

## **PORTLEDGE SCHOOL, SEQRA Resolution**

A regular meeting of the Nassau County Local Economic Assistance Corporation (the “Issuer”) was convened public session, electronically, pursuant to Executive Order 202.1, issued on March 12, 2020, as amended to date - Continuing Temporary Suspension And Modification Of Laws Relating To The Disaster Emergency - by Governor Andrew M. Cuomo of the State of New York on April 22, 2021 at 6:30 p.m., local time.

The meeting was called to order by the Chairman, upon roll being called, the following members of the Issuer were:

### **PRESENT:**

Richard Kessel	Chairman
Lewis M. Warren	Vice Chairman
Anthony Simon	2nd Vice Chairman
Amy Flores	Treasurer
John Coumatos	Asst. Treasurer
Chris Fusco	Asst. Secretary
Timothy Williams	Secretary

### **NOT PRESENT:**

### **THE FOLLOWING ADDITIONAL PERSONS WERE PRESENT:**

Harry Coghlan	Chief Executive Officer
Anne LaMorte	Chief Financial Officer
Thomas D. Glascock	Corporation Counsel
Andrew D. Komaromi, Esq.	Bond/Transactional Counsel

The attached resolution no. 2021-\_\_ was offered by \_\_\_\_\_, seconded by \_\_\_\_\_.

Resolution No. 2021 -

RESOLUTION OF THE NASSAU COUNTY LOCAL ECONOMIC  
ASSISTANCE CORPORATION FINDING PORTLEDGE SCHOOL, 2021  
PROJECT WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE  
ENVIRONMENT

Project Name: PORTLEDGE SCHOOL, 2021 PROJECT

Location: 355 Duck Pond Road, Locust Valley, Incorporated Village of  
Matinecock, NY 11560 (Section: 23; Block: K; Lots: 712 and 713)

SEQR Status: Type I Unlisted XX

Determination of

Significance: Negative Declaration XX Positive Declaration

WHEREAS, Section 1411 of the Not-For-Profit Corporation Law, as amended (the “Act”), has been heretofore enacted by the Legislature of the State of New York for the purposes, among others, of providing for the citation of local development corporations in the State of New York for the exclusively charitable or public purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities, instructing or training individuals to improve or develop their capabilities for such jobs, carrying on scientific research for the purpose of aiding a community or geographical area by attracting new industry to the community or area or by encouraging the development of, or retention of; an industry in the community or area, and lessening the burdens of government and acting in the public interest; and

WHEREAS, the Nassau County Legislature (the “County Legislature”) authorized the formation of the Issuer under the Act pursuant to Resolution No, 255-2010 adopted by the County Legislature on September 20, 2010 and approved by the County Executive of Nassau County on September 21, 2010 (“County Resolution”); and

WHEREAS, pursuant to such authorization of the County Legislature, the issuer has been incorporated under said Act by the filing of its Certificate of Incorporation with the Office of the Secretary of State of the State of New York on November 30, 2010; and

WHEREAS, the Issuer is authorized by the Act to issue its negotiable bonds, notes or other obligations; and

WHEREAS, PORTLEDGE SCHOOL (the “Institution”), an independent pre-nursery through 12th grade day school formed as not for profit [education] corporation under the laws of the State of New York, submitted an application (the “Application”) to the Issuer requesting that the Issuer issue, in one or more series or subseries, its tax-exempt and/or taxable revenue bonds in an aggregate principal amount not to exceed \$12,000,000 (the “Bonds”) for the purpose of paying the costs associated with a certain project (the “Project”) consisting of: (A) the refinancing of all or a portion of the outstanding amount of the Institution’s \$4,415,000.00 bank

loan, the proceeds of which were used to finance the construction and equipping at the Institution's approximately 65-acre campus, located at 355 Duck Pond Road, Locust Valley, Incorporated Village of Matinecock, NY 11560 (the "Campus") of an approximately 28,000 square foot multi-purpose building housing a student center, dining hall and finished lower level for additional classrooms and a media center (collectively, the "Refinanced Loan Facility"); (B) (i) the construction at the Institution's Campus of a new, approximately 20,000 square foot athletic and wellness center and attendant surface parking (collectively, the "2021 Improvements"), (ii) the renovation and modernization of various buildings and areas located throughout the Campus (collectively, the "Existing Improvements" and together with the 2021 Improvements, the "Improvements"); (C) the acquisition of and installation in and around the Improvements of certain items of machinery, fixtures, equipment and other items of tangible personal property (collectively, the "Equipment" and, together with the Land and the Improvements, the "2021 Facility" and collectively with the Refinanced Loan Facility, the "Facility") and (D) funding of a debt service reserve fund, if any, and paying capitalized interest, if any, and certain other costs incidental to the issuance of the Bonds (the costs associated with items (A), through (D) being hereinafter collectively referred to as the "Project Costs"); and

WHEREAS, the currently estimated aggregate principal amount of the Series 2021 Bonds to be issued is approximately \$12,000,000; and

WHEREAS, the Institution will be the owner and operators of Facility financed and refinanced by the Bonds; and

WHEREAS, pursuant to Article 8 of the New York Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, et. seq., as amended (the "Regulations" and collectively with the SEQR Act, "SEQRA"), the Issuer must consider whether the Project is an "action" that would require it to satisfy the requirements contained in SEQRA prior to making a final determination whether to undertake the Project; and

WHEREAS, pursuant to SEQRA, to aid the Issuer in determining whether the Project is an "action" subject to SEQRA, the Institution submitted to the Issuer: (i) an Application for Financial Assistance, dated September 1, 2020; (ii) Institution's Environmental Impact Certification (collectively, i and ii shall be referred to as the "Project Environmental Documents"); (iii) New York State Department of Environmental Conservation's ("DEC") Environmental Resource Mapper; and (iv) New York State Historic Preservation Office's Cultural Resources Mapper (collectively, i, ii, iii and iv shall be referred to as the "Environmental Information"); and

WHEREAS, pursuant to SEQRA, the Issuer desires to conduct a review of the Project to determine whether the Project may have a significant adverse impact on the environment and whether an Environmental Impact Statement must be prepared with respect to the Project.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. Based upon a thorough review and examination of the Environmental Documents and upon the Issuer's knowledge of the area surrounding the Land and such further investigation of the Project and its environmental effects as the Issuer has deemed appropriate, the Issuer makes the following findings with respect to the Project:

(A) The Issuer is undertaking an uncoordinated review of the proposed action in accordance with the requirements of SEQRA;

(B) Prior to making a recommendation about the potential environmental significance of the Project, the Issuer has consulted several information sources, and has considered the list of activities which are Type I Actions outlined in Section 617.4 of the Regulations, the list of activities that are Type II Actions outlined in Section 617.5 of the Regulations, and the criteria for determining significance outlined in Section 617.7 of the Regulations; and

(C) The Project is an Unlisted Action pursuant to SEQRA as it involves the refinancing of debt, the financing of renovations and financing of an approximately 20,000 square foot athletic and wellness center and attendant surface parking, and said activities do not meet or exceed any threshold contained in the Type I Actions under Section 617.4 of the Regulations; and

(D) Actions associated with the Project are limited to (1) the refinancing of existing debt, which is a Type II Action, and (2) the renovations and expansion of an existing facility. The Project will expand the Campus' lot coverage, but will not substantially alter existing environmental conditions on the Land.

Section 2. No potentially significant adverse impacts on the environment are noted in the Project Environmental Documents, and none are known to the Issuer.

Section 3. Based upon the foregoing investigations of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact indicated, the Issuer makes the following determinations with respect to the Project.

1. **Impact on Land.** The Project is not anticipated to create any potentially significant adverse impacts to land resources or land use. The Project consists of refinancing certain taxable indebtedness, or otherwise financing the acquisition of an interest in real property and minor renovations and additional facilities, which do not meet or exceed any threshold set forth in the list of Type I Actions under Section 617.4 of the Regulations. Moreover, actions associated with this Project involve the refinancing of outstanding mortgages only, a Type II Action. Those that involve the financing of renovations and building expansion involve minor renovations and an addition that is small relative to the size of the existing structures. The zoning classifications will not change as a result of the Project. The Project is consistent with surrounding uses, which are commercial and residential in nature and involves a building expansion that is small relative to the size of

the existing facility. Accordingly, the Project is not anticipated to create any potentially significant adverse impacts to land resources or land use.

2. Impact on Water. There are no wetlands on the Land, nor will the Project create a new water body. The Project will not result in the alteration or disturbance of any existing wetland or water body, as the Project consists of maintain existing structures and an additional facility to a currently existing school. Accordingly, the Project is not anticipated to create any potentially significant adverse impacts to water.
3. Impact on Air. The Project will not be a significant source of air emissions. The Project does not include activities or operations that are associated with a potential for air emissions. The Project will not result in a significant increase in traffic. Accordingly, the Project will not create any significant adverse impacts to air resources.
4. Impact on Plants and Animals. The ecological value of the property at or around the Land will not change as the actions taken in furtherance of this project will be consistent with such property's currently existing land use, and renovations and expansions undertaken on the Land will be minor relative to the size of the existing facility. Accordingly, the Project will not create significant adverse impacts to plants, animals or natural communities, wildlife habitat or wetlands.
5. Impact on Agricultural Land Resources. The Land to be renovated is located in areas used for educational purposes. The Project will not involve the conversion or loss of agricultural land resources. Accordingly, the Project will not create any significant adverse impacts to agricultural land resources.
6. Impact on Aesthetic Resources. The Project involves renovation and construction of an additional facility and providing financing or refinancing for the activities. Renovations and expansions undertaken on the Land will be minor relative to the size of the existing facility. Accordingly, the Project is not anticipated to create any significant adverse impacts to aesthetic resources.
7. Impact on Historic and Archeological Resources. New York State Historic Preservation Office's Cultural Resources' Mapper indicates that the Land and contiguous parcels do not contain a structure that is listed on the State or National Register of Historic Places. The Land is listed as an archeologically sensitive area. The Land, however, has been cleared and disturbed with the existing school improvements that have existed for decades. Accordingly, the Project will not create any significant adverse impacts to historical or archaeological resources.
8. Impact on Open Space and Recreation. The Project is composed of improvements to an existing school. The Land is not designated public open space nor currently used for public recreation. Accordingly, the Project will not create any significant impacts to open space or recreational resources.
9. Impact on Critical Environmental Areas. DEC records indicate that the Project is located in the Special Groundwater Protection Area (SGPA) Critical Environmental Area

("CFA"). The purpose of the CFA is to protect groundwater. As noted above, the Project will have adverse impact on the groundwater.

10. Impact on Transportation. The Project will not result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services. Use of the Land for the existing facilities will not change as the actions taken in furtherance of this Project will be consistent with the currently existing school and related administrative office uses. Accordingly, it is not anticipated that that Project will create any significant adverse impacts to transportation.
11. Impact on Energy. The Project involves refinancing of the acquisition, construction and/or renovation and equipping of facilities, or and outstanding mortgages. Use of land will not change as the actions taken in furtherance of this Project will be consistent with the currently existing uses. Accordingly, it is not anticipated that the Project will create any significant adverse impacts to energy.
12. Impact on Noise and Odor. The Project does not involve activities that create significant noise or odors. Accordingly, the Project will not create any significant adverse impacts to noise or odors.
13. Impact on Public Health. The Project does not entail activities or operations that are associated with a significant potential for affecting public health, such as storing large amounts of hazardous or toxic materials. DEC records demonstrate that the Land is not the subject of remediation. Furthermore, the Project will positively impact public health as the facilities intend to provide for the addition and renovation of space for student athletic activities and other facility upgrades and improvements. Accordingly, the Project will not create any significant adverse impact to public health.
14. Impact on Growth and Character of the Community and Neighborhood. The Project will not result in population growth, and it is in character with adjacent development and surrounding uses. Accordingly, the Project will not create any significant adverse impacts to the growth or character of the community.
15. Considering all of the above, the Project will not have a significant adverse impact upon the environment and a negative declaration pursuant to SEQRA is hereby issued.

Section 4. The Chairman (or Vice Chairman), and/or Chief Executive Officer / Executive Director of the Issuer are hereby authorized and directed, acting individually or jointly, to take whatever steps they may determine necessary to implement the provisions of this Resolution.

Section 5. This resolution shall take effect immediately and shall be continuously available for inspection by the general public during normal business hours at the Issuer's office.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Richard Kessel	VOTING
Lewis M. Warren	VOTING
Anthony Simon	VOTING
Timothy Williams	VOTING
Chris Fusco	VOTING
Amy Flores	VOTING
John Coumatos	VOTING

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK

) SS.:

COUNTY OF NASSAU

We, the undersigned [Vice] Chairman and [Assistant] Secretary of the Nassau County Local Economic Assistance Corporation (the "Corporation"), do hereby certify that we have compared the foregoing extract of the minutes of the meeting of the members of the Corporation, including the Resolution contained therein, held on April 22, 2021 with the original thereof on file in our office, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

WE FURTHER CERTIFY that (A) all members of the Corporation had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), as modified pursuant to Executive Order No. Order 202.1, issued on March 12, 2020, as amended to date, - Continuing Temporary Suspension And Modification Of Laws Relating To The Disaster Emergency - by Governor Andrew M. Cuomo of the State of New York, said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Corporation present throughout said meeting.

WE FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, we have hereunto set our respective hands and affixed the seal of the Agency this 22<sup>nd</sup> day of April, 2021.

\_\_\_\_\_  
[Assistant] Secretary

\_\_\_\_\_  
[Vice] Chairman

(SEAL)



## **PORTLEDGE SCHOOL, Approving Bond Resolution**

A regular meeting of the Nassau County Local Economic Assistance Corporation (the “Issuer”) was convened public session, electronically, pursuant to Executive Order 202.1, issued on March 12, 2020, as amended to date - Continuing Temporary Suspension And Modification Of Laws Relating To The Disaster Emergency - by Governor Andrew M. Cuomo of the State of New York on April 22, 2021 at 6:30 p.m., local time.

The meeting was called to order by the Chairman, upon roll being called, the following members of the Issuer were:

### **PRESENT:**

Richard Kessel	Chairman
Lewis M. Warren	Vice Chairman
Anthony Simon	2nd Vice Chairman
Amy Flores	Treasurer
John Coumatos	Asst. Treasurer
Chris Fusco	Asst. Secretary
Timothy Williams	Secretary

### **THE FOLLOWING ADDITIONAL PERSONS WERE PRESENT:**

Harry Coghlan	Chief Executive Officer
Anne LaMorte	Chief Financial Officer
Thomas D. Glascock	Corporation Counsel
Andrew D. Komaromi, Esq.	Bond/Transactional Counsel

The attached resolution no. 2021-\_\_ was offered by \_\_\_\_\_, seconded by \_\_\_\_\_.

Resolution No. 2021 -  

RESOLUTION OF THE NASSAU COUNTY LOCAL ECONOMIC ASSISTANCE CORPORATION (THE "ISSUER") AUTHORIZING THE ISSUANCE, EXECUTION, SALE AND DELIVERY OF ISSUER'S (I) TAX-EXEMPT REVENUE BONDS (PORTLEDGE SCHOOL, 2021 PROJECT), AND (II) TAXABLE REVENUE BONDS (PORTLEDGE SCHOOL, 2021 PROJECT), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,000,000; (III) THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS; AND (IV) MAKING OTHER FINDINGS AND DETERMINATIONS

WHEREAS, Section 1411 of the Not-For-Profit Corporation Law, as amended (the "Act"), has been heretofore enacted by the Legislature of the State of New York for the purposes, among others, of providing for the citation of local development corporations in the State of New York for the exclusively charitable or public purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities, instructing or training individuals to improve or develop their capabilities for such jobs, carrying on scientific research for the purpose of aiding a community or geographical area by attracting new industry to the community or area or by encouraging the development of, or retention of; an industry in the community or area, and lessening the burdens of government and acting in the public interest; and

WHEREAS, the Nassau County Legislature (the "County Legislature") authorized the formation of the Issuer under the Act pursuant to Resolution No. 255-2010 adopted by the County Legislature on September 20, 2010 and approved by the County Executive of Nassau County on September 21, 2010 ("County Resolution"); and

WHEREAS, pursuant to such authorization of the County Legislature, the Issuer has been incorporated under said Act by the filing of its Certificate of Incorporation with the Office of the Secretary of State of the State of New York on November 30, 2010; and

WHEREAS, the Issuer is authorized by the Act to issue its negotiable bonds, notes or other obligations; and

**PORTLEDGE SCHOOL** a not-for-profit corporation organized and existing under the laws of the State of New York, (the "Institution") submitted an application, as amended (the "Application") to the Issuer requesting that the Issuer issue, in one or more series or subseries, its tax-exempt and/or taxable revenue bonds in an aggregate principal amount not to exceed \$6,000,000 (the "Bonds") for the purpose of paying the costs associated with a certain project (the "Project") consisting of: (A) the refinancing of all or a portion of the outstanding amount of the Institution's 4,415,000.00 bank loan, the proceeds of which were used to finance the construction and equipping at the Institution's approximately 65-acre campus, located at 355 Duck Pond Road, Locust Valley, Incorporated Village of Matinecock, NY 11560 (the "Campus") of an approximately 28,000 square foot multi-purpose building housing a student

center, dining hall and finished lower level for additional classrooms and a media center (collectively, the “Refinanced Loan Facility”); (B) the renovation and modernization of various buildings and areas located throughout the Campus (collectively, the “Improvements”); (C) the acquisition of and installation in and around the Improvements of certain items of machinery, fixtures, equipment and other items of tangible personal property (collectively, the “Equipment” and, together with the Land and the Improvements, the “2021 Facility” and collectively with the Refinanced Loan Facility, the “Facility”) and (D) funding of a debt service reserve fund, if any, and paying capitalized interest, if any, and certain other costs incidental to the issuance of the Bonds (the costs associated with items (A), through (D) being hereinafter collectively referred to as the “Project Costs”); and

WHEREAS, the currently estimated aggregate principal amount of the Series 2020 Bonds to be issued is approximately \$5,210,000 but not to exceed \$6,000,000; and

WHEREAS, the Institution will be the owner and operators of Facility financed and refinanced by the Bonds; and

WHEREAS, the proceeds of the Bonds will be loaned by the Issuer to the Institution for the financing and refinancing of the Project, pursuant to Section 1411 of the Act; and

WHEREAS, the Issuer is contemplating providing financial assistance to the Institution with respect to the Project (the “Financial Assistance”) in the form of the issuance of the Bonds and an exemption from the mortgage recording tax; and

WHEREAS, in accordance with Section 147(f) of the Internal Revenue Code (the “Code”), the Issuer conducted a public hearing with respect to the issuance of the tax-exempt Bonds on Wednesday, May 27, 2020, at 11:00 a.m., following the publication on October 12, 2020, in the *Long Island Edition of Newsday* of a notice of said public hearing. Given the ongoing COVID-19 public health crisis and related Executive Orders issued by Governor Andrew M. Cuomo, the Issuer in furtherance of federal regulations requiring interested individuals to have a reasonable opportunity to express their view at the hearing, and in accordance Internal Revenue Service Revenue Procedure 2020-21 and in accordance with Executive Order No. 202.15 issued on April 9, 2020, as extended by Executive Order 202.29 issued on May 8, 2020, Executive Order 202.39, issued on June 7, 2020, Executive Order 202.55, issued on August 6, 2020, Executive Order 202.60, issued on September 4, 2020 and Executive Order 202.67, and issued on October 4, 2020 as amended and extended from time issued by Governor Andrew M. Cuomo allowing such hearing to continue if the Issuer is able to hold the public hearing remotely through use of telephone conference, the Issuer provided all interested persons of the public the opportunity, at the time and on the date indicated above, to provide oral comments with respect to the Project and/or the issuance of the Bonds via a telephone conference and additional electronic means by calling into a toll-free telephone number; and

WHEREAS, the Bonds are being issued pursuant to a Bond Purchase Agreement and Loan Agreement (the “**Bond Purchase and Loan Agreement**”), by and among the Issuer, the Institution and The First National Bank of Long Island or its affiliate (the “**Purchaser**”); and

WHEREAS, the Issuer will loan the proceeds of Bonds to the Institution pursuant to the Bond Purchase and Loan Agreement with the payments made by the Institution thereunder being sufficient to pay the principal of premium, if any, purchase price and interest on the Bonds; and

WHEREAS, the Bonds are being placed by D.A. Davidson & Co., as placement agent (the “**Placement Agent**”) pursuant to one or more Bond Placement Agreement, to be dated as of the date of such placement, among the Issuer, the Placement Agent and the Institution (the “**Bond Placement Agreement**”); and

WHEREAS, the Institution shall make certain representations, warranties and covenants for the benefit of the Purchasers, pursuant to the Bond Purchase and Loan Agreement; and

WHEREAS, as security for the Institution's obligations under the Bond Purchase and Loan Agreement, (i) the Institution will grant to the Issuer a mortgage lien on and security interest in and to certain premises pursuant to one or more Mortgage, Assignment of Rents, Security Agreement and Fixture Filings or similar agreements, from the Institution to the Issuer (the “**Mortgages**”); the Issuer will assign its rights under the Mortgage to the Purchaser pursuant to one or more Assignments of Mortgage, from the Issuer to the Purchaser (the “**Assignments of Mortgage**”); (ii) if required, the Institution will grant to the Purchaser a security interest in certain of its revenues pursuant to a certain Pledge and Security Agreement or similar agreement, from the Institution to the Purchasers (the “**Pledge and Security Agreement**”); and

NOW, THEREFORE, BE IT RESOLVED by Nassau County Local Economic Assistance Corporation as follows:

Section 1. a. It is the policy of the State to promote the economic welfare, recreation opportunities and prosperity of its inhabitants and to actively promote, attract, encourage and develop recreation and economically sound commerce and industry for the purpose of preventing unemployment and economic deterioration.

b. Pursuant to the Issuer’s certificate of incorporation (the “Certificate”) and the purposes and powers contained within Section 1411 of the N-PCL, the Issuer is empowered to undertake the Project, issue the Bonds, and undertake the various transactions contemplated herein.

c. The proposed financial assistance being contemplated by the Issuer includes: (i) financing all or a portion of the Project Costs by the issuance of the Bonds in an amount not to exceed the lesser of the Project Costs or \$12,00,000 and (ii) an exemption from all New York State and local mortgage recording taxes with respect to any qualifying mortgage in connection with the Project to secure the Bonds.

Section 2. It is among the purposes of the Issuer to promote, develop, encourage and assist in the acquisition, construction, rehabilitation and improvement of facilities for not-for profit corporations and thereby relieve and reduce unemployment, better and maintain job opportunities and lessen the burdens of government. The Issuer, in undertaking the Project pursuant to the purposes and powers set forth within N-PCL Section 1411 and the Certificate is acting in the public interest by lessening the burdens of government.

Section 3. Based upon representations made by Institution to the Issuer, the Issuer makes the following findings and determinations:

- (a) the Project is in furtherance of the purposes of the Issuer; and
- (b) the issuance of the Bonds will be an inducement to the Institution to continue to operate and maintain the Project in Nassau County; and
- (c) it is desirable and in the public interest for the Issuer to issue the Bonds to finance the costs of the Project, together with certain related costs and amounts; and the
- (d) Institution is not undertaking the Project in place of, on behalf of, for the benefit of, or at the request of the Issuer.

Section 4. In consequence of the foregoing, the Issuer hereby determines to:

- (a) execute the Bond Purchase and Loan Agreement with such amendments or modifications as the Chief Executive Officer or other officer designated by the Chief Executive Officer (the “Authorized Officer”) deems necessary under the circumstances, provided no such amendment or modification materially alters the risk to the Issuer and loan the proceeds derived from the issuance of the Bonds to the Institutions pursuant to the terms thereof; and
- (b) execute one or more Bond Placement Agreement with such amendments or modifications as the Authorized Officer deems necessary under the circumstances, provided no such amendment or modification materially alters the risk to the Issuer; and
- (c) issue and deliver the Bonds in one or more series to the Purchasers on or before July 31, 2020 (or such other mutually agreeable date (the “Closing Date”)), subject however to the approval of the final terms for the Bonds and the terms and conditions of the Bond Purchase and Loan Agreement consistent with this Resolution, and of the terms of the Bonds, by the Authorized Officer of the Issuer and by the Institutions and the Purchasers; and
- (d) use the proceeds of the Bonds to finance a portion of the Project and to pay necessary incidental expenses in accordance with the Bond Purchase and Loan Agreement and the Bond Placement Agreement; and
- (e) execute Tax Compliance Certificate, to be dated as of the Closing Date (the “Tax Compliance Certificate”), between the Institution and the Issuer and a completed Internal Revenue Service Forms 8038 (Information Return for Private Activity Bonds) relating to tax-exempt Bonds (the “Information Return”) and file the Information Return with the Internal Revenue Service in connection with the issuance of the tax-exempt Bonds; and

- (f) execute and deliver all other certificates and documents required in connection with issuance and sale of the Bonds including the documents identified on the draft Closing Memorandum and any other documents as may be required by the Purchasers or otherwise required to accomplish the Project, qualify a portion of the interest on the tax-exempt Bonds for tax-exempt status under Section 103 of the Code (such certificates and documents collectively, with the Tax-Exempt Bonds, the Bond Purchase and Loan Agreement, the Bond Placement Agreement, the Assignments of Mortgage and the Tax Compliance Certificate, the “**Financing Documents**”); and
- (g) grant an exemption from all New York State and local mortgage recording taxes with respect to any qualifying mortgage in connection with the Project to secure the Bonds.

Section 5. The financing and refinancing of the Project and the financing or refinancing thereof by the Issuer, through the issuance of the Bonds pursuant to the Act, and the provision of other financial assistance in connection therewith pursuant to the Act, will promote job opportunities, health, general prosperity and the economic welfare of the inhabitants of Nassau County and the people of the State of New York and improve their standard of living, and thereby serve the public purposes of the Act and the same is, therefore, approved. It is desirable and in the public interest for the Issuer to issue the Bonds for the purposes of financing or refinancing the costs of the acquisition, construction, renovation, equipping and furnishing of the Project, together with necessary incidental expenses in connection therewith as reflected in the Institution’s application to the Issuer, as amended from time to time prior to the issuance of the Bonds. The Issuer is hereby authorized to undertake the Project, to refinance all or a portions of the prior loans and mortgage loans listed in the fifth WHEREAS clause hereof, finance, refinance or reimburse the acquisition, construction, renovation and equipping of the Improvements, the funding of a debt service reserve fund, if any, and costs of issuance, by the issuance of the Bonds and to grant the Financial Assistance and all acts previously taken by the Issuer with respect to the Project, the undertaking of the Project, the grant of Financial Assistance with respect to the Project and the issuance of the Bonds are hereby approved, ratified and confirmed.

Section 6. Subject to receipt of the approval of the County Executive of Nassau County (the “County Executive”) of the issuance of the Tax-Exempt Bonds pursuant to, and solely for the purposes of, Section 147 of the Code, the Issuer is hereby authorized to issue, execute, sell and deliver the Bonds in the aggregate principal amount of up to \$6,000,000 in the form heretofore approved in Section 4 of this Resolution, pursuant to the Act and in accordance with the Bond Purchase Agreement and Loan Agreement; provided that

- (a) the Bonds authorized to be issued, executed, sold and delivered pursuant to this Section 6 (i) shall be issued, executed and delivered at such time as an Authorized Officer shall determine, (ii) shall be in such aggregate principal amount (not to exceed \$6,000,000) as is hereinafter approved by an Authorized Officer, (iii) shall bear interest at such rates as are set forth in the Bonds and the Bond Purchase and Loan Agreement or as are hereinafter approved by an Authorized Officer, and (iv) shall be issued in such series and subject to prepayment prior to maturity, and

have such other provisions and be issued in such manner and on such conditions as are set forth in the Bonds and the Bond Purchase and Loan Agreement, all of which provisions are specifically incorporated herein with the same force and effect as if fully set forth in this Resolution; and

- (b) The maximum authorized principal amount of the tax-exempt Bonds and of the taxable Bonds shall collectively, not to exceed \$6,000,000.
- (c) the Bonds shall be issued solely for the purpose of providing funds to assist the Institution to finance the Project Costs, the administrative, legal, financial, and other expenses of the Issuer in connection with such assistance and incidental to the issuance of the Bonds, as such costs are more specifically set forth in the Financing Documents; and
- (d) the Bonds and the interest thereon are not and shall never be a debt of the State of New York, Nassau County, New York, and neither the State of New York nor Nassau County, New York, shall be liable thereon; and
- (e) the Bonds, together with interest payable thereon, shall be special obligations of the Issuer payable solely from the revenues and receipts derived from the payments made by the Institution pursuant to the Bond Purchase and Loan Agreement or from the enforcement of the security provided by the Financing Documents.

Each of the Authorized Officers of the Issuer is hereby authorized, on behalf of the Issuer, to execute (by manual or facsimile signature) and deliver the Financing Documents, on such terms and conditions as shall be consistent with this Resolution and approved by an Authorized Officer, the execution thereof by such Authorized Officer constituting conclusive evidence of such approval.

Section 7. Notwithstanding any other provision of this Resolution, the Issuer covenants that it will make no use of the proceeds of the tax-exempt Bonds or of any other funds which, if such use had been reasonably expected on the date of issue of the tax-exempt Bonds, would cause the tax-exempt Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code.

Section 8. The Authorized Officers of the Issuer are hereby authorized and directed for and in the name and on behalf of the Issuer to do all acts and things required or provided by the provisions of the Financing Documents, and to execute and deliver all such additional certificates, instruments and documents, including the Financing Documents and the Information Return, and to do all such further acts and things as may be necessary or in the opinion of the Authorized Officer acting on behalf of the Issuer, desirable and proper to effect the purposes of this Resolution and to cause compliance by the Issuer with all of the terms, covenants, and provisions of the Financing Documents binding upon the Issuer.

Section 9. The Project involves an Unlisted Action under SEQRA as that term is defined by 6 NYCRR §617.2(ak). The Issuer is acting as Lead Agency pursuant to SEQRA and

conducting an Uncoordinated Review pursuant to 6 NYCRR §617.6 Based upon a thorough and comprehensive review by the Issuer of the Application, the Short Environmental Assessment Forms and related documents delivered by the Institution to the Issuer, as well as other representations made by the Institution to the Issuer in connection with the Project, the Issuer in its Resolution dated of even date found that the Project will result in no potential significant adverse environmental impacts requiring the preparation of an environmental impact statement for the action.

Section 10. It is hereby found and determined that all formal actions of the Issuer concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Issuer; and that all deliberations of the Issuer and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

Section 11. The law firm of Harris Beach PLLC is hereby appointed Bond Counsel to the Issuer in connection with the issuance of the Bonds. Counsel to the Issuer and Bond Counsel to the Issuer are hereby authorized to work with counsel to the Institution and others to prepare, for submission to the Issuer, all documents necessary to effect the authorization, issuance and sale of the Bonds.

Section 12. Due to the complex nature of this transaction, the Issuer hereby authorizes its Authorized Officers to approve, execute and deliver such further agreements, documents and certificates as the Issuer may be advised by counsel to the Issuer and/or Bond Counsel to be necessary or desirable to effectuate the foregoing, such approval to be conclusively evidenced by the execution of any such agreements, documents or certificates by the Authorized Officer acting on behalf of the Issuer.

Section 13. This resolution shall take effect immediately and the Bonds are hereby ordered to be issued in accordance with this Resolution.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Richard Kessel	VOTING
Lewis M. Warren	VOTING
Anthony Simon	VOTING
Timothy Williams	VOTING
Chris Fusco	VOTING
Amy Flores	VOTING
John Coumatos	VOTING

The foregoing Resolution was thereupon declared duly adopted.



STATE OF NEW YORK

) SS.:

COUNTY OF NASSAU

We, the undersigned [Vice] Chairman and [Assistant] Secretary of the Nassau County Local Economic Assistance Corporation (the "Corporation"), do hereby certify that we have compared the foregoing extract of the minutes of the meeting of the members of the Corporation, including the Resolution contained therein, held on April 22, 2021 with the original thereof on file in our office, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

WE FURTHER CERTIFY that (A) all members of the Corporation had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), as modified pursuant to Executive Order No. Order 202.1, issued on March 12, 2020, as amended to date, - Continuing Temporary Suspension And Modification Of Laws Relating To The Disaster Emergency - by Governor Andrew M. Cuomo of the State of New York, said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Corporation present throughout said meeting.

WE FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, we have hereunto set our respective hands and affixed the seal of the Agency this 22<sup>nd</sup> day of April, 2021.

---

[Assistant] Secretary

---

[Vice] Chairman

(SEAL)

[Signature Page to Series 2020 Bond Resolution]

## **SCO FAMILY OF SERVICES, Amendment to Approving Bond Resolution**

A regular meeting of the Nassau County Local Economic Assistance Corporation (the “Issuer”) was convened public session, electronically, pursuant to Executive Order 202.1, issued on March 12, 2020, as amended to date - Continuing Temporary Suspension And Modification Of Laws Relating To The Disaster Emergency - by Governor Andrew M. Cuomo of the State of New York on April 22, 2021 at 6:30 p.m., local time.

The meeting was called to order by the Chairman, upon roll being called, the following members of the Issuer were:

### **PRESENT:**

Richard Kessel	Chairman
Lewis M. Warren	Vice Chairman
Anthony Simon	2nd Vice Chairman
Amy Flores	Treasurer
John Coumatos	Asst. Treasurer
Chris Fusco	Asst. Secretary
Timothy Williams	Secretary

### **THE FOLLOWING ADDITIONAL PERSONS WERE PRESENT:**

Harry Coghlan	Chief Executive Officer
Anne LaMorte	Chief Financial Officer
Thomas D. Glascock	Corporation Counsel
Andrew D. Komaromi, Esq.	Bond/Transactional Counsel

The attached resolution no. 2021-\_\_ was offered by \_\_\_\_\_, seconded by \_\_\_\_\_:

RESOLUTION OF THE RESOLUTION OF THE NASSAU COUNTY LOCAL ECONOMIC ASSISTANCE CORPORATION (THE “ISSUER”) AMENDING THE ISSUER’S RESOLUTION, DATED MAY 28, 2020, AS PREVIOUSLY AMENDED BY ISSUER’S RESOLUTION, DATED JULY 9, 2020, NUNC PRO TUNC

WHEREAS, Section 1411 of the Not-For-Profit Corporation Law, as amended (the “Act”), has been heretofore enacted by the Legislature of the State of New York for the purposes, among others, of providing for the citation of local development corporations in the State of New York for the exclusively charitable or public purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities, instructing or training individuals to improve or develop their capabilities for such jobs, carrying on scientific research for the purpose of aiding a community or geographical area by attracting new industry to the community or area or by encouraging the development of, or retention of; an industry in the community or area, and lessening the burdens of government and acting in the public interest; and

WHEREAS, the Nassau County Legislature (the “County Legislature”) authorized the formation of the Issuer under the Act pursuant to Resolution No. 255-2010 adopted by the County Legislature on September 20, 2010 and approved by the County Executive of Nassau County on September 21, 2010 (“County Resolution”); and

WHEREAS, pursuant to such authorization of the County Legislature, the Issuer has been incorporated under said Act by the filing of its Certificate of Incorporation with the Office of the Secretary of State of the State of New York on November 30, 2010; and

WHEREAS, the Issuer is authorized by the Act to issue its negotiable bonds, notes or other obligations; and

WHEREAS, the Corporation adopted its Resolution dated May 7, 2020 at a duly and lawfully convened regular meeting, authorizing among other things taking preliminary action towards the issuance of its bonds for the Project, as such term is hereinafter referred to (“**Preliminary Resolution**”) for the benefit of SCO Family of Services, a not-for-profit corporation organized and existing under the laws of the State of New York (the “**Institution**”); and

WHEREAS, the Corporation adopted its Resolution dated May 28, 2020 at a duly and lawfully convened regular meeting, authorizing the issuance of one or more series or subseries of its tax-exempt and/or taxable revenue bonds in an aggregate principal amount not to exceed \$15,000,000 for the benefit of the Institution for the purpose of paying the costs associated with a Project, as such term is defined therein (“**Original Approving Resolution**”); and

WHEREAS, following the adoption of the Original Approving Resolution, by letter dated July 2, 2020 the Institution requested the amendment of the definition of Project in the Original Approving Resolution to include the (i) the refinancing of (a) an operating line of credit used in connection with the Institution’s operations in Nassau County (in the approximate amount of

\$16,500,000) currently held by TD Bank, N.A. and People's United Bank and (b) outstanding taxable bonds issued by the Issuer in 2013 on behalf of the Institution (in the approximate amount of \$500,000), along with an associated mortgage recording tax exemption and (ii) increasing the maximum authorized principal amount of the taxable bonds in connection with the Project component described in (i) hereof by \$17,000,000 (collectively, the "2020 Consent"); and

Whereas, the Agency approved the 2020 Consent by Resolution No. 2020-21, dated July 9, 2020 (the "**Amended Approving Resolution**"); and

WHEREAS, the Issuer desires to amend Section 9 of the Amended Approving Resolution as hereinabove described and to extend the timeframe within which Authorized Officers of the Issuer are hereby authorized and directed for and in the name and on behalf of the Issuer to do all acts and things required or provided by the provisions of the Financing Documents, and to execute and deliver all such additional certificates, instruments and documents, including the Financing Documents and the Information Return, and to do all such further acts and things as may be necessary or in the opinion of the Authorized Officer acting on behalf of the Issuer, desirable and proper to effect the purposes of this Resolution and to cause compliance by the Issuer with all of the terms, covenants, and provisions of the Financing Documents binding upon the Issuer, nunc pro tunc;

NOW, THEREFORE, BE IT RESOLVED by Nassau County Local Economic Assistance Corporation as follows:

Section 1.

a. It is the policy of the State to promote the economic welfare, recreation opportunities and prosperity of its inhabitants and to actively promote, attract, encourage and develop recreation and economically sound commerce and industry for the purpose of preventing unemployment and economic deterioration.

b. Pursuant to the Issuer's certificate of incorporation (the "**Certificate**") and the purposes and powers contained within Section 1411 of the N-PCL, the Issuer is empowered to undertake the Project, issue the Bonds, and undertake the various transactions contemplated herein.

Section 2. It is among the purposes of the Issuer to promote, develop, encourage and assist in the acquisition, construction, rehabilitation and improvement of facilities for not-for profit corporations and thereby relieve and reduce unemployment, better and maintain job opportunities and lessen the burdens of government. The Issuer, in undertaking the Project pursuant to the purposes and powers set forth within N-PCL Section 1411 and the Certificate is acting in the public interest by lessening the burdens of government.

Section 3. The amendment made to Section 9 of the Amended Approving Resolution to be identical to Section 8 of this Resolution, is hereby ratified with the effect of amending the Amended Approving Resolution and extending its effectiveness nunc pro tunc. All other provisions of the Original Approving Resolution, as modified by the Amended Approving

Resolution (except to the extent inconsistent herewith – which provisions are hereby repealed and superseded), shall remain in full force and effect.

Section 4. The Authorized Officers of the Issuer are hereby authorized and directed for and in the name and on behalf of the Issuer to do all acts and things required or provided by the provisions of the Financing Documents, and to execute and deliver all such additional certificates, instruments and documents, including the Financing Documents and the Information Return, and to do all such further acts and things as may be necessary or in the opinion of the Authorized Officer acting on behalf of the Issuer, desirable and proper to effect the purposes of this Resolution and to cause compliance by the Issuer with all of the terms, covenants, and provisions of the Financing Documents binding upon the Issuer, nunc pro tunc.

Section 5. The Agency hereby determines that the proposed action is a Type II Action pursuant to Article 8 of the New York Environmental Conservation Law (including the regulations thereunder, “SEQRA”) involving “continuing agency administration” which does not involve “new programs or major reordering of priorities that may affect the environment” (6 NYCRR §617.5(c)(20)) and, therefore, no findings or determination of significance are required under SEQRA.

Section 6. It is hereby found and determined that all formal actions of the Issuer concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Issuer; and that all deliberations of the Issuer and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

Section 7. Due to the complex nature of this transaction, the Issuer hereby authorizes its Authorized Officers to approve, execute and deliver such further agreements, documents and certificates as the Issuer may be advised by counsel to the Issuer and/or Bond Counsel to be necessary or desirable to effectuate the foregoing, such approval to be conclusively evidenced by the execution of any such agreements, documents or certificates by the Authorized Officer acting on behalf of the Issuer.

Section 8. This Resolution shall take effect immediately and shall be effective for ninety (90) days from the date of its adoption.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Richard Kessel	VOTING
Lewis M. Warren	VOTING
Anthony Simon	VOTING
Timothy Williams	VOTING
Chris Fusco	VOTING
Amy Flores	VOTING
John Coumatos	VOTING

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK

) SS.:

COUNTY OF NASSAU

We, the undersigned [Vice] Chairman and [Assistant] Secretary of the Nassau County Local Economic Assistance Corporation (the "Corporation"), do hereby certify that we have compared the foregoing extract of the minutes of the meeting of the members of the Corporation, including the Resolution contained therein, held on April 22, 2021 with the original thereof on file in our office, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

WE FURTHER CERTIFY that (A) all members of the Corporation had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), as modified pursuant to Executive Order No. Order 202.1, issued on March 12, 2020, as amended to date, - Continuing Temporary Suspension And Modification Of Laws Relating To The Disaster Emergency - by Governor Andrew M. Cuomo of the State of New York, said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Corporation present throughout said meeting.

WE FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, we have hereunto set our respective hands and affixed the seal of the Agency this 22<sup>nd</sup> day of April, 2021.

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[Assistant] Secretary

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[Vice] Chairman

(SEAL)

[Signature Page to Series 2021 Bond Resolution]

NASSAU COUNTY LOCAL ECONOMIC  
ASSISTANCE CORPORATION

And

NASSAU COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY

Board of Directors Meeting

Thursday, March 18, 2021 - 6:30 p.m.

-----x

(Remotely taken via Zoom)

March 18, 2021  
6:30 p.m.

LOCAL ECONOMIC ASSISTANCE CORPORATION

Richard Kessel, Chairman

Anthony Simon, 2nd Vice Chairman

Timothy Williams, Secretary

Amy Flores, Treasurer

John Coumatos, Assistant Treasurer

Christopher Fusco, Assistant Secretary

Lewis M. Warren, Vice Chairman

Harry Coghlan, Chief Executive

Officer/Executive Director

Anne LaMorte, Chief Financial Officer

Thomas D. Glascock, Agency Counsel

Andrew Komaromi, Bond/Transaction Counsel



INDUSTRIAL DEVELOPMENT AGENCY

Richard Kessel, Chairman

Anthony Simon, 2nd Vice Chairman

Timothy Williams, Secretary

Amy Flores, Treasurer

John Coumatos, Assistant Treasurer

Christopher Fusco, Assistant Secretary

Lewis M. Warren, Vice Chairman

Harry Coghlan, Chief Executive

Officer/Executive Director

Danielle Oglesby, Chief Operating

Officer/Deputy Executive Director

Anne LaMorte, Chief Financial Officer

Catherine Fee, Director of Business

Development/Chief Marketing Officer

Colleen Pereira, Administrative Director

Carlene Wynter, Compliance Assistant

Nicole Gil, Administrative Assistant

Thomas D. Glascock, Agency Counsel

Andrew Komaromi, Bond/Transaction Counsel

CEO COGHLAN: Good evening.

My name is Harry Coghlan and I am the Chief Executive Officer of both the Nassau County Local Economic Assistance Corporation and the Nassau County Industrial Development Agency.

On behalf of our Chairman, Members of the Board and staff, I welcome you to today's open meeting of the Board of Directors. Today is March 18, 2021 and the time is now 6:30 P.M.

Given the ongoing COVID-19 public health crisis and related Executive Orders issued by Governor Andrew Cuomo, this public meeting is being conducted using telephone conference and video conference. Participants attending via video conference have accessed this public meeting through a Zoom registration or by watching a livestream on our YouTube channel.

1  
2 If you are participating via  
3 Zoom, the Agency encourages all  
4 interested parties to participate,  
5 and as such, has reserved certain  
6 points in today's meeting for  
7 public comment. If you choose to  
8 make a comment, you will do so by  
9 selecting the raised hand icon on  
10 your device. Once you select the  
11 raised hand icon, you will have the  
12 opportunity to speak when your name  
13 is announced.

14 Remarks are limited to three  
15 minutes per speaker, and to insure  
16 that each attendee has an  
17 opportunity to speak, each attendee  
18 has one opportunity to speak per  
19 agenda item. Please start your  
20 comment by stating your full name  
21 with spelling and address for the  
22 record.

23 Please note that this is a  
24 moderated meeting and at times you  
25 may hear us speaking directly to

our moderator, Catherine Fee, Chief Marketing Officer and Director of Business Development for the IDA.

Please note that this hearing is being both livestreamed and recorded. In addition, we have a stenographer present who will be transcribing the meetings so we can add the transcripts of these meetings to the public record.

Interested parties may also submit written comments which will be included within the public meeting records. Written comments may be sent to my attention, Harry Coghlan, Chief Executive Officer at One West Street, fourth floor, Mineola, New York 11501 or via e-mail to [info@NassauIDA.org](mailto:info@NassauIDA.org).

At this time I ask that all panelists please mute your microphones until such time you wish to comment.

Before commenting the full

board meetings this evening, we first must hold a few committee meetings. I will now turn the meeting over to General Counsel, Thomas Glascock, to commence the meetings.

MR. GLASCOCK: Thank you, Mr. Coghlan.

Scheduled for this evening are the Audit Committees, the Finance Committees and Governance Committees for each of LEAC and for the Agency. The principle items under consideration and reviewed at the meetings are presentation by Brian Petersen of PKF O'Connor Davies, Accountants and Advisors, that's the outside accounting firm for both LEAC and for the Agency and he will be reviewing both the 2020 Audited -- the draft 2020 Audited Financial Statements for each entity.

We will also review, do an

1  
2 inner review of the Mission  
3 Statement for each organization  
4 adopting -- reviewing and  
5 potentially adopting the 2020  
6 Operations and Accomplishments and  
7 Performance Measurement reports for  
8 each entity as well as  
9 consideration of meeting minutes  
10 from prior committee meetings.

11 At this time I would suggest  
12 that we open up -- we are going to  
13 do a combined meeting for the Audit  
14 Committees and for the Finance  
15 Committees.

16 I suggest at this time,  
17 Mr. Williams, if you make a motion  
18 to open up the Audit Committee  
19 Meetings for LEAC and for the  
20 Agency.

21 SECRETARY WILLIAMS: Okay.  
22 And just to be clear, are  
23 we doing combined -- I'm going to  
24 chair the Finance as well. Are we  
25 doing them combined?

MR. GLASCOCK: Yes.

SECRETARY WILLIAMS: So the motion is for both. We are going to call to order --

MR. GLASCOCK: We will do a combined meeting.

SECRETARY WILLIAMS: We are going to call to order -- okay -- so we are going to call to order both our Audit Committee for LEAC as well as our Audit Committee for the Nassau County IDA.

We are also going to call to order the LEAC Finance Committee as well as the LEAC Finance Committee for -- sorry, the Finance Committee for the Nassau County IDA. The members being present at both, all the members of both committees should please vote in all votes so that it's recorded for each respective group that you are in.

John Coumatos, would you

second the opening.

ASSISTANT TREASURER COUMATOS:

I second.

SECRETARY WILLIAMS: Amy,  
would you second the opening for  
the Finance Committee?

TREASURER FLORES: Amy Flores  
seconds.

SECRETARY WILLIAMS: All in  
favor?

(Whereupon all members  
responded in the affirmative.)

SECRETARY WILLIAMS: Any  
opposed?

(No response.)

SECRETARY WILLIAMS: Any  
abstentions?

(No response.)

SECRETARY WILLIAMS: So the  
Finance and the Audit Committee  
being both open.

First item on our agenda is a  
review and approval of our minutes.  
If anybody has any comments or



changes to the minutes for both the Audit and the Finance, for both the LEAC and for the IDA, I am going to ask that you submit them to the committee.

Amy, would you -- I'll make a motion for both. Amy, would you second for the Finance.

TREASURER FLORES: Amy Flores seconds.

SECRETARY WILLIAMS: And John, would you second for the Audit?

ASSISTANT TREASURER COUMATOS: Aye. I'll vote aye.

SECRETARY WILLIAMS: All in favor?

(Whereupon all members responded in the affirmative.)

SECRETARY WILLIAMS: Any opposed?

(No response.)

SECRETARY WILLIAMS: Any abstentions?

(No response.)

SECRETARY WILLIAMS: All right. What's our next item? The agenda went away.

MR. GLASCOCK: At this time I would suggest turning the meeting over to Brian Petersen -- well actually turning it over to CEO Harry Coghlan and to CFO Anne LaMorte as well as Brian Petersen to review the finances.

SECRETARY WILLIAMS: Harry.

CEO COGHLAN: Thank you, Mr. Glascock. I am going to introduce Brian Petersen, partner at PKF O'Connor Davies. PKF O'Connor Davies has completed their year-end audit of the 2020 financial statements for both the Corporation and the Agency as well as a special single audit for the federal contribution and a distribution of associated Personal Protective Equipment kits.

1  
2 So at this time point in time  
3 I would like to introduce Brian.

4 MR. PETERSEN: Good evening,  
5 Board and Audit Committee members.

6 In part of your package you  
7 had received the auditor's  
8 communications with those charged  
9 with governance. In this  
10 communication we specify the  
11 following: We have audited the  
12 financial statements of the Nassau  
13 County Local Economic Assistance  
14 Corporation, a component unit of  
15 Nassau County, New York as of and  
16 for the year ending December 31,  
17 2020. Professional standards  
18 require that we provide you with  
19 about our responsibilities under  
20 auditing standards generally  
21 accepted in the United States of  
22 America, uniform guidance as well  
23 as certain information related to  
24 planning skills at the time of the  
25 audit.

19 In connection with our audit  
20 we test -- we performed tests of  
21 the Corporation's compliance with  
22 certain provisions of laws,  
23 regulations, contracts and grants.  
24 In our compliance with which could  
25 have a direct and material effect

on the determination of financial statement amounts.

However, providing an opinion on compliance with those provisions was not the objective of our audit.

Also in accordance with uniformed guidance, our single audit guidance, we examine on a test basis evidence about the Corporation's compliance with the type of compliance requirements described in the Uniform Guidance applicable to each major federal program for the purpose of expressing an opinion on the Corporation's compliance with those programs.

While our audit provided a reasonable basis for our opinion, it does not provide a legal determination on the Corporation's compliance with those requirements. The counting estimates made by management are an integral part of

the financial statements and are based on management's knowledge and experience about past and current events and assumptions about future events. Actual results could differ from those estimates.

We encountered no difficulties in dealing with management related to the performance of the audit. Professional standards require us to accumulate all known and likely misstatements identified during the audit other than those that we believe are trivial, and communicate them to the appropriate level of management. We are pleased to report that there were no misstatements detected as a result of our audit procedures. No disagreements with management arose during the course of the audit. We had requested certain representation from management in a

1  
2 separate letter dated March 1,  
3 2021.

4 As for the audit, we have  
5 issued an unmodified opinion for  
6 the Nassau County Local Economic  
7 Assistance Corporation also known  
8 as a "clean opinion" on the  
9 financial statement. We have  
10 issued our report on internal  
11 control over financial recording  
12 and our compliance and other  
13 matters based on an audit of  
14 financial statements performed in  
15 accordance with governmental  
16 auditing standards.

17 In that report we specify  
18 that during our audit, we did not  
19 identify any deficiencies in  
20 internal control and that are tests  
21 disclosed no instances of  
22 noncompliance or other matters that  
23 are required to be reported under  
24 Governmental Auditing Standards.

25 As the Board is aware, the

1  
2 Corporation was required to receive  
3 a single audit this year due to the  
4 federal funds received and utilized  
5 during 2020. I am pleased to  
6 report that we have issued an  
7 unmodified opinion, clean opinion  
8 on the Schedule of Expenditures of  
9 federal awards. We have issued our  
10 report on compliance for major  
11 federal programs and on internal  
12 control over compliance required by  
13 Uniformed Guidance. In that report  
14 we specify that the Corporation  
15 complied in all material respects  
16 with the compliance requirements  
17 that could have a direct and  
18 material effect on its major  
19 programs for year ending  
20 December 31, 2020.

21 Also in the report we state  
22 that we do not identify any  
23 deficiencies in internal control or  
24 the compliance and -- for the major  
25 federal programs.



1  
2 In connection with our audit,  
3 nothing also came to our attention  
4 that caused us to believe that the  
5 Corporation failed to comply with  
6 its own investment guidance. The  
7 New York State Comptrollers  
8 Investment Guidance or Section 2925  
9 of the New York Public Authorities  
10 Law. Overall this was a clean  
11 audit.

12 A few items to note on LEAC's  
13 financial statement: Cash as of  
14 December 31 2020 was approximately  
15 \$170,000; total assets decreased as  
16 compared to prior year primarily  
17 due to decrease in cash. This  
18 decrease is primarily due to the  
19 current year operating loss. Total  
20 revenues increased by \$2.4 million  
21 as compared to 2019. The reason  
22 for that increase was due to more  
23 project closings in 2020 compared  
24 to 2019, and obviously, the grant  
25 revenue that was received in 2020.

Operating expenses increased by \$2.8 million as compared to 2019. This increase is due to the increase in costs for the PPE kits in accordance with the grant terms, the contribution to the Boost Nassau program and the marketing initiatives. Most of these expenses will not repeat in 2021. For 2020, expenses exceeded revenues resulting in a 75% decrease in net position. Management and the Board should continue to monitor expenses and revenues and adhere to the budgeted amounts.

So that completes my presentation for the Corporation, LEAC, and at this time does anybody on the Audit Committee or the Board have any questions related to LEAC's financial statements.

SECRETARY WILLIAMS: Are you going to present for the IDA as

well, right?

MR. PETERSEN: Yes, I am  
going to do that right now.

SECRETARY WILLIAMS: Okay.  
Any Committee Members have any  
questions, for both finance and the  
audit?

(No response.)

SECRETARY WILLIAMS: Go right  
ahead, Brian.

MR. PETERSEN: So that's  
accounting for the Industrial  
Development Agency.

You had also received, again,  
as part of your Auditors'  
Communication with those charged  
with Governance. So our  
responsibility, again, is to form  
and express an opinion about  
whether the financial statements or  
responsibilities of management are  
presented fairly in all material  
respects in conformity with US  
GAAP. Those individuals charged

1  
2 with governance of the agency are  
3 responsible for the oversight of  
4 the financial reporting process and  
5 our audit does not relieve  
6 management of those for those  
7 charged with governance of their  
8 respective responsibilities.

9 Accounting estimates made by  
10 management are an integral part of  
11 the financial statements and are  
12 based on management's knowledge and  
13 experience about past, current  
14 events and assumptions in future  
15 events. Actual results could  
16 differ from those estimates.  
17 Certain accounting estimates are  
18 particularly sensitive because of  
19 their significance to the financial  
20 statements and their susceptibility  
21 to change.

22 The most sensitive estimates  
23 effecting the IDA's financial  
24 statements were as follows: We  
25 have management estimates for other

post employment benefits which is actuarially actually determined. We have management's estimates for liability for compensated absences. We have the estimate of the Agency's proportionate share of Net Pension Liability for the New York State and Local Employee Retirement System which is provided to us by the state.

So we evaluated the key factors and assumptions used to develop these estimates in determining that they are reasonable in relation to the financial statements as a whole. We encountered no difficulties, again, in dealing with management related to the performance of the audit. Professional standards require us to accumulate all known and likely misstatements identified during the audit other than those that we believe are trivial and

1  
2 communicate them to the appropriate  
3 level of management.

4 I am pleased to report that  
5 we have identified no misstatements  
6 for the IDA. No misstatements  
7 arose during the course of the  
8 audit. Again, we had requested  
9 representations from management in  
10 a separate letter as of today's  
11 date.

12 As for the audit for the IDA,  
13 we have issued an unmodified, clean  
14 opinion also.

15 SECRETARY WILLIAMS: I am  
16 going to ask everybody -- I'm  
17 sorry, Brian -- to mute your  
18 phone -- mute your computers.

19 Go ahead, Brian.

20 MR. PETERSEN: As for the  
21 audit of the IDA, we have issued an  
22 unmodified opinion also known as a  
23 clean opinion on the financial  
24 statements. We have also issued  
25 our report on internal control over

1 financial reporting and our  
2 compliance and other matters based  
3 on an audit of financial statements  
4 performed in accordance with  
5 governmental auditing standards.  
6 In that report we specified during  
7 our audit, we did not identify any  
8 deficiencies in internal control,  
9 and that our tests disclosed no  
10 instances of noncompliance or other  
11 matters that are required to be  
12 reported under Government Auditing  
13 Standards.  
14

15 Also in connection with our  
16 audit nothing came to our attention  
17 that caused us to believe that the  
18 Agency failed to comply with its  
19 investment guidelines, the New York  
20 State Comptrollers Development  
21 Guidelines or Section 2925 of the  
22 New York State Public Authorities  
23 Law. Overall, again, this was a  
24 clean audit.

25 A few items to note on the

financial statements. So cash as of December 31, 2020 was approximately \$2.2 million representing a year of operating costs. Total assets decreased as compared to prior year primarily due to the decrease in cash. This decrease is primarily due to the current year operating loss. Total liabilities increased as compared to prior year due to the increase in other post employment benefit liabilities and the Net Pension Liability. These increases in these liabilities are primarily due to the decrease in the discount rates used to calculate the present value of these. An increase in staff levels compared to prior year which also resulted in a higher liabilities being calculated. Overall revenues increased 46% as compared to 2019 but this was still less than 2018's operating revenue.



The reason for this increase was due to more project closings in 2020 compared to 2019. Even with COVID, the IDA and its management was able to increase revenues.

Operating expenses increased 15% as compared to 2019. This increase was due to the increased costs for the other post-employment benefits and the Pension Liability as well as the marketing initiatives that the IDA embarked on in 2020.

The 2020 expenses exceeded revenues resulting in a 53% decrease in their position. Management and the Board should continue to monitor expenses and particular revenues to insure that they meet their budgeting goals for this year.

So that completes my presentation for the IDA, and then if there is any questions,

1  
2 please feel free to ask.

3 SECRETARY WILLIAMS: To  
4 just -- a general question. In  
5 addition to your comments in the  
6 presentation, is there anything  
7 else that the Audit Committees for  
8 the LEAC or for the Agency need to  
9 be made aware of or any concerns  
10 that are not reflective of your  
11 written or the oral presentation  
12 you just gave?

13 MR. PETERSEN: I can tell you  
14 from all the IDAs that I have seen  
15 so far this year, obviously there  
16 have been operating losses running  
17 through a lot of the IDAs on the  
18 Island for various reasons, mostly  
19 due to program costs, initiatives,  
20 things likes that to try to keep  
21 things moving along. And, you  
22 know, you did have a significant  
23 decrease in your net position so  
24 that's something that you should  
25 definitely look at going forward.

1  
2 We have had discussions with  
3 management and what their views --  
4 we did take a look at your 2021  
5 budget and it looks very, very  
6 reasonable, and we think that you  
7 guys can achieve that.

8 So it's just a matter of  
9 making sure that you are taking a  
10 look at those monthly reports and  
11 comparing that with the budget to  
12 make sure that you are meeting your  
13 revenue objectives.

14 SECRETARY WILLIAMS: Great.

15 Any other questions by Audit  
16 or Finance Committee Members or  
17 anyone? Any question for Harry or  
18 Anne.

19 (No response.)

20 MR. PETERSEN: If I could  
21 just add one more thing, I just  
22 want to make sure the Board, the  
23 Audit Committee is -- can reach out  
24 to me at any time.

25 SECRETARY WILLIAMS: Thank

1  
2 you.

3 All right. With that, then  
4 we will -- for both the Audit and  
5 the Finance, for LEAC and the  
6 Agency, we are going to entertain a  
7 motion to advance and recommend  
8 accepting the Audit findings as  
9 presented by Brian and the staff.

10 So Anthony, would you -- I'll  
11 make the motion for both. Anthony,  
12 would you second it for the Audit  
13 Committee.

14 SECOND VICE CHAIRMAN SIMON:  
15 Yes, I will second it, Tim, for the  
16 Audit Committee.

17 SECRETARY WILLIAMS: And Amy  
18 for the Finance Committee?

19 TREASURER FLORES: Yes, I'll  
20 second for both.

21 SECRETARY WILLIAMS: So for  
22 both committees, for LEAC and the  
23 Agencies, recommendation to advance  
24 the report to the full Board.

25 All in favor.

(Whereupon all members  
responded in the affirmative.)

SECRETARY WILLIAMS: Any  
opposed?

(No response.)

SECRETARY WILLIAMS: Any  
abstentions?

(No response.)

SECRETARY WILLIAMS: Okay.  
Thank you, Brian. Thank you very  
much.

So what's our -- I can't see  
the -- I don't have two screens so  
I am relying on you guys.

What's the next agenda item,  
Tom.

MR. GLASCOCK: Thank you,  
Director Williams.

If there are no are issues or  
additional business to be addressed  
at the meeting, I would recommend  
that you make a motion to adjourn  
the meeting.

SECRETARY WILLIAMS: As

before, I will make a motion that we adjourn for both and Chris, will you second for the audit?

SECRETARY FUSCO: I will second to adjourn the Audit Committee meeting.

SECRETARY WILLIAMS: And Amy for the Finance Committee.

TREASURER FLORES: Amy Flores seconds.

SECRETARY WILLIAMS: All in favor?

(Whereupon all members responded in the affirmative.)

SECRETARY WILLIAMS: Any opposed?

(No response.)

SECRETARY WILLIAMS: Any objections?

(No response.)

SECRETARY WILLIAMS: So both committees are closed.

MR. GLASCOCK: Then I note for the record that the Committee

Meetings ended at 6:50.

At this time I recommend that Chair Simon make a motion to open up the Governance Committee meetings for both LEAC and for the Agency.

SECOND VICE CHAIRMAN SIMON:  
I will make a motion to open up the Governance Committee.

Can I have a second.

SECRETARY FUSCO: Chris Fusco seconds the opening.

SECOND VICE CHAIRMAN SIMON:  
Chris, thank you.

And at this time the Governance Committee is open.

When we do both, legal, you want me to go into it for --

MR. GLASCOCK: I think we can do a combined meeting like we just did for the Audit and the Finance Committee meetings.

SECOND VICE CHAIRMAN SIMON:  
Great.

1  
2                   So the Governance Committee  
3           earlier this evening and recommends  
4           that LEACs Board and the IDA Board  
5           of Directors readopt the  
6           Corporation's Mission Statement and  
7           adopt the 2020 Operations and  
8           Accomplishments and Performance  
9           Measurement report.

10                   Do I have a second.

11                   CHAIRMAN KESSEL: I'll second  
12           it.

13                   SECOND VICE CHAIRMAN SIMON:  
14           Richie Kessel seconds it.

15                   All those in favor.

16                   (Whereupon all members  
17           responded in the affirmative.)

18                   SECOND VICE CHAIRMAN SIMON:  
19           Any opposed?

20                   (No response.)

21                   SECOND VICE CHAIRMAN SIMON:  
22           Abstentions?

23                   (No response.)

24                   SECOND VICE CHAIRMAN SIMON:  
25           Motion carries.



1  
2 MR. GLASCOCK: I would just  
3 like to note for the record that a  
4 draft copy of the 2020 Operations  
5 and Accomplishment and Performance  
6 Measurement Reports for each of  
7 LEAC and the Agency were previously  
8 submitted to the committee members  
9 for their review and that is what  
10 we just voted on.

11 And with that vote, the  
12 recommendation then, I also  
13 recommend a vote to approve the  
14 minutes from the February 25th  
15 meetings of each of LEACs and the  
16 Agency's Governance Committee  
17 meetings.

18 SECOND VICE CHAIRMAN SIMON:  
19 I will make that motion.

20 Can I have a second.

21 TREASURER FLORES: Amy Flores  
22 seconds.

23 SECOND VICE CHAIRMAN SIMON:  
24 Amy Flores seconds.

25 All those in favor.

(Whereupon all members  
responded in the affirmative.)

SECOND VICE CHAIRMAN SIMON:  
Opposed?

(No response.)

SECOND VICE CHAIRMAN SIMON:  
Abstentions.

(No response.)

SECOND VICE CHAIRMAN SIMON:  
Motion carries.

MR. GLASCOCK: Are there any  
questions? Are there any  
additional issues that any  
committee member would like to  
address?

(No response.)

MR. GLASCOCK: Hearing none,  
then I would recommend a motion to  
adjourn the committee meeting.

SECOND VICE CHAIRMAN SIMON:  
Can I have a motion -- I will make  
the first motion to adjourn.

Amy, can I have a second.

TREASURER FLORES: Second.

Amy Flores.

SECOND VICE CHAIRMAN SIMON:

Thank you.

All those in favor.

(Whereupon all members  
responded in the affirmative.)

SECOND VICE CHAIRMAN SIMON:

Any opposed?

(No response.)

MR. GLASCOCK: I would like  
to note for the record the  
Governance Committee meetings  
adjourned at 6:53 P.M. and at this  
time we can move on to LEAC board  
meeting.

CHAIRMAN KESSEL: Okay.

Thank you, Tom and Anthony and Tim  
and members of the various  
committees. Really appreciate your  
work and input on all of these  
matters.

I'm calling to order the  
regular meeting of the Local  
Economic Assistance Corporation

Board. Let me do a roll call  
first: Richard Kessel, present.

Amy Flores?

TREASURER FLORES: Amy  
Flores, present.

CHAIRMAN KESSEL: Anthony  
Simon?

SECOND VICE CHAIRMAN SIMON:  
Anthony Simon, present.

CHAIRMAN KESSEL: Tim  
Williams?

SECRETARY WILLIAMS: Present.

CHAIRMAN KESSEL: Chris  
Fusco?

SECRETARY FUSCO: Present.

CHAIRMAN KESSEL: John  
Coumatos?

ASSISTANT TREASURER COUMATOS:  
Present.

CHAIRMAN KESSEL: I don't  
think Lewis has joined us at this  
moment. I am expecting Lewis to  
join us in a few minutes so we'll  
let you know when he joins us.

1  
2 Just for the public, I always  
3 say this, this is a meeting of our  
4 Local Economic Assistance  
5 Corporation. It is not the meeting  
6 of the IDA. For those people who  
7 are online or waiting for the IDA,  
8 following the brief agenda of LEAC  
9 we will adjourn and go into the IDA  
10 meeting. So I just wanted to  
11 explain that to people.

12 I would like to start, first  
13 of all we have a Preliminary  
14 Inducement Resolution. The  
15 Roosevelt Children's Academy  
16 Charter School is going to make a  
17 brief presentation.

18 I do want to indicate to the  
19 Board that we met with them  
20 yesterday. I also want to indicate  
21 that I had the pleasure of touring  
22 the charter school probably about a  
23 year and a half ago and it really  
24 is quite an institution here in  
25 Nassau County and I want to welcome

1  
2           them.

3                   They are going to make a  
4           presentation and a request to the  
5           LEAC Board for assistance and then  
6           we can open it up to any questions  
7           that Board Members have.

8                   MR. CHAN: Thank you, Mr.  
9           Chair.

10                   This is Eddie Chan. I am the  
11           Managing Director of Amerprise  
12           Financial Group. We are serving as  
13           fund underwriter to underwrite the  
14           bond on behalf of Roosevelt  
15           Children's Academy to be issued by  
16           Nassau County LEAC.

17                   We are happy to join with you  
18           today with a longstanding neighbor  
19           of yours in Nassau County in the  
20           Town of Roosevelt. It's a 20-year  
21           institution, Roosevelt Children's  
22           Academy is a charter school that is  
23           housing about 700 kids now that for  
24           the most part have been based on  
25           their need, capacity needs, they

1 out-of-state. This is a school  
2 that has done well in the  
3 community. Their test scores are  
4 above average compared with the  
5 school district and we are seeking  
6 financing for up to \$28.1 million  
7 of bonds to build and construct a  
8 new school adjacent to their  
9 current lower school to accommodate  
10 more kids.  
11

12 Roosevelt has a need right  
13 now to grow its student body from  
14 700 to about 950 students for which  
15 they want to construct a  
16 three-story building encompassing  
17 about 50,000 square feet and they  
18 will connect this building one of  
19 their other schools.

20 The location of the building  
21 is 115 Pleasant Avenue. It is on a  
22 piece of land that they own right  
23 now. They are actually doing demo  
24 work on it right now and it's  
25 expected to be built hopefully by

1  
2 next school year. So the financing  
3 will encompass the construction  
4 costs as well as buying classroom  
5 furniture, classroom (inaudible)  
6 and putting in resources for  
7 financing.

8 So I am joined with CFO and  
9 CEO of the school, Philip Leconte  
10 is on the phone, I believe, and one  
11 of the Board Members John Chen, if  
12 you have any questions.

13 Thank you.

14 MS. FEE: Chairman, sorry,  
15 you were muted.

16 CHAIRMAN KESSEL: Okay. We  
17 want to talk a little bit about  
18 what you're seeking, Ed?

19 MR. CHAN: Yes. For  
20 consideration, we are proposing an  
21 up to \$28.1 million tax exempt bond  
22 to be issued by Nassau County LEAC  
23 of which the school will contribute  
24 some equity which will go towards  
25 construction costs of the school



1  
2 now estimated to be \$22.6 million;  
3 buying certain classroom furniture  
4 about \$1.2 million, putting in a  
5 reserve for the interest of the  
6 bonds for about one year and a debt  
7 that will be sized at \$2.2 million  
8 for the life of the bond and also  
9 the balance for the cost addition.

10 So overall, \$28.1 million of  
11 bonds that will be issued by Nassau  
12 County LEAC on behalf of the  
13 school.

14 CHAIRMAN KESSEL: Thank you.

15 I think that I'll open up the  
16 floor for any questions that Board  
17 Members might have.

18 I just want to thank you, Ed,  
19 I don't see my good friend, Reggie  
20 Tuggle, Reverend Tuggle, but I know  
21 he is on the Board and affiliated  
22 with the school. We have been  
23 longtime friends, and as I said,  
24 I'm very familiar with the school.  
25 I've been there both as Chairman of

1  
2 the IDA but also prior to that. I  
3 think it's one of the first, if I  
4 remember correctly, one of the  
5 first charter schools in the State  
6 of New York and really is an  
7 impressive campus that is doing a  
8 great job of educating, you know,  
9 hundreds of young people around the  
10 County, and I want to commend you  
11 for that as well.

12 With that, I'll open up the  
13 floor. Any Board member that wants  
14 to ask a question?

15 MEMBER FUSCO: I'm sorry,  
16 Chairman, I have a question.

17 Sorry, Tim.

18 How far along in the process,  
19 in the construction process, are  
20 you?

21 MR. CHAN: They have retained  
22 a local architect that has  
23 permitted full drawings and  
24 applications for permits which we  
25 expect to be issued sometime this

1  
2 year. They've already started demo  
3 work on the site. So it's pretty  
4 long.

5 It is really what we think  
6 is, by the time we close, we should  
7 be sufficient to start construction  
8 hopefully in the next month or two.

9 MEMBER FUSCO: So is there a  
10 general contractor or a  
11 construction manager in place?

12 MR. CHAN: I'll defer to the  
13 school. I don't know if, Bill, you  
14 want to talk about what you've done  
15 before, but typically what the  
16 school does is they put out bids  
17 once they are in a position to bid  
18 out the job and they will get at  
19 least three bids and give it to the  
20 lowest bidder once we make the  
21 selection, then we'll start the  
22 process.

23 MR. KOMAROMI: If I may chime  
24 in? I apologize. It's Andrew  
25 Komaromi, the insurance bonds

1  
2 counsel. This is just a reminder  
3 that the insured has a construction  
4 wage policy and this project being,  
5 you know, one with construction  
6 costs in excess of \$5 million would  
7 be -- be subject to that policy.  
8 That is also referred to in the  
9 application.

10 MEMBER WILLIAMS: So just to  
11 be clear, and, Andrew, that was  
12 going to be my question. That  
13 means that this has to be a  
14 union-based job?

15 MR. KOMAROMI: That's right,  
16 or -- or -- or we are going to, you  
17 know, full discussion of the -- of  
18 the requirements of the policy,  
19 basically yes or -- or -- or  
20 satisfy the requirements of the  
21 policy and/or any other possible  
22 way.

23 MEMBER WILLIAMS: Okay, and  
24 I'll suggest that only because it's  
25 been a very long time for many of

1  
2 us and even for me, before the last  
3 two years I didn't serve on the  
4 LEAC Board. I think it'd be  
5 helpful that whether it be today or  
6 since this is a preliminary  
7 inducement, it doesn't have to be  
8 today, but at some point, Andrew,  
9 if you could give the Board a  
10 refresher course on that, on -- on  
11 explaining that policy for some of  
12 us who this may be our first  
13 transaction for that?

14 MR. KOMAROMI: Absolutely,  
15 we'd be happy to do that.

16 MEMBER FUSCO: Andrew, I have  
17 a question for you. So -- so what  
18 you're saying is that it would be a  
19 prevailing-wage project then,  
20 correct?

21 MR. KOMAROMI: That's right.  
22 So you have the other policy in  
23 place, it requires prevailing wages  
24 but it allows -- the policy can be  
25 satisfied in a few different ways.

1  
2 I don't want to shoot from the hip,  
3 but it -- it also, you know, allows  
4 to enter into a PLE where there are  
5 a few other ways to go about it,  
6 but yes, this project would be  
7 subject to that.

8 MEMBER FUSCO: Okay, thank  
9 you, Andrew.

10 MR. KOMAROMI: And the reason  
11 being because the construction  
12 costs in a single location exceeds  
13 \$5 million, that would be bond  
14 financed.

15 MEMBER WILLIAMS: Andrew, for  
16 continued clarification on another  
17 point, is there but for a question  
18 test that needs to be answered?  
19 While I can understand the legal  
20 need for the fact that they own the  
21 property and already are in  
22 construction, how do we address  
23 that?

24 MR. KOMAROMI: Sure, it's not  
25 an independent requirement for the

1 project. It is something that is  
2 resident within the IDA Act, but  
3 the act is -- is formed  
4 differently, so there is no but for  
5 type requirement, and it's  
6 important to understand that the --  
7 the -- the assistance that is being  
8 sought is two types. It is  
9 basically exemption from, you know,  
10 that the insurance of tax exempt  
11 bonds that -- that essentially  
12 enjoy the -- the exemption of being  
13 able to borrow at a somewhat lower  
14 rate as well as a mortgage recorded  
15 tax exemption with respect to any  
16 mortgage security offered by the  
17 borrower to secure the financing.

18 MEMBER WILLIAMS: Mr. Chan,  
19 is this a for profit or non for  
20 profit?  
21

22 MR. CHAN: This is a non for  
23 profit.

24 MR. KOMAROMI: It is a  
25 non-for-profit organization, and

1  
2 that's the only reason why LEAC  
3 would be able to issue and act as a  
4 conduit insurer in taxes and bonds  
5 for it.

6 MEMBER WILLIAMS: Is there --  
7 is there a -- is it 100 percent  
8 501c3 or is there such a bonus that  
9 is a for-profit component of it?

10 MR. CHAN: It is 100 percent  
11 not for profit, but, you know,  
12 there is no for profit involved.

13 MR. KOMAROMI: And, Board  
14 Member Williams, it is also  
15 important that not only is it  
16 priority 3 but this is also a  
17 charter school that is -- that is  
18 chartered by the State of New York.

19 MEMBER WILLIAMS: Is there  
20 any assistance or any part of this  
21 coming from the Dormitory Authority  
22 or this is just you're just using  
23 the school construction funds?

24 MR. CHAN: There's no  
25 involvement with DAS.



1  
2 MR. KOMAROMI: So the  
3 financing for the -- so the bond  
4 financing would be -- would be  
5 through -- through LEAC, and, of  
6 course, you know, there are many  
7 other steps before it would come  
8 back for your final approval,  
9 including the necessary DEFRA  
10 hearing and approval, but there is  
11 certainly no -- no involvement, to  
12 my knowledge, by the Dormitory  
13 Authority.

14 MEMBER WILLIAMS: And about  
15 the school specifically, can you  
16 tell us, give us a breakdown on  
17 where the students come from? You  
18 know, the percentage basis?

19 MR. CHAN: Sure, Phil, you  
20 want to talk about that?

21 MR. LECONTE: Yes.

22 Could you guys hear me?

23 MR. CHAN: Yes.

24 MR. LECONTE: Okay, 80 -- 80  
25 percent of the student population

comes from Hempstead and Roosevelt,  
and the other 20 percent comes from  
19 school districts in Nassau  
County and Suffolk.

MEMBER WILLIAMS: Okay.

CHAIRMAN KESSEL: Are there  
any further questions? I have just  
a quick one. What is your  
schedule, when do you want to have  
the -- this new building up and  
ready to go for the additional  
students?

MR. CHAN: I'll propose the  
timeline is to try to close this  
finance as quickly as possible,  
because subject to DEFRA approval  
as well as the legal documents that  
need to be drafted, but, you know,  
for us maybe by early summer would  
be the -- the goal.

CHAIRMAN KESSEL: You had  
explained, if I recollect,  
yesterday that ultimately this will  
enable you to increase the student

1  
2 population by about 250 to go from  
3 like around 700 students to 950 and  
4 that you have a waiting list that  
5 would likely then, once this is  
6 done, you'd be able to admit to the  
7 school; is that correct?

8 MR. CHAN: That's right.  
9 Currently the student body is  
10 roughly about 711 students. The  
11 new facility could accommodate up  
12 to 250 additional students, which  
13 is allowed under the current  
14 charter that is already approved,  
15 so the expectation is that at  
16 the -- at full capacity in the  
17 building they would have about 950  
18 students which would also increase  
19 their abilities to social distance  
20 and have other amenities that the  
21 schools lack right now, like a new  
22 auditorium, some additional outdoor  
23 space, things like that.

24 CHAIRMAN KESSEL: Okay,  
25 thanks, Ed.

1  
2 Are there any other questions  
3 on -- waiting list of over 400  
4 students. I just wanted to add  
5 that.

6 CHAIRMAN KESSEL: So you'll  
7 actually have -- continue to have a  
8 waiting list even after this is  
9 built?

10 MR. LECONTE: That's correct.

11 MEMBER FUSCO: Mr. Chairman,  
12 I just have one comment. I would  
13 make the suggestion that Mr. Chan  
14 reach out to Matthew Aracich of the  
15 Nassau Suffolk Building Trades  
16 Council for help with the  
17 prevailing-wage issues and the  
18 construction.

19 MR. CHAN: We will. Thank  
20 you for that recommendation.

21 MEMBER FUSCO: You're  
22 welcome.

23 CHAIRMAN KESSEL: Yes and no,  
24 I think that's a very good and  
25 important point, so I agree with

1  
2 that. Thank you.

3 Are there any other questions  
4 or comments?

5 MEMBER WARREN: Chairman  
6 Kessel, can you hear me? It's  
7 Lewis Warren.

8 CHAIRMAN KESSEL: Go ahead,  
9 Lewis.

10 MEMBER WARREN: Hi.

11 CHAIRMAN KESSEL: Hi.

12 MEMBER WARREN: I just wanted  
13 to add a comment that -- that I  
14 really like the project, the  
15 charter school and the -- and the  
16 fact that most of the kids will be  
17 coming from the local communities,  
18 Roosevelt, Hempstead, Freeport. I  
19 -- I -- I think that's tremendous,  
20 and the fact that you have a  
21 waiting list demonstrates that, in  
22 fact, there's -- there's a critical  
23 need, so kudos. I just wanted to  
24 add my -- my thoughts and kudos for  
25 the -- for the project.

CHAIRMAN KESSEL: Thank you,  
Lewis and welcome aboard. Good to  
have you.

I'll make a motion to adopt  
the preliminary inducement  
resolution for our staff moving  
forward.

MEMBER SIMON: I'll make a  
motion, Anthony Simon.

CHAIRMAN KESSEL: Anthony  
Simon, is there a second?

MEMBER FUSCO: I'll second  
it.

CHAIRMAN KESSEL: All right,  
Chris, thank you. Chris Fusco  
seconds it.

Are there any further  
comments or questions? Hearing  
none I'll do a voice vote. All  
those in favor indicate by saying  
aye.

(Whereupon, all Board members  
responded in the affirmative.)

CHAIRMAN KESSEL: Are there

1  
2 any opposed? Are there any  
3 abstentions? Okay, the resolution  
4 carries, and Ed and the officials  
5 from the school will get together  
6 and work this out and then, you  
7 know, obviously, we'll come back to  
8 the Board at some time in the  
9 future so we can consider it for  
10 final approval.

11 I also want to indicate for  
12 the Board that I -- I -- I've been  
13 to the school and Harry and I and  
14 Danielle, we want to go back and  
15 tour them again. If any Board  
16 members are interested, just let us  
17 know and when we do tour the  
18 school, you'd be welcome to join  
19 us. It's really an incredible  
20 school. It's a campus enclosed.  
21 It's an awesome part of our County  
22 that people aren't really aware of  
23 unless they work or attend that  
24 school. So anyone on the Board  
25 that would like to do that, just

1  
2 let me or Danielle or Harry know  
3 and we'll take you along.

4 Thank you and thank you, Ed  
5 and company, for your participation  
6 in this.

7 MR. CHAN: Thank you,  
8 Mr. Chair.

9 CHAIRMAN KESSEL: Thank you.  
10 Goodnight.

11 MR. CHAN: Thank you.

12 CHAIRMAN KESSEL: All right,  
13 we move on with the agenda. We've  
14 got approval of the minutes from  
15 our February 25, 2021 meeting, and  
16 first do I hear a motion to adopt  
17 those minutes?

18 MEMBER WILLIAMS: I make a  
19 motion, Tim Williams.

20 CHAIRMAN KESSEL: Tim  
21 Williams moves. Is there a second?

22 MEMBER FLORES: I'll second,  
23 Amy Flores.

24 CHAIRMAN KESSEL: Okay, Amy  
25 Flores seconds.



1  
2 Are there any changes to  
3 those minutes, omissions or  
4 corrections that anyone has?  
5 Hearing none, I think we can do a  
6 voice vote. All those in favor  
7 indicate by saying aye.

8 (Whereupon, all Board members  
9 responded in the affirmative.)

10 CHAIRMAN KESSEL: Any  
11 opposed? Okay, any abstentions?  
12 Okay, the minutes are adopted.

13 Now we've got committee  
14 reports. I think that we can, Tom  
15 Glascock, unless you disagree, I  
16 think we can do the Audit and  
17 Finance Committee reports together?

18 MR. GLASCOCK: Yes.

19 CHAIRMAN KESSEL: Okay, so  
20 I'll call on Tim to report on those  
21 committees.

22 MEMBER WILLIAMS: Thank you.  
23 The audit of the Finance Committee  
24 for the LEAC met earlier today, and  
25 we're making the following

1  
2 recommendation that the Board  
3 accept the 2020 audit as presented  
4 by our auditors and senior staff.

5 CHAIRMAN KESSEL: Okay, thank  
6 you. So you're moving that, Tim?

7 MEMBER WILLIAMS: Well, okay,  
8 yes, I'll -- I'll make a motion  
9 that it's accepted. I don't know  
10 if you need to do with Governance  
11 but I'll make a motion to accept  
12 the recommendation on both  
13 committees.

14 MR. GLASCOCK: Yes, we can  
15 move forward on that.

16 CHAIRMAN KESSEL: Okay, is  
17 there a second?

18 MEMBER SIMON: I'll second,  
19 Lewis Warren.

20 CHAIRMAN KESSEL: Okay, Lewis  
21 Warren. So we're just doing the  
22 audit and finance now. All right,  
23 is there any further discussion  
24 about the audit before we adopt the  
25 audited financial statements?

Hearing none, all those in favor, I think we can do a voice vote, indicate by saying aye.

(Whereupon, all Board members responded in the affirmative.)

CHAIRMAN KESSEL: Any opposed? Any abstentions?

Okay, we also want to report from the Governance Committee. Anthony?

MEMBER SIMON: Yes, the Governance Committee met earlier this evening and recommends to the LEAC Board and directors to readopt the Corporation's mission statement and 2020 operations and accomplishments and performance and measurement reports. Do I have a second?

MEMBER FUSCO: Chris Fusco on second.

MEMBER SIMON: All those in favor? Any opposed? Motion carries.

CHAIRMAN KESSEL: Okay, so it would actually be the whole LEAC Board that votes on it.

MR. GLASCOCK: Mr. Chairman, I think you can consider that a first and second. I also put it up for the Board to vote on it.

CHAIRMAN KESSEL: Does anyone on the LEAC Board have any questions for the Governance Committee or Anthony? All right, hearing none, all those in favor indicate by saying aye.

(Whereupon, all Board members responded in the affirmative.)

CHAIRMAN KESSEL: Any opposed? Any abstentions? Okay, the motion carries.

Now we've got a LEAC Chief Financial Officer report, Anne LaMorte, thank you.

MEMBER LAMORTE: Thank you, Mr. Chairman. Good evening, all. My report is in the drop box under

1  
2 the CFO file. It is for January  
3 and February 2021. If we can take  
4 a look Revenues, we have no closing  
5 fee revenue yet but it is coming  
6 and you can see that we received  
7 all of our annual administration  
8 fees, 100 have been collected.

9 If you move down to the  
10 Expenses, we have under Business  
11 Development, we have the last of  
12 the PPE transportation and storage  
13 fee charge. Professional fees are  
14 the audit fees and everything else  
15 is normal.

16 And if you go down to the  
17 bottom you'll see the Cash  
18 Position. Does anyone have any  
19 questions?

20 CHAIRMAN KESSEL: Okay,  
21 hearing none, Anne, thank you for  
22 that. Is there any other business  
23 that anyone wants to bring up on  
24 the LEAC Board before we adjourn?  
25 All right, hearing none, I will

1  
2 move to adjourn the LEAC Board  
3 meeting. Is there a second?

4 MEMBER FLORES: I second, Amy  
5 Flores.

6 CHAIRMAN KESSEL: All right,  
7 Amy, thank you.

8 All those in favor, indicate  
9 by saying aye.

10 (Whereupon, all Board members  
11 responded in the affirmative.)

12 CHAIRMAN KESSEL: Any  
13 opposed? Any abstentions? All  
14 right, the LEAC Board is adjourned.  
15 Thank you.

16 Now we're going to go right  
17 into the IDA Board meeting. Thank  
18 you all for your patience, we  
19 appreciate it. I will do a roll  
20 call first. Richard Kessel,  
21 present.

22 Lewis Warren? Lewis? All  
23 right, I know he was there. Lewis,  
24 is that you?

25 MS. FEE: No, I think Lewis

hopped off.

CHAIRMAN KESSEL: Okay, we'll  
come back.

Anthony Simon?

MEMBER SIMON: Anthony Simon,  
present. Present.

CHAIRMAN KESSEL: Tim  
Williams?

MEMBER WILLIAMS: Present.

CHAIRMAN KESSEL: Chris  
Fusco?

MEMBER FUSCO: Chris Fusco,  
present.

CHAIRMAN KESSEL: Amy Flores?

MEMBER FLORES: Present.

CHAIRMAN KESSEL: John  
Coumatos?

MEMBER COUMATOS: John  
Coumatos, present.

CHAIRMAN KESSEL: Okay, so  
we've got six, and I do expect  
Lewis to rejoin us shortly.

I'd like to ask everyone to  
stand up and do a Pledge of

1 Allegiance to the Flag. Chris  
2 Fusco, if you would lead us? Thank  
3 you.  
4

5 MEMBER FUSCO: My pleasure.

6 CHAIRMAN KESSEL: Thank you.

7 (Pledge of Allegiance.)

8 CHAIRMAN KESSEL: Thank you,  
9 everyone, thank you, Chris,  
10 appreciate it.

11 As we have been doing, you  
12 know, it's amazing to think that we  
13 haven't met in person now for a  
14 year. I'm hoping that when Harry  
15 and I and Danielle discussed it  
16 that I'm keeping our fingers  
17 crossed if things continue to move  
18 in the right, positive direction  
19 that we can do our meetings in  
20 person again hopefully starting in  
21 May. That's what our plan is.  
22 We'll have to see how things are.

23 But obviously in the year  
24 it's been a very difficult,  
25 challenging year for the whole



1 world and we've lost a lot of  
2 people here in -- in Nassau County,  
3 on Long Island, in New York State,  
4 in the US and the world. And in  
5 honor to them, people we've lost  
6 and to their families who have  
7 experienced those losses, I'd now  
8 like to ask for a moment of  
9 silence.  
10

11 (Moment of silence.)

12 CHAIRMAN KESSEL: Thank you.  
13 Thank you. I'm now going to give a  
14 brief report, a couple of -- a  
15 couple of items. And just for  
16 people who are listening and are  
17 watching, we will get to the  
18 resolutions shortly so that's  
19 important I think for everyone to  
20 know.

21 First I want to indicate to  
22 you that today I went with the  
23 County Executive Laura Curran to  
24 400 West John Street in Hicksville.  
25 You may remember on the Board that

1  
2 several years ago we took a chance  
3 on something, and it was to build a  
4 warehouse in Hicksville on West  
5 John Street on spec. There were no  
6 tenants and we all -- the purpose  
7 was to, obviously, to bring jobs to  
8 the area and hopefully we left it  
9 to the Sanders Equity Company that  
10 we were working with to find  
11 tenants for that building, and I'm  
12 proud to report to the Board  
13 tonight that that building is now  
14 not only completed but it is  
15 operating and it is full.

16 There were two tenants  
17 including Walmart and Weinstock  
18 Brothers. There are over 40 people  
19 working there right now. I had the  
20 opportunity to go with the -- our  
21 County Executive and Catherine and  
22 the Sanders people, Art and Jordan  
23 Sanders, and we toured the site.  
24 It really is a great  
25 accomplishment.

1  
2 I kind of followed that, you  
3 know, obviously, you know, there  
4 were some issues that Chris and  
5 Anthony helped out, and thank you  
6 always for that. In terms of the  
7 construction, it all worked out.

8 The -- the warehouse is an  
9 incredibly impressive building. It  
10 really adds to the character of  
11 that industrial, commercial area.  
12 There are people working there.  
13 Some of the workers spoke to myself  
14 and County Executive and are so  
15 appreciative of the opportunity to  
16 work. So where there once was  
17 nothing, there's now a modern  
18 warehouse, extremely tall buildings  
19 and -- and -- and over 40 people  
20 working at the site from two  
21 companies that -- that rented it.  
22 This was a great success, and I  
23 know that, you know, we discussed  
24 at length the notion of approving a  
25 project without tenants, and I -- I

1  
2 think that was the right thing to  
3 do in terms of being very careful  
4 in doing something like this.

5 In this particular instance,  
6 thank you to the support of the  
7 Board and the contributions from  
8 every Board member. It's a  
9 success. People are working there,  
10 and, you know, I happen to notice  
11 that there are -- there's a deli  
12 almost right next door, there's a  
13 couple of stores there and people  
14 from 400 West John Street that are  
15 working there are -- are  
16 patronizing those stores. It's a  
17 great thing to see, and I think  
18 it's a great accomplishment on the  
19 part of the IDA Board because that  
20 in the end is what it's all about,  
21 it's all about, you know, creating  
22 jobs, creating revenues, helping  
23 other businesses and, obviously,  
24 promoting the County of Nassau. So  
25 I just want to let the Board know,

1  
2 you know, that I am very, very  
3 excited, and I just want to thank  
4 all of the Board members for their  
5 contributions on this particular  
6 project. It's a success story, and  
7 we are looking for successes all  
8 the time, and I just, I'm just  
9 thrilled that this worked out well  
10 for the County and, obviously, for  
11 Hicksville.

12 I do want to indicate that  
13 Hicksville is, obviously, going  
14 through a huge planning process and  
15 I am expecting over the next few  
16 months to report to the Board about  
17 a number of significant projects  
18 in -- in Hicksville that will  
19 revitalize the downtown area in --  
20 in that great community of  
21 Hicksville.

22 Now, I -- I've been on the  
23 Vision Long Island Board now for, I  
24 don't know, probably over a decade  
25 and worked very closely with Eric

Alexander, Lionel Chitty, who is my good friend and former head of Hicksville Chamber of Commerce, very involved in the redevelopment of Hicksville's downtown, and I'm very excited about the IDA being part of the redevelopment of Hicksville. I think it's a great opportunity for us, and I would tell you that in a few months we're going to be talking about a number of exciting projects in Hicksville, and that's a great thing to do. So again, more to come on Hicksville as well.

Obviously, I'll defer my comments on Amazon until we take that up in -- in a few minutes, and I also wanted to take a moment to thank the Board. I always do, but, you know, I know a number of you had other -- you see, this Board meeting was originally scheduled for next week. It was rescheduled

1  
2 for tonight and I know it presented  
3 some challenges for some of the  
4 Board members, and I want to thank  
5 you all of the Board for attending  
6 and particularly those board  
7 members who did have other  
8 obligations and they were able to  
9 change things around or accommodate  
10 us so they could participate in the  
11 Board tonight. I really do  
12 appreciate it.

13 And that's a public service.  
14 We are not -- we're not paid, you  
15 know. The Board is not paid, it's  
16 a volunteer and I -- I appreciate  
17 that very much.

18 I also want to indicate that  
19 a couple of weeks ago we held a  
20 Minority and Women Owned Business  
21 affair. Unfortunately, we couldn't  
22 do it in our Eisenhower Park like  
23 we've done in the past, but, you  
24 know, thanks to the efforts of our  
25 staff, particularly Catherine,

1  
2 Harry, Danielle, it was a great  
3 success, there were over 100 people  
4 and they participated in it. I  
5 spoke, a number of the County  
6 executives spoke and there were a  
7 number of presentations, and the  
8 followup was spectacular.

9 I personally heard from a  
10 number of people who are -- are  
11 looking and utilizing opportunities  
12 from that conference to benefit  
13 their companies and to do business  
14 here in the County of Nassau. I am  
15 very hopeful that a year from now  
16 we can do it in person again.

17 Obviously, things that you  
18 could do in person are -- are a lot  
19 better, and I guess one of the  
20 things that we've learned from  
21 COVID and all the restrictions and  
22 shutdowns is that, you know, maybe  
23 we didn't appreciate enough just  
24 the normal things in life like a  
25 conference like that where you



1  
2 could go and mingle and connect and  
3 network and talk to people. But  
4 operating under what we had to  
5 operate under, that -- that  
6 conference was a huge success, and  
7 again, Harry, Catherine, Danielle,  
8 our staff, Colleen, I want to thank  
9 everyone for helping to put that  
10 together. I thought it was a great  
11 success and I really appreciate it.  
12 I know a number of Board members  
13 participated, tuned into it and  
14 that was a great thing to do.

15 I will end my report at this  
16 point and call on Harry, our CEO,  
17 to make his report, and then we'll  
18 go into the business part of the  
19 agenda.

20 Harry?

21 CEO COGHLAN: Mr. Chairman,  
22 members of the Board, good evening  
23 again. As always you will find my  
24 report under the IDA folder in the  
25 drop box in the CEO folder. I'll

1  
2 be very brief in my remarks this  
3 evening. I've listed out for you  
4 anticipated closings for the second  
5 quarter for both the Agency and the  
6 Corporation.

7 I call those out to respond  
8 to Mr. Brian Peterson's comments  
9 about a conservative budget. He  
10 has every confidence that we should  
11 make it based on those quotes and I  
12 anticipate that we will make budget  
13 for both the Agency and the  
14 Corporation within the year.

15 And I just want to make one  
16 mention as to what Mr. Chairman  
17 said.

18 CEO COGHLAN: I call those  
19 out to respond to Mr. Brian  
20 Petersen's comments about a  
21 conservative budget. He has every  
22 confidence that we should make it  
23 based on those closings I  
24 anticipate we will make the budget  
25 for both the Agency and the

Corporation within the year.

And I just want to make one mention, as to Mr. Chairman said, the Minority -- Office of Minority Affairs was a great partner, the Nassau County Office of Minority Affairs in the minority business resource webinar, so I want to thank them for their continued partnership in pulling that off.

Also I just want to give a very strong thank you to Member Warren for joining us on that day and making a presentation on the Agency itself. So very much appreciate your attendance and your time, Member Warren, and that will conclude my remarks. I said I would be brief.

CHAIRMAN KESSEL: Thank you, Harry.

Are there any questions on the part of the Board for either myself or Harry or any additional

1  
2 things in general that you would  
3 like to address members of the  
4 Board.

5 (No response.)

6 CHAIRMAN KESSEL: Okay.

7 Well, thank you.

8 Now we are going to go on to  
9 a couple of Consent Resolutions.  
10 First, SLC Development, LLC  
11 Consent.

12 Andrew, do you want to  
13 briefly describe this consent.

14 MR. KOMAROMI: Absolutely.

15 Mr. Chairman, this is a  
16 simple consent to extend the time  
17 to close on the project to May 31,  
18 2021 pursuant to a Request Letter  
19 of the applicant to the Agency.

20 They are, at this point we  
21 understand are almost ready to go  
22 forward with the closing process  
23 and their financing is almost in  
24 place. So this is more an out of  
25 abundance of caution type request.

1  
2 They want to make sure they don't  
3 run out of time so this is a simple  
4 consent to allow the closing to  
5 happen before May 31st of 2021.

6 CHAIRMAN KESSEL: Thank you,  
7 Andrew.

8 Are there any questions on  
9 behalf of the IDA Board for Andrew.

10 (No response.)

11 CHAIRMAN KESSEL: All right.  
12 Hearing none, I'll move to adopt  
13 this consent for SLC Development.

14 Is this a second.

15 SECRETARY WILLIAMS: Tim  
16 Williams.

17 CHAIRMAN KESSEL: Tim, thank  
18 you.

19 I think we could do a voice  
20 vote.

21 All those in favor indicate  
22 by saying "aye."

23 (Whereupon all members  
24 responded in the affirmative.)

25 CHAIRMAN KESSEL: Are there

any opposed?

(No response.)

CHAIRMAN KESSEL: Are there  
any abstentions?

(No response.)

CHAIRMAN KESSEL: Okay.  
Thank you.

So that's the only consent  
resolution that we have.

I now want to go to the  
Gesher Center in Great Neck. I do  
want to indicate just to remind the  
Board that this proposal initially  
came before us last week, it was  
tabled.

Tom, I don't think we have to  
un-table it, we just go through a  
new Preliminary Inducement  
presentation; am I correct.

MR. GLASCOCK: Correct yes,  
sir.

CHAIRMAN KESSEL: So with  
that, I want to hand it over to  
John Farrell and the Gesher Center

1  
2 representatives to make a  
3 preliminary presentation to the IDA  
4 Board.

5 Thank you.

6 MR. FARRELL: Thank you,  
7 Mr. Chairman.

8 As you mentioned, we were  
9 here last month. There were a  
10 couple of questions regarding the  
11 project. I'll just refresh the  
12 Board's recollection: This is a  
13 60-unit apartment complex on the  
14 southeast corner of Middle Neck  
15 Road and North Road in the Village  
16 of Great Neck. There's a public  
17 art gallery space of 4,100 square  
18 feet. We will have 93 parking  
19 spaces. In the facility we will  
20 also have amenities for the tenants  
21 of the facility; so there is a  
22 lounge, a library, gym, conference  
23 room and there is storage for  
24 tenants, you know, things they  
25 can't fit in their apartment.

1  
2 Overall, we think this is  
3 going to be a significant  
4 improvement to this corner. This  
5 is a part of Great Neck where the  
6 buildings, the commercial buildings  
7 are largely underutilized and are  
8 in various states of disrepair.  
9 Even the ones that are still, you  
10 know, functional have a lot of  
11 vacancy.

12 So as part of this project we  
13 would be seeking a 20-year PILOT  
14 with straight lease transaction, a  
15 mortgage recording tax exemption --  
16 a mortgage recording tax exemption  
17 and a sales tax exemption.

18 Since our last meeting, we  
19 have met, we had a telephone  
20 conference with our general  
21 contractor, Shelter Rock  
22 Development and Matt Aracich from  
23 the Building Trades Council.  
24 Mr. Aracich is -- you know, now  
25 knows about the project. He gave



us a little insight into what they can provide and we told him basically what we would be looking for. We are going to have further discussions once we have final plans and specs all drawn up.

Also since the last meeting we received our site plan approval from the Village Board of Appeals. We also have all our variances in place. At this point the only discretionary approval that's left would be Architectural Review with the Board of Trustees. But the Board of Trustees essentially designed this building for us so we are pretty confident that by the first week in April we should have all our discretionary approvals from the Village in place to move forward with this project.

A couple points I didn't mention at our last meeting as well, this job, this project will

1  
2 have a full-time doorman and a  
3 full-time maintenance man so there  
4 will be jobs generated as a result  
5 of this complex. The doorman will  
6 be 24/7 so there will always be  
7 somebody on-site to take care of  
8 the building.

9 Also I forgot to mention that  
10 my client, Gesher Center, the  
11 principle of Gesher Center, Yosef  
12 Shemtov is a Rabbi and he also  
13 lives in the community. He lives  
14 about two blocks away from this  
15 facility. So he is going to be  
16 very hands-on with the development.  
17 He is not somebody who is from out  
18 of town who is just looking to make  
19 a buck. He has invested in this  
20 community, he lives in this  
21 community and we think he is going  
22 to do a phenomenal job with this  
23 project.

24 On the call tonight we also  
25 have the general contractor in case

1  
2 the Board has any questions for  
3 him. So if the Board has any  
4 questions for him he is here to  
5 answer them.

6 So with that, I think that  
7 sums up, you know, where we are at  
8 this point.

9 CHAIRMAN KESSEL: Okay.  
10 Thank you Mr. Farrell.

11 SECRETARY FUSCO: Chairman, I  
12 would like to speak to the general  
13 contractor.

14 Chairman, I would like to  
15 speak to the general contractor.

16 CHAIRMAN KESSEL: Yes, Chris.

17 SECRETARY FUSCO: Whom I  
18 speaking to? Whom I speaking to  
19 from the general contractor?

20 MR. FARRELL: I don't know if  
21 he was let into the meeting with my  
22 client.

23 Catherine, is he let into the  
24 meeting, Mr. Shemtov.

25 MS. FEE: Yes, Mr. Shemtov is

here.

RABBI SHEMTOV: Hi. Good evening. I was muted.

Mr. Park should be online. He is the GC. Mr. Alan.

(No response.)

MS. FEE: Mr. Shemtov, was he joining this evening? Because I don't have him in attendance.

SECRETARY WILLIAMS: I see there is, as an attendee, there is an Alen Paknuosh who is here.

RABBI SHEMTOV: Yes, but he needs --

SECRETARY WILLIAMS: He is listed as an attendee right now.

MS. FEE: Okay. Alen, are you with us?

(No response.)

MS. FEE: Alen, you may have to unmute.

MR. PAKNUOSH: Hello, can you hear me?

MS. FEE: Yes, we can.

MR. PAKNUOSH: Can everybody  
see me?

MS. FEE: Yes.

MR. PAKNUOSH: Okay. My name  
is Alen Paknuosh. I am the  
presenting GC for the Gesher  
Center, LLC.

Hi, everyone.

SECRETARY FUSCO: Okay. So  
you're from Shelter Rock; am I  
correct?

MR. PAKNUOSH: Correct, yes.

SECRETARY FUSCO: Okay. So  
how far along are you in the  
bidding process?

MR. PAKNUOSH: Bidding  
process with?

SECRETARY FUSCO: With the  
project.

MR. PAKNUOSH: We -- I think  
as of now we hired by the Gesher to  
do the work.

MR. FARRELL: Mr. Fusco, we  
still don't have our financial

1  
2 construction plans complete at this  
3 point so we haven't started to bid  
4 out the project yet. That was the  
5 conversation that we had with  
6 Mr. Aracich last week.

7 SECRETARY FUSCO: Okay. So  
8 you are no further with the project  
9 than you were last month as far  
10 as --

11 MR. FARRELL: That's correct.  
12 We just got our final site  
13 plan approval, you know, right  
14 after the last meeting, so about a  
15 week and a half ago and we still  
16 have to go through Architectural  
17 Review so before we did the final  
18 construction documents and bidding,  
19 we wanted to have all those  
20 approvals in place.

21 SECRETARY FUSCO: Okay.  
22 Well, we are no we are no further  
23 up the road than we were last month  
24 with the same question so --

25 MR. FARRELL: So is it the

1  
2 Board's position that you won't  
3 make a decision on this, on a  
4 Preliminary Inducement unless we  
5 have our final construction plans  
6 and we are ready to go start  
7 building? Because I don't  
8 believe --

9 SECRETARY FUSCO: No.

10 SECRETARY WILLIAMS: I don't  
11 think that's what Chris is saying.  
12 I think what he is asking you is  
13 specifically about your process,  
14 the process you're going to go  
15 through and the bidding,  
16 specifically the bidding process.  
17 And I understand you met with Matt,  
18 and we always want to hear that  
19 you've done that, but in addition  
20 to that, what is going to be your  
21 bidding process to insure that all  
22 of the trades have a fair and even  
23 opportunity to participate in the  
24 bids?

25 MR. FARRELL: Alen, can you

address that please?

MR. PAKNUOSH: Yes. I guess we talked to, to talk, you know, we talk and we said as soon as we know what's going to, obviously have our own trade, but he said that he is going to recommend like, you know, we were talking to him for maybe more than one hour. This is like, let's say we want to do a plumbing in the building, we could, you know, we put the project on the bid and then everybody going to bid on it and then we will see if which one is the best and we will pick the one and --

SECRETARY WILLIAMS: So Alen, because you said you have your own trade, I assume that means you plan to use most of your --

MR. PAKNUOSH: No because what we -- I'm sorry to interrupt you -- but we have a long discussion like, you know, with the



1  
2 plumber, he recommend couple of  
3 people, obviously, you know, when  
4 you are in this type of a line of,  
5 you know, business, you are always  
6 looking for the better people, you  
7 know, what they do, you know, how  
8 they going to run and so I don't  
9 see any issue not to use the, you  
10 know, union people or, you know,  
11 the people that he is going to  
12 recommend. If they, you know, if  
13 they are accurate with what we are  
14 going to do, I don't see any reason  
15 not to take him then.

16 I mean, I just, you know, he  
17 was very convincing. He said that  
18 he has more than a lot of people in  
19 the trade that he is going to  
20 recommend and I don't see why not  
21 we shouldn't use them. If he wants  
22 the right number, what is it not to  
23 use them.

24 SECRETARY FUSCO: The plumber  
25 is only one trade you're

1 speaking of.

2 MR. PAKNUOSH: I am just  
3 saying for the example.  
4 You know, we had the steelworker,  
5 we need to do the excavation, we  
6 need to do, you know, so many  
7 trades. We have to do, you know,  
8 it's a lot of, you know, a lot of  
9 different trades that is going  
10 to -- this is a big project, it's  
11 not a small one or two, you know,  
12 this is a big, big project.

13 SECRETARY FUSCO: We are well  
14 aware of that. Well aware of that.

15 MR. PAKNUOSH: Yes.

16 SECRETARY FUSCO:  
17 Mr. Chairman, I think  
18 Matt Aracich is in the queue and  
19 would like to comment.

20 CHAIRMAN KESSEL: Yes, he is.  
21 I wanted you to finish it and Matt,  
22 or Catherine, if you could let Matt  
23 in, he could answer some of the  
24 questions since he had this  
25

discussion with Gesher and the GC.

Matt -- Catherine, you let  
Matt in.

MS. FEE: He is here.

MR. ARACICH: Good evening.  
Thank you very much for the  
opportunity. My name is Matthew  
Aracich. I am the President of the  
Building and Construction Trades  
Council for Nassau and Suffolk  
Counties.

Mr. Farrell is correct, I had  
an extensive conversation with  
Rabbi Yosef Shemtov and was  
pleasantly surprised that we were  
to open and helpful. One of the  
things he found is that the  
reaction was that we are trying to  
go ahead and honor his request; we  
are going to be both fair and we  
are going to look forward to make  
sure that we have the ability to  
make opportunities for him that  
work.

1  
2           The idea was once the plans  
3           and specs are in place and once  
4           they are approved as well as  
5           getting the Architectural Review,  
6           we will meet again to have a  
7           conversation with Mr. Paknuosh and  
8           advance the scope of the project.

9           Alen had said that, you know,  
10          he was intending on using a certain  
11          trade or whatever and I explained  
12          it very clearly. We are someone  
13          who is at your disposal which means  
14          that we can go ahead and provide  
15          you with a multitude of contractors  
16          in every type of trade that's out  
17          there. So you will have aggressive  
18          bidding and you'll have competitive  
19          numbers. We will explain from the  
20          very beginning that each one of  
21          these jobs to each one of these  
22          contractors is of a primary concern  
23          so the Nassau County IDA and the  
24          Village of Great Neck, the Building  
25          Trades and the County can all work

1  
2 together to create middle class  
3 jobs.

4 I will tell you that Rabbi  
5 Shemtov, who is actually very  
6 pleasant, he says I understand  
7 exactly what you are saying and why  
8 wouldn't I want to use you if we  
9 can get to the terms that we are  
10 talking about and advance  
11 everything, because next time is if  
12 we want to build another project,  
13 we go to you first.

14 I will let you know as well  
15 that these people were actually --  
16 they called me directly. I didn't  
17 know about the project. So they  
18 made the initial contract. For  
19 that I am extremely grateful and I  
20 express that concern as well.

21 So thanks to them and thank  
22 you for the IDA forgiving me the  
23 opportunity to speak.

24 CHAIRMAN KESSEL: Thanks,  
25 Matt. We appreciate it. I do know

1  
2 that you are convincing. I heard  
3 that word used.

4 MR. ARACICH: Thank you.

5 CHAIRMAN KESSEL: Thanks.

6 MR. FARRELL: Thank you very  
7 much, Mr. Aracich.

8 CHAIRMAN KESSEL: Does anyone  
9 else on the Board have any  
10 questions?

11 I do, but I'll take anyone  
12 else on the Board that has any  
13 questions.

14 SECRETARY WILLIAMS: Just a  
15 quick question for a refresher:  
16 What was the affordable component  
17 of this?

18 MR. FARRELL: So the last  
19 time we were in the, I believe we  
20 said it would be around 12%. We  
21 have increased that number to 15%,  
22 so nine units out of the 60. We  
23 hope that the Board finds that  
24 satisfactory.

25 VICE CHAIRMAN WARREN: What's

the standard you're using for that?

MR. FARRELL: I believe it was 120% AMI and it would be 33% of the income.

TREASURER FLORES: I have a quick question.

CHAIRMAN KESSEL: Go ahead, Amy.

TREASURER FLORES: The additional units that you added, are those one-bedroom, can you provide --

MR. FARRELL: It will be mix of the one- and two-bedroom units.

TREASURER FLORES: Thank you.

CHAIRMAN KESSEL: What's your schedule in terms of construction, start, estimate and completion?

MR. FARRELL: So we expect the Board of Trustees to grant our Architectural Review the beginning of April. I would expect, assuming there are no lawsuits or anything that would prevent us from going

1  
2 forward with construction, I would  
3 expect that we would pull building  
4 permits within 30 to 60 days if  
5 that was the schedule. I would  
6 defer to Mr. Paknuosh and Rabbi  
7 Shemtov on that.

8 RABBI SHEMTOV: Yes, that's  
9 correct. Yes.

10 CHAIRMAN KESSEL: So what is  
11 your -- currently what is your  
12 estimated completion date?

13 MR. FARRELL: Eighteen months  
14 from July, so probably, you know,  
15 2022, early 2022 -- I'm sorry,  
16 2023.

17 CHAIRMAN KESSEL: Right.  
18 Okay. Thank you.

19 Are there any other questions  
20 from the Board.

21 MR. KOMAROMI: Mr. Chairman,  
22 not from the Board, but just one  
23 small comment that the  
24 affordability point that applicant  
25 counsel just made. I want to make



1  
2       sure that it is clear that it is  
3       Applicant's proposal and to the  
4       extent the Board grants preliminary  
5       approval today, it is important to  
6       note that that approval does not  
7       approve or agree with the proposed  
8       affordability level which is  
9       subject to further negotiation  
10      between the applicant and the  
11      agency staff ultimately to be  
12      presented to the Board at their  
13      final approval.

14               SECRETARY WILLIAMS:   So  
15      Andrew, if we are approving it  
16      based on the preliminary  
17      inducement, based on the  
18      conversation today, that is at  
19      least 15.

20               MR. KOMAROMI:   That is  
21      correct.   That is clear.

22               SECRETARY WILLIAMS:   We can  
23      negotiate more but I want to make  
24      it clear we aren't going to  
25      negotiate less.

1  
2 MR. KOMAROMI: Yes. And  
3 that's the point of my comment,  
4 that this is subject to change as  
5 staff in light of, you know,  
6 whatever PILOT benefit they may  
7 negotiate with the applicant may  
8 require higher levels of  
9 affordability.

10 SECRETARY WILLIAMS: Richie,  
11 I know we have a consultant that's  
12 helping us on the affordable  
13 housing component. Maybe, could we  
14 ask them to do a -- for this  
15 project and every project, maybe do  
16 some sort of recommendation around,  
17 you know, affordable housing in  
18 that segment, so this is in Great  
19 Neck, so what's the, you know,  
20 complement portfolio of affordable  
21 housing in that marketplace.  
22 Because I think it's always great  
23 to add another number to it, but I  
24 don't think there is any scale here  
25 for us to actually measure it

1  
2 against and I think we are kind of  
3 bidding against ourselves.

4 CHAIRMAN KESSEL: Good idea.  
5 We will ask Kevin Gremse to do  
6 that, Tim.

7 SECRETARY WILLIAMS: Okay.

8 CHAIRMAN KESSEL: Good idea.  
9 I just heard from Kevin before, I  
10 think he may be watching us, so we  
11 will definitely do that.

12 Are there any other --

13 VICE CHAIRMAN WARREN:  
14 Chairman Kessel, it's Lewis Warren.

15 I just wanted to say I  
16 appreciate Mr. Williams's comments  
17 around letting us get a view of the  
18 standard, et cetera, around  
19 affordability with respect to the  
20 neighborhoods, but I would like the  
21 inclusion of our consultants so I  
22 just wanted to thank Member  
23 Williams for that recommendation.  
24 Thank you.

25 CHAIRMAN KESSEL: Thank you,

1  
2 Lewis. I appreciate it. Welcome  
3 back, I know you were gone for a  
4 few minutes. Just let the record  
5 reflect that Lewis Warren is now  
6 present. Thank you.

7 VICE CHAIRMAN WARREN: Thank  
8 you. Thank you, sir.

9 CHAIRMAN KESSEL: Thank you.

10 Are there any other questions  
11 or comments from the Board.

12 (No response.)

13 CHAIRMAN KESSEL: Hearing  
14 none, are there any questions or  
15 comments from the public on this  
16 project? Catherine?

17 MS. FEE: No, Chairman, not  
18 at the moment.

19 CHAIRMAN KESSEL: Thank you.

20 I would then ask for a motion  
21 for a preliminary inducement  
22 resolution for the Gesher Center.

23 Do I hear a motion.

24 SECRETARY WILLIAMS: Tim  
25 Williams, I make the motion.

1  
2 VICE CHAIRMAN WARREN: I'll  
3 make the motion -- Lewis Warren  
4 seconds.

5 CHAIRMAN KESSEL: Okay. So  
6 Tim Williams makes the motion,  
7 Lewis Warren seconds it.

8 I think we can do a voice  
9 vote on this.

10 All those in favor indicate  
11 by saying aye.

12 (Whereupon all members  
13 responded in the affirmative.)

14 CHAIRMAN KESSEL: Any  
15 opposed?

16 (No response.)

17 CHAIRMAN KESSEL: Any  
18 abstentions?

19 (No response.)

20 CHAIRMAN KESSEL: Okay. The  
21 Gesher Center is approved for a  
22 preliminary inducement. It will  
23 now go to our staff and our team to  
24 negotiate and then we'll see where  
25 we wind up and you will come back

to the Board at a future date.

Thank you.

RABBI SHEMTOV: Thank you  
very much. Have a good evening.

MR. FARRELL: Thank you,  
Mr. Chairman, Members of the Board.  
I appreciate your time.

CHAIRMAN KESSEL: Yes. Have  
a good night. Thank you.

MR. FARRELL: You too.

CHAIRMAN KESSEL: We now have  
a public comment period on general  
comments. Because I know there are  
several people that want to talk  
about Amazon, you will have an  
opportunity to talk about Amazon  
when we take Amazon up which I am  
expecting to be next. You will  
have an opportunity before the  
Board votes on it so this is just a  
general comment period that we give  
to the public. I want to remind  
everyone, as Harry Coghlan  
indicated, that you'll have three

1 minutes, there is a timer on the  
2 clock here on the screen and I'll  
3 now take any general comments from  
4 members of the public, if there are  
5 any.  
6

7 Catherine.

8 MS. FEE: Yes, Chairman, we  
9 have Arthur Adelman.

10 Arthur, can you please state  
11 your name and address for the  
12 record.

13 MR. ADELMAN: Yes, it's  
14 Arthur Adelman, 110 DuBois Avenue,  
15 Sea Cliff, New York.

16 Just a very quick comment for  
17 public comment. I found it very  
18 disheartening to have been Zoomed  
19 into your meeting for now over an  
20 hour and 20 minutes waiting for  
21 dinner because I thought we were  
22 going to have the Amazon meeting  
23 at 6:30 from all the announcements  
24 that I heard preceding from the  
25 other day. You said you would take

up the topic at 6:30 on Thursday night and here it is almost 8 o'clock and we have yet to begin.

So I will save the rest of my time for the Amazon portion, but I just wanted you to know it's a little disrespectful to make people wait like this. Thank you.

CHAIRMAN KESSEL: Thank you, Arthur. I'm sorry that we put off your dinner a little bit but we do have other business to conduct and I think in the future we can be a little clearer about how we do this because, you know, primarily we do our LEAC meetings at 6:30 and then IDA meetings after that and there is other business, but you do make a good point and I think we can be clearer in the future about timing about matters of business.

So appreciate your patience.

Catherine, is there anyone else?



1  
2 MS. FEE: Yes, we have Kevin  
3 McKenna.

4 Kevin, could you please state  
5 your name and address for the  
6 record.

7 MR. McKENNA: Yeah, hi. My  
8 name is Kevin McKenna, Edna Drive  
9 in Syosset.

10 You can hear me.

11 CHAIRMAN KESSEL: Yes.

12 MR. McKENNA: Chairman  
13 Kessel, I want to ask you before  
14 the Amazon hearing does start or  
15 the continuation, I hope, I hope  
16 that you are having the Syosset  
17 Park applicant. I hope that you  
18 are having them do the presentation  
19 so that the people who couldn't be  
20 on the call the other night can  
21 hear that presentation and make  
22 their comment.

23 CHAIRMAN KESSEL: Yes, Kevin,  
24 they will be making a presentation.  
25 Thank you.

1  
2 MR. McKENNA: All right.  
3 Terrific. And my other question  
4 is: The other night during that  
5 hearing, were all the IDA Board  
6 Members, were they all on the call  
7 or were any missing?

8 CHAIRMAN KESSEL: No, I'm not  
9 sure who was on the Zoom or not.  
10 They all received a transcript of  
11 all of the comments including yours  
12 that were made.

13 MR. McKENNA: Well that's  
14 very troubling to hear you say that  
15 you don't know who was on the call  
16 the other night because first of  
17 all, I think you should know as the  
18 Chairman, but more importantly, if  
19 there weren't Board Members on the  
20 call the other night, then what was  
21 the purpose of us, the public,  
22 making comments for them not to  
23 hear our verbal comments? I know,  
24 I know that you just said you gave  
25 them a transcript, okay, but that's

not the same as hearing verbal  
public comments and people's voice  
inflection, so on and so forth.

So I ask you again if you  
could ask your Business Manager  
right now to let us know who was  
not on the call.

SECRETARY WILLIAMS:  Richie,  
before you -- this is Tim -- Mr.  
McKenna, I appreciate, I appreciate  
your comments, and let me just say  
as a Board Member for many years,  
it's not the Chairman -- and former  
Chairman -- it's not the Chairman's  
responsibility to insure that we  
come fully prepared to a meeting.  
It's our responsibility as  
volunteer Board Members to insure  
we are fully aware and engaged with  
the process.  I spent my early  
afternoon watching on YouTube the  
entire --

MR. McKENNA:  I just want to  
know who wasn't on the call, that's

all.

SECRETARY WILLIAMS: I appreciate what you want to know but let me finish my answer.

I spent the entire time on listening and hearing your comments which I thought were --

MR. McKENNA: I am very happy to hear that and I would like to know who else heard my comments.

SECRETARY WILLIAMS: I understand. I understand what you want to know, right, and I think it's important --

MR. McKENNA: Can you just answer the question so I can go on with my comment?

SECRETARY WILLIAMS: I'm answering -- your time is frozen so you're not going to lose any time. I am answering the question for me and if the other Board Members feel it's important for them to answer and tell you because you want to

1  
2 know how they spent their time, I'm  
3 sure they can feel free to answer  
4 your question.

5 MR. McKENNA: No, I don't  
6 want to know how they spent their  
7 time. Don't put words in my mouth.

8 SECRETARY WILLIAMS: Let me  
9 finish.

10 MR. McKENNA: All I want to  
11 know is who -- all I want to know  
12 is who was not on the call the  
13 other night. That's all I want to  
14 know. Make it very simple.

15 SECRETARY WILLIAMS: Nobody  
16 had to be anywhere. We came fully  
17 prepared and the staff did a great  
18 job of making sure that all the  
19 Board Members are -- have  
20 information, have access to  
21 information and are ready and  
22 willing to listen to the comments.

23 MR. McKENNA: So Chairman  
24 Kessel, could you please tell us  
25 who was or who was not on the call?

CHAIRMAN KESSEL: Kevin, I'm  
going to --

SECRETARY WILLIAMS:  
Mr. Chairman, if I could for one  
second, can we please ask counsel,  
Thomas Glascock, to explain that a  
public hearing is for public  
comment only? For --

MR. McKENNA: But this is --

SECRETARY WILLIAMS: Mr.  
McKenna, I am speaking. Please  
observe -- please respect my voice  
as --

MR. McKENNA: Stop the clock,  
please. Please stop the clock.

SECRETARY WILLIAMS: Mr.  
Glascock, can you explain to Mr.  
McKenna the difference between a  
Public Hearing and a Board Meeting  
as it pertains to expected Board  
Member attendance? Because Board  
Members are not required to attend  
a public hearing.

MR. McKENNA: I'm not saying

1  
2 that they're required to attend.  
3 I'm not saying that they're  
4 required. If this meeting was held  
5 in a meeting room we would be able  
6 to see who is there. Being that  
7 this is a virtual meeting, we, the  
8 public, deserve to know who was on  
9 the call the other night.

10 CHAIRMAN KESSEL: Kevin,  
11 thank you for your comments. If  
12 anyone on the Board wants to answer  
13 that they can, otherwise, you have  
14 30 seconds left.

15 MR. McKENNA: Chairman, why  
16 don't you want to tell us who was  
17 on the call?

18 CHAIRMAN KESSEL: As I said,  
19 it's up to the Board members if  
20 they -- I don't know who was on the  
21 call or who's not. I'm not  
22 their -- I'm not their boss.

23 MR. McKENNA: I'm not  
24 suggesting that you're their boss.  
25 Like I said, if this meeting --

1  
2 MEMBER SIMON: Mr. Chairman,  
3 this is Anthony Simon. I would  
4 like to have a minute.

5 Mr. McKenna, because you have  
6 questioned -- Mr. McKenna, you have  
7 questioned each Board member I am  
8 going to address your concerns. I  
9 too have looked at the YouTube  
10 because you had said to us that we  
11 didn't see your expressions. Well,  
12 I take offense to that. I put as  
13 much time as I possibly can to read  
14 every brief from this staff that  
15 they send us, every bit of  
16 information they send us and then I  
17 go on the YouTube video to see your  
18 expressions, so, yes, I did see  
19 them, I did watch the YouTube  
20 video, but I -- I could not get to  
21 that public hearing. Let me  
22 finish, Mr McKenna. I have the  
23 floor now. Because I did see your  
24 YouTube video, I did watch all of  
25 the comments because I respect this



1  
2 Board and I respect the Nassau  
3 County, the people that live in the  
4 County and everything they have to  
5 say. But I do have a job at 3:00  
6 in the afternoon that I have to go  
7 to and I couldn't make it. But as  
8 soon as I got home I didn't get to  
9 have dinner so I sat and watched  
10 the YouTube video. So I take  
11 offense to you for attacking the  
12 Board members for not doing their  
13 due diligence when every one of us  
14 has done that, so you had your say  
15 and I have mine, so with all due  
16 respect, I respect your wishes and  
17 respect your comments, respect  
18 mine.

19 CHAIRMAN KESSEL: Thank you,  
20 Anthony.

21 MR. GLASCOCK: If I can add  
22 and explain, Mr. Chairman, the  
23 point of public comment in the  
24 hearing is to receive public  
25 comment. It's not for the Board or

1  
2 staff members to specifically  
3 answer any questions that are asked  
4 by persons speaking at the public  
5 -- or speaking during the  
6 public-comment period. The point  
7 is to receive comments and  
8 understand, to receive them so that  
9 they have and they understand of  
10 what people's concerns are.

11 CHAIRMAN KESSEL: Thank you,  
12 Tom. Let's move on.

13 Is there anyone else,  
14 Catherine, that hasn't spoken that  
15 wants to speak at this time?

16 MS. FEE: No, Chairman, not  
17 at this time.

18 CHAIRMAN KESSEL: Okay, thank  
19 you.

20 We'll now move on to the  
21 Amazon project. This is an  
22 approval resolution or series of  
23 resolutions on the proposal by  
24 Amazon.com Services LLC and Syosset  
25 Park Development.

What I'd like to do, and this is not a hearing, although anyone that would like to speak will be given three minutes, you're welcome to speak on the project. What we'll do is we will first hear from the developer Amazon and Syosset Park to make a presentation, and following that there will be questions, if anyone has questions, on the part of the Board. Following that, we will take public comments for anyone who wants to speak, they have -- have three minutes, and I want everyone to be civil and polite. If you're not you're going to be cut off, because we should also treat each other with respect no matter whether we are for or against this project or any other project, and then finally, following that there will be a vote by the Board.

Just to explain that there

1  
2 are three resolutions here, there's  
3 a SEQRA environmental resolution,  
4 there's a PILOT deviation  
5 resolution and there's an approving  
6 resolution and this is just for the  
7 public. The plan is to vote for  
8 all three of them as a package.

9 So with that I want to hand  
10 it over to Amazon and Syosset Park  
11 to make a brief presentation.  
12 Thank you.

13 MR. DEEGAN: Thank you,  
14 Mr. Chairman. This is Dan Deegan.

15 Can you hear me?

16 CHAIRMAN KESSEL: Yes.

17 MR. DEEGAN: Okay, thank you,  
18 Chairman Kessel and members of the  
19 board. My name is Dan Deegan with  
20 the law firm Forchelli, Deegan,  
21 Terrana, the attorneys for the  
22 applicants. I also have with me  
23 today on the Zoom Brad Griggs who  
24 is Senior Manager of Economic  
25 Development for Amazon.

Brad, are you there?

MR. GRIGGS: Yes, Dan, I'm on the line.

MR. DEEGAN: Okay, thank you.

Okay, as you all know, the project before this IDA Board is the proposed construction of a 204,000 square foot state of the art distribution center at the corner of Robbins Lane and the service road of the LIE in Syosset to be used by Amazon as a last mile delivery facility.

This property has quite a history. It has been vacant since 1980, prior to being vacant and utilized it was the home of the Cerro Wire project, which was a heavy industrial user. Once Cerro Wire left there's been a legacy of environmental issues on the site. The site has been a visual blight, there have been numerous failed development attempts over the

1  
2 years. The site has created no  
3 jobs, it's created no economic  
4 activity. In addition, because  
5 it's been vacant land for decades  
6 it's had very low tax generation  
7 for the affected taxing  
8 jurisdictions.

9 Amazon is a well-known  
10 technology driven company that has  
11 transformed the way goods are  
12 distributed to endusers. It  
13 incorporates a customer facility  
14 network which is comprised of  
15 multiple distribution facilities  
16 across the country.

17 With the IDA's assistance  
18 Amazon would enter into a long-term  
19 lease of a newly constructed, state  
20 of the art distribution facility.  
21 The applicants together would  
22 invest over \$71 million to develop  
23 this long-blighted site and put it  
24 back to productive use.

25 I'd like to a take a moment

1  
2 and turn it over to Brad for a  
3 quick description of the building  
4 and the proposed operations.

5 MR. GRIGGS: Thanks, Dan.

6 So as Dan had mentioned, I'm  
7 Brad Griggs, I'm a Senior Manager  
8 on Amazon's Economic Development  
9 Group. What we're proposing here  
10 is a state of the art last mile  
11 distribution center alongside the  
12 LIE and Robbins Lane.

13 As you can see here along the  
14 color coded site plan are the way  
15 in which the site will operate is  
16 that 18-wheeler tractor trailers  
17 traveling along predominantly the  
18 LIE will arrive at the site with  
19 the majority of those trucks coming  
20 during the overnight period. They  
21 will come on to the site in the red  
22 area alongside the left-hand side  
23 of the proposed building. Our  
24 Amazon employees, which will be a  
25 mix of full-time and part-time

employees, will park in the yellow area on the right-hand side of the screen. They will work predominantly during the overnight period unloading the tractor trailers, separating those packages along their delivery routes and staging them for the van operations in the morning.

The area in blue will house our Amazon vans. Those vans will be parked there during the overnight period. The van drivers will arrive on site parking in the upper right-hand portion of the screen. They will begin doing so at a little before 10 a.m. in the morning. The vans will then drive into the green loading zone, they will load their vehicles, then head out on their delivery routes delivering packages during the ten hour daily route period. They arrive back on the site after the



1 evening rush hour has concluded.  
2  
3 About 7 p.m. the first vans will  
4 come back to the location. They  
5 will undergo a safety review of  
6 their route for the day. They will  
7 park their vans and head home for  
8 the evening, and then the process  
9 repeats themselves allowing better  
10 service for the customers in the  
11 area as a result of this project.

12 Dan, I'll turn it back over  
13 to you.

14 MR. DEEGAN: Thank you, Brad.

15 So it should be noted that  
16 the project is fully zoning  
17 compliant with the Town of Oyster  
18 Bay zoning codes. In January the  
19 Town of Oyster Bay granted site  
20 plan approval and issued a (Zoom  
21 audio disruption) for determination  
22 for the project. Building permits  
23 are being processed now as we  
24 speak.

25 As we all know, this property

1  
2 has a legacy of environmental  
3 contamination and environmental  
4 issues. It's -- it's been  
5 designated a Brownfield under the  
6 jurisdiction of the DEC.

7 Over the decades there have  
8 been numerous, too many to count,  
9 testing samples that have been  
10 taken and several remedial actions  
11 that have taken place over the  
12 years. Presently after an  
13 extensive process, including public  
14 hearings and public comments, the  
15 DEC is considering a proposed plan  
16 to address these issues at the  
17 site, addressing them as part of  
18 the construction of this project.

19 Addressing and implementing  
20 that plan does add significant cost  
21 to the redevelopment of this site.  
22 The final DEC determination is  
23 expected shortly and no  
24 construction can start without DEC  
25 approval.

1  
2 In an effort to inform the  
3 community of the plans for this  
4 site, the applicant and its  
5 representatives have reached out  
6 and met with County Legislator  
7 Drucker, local civic associations,  
8 local labor leaders and the school  
9 district and their representatives.

10 We had what, I believe, were  
11 very constructive meetings with  
12 each one of those and shared a  
13 tremendous amount of information.

14 Next page. This project will  
15 have a tremendous positive economic  
16 impact especially in these  
17 COVID-challenged times. It will  
18 create between 200 and 250 high  
19 paying construction jobs. It will  
20 create a minimum of 150 full-time  
21 employees onsite, including 25  
22 management jobs. Very  
23 significantly it will create  
24 hundreds of delivery service  
25 providers, many of which will work

1  
2 for newly formed delivery service  
3 companies as the economy continues  
4 to shift and this type of service  
5 is more in demand by customers than  
6 ever before.

7 However, given the high costs  
8 of construction on Long Island and,  
9 in general, in New York State,  
10 given the high costs of addressing  
11 the environment, the legacy of this  
12 site and historic volatility of  
13 real estate taxes in Nassau County,  
14 and just as important, the need to  
15 justify the expenditure of these  
16 high costs internally within the  
17 company for this site compared to  
18 others that have been competing for  
19 these dollars, the applicant is  
20 seeking and requires the IDA's  
21 assistance.

22 It should be noted that  
23 Amazon currently already services  
24 its customers in the area two  
25 existing networks. What we have

1  
2 here today is an opportunity to  
3 attract a new \$71 million capital  
4 investment in this community and  
5 attract a tremendous positive  
6 economic impact to go with that  
7 investment and these proposed  
8 operations. This request for  
9 assistance should not be viewed as  
10 a tax break or a tax cut. Rather,  
11 the construction of this building  
12 creates a new tax base, a tax base  
13 that does not exist today and  
14 hasn't existed in decades.

15 The request is for a 15-year  
16 PILOT that phases in these new  
17 taxes that are being created.  
18 Despite the fact, as was mentioned  
19 in the public hearing the other  
20 day, that a tax certiori proceeding  
21 reduced the current taxes down to  
22 \$931,000, this proposed PILOT  
23 that's being required starts at  
24 \$1.2 million, which is the amount  
25 prior to the amount of that tax

1  
2 certiori. Over the course of 15  
3 years, that \$1.2 million escalates  
4 to where it will pay almost \$3  
5 million dollars a year in year 15.  
6 Without this project those taxes  
7 would stay at vacant land at 931,  
8 931,000, and escalate with the tax  
9 cap.

10 We are also requesting a  
11 sales tax exemption and a mortgage  
12 recording tax exemption from the  
13 IDA Board, and I just want to make  
14 it very clear that this project  
15 cannot happen and is in great  
16 jeopardy of not happening if this  
17 IDA cannot be of assistance in this  
18 matter. There's a very competitive  
19 atmosphere and I can tell you the  
20 situation of attracting capital and  
21 drawing this corporate capital to  
22 this particular site and with the  
23 IDA's help this type will qualify  
24 for that investment and this can  
25 become a reality.

1  
2 As we indicated, nothing --  
3 there's no construction set to  
4 start before the DEC makes their  
5 final determination.

6 At this point we welcome any  
7 questions that the Board and the  
8 public has.

9 Thank you, Mr. Chairman.

10 CHAIRMAN KESSEL: Thank you,  
11 Dan and Brad, we appreciate it.

12 So here's what I want to do.  
13 I first just want to ask Board  
14 members for questions, and we'll do  
15 Board questions to the applicant,  
16 then we'll take public comment,  
17 then the Board will vote  
18 individually and can make any  
19 comments they want when they're  
20 voting. So we -- we do this in an  
21 orderly fashion.

22 So are there any questions of  
23 the applicant on the part of IDA  
24 Board members?

25 MEMBER WILLIAMS: Well, to

1  
2 Dan and Brad, could you guys, you  
3 know, kind of address a little bit  
4 more some of the concerns people  
5 had about the economics and some of  
6 the comments from yesterday's  
7 public hearing surrounded that  
8 there's really no remediation as a  
9 cap -- some sort of cap being in  
10 place on properties? Can you kind  
11 of just give a little overview of  
12 what remediation you're  
13 undertaking?

14 And then to jump to my next  
15 question about the DEC approval,  
16 you know, so tell us that process.

17 MR. DEEGAN: Yeah, so in  
18 terms of the incremental costs  
19 associated with building on this  
20 site related to the remediation,  
21 first of all, the plan that's been  
22 proposed has been worked with  
23 environmental consultants and in  
24 consultation with the DEC, and it  
25 essentially is a capping of the



1 existing site. There's been  
2 tremendous testing done, and this,  
3 we believe, and, obviously, it's up  
4 to the DEC, but this, on  
5 similarly-situated sites, this has  
6 been found to be a very effective  
7 methodology for remediating the  
8 site and allowing the productive  
9 use to go forward at the site.  
10 We've asked the construction  
11 company, Scannell, who is  
12 ultimately building this building,  
13 what are those incremental costs  
14 associated with that, and we have  
15 been told it's in excess of \$7  
16 million in additional construction  
17 costs. There's also continued  
18 monitoring going forward. There's  
19 engineers who have to sign off on  
20 the compliance with the plan every  
21 year and certified through the DEC  
22 if that's the case. There's  
23 covenants that go with the land.

25 This is a very tried and true

1 method for remediating, but at the  
2 end of the day it's up the DEC and,  
3 you know, to pass on that. So  
4 we're not looking to substitute our  
5 judgement. Our consultants find  
6 that this is a very solid and  
7 responsible way to address it. We  
8 understand the people in the  
9 community, some of them do not  
10 agree with that, people have  
11 followed it are very good and well  
12 intended and I don't disagree with  
13 their concerns, but this is a  
14 method that we have been told and  
15 the experts have said and  
16 ultimately the DEC is going to  
17 decide is protective of the public  
18 health and of the people who are  
19 going to work here and to allow  
20 this property to be put, you know,  
21 productive going forward.

22  
23 MEMBER WILLIAMS: One of the  
24 public speakers yesterday very  
25 passionately talked about an

1  
2 increased rate of devastating  
3 cancer in the community, and he  
4 made the connection to this  
5 property, which I have no  
6 information about whatsoever, and I  
7 guess my question is: Is that  
8 something the DEC is looking at, do  
9 you anticipate that their report  
10 will in any way comment? And again  
11 I have -- it was a comment made  
12 that I can't substantiate in any  
13 way, but it was a concern that, you  
14 know, a resident made and I want to  
15 find out how we look -- is that  
16 something we're looking at, is DEC  
17 looking at or that you know of?

18 MR. DEEGAN: Yes, well, I  
19 know that the DEC has taken that  
20 into consideration, and the concept  
21 of the cap that to the extent that  
22 there is any levels of pollutants  
23 left in the ground they are  
24 currently capsulated and sealed  
25 into the ground so that they do not

1  
2 make their way into the air, they  
3 don't make their way into runoff.  
4 That's the concept behind it.

5 You know, I am not an expert  
6 in that area. DEC has had a  
7 tremendous record on this, there's  
8 been public comments that have been  
9 made, and certainly those comments  
10 and concerns have been directly  
11 communicated to the DEC, and the  
12 experts at the DEC ultimately have  
13 to make that determination as to  
14 whether or not this is an  
15 appropriate way to address the  
16 situation.

17 Our environmental consultants  
18 and the applicant's environmental  
19 consultants feel that it is and  
20 that it's been done in other places  
21 very effectively and safely, and  
22 that's what's being considered by  
23 the DEC now.

24 MEMBER WARREN: Dan, it's  
25 Lewis Warren, if you can hear me.

1  
2 A technical question. If -- if  
3 this project doesn't go forward  
4 would the DEC still remediate the  
5 project with -- with the plan that  
6 they have on the table today, which  
7 sounds like a thoughtful and  
8 serious --

9 MR. DEEGAN: No. So the  
10 answer is that this remediation is  
11 in connection with the  
12 redevelopment of the property. If  
13 the property is not redeveloped,  
14 you know, I can't speak to the DEC  
15 on what they would do, but there's  
16 no funding that's being made  
17 available in order to do this cap,  
18 otherwise, without this  
19 development, and, you know, the  
20 proof and the history of the site,  
21 that without some of the sort of  
22 redevelopment forcing the issue  
23 there's never going to be money, or  
24 I shouldn't say never, but there  
25 hasn't been in the past money to

address this situation.

This is an opportunity to get this situation addressed and, you know, made much safer than it is today for sure.

MEMBER WARREN: Thank you. I appreciate it.

CHAIRMAN KESSEL: Thank you, Lewis.

Are there other questions by Board members?

MEMBER COUMATOS: Yeah, I have, if you don't mind.

CHAIRMAN KESSEL: John, yes, go on.

MEMBER COUMATOS: So capping is actually a process that doesn't stop any kind of cancer. I mean, that's the situation nobody can understand, but capping is, if I am correct, a pool cover that goes a certain amount of feet under the ground so you can save money by not remediating the whole process, and

1  
2 also it stops any chemicals from  
3 going into the water shelves that  
4 are under Long Island; is that  
5 true?

6 MR. DEEGAN: You know, I'm  
7 not an environmental expert so I  
8 don't want to --

9 MEMBER COUMATOS: Well,  
10 that's basically what it is, but I  
11 don't want to be an expert on that.

12 And the other thing too is --

13 MR. DEEGAN: I agree.

14 It's not just a pool cover.  
15 There's a tremendous amount of  
16 concrete that is put in there as a  
17 barrier.

18 MEMBER COUMATOS: Okay, but  
19 basically it's a pool cover.

20 So second of all, even though  
21 this land won't be used -- has it  
22 been used by the Town of Oyster Bay  
23 in other processes before this or  
24 has it been used --

25 MR. DEEGAN: No. So

1  
2 adjoining this property is the  
3 town -- the town landfill which has  
4 been capped and is not part of this  
5 project at all. Our  
6 reconsiderations of the project did  
7 include that property and included  
8 residential and included other  
9 uses. That plan, and that also  
10 required a lot of zoning approvals  
11 and variances and change of zone  
12 and that -- those projects never  
13 went forward.

14 The idea of this project and,  
15 you know, part of this project,  
16 there were a lot of concerns raised  
17 by the school district and others  
18 about the use, you know, and the  
19 conditions of this property and the  
20 traffic conditions.

21 This current development is  
22 really an answer to a lot of those  
23 prior concerns. Before there was  
24 over 2 million square feet of  
25 development proposed. This is now



down to 200,000 square feet.

Before they were talking about the entire property including the landfill. Now this is only -- only the portion -- the portion that's, you know, the 39 acres, so it -- it -- it -- it's been a lot of what's driven the design, and the ultimate development of the site has been trying to address the concerns of the community and the authorities in looking at prior development proposals for the site.

MEMBER COUMATOS: Thanks.

Okay.

CHAIRMAN KESSEL: Thanks,

John.

Are there any other questions by any other Board members?

MEMBER FUSCO: Yes,

Mr. Chairman.

CHAIRMAN KESSEL: Chris.

Yes, Chris.

MEMBER FUSCO: Mr. Deegan, I

1  
2 know that the contractor is working  
3 with the Nassau Suffolk Building  
4 Trades on this project. How -- how  
5 far along are we in the bidding  
6 process, and have any of the subs  
7 been awarded?

8 MR. DEEGAN: Yeah, so I know  
9 Matt Aracich, I saw him earlier  
10 today and he can speak more  
11 directly, he's been very involved  
12 in this. At this IDA Board's  
13 assistance and, you know, as per  
14 the policy of the applicants here,  
15 there's been very much a good-faith  
16 effort to actively engage with the  
17 trades and their representatives to  
18 make sure that they have been given  
19 opportunities to be competitive and  
20 get contracts, and that process,  
21 and Matt Aracich hopefully will  
22 speak to this, has been very  
23 successful to date, and there have  
24 been -- whether or not they're  
25 actually awarded or decided they're

1  
2 going to be awarded I am not  
3 exactly sure on that, but  
4 everybody, from what I understand,  
5 feels that there's been a very good  
6 process here to include the union  
7 trades in this, and there's really  
8 been a very successful example of  
9 what you have advocated to get the  
10 information and to come to the  
11 table and have communication and  
12 ultimately be competitive, and they  
13 have stepped up and they've been  
14 competitive, and it's been a very  
15 successful project to date.

16 The general contractor has  
17 been selected, but whether or not  
18 each individual subs, the project  
19 goes out, you know, it takes a  
20 while to build, but from what I  
21 understand and, you know, hopefully  
22 we'll hear from Matty, from the  
23 horse's mouth, that everything is  
24 going very well.

25 MEMBER FUSCO: Great. Thank

1  
2           you, Dan.

3                   CHAIRMAN KESSEL:   Thank you,  
4           Chris.

5                   Are there any other questions  
6           from Board members?   Okay, hearing  
7           none we will now go to the public.  
8           Let me make a few comments.   As I  
9           said before, you -- you push the  
10          Raise Hand button, you will have  
11          three minutes to speak.   You can,  
12          you know, please be, as I said,  
13          civil.   We're not going to engage  
14          in arguing.   That -- that is just  
15          not a good idea, but we'll be glad  
16          to hear your comments both for or  
17          against the project.

18                  Again, the three minutes,  
19          your time will be up and we will go  
20          to the next person.   I -- I will  
21          moderate it, but I will call on  
22          Catherine Fee to choose people who  
23          indicate they want to speak by  
24          raising their hand.

25                  Catherine, who is the first

person?

MS. FEE: Chairman, we have  
Matty Aracich.

Matty, can you just state  
your name and title for the record,  
please?

MR. ARACICH: My name is  
Matthew Aracich. I am the  
President of the Building and  
Construction Trades Council for  
Nassau and Suffolk Counties  
representing 65,000 members. My  
office is in Hauppauge, New York.

I'd like to address Dan  
Deegan's comments about where we  
are with the bidding process. Yes,  
we are in the bidding process at  
this point and there's acceptance  
on certain types of projects. And  
what I mean by that, everything is  
done in the bidding side which is  
they're on tiers. There's tiers  
one, or top tier, second tier,  
third tier. Top tier would be

1 something like the steel and the  
2 roof, which is the core and shell.  
3 The second tier would be something  
4 such as mechanicals, finishes, and  
5 then the third would be finishes  
6 such as paints and colors,  
7 etcetera, so that's how this all  
8 works, and I will tell you that  
9 it's been a very, very transparent  
10 process.  
11

12 So good evening, everybody.  
13 Let me go ahead again by saying  
14 that I am President of the Building  
15 and Construction Trades Council. I  
16 want to thank Chairman Kessel and  
17 everybody else that's on the Board  
18 here for all their help for trying  
19 to make this project work.

20 I'm pleased to report today  
21 that I have been given the  
22 authority to provide 100 percent  
23 support for this project.

24 This is no longer a vacant  
25 property at this point in our eyes.

1  
2 This is going to be the third  
3 parcel in the County in the past  
4 few years that's actually been  
5 something that's going to  
6 contribute to the tax base. This  
7 is something that the project will  
8 employ hundreds of construction  
9 workers, expand the tax base for  
10 the Town, the County, supporting  
11 the middle class economy,  
12 supporting apprentice programs that  
13 train our youth.

14 Here's the bigger thing.  
15 What we're finding is this supports  
16 advanced diversity and inclusion  
17 for Long Island, and if anybody has  
18 any questions about that, all you  
19 need to do is ask Amy Flores,  
20 because I met with her only two  
21 days ago by Zoom to go ahead and  
22 explain what the whole plan is for  
23 Long Island, and this part of our  
24 plan is to make sure that building  
25 construction projects are at the

1  
2           forefront, that making sure that  
3           education and opportunities for  
4           everybody.

5                       So one of the other things is  
6           the federal government is  
7           apparently getting ready to put  
8           together a large infrastructure  
9           project and that is expected to  
10          receive \$1.5 trillion dollars,  
11          maybe as much as \$3 trillion. This  
12          is the opportunity for Long  
13          Islanders. Again, it's jobs like  
14          these to provide training for that  
15          new workforce.

16                      If we do not have those new  
17          jobs we won't have the ability to  
18          expand or relocate or have  
19          businesses stay in Long Island.

20                      Those who believe that  
21          passing Amazon on this particular  
22          project and saying it's the wrong  
23          focus, I think that they have the  
24          message all wrong, and the reason  
25          is we need to attract businesses



1 while they're here and make sure  
2 that once they're here to advance  
3 the wages and the labor standards  
4 for them. That is the most  
5 effective way of making sure that  
6 we can advance Long Island's  
7 standards. And one of the things  
8 that you need look at is look at  
9 what happened in New York City, \$22  
10 million of economic activity is all  
11 gone. So we don't want to have  
12 that happen on Long Island. We  
13 want to prosper. We want to stand  
14 on our own two feet on Long Island  
15 so the reason that is not be  
16 subservient to New York City.

18 I want to thank Laura Curran,  
19 I want to thank Joe Saladino, the  
20 Nassau County IDA as well as  
21 Whiting-Turner and Scannell  
22 Properties for everything they've  
23 done providing transparency for the  
24 Building Trades and allowing us to  
25 make the most out of this vacant

property.

Thank you very much.

CHAIRMAN KESSEL: Thank you,  
Matt, good to see you this evening.

Catherine, can we go to our  
second speaker?

MS. FEE: Yes, we now have  
Thomas Rogers.

Can you please state your  
name and address for the record?

CHAIRMAN KESSEL: Tom, I  
think you need to unmute yourself.

MR. ROGERS: Thank you. My  
name is Tom Rogers. Can you hear  
me now?

CHAIRMAN KESSEL: Yes, we --  
we hear you. Thank you. Thank  
you.

MR. ROGERS: Thank you.  
Great. Thank you for your  
kindness.

Chairman Kessel, members of  
the IDA Board, my name is Tom  
Rogers. I'm Superintendent of the

1 Syosset Central School District.

2 Our president, Ms. Frankel, thanks  
3 you for the opportunity to speak at  
4 Tuesday's hearing.  
5

6 We appreciate the Chairman's  
7 response for comments, but some of  
8 those comments were at odds with  
9 documents shared with the school  
10 district, so we wish to reiterate  
11 our opposition to the project and  
12 also seek clarification on those  
13 inconsistencies. These comments  
14 are in (inaudible) of our root  
15 position of today.

16 At the hearing the Chairman  
17 pointed out the taxes would not be  
18 reduced from what was stated on the  
19 vacant parcel but seemed to imply  
20 that there would be no property tax  
21 benefits to Amazon should the IDA  
22 approve the applicant's request.  
23 Frankly, if there were no financial  
24 benefit to Amazon they wouldn't be  
25 before you today. They want

1 something tangible, the ability to  
2 spend millions of dollars to  
3 improve a property but put off  
4 paying the full cost of the taxes  
5 on that improvement for years.  
6

7 The Chairman rightly noted  
8 that the meager amount Amazon would  
9 pay in lieu of taxes would  
10 represent more than the taxes on  
11 the vacant land, but that hardly  
12 justifies treating Amazon as a  
13 struggling, young business in need  
14 of incubation.

15 Newsday got it right this  
16 morning. If the IDA considers even  
17 this developer in need of  
18 assistance, regardless of their  
19 deep pockets, it really has no  
20 standard at all. It's common  
21 sense, tax breaks that benefit  
22 Amazon's bottom line have to come  
23 at someone else's expense.

24 I'm trying to state that the  
25 statements contained on reports on

1  
2           behalf of the Nassau County IDA and  
3           as stated during the public  
4           hearing, the proposed project does  
5           not create additional revenue to  
6           the school district nor does it  
7           benefit the district's municipal  
8           budget because of the New York  
9           State Tax Cap Law.

10                 We remain concerned that the  
11           site's troubling environmental  
12           history requires more diligence  
13           than is currently proposed. So  
14           what is called "cap" is nothing  
15           more than a parking lot needed to  
16           be built anyway, and instead of  
17           first remediating the soils onsite,  
18           they're instead going to stockpile  
19           them as they're moved around to dig  
20           foundations or level the site.

21                 Given the proximity of our  
22           elementary schools, it's hard not  
23           to see this disregard for our  
24           common-sense suggestions as  
25           challenged. Will additional

1  
2 incentives benefits for tax credits  
3 be granted to the applicants from  
4 the Brownfield Program; will those  
5 impact the costs of the project or  
6 the PILOT?

7 Lastly, Chairman Kessel's  
8 comments contradict the language in  
9 the notice of deviation. The  
10 Chairman, and tonight Mr. Deegan,  
11 indicated that the Nassau IDA  
12 negotiated with Amazon to base the  
13 PILOT payment from the 2019/20 tax  
14 base of 1.2 million, but the  
15 language in the deviation notice  
16 plainly states that the IDA shall,  
17 "Take into account the most recent  
18 assessment data, assessed value and  
19 tax rate available as of the  
20 closing date including any  
21 applicable approved tax certiori  
22 stipulation or other settlement."

23 MR. ROGERS: If the  
24 Chairman's comments are correct  
25 then the Deviation Notice must be

1  
2 amended. If the Deviation Notice  
3 is correct, then the Chairman's  
4 statement understates the actual  
5 tax savings.

6 Thank you again for the  
7 opportunity to reiterate our  
8 concerns with and opposition to.

9 CHAIRMAN KESSEL: Thank you,  
10 Superintendent. I appreciate your  
11 comments.

12 I just wanted to -- two quick  
13 things: One, I read all of your  
14 letters and I appreciate your input  
15 even though you don't agree on  
16 this, I respect your position.

17 I also appreciate that the  
18 far -- whatever the confusion is,  
19 the PILOT is based on the higher  
20 taxes prior to the certiorari  
21 victory by the applicant, so that's  
22 important.

23 Third, I think it's important  
24 to point out that I'm not sure what  
25 the impact is on the school

1  
2 district itself but on the  
3 residents in the district which are  
4 the taxpayers. It's a significant  
5 positive benefit and, you know,  
6 that's a very important thing.

7 And just to point out also,  
8 that if this project does not go  
9 forward, and I respect your point  
10 about the cap and remediation, and  
11 obviously that's a DEC issue. I'm  
12 not an environmental expert but  
13 that's really up to them, but this  
14 if this project didn't go forward,  
15 there would be no remediation. But  
16 I do respect your opinion and, you  
17 know, take it into account. I  
18 think you're doing a great job over  
19 there in Syosset and if you want to  
20 talk further about it, I would be  
21 glad to have a dialogue with you.

22 MR. ROGERS: Thank you for  
23 your time.

24 CHAIRMAN KESSEL: Thank you.  
25 Have a good night.



1  
2 Okay. Catherine, next?

3 MS. FEE: Chairman, we now  
4 have John Cush.

5 John, could I trouble you to  
6 state your name and address for the  
7 record, please.

8 MR. CUSH: Sure. My name is  
9 John Cush, 8919 97th Avenue, Ozone  
10 Park, New York.

11 Good evening, IDA Board, and  
12 thank you for affording me the  
13 opportunity to speak.

14 I am a business agent for  
15 Ironworkers Local 361 representing  
16 hundreds of workers that reside in  
17 Nassau County. I am speaking  
18 tonight to say that I am happy to  
19 finally see development happening  
20 at the former Cerro Wire site, and  
21 on the surface, this Amazon project  
22 is a win-win. It adds tax revenue  
23 to the community without putting  
24 any burden on the school systems,  
25 nor does it require any tremendous

1  
2 amount of infrastructure  
3 improvements that would come with  
4 other forms of development.

5 Most importantly, it provides  
6 jobs at a time when so many are  
7 still feeling the effects from the  
8 toll that COVID-19 has taken on the  
9 economy.

10 With that being said, I urge  
11 Amazon to utilize the workforce of  
12 the Nassau/Suffolk Building Trades.  
13 My members have been hit hard by  
14 this pandemic and are still  
15 recovering. An opportunity for  
16 Local 361's members, the highest  
17 skilled ironworkers in the world,  
18 to build this project would not  
19 only help you achieve your goal of  
20 having this building done ahead of  
21 schedule, but would also go a long  
22 way in helping us climb out of the  
23 hole that COVID-19 has put us in.

24 Again, I want to thank you  
25 for giving me the chance to speak

again.

CHAIRMAN KESSEL: Thank you,  
John.

Catherine, is there anyone  
else?

MS. FEE: Sean McCaffrey.  
Sean, could I trouble you to state  
your name full and address for the  
record, please?

MR. McCAFFREY: Sean  
McCaffrey, 1905 Medford Avenue,  
Medford, New York.

A couple of things that we  
just said, that no remediation  
would be taken. My 30-plus years  
in the real estate industry -- with  
it, yes. The current title owner  
to the property is on the hook for  
it. They may have recourse against  
previous owners who polluted it,  
but they are on the hook so who are  
they? They are Amazon's landlord.  
So I am hearing if we don't get the  
lower price, we are not going to be

1 here which is fine. I guess  
2 they'll get a new tenant and it has  
3 nothing to do with Amazon. It  
4 still has to be remediated.

5 As far as all these  
6 construction jobs, I hope they have  
7 a Hazmat suit and all that kind of  
8 thing because once dust starts  
9 kicking up, if it's as bad as we  
10 think, they're going to need a lot  
11 more than (inaudible). The school  
12 impact here is -- how it impacts  
13 the schools. There is one next to  
14 it, there is another one up the  
15 road. Amazon wants to send their  
16 trucks up that same road, the  
17 Sprinter-type vans instead of  
18 putting it back on the highway on  
19 to a service road. No, they expect  
20 them to go north. I don't  
21 understand the reasoning behind  
22 that.

23 As for the report done by  
24 opposing counsel, their report, I  
25

1  
2 am going to call it a rouse. Do  
3 you know why? I went to school and  
4 grew up with the guy that wrote the  
5 report. He went to the school  
6 very, very close to there. He  
7 knows many of the dead and sick  
8 people, and in that report it said  
9 all the neighbors want this done.  
10 They don't know what the neighbors  
11 want so let's use the concrete that  
12 was mentioned. That's wonderful.  
13 Concrete is porous.

14 As far as keeping the ground,  
15 the stuff from not getting into  
16 ground, things called heavy metals,  
17 do you know why? They are heavy.  
18 They all going to pass through.  
19 What the cap is meant to do water  
20 is to prevent water from bringing  
21 it through, causing it to be part  
22 of the runoff. It does not in any  
23 way, shape or form prevent it from  
24 going down. It will go down, it  
25 may go down. Ground that can't be

1  
2 reached because there is a barrier,  
3 whether it be a pool cover or  
4 concrete, can't be cleaned in any  
5 way, shape or form by the  
6 vegetation that's coming up there.  
7 This is just total and complete  
8 nonsense.

9           There was a map that was  
10 posted. I wonder whose map it is.  
11 Because you know what it doesn't  
12 know? It doesn't show the school  
13 to the right but it showed the  
14 library which is further east. It  
15 also showed the animal shelter but  
16 not the DPW yard. Oh, yeah, the  
17 former dump.

18           They speak of a legacy that's  
19 there. Well do you know what?  
20 Amazon and the property owner have  
21 to create their own legacy. It's  
22 the land. Why on earth would you  
23 want to build on it, it's not so  
24 good. You are admitting there is  
25 an issue. Why take the cheap way

1 out? You are already almost 100  
2 trillion, yeah, that's with a "T"  
3 million dollar companies, it's  
4 going to be about 130 million more  
5 to fix it and then you want tax  
6 benefits, whatever term you want to  
7 use, absolutely absurd. They don't  
8 need it, they don't need to be  
9 incubated, they're not starving.

10 The property at 400 West  
11 John, I don't know who owns it, but  
12 if it was privately owned, who  
13 would want to do another one on  
14 spec? If it's so good for Amazon,  
15 it's got to be equally good for  
16 everyone else.

17 The cancer deaths will  
18 continue to be to be caused.  
19 They are not finding out what's  
20 causing it. Is it from there, is  
21 it from the dump, is it from none  
22 of them, is it from both of them?  
23 Who knows. I think anything from  
24 one hasn't migrated to the other  
25

1  
2 one. This authority -- I am for  
3 the Amazon project as it is. They  
4 have no business with trucks on  
5 Robbins or being on tainted land.

6 Thank you.

7 CHAIRMAN KESSEL: Thank you,  
8 Sean.

9 I would like to suggest, Dan  
10 Deegan, if you would, if Sean is  
11 interested, that you would reach  
12 out to him to talk about the  
13 traffic issues that he raised. I  
14 think that's helpful. I think  
15 maybe he has some good ideas. And  
16 I just ask you, Dan, to, if Sean  
17 wants to talk with you about that,  
18 maybe has some ideas that you would  
19 follow-up with him.

20 MR. DEEGAN: You have to tell  
21 me how to get in touch with him or  
22 you can reach out to me, look me up  
23 on the Internet.

24 CHAIRMAN KESSEL: Why don't  
25 you coordinate that if Sean is



1  
2 interested in talking and making  
3 some suggestions, Catherine, to  
4 hook Sean McCaffrey up with Dan, we  
5 can talk about that.

6 MS. FEE: Okay. Will do.

7 CHAIRMAN KESSEL: Thanks.

8 MS. FEE: Our next speaker is  
9 Arthur Adelman.

10 Arthur, can you please state  
11 your name and address for the  
12 record.

13 MR. ADELMAN: Yes. My name  
14 is Arthur Adelman. I live at  
15 110 Dubois Avenue, Sea Cliff, New  
16 York.

17 I am here to address the IDA  
18 regarding the gifts to Amazon and  
19 Simon Properties. I think it's a  
20 bad idea and it works adversely to  
21 the residents and taxpayers of  
22 Nassau County and specifically the  
23 homeowners that reside in the  
24 Syosset School District.

25 To offer -- to tell us that

1  
2 the tax bill of a million dollars  
3 is a PILOT payment in lieu of  
4 taxes, I would love to have the  
5 same percentage charged on my home.  
6 That's not even a quarter of an  
7 acre and I'm paying almost \$15,000.  
8 I would like to know how much of  
9 that PILOT will be going to Nassau  
10 County to pay their portion for  
11 Police Headquarters and Nassau  
12 County Police Department.

13 I cannot understand why we  
14 would give a gift to a  
15 company who had the audacity to  
16 donate \$25,000 to the campaign for  
17 the reelection of the current  
18 County Executive. I can't imagine  
19 that they will be pouring into the  
20 campaigns as the elections near the  
21 November election date.

22 I am curious who is going to  
23 pay to maintain the roads  
24 surrounding the planned Amazon  
25 project. You got local roads, Town

1 of Oyster Bay roads, you got county  
2 roads and you got state roads. The  
3 amount of traffic generated by this  
4 warehouse, I think we should put in  
5 a toll plaza and collect five bucks  
6 for every vehicle that utilizes the  
7 new warehouse. That might be a way  
8 to compensate us.  
9

10 In any case, I think a PILOT  
11 program is ridiculous. I think  
12 that if Amazon decides to go ahead  
13 with building on this site, they  
14 should pay their fair share just  
15 like the rest of us. I see my  
16 investments in Amazon as a  
17 stockholder go from a thousand  
18 dollars a share past \$3,100 a  
19 share. They are not in need of a  
20 handout like this and I hope the  
21 IDA recognizes that and does not  
22 listen to their attorneys when they  
23 say without the assistance, they  
24 might have to take the project  
25 elsewhere. They can afford to do

1  
2 it here.

3 Thank you and have a good  
4 night.

5 CHAIRMAN KESSEL: Thank you,  
6 Arthur. And again, sorry we kept  
7 you waiting a little bit but we  
8 appreciate your comments and your  
9 input. Have a good night.

10 Catherine?

11 MS. FEE: Chairman, we now  
12 have Francesca Carlow.

13 Francesca, please state your  
14 name and address for the record.

15 MS. Carlow: Francesca  
16 Carlow, Immediate Past President of  
17 the Nassau Council of Chambers of  
18 Commerce. Also I reside at 71  
19 Barnum Avenue in Plainview, New  
20 York. I was also a small business  
21 owner for almost 50 years.

22 As hundreds of mom and pop  
23 small businesses have been  
24 struggling to keep their doors  
25 opened for this last year, Amazon

1  
2 has done a banner business  
3 throughout the pandemic and  
4 everyplace you turn they are  
5 building massive boxes. Mr. Deegan  
6 may call them "state of the art,"  
7 they are a box with a very little  
8 benefit to any neighbor or any  
9 community.

10 Currently, they have plans to  
11 open even more warehouses and  
12 distribution centers in West  
13 Hampton, Carle Place, Melville.  
14 You name it, they want to go. An  
15 Amazon supermarket is being built  
16 in Plainview. Everyone knows  
17 Amazon is doing just fine.

18 I wrote to the IDA  
19 December 15th on behalf of the  
20 Nassau Council's strong opposition  
21 and I will read from my letter:  
22 For Amazon to request \$3.3 million  
23 off a mortgage recording -- off a  
24 mortgage recording and sales tax on  
25 the purchase of construction

1  
2 material, equipment and fixtures  
3 for their warehouse is depriving  
4 needed revenue from every tax  
5 paying resident in Nassau County.

6 In addition, they are  
7 requesting a 15-year reduction in  
8 property tax. This is an affront  
9 to property owners and every retail  
10 business that struggles to pay high  
11 taxes every year and it will have a  
12 long-lasting and detrimental effect  
13 on Long Island businesses.

14 The job be opportunities at a  
15 warehouse are not technical,  
16 creative or high paying. Warehouse  
17 forklift operators, pickers and  
18 mostly robots and drivers will be  
19 the positions created by this  
20 warehouse with very little chance  
21 of any advancement.

22 Amazon wants to expand across  
23 Long Island because we have a huge  
24 centralized mass of consumers.  
25 They need us to feed their growth.

1  
2 If they want additional space to  
3 disseminate their massive wares on  
4 our streets, they must be required  
5 to pay all taxes associated with  
6 that property. Our small business,  
7 both retail and service, pay sales  
8 tax and we have all paid property  
9 tax to fund our schools and  
10 services. The Nassau Council feels  
11 strongly that Amazon must also pay  
12 to play on Long Island.

13 I thank you very much for  
14 your consideration.

15 CHAIRMAN KESSEL: Thank you,  
16 Francesca. It's great to hear from  
17 you. We know each other a long  
18 time and I commend you for your so  
19 many years of service for small  
20 businesses and I can tell you,  
21 we'll talk a little bit more about  
22 it in a few minutes, that, you  
23 know, we are very focused on small  
24 business and helping them and a lot  
25 of that is due to the leadership

1  
2 that you've shown over the years  
3 and it's great to hear from us and  
4 see you.

5 Thank you.

6 Sorry, Catherine.

7 MS. FEE: Chairman, we now  
8 have Mr. Kevin McKenna.

9 Kevin, I am going to ask that  
10 you state your name and address for  
11 the record, please.

12 MR. McKENNA: Yeah.

13 Kevin McKenna again, 3 Edna  
14 Drive, Syosset.

15 First off, I just want to  
16 point out that the two civic  
17 organizations that the applicant  
18 has said that they have gone to,  
19 the Birchwood Civic Association in  
20 Jericho, the head of that Civic  
21 Association, his name is Roy  
22 Chipkin, he is the largest  
23 commercial real estate broker on  
24 Long Island and he sold out the  
25 Jericho community on the Marriott



1  
2 Hotel and the Town of Oyster Bay is  
3 using him as an affront to say that  
4 this is a project that Jericho  
5 wants. I guarantee you that his  
6 civic in Birchwood, none of the  
7 residents in Jericho know anything  
8 about his positive attitude because  
9 he works for the town, basically.

10 Pat Crudo who heads up the  
11 Birchwood Civic in Syosset, you  
12 have that. Pat Crudo is an  
13 advocate for the Town of Oyster  
14 Bay. The fact is he has no members  
15 in his civic.

16 I want to point out that  
17 about three months ago I reached  
18 out to the Forchelli Law Firm. I  
19 spoke to Mr. Kennedy. I told  
20 Mr. Kennedy that since there are no  
21 civic organizations really in  
22 Syosset other than Laura Schultz --  
23 and by the way, Laura Schultz is a  
24 fine woman but she only has two  
25 members in her civic but I'm glad

1 she is against the project. So I  
2 reached out to Forchelli and I  
3 spoke to Mr. Kennedy and I told him  
4 that I wanted to bring the Syosset  
5 residents on a Zoom call because I  
6 have a large audience on my  
7 Facebook page. Mr. Kennedy thought  
8 that was a great idea. When he  
9 spoke to Dan Deegan, Dan Deegan  
10 squashed the idea so that the  
11 Syosset residents could not have  
12 any presentation given by  
13 Forchelli.  
14

15 Now, in my minute and 18  
16 seconds, I wish that I was able to  
17 answer the questions that you asked  
18 Mr. Deegan before. I have spent  
19 the last four and a half years  
20 investigating the environmental  
21 matters over there at 305 Robbins  
22 Lane and I could have answered the  
23 questions.

24 I want to just say that right  
25 now I can't believe that the DEC is

1  
2 not invited to participate on this  
3 phone call. Now if you had an  
4 application in front of you right  
5 now where this applicant said to  
6 you that this project can't start  
7 for four and a half years, would  
8 you be considering that project  
9 right now? Because the fact of the  
10 matter is that the DEC very well  
11 could come back and tell this  
12 applicant that they need to fully  
13 remediate the property which is the  
14 right thing to do. That's what a  
15 cleanup is. Okay.

16 You should not even be having  
17 this vote until you get the  
18 decision from the DEC. I can't  
19 understand how you're voting on  
20 something not knowing when the  
21 construction can start. This  
22 applicant seems to know the answer  
23 but the public doesn't know the  
24 answer from the DEC and Joe  
25 Saladino is in the pocket of the

unions.

Thank you.

CHAIRMAN KESSEL: Thank you, Kevin. I appreciate your participation tonight.

Catherine, is there anyone else.

MS. FEE: Chairman, there does not appear to be anybody else in the queue.

CHAIRMAN KESSEL: Okay. Just let me ask if anyone else wants to speak now, raise your hand and we'll call on you; if not, we will move on.

(No response.)

MS. FEE: I think we can move forward, Chairman. Thank you.

CHAIRMAN KESSEL: Thank you.

And I want to thank everyone who participated both for or against the project. We appreciate your attention, your input. We do listen to everything that you say

1  
2 or write into us and I want to  
3 thank you all for that.

4 So now the process is we have  
5 three resolutions and there is a  
6 SEQRA resolution, there is a PILOT  
7 deviation resolution and there is a  
8 proving resolution.

9 What I would like to do is  
10 call for a vote and then each Board  
11 Member, you don't have to speak,  
12 but if you want to comment prior to  
13 your vote, that's welcome.

14 So first do I hear a motion  
15 to adopt these there resolutions on  
16 Amazon and Syosset Park?

17 SECRETARY WILLIAMS: Tim  
18 Williams, I make the motion.

19 CHAIRMAN KESSEL: Tim  
20 Williams moves it. I will second  
21 it.

22 Let me just start by saying a  
23 few things then move on to others.  
24 I think we have all spoken about  
25 this.

1 First of all, I am going to  
2 support this project for several  
3 reasons. First of all, this is  
4 a -- (poor audio) -- Nassau County  
5 for decades. It's been vacant.  
6 There have been a number of  
7 proposals that have been made. You  
8 know, some of them very interesting  
9 and intriguing, but they were  
10 rejected by the community. And you  
11 know, some say why, you know, why  
12 not, you know, have someone else  
13 come in there. If someone else  
14 (poor audio) was interested, they  
15 would have come over the last 30 to  
16 40 years and it hasn't happened.  
17 And I think it's important that  
18 this project goes forward with our  
19 assistance. I do believe that  
20 without our assistance, Amazon will  
21 not build the project. I have  
22 questioned them at length about it.

23 Why do I support this?

24 Number one, because it brings jobs

1 to the area and to Nassau County.  
2  
3 When you look at the number of jobs  
4 that will be created, not even  
5 talking about the construction yet,  
6 but at the site and the van  
7 drivers, there are hundreds of  
8 jobs. I have heard from two  
9 companies; one which is already in  
10 existence and another that wants to  
11 go into business just to higher van  
12 drivers to lease or rent or buy  
13 vans to service this facility.  
14 There are going to be hundreds of  
15 people that will be put back to  
16 work at a very difficult time at  
17 all different levels, and while I  
18 understand, you know, most of the  
19 jobs are not \$200,000 jobs, we need  
20 to open up the field for our city  
21 to give everyone an opportunity to  
22 do that. The jobs to me are the  
23 most important thing.

24 I also have to say, and I've  
25 talked to my good friends, Chris

1  
2 Fusco, Anthony Simon and several  
3 other Board Members that the effort  
4 has been made on the part of Amazon  
5 and Syosset Park in engaging the  
6 unions is really recognized and  
7 extraordinary. I am hopeful that  
8 if not the entire job, most of the  
9 job significantly will be of union  
10 labor.

11 Our neighbors and friends who  
12 live on Long Island, who live in  
13 the area, who live in the county  
14 who are union workers, they need  
15 work now and I am -- you don't do a  
16 project just for the construction  
17 of it, but right now, people need  
18 jobs and I know there are a lot of  
19 people who pontificate about  
20 whether we should or shouldn't do  
21 the project, but many of those  
22 people have jobs. I'm talking  
23 about many of the people who right  
24 now are not working and I think  
25 that right now with COVID, this is



critically important.

I also think it's important for the tax base, et cetera. This will bring in an additional \$12 million to Nassau County and the localities and municipalities in the surrounding area and it's a significant increase. You heard what Superintendent Rogers said, the bottom line is that for the residents and the taxpayers who pay the taxes to support that school and the other schools in the area, they are all going to benefit. This is not a tax break in any way. This is a tax bonanza over the next 15 years for the people of Nassau County and the people of the community, and that's critically important.

And I also think on the remediation end, while I am not an expert on remediation and ground field development, although I have

1  
2           been involved in a number of them,  
3           it's time that this property is  
4           improved. If we just let this go  
5           and drift for another 20 or 30  
6           years, there will be no  
7           improvements made. No one is going  
8           to put up millions of dollars for  
9           this particular property. The fact  
10          that Amazon and Simon Properties  
11          are willing to do that and pay for  
12          it and remediate it will help the  
13          environment in the community.

14                 I respect people who don't  
15          support this and I want to conclude  
16          by saying that, you know, I've  
17          talked at great length to several  
18          of our Board Members including John  
19          Coumatos, you know, this is not an  
20          issue of us versus them. Amazon  
21          versus small businesses. I talked  
22          to a lot of small businesses and I  
23          will tell you that thanks to the  
24          efforts of John Coumatos and some  
25          of our Board Members, we are going

1  
2 to use this as a springboard to do  
3 some special programs for small  
4 businesses, particularly in that  
5 area, and I'm hoping to put that  
6 together for our next board  
7 meeting. We love small businesses.  
8 We will do everything we can to  
9 help them. But I will tell you, a  
10 couple of the small businesses that  
11 I have heard from said that they  
12 support this project because they  
13 are now using Amazon.

14 This is not a criticism of  
15 Amazon. I have never used it  
16 myself, my family has. I like to  
17 go into businesses. I like to, you  
18 know, shop, I like to feel the  
19 tomatoes and peaches. I like to go  
20 get things that I want. I'm a  
21 small business user but there is  
22 room for both small business  
23 success and Amazon, making it  
24 easier for people to survive and to  
25 thrive in this society.

1  
2           So for those reasons, I  
3       intend to vote yes on this project.

4           Now I would like to ask if  
5       any other Board Members would like  
6       to comment. I'm kind of looking at  
7       people. So does any other Board  
8       Member want to comment? And then  
9       we will vote.

10           TREASURER FLORES: Chairman,  
11       I will comment. This is Amy  
12       Flores.

13           CHAIRMAN KESSEL: Amy Flores.  
14       Thank you, Amy.

15           TREASURER FLORES: Thank you.

16           First I would like to thank  
17       everyone who took time out to  
18       provide their feedback; whether  
19       it's through their letters, through  
20       e-mails, through their public  
21       hearing comments. We have heard  
22       all of the comments and we thank  
23       you for participating.

24           You know, through this Amazon  
25       project, a longstanding blighted

1  
2 and vacant property will become a  
3 facility that will not only  
4 generate economic development but  
5 also create hundreds of jobs;  
6 whether it's construction jobs,  
7 training opportunities for new  
8 workforce in addition to Amazon  
9 employment.

10 We know that many of our  
11 local residents right now are  
12 hurting because of the pandemic and  
13 have lost their jobs and this  
14 project will not only create  
15 opportunities for employment, but  
16 it will also help many of our local  
17 working families here in Nassau  
18 County and many of these families  
19 will not only benefit from this  
20 economic opportunity, but in turn,  
21 it will also help and grow the tax  
22 base.

23 So thank you.

24 CHAIRMAN KESSEL: Thank you,  
25 Amy. I appreciate your comments.

Any other Board Members that  
want to comment?

SECRETARY WILLIAMS: Richie,  
it's Tim. I am going to --

VICE CHAIRMAN WARREN:  
Chairman Kessel, it's Lewis Warren.

CHAIRMAN KESSEL: Hold on.  
Lewis, hold on one second. Tim  
then Lewis.

VICE CHAIRMAN WARREN: I have  
technical difficulties.

SECRETARY WILLIAMS: I will  
try to be a little brief.

So I think, to address some  
of the concerns everybody has, and  
I too intend to support the  
project.

Jobs are always. Good jobs  
are what we should be geared for.  
I think three of the concerns that  
most people seem to have are big  
versus small meaning, you know,  
Amazon versus mom and pop Main  
Street which I understand why

1  
2 people have that concern and it is  
3 real and I want to see us do more  
4 for Main Street. Mom and pop  
5 businesses are the backbone of  
6 Nassau County, Long Island. They  
7 are why we are all here today, but  
8 we can't ignore what big business  
9 benefits, how it benefits Nassau  
10 County and Long Island.

11 And then the other issues,  
12 everybody said, you know, why give  
13 benefits to a large trillion dollar  
14 company, and the reality for that  
15 is I understand how people have  
16 that sentiment. At the end of the  
17 day, we want to give benefits,  
18 economic benefits to anybody who  
19 can create opportunities for Nassau  
20 County. If it's a mom and pop, if  
21 it's a small or medium sized  
22 company, we should be looking to  
23 help them.

24 In this case, I think the  
25 economic answer is yes, it's a

1  
2 blighted property. You know, it's  
3 tough, it's been 30 years of tough  
4 non-starting projects.

5 MEMBER WILLIAMS: While I  
6 understand the need for the -- the  
7 long term of the PILOT I'd rather  
8 have seen an increase in terms of  
9 the PILOT than seeing the recording  
10 tax. Needless to say, the  
11 recording tax is a simple  
12 transaction. It's a simple  
13 economic transaction for the  
14 County.

15 In that regard, I'm really  
16 kind of on the fence about whether  
17 Amazon does need a mortgage  
18 recording. I think it's fair -- I  
19 understand it's part of the  
20 economic structure of the package,  
21 I think it's -- I understand that  
22 it goes to the underlying numbers  
23 of how it fits, but I -- I do kind  
24 of think it looks a little ugly for  
25 a mortgage recording tax request.



1  
2 And then the environmental, I  
3 really do hope that we get to learn  
4 more. I think it's important that  
5 we get the information on the DEC,  
6 and I don't know if counsel can  
7 really give us some answers about  
8 how a closing takes place in light  
9 of the DEC recommendation and  
10 whether or not it can go forward,  
11 closing can go forward, without a  
12 DEC documentation, and then, you  
13 know, based on that question of  
14 should we -- should we require it  
15 as part of this process or is it  
16 required as part of a closing  
17 process?

18 CHAIRMAN KESSEL: Am I on?  
19 Yes. Thank you, Tim.

20 Andrew, we've looked at this  
21 at length. Andrew, you want to  
22 answer Tim on the question of what  
23 this is contingent on the closing?

24 MR. KOMAROMI: Sure. So the  
25 closing of the transaction with the

1  
2 applicant under the approving  
3 resolution is contingent upon the  
4 completion of the DEC process but  
5 that is the closing on the overall  
6 PILOT transaction, and we are going  
7 to be able to do basically a  
8 preliminary sales tax related  
9 closing only. That does not  
10 involve the overall -- the overall  
11 transaction which will, of course,  
12 to the extent the overall closing  
13 does not occur, it will be -- it  
14 will be subject to recapture of  
15 those sales tax benefits.

16 MEMBER WILLIAMS: So what's  
17 the timing? The sales tax  
18 potential closing, obviously, would  
19 be the first and then there's the  
20 wait -- wait-and-see period for the  
21 DEC report, what's the delta, do we  
22 know or we have no clue, it's  
23 whenever they issue the report?

24 MR. DEEGAN: Can I answer  
25 that, Andrew?

1  
2 MR. KOMAROMI: No, Dan, feel  
3 free, go ahead, but that's  
4 basically on, you know. I  
5 understand that the applicant  
6 anticipates for that to happen  
7 relatively soon, but -- but  
8 basically it is when that happens.

9 MR. DEEGAN: Right, and we  
10 don't know that and we don't  
11 control that. It's just that, you  
12 know, kind of our consultants is a  
13 typical timeline but, you know, the  
14 DEC has to take into account all  
15 those comments, but with that being  
16 said, you know, we have already,  
17 you know, we took a while getting  
18 through the town process and now  
19 we're getting through the IDA  
20 process. This is a very timely,  
21 you know, between the construction  
22 season and the holiday season, this  
23 is -- we're very stressed for time  
24 at this point. So the idea of  
25 having the sales tax so that at

1  
2 least we can start ordering the  
3 materials, so we're not actually  
4 constructing anything but we're  
5 actually getting the materials in  
6 place, so that if as and when the  
7 DEC approves it and we can close on  
8 everything with the DE -- with the  
9 IDA we can hit the ground running.

10 MEMBER WILLIAMS: So just to  
11 be clear, one, if you do the  
12 closing with the sales tax, A, if  
13 you, for whatever reason, never  
14 close on the PILOT program, there  
15 is a 100 percent recapture of the  
16 sales tax?

17 MR. KOMAROMI: That is  
18 absolutely correct.

19 MEMBER WILLIAMS: There's no  
20 paring down over time, it's 100  
21 percent of what it was?

22 MR. KOMAROMI: That is  
23 correct.

24 MEMBER WILLIAMS: And for  
25 clarity for everybody who is on the

1  
2 call who raised a question  
3 yesterday and today about whether  
4 we should give the DEC reporting,  
5 we're not closing until the DEC  
6 reporting is issued; is that  
7 correct?

8 CHAIRMAN KESSEL: Yes.

9 MR. KOMAROMI: That is  
10 correct, yes.

11 MEMBER WILLIAMS: All right,  
12 thank you.

13 CHAIRMAN KESSEL: Thank you,  
14 Tim.

15 Lewis Warren. Lewis? No.

16 MS. FEE: I think he might be  
17 trying to unmute.

18 MEMBER WILLIAMS: I think he  
19 has a little bit of a delay.

20 CHAIRMAN KESSEL: Okay, we'll  
21 hold for Lewis a second.

22 Anyone else on the Board wish  
23 to comment?

24 MEMBER COUMATOS: I may as  
25 well jump in.

CHAIRMAN KESSEL: Oh, there's  
Lewis. Lewis and then John.

MEMBER WARREN: Thank you,  
Chairman Kessel, and my apologies,  
John. I've had some technical  
issues here tonight.

I want to comment. I really  
over the last several weeks and  
public hearings have appreciated  
the serious and thoughtful  
discussion around this project. I  
am supportive of this project  
because ultimately one of our key  
missions in our statute is economic  
development and jobs, and we have  
to balance that with community  
feedback and impact, and it's  
been -- it's been an illuminating  
experience for me to -- to -- to  
hear the feedback from the  
community. I'm convinced that  
the -- the significant tax addition  
of \$12 million to the tax base of  
this \$70 million capital Improven

1  
2 and the job, the hundreds of jobs  
3 for the building and construction  
4 trades, permanent jobs, are all --  
5 are all value added to that  
6 project.

7 What -- what -- what  
8 convinces me is that I've driven by  
9 the LIE and this Robbins Lane  
10 blighted site for hundreds, if not  
11 thousands, of times and it is clear  
12 that -- that over two or three or  
13 four iterations over the last 30  
14 years in trying to get a projet in  
15 this old Cerro plant that those  
16 projects have failed, so for  
17 economic development reasons and  
18 for the job benefits of this  
19 project and I would add that the  
20 DEC remediation is -- is serious.

21 We -- this project would not  
22 go forward until that remediation  
23 report is completed, so I'm -- I'm  
24 in favor of the project for those  
25 -- for those reasons.

Thank you, Chairman Kessel.

CHAIRMAN KESSEL: Thank you, Lewis, I appreciate it and I appreciate your participation.

John?

MEMBER COUMATOS: Thanks for the time, Mr. Chairman.

Just a couple things. I do believe sitting on the Board of the IDA is an honor for me. However, I respect all members on our Board and everybody in a way has representation, whether through unions or through other courses except the small businesses that are on Long Island. So the issues that I kind of see through the other way as an IDA member is that we bring businesses to Long Island, to Nassau County that are going to benefit and not hurt the balance of what's going on now.

So a couple of my concerns is, number one, is Amazon already



1  
2 went through or let's put it this  
3 way, Nassau County and Town of  
4 Oyster Bay have some of the richest  
5 top six or seven richest areas here  
6 in the United States. We have  
7 given Amazon or the real estate  
8 vendor in Bethpage already a tax  
9 break and I voted for it, but this  
10 is a second one and I believe  
11 everybody should have a chance to  
12 get the same amount of money  
13 through the same process as  
14 everybody else.

15 As Mr. Williams has stated  
16 the mom and pop stores should come  
17 to us, but they can't come to us.  
18 They can't qualify to come to us.  
19 My biggest concern is the balance  
20 of what's going to happen when  
21 Amazon, whether it's one store, two  
22 stores, three stores, doesn't  
23 change how much money they are  
24 collecting as a business. What it  
25 does change is the malls, the small

stores and the block stores.

So as the diversity and hiring people through Amazon, which I'm all for, what about those people that pay for houses, their mortgage, they have to pay secondary jobs, so a mom whose kid goes in the afternoon, works at Macy's, they're going to knock them out of business, so where are these people going to work, are they going to work as factory workers at Amazon? What are we going to do with these people? They're the people who are going to be out of work. Maybe there's 200 jobs at Amazon for this project, but the amount of jobs that are going to be lost in small business, and when the umbrella of them taking over the block stores that will go under the Amazon umbrella, to me, my personal opinion is that you're going to lose more jobs or you're

going to balance out what happens.

So I just can't -- those are my opinions and that's that all that I can say. Thank you.

CHAIRMAN KESSEL: Thank you, John. As always, appreciate your input.

Does anyone else on the Board wish to make comment? Okay, hearing none, we will vote. Again, it's a package of three resolutions. We can vote on all of them at the same time. There is a SEQRA resolution, a PILOT deviation resolution and approval resolution. We've already moved and seconded it. So let's -- I'll take a roll call vote on this if everyone is okay with that.

Richard Kessel, I vote aye.

Amy Flores?

MEMBER FLORES: Amy Flores, I vote aye.

CHAIRMAN KESSEL: Lewis

Warren? Lewis? All right, we'll  
come back for Lewis. Is that you,  
Lewis?

MEMBER WARREN: Yes, Lewis  
Warren votes yes.

CHAIRMAN KESSEL: Okay.  
Anthony Simon?

MEMBER SIMON: Anthony Simon  
votes yes.

CHAIRMAN KESSEL: Thank you,  
Anthony.

John Coumatos.

MEMBER COUMATOS: Nay.

CHAIRMAN KESSEL: Chris  
Fusco?

MEMBER FUSCO: Chris Fusco  
votes yes.

CHAIRMAN KESSEL: Tim  
Williams?

MEMBER WILLIAMS: I vote yes.

CHAIRMAN KESSEL: Okay, the  
resolutions, plural, are carried  
six to one. Thank you. That is --  
is completion of the Amazon

project.

Lewis Warren. Lewis?

MEMBER WARREN: Richard, can  
you hear me?

CHAIRMAN KESSEL: Yes.

MEMBER WARREN: Lewis Warren  
votes.

CHAIRMAN KESSEL: Yeah, you  
vote yes? I think we got it,  
right? Yeah, Lewis is in a distant  
location but he voted yes. Okay,  
thank you.

MR. DEEGAN: Thank you,  
Chairman and Board members.

CHAIRMAN KESSEL: Thank you.

Let's go to a more  
controversial issue, approving of  
our February 25 IDA minutes. First  
of all, I'll make a motion to adopt  
the minutes, is there a second?

MEMBER WILLIAMS: Tim  
Williams.

CHAIRMAN KESSEL: Tim, thank  
you. Second? Are there -- first,

are there any changes, omissions or corrections to those minutes?

Hearing none, we can do a voice vote. All those in favor indicate by saying aye.

(Whereupon, all board members responded in the affirmative.)

CHAIRMAN KESSEL: Any abstentions? Okay, the minutes carry.

Now we've got committee reports. We've got, I assume, Tom Glascock, that we can take both the Audit and Finance Committee meetings first?

MR. GLASCOCK: Yes, we can do it in the same way we did last time, where we can do a report and then pass our vote for the corresponding resolution.

CHAIRMAN KESSEL: Want me to do it separately or I can do finance together?

MR. GLASCOCK: You can do

1  
2 finance together, and I recommend  
3 even though we have the chairman  
4 from Finance present, he was not at  
5 the meeting so I would recommend  
6 that Member Williams give the  
7 report as he did for LEAC.

8 CHAIRMAN KESSEL: Okay, so,  
9 Tim Williams, I ask you to give  
10 report for both the Audit and  
11 Finance Committees to the Board.

12 MEMBER WILLIAMS: Sure.  
13 Earlier today the Audit and the  
14 Finance Committee for the IDA met  
15 and we are recommending to the full  
16 Board of the IDA acceptance and  
17 approval of the 2020 audit as  
18 presented, and I make the motion  
19 that we -- that we -- the full  
20 Board accepts.

21 CHAIRMAN KESSEL: Okay, is  
22 there a second to that motion?

23 MEMBER FLORES: Amy Flores  
24 seconds.

25 CHAIRMAN KESSEL: All right,

Amy seconds it.

Are there any questions or comments on the Board on this? I know we've already discussed this before, I just want to give anyone an opportunity if they want to say anything. Hearing none, I think we can do a voice vote. All in favor of adopting the audited financial statements indicate by saying aye.

(Whereupon, all board members responded in the affirmative.)

CHAIRMAN KESSEL: Are there any opposed?

SPEAKER: Aye.

CHAIRMAN KESSEL: That was an aye, right? Yes.

We're having a little bit of a problem, technical problem. I think we're okay.

Any opposed? Any abstentions?

Okay, now we've got the Governance Committee report.



Anthony Simon.

MEMBER SIMON: Yes,  
Mr. Chairman Kessel, the Governance  
Committee and the resolution to  
readopt the mission statement and  
adopt the 2020 operations and  
accomplishments and performance  
measurements reports.

CHAIRMAN KESSEL: Okay, are  
you moving those resolutions?

MEMBER SIMON: Do I have a  
second?

Sorry, Chairman Kessel.

MEMBER FUSCO: Chris Fusco.

MEMBER SIMON: Chris Fusco on  
the second.

CHAIRMAN KESSEL: Okay, does  
any Board member want to comment on  
any of these resolutions relating  
to the Governance Committee  
recommendations? Hearing none, all  
those in favor indicate by saying  
aye.

(Whereupon, all board members

1  
2 responded in the affirmative.)

3 CHAIRMAN KESSEL: Are there  
4 any opposed? Any abstentions? The  
5 motion carries.

6 We now have a resolution  
7 authorizing a payment pursuant to  
8 the employee benefits handbook.

9 Tom Glascock, I think I'm  
10 going to ask you to just briefly  
11 explain this resolution.

12 MR. GLASCOCK: This will be a  
13 resolution to authorize effectively  
14 a settlement agreement with the  
15 prior CFO for payment from accrued  
16 sick time that was unused at the  
17 end of his termination or end of  
18 his -- I'm sorry, his leaving  
19 employment. This was something  
20 that's been discussed before  
21 previously. We have discussed a --  
22 a reduced number that the Agency  
23 had contested and had not agreed  
24 with him as to the amount that he  
25 might be due under the employee

benefits handbook and this would authorize a settlement agreement with him and a payment to -- to address that.

CHAIRMAN KESSEL: Okay, thank you.

Are there any questions on the part of the Board for Tom about this payment?

MEMBER WILLIAMS: Just a quick question. Is the amount in that document or are we just --

MR. GLASCOCK: It was -- it was -- it would be \$22,000 is the discussed amount which is a reduction from amounts that had been previously stated.

MEMBER WILLIAMS: Subject to this it's been accepted by, you know, the former employee?

MR. GLASCOCK: Yes. Yes, we have an agreement.

MEMBER WILLIAMS: Okay, all right.

CHAIRMAN KESSEL: Are there any questions?

MR. GLASCOCK: So this authorization -- this resolution would allow us to bring this matter to a close.

MEMBER WILLIAMS: Good.

CHAIRMAN KESSEL: Thanks, Tom.

Are there any questions or comments on the part of the Board? Are there? No.

MEMBER WILLIAMS: Well, not a question, but at some point I guess I want to know how much -- what was our expense associated with legal fees for this? I assume they don't have it now, but I think at some point we should come back to it.

MR. GLASCOCK: I don't know that firsthand. There's no additional expense on my part. We can -- we can find out if there are any other additional expenses.

MEMBER WILLIAMS: Yeah, okay.

CHAIRMAN KESSEL: All right,  
any other questions?

All right for a motion to  
approve this resolution.

MEMBER SIMON: Anthony Simon  
moves it.

CHAIRMAN KESSEL: Anthony  
Simon moves it.

Is there a second?

MEMBER FUSCO: Chris Fusco on  
the second.

CHAIRMAN KESSEL: All right,  
Chris Fusco on the second.

I think we can take a voice  
vote. All those in favor indicate  
by saying aye.

(Whereupon, all board members  
responded in the affirmative.)

CHAIRMAN KESSEL: Are there  
any opposed? Are there any  
abstentions? Okay, the motion  
carries. Thank you.

Anne LaMorte, our Chief

Financial Officer report, thank  
you. Anne?

MS. LAMORTE: Thank you.  
Sorry. I just want to report  
quickly on January and February  
2021 for the IDA. We have no  
closing revenue to date but we have  
-- we expect -- we start closing in  
the second quarter. We received  
all the annual admin fees to date,  
100 percent has been collected of  
the expenses, nothing out of the  
ordinary, and the cash is on the  
bottom.

Does anyone have any  
questions?

MEMBER WILLIAMS: Hey, Anne.

MS. LAMORTE: Hey, Tim.

MEMBER WILLIAMS: It's based  
on something Harry said, he said  
based on auditor's comments that,  
you know, it's going to be a tough  
year but we will make numbers by  
the end of the year. My question

1  
2 is during the course of the year  
3 have we measured any months that we  
4 are going to continue to be in the  
5 red on any individual months?

6 MS. LAMORTE: Actually, first  
7 month we were good and then until  
8 we get into about June.

9 MEMBER WILLIAMS: Okay.

10 MS. LAMORTE: I don't  
11 anticipate seeing anything  
12 positive. But we are going to  
13 adhere to our budget this -- this  
14 year very strictly.

15 MEMBER WILLIAMS: Okay.

16 CEO COGHLAN: However, Anne,  
17 I just want to make sure we're  
18 clear, if those closings that we  
19 anticipate close within the second  
20 quarter, we will have positive  
21 months with the potential of being  
22 positive for the first half; am I  
23 correct?

24 MEMBER WILLIAMS: So are we  
25 at a point where for, you know, all

1  
2 things being equal right now as it  
3 looks on paper, are we dipping into  
4 reserves monthly, and then is part  
5 of our budget to replace the  
6 reserves after June? Again, all  
7 things being just on paper equal  
8 hopefully they go better.

9 CEO COGHLAN: I would say in  
10 the fourth quarter of the previous  
11 years they were replenished in  
12 December when we had a number of  
13 closings. A number of closings  
14 have been delayed into 2021 so we  
15 expect to replenish again.

16 MEMBER WILLIAMS: Okay.

17 CHAIRMAN KESSEL: Thank you.

18 Are there any other questions  
19 for Anne or Harry on the financial  
20 report? Okay, hearing none, that  
21 brings us to the end of the -- the  
22 agenda. I want to report to the  
23 Board that our next meeting is  
24 going to be April 22nd at 6:30.  
25 Again, just to be clear, starting



1  
2 with LEAC and then going into the  
3 IDA. It will be virtual and  
4 hopefully our May meeting will be  
5 in person with the appropriate  
6 protocols being taken.

7 You know, nothing replaces  
8 being together personally. I want  
9 to wish everyone a good holiday  
10 season, good health to everyone.

11 And again, I want to thank  
12 the Board for, you know,  
13 accommodating this change in  
14 meeting date by a week. I know it  
15 was a challenge for some of you,  
16 and I do really appreciate all that  
17 you've done to accommodate the  
18 meeting, and I appreciate all of  
19 the input that you've had, and with  
20 that, I'll entertain a motion to  
21 adjourn.

22 MEMBER WILLIAMS: Tim  
23 Williams, I'll make a motion.

24 CHAIRMAN KESSEL: Okay, Tim.

25 Is there a second?

MEMBER SIMON: I'll second,  
Anthony Simon.

CHAIRMAN KESSEL: All those  
in favor indicate by saying aye.

(Whereupon, all board members  
responded in the affirmative.)

CHAIRMAN KESSEL: Any  
opposed? Okay, we are adjourned.

(Time noted: 9:22 p.m.)

C E R T I F I C A T E

STATE OF NEW YORK )

) ss.:

COUNTY OF NASSAU )

I, GAIL NEUFELD, DIANA MITCHELL,  
a Notary Public within and for the  
State of New York, do hereby certify  
that the within is a true and accurate  
transcript of the proceedings taken on  
March 22, 2021.

I further certify that I am not  
related to any of the parties to this  
action by blood or marriage; and that I  
am in no way interested in the outcome  
of this matter.

IN WITNESS WHEREOF, I have  
hereunto set my hand this 25th day of  
March, 2021.

-----  
GAIL NEUFELD

-----  
DIANA MITCHELL

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