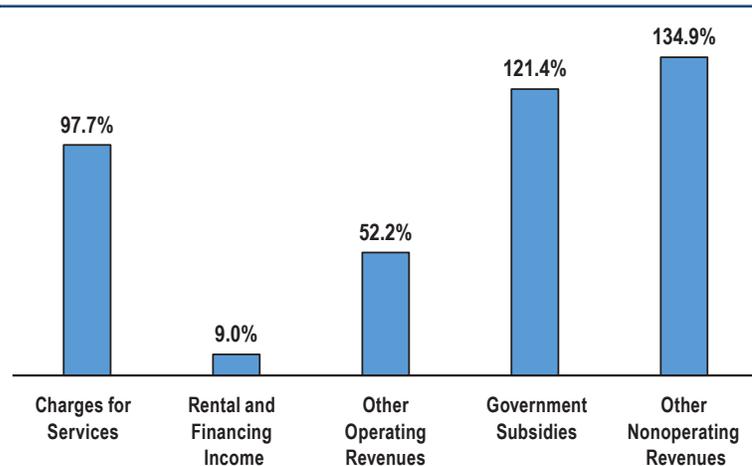
Fiscal year 2021 saw the biggest gap between revenues and expenses in this 10-year trend, with revenues exceeding expenses by \$52.2 million. All categories of revenues increased from 2020 to 2021, with charges for services nearly doubling, and other significant revenue sources – government subsidies (within these, federal subsidies/grants grew 202 percent) and other nonoperating revenues – growing even faster. (See Figure 15.)

FIGURE 14
IDA Revenues and Expenses Trend, 2011 - 2021



Source: OSC and PARIS.

FIGURE 15
Percentage Change in Revenue Categories, 2020 and 2021



Source: OSC and PARIS.

Note: Other nonoperating revenues includes investment earnings.

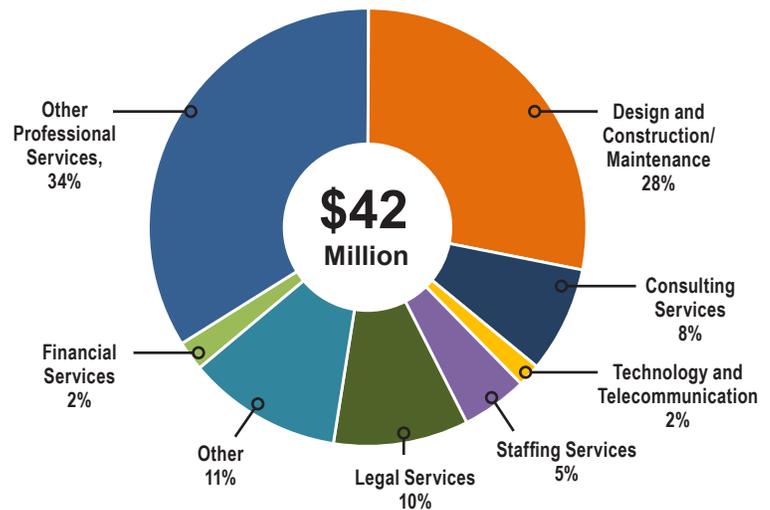
Procurement Contracts

In addition to summary level financial information, IDAs must also report procurement contracts, which the Public Authority Law defines as “any written agreement for the purchase of goods or services in the actual or estimated amount of \$5,000 or more.”¹⁸

As shown in Figure 16, IDAs reported that \$42 million was spent on procurement contracts in 2021.

“Other professional services” accounted for 34 percent (\$14.4 million) of the total. This category included contracts for services such as insurance, advertising and marketing. Some IDAs used this category to report contracts with their sponsoring local government to provide staffing. The largest single procurement contract in 2021 was one of this type: \$4.4 million between the New York City IDA and the New York City Economic Development Council to provide the IDA with all the professional, administrative and technical assistance the IDA needs to accomplish its objectives.

FIGURE 16
IDA Procurement Contracts by Procurement Type, 2021



Source: OSC, PARIS.

Design and construction/maintenance made up 28 percent (\$11.9 million) of IDA procurement transactions. This service is often needed when IDAs obtain land or buildings that they wish to develop in order to attract certain types of economic activity. One example – the Genesee County IDA’s \$3.1 million cost reimbursement agreement with National Grid regarding a power line re-route to accommodate the Western New York Science & Technology Advanced Manufacturing Park project – was the second largest procurement contract of any kind in 2021.

IDA Audits

OSC published six IDA audits during 2022. The summaries below reflect the findings of a selection of those that were published since OSC's last IDA report.

Three recent IDA audits found significant deficiencies in project approval and monitoring practices:

- **Chenango County Industrial Development Agency** (8 active projects; \$195 million total project value in 2021). The IDA's Board of Directors did evaluate projects prior to approval but did not adequately establish and document its evaluation and approval process. The Board also did not properly monitor the performance of businesses receiving financial benefits. The Board did not adopt required uniform project evaluation or selection criteria to assess project applications, develop required cost-benefit analysis for each project evaluated and approved, track and monitor project investments, verify businesses were meeting job creation or retention goals, track and monitor sales and mortgage recording tax exemptions, or track and monitor PILOTs.¹⁹ (Southern Tier)
- **Herkimer County Industrial Development Agency** (22 active projects; \$381 million total project value in 2021). The Board did not properly approve and monitor projects by verifying applicants' project information or completing cost-benefit analyses before approving projects. The Board also did not obtain information to monitor capital investments and salaries, have an adequate process to verify job creation or retention, or adequately monitor sales tax exemptions claimed by project operators.²⁰ (Mohawk Valley)
- **City of Poughkeepsie Industrial Development Agency** (12 active projects; \$212 million total project value in 2021). The Board did not properly evaluate, approve and monitor projects that received financial benefits. The Board also could not verify the self-reported and calculated revenues of two projects upon which PILOTs were based, and IDA officials did not ensure projects were assessed late payment penalties totaling \$30,676.²¹ (Mid-Hudson)

Another recent audit report identified problems with an IDA's claims auditing:

- **Herkimer County Industrial Development Agency** (22 active projects; \$381 million total project value in 2021). 100 claims totaling \$846,279 were reviewed and found to be for appropriate purposes and generally supported by adequate invoices and/or documentation. However, none of the claims were independently reviewed and approved prior to payment. The Board did not appoint someone to audit claims and did not develop and adopt written policies to communicate the expectations for the claims audit process. Instead, the Secretary of the Board reviewed the claims and did so anywhere from 1 to 146 days after the payments were made.²² (Mohawk Valley)

New IDA Projects of Interest Around the State

- **New York City IDA** had the two largest new IDA projects in 2021 by project value, both of which were refundings of bonds used to finance existing projects:
 - The Yankee Stadium LLC project (\$927 million) – the IDA issued bonds to refinance the existing conduit debt for a project which was originally approved on August 22, 2006. In 2021, the project received \$25,298 in sales tax exemptions and more than \$21 million in net local property tax exemptions. The new project is planned to end in 2049 (the original project was planned to end in 2047).
 - The Queens Ballpark Company, LLC (\$552 million) – the IDA also issued bonds to refinance an existing project that was originally approved on August 22, 2006. In 2021, the project received \$126,132 in sales tax exemptions and \$48.1 million in net local property tax exemptions. The project end date remains set for 2046.
- **Cattaraugus County IDA's** Great Lakes Cheese project – the largest economic development project in Cattaraugus County history, according to a press release issued by Governor Hochul – will be building “a new state-of-the-art manufacturing and packaging plant in Franklinville and Farmersville.”²³ Since construction on the project – approved September 2021 – did not begin until April 2022, it reported receiving no net tax exemptions and having no current full-time-equivalent employees in 2021. (Western New York)
- **Monroe County IDA's** USRE Manitou LLC project shares the same project location address as another new IDA project for Monroe IDA (Amazon.com Services LLC). Combined, these two projects have a total project value of \$412 million. The USRE Manitou LLC project also had \$10.7 million in net tax exemptions, with \$8.7 million of sales tax exemptions and \$2 million in mortgage recording tax exemptions. The project will be a more than 2 million square-foot warehouse and distribution center in the town of Gates.²⁴ The project is under construction and reported 2,100 temporary construction jobs in 2021. The project was approved on January 19, 2021 and financial assistance is anticipated to end in 2037. (Finger Lakes)
- **Broome County IDA's** Bluestone Wind, LLC had net exemptions of \$6.2 million: \$4.2 million in sales tax and \$2 million in mortgage recording tax. Once construction is completed, the project is expected to produce enough energy to supply around 20,000 residences at full capacity.²⁵ The project was approved on December 29, 2020 with financial assistance planned to end in 2042. (Southern Tier)
- **City of Schenectady IDA's** Yates Village II LLC has a project value of \$82.6 million and reported receiving \$37,269 in sales tax exemptions and \$395,000 in mortgage recording tax exemptions for 2021, for total net tax exemptions of \$432,269. This is the second phase for the Yates Village project, which was originally approved on February 15, 2019, with the original project receiving net tax exemptions of \$775,744 in 2021. The new project includes “the renovation of 159 units, construction of 52 new units plus recreation, greenspace and a new community center.”²⁶ The second phase of the Yates Village II project was approved on September 22, 2021, and financial assistance is planned to end in 2052. (Capital District)

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- **Town of Brookhaven IDA's** N/P Winters Long Island Industrial LLC – Long Island's largest new IDA project in 2021 by project value (\$409.7 million) – reported the largest estimated jobs to be created (1,094) of all new IDA projects for 2021. The project reported no tax exemptions, PILOTs, or current full-time equivalent employees due to the project approval date of December 8, 2021, near the end of the fiscal year. Financial assistance is planned to end in 2037. (Long Island)
 - **Westchester County IDA's** Regeneron Building D (project value \$480.6 million) is an expansion of a previously reported Regeneron Pharmaceuticals project that was originally approved on November 14, 2006. The new Building D project was approved on August 26, 2021. The Building D project was originally proposed and approved in 2015 but never moved forward. "The new building will primarily house Regeneron's pre-clinical manufacturing and process development operations."²⁷ The previous Regeneron project reported \$4.3 million in net tax exemptions and 3,843 current full-time equivalent employees in 2021 for a net employment change of 3,778 employees. The Regeneron expansion project reported 300 estimated jobs to be created, but no tax exemptions, PILOTs, or current full-time equivalent employees in 2021. (Mid-Hudson)
 - **Fulton County IDA's** Vireo Health of NY Project reported receiving \$1.1 million in sales tax exemptions and creating 100 temporary construction jobs. The project estimates it will create 180 full-time equivalent jobs. Vireo is a medical marijuana manufacturer located at the Tryon Technology Park in Perth.²⁸ This project expands Vireo's existing medical marijuana facilities in response to the State legislature legalizing adult use cannabis and expanding options for medical cannabis. (Mohawk Valley)
 - **City of Syracuse IDA's** (total project value \$37 million) 400 South Salina Street LLC received \$225,000 in mortgage recording tax exemptions in 2021. This project "will turn a large section of the long-vacant former Sibley's Department Store in downtown Syracuse into a mix of commercial and retail space and apartments."²⁹ The project reported having 123 jobs before IDA status, with a goal of ultimately creating 72 additional jobs while retaining the 123 original jobs. At the end of 2021, they reported current full-time equivalent jobs of 129, an increase of 6 jobs. The project was approved on November 16, 2021, with financial assistance planned to end in 2037. (Central New York)

Local Development Corporations (LDCs)

Like IDAs, LDCs are entities that can undertake economic development. They are private not-for-profit corporations established by or for the benefit of local governments for economic development and other public purposes.³⁰

Among their powers, LDCs may construct, acquire, rehabilitate and improve industrial or manufacturing plants, provide financial assistance for such projects, acquire real and personal property, issue debt, and foster and encourage the location or expansion of industrial or manufacturing plants in the area where the LDC's operations are principally conducted. Unlike IDAs, LDCs are not individually established by State law, but rather may be incorporated by local governments on their own in compliance with the Not-for-Profit Corporation Law. LDCs cannot provide tax exemptions.

There were an estimated 335 active LDCs in the State at the end of 2021.³¹ Although OSC does not review LDC data, it does post the data they report in PARIS on its website for public information. Since 2019, OSC has had the authority to audit LDCs that are controlled by municipalities or IDAs.³²

OSC published five LDC audits in 2022. The summaries below reflect their findings.

- **St. Lawrence County Industrial Development Agency and Local Development Agency.**
We found that tested disbursements were for valid purposes, but LDC officials did not always ensure they were properly authorized and supported. LDC officials did not perform supervisory reviews of canceled check images and journal entries. LDC officials paid \$200,000 to the St. Lawrence County IDA without a written agreement detailing the services to be provided and the basis of the payment. LDC officials also paid payroll processing fees totaling \$2,473 without review and approval of the related invoices.³³
- **Sullivan County Funding Corporation.**
Corporation officials did not award all funds from the program in accordance with established guidelines and did not ensure businesses complied with their agreements. The Loan Review Committee approved two loans that exceeded the program loan allowances by over \$53,000. Officials did not verify businesses' self-reported job creation or retention numbers and had no procedures for recapture if job creation or retention expectations were not met.³⁴
- **Ontario County Four Seasons Development Corporation.**
Corporation officials did not always maintain adequate documentation of purchasing processes when procuring goods and services or ensure that the procurement policies and procedures were consistently followed. The Corporation's procurement policy lacks a description of available procurement methods, an explanation of the procurement authorization and approval process, guidance for maintaining documentation to support that the purchasing process is followed, and a determination of when written or verbal quotes are necessary.³⁵

- **Utica Harbor Point Development Corporation.**

The Board of Directors and officials did not establish realistic budgets, and the Board did not review periodic financial reports to monitor the budget and finances and did not establish a comprehensive written multiyear financial plan. The Board adopted budgets that did not include realistic revenue and expense estimates, which caused funding gaps. As of December 9, 2021, the Corporation's projected costs exceeded revenues by about \$2.3 million. The Corporation relied on lines of credit to provide cash flow for several years. The Corporation's ability to pay off the lines of credit is contingent on the sale of three properties, which officials plan to sell in 2022. However, the Board has not developed alternative plans to satisfy the debt should the properties not sell.³⁶

- **Town of Brookhaven Local Development Corporation.**

The Board did not properly approve and monitor projects and did not incorporate job creation and retention goals into each project's resolution. The Board also did not establish written project approval and monitoring policies or procedures.³⁷

Conclusion

Local governments use IDAs to attract and retain businesses and generate job opportunities, by offering financial assistance for eligible projects. Collectively, IDAs provided \$1.9 billion in total tax exemptions to 4,324 projects in 2021. These were partially offset by \$830 million in PILOTs, for total net tax exemptions of almost \$1.1 billion. IDA projects reported 177,164 net jobs gained.

The total value of IDA projects and net tax exemptions have increased greatly over the past several years while the number of IDA projects and net jobs gained have not. Reasons for this may include the increasing value of property in the State, as well as the fact that job creation may not be the sole, or even primary, goal of every new IDA project. Other project goals not currently collected in the existing IDA project data include providing energy generation, revitalizing downtowns and expanding affordable housing. These may be admirable goals, but without data to assess progress toward meeting them, PARIS currently does not collect information to evaluate their success.

Future OSC reports and audits will continue to focus on IDA performance and oversight, as well as the impact of any new reporting requirements.

IDA Resource Webpage

OSC's Industrial Development Agency Information webpage (www.osc.state.ny.us/local-government/resources/industrial-development-agency-information) contains links to information about IDAs, including:

- Resources to assist IDAs in **filing** their annual reports on PARIS;
- IDA **data** as reported to OSC and New York State Authorities Budget Office (ABO);
- OSC **publications** covering IDAs and other public authorities, including prior annual performance reports; and
- OSC **performance audits** that can help IDAs improve program performance and operations, reduce costs and contribute to public accountability.³⁸

Appendix A - Regional Statistics for IDAs

2021 Data by Region

Region	Project Count	Net Tax Exemptions (millions)	Net Tax Exemptions Per Capita	Net Jobs Gained	Net Tax Exemptions Per Jobs Gained	Expenses (millions)	Expenses Per Project	Conduit Debt Outstanding (millions)	Authority Debt Outstanding
Capital District	395	\$100.7	\$91.01	16,213	\$6,210	\$6.6	\$16,693	\$208.4	\$0
Central New York	299	\$60.0	\$76.93	8,813	\$6,814	\$2.2	\$7,213	\$682.2	\$2,320,404
Finger Lakes	723	\$79.9	\$65.66	12,455	\$6,415	\$13.7	\$18,930	\$622.0	\$33,333
Long Island	855	\$223.9	\$76.74	43,923	\$5,097	\$9.4	\$10,971	\$491.9	\$0
Mid-Hudson	483	\$191.7	\$79.90	30,759	\$6,233	\$8.2	\$17,033	\$739.6	\$265,762
Mohawk Valley	176	\$32.8	\$76.72	4,780	\$6,868	\$4.5	\$25,771	\$26.6	\$1,577,230
New York City	322	\$222.3	\$26.25	32,311	\$6,879	\$6.8	\$21,188	\$2,416.4	\$0
North Country	133	\$22.0	\$52.86	1,637	\$13,407	\$4.0	\$29,885	\$66.2	\$545,947
Southern Tier	311	\$47.2	\$68.04	6,381	\$7,392	\$7.8	\$25,135	\$34.2	\$2,563,630
Western New York	627	\$72.4	\$51.28	19,892	\$3,639	\$16.1	\$25,754	\$652.3	\$8,208,485
All IDAs	4,324	\$1,052.8	\$53.08	177,164	\$5,942	\$79.3	\$18,349	\$5,939.8	\$15,514,791

Source: OSC, PARIS.



Appendix B - Project Statistics

Selected 2021 Statistics by IDA

IDA	Project Count	Total Project Value (millions)	Total Tax Exemptions (millions)	Total PILOTs (millions)	Total Net Tax Exemptions (millions)	Estimated Jobs to be Created	Estimated Jobs to be Retained	Full-Time Equivalent Jobs before IDA	Current Full-Time Equivalent Jobs	Net Jobs Gained	IDA Expenses (millions)
Albany County	8	\$40.1	\$0.5	\$0.04	\$0.5	130	736	736	1,185	449	\$0.13
Allegany County	16	\$88.7	\$0.4	\$0.32	\$0.1	59	73	73	118	45	\$0.65
Broome County	55	\$1,647.4	\$21.7	\$7.52	\$14.2	1,329	1,283	1,347	2,281	934	\$1.42
Cattaraugus County	52	\$742.0	\$3.2	\$0.48	\$2.8	734	3,062	3,063	3,453	390	\$0.33
Cayuga County	14	\$180.0	\$1.5	\$0.50	\$1.0	273	494	494	872	378	\$0.05
Chautauqua County	41	\$1,152.2	\$34.9	\$1.98	\$32.9	535	1,994	1,994	2,558	564	\$2.82
Chemung County	50	\$449.2	\$8.1	\$2.90	\$5.2	1,629	1,182	1,398	2,520	1,122	\$0.76
Chenango County	8	\$194.9	\$1.4	\$0.79	\$0.6	216	332	608	1,575	967	\$0.18
Clinton County	27	\$1,122.9	\$12.3	\$3.64	\$8.7	266	400	415	779	364	\$0.15
Columbia County	6	\$15.5	\$0.3	\$0.16	\$0.1	97	4	4	113	109	\$0.04
Cortland County	18	\$172.7	\$1.6	\$0.59	\$1.0	291	689	689	810	121	\$0.04
Delaware County	10	\$124.9	\$2.1	\$1.24	\$0.8	332	175	175	399	224	\$1.04
Dutchess County	44	\$2,334.4	\$63.9	\$13.02	\$50.9	2,782	2,709	2,709	9,357	6,648	\$0.64
Erie County	172	\$5,086.2	\$26.0	\$10.08	\$15.9	4,795	17,308	31,759	40,156	8,397	\$8.99
Essex County	12	\$116.7	\$0.8	\$0.08	\$0.7	173	101	101	820	719	\$0.62
Franklin County	9	\$223.6	\$7.2	\$1.14	\$6.1	45	-	49	52	3	\$0.41
Fulton County	5	\$110.1	\$2.1	\$0.25	\$1.8	230	170	170	244	75	\$0.10
Genesee County	78	\$947.2	\$5.2	\$2.48	\$2.8	1,289	834	1,301	2,825	1,524	\$5.91
Greene County	12	\$909.1	\$32.9	\$6.72	\$26.2	666	133	133	801	668	\$0.85
Hamilton County*	0	\$0.0	\$0.0	\$0.00	\$0.0	0	0	0	0	0	\$0.03
Herkimer County	22	\$0.0	\$0.0	\$0.00	\$0.0	-	-	-	-	-	\$2.41
Jefferson County	35	\$0.0	\$0.0	\$0.00	\$0.0	-	-	-	-	-	\$1.32
Lewis County	13	\$596.5	\$8.0	\$5.01	\$3.0	89	247	247	268	21	\$0.42
Livingston County	35	\$617.6	\$4.5	\$2.37	\$2.1	679	689	689	2,401	1,712	\$0.16
Madison County	14	\$166.3	\$1.7	\$0.52	\$1.2	384	175	180	470	290	\$0.33
Monroe County	376	\$5,997.1	\$58.1	\$16.55	\$41.6	2,904	24,116	29,721	33,029	3,308	\$2.34
Montgomery County	8	\$436.9	\$3.8	\$3.32	\$0.5	657	584	584	2,562	1,978	\$0.23
Nassau County	161	\$4,522.8	\$130.1	\$53.83	\$76.3	7,166	12,238	12,280	24,004	11,724	\$2.36
Niagara County	146	\$1,187.5	\$17.7	\$8.38	\$9.3	6,819	4,573	5,171	7,027	1,857	\$1.47
Oneida County	90	\$1,721.3	\$21.7	\$5.51	\$16.2	1,502	5,608	6,322	7,220	899	\$0.36
Onondaga County	68	\$1,548.2	\$22.6	\$7.93	\$14.7	3,355	5,438	7,006	9,091	2,085	\$0.33
Ontario County	56	\$610.7	\$12.7	\$5.65	\$7.1	971	2,820	2,820	5,029	2,210	\$1.00
Orange County	39	\$2,032.4	\$23.4	\$9.85	\$13.6	5,168	1,908	1,971	5,578	3,607	\$1.57
Orleans County	20	\$280.1	\$2.6	\$0.99	\$1.6	759	216	579	1,073	494	\$0.62
Oswego County	88	\$1,730.0	\$51.7	\$38.30	\$13.4	1,717	2,956	2,965	4,389	1,424	\$0.62
Otsego County	13	\$120.6	\$1.7	\$0.95	\$0.7	185	639	678	669	(9)	\$0.63
Putnam County	5	\$39.7	\$0.9	\$0.61	\$0.3	219	31	31	739	708	\$0.05
Rensselaer County	54	\$1,320.4	\$48.6	\$9.26	\$39.3	1,466	2,517	2,611	7,529	4,918	\$1.99
Rockland County	35	\$1,838.4	\$18.2	\$11.01	\$7.2	886	1,910	1,919	3,047	1,128	\$0.32
Saratoga County	32	\$7,057.9	\$10.0	\$8.85	\$1.2	2,575	1,252	1,273	7,478	6,205	\$0.57
Schenectady County	20	\$200.2	\$11.0	\$8.58	\$2.4	728	5,594	5,594	5,220	(374)	\$0.11
Schoharie County	6	\$69.6	\$9.1	\$5.88	\$3.2	81	368	370	630	260	\$0.27
Schuyler County	19	\$100.8	\$1.5	\$1.00	\$0.5	285	91	91	238	147	\$0.09
Seneca County	28	\$556.5	\$4.5	\$1.93	\$2.6	1,564	482	1,413	2,022	610	\$1.15
St. Lawrence County	37	\$228.0	\$2.0	\$0.56	\$1.4	225	530	618	876	258	\$1.05
Steuben County	58	\$1,442.0	\$22.6	\$10.71	\$11.9	2,350	5,089	5,092	6,709	1,617	\$0.72
Suffolk County	142	\$2,531.6	\$37.4	\$21.70	\$15.7	10,030	8,830	8,830	22,490	13,660	\$1.00
Sullivan County	69	\$1,151.1	\$19.5	\$6.77	\$12.7	3,723	235	235	2,897	2,662	\$0.81
Tioga County	17	\$656.3	\$11.9	\$6.81	\$5.1	893	3,249	3,249	3,430	181	\$1.41
Tompkins County	64	\$1,178.3	\$11.4	\$3.48	\$7.9	1,003	2,960	2,960	3,408	448	\$0.53
Ulster County	35	\$491.3	\$8.2	\$3.67	\$4.6	1,148	2,094	2,094	2,331	238	\$0.25
Warren & Washington Counties	28	\$260.1	\$1.9	\$0.68	\$1.2	385	550	552	1,242	690	\$0.42
Wayne County	37	\$247.3	\$4.7	\$1.67	\$3.0	819	1,616	2,086	2,803	717	\$0.12
Westchester County	62	\$4,167.8	\$43.8	\$23.70	\$20.1	3,434	5,482	5,783	11,438	5,656	\$0.83
Wyoming County	35	\$950.8	\$16.2	\$1.67	\$14.5	513	556	570	713	143	\$0.42
Yates County	42	\$236.7	\$4.7	\$3.35	\$1.4	302	327	329	863	535	\$0.76

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Selected 2021 Statistics by IDA

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City of Albany	86	\$1,142.8	\$18.7	\$5.60	\$13.1	1,572	1,432	1,912	3,210	1,298	\$1.08
City of Amsterdam	9	\$37.1	\$0.4	\$0.23	\$0.2	131	174	174	255	81	\$1.12
City of Auburn	20	\$114.5	\$2.9	\$1.26	\$1.6	528	721	722	1,360	638	\$0.09
City of Cohoes	12	\$132.1	\$4.5	\$2.68	\$1.8	126	19	20	48	28	\$0.06
City of Dunkirk	4	\$4.9	\$0.5	\$0.00	\$0.5	19	42	46	58	12	\$0.02
City of Geneva	8	\$83.4	\$4.3	\$1.53	\$2.8	484	450	450	674	224	\$0.50
City of Glen Cove	14	\$1,315.5	\$18.6	\$5.21	\$13.4	312	14	14	282	268	\$0.38
City of Glens Falls	12	\$55.9	\$0.8	\$0.44	\$0.4	141	30	30	309	279	\$0.02
City of Hornell	17	\$102.2	\$1.0	\$0.72	\$0.3	956	106	106	856	750	\$0.95
City of Hudson	1	\$5.0	\$0.2	\$0.18	\$0.0	5	5	5	4	(1)	\$0.03
City of Middletown	6	\$75.8	\$0.9	\$0.30	\$0.6	184	8	13	261	249	\$0.01
City of New Rochelle	39	\$2,815.4	\$32.4	\$2.67	\$29.7	600	73	167	176	10	\$0.53
City of Newburgh	6	\$63.2	\$1.8	\$0.37	\$1.4	39	-	-	20	20	\$0.11
City of Peekskill	10	\$209.9	\$5.1	\$0.85	\$4.3	179	11	11	131	120	\$0.08
City of Port Jervis	2	\$6.5	\$0.2	\$0.12	\$0.1	40	80	80	92	12	\$0.00
City of Poughkeepsie	12	\$212.3	\$2.8	\$0.98	\$1.8	174	2	61	35	(26)	\$0.07
City of Rensselaer	5	\$41.7	\$0.7	\$0.26	\$0.4	59	6	6	8	2	\$0.35
City of Salamanca	2	\$0.1	\$0.0	\$0.00	\$0.0	7	15	15	20	5	\$0.80
City of Schenectady	27	\$621.8	\$12.1	\$5.47	\$6.6	1,438	510	681	1,484	803	\$0.19
City of Syracuse	77	\$2,628.5	\$32.0	\$4.91	\$27.1	5,688	3,182	3,248	7,125	3,877	\$0.70
City of Troy	42	\$590.0	\$6.9	\$2.25	\$4.7	593	1,512	1,572	1,639	67	\$0.17
City of Utica	36	\$360.5	\$5.3	\$0.97	\$4.3	649	613	710	1,454	744	\$0.02
City of Yonkers	84	\$4,485.8	\$63.8	\$30.59	\$33.2	7,555	3,046	4,738	10,323	5,585	\$2.40
Mechanicville-Stillwater	6	\$62.2	\$1.1	\$0.31	\$0.8	165	1,032	1,032	1,364	332	\$0.01
Town of Amherst	58	\$565.5	\$7.8	\$4.27	\$3.5	5,446	2,158	2,158	9,275	7,117	\$0.62
Town of Babylon	177	\$1,747.7	\$36.8	\$20.27	\$16.5	6,272	7,153	7,606	14,404	6,798	\$1.60
Town of Bethlehem	11	\$460.6	\$3.9	\$4.69	-\$0.8	384	162	162	281	119	\$0.14
Town of Brookhaven	106	\$3,436.8	\$40.1	\$19.28	\$20.8	4,144	2,959	3,073	8,195	5,122	\$2.05
Town of Clarence	29	\$80.2	\$0.9	\$0.57	\$0.3	401	1,464	1,464	1,349	(115)	\$0.04
Town of Clifton Park	10	\$42.8	\$0.5	\$0.10	\$0.4	228	266	266	459	193	\$0.05
Town of Colonie	10	\$182.1	\$1.9	\$0.42	\$1.5	547	1,066	1,066	1,298	232	\$0.22
Town of Erwin*	0	\$0.0	\$0.0	\$0.00	\$0.0	-	-	-	-	-	\$0.07
Town of Guilderland	8	\$0.0	\$0.0	\$0.00	\$0.0	-	-	-	-	-	\$0.07
Town of Hamburg	44	\$0.0	\$0.0	\$0.00	\$0.0	-	-	-	-	-	\$0.19
Town of Hempstead	75	\$2,580.7	\$86.5	\$38.06	\$48.5	3,254	7,249	7,249	9,348	2,099	\$0.85
Town of Islip	150	\$1,733.8	\$50.3	\$22.29	\$28.0	5,348	10,340	10,440	13,246	2,806	\$0.92
Town of Lancaster	44	\$119.3	\$3.0	\$1.77	\$1.2	481	2,318	2,352	2,878	526	\$0.08
Town of Lockport	19	\$374.9	\$2.7	\$0.58	\$2.1	338	400	400	711	311	\$0.13
Town of Malone*	0	\$0.0	\$0.0	\$0.00	\$0.0	-	-	-	-	-	\$0.02
Town of Montgomery	9	\$0.0	\$0.0	\$0.00	\$0.0	-	-	-	-	-	\$0.19
Town of Mount Pleasant	12	\$0.0	\$0.0	\$0.00	\$0.0	-	-	-	-	-	\$0.24
Town of North Greenbush	2	\$3.7	\$0.0	\$0.00	\$0.0	45	10	10	84	74	\$0.01
Town of Riverhead	30	\$355.0	\$6.5	\$1.83	\$4.7	678	1,132	1,132	2,578	1,446	\$0.22
Town of Walkill	4	\$59.1	\$0.3	\$0.15	\$0.2	123	307	307	338	31	\$0.02
Village of Fairport	8	\$38.4	\$1.3	\$0.67	\$0.6	65	6	6	985	979	\$0.71
Village of Green Island	3	\$95.2	\$0.8	\$0.24	\$0.6	44	-	-	52	52	\$0.09
Village of Port Chester	10	\$218.6	\$4.1	\$2.53	\$1.6	937	4	4	394	390	\$0.12
New York City	322	\$34,301.4	\$512.2	\$289.99	\$222.3	86,015	48,367	48,525	80,836	32,311	\$6.82

Source: OSC, PARIS.

* The IDA was active and reported that it had no projects in 2021.

The City of Mount Vernon IDA, Town of Concord IDA and Town of Corinth IDA did not have certified 2021 data in time for this report.

Appendix C - Clean Energy Projects

IDA	Project Name	IDA	Project Name
Allegany Industrial Development Agency	Brightfield Solar LLC	Cortland Industrial Development Agency	Janis Solar LLC
Allegany Industrial Development Agency	NY Rushford 1 LLC	Cortland Industrial Development Agency	Yellow 3 LLC
Allegany Industrial Development Agency	NSF Angelica Site 1 LLC	Cortland Industrial Development Agency	DG NY C'Ville #1
Allegany Industrial Development Agency	NSF Angelica Site 2 LLC	Cortland Industrial Development Agency	DG NY C'Ville #3
Allegany Industrial Development Agency	NSF Angelica Site 3 LLC	Cortland Industrial Development Agency	Lapeer Cortland Solar
Allegany Industrial Development Agency	NSF Angelica Site 4 LLC	Erie County Industrial Development Agency	Steel Winds I Replacement
Allegany Industrial Development Agency	Hume Wiscoy 2	Erie County Industrial Development Agency	Steel Winds II Replacement
Allegany Industrial Development Agency	GSP2946 Lewis Wellsville	Erie County Industrial Development Agency	Bullis Road Solar
Allegany Industrial Development Agency	Hume Wiscoy 1	Franklin County Industrial Development Agency	Bangor Solar, LLC Project
Brookhaven Industrial Development Agency	AE-ESS Cassel LLC	Franklin County Industrial Development Agency	Salmon River Renewables, LLC
Brookhaven Industrial Development Agency	SHOREHAM SOLAR (Duke)	Franklin County Industrial Development Agency	Noble Belmont Wind Park, LLC
Brookhaven Industrial Development Agency	ACE-Town Hall Solar	Franklin County Industrial Development Agency	Noble Chateaugay Wind Park, LLC
Brookhaven Industrial Development Agency	AE Town Hall Solar 2	Franklin County Industrial Development Agency	Jericho Rise Wind Farm LLC
Brookhaven Industrial Development Agency	ACE-Calabro Solar LLC 2019 Facility	Genesee County Industrial Development Agency	Pearl Solar (Project 1)
Brookhaven Industrial Development Agency	ACE-Calabro Solar 2 LLC 2019 Facility	Genesee County Industrial Development Agency	Pearl Solar (Project 2)
Broome Industrial Development Agency	Bluestone Wind, LLC	Genesee County Industrial Development Agency	241 Knapp Road Solar 1, LLC Project
Cattaraugus Industrial Development Agency	1406RB PV LLC (Solean)	Genesee County Industrial Development Agency	241 Knapp Road Solar 2, LLC Project
Cattaraugus Industrial Development Agency	1470B PV LLC (Solean West)	Genesee County Industrial Development Agency	Townline Batavia Solar 1, LLC Project
Cattaraugus Industrial Development Agency	Portville CSG 1	Genesee County Industrial Development Agency	3104 Batavia Solar, LLC - Borrego Solar
Cattaraugus Industrial Development Agency	Otto CSG 1	Genesee County Industrial Development Agency	3232 Batavia Solar, LLC - Borrego Solar
Cattaraugus Industrial Development Agency	West Valley Solar LLC	Genesee County Industrial Development Agency	Bright Oak Solar, LLC Project
Cattaraugus Industrial Development Agency	River Valley Solar LLC	Greene County Industrial Development Agency	Village of Coxsackie Municipal Solar One
Cayuga Industrial Development Agency	Abundant Solar Power (CC3) LLC Project	Greene County Industrial Development Agency	FPS Coxsackie Solar
Cayuga Industrial Development Agency	GSP2 4643 Twelve Corners Road, LLC	Hamburg Industrial Development Agency	Erie Wind LLC
Chautauqua Industrial Development Agency	Abundant Solar Power (Portland) LLC	Herkimer Industrial Development Agency	Atlantic Wind, LLC
Chautauqua Industrial Development Agency	Cassadaga Wind LLC	Herkimer Industrial Development Agency	Little Falls Solar I, LLC
Chautauqua Industrial Development Agency	Ball Hill	Herkimer Industrial Development Agency	Little Falls Solar, LLC
Chautauqua Industrial Development Agency	Arkwright Summit Wind Farm LLC	Islip Industrial Development Agency	SUNation Solar Systems Inc.
Chemung Industrial Development Agency	Erin Renewables, LLC	Jefferson Industrial Development Agency	Adams Renewables, LLC
Chemung Industrial Development Agency	GEM Energy	Jefferson Industrial Development Agency	Black River Solar, LLC
Chemung Industrial Development Agency	Catlin Solar I	Jefferson Industrial Development Agency	NY USLE Carthage SR26 A LLC
Chenango Industrial Development Agency	Puckett Solar, LLC	Jefferson Industrial Development Agency	NY USLE Carthage SR26 B LLC
Chenango Industrial Development Agency	Norwich-Chenango Solar, LLC.	Jefferson Industrial Development Agency	OYA Robinson Road LLC
Clinton County Industrial Development Agency	Delaware River Solar - Mooers V	Jefferson Industrial Development Agency	OYA Wayside Drive LLC
Clinton County Industrial Development Agency	Delaware River Solar - Plattsburgh I	Jefferson Industrial Development Agency	LeRay Jackson Solar, LLC
Clinton County Industrial Development Agency	Noble Altona Windpark	Jefferson Industrial Development Agency	Pamela Solar, LLC
Clinton County Industrial Development Agency	Noble Ellenburg Windpark	Jefferson Industrial Development Agency	Waddingham Road Solar, LLC
Clinton County Industrial Development Agency	Noble Clinton Windpark	Lewis County Industrial Development Agency	Roaring Brook Wind
Clinton County Industrial Development Agency	Marble River Wind Farm	Lewis County Industrial Development Agency	Flat Rock Wind
Clinton County Industrial Development Agency	Delaware River Solar - Mooers I	Lewis County Industrial Development Agency	Number 3 Wind
Clinton County Industrial Development Agency	Delaware River Solar - Mooers II	Lewis County Industrial Development Agency	Copenhagen Wind, LLC
Clinton County Industrial Development Agency	Delaware River Solar - Mooers III	Lewis County Industrial Development Agency	US Light Denmark Solar
Clinton County Industrial Development Agency	Delaware River Solar - Mooers IV	Lewis County Industrial Development Agency	US Light Turin Solar
Colonie Industrial Development Agency	BLK Property Ventures LLC/Kasselman Solar LLC and Albany Electrical Supply LLC		

Appendix C - Clean Energy Projects

IDA	Project Name	IDA	Project Name
Mechanicville-Stillwater Industrial Development Agency	Solar Generation Facility	Steuben County Industrial Development Agency	NY Troupsburg I, LLC
Montgomery County Industrial Development Agency	Mohawk Solar	Steuben County Industrial Development Agency	NY Pulteney I, LLC
Onondaga County Industrial Development Agency	Abundant Solar Power (SK1) LLC	Steuben County Industrial Development Agency	Canisteo Solar I, LLC
Onondaga County Industrial Development Agency	Cicero Energy Storage I , LLC	Steuben County Industrial Development Agency	Thurston Ridge Solar, LLC
Onondaga County Industrial Development Agency	Cicero Energy II, LLC	Steuben County Industrial Development Agency	Howard Wind LLC
Onondaga County Industrial Development Agency	Abundant Solar Power (E1) LLC	Steuben County Industrial Development Agency	Howard Wind LLC - 2 Turbine Expansion
Ontario County Industrial Development Agency	The Solar Village	Steuben County Industrial Development Agency	Abundant Solar Power (Troupsburg) LLC
Oswego County Industrial Development Agency	Solarcity - Volney	Suffolk County Industrial Development Agency	575 Broadhollow Energy
Oswego County Industrial Development Agency	Salmon River Solar (Bullrock)	Sullivan County Industrial Development Agency	Psychedelic Solar LLC
Oswego County Industrial Development Agency	Omni Richland South Solar LLC	Sullivan County Industrial Development Agency	Rosemond Solar
Oswego County Industrial Development Agency	Omni Richland North Solar LLC	Sullivan County Industrial Development Agency	NY Bethel I LLC
Oswego County Industrial Development Agency	Howland Solar	Tioga County Industrial Development Agency	Spencer-Tioga Solar LLC
Schenectady County Industrial Development Agency	Pattersonville Solar	Tompkins County Industrial Development Agency	Enfield Solar
Seneca County Industrial Development Agency	NY Fayette I LLC	Tompkins County Industrial Development Agency	Dryden Tompkins Solar II
St. Lawrence County Industrial Development Agency	GSPP 126 Little Bow Rd N, LLC	Tompkins County Industrial Development Agency	Mecklenburg Solar LLC
St. Lawrence County Industrial Development Agency	GSPP 126 Little Bow Rd S, LLC	Tompkins County Industrial Development Agency	Dryden Tompkins Solar II
St. Lawrence County Industrial Development Agency	GSPP County Route 31, LLC.	Tompkins County Industrial Development Agency	Dryden Tompkins Solar I
St. Lawrence County Industrial Development Agency	Madrid Solar 1, LLC	Wayne County Industrial Development Agency	Hollygrove Solar LLC
St. Lawrence County Industrial Development Agency	Madrid Solar 2, LLC	Wayne County Industrial Development Agency	CDG Huron Solar 1, LLC
St. Lawrence County Industrial Development Agency	Oswegatchie Solar, LLC	Wayne County Industrial Development Agency	Brickchurch Solar LLC.
St. Lawrence County Industrial Development Agency	Stockholm Solar, LLC	Wayne County Industrial Development Agency	CDG Sodus Solar 1, LLC.
St. Lawrence County Industrial Development Agency	Waddington Solar, LLC	Wayne County Industrial Development Agency	Leenhouts Solar Farm 1, LLC.
St. Lawrence County Industrial Development Agency	RPNY Solar 1, LLC	Wyoming County Industrial Development Agency	NY Pike IV, LLC
St. Lawrence County Industrial Development Agency	GSPP 409 Ferris Road, LLC	Wyoming County Industrial Development Agency	NY Pike I, LLC
St. Lawrence County Industrial Development Agency	GSPP 641 Ferris Road East, LLC	Wyoming County Industrial Development Agency	NY Pike II, LLC
St. Lawrence County Industrial Development Agency	GSPP 641 Ferris Road West, LLC	Wyoming County Industrial Development Agency	NY Pike III, LLC
St. Lawrence County Industrial Development Agency	Black Water Solar Partners, LLC	Wyoming County Industrial Development Agency	Noble Bliss Wind Park, LLC
St. Lawrence County Industrial Development Agency	Wadhams Solar, LLC	Wyoming County Industrial Development Agency	Noble Wethersfield Wind Park
Steuben County Industrial Development Agency	Baron Winds, LLC	Wyoming County Industrial Development Agency	High Sheldon Wind Farm
Steuben County Industrial Development Agency	NY Bath I, LLC	Wyoming County Industrial Development Agency	Stony Creek Wind Farm
Steuben County Industrial Development Agency	Bright Hill Solar, LLC	Yates County Industrial Development Agency	Middlesex-Yates Solar, LLC
Steuben County Industrial Development Agency	NY Arkport Crossett Road Solar LLC	Yates County Industrial Development Agency	Penn Yan Solar I, LLC

Source: OSC, PARIS.

Note: Includes 85 projects classified as clean energy and 66 projects classified in other categories with "wind" or "solar" in their project name.

- ¹ Most industrial development agencies (IDAs) have a calendar fiscal year end (12/31) but ten IDAs have a fiscal year end other than 12/31: City of Amsterdam IDA (6/30), Village of Fairport IDA (9/30), City of Geneva IDA (9/30), Jefferson County IDA (9/30), Lewis County IDA (5/31), New York City IDA (6/30), Oswego County IDA (7/31), Village of Port Chester IDA (5/31), City of Salamanca IDA (3/31) and Schoharie County IDA (6/30).
- ² As required by Public Authorities Law Section 2800(3), certain data submitted must first be approved by the IDA's board of directors and its accuracy and completeness certified in writing by the IDA's chief executive officer and chief fiscal officer. The Office of the New York State Comptroller (OSC) reviews but does not independently verify this data.
- ³ The following IDAs did not submit 2021 data in time for this report: Town of Concord IDA, Town of Corinth IDA and City of Mount Vernon IDA. In addition, the Town of Niagara IDA has been consolidated with the Niagara County IDA and is considered inactive.
- ⁴ The Public Authorities Reporting Information System (PARIS) requires that each IDA project has a unique project code to identify each specific project. This unique identifier enables a year-to-year comparison to identify projects that have been reported in the current year and not in the previous year. This may indicate that a project code reported in the current year, but not the previous, is a new project, or that the project was added to PARIS to restate previously entered information. For this reason, OSC only includes project codes reported in 2021 that had not been reported in 2020 and that had a project approved date within 2021.
- ⁵ New York City Independent Budget Office, *Saving Space (And Jobs)? An Examination of The Industrial Program*, October 2021, at <https://ibo.nyc.ny.us/iboreports/saving-space-and-jobs-an-examination-of-the-industrial-program-october-2021.pdf>.
- ⁶ IDAs cannot simply reclassify an active project – instead, they have to close the project out and then open a “new” project. However, as noted above, IDAs report when the project was originally approved, indicating when a project was re-reported in order to classify it differently rather than when a new project was started.
- ⁷ For more on New York State's carbon reduction goals see: New York State, “Climate Act: New York's Scoping Plan,” at <https://climate.ny.gov/resources/scoping-plan/> (accessed on March 22, 2023).
- ⁸ New York State Economic Development Council, *The Impact of Industrial Development Agencies on New York State*, September 2021, at http://www.nysedc.org/docs/NYSEDC_IDA_Impact_Analysis_FINAL.pdf.
- ⁹ New York City and the Big 4 cities of Buffalo, Rochester, Syracuse and Yonkers all have dependent school districts, although the IDAs serving these cities do not all treat “school district” tax exemptions and payments in lieu of taxes (PILOTs) the same way. The Erie County IDA reports no school tax exemptions or school PILOTs for the City of Buffalo. The Syracuse IDA reports school tax exemptions but no school PILOTs. The Monroe County IDA reports both school tax exemptions and school PILOTs for the City of Rochester. Similarly, the Yonkers IDA also reports a combination of school tax exemptions and school PILOTs.
- ¹⁰ OSC, *Performance of Industrial Development Agencies in New York State: 2022 Annual Report (Data for Fiscal Year Ending 2020)*, June 2022, at <https://www.osc.state.ny.us/files/local-government/publications/pdf/performance-of-idas-in-nys-2022-annual-report.pdf>.
- ¹¹ OSC, *Industrial Development Agencies in New York State: Background, Issues and Recommendations*, May 2006, at www.osc.state.ny.us/files/local-government/publications/pdf/idabackground.pdf.

- ¹² The three “transportation, communication, electric, gas and sanitary services” projects are as follows: Athens Generating Co LLP in the Greene County IDA, Besicorp-Empire Power Co. LLC in the Rensselaer County IDA, and National Broadcasting Company (NBC) in the New York City IDA.
- ¹³ New York State Tug Hill Commission, *The Next Generation of Wind Farms on Tug Hill*, September 2016, at www.tughill.org/wp-content/uploads/2011/09/Final-Wind-Paper-September-2016-with-cover.pdf.
- ¹⁴ In 2008, statutory changes removed civic facilities from the list of project types that IDAs can finance. Since conduit debt is reported by IDA, rather than by project, it is not possible to track how much debt is carried by specific types of IDA projects. The number of civic facilities projects declined from 542 in 2011 to 144 in 2021.
- ¹⁵ Ernst & Young LLP, *New York City Industrial Development Agency (A Component Unit of the City of New York), Financial Statements and Required Supplemental Information, Years Ended June 30, 2022 and 2021, 2022*, p. 6, at https://edc.nyc/sites/default/files/2022-09/SECURED%20IDA_FS_v0929%20FINAL%20UPDATED.pdf.
- ¹⁶ Mostert, Manzanero & Scott, LLP, *Genesee County Industrial Development Agency D/B/A Genesee County Economic Development Center, Audited Basic Financial Statements, Year Ended December 31, 2021, 2022*, p. 6, at <https://www.gcedc.com/application/files/6316/4865/7370/GCEDC.IndependentAudit.2021.pdf>.
- ¹⁷ Chapter 109 of the Laws of 2020, as amended by Chapter 206 of the Laws of 2021, amending General Municipal Law Section 858.
- ¹⁸ Public Authorities Law Section 2879 subdivision 2.
- ¹⁹ OSC, *Chenango County Industrial Development Agency – Project Approval and Monitoring (2022M-10)*, April 22, 2022, at <https://www.osc.state.ny.us/local-government/audits/county/2022/04/22/chenango-county-industrial-development-agency-project-approval-and-monitoring>.
- ²⁰ OSC, *Herkimer County Industrial Development Agency – Project Approval and Monitoring (2022M-28)*, July 01, 2022, at <https://www.osc.state.ny.us/local-government/audits/industrial-development-agency/2022/07/01/herkimer-county-industrial-development-agency-project>.
- ²¹ OSC, *City of Poughkeepsie Industrial Development Agency – Project Approval and Monitoring (2021M-168)*, July 08, 2022, at <https://www.osc.state.ny.us/local-government/audits/industrial-development-agency/2022/07/08/city-poughkeepsie-industrial-development-agency-project>.
- ²² OSC, *Herkimer County Industrial Development Agency – Claims Auditing (2022M-12)*, April 08, 2022, at <https://www.osc.state.ny.us/local-government/audits/industrial-development-agency/2022/04/08/herkimer-county-industrial-development-agency-claims>.
- ²³ Governor Kathy Hochul, press release, “Governor Hochul Announces Great Lakes Cheese Breaks Ground on \$518 Million Manufacturing and Packaging Plant in Cattaraugus County,” April 28, 2022, at www.governor.ny.gov/news/governor-hochul-announces-great-lakes-cheese-breaks-ground-518-million-manufacturing-and.
- ²⁴ Kayla Green, “Multi-Million Square Foot Amazon Facility Under Construction in Town of Gates,” *Rochester First.com*, May 6, 2021, at www.rochesterfirst.com/development/multi-million-square-foot-amazon-facility-under-construction-in-town-of-gates/.

- ²⁵ Anthony Borrelli, “Broome County IDA Approves 20-Year Tax Break for Windsor Wind Farm,” *Pressconnects*, December 31, 2020, at www.pressconnects.com/story/news/local/2020/12/31/broome-wind-farm-bluestone-windsor-sanford-ida-pilot/4100958001/.
- ²⁶ Capital Region Chamber, press release, “City of Schenectady IDA Approves \$98 Million in New Projects,” July 28, 2020, at <https://capitalregionchamber.com/news/city-of-schenectady-ida-approves-98-million-in-new-projects/>.
- ²⁷ John Jordon, “Breaking News: Westchester IDA Approves Incentives for Projects Valued at \$755 Million,” *Real Estate In-Depth*, August 26, 2021, at www.realestateindepth.com/commercial/breaking-news-westchester-ida-approves-incentives-for-projects-valued-at-755-million/.
- ²⁸ “Vireo Health planning major expansion,” *Leader Herald*, June 23, 2021, at <https://leaderherald.com/gloversville-local-news-johnstown-local-news/local-news/2021/06/vireo-health-planning-major-expansion/>.
- ²⁹ Rick Moriarty, “Goodbye, Pink Facade: Former Sibley’s Department Store in Syracuse to get \$37M Makeover (photos),” *Syracuse.com*, September 28, 2021, at www.syracuse.com/business/2021/09/goodbye-pink-facade-former-sibleys-department-store-in-syracuse-to-get-37m-makeover-photos.html.
- ³⁰ Not-For-Profit Corporation Law Section 1411.
- ³¹ OSC estimates a total of 335 active Local Development Corporations (LDCs) for 2021, while the New York State Authorities Budget Office estimates a total of 305 active LDCs. OSC does not review or verify LDC data.
- ³² Chapter 710 of the Laws of 2019, amending General Municipal Law Section 34.
- ³³ OSC, *St. Lawrence County Industrial Development Agency and Local Development Corporation – Disbursements (2021M-174)*, January 21, 2022 at www.osc.state.ny.us/local-government/audits/country/2022/01/21/st-lawrence-county-industrial-development-agency-and-local-development-corporation.
- ³⁴ OSC, *Sullivan County Funding Corporation – Millennium Revolving Loan Program (2021M-196)*, March 25, 2022, at www.osc.state.ny.us/local-government/audits/local-development-corporation/2022/03/25/sullivan-county-funding-corporation-millennium-revolving.
- ³⁵ OSC, *Ontario County Four Seasons Development Corporation – Procurement (2021M-197)*, April 29, 2022, at www.osc.state.ny.us/local-government/audits/local-development-corporation/2022/04/29/ontario-county-four-seasons-development-corporation.
- ³⁶ OSC, *Utica Harbor Point Development Corporation – Budgeting and Board Oversight (2022M-43)*, July 15, 2022, at www.osc.state.ny.us/local-government/audits/local-development-corporation/2022/07/15/utica-harbor-point-development-corporation-budgeting-and.
- ³⁷ OSC, *Town of Brookhaven Local Development Corporation – Project Approval and Monitoring (2021M-188)*, July 15, 2022, at www.osc.state.ny.us/local-government/audits/town/2022/07/15/town-brookhaven-local-development-corporation-project-approval-and-monitoring-2021m.
- ³⁸ To view or download OSC’s performance audit reports on IDAs, and other local governments, see *Audits of Local Governments*, at www.osc.state.ny.us/local-government/audits.



New York State Comptroller
THOMAS P. DiNAPOLI

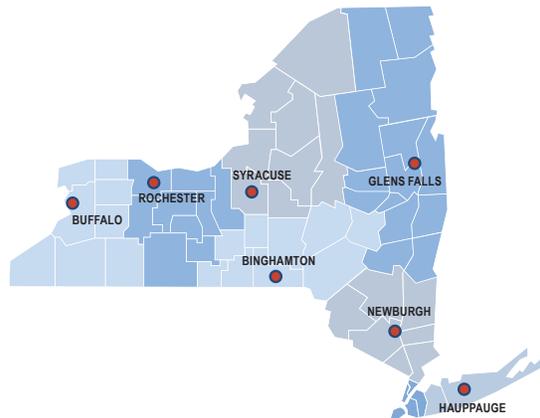
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VIA EMAIL

May 12, 2023

Lisa MG Mulligan, CEO
Town of Brookhaven Industrial Development Agency
1 Independence Hill, 2nd Floor
Farmingville, NY 11738

Re: Port Jefferson Crossing
1609-1615 Main Street
Brookhaven, NY

Dear Ms. Mulligan

We request that the following be added to your June 2023 meeting agenda.

As you know, the Town of Brookhaven Industrial Development Agency (TOBIDA) is the lessee of the referenced property (Property) and has provided tax benefits to Port Jefferson Crossing, LLC (LLC).

We have completed construction of the affordable rental housing complex located on the Property and it is fully leased. In July, we expect to pay in full the TD Bank construction mortgage loan currently encumbering the Property, and replacing it with the following mortgage loans:

1. The Community Development Trust – approximately \$4,200,000
2. NYS Housing Trust Fund Corporation/Housing Trust Fund Program - \$4,500,000
3. NYS Housing Trust Fund Corporation/Community Investment Fund Program - \$619,808
4. NYS Housing Trust Fund Corporation/Middle Income Program- \$700,000
5. Suffolk County, NY - \$600,000
6. CDCLI/Empire State Development Program - \$200,000

We expect that the lenders will want TOBIDA to join in the mortgages and would like to obtain mortgage recording tax exemptions for these loans through TOBIDA.

If you require any additional documentation in order for this to be considered at your June 2023 meeting, please let me know.

Sincerely,

/s/
Susan Jennings
General Counsel and Senior Vice President

cc: William Weir, Esq.
Roger Pine



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TOWN

Brookhaven Comes Out of COVID Era with \$1.86 Billion in New Development

By Robert Chartuk

With the COVID crisis in the rear-view mirror, Brookhaven is experiencing a construction boom with more than a dozen large-scale projects featuring millions of square feet on tap to create thousands of jobs and enhance the town's economic future.

Investments of \$1.86 billion across 15 commercial, industrial and residential projects represents a huge windfall for taxpayers with enormous proceeds expected in tax revenue, jobs and other economic benefits, according to town officials.

"These projects will ease the tax burden, particularly for the school districts where these industries are located, which is important," said Supervisor Edward Romaine. "But even more important is creating not only temporary construction jobs, but permanent jobs so our residents can make a decent wage and afford to live here."

The Supervisor noted that "geography is destiny" with Brookhaven having the space necessary for the large-scale projects. "We're past the pandemic and we're back to the time when people are investing in our town," Romaine said, noting that a long-time goal has been to create an economy independent of New York City. "We have our own internal economics that run this town and this county we know as Suffolk, so less and less we depend on the city. We've built our own economic base."

Underscoring the development boom is the \$491.1 million Sunrise Wind offshore windmill array and its \$37.7 million operations and maintenance hub in East Setauket. Officials this week highlighted the 924 MW project at a Smith Point Park press conference pointing to \$130 million in impact fees Brookhaven is slated to receive when the project goes on line in 2025. More than 3,000 jobs are expected to be created by wind-driven turbines located 30 miles east of Montauk Point, according to town Industrial Development Agency officials who are coordinating the various projects and providing incentives to the

developers.

A hot pocket for the development boom is an industrial corridor in Shirley and Yaphank that directly connects not only to the Long Island Expressway, but also to the rails as highlighted by the \$409.7 million Brookhaven Logistics Center, a rail-contiguous warehouse and distribution center that is projected to create more than 2,900 jobs.

Nearby is the 148,250-square-foot Bactolac building, a \$17.9 million warehouse for materials used in manufacturing dietary supplements. Its neighbor is the MDS Building Ventures warehouse and distribution center for custom packaging supplies, a 140,000-square-foot facility costing \$13.7 million. Just down the road in Yaphank are two buildings totaling more than 400,000-square-feet by AVR SP Brookhaven JV, a \$72.4 million investment.

Housing Brookhaven residents will be the transit-oriented Port Jefferson Crossing project sponsored by Conifer and the Community Development Corporation of Long Island. The \$24.3 million construction will feature 45 affordable workforce housing units and have quick access to the Long Island Rail Road. Farmingville will be the home of The Arboretum, a \$109 million development comprised of 292 rental units, public use building and park on 62 acres.

There's also Middle Country Meadows, a \$36.9 million senior housing community of 124 rental units in Selden and phase 2A of the Ronkonkoma Hub with approximately 388 residential units, including parking, retail and commercial space, total investment: \$252.7 million.

"This is an incredible amount of investment that demonstrates great confidence in our workforce and economic viability," said Assemblyman Joseph DeStefano, whose district contains many of the projects. "Kudos to the IDA and the town officials who stuck to their far-reaching plan to bring billions of dollars of quality development to the area."

The Brookhaven projects include:

Sunrise Wind/ 22 Research Way

- Renovation and equipping of a 55,525 sq. ft. facility to serve as the operations and maintenance hub for the Sunrise Wind Farm and cable project.
- Investment - \$37,799,560
- Job creation - 112
- Location - East Setauket

Sunrise Wind LLC

- 18 miles of underground cable traveling from Smith Point to a Holbrook substation in support of the Sunrise Wind power generation project.
- Investment - \$491,100,000
- Job creation - 2,986
- Location - Shirley to Holbrook

Brookhaven Logistics Center

- 2.5 million sq. ft. of speculative, rail-contiguous warehouse and distribution facilities.
- Investment - \$409,739,630
- Job creation - 2900
- Location - Yaphank

Port Jefferson Crossing

- CDCLI and Conifer supported 70,000 sq. ft. 100% affordable/workforce 45-unit residential housing transit-oriented development.
- Investment - \$24,300,000
- Job creation - 102
- Location - Port Jefferson

WF Industrial XIII

- 129,237 sq. ft. warehouse/distribution facility on 9.89 acres of vacant land.
- Investment - \$33,796,991
- Job creation - 116
- Location - Medford

Brookhaven Ventures/ BRP/ The Arboretum

- 292 rental units, including 10% affordable, on 62 acres. Includes public park and building for public use.
- Investment - \$109,000,000
- Job creation - 682
- Location - Farmingville

Middle Country Meadows

- Senior rental housing development will include 124 rental units (36 will be affordable).
- Investment - \$36,915,000
- Job creation - 157
- Location - Selden

Hawkins Ave/ Ronkonkoma Hub Phase 2A



- Investment - \$252,785,600
- Job creation - 4,700
- Location - Ronkonkoma

Bactolac

- 148,250 sq. ft. building for warehousing of materials used in manufacturing dietary supplements.
- Investment - \$17,920,000
- Job creation - 132
- Location - Shirley

MDS Building Ventures

- 140,000 sq. ft. warehouse/distribution center for a distributor of custom packaging supplies.
- Investment - \$13,791,470
- Job creation - 91
- Location - Shirley

AVR SP Brookhaven

- Two buildings, totaling 140,000 sq. ft. for warehouse/distribution.
- Investment - \$72,448,350
- Job creation - 343
- Location - Shirley

South Setauket ILU/ Jefferson's Ferry

- Expansion of existing living facility to about 170,000 sq. ft. construction and 49,000 renovated space.
- Investment - \$46,670,000
- Job creation - 387
- Location - Port Jefferson



THE
SOUTH SHORE
COMMUNITY

The April 4 budget
Shirley Community I
annex on Neighborho

developers.

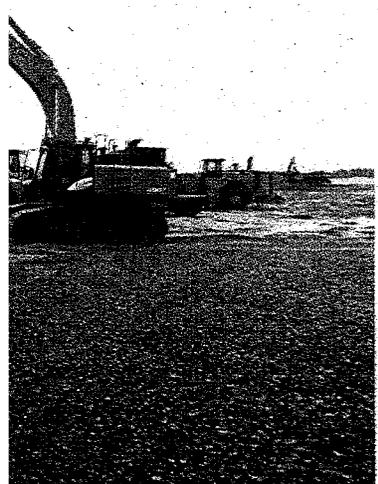
A hot pocket for the development boom is an industrial corridor in Shirley and Yaphank that directly connects not only to the Long Island Expressway, but also to the rails as highlighted by the \$409.7 million Brookhaven Logistics Center, a rail-contiguous warehouse and distribution center that is projected to create more than 2,900 jobs.

Nearby is the 148,250-square-foot Bactolac building, a \$179 million warehouse for materials used in manufacturing dietary supplements. Its neighbor is the MDS Building Ventures warehouse and distribution center for custom packaging supplies, a 140,000-square-foot facility costing \$13.7 million. Just down the road in Yaphank are two buildings totaling more than 400,000-square-feet by AVR SP Brookhaven JV, a \$72.4 million investment.

Housing Brookhaven residents will be the transit-oriented Port Jefferson Crossing project sponsored by Conifer and the Community Development Corporation of Long Island. The \$24.3 million construction will feature 45 affordable workforce housing units and have quick access to the Long Island Rail Road. Farmingville will be the home of The Arboretum, a \$109 million development comprised of 292 rental units, public use building and park on 62 acres.

There's also Middle Country Meadows, a \$36.9 million senior housing community of 124 rental units in Selden and phase 2A of the Ronkonkoma Hub with approximately 388 residential units, including parking, retail and commercial space, total investment: \$252.7 million.

"This is an incredible amount of investment that demonstrates great confidence in our workforce and economic viability," said Assemblyman Joseph DeStefano, whose district contains many of the projects. "Kudos to the IDA and the town officials who stuck to their far-reaching plan to bring billions of dollars of quality development to the area."



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- Mixed-use multifamily building consisting of 388 residential units, including parking, retail and commercial space.



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- Investment - \$46,670,000
- Job creation - 387
- Location - Port Jefferson

Peconic River Energy Storage

- 150 MW battery energy storage system on 4.4 acres.
- Investment - \$159,415,586
- Job creation - 133
- Location - Manorville

10 Donald's Way

- 140,875 sq. ft. warehouse distribution facility on 11.01 acres of vacant land.
- Investment - \$36,855,925
- Job creation - 173
- Location - Medford

American Organic Energy (AOE)

- 74,500 sq. ft. building with anaerobic digesters to process food waste, which will be converted to clear energy, clear water and soil products.
- Investment - \$120,000,000
- Job creation - 312
- Location - Yaphank

"Our work in Brookhaven has made it the heart of economic activity in Suffolk County, but also a place with beautiful parks and open spaces for our residents to enjoy," said Town Councilman Daniel Panico, who also serves as deputy supervisor. "Successful governance is multifaceted and I pride myself on helping to run this town, that is geographically larger than Nassau County, with consideration for both the economic and environmental needs of our residents."

THE SOUTH SHORE PRESS

CORRECTION

The April 4 budget and trustee vote for the Mastics Moriches Shirley Community Library will take place at the Mastic Beach annex on Neighborhood Road from 9 a.m.-9 p.m., not the Mastic Recreation Center as previously reported. The center will be the location of an informational meeting March 27 starting at 7 p.m.

VanBRUNT, JUZWIAK & RUSSO, P.C.

ATTORNEYS AT LAW

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RICHARD H. VanBRUNT
1927 - 2006

ERIC J. RUSSO

RITA BUCKLEY
Paralegal

May 9, 2023

Via Hand Delivery

Mr. Frederick C. Braun, III, Chairman
and Members of the Brookhaven Town IDA
Brookhaven Town Industrial Development Agency
One Independence Hill
Farmingville, New York 11738

**RE: Lease Agreement with Gary W. Oakland and Christine J. Hill, as Trustees of the
Unified Credit Trust a/k/a the Wallace Oakland Unified Credit Trust, dated
December 16, 2019**

**Premises: 19 Zorn Boulevard, Yaphank, New York
SCTM #: 0200-814.00-04.00-001.000 through 011.000**

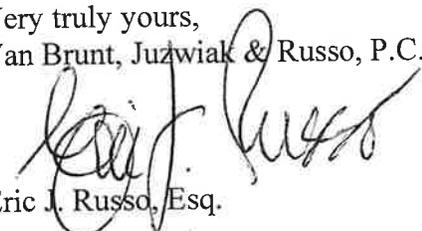
Dear Mr. Braun and Members of the Brookhaven Town IDA:

As you are aware, our law firm represents Gary W. Oakland and Christine J. Hill, as Trustees of the Unified Credit Trust a/k/a the Wallace Oakland Unified Credit Trust, concerning the above-referenced IDA Lease Agreement, dated December 16, 2019. Our clients wish to enter into a contractual agreement with Greenland New York Properties LLC to sell a portion of their property, vacant land, known as SCTM No. 0200-814.00-04.00-001.000 and 002.000, totaling approximately 1.86 acres, at the corner of Horseblock Road and Zorn Boulevard.

It is our understanding that the Purchaser seeks to develop this property pursuant to the current zoning as L-1 Industrial District. Therefore, we request that you consider and grant a release of Lots 1 and 2 from the Lease Agreement at your next scheduled meeting on May 17, 2023 in order for our clients to proceed and enter into a Contract of Sale for same. We have discussed this request with your respective counsel, Howard Gross, Esq., and he is aware of it as well.

Your consideration and approval would be greatly appreciated. If you should have any further questions or require additional information, please do not hesitate to contact our office. Thank you.

Very truly yours,
Van Brunt, Juzwiak & Russo, P.C.


Eric J. Russo, Esq.

EJR/tml

cc: Ms. Lisa Mulligan, Executive Director, Brookhaven Town IDA
Mr. Gary Oakland, Co-Trustee
Ms. Christine Hill, Co-Trustee



Rendering of a building at the Brookhaven Logistics Center in Yaphank. / Courtesy of Wildflower Ltd.

\$162M Yaphank warehouse project gets IDA assist

David Winzelberg//April 5, 2023

A Manhattan-based developer has closed on a package of economic incentives from the Town of Brookhaven Industrial Development Agency for its proposed three-building \$162 million project in Yaphank.

Wildflower Ltd. plans to build three industrial buildings totaling 550,000 square feet on a 42.1-acre portion of a 71.4-acre parcel of vacant land west of Sills Road on the north side of Long Island Expressway North Service Road. The project, called the Brookhaven Logistics Center, is expected to create 170 full-time and 21 part-time permanent jobs.

The 12-year payment-in-lieu-of-taxes agreement with the IDA calls for the developer to pay \$40,448 in the first year, with annual escalations that end up

at \$2.11 million. The three buildings are expected to take about 24 months to complete, with occupancy of the first building to begin in 16 months, according to IDA documents.

“This project will help to meet the increased demand for trucking, storage, and delivery of goods and services in our region with the potential to create hundreds of new jobs in the Town of Brookhaven, bring new tenants from outside of the region, and create new economic opportunities,” Frederick Braun, Brookhaven IDA chairman, said in an IDA statement.

The Brookhaven IDA had previously approved incentives to Wildflower for a \$33.8 million industrial project in Medford. The developer is currently building a 129,242-square-foot warehouse and distribution complex on 10 acres of vacant land at 645 National Blvd.

The Medford project will take about 12 months to complete and is expected to create 40 full-time jobs and five part-time positions, according to an IDA statement.