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TOWN OF BROOKHAVEN
INDUSTRIAL DEVELOPMENT AGENCY

- - - - -x

BOARD MEETING
HELD BY ZOOM VIDEOCONFERENCE

- - - - -x

September 15, 2021
9:45 a.m.

TRANSCRIPT OF PROCEEDINGS

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

MEMBERS :

FREDERICK C. BRAUN, III
MARTIN CALLAHAN
FELIX J. GRUCCI, JR.
LENORE PAPROCKY
GARY POLLAKUSKY
ANN-MARIE SCHEIDT

ALSO PRESENT :

LISA M.G. MULLIGAN, CHIEF EXECUTIVE OFFICER
LORI J. LaPONTE, CHIEF FINANCIAL OFFICER
JAMES M. TULLO, DEPUTY DIRECTOR
JOCELYN LINSE, EXECUTIVE ASSISTANT
TERRI ALKON, ADMINISTRATIVE ASSISTANT
AMY ILLARDO, ADMINISTRATIVE ASSISTANT
ANNETTE EADERESTO, ESQ., AGENCY COUNSEL
WILLIAM F. WEIR, ESQ., NIXON PEABODY
HOWARD R. GROSS, ESQ.,
WEINBERG GROSS & PERGAMENT, LLP

* * *

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MR. BRAUN: We will now open the

3

meeting for the Industrial Development Agency.

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It is Wednesday, September 15th. It is 9:45.

5

A quorum is present.

6

Counsel?

7

MR. WEIR: Sure.

8

This meeting is being conducted

9

electronically via Zoom pursuant to Senate

10

bill 50001 and Assembly bill 40001, which

11

amended the New York Open Meetings Law to

12

allow for public meetings to be conducted

13

electronically due to COVID.

14

MR. BRAUN: First order of business is

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to accept our minutes of the meeting of

16

August 18th.

17

May I have a motion, please?

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MR. POLLAKUSKY: So moved.

19

MS. PAPROCKY: Second.

20

MR. BRAUN: Thank you, Lenore.

21

Are there any questions or

22

clarifications on those minutes?

23

(No response.)

24

MR. BRAUN: Hearing none, on the vote,

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Mr. Callahan?

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MR. CALLAHAN: Yes.

3

MR. BRAUN: Ms. Paprocky?

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MS. PAPROCKY: Yes.

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MR. BRAUN: Ms. Scheidt?

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MS. SCHEIDT: Yes.

7

MR. BRAUN: Mr. Pollakusky?

8

MR. POLLAKUSKY: Yes.

9

MR. BRAUN: Mr. Grucci?

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MR. GRUCCI: Yes.

11

MR. BRAUN: Mr. Braun votes yes, the

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minutes are accepted.

13

Lori, I'll turn it over to you.

14

MS. LaPONTE: Included in your package

15

and also shown on the screen is the operating

16

results budget versus actual as of the seven

17

months ended July 2021.

18

As in the past, I first start out with

19

presenting the prior six months, what happened

20

in the month of July and cumulative

21

year-to-date.

22

Focusing in on what happened during the

23

month of July, we did have a closing, one

24

closing and then we also did have an

25

application fee and we also did have some

1

2

refinancing fees during the month, so that

3

brought our income up to 262,000. The

4

expenditures were pretty much in line with

5

what expected, nothing is new.

6

Our insurance came in, as mentioned it

7

came in, the biggest change in our insurance

8

was our cyber went from 2,000 to 4,000, but

9

overall the insurance costs are almost within

10

budget because some of the general costs came

11

down.

12

So that's the results for the month of

13

July and then the seven months as of

14

July 31st, so it's a net positive, 905,000.

15

I've compared that to a pro rata amount

16

of the seven-month budget, just to give you an

17

idea of where we thought we would be. So we

18

thought we would break even as of the seven

19

months and we're actually ahead, so there's a

20

positive variance and then all the way on

21

right-hand column is the amended annual budget

22

that we submitted -- well, actually it's not

23

the one we submitted to PARIS because we

24

amended it, it's a budget that we recently

25

amended.

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2

I just want to clarify one thing what I started to stay.

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When you amend a budget, we did the proper channels, we voted on it, we approved it, I entered -- went to go enter it in PARIS as an amended budget and they told me I can't do that, I have to wait till the next year, so it's the annual -- amended annual budget that was approved and then when we put in 2022, I can finally amend it.

12

Any questions?

13

(No response.)

14

15

MR. BRAUN: PARIS has never been user friendly as long as it's been around.

16

MS. MULLIGAN: That was Fred.

17

18

19

20

MS. LaPONTE: I was very insistent on that we had PARIS right and I was told it can't be done that way. I said okay, thank you.

21

22

MS. SCHEIDT: Is PARIS actually becoming hostile, user hostile?

23

24

25

MS. LaPONTE: I'm trying to keep on rolling with it, Ann-Marie, I'm trying to roll.

1

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MR. BRAUN: It was designed to be
hostile.

3

4

Any questions for Lori?

5

(No response.)

6

MR. BRAUN: Hearing none, I need a
motion to accept her report.

7

8

MS. SCHEIDT: So moved.

9

MR. BRAUN: Thank you, Ann-Marie.

10

MR. POLLAKUSKY: Seconded.

11

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

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MR. CALLAHAN: Yes.

13

MR. BRAUN: Ms. Paprocky?

14

MS. PAPROCKY: Yes.

15

MR. BRAUN: Ms. Scheidt?

16

MS. SCHEIDT: Yes.

17

MR. BRAUN: Mr. Pollakusky?

18

MR. POLLAKUSKY: Yes.

19

MR. BRAUN: Mr. Grucci?

20

MR. GRUCCI: Yes.

21

MR. BRAUN: Mr. Braun votes yes, the
motion is carried, the report is accepted.

22

23

Lisa, we have one application?

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MS. MULLIGAN: Yes.

25

We have one application, 44 Ramsey

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Road, LLC. The information is in your

3

packets.

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5

This is probably going to look familiar to you because I think at our last meeting we

6

brought this forward with one -- the last

7

meeting we brought back 44 Ramsey Road, LLC

8

and now we're bringing 44 Ramsey Road Owner,

9

LLC and it's the same as what you accepted at

10

the last -- I think it was last month, it may

11

have been the month before, but this new

12

application is a joint venture between BEB

13

Capital and that's who was in the original

14

application, the application from two months

15

ago or so and Rockpoint Group, which is a real

16

estate private equity firm and basically what

17

this new entity is requesting is to purchase

18

the facility located at 44 Ramsey Road. This

19

facility has Frank Lowe is the operating

20

company and they're going to remain in there

21

and they're going to keep their commitment to

22

us for jobs and benefits and there's only

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three years of the PILOT left, so that's sort

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of all that we would be continuing is three

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years.

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We had -- in your packets you'll see the application and the cover letter and we also had the public hearing yesterday, so also in your packets is the CBA and the PILOT and there was no comment, so we actually have two points of business on this, we should consider accepting the application and then we also have a resolution for it.

Bill, did you have anything that you wanted to add?

MR. WEIR: No, it's really just changing the ownership structure of the real estate company.

MS. MULLIGAN: And I see the attorney for the project is here.

Joce, do you want to just chat with Peter and see if he had anything he wanted to add?

MR. BRAUN: Peter Curry?

MS. MULLIGAN: Yes, sorry.

Joce, you can just let Peter in, also.

MR. WEIR: Peter Curry, did you have anything to add?

MR. BRAUN: Good morning, Peter.

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2

MR. CURRY: Good morning everyone and thank you for reviewing this application.

3

4

No, I really don't have much to add, I think that Lisa described it accurately.

5

6

Essentially BEB Capital, which was the existing assignee, which had been approved by the board I believe at the July meeting, the end of July meeting, it is taking on an additional investment partner and continuing to close the transaction the same way it was going to close prior to taking on the investment partner.

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So Rockpoint is an experienced industrial property owner and BEB Capital and Rockpoint are partnering on this and again, no additional benefits sought, no change to what has previously been approved other than that this is a new joint venture comprised of two parties, one of which was the prior party.

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MR. WEIR: Thank you.

22

MR. BRAUN: Any questions of Mr. Curry?

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(No response.)

24

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MR. BRAUN: Hearing none, I need a motion to accept the application.

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MR. GRUCCI: So moved.

3

MR. BRAUN: Thank you, Felix.

4

Ann-Marie, is that a second?

5

(Ms. Scheidt nodding.)

6

MR. BRAUN: Thank you.

7

On the vote, Mr. Callahan?

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MR. CALLAHAN: Yes.

9

MR. BRAUN: Ms. Paprocky?

10

MS. PAPROCKY: Yes.

11

MR. BRAUN: Ms. Scheidt?

12

MS. SCHEIDT: Yes.

13

MR. BRAUN: Mr. Pollakusky?

14

MR. POLLAKUSKY: Yes.

15

MS. SCHEIDT: Sorry that you hear the

16

fire siren in the background --

17

MR. POLLAKUSKY: Yes.

18

MS. SCHEIDT: -- but I live a couple of

19

blocks from the firehouse in Port Jefferson.

20

MR. BRAUN: Mr. Pollakusky votes yes.

21

MR. POLLAKUSKY: Yes.

22

MR. BRAUN: Mr. Grucci?

23

MR. GRUCCI: Yes.

24

MR. BRAUN: Mr. Braun votes yes, the

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application is accepted.

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We also need a motion on the
resolution.

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MR. POLLAKUSKY: So moved.

5

MR. BRAUN: Thank you, Gary.

6

Second?

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MS. SCHEIDT: Second.

8

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

9

MR. CALLAHAN: Yes.

10

MR. BRAUN: Ms. Paprocky?

11

MS. PAPROCKY: Yes.

12

MR. BRAUN: Ms. Scheidt?

13

MS. SCHEIDT: Yes.

14

MR. BRAUN: Mr. Pollakusky?

15

MR. POLLAKUSKY: Yes.

16

MR. BRAUN: Mr. Grucci?

17

MR. GRUCCI: Yes.

18

MR. BRAUN: Mr. Braun votes yes, the
resolution is approved.

19

20

Thank you, Peter.

21

MR. CURRY: As always, I thank this
board for its consideration and look forward
to closing this. Have a good day everyone.

22

23

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MR. BRAUN: Next we have a series of
resolutions.

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MS. MULLIGAN: I'm actually going to suggest that we take them out order because I see some of the attorneys are here.

3

4

MR. BRAUN: Sure, sure.

5

6

MS. MULLIGAN: So I suggest that we take Port Development as the next application.

7

Joce, if you would, let Mr. Russo in.

8

9

So Port Development, just to remind everybody, that's the One North Country Road, Port Jefferson, project. It's proposed to be at the former Lobster House and the florist next door. It is a 36 residential apartment complex; 32 one-bedroom, four two-bedroom, seven of these units will be affordable/workforce. The cost-benefit analysis, the PILOT study and the feasibility study were included in your packets as was the comment that we received from the -- at the public hearing that was held yesterday; the comment that we received was from the Port Jefferson School District.

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Does anyone have any questions?

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MR. CALLAHAN: Lis, did you respond to the letter that the school board wrote?

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MS. MULLIGAN: No. Our role is not to respond to public comment, it's merely to bring it to your attention.

3

4

MR. CALLAHAN: Okay. Thank you.

5

6

MS. MULLIGAN: So I put together just a couple of things that I thought you might like to be aware of. This was not provided to Port Jefferson, but just so that you're aware of maybe if there were to be a response to that, what our response could be.

7

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10

11

So I just wanted to bring two pieces of information to your attention; I apologize, I can't find it in my email right now.

12

13

(Pause.)

14

15

MS. MULLIGAN: Okay.

16

17

So from the feasibility study that was included in our public hearing, it's on our website, this is a quote from the feasibility study:

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With respect to the potential for the proposed project to affect the local public school district, i.e. the Port Jefferson UFSD. It should be noted that the proposed multi-family residential development would be

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expected to generate extremely few school-age children.

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Based upon the result of a 2019 study published by the Real Estate Institute at Stony Brook University College of Business, multi-family residential development on Long Island generates on average .09 school-age children per unit. Applied to the 36 proposed units, this would represent less than four school-age children within the Port Jefferson UFSD, which has a current enrollment of approximately 1,065 children, i.e. an increase of less than .38 percent.

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A 2017 study performed by Vision Long Island of transit oriented development on Long Island identified an average of only .026 school-age children per unit, which applied to the proposed 36 units would suggest that less than one school-age child would reside at the proposed development.

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It should also be noted that nearly all of the proposed residential units, i.e. 32 of the 36 units, would be one-bedroom units, which are inherently less attractive to

1

2 families with school-age children than units
3 19 anticipated benefit to the project -- I'm
4 sorry, that's like a typo in there, I
5 apologize -- than units with two or more
6 bedrooms.

7 Overall, the proposed development is
8 expected to generate extremely few school-age
9 children and no significant adverse impacts
10 upon the local school district are anticipated
11 and just to back that up a little bit more, I
12 checked the Port Jefferson K through 12 --
13 Port Jefferson UFSD K through 12 enrollment
14 and the 2017-'18 school year they had 1,077
15 students, '18-'19 they had 1,065 and '19-'20
16 they had 1,022, so their enrollment is
17 decreasing, yes.

18 MR. CALLAHAN: Thank you, Lis.

19 MS. MULLIGAN: You're welcome.

20 MR. BRAUN: Questions?

21 (No response.)

22 MR. BRAUN: Hearing none, on the
23 resolution, motion?

24 MS. SCHEIDT: So moved.

25 MR. GRUCCI: So moved.

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MS. SCHEIDT: Second.

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MR. BRAUN: I think I heard Felix and
Ann-Marie.

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On the vote, Mr. Callahan?

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MR. CALLAHAN: Yes.

7

MR. BRAUN: Ms. Paprocky?

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MS. PAPROCKY: Yes.

9

MR. BRAUN: Ms. Scheidt?

10

MS. SCHEIDT: Yeah.

11

MR. BRAUN: Mr. Pollakusky?

12

MR. POLLAKUSKY: Yes.

13

MR. BRAUN: Mr. Grucci?

14

MR. GRUCCI: Yes.

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MR. BRAUN: Mr. Braun votes yes, the
motion carries or is approved, excuse me.

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MS. MULLIGAN: And since we have
Mr. Russo, I'm going to take the next item out
of order; also, since Mr. Russo is
representing the Brooks Partners, LLC project.

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22

23

We have a resolution. We received a
letter which was included in your packets for
a refinance.

24

25

Just to remind everybody, Brooks
Partners is another project in Port Jefferson

1

2 Village; this is where the former Cappy's
3 Carpet facility was.

4 What we have been asked is to support a
5 refinance. The original loan was 12.2,
6 roughly \$12.2 million and that was through
7 Dime Bank and now they're refinancing through
8 First National and it's roughly 14.5 million.
9 They've requested mortgage recording tax and
10 the overruns are a result of COVID-19 and the
11 letter's in your packets.

12 Bill, did you have anything you wanted
13 to add?

14 MR. WEIR: No.

15 MS. MULLIGAN: Okay.

16 Does anyone have any questions, we have
17 Mr. Russo here?

18 (No response.)

19 MR. BRAUN: Hearing none, a motion to
20 approve --

21 MR. CALLAHAN: Marty Callahan.

22 MR. BRAUN: -- to approve the
23 refinancing.

24 Mr. Callahan.

25 Is there a second?

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2

MS. SCHEIDT: Ann-Marie.

3

MR. BRAUN: Thank you.

4

On the vote, Mr. Callahan?

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MR. CALLAHAN: Yes.

6

MR. BRAUN: Ms. Paprocky?

7

MS. PAPROCKY: Yes.

8

MR. BRAUN: Ms. Scheidt?

9

MS. SCHEIDT: Yes.

10

MR. BRAUN: Mr. Pollakusky?

11

MR. POLLAKUSKY: Yes.

12

MR. BRAUN: Mr. Grucci?

13

MR. GRUCCI: Yes.

14

MR. BRAUN: Mr. Braun votes yes, the

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resolution is approved.

16

MS. MULLIGAN: Thank you everyone.

17

Thank you, Eric.

18

So the next item -- oh, let me see, we

19

have one more attorney; Joce, will you let

20

Mr. Sinsabaugh in, please, he's here

21

representing the Coast to Coast project, so

22

again, taking some things out of order, but to

23

remind everyone, this is a roughly 19,000

24

square foot existing facility at 20 Pinehurst.

25

We had a public hearing yesterday.

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2

Included in your packet is the cost-benefit

3

analysis and the PILOT and the public hearing,

4

there was no comment except for Mr. Sinsabaugh

5

made some comments on the record for the

6

project.

7

Does anyone have any questions?

8

MR. CALLAHAN: Lisa, do I have to leave

9

the room to recuse myself?

10

MS. MULLIGAN: Yes, thank you, Marty.

11

Thank you so much. Marty needs to recuse

12

himself, I almost forgot.

13

You should --

14

MR. CALLAHAN: I leave the room?

15

MR. BRAUN: Counsel, is there anything

16

you want to say?

17

MS. EADERESTO: Yes, Marty, leave the

18

room.

19

MR. CALLAHAN: Thank you, Annette.

20

MS. MULLIGAN: Thanks, Annette.

21

(Mr. Callahan left the meeting.)

22

MR. SINSABAUGH: Hi, good morning.

23

I really have no additional comment in

24

addition to the statements that were made

25

yesterday at this time.

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MR. BRAUN: Okay.

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A motion to approve?

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MR. POLLAKUSKY: So moved.

5

MR. BRAUN: Second?

6

MS. PAPROCKY: Second.

7

MR. BRAUN: Thank you.

8

On the vote, Ms. Paprocky?

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MS. PAPROCKY: Yes.

10

MR. BRAUN: Ms. Scheidt?

11

(No response.)

12

MR. BRAUN: Mr. Pollakusky?

13

MR. POLLAKUSKY: Yes.

14

MR. BRAUN: Mr. Grucci?

15

MS. SCHEIDT: Yes for Ms. Scheidt.

16

MR. BRAUN: Mr. Grucci?

17

MR. GRUCCI: Yes.

18

MR. BRAUN: Mr. Braun votes yes, the

19

resolution is approved.

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MS. MULLIGAN: I'm sorry, Brian, can

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you just -- I apologize, I just have one

22

question.

23

You mentioned in the public hearing

24

yesterday that they were going to put solar

25

panels on the facility.

1

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MR. SINSABAUGH: That's what they're thinking of proposing at some point, that's definitely one of the developments they're going to do to make the site more energy efficient. There's been no application that's been made for that to date.

8

9

MR. WEIR: So you're not asking any benefits with respect to that at this time?

10

MR. SINSABAUGH: No, sir.

11

MR. WEIR: Okay, thank you.

12

MS. MULLIGAN: Okay. I just wanted to make sure. Thank you.

13

14

MR. GRUCCI: Lisa I do have one question; what was the address of this application?

15

16

17

MS. MULLIGAN: Twenty Pinehurst -- so, Felix, this is the former Grucci facility.

18

19

MR. GRUCCI: Oh.

20

Should I have recused myself?

21

MR. BRAUN: Felix, you don't have an interest in this property, do you not?

22

23

MR. GRUCCI: No, I do not nor do I have an interest in Fireworks By Grucci.

24

25

MS. EADERESTO: No, you don't have to

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recuse.

3

MR. GRUCCI: Okay. Thank you.

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MR. BRAUN: Thank you.

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MS. MULLIGAN: Felix, thank you for thinking of that.

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MR. BRAUN: Okay.

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MS. MULLIGAN: Okay. And thank you, Brian.

10

11

The next item -- I'm going to try to go back into the regular order.

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The next item on the agenda for a resolution is a resolution for the Ronkonkoma Hub project.

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(Mr. Callahan rejoined the meeting.)

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MS. MULLIGAN: It was included -- the resolution was included in your packets and it is basically a resolution -- Annette, chime in if I'm missing anything -- but basically a resolution to set the public hearing for the condemnation hearing for the Ronk Hub project and it is as per this resolution going to be set for November 16th, which is a Tuesday, at four p.m. and now because of this new legislation, we can have it through Zoom and

1

2

Annette has indicated to me that she thinks

3

it's advisable for our board members to be

4

there and listen to the public hearing live if

5

at all possible, probably just need to have a

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quorum of you, but -- and it will certainly be

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transcribed, so that's what the public

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hearing -- the resolution is just setting that

9

public hearing.

10

Annette, do you want to add anything?

11

MS. EADERESTO: No, you covered it all.

12

MS. MULLIGAN: Okay, cool

13

It's in your packets.

14

MR. GRUCCI: Lisa, did you say it was

15

also going to be covered by Zoom?

16

MS. MULLIGAN: We're going to do the --

17

not also, it will solely be a Zoom public

18

hearing.

19

MR. GRUCCI: Okay.

20

MR. WEIR: Did you say 4:00?

21

MS. MULLIGAN: Four o'clock, yes.

22

MS. PAPROCKY: What was the date again,

23

Lisa, November 16th?

24

MS. MULLIGAN: Yes.

25

Actually, Terri, would you put this on

1

everybody's calendars?

2

3

(No response.)

4

MS. MULLIGAN: She's nodding.

5

We'll add it onto everybody's

6

calendars, Tuesday, November 16th at four p.m.

7

and we'll obviously update that, we haven't

8

set the Zoom log-in yet, it hasn't been

9

published, there's some steps, but we needed

10

you to sort of tell us to do it. So that's --

11

MS. EADERESTO: Yeah, you needed the

12

resolution to set the public hearing.

13

MS. MULLIGAN: Yeah.

14

MR. GRUCCI: I'll make the motion to

15

set the public hearing.

16

MS. SCHEIDT: Second.

17

MR. BRAUN: Felix, you made the motion.

18

Who's the second, I'm sorry?

19

MS. SCHEIDT: Ann-Marie.

20

MR. BRAUN: Thank you, Ann-Marie.

21

On the vote, Mr. Callahan?

22

MR. CALLAHAN: Yes.

23

MR. BRAUN: Ms. Paprocky?

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MS. PAPROCKY: Yes.

25

MR. BRAUN: Ms. Scheidt?

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MS. SCHEIDT: Yes.

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MR. BRAUN: Mr. Pollakusky?

4

MR. POLLAKUSKY: Yes.

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MR. BRAUN: Mr. Grucci?

6

MR. GRUCCI: Yes.

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8

MR. BRAUN: Mr. Braun votes yes. The motion is approved or the resolution is approved, excuse me.

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MS. MULLIGAN: The next item on the

11

agenda is the On The Commons at Rocky Point

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project.

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14

At our last meeting, we received a request from them to extend their sales tax, their sales tax date and also their completion date and then afterwards or at the end of the meeting we had a realization that that was probably going to impact when their PILOT should start, so I went back to them, I had a conversation with them, I spoke to Bill about this and what we are proposing is that we move the PILOT start from the -- it's set to start December of -- December 1, 2021, which is this December coming up, but instead of doing that, what we're suggesting is that we move it a --

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push it out a year to December 1, 2022. It

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doesn't change the payments, it doesn't change

4

the schedule, it just adjusts when it starts

5

and when it stops. It's not that they're

6

going to get an extra year, so there's no need

7

for a public hearing or anything, it's just

8

adjusting the start date.

9

Bill, did you have --

10

MR. WEIR: And the end date.

11

MS. MULLIGAN: And the end date really.

12

Do you have anything to add?

13

MR. WEIR: No.

14

MS. MULLIGAN: Any questions?

15

(No response.)

16

MR. BRAUN: I need a motion, please.

17

MR. POLLAKUSKY: So moved.

18

MR. BRAUN: Second?

19

MR. CALLAHAN: Second.

20

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

21

MR. CALLAHAN: Yes.

22

MR. BRAUN: Ms. Paprocky?

23

MS. PAPROCKY: Yes.

24

MR. BRAUN: Ms. Scheidt?

25

MS. SCHEIDT: Yes.

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2

MR. BRAUN: Mr. Pollakusky?

3

MR. POLLAKUSKY: Yes.

4

MR. BRAUN: Mr. Grucci?

5

MR. GRUCCI: Yes.

6

7

MR. BRAUN: Mr. Braun votes yes, the resolution is approved.

8

MS. MULLIGAN: Okay.

9

10

The next item on the agenda is the AE Manorville 2 project.

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14

So we had a public hearing -- as you'll notice, we had a few public hearings yesterday. We had a public hearing yesterday for this project.

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This is, just to remind everyone, the proposed solar array and battery energy storage system at the Town of Brookhaven's Manorville compost facility. This is through -- we've done a bunch of projects with Agilitas, the solar installation on the roof at Town Hall, the solar installation on the hill at Town Hall, a solar installation already at the Manorville compost facility, so there's a few others, Calabro Airport, two at Calabro Airport and I think -- oh, I'm

1

2

forgetting one, but, so we have a bunch of

3

projects, so this is yet another one. The

4

cost-benefit analysis and the PILOT were

5

included in your packets. Like I said, we had

6

the public hearing yesterday and there were no

7

comment.

8

Does anyone have any questions?

9

(No response.)

10

MR. BRAUN: Anybody care to move it?

11

(No response.)

12

MR. BRAUN: Don't all rush at once.

13

MS. SCHEIDT: So moved.

14

MR. BRAUN: Ann-Marie.

15

Is there a second?

16

MR. POLLAKUSKY: Second.

17

MR. BRAUN: Thank you.

18

On the vote, let's go in reverse order,

19

Mr. Grucci?

20

MR. GRUCCI: Yes.

21

MR. BRAUN: Mr. Pollakusky?

22

MR. POLLAKUSKY: Yes.

23

MR. BRAUN: Ms. Scheidt?

24

MS. SCHEIDT: Yes.

25

MR. BRAUN: Ms. Paprocky?

1

2 MS. PAPROCKY: Yes.

3 MR. BRAUN: Mr. Callahan?

4 MR. CALLAHAN: Yes.

5 MR. BRAUN: Mr. Braun votes yes, the
6 resolution is approved.

7 MS. MULLIGAN: Thank you.

8 The next item on the agenda is a
9 resolution for EDPR/C2NY.

10 Just to remind everybody, this is a
11 request for an assignment and assumption of
12 the existing solar carport facility at the --

13 MR. WEIR: It's actually a partial
14 assignment only of the electrical generating
15 equipment.

16 MS. MULLIGAN: Excellent. Okay. There
17 was a distinction there.

18 MR. WEIR: Yeah. It's a little
19 technical.

20 MS. MULLIGAN: A little?

21 MR. WEIR: Yeah.

22 So Key Bank has an equipment lending
23 company that this is how they're financing the
24 project, so the assignment of and they'll be
25 the "owner of the equipment" so we'll have to

1

2

split out in the lease project equipment the

3

land and other improvements versus electrical

4

generation equipment.

5

MR. BRAUN: Almost doesn't seem big

6

enough to warrant this kind of stuff.

7

MR. WEIR: They're doing it.

8

MS. MULLIGAN: This is the project at

9

the Bald Hill Amphitheater. LICH Amphitheater

10

I think, the Town's Amphitheater.

11

If anyone has any questions, I'm going

12

to direct them to Bill.

13

(No response.)

14

MR. BRAUN: Somebody care to move this

15

one?

16

MR. GRUCCI: So moved.

17

MR. POLLAKUSKY: Seconded.

18

MR. BRAUN: Thank you.

19

On the vote, Mr. Grucci?

20

MR. GRUCCI: Yes.

21

MR. BRAUN: Mr. Pollakusky?

22

MR. POLLAKUSKY: Yes.

23

MR. BRAUN: Ms. Scheidt?

24

(No response.)

25

MR. BRAUN: Ann-Marie?

1

2

MS. SCHEIDT: Yes.

3

MR. BRAUN: Ms. Paprocky?

4

MS. PAPROCKY: Yes.

5

MR. BRAUN: Mr. Callahan?

6

MR. CALLAHAN: Yes.

7

MR. BRAUN: Mr. Braun votes yes,

8

resolution is approved.

9

MS. MULLIGAN: The next item on the

10

agenda is for the CVI Brookhaven/Town Hall

11

rooftop project.

12

So CVI Renewables had a one percent

13

managing member interest in all the other

14

Agilitas projects that we have -- that are in

15

our name in the Town of Brookhaven and are

16

constructed.

17

The rooftop -- when we did all the

18

other ones, the rooftop project was still

19

under construction, so they weren't ready to

20

be involved in it yet and now that it's

21

completed, they've come to us and asked for

22

the same -- basically the exact same thing

23

that they did with all the other projects, so

24

this is the resolution to that effect.

25

MR. WEIR: Correct.

1

2

MR. BRAUN: Motion?

3

MR. POLLAKUSKY: So moved.

4

MR. BRAUN: Thank you, Gary.

5

Second?

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MR. CALLAHAN: Second.

7

MR. BRAUN: Thank you.

8

On the vote, Mr. Callahan?

9

MR. CALLAHAN: Yes.

10

MR. BRAUN: Ms. Paprocky?

11

MS. PAPROCKY: Yes.

12

MR. BRAUN: Ms. Scheidt?

13

MS. SCHEIDT: Yes.

14

MR. BRAUN: Mr. Pollakusky?

15

MR. POLLAKUSKY: Yes.

16

MR. BRAUN: Mr. Grucci?

17

MR. GRUCCI: Yes.

18

MR. BRAUN: Mr. Braun votes yes, the

19

resolution is approved.

20

MS. MULLIGAN: Okay.

21

The last resolution on the agenda is

22

for Macedo. We got a request late yesterday

23

for a refinancing. They are not requesting

24

mortgage recording tax exemption, but they

25

need the IDA's involvement in the approval for

1

2 a subordination of their mortgage. Let's see,
3 I have the email that we got.

4 So they are refinancing with M&T Bank
5 for a first mortgage in the amount of \$1.07
6 million. They currently have an outstanding
7 principal of 1.06 plus million dollars and
8 that will be satisfied, so they're just asking
9 for our consent to refinance in the
10 subordination of the lease and the other
11 documents.

12 Howard, do you have anything you wanted
13 to add?

14 MR. GROSS: No, I think that's fine,
15 thank you.

16 MS. MULLIGAN: Anybody have any
17 questions?

18 (No response.)

19 MR. BRAUN: Need a motion.

20 MR. POLLAKUSKY: So moved.

21 MR. BRAUN: Gary.

22 Second?

23 MS. SCHEIDT: Second.

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

25 MR. CALLAHAN: Yes.

1

2

MR. BRAUN: Ms. Paprocky?

3

MS. PAPROCKY: Yes.

4

MR. BRAUN: Ms. Scheidt?

5

MS. SCHEIDT: Yes.

6

MR. BRAUN: Mr. Pollakusky?

7

MR. POLLAKUSKY: Yes.

8

MR. BRAUN: Mr. Grucci?

9

MR. GRUCCI: Yes.

10

MR. BRAUN: Mr. Braun votes yes, that

11

motion is approved.

12

MS. MULLIGAN: Thank you everyone.

13

The next item on the agenda, we've

14

mentioned to you a couple of times that we put

15

out a request for proposals for HR services.

16

I think we received six responses. Lori, Fred

17

and I reviewed all of them, went back to them

18

with follow-up questions, you know, sort of

19

thought through the various proposals that we

20

received and the Acacia HR Solutions proposal

21

came out as the one that we thought would

22

be -- that was most responsive to our needs

23

and we have an agreement, so I'm looking for

24

your resolution to direct me to sign this.

25

Let me know if you have questions.

1

2 It's \$3,500 and it includes -- they're going
3 to do -- they're going to create an employee
4 handbook for us, they're going to do job
5 descriptions, they're going to do an audit of
6 our compliance and let us know, you know, what
7 we're lacking and included in that \$3,500 is a
8 one-year hotline for unlimited calls if we
9 need assistance.

10 MR. BRAUN: And the reason for this is
11 because of the fact that the Town cut us loose
12 effective January 1st.

13 MR. GRUCCI: Lisa, is that a one-time
14 charge? Is that a one-time charge or a
15 monthly charge?

16 MS. MULLIGAN: No, that's it, \$3,500
17 annual. So right now -- this is a one-year
18 contract for them to do those items, services
19 that I outlined and then if we need additional
20 services, we can always reengage them for --
21 you know, in a few years or whatever we need.

22 MR. BRAUN: Felix, Lori has had prior
23 experience with this firm and it's an
24 inexpensive HR department effectively.

25 MS. LaPONTE: Lisa, I just want to add

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to answer Felix's question.

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So that's the one-time charge to get us all in compliance, all in accordance with all the employment laws and then annually for probably less than \$500, they can kick the tires, tell us if there's any new or updates like that, so it's in the beginning where you're spending the most.

MR. GRUCCI: Okay. That's very reasonable.

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MR. BRAUN: I need a motion.

MR. GRUCCI: I'll make the motion.

MR. BRAUN: Thank you, Felix.

Second?

MS. PAPROCKY: I can second that.

MR. BRAUN: Thank you.

On the vote, Mr. Callahan?

MR. CALLAHAN: Yes.

MR. BRAUN: Ms. Paprocky?

MS. PAPROCKY: Yes.

MR. BRAUN: Ms. Scheidt?

MS. SCHEIDT: Yes.

MR. BRAUN: Mr. Pollakusky?

MR. POLLAKUSKY: Yes.

1

2

MR. BRAUN: Mr. Grucci?

3

MR. GRUCCI: Yes.

4

MR. BRAUN: Mr. Braun votes yes.

5

Thank you.

6

7

MS. MULLIGAN: So the next item on the agenda is we need a resolution to --

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MR. BRAUN: Let me --

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10

MS. MULLIGAN: Yeah, thank you. It's self-serving, I don't like to do that.

11

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MR. BRAUN: Lisa's being honored on October 28th, we're going to take a full page ad. Along with that comes a table of ten. I think Jocelyn or Terri or Amy may have contacted you; if you want to attend, if you haven't responded, let us know. This is I think \$3,500. We've done this before for other honorees and Lisa certainly deserves this recognition.

20

MR. GRUCCI: I'll make the motion.

21

MR. POLLAKUSKY: Seconded.

22

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

23

MR. CALLAHAN: Yes.

24

MR. BRAUN: Ms. Paprocky?

25

MS. PAPROCKY: Yes.

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2

MR. BRAUN: Ms. Scheidt?

3

MS. SCHEIDT: Yes.

4

MR. BRAUN: Mr. Pollakusky?

5

MR. POLLAKUSKY: Yes.

6

MR. BRAUN: Mr. Grucci?

7

MR. GRUCCI: Yes.

8

MR. BRAUN: Mr. Braun votes yes.

9

MS. MULLIGAN: Thank you everyone.

10

The next item on our agenda is a work

11

in progress I would say.

12

So we included in your packets our

13

UTEP, which is a significant document and

14

something that we actually have updated pretty

15

recently, 2019 and also 2020 we made edits and

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updates to it. In 2020 there were significant

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edits.

18

So, you know, it's our governing, how

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we handle projects, how we make decisions. So

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as things change, we need to make changes to

21

it and there is right now a lot of spec

22

building coming forward and we realize that

23

when we edited our UTEP last, we really

24

focused on housing because there was a lot of

25

housing coming forward and although we

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certainly discuss warehouse distribution, spec

3

facilities, retail and recreation facilities,

4

we don't give them the same attention and

5

level of detail that we give to housing

6

projects and what we sort of kicked around, so

7

Fred, Bill, Howard, Annette and I had a

8

conference call and sort of talked through

9

where the UTEP could be flushed out a little

10

bit and that was -- that's what we came up

11

with. So, you know, a couple of things like

12

that.

13

It needs to get -- so I think what the

14

process is going to be is -- Bill, if you want

15

to chime in here -- have everybody -- I don't

16

know if we should have a Governance Committee

17

meeting.

18

MR. WEIR: Probably should go back to

19

Governance Committee, but meanwhile everybody

20

should review what Lisa sent out, give any

21

comments or questions or suggestions, please

22

send them to Lisa, we'll incorporate

23

everyone's comments, come up with a revised

24

draft and we'll go to governance for its

25

review and then eventually to the full board.

1

2

MS. MULLIGAN: And we'll have to do a public hearing, also.

3

4

MR. WEIR: So once the full board has signed off on it, we have to then mail a copy to every taxing jurisdiction in the Town, hold a public hearing and come back to the board for a final readoption.

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MS. MULLIGAN: So what I think I'll do, if this is agreeable with everyone, I'll send out the Word version again and I will sort of outline what I just said and I'll direct, you know, see section D 1 A, this is where we thinking about putting in new paragraphs and then we can have a conversation about what everybody thinks we should and shouldn't do.

17

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MR. BRAUN: One of the questions I had for Bill was are we changing our UTEP too often and Bill said absolutely not and on the other side of that coin is the fact that a lot of IDA's -- and I guess there are 105 around the state, 409, I never remember their number -- they basically have a static document and haven't done anything with it in many, many years, so what we're doing seems

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totally appropriate.

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(inaudible).

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MR. BRAUN: We will be back to you on all of that.

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MS. MULLIGAN: So does anyone have any questions?

3

4

(No response.)

5

MS. MULLIGAN: Okay. I think the next item on the agenda is Michael Martino is here; Joce, can you let Michael in, please?

6

7

8

(Inaudible comments.)

9

MS. MULLIGAN: So --

10

MR. MARTINO: Hello everyone.

11

MS. MULLIGAN: Hi, Michael.

12

MR. BRAUN: Good morning.

13

MR. MARTINO: How's everybody?

14

MR. BRAUN: Good.

15

MS. MULLIGAN: Michael is our

16

representative through Todd Shapiro Associates and we asked Michael to join us and provide an update.

17

18

19

MR. MARTINO: Okay. Where do I start?

20

MR. BRAUN: At the beginning.

21

MR. MARTINO: It's great to see

22

everybody. Thank you very much for having me.

23

I just -- by the way, I was on the whole time,

24

so I got a lot of information, so thank you

25

very much.

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So we've been concentrating on making sure we're, you know, generating press releases for some things that are happening. We've got a couple drafted right now with some things that are I guess on deck, the surf facility and couple of other ones.

I'm most excited actually about doing press for the -- we were discussing the tour at the end of the month for some of the facilities and I think that's going to be great, actually that's one of the more exciting things that's coming out so far since I've been working with the IDA, so, you know, I've been in touch or I meet with Amy and Lisa and now this one I think is the most exciting because we're going to really be able to tell a great story about the IDA's message and have some tangible evidence of everything that's been going on.

So we have continual pitches to, for example, Long Island Business News and to Newsday, continue trying to get some positive press for some of the deals, sometimes they're not pitchable for whatever reasons and I've

1

2 interfaced with the media a couple of times
3 when they've had questions regarding some
4 things that were going on, but for the most
5 part, we're -- we concentrate on being
6 proactive with what we're trying to get
7 accomplished.

8 MR. BRAUN: Does anybody have any
9 questions?

10 MR. MARTINO: Questions?

11 MR. POLLAKUSKY: Yeah.

12 Michael, can you please, we had -- at
13 one time we had received regular reports on
14 social media engagements, demographic
15 targeting through social media, really, you
16 know, when we're looking at all the different
17 areas that need targeting, businesses, you
18 know, to invite businesses to check out
19 Brookhaven, we need some type of analytics
20 behind how that's being done on your end.

21 So if you could, aside from the
22 monthly, you know, press releases and tear
23 sheets, provide some type of digital report,
24 that would be appreciated.

25 MR. MARTINO: Okay.

1

2

MR. BRAUN: Thank you, Gary.

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7

One other item, Lisa and I have come across an individual or an organization, one particular individual within the organization, that has a registered drone and has a license to fly that drone.

8

9

10

11

12

We have gotten some preliminary quotes from him to perhaps fly over, take pictures of a number of our projects to be determined yet which and how many and then incorporate those onto our website.

13

14

15

16

Hopefully we'll be back to you with more information on that, but I think it would show our projects in a great light and I think it would be a great addition to our website.

17

18

19

20

MR. POLLAKUSKY: Another thing on that note, Fred, I'm not sure where we're at with testimonials from our projects, video testimonials, written testimonials.

21

22

23

24

MR. BRAUN: I don't think we've done anything recently. We might tie that in with these drone pictures, it might be a perfect opportunity.

25

MR. POLLAKUSKY: I think just some user

1

2

generated content, you know, asking a couple

3

of questions, perhaps Michael can, you know,

4

you guys can apply a template that then could

5

be reconstituted as a YouTube, you know,

6

social media share where you share that on our

7

LinkedIn, on our Facebook, on our Twitter and

8

push that out to the demographics that we're

9

focused on.

10

MR. MARTINO: I'd love to do that and

11

take on that initiative, I think that would be

12

right in my wheelhouse.

13

MR. POLLAKUSKY: Great.

14

MS. MULLIGAN: Yup and we should

15

include the LDC projects; Amy, work with

16

Michael on that, please.

17

I don't know if she can or can't hear

18

me, but I'll tell Amy later, I don't think she

19

can hear me. I think we're getting thumbs up.

20

MR. GRUCCI: Amy is also muted.

21

MS. MULLIGAN: Yeah and Michael is

22

going to join us on the bus tour. I know that

23

Amy has sent out invites to everybody, so if .

24

. . you know, just I think it's going to be

25

fun. The date of the bus tour is

1

2

October 26th.

3

MR. BRAUN: If it's half as good as the first one, everybody will really enjoy it.

5

MS. MULLIGAN: Yeah.

6

MR. BRAUN: Lisa, if there's nothing further, we do need to go into executive session. This will be fairly brief, but we need everybody's attention for a couple of minutes.

10

11

MS. MULLIGAN: And Joce just sent out the link, so just follow the new link to get into executive session and just give me a moment because --

14

15

MR. WEIR: Say why you have to go into executive session.

16

17

MS. MULLIGAN: So we need to go into executive session to discuss employment.

18

19

MR. GRUCCI: We're leaving this screen, correct?

20

21

MS. MULLIGAN: Yes.

22

Felix, so what you're going to do is you're going to go back to your email, you're going to see Jocelyn just sent a link to go into executive session. You're going to click

25

1

2

on that. You're to have to give me like 30

3

seconds, though, because I have to log into it

4

first and then everybody can get into

5

executive session, but we need --

6

MR. BRAUN: Before we do that, don't we

7

need a motion to go into executive session?

8

MS. MULLIGAN: Yes.

9

MR. POLLAKUSKY: So moved.

10

MR. BRAUN: Thank you, Gary.

11

MS. SCHEIDT: Second.

12

MR. BRAUN: Thank you.

13

On the vote, Mr. Callahan?

14

MR. CALLAHAN: Yes.

15

MR. BRAUN: Ms. Paprocky?

16

MS. PAPROCKY: Yes.

17

MR. BRAUN: Ms. Scheidt?

18

MS. SCHEIDT: Yes.

19

MR. BRAUN: Mr. Pollakusky?

20

MR. POLLAKUSKY: Yes.

21

MR. BRAUN: Mr. Grucci?

22

MR. GRUCCI: Yes.

23

MR. BRAUN: Mr. Braun votes yes.

24

Okay, give us a couple of minutes.

25

MR. WEIR: Somebody else like Joce

1

2

should stay on and just keep telling people

3

that we're in executive session.

4

MS. MULLIGAN: You got that, Joce?

5

MS. LINSE: Yes, I'm staying here.

6

MS. MULLIGAN: Okay, thank you.

7

(Short recess taken.)

8

MR. BRAUN: We need a motion to come

9

out of executive session.

10

MR. POLLAKUSKY: So moved.

11

MR. CALLAHAN: So moved.

12

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

13

MR. CALLAHAN: Yes.

14

MR. BRAUN: Mr. Pollakusky?

15

MR. POLLAKUSKY: Yes.

16

MR. BRAUN: Ms. Scheidt?

17

MS. SCHEIDT: Yes.

18

MR. BRAUN: Mr. Paprocky?

19

MS. PAPROCKY: Yes.

20

MR. BRAUN: Mr. Grucci, are you there

21

yet?

22

(No response.)

23

MR. BRAUN: Mr. Braun votes yes, we are

24

out of executive session.

25

Anything else?

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MS. MULLIGAN: There's Mr. Grucci.

3

4

MR. BRAUN: Felix, we've just passed
the resolution, so you're out of executive
session.

5

6

Anything else to be brought before this
august body?

7

8

(No response.)

9

MR. BRAUN: Hearing none --

10

11

MS. MULLIGAN: I just want to say thank
you everybody. We passed so many resolutions,
those are really milestones in our progress
and that allows us to now close a whole bunch
of projects, so great work today.

12

13

14

15

MR. GRUCCI: Sorry about that people, I
went back to the original link.

16

17

MR. BRAUN: Thanks, Felix.

18

MS. MULLIGAN: Okay.

19

MR. BRAUN: All right.

20

A motion to adjourn?

21

MR. POLLAKUSKY: So moved.

22

MS. SCHEIDT: Second.

23

MR. BRAUN: On the vote, Ms. Scheidt?

24

MS. SCHEIDT: Yes.

25

MR. BRAUN: Mr. Pollakusky?

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MR. POLLAKUSKY: Yes.

MR. BRAUN: Mr. Callahan?

MR. CALLAHAN: Yes.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Braun votes yes. We
are done.

Thank you all very much.

(Time noted: 10:50 a.m.)

I, JOANN O'LOUGHLIN, a Notary Public
for and within the State of New York, do hereby
certify that the above is a correct transcription
of my stenographic notes.

JOANN O'LOUGHLIN