TOWN OF BROOKHAVEN

INDUSTRIAL DEVELOPMENT AGENCY

PUBLIC HEARING

RE: BLSF, LLC

One Independence Hill
Farmingville, New York
September 23, 2022
10:01 a.m.

TRANSCRIPT OF PROCEEDINGS

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APPARENCES:

TOWN OF BROOKHAVEN
INDUSTRIAL DEVELOPMENT AGENCY
One Independence Hill
Farmingville, New York 11738

BY: LISA M.G. MULLIGAN,
CHIEF EXECUTIVE OFFICER

ALSO PRESENT:  CHERYL A. FELICE
                MONIQUE FITZGERALD
                JENNIFER GREENE
                WILLIAM KOKELL

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MS. MULLIGAN: Good morning. It is 10:01 on September 23, 2022.

This is the public hearing for the Town of Brookhaven Industrial Development Agency for the BLSF, LLC project. My name is Lisa Mulligan.

I'm going to read the public hearing notice into the record.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York State General Municipal Law will be held by the Town of Brookhaven Industrial Development Agency (the "Agency") on the 23rd day of September, 2022, at 10:00 a.m. local time, at Town of Brookhaven Town Hall, 1 Independence Hill, Farmingville, New York 11738, in connection with the following matters:

BLSF, LLC, a Delaware limited liability company, on behalf of itself and/or the principles of BLSF, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "Company"), has
applied to the Agency, to enter into a
transaction in which the Agency will assist
the acquisition of a long-term ground
leasehold interest in approximately 30.0 acres
of capped land (closed) and a part of a larger
approximately 525 acre parcel of land at the
Brookhaven Landfill located at 350 Horseblock
Road, Yaphank, New York (the "Land"), owned by
the Town of Brookhaven (the "Town"), and the
development and construction of a solar
photovoltaic array facility there on (the
"Improvements"), and the equipping thereof,
including, but not limited to, approximately
16,000 solar photovoltaic panels with a
capacity of 540 Watts totaling approximately
8,640 MW [DC], inverters, transformer
stations, steel racking system, switch gear
equipment and other electrical equipment
(collectively, the "Equipment"; and together
with the Land and the Improvements, the
"Facility"), which Facility will be used by
the Company to provide solar-generated energy
to the residents of the Town and feed into the
PSEG Long Island grid, for the benefit of low
and moderate income customers (collectively, the "Project"). The Facility will be initially owned, operated and/or managed by the Company.

The Agency will acquire a subleasehold interest in the Land, a leasehold interest in the improvements and title to or a leasehold interest in the Equipment and will sub-sublease, sublease and lease the Facility to the Company. The Agency contemplates that it will provide financial assistance to the Company in the form of exemptions from mortgage recording taxes in connection with the financing or any subsequent refinancing of the Facility, exemptions from sales and use taxes and abatement of real property taxes, consistent with the policies of the Agency.

A representative of the Agency will be at the above-stated time and place hear and accept written comments from all persons with views in favor of or opposed to either the proposed financial assistance to the Company or the location or nature of the Facility. At the hearing, all persons will have the
opportunity to review the application for
financial assistance filed by the Company with
the Agency and an analysis of the costs and
benefits of the proposed Facility.

Dated: September 12, 2022

TOWN OF BROOKHAVEN

INDUSTRIAL DEVELOPMENT AGENCY

By: Lisa MG Mulligan

Title: Chief Executive Officer

I received some comments that I'm going
to read into the record, but I want to give
you guys, since you're here, the opportunity
to speak first.

Does anyone -- would anyone like to
speak?

CHERYL FELICE: We all would.

MS. MULLIGAN: Okay, you want to pass
me your cards?

You'll each have three minutes. Let me
just get my timer.

Okay. I'm going to just prop this up
so you can see it, too.

Okay. I'm just going to ask, also, I'm
going to read your information, but if you
will just spell it for the record, make sure I have it correct.

Monique Fitzgerald, okay.

Will you just state your name and your address for the record and then you'll have three minutes to speak?


MS. MULLIGAN: Go ahead.

MONIQUE FITZGERALD: All right.

So I'll start my comments with the distinct and specific ask that this application be withdrawn for any tax breaks and/or denied by the IDA.

It is inappropriate for this proposal to cite the CLCPA based on several interconnected reasons: First, our school. I am a community member of South Country Central School District. I also serve on the finance and facilities advisory board. I'm an alumni, my parents are alumnis (sic), my son was an alumni, a whole host of family members past
and present have attended this school. I say that to say that the school is near and dear to my heart.

Our school is in financial and fiscal crisis right now. We have a million dollar deficit that we have asked community members to bear. It is absurd for the Brookhaven IDA body to continue to take taxes from our school in a financial crisis. It is wrong to ask for tax breaks for a solar community project that the school board, the PTA, finance and facilities advisory board, equity board, the students and others have not had a chance to have a discussion about.

If you continue to take from our school, it needs to be required that our school body has a chance to review all information pertaining to request for tax breaks. Our school is diverse and services the area of one of the most diverse areas in the county. We cannot allow our government bodies to continue to use that diversity when filling out for grants and then take from our diverse struggling school to fund it.
Our community. The fenceline community of the landfill is overburdened with mountainous requirements to shoulder the needs of the entire Town of Brookhaven without any host considerations. Again, our community is diverse with a large indigenous black and Latinx community. We have some of the worse health on Long Island, Suffolk County and New York State. We have the lowest life expectancy on the Island, the second highest rates of ER visits for asthma in the county, the top 100 percentile for COPD according to the disadvantaged communities map criteria.

At this point we need remediation. From the documents on this request, there is no consideration for remediation. This is the second solar project at the landfill and cannot -- and I cannot understand how we can have two solar projects on this landfill without a plan for remediation. We have an active plume found PFAS in our groundwater.

When is the time that we reverse these ills? Where is that meeting happening so I can be there?
MS. MULLIGAN: You can finish your thought.

MONIQUE FITZGERALD: Public engagement. As touched upon already, this area is a disadvantaged community and a potential environmental justice impact area that requires meaningful public engagement. A public hearing at ten a.m. on a Friday is not meaningful engagement.

There are false promises and false appearances that this community solar project will be a benefit to our community, but there are no direct promises for North Bellport or South Country Central School District. This must stop. North Bellport and South Country Central School District is in crisis right now today. We need remediation and every dollar.

MS. MULLIGAN: Thank you. Do you want some water?

MONIQUE FITZGERALD: No.

MS. MULLIGAN: Okay. Thank you for your comments. Are you Jennifer?

JENNIFER GREENE: Yes.
MS. MULLIGAN: Jennifer, would you like to speak?

JENNIFER GREENE: Yes.

MS. MULLIGAN: Okay.


MS. MULLIGAN: I just want to make sure that when we have it transcribed that they have your information correct, so it's not --

JENNIFER GREENE: Sure.

CHERYL FELICE: Before Jennifer speaks, your transcriber is remote?

MS. MULLIGAN: Yes.

CHERYL FELICE: Okay.

And all the committee members are remote at this point, too?

MS. MULLIGAN: No, no. They will be provided this and actually I'm glad that you just brought that up.

I felt like you were reading that.

Do you want to email that to me and I can have it verbatim, your email sent, thank
you, put into the record?

MONIQUE FITZGERALD: Sure.

MS. MULLIGAN: I'll get you my card in a minute.

This is all on our website, but if anybody wanted to look it over.

MONIQUE FITZGERALD: Thanks.

JENNIFER GREENE: So is this being streamed live right now?

MS. MULLIGAN: Yeah.

JENNIFER GREENE: Okay, great.

And can you tell who's watching, how many, anybody?

MS. MULLIGAN: I think just one.

Okay.

JENNIFER GREENE: Okay.

So thank you for this time and I want to support everything that Monique just said. Thank you so much, Monique.

There is a letter that I have signed onto that has been submitted to the IDA and it would take more than three minutes to read in for those who may be watching this, but I first just want to emphasize that I also fully
support large-scale renewable energy projects as a requirement for a just transition away from fossil fuels and to support climate justice.

So having said that, I do want to read a bit about the questions that we need to be asking about cost and then finish up by my personal experience learning about the history of the landfill as a site and the promises that were made at the time in the 1970's about what would happen with it.

So first just to say -- I need to make this bigger -- the cost of this 30-year tax exemption to my school district, I am a parent of an alum and a resident of the South Country School District; why is it fair that the developer can pay a significant lease to the Town of Brookhaven, but cannot pay any property taxes to the South Country School District, a majority-minority, majority-economically disadvantaged, New York State target district?

The IDA cost benefit analysis provided with the application does not accurately
delineate the cost of this proposed tax exemption to our school district. The CBA, cost benefit analysis, states that the cost of this property tax exemption is zero. This is incorrect.

ION Energy is a private for-profit corporation leasing Town land for a private solar array which will generate private profit. Under Real Property Tax Law (RPTL), Town land used for these purposes is taxable. For it to be not taxable, "Property must be held for a public use" -- meaning a use that is of benefit to the community at large.

This requirement is satisfied if the property is devoted to use by the general public or public agencies. Land or improvements, as well as portions thereof, which are leased to a private individual or organization are exempt so long as they are held for a public purpose.

Conversely, if land or improvements or portions thereof are leased to a private individual or concern and used for nonpublic purposes, they are subject to taxation for all
purposes.

How much time do I have left? Okay.

I'm just going to read from this Long Island Advance Thursday, August 13, 1970 article that I found that has also been included in the letter submitted about the landfill, a new site, north of the Sunrise Highway, west of Horseblock Road. It's 200-plus proposed acres, will be started in 1972. The theme will be skiing and the pyramid slopes will be constructed of the collected garbage. The ski slopes will be on the northerly sides, while the two southerly sides will have tennis, handball and basketball.

MS. MULLIGAN: Jen, the article is included in the packet that is going to my board.

JENNIFER GREENE: Yes and I just want to finish this sentence and I'll finish. There will be tennis, handball and basketball. There will be a meadow for picnics and a swimming pool that could also be used in the winter for skating.
So I guess I just want to say, I had heard, like I had heard people talk about, you know, ski slopes, but I don't know, I thought it was an exaggeration or something and I found this recorded that this actually was what was promised to the community about this, you know, magnificent recreational area and park, so yeah, that's in the record as history and again, I support large-scale solar renewable projects, but I want to know of what -- how will the immediately affected communities benefit from this project and thank you for the time.

MS. MULLIGAN: Okay. Thank you for your comment.

Ms. Felice, did you want to speak next?

CHERYL FELICE: Would you mind if I went last?

MS. MULLIGAN: No.

Is that okay with you?

WILLIAM KOKELL: Yeah, sure.

MS. MULLIGAN: Okay.

Sir, you're why I ask people to spell their names.
William; is that right?

WILLIAM KOKELL: Yes.

MS. MULLIGAN: Okay.

Would you state your name and spell it for the record, please?


MS. MULLIGAN: Okay. Go ahead.

WILLIAM KOKELL: I am a veteran of the United States Army. I'm also a disabled veteran. Traveled to southeast Asia, traveled all over the United States. I have never, ever in my life seen anything like Brookhaven Town, though, ever. I saw mountains, I climbed mountains. I never seen anything like it.

I work with poor kids, up at the -- there's a homeless shelter on this side of the Town dump, there's a prison on the other side and when I go to pick up those kids, there's ten, 11 years old and they trust me, they trust me and I know that what they're breathing is not healthy. I know that because I read it from scientists.
I just read an article about diesel fuel, diesel exhaust, what it can do to kids. Here's this kids out there playing basketball and shooting, figuring well, all the adults, you know, I trust them, I trust them, I have to and what are they breathing?

I'm a lifelong bayman. Because of my disability in the military, I only could work on the water, so I worked for 60 years on the water.

In 1970 we worked right up to the beach outside of Carmans River. That was the last time that area was open. That's 50 years ago last time that area was open, it's been closed ever since and for me, what I know about the environment, it's because of the Town dump.

And as far as tax breaks, I agree with these folks right here a hundred percent, a hundred ten percent, you give tax breaks to these companies. Thank you.

MS. MULLIGAN: Thank you for your comments and thank you for your service.

Are you ready?

CHERYL FELICE: Yes.
MS. MULLIGAN: Okay.

CHERYL FELICE: Thank you very much.

My name is Cheryl Felice. I live at 25 South Country Road in the Village of Bellport. I am here as an individual resident of the district surrounding the area that is being considered here today and also, I serve as a member of the Board of Education.

MS. MULLIGAN: Ms. Felice, are you speaking on behalf of the Board of Education?

CHERYL FELICE: I am not.

MS. MULLIGAN: You're not. I just wanted to make sure that was clear. Okay.

CHERYL FELICE: Thank you.

I am speaking as a resident today, but I want to make it known that I am a member of the Board of Education and also let the IDA board know that the South Country Central School District Board of Education is going to be passing a resolution to allow me as the board president to speak on behalf of the board going forward.

MS. MULLIGAN: Okay.

CHERYL FELICE: That's a measure that's
going to be approved on September 28th in a matter of protocol that has to be done within school board associations.

MS. MULLIGAN: Okay.

CHERYL FELICE: So having said that, the reason that I'm here today and compelled to be here is because of the advocacy of just two of the many people in our district who are here today who have taken on the mission of the landfill and the effects around the landfill, as their sole mission, they are truly committed and the facts and research that they do don't compare to what professional research I have seen done in the past and through many conversations with the Board of Education, we have a new Board of Education in place as of July 1st, we have a new superintendent in place as of August, what day was that, August 1st and we are recommitted to this fight.

With particular interest to PILOT exemptions, to IDA exemptions, why would a township want to see its town, its school districts, short-changed when it comes to
money when we have profit agencies coming in and especially as was mentioned in the past, leasing from a government agency and exempting them for what this application calls for, 30 years of taxes and not reinvesting into the communities that are going to be affected by these projects?

I did some research on the City of Buffalo and the City of Buffalo is in the process of passing legislation to exempt IDA's from exempting school districts' tax breaks for their districts because every business, every chamber of commerce you see works cooperatively with every aspect of its community and in doing so, want to and should want to support their school districts and the children in those school districts.

A lot of these tax breaks come with a promise that there will be jobs created and we've seen, those jobs don't go to people within the school district and trainings, so on and so forth to advance their educational opportunity.

When I got on the school board in 2016,
we barely had an 80 percent graduation rate.

We are over 92 percent now and that's because of the work we've been doing and -- but not receiving help from outside industry when these kind of tax breaks continue to stay prevalent and so I'm here today to say I am a member of the school board of South Country, we are going to be taking a more active role, but I am here today just to speak to let you know that that's what our intentions are.

I support what has been said by the three speakers who went before me and also, that this goes beyond the IDA and it goes to the Town board, itself, to create legislation that any IDA exemption should not eliminate funding to the school districts.

There were issues that were raised --

MS. MULLIGAN: You can finish your thoughts.

CHERYL FELICE: I'll finish up my thought.

There were issues that were raised about a budget concern in the last cycle, that is very real, we're dealing with that as we
speak and so knowing that and knowing that we have over 4,000 students in the South Country school district, 800, 800 teachers, why would we want to short-change a district that's on a growth pattern?

We offer many programs. We offer a dual language magnet school in our program, we offer cadet corps in our program, we offer a vast array of music and sports programs that are second to none and so in spite of these challenges when more tax dollars are taken away from the school district, we're still able to excel. Imagine what we could do when we have the full support of every industry in the Town and every IDA in consideration of those tax exemptions.

Thank you.

MS. MULLIGAN: Thank you for your comments.

I wanted to just give you my card so you can send me your stuff.

CHERYL FELICE: Absolutely.

Would you mind, Lisa, just explaining how this works since these people are seasoned
at this, but we haven't been here before, so we're in a public hearing today, it's live streamed; are the committee members on watching?

    MS. MULLIGAN: Do you mind if I finish putting the rest of the comments in and then I'll explain this to you when we're done?

    CHERYL FELICE: Absolutely. Much appreciated.

    MS. MULLIGAN: Thank you.
    And obviously you guys are welcome to stay, you don't have to obviously.
    I also received some comments through email that I would like to include in the record.
    I received this from Julia Villacara, that's J-U-L-I-A V-I-L-L-A-C-A-R-A. The email reads:
    To Ms. Mulligan and the IDA Board,
    I ask the IDA Board reject the tax exemption application of BSLF.
    South Country School District is facing a looming financial crisis. The burden of that crisis will be set on the residential
taxpayer if the IDA carelessly continues to
give money away with little to no benefit to
the entire District.

Private companies such as Ion and all
the corporations and hedge fund groups who
wish to set up shop here in the District
should contribute to our schools and not be
offered these excessive exemptions. We've
already seen too many millions leave the
district to benefit multi-million dollar
corporations. Enough is enough. They don't
need these incentives. Our District children
and their futures do.

Thank you.

Julia Villacara
Resident & taxpayer.

I also received an email from Lynne

Dear Supervisor Romaine, Ms. Mulligan

and the IDA Board,

I am writing to ask that the proposed
30-year tax exemption for the BLSF, LLC not be
granted. While I understand that your focus
is industrial development the needs of the
South Country school district must be taken into consideration. Development without consideration for educational infrastructure is shortsighted. With all the industrial development and tax exemptions, you are placing a school district with a large black and brown student body at a greater disadvantage.

This brings me to my second point. Are these solar panels being placed on a landfill with issues of a plume, single source aquifer contamination with forever chemicals with NO REMEDIATION of these, and many other health issues?

The community has borne the cumulative brunt of the industrialization of South Brookhaven for long enough!

Will the fenceline communities who have suffered the most benefit from the electricity produced at this solar farm? Is that implicitly stated in the agreement with the Town?

Respectfully,

Lynne Maher
Resident, taxpayer and voter in Brookhaven for 32 years.

And the last letter that -- email that I received -- hold on, I'm going to check and see if I got anything else subsequent -- is from -- it reads:

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

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

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

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

Unfortunately there is a pattern of the Brookhaven IDA using CBAs that underestimate the cost of tax expenditures in the South Country community. A recent example occurred in December 2021 when the IDA inaccurately stated the Nominal Cost of the Winters NP property tax exemption when in fact the amount
New York State's Climate Leadership and Community Protection Act (CLCPA) commits NYS by law to 70% renewable energy by 2030 and 100% by 2040. While the local Caithness fossil fuel power plant enjoys an extremely generous tax exemption via the Brookhaven IDA through 2029, at the end of this tax exemption the facility will likely wind down production to meet the requirements of CLCPA. Unfortunately, our community is losing millions of dollars in tax revenue while Caithness is operating due to IDA exemptions, and our community will continue to lose millions in tax revenue after 2030 if large scale renewable projects like BLSF/I.on are also exempted by the Brookhaven IDA. If there is money to pay the Town of Brookhaven a hefty lease payment, there is money for property taxes to support the South Country School District.

2. COMPETITION Why was the 30 acre site
non-competitively leased to I.on Energy?
Communication between the Town of Brookhaven
FOIL Officer and Town Clerk Donna Lent stated
on August 24, 2021 that "I.on won the award
under a bid issued from LIPA" yet when we
reached out to LIPA's Deputy General Council
James Mis... .

JENNIFER GREENE: Miskiewicz.

MS. MULLIGAN: Miskeiwicz. Thank you, thank you.
-- he clearly stated that LIPA did not
select I.on to develop this site. I.on
applied for and was accepted under the
Feed-In-Tariff (FIT) program. There was
nothing precluding the Town of Brookhaven from
using a competitive process that would allow
other potential developers to apply for a LIPA
Feed-In-Tariff award and potentially offer
more competitive terms for Brookhaven
residents. The concerns over this
non-competitive process translate to other FIT
awards I.on energy received for private solar
projects on public Town of Brookhaven land
including Brookhaven's Pennysaver Amphitheater
Car Ports, the Mastic Beach Aquatic Center, the Holtsville Ecology Center and the Moriches Sports Complex Car Ports.

And there's a schematic that shows information about the Mastic Beach Solar, LLC, the Holtsville Solar, LLC and the Mastic Solar, LLC projects. It's their date and their names -- I'm sorry, their address and their names.

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

And just so you know, this information
will be included in our public hearing which -- and our resolution, which will be on our website and there's a site plan included in this.

4. REMEDIATION How does the proposal affect the possibility of landfill remediation? The Town of Brookhaven refuses to have any public discussions or make any information publicly available regarding landfill remediation. In 2017 hazardous PFAS chemicals were found in high levels in both leachate and groundwater monitoring wells; subsequent Department of Health testing found contamination in downstream private wells, repeat testing in 2022 confirmed the presence of PFAS in both leachate and groundwater.

Communications from August 2022 with Councilman Loguercio and Brookhaven Town Recycling and Sustainable Management Commissioner Fetten show that the Town refuses to disclose its plume remediation plan, nor will the Town disclose how many residential and agricultural private wells continue to draw water from the plume.
5. COMMUNITY COMMITMENTS Why are the needs of our diverse community, and the previous promises about the future of the landfill site being ignored? When the landfill was sited by the New York State Environmental Facilities Corporation in the 1970's, there was a public commitment to transform the landfill into a recreational park. There is no discussion of how these solar arrays honor these prior public commitments.

Included in this is an article titled: From a dump of sorts to a spot for sports and another article entitled: Landfills, Super Parklands Planned in Garbage Report and another article entitled: Suffolk Park Rising on Garbage.

6. COMMUNITY BENEFITS The IDA hearing notice suggests that this solar array is "for the benefit of low and moderate income customers" but there is no information about income-targeted benefits in the Feed-In-Tariff application obtained by FOIL from LIPA, nor is there any information on any income targeted
commitments in the IDA application. There is no commitment to train nearby residents for these green jobs.

7. **ZONING** The I.on Energy application states that this project meets zoning requirements at its current location. However, the landfill area under consideration is currently zoned residential. See "Town of Brookhaven Section 85-813 Solar energy production facilities. A. Permitted locations. (1) A solar energy production facility may be permitted as a principal use or accessory use in any L Industrial 1, L Industrial 2, J Business 2, J Business 5 and J Business 4 District when authorized by special permit from the Planning Board subject to the requirements of Section 85-813B and Section 85-107 of this chapter. Nothing herein shall supersede or limit any other code section contained within this chapter that may pertain to solar energy production facilities. No solar energy production facility shall be located in the areas listed in subsection A(2) below unless a special permit is granted by
the Town Board. Said uses shall be subject to the criteria as set forth in Article VI, Section 85-68." It does not appear that a solar energy production facility of this size is permitted under residential zoning.

8. **CONFLICT OF INTERESTS** IDA Board

Member Felix Grucci is listed on his LinkedIn site as an officer of the company Starlight Properties which owns land across the street from 350 Horseblock Road. This was confirmed by IDA Chairman Braun in the March 16th minutes of the IDA (available here p 14 Brookhavenida.org/files/3-16-22 and it goes on the link to our minutes from that meeting. If the remain -- if this remains the case, this should be disclosed as a conflict of interest prior to the IDA considering this application, and Mr. Grucci should recuse himself from this project. If this was true at the time of the Winters NP application before the IDA, Mr. Grucci should have also recused himself from the Winters NP project which is located adjacent to the property owned by Starlight Properties, and ultimately received almost
$80M in tax exemptions from the IDA.

And there's a, I think it's a screenshot of Mr. Grucci's LinkedIn page and then it's signed:

Best,
Kerim Odekon
Abena Asare
Jennifer Greene
Hannah Thomas
Dennis Nix

And those, let me see, I believe are all the comments . . . I just want to make sure I have everything.

(Pause.)

MS. MULLIGAN: I received one more, at least one more, one that I found so far. I'm going to read this one into the minutes.

Dear Ms. Mulligan:

I write this comment in my capacity as a long-time resident and taxpayer in the Town of -- hold on, let me start over.

This is from E. Anne Hayes, E., then Anne, A-N-N-E, Hayes, H-A-Y-E-S.

Dear Ms. Mulligan:
I write this comment in my capacity as a long-time resident and taxpayer in the Town of Brookhaven. During my 40+ years residency, I have raised two children, practiced law, and served on a school board. My concerns are for all members of our community affected by the landfill and projects planned for use thereof.

The current application lacks sufficient documented data about the financial impact of the solar project on the residents and taxpayers, especially those in the vicinity of the landfill. We have been adversely impacted for years by the landfill itself, its looming appearance over the schools attended by our children, its effect on the environment, including odor, particulates, and aquifer, and its use as an income stream for the Town. There has been a disparate effect of this blight on the residents in our part of Brookhaven and any reparations in the form of lease payments should be applied here and not used to benefit the Town coffers in other areas.

By proposing the leaseback arrangement,
the Town is reaping the entire profit from the project without application to those most adversely affected by the landfill itself. It is not clear to me that the project on Town-owned property even qualifies for the real property tax exemption being proposed. But, if it does, where is the data showing the assessment of this property so that the public can be aware of the effect on assessments and tax levies, on the taxing districts in our Town? I urge the IDA to represent the interest of our residents who have suffered from having a landfill in our backyards and to apply an environmental and fiscal justice standard to compensate our portion of Brookhaven for its losses over the years.

Respectfully submitted,

Anne E. Hayes (sic)  
10 Price Street  
Bellport, NY.

Okay. And those are the only comments that I've received.

It's 10:41 a.m. Hearing no other comments, no other participation, I'm going to
close this public hearing.

Thank you very much for your participation.

(Time noted: 10:41 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