

Town of Brookhaven

Industrial Development Agency

Meeting Minutes

April 23, 2025

Members Present: Frederick C. Braun, III
Martin Callahan
Mitchell H. Pally
John Rose
Ann-Marie Scheidt

Excused Members: Felix J. Grucci, Jr.
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
Annette Eaderesto, IDA Counsel
Barry Carrigan, Nixon Peabody, LLC
Howard Gross, Weinberg, Gross & Pergament, LLP (via Zoom)
Andrew Komaromi, Harris Beach Murtha, PLLC
Gwen O'Shea, Community Development Long Island (via Zoom)
Roger Pine, Community Development Long Island (via Zoom)
Peter Curry, Farrell Fritz, P.C. (via Zoom)

Chairman Braun opened the IDA meeting at 10:06 A.M. on Wednesday, April 23, 2025, 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 March 26, 2025

The motion to approve these Minutes as presented was made by Ms. Scheidt and seconded by Mr. Rose. All voted in favor.

Meeting Minutes of March 28, 2025

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

CFO's Report

Ms. LaPonte informed the Board that Agency staff recently met with representatives from Flushing Bank to ensure Agency funds are as secure as possible. Multi-factor authorization has been added to safeguards already in place and some wire limits will be decreased. Agency funds are protected above FDIC limits and collateral agreements are in place.

Port Jefferson Commons, LLC – Updated Application

This is an updated application for a 100% affordable housing development with a retail component in Port Jefferson. Mr. Pine informed the Board that this project received a funding award from New York State last month. This development, which is a partnership between Conifer and Community Development Long Island, will include 53 housing units and 2,500 square feet of commercial space on the ground floor. The rent range is 30% to 80% of the area median income.

The motion to accept the application was made by Mr. Pally and seconded by Mr. Callahan. The motion passed with Ms. Scheidt recusing herself.

J-CAD Realty – Subtenant Application & Resolution – 664 Blue Point Realty, LLC

In addition to the subtenant application, there are two subleases presented for approval as well as a change in ownership.

The motion to accept the subtenant application was made by Mr. Pally, seconded by Ms. Scheidt and unanimously approved.

The motion to approve the change in ownership was made by Mr. Callahan and seconded by Ms. Scheidt. All voted in favor.

The motion to approve the sublease from J-CAD to a new entity and then subleasing to Key Civil Engineering who is renting additional space was made by Ms. Scheidt, seconded by Mr. Callahan and unanimously approved.

Biocogent, LLC / Martosc Properties, LLC – Resolution

A public hearing was held with no comment received.

The motion to approve the final authorizing resolution was made by Mr. Pally and seconded by Mr. Rose. All voted in favor.

Sunrise Wind, LLC – Resolution

No comment was received at the public hearing to increase the sales tax exemption for this project.

The motion to approve the resolution was made by Ms. Scheidt, seconded by Mr. Pally and unanimously approved.

CEO's Report

Preserve at East Moriches

Mr. Rose recused himself from this discussion. This project has requested an extension of their application acceptance. Mr. Curry informed the Board that the project received a term sheet for a construction loan of approximately \$25 million from Fairbridge Asset Management and intends to close by the middle of May.

Mr. Pally made a motion to approve this extension which was seconded by Mr. Braun. The vote was as follows:

Mr. Callahan – No

Mr. Pally – Yes

Mr. Rose – Recused

IDA Meeting
April 23, 2025

Ms. Scheidt – Yes

Mr. Braun – Yes

LIBDC Montauk Sponsorship

The motion to sponsor this conference at a cost of \$5,000 was made by Mr. Braun, seconded by Mr. Callahan and approved with Mr. Pally recusing himself.

Logo

The Board selected the third option for a new logo based on what was provided by Duggal.

Housing Study

The last round of the Housing Study has been received. A Governance Committee meeting will be scheduled for Camoin Associates to present it to the Board. Consideration will be given to amend the Uniform Tax Exemption Policy following Governance Committee and Board discussions.

At 10:36 A.M., Mr. Callahan made a motion to enter executive session to discuss 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. The motion was seconded by Ms. Scheidt and unanimously approved.

At 10:49 A.M., Mr. Pally made a motion to resume the regular agenda. The motion was seconded by Ms. Scheidt and all voted in favor. No action was taken in executive session.

Mr. Rose made a motion to amend organizational resolution #2. The motion was seconded by Ms. Scheidt and all voted in favor.

The motion to close the IDA meeting at 10:50 A.M. was made by Mr. Pally, seconded by Mr. Rose and unanimously approved.

IDA Meeting
April 23, 2025

The next IDA meeting is scheduled for Wednesday, May 14, 2025.

DRAFT

2. User Data – Paragraph H

List all other organizations which are related to the User by virtue of such persons having more than a 50% interest in such organizations

AE Fairhaven, LLC

AE Halifax, LLC

AE-ESS Cassel, LLC

AE-ESS Holyoke, LLC

AE-ESS NWS 1, LLC

AE-Telview ESS, LLC

AE-Town Hall Solar 2 MM, LLC

AE-Waterford Parkway, LLC

Agilitas Energy Trading CA, LLC

Agilitas Energy Trading NY, LLC

Agilitas Energy Trading, LLC

Agilitas Hydroelectric, LLC

Agilitas Old Middleboro Road, LLC

Beaman Road Solar, LLC

Braley Hill North Solar, LLC

Bristol BESS, LLC

Central Street Solar, LLC

Coy Hill Solar, LLC

Dover Road Solar, LLC

Fairlawn Hydroelectric Company, LLC

Featherbed Lane South Solar, LLC

Frankland Road Solar, LLC

I-eye Storage LLC

Leicester Street Solar, LLC

Littleworth Road Solar, LLC

Madison BTM, LLC

Madison ESS, LLC

Milton Town Solar, LLC

Ocean State BTM, LLC

Old Middleboro Road Solar, LLC

Randall Lane Solar, LLC

Rustcraft Road Solar, LLC

Rumford ESS, LLC

Seekonk Speedway Solar, LLC

Snipatuit Road Solar, LLC

Solar PV Management, LLC

South Portland ESS, LLC

Tygart LLC

WA-Farms Development, LLC

WB-Farms Development, LLC

Williamsburg Solar I, LLC

ZPD-PT Solar Project 2017-040 LLC



Agilitas Energy, Inc.

401 Edgewater Place, Suite 570
Wakefield, MA 01880
(781) 486-4007
contact@agilitasenergy.com

June 6, 2025

Lisa M. G. Mulligan
Chief Executive Officer
Industrial Development Agency
Town of Brookhaven
One Independence Hall
Farmingville, NY 11738

Re: Agilitas Energy/AE-Manorville 2, LLC
Updated Application

Dear Ms. Mulligan:

The intent of this letter is to request a review and approval of our updated Application for Financial Assistance Agilitas Energy ("AE") originally submitted to the Town of Brookhaven Industrial Development Agency ("Agency") dated February 27, 2021 and extended by Agency Resolution of June 6, 2024 which extended the termination date until December 31, 2025.

We would like the board to approve the minor modifications captured in this application so we can proceed with closing and commence construction of the approved Solar Energy and Storage Project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barrett Bilotta'.

Barrett Bilotta
President & CEO
Agilitas Energy, Inc.



Town of Brookhaven

Industrial Development Agency

Meeting Agenda

Wednesday, June 18, 2025 at 3:00 PM

1. Roll Call
2. Minutes
 - a. April 23, 2025
3. CFO's Report
 - a. Actual vs. Budget Report – May 31, 2025
Timely Payments
4. Applications
 - a. Ronk Hub Phase 2A Subtenant Application – PBLI, LLC D/B/A Playa Bowls
 - b. AE-Manorville 2, LLC Updated Application
5. Resolutions

Ronk Hub Phase 2A Subtenant – PBLI, LLC D/B/A Playa Bowls
AE-Manorville 2, LLC
6. CEO's Report
 - a. Holtsville Energy Storage, LLC
 - b. Preserve at East Moriches
 - c. Scalamander Cove
Spec Industrial
FSA / HRA
 - d. Job Creation Numbers
Purchasing Policy
Housing
7. Executive Session

The next IDA meeting is scheduled for Wednesday, July 16, 2025.



422 Admiral Blvd, Kansas City, MO 64106
www.savionenergy.com

via e-mail Delivery

June 4, 2025

Lisa M.G. Mulligan, Chief Executive Officer
Town of Brookhaven Industrial Development Agency
One Independence Hill
Farmingville, NY 11738
lmulligan@brookhavenida.org

Re: Holtsville Energy Storage, LLC Application ("Project")
Request for Extension to Hold Public Hearing and Closing

Dear Ms. Mulligan:

I am writing on behalf of Holtsville Energy Storage, LLC to respectfully request an extension of time to hold the public hearing and closing for this Project until August 1, 2026.

While the Project was issued a negative declaration under the State Environmental Quality Review Act, obtained the Site Plan approval from the Town of Brookhaven in January 2023, and was granted an electrical easement from NYS Department of Transportation ("NYS DOT") in January 2024, there are other open matters that prevent the Project from closing with the Agency and commencing construction in Q3 and Q4 2025.

The following items remain open:


- Commercial offtake agreement for the power generated from the Project;
- Transmission upgrades constructed for the project interconnection;
- NYS Public Service Commission ("NYS PSC") approval of electrical easement from National Grid to connect the Project to the local utility grid;
- Procurement of Project infrastructure and equipment - Pending tariffs and other regulatory changes have created schedule delays

We are working hard to address these open items, but they will take time to address.

We understand that a revised or updated Application may be requested by the Agency prior to conducting the public hearing for the Project.

Please let us know if you have any questions regarding this request. Thank you for your consideration.

Sincerely,

DocuSigned by:

A641E14A9D434CA...
Scott Zeimet
Authorized Person



Laura K. Fallick
Associate

Direct Dial: 516.227.0735
Direct Fax: 516.336.2225
lfallick@farrellfritz.com

400 RXR Plaza
Uniondale, NY 11556
www.farrellfritz.com

Our File No.
40252/100

April 10, 2025

VIA EMAIL AND FEDEX

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

Re: The Preserve at East Moriches, LLC 2024 Facility

Ms. Mulligan:

Reference is hereby made to that certain Resolution dated October 16, 2024 (the "Resolution"), issued by the Town of Brookhaven Industrial Development Agency (the "Agency"), approving the application of The Preserve at East Moriches, LLC (the "Company") for the acquisition, development and construction of the Project (as defined in the Resolution).

The Company respectfully requests an extension of time to close the transaction in accordance with the Resolution for an additional 90-day period.

The Company has received the term sheet from its lender and looks forward to close this transaction and begin work on the Project in accordance with the terms therein.

Please do not hesitate to reach out with any questions or comments you may have on this request.

Very truly yours,

Laura K. Fallick

Laura K. Fallick

cc: Mr. James Tsunis
Peter L. Curry, Esq.

Dear Ms. Mulligan,

As you are aware, I am a member of Scalamander Cove, LLC ("Scalamander"). I am requesting that the Town of Brookhaven Industrial Development Agency ("Agency") grant us an additional eleven (11) months extension to close for the reasons set for below, until April 27, 2026.

On February 27, 2024, the Agency issued an authorizing resolution approving certain financial assistance for Scalamander's proposed 96-unit residential rental development project at Middle Country Road in Middle Island (the "{Project}").

The Agency has a policy requiring an extension of the closing date if the closing for the financial assistance from the Agency has not occurred within six (6) months of the authorizing resolution.

For us to tap into the existing sewer treatment plant ("STP") required for the Project, we have to pay the holder of the STP. The terms are still being negotiated. We did not resolve this earlier because we wanted to be certain that we could move ahead and start construction before executing an agreement. Although the terms have now been agreed upon, we are in the process of obtaining approval from the Suffolk County Sewer Agency.

At the time of our last correspondence, we were in the process of obtaining our Storm Water Pollution Prevention Plan. That Plan has now been approved.

In addition, as you are aware, we have been trying to obtain the required Pine Barrens Credits. We have met with members of the Town Board to discuss an alternative plan, but they recently informed us that, pursuant to the Town Attorney's recommendation, the alternative plan was not adequate. We are once again negotiating to procure the required Pines Barrens Credits.

We, therefore, request an extension to close with the Agency on the financial assistance until April 27, 2026.

If there is any further information you require, please contact me at your earliest convenience.

Thank you,

PAUL J. ANIBOLI

TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT AGENCY PROJECT MEASURE OF JOB GROWTH								
COMPANY NAME (Year FTE is required)	JOB STATUS	CERTIFICATION YEAR	FIRST YEAR	SECOND YEAR	2022 ANNUAL REPORT	2023 ANNUAL REPORT FTE	2024 Annual Report FTE	2024 PERCENTAGE
10 DONALD'S WAY - 2026	FTE		15.0	35.0				N/A
	Construction	125.0				14.0	28	
AARCO (83 Hoseblock Road)	FTE		11.0	14.0	10.0	14.0	14	100%
	Construction Jobs							
AARCO (First on Old Dock)	FT	43.0	45.0	47.0	39.0	43.0	43	91%
	PT							
ACE - CALABRO	FTE	-	-	-	-		-	N/A
	Construction Jobs							
ACE - CALABRO 2	FTE	-	-	-	-		-	N/A
	Construction Jobs							
ACE- HOLTSVILLE	FTE		-	-	-		-	N/A
ACE - MANORVILLE	FTE		-	-	-		-	N/A
ACE - TOWN HALL SOLAR	FTE	-	-	-	-			N/A
	Construction Jobs						-	
AE - ESS CASSEL	FTE	-	-	-		-	-	N/A
AE - TOWN HALL SOLAR 2	FTE	-	-	-	-		-	N/A
	Construction Jobs							
ACROPOLIS (15 COMMERCIAL)	FTE	15.0	16.0	18.0	25.0	23.0	21	117%
	Construction Jobs							
AMERICAN ORGANIC ENERGY (LI COMPOST) 2026	FTE	-	11.0	11.0	-	-		N/A
	Construction Jobs							
AMERICAN REGENT 2025	FTE	473.0	375.0	375.0	375.0	375.0	375	N/A
	Construction Jobs				21.0	45.0	10	
AMNEAL	FT	190.0	190.0	490.0	752.5	763.5	804	164%
NM AMNL (50 HORSEBLOCK)	PT							
	Construction Jobs							
AMNEAL (19 NICHOLAS DRIVE)	FTE	6.0	5.0	7.0	6.5	5.5	5	75%
ANGELA'S HOUSE (K.J.R.)	FTE	-	7.0	9.0	5.7	6.3	7	73%
AVR-SP Parcel 1 2025/2028	FTE	-	8.5	26.0	-		20	N/A
	Construction Jobs				100.0	210.0	30	
AVR-SP Parcel 2 2027/2028	FTE	-	14.0	44.0	-			N/A
	Construction Jobs				100.0	210.0		
BK @ LAKE GROVE (HSRE)	FTE	-	50.0	50.0	84.0	83.5	84	168%
	Construction Jobs							
BACTOLAC PHARMACEUTICAL 2024/ 2025	FTE	-	10.0	30.0	-		13	130%
	Construction Jobs				360.0	150.0		
BIOCOGENT 2024	FTE	31.0	15.0	15.0	-	-	-	N/A
	Construction Jobs				1.0			
BLUE POINT BREWERY COMPANY	FTE	37.0	52.0	66.0	103.0	86.0	51	77%
	Construction Jobs							
BLSF	FTE		-	-				N/A
Construction	Construction Jobs	30.0					77	
BRIGHTVIEW PORT JEFFERSON 30-2023 48-2024 60-2025	FTE	-	30.0	60.0		83.0	99	206%
	Construction Jobs				98.0			
14 GLOVER-BROOKHAVEN MEMORIAL HOSPITAL	FTE	-	125.0	137.0	-			-
	Construction Jobs							
BROOKHAVEN LOGISTICS (NP/WINTERS) 2026	FTE	-	1,094.0	1,094.0	-			N/A
	Construction					20.0		
BROOKHAVEN RESIDENCES 2025	FTE	-	5.0	5.0	-	-	7	N/A
	Construction Jobs				99.0	98.7	59	
Brookhaven Solar Invest			-	-				N/A
	Construction						14	
BROOKS PARTNERS	FTE	6.0	6.0	6.0	22.0	16.0	16	1733%
	Construction Jobs				8.0	8.0	8	
BURMAX	FT	120.0	158.0	160.0	152.0	156.0	148	93%
	PT	20.0						
	Seasonal	12.0						
C2 NY (Pennysaver Solar)	FTE	2.0	-	-		-		N/A
	Construction Jobs							
CAITHNESS LONG ISLAND, LLC	FT	-	15.0	15.0	19.0	17.0	17	113%
CD RAMSAY	FTE	17.0	19.0	22.0	41.0	51.0	47	214%
	Construction Jobs							
CLARE ROSE INC.	FT	182.0	177.0	177.0	262.0	247.0	248	140%
	PT							
	Construction Jobs							
CRESTWOOD	FT	31.0	43.0	46.0	25.0	25.0	15	33%
	PT	9.0						
CROSS-SOUND CABLE COMPANY, LLC	FT	-	-	-		-		N/A
D&F BELLPORT (BELLPORT RESIDENCES) 2023	FTE	-	2.5	2.5	3.0	2.5	3	100%
	Construction Jobs							
D & F PATCHOGUE	FT	-	50.0	50.0	89.0	106.0	109	218%
	Construction Jobs							

EB HOLTSVILLE	FT	-	50.0	60.0	83.0	77.5	82	136%
	Construction Jobs							
EB @ MT. SINAI / FAIRFIELD KNOLLS	FTE	-	4.0	4.0	8.0	4.3	11	275%
	Construction Jobs							
EXCEL HOLDINGS 6, LLC	FT	-	21.0	24.5	25.0	24.0	26	104%
	Construction Jobs							
FOUR L	FT		19.0	42.0	35.0	35.0	35	83%
	Construction Jobs							
FOURGEN H	FTE	-	-	-		-		N/A
FOURGEN S	FTE	-	-	-		-		N/A
FRAMERICA (TWO-G)	FT	175.0	135.0	175.0	211.0	182.0	160	91%
	PT							
FRAMERICA (19 NICHOLAS)	FTE	-	8.0	8.0	71.0	86.0	84	1050%
	Construction Jobs							
FRANK LOWE RUBBER & GASKET	FT	40.0	48.0	59.0	46.0	51.0	53	90%
44 RAMSEY ROAD OWNER	PT							
	Seasonal	3.0	6.0	10.0				
GLOBAL TISSUE GROUP	FT	-	83.0	105.0	163.0	138.0	140	133%
	PT	-						
GROVE 2028	FTE		4.0	4.0				N/A
	Construction	150.0					60	
H.O. PENN (MEDFORD BRANCH)	FTE	26.0	26.0	26.0	30.0	30.0	25	96%
HOLTSVILLE INDUSTRIAL	FT	-	30.0	50.0	22.0	24.0	161	322%
	Construction							
Horseblock 4 2025	FTE	-	20.0	20.0				n/a
	Construction							
HSRE-EB MT. SINAI	FT		50.0	60.0	74.0	82.5	86	143%
	Jobs							
HSRE-EAST PATCHOGUE 2025			5.0	5.0				N/A
	Construction					23.0	115	
HYDRO METAL/BOILERMATIC	FTE	15.0	25.0	35.0	22.0	61.0	47	134%
	Construction Jobs				1.0			
INTEGRATED STRUCTURES (4 PINEHURST) 2025	FTE	55.0	59.0	62.0	38.0	42.0	24	N/A
	Construction							
INTERSTATE MECHANICAL (WILLIAMS REALTY)	FTE	3.0	3.0	6.0	13.0	15.0	12	200%
	Construction Jobs				8.0			
INTERCOUNTY APPLIANCE CORPORATION (10 National)	FT	67.0	69.0	72.0	91.0	97.0	96	133%
(Captive Truck Drivers 70 employees)	PT	1.0	-	-				
	Construction Jobs							
ISLANDAIRE	FT	133.0	17.0	20.0	20.0	20.0	20	100%
	PT							
J-CAD	FT	29.0	40.0	45.0	72.0	72.0	78	173%
	PT	4.0						
MPH J-POWER (SHOREHAM ENERGY)	FTE	6.0	-	6.0	6.0	6.0	-	0%
LONG ISLAND AVENUE 2024	FTE	-	13.0	13.0	-		-	N/A
	Construction Jobs				8.0	3.0		
MEADOWS AT YAPHANK APARTMENTS	FTE	-	5.0	4.0	13.0	11.0	10	250%
	Construction Jobs							
MEADOWS - AVR YAPHANK HOTEL & LOFT APARTMENTS	FTE	-	32.0	37.0	37.5	37.5	36	96%
	Construction Jobs				100.0			
Medford Gardens 2026	FTE	-	7.0	7.0				N/A
	Construction						5	
McKEON DOOR EAST	FTE	-	6.0	10.0	16.0	17.0	17	170%
MDS BUILDING VENTURES 3/31/2025	FTE	-	9.0	13.0				N/A
	Construction				180.0	90.0	50	
MIDDLE COUNTRY MEADOWS 7/1/25	FTE	-	2.0	5.0	6.0	7.0	7	N/A
	Construction				120.0	120.0	135	
MS PACKAGING CORP	FT	12.0	17.0	20.0	27.0	27.0	28	140%
	PT	3.0	-	-				
	Construction Jobs							
NASSAU PROVISIONS KOSHER FOODS 2025	FTE	103.0		17.0			9	94%
	Construction	10.0					7	
ON THE COMMON	FTE	-	2.0	2.0	4.0	2.0	2	100%
	Construction Jobs				22.0			
ORBIT BLOOM	FTE	-	1.0	1.0	1.0	1.0	1	100%
OVERBAY	FTE	-	3.0	3.0	3.5	3.0	3	100%
	Construction Jobs							
PALLETS R US, Inc.	FT	118.0	130.0	130.0	150.0	148.0	150	115%
	PT							
	Construction Jobs							
PENN FABRICATORS	FT	57.0	61.0	67.0	80.0	77.0	71	106%
	PT	6.0					-	
	Construction Jobs						-	
PORT DEVELOPMENT 2024	FTE	-	5.0	5.0	1.0	1.0	1	20%
	Construction Jobs				30.0	30.0		
PORT JEFFERSON CROSSING 2023	FTE	-	1.5	1.5	-	1.9	2	100%
	Construction Jobs				2.0			
QUALITY KING DISTRIBUTORS, Inc.	FT	500.0	550.0	605.0	770.0	792.0	663	110%
	PT							

RAIL REALTY	FTE	-	3.0	3.0	1.0	1.0	1	33%
	Construction Jobs							
RONKONKOMA HUB - PHASE I	FT	-	10.0	10.0	16.0	17.0	16	160%
	Construction Jobs							
RONKONKOMA HUB - PHASE 2 2025	FTE	-	30.0	45.0		2.0	116	N/A
	Construction Jobs				145.0	590.0	281	
Ronk Hub NOVA 2027	FTE		15.0	15.0				N/A
	Construction						40	
R SQUARED / GREYBARN 2026	FTE			2.0				N/A
	Construction						11	
S POWER	FTE	-	-	-	-	-		N/A
SELDEN COMMERCIAL CENTER, LLC	FT	-	7.0	7.0	12.0	21.0	23	329%
	PT	-						
	Construction Jobs							
SEPTEMBER MORNING LLC 2025			14.0	29.0				n/a
Construction		54 D 32 ID					165	
SHI-III	FTE	-	34.0	50.0	68.0	64.0	69	138%
	Construction Jobs							
SHOREHAM SOLAR COMMONS (Brookfield)	FT		-	-	-	-		N/A
	PT							
SOUTH SETAUKET ILU	FTE	242.0	276.0	276.0	207.0	206.0	251	91%
	Construction Jobs				90.0		28	
SUFFOLK TRANSPORTATION	FT	9.0	150.0	150.0	432.0	409.5	461	307%
	PT	108.0						
SUN RIVER TOWN HOMES	FTE	-	3.0	3.0	-	3.0	3	100%
	Construction					249.0		
Sunrise Wind (22 Research Way) 2025	FTE		65.0	65.0			46	N/A
	Construction					21.0		
SUNRISE WIND (Cables)	FTE	-			-			N/A
	Construction					35.0	175	
T. MINA	FTE	9.0	13.0	17.0	17.0	17.0	18	106%
	Construction Jobs							
TOP GOLF	FT	-	72.0	85.0	159.0	153.0	174	205%
	Construction Jobs							
U.I. SUPPLIES	FT	1.0	3.0	13.0	24.0	24.0	20	154%
	PT							
UNCLE WALLY'S	FT	186.0	157.0	178.0	292.0	278.0	320	180%
Year End 2019 - 192 FTE	PT							
UNITED MEAT PRODUCTS Updated 2024	FT	-	7.0	16.0	30.0	-	5	100%
5 FTE as of 12/31/24; 7 FTE as of 12/31/25; 16 FTE as of 12/31/26	Construction Jobs							
UNITED RENTAL	FTE	-	20.0	20.0	54.0	47.0	43	215%
	Construction Jobs							
VISIONTRON (925 WAVERLY AVENUE)	FTE	74.0	80.0	80.0	67.0	67.0	64	80%
	Construction Jobs				31.0			
GS AA VISTAS - 2021 (VISTAS)	FTE	-	3.0	3.0	6.0	6.0	6	200%
	Construction Jobs							
WF XII (12) 2025		-	90.0	180.5			-	N/A
Construction					175.0	175.0		
WF XIII (13) 2025	FTE	-	45.0	45.0	-		-	N/A
Construction					150.0	150.0		
WALLACE OAKLAND (FOUR KEYS REALTY)	FTE		41.0	46.0	57.0		75	163%
	Construction Jobs							
WHTB GLASS	FTE	-	50.0	50.0	40.0	41.0	33	66%
	Construction Jobs							
WINCORAM	FTE	-	4.0	4.0	5.0	6.0	6	158%
	Construction Jobs							
MCP Medcore YAPHANK CHELSEA	FTE	-	32.5	50.0	38.0	48.0	58	115%
	Construction Jobs							
YAPHANK FUEL CELL	FTE	-	1.0	1.0	-	-	1	100%
	Construction Jobs							
TOTAL		3,369.0	5,326.0	6,259.0	7,526.7	7,928.2	7,389	



Inside a residence at The Arboretum at Farmingville. / Courtesy of BRP Companies

Developer marks completion of 292-unit Arboretum at Farmingville

[David Winzelberg](#)//May 9, 2025//

THE BLUEPRINT:

- The Arboretum at Farmingville opens all 292 rental units
- Rents range from \$3,495 to \$5,350, with workforce housing included
- Amenities include a clubhouse, pool, fitness center, and 7-acre park

Development executives celebrated the grand opening of the remaining 152 units of a sprawling new rental community in Farmingville this week.

The Arboretum at Farmingville, a 491,000-square-foot, 292-unit development on 62 acres at 20 Maple Lane, is a joint venture between Manhattan-based BRP Companies.



The Arboretum at Farmingville / Courtesy of
BRP Companies

The \$147 million garden-style community is a mix of 82 two-bedroom flats, 82 lofts, 63 two-bedroom townhomes, 14 three-bedroom townhomes, 51 three-bedroom single-family houses, with 30 units within the complex reserved for workforce housing. Monthly rents vary, starting at \$3,495 for two-bedroom apartments, \$4,450 for three-bedroom townhomes, and \$5,350 for three-bedroom single-family houses, according to a statement from the developers.

“With the completion of all units of The Arboretum, we are proud to have delivered much-needed housing to a highly sought after region within Suffolk County, which served as our first foray into the Long Island market,” Meredith Marshall, co-founder and managing partner of BRP Companies, said in the statement. “As the Town of Brookhaven continues to grow as a destination with increasing demand for exceptional housing, we are proud to have delivered 292 units in a variety of different layouts to best fit the needs of current and prospective residents.”

The apartments at the Arboretum include in-unit washers and dryers, stainless-steel appliances, and some feature fireplaces, vaulted ceilings, balconies and loft spaces.

The development features 7,500 square feet of shared amenity space, including a clubhouse, fitness center, yoga rooms, pool and cabana area, tennis, pickleball and bocce courts, a putting green, a playground, dog run and pet wash stations, and a business center with conference rooms. The property also has a 7-acre park with nature paths, walking trails and picnic areas that are open to the public.

BRP Companies acquired the property in 2020 and construction on the project began in July 2022, with the first phase of 140 units completed in June 2024. The development was financed with a \$91 million floating construction loan through Santander Bank that was arranged by JLL Capital Markets. The development was also assisted by economic incentives from the Town of Brookhaven Industrial Development Agency. Greystar leads leasing efforts and manages the property.



Depositphotos image

Biotech firm expands in Bellport with IDA assist

David Winzelberg//June 10, 2025//

A [biotechnology](#) firm is expanding in [Bellport](#) with assistance from the Town of Brookhaven [Industrial Development](#) Agency.

[Biocogent](#) LLC is acquiring and renovating a 10,000-square-foot industrial building on 1.03 acres at 9 Sawgrass Drive. The \$4.25 million project will add six employees to the company's current staff of 42, according to an IDA statement.

This will be the company's third location in Bellport. In 2021, a Biocogent affiliate purchased an 11,574-square-foot industrial building on 1.11 acres at 19 Pinehurst Drive for \$2.7 million in a deal also assisted with [economic incentives](#) by the [Brookhaven IDA](#). The biotech firm also operates out of the 17,000-square-foot building on 1.42 acres at 15 Pinehurst Drive.

Biocogent had been headquartered in 12,000 square feet at [Stony Brook University's](#) Long Island High Tech Incubator, where it will now discontinue operations. The company manufactures 17 dermatologic products, including a bacteriophage to treat acne, which

are sold to over-the-counter skincare and medical care markets, with \$20 million in global sales, according to the IDA.



Neil Manzella, Marco Scarda, Dan Panico, Daniel Scarda, Danny Scarda at the Middle Island groundbreaking. / Courtesy of The Crest Group

Crest Group breaks ground on \$35M Middle Island townhome project

[David Winzelberg](#)//June 4, 2025//

THE BLUEPRINT:

- Crest Group breaks ground on \$35.1M senior townhome project
- 74 two-bedroom units for renters 55+ on 23.5-acre site
- Affordable & [workforce housing](#) included in development
- Amenities feature pickleball courts, walking paths, and gym

Local elected officials joined executives of [The Crest Group](#) last week at a groundbreaking ceremony for its new \$35.1 million rental community in [Middle Island](#).

Called The Villas at Oak Run, the project will bring 74 two-bedroom [townhomes](#) on a 23.5-acre site at the northeast corner of Birchwood Park Drive and Middle Country Road for renters aged 55 and older.

The project received economic incentives from the Town of Brookhaven Industrial Development Agency earlier this year.



Rendering of the townhomes at The Villas at Oak Run. / Courtesy of The Crest Group

Twenty percent of the townhomes at The Villas at Oak Run will be priced as affordable and workforce housing with reduced monthly rents. Eight units designated as affordable will be reserved for renters earning up to 80 percent of the area median income, and seven units designated as workforce housing will be leased to renters earning up to 120 percent of the AMI.

Monthly rents for the market-rate apartments are projected to be \$3,648, with workforce units at \$2,286, according to IDA documents. Each of the apartments will have a one-car garage. Amenities at the development will include an indoor fitness center, half-mile walking path and an outdoor recreational area with pickleball courts.

“It was great to see cohesive community support for this project at our groundbreaking ceremony,” said Daniel Scarda, Crest Group’s director of finance. “Town officials, civic leaders and community members all came together to be a part of what we are confident will be a massive improvement for the local community.”




At the groundbreaking event, Brookhaven Supervisor Dan Panico, who attended with Brookhaven Councilman Neil Manzella, said Middle Island is a community on the rise.

“This is a development of 74 units that is within reach of people. They are reasonably priced,” Panico said. “And when you see the amount of open space that will be preserved, it is a credit to these gentlemen.”

Marco Scarda, director of business development at Crest Group, said the groundbreaking tradition is a unique part of the company.

“We have a blessing ceremony for every project, some are larger than others but this one was unique because we were joined by so many people who played a role in getting this project through the process from the town, and the community, which almost never happens once projects get underway.”

The Middle Island development is expected to take from 18 to 22 months to complete, but its first phase is expected to be delivered in the spring of 2026.

	S&P 500	5,659.91 -4.03
	DOW	41,249.38 -119.07
	NASDAQ	17,928.92 +0.78

STOCKS STEADY TO CLOSE QUIET WEEK

U.S. stocks drifted through a quiet Friday as Wall Street closed an unusually calm week.

The S&P 500 slipped 0.1% to finish the week with a modest dip of 0.5%. It's the first week in seven where the index at the heart of many 401(k) accounts moved by less than 1.5%, after careening on fears about President Donald Trump's trade war and hopes that he'll relent on some of his tariffs.

The Dow dipped 119 points, or 0.3%, while the Nasdaq edged up by less than 0.1%. They finished the week with even more modest losses than the S&P 500.

The week's main event for financial markets is likely coming Saturday. That's when high-level U.S. and Chinese officials will meet in Switzerland for their first talks since Trump launched an escalating trade war between the world's two largest economies. The fear among investors and economists is that a recession could hit if the United States doesn't reach trade deals that lower its tariffs by enough and quickly enough.

Trump on Friday floated the idea of bringing tariffs on Chinese imports down to 80% from their current 145% rate, but he said it'll be up to Treasury Secretary Scott Bessent, who will be in Switzerland. While 80% would be a reduction, it would still be high, and Trump's posting on social media caused a brief jolt in financial markets. Futures for U.S. stocks sank immediately.

But markets quickly calmed as the wait continued for what U.S. and Chinese officials will say after their meeting. — AP

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Drugmaker adding jobs

Amneal says it will hire 200 workers for manufacturing

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

A drug manufacturer plans to add 200 jobs to its workforce of 800 people in Brookhaven Town to make medical devices for another company, executives said this week.

Amneal Pharmaceuticals Inc. will install manufacturing lines in its factory at 50 Horseblock Rd. to produce prefilled drug injection devices for Connecticut-based Apject Systems Corp.

The production lines would turn out between 250 and 300 million devices per year. Each device consists of a container filled with medicine, a needle, dose window and a protective cover over the needle, the executives said.

Amneal is a public company based in New Jersey with operations in that state, Kentucky, India and Ireland. Amneal has 2,500 employees domestically and until 2023 had a second local facility in Hauppauge where 220 people worked before the COVID-19 pandemic.

State records show that Amneal workers earn \$55,000 per year on average.

The production agreement comes one year after Amneal reached a \$270 million settlement with New York and five other states over its alleged role in the nationwide opioid



Amneal Pharmaceuticals, based in New Jersey, will add to its 800 employees in Brookhaven Town.

epidemic. The company had been accused of not reporting suspicious orders for opioids to federal authorities, Newsday has reported.

The agreement also follows President Donald Trump's executive order on Monday directing the Food and Drug Administration, Environmental Protection Agency and Army Corps of Engineers to "eliminate regulatory barriers to the domestic production of the medicines Americans need."

Chirag and Chintu Patel, co-CEOs of Amneal, said the company wants to increase domestic production.

"We believe the country has an opportunity to build a more resilient U.S. pharmaceutical

supply chain and to onshore critical drug production, and we are eager to lead that charge," they said in announcing the agreement.

Apject CEO and co-founder Jay Walker agreed, saying the agreement with Amneal allows his company "to bring a wide range of critical injectable drugs to the U.S. and global market."

Apject co-founder Marc Koska invented the company's drug injection device after spending decades in the developing world trying to prevent deaths from the reuse of contaminated needles.

Amneal will manufacture drugs for the device and then fill the device. Apject will sup-

ply the needle hub assembly, Amneal spokesman Brandon Skop said on Friday.

He also said most of the new jobs in the 600,000-square-foot factory will be in production, engineering, quality control and technology transfer. The company also has a 140,000-square-foot warehouse nearby.

The project is expected to start late next year, Skop told Newsday.

Amneal reported a loss of \$117 million last year compared with a loss of \$84 million in 2023. The last annual profit was in 2021. Revenue increased 17% last year to \$2.8 billion, according to a securities filing.

Fed official: Signs of slowing economy

The Associated Press

WASHINGTON — A top Federal Reserve official said Friday that massive uncertainty created by President Donald Trump's tariffs has caused some businesses to cut back on hiring and spending, threatening to slow the economy, but he added that it's not yet clear whether the central bank should cut its key interest rate.

Tom Barkin, president of the Federal Reserve's Richmond

branch, said businesses have turned cautious, though are not yet engaging in steep job cuts or other behavior typical of a recession.

"The way I've been describing it is, it's really hard to drive when it's foggy," Barkin said in remarks to the Loudoun County, Virginia Chamber of Commerce. "That's what I'm seeing on the business side. Hiring freezes, discretionary spending being cut back, but not major layoffs."

Barkin and other Fed speak-

ers Friday underscored the difficult challenge the central bank faces right now. If the tariffs push up inflation, the Fed would keep rates elevated — or raise them further. But if the duties worsen the economy, the Fed would typically cut rates.

On Wednesday, Chair Jerome Powell said the risks of higher inflation and higher unemployment are rising and that the Fed would wait for greater clarity about where the economy is headed before mak-

ing its next move. Powell spoke after the Fed kept its key rate unchanged for the third straight meeting.

Trump, however, has continued to assail Powell for not cutting rates, which over time could lower borrowing costs for consumers and businesses.

Trump is pushing for rate cuts because he argues that the economy no longer suffers from the high inflation that spurred the Fed to sharply raise borrowing costs in 2022 and 2023.

The Point is written by Newsday's Opinion department, a group of experienced journalists whose reporting and commentary brings you inside the local, city and state political scenes.



The Long Island Builders Institute is warning that proposed legislation on wages paid to workers on projects would badly hurt residential and commercial construction across the region. Credit: iStock

Daily Point

A prevailing fight

As state lawmakers enter their last week of this year's legislative session in Albany, Long Island's biggest developers are paying particular attention to one bill still making its way through the State Senate and Assembly: a measure that would expand the use of prevailing wage, the higher hourly wage that's often negotiated in collective bargaining agreements and paid to union workers.

But while they're encouraging local legislators to oppose the proposal, the building community, led by the Long Island Builders Institute, is also playing the long game. At a fundraiser LIBI held for Gov. Kathy Hochul at its Melville offices late last month, about 25 of the Island's largest developers raised money for the governor, while simultaneously warning her that the legislation would badly hurt the residential and commercial construction across the region.

"We said, 'This can't happen,'" LIBI executive director Mike Florio told The Point. "We've made it very clear: If this happens, it's game over."

Under the proposal, any project that receives total public funds from any level of government that amount to 20% of total construction costs would have to pay prevailing wage, a change from the current law, which maintains a 30% threshold. The new bill also would get rid of the Public Subsidy Board, which currently acts to determine which projects must pay prevailing wage — and which don't.

LIBI is part of a statewide coalition of organizations that have been fighting the effort to expand prevailing wage requirements. But the audience with Hochul, Florio said, represented a particular opportunity for local developers.

Florio recounted a moment during the event with Hochul when he asked those in the room whether they had ongoing development efforts in other states. Nearly every hand shot up. But more importantly, Florio said, the ratio has shifted. As of a few years ago, most LIBI members were doing 75% of their work on Long Island and 25% off Long Island. That's already starting to change, but with the proposed prevailing wage expansion, which builders say would increase their costs substantially, those numbers would entirely flip, and many developers would leave the Island altogether.

"We said, 'If this were to happen, we're done here. We'll pick up and go elsewhere,'" Florio said. "And she got the message."

The pending bill to expand the wage is being driven by organized labor and among its listed co-sponsors are many Long Island Democratic Assembly members, including Noah Burroughs, Judy Griffin, Rebecca Kassay, Chuck Lavine, Kwani O'Pharrow, Phil Ramos and Tommy John Schiavoni.

While an audience with the governor often leads to a host of topics being discussed, this event, Florio said, was a bit different.

"This was the main ask in the room," he said.

— **Randi F. Marshall** randi.marshall@newsday.com

Business

\$82M luxury apartment project breaks ground on Long Island



Heritage on Main will add 165 apartments to Riverhead's East Main Street when construction is completed in mid-2027. Credit: Tangram 3DS

By Jonathan LaMantiajonathan.lamantia@newsday.com[@jonlamantia](https://www.newsday.com/author/jonlamantia) Updated June 2, 2025 9:33 am

Share

Heatherwood Luxury Rentals kicked off construction on a 165-unit mixed-use apartment building on East Main Street in Riverhead, advancing a project nine years in the making.

Heritage on Main, between Main Street and the Peconic Riverfront, will be the latest element of Riverhead's downtown revitalization when the building opens to tenants in summer 2027, according to Heatherwood.

The \$82 million project will provide new housing options for young people looking to move out of their parents' homes and for seniors interested in shedding the responsibility of maintaining their own properties, Riverhead Town Supervisor Tim Hubbard said in an interview.

"That is a huge piece of the revitalization puzzle that we currently have going on here in the Town of Riverhead," Hubbard said.

WHAT NEWSDAY FOUND

- **Heatherwood Luxury Rentals** has started construction on 165 apartments on East Main Street in Riverhead.
- **The apartments** will support the area's downtown revitalization, said Town Supervisor Tim Hubbard.
- **The site** has been a vacant lot since 2016 when a former Sears building was demolished.

The building will include 52 studios, 80 one-bedroom units and 33 two-bedroom units, according to [project plans](#), as well as 3,500 square feet of ground-floor retail space. It will have a fitness center, remote work spaces and a rooftop terrace overlooking the river, Heatherwood said.

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The developer believes there will be strong demand for the apartments as younger Long Islanders [struggle to afford](#) single-family homes, said Sean Sallie, Heatherwood's senior director of planning and development.

"The unaffordability of single-family homes in the region just makes the demand for multi-family living that much greater," Sallie said.

Sallie declined to share potential rents for the units, noting pricing will depend on market conditions when the building opens in 2027.

A previous developer first pitched a mixed-use building on the site in 2016, and Heatherwood took over the project in 2023, Sallie said. For decades, the site was home to a Sears which occupied a building that was demolished in 2016.

"It's been a vacant lot and it's right in the middle of the downtown," Sallie said.

The Town of Riverhead Industrial Development Agency [granted the project](#) a roughly \$2.9 million sales tax exemption and a nearly \$358,000 mortgage recording tax exemption, according to filings with the IDA.

The developer and the IDA entered into a 16-year Payment in Lieu of Taxes (PILOT) agreement in which it will pay about \$2.75 million, or \$171,915 a year on average, until it begins paying the full taxes on the property in the 2041-2042 tax year.

All units in the building will be rented at market rate, and the Riverhead IDA did not require any units to meet affordability standards as part of the PILOT agreements. The average asking rent in eastern Suffolk County for a one-bedroom apartment is \$2,442, according to data from property data firm CoStar. The firm's data includes professionally managed buildings and excludes affordable housing developments and senior housing. Buildings with fewer than five units are also excluded.

Boost for downtown

Hubbard said he hopes the new tenants will boost local businesses and help Riverhead's downtown thrive in the same vein as Patchogue, Farmingdale and Huntington.

"Your downtowns need to be supported, by not only the residents of the town, but the people who actually live downtown," he said. "That will help our main street come back alive again."

Riverhead's downtown revitalization efforts have been supported by a \$24 million [federal grant secured last year](#) and \$10 million in [state funding awarded in 2022](#), Hubbard said.

The new units will benefit from Riverhead's [Town Square project](#) across from The Suffolk theater, where the Long Island Science Center plans to relocate. That project also includes plans for retail, restaurants, a park, a public amphitheater, a boutique hotel and condos, Hubbard said.

Heritage on Main will sit next door to Riverview Lofts, a 115-unit built in 2020 by Georgica Green Ventures, in which all tenants must meet income eligibility criteria to lease an apartment. Elsewhere on East Main Street, The Shipyard, a 36-unit building opened in 2022. Online listings show rents ranging from \$3,100 for a one-bedroom unit to \$4,300 for a two-bedroom unit.

Riverhead has been more receptive to new housing than some other Long Island communities and has done a good job integrating apartments into its downtown alongside parks and other public spaces, said Eric Alexander, director of downtown planning organization Vision Long Island.

The new apartments will benefit longstanding Main Street businesses and support new ones, he said.

"It will keep feet on the street, and they'll have people spending money right in their community," Alexander said.



By **Jonathan LaMantia**

jonathan.lamantia@newsday.com@jonlamantia

Jonathan LaMantia covers residential real estate and other business news on Long Island. He previously covered the business of health care for Crain's New York Business.

Port Jefferson, Wyandanch rental projects awarded \$1.79 million in state grants



This storefront at 1512 Main Street in Port Jefferson is one of the buildings slated to be replaced by what is planned as a four-story building with 42 residential rental units and 1,800 square feet of commercial space. Credit: Newsday / Alejandra Villa Loarca

By Victor Ocasiovictor.ocasio@newsday.com@Victor_Ocasio May 30, 2025 5:00 am

Share

Two proposed multifamily projects in Port Jefferson and Wyandanch have been awarded \$1.79 million in grants from the state, according to local state officials.

The two projects, which are planned to add a total of 123 units of multifamily housing in the region, were selected for [Restore New York Communities Initiative](#) funding, a grant program overseen by Empire State Development, the state's primary business aid agency. The local developments were among 50 statewide to receive a portion of the more than \$50 million the state's grant program awards each year,

"Revitalizing and rehabilitating vacant and blighted areas of our communities for housing or development is vital to make downtowns thrive," Gov. Kathy Hochul [said in a statement](#).

"Restore New York helps our municipalities plan for the future by catalyzing economic growth and supporting housing, businesses and cultural spaces."

The Port Jefferson project, which received \$790,000 in grant funding, calls for the demolition of buildings at three addresses — 1506 and 1510-1512 Main Street — and development of a mixed-use property with 42 rental units, according to the village's Department of Building and Planning.

The project, which will be developed by Port Jefferson-based real estate firm the Gitto Group, will be called the Baxter.

"The Restore New York Communities Initiative grant is a welcome investment in Port Jefferson's most critically challenged neighborhood south of North Country Road, and we are grateful to Empire State Development for identifying the Baxter project as a qualified recipient," Port Jefferson Mayor Lauren Sheprow said in a statement sent to Newsday.

The planned, 35,290-square-foot, four-story property calls for the development of 1,800 square feet of commercial space on the ground level, though plans are still subject to change and approvals, said Andrew P. Freleng, director of the village's planning department.

"This grant will support the development of a welcoming new property which will be a cornerstone of the revitalization of this district and fulfill a growing need for graduate student and premedical professional housing in a soon to be vibrant neighborhood and a cultural centerpiece for the South Village corridor," Sheprow said.

The building site is about a six-mile drive from Stony Brook University.

A proposed 81-unit, multifamily project at 309 Merritt Ave. in Wyandanch was awarded a \$1 million grant from the program, according to Empire State Development.

The property, which had been the site of an ice cream distributor but is currently vacant, is planned to be developed into a four-story rental building with resident parking, management office, in-building laundry and a fitness center.

Officials with the Town of Babylon referred inquiries to the Suffolk County building officials, who did not immediately respond to requests for comment.

Established in 2006, the [Restore New York Communities](#) program provides financial support to municipalities seeking to demolish, rehabilitate or redevelop vacant or abandoned properties to spur economic activity, according to Empire State Development.

By [Victor Ocasio](#)

victor.ocasio@newsday.com@Victor_Ocasio

Equinor nearing pulling the plug on Empire Wind project off LI



An illustration of the wind installation vessel. Equinor has said it may pull the plug on Empire Wind, the \$7 billion-plus offshore wind farm planned off Long Island's South Shore after the Trump administration issued a stop-work order for the project. Credit: Maersk Supply Service

By Mark Harringtonmark.harrington@newsday.com[MHarringtonNews](#) May 12, 2025 12:33 pm

Share

Equinor is perhaps just days away from pulling the plug on Empire Wind, the \$7 billion-plus offshore wind farm planned off Long Island's South Shore, just weeks after the Trump administration issued a stop-work order for the project.

Norway-based Equinor's top U.S. wind official, Molly Morris, has been working behind the scenes ever since to determine specifically why the federal government put a halt to the project and to emphasize the freeze's real-life impacts on U.S. jobs and the economy.

In a phone interview Monday, Morris, president of Equinor offshore wind U.S., called the situation "urgent and unsustainable," noting the company is spending upward of \$50 million a week while nearly a dozen offshore vessels and workers remain idle.

"If no material progress is made within days, Equinor will be forced to terminate the project," she said. "Every day of uncertainty is extremely expensive."

Spokespersons for the Department of the Interior and its Bureau of Energy Management didn't immediately respond to requests for comment.

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U.S. Interior Secretary Doug Burgum met with top officials at National Grid last week in Brooklyn. Equinor officials requested a meeting at Empire's South Brooklyn Marine Terminal operations center, but Burgum couldn't change his "full" schedule, Morris said.

National Grid, meanwhile, was "honored to accommodate the request of the Department of the Interior and tour Secretary Burgum at our facilities to learn more about the energy systems in New York and the needs of our customers," National Grid spokeswoman Wendy Frigeria said in an email.

Shortly after taking office Trump called for a broad review of wind-energy permits and leasing, while easing the way for fossil-fuel energy. Even Caithness II, a mothballed natural gas power plant once planned for Yaphank, is being eyed for revival for a Brookhaven National Laboratory data center, with up to 1,000 megawatts of power.

Morris said frustrations at Equinor have been heightened because the federal government has declined to specify what about the Empire project led to the stop-work order.

"It's difficult for me to know what the concerns are," she said, pointing only to a single published document from the National Oceanic and Atmospheric Administration that "says our permits were rushed through ... We have asked for [details] in writing and have been told it's not available for distribution, only for internal use."

She added, "You can imagine it's very frustrating for us that our project has been stopped for review of our permit yet we've never been told what the challenges are with the permit, nor have we been given an opportunity to fix them."

Newsday has reported that Equinor was on the verge of beginning offshore work 14 miles from the coast of Long Beach when Burgum announced his order, [with plans to dump massive rock layers](#) in a 66-foot radius around each of 54 planned wind arrays.

Next, Equinor planned to drive giant monopiles deep into the seabed using a massive hammer with thousands of blows per monopile, with known impacts on sea mammals and other species. Equinor said it has built protections into its process to lessen the impacts, but even some otherwise supportive environmental groups have raised concerns about the company's switch from a prior plan to drop massive concrete foundations onto the seafloor instead of pile-driven monopiles.

The Empire 1 and 2 projects, while they have won support in New York City, drew protests on Long Island, where some Long Beach residents opposed a former plan to run cables through city streets and an opposition group, Protect Our Coast LI, NY, opposes the turbine placement. Even local politicians, who are largely in support of a different project, Sunrise Wind, which has begun offshore work at Smith Point, showed mixed support for Empire.

Asked if Equinor could have done better winning support, she said, "We are a company with great integrity in honoring and following the law and what is required of us," while pointing to the "significant support in Brooklyn and New York City. We continue to have strong supporters there."

Equinor has invested about \$2.7 billion in Empire Wind, even as it continues to hold massive investments in oil and natural gas in the U.S. Morris noted that the company has "over 100 oil and gas leases in the Gulf of America," the water body renamed by Trump from its former Gulf of Mexico, and that the company has invested more than \$60 billion in total in the U.S. since 2000.

Morris noted that Empire Wind could create more than 4,000 jobs over the planned 30-year lifetime of the project, which was supposed to start delivering energy by late 2026. There are also seven new U.S.-flagged vessels being built in support of construction, including one nearing completion in Louisiana this month to serve as Empire's service operations vessel. "Jobs are at risk," Morris said.

"This is bigger than offshore wind and the offshore wind industry," she said. "This is about lawfully permitted projects under construction being stopped. It's about honoring contracts and financial investments made in the U.S."



By [Mark Harrington](#)

**FORM APPLICATION FOR FINANCIAL ASSISTANCE
TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT AGENCY
1 Independence Hill, 2nd Floor, Farmingville, New York 11738
631 406-4244**

DATE: 6/6/2025

APPLICATION OF: Agilitas Energy, Inc.
Name of Owner and/or User of Proposed Project
ADDRESS: 401 Edgewater Place Suite 570
Wakefield, MA 01880

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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SCHEDULE B	Construction Wage Policy
SCHEDULE C	Recapture and Termination Policy

Part I: Owner & User Data

1. Owner Data:

A. Owner (Applicant for assistance): Agilitas Energy, Inc

Address: 401 Edgewater Place Suite 570
Wakefield, MA 01880

Federal Employer ID: [REDACTED] Website: www.agilitasenergy.com

NAICS Code: 237130

Owner Officer Certifying Application: Barrett Bilotta

Title of Officer: President

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: Delaware

C. Nature of Business:

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

Developer, Builder, Owner and Operator of Energy Storage and Renewable Energy Systems

D. Owner Counsel:

Firm Name: Agilitas Energy General Counsel

Address: 401 Edgewater Place Suite 570

Wakefield, MA 01880

Individual Attorney: Philip S. Mehall

Phone Number: 603-380-4766

E-mail: pmehall@agilitasenergy.com

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

Name	Percent Owned
Barrett Bilotta	26.5
Ken Rubin	26.5
Eamonn Healy	26.5

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

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

No

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

No

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

N/A

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

N/A

I. List parent corporation, sister corporations and subsidiaries:

See Attached Exhibit 1

- 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:

Six operating solar projects are backed by Brookhaven IDA

- K. List major bank references of the Owner:

Michael Arndt, Kennebunk Savings (603) 334-1026

Steve Scott, Provident Bank (603) 334-1263

2. User Data

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

- A. User (together with the Owner, the "Applicant"): AE-Manorville 2, LLC

Address: 401 Edgewater Place Suite 570
Wakefield, MA 01880

Federal Employer ID #: [REDACTED]

Website: _____

NAICS Code: 221114

User Officer Certifying Application: Barrett Bilotta

Title of Officer: Authorized Signatory

Phone Number: [REDACTED]

E-mail: [REDACTED]

- B. Business Type:

Sole Proprietorship ☐

Partnership ☒

Privately Held ☐

Public Corporation ☐

Listed on _____

State of Incorporation/Formation: Delaware

- C. Nature of Business:

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

Solar powered generation coupled with electricity storage

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

- i. If yes, the remainder of the questions in this Part I, Section 2 (with the exception of "F" below) need not be answered if answered for the Owner.
- ii. If no, please complete all questions below.

E. User's Counsel:

Firm Name: Agilitas Energy General Counsel

Address: 401 Edgewater Pl. Ste 570

Wakefield, MA 01880

Individual Attorney: Philip S. Mehall

Phone Number: 603-380-4766

E-mail: pmehall@agilitasenergy.com

F. Principal Stockholders or Partners, if any:

Name	Percent Owned
<u>AE Equipment Co, LLC</u>	<u>100%</u>
<u>Agilitas Energy, Inc.</u>	<u>100%</u>

(Agilitas Energy, Inc. is the parent entity - see attached organizational chart)

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

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

No

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

No

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

See attached list of all other organizations.

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

- J. List parent corporation, sister corporations and subsidiaries:

Agilitas Energy, Inc. (Parent entity)

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

- L. List major bank references of the User:

Part II – Operation at Current Location

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

1. Current Location Address: N/A
2. Owned or Leased: N/A
3. Describe your present location (acreage, square footage, number buildings, number of floors, etc.):

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

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

Yes ☐ No ☐

A. If yes, list the Address: _____

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

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

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

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: _____

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

Part III – Project Data1. 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: 2 Paper Mill Road Manorville NY 11949B. Tax Map: District 0200 Section 592.00 Block 01.00 Lot(s) 001.001

C. Municipal Jurisdiction:

i. Town: Brookhaven, NY
 ii. Village: _____
 iii. School District: _____

D. Acreage: 2.3593. Project Components (check all appropriate categories):

- A. Construction of a new building ☐ Yes ☒ No
 i. Square footage: _____
- 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: _____
- 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: _____

Solar Array coupled with Battery Energy Storage System

4. Current Use at Proposed Location:

- A. Does the Applicant currently hold fee title to the proposed location?

i. If no, please list the present owner of the site: Town of Brookhaven

- B. Present use of the proposed location: _____

- 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: _____

Construct and Operate a proposed PV system with battery energy storage project

- B. Proposed product lines and market demands: Solar Powered generation and

Energy Storage system charging and discharging

- 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:

N/A

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

The core business of this applicant is energy project development

- 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?

The project will generate energy power for the local community and the energy storage component will help increase grid reliability and availability.

6. Project Work:

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

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

- B. What is the current zoning? A2

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

Yes ☒ No ☐

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

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

F. Is a change of use application required? 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: N/A

ii. Construction/Renovation/Equipping: 6-1-2021

- 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: Construction to commence summer of 2025

Project to be completed by June 2026.

Part IV – Project Costs and Financing1. 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	\$ _____
Building(s) demolition/construction	\$ _____
Building renovation	\$ _____
Site Work	\$ <u>955,682.23</u>
Machinery and Equipment	\$ <u>2,93,036.11</u>
Legal Fees	\$ <u>60,000.00</u>
Architectural/Engineering Fees	\$ <u>101,918.00</u>
Financial Charges	\$ <u>261,476.00</u>
Other (Specify)	\$ <u>322,480.00</u>
Total	\$ <u>3,894,592.34</u>

Please provide the percentage of materials and labor that will be sourced locally (Suffolk/Nassau Counties) _____

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:

	Amount	Term
A. Tax-exempt bond financing:	\$ _____	_____ years
B. Taxable bond financing:	\$ _____	_____ years
C. Conventional Mortgage:	\$ _____	_____ years
D. SBA (504) or other governmental financing:	\$ _____	_____ years
E. Public Sources (include sum of all State and federal grants and tax credits):	\$ _____	
F. Other loans:	\$ 3,469,038	20 years
G. Owner/User equity contribution:	\$ 425,554.34	_____ years

Total Project Costs \$ 3,894,592.34

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

0

3. Project Financing:

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

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

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

N/A

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

N/A

- 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):

\$ 3,469.038

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

\$ 26,017.79

2. Sales and Use Tax Benefit:

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

\$ 3,894,592.34

- B. Estimated State and local Sales and Use Tax exemption (product of 8.75% and figure above):

\$ 340,776.83

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

i. Owner: \$ N/A

ii. User: \$ N/A

3. Real Property Tax Benefit:

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

- B. Agency PILOT Benefit:

i. Term of PILOT requested: \$0 for 25 years

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

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

Part VI – Employment Data

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

Present number of FTEs **: N/A N/A N/A
 FTEs to be Created in First Year: N/A Date _____ Average Annual Salary of Jobs to be Retained _____
 (fill in year)

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

FTEs to be Created in Second Year: N/A (fill in year)

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
FTE													N/A

Number of Residents of LMA:

Full-Time: N/A

Part-Time: _____

Cumulative Total FTEs ** After Year 2 N/A

Construction Jobs to be Created: N/A

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

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

2. Salary and Fringe Benefits:

Category of Jobs to be Created	Average Salary	Average Fringe Benefits
Salary Wage Earners	N/A	N/A
Commission Wage Earners	N/A	N/A
Hourly Wage Earners	N/A	N/A
1099 and Contract Workers	N/A	N/A

What is the annualized salary range of jobs to created? _____ to N/A

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 Successful Economics of this project rely on benefits granted by the IDA.

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 complete the project.

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

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

Initial BCB

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 BCB

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 BCB

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 BCB

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 BCB

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 BCB

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 BCB

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 BCB

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 BCB

14. The applicant confirms and hereby acknowledges it has received the Agency's Application and Resolution Expiration Policy available at brookhavenida.org/application and agrees to comply with same.

Initial BCB

Part VIII – Submission of Materials

1. Financial statements for the last two fiscal years (unless included in the Applicant's annual report). Note, if the project company is a newly formed entity, then the applicant is required to submit financial statements for the parent company or sponsor entity.
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

Barrett Bilotta (Name of representative of entities submitting application) deposes and says that he or she is the President (title) of Agilitas Energy, Inc., the entities named in the attached application; that he or she has read the foregoing application and knows the contents thereof; and that the same is true to his or her knowledge.


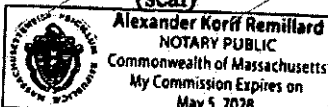
Deponent further says that s/he is duly authorized to make this certification on behalf of the entities named in the attached Application (the "Applicant") and to bind the Applicant. The grounds of deponent's belief relative to all matters in said Application which are not stated upon his/her personal knowledge are investigations which deponent has caused to be made concerning the subject matter this Application, as well as in formation 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 06th
Day of June, 20 25


(seal)


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

EXHIBIT A

Proposed PILOT Schedule

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

Town of Brookhaven Industrial Development
Schedule of Fees

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

The Agency reserves the right to adjust these fees.

Updated: November 17, 2020

SCHEDULE B

CONSTRUCTION WAGE POLICY

EFFECTIVE January 1, 2005

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

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

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

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

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

OR

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

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

Adopted: May 23, 2005

SCHEDULE C

RECAPTURE AND TERMINATION POLICY

EFFECTIVE JUNE 8, 2016

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

I. Termination or Suspension of Financial Assistance

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

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

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

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

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

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

II. Recapture of Financial Assistance

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

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

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

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

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

III. Modification of Payment In Lieu of Tax Agreement

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

SCHEDULE D

Agency Payment in Lieu of Taxes (PILOT) Policy

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

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

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

TOWN OF BROOKHAVEN INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR CONSENT TO SUBLEASE

APPLICATION OF: Hawkins Ave Development RHP2, LLC ("Company")

FOR CONSENT TO SUBLEASE TO

PBLI LLC, D/B/A Playa Bowls ("Subtenant")

FACILITY/PROJECT: Hawkins Ave Development RHP2, LLC 2021 Facility - Ronk Hub Phase 2A

DATE: May 13, 2025

Please respond to all items either by filing in blanks, by attachment (by marking space "see attachment number 1", etc.) or by N.A., where not applicable.

Application must be filed in one (1) original and one (1) electronic form.

A \$750.00 non-refundable application fee made payable to the Town of Brookhaven Industrial Development Agency is required at the time of submission to the Agency.

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

Please write or call:

Town of Brookhaven Industrial Development Agency
One Independence Hill
Farmingville, New York 11735

(631) 406-4244

I. Company Data

A. Company:

Hawkins Ave Development RH2, LLC

Contact:

Robert J. Coughlan

Title/Position:

Managing Member

Address:

9 Hawkins Avenue, Suite 3500/5th Floor, Ronkonkoma, NY 11779

Phone:

Federal Employer I.D.:

B. Related User of the Facility:

Name

Relationship

N/A

N/A

C. Company Counsel

Firm Name:

Farrell Fritz, P.C.

Individual Attorney:

Peter L. Curry, Esq.

Address:

400 RXR Plaza, Uniondale, NY 11556

Phone:

(516) 227-0772

II. Project/Facility Data

A. Location of Project:

North Side of Railroad Avenue and East Side of Hawkins Avenue

Address:

Railroad Avenue and Hawkins Avenue, Ronkonkoma, NY 11779

S.C. Tax Map:

District 0200

Section

799.00

Block

04.00

Lot

044.000, 047.001, 048.000,
049.000, 051.001, 052.000,
053.000 & 054.000

0200

800.00

2

01.00

027.001

B. Current Occupants, Area Occupied, and Uses

Current Occupant	Area Occupied (Sq. Ft.)	Use	Current # of FTEs
Vacant	N/A	N/A	N/A

III. Proposed Subtenant

A. Name of Subtenant:

PBLI LLC

B. Address:

9 Hawkins Avenue, Suite 3101, Ronkonkoma, New York 11779

C. Contact:

Name:

Gary Yip

Phone:

[REDACTED]

D. Affiliates Names and Addresses:

na

E. Current Location:

na

F. Subtenant Counsel:

Firm Name:

Weinstein & Klein P.C.

Individual Attorney:

Laura Garcia

Address:

1 High Street Court, Suite 5, Morristown, NJ 07960

Phone:

(347) 919-8422

- G. Will the completion of the project or the subleasing to the Subtenant 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 X

- i. If no, explain how current facilities will be utilized

Current facilities will continue to operate regularly.

- ii. If yes, please indicate whether the subleasing of the Facility to the Subtenant is reasonably necessary for the Subtenant to maintain its competitive position in its industry or remain in the State and explain in full:

N/A

- H. Principal stockholders, members, or partners, if any, of Subtenant:

Name and Address

Percent Owned

Gary Yip

50

Alexandra Arguello

20

Michael Mendillo 25 , Ben Yip 5

I. Has the Subtenant, or any subsidiary or affiliate of the Subtenant, 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?

YES _____ NO X

1. If yes, please explain

ii. Been convicted of a felony, or misdemeanor, or criminal offense (other than a motor vehicle violation)?

YES _____ NO X

1. If yes, please explain

J. Relationship of Subtenant to Company (e.g., affiliate, arm's-length tenant, etc.)

Arm's-length tenant

K. Proposed area of the facility to be occupied by the Subtenant (Sq. Ft.) 1,445 sq. ft.

L. Describe the specific operations of the Subtenant or other users to be conducted at the project site:

Acai bowl and fresh smoothie restaurant, which includes the sales of acai
and super fruit bowls, smoothies, juices, and related food items or merchandise
typical of a "Playa Bowls" franchise.

- M. Does the proposed use and occupancy of the Subtenant conform with all applicable zoning, planning, building and Environmental Laws, ordinances, rules and regulations of governmental authorities having jurisdiction over the Facility?

YES X NO _____

i. If no, please explain

IV. Proposed Sublease Agreement Terms

- A. Attach a copy of Executed Sublease Agreement (may be conditioned upon Agency approval)**

Term:	9 years
Commencement Date:	January 15, 2025
Guarantors:	Gary Yip, Michael Mendillo and Alexandra Arguello
Base Rent:	\$53,465.00 per annum
Base Rent Increases and Intervals:	3% increase per annum
Common Area Rent:	approximately \$8.77 per square foot

- B. Improvements to Proposed Demised Area to be Made by Company**

Description: See attachment 1.

Cost: _____

Source of Payment: Equity and construction loan.

- C. Improvements to Proposed Demised Area to be Made by **Subtenant**

Description: _____

Cost: _____

Source of Payment: Company allowance and Subtenant equity.

D. Fair Market Rent Evaluation

Is rent to be charged Fair Market? YES X NO _____

How was Fair Market rent determined? (Attach supporting documentation)

Company retained Long Island based commercial real estate broker.

E. Does or will any of the "Financial Assistance" provided by the Agency, including Real Estate Tax Exemption, Sales and Use Tax Exemption, benefit the Subtenant in any manner?

YES X NO _____

If yes, explain

The Subtenant will benefit because the tax payment Subtenant is responsible for is lower than if there was no Financial Assistance and the Company's work letter will benefit from the sales tax exemption.

F. How many Full-Time Equivalent Employees (FTEs) are there presently at the subtenant's current location: 1

How may additional FTEs are to be expected at the Facility regarding this application: 3

G. Salary and Fringe Benefits by Subtenant

Jobs To be Created:

	Average Salary	Average Fringe Benefits
Salary Wage Earners	<u>65000</u>	<u> </u>
Commission Wage Earners	<u> </u>	<u> </u>
Hourly Wage Earners	<u>16.50</u>	<u> </u>
1099/Contract Workers	<u> </u>	<u> </u>

What is the annualized salary range of jobs to be created?

\$ 40000 to \$ 65000

What is the number of construction jobs created as a result of this Subtenant Application? 10 (FTEs)

V. Mortgagees

Have the Holders of all mortgages or record consented to the proposed sublease?

YES NO X

If yes, attach evidence thereof.

COMPANY CERTIFICATION

Robert J. Coughlan [Insert name of Chief Executive Officer/Manager/Partner of proposed Company] deposes and says that s/he is the Managing Member [insert title] of Hawkins Ave Development RHP2, LLC [insert name of Company], the company named in the attached application; that s/he has read the foregoing application and knows the contents thereof; that the same is true to her/his knowledge.

Deponent further says that the reason this verification is being made by the deponent and not by Hawkins Ave Development RHP2, LLC

[insert name of Company] is because the said company is a limited liability company [insert type of entity]. The grounds of deponent's belief relative to all matters in the said application which are not stated upon her/his own personal knowledge, are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from books and papers of said company.

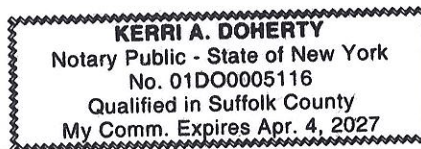
As an Managing Member [insert position, e.g., officer, member, manager, partner] of said company (hereinafter referred to as the "applicant"), deponent acknowledges and agrees that applicant shall be and is responsible for all costs incurred by the Town of Brookhaven Industrial Development Agency (hereinafter referred to as the "Agency") in connection with this application and all matters relating to the proposed sublease, including the Agency's attorneys' fees, regardless of whether or not 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 consummate the sublease for any reason. upon presentation of invoices, applicant shall pay to the agency, its agents or assigns, all costs incurred with respect to the application, including fees to counsel for the agency and fees of general counsel for the agency.



Chief Executive Officer/Member/Manager/Partner of Company

Sworn to before me this
13th day of May 2025

Kerri A. Doherty
NOTARY PUBLIC



SUBTENANT CERTIFICATION

Gary Yip [Insert name of Chief Executive Officer/Manager/Partner of proposed Subtenant] deposes and says that s/he is the Owner [insert title] of PBLI LLC [insert name of Subtenant], the proposed subtenant named in the attached application; that s/he has read the foregoing application and knows the contents thereof; that the same is true to her/his knowledge.

Deponent further says that the reason this verification is being made by the deponent and not by PBLI LLC [insert name of Subtenant] is because the said proposed subtenant is a LLC [insert type of entity]. The grounds of deponent's belief relative to all matters in the said application which are not stated upon her/his own personal knowledge, are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from books and papers of said proposed subtenant.

[Handwritten signature: Gary Yip]

Chief Executive Officer/Member/Manager/Partner of Subtenant

Sworn to before me this

3 day of February

[Handwritten signature of Notary Public]

NOTARY PUBLIC

