

PROVINCE OF MERIBAH SOCIETY OF MARY, INC., SEQRA Resolution

A regular meeting of the Nassau County Local Economic Assistance Corporation (the “Issuer”) was convened in public session at the Theodore Roosevelt Executive & Legislative Building, Ceremonial Chambers, 1550 Franklin Avenue, Mineola, Nassau County, New York on January 27, 2022 at 6:45 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 -- EXCUSED
Amy Flores	Treasurer
John Coumatos	Asst. Treasurer
Chris Fusco	Asst. Secretary

NOT PRESENT:

Timothy Williams	Secretary
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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. 2022-01 was offered by Director Amy Flores, seconded by Director Lewis Warren.

Resolution No. 2022 -

RESOLUTION OF THE NASSAU COUNTY LOCAL ECONOMIC
ASSISTANCE CORPORATION FINDING PROVINCE OF MERIBAH
SOCIETY OF MARY, INC., 2022 PROJECT WILL NOT HAVE A
SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

Project Name: PROVINCE OF MERIBAH SOCIETY OF MARY, INC., 2022
PROJECT

Location: 1400 Glenn Curtis Boulevard, Uniondale, Town of Hempstead,
Nassau County, New York at (Section: 50; Block: 340; Lot: 495A,
495B, 463E, 463F and 504)

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, **PROVINCE OF MERIBAH SOCIETY OF MARY, INC.**, a not-for-profit corporation organized and existing under the laws of the State of New York, (the “Institution”) 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 \$10,000,000 (the “Bonds”) for the purpose of paying

the costs associated with a certain project (the "Project") consisting of: (A) the construction of an approximately 60,000 square foot, two-story fine arts and athletic center (the "Improvements") at the Institution's existing campus at 1400 Glenn Boulevard, Uniondale, Town of Hempstead, Nassau County, New York at (Section: 50; Block: 340; Lot: 495A, 495B, 463E, 463F and 504) (the "Land"); (B) 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, collectively with the Land and the Improvements, the "Facility") and (C) 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 (C) being hereinafter collectively referred to as the "Project Costs"); 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 December 9, 2021, and (ii) Short Environmental Assessment Form, dated January 24, 2022 (the "EAF") (collectively the "Project Environmental Documents"); 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 Project Environmental Documents and upon the Issuer's knowledge of the area surrounding the property 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 60,000 square foot, two-story fine arts and athletic center, 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 building footprint, but will not substantially alter existing environmental conditions on the property.

Section 2. No potentially significant adverse impacts on the environment are noted in the EAF, 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, 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 building expansions 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 property, 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 addition that will not impact existing bodies of water. Further, all storm water discharge will be retained on-site based on the EAF. 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 land at or around the property will not change as the actions taken in furtherance of this project will be consistent with the property's currently existing land use, and renovations and expansions undertaken on

the property 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 property 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 expansion of an existing facility and providing financing or refinancing for the activities. Renovations and expansions undertaken on the property 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. The Applicant's counsel has provided information demonstrating that none of the property contain a structure that is listed on the State or National Register of Historic Places, are located within an archeologically sensitive area and that there will be no additions at the property. 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 a school. The property 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. The Applicant's counsel has provided information demonstrating that the property is not located in or substantially contiguous to any Critical Environmental Area ("CEAs"). Accordingly, there will be no significant adverse impacts to CEAs.
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 land on the property 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 on the property 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 proposed 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. The Applicant's counsel has provided information demonstrating that the property is not the subject of remediation. Furthermore, the Project will positively impact public health as the facilities intend to provide for the addition of space for athletic, fine arts and student activities usages. 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 _____.

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 January 27, 2022 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"), 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 Corporation this 27th day of January 2022.



[Assistant] Secretary

[Vice] Chairman

(SEAL)