TOWN OF BROOKHAVEN
INDUSTRIAL DEVELOPMENT AGENCY
BOARD MEETING
HELD BY ZOOM VIDEOCONFERENCE
September 15, 2021
9:45 a.m.

TRANSCRIPT OF PROCEEDINGS

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APPEARANCES:

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 meeting for the Industrial Development Agency. It is Wednesday, September 15th. It is 9:45. A quorum is present.

Counsel?

MR. WEIR: Sure.

This meeting is being conducted electronically via Zoom pursuant to Senate bill 50001 and Assembly bill 40001, which amended the New York Open Meetings Law to allow for public meetings to be conducted electronically due to COVID.

MR. BRAUN: First order of business is to accept our minutes of the meeting of August 18th.

May I have a motion, please?

MR. POLLAKUSKY: So moved.

MS. PAPROCKY: Second.

MR. BRAUN: Thank you, Lenore.

Are there any questions or clarifications on those minutes?

(No response.)

MR. BRAUN: Hearing none, 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.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Braun votes yes, the

minutes are accepted.

Lori, I'll turn it over to you.

MS. LaPONTE: Included in your package

and also shown on the screen is the operating

results budget versus actual as of the seven

months ended July 2021.

As in the past, I first start out with

presenting the prior six months, what happened

in the month of July and cumulative

year-to-date.

Focusing in on what happened during the

month of July, we did have a closing, one

closing and then we also did have an

application fee and we also did have some
refinancing fees during the month, so that brought our income up to 262,000. The expenditures were pretty much in line with what expected, nothing is new.

Our insurance came in, as mentioned it came in, the biggest change in our insurance was our cyber went from 2,000 to 4,000, but overall the insurance costs are almost within budget because some of the general costs came down.

So that's the results for the month of July and then the seven months as of July 31st, so it's a net positive, 905,000.

I've compared that to a pro rata amount of the seven-month budget, just to give you an idea of where we thought we would be. So we thought we would break even as of the seven months and we're actually ahead, so there's a positive variance and then all the way on right-hand column is the amended annual budget that we submitted -- well, actually it's not the one we submitted to PARIS because we amended it, it's a budget that we recently amended.
I just want to clarify one thing what I started to stay.

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.

Any questions?

(No response.)

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

MS. MULLIGAN: That was Fred.

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.

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

MS. LaPONTE: I'm trying to keep on rolling with it, Ann-Marie, I'm trying to roll.
MR. BRAUN: It was designed to be hostile.

Any questions for Lori?

(No response.)

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

MS. SCHEIDT: So moved.

MR. BRAUN: Thank you, Ann-Marie.

MR. POLLAKUSKY: Seconded.

MR. BRAUN: 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.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

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

Lisa, we have one application?

MS. MULLIGAN: Yes.

We have one application, 44 Ramsey
Road, LLC. The information is in your packets.

This is probably going to look familiar to you because I think at our last meeting we brought this forward with one -- the last meeting we brought back 44 Ramsey Road, LLC and now we're bringing 44 Ramsey Road Owner, LLC and it's the same as what you accepted at the last -- I think it was last month, it may have been the month before, but this new application is a joint venture between BEB Capital and that's who was in the original application, the application from two months ago or so and Rockpoint Group, which is a real estate private equity firm and basically what this new entity is requesting is to purchase the facility located at 44 Ramsey Road. This facility has Frank Lowe is the operating company and they're going to remain in there and they're going to keep their commitment to us for jobs and benefits and there's only three years of the PILOT left, so that's sort of all that we would be continuing is three years.
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.
MR. CURRY: Good morning everyone and thank you for reviewing this application.

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

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.

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.

MR. WEIR: Thank you.

MR. BRAUN: Any questions of Mr. Curry?

(No response.)

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

MR. BRAUN: Thank you, Felix.

Ann-Marie, is that a second?

(Ms. Scheidt nodding.)

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.

MS. SCHEIDT: Sorry that you hear the fire siren in the background --

MR. POLLAKUSKY: Yes.

MS. SCHEIDT: -- but I live a couple of blocks from the firehouse in Port Jefferson.

MR. BRAUN: Mr. Pollakusky votes yes.

MR. POLLAKUSKY: Yes.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Braun votes yes, the application is accepted.
We also need a motion on the resolution.

MR. POLLAKUSKY: So moved.

MR. BRAUN: Thank you, Gary.

Second?

MS. SCHEIDT: Second.

MR. BRAUN: 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.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

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

Thank you, Peter.

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

MR. BRAUN: Next we have a series of resolutions.
MS. MULLIGAN: I'm actually going to suggest that we take them out of order because I see some of the attorneys are here.

MR. BRAUN: Sure, sure.

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

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

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.

Does anyone have any questions?

MR. CALLAHAN: Lis, did you respond to the letter that the school board wrote?
MS. MULLIGAN: No. Our role is not to respond to public comment, it's merely to bring it to your attention.

MR. CALLAHAN: Okay. Thank you.

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.

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.

(Pause.)

MS. MULLIGAN: Okay.

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:

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
expected to generate extremely few school-age children.

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.

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.

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

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

MR. CALLAHAN: Thank you, Lis.
MS. MULLIGAN: You're welcome.

MR. BRAUN: Questions?

(No response.)

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

MS. SCHEIDT: So moved.

MR. GRUCCI: So moved.
MS. SCHEIDT: Second.

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

On the vote, Mr. Callahan?

MR. CALLAHAN: Yes.

MR. BRAUN: Ms. Paprocky?

MS. PAPROCKY: Yes.

MR. BRAUN: Ms. Scheidt?

MS. SCHEIDT: Yeah.

MR. BRAUN: Mr. Pollakusky?

MR. POLLAKUSKY: Yes.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

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

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.

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

Just to remind everybody, Brooks Partners is another project in Port Jefferson
Village; this is where the former Cappy's Carpet facility was.

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

Bill, did you have anything you wanted to add?

MR. WEIR: No.

MS. MULLIGAN: Okay.

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

(No response.)

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

MR. CALLAHAN: Marty Callahan.

MR. BRAUN: -- to approve the refinancing.

Mr. Callahan.

Is there a second?
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.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

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

MS. MULLIGAN: Thank you everyone.

Thank you, Eric.

So the next item -- oh, let me see, we have one more attorney; Joce, will you let Mr. Sinsabaugh in, please, he's here representing the Coast to Coast project, so again, taking some things out of order, but to remind everyone, this is a roughly 19,000 square foot existing facility at 20 Pinehurst.
Included in your packet is the cost-benefit analysis and the PILOT and the public hearing, there was no comment except for Mr. Sinsabaugh made some comments on the record for the project.

Does anyone have any questions?

MR. CALLAHAN: Lisa, do I have to leave the room to recuse myself?

MS. MULLIGAN: Yes, thank you, Marty.

Thank you so much. Marty needs to recuse himself, I almost forgot.

You should --

MR. CALLAHAN: I leave the room?

MR. BRAUN: Counsel, is there anything you want to say?

MS. EADERESTO: Yes, Marty, leave the room.

MR. CALLAHAN: Thank you, Annette.

MS. MULLIGAN: Thanks, Annette.

(Mr. Callahan left the meeting.)

MR. SINSABAUGH: Hi, good morning.

I really have no additional comment in addition to the statements that were made yesterday at this time.
MR. BRAUN: Okay.

A motion to approve?

MR. POLLAKUSKY: So moved.

MR. BRAUN: Second?

MS. PAPROCKY: Second.

MR. BRAUN: Thank you.

On the vote, Ms. Paprocky?

MS. PAPROCKY: Yes.

MR. BRAUN: Ms. Scheidt?

(No response.)

MR. BRAUN: Mr. Pollakusky?

MR. POLLAKUSKY: Yes.

MR. BRAUN: Mr. Grucci?

MS. SCHEIDT: Yes for Ms. Scheidt.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

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

MS. MULLIGAN: I'm sorry, Brian, can you just -- I apologize, I just have one question.

You mentioned in the public hearing yesterday that they were going to put solar panels on the facility.
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.

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

MR. SINSABAUGH: No, sir.

MR. WEIR: Okay, thank you.

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

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

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

MR. GRUCCI: Oh.

Should I have recused myself?

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

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

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

MR. GRUCCI: Okay. Thank you.

MR. BRAUN: Thank you.

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

MR. BRAUN: Okay.

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

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

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

(Mr. Callahan rejoined the meeting.)

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
Annette has indicated to me that she thinks it's advisable for our board members to be there and listen to the public hearing live if at all possible, probably just need to have a quorum of you, but -- and it will certainly be transcribed, so that's what the public hearing -- the resolution is just setting that public hearing.

Annette, do you want to add anything?

MS. EADERESTO: No, you covered it all.

MS. MULLIGAN: Okay, cool.

It's in your packets.

MR. GRUCCI: Lisa, did you say it was also going to be covered by Zoom?

MS. MULLIGAN: We're going to do the -- not also, it will solely be a Zoom public hearing.

MR. GRUCCI: Okay.

MR. WEIR: Did you say 4:00?

MS. MULLIGAN: Four o'clock, yes.

MS. PAPROCKY: What was the date again, Lisa, November 16th?

MS. MULLIGAN: Yes.

Actually, Terri, would you put this on
everybody's calendars?

(No response.)

MS. MULLIGAN: She's nodding.

We'll add it onto everybody's calendars, Tuesday, November 16th at four p.m. and we'll obviously update that, we haven't set the Zoom log-in yet, it hasn't been published, there's some steps, but we needed you to sort of tell us to do it. So that's --

MS. EADERESTO: Yeah, you needed the resolution to set the public hearing.

MS. MULLIGAN: Yeah.

MR. GRUCCI: I'll make the motion to set the public hearing.

MS. SCHEIDT: Second.

MR. BRAUN: Felix, you made the motion. Who's the second, I'm sorry?


MR. BRAUN: Thank you, Ann-Marie.

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.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

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

MS. MULLIGAN: The next item on the agenda is the On The Commons at Rocky Point project.

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 --
push it out a year to December 1, 2022. It doesn't change the payments, it doesn't change the schedule, it just adjusts when it starts and when it stops. It's not that they're going to get an extra year, so there's no need for a public hearing or anything, it's just adjusting the start date.

Bill, did you have --

MR. WEIR: And the end date.

MS. MULLIGAN: And the end date really.

Do you have anything to add?

MR. WEIR: No.

MS. MULLIGAN: Any questions?

(No response.)

MR. BRAUN: I need a motion, please.

MR. POLLAKUSKY: So moved.

MR. BRAUN: Second?

MR. CALLAHAN: Second.

MR. BRAUN: 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.
MR. BRAUN: Mr. Grucci?
MR. GRIUCCI: Yes.
MR. BRAUN: Mr. Braun votes yes, the
resolution is approved.
MS. MULLIGAN: Okay.
The next item on the agenda is the AE
Manorville 2 project.
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.
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
forgetting one, but, so we have a bunch of projects, so this is yet another one. The cost-benefit analysis and the PILOT were included in your packets. Like I said, we had the public hearing yesterday and there were no comment.

Does anyone have any questions?

(No response.)

MR. BRAUN: Anybody care to move it?

(No response.)

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

MS. SCHEIDT: So moved.

MR. BRAUN: Ann-Marie. Is there a second?

MR. POLLAKUSKY: Second.

MR. BRAUN: Thank you. On the vote, let's go in reverse order, Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Pollakusky?

MR. POLLAKUSKY: Yes.

MR. BRAUN: Ms. Scheidt?

MS. SCHEIDT: Yes.

MR. BRAUN: Ms. Paprocky?
MS. PAPROCKY: Yes.

MR. BRAUN: Mr. Callahan?

MR. CALLAHAN: Yes.

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

MS. MULLIGAN: Thank you.

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

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

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

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

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

MS. MULLIGAN: A little?

MR. WEIR: Yeah.

So Key Bank has an equipment lending company that this is how they're financing the project, so the assignment of and they'll be the "owner of the equipment" so we'll have to
split out in the lease project equipment the land and other improvements versus electrical generation equipment.

MR. BRAUN: Almost doesn't seem big enough to warrant this kind of stuff.

MR. WEIR: They're doing it.

MS. MULLIGAN: This is the project at the Bald Hill Amphitheater. LICH Amphitheater I think, the Town's Amphitheater.

If anyone has any questions, I'm going to direct them to Bill.

(No response.)

MR. BRAUN: Somebody care to move this one?

MR. GRUCCI: So moved.

MR. POLLAKUSKY: Seconded.

MR. BRAUN: Thank you.

On the vote, Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Pollakusky?

MR. POLLAKUSKY: Yes.

MR. BRAUN: Ms. Scheidt?

(No response.)

MR. BRAUN: Ann-Marie?
MS. SCHEIDT: Yes.

MR. BRAUN: Ms. Paprocky?

MS. PAPROCKY: Yes.

MR. BRAUN: Mr. Callahan?

MR. CALLAHAN: Yes.

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

MS. MULLIGAN: The next item on the agenda is for the CVI Brookhaven/Town Hall rooftop project.

So CVI Renewables had a one percent managing member interest in all the other Agilitas projects that we have -- that are in our name in the Town of Brookhaven and are constructed.

The rooftop -- when we did all the other ones, the rooftop project was still under construction, so they weren't ready to be involved in it yet and now that it's completed, they've come to us and asked for the same -- basically the exact same thing that they did with all the other projects, so this is the resolution to that effect.

MR. WEIR: Correct.
MR. BRAUN: Motion?

MR. POLLAKUSKY: So moved.

MR. BRAUN: Thank you, Gary.

Second?

MR. CALLAHAN: Second.

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.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

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

MS. MULLIGAN: Okay.

The last resolution on the agenda is for Macedo. We got a request late yesterday for a refinancing. They are not requesting mortgage recording tax exemption, but they need the IDA's involvement in the approval for
a subordination of their mortgage. Let's see, I have the email that we got.

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

Howard, do you have anything you wanted to add?

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

MS. MULLIGAN: Anybody have any questions?

(No response.)

MR. BRAUN: Need a motion.

MR. POLLAKUSKY: So moved.

MR. BRAUN: Gary.

Second?

MS. SCHEIDT: Second.

MR. BRAUN: 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.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Braun votes yes, that motion is approved.

MS. MULLIGAN: Thank you everyone.

The next item on the agenda, we've mentioned to you a couple of times that we put out a request for proposals for HR services. I think we received six responses. Lori, Fred and I reviewed all of them, went back to them with follow-up questions, you know, sort of thought through the various proposals that we received and the Acacia HR Solutions proposal came out as the one that we thought would be -- that was most responsive to our needs and we have an agreement, so I'm looking for your resolution to direct me to sign this. Let me know if you have questions.
It's $3,500 and it includes -- they're going to do -- they're going to create an employee handbook for us, they're going to do job descriptions, they're going to do an audit of our compliance and let us know, you know, what we're lacking and included in that $3,500 is a one-year hotline for unlimited calls if we need assistance.

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

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

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

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

MS. LaPONTE: Lisa, I just want to add
to answer Felix's question.

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.

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.
MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Braun votes yes.

Thank you.

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

MR. BRAUN: Let me --

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

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.

MR. GRUCCI: I'll make the motion.

MR. POLLAKUSKY: Seconded.

MR. BRAUN: 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.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Braun votes yes.

MS. MULLIGAN: Thank you everyone.

The next item on our agenda is a work in progress I would say.

So we included in your packets our UTEP, which is a significant document and something that we actually have updated pretty recently, 2019 and also 2020 we made edits and updates to it. In 2020 there were significant edits.

So, you know, it's our governing, how we handle projects, how we make decisions. So as things change, we need to make changes to it and there is right now a lot of spec building coming forward and we realize that when we edited our UTEP last, we really focused on housing because there was a lot of housing coming forward and although we
certainly discuss warehouse distribution, specific facilities, retail and recreation facilities, we don't give them the same attention and level of detail that we give to housing projects and what we sort of kicked around, so Fred, Bill, Howard, Annette and I had a conference call and sort of talked through where the UTEP could be flushed out a little bit and that was -- that's what we came up with. So, you know, a couple of things like that.

It needs to get -- so I think what the process is going to be is -- Bill, if you want to chime in here -- have everybody -- I don't know if we should have a Governance Committee meeting.

MR. WEIR: Probably should go back to Governance Committee, but meanwhile everybody should review what Lisa sent out, give any comments or questions or suggestions, please send them to Lisa, we'll incorporate everyone's comments, come up with a revised draft and we'll go to governance for its review and then eventually to the full board.
MS. MULLIGAN: And we'll have to do a public hearing, also.

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.

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.

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
totally appropriate.

MR. WEIR: I think it's best practice as issues arise to deal with them, you know, (inaudible) what was the original PILOT program, a hundred percent exemption for ten years, you know, it was really hard to get people to come this far out on the Expressway, you know, I think that this would be appropriate to people who haven't reviewed it, a number of projects, these other ones that still fall into that basic or standard PILOT may not be as appropriate, particularly and you know, again, when you spec buildings, you could have a warehouse distribution center that can employ hundreds of people or it might employ four people. So not all warehouse distribution centers, for example, are the same. So some of it is looking at how many jobs will be provided and the quality of the jobs, so there's a lot in there, so, you know, it is things to consider. So that's (inaudible).

MR. BRAUN: We will be back to you on all of that.
MS. MULLIGAN: So does anyone have any questions?

(No response.)

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

(Inaudible comments.)

MS. MULLIGAN: So --

MR. MARTINO: Hello everyone.

MS. MULLIGAN: Hi, Michael.

MR. BRAUN: Good morning.

MR. MARTINO: How's everybody?

MR. BRAUN: Good.

MS. MULLIGAN: Michael is our representative through Todd Shapiro Associates and we asked Michael to join us and provide an update.

MR. MARTINO: Okay. Where do I start?

MR. BRAUN: At the beginning.

MR. MARTINO: It's great to see everybody. Thank you very much for having me. I just -- by the way, I was on the whole time, so I got a lot of information, so thank you very much.
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
interfaced with the media a couple of times when they've had questions regarding some things that were going on, but for the most part, we're -- we concentrate on being proactive with what we're trying to get accomplished.

MR. BRAUN: Does anybody have any questions?

MR. MARTINO: Questions?

MR. POLLAKUSKY: Yeah.

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

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

MR. MARTINO: Okay.
MR. BRAUN: Thank you, Gary.

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.

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.

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.

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.

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.

MR. POLLAKUSKY: I think just some user
generated content, you know, asking a couple of questions, perhaps Michael can, you know, you guys can apply a template that then could be reconstituted as a YouTube, you know, social media share where you share that on our LinkedIn, on our Facebook, on our Twitter and push that out to the demographics that we're focused on.

MR. MARTINO: I'd love to do that and take on that initiative, I think that would be right in my wheelhouse.

MR. POLLAKUSKY: Great.

MS. MULLIGAN: Yup and we should include the LDC projects; Amy, work with Michael on that, please.

I don't know if she can or can't hear me, but I'll tell Amy later, I don't think she can hear me. I think we're getting thumbs up.

MR. GRUCCI: Amy is also muted.

MS. MULLIGAN: Yeah and Michael is going to join us on the bus tour. I know that Amy has sent out invites to everybody, so if . . . you know, just I think it's going to be fun. The date of the bus tour is
October 26th.

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

MS. MULLIGAN: Yeah.

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.

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 --

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

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

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

MS. MULLIGAN: Yes.

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
on that. You're to have to give me like 30 seconds, though, because I have to log into it first and then everybody can get into executive session, but we need --

MR. BRAUN: Before we do that, don't we need a motion to go into executive session?

MS. MULLIGAN: Yes.

MR. POLLAKUSKY: So moved.

MR. BRAUN: Thank you, Gary.

MS. SCHEIDT: Second.

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.

MR. BRAUN: Mr. Grucci?

MR. GRUCCI: Yes.

MR. BRAUN: Mr. Braun votes yes.

Okay, give us a couple of minutes.

MR. WEIR: Somebody else like Joce
should stay on and just keep telling people that we're in executive session.

MS. MULLIGAN: You got that, Joce?

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

MS. MULLIGAN: Okay, thank you.

(Short recess taken.)

MR. BRAUN: We need a motion to come out of executive session.

MR. POLLAKUSKY: So moved.

MR. CALLAHAN: So moved.

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

MR. CALLAHAN: Yes.

MR. BRAUN: Mr. Pollakusky?

MR. POLLAKUSKY: Yes.

MR. BRAUN: Ms. Scheidt?

MS. SCHEIDT: Yes.

MR. BRAUN: Mr. Paprocky?

MS. PAPROCKY: Yes.

MR. BRAUN: Mr. Grucci, are you there yet?

(No response.)

MR. BRAUN: Mr. Braun votes yes, we are out of executive session.

Anything else?
MS. MULLIGAN: There's Mr. Grucci.

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

Anything else to be brought before this august body?

(No response.)

MR. BRAUN: Hearing none --

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.

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

MR. BRAUN: Thanks, Felix.

MS. MULLIGAN: Okay.

MR. BRAUN: All right.

A motion to adjourn?

MR. POLLAKUSKY: So moved.

MS. SCHEIDT: Second.

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

MS. SCHEIDT: Yes.

MR. BRAUN: Mr. Pollakusky?
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.

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JOANN O'LOUGHLIN