TOWN OF BROOKHAVEN

INDUSTRIAL DEVELOPMENT AGENCY

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PUBLIC HEARING

HELD BY CONFERENCE CALL

RE: THE VISTAS OF PORT JEFFERSON LLC

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July 10, 2020
10:01 a.m.

TRANSCRIPT OF PROCEEDINGS

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

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

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

ALSO PRESENT: ERIC J. RUSSO, ESQ.,  
VANBRUNT, JUZWIAK & RUSSO  
DANIELLE L. RIZZO, ESQ.,  
BENJAMIN DEVELOPMENT COMPANIES

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MS. MULLIGAN: It is 10:01 a.m. on July 10, 2020. This is the public hearing for The Vistas of Port Jefferson LLC with the Town of Brookhaven Industrial Development Agency. My name is Lisa Mulligan. I'm going to read the NOTICE OF PUBLIC HEARING.

NOTICE IS HEREBY GIVEN that due to the Nouvelle Coronavirus (COVID-19) Emergency State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, as amended by Executive Order 202.14, issued on April 7, 2020, suspending the Open Meetings Law, and Executive Order 202.15 issued on April 9, 2020, as extended by Executive Order 202.28 issued on May 7, 2020 permitting Local governments to hold public hearings by telephone and video conference and/or similar device, the Public Hearing scheduled for July 10, 2020, at 10:00 a.m., local time, to be held by the Town of Brookhaven Industrial Development Agency (the "Agency"), in accordance with the provisions of Article 18-A of the New York General
Municipal Law will be held electronically via conference call instead of a public hearing open for the public to attend. Members of the public may listen to the Public Hearing, and comment on the Project (defined below) during the Public Hearing, by calling (712) 770-5505 and entering access code 884-124. Comments may also be submitted to the Agency in writing or electronically. Minutes of the Public Hearing will be transcribed and posted on the Agency's website, all in connection with the following matters:

The Agency has previously assisted The Vistas of Port Jefferson LLC, a limited liability company organized and existing under the laws of the State of New York (the "Company"), with the construction and equipping of a senior housing rental community (the "Improvements and the Equipment"), including approximately 244 senior citizen rental housing units and appurtenances, located or to be located on or about a parcel of land owned by the Company totaling approximately 27.324 acres situate at Bicycle
Path, Port Jefferson Station, Town of Brookhaven, Suffolk County, New York (and further identified on the SCTM as 0200-229.00-01.002.16, formerly 0200-229.00-01.00-002.11 through 002.15 and 0200-206.00.05.00-040.001) (the "Land", together the Improvements and the Equipment, the "Facility"), which Facility is owned and managed by the Company. The Agency acquired a leasehold interest in the Facility, and leased to the Facility to the Company for further sublease by the Company to qualified senior residents of at least 55 years of age.

The Company has requested the Agency's assistance in the form of advancing the commencement of the abatement from real estate taxes previously granted by the Agency to the Company under the Lease and Project Agreement between the Agency and the Company.

The Agency will continue to hold a leasehold interest in the Land and Improvements and title to the Equipment, and will lease or sublease the Facility to the Company.
The Agency contemplates that it will provide additional financial assistance to the Company in the form of advancing the commencement of the abatement from real estate taxes previously granted by the Agency to the Company under the Lease and Project Agreement between the Agency and the Company.

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

Dated: June 29, 2020

TOWN OF BROOKHAVEN

INDUSTRIAL DEVELOPMENT AGENCY

By: Lisa MG Mulligan

Title: Chief Executive Officer

I believe someone joined the conference call; will you please state your name, spell
it for the record and your affiliation?

MR. RUSSO: Eric J. Russo, Vanbrunt, Juzwiak & Russo, 140 Main Street, Sayville, as attorney on behalf of the applicant, The Vistas of Port Jefferson, Benjamin Companies.

MS. MULLIGAN: Is there anyone else who's joined the call?

(No response.)

MS. MULLIGAN: Mr. Russo, did you have comment that you care to share or you're listening?

MR. RUSSO: I'm listening to those who may call in --

MS. MULLIGAN: Okay.

MR. RUSSO: -- for the period of the public hearing, which I was advised would be 30 minutes.

MS. MULLIGAN: Okay. We'll just --

MR. RUSSO: And I apologize, I thought this was a tape recording or I would have interrupted you and let you know it was me.

MS. MULLIGAN: It is being recorded, just so you know.

MR. RUSSO: Okay, not a problem. Thank
you.

And I believe you and who --

MS. MULLIGAN: I'm the only person on
the call, it's just me and you right now.

MR. RUSSO: Very good. Thank you.

I did advise the property owner of the
hearing and told him that I would participate
in the conference call. They are not joining
the conference call.

MS. MULLIGAN: Okay.

MR. RUSSO: So we sit and wait --

MS. MULLIGAN: Yes.

MR. RUSSO: -- at this time?

All right. Thank you.

(Pause.)

MS. MULLIGAN: Did someone just join
the public hearing?

MS. RIZZO: Yes. This is Danielle
Rizzo from The Vistas of Port Jefferson.

MS. MULLIGAN: Hi, Danielle.

MS. RIZZO: Hi.

MS. MULLIGAN: You're here to listen, I
assume?

MS. RIZZO: Yes, just to listen. I
think Eric Russo is joining on our behalf.

MR. RUSSO:  Good morning, Danielle.

MS. RIZZO:  Hi, Eric, how are you?

MR. RUSSO:  Okay, thank you.

MS. MULLIGAN:  Just so you're both aware, this is being recorded and will be transcribed.

MS. RIZZO:  Okay, thanks.

(Pause.)

MS. MULLIGAN:  It's 10:30 a.m. This is the public hearing for The Vistas of Port Jefferson LLC project with the Town of Brookhaven Industrial Development Agency.

Hearing no comment, I'm going to close this public hearing, 10:32 a.m. on July 10, 2020.

Thank you so much everyone.

(Time noted: 10:32 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