

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 1

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Appointment of Councilman Jorge Guadrón as a member of the Town of Islip Foreign Trade Zone Board.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Brad Hemingway

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.


Appointment of Councilman Jorge Guadron as member of the Islip Foreign Trade Zone Board.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Islip Foreign Trade Zone Authority
 2. Site or location effected by resolution: NA
 3. Cost: NA
 4. Budget Line: NA
 5. Amount and source of outside funding: NA
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☐ Type 2 action under 6 NYCRR, Section 617.5(c), number _____. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

1/12/22

Date

February 8, 2022

WHEREAS, a vacancy exists on the Town of Islip Foreign Trade Zone Authority Board; and

WHEREAS, pursuant to General Municipal Section 975, members of the Foreign Trade Zone Authority Board are appointed by the governing body of the Town of Islip, that being the Town Board; and

WHEREAS, the Town Board wishes to appoint Councilman Jorge Guadrón as a member of the Town of Islip Foreign Trade Zone Authority Board;

NOW, THEREFORE, on a motion by _____, seconded by _____, be it

RESOLVED, that Councilman Jorge Guadrón is hereby appointed as a member of the Town of Islip Foreign Trade Zone Authority Board and charged with executing all duties, powers and responsibility associated.

UPON A VOTE BEING TAKEN, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 2

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Appointment of Councilman Jorge Guadrón as a member of the Town of Islip Industrial Development Agency.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

John Walser

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

Resolution #:
Date:

WHEREAS, pursuant to New York State General Municipal Law Section 898B, the Town Board of the Town of Islip appoints the members of the Industrial Development Agency Board; and

WHEREAS, a vacancy exists in the membership of the Town of Islip Industrial Development Agency due to the expiration of Trish Bergin's term; and

WHEREAS, Jorge C. Guadrón is newly elected to the Islip Town Board and possesses the necessary skills to serve on the Town of Islip Industrial Development Agency.

NOW, THEREFORE, on motion of Councilperson _____, seconded by Councilperson _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby appoints Jorge C. Guadrón as a member of the Town of Islip Industrial Development Agency Board and is charged with executing all duties, powers and responsibility associated therewith.

UPON A VOTE BEING TAKEN, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 3

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Appointment of Councilman Jorge Guadrón as a member of the Town of Islip Economic Development Corporation Board.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

John Walser

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

Resolution #:

Date:

WHEREAS, pursuant to Section 1411 of the New York Not-for-Profit Corporation Law, the governing body of the Town of Islip appoints members of the Economic Development Corporation Board; and

WHEREAS, a vacancy exists in the membership of the Town of Islip Economic Development Corporation Board due to the expiration of Trish Bergin's term; and

WHEREAS, Jorge C. Guadrón is newly elected to the Islip Town Board and possesses the necessary skills to serve on the Town of Islip Economic Development Corporation Board.

NOW, THEREFORE, on motion of Councilperson _____, seconded by Councilperson _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby appoints Jorge C. Guadrón as a member of the Town of Islip Economic Development Corporation Board and is charged with executing all duties, powers and responsibility associated therewith.

UPON A VOTE BEING TAKEN, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 4

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Meeting of the Town of Islip Industrial Development Agency.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

John Walser

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF



MEETING OF THE TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY

February 8, 2022

Agenda

1. Call the meeting of the Town of Islip Industrial Development Agency to order.
2. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency to approve the **Minutes** from the meeting on **January 11, 2022**.
3. To consider the adoption of an Inducement Resolution between the Town of Islip Industrial Development Agency and **Venture One Acquisitions, LLC**. Located at 0 Veterans Memorial Highway, Bohemia. (N/E/C Veterans Memorial Highway & First Street) (0500-12600-0100-002001, 19700-0100-03000 & 19700-0100-097000).
4. To consider the adoption of an Authorizing Resolution of the Town of Islip Industrial Development Agency granting a PILOT extension for **Briad Lodging Group Central Islip, LLC. 2012 Facility**. Located at N/E Corner of Carleton Avenue and Courthouse Drive, Central Islip. (0500-20700-0100-003056).
5. To consider the adoption of an Authorizing Resolution of the Town of Industrial Development Agency granting a PILOT extension for **Briad Lodging Group CI 2, LLC. 2015 Facility**. Located at 11 Courthouse Drive, Central Islip. (0500-20700-0100-003058).
6. To consider the adoption of a Resolution authorizing a one-year agreement between the Town of Islip Industrial Development Agency and **JVC Broadcasting**. Located at 811 W. Jericho Turnpike #109E, Smithtown.
7. To consider **any other business** to come before the Agency.

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR FEBRUARY 8, 2022**

AGENDA ITEM #2

TYPE OF RESOLUTION: APPROVE MEETING MINUTES

COMPANY: N/A

PROJECT LOCATION: N/A

**JOBS (RETAINED/CREATED): RETAINED - -
CREATE - -**

INVESTMENT: \$N/A



MEETING OF THE TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY

January 11, 2022

Meeting Minutes

1. Call the meeting of the Town of Islip Industrial Development Agency to order on a motion by Councilman James P. O'Connor and seconded by Chairwoman Angie M. Carpenter.

Chairwoman Angie M. Carpenter, Councilwoman Mary Kate Mullen, Councilman James P. O'Connor and Councilman Jorge C. Guadron were present. Councilman John C. Cochrane Jr. was absent. Chairwoman Angie M. Carpenter acknowledged a quorum.

2. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency to approve the **Minutes** from the meeting on **December 14, 2021**. On a motion by Chairwoman Angie M. Carpenter and seconded by Councilman James P. O'Connor, said motion was approved 4-0. Councilman Jorge C. Guadron abstained himself.
3. To consider the adoption of a Resolution approving the **2022 IDA Meeting Schedule** of the Town of Islip Industrial Development Agency. On a motion by Councilman James P. O'Connor and seconded by Councilwoman Mary Kate Mullen, said motion was approved 4-0.
4. To consider the adoption of a Resolution **Appointing Officers** to the Town of Islip Industrial Development Agency as follows; *John C. Cochrane Jr., Secretary of the Agency, James P. O'Connor, Treasurer of the Agency, John G. Walser, Assistant Secretary of the Agency, John G. Walser, Compliance Officer of the Agency*. On a motion by Councilman James P. O'Connor and seconded by Councilwoman Mary Kate Mullen, said motion was approved 4-0.
5. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency to adopt an **Audit Committee** in compliance with the Public Authority Accountability Act ("PAAA") and to appoint *John C. Cochrane Jr., Mary Kate Mullen and Anne Danziger* to that committee. On a motion by Councilman James P. O'Connor and seconded by Councilwoman Mary Kate Mullen, said motion was approved 4-0.
6. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency to adopt a **Finance Committee** in compliance with the Public Authority Accountability Act ("PAAA") and to appoint *John C. Cochrane Jr., James O'Connor and Robert Kordic* to that committee. On a motion by Councilwoman Mary Kate Mullen and seconded by Councilman James P. O'Connor, said motion was approved 4-0.
7. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency to adopt a **Governance Committee** in compliance with the Public Authority Accountability Act ("PAAA") and to appoint *John C. Cochrane Jr., Mary Kate Mullen and Taryn Jewell* to that committee. On a motion by Chairwoman Angie M. Carpenter and seconded by Councilman Jorge C. Guadron, said motion was approved 4-0.
8. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development agency to adopt a **Code of Ethics Policy** in compliance with the Public Authority Accountability

Act ("PAAA") and to appoint the Board of Ethics of the Town of Islip as its Ethics Officer. On a motion by Councilman James P. O'Connor and seconded by Councilwoman Mary Kate Mullen, said motion was approved 4-0.

9. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency to adopt an **Investment Policy** in compliance with the Public Authority Accountability Act ("PAAA") which shall apply to all operating funds, bond proceeds and other funds and all investment transactions involving operating funds, bond proceeds and other funds accounted for in the financial statements of the Agency. On a motion by Councilman Jorge C. Guadron and seconded by Councilwoman Mary Kate Mullen, said motion was approved 4-0.
10. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency to adopt a **Procurement Policy** in compliance with the Public Authority Accountability Act ("PAAA") which will apply to the procurement for goods and services not subject to the competitive bidding requirements set forth in General Municipal Law Section 103 and which goods and services are paid for and used by the Agency. On a motion by Councilwoman Mary Kate Mullen and seconded by Councilman James P. O'Connor, said motion was approved 4-0.
11. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency adopting a **Conflict of Interest Policy** in compliance with the Public Accountability Act ("PAAA") and amending the by-laws of the Agency. On a motion by Councilman Jorge C. Guadron and seconded by Councilman James P. O'Connor, said motion was approved 4-0.
12. To consider a Resolution on behalf of the Town of Islip Industrial Development Agency to adopt the **Travel Authorization and Mileage Reimbursement** guidelines as stated in the Town of Islip Administrative Procedures Manual, Section 303, as recommended by the New York State Authorities Budget Office. On a motion by Councilwoman Mary Kate Mullen and seconded by Councilman James P. O'Connor, said motion was approved 4-0.
13. To consider a Resolution on behalf of the Town of Islip Industrial Development Agency to adopt a **Property Disposition Policy**. On a motion by Councilwoman Mary Kate Mullen and seconded by Councilman James P. O'Connor, said motion was approved 4-0.
14. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency to enter into a contract with **Mike Siniski**. To provide computer programming services for the maintenance of an updated and improved IDA Assessment Roll and PILOT billing system including training Town of Islip staff at a rate of \$65.00 per hour, not to exceed \$5,000. On a motion by Councilman James P. O'Connor and seconded by Councilwoman Mary Kate Mullen, said motion was approved 4-0.
15. To consider the adoption of an Authorizing Resolution between the Town of Islip Industrial Development Agency and **Gracewood Estates, LLC**. Located at Spur Drive South, Islip. (0500-24900-0200-038009, 0038001, 0500-27100-0300-018.11 p/o 18.10). On a motion by Councilman James P. O'Connor and seconded by Councilwoman Mary Kate Mullen, said motion was approved 4-0.
16. To consider the adoption of an Authorizing Resolution for **Lincoln Realty Development, LLC**. Located at 0 Lincoln Avenue, Holbrook. (0500-15100-0100-007000). On a motion by Councilwoman Mary Kate Mullen and seconded by Councilman James P. O'Connor, said motion was approved 4-0.

17. To consider the adoption of a resolution of the Town of Islip Industrial Development Agency consenting to an assignment of a facility by 1765 Express Drive North, LLC., to **Rubicon Industries.** (0500-03800-0100-001000). On a motion by Councilwoman Mary Kate Mullen and seconded by Councilman James P. O'Connor, said motion was approved 4-0.
18. To consider the adoption of a resolution of the Town of Islip Industrial Development Agency consenting to the leasing a facility by **75 Sunrise Highway, LLC** to **Petvet Care Centers (New York), LLC.** On a motion by Councilman James P. O'Connor and seconded by Councilwoman Mary Kate Mullen, said motion was approved 4-0.
19. To consider the adoption of a resolution of the Town of Islip Industrial Development Agency granting a PILOT extension for **Briad Lodging Group Central Islip, LLC. 2012 Facility.** On a motion by Councilman James P. O'Connor and seconded by Councilwoman Mary Kate Mullen, said motion was approved 4-0.
20. To consider the adoption of a resolution of the Town of Islip Industrial Development Agency granting a PILOT extension for **Briad Lodging Group CI 2, LLC. 2015 Facility.** On a motion by Councilman James P. O'Connor and seconded by Chairwoman Angie M. Carpenter, said motion was approved 4-0.
21. To consider the adoption of a resolution of the Town of Islip Industrial Development Agency to authorize a refinancing of **171 Remington/SUNation Solar Systems, Inc. 2015 Facility.** Located at 171 Remington Blvd, Ronkonkoma. (0500-12600-0100-070021). On a motion by Councilwoman Mary Kate Mullen and seconded by Councilman James P. O'Connor, said motion was approved 4-0.
22. To consider the adoption of a resolution between the Town of Islip Industrial Development Agency and to allow consent to the subleasing of a portion of the Three G's Candlewood LLC/**Nationwide Sales and Service Inc. 2021 Facility** to Prime Commerce, LLC., and approving the execution and delivery of related documents. On a motion by Chairwoman Angie M. Carpenter and seconded by Councilwoman Mary Kate Mullen, said motion was approved 4-0.
23. To consider **any other business** to come before the Agency there being none the Town of Islip Industrial Development Agency closed on a motion by Councilwoman Mary Kate Mullen and seconded by Councilman James P. O'Connor.

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR FEBRUARY 8, 2022**

AGENDA ITEM #3

TYPE OF RESOLUTION: INDUCEMENT RESOLUTION

COMPANY: VENTURE ONE ACQUISITIONS, LLC.

**PROJECT LOCATION: N/E/C OF VETERANS
MEMORIAL HIGHWAY & 1ST AVE, BOHEMIA**

**JOBS (RETAINED/CREATED): RETAINED - 00 -
CREATE - 20 -**

INVESTMENT: \$20,973,950.00

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TOWARD APPOINTING VENTURE ONE ACQUISITIONS, LLC, A LIMITED LIABILITY COMPANY, ON BEHALF OF ITSELF AND/OR AN ENTITY FORMED OR TO BE FORMED ON BEHALF OF THE FOREGOING AS AGENT(S) OF THE AGENCY FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND EQUIPPING THE FACILITY, MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE FACILITY.

WHEREAS, Venture One Acquisitions, LLC, a Illinois limited liability company, on behalf of itself and/or the principals of Venture One Acquisitions, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "**Company**"), has applied to the Town of Islip Industrial Development Agency (the "**Agency**") to enter into a transaction in which the Agency will assist in the acquisition of an approximately 4.98 acre parcel of land located at the northeast corner of Veterans Memorial Highway and 1st Avenue, Bohemia, New York (the "**Land**"), the construction and equipping thereon of a building totaling approximately 75,416 square feet (the "**Improvements**"), and the acquisition and installation therein of certain equipment and personal property (the "**Equipment**"; and together with the Land and the Improvements, the "**Facility**"), which Facility will be leased by the Agency to the Company, and subleased by the Company to various tenants (the "**Tenants**"), for use as an industrial warehouse space (the "**Project**"); and

WHEREAS, the Agency will acquire a leasehold interest in the Land and the Improvements and title to the Equipment and will sublease the Facility to the Company, all pursuant to Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 47 of the Laws of 1974 of the State of New York, as the same may be amended from time to time (collectively, the "**Act**"); and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the Facility and to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York; and

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company, in the form of exemptions from mortgage recording taxes, exemptions from sales and use taxes and abatement of real property taxes on the Facility, consistent with the policies of the Agency, all to be more particularly described in a Final Authorizing Resolution to be adopted by the Agency prior to the closing of the transactions described herein; and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the Facility and to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York; and

WHEREAS, prior to the date of the Hearing (defined below), the Agency will have made a determination for financial assistance; and

WHEREAS, prior to the closing of the transaction described herein, a public hearing (the "**Hearing**") will be held so that all persons with views in favor of or opposed to either the financial assistance contemplated by the Agency or the location or nature of the Facility can be heard; and

WHEREAS, notice of the Hearing will be given prior to the closing of the transaction described herein, and such notice (together with proof of publication) will be substantially in the form annexed hereto as Exhibit A; and

WHEREAS, the minutes of the Hearing are or will be annexed hereto as Exhibit B; and

WHEREAS, the Agency has given due consideration to the application of the Company and to representations by the Company that the proposed financial assistance is either an inducement to the Company to maintain the Facility in the Town of Islip or is necessary to maintain the competitive position of the Company in its industry; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively, the "**SEQR Act**" or "**SEQR**"), the Agency constitutes a "State Agency"; and

WHEREAS, to aid the Agency in determining whether the Facility may have a significant effect upon the environment, the Company has prepared and submitted to the Agency an Environmental Assessment Form and related documents (the "**Questionnaire**") with respect to the Facility, a copy of which is on file at the office of the Agency; and

WHEREAS, the Questionnaire has been reviewed by the Agency; and

WHEREAS, the Company has agreed to indemnify the Agency against certain losses, claims, expenses, damages and liabilities that may arise in connection with the transaction contemplated by the leasing of the Facility by the Agency to the Company.

NOW, THEREFORE, BE IT RESOLVED by the Town of Islip Industrial Development Agency (a majority of the members thereof affirmatively concurring) that:

Section 1. Based upon the Environmental Assessment Form completed by the Company and reviewed by the Agency and other representations and information furnished by the Company regarding the Facility, the Agency determines that the action relating to the acquisition, construction, equipping, and operation of the Facility is an "Unlisted" Action, as that term is defined in the SEQR Act. The Agency also determines that the action will not have a "significant effect" on the environment, and, therefore, an environmental impact statement will not be prepared. This determination constitutes a negative declaration for purposes of SEQR. Notice of this determination shall be filed to the extent required by the applicable regulations under SEQR or as may be deemed advisable by the Chairman or Executive Director of the Agency or counsel to the Agency.

Section 2. The acquisition, construction and equipping of the Facility by the Agency, the subleasing and leasing of the Facility to the Company and the provision of financial

assistance on the Facility pursuant to the Act will promote job opportunities, health, general prosperity and the economic welfare of the inhabitants of the Town of Islip 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.

Section 3. Subject to the provisions of this resolution, the Agency shall (i) acquire, construct and equip the Facility, and (ii) lease and sublease the Facility to the Company.

Section 4. The Company is hereby notified that it will be required to comply with Section 875 of the Act. The Company shall be required to agree to the terms of Section 875 pursuant to the Lease and Project Agreement, dated a date to be determined (the "**Lease Agreement**"), by and between the Company and the Agency. The Company is further notified that the tax exemptions and abatements provided pursuant to the Act and the appointment of the Company as agent of the Agency pursuant to this resolution are subject to termination and recapture of benefits pursuant to Sections 859-a and 875 of the Act and the recapture provisions of the Lease Agreement.

Section 5. Counsel to the Agency is authorized and directed to work with Transaction Counsel (Nixon Peabody LLP) to prepare, for submission to the Agency, all documents necessary to affect the transactions described in the foregoing resolution.

Section 6. The Chairman, the Executive Director, the Deputy Executive Director and all members of the Agency are hereby authorized and directed (i) to distribute copies of this resolution to the Company, and (ii) to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this resolution.

Section 7. Any expenses incurred by the Agency with respect to the Facility, including the expenses of Transaction Counsel, shall be paid by the Company. The Company shall agree to pay such expenses and further agree to indemnify the Agency, its members, directors, employees and agents and hold the Agency and such persons harmless against claims for losses, damage or injury or any expenses or damages incurred as a result of action taken by or on behalf of the Agency in good faith with respect to the Facility.

Section 8. This resolution shall take effect immediately.

STATE OF NEW YORK)
 : SS.:
COUNTY OF SUFFOLK)

I, the undersigned Assistant Secretary of the Town of Islip Industrial Development Agency, DO HEREBY CERTIFY THAT:

I have compared the foregoing copy of a resolution of the Town of Islip Industrial Development Agency (the “**Agency**”) with the original thereof on file in the office of the Agency, and the same is a true and correct copy of such resolution and of the proceedings of the Agency in connection with such matter.

Such resolution was passed at a meeting of the Agency duly convened in public session on February 8, 2022, at 2:00 p.m., local time, at Islip Town Hall, 655 Main Street, Islip, New York, at which meeting the following members were:

Present:

Absent:

Also Present:

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

Voting Aye

and, therefore, the resolution was declared duly adopted.

The Application are in substantially the form presented to and approved at such meeting.

I FURTHER CERTIFY that (i) all members of the Agency had due notice of said meeting, pursuant to Sections 103a and 104 of the Public Officers Law (Open Meetings Law), (ii) said meeting was open to the general public and public notice of the time and place of said meeting was duly given in accordance with such Sections 103a and 104, (iii) the meeting in all respects was duly held, and (iv) there was a quorum present throughout.

IN WITNESS WHEREOF, I have hereunto set my hand as of February 8, 2022.

Assistant Secretary

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Title 1 of Article 18-A of the New York State General Municipal Law will be held by the Town of Islip Industrial Development Agency (the “Agency”) on the ____ day of February, 2022, at _____ a.m., local time, at the Town of Islip, Offices of Economic Development, 40 Nassau Avenue, Islip, New York 11751 in connection with the following matters:

Venture One Acquisitions, LLC, a Illinois limited liability company, on behalf of itself and/or the principals of Venture One Acquisitions, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Company**”), has applied to the Town of Islip Industrial Development Agency (the “**Agency**”) to enter into a transaction in which the Agency will assist in the acquisition of an approximately 4.98 acre parcel of land located at the northeast corner of Veterans Memorial Highway and 1st Avenue, Bohemia, New York (the “**Land**”), the construction and equipping thereon of a building totaling approximately 75,416 square feet (the “**Improvements**”), and the acquisition and installation therein of certain equipment and personal property (the “**Equipment**”; and together with the Land and the Improvements, the “**Facility**”), which Facility will be leased by the Agency to the Company, and subleased by the Company to various tenants (the “**Tenants**”), for use as an industrial warehouse space (the “**Project**”). The Facility will be initially owned, operated, and/or managed by the Company.

The Agency contemplates that it will provide financial assistance to the Company in connection with the Project and consistent with the policies of the Agency, in the form of exemptions from mortgage recording taxes in connection with the financing or any subsequent refinancing of the Project’s exemptions from sales and use taxes and abatement of real property taxes.

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

Dated: February __, 2022

TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY

By: John G. Walser
Title: Executive Director

EXHIBIT B

MINUTES OF PUBLIC HEARING HELD ON
FEBRUARY __, 2022

TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY
(VENTURE ONE ACQUISITIONS, LLC 2022 FACILITY)

1. _____, _____ of the Town of Islip Industrial Development Agency (the “**Agency**”) called the hearing to order.

2. The _____ then appointed _____, the _____ of the Agency, the hearing officer of the Agency, to record the minutes of the hearing.

3. The hearing officer then described the proposed transfer of the real estate, the other financial assistance proposed by the Agency and the location and nature of the Facility as follows:

Venture One Acquisitions, LLC, a Illinois limited liability company, on behalf of itself and/or the principals of Venture One Acquisitions, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Company**”), has applied to the Town of Islip Industrial Development Agency (the “**Agency**”) to enter into a transaction in which the Agency will assist in the acquisition of an approximately 4.98 acre parcel of land located at the northeast corner of Veterans Memorial Highway and 1st Avenue, Bohemia, New York (the “**Land**”), the construction and equipping thereon of a building totaling approximately 75,416 square feet (the “**Improvements**”), and the acquisition and installation therein of certain equipment and personal property (the “**Equipment**”; and together with the Land and the Improvements, the “**Facility**”), which Facility will be leased by the Agency to the Company, and subleased by the Company to various tenants (the “**Tenants**”), for use as an industrial warehouse space (the “**Project**”). The Facility will be initially owned, operated, and/or managed by the Company.

The Agency will acquire a leasehold interest in the Land and the Improvements and title to the Equipment and will lease and sublease the Facility to the Company. The Agency contemplates that it will provide financial assistance to the Company in the form of exemptions from mortgage recording taxes and sales and use taxes and abatement of real property taxes on the Facility, all consistent with the policies of the Agency.

4. The hearing officer then opened the hearing for comments from the floor for or against the proposed transfer of real estate, the other financial assistance proposed by the Agency and the location and nature of the Facility. The following is a listing of the persons heard and a summary of their views:

5. The hearing officer then asked if there were any further comments, and, there being none, the hearing was closed at _____ a.m./p.m.

STATE OF NEW YORK)
 : SS.:
COUNTY OF SUFFOLK)

I, the undersigned Assistant Secretary of the Town of Islip Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of a public hearing held by the Town of Islip Industrial Development Agency (the “**Agency**”) on the ____ day of February 2022, at _____ a/p.m., local time, with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of the minutes in connection with such matter.

IN WITNESS WHEREOF, I have hereunto set my hand as of February __, 2022.

Assistant Secretary

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR FEBRUARY 8, 2022**

AGENDA ITEM #4

TYPE OF RESOLUTION: AUTHORIZING RESOLUTION

**COMPANY: BRIAD LODGING GROUP CENTRAL ISLIP,
2012 FACILITY**

**PROJECT LOCATION: N/E CORNER OF CARLETON AVE
& COURTHOUSE DRIVE, CENTRAL ISLIP**

**JOBS (RETAINED/CREATED): RETAINED - -
CREATE - -**

INVESTMENT: \$N/A

Date: February 8, 2022

At a meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), held at Islip Town Hall, 655 Main Street, Islip, New York, on the 8th day of February, 2022, the following members of the Agency were:

Present:

Absent:

Also Present:

After the meeting had been duly called to order, the Chairman announced that among the purposes of the meeting was to consider a modification and extension of PILOT benefits in connection with a certain industrial development facility more particularly described below (Briad Lodging Group Central Islip, LLC 2012 Facility) and approving the execution and delivery of related documents.

The following resolution was duly moved, seconded, discussed and adopted with the following members voting:

Voting Aye

Voting Nay

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY APPROVING THE MODIFICATION AND EXTENSION OF THE PILOT BENEFITS OF A CERTAIN INDUSTRIAL DEVELOPMENT FACILITY FOR BRIAD LODGING GROUP CENTRAL ISLIP, LLC 2012 FACILITY AUTHORIZING THE EXECUTION AND DELIVERY OF AMENDMENTS TO THE COMPANY LEASE AND THE LEASE AGREEMENT AND THE EXECUTION AND DELIVERY OF DOCUMENTS IN CONNECTION THEREWITH AND APPROVING THE FORM, SUBSTANCE, EXECUTION AND DELIVERY OF SUCH RELATED DOCUMENTS

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 47 of the Laws of 1974 of the State of New York, as the same may be amended from time to time (collectively, the “**Act**”), the Town of Islip Industrial Development Agency (the “**Agency**”), was created with the authority and power among other things, to assist with certain industrial development projects as authorized by the Act; and

WHEREAS, the Agency has previously assisted Briad Lodging Group Central Islip, LLC, a limited liability company, organized and existing under the laws of the State of Nevada and authorized to transact business in the State of New York (the “**Company**”), in connection with an industrial development facility consisting of the acquisition of an approximately 3.46 acre parcel of land located 7 Court House Drive, Central Islip, New York 11722 (also known as Residence Inn Long Island/Courthouse Complex) (the “**Land**”) and the construction and equipping of an approximately 95,205 square foot 4-story, 125 room, all-suite extended stay hotel to be located thereon, including, but not limited to, a fitness center, conference rooms, a business center, a pool and additional parking spaces, together with the acquisition and installation of furniture, fixtures and equipment (the “**Improvements**” and “**Equipment**”; and, together with the Land, the “**Facility**”), leased by the Agency to the Company to provide a full range of services to the business and leisure traveler visiting the Town of Islip (the “**Project**”); and

WHEREAS, the Company leased the Land and Improvements to the Agency pursuant to a certain Company Lease Agreement, dated as of June 1, 2012 (the “**Original Company Lease**”), a memorandum of which Original Company Lease was to be recorded in the Suffolk County Clerk’s Office; and

WHEREAS, the Agency leased the Land and the Improvements to the Company pursuant to a certain Lease Agreement, dated as of June 1, 2012 (the “**Original Lease Agreement**”), a memorandum of which Original Lease Agreement was to be recorded in the Suffolk County Clerk’s Office; and

WHEREAS, in connection with the leasing of the Facility, the Agency and the Company entered into a Payment-in-Lieu-of-Tax Agreement, dated as of June 1, 2012 (the

“Original PILOT Agreement”), which provided for the Company to make payments in lieu of real property taxes on the Facility; and

WHEREAS, the Agency and the Company previously entered into a certain Environmental Compliance and Indemnification Agreement dated as of June 1, 2012 (the **“Original Environmental Compliance Agreement”**); and

WHEREAS, the Company previously requested the Agency’s assistance in connection with the modification and extension of the abatement of real property taxes on the Facility for a term of up to four (4) additional years (the **“First PILOT Extension”**); and

WHEREAS, in connection with the First PILOT Extension, the Agency and the Company amended and restated the Original Lease Agreement, the Original PILOT Agreement, and the Original Environmental Compliance Agreement pursuant to a certain Amended and Restated Lease and Project Agreement dated as of May 1, 2019 (the **“Amended and Restated Lease Agreement”**), which Amended and Restated Lease Agreement provided for an extension of the term of the lease of four (4) additional years and the recapture of certain economic benefits; and

WHEREAS, in connection with the First PILOT Extension, the Agency and the Company entered into an Amended and Restated Company Lease Agreement dated as of May 1, 2019 (the **“First Amended Company Lease”**), whereby the term of the Company Lease was extended four (4) additional years; and

WHEREAS, the Company has now requested the Agency’s assistance in connection with the modification and extension of the abatement of real property taxes on the Facility for a term of up to two (2) additional years (the **“Second PILOT Extension”**); and

WHEREAS, due to the COVID-19 Pandemic and the lack of business and leisure travelers visiting the Town of Islip, the Company was operating at minimum projected cash flows; and

WHEREAS, the Company has provided assurances of its long-term commitment to the Town of Islip; and

WHEREAS, the requested Second PILOT Extension taxes deviates from the Agency’s Uniform Tax Exemption Policy (the **“Policy”**) originally adopted in or around December, 1993, as previously amended, because the Second PILOT Extension will result in a total term of real property tax abatement of twenty (20) years. The Project is considered extremely significant and vital to the economic health and well-being of the Town of Islip (the **“Town”**) as the Project is located in a former New York State Empire Zone, therefore deviation from the Policy is appropriate; and

WHEREAS, in connection with the Second PILOT Extension, the Agency and the Company will amend the Amended and Restated Lease Agreement pursuant to a First Amendment of Lease Agreement, dated as of February 1, 2022, or such other date as may be determined by the Chairman, Executive Director or counsel to the Agency (the **“First Amendment of Lease Agreement”**); and, together with the Amended and Restated Lease

Agreement, the “**Lease Agreement**”), whereby the term of the Lease Agreement will be amended and extended up to two (2) additional years and shall also provide an amended and extended Exhibit C (PILOT Schedule) attached thereto; and

WHEREAS, the Agency and the Company will enter into a First Amendment of Company Lease dated as of February 1, 2022, or such other date as may be determined by the Chairman, Executive Director or counsel to the Agency (the “**First Amendment of Company Lease**”, and together with the Original Company Lease and the First Amended Company Lease, the “**Company Lease**”), whereby the term of the Company Lease will be amended and extended up to two (2) additional years; and

WHEREAS, a public hearing (the “**Hearing**”) was held on January 26, 2022, so that all persons with views in favor of or opposed to either the financial assistance contemplated by the Agency or the location or nature of the Facility could be heard; and

WHEREAS, notice of the Hearing was given on January 13, 2022, and such notice (together with proof of publication) is substantially in the form annexed hereto as Exhibit A; and

WHEREAS, the minutes of the Hearing will be annexed hereto as Exhibit B; and

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company consistent with the policies of the Agency, in the form of extended abatement of real property taxes on the Facility as shown on Exhibit C annexed hereto, all consistent with the policies of the Agency; and

WHEREAS, the Agency has given due consideration to the application of the Company and to the representations by the Company that the actions of the Agency as contemplated by this resolution, the First Amendment of Lease Agreement and the First Amendment of Company Lease are either an inducement to the Company to maintain and expand the Facility in the Town of Islip or are necessary to maintain the competitive positions of the Company in its industry; and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the Facility and to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York; and

WHEREAS, the Company has agreed to indemnify the Agency against certain losses, claims, expenses, damages and liabilities that may arise in connection with the transactions contemplated by the continued leasing of the Facility.

NOW, THEREFORE, BE IT RESOLVED by the Agency (a majority of the members thereof affirmatively concurring) as follows:

Section 1. The Agency hereby finds and determines:

- (a) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act.
- (b) The Facility continues to constitute a "project", as such term is defined in the Act.
- (c) The continued leasing of the Facility by the Agency to the Company will promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of the Town of Islip and the State of New York and improve their standard of living and thereby serve the public purposes of the Act.
- (d) Based upon representations of the Company and its counsel, the Facility continues to conform with the local zoning laws and planning regulations of the Town of Islip and all regional and local land use plans for the area in which the Facility is located.
- (e) The Facility and the operations conducted therein do not have a significant effect on the environment, as determined in accordance with Article 8 of the Environmental Conservation Law of the State of New York and the regulations promulgated thereunder.
- (f) The Agency has determined that the proposed Second PILOT Extension for the Facility will promote and further the purposes of the Act.
- (g) It is desirable and in the public interest for the Agency consent to the Second PILOT Extension and to continue to lease the Facility to the Company.
- (h) The First Amendment of Company Lease will be an effective instrument whereby the Agency and the Company agree to extend the term of the Company Lease for a term of up to two (2) years and the Agency will continue to lease the Facility from the Company.
- (i) The First Amendment of Lease Agreement will be an effective instrument whereby the Agency and the Company will amend the Lease Agreement, extend the term of the Lease Agreement for a term of up to two (2) years, and set forth the terms and conditions of the Second PILOT Extension.
- (j) The Project is considered extremely significant and vital to the economic health and well-being of the Town and therefor deviation from the Policy is appropriate.

Section 2. In consequence of the foregoing, the Agency hereby determines to:

- (i) grant an extension of the Company Lease for an additional term of up to two (2) years for the Facility pursuant to the First Amendment of Company Lease, (ii) execute, deliver and

perform the First Amendment of Company Lease, (iii) amend the Lease Agreement, pursuant to the First Amendment of Lease Agreement to reflect the Second PILOT Extension, including extending the term of the Lease Agreement for a term of up to two (2) years, and (iv) execute, deliver and perform the First Amendment of Lease Agreement.

Section 3. Subject to the provisions of this resolution and the Lease Agreement, the Agency is hereby authorized to do all things necessary or appropriate for the execution, delivery and performance of the Agency Documents (as defined below), and such other related documents as may be necessary or appropriate to effect the Second PILOT Extension for the Facility.

Section 4. Subject to the provisions of this resolution and the Lease Agreement, the Agency is hereby authorized to grant the Second PILOT Extension for the Facility and to do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisition are hereby approved, ratified and confirmed.

Section 5. Subject to the provisions of this resolution and the Lease Agreement, the Agency hereby authorizes and approves the following economic benefits to be granted to the Company in the form of extended abatement of real property taxes on the Facility as shown on Exhibit C annexed hereto, all consistent with the policies of the Agency.

Section 6. Subject to the provisions of this resolution and the Lease Agreement:

(a) The Chairman, Executive Director, Deputy Executive Director, or any member of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the First Amendment of Company Lease and the First Amendment of Lease Agreement in substantially the form thereof presented to this meeting with such changes, variations, omissions and insertions as the Chairman, Vice Chairman, Chief Executive Officer, or any member of the Agency shall approve, and such other related documents as may be, in the judgment of the Chairman and Agency Counsel, necessary or appropriate to effect the transactions contemplated by this resolution (hereinafter collectively called the "**Agency Documents**"). The execution thereof by the Chairman, Executive Director, Deputy Executive Director, or any member of the Agency shall constitute conclusive evidence of such approval.

(b) The Chairman, Executive Director, Deputy Executive Director and any member of the Agency are further hereby authorized, on behalf of the Agency, to designate any additional authorized representatives of the Agency.

Section 7. Subject to the provisions of this resolution, the Agency hereby authorizes and approves the following economic benefits to be granted to the Company in connection with the Facility in the form extended abatement of real property taxes on the Facility as shown on Exhibit C annexed hereto, all consistent with the policies of the Agency.

Section 8. Subject to the provisions of this resolution and the Lease Agreement, the officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Agency Documents, and to execute and deliver all such additional certificates, instruments and documents, pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Agency Documents binding upon the Agency.

Section 9. Any expenses incurred by the Agency with respect to the Facility shall be paid by the Company. The Company has agreed to pay such expenses and further shall agree to indemnify the Agency, its members, directors, employees and agents and hold the Agency and such persons harmless against claims for losses, damage or injury or any expenses or damages incurred as a result of action taken by or on behalf of the Agency in good faith with respect to the Facility.

Section 10. This resolution shall take effect immediately.

STATE OF NEW YORK)
 : SS.:
COUNTY OF SUFFOLK)

I, the undersigned Assistant Secretary of the Town of Islip Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), including the resolutions contained therein, held on February 8, 2022, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

That the Agency Documents contained in this transcript of proceedings is in substantially the form presented to the Agency and/or approved by said meeting.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with the New York Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, that all members of said Agency had due notice of said meeting and that the meeting was all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 8th day of February, 2022.

By: _____
Assistant Secretary

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Title 1 of Article 18-A of the New York State General Municipal Law will be held by the Town of Islip Industrial Development Agency on the 26th day of January, 2022, at 10:00 a.m., local time, at the Town of Islip, Offices of Economic Development, 40 Nassau Avenue, Islip, New York 11751 in connection with the following matters:

The Town of Islip Industrial Development Agency (the “**Agency**”) previously assisted Briad Lodging Group Central Islip, LLC, a limited liability company, organized and existing under the laws of the State of Nevada and authorized to transact business in the State of New York (the “**Company**”), in connection with an industrial development facility consisting of the acquisition of an approximately 3.46 acre parcel of land located at 7 Court House Drive, Central Islip, New York 11722 (also known as Residence Inn Long Island/Courthouse Complex) (the “**Land**”) and the construction and equipping of an approximately 95,205 square foot 4-story, 125 room, all-suite extended stay hotel to be located thereon, including, but not limited to, a fitness center, conference rooms, a business center, a pool and additional parking spaces, together with the acquisition and installation of furniture, fixtures and equipment (the “**Improvements**” and “**Equipment**”; and, together with the Land, the “**Facility**”), to provide a full range of services to the business and leisure traveler visiting the Town of Islip (the “**Project**”). The Facility is owned, operated and/or managed by the Company.

The Company leased the Land and Improvements to the Agency pursuant to a certain Company Lease Agreement, defined as of June 1, 2012 (the “**Original Company Lease**”), a memorandum of which Original Company Lease was to be recorded in the Suffolk County Clerk’s Office.

The Agency leased the Land and the Improvements to the Company pursuant to a certain Lease Agreement, dated as of June 1, 2012 (the “**Original Lease Agreement**”), a memorandum of which Original Lease Agreement was to be recorded in the Suffolk County Clerk’s Office.

In connection with the leasing of the Facility, the Agency and the Company entered into a Payment-in-Lieu-of-Tax Agreement, dated as of June 1, 2012 (the “**Original PILOT Agreement**”), which provided for the Company to make payments in lieu of real property taxes on the Facility.

The Agency and the Company previously entered into a certain Environmental Compliance and Indemnification Agreement dated June 1, 2012 (the “**Original Environmental Compliance Agreement**”).

The Company previously requested the Agency's assistance in connection with the modification and extension of the abatement of real property taxes on the Facility for a term of up to four (4) additional years (the "**First PILOT Extension**").

In connection with the First PILOT Extension, the Agency and the Company amended and restated the Original Lease, Original PILOT Agreement, and the Original Environmental Compliance Agreement pursuant to a certain Amended and Restated Lease and Project Agreement dated as of May 1, 2019 (the "**Lease and Project Agreement**"), which Lease and Project Agreement also provided for the recapture of certain economic benefits.

In connection with the First PILOT Extension, the Agency and the Company entered into an Amendment of Company Lease dated as of May 1, 2019 (the "**First Amended Company Lease**"), whereby the term of the Company Lease was extended four (4) additional years.

Due to the COVID-19 Pandemic and the lack of business and leisure travelers visiting the Town of Islip, the Company was operating at minimum projected cash flows.

The Company has provided assurances of its long-term commitment to the Town of Islip.

The Company has requested the Agency's assistance in connection with the modification and extension of the abatement of real property taxes on the Facility for a term of up to two (2) additional years (the "**Second PILOT Extension**"); and

The Agency contemplates that it will provide additional financial assistance to the Company in the form of extended abatement of real property taxes on the Facility, all consistent with the policies of the Agency.

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

Dated: January 13, 2022

TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY

By: John G. Walser
Title: Executive Director

EXHIBIT B

MINUTES OF PUBLIC HEARING HELD ON
JANUARY 26, 2022

TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY
(BRIAD LODGING GROUP CENTRAL ISLIP, LLC 2012 FACILITY)

-
1. _____ of the Town of Islip Industrial Development Agency (the “**Agency**”) called the hearing to order.
 2. _____ then appointed himself the hearing officer of the Agency, to record the minutes of the hearing.
 3. The hearing officer then described the proposed transfer of the real estate, the other financial assistance proposed by the Agency and the location and nature of the Facility as follows:

The Town of Islip Industrial Development Agency (the “**Agency**”) previously assisted Briad Lodging Group Central Islip, LLC, a limited liability company, organized and existing under the laws of the State of Nevada and authorized to transact business in the State of New York (the “**Company**”), in connection with an industrial development facility consisting of the acquisition of an approximately 3.46 acre parcel of land located at 7 Court House Drive, Central Islip, New York 11722 (also known as Residence Inn Long Island/Courthouse Complex) (the “**Land**”) and the construction and equipping of an approximately 95,205 square foot 4-story, 125 room, all-suite extended stay hotel to be located thereon, including, but not limited to, a fitness center, conference rooms, a business center, a pool and additional parking spaces, together with the acquisition and installation of furniture, fixtures and equipment (the “**Improvements**” and “**Equipment**”; and, together with the Land, the “**Facility**”), to provide a full range of services to the business and leisure traveler visiting the Town of Islip (the “**Project**”). The Facility is owned, operated and/or managed by the Company.

The Company leased the Land and Improvements to the Agency pursuant to a certain Company Lease Agreement, defined as of June 1, 2012 (the “**Original Company Lease**”), a memorandum of which Original Company Lease was to be recorded in the Suffolk County Clerk’s Office.

The Agency leased the Land and the Improvements to the Company pursuant to a certain Lease Agreement, dated as of June 1, 2012 (the “**Original Lease Agreement**”), a memorandum of which Original Lease Agreement was to be recorded in the Suffolk County Clerk’s Office.

In connection with the leasing of the Facility, the Agency and the Company entered into a Payment-in-Lieu-of-Tax Agreement, dated as of June 1, 2012 (the “**Original PILOT Agreement**”), which provided for the Company to make payments in lieu of real property taxes on the Facility.

The Agency and the Company previously entered into a certain Environmental Compliance and Indemnification Agreement dated June 1, 2012 (the “**Original Environmental Compliance Agreement**”).

The Company previously requested the Agency’s assistance in connection with the modification and extension of the abatement of real property taxes on the Facility for a term of up to four (4) additional years (the “**First PILOT Extension**”).

In connection with the First PILOT Extension, the Agency and the Company amended and restated the Original Lease, Original PILOT Agreement, and the Original Environmental Compliance Agreement pursuant to a certain Amended and Restated Lease and Project Agreement dated as of May 1, 2019 (the “**Lease and Project Agreement**”), which Lease and Project Agreement also provided for the recapture of certain economic benefits.

In connection with the First PILOT Extension, the Agency and the Company entered into an Amendment of Company Lease dated as of May 1, 2019 (the “**First Amended Company Lease**”), whereby the term of the Company Lease was extended four (4) additional years.

Due to the COVID-19 Pandemic and the lack of business and leisure travelers visiting the Town of Islip, the Company was operating at minimum projected cash flows.

The Company has provided assurances of its long-term commitment to the Town of Islip.

The Company has requested the Agency’s assistance in connection with the modification and extension of the abatement of real property taxes on the Facility for a term of up to two (2) additional years (the “**Second PILOT Extension**”); and

The Agency contemplates that it will provide additional financial assistance to the Company in the form of extended abatement of real property taxes on the Facility, all consistent with the policies of the Agency.

4. The hearing officer then opened the hearing for comments from the floor for or against the proposed transfer of real estate, the other financial assistance proposed by the Agency and the location and nature of the Facility. The following is a listing of the persons heard and a summary of their views:

5. The hearing officer then asked if there were any further comments, and, there being none, the hearing was closed at _____ a.m./p.m.

STATE OF NEW YORK)
 : SS.:
COUNTY OF SUFFOLK)

I, the undersigned Assistant Secretary of the Town of Islip Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of a public hearing held by the Town of Islip Industrial Development Agency (the “**Agency**”) on January 26, 2022, at 10:00 a.m., local time, at Town of Islip, Offices of Economic Development, 40 Nassau Avenue, Islip, New York 11751, with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of the minutes in connection with such matter.

IN WITNESS WHEREOF, I have hereunto set my hand as of January 26, 2022.

Assistant Secretary

EXHIBIT C

PILOT Schedule

Town of Islip, (including any existing incorporated village and any village which may be incorporated after the date hereof, within which the Facility is wholly or partially located), Suffolk County, Central Islip Union Free School District and Appropriate Special Districts.

Property Address 7 Court House Drive, Central Islip, New York 11722 (also known as Residence Inn Long Island/Courthouse Complex)

Tax Map No. 0500-207.00-01.00-052.769

Definitions

X = assessment \$173,000.

Y = increase in assessment above X resulting from the acquisition, construction and equipping of the Facility

Normal Tax Due = Those payments for taxes and assessments, other than special ad valorem levies, special assessments and service charges against real property located in the Town of Islip (including any existing incorporated village or any village which may be incorporated after the date hereof, within which the Facility is wholly or partially located) which are or may be imposed for special improvements or special district improvements, that the Company would pay without exemption

<u>Year</u>	<u>Formula</u>
2022/23	100% Normal Tax Due on X and 0% Normal Tax Due on Y
2023/24	100% Normal Tax Due on X and 0% Normal Tax Due on Y
2024/25	100% Normal Tax Due on X and 10% Normal Tax Due on Y
2025/26	100% Normal Tax Due on X and 20% Normal Tax Due on Y
2026/27	100% Normal Tax Due on X and 30% Normal Tax Due on Y
2027/28	100% Normal Tax Due on X and 40% Normal Tax Due on Y
2028/29	100% Normal Tax Due on X and 50% Normal Tax Due on Y
2029/30	100% Normal Tax Due on X and 60% Normal Tax Due on Y
2030/31	100% Normal Tax Due on X and 70% Normal Tax Due on Y
2031/32	100% Normal Tax Due on X and 80% Normal Tax Due on Y
2032/33	100% Normal Tax Due on X and 90% Normal Tax Due on Y
2033/34 and thereafter	100% Normal Tax Due on X and 100% Normal Tax Due on Y

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR FEBRUARY 8, 2022**

AGENDA ITEM #5

TYPE OF RESOLUTION: AUTHORIZING RESOLUTION

**COMPANY: BRIAD LODGING GROUP CI 2, 2015
FACILITY**

**PROJECT LOCATION: 11 COURTHOUSE DRIVE,
CENTRAL ISLIP**

**JOBS (RETAINED/CREATED): RETAINED - -
CREATE - -**

INVESTMENT: \$N/A

Date: February 8, 2022

At a meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), held at Islip Town Hall, 655 Main Street, Islip, New York, on the 8th day of February, 2022, the following members of the Agency were:

Present:

Absent:

Also Present:

After the meeting had been duly called to order, the Chairman announced that among the purposes of the meeting was to consider a modification and extension of PILOT benefits in connection with a certain industrial development facility more particularly described below (Briad Lodging Group CI 2, LLC 2015 Facility) and approving the execution and delivery of related documents.

The following resolution was duly moved, seconded, discussed and adopted with the following members voting:

Voting Aye

Voting Nay

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY APPROVING THE
MODIFICATION AND EXTENSION OF THE PILOT
BENEFITS OF A CERTAIN INDUSTRIAL DEVELOPMENT
FACILITY FOR BRIAD LODGING GROUP CI 2, LLC 2015
FACILITY AUTHORIZING THE EXECUTION AND
DELIVERY OF AN AMENDMENT TO COMPANY LEASE
AND THE LEASE AGREEMENT AND THE EXECUTION
AND DELIVERY OF DOCUMENTS IN CONNECTION
THEREWITH AND APPROVING THE FORM, SUBSTANCE,
EXECUTION AND DELIVERY OF SUCH RELATED
DOCUMENTS

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 47 of the Laws of 1974 of the State of New York, as the same may be amended from time to time (collectively, the "**Act**"), the Town of Islip Industrial Development Agency (the "**Agency**"), was created with the authority and power among other things, to assist with certain industrial development projects as authorized by the Act; and

WHEREAS, the Agency has previously assisted Briad Lodging Group CI 2, LLC, a limited liability company duly organized and validly existing under the laws of the State of Nevada and authorized to transact business in the State of New York (the "**Company**"), in the acquisition of an approximately 3.15 acre parcel of land located at 11 Courthouse Drive, Central Islip, New York (more specifically identified as tax map number 0500-207.00-01.00-003.058) (the "**Land**") and the construction and equipping of an approximately 70,000 square foot 4-story, 125 room select-service hotel to be located thereon, including, but not limited to, an indoor pool, exercise room, conference room, business library, wired and wireless internet, a cafe bistro and additional parking spaces, together with the acquisition and installation of furniture, fixtures and equipment (the "**Improvements**" and "**Equipment**"; and, together with the Land, the "**Facility**"), all leased by the Agency to the Company to provide a full range of services to the business and leisure traveler visiting the Town of Islip (the "**Project**"); and

WHEREAS, the Company leased the Land and the Improvements to the Agency pursuant to a certain Company Lease, dated as of October 1, 2015 (the "**Original Company Lease**") by and between the Company and the Agency, and a Memorandum of Company Lease was to be recorded in the Suffolk County Clerk's office; and

WHEREAS, the Agency is leasing the Facility to the Company pursuant to a certain Lease Agreement, dated as of October 1, 2015 (the "**Original Lease Agreement**"), by and between the Agency, as lessor and the Company, as lessee, and a Memorandum of Lease was to be recorded in the Suffolk County Clerk's office; and

WHEREAS, in connection with the leasing of the Facility, the Agency and the Company entered into a Payment-in-Lieu-of-Tax Agreement, dated as of October 1, 2015

(the “**Original PILOT Agreement**”), which provided for the Company to make payments in lieu of real property taxes on the Facility; and

WHEREAS, the Agency and the Company entered into a Recapture Agreement, dated as of October 1, 2015 (the “**Original Recapture Agreement**”), pursuant to which the Agency has the right to recapture certain economic benefits and assistance granted to the Company upon the terms and conditions set forth in the therein; and

WHEREAS, the Agency and the Company previously entered into a certain Environmental Compliance and Indemnification Agreement dated as of October 1, 2015 (the “**Original Environmental Compliance Agreement**”); and

WHEREAS, the Company has now requested the Agency’s assistance in connection with the modification and extension of the abatement of real property taxes on the Facility for a term of up to two (2) additional years (the “**PILOT Extension**”); and

WHEREAS, due to the COVID-19 Pandemic and the lack of business and leisure travelers visiting the Town of Islip, the Company was operating at minimum projected cash flows; and

WHEREAS, the Company has provided assurances of its long-term commitment to the Town of Islip; and

WHEREAS, in connection with the PILOT Extension, the Agency and the Company will amend and restate the Original Lease Agreement, the Original PILOT Agreement, and the Original Environmental Compliance Agreement pursuant to a certain Amended and Restated Lease and Project Agreement dated as of February 1, 2022, or such other date as may be determined by the Chairman, Executive Director or counsel to the Agency (the “**Lease and Project Agreement**”), which Lease and Project Agreement shall extend the term of such lease up to two (2) additional years, and also provide for the recapture of certain economic benefits; and

WHEREAS, the Agency and the Company will enter into an Amendment of Company Lease dated as of February 1, 2022, or such other date as may be determined by the Chairman, Executive Director or counsel to the Agency (the “**Amendment of Company Lease**”, and together with the Original Company Lease, the “**Company Lease**”), whereby the term of the Company Lease will be amended and extended up to two (2) additional years; and

WHEREAS, the requested PILOT Extension taxes deviates from the Agency’s Uniform Tax Exemption Policy (the “**Policy**”) originally adopted in or around December, 1993, as previously amended, because the PILOT Extension will result in a total term of real property tax abatement of sixteen (16) years. The Project is considered extremely significant and vital to the economic health and well-being of the Town of Islip (the “**Town**”) as the Project is located in a former New York State Empire Zone, therefore deviation from the Policy is appropriate; and

WHEREAS, a public hearing (the “**Hearing**”) was held on January 26, 2022, so that all persons with views in favor of or opposed to either the financial assistance contemplated by the Agency or the location or nature of the Facility could be heard; and

WHEREAS, notice of the Hearing was given on January 13, 2022, and such notice (together with proof of publication) is substantially in the form annexed hereto as Exhibit A; and

WHEREAS, the minutes of the Hearing will be annexed hereto as Exhibit B; and

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company consistent with the policies of the Agency, in the form of extended abatement of real property taxes on the Facility as shown on Exhibit C annexed hereto, all consistent with the policies of the Agency; and

WHEREAS, the Agency has given due consideration to the application of the Company and to the representations by the Company that the actions of the Agency as contemplated by this resolution, the Lease and Project Agreement and the Amendment of Company Lease are either an inducement to the Company to maintain and expand the Facility in the Town of Islip or are necessary to maintain the competitive positions of the Company in its industry; and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the Facility and to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York; and

WHEREAS, the Company has agreed to indemnify the Agency against certain losses, claims, expenses, damages and liabilities that may arise in connection with the transactions contemplated by the continued leasing of the Facility.

NOW, THEREFORE, BE IT RESOLVED by the Agency (a majority of the members thereof affirmatively concurring) as follows:

Section 1. The Agency hereby finds and determines:

- (a) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act.
- (b) The Facility continues to constitute a “project”, as such term is defined in the Act.
- (c) The continued leasing of the Facility by the Agency to the Company will promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of the Town of Islip and the State of New York and improve their standard of living and thereby serve the public purposes of the Act.

- (d) Based upon representations of the Company and its counsel, the Facility continues to conform with the local zoning laws and planning regulations of the Town of Islip and all regional and local land use plans for the area in which the Facility is located.
- (e) The Facility and the operations conducted therein do not have a significant effect on the environment, as determined in accordance with Article 8 of the Environmental Conservation Law of the State of New York and the regulations promulgated thereunder.
- (f) The Agency has determined that the proposed PILOT Extension for the Facility will promote and further the purposes of the Act.
- (g) It is desirable and in the public interest for the Agency consent to the PILOT Extension and to continue to lease the Facility to the Company.
- (h) The Amendment of Company Lease will be an effective instrument whereby the Agency and the Company agree to extend the term of the Company Lease for a term of up to two (2) years and the Agency will continue to lease the Facility from the Company.
- (i) The Lease and Project Agreement will be an effective instrument whereby the Agency and the Company will amend and restate the Original Lease Agreement, the Original PILOT Agreement, and the Original Environmental Compliance Agreement, to extend the Lease Term (as defined therein) by two (2) years and set forth the terms and conditions of the PILOT Extension.
- (j) The Project is considered extremely significant and vital to the economic health and well-being of the Town and therefor deviation from the Policy is appropriate.

Section 2. In consequence of the foregoing, the Agency hereby determines to: (i) grant an extension of the Company Lease for an additional term of up to two (2) years for the Facility pursuant to the Amendment of Company Lease, (ii) execute, deliver and perform the Amendment of Company Lease, (iii) amend and restate the Original Lease Agreement, pursuant to the Lease and Project Agreement to extend such lease for a term of up to two (2) years and to reflect the PILOT Extension, and (iv) execute, deliver and perform the Lease and Project Agreement.

Section 3. Subject to the provisions of this resolution and the Lease and Project Agreement, the Agency is hereby authorized to do all things necessary or appropriate for the execution, delivery and performance of the Agency Documents (as defined below), and such other related documents as may be necessary or appropriate to effect the PILOT Extension for the Facility.

Section 4. Subject to the provisions of this resolution and the Lease and Project Agreement, the Agency is hereby authorized to grant the PILOT Extension for the Facility

and to do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisition are hereby approved, ratified and confirmed.

Section 5. Subject to the provisions of this resolution and the Lease and Project Agreement, the Agency hereby authorizes and approves the following economic benefits to be granted to the Company in the form of extended abatement of real property taxes on the Facility as shown on Exhibit C annexed hereto, all consistent with the policies of the Agency.

Section 6. Subject to the provisions of this resolution and the Lease and Project Agreement:

(a) The Chairman, Executive Director, Deputy Executive Director, or any member of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Amendment of Company Lease and the Lease and Project Agreement in substantially the form thereof presented to this meeting with such changes, variations, omissions and insertions as the Chairman, Vice Chairman, Chief Executive Officer, or any member of the Agency shall approve, and such other related documents as may be, in the judgment of the Chairman and Agency Counsel, necessary or appropriate to effect the transactions contemplated by this resolution (hereinafter collectively called the "**Agency Documents**"). The execution thereof by the Chairman, Executive Director, Deputy Executive Director, or any member of the Agency shall constitute conclusive evidence of such approval.

(b) The Chairman, Executive Director, Deputy Executive Director and any member of the Agency are further hereby authorized, on behalf of the Agency, to designate any additional authorized representatives of the Agency.

Section 7. Subject to the provisions of this resolution, the Agency hereby authorizes and approves the following economic benefits to be granted to the Company in connection with the Facility in the form extended abatement of real property taxes on the Facility as shown on Exhibit C annexed hereto, all consistent with the policies of the Agency.

Section 8. Subject to the provisions of this resolution and the Lease and Project Agreement, the officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Agency Documents, and to execute and deliver all such additional certificates, instruments and documents, pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Agency Documents binding upon the Agency.

Section 9. Any expenses incurred by the Agency with respect to the Facility shall be paid by the Company. The Company has agreed to pay such expenses and further shall agree to indemnify the Agency, its members, directors, employees and agents and hold the Agency and such persons harmless against claims for losses, damage or injury or any

expenses or damages incurred as a result of action taken by or on behalf of the Agency in good faith with respect to the Facility.

Section 10. This resolution shall take effect immediately.

STATE OF NEW YORK)
 : SS.:
COUNTY OF SUFFOLK)

I, the undersigned Assistant Secretary of the Town of Islip Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), including the resolutions contained therein, held on February 8, 2022, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

That the Agency Documents contained in this transcript of proceedings is in substantially the form presented to the Agency and/or approved by said meeting.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with the New York Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, that all members of said Agency had due notice of said meeting and that the meeting was all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 8th day of February, 2022.

By: _____
Assistant Secretary

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Title 1 of Article 18-A of the New York State General Municipal Law will be held by the Town of Islip Industrial Development Agency on the 26th day of January, 2022, at 10:30 a.m., local time, at the Town of Islip, Offices of Economic Development, 40 Nassau Avenue, Islip, New York 11751 in connection with the following matters:

The Town of Islip Industrial Development Agency (the “**Agency**”) has previously assisted Briad Lodging Group CI 2, LLC, a limited liability company duly organized and validly existing under the laws of the State of Nevada and authorized to transact business in the State of New York (the “**Company**”), in connection with an industrial development facility consisting of the acquisition of an approximately 3.15 acre parcel of land located at 11 Courthouse Drive, Central Islip, New York (more specifically identified as tax map number 0500-207.00-01.00-003.058) (the “**Land**”) and the construction and equipping of an approximately 70,000 square foot 4-story, 125 room select-service hotel to be located thereon, including, but not limited to, an indoor pool, exercise room, conference room, business library, wired and wireless internet, a cafe bistro and additional parking spaces, together with the acquisition and installation of furniture, fixtures and equipment (the “**Improvements**” and “**Equipment**”; and, together with the Land, the “**Facility**”), all leased by the Agency to the Company to provide a full range of services to the business and leisure traveler visiting the Town of Islip (the “**Project**”). The Facility is owned, operated and/or managed by the Company.

The Company leased the Land and Improvements to the Agency pursuant to a certain Company Lease Agreement, defined as of October 1, 2015 (the “**Original Company Lease**”), a memorandum of which Original Company Lease was to be recorded in the Suffolk County Clerk’s Office.

The Agency leased the Land and the Improvements to the Company pursuant to a certain Lease Agreement, dated as of October 1, 2015 (the “**Original Lease Agreement**”), a memorandum of which Original Lease Agreement was to be recorded in the Suffolk County Clerk’s Office.

In connection with the leasing of the Facility, the Agency and the Company entered into a Payment-in-Lieu-of-Tax Agreement, dated as of October 1, 2015 (the “**Original PILOT Agreement**”), which provided for the Company to make payments in lieu of real property taxes on the Facility.

The Agency and the Company entered into a Recapture Agreement, dated as of October 1, 2015 (the “**Original Recapture Agreement**”), pursuant to which the Agency has the right to

recapture certain economic benefits and assistance granted to the Company upon the terms and conditions set forth in the therein.

The Agency and the Company previously entered into a certain Environmental Compliance and Indemnification Agreement dated October 1, 2015 (the "**Original Environmental Compliance Agreement**").

Due to the COVID-19 Pandemic and the lack of business and leisure travelers visiting the Town of Islip, the Company has been operating at minimum projected cash flows.

The Company has provided assurances of its long-term commitment to the Town of Islip.

The Company has requested the Agency's assistance in connection with the modification and extension of the abatement of real property taxes on the Facility for a term of up to two (2) additional years (the "**PILOT Extension**").

In connection with the PILOT Extension, the Agency and the Company will amend and restate the Original Lease, Original PILOT Agreement, and the Original Environmental Compliance Agreement pursuant to a certain Amended and Restated Lease and Project Agreement (the "**Lease and Project Agreement**").

In connection with the PILOT Extension, the Agency and the Company will enter into an Amendment of Company Lease (the "**First Amended Company Lease**"), whereby the term of the Company Lease will be extended two (2) additional years.

The Agency contemplates that it will provide additional financial assistance to the Company in the form of extended abatement of real property taxes on the Facility, all consistent with the policies of the Agency.

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

Dated: January 13, 2022

TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY

By: John G. Walser
Title: Executive Director

EXHIBIT B

MINUTES OF PUBLIC HEARING HELD ON JANUARY 26, 2022

TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY (BRIAD LODGING GROUP CI 2, LLC 2015 FACILITY)

1. _____ of the Town of Islip Industrial Development Agency (the “**Agency**”) called the hearing to order.
2. _____ then appointed himself the hearing officer of the Agency, to record the minutes of the hearing.
3. The hearing officer then described the proposed transfer of the real estate, the other financial assistance proposed by the Agency and the location and nature of the Facility as follows:

The Town of Islip Industrial Development Agency (the “**Agency**”) has previously assisted Briad Lodging Group CI 2, LLC, a limited liability company duly organized and validly existing under the laws of the State of Nevada and authorized to transact business in the State of New York (the “**Company**”), in connection with an industrial development facility consisting of the acquisition of an approximately 3.15 acre parcel of land located at 11 Courthouse Drive, Central Islip, New York (more specifically identified as tax map number 0500-207.00-01.00-003.058) (the “**Land**”) and the construction and equipping of an approximately 70,000 square foot 4-story, 125 room select-service hotel to be located thereon, including, but not limited to, an indoor pool, exercise room, conference room, business library, wired and wireless internet, a cafe bistro and additional parking spaces, together with the acquisition and installation of furniture, fixtures and equipment (the “**Improvements**” and “**Equipment**”; and, together with the Land, the “**Facility**”), all leased by the Agency to the Company to provide a full range of services to the business and leisure traveler visiting the Town of Islip (the “**Project**”). The Facility is owned, operated and/or managed by the Company.

The Company leased the Land and Improvements to the Agency pursuant to a certain Company Lease Agreement, defined as of October 1, 2015 (the “**Original Company Lease**”), a memorandum of which Original Company Lease was to be recorded in the Suffolk County Clerk’s Office.

The Agency leased the Land and the Improvements to the Company pursuant to a certain Lease Agreement, dated as of October 1, 2015 (the “**Original Lease Agreement**”), a memorandum of which Original Lease Agreement was to be recorded in the Suffolk County Clerk’s Office.

In connection with the leasing of the Facility, the Agency and the Company entered into a Payment-in-Lieu-of-Tax Agreement, dated as of October 1, 2015 (the “**Original PILOT Agreement**”), which provided for the Company to make payments in lieu of real property taxes on the Facility.

The Agency and the Company entered into a Recapture Agreement, dated as of October 1, 2015 (the “**Original Recapture Agreement**”), pursuant to which the Agency has the right to recapture certain economic benefits and assistance granted to the Company upon the terms and conditions set forth in the therein.

The Agency and the Company previously entered into a certain Environmental Compliance and Indemnification Agreement dated October 1, 2015 (the “**Original Environmental Compliance Agreement**”).

Due to the COVID-19 Pandemic and the lack of business and leisure travelers visiting the Town of Islip, the Company has been operating at minimum projected cash flows.

The Company has provided assurances of its long-term commitment to the Town of Islip.

The Company has requested the Agency’s assistance in connection with the modification and extension of the abatement of real property taxes on the Facility for a term of up to two (2) additional years (the “**PILOT Extension**”).

In connection with the PILOT Extension, the Agency and the Company will amend and restate the Original Lease, Original PILOT Agreement, and the Original Environmental Compliance Agreement pursuant to a certain Amended and Restated Lease and Project Agreement (the “**Lease and Project Agreement**”).

In connection with the PILOT Extension, the Agency and the Company will enter into an Amendment of Company Lease (the “**First Amended Company Lease**”), whereby the term of the Company Lease will be extended two (2) additional years.

The Agency contemplates that it will provide additional financial assistance to the Company in the form of extended abatement of real property taxes on the Facility, all consistent with the policies of the Agency.

4. The hearing officer then opened the hearing for comments from the floor for or against the proposed transfer of real estate, the other financial assistance proposed by the Agency and the location and nature of the Facility. The following is a listing of the persons heard and a summary of their views:

5. The hearing officer then asked if there were any further comments, and, there being none, the hearing was closed at _____ a.m./p.m.

STATE OF NEW YORK)
 : SS.:
COUNTY OF SUFFOLK)

I, the undersigned Assistant Secretary of the Town of Islip Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of a public hearing held by the Town of Islip Industrial Development Agency (the “**Agency**”) on January 26, 2022, at 10:30 a.m., local time, at Town of Islip, Offices of Economic Development, 40 Nassau Avenue, Islip, New York 11751, with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of the minutes in connection with such matter.

IN WITNESS WHEREOF, I have hereunto set my hand as of January 26, 2022.

Assistant Secretary

EXHIBIT C

PILOT Schedule

Town of Islip, (including any existing incorporated village and any village which may be incorporated after the date hereof, within which the Facility is wholly or partially located), Suffolk County, Central Islip Union Free School District and Appropriate Special Districts.

Property Address 11 Courthouse Drive, Central Islip, New York

Tax Map No. 0500-207.00-01.00-003.058

Definitions

X = assessment \$110,700

Y = increase in assessment above X resulting from the acquisition, construction and equipping of the Facility

Normal Tax Due = Those payments for taxes and assessments, other than special ad valorem levies, special assessments and service charges against real property located in the Town of Islip (including any existing incorporated village or any village which may be incorporated after the date hereof, within which the Facility is wholly or partially located) which are or may be imposed for special improvements or special district improvements, that the Company would pay without exemption

<u>Year</u>	<u>Formula</u>
2022/23	100% Normal Tax Due on X and 0% Normal Tax Due on Y
2023/24	100% Normal Tax Due on X and 0% Normal Tax Due on Y
2024/25	100% Normal Tax Due on X and 10% Normal Tax Due on Y
2025/26	100% Normal Tax Due on X and 20% Normal Tax Due on Y
2026/27	100% Normal Tax Due on X and 30% Normal Tax Due on Y
2027/28	100% Normal Tax Due on X and 40% Normal Tax Due on Y
2028/29	100% Normal Tax Due on X and 50% Normal Tax Due on Y
2029/30	100% Normal Tax Due on X and 60% Normal Tax Due on Y
2030/31	100% Normal Tax Due on X and 70% Normal Tax Due on Y
2031/32	100% Normal Tax Due on X and 80% Normal Tax Due on Y
2032/33	100% Normal Tax Due on X and 90% Normal Tax Due on Y
2033/34 and thereafter	100% Normal Tax Due on X and 100% Normal Tax Due on Y

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR FEBRUARY 8, 2022**

AGENDA ITEM #6

**TYPE OF RESOLUTION: ONE YEAR SERVICE
AGREEMENT**

**COMPANY: JVC BROADCASTING/LI NEWS RADIO
103.9 FM**

**PROJECT LOCATION: 3075 VETERANS MEMORIAL
HIGHWAY, #201, RONKONKOMA**

**JOBS (RETAINED/CREATED): RETAINED - -
CREATE - -**

INVESTMENT: \$12,000.00

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

As part of that multi-faceted marketing and advertising campaign, the Agency seeks to enter into an agreement with JVC Broadcasting and become the title sponsor of the Jay Oliver in the PM radio show on LI News Radio 103.9 FM. The agreement between the Agency and JVC Broadcasting will not exceed \$12,000.00 for the period of February 9, 2022-December 31, 2022.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip IDA
 2. Site or location effected by resolution: 40 Nassau Avenue, Islip, New York 11751
 3. Cost: \$12,000.00
 4. Budget Line: YD6410.4-5000
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number (26). SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

1/24/2022

Date



TOWN OF ISLIP

ECONOMIC DEVELOPMENT

- A bank of sixty second radio commercials to be used during the year as public service announcements brought to you by TOI- can be used for.
- Sponsorship of the LI in the PM sponsorship Monday to Friday 6P-7p.
- Excerpts from Jay Oliver LI in the AM 6A-9A radio show, played in the PM.
- TOI ED to receive title sponsorship of the 6P-7P hour, along with bottom of the hour and end of hour.
- Can alternate departments within the town as far as sponsorship
- Can provide guests on the Jay Oliver show, and talk about the goings on in a scheduled appearance each month
- A bank of 10 commercials a week to be played on the LI News Radio show
- Website inclusion on the LI News Radio website
- LI in the AM carries 240,000 listeners each week
- LI in the PM has 145,000 listeners each week

JANUARY-DECEMBER 2022 INVESTMENT \$12,000

Agreed & Accepted:

_____ **Date:** _____

All rates/commercials subject to availability, pre-emption and mobility. All price quotes valid for date of offering only. Orders are accepted only upon the approval of the management of JVC Broadcasting. Four-weeks written cancellation notice required on all orders.

WHEREAS, the Town of Islip Industrial Development Agency (“the Agency”) was created to promote, develop, encourage and assist in the acquisition, construction, improvement, maintenance, equipping and furnishing of a certain industrial, manufacturing, warehousing, commercial, research and recreation facilities, in order to promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of the Town of Islip, New York and of the State of New York and to improve their standing of living; and

WHEREAS, in 2015 the Agency launched, coordinated, multi-faceted marketing and advertising campaign to help re-invent the Agency’s image that includes promotion of the Long Island MacArthur Airport and the Foreign Trade Zone; and

WHEREAS, as part of that multi-faceted marketing and advertising campaign, the Agency seeks to enter into an agreement with JVC Broadcasting and become the title sponsor of the Jay Oliver in the PM radio show on LI News Radio 103.9 FM; and

WHEREAS, in addition to the title sponsorship the Agency will be entitled to a bank of 10 commercials a week on the LI News Radio Show, website inclusion on the LI News Radio website, monthly guest appearances on the Jay Oliver Show, and excerpts on the Jay Oliver in the AM Radio Show; and

WHEREAS, the agreement between the Agency and JVC Broadcasting will not exceed \$12,000.00 for the period of February 9, 2022-December 31, 2022;

NOW, THEREFORE, on a motion by _____ seconded by _____
Be it;

RESOLVED, that the Chairwoman or her designee be hereby authorized to execute a contract with JVC Broadcasting, located at 3075 Veterans Memorial Highway, #201, Ronkonkoma, New York, 11779, for the term of February 9, 2022-December 31, 2022, for an amount not to exceed \$12,000.00.

Upon a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 5

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Meeting of the Town of Islip Resource Recovery Agency.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Martin Bellew

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF



ISLIP RESOURCE RECOVERY AGENCY
February 8, 2022

1. Call the Meeting of the Islip Resource Recovery Agency to Order.
2. Approval of the Minutes for the December 14, 2021 Agency Board Meeting.
3. Resolution authorizing the Town Attorney and/or Agency Counsel to act on behalf of the agency when appropriate to protect the agency's interest in matters.
4. Resolution authorizing the President to enter into a contract between the Agency and Germano & Cahill, P.C. to provide General Legal and Litigation support services for 2022.
5. Resolution authorizing the President to execute a letter amendment to the "Power Purchase Agreement" with the Long Island Power Authority for the sale and purchase of electric power generated by the MacArthur Resource Recovery Facility and extend the agreement for an additional five-year term.
6. Resolution adopting a policy Prohibiting the Extension of Credit to Board Members and Staff in accordance with Section 2824 (5) of the Public Authorities Law.
7. Resolution adopting a Code of Ethics Policy in compliance the Public Authorities Accountability Act of 2005.
8. Resolution adopting a Whistleblower Access and Assistance Program in compliance with the Public Authorities Accountability Act of 2005.
9. Resolution adopting an Investment Policy in compliance with the Public Authorities Accountability Act of 2005.
10. Resolution adopting a Conflict of Interest Policy in compliance with the Public Authorities Accountability Act of 2005.
11. Resolution adopting a Procurement Policy in compliance with the Public Authorities Accountability Act of 2005.
12. Resolution adopting an Asset Acquisition and Disposition Policy in compliance with the Public Authorities Accountability Act of 2005.
13. Other Business
14. Adjournment



ISLIP RESOURCE RECOVERY AGENCY

December 14, 2021

On a motion of Councilperson Bergin seconded by Councilperson O'Connor and unanimously approved, a meeting of the Islip Resource Recovery Agency was convened at 2:25 p.m. in the Town Board Room of Islip Town Hall, 655 Main Street, Islip, NY 11751. A Quorum was present for this Agency Board Meeting.

DIRECTORS PRESENT

Angie M. Carpenter
Mary Kate Mullen
James P. O'Connor
Trish Bergin
John C. Cochrane, Jr.

OFFICERS PRESENT

Martin Bellew, President
Linda Bunde, Secretary

On a motion of Chairwoman Carpenter, seconded by Councilperson O'Connor and unanimously approved, the minutes from the November 16, 2021 Agency Board Meeting were approved.

On a motion of Councilperson Mullen, seconded by Councilperson Bergin and unanimously approved, a resolution was passed authorizing the President to enter into a contract between the Agency and New York State Compensation Plan for the Administration of the Deferred Compensation Plan for employees of the Islip Resource Recovery Agency for a period of 5 years, two (2) consecutive one-year extensions.

On a motion of Councilperson Cochrane, seconded by Councilperson Mullen and unanimously approved, a resolution was passed authorizing the execution of a Management Services Agreement for the year 2022 between the Islip Resource Recovery Agency and the Town of Islip for the Provision of Solid Waste Support Services.

There being no further business to come before the Board, the meeting was adjourned on a motion of Councilperson O'Connor, seconded by Councilperson Mullen, and unanimously approved.

Respectfully submitted,

Linda Bunde
Secretary

**ISLIP RESOURCE RECOVERY AGENCY
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Authorizing the Town Attorney and/or Agency Counsel to Act on Behalf of the Agency when appropriate to protect the Agency's Interest in Matters.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Islip Resource Recovery Agency
 2. Site or Location affected by resolution: N/A
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of NYCRR. Short EAF required.
-



Signature of President/Department Head Sponsor

Date

1/25/22

February 8, 2022

AUTHORIZING THE TOWN ATTORNEY AND/OR AGENCY COUNSEL TO ACT ON BEHALF OF THE AGENCY WHEN APPROPRIATE TO PROTECT THE AGENCY'S INTEREST IN MATTERS

WHEREAS it is in the interest of the people of the Town of Islip to properly enforce contractual agreements and to enforce local and State laws, ordinances and regulations when enforcement powers thereof have properly vested in the Agency, and

WHEREAS it is further in the interest of the people of the Town of Islip to defend the Islip Resource Recovery Agency against legal challenges encountered during the carrying out of its powers, purposes and duties as set forth in Section 2046 of the Public Authorities Law, and

WHEREAS the office of the Town Attorney and the General Counsel as set forth in Section 2046-C of the Public Authority are appropriate entities to act on behalf of the Agency in such action, now

THEREFORE on a motion of _____, seconded by _____, be it hereby

RESOLVED that the Town Attorney of the Town of Islip and General Counsel to the Agency are hereby authorized pursuant to Section 2046-C(2) of the Public Authority Law, to commence and prosecute on behalf of the Agency, any action or proceeding in law or equity, in any court of competent jurisdiction to:

- a) To enforce or compel compliance with any contractual or legal obligations which exists between the Agency and any other party;
- b) To appear for, defend and settle the Agency in any action brought by or against the Agency, its agents, officers and employees, where said appearances are perishable by law, and
- c) To carry out the stated policies of the Agency or to act in any proper forum in

furtherance of the policies, goals and objectives of the Agency, and such action may be reasonably related to the furtherance of said policies, goals and objectives, and be it further

RESOLVED that the Town Attorney and General Counsel are hereby authorized to take any steps reasonable and prudently necessary to consummate a duly authorized acquisition or conveyance of real or personal property on behalf of the Agency, and be it further

RESOLVED that any actions or proceedings heretofore commenced by the Agency and any actions to which the Agency has been made party to in which the Town Attorney or the Agency's General Counsel have heretofore appeared are hereby ratified and authorized.

UPON A VOTE being taken, the result was: _____

**ISLIP RESOURCE RECOVERY AGENCY
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Resolution authorizing the President to enter into a contract with Germano & Cahill, P.C. to provide General Legal and Litigation Support Services for the year 2022.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Islip Resource Recovery Agency
 2. Site or Location affected by resolution: N/A
 3. Cost: Not to Exceed \$60,000
 4. Budget Line: ZR02.1020.4.5001 (Outside Professional – Legal
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of NYCRR. Short EAF required.
-



Signature of President/Department Head Sponsor

1-25-22

Date

February 8, 2022

AUTHORIZING THE PRESIDENT TO ENTER INTO A CONTRACT BETWEEN THE AGENCY AND GERMANO & CAHILL, P.C. TO PROVIDE GENERAL LEGAL AND LITIGATION SUPPORT SERVICES

WHEREAS The Agency requires the services of General Legal and Litigation Support Services for 2022, and

WHEREAS Agency Administration has recommended the continued use of Germano & Cahill, P.C. for such services, now

THEREFORE on a motion of _____, seconded by _____

RESOLVED that the use of Germano & Cahill, P.C. is hereby authorized to assist as General Counsel on behalf of the Agency on an as-needed basis at a cost not-to-exceed \$60,000.

UPON A VOTE being taken, the result was: _____

**ISLIP RESOURCE RECOVERY AGENCY
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

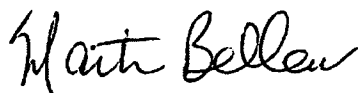
RESOLUTION AUTHORIZING THE PRESIDENT TO EXECUTE A LETTER AMENDMENT TO THE "POWER PURCHASE AGREEMENT" WITH THE LONG ISLAND POWER AUTHORITY FOR THE SALE AND PURCHASE OF ELECTRIC POWER GENERATED BY THE MACARTHUR RESOURCE RECOVERY AND EXTEND THE AGREEMENT FOR AN ADDITIONAL FIVE YEAR TERM.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Islip Resource Recovery Agency
 2. Site or Location affected by resolution: McArthur WTE Facility
 3. Cost: _____
 4. Budget Line: _____
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of NYCRR. Short EAF required.
-



Signature of President/Department Head Sponsor

1/25/22

Date

February 8, 2022

AUTHORIZING THE PRESIDENT TO EXECUTE A LETTER AMENDMENT TO THE "POWER PURCHASE AGREEMENT" WITH THE LONG ISLAND POWER AUTHORITY FOR THE SALE AND PURCHASE OF ELECTRIC POWER GENERATED BY THE MACARTHUR RESOURCE RECOVERY AND EXTEND THE AGREEMENT FOR AN ADDITIONAL FIVE YEAR TERM.

WHEREAS, the Agency is the owner of the MacArthur Resource Recovery Facility (the Facility), which is a Qualifying Facility under the Public Utility Regulatory Policies Act of 1978 (the Act); and

WHEREAS, pursuant to the Act the Long Island Power Authority is obligated to purchase the electric power generated by the Facility; and

WHEREAS, the Agency and LIPA are parties to a contract for the purchase of power generated by the Facility for an initial period of ten years, with the Agency's option to extend the term for two (2) five (5) year extension periods, one of which has been exercised through August 31, 2022 (hereinafter the Power Purchase Agreement or "PPA"); and

WHEREAS, in order to resolve an overpayment issue arising from the calculation in the billing formula in the agreement, LIPA has proposed a settlement in which the price paid for electric power under the PPA would be increased and fixed at \$79/MWh for the balance of the term of the PPA, and adjusted to correct for overpayment received at the rate of \$2.67/MWh until the overpayment is discharged, and to further acknowledge the Agency's exercise of its option to extend the term of the PPA to October 31, 2027; and

WHEREAS, the annexed letter agreement confirms the adjustment in the rate paid under the PPA and acknowledges the extension of the term of the PPA though October 31, 2027; and

WHEREAS, the continued sale of the electric power generated by the Facility through the PPA will be in the public interest,

NOW THEREFORE, on motion of _____, seconded by _____, be it

RESOLVED that the President is hereby authorized to execute on behalf of the Agency the Letter Amendment to the Power Purchase Agreement with the Long Island Power Authority annexed hereto, and be it further,

RESOLVED, that the execution of such Letter Agreement is hereby determined to be a Type II action under the State Environmental Quality Review Act (SEQRA).

UPON A VOTE being taken, the result was _____.



January ____, 2022

President
Islip Resource Recovery Agency
401 Main Street
Islip, New York 11751

Re: Letter Agreement Amending effective upon the Amendment Effective Date (defined below) Sections 2 and 4 of the Power Purchase Agreement, dated May 25, 2012, between LIPA and the Islip Resource Recovery Agency ("Islip PPA") (Contract No. C-000742)

Dear Sir:

Reference is made to the Power Purchase Agreement, dated as of May 25, 2012, between the Long Island Lighting Company d/b/a LIPA ("Buyer"), and the Islip Resource Recovery Agency ("Seller"), as amended (the "Islip PPA"). The Buyer and Seller each individually a "Party" and collectively, the "Parties." All capitalized terms referenced herein shall have the meaning ascribed to them in the Islip PPA.

The Parties entered into the Islip PPA pursuant to which Seller has agreed to sell to Buyer, and Buyer has agreed to purchase from Seller, the net electrical output of the 11.5 MW solid waste resource recovery electric power generating facility (the "Plant") that is located in the Town of Islip, New York in accordance with the provisions of the Islip PPA and otherwise subject to the terms and conditions of Buyer's Service Classification No. 11 ("SC-11") of LIPA's Tariff for Electric Service. The Islip PPA was approved by the Office of the New York State Comptroller ("Comptroller") on August 13, 2012. This letter agreement shall be legally binding and effective upon (the "Amendment Effective Date") approval of this letter agreement by (a) the Comptroller; and (b) the New York State Attorney General ("NYAG") (as to form).

The Parties have agreed to amend the Islip PPA in certain respects as more fully described hereafter. Accordingly, the Parties hereby enter into this letter agreement (hereafter referred to as "Amendment No. 2") to amend the Islip PPA as follows:

Section 2

Section 2.1(iii) shall be replaced in its entirety to read as follows:

"(iii) The Term of this Agreement is extended to October 31, 2027 ("Extended Term")."

Section 4

The words beginning the first sentence of Section 4.5(iii) that currently read "For the period beginning January 1, 2014 through the remainder of the Term (and updated for the Extended Term as applicable) . . ." are amended as follows:

"For the period beginning January 1, 2014 through November 30, 2021 . . .".

A new Section 4.5(iv) is added to read as follows:

"(iv) For the period beginning December 1, 2021 through the remainder of the Term, the Energy Price shall be \$79.00/MWh."

Beginning December 1, 2021, Section 4.6 shall be deleted.

Supplement 1: Standard Clauses for LIPA's Contracts is replaced in its entirety with Appendix A: Standard Clauses for LIPA Contracts (Attached)

Seller represents and warrants that it has all authorizations necessary for it to execute this letter agreement, and all approvals required under any contract to which it is a party, subject to obtaining the Comptroller and NYAG approvals described above. Buyer represents and warrants that, except for approvals by the Comptroller and NYAG, it has received all necessary approvals prior to executing this letter agreement.

This letter agreement may be executed in one or more counterparts, each one of which may be considered an original, but all of which together shall constitute one and the same agreement.

Except as expressly set forth in this letter agreement, the Islip PPA remains unmodified and in full force and effect. Please confirm Seller's agreement and acceptance to the foregoing by signing in the space provided below and returning a copy to Paul D. Napoli, Managing Director & Vice President - Power Markets, PSEG Long Island LLC.

Very truly yours,

Long Island Lighting Company d/b/a LIPA

By: _____

Name: _____

Title: _____

Date: _____

Agreed to and Accepted:

Islip Resource Recovery Agency

By: _____

Name: _____

Title: _____

Date: _____

cc: Long Island Lighting Company d/b/a LIPA
333 Earle Ovington Blvd.
Suite 403
Uniondale, New York 11553
Attention: General Counsel

APPROVED BY:
Office of the State Comptroller

Name

Title

Date

APPROVED AS TO FORM:
Office of the New York State Attorney General

Name

Title

Date

ACKNOWLEDGMENT

STATE OF NEW YORK)
)
COUNTY OF _____)

On the ____ day of _____, 2021, _____ before me personally came _____, known to be the individual described in the foregoing instrument in his/her capacity as _____ of **PSEG Long Island LLC acting as agent for Long Island Lighting Company d/b/a LIPA**, the limited liability company described in and which executed the foregoing instrument, who being duly sworn did acknowledge that he/she executed same on behalf of **PSEG Long Island LLC** and that he/she was authorized to execute same on behalf of **PSEG Long Island LLC**.

Notary Public

STATE OF NEW YORK)
)
COUNTY OF NASSAU)

On the ____ day of _____, 2021, _____ before me personally came _____, known to be the individual described in the foregoing instrument in his/her capacity as _____ of the Islip Resource Recovery Agency, the entity described in and which executed the foregoing instrument, who being duly sworn did acknowledge that he/she executed same on behalf of the Islip Resource Recovery Agency and that he/she was authorized to execute same on behalf of the Islip Resource Recovery Agency.

Notary Public

APPENDIX A

STANDARD CLAUSES FOR LIPA CONTRACTS

For the purposes of this Appendix A, the Long Island Power Authority and its operating subsidiary the Long Island Lighting Company d/b/a LIPA are hereinafter referred to as "LIPA."

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, "*the contract*" or "*this contract*") agree to be bound by the following clauses which are hereby made a part of the contract (the word "*Contractor*" herein refers to any party other than LIPA, whether a contractor, consultant, licensor, licensee, lessor, lessee or other party):

NON-ASSIGNMENT CLAUSE. In accordance with Section 138 of the State Finance Law, this contract may not be assigned by Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the previous consent, in writing, of LIPA, and any attempts to assign the contract without LIPA's written consent are null and void. Contractor may, however, assign its right to receive payment without LIPA's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

COMPTROLLER'S APPROVAL. In accordance with Section 112 of the New York State Finance Law (the "*State Finance Law*"), this Agreement shall not be valid, effective or binding upon LIPA until it has been approved by the State Comptroller and filed in his office.

WORKER'S COMPENSATION BENEFITS. In accordance with Section 142 of the State Finance Law, this Agreement shall be void and of no force and effect unless Contractor provides and maintains coverage during the life of this Agreement for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

NON-DISCRIMINATION REQUIREMENTS. In accordance with Article 15 of the Executive Law (also known as the Human Rights Law) and all other New York State and Federal statutory and constitutional non-discrimination provisions, Contractor shall not discriminate against any employee or applicant for employment because of race, creed, color, sex (including gender identity or expression), national origin, age, disability, marital status, sexual orientation, genetic predisposition or carrier status. Furthermore, in accordance with Article 220-e of the New York Labor Law, and to the extent that this Agreement shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, national origin, sexual orientation, genetic predisposition or carrier status; (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee for the performance of work under this Agreement.

NEW YORK STATE EXECUTIVE ORDER NO. 177 (PROHIBITING STATE CONTRACTS WITH ENTITIES THAT SUPPORT DISCRIMINATION) CERTIFICATION. The New York State Human Rights Law, Article 15 of the Executive Law, prohibits discrimination and harassment based on age, race, creed, color, national origin, sex, pregnancy or pregnancy-related conditions, sexual orientation, gender identity, disability, marital status, familial status, domestic violence victim status, prior arrest or conviction record, military status or predisposing genetic characteristics.

The Human Rights Law may also require reasonable accommodation for persons with disabilities and pregnancy-related conditions. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner. The Human Rights Law may also require reasonable accommodation in employment on the basis of Sabbath observance or religious practices.

Generally, the Human Rights Law applies to:

- all employers of four or more people, employment agencies, labor organizations and apprenticeship training programs in all instances of discrimination or harassment;
- employers with fewer than four employees in all cases involving sexual harassment; and,
- any employer of domestic workers in cases involving sexual harassment or harassment based on gender, race, religion or national origin.

In accordance with Executive Order No. 177, the Bidder hereby certifies that it does not have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sex, sexual orientation, gender identity, disability, marital status, military status, or other protected status under the Human Rights Law.

Executive Order No. 177 and this certification do not affect institutional policies or practices that are protected by existing law, including but not limited to the First Amendment of the United States Constitution, Article 1, Section 3 of the New York State Constitution, and Section 296(11) of the New York State Human Rights Law.

WAGE AND HOURS PROVISIONS. If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law and shall comply with all requirements set forth in Article 8 or Article 9 of the Labor Law whichever Article applies.

NON-COLLUSIVE BIDDING CERTIFICATION. In accordance with Section 2878 of the Public Authorities Law, if this contract was awarded based upon the submission of bids, Contractor warrants, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further warrants that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to LIPA a non-collusive bidding certification on Contractor's behalf.

INTERNATIONAL BOYCOTT PROHIBITION. In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, Contractor agrees, as a material condition of the contract, that neither Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC app. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).

SET-OFF RIGHTS. LIPA shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, LIPA's option to withhold for the purposes of set-off any moneys due to Contractor under this contract up to any amounts due and owing to LIPA with regard to this contract, any other contract with LIPA, including any contract for a term commencing prior to the term

of this contract, plus any amounts due and owing to LIPA for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. LIPA shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by LIPA, its representatives, or the State Comptroller.

RECORDS. Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, "*the Records*"). The Records must be kept for six (6) years following the expiration or earlier termination of the contract. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. LIPA shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "*Statute*") provided that: (i) Contractor shall timely inform LIPA in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

DISCLOSURE OF LIPA RECORDS OR INFORMATION. If any third party requests that Contractor disclose LIPA records or information, as defined in subdivision 4 of section 86 of the Public Officers Law, to the extent permitted by law, Contractor shall notify LIPA of such request and LIPA shall determine, in accordance with Chapter 39 of the Laws of 2010, whether such LIPA records or information may be disclosed.

EQUAL EMPLOYMENT FOR MINORITIES AND WOMEN. In accordance with Section 312 of the New York Executive Law: (i) Contractor shall not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability, marital status, sexual orientation, genetic predisposition or carrier status and shall undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation; (ii) at the request of LIPA, Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability, marital status, sexual orientation, genetic predisposition or carrier status and that such union or representative will affirmatively cooperate in the implementation of Contractor's obligations herein; and (iii) Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of this Agreement, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability, marital status, sexual orientation, genetic predisposition or carrier status. Contractor shall include the provisions of (i), (ii) and (iii) above, in every subcontract over twenty-five thousand dollars (\$25,000.00) for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "*Work*") except where the Work is for the beneficial use of Contractor.

MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES. It is the policy of the Authority to provide Minority and Women-Owned Business Enterprises (M/WBEs) the greatest practicable opportunity to participate in the Authority's contracting activity for the procurement of goods and services. To effectuate this policy, Contractor shall comply with the provisions of this Schedule A and the provisions of Article 15-A of the New York Executive Law. The Contractor will employ good faith efforts to achieve the below-stated M/WBE Goals set for this contract, and will cooperate in any efforts of the Authority, or

any government agency which may have jurisdiction, to monitor and assist Contractor's compliance with the Authority's M/WBE program.

Minority-Owned Business Enterprise (MBE) Subcontracting 0%

Women-Owned Business Enterprise (WBE) Subcontracting Goal 0%

Waivers shall only be considered in accordance with the provisions of Article 15-A of the Executive Law.

To help in complying, Contractor may inspect the current New York State Certification Directory of Minority and Women Owned Businesses, prepared for use by state agencies and contractors in complying with Executive law Article 15-A, (the Directory) at the same location where the Authority's bid document or request for proposals may be obtained or inspected and also at the Authority's office at 333 Earle Ovington Boulevard, Suite 403, Uniondale, NY 11553. In addition, printed or electronic copies of the Directory may be purchased from the New York State Department of Economic Development, Minority and Women's Business Division.

If requested, Contractor shall submit within ten (10) days of such request, a complete Utilization Plan, which shall include identification of the M/WBEs which the Contractor intends to use; the dollar amount of business with each such M/WBE; the Contract Scope of Work which the Contractor intends to have performed by such M/WBEs; and the commencement and end dates of such performance. The Authority will review the plan and, within twenty (20) days of its receipt, issue a written acceptance of the plan or comments on deficiencies in the plan.

The Contractor shall include in each Subcontract, in such a manner that the provisions will be binding upon each Subcontractor, all of the provisions herein including those requiring Subcontractors to make a good faith effort to solicit participation by M/WBEs.

If requested, the Contractor shall submit monthly compliance reports regarding its M/WBE utilization activity. Reports are due on the first business day of each month, beginning thirty (30) days after Contract award.

The Contractor shall not use the requirements of this section to discriminate against any qualified company or group of companies.

CONFLICTING TERMS. In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

GOVERNING LAW. This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

LATE PAYMENT. Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Section 2880 of the Public Authorities Law and the guidelines adopted by LIPA thereto.

PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS. Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of State Finance Law §165 (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental

agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of Contractor to establish to meet with the approval of the State. In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of Contractor to meet with the approval of the State.

MACBRIDE FAIR EMPLOYMENT PRINCIPLES. In accordance with the MacBride Fair Employment Principles (Chapter 807 of the New York Laws of 1992), Contractor hereby stipulates that Contractor either (i) has no business operations in Northern Ireland, or (ii) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Article 165 of, the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

OMNIBUS PROCUREMENT ACT OF 1992. It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts. Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development
Division for Small Business
One Commerce Plaza
Albany, New York 12245

A directory of certified minority and women-owned business enterprises is available from:

NYS Department of Economic Development
Minority and Women's Business Development Division
One Commerce Plaza
Albany, New York 12245

The Omnibus Procurement Act of 1992 requires that by signing this Agreement, Contractor certifies that:

(a) Contractor has made commercially reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and woman-owned business enterprises, on this Project, and has retained the documentation of these efforts to be provided upon request to the State;

(b) Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended; and

(c) Contractor agrees to make commercially reasonable efforts to provide notification to New York State residents of employment opportunities on this Project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. Contractor agrees to document these efforts and to provide said documentation to the State upon request.

(d) Contractor acknowledges that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

RECIPROCITY AND SANCTIONS PROVISIONS. Contractor is hereby notified that if its principal place of business is located in a state that penalizes New York State vendors, and if the goods or services it offers are substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 amendments (Chapter 684, Laws of 1994) require that Contractor be denied contracts which it would otherwise obtain.

PURCHASES OF APPAREL. In accordance with State Finance Law 162 (4-a), LIPA shall not purchase any apparel from any Contractor unable or unwilling to certify that: (i) such apparel was manufactured in compliance with all applicable labor and occupational safety laws, including, but not limited to, child labor laws, wage and hours laws and workplace safety laws, and (ii) Contractor will supply, with its bid (or, if not a bid situation, prior to or at the time of signing a contract with LIPA), if known, the names and addresses of each subcontractor and a list of all manufacturing plants to be utilized by the bidder.

CONTRACTOR AFFIRMATION OF COMPLIANCE AND CERTIFICATION OF DISCLOSURE. Contractor affirms that it understands and agrees to comply with the procedures of the Governmental Entity relative to permissible contacts as required by the State Finance Law § 139-j (3) and § 139-j (6)(b). Furthermore, Contractor certifies that the information disclosed pursuant to State Finance Law § 139-k (5) is complete true and accurate.

OPTIONAL TERMINATION BY THE AUTHORITY. LIPA reserves the right to terminate this contract in the event it is found that the certification filed by Contractor in accordance with New York State Finance Law § 139-k was intentionally false or intentionally incomplete. Upon such finding, LIPA may exercise its termination right by providing written notification to Contractor in accordance with the written notification terms of the contract.

CONTINGENT FEES. Contractor hereby certifies and agrees that (a) Contractor has not employed or retained and will not employ or retain any individual or entity for the purpose of soliciting or securing any LIPA contract or any amendment or modification thereto pursuant to any agreement or understanding for receipt of any form of compensation which in whole or in part is contingent or dependent upon the award of any such contract or any amendment or modification thereto; and (b) Contractor will not seek or be paid an additional fee that is contingent or dependent upon the completion of a transaction by LIPA.

NONPUBLIC PERSONAL INFORMATION. Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 899-aa; State Technology Law Section 208). Contractor shall be liable for the costs associated with such breach if caused by Contractor's negligent or willful acts or omissions, or the negligent or willful acts or omissions of the Contractor's agents, officers, employees or subcontractors.

IRAN DIVESTMENT ACT CERTIFICATION. Contractor certifies under penalty of perjury, that to the best of its knowledge and belief that it is not on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law. In addition, Contractor agrees that no person on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law will be utilized as a subcontractor on this contract.

SEXUAL HARASSMENT PREVENTION CERTIFICATION. In accordance with New York State Finance Law Section 139-L, Contractor certifies that: "By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment

prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of" New York State Labor Law Section 201-g.

ADMISSIBILITY OF REPRODUCTION OF CONTRACT.

Notwithstanding the best evidence rule or any other legal principle or rule of evidence to the contrary, the Contractor acknowledges and agrees that it waives any and all objections to the admissibility into evidence at any court proceeding or to the use at any examination before trial of an electronic reproduction of this contract, in the form approved by the State Comptroller, if such approval was required, regardless of whether the original of said contract is in existence.

**ISLIP RESOURCE RECOVERY AGENCY
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Resolution adopting a policy Prohibiting the Extension of Credit to Board Members and Staff in accordance with Section 2824 (5) of the Public Authorities Law.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Islip Resource Recovery Agency
 2. Site or Location affected by resolution: _____
 3. Cost: _____
 4. Budget Line: _____
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of NYCRR. Short EAF required.
-



2/1/22

Signature of President/Department Head Sponsor

Date

Resolution #:

Date:

WHEREAS, the Public Authority Accountability Act, (the Act) Section 2824 (5) requires that the Islip Resource Recovery Agency (the "Agency") to adopt the attached policy prohibiting the extension of credit to Board members and staff; and

WHEREAS, a copy of this Policy shall be disclosed to any and all prospective members.

NOW, THEREFORE, on a motion of _____, seconded by _____, be it hereby

RESOLVED, that the Agency has adopted a Policy prohibiting the extension of credit to Board members and staff in accordance with Section 2824 (5) of Public Authorities law, and that the Islip Resource Recovery Agency has duly adopted this Policy, by virtue of the approval of this Agency Board Resolution.

UPON A VOTE being taken, the result was:

**POLICY PROHIBITING THE EXTENSION OF CREDIT TO BOARD MEMBERS AND
STAFF IN ACCORDANCE WITH SECTION 2824 (5) OF THE PUBLIC AUTHORITIES
LAW**

Notwithstanding any provision of any general, special or local law, municipal charter or ordinance to the contrary, no board of a state or local authority shall directly or indirectly, including through any subsidiary, extend or maintain credit, arrange for the extension of credit, or renew an extension of credit, in the form of a personal loan to or/or any officer, board member or employee (or equivalent thereof) of the Agency.

**ISLIP RESOURCE RECOVERY AGENCY
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Resolution adopting a Code of Ethics Policy in compliance the Public Authorities Accountability Act of 2005.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Islip Resource Recovery Agency
 2. Site or Location affected by resolution: _____
 3. Cost: _____
 4. Budget Line: _____
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of NYCRR. Short EAF required.
-



2/1/22

Signature of President/Department Head Sponsor

Date

Resolution #:
Date:

WHEREAS, the Islip Resource Recovery Agency (the "Agency") is a public authority under New York Law and subject to the Public Authorities Accountability Act of 2005, as amended (the "PAAA"); and

WHEREAS, the New York State Legislature adopted the PAAA, designed to ensure that New York's public authorities operate more efficiently, more openly, and with greater accountability; and

WHEREAS, the PAAA, requires all public authorities within the state of New York to adopt a Code of Ethics; and

WHEREAS, the act requires that the Agency appoint an "Ethics Officer" to counsel board members, directors and employees about ethical behavior, receive and investigate complaints about ethical behavior, and perform additional duties involving the implementation of the Code of Ethics.

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it hereby

BE IT RESOLVED, the Agency adopts the Code of Ethics of the Islip Resource Recovery Agency, as attached to this resolution, in compliance with the Act; and be it further

RESOLVED, that the Agency appoints its Treasurer as its Ethics Officer, to fulfill the legal requirements of the Act.

UPON A VOTE being taken, the result was:

Islip Resource Recovery Agency

Established 1982



CODE OF ETHICS

CHAPTER 14 CODE OF ETHICS AND FINANCIAL DISCLOSURE LAW

[HISTORY: Adopted by the Town Board of the Town of Islip 12-18-1990 by L.L. No. 4-1990.

Editor's Note: This local law also repealed former Ch. 14, Ethics, Code of, adopted 12-13-1968, as amended. Amendments noted where applicable.]

GENERAL REFERENCES

Fair employment practices — See Ch. 17.

Defense of officers and employees — See Ch. 24.

ARTICLE I Title (§ 14-1)

§ 14-1 Title.

This local law may be cited as the "Town of Islip Code of Ethics and Financial Disclosure Law."

ARTICLE II Purpose and Scope (§ 14-2)

§ 14-2 Statutory authorization; Intent.

This Code of Ethics and Financial Disclosure Law is enacted pursuant to Article 18 of the General Municipal Law in recognition of the policy of the Town of Islip to maintain the highest standards of integrity and public confidence. It is intended to afford Town officers and employees guidance in conforming to ethical standards, to provide a formula of conduct which is not only clear but reasonable, to promote public confidence in the integrity of government, to require public disclosure of financial interests that may influence or be perceived as influencing the actions of Town officers and employees and to provide for the fair and effective administration of this Code of Ethics and Financial Disclosure Law and the promulgation of a form of annual statement of financial disclosure is expressly intended to constitute an election to opt out of the provisions of General Municipal Law § 812, in accordance with the provisions of General Municipal Law § 811.

ARTICLE III Definitions and Word Usage (§ 14-3 — § 14-4)

§ 14-3 Definitions.

As used in this local law, the following terms shall have the meanings indicated:

AGENCY

Any Town authority, agency, board, bureau, commission, committee or council created by law or appointed by the Town Board or Town Supervisor, including but not limited to the Zoning Board of Appeals, Planning Board, Plumbing Board, Ethics Board, Youth Board, Board of Assessment and Review, Industrial Development Agency (IDA), Community Development Agency (CDA), Resource Recovery Agency and Town of Islip Housing Authority.

BUSINESS DEALING OR ACTIVITIES

A.

Having or providing any contract, service or work with a municipality;

B.

Buying, selling, renting, leasing or otherwise acquiring from or dispensing to a municipality a goods, services or property; or

C.

Applying for, petitioning, requesting or obtaining any approval, grant, loan, license, permit or privilege from the municipality.

COMPENSATION

Any money, thing of value, financial benefit conferred or favor granted, given or awarded for service rendered or to be rendered.

CONFIDENTIAL INFORMATION

Information or data which is not subject to public disclosure or is otherwise privileged under law.

DISCRETIONARY ACT

Any action involving the exercise of judgment or discretion by a municipal officer or employee, individually or as a member of any agency, and includes but is not limited to the negotiation, approval, advice, recommendation, authorization or audit of:

A.

Contracts, leases, franchises, revocable consents, concessions, variances, special permits licenses as defined in § 73 of the Public Officers Law;

B.

The purchase, sale, rental or lease of real property, goods or services or a contract therefor

C.

The obtaining of grants of money or loans; or

D.

The adoption or repeal of any rule or regulation having the force and effect of law.

EMPLOYEE

Any person directly employed on a full- or part-time basis by the Town or any agency thereof as defined and compensated therefor, except it shall not include part-time services rendered by independent contractors under special agreements of retention.

FAMILY MEMBER

A spouse from whom the officer or employee is not legally separated, a child, stepchild, brother, grandparent, parent or dependent.

INTEREST

A direct or indirect pecuniary or material benefit accruing to a municipal officer or employee as a result of a contract with the municipality which such officer or employee serves. For the purpose of this law, a municipal officer or employee shall be deemed to have an interest in the contract of:

A.

His spouse, minor children and dependents, except a contract of employment with the municipality which such officer or employee serves.

B.

A firm, partnership or association of which such officer or employee is a member or employee

C.

A corporation of which such officer or employee is an officer, director or employee.

D.

A corporation, any stock of which is owned or controlled directly or indirectly by such officer or employee.

MINISTERIAL ACT

Action performed in a prescribed manner without the exercise of judgment or discretion as to the propriety of the act.

OFFICER

Every elected official of the Town, every appointed official of the Town as defined in the Town Law

General Municipal Law, Public Officers Law or any other law referring to officers acting on behalf of the Town, or any agency thereof as herein defined, and shall also include those persons employed by the Town or agency thereof as herein defined on a full-time basis:

A.

As department heads or deputy department heads; or

B.

Whose job categories require them to perform acts of a discretionary rather than ministerial nature.

QUORUM

Four members present at any meeting of the Board of Ethics.

[Added 4-24-2007 by L.L. No. 2-2007]

§ 14-4

Word usage.

The masculine gender, as used herein, shall include the feminine, where appropriate.

ARTICLE IV

Conflicts of Interest and Disclosure (§ 14-5 — § 14-8)

§ 14-5

Conflicts prohibited; exceptions.

A.

Prohibited conflicts. Except as provided in Subsection B of this section, no officer or employee shall have any interest, financial or otherwise, or engage or invest in any business or transaction or professional activity in which he has any obligation of any nature which is in conflict with the proper discharge of his duties in the public interest:

(1)

No officer or employee shall be or become interested directly or indirectly in any manner whatsoever in any business or professional dealings with the Town of Islip or any agency thereof.

(2)

No officer or employee shall act as attorney, agent, broker, employee or representative in business or professional dealings with the Town of Islip or any agency thereof for himself or any person, firm or corporation directly or indirectly.

(3)

No officer or employee shall accept other employment or engage in any business transaction which will impair the independence of judgment in the exercise of his official duties or create a conflict of interest with his official duties.

(4)

No chief fiscal officer, treasurer or his deputy or employee shall have an interest in a bank or trust company designated as a depository, paying agent, registration agent or for investment of funds of the Town of Islip or any agency thereof of which he is an officer or employee; provided, however, that where the designation of a trust company outside the Town of Islip would be required because of the foregoing restriction, a bank or trust company within the Town of Islip may nevertheless be designated.

(5)

No municipal officer or employee shall receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any Town of Islip agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee.

(6)

No officer or employee shall receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any case, proceeding, application or any other matter before any

agency, whereby his compensation is to be dependent or contingent upon any action by such agency with respect to any license, contract, certificate, ruling, decision, opinion, franchise or other benefit.

(7)

No person having supervisory control or who is superior in title to any official or employee of the Town shall engage in any of the following actions with subordinates at any time on or off Town premises:

[Added 4-24-2007 by L.L. No. 2-2007]

(a)

Discussion of or solicitation of ticket purchases or sales.

(b)

Solicitation to join a political party or political activity.

(c)

Use of political considerations in discussing duties, positions, compensation, changes in titles or work.

(d)

Use of political considerations as the reason for promotions, assignment changes, demotions or terminations.

B.

Exceptions. The provisions of Subsection A of this section shall not apply to:

(1)

The payment of lawful compensation and necessary expenses of any municipal officer or employee in more than one position of public employment, the holding of which is not prohibited by law.

(2)

A contract with a person, firm, corporation or association in which an officer or employee has an interest prohibited solely by reason of employment as an officer or employee thereof, if the remuneration of such employment will not be directly affected as a result of such contract and the duties of such employment directly involve the procurement, preparation or performance of any part of such contract.

(3)

The designation of a newspaper, including but not limited to an official newspaper, for the publication of notice, resolution, ordinance or other proceeding where such publication is required or authorized by law.

(4)

The purchase by the Town of Islip or any agency thereof of real property or an interest therein, provided the purchase and the consideration therefor is approved by order of the Supreme Court upon petition of the board.

(5)

The acquisition of real property or an interest therein through condemnation proceedings according to law.

(6)

A contract with a membership corporation or other voluntary nonprofit corporation or association.

(7)

The sale of bonds and notes pursuant to § 60.10 of the Local Finance Law.

(8)

A contract in which an officer or employee has an interest if such contract was entered into prior to the time he was elected or appointed as such officer or employee, but this subsection shall in no event authorize a new or any such contract.

(9)

No conflict shall be deemed to arise under this resolution by virtue of stock ownership, direct or indirect, such ownership constitutes less than five per centum (5%) of the outstanding stock of the corporation in

(10)

A contract for the furnishing of public utility services when the rates or charges therefor are fixed or regulated by the Public Service Commission.

(11)

A contract for the payment of a portion of the compensation of a private employee of an officer when such employee performs part-time service in the official duties of the office.

(12)

A contract in which a municipal officer or employee has an interest if the total consideration payable thereunder when added to the aggregate amount of all consideration payable under the contracts in which such person has an interest during the fiscal year, does not exceed the sum of one hundred dollars (\$100.).

(13)

A contract with a member of a private industry council established in accordance with the Federal Job Training Partnership Act (JTPA) or any firm, corporation or association in which such member holds an interest, provided the member discloses such interest to the council and the member does not vote on the contract.

(14)

Any person serving the Town or any agency thereof without compensation shall not be deemed to be in conflict of interest under this Article unless such interest is in conflict with the proper discharge of his official duties.

§ 14-6

Disclosure of interest in contracts.

A.

Any officer or employee who has, will have or later acquires an interest in any actual or proposed contract with the Town of Islip or agency thereof of which he is an officer or employee shall publicly disclose the nature and extent of such interest, in writing, to the governing body thereof as soon as he has knowledge of such actual or prospective interest. Such written disclosure shall be made a part of and set forth in the official record of the proceedings of such body. Once disclosure has been made by an officer or employee with respect to a contract with a particular person, firm, corporation or association, no further disclosures need be made by such officer or employee with respect to additional contracts with the same party during the remainder of the year.

B.

Notwithstanding the provisions of Subsection A of this section, disclosure shall not be required in the case of an interest in a contract described in § 14-5B(9) through (14) of this Article.

§ 14-7

Disclosure of interest in applications.

A.

Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat or official map, license or permit pursuant to the provisions of the Town Code or engineering or planning regulations shall state the name, residence and the nature and extent of the interest of any officer or employee of the Town of Islip in the person, partnership or association making such application, petition or request (hereinafter called the "applicant") to the extent known to such applicant.

B.

For the purpose of this section, an officer or employee shall be deemed to have an interest in the application when he, his spouse or their brothers, sisters, parents, children, grandchildren or the spouse of any of them

(1)

Is the applicant;

(2)

Is an officer, director, partner or employee of the applicant;

(3)

Legally or beneficially owns or controls stock of a corporate applicant or is a member of the partnership association applicant; or

(4)

Is a party to an agreement with such an applicant, express or implied, whereby he may receive any pay other benefit whether or not for services rendered, dependent or contingent upon the favorable approval application, petition or request.

C.

Ownership of less than five percent (5%) of the stock of a corporation whose stock is listed on any public exchange shall not constitute an interest for the purposes of this section.

§ 14-8

Voided contracts; penalties for offenses.

A.

Any contract willfully entered into by or with the Town of Islip or an agency thereof in which there is an i prohibited by this Article shall be null, void and wholly unenforceable.

B.

Any person, including but not limited to an officer or employee, who willfully and knowingly violates the of §§ 14-5, 14-6 or 14-7 of this Article shall be guilty of a misdemeanor.

ARTICLE V

Standards of Conduct (§ 14-9 — § 14-16)

§ 14-9

Gifts.

A.

No municipal officer or employee shall directly or indirectly solicit any gift or accept or receive any gift h value of seventy-five dollars (\$75.) or more, whether in the form of service, loan, travel, entertainment, thing or promise or in any other form, under circumstances in which it could reasonably be inferred that was intended to influence him or could reasonably be expected to influence him in the performance of l duties or was intended as a reward for any official action on his part.

B.

No municipal officer shall directly or indirectly solicit or accept or receive any money in any amount unc circumstances in which it could reasonably be inferred that the gift was intended to influence him or co reasonably be expected to influence him in the performance of his official duties or was intended as a r any official action on his part.

§ 14-10

Conduct giving impression that improper influence may be exercised.

No officer or employee shall by his conduct give a reasonable basis for the impression that any person improperly influence him or unduly enjoy his favor in the performance of his official duties or that he is : the kinship, rank, position or influence of any party or person.

§ 14-11

Improper use of official position.

No officer or employee shall use or attempt to use his official position to secure unwarranted privileges exemptions for himself or others.

§ 14-12

Use of Town-owned equipment or property.

No officer or employee shall request or permit the use of Town-owned vehicles, equipment, material or

for personal convenience or profit, except when such services are available to the public generally or are as municipal policy for the use of such officer or employee in the conduct of official business.

§ 14-13 Preferential treatment.

No person or organization shall attempt to secure preferential treatment in its dealings with the Town by any valuable gifts, whether in the form of a service, loan, thing or promise, in any form to any Town official or employee.

§ 14-14 Disclosure of confidential information.

No officer or employee of the Town of Islip, whether paid or unpaid, shall disclose confidential information concerning the property, government or affairs of the Town or any other confidential information of an official character except when required by law, nor shall he use such information to advance the financial or other interests of himself or others.

§ 14-15 Future employment.

No officer or employee shall, within a period of two (2) years after the termination of such service or employment, appear before the Town Board or any agency of the Town or receive compensation for any services rendered on behalf of any person, firm, corporation, interest or association other than the Town, its agencies, district authorities, commissions or instrumentalities in relation to any case, proceeding or application with respect to which such person was directly concerned or in which he personally participated during the period of his service or employment or which was under his active consideration. Nor shall any person who has served as a member of the legislative body of the Town, within a period of two (2) years after the termination of such service, receive compensation for any service on behalf of any person, firm, corporation or association to promote or oppose directly or indirectly, the passage of bills or resolutions by such legislative body of the Town.

§ 14-16 Penalties for offenses.

A.

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate this Article may be fined, suspended or removed from office or employment in the manner provided by law.

B.

Any individual, corporation, firm or association who is found by the Town Board to have knowingly violated the provisions of § 14-13 of this Article shall be deemed an "irresponsible bidder," subject to automatic cancellation of existing contracts and disqualification from bidding on contracts awarded by the Town or its agencies pursuant to the provisions of General Municipal Law § 103.

ARTICLE VI Financial Disclosure (§ 14-17 — § 14-21)

§ 14-17 Filing disclosure form required.

A.

All elected and appointed Town officials and officers, as defined in Article III of this local law, including but not limited to all attorneys in the Town Attorney's office, all members of the Town Planning Board, Planning Board, Zoning Board of Appeals, Youth Board, Board of Assessment and Review, Industrial Development Agency, Housing Authority, Resource Recovery Agency and Community Development Agency, whether or not they receive a salary or other payment for their services, shall file an annual financial disclosure statement hereinafter provided and shall answer each and every question therein in accordance with the provisions of this Article.

B.

A list of the title and individuals who are required to report shall be compiled annually by the Director of Finance.

and approved by resolution of the Town Board and shall be filed with the Board of Ethics no later than the first of February of each year.

§ 14-18 Required forms.

[Amended 3-2-2010 by L.L. No. 2-2010]

All individuals required to file an annual disclosure statement pursuant to the provisions of § 14-17 of this Article shall file their disclosure on Form A, incorporated herein by reference.

Editor's Note: Form A is on file in the Town Clerk's office.

§ 14-19 Filing procedures.

A.

In accordance with § 14-17 of this Article, the Board of Ethics shall obtain a list of all individuals required annually from the Town of Islip Director of Personnel and any other required sources no later than the first of February of each year. Said list shall specify whether each such individual is compensated or not for his services and designate whether the individual is to file the Short Form (A) or the Long Form (B).

B.

No later than March 30 of each year, the Board shall mail the appropriate form by certified mail, return requested, to all individuals required to file a financial disclosure statement under this Article.

C.

Statements should be filed as follows:

(1)

On May 1 of each year, each individual covered by § 14-17 of this Article shall file with the Town of Islip the required Annual Disclosure Form unless written application of extension is granted by the Board of Ethics on the grounds of undue hardship or for justifiable cause. In no event shall any extensions be granted beyond the next annual filing date.

(2)

Any individual who is subject to the financial disclosure reporting requirements under § 14-17 of this Article who has timely filed with the Internal Revenue Service an application for automatic extension of time in which to file his individual income tax return for the immediately preceding calendar or fiscal year shall be required to file such disclosure statement on or before May 1, unless extended pursuant to Subsection C(1) above, but without any civil penalty on account of a deficient statement, indicate with respect to any item on the disclosure statement that such information with respect thereto is lacking but will be supplied in a supplementary statement of financial disclosure, which shall be filed no later than seven (7) days after the expiration date of the period of automatic extension of time within which to file said tax return. Failure to file said supplementary financial disclosure statement within the time provided shall subject the reporting individual to the penalties applicable to the failure to file or the filing of a deficient statement as if such supplementary statement were an annual disclosure statement.

(3)

Any changes in personnel that would add to the list an individual required to file occurring after February 1 of each year shall be reported to the Board by the Director of Personnel and the appropriate Town agency. The Board shall then mail the appropriate form to such individual in the manner herein described and shall allow the individual thirty (30) days to respond.

§ 14-20 Review procedures; penalties for offenses.

A.

The Board shall receive, date, review and file all financial disclosure statements.

(1)

If any individual required to report refuses or fails, unknowingly or intentionally, to timely file a statement required by this Article, the Board shall notify the individual of such failure and simultaneously notify the Comptroller that said individual has not filed, and, upon such notification, the Comptroller shall withhold 1 paycheck of that employee. Once a statement is filed, the Board shall promptly notify the Comptroller and moneys withheld because of nonfiling shall be promptly released.

(2)

If an individual fails to file a statement within forty-five (45) days after receipt of the notice of nonfiling from the Board or if the individual files a statement which the Board determines was filed with the intent to deceive, intentionally misrepresent or otherwise fraudulently answer any question set forth in the statement or to intentionally withhold any information asked or demanded in the statement, such action shall be grounds for dismissal or removal pursuant to Civil Service Law § 75, the Public Officers Law, Article 3, and other applicable laws.

B.

If the Board determines that further information is required with respect to any aspect of the disclosure, the reporting individual shall provide the same within fifteen (15) days of receipt of a written request from the Board.

C.

If the Board determines that a reporting individual filed a statement with the intent to deceive, to intentionally misrepresent or otherwise to fraudulently answer any question set forth in the statement or to intentionally withhold any information asked or demanded in the statement and if such deception or misrepresentation by the Board to be both intentional and material as to a conflict of interest, then such employee shall be deemed to be in violation of this Article, punishable by a fine of not more than five hundred dollars (\$500.) or imprisonment of not more than three (3) months, or both. In all criminal proceedings under this Article, the Board, through its designated representative, shall act as a complaining witness.

D.

If, after review of the statement, the Board determines that a conflict of interest exists or that there appears to be an impropriety that could reflect upon the integrity of Town government, the following procedures shall apply:

(1)

The Board shall specify, by written opinion, stating its findings and the basis for its opinion, that a conflict of interest exists and shall mail such opinion by certified mail, return receipt requested, to the reporting individual.

(2)

The individual shall have twenty-one (21) days from the date he receives the opinion to respond, rebut the Board's findings by making a written submission to the Board.

(3)

The Board may then modify its opinion or recommend to the reporting individual a manner in which the conflict of interest or appearance of impropriety may be rectified.

(4)

In the event that the Board determines that the conflict or impropriety has not been rectified, the Board shall refer the matter to the Town Board for its consideration.

E.

When conditions in Subsections A(2) and B of this section exist or if any reporting individual fails to respond to the Board within twenty-one (21) days of receipt of the Board's opinion or fails to satisfactorily cure a conflict of interest or impropriety as addressed in Subsection C of this section, the Board shall publicly disclose the individual's statement or relevant portions of such statement, along with the Board's opinion, by filing them with:

(1)

The Town Clerk.

(2)

The Town Supervisor.

(3)

The Town Board.

F.

At any time during the review process, the Board, acting through its Chairman and the Town Attorney, shall promptly refer any matter to the District Attorney when there is reason to believe that criminal investigation be warranted.

§ 14-21

Confidentiality and public access.

A.

All statements filed with the Board of Ethics upon completion of their review by said Board shall become record, except that a reporting individual may request confidentiality in regard to parts of his financial statement that have no relationship to his official duties. Confidentiality may be granted by the Board in regard to statements that, in the opinion of the Board, pose no conflict of interest and/or have no relationship to official duties of an employee. Parts of the statement that are granted confidential status by the Board shall be retained by the Board and shall only be disclosed pursuant to this Article.

B.

Any part of a financial disclosure statement that has been granted confidential status by the Board pursuant to a reporting individual's request shall be maintained by the Board as confidential information. It shall be a violation of this Article for any Board member, Board employee or any other individual other than the reporting individual to disclose confidential information that has been granted confidential status, and such violation shall be punishable by a fine of not more than two hundred fifty dollars (\$250.), as determined by the Board.

C.

If information granted confidential status is intermixed with parts of the statement that will be filed as a public record, such confidential information shall be deleted by the Board on the copy to be so filed, and the original statement containing the confidential information shall be retained by the Board.

D.

The Board shall maintain a complete and permanent written record of all requests made to review the confidentiality of a portion of an individual's financial disclosure statement, which record shall be available to the reporting individual.

ARTICLE VII

Board of Ethics (§ 14-22 — § 14-27)

§ 14-22

Establishment; membership; terms; qualifications.

A.

A Board of Ethics is hereby established, and the Town Board shall appropriate funds for maintenance of personal services in connection therewith.

B.

The Board of Ethics shall be composed of seven members appointed by the Supervisor, subject to confirmation by the Town Board. Only one member may be an elected or appointed municipal officer or employee. The Town Attorney or his/her designee shall serve as counsel to the Board of Ethics, except he/she shall be excused if he/she or the Board of Ethics determines that he/she has, or may reasonably appear to have, a conflict of interest. In such event, substitute counsel shall be provided in a timely fashion.

[Amended 1-31-2006 by L.L. No. 1-2006; 4-24-2007 by L.L. No. 2-2007]

C.

No persons may be appointed as members of such Board who shall be:

(1)

An officer or committee person of any political party or club within the Town.

(2)

Persons clearly related by family or business to any Town officer or employee.

(3)

Persons having business dealings with the Town or any Town agency directly or indirectly, either person through some firm, association or corporation in which such person has an official capacity.

D.

The members of such Board shall serve at the pleasure of the Town Board and shall receive no salary or compensation for their services as members, except that any member who is a Town officer or employee entitled to his usual compensation when attending upon the business of the Board during normal working

E.

Members of the Board of Ethics shall be provided with legal defense and indemnification in accordance with the requirements of Chapter 24, Defense of Officers, Employees and Appointed Officers, of the Islip Town Code

§ 14-23

Promulgation of rules and regulations.

The Board of Ethics shall promulgate its own rules and regulations as to its forms and procedures unless otherwise provided in this chapter and shall maintain appropriate records of its opinions and proceedings which expenses it shall be reimbursed as a Town charge, and an adequate appropriation for its operation budgeted by the Supervisor. The members of said Board shall elect from among themselves a Chairman and Secretary.

§ 14-24

Powers and duties.

A.

The Board of Ethics shall have all the powers and duties as prescribed by Article 18 of the General Municipal Law, and, with respect to financial disclosure, shall have all the power and duties given to the Temporary State Commission On Local Government Ethics under General Municipal Law § 813.

B.

The Board of Ethics shall render advisory opinions to Town officers and employees with respect to this Code of Ethics. Such advisory opinions shall be rendered pursuant to the written request of any Town officer or former officer or former employee under such rules and regulations as the Board of Ethics may deem advisable. In addition, the Board of Ethics may make recommendations with respect to amendments to the Code of Ethics upon the request of the Town Board.

[Amended 4-24-2007 by L.L. No. 2-2007]

C.

The Board of Ethics shall receive and investigate all complaints alleging violation of this Code of Ethics upon the written request of any individual. This request must be signed by the individual complainant and must include a return address. The Board may also investigate on its own initiative any possible violation of this Code of Ethics. The Board shall complete its investigation within six months after receiving a complaint, except in the case of complex matters or extenuating circumstances.

[Amended 4-24-2007 by L.L. No. 2-2007]

D.

The Board of Ethics shall have the power and authority, in its discretion, to render reports and recommendations to the Town Board for appropriate action respecting unethical practices in violation of the Code of Ethics, the Financial Disclosure Law or any statute, rule or regulation relating to conflicts of interest, ethical conduct or the interest of municipal officers and employees in contracts. The Town Board, in its discretion and consistency with the

statutory provisions relating to the discipline or removal of officers, employees and agency members, make and disclose the reports and recommendations of the Board of Ethics filed with it.

E.

The Board of Ethics shall act as a repository for completed financial disclosure forms filed pursuant to Article VI herein, shall review the same for possible conflicts of interest and shall have the authority to promulgate regulations which are necessary to carry out its duties and legal mandate under Article VI herein, including authority to promulgate rules and regulations of the same impact as those which the Temporary State Commission on Local Government Ethics enjoys under General Municipal Law § 813.

F.

All agencies of the Town shall furnish to such Board, in connection with its investigations, such data, information and statements as may, in the opinion of the Board, be necessary for the proper exercise of its functions and duties.

G.

All requests for advisory opinions or interpretations and all complaints, investigations and proceedings shall be deemed confidential unless otherwise provided by law or ordinance.

§ 14-25

Public hearings.

[Added 4-24-2007 by L.L. No. 2-2007]

Editor's Note: This local law also redesignated former §§ 14-25 through 14-30 as §§ 14-28 through 14-33 respectively.

]

A.

The Board shall schedule a public hearing once in March of every year, wherein the general public of the Town of Islip is invited to bring forward any improvements to this Code of Ethics and Financial Disclosure Law.

B.

Notice of these public hearings shall be given by the placing of a quarter-page advertisement in the official newspaper of the Town on two separate occasions, once approximately 30 days prior to said hearings and once approximately 15 days prior to said hearings.

C.

Transcribed stenographic records of the minutes of said hearings shall be filed with the Town Clerk.

D.

After the holding of said hearings, the Board of Ethics shall forward to the Town Board its recommendations and proper actions to be taken subsequent thereto, including changes to the Code of Ethics and Financial Disclosure Law, or any other action it deems appropriate.

§ 14-26

Training and education.

[Added 4-24-2007 by L.L. No. 2-2007]

The Board of Ethics shall develop educational materials, an educational program on the provisions of this chapter and shall be required to provide annual training to all Town employees. The Board of Ethics shall file a copy of such materials with the Town Clerk and make information concerning this chapter and the Code of Ethics and Financial Disclosure Law available to the officers and employees of the Town, to the public and to persons interested in doing business with the Town of Islip.

§ 14-27

Investigations.

[Added 4-24-2007 by L.L. No. 2-2007]

The Board of Ethics shall have the authority to conduct any investigation necessary to carry out the provisions of this chapter. In conducting any such investigation, the Board of Ethics may administer oaths or affirmations and by a two-thirds-majority vote in favor thereof, subpoena witnesses, compel their attendance, and require

production of any books or records which it may deem relevant and material.

ARTICLE VIII Compliance, Distribution and Posting (§ 14-28 — § 14-30)

§ 14-28 Compliance.

Compliance with this Code of Ethics shall be deemed a continuing condition of employment for all office employees. There shall also be a continuing duty to report to the Board of Ethics any action which may reasonably be interpreted as an improper attempt to influence an officer or employee in the conduct of

§ 14-29 Distribution.

Every officer and employee shall, subsequent to the date of enactment of this Town of Islip Code of Eth Financial Disclosure Law, be given a copy of this code, together with all amendments thereto, and a rec the same shall be signed by such employee or officer. Such receipt shall be filed with the Town Clerk, w supply the necessary forms. Failure to distribute, obtain the required signature or file the same with the Clerk shall have no effect on the duty of compliance with this Code of Ethics and Financial Disclosure L the enforcement of the provisions thereof.

§ 14-30 Posting.

In accordance with § 807 of the General Municipal Law, the Town Supervisor shall cause a copy of Arti said law to be kept posted in each public building under the jurisdiction of the Town in a place conspicu officers and employees. Failure to post any such copy shall have no effect on the duty of compliance wi nor with the enforcement of the provisions thereof.

ARTICLE IX Other Applicable Laws and Ordinances (§ 14-31)

§ 14-31 Applicability.

Nothing contained in this local law shall limit any other applicable laws or ordinances which are now or hereafter be provided.

ARTICLE X Amendments (§ 14-32)

§ 14-32 Amendments.

This code may be amended from time to time by the Town Board by the adoption of further rules and s designed to improve the administration of the Town and protect the public or by supplementing the cov this code to the extent permitted by law.

ARTICLE XI Severability and Supersession (§ 14-33 — § 14-34)

§ 14-33 Severability.

If any portion of this code shall be adjudged by a court of competent jurisdiction to be invalid or uncon such portion thereof shall be deemed inoperative and the balance of said code shall be deemed to be and effect.

§ 14-34 Supersession of state law.

[Added 4-24-2007 by L.L. No. 2-2007

Editor's Note: This local law also redesignated former § 14-31 as § 14-35.

]

This local law

Editor's Note: "This local law" refers to L.L. No. 2-2007.

is enacted pursuant to the authority contained in Municipal Home Rule Law § 10(1)(i) and shall supersede General Municipal Law § 808(3) and, in particular, the provision regarding the inclusion of an elected or municipal officer or employee on the Board of Ethics.

ARTICLE XII Effective Date (§ 14-35)

§ 14-35 When effective.

[Amended 4-24-2007 by L.L. No. 2-2007]

This chapter shall be effective upon filing with the Secretary of State.

**ISLIP RESOURCE RECOVERY AGENCY
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Resolution adopting a Whistleblower Access and Assistance Program in compliance with the Public Authorities Accountability Act of 2005.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Islip Resource Recovery Agency
 2. Site or Location affected by resolution: _____
 3. Cost: _____
 4. Budget Line: _____
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of NYCRR. Short EAF required.
-



2/1/22

Signature of President/Department Head Sponsor

Date

Resolution #:

Date:

WHEREAS, the Islip Resource Recovery Agency (the "Agency") is a public authority under New York Law and subject to the Public Authorities Accountability Act of 2005, as amended (the "PAAA"); and

WHEREAS, the New York State Legislature adopted the PAAA, designed to ensure that New York's public authorities operate more efficiently, more openly, and with greater accountability; and

WHEREAS, the PAAA, requires all public authorities within the state of New York to adopt a Whistleblower Access and Assistance Program; and

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it hereby

BE IT RESOLVED, the Agency adopts a policy entitled "Islip Resource Recovery Agency Whistleblower Access and Assistance Program", as attached to this resolution, in compliance with the Act.

UPON A VOTE being taken, the result was:

**ISLIP RESOURCE RECOVERY AGENCY WHISTLEBLOWER ACCESS AND
ASSISTANCE PROGRAM**

Every member of the Board (the "Board") of the Islip Resource Recovery Agency (the "Agency") and all officers and employees thereof, in the performance of their duties shall conduct themselves with honesty and integrity and observe the highest standards of business and personal ethics as set forth in the Code of Ethics of the Agency (the "Code").

Each member, officer or employee is responsible to report any violation of the Code (whether suspected or known) to the Agency's Treasurer, who has been designated the Ethics Officer of the Agency. Reports of violations will be kept confidential to the extent possible. No individual, regardless of their position with the Agency, will be subject to any retaliation for making a good faith claim and; any employee who chooses to retaliate against someone who has reported a violation, shall be subject to disciplinary action which may include termination of employment. Regardless, any claim of retaliation will be taken and treated seriously and irrespective of the outcome of the initial complaint, will be treated as a separate offense.

The Treasurer is responsible for investigating and handling the claim in a timely manner.

**ISLIP RESOURCE RECOVERY AGENCY
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Resolution adopting an Investment Policy in compliance with the Public Authorities Accountability Act of 2005.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Islip Resource Recovery Agency
 2. Site or Location affected by resolution: _____
 3. Cost: _____
 4. Budget Line: _____
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of NYCRR. Short EAF required.
-



2/1/22

Signature of President/Department Head Sponsor

Date

Resolution #:

Date:

WHEREAS, the Islip Resource Recovery Agency (the "Agency") is a public authority under New York Law and subject to the Public Authorities Accountability Act of 2005, as amended (the "PAAA"); and

WHEREAS, the New York State Legislature adopted the PAAA, designed to ensure that New York's public authorities operate more efficiently, more openly, and with greater accountability; and

WHEREAS, the PAAA, requires all public authorities within the state of New York to adopt an Investment Policy; and

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it hereby

BE IT RESOLVED, the Agency adopts a policy entitled "Investment Policy of the Islip Resource Recovery Agency", as attached to this resolution, in compliance with the Act.

UPON A VOTE being taken, the result was:

EXHIBIT A
INVESTMENT POLICY
OF THE ISLIP RESOURCE RECOVERY AGENCY

This Investment Policy of the Islip Resource Recovery Agency (the "Agency") shall apply to all operating funds, and other funds and all investment transactions involving operating funds, proceeds and other funds accounted for in the financial statements of the Agency. Each investment made pursuant to this Investment Policy must be authorized by applicable law and this written Investment Policy. This Investment Policy is intended to comply with the General Municipal Law, the Public Authorities Law, and any other applicable Federal, State and Local Laws.

DELEGATION OF AUTHORITY.

The responsibility for conducting investment transactions involving the Agency resides with the Chief Financial Officer of the Agency under the direction and oversight of the President of the Agency. Only the Chief Financial Officer and those authorized by resolution or the Agency's By-laws may invest public funds.

All contracts or agreements with outside persons investing public funds, advising on the investment of public funds, directing the deposit of funds or acting in a fiduciary capacity for the Agency, shall require the outside person to notify the Agency in writing, within thirty (30) days of receipt of all communication from its auditor of the outside person or any regulatory authority, of the existence of material weakness in the internal control structure of the outside person or regulatory orders or sanctions regarding the type of services being provided to the Agency by the outside person.

The records of investment transactions made by or on behalf of the Agency are public records and are the property of the Agency whether in the custody of the Agency or in the custody of a fiduciary or other third party.

The Chief Financial Officer of the Agency under the direction and oversight of the President shall establish a written system of internal controls and investment practices. The controls shall be designed to prevent losses of public funds, to document those officers and employees of the Agency responsible for elements of the investment process and to address the capability of investment management. The controls shall provide for receipt and review of the audited financial statements and related reports on internal control structure of all outside persons performing any of the following for the Agency:

- (i) investing public funds of the Agency;
- (ii) advising on the investment of public funds of the Agency;
- (iii) directing the deposit or investment of public funds of the Agency; or
- (iv) acting in a fiduciary capacity for the Agency.

A bank, savings and loan association or credit union providing only depository services shall not be required to provide an audited financial statement and related report on its internal control structure.

OBJECTIVES.

The primary objectives, in order of priority, of all investment activities involving the financial assets of the Agency shall be the following:

- (i) Safety: Safety and preservation of principal in the overall portfolio is the foremost investment objective;
- (ii) Liquidity. Maintaining the necessary liquidity to match expected liabilities and expenses is the second investment objective;
- (iii) Return: Obtaining a reasonable return is a third investment objective.

OPERATIVE POLICY.

The Agency shall conduct its investment activities involving all operating funds, and other funds and all investment transactions involving operating funds, and other funds accounted for in the financial statements of the Agency in a manner that complies with the General Municipal Law and the Public Authorities Law of New York State.

Prior to making an investment of any operating funds and other funds of the Agency, other than those associated with a bank, savings and loan association or credit union involving a depository relationship only, the Agency shall obtain at least three (3) bids and award the contract to the most responsible bidder whose bid most closely meets the objectives of this Investment Policy.

The Chief Financial Officer, the President and all officers and employees of the Agency involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Nothing contained within this Policy however, shall prohibit the Chief Financial Officer, the President, or any other officer or member of the Board, or employee of the Agency from obtaining interests in mutual funds which may include within its investment portfolio, bonds, debentures, notes or other evidence of indebtedness of the Agency; provided however, that the Agency's bonds, debentures, notes or other evidence of indebtedness may not make up more than ten percent (10%) of the mutual fund's total portfolio and the Chief Financial Officer, the President, other officers or Board Members, or employees may not exercise any discretion with respect to the investments made by the mutual fund company.

The Chief Financial Officer shall submit to the Board an investment report that summarizes recent market conditions and investment strategies employed since the last investment report. The report shall set out the current portfolio in terms of maturity, rates of return and other features and summarize all investment transactions that have occurred during the reporting period and compare the investment results with budgetary expectations, if any.

This Investment Policy shall be reviewed and approved annually.

**ISLIP RESOURCE RECOVERY AGENCY
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Resolution adopting a Conflict of Interest Policy in compliance with the Public Authorities Accountability Act of 2005.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Islip Resource Recovery Agency
 2. Site or Location affected by resolution: _____
 3. Cost: _____
 4. Budget Line: _____
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of NYCRR. Short EAF required.
-



2/1/22

Signature of President/Department Head Sponsor

Date

Resolution #:

Date:

WHEREAS, the Islip Resource Recovery Agency (the "Agency") is a public authority under New York Law and subject to the Public Authorities Accountability Act of 2005, as amended (the "PAAA"); and

WHEREAS, the New York State Legislature adopted the PAAA, designed to ensure that New York's public authorities operate more efficiently, more openly, and with greater accountability; and

WHEREAS, the purpose of a conflict of interest policy is to protect the Agency's interest when it is contemplating entering into a transaction or arrangement that could benefit the private interest of a board member or employee of the Agency or could result in a possible excess benefit transaction; and

WHEREAS, in order for the Agency to be more transparent and accountable to the public, the Agency desires to develop a written conflict of interest policy to formally establish the procedures for dealing with conflict of interest situations and assure that the Agency's interest prevails over personal interests of the Agency's board members and employees; and

WHEREAS, to carry out the Agency's purposes under the PAAA, as amended and the Act, the Agency has the power under the Act to adopt the Conflict of Interest Policy;

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it hereby

BE IT RESOLVED, that the Agency hereby determines to adopt the Conflict of Interest Policy, a copy of which is attached hereto as Exhibit A and made a part hereof; and be it further

RESOLVED, that the Agency is hereby authorized to do all things necessary or appropriate for the accomplishment of the purposes of this resolution, and all acts heretofore taken by the Agency are hereby approved, ratified and confirmed.

UPON A VOTE being taken, the result was:

Exhibit A

TOWN OF ISLIP **RESOURCE RECOVERY AGENCY CONFLICT OF INTEREST POLICY**

CONFLICTS OF INTEREST: A conflict of interest is a situation in which the financial, familial, or personal interests of a director or employee come into actual or perceived conflict with their duties and responsibilities with the Islip Resource Recovery Agency ("Agency"). Perceived conflicts of interest are situations where there is the appearance that a board member and/or employee can personally benefit from actions or decisions made in their official capacity, or where a board member or employee may be influenced to act in a manner that does not represent the best interests of the Agency. The perception of a conflict may occur if circumstances would suggest to a reasonable person that a board member may have a conflict. The appearance of a conflict and an actual conflict should be treated in the same manner for the purposes of this Policy.

Board members and employees must conduct themselves at all times in a manner that avoids any appearance that they can be improperly or unduly influenced, that they could be affected by the position of or relationship with any other party, or that they are acting in violation of their public trust. While it is not possible to describe or anticipate all the circumstances that might involve a conflict of interest, a conflict of interest typically arises whenever a director or employee has or will have:

- A financial or personal interest in any person, firm, corporation or association which has or will have a transaction, agreement or any other arrangement in which the Agency participates.
- The ability to use his or her position, confidential information or the assets of the Agency, to his or her personal advantage.
- Solicited or accepted a gift of any amount under circumstances in which it could reasonably be inferred that the gift was intended to influence him/her, or could reasonably be expected to influence him/her, in the performance of his/her official duties or was intended as a reward for any action on his/her part.
- Any other circumstance that may or appear to make it difficult for the board member or employee to exercise independent judgment and properly exercise his or her official duties.

OUTSIDE EMPLOYMENT OF THE AGENCY'S EMPLOYEES: No employee may engage in outside employment if such employment interferes with his/her ability to properly exercise his or her official duties with the Agency.

PROCEDURES:

Duty to Disclose: All material facts related to the conflicts of interest (including the nature of the interest and information about the conflicting transaction) shall be disclosed in good faith and in writing to the Governance Committee. Such written disclosure shall be made part of the official record of the proceedings of the Agency.

Determining Whether a Conflict of Interest Exists: The Governance Committee shall advise the individual who appears to have a conflict of interest how to proceed. The Governance Committee should seek guidance from counsel or New York State agencies, such as the Authorities Budget Office, State Inspector General or the Joint Commission on Public Ethics ("JCOPE") when dealing with cases where they are unsure of what to do.

Recusal and Abstention: No board member or employee may participate in any decision or take any official action with respect to any matter requiring the exercise of discretion, including discussing the matter and voting, when he or she knows or has reason to know that the action could confer a direct or indirect financial or material benefit on himself or herself, a relative, or any organization in which he or she is deemed to have an interest. Board members and employees must recuse themselves from deliberations, votes, or internal discussion on matters relating to any organization, entity or individual where their impartiality in the deliberation or vote might be reasonably questioned, and are prohibited from attempting to influence other board members or employees in the deliberation and voting on the matter.

Records of Conflicts of Interest: The minutes of the Agency's meetings during which a perceived or actual conflict of interest is disclosed or discussed shall reflect the name of the interested person, the nature of the conflict, and a description of how the conflict was resolved.

Reporting of Violations: Board members and employees should promptly report any violations of this policy to an Executive Officer or counsel to the Agency.

**ISLIP RESOURCE RECOVERY AGENCY
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Resolution adopting a Procurement Policy in compliance with the Public Authorities Accountability Act of 2005.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Islip Resource Recovery Agency
 2. Site or Location affected by resolution: _____
 3. Cost: _____
 4. Budget Line: _____
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of NYCRR. Short EAF required.
-



2/1/22

Signature of President/Department Head Sponsor

Date

Resolution #:

Date:

WHEREAS, the Islip Resource Recovery Agency (the "Agency") is a public authority under New York Law and subject to the Public Authorities Accountability Act of 2005, as amended (the "PAAA"); and

WHEREAS, the New York State Legislature adopted the PAAA, designed to ensure that New York's public authorities operate more efficiently, more openly, and with greater accountability; and

WHEREAS, the PAAA, Section 18, requires all public authorities within the state of new York to adopt a Procurement Policy; and

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it hereby

BE IT RESOLVED, the Agency adopts a policy entitled "Procurement Policy of the Islip Resource Recovery Agency", as attached to this resolution, in compliance with Section 18 of the Act.

UPON A VOTE being taken, the result was:

EXHIBIT A

PROCUREMENT POLICY OF TOWN OF ISLIP RESOURCE RECOVERY AGENCY

ARTICLE I. SCOPE AND PURPOSE

Pursuant to Section 2824 of the Public Authorities Law, the Town of Islip Resource Recovery Agency (the "Agency") is required to establish and adopt a procurement policy which will apply to the procurement for goods and services not subject to the competitive bidding requirements set forth in General Municipal Law section 103 and which goods and services are paid for and used by the Agency. The primary objectives of this Procurement Policy (the "Policy") are to assure the prudent and economical use of public monies in the best interests of the taxpayers in the Town of Islip, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption.

ARTICLE II. PROCUREMENT PROCEDURE

1. PROCUREMENT SUBJECT TO COMPETITIVE BIDDING. In order to determine if the procurement of goods or services is subject to competitive bidding, the Agency shall:
 - a. Make an initial determination as to whether the expenditure will be (i) more than \$35,000 for the performance of a public works contract (services, labor or construction) or (ii) more than \$20,000 for any purchase contract (commodities, materials, supplies or equipment).
 - b. Review the purchase request against prior year's expenditures and shall make a good faith effort to determine whether it is known or can reasonably be expected that the aggregate purchases of a similar nature will exceed the dollar amounts set forth in paragraph (a) of this Section. If so, the procurement will be subject to competitive bidding.
2. DETERMINATION. If the procurement is not subject to competitive bidding, as determined in section (I) above, then prior to commencing any procurement of goods and services, the Agency shall prepare a written statement setting forth a determination that (a) competitive bidding is not required for such procurement, and, if applicable, (b) such procurement is not subject to the requirements of this Policy. Such written statements shall be maintained in a specially designated file at the Agency offices and shall also be filed with the purchase order or contract of the goods or services.

3. PROCEDURES FOR THE PURCHASE OF GOODS.

\$ 1.00 - \$ 499.00	Direct Purchase at the discretion of a duly authorized Representative of the Agency
\$ 500.00 - \$19,000.00	Upon Agency approval, may be purchased from vendor providing the lowest quote after receiving and documenting verbal or written quotes from at least three (3) separate vendors (if available)
\$ 20,000.00 – and up	Upon Agency approval, after advertised formal sealed bids have been issued in conformance with all annual requirements and General Municipal Law Section 103 contracts.

4. PROCEDURES FOR THE PURCHASE OF PUBLIC WORKS OR SERVICES.

\$ 1.00 - \$ 499.00	Direct Purchase at the discretion of a duly authorized Representative of the Agency
\$ 500.00 - \$34,999.99	Upon Agency approval, may be purchased from vendor after documented verbal or written quotes from at least three (3) vendors (if available) and written prevailing wage certification as required under articles 8 and 9 of the Labor Law
\$ 35,000.00 – and up	Upon Agency approval, after advertised formal sealed bids have been issued in conformance with all annual requirements and General Municipal Law Section 103 contracts.

5. QUOTES.

- a. Verbal Quote. The documentation of a verbal quote shall include, at a minimum, the date, item or service desired, price quoted, name of vendor, name of vendor's representative, if any, delivery or service date.
- b. Written Quote. The Vendor should provide, at a minimum, the date, description of item or details of service, price quoted, name of vendor, contact information, delivery or service date.
- c. Award of Contract. Contracts shall be awarded to the lowest responsible vendor whose goods and/or services meet the specifications.

6. CIRCUMSTANCES JUSTIFYING AN AWARD TO OTHER THAN LOWEST QUOTE.

- a. Delivery or service requirements.
- b. Specification requirements.
- c. Quality.
- d. Past vendor performance.
- e. Unavailability of three (3) or more vendors who are able to provide a quote.
- f. It is in the best interests of the Agency to consider only one vendor who has previous expertise with respect to the particular procurement.

When an award is made to a vendor who did not provide the lowest quote, the reason why it is in the best interests of the Agency must be set forth and justified in writing, by the President or an authorized designee, and maintained in a specially designated file at the Agency Offices and shall also be filed with the purchase order or contract of the goods or services.

ARTICLE III.

EXCEPTIONS FROM BIDDING

1. EMERGENCY. An emergency exists if the delay caused by soliciting quotes would endanger the health, welfare or property of the municipality or of the citizens. With approval of the President, such emergency shall not be subject to competitive bidding or the procedures stated herein. The President shall obtain a verbal quote, at a minimum, which shall be documented and shall also include a description of the facts giving rise to the emergency and that it meets the criteria set forth herein. Said documentation may also include the opinions of Counsel regarding the exception from bidding.
2. PROFESSIONAL SERVICES. This category includes services which require special education and/or training, license to practice or are creative in nature. Examples include: lawyers, doctors, accountants, engineers, artists, etc. The Agency may seek Requests for Proposals for such services. In its selection, the Agency should consider cost, experience, expertise, reputation, staffing, location and suitability for the needs of the Agency. The President shall prepare, in writing, the basis for the selection and the description of the professional service. Said documentation may also include the opinions of Counsel regarding the exception from bidding.
3. SOLE SOURCES.. In this situation, there is only one possible source from which to procure goods and/or services and it is shown that the item needed has unique benefits compared to other goods and/or services available in the marketplace; no other item provides substantially equivalent or similar benefits; and considering the benefits the cost is reasonable. The Agency should adopt a resolution

describing the goods and/or services and waiving the bidding requirements prior to procurement and should provide evidence that, as a matter of fact, there is no competition available. Said documentation may also include the opinions of Counsel regarding the exception from bidding.

4. TRUE LEASE. The President shall obtain written quotes and shall prepare a cost benefit analysis of leasing versus purchasing. Said documentation may also include the opinions of Counsel regarding the exception from bidding.
5. INSURANCE. The President shall, at a minimum, obtain several verbal quotes, as defined herein. An analysis regarding why a particular selection was made should be prepared and documented. Said documentation may also include the opinions of Counsel regarding the exception from bidding.

ARTICLE IV.

SPECIAL POLICY FOR PROCUREMENT OF RECYCLING COMMODITIES CONTRACTS

Pursuant to law and agreements with the Town of Islip, the Agency is responsible to receive, process and market the saleable commodities of recyclable materials, including but not limited to paper, metals, plastics, glass, electronics, yard wastes and various grades thereof, as designated from time to time by the Town Board of the Town of Islip. Where commodities received are not marketable, the Agency is responsible for the disposition of such materials as waste, or through markets demanding negative pricing on a temporary or indefinite basis.

The provisions of General Municipal Law (GML) § 103 are available, but not required, in the making of recyclables contracts by municipalities and public authorities, as found in two decisions of the Court of Appeals and the Appellate Division 3d Dept. In *Omni Recycling of Westbury v. Town of Oyster Bay*, 11 N.Y. 3d 868 (2008) the Court of Appeals held that a contract for the sale of recyclables by the Town of Oyster Bay was not subject to the competitive bidding procedures of GML 103, but could be awarded by Request for Proposals authorized by internal procedures adopted under GML 104(b). In *AAA Carting v. Town of Stony Point*, 74 N.Y.S.3d 276 (App. Div. 3d Dept. 2018) the court held that a public authority is subject to its own authorizing legislation and policies and was not required to adhere to the provisions of GML § 103 in the procurement of contracts for the sale or disposition of recyclables. The court held that the Rockland County Resource Recovery Agency could procure recyclables contracts for materials collected on behalf of the Town of Stony Point and delivered to the Authority for processing and sale without regard to GML 103 or other bidding laws applicable to municipalities.

The objectives of the Agency's recyclables marketing policy are to:

- i) Improve and maintain public confidence in the Town's recycling program through reliable movement of recyclable commodities to market;
- ii) Increase and maintain diversion of recyclable commodities from the balance of the waste stream; and
- iii) Increase the market value of recyclable commodities and secure the revenues derived therefrom for the benefit of the public.

In order to accomplish these objectives, the Agency is hereby authorized to procure contracts for the sale and disposition of recyclables through the following means:

- 1. By Agreements solicited, in the discretion of the President, through sealed competitive bids, written requests for proposals, two or more written quotations, when available, or two or more verbal quotations when available, confirmed by standard form agreements or letter agreements.

It is expressly contemplated in this policy that changes in recyclable commodity markets, including supply, demand, prices, standards, foreign and domestic trade policies, transportation factors and the number and capability of available vendors may be rapid, and that in order to pursue the objectives of the Agency in the recyclables commodity markets set forth above, the President should be, and hereby is, authorized to enter into the following types of agreements without prior approval of the Agency Board, subject to the oversight and reporting provisions set forth below.

- 2. By Agreements with more than one vendor for a commodity in a volatile market when more than one market outlet for the commodity is deemed necessary by the President, provided that the Agency shall retain the power, at the discretion of the President, to increase or decrease material volumes to different vendors to take advantage of market conditions and prices, and to induce competition and performance, including timely payment.
- 3. By Agreements containing provisions for fixed pricing, floor pricing, index pricing, batch pricing or any combination thereof, as determined at the discretion of the President.
- 4. By Agreements containing provisions authorizing the Agency to establish the length of the term of the Agreement and to extend, renew or terminate the Agreement at the discretion of the President.
- 5. By Agreements providing for the disposition of recyclable materials when no positive market price is available, provided that i) such Agreement contemplates additional processing and ultimate re-marketing of the subject commodity, ii) that

the cost of such disposition is not greater than the cost to the Agency to dispose of such commodity as municipal solid waste, and iii) that any such Agreement with a base term of one year or more shall be subject to the prior approval of the Agency Board.

ARTICLE V. OVERSIGHT AND REPORTING PROVISIONS

1. The President shall deliver to the Chair of the Agency Board a regular monthly vendor report setting forth all contracts in effect for the sale or disposition of all recyclable commodities. Such report shall identify the commodity, each active contract for the commodity, the vendor, the unit price for the commodity in each contract, the quantity delivered to the vendor in the previous month, the net revenue or cost of the transactions under the contract in the previous month and the status of the accounts receivable for the vendor to date.
2. The report shall also contain a summary of the overall performance of the Agency's commodity marketing efforts on a year to date basis. The report shall contain a summary of the recyclables received by the Agency from the Town in the previous month (fiber and commingled container), the quantities of each commodity marketed through existing contracts in the previous month (out-going materials), the net revenues received from the sale or disposition of recyclable commodities in the previous month, and the total accounts receivable from the sale or disposition of recyclable commodities from all vendors.
3. The President shall provide to the Chair of the Agency Board prompt notice of significant changes in the market for any commodity, including termination notices, vendor failure to perform, price changes and other disruptions to marketing of materials.

All such Agreements made or performed pursuant to this policy may be submitted to the Agency Board for approval, ratification, modification or rejection upon the direction of the Chair of the Agency Board.

ARTICLE VI. MISCELLANEOUS

1. The Agency shall annually review this Policy.
2. The unintentional failure to comply with the provisions of this Policy and the applicable law shall not be grounds to void action taken or give rise to a cause of action against the Agency or any director, officer, member or employee thereof.

**ISLIP RESOURCE RECOVERY AGENCY
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.


Resolution adopting an Asset Acquisition and Disposition Policy in compliance with the Public Authorities Accountability Act of 2005.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Islip Resource Recovery Agency
 2. Site or Location affected by resolution: _____
 3. Cost: _____
 4. Budget Line: _____
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of NYCRR. Short EAF required.
-



2/1/22

Signature of President/Department Head Sponsor

Date

WHEREAS, the Islip Resource Recovery Agency (the "Agency") is a public authority under New York Law and subject to the Public Authorities Accountability Act of 2005, as amended (the "PAAA"); and

WHEREAS, the New York State Legislature adopted the PAAA, designed to ensure that New York's public authorities operate more efficiently, more openly, and with greater accountability; and

WHEREAS, the PAAA requires that the Agency adopt policies including an Asset Acquisition and Disposition Policy (the "Asset Acquisition and Disposition Policy"), to comply with the provisions of the PAAA; and

WHEREAS, to carry out the aforesaid purposes, the Agency has the power under the Act to do all things necessary to fulfill its obligations imposed by the PAAA.

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it hereby

BE IT RESOLVED, the Agency (a majority of the members thereof affirmatively concurring) as follows:

Section 1.

- (a) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and
- (b) Adopting the Asset Acquisition and Disposition Policy will allow the Agency to operate in compliance with the Act and in compliance with the PAAA, and cause the Agency to operate more efficiently, openly and with greater accountability to the residents of the Town.

Section 2. In consequence of the foregoing, the Agency hereby determines to adopt the Asset Acquisition and Disposition Policy, a copy of which is attached hereto as Exhibit A and made a part hereof.

Section 3. The Agency hereby undertakes to comply with all other provisions of the PAAA applicable to the Agency as diligently as possible.

Section 4. The Agency is hereby authorized to do all things necessary or appropriate for the accomplishment of the purposes of this resolution, and all acts heretofore taken by the Agency with respect to such activities are hereby approved, ratified and confirmed.

Section 5. This resolution shall take effect immediately.; and be it further

RESOLVED, that the Agency has adopted an Asset Acquisition and Disposition Policy pursuant to Sections 2895 through 2897 of the Public Authorities Law, and that the Agency has duly adopted this Policy, by virtue of the approval of this Agency Board Resolution.

UPON A VOTE being taken, the result was:

EXHIBIT A

TOWN OF ISLIP RESOURCE RECOVERY AGENCY'S PROPERTY/ASSET ACQUISITION AND DISPOSITION POLICY

The Town of Islip Resource Recovery Agency (the "Agency") will maintain adequate inventory controls and accountability systems for all Property (as such term is defined below) under its control. Furthermore, the Agency will Dispose of Property in compliance with any applicable Law, Rule or Regulation. Failure to follow the provisions of this Policy will result in disciplinary action including possible termination of employment, dismissal from one's board or agent duties and possible civil or criminal prosecution if warranted.

Definitions

Contracting Officer shall mean the Executive Director of the Agency.

Dispose, Disposed or Disposal shall mean the transfer of title or any other beneficial interest in personal or real property in accordance with Section 2897 of the New York Public Authorities Law.

Law, Rule or Regulation shall refer to any duly enacted statute, or ordinance or any rule or regulation promulgated pursuant to any federal, state or local statute or ordinance.

Property/Assets shall mean (a) personal property, (b) real property, and (c) any inchoate or other interest in such property, to the extent that such interest may be conveyed to another person for any purpose, excluding an interest securing a loan or other financial obligation of another party.

Operative Policy

Inventory Controls and Accountability Systems

The President of the Agency shall be responsible for the Agency's compliance with this Policy and the supervision and control of all Property/Assets Disposed of by the Agency. In addition, the President shall have the responsibility to insure the Agency operates in compliance with Article 9 Title 5-A of the New York Public Authorities Law, including creating and maintaining adequate inventory controls and accountability systems for all Property/Assets under the control of the Agency and periodically inventorying such property/assets to determine which, if any, property/assets should be Disposed by the Agency. The Contracting Officer shall recommend to the Board any Property/Assets he or she deems suitable for Disposal.

1. Property/Asset Acquisitions. The acquisitions of property/assets will conform to the Agency's procurement policy as approved by the Agency Board of Directors, which is reviewed and amended as necessary on an annual basis.

2. Asset Dispositions. The following will be the procedures for the disposition of Agency property/assets:

Unless otherwise authorized by this Policy, the Agency shall dispose of property/assets for not less than fair market value ("FMV") by sale, exchange, or transfer, for cash, credit, or other property, with or without warranty, and upon such terms and conditions as the President deems proper. Provided, however, that no disposition of real property, any interest in real property, or any other property/assets which because of its unique nature is not subject to fair market pricing shall be made unless an appraisal of the value of such property/asset has been made by an independent appraiser and included in the record of the transaction.

Unless otherwise authorized by this Policy, prior to disposing of property/assets or entering into a contract for the Disposal of Property/Assets, the Agency shall publicly advertise for bids for such Disposal or contract for Disposal. The advertisement for bids shall be made at such a time prior to the Disposal or contract for Disposal, through such methods, and on such terms and conditions as shall permit full and free competition consistent with the value and nature of the property/asset. Such advertisement shall include the date, time and place the bids will be publicly disclosed by the Agency. The Agency shall award the contract with reasonable promptness to the most responsible bidder whose bid, conforming to the invitation for bids, is most advantageous to New York State (the "State"), price and other factors considered; provided, however, that Agency reserves the right to reject all such bids when it is in the public interest to do so.

The Agency may dispose of property/assets or enter into contracts for the disposal of property/assets via negotiation or public auction without regard to the two (2) paragraphs immediately above, but subject to obtaining such competition as is feasible under the circumstances, if:

- (i) the personal property involved is of a nature and quantity which, if Disposed of under the first two (2) paragraphs of this section, would adversely affect the state or local market for such Property, and the estimated FMV of such Property and other satisfactory terms of the Disposal can be obtained by negotiation;
- (ii) the FMV of the Property does not exceed fifteen thousand dollars (\$15,000.00);
- (iii) bid prices after advertising therefore are not reasonable, either as to all or some part of the Property, or have not been independently arrived at in open competition;
- (iv) the Disposal is to the State or any political subdivision of the State, and the estimated FMV of the Property and other satisfactory terms of the Disposal are obtained by negotiation;
- (v) the Disposal is for an amount less than the estimated FMV of the Property, the terms of such Disposal are obtained by public auction or negotiation, the Disposal of the Property is intended to further the public health, safety or welfare or an economic development interest of the State or a political subdivision of the State, including but not limited to, the prevention or remediation of a substantial threat to public health or safety, the creation or retention of a substantial number of job opportunities, or the creation or retention of a substantial source of revenues, and

the purpose and terms of the Disposal are documented in writing and approved by resolution of the Board; or

- (vi) such Disposal or related action is otherwise authorized by law.

The Agency shall file an explanatory statement with the comptroller, the director of the division of budget, the commissioner of general services and the legislature not less than ninety (90) days before the Agency disposes the property/asset if the property/asset is personal property in excess of \$15,000, or real property that has a fair market value in excess of \$100,000. When the property/asset is disposed by lease (or exchange), then the Agency shall file an explanatory statement when the property/asset is real property leased for a term of five (5) years or less with an estimated fair annual rent exceeding one-hundred thousand (\$100,000.00) in any given year, real property leased for a term greater than five (5) years with an estimated fair annual rent exceeding one-hundred thousand (\$100,000.00) for the entire lease term; or any real property or real and related personal property disposed of by exchange, regardless of value, or any property any part of the consideration for which is real property.

Reporting Requirements

Annual Report

The Agency shall publish, at least annually, an Annual Report (the "Annual Report") listing all property/assets consisting of real property of the Agency. In addition, the Annual Report shall include a list and full description of all property/assets consisting of real and personal property disposed of during such period covered by the Annual Report. The Annual Report shall include the price received by the Agency for the property/asset, in addition to the name of the purchaser for all such property/assets sold by the Agency during such period covered by the Annual Report.

The Agency shall deliver copies of the Annual Report with the comptroller, the director of the division of budget, the commissioner of general services and the legislature, and to the extent practicable, post such Annual Report on its website.

The Agency shall review and approve this Policy annually by resolution of the Board. The Agency shall file annually with the Comptroller a copy of its Property/Asset Acquisition and Disposition Policy, including the name of the President appointed by the Agency. Upon such filing with the comptroller, the Agency shall post its Policy on its website.

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 6

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Designation of Aquatech Controls, Inc. as the sole source for calibration and service of the gas analyzer utilized at the Bydenburgh Road Landfill Facility.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Martin Bellew

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

DESIGNATING AQUATECH CONTROLS, INC. AS SOLE SOURCE FOR CALIBRATION AND SERVICE OF THE GAS ANALYZER UTILIZED AT THE BLYDENBURGH ROAD LANDFILL FACILITY

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or Location effected by resolution: Blydenburgh Road Cleanfill Landfill
 3. Cost: _____
 4. Budget Line: _____
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of NYCRR. Short EAF required.
-

Mark Bellan

Signature of Commissioner/Department Head Sponsor

1-25-22

Date

February 8, 2022
Resolution No.

**DESIGNATING AQUATECH CONTROLS, INC. AS SOLE SOURCE FOR
CALIBRATION AND SERVICE OF THE GAS ANALYZER UTILIZED AT THE
BLYDENBURGH ROAD LANDFILL FACILITY**

WHEREAS, the Town of Islip owns and operates the Blydenburgh Rd. Landfill Cleanfill Facility;
and

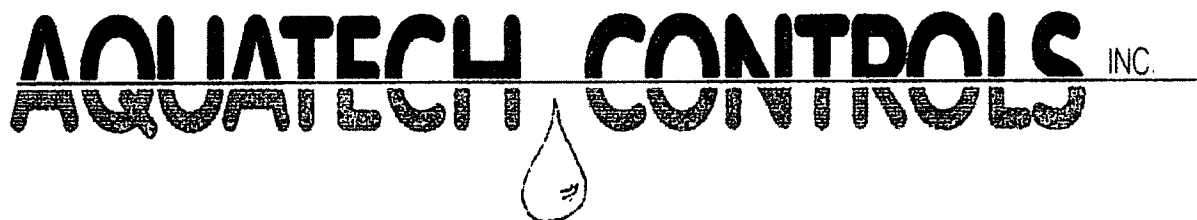
WHEREAS, the aforementioned facility requires the calibration and service of the gas analyzer
which is essential for site operations; and

WHEREAS, Aquatech Controls, Inc., is the one and only factory authorized sales and trained
field service organization in the metro-NYC area since 1999 to calibrate and service the gas
analyzer; and

THEREFORE on a motion of _____, seconded by
_____, be it hereby

RESOLVED, that Aquatech Controls, Inc. located at 23 Militia Road, Whitehouse Station, New
Jersey, 08889, are the sole source for calibration and service of the gas analyzer utilized at the
Blydenburgh Road Landfill Facility.

UPON A VOTE being taken, the result was _____.



23 Militia Road, Whitehouse Station, NJ 08889 USA

(908) 625-7800 (908) 842-0304 Fax

06 JAN 2022

Mike Portela
DEC- Hauppauge Landfill
Town of Islip
440 Blydenburgh Road
Hauppauge, NY 11788

Siemens Service Qualification

Please note that Aquatech Controls Inc., is the one and only factory authorized sales and trained field service organization in the metro-NYC area. This has been the case since 1999.

AQUATECH CONTROLS, INC.
Gregory R. Kolibas
Service Manager

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 7

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to enter into a Professional Services agreement with Faithful Friends Veterinary Services to provide NYS Licensed Veterinary Services to the Town of Islip Animal Shelter and Adopt-A-Pet Center on an "As-Needed" Basis through the year 2022 with the option for one 2-year extension.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Martin Bellew

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

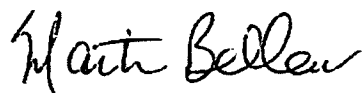
Resolution Authorizing the Supervisor to enter into an Agreement for Professional Services with Faithful Friends Veterinary Services, PC (Laura J. Fiore, DVM) to provide NYS Licensed Veterinary Services to the Town of Islip Animal Shelter And Adopt-A-Pet Center (The "Shelter") on an "As-Needed" Basis Through the Year 2022 with the option for one (1) two (2) year extension.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Animals at the Town of Islip's Animal Shelter and Adopt-a-Pet Center
 2. Site or Location affected by resolution: Town of Islip Animal Shelter & Adopt-a-Pet Center
 3. Cost: As needed, not to exceed budgetary constraints.
 4. Budget Line: A3150.4-5150
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

1-25-22
Date

February 8, 2022
Reso # _____

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES WITH FAITHFUL FRIENDS VETERINARY SERVICES, PC (LAURA J. FIORE, DVM) TO PROVIDE NYS LICENSED VETERINARY SERVICES TO THE TOWN OF ISLIP ANIMAL SHELTER AND ADOPT-A-PET CENTER (THE "SHELTER") ON AN "AS-NEEDED" BASIS THROUGH 2022 WITH THE OPTION FOR ONE (1) TWO (2) YEAR EXTENSION.

WHEREAS, the Town of Islip owns and operates a municipal animal shelter, and;

WHEREAS, part of the mission of the Shelter is to provide medical care and treatment for all animals in the care, custody and control of the Shelter;

WHEREAS, towards this end, the Shelter secured the services of a NYS Licensed Veterinarian on an "as-needed" basis; and

WHEREAS, the Town of Islip entered into an Agreement on February 12, 2019 with Faithful Friends Veterinary Services, PC (Laura J. Fiore, DVM); and

WHEREAS, the term of the this Agreement allowed for the option of a one, (1) two-year extension period, which has expired and the Town would like to continue using the Services of Laura J. Fiore, DVM; and

WHEREAS, the Town agrees to compensate Faithful Friends Veterinary Services P.C. (Laura J. Fiore, DVM) \$80/hour for professional services. Such sum will be payable upon submission of a properly documented Town of Islip Claim Voucher

NOW, THEREFORE, on a motion of _____ seconded by _____, be it hereby

RESOLVED, that the Supervisor is authorized to enter into the Agreement for Professional Services with Faithful Friends Veterinary Services, PC (Laura J. Fiore, DVM); at the rate of \$80.00 per hour for the provision of Veterinary Services at the Shelter, on an "as-needed" basis through 2022 with the option for one (1) two (2) year extension.

UPON A VOTE BEING TAKEN, the result was: _____

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 8

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board authorization to clean up or secure certain properties in the Town of Islip.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Taryn Jewell, Esq.

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

Town Board Meeting

Tuesday, February 8, 2022 at 2:00 pm

1) 12 Moffitt Boulevard, East Islip	0500-346.00-01.00-043.000	CU
2) 15 Julie Cres, Central Islip	0500-188.00-01.00-086.000	BC
3) 32 Hilliard Avenue, Central Islip	0500-078.00-03.00-019.000	BC
4) 35 Pequot Lane, East Islip	0500-373.00-03.00-050.000	CU
5) 151 Reynolds Road, West Islip	0500-436.00-02.00-186.000	CU
6) 181 Thomas Street, Brentwood	0500-036.00-01.00-003.000	BC
7) 247 Sea Cliff Street, Islip Terrace	0500-209.00-01.00-003.000	CU
8) 695 Broadway Avenue, Brentwood	0500-204.00-02.00-026.000	DEMO**
9) 766 Spur Drive North, Bay Shore	0500-246.00-03.00-108.000	CU

TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize the Town Board of the Town of Islip to order that the work be done to clean up the vacant premises located at 12 Moffitt Boulevard, East Islip, NY 11730.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 12 Moffitt Boulevard, East Islip, NY 11730
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number (8). SEQR review complete.
- ☐ Action not listed as Type 1 or Type II under Part 617 of the NYCRR. Short EAF required.
-

Tamara L. Jewell
Signature of Commissioner/Department Head Sponsor

1-25-2022
Date

February 8, 2022

WHEREAS, numerous reports and complaints regarding high grass, overgrown vegetation and litter and debris on property located at 12 Moffitt Boulevard, East Islip, Town of Islip, County of Suffolk, State of New York, SCTM No. 0500-346.00-01.00-043.000, have been received by the Town; and

WHEREAS, Town employees have verified the existence of said nuisance on the premises; and,

WHEREAS, pursuant to Chapter 32 §32-5 of the Code of the Town of Islip, the Town Attorney has caused a Notice directing the removal of the said nuisance to be served upon the owner(s) of the property at the last known mailing address of record, Rosane Saramago and Paul Mordt, by Certified Mail, Return Receipt requested on January 25, 2022, which Notice directed the commencement of the removal of said nuisance within five (5) days after service of the notice and completion of removal prior to February 8, 2022; and

WHEREAS, pursuant to Chapter 32 of the Code of the Town of Islip, the Town Attorney has caused a Notice directing the removal of the said nuisance to be posted in a conspicuous place on the said premises on January 25, 2022, which Notice directed the commencement of the removal of said nuisance within five (5) days after service of the Notice and completion of removal prior to February 8, 2022, and

WHEREAS, said Notice specified that in the event the nuisance was not voluntarily removed within the time specified, a Hearing would be held before the Town Board of the Town of Islip on Tuesday, February 8, 2022, at Islip Town Hall, Town Board Room, via Zoom Webinar (subject to change, without notice), at 2:00 P.M. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Town's determination; and

WHEREAS, at the time and place specified for the Hearing, the Town Board has received evidence supporting the Town's determination that the described premises constitutes a nuisance, that due notice of the nuisance has been posted on the premises and that no action has been taken to remove the described nuisance and that the Town of Islip should undertake the task of removing the said nuisance; and

WHEREAS, at the time of said Hearing, no evidence was adduced to support a contrary determination,

NOW, THEREFORE, UPON a motion by Councilperson _____,
seconded by Councilperson _____; be it

RESOLVED, that the Town Attorney be and he hereby is authorized to order that the work be done to cut and remove the high grass and overgrown vegetation from the property along with all litter and debris (including any and all unregistered vehicles/boats/trailers), and be it

FURTHER RESOLVED, that upon receipt of additional complaints pertaining to the nuisance identified herein, upon verification of the existence or recurrence of the said violation(s), and upon confirmation that the premises are owned by the persons or entities previously notified as described herein, that, without further Town Board approval, the Town of Islip or its duly authorized agent may enter upon the premises to insure that the nuisance is abated and that the property is in compliance with the minimum property maintenance standards of all applicable state and local laws, and be it

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel No. 0500-346.00-01.00-043.000.

UPON a vote being taken, the result was:
(G: Clean Up - 12 Moffitt Boulevard, East Islip)

TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize the Town Board of the Town of Islip to order that the work be done to board up and clean the vacant premises located at 15 Julie Cres, Central Islip, NY 11722.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 15 Julie Cres, Central Islip, NY 11722
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number (1) and (8). SEQOR review complete.
- ☐ Action not listed as Type 1 or Type II under Part 617 of the NYCRR. Short EAF required.
-

Tanya L Jewell
Signature of Commissioner/Department Head Sponsor

1-25-2022
Date

February 8, 2022

WHEREAS, the Chief Building Inspector or Authorized Agent (the "Inspector") of the Town of Islip has declared a certain building(s) and real property situated at 15 Julie Cres, Central Islip, Town of Islip, County of Suffolk, State of New York, to be unsafe, hazardous and a public nuisance the result of being vacant and unsecured, with evidence of unauthorized entry, high grass, overgrown vegetation and litter and debris on the premises; and

WHEREAS, pursuant to Chapter 68, §68-30 and Chapter 32, §32-5 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be served upon the owner of the said premises at the last known address of record, Estate of Daniel Graham, and also upon Wilmington Savings Fund Society FSB as Trustee, and also upon Selene Finance LP, and also upon MCS, by Registered Mail, Return Receipt Requested on January 25, 2022, which Notice directed the commencement of the removal of said nuisance within five (5) days after service of the Notice and completion of removal prior to February 8, 2022; and

WHEREAS, pursuant to Chapters 68 and 32 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be posted in a conspicuous place on the said premises on January 25, 2022, which Notice directed the commencement of the removal of said nuisance within (five) days after service of the Notice and completion of removal prior to February 8, 2022; and

WHEREAS, said Notice specified that in the event the nuisance was not voluntarily removed within the time specified, a Hearing would be held before the Town Board of the Town of Islip on February 8, 2022, at Islip Town Hall, via Zoom Webinar (subject to change, without notice), at 2:00 p.m. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Inspector's determination; and

WHEREAS, at the time and place specified for the Hearing, the Town Board has received evidence supporting the Inspector's determination that the described premises constitutes a nuisance, that

due notice of the nuisance has been posted on the premises and that no action has been taken to remove the described nuisance and that the Town of Islip should undertake the task of removing the said nuisance; and

WHEREAS, at the time of said Hearing no evidence was adduced to support a contrary determination,

NOW, THEREFORE, UPON a motion by Councilperson _____,
seconded by Councilperson _____; be it

RESOLVED, that the Inspector be and he hereby is authorized to order that the work be done to secure the building(s), to HUD standards, to wit: 5/8 inch plywood, painted gray and bolted from the interior and cut and remove the high grass and overgrown vegetation from the property and remove all litter and debris (including any and all unregistered vehicles/boats/trailers), by the lowest responsible bidder, and be it

FURTHER RESOLVED, that upon receipt of additional complaints pertaining to the nuisance identified herein, upon verification of the existence or recurrence of the said violation(s), and upon confirmation that the premises are owned by the persons or entities previously notified as described herein, that, without further Town Board approval, the Town of Islip or its duly authorized agent may enter upon the premises to insure that the nuisance is abated and that the property is in compliance with the minimum property maintenance standards of all applicable state and local laws, and be it

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel No. 0500-188.00-01.00-086.000.

UPON a vote being taken, the result was:

(G:\Board up/Clean-up - 15 Julie Cres, Central Islip)

TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize the Town Board of the Town of Islip to order that the work be done to board up and clean the vacant premises located at 32 Hilliard Avenue, Central Islip, NY 11722.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 32 Hilliard Avenue, Central Islip, NY 11722
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number (1) and (8). SEQR review complete.
- ☐ Action not listed as Type 1 or Type II under Part 617 of the NYCRR. Short EAF required.
-

Tanya L Jewell
Signature of Commissioner/Department Head Sponsor

1-25-2022
Date

February 8, 2022

WHEREAS, the Chief Building Inspector or Authorized Agent (the "Inspector") of the Town of Islip has declared a certain building(s) and real property situated at 32 Hilliard Avenue, Central Islip, Town of Islip, County of Suffolk, State of New York, to be unsafe, hazardous and a public nuisance the result of being vacant and unsecured, with evidence of unauthorized entry, high grass, overgrown vegetation and litter and debris on the premises; and

WHEREAS, pursuant to Chapter 68, §68-30 and Chapter 32, §32-5 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be served upon the owner of the said premises at the last known address of record, Michael Hanna and K. Brown, and also upon Wells Fargo Bank NA Trustee, and also upon PHH Mortgage, and also upon Guardian Asset Management, by Registered Mail, Return Receipt Requested on January 25, 2022, which Notice directed the commencement of the removal of said nuisance within five (5) days after service of the Notice and completion of removal prior to February 8, 2022; and

WHEREAS, pursuant to Chapters 68 and 32 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be posted in a conspicuous place on the said premises on January 25, 2022, which Notice directed the commencement of the removal of said nuisance within (five) days after service of the Notice and completion of removal prior to February 8, 2022; and

WHEREAS, said Notice specified that in the event the nuisance was not voluntarily removed within the time specified, a Hearing would be held before the Town Board of the Town of Islip on February 8, 2022, at Islip Town Hall, 655 Main Street, Islip, New York, at 2:00 p.m. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Inspector's determination; and

WHEREAS, at the time and place specified for the Hearing, the Town Board has received evidence supporting the Inspector's determination that the described premises constitutes a nuisance, that

due notice of the nuisance has been posted on the premises and that no action has been taken to remove the described nuisance and that the Town of Islip should undertake the task of removing the said nuisance; and

WHEREAS, at the time of said Hearing no evidence was adduced to support a contrary determination,

NOW, THEREFORE, UPON a motion by Councilperson _____,
seconded by Councilperson _____; be it

RESOLVED, that the Inspector be and he hereby is authorized to order that the work be done to secure the building(s), including the shed, to HUD standards, to wit: 5/8 inch plywood, painted gray and bolted from the interior and repair or remove the fence in disrepair and cut and remove the high grass and overgrown vegetation from the property and remove all litter and debris (including any and all unregistered vehicles/boats/trailers), by the lowest responsible bidder, and be it

FURTHER RESOLVED, that upon receipt of additional complaints pertaining to the nuisance identified herein, upon verification of the existence or recurrence of the said violation(s), and upon confirmation that the premises are owned by the persons or entities previously notified as described herein, that, without further Town Board approval, the Town of Islip or its duly authorized agent may enter upon the premises to insure that the nuisance is abated and that the property is in compliance with the minimum property maintenance standards of all applicable state and local laws, and be it

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel No. 0500-078.00-03.00-019.000.

UPON a vote being taken, the result was:

(G:\Board up/Clean-up - 32 Hilliard Avenue, Central Islip)

TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize the Town Board of the Town of Islip to order that the work be done to clean up the vacant premises located at 35 Pequot Lane, East Islip, NY 11730.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 35 Pequot Lane, East Islip, NY 11730
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number (8). SEQR review complete.
- ☐ Action not listed as Type 1 or Type II under Part 617 of the NYCRR. Short EAF required.
-

Tamara L Jewell
Signature of Commissioner/Department Head Sponsor

1-25-2022
Date

February 8, 2022

WHEREAS, numerous reports and complaints regarding high grass, overgrown vegetation and litter and debris on property located at 35 Pequot Lane, East Islip, Town of Islip, County of Suffolk, State of New York, SCTM No. 0500-373.00-03.00-050.000, have been received by the Town; and

WHEREAS, Town employees have verified the existence of said nuisance on the premises; and,

WHEREAS, pursuant to Chapter 32 §32-5 of the Code of the Town of Islip, the Town Attorney has caused a Notice directing the removal of the said nuisance to be served upon the owner(s) of the property at the last known mailing address of record, Estate of Arthur Rupp, and also upon Reverse Mortgage Solutions Inc., and also upon National Field Representatives, by Certified Mail, Return Receipt requested on January 25, 2022, which Notice directed the commencement of the removal of said nuisance within five (5) days after service of the notice and completion of removal prior to February 8, 2022; and

WHEREAS, pursuant to Chapter 32 of the Code of the Town of Islip, the Town Attorney has caused a Notice directing the removal of the said nuisance to be posted in a conspicuous place on the said premises on January 25, 2022, which Notice directed the commencement of the removal of said nuisance within five (5) days after service of the Notice and completion of removal prior to February 8, 2022, and

WHEREAS, said Notice specified that in the event the nuisance was not voluntarily removed within the time specified, a Hearing would be held before the Town Board of the Town of Islip on Tuesday, February 8, 2022, at Islip Town Hall, Town Board Room, via Zoom Webinar (subject to change, without notice), at 2:00 P.M. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Town's determination; and

WHEREAS, at the time and place specified for the Hearing, the Town Board has received evidence supporting the Town's determination that the described premises constitutes a nuisance, that due notice of the nuisance has been posted on the premises and that no action has been taken to remove the described nuisance and that the Town of Islip should undertake the task of removing the said nuisance; and

WHEREAS, at the time of said Hearing, no evidence was adduced to support a contrary determination,

NOW, THEREFORE, UPON a motion by Councilperson _____,
seconded by Councilperson _____; be it

RESOLVED, that the Town Attorney be and he hereby is authorized to order that the work be done to cut and remove the high grass and overgrown vegetation from the property along with all litter and debris (including any and all unregistered vehicles/boats/trailers), and be it

FURTHER RESOLVED, that upon receipt of additional complaints pertaining to the nuisance identified herein, upon verification of the existence or recurrence of the said violation(s), and upon confirmation that the premises are owned by the persons or entities previously notified as described herein, that, without further Town Board approval, the Town of Islip or its duly authorized agent may enter upon the premises to insure that the nuisance is abated and that the property is in compliance with the minimum property maintenance standards of all applicable state and local laws, and be it

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel No. 0500-373.00-03.00-050.000.

UPON a vote being taken, the result was:

(G: Clean Up - 35 Pequot Lane, East Islip)

TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize the Town Board of the Town of Islip to order that the work be done to clean up the vacant premises located at 151 Reynolds Road, West Islip, NY 11795.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 151 Reynolds Road, West Islip, NY 11795
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number (8). SEQR review complete.
- ☐ Action not listed as Type 1 or Type II under Part 617 of the NYCRR. Short EAF required.
-

Tanya L. Jewell
Signature of Commissioner/Department Head Sponsor

1/25/2022
Date

February 8, 2022

WHEREAS, numerous reports and complaints regarding high grass, overgrown vegetation and litter and debris on property located at 151 Reynolds Road, West Islip, Town of Islip, County of Suffolk, State of New York, SCTM No. 0500-436.00-02.00-186.000, have been received by the Town; and

WHEREAS, Town employees have verified the existence of said nuisance on the premises; and,

WHEREAS, pursuant to Chapter 32 §32-5 of the Code of the Town of Islip, the Town Attorney has caused a Notice directing the removal of the said nuisance to be served upon the owner(s) of the property at the last known mailing address of record, Joseph and Gail McAleer, and also upon The Green Point Savings Bank, by Certified Mail, Return Receipt requested on January 25, 2022, which Notice directed the commencement of the removal of said nuisance within five (5) days after service of the notice and completion of removal prior to February 8, 2022; and

WHEREAS, pursuant to Chapter 32 of the Code of the Town of Islip, the Town Attorney has caused a Notice directing the removal of the said nuisance to be posted in a conspicuous place on the said premises on January 25, 2022, which Notice directed the commencement of the removal of said nuisance within five (5) days after service of the Notice and completion of removal prior to February 8, 2022, and

WHEREAS, said Notice specified that in the event the nuisance was not voluntarily removed within the time specified, a Hearing would be held before the Town Board of the Town of Islip on Tuesday, February 8, 2022, at Islip Town Hall, via Zoom Webinar (subject to change, without notice), at 2:00 P.M. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Town's determination; and

WHEREAS, at the time and place specified for the Hearing, the Town Board has received evidence supporting the Town's determination that the described premises constitutes a nuisance, that due notice of the nuisance has been posted on the premises and that no action has been taken to remove the described nuisance and that the Town of Islip should undertake the task of removing the said nuisance; and

WHEREAS, at the time of said Hearing, no evidence was adduced to support a contrary determination,

NOW, THEREFORE, UPON a motion by Councilperson _____,
seconded by Councilperson _____; be it

RESOLVED, that the Town Attorney be and he hereby is authorized to order that the work be done to cut and remove the high grass and overgrown vegetation from the property along with all litter and debris (including any and all unregistered vehicles/boats/trailers/containers), and be it

FURTHER RESOLVED, that upon receipt of additional complaints pertaining to the nuisance identified herein, upon verification of the existence or recurrence of the said violation(s), and upon confirmation that the premises are owned by the persons or entities previously notified as described herein, that, without further Town Board approval, the Town of Islip or its duly authorized agent may enter upon the premises to insure that the nuisance is abated and that the property is in compliance with the minimum property maintenance standards of all applicable state and local laws, and be it

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel No. 0500-436.00-02.00-186.000.

UPON a vote being taken, the result was:

(G: Clean Up - 151 Reynolds Road, West Islip)

TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize the Town Board of the Town of Islip to order that the work be done to board up and clean the vacant premises located at 181 Thomas Street, Brentwood, NY 11717.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 181 Thomas Street, Brentwood, NY 11717
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number (1) and (8). SEQR review complete.
- ☐ Action not listed as Type 1 or Type II under Part 617 of the NYCRR. Short EAF required.
-

Tamara L Jewell
Signature of Commissioner/Department Head Sponsor

1-25-2022
Date

February 8, 2022

WHEREAS, the Chief Building Inspector or Authorized Agent (the “Inspector”) of the Town of Islip has declared a certain building(s) and real property situated at 181 Thomas Street, Brentwood, Town of Islip, County of Suffolk, State of New York, to be unsafe, hazardous and a public nuisance the result of being vacant and unsecured, with evidence of unauthorized entry, high grass, overgrown vegetation and litter and debris on the premises; and

WHEREAS, pursuant to Chapter 68, §68-30 and Chapter 32, §32-5 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be served upon the owner of the said premises at the last known address of record, MNA Holdings NY Corp., and also upon Conventus LLC, by Registered Mail, Return Receipt Requested on January 25, 2022, which Notice directed the commencement of the removal of said nuisance within five (5) days after service of the Notice and completion of removal prior to February 8, 2022; and

WHEREAS, pursuant to Chapters 68 and 32 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be posted in a conspicuous place on the said premises on January 25, 2022, which Notice directed the commencement of the removal of said nuisance within (five) days after service of the Notice and completion of removal prior to February 8, 2022; and

WHEREAS, said Notice specified that in the event the nuisance was not voluntarily removed within the time specified, a Hearing would be held before the Town Board of the Town of Islip on February 8, 2022, at Islip Town Hall, via Zoom Webinar (subject to change, without notice), at 2:00 p.m. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Inspector’s determination; and

WHEREAS, at the time and place specified for the Hearing, the Town Board has received evidence supporting the Inspector’s determination that the described premises constitutes a nuisance, that due notice of the nuisance has been posted on the premises and that no action has been taken to remove

the described nuisance and that the Town of Islip should undertake the task of removing the said nuisance; and

WHEREAS, at the time of said Hearing no evidence was adduced to support a contrary determination,

NOW, THEREFORE, UPON a motion by Councilperson _____,
seconded by Councilperson _____; be it

RESOLVED, that the Inspector be and he hereby is authorized to order that the work be done to secure the building(s), to HUD standards, to wit: 5/8 inch plywood, painted gray and bolted from the interior and cut and remove the high grass and overgrown vegetation from the property and remove all litter and debris (including any and all unregistered vehicles/boats/trailers), by the lowest responsible bidder, and be it

FURTHER RESOLVED, that upon receipt of additional complaints pertaining to the nuisance identified herein, upon verification of the existence or recurrence of the said violation(s), and upon confirmation that the premises are owned by the persons or entities previously notified as described herein, that, without further Town Board approval, the Town of Islip or its duly authorized agent may enter upon the premises to insure that the nuisance is abated and that the property is in compliance with the minimum property maintenance standards of all applicable state and local laws, and be it

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel No. 0500-036.00-01.00-003.000.

UPON a vote being taken, the result was:

(G:Board up/Clean-up - 181 Thomas Street, Brentwood)

TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize the Town Board of the Town of Islip to order that the work be done to clean up the vacant premises located at 247 Sea Cliff Street, Islip Terrace, NY 11752.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 247 Sea Cliff Street, Islip Terrace, NY 11752
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number (8). SEQR review complete.
- ☐ Action not listed as Type 1 or Type II under Part 617 of the NYCRR. Short EAF required.
-

Tamara L. Jewell
Signature of Commissioner/Department Head Sponsor

1-25-2022
Date

February 8, 2022

WHEREAS, numerous reports and complaints regarding high grass, overgrown vegetation and litter and debris on property located at 247 Sea Cliff Street, Islip Terrace, Town of Islip, County of Suffolk, State of New York, SCTM No. 0500-209.00-01.00-003.000, have been received by the Town; and

WHEREAS, Town employees have verified the existence of said nuisance on the premises; and,

WHEREAS, pursuant to Chapter 32 §32-5 of the Code of the Town of Islip, the Town Attorney has caused a Notice directing the removal of the said nuisance to be served upon the owner(s) of the property at the last known mailing address of record, Hermann and Erika Romback, by Certified Mail, Return Receipt requested on January 25, 2022, which Notice directed the commencement of the removal of said nuisance within five (5) days after service of the notice and completion of removal prior to February 8, 2022; and

WHEREAS, pursuant to Chapter 32 of the Code of the Town of Islip, the Town Attorney has caused a Notice directing the removal of the said nuisance to be posted in a conspicuous place on the said premises on January 25, 2022, which Notice directed the commencement of the removal of said nuisance within five (5) days after service of the Notice and completion of removal prior to February 8, 2022, and

WHEREAS, said Notice specified that in the event the nuisance was not voluntarily removed within the time specified, a Hearing would be held before the Town Board of the Town of Islip on Tuesday, February 8, 2022, at Islip Town Hall, Town Board Room, 655 Main Street, Islip, New York, 11751, at 2:00 P.M. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Town's determination; and

WHEREAS, at the time and place specified for the Hearing, the Town Board has received evidence supporting the Town's determination that the described premises constitutes a nuisance, that due notice of the nuisance has been posted on the premises and that no action has been taken to remove the

described nuisance and that the Town of Islip should undertake the task of removing the said nuisance;
and

WHEREAS, at the time of said Hearing, no evidence was adduced to support a contrary
determination,

NOW, THEREFORE, UPON a motion by Councilperson _____,
seconded by Councilperson _____; be it

RESOLVED, that the Town Attorney be and he hereby is authorized to order that the work be
done to cut and remove the high grass and overgrown vegetation from the property along with all litter
and debris (including any and all unregistered vehicles/boats/trailers), and be it

FURTHER RESOLVED, that upon receipt of additional complaints pertaining to the nuisance
identified herein, upon verification of the existence or recurrence of the said violation(s), and upon
confirmation that the premises are owned by the persons or entities previously notified as described
herein, that, without further Town Board approval, the Town of Islip or its duly authorized agent may
enter upon the premises to insure that the nuisance is abated and that the property is in compliance with
the minimum property maintenance standards of all applicable state and local laws, and be it

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with
the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on
which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel No. 0500-
209.00-01.00-003.000.

UPON a vote being taken, the result was:

(G: Clean Up - 247 Sea Cliff Street, Islip Terrace)

TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize the Town Board of the Town of Islip to order that the work be done to demolish the vacant premises located at 695 Broadway Avenue, Brentwood, NY 11717.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 695 Broadway Avenue, Brentwood, NY 11717
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number (2) (42). SEQR review complete.
- ☐ Action not listed as Type 1 or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

1/25/2022

Date

February 8, 2022

WHEREAS, the Chief Building Inspector or Authorized Agent (the "Inspector") of the Town of Islip has declared a certain dwelling and real property situated at 695 Broadway Avenue, Brentwood, Town of Islip, County of Suffolk, State of New York, to be vacant and unsecured, dangerous, unsound, unsafe, and hazardous as created by fire, disrepair, collapse and/or structural failure; and

WHEREAS, pursuant to Chapter 68, §68-30 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be served upon the owner of the said premises at the last known address of record, Lucien Saint-Cyr, by Registered Return Receipt Requested on January 25, 2022, which Notice directed the commencement of the removal of said nuisance within seven (7) days after service of the Notice and completion of removal prior to February 8, 2022; and

WHEREAS, pursuant to Chapter 68 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be posted in a conspicuous place on the said premises on January 25, 2022, which Notice directed the commencement of the removal of said nuisance within (seven) days after service of the Notice and completion of removal prior to February 8, 2022; and

WHEREAS, said Notice specified that in the event the nuisance was not voluntarily removed within the time specified, a Hearing would be held before the Town Board of the Town of Islip on February 8, 2022, at Islip Town Hall, via Zoom Webinar (subject to change, without notice), at 2:00 p.m. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Inspector's determination; and

WHEREAS, at the time and place specified for the Hearing, the Town Board has received evidence supporting the Inspector's determination that the described premises constitutes a nuisance, that due notice of the nuisance has been posted on the premises and that no action has been taken to remove the described nuisance and that the Town of Islip should undertake the task of removing the said nuisance; and

WHEREAS, at the time of said Hearing no evidence was adduced to support a contrary determination,

NOW, THEREFORE, on motion of _____,
seconded by _____, be it

RESOLVED, that the Inspector be and he hereby is authorized to order that the work be done to demolish the building (**detached garage only**) and remove demolition debris from the premises by a lowest responsible bidder, and be it

FURTHER RESOLVED, that upon receipt of additional complaints pertaining to the nuisance identified herein, upon verification of the existence or recurrence of the said violation(s), and upon confirmation that the premises are owned by the persons or entities previously notified as described herein, that, without further Town Board approval, the Town of Islip or its duly authorized agent may enter upon the premises to insure that the nuisance is abated and that the property is in compliance with the minimum property maintenance standards of all applicable state and local laws, and be it

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel Number - 0500-204.00-02.00-026.000.

Upon a vote being taken, the result was:

(G:\Demo -695 Broadway Avenue, Brentwood)

TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize the Town Board of the Town of Islip to order that the work be done to clean up the vacant premises located at 766 Spur Drive North, Bay Shore, NY 11706.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 766 Spur Drive North, Bay Shore, NY 11706
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number (8). SEQR review complete.
- ☐ Action not listed as Type 1 or Type II under Part 617 of the NYCRR. Short EAF required.
-

Tamara L Jewell
Signature of Commissioner/Department Head Sponsor

1-25-2022
Date

February 8, 2022

WHEREAS, numerous reports and complaints regarding high grass, overgrown vegetation and litter and debris on property located at 766 Spur Drive North, Bay Shore, Town of Islip, County of Suffolk, State of New York, SCTM No. 0500-246.00-03.00-108.000, have been received by the Town; and

WHEREAS, Town employees have verified the existence of said nuisance on the premises; and,

WHEREAS, pursuant to Chapter 32 §32-5 of the Code of the Town of Islip, the Town Attorney has caused a Notice directing the removal of the said nuisance to be served upon the owner(s) of the property at the last known mailing address of record, Michael Rivera, and also upon Pretium Partners, and also upon Selene Finance LP, and also upon ServiceLink, by Certified Mail, Return Receipt requested on January 25, 2022, which Notice directed the commencement of the removal of said nuisance within five (5) days after service of the notice and completion of removal prior to February 8, 2022; and

WHEREAS, pursuant to Chapter 32 of the Code of the Town of Islip, the Town Attorney has caused a Notice directing the removal of the said nuisance to be posted in a conspicuous place on the said premises on January 25, 2022, which Notice directed the commencement of the removal of said nuisance within five (5) days after service of the Notice and completion of removal prior to February 8, 2022, and

WHEREAS, said Notice specified that in the event the nuisance was not voluntarily removed within the time specified, a Hearing would be held before the Town Board of the Town of Islip on Tuesday, February 8, 2022, at Islip Town Hall, Town Board Room, via Zoom Webinar (subject to change, without notice), at 2:00 P.M. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Town's determination; and

WHEREAS, at the time and place specified for the Hearing, the Town Board has received evidence supporting the Town's determination that the described premises constitutes a nuisance, that due notice of the nuisance has been posted on the premises and that no action has been taken to remove the

described nuisance and that the Town of Islip should undertake the task of removing the said nuisance;
and

WHEREAS, at the time of said Hearing, no evidence was adduced to support a contrary
determination,

NOW, THEREFORE, UPON a motion by Councilperson _____,
seconded by Councilperson _____; be it

RESOLVED, that the Town Attorney be and he hereby is authorized to order that the work be
done to cut and remove the high grass and overgrown vegetation from the property along with all litter
and debris (including any and all unregistered vehicles/boats/trailers), and be it

FURTHER RESOLVED, that upon receipt of additional complaints pertaining to the nuisance
identified herein, upon verification of the existence or recurrence of the said violation(s), and upon
confirmation that the premises are owned by the persons or entities previously notified as described
herein, that, without further Town Board approval, the Town of Islip or its duly authorized agent may
enter upon the premises to insure that the nuisance is abated and that the property is in compliance with
the minimum property maintenance standards of all applicable state and local laws, and be it

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with
the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on
which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel No. 0500-
246.00-03.00-108.000.

UPON a vote being taken, the result was:
(G: Clean Up - 766 Spur Drive North, Bay Shore)

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 9

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Bid Awards.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Michael Rand

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

BIDS TO BE AWARDED
FEBRUARY 8, 2022

- | | | |
|----|---|--|
| 1. | AUTOMOTIVE ENGINE OIL (SYNTHETIC BLEND) | -Lubenet, LLC |
| 2. | SUPPLY AND DELIVERY OF GENERAL FILL AND
CLAY MATERIAL | -Watral Brothers, Inc. |
| 3. | OVERHAULING, REPAIRS, ADJUSTMENTS TO
ALLISON AUTOMATIC TRANSMISSIONS | -Van Buren
Automotive Trans.
Work, LLC |
| 4. | LIQUID RUNWAY DEICER | -Peters Chemical |

NO: 1 AUTOMOTIVE ENGINE OIL (SYNTHETIC BLEND)

BID PRICE: Various Prices as per Bid Items 1A1-3; B1-3; 2A1-2; B1-2

LOWEST RESPONSIBLE BIDDER: Lubenet, LLC

COMPETITIVE BID: Yes – December 29, 2021

BUDGET ACCOUNT NUMBER: A1640.4-1220
DB1640.4-1220

ANTICIPATED EXPENDITURE: \$10,000.00

DEPARTMENT: Public Works

JUSTIFICATION OF NEED: Maintain Town-owned vehicles.

NO: 2 SUPPLY AND DELIVERY OF GENERAL FILL AND CLAY MATERIAL

BID PRICE: 1. \$5.70/ton (General Fill)
 2. \$18.07/ton (Clay Material)

LOWEST RESPONSIBLE BIDDER: Watral Brothers, Inc.

COMPETITIVE BID: Yes – January 5, 2022

BUDGET ACCOUNT NUMBER: A8162.4-4110

ANTICIPATED EXPENDITURE: \$10,000.00

DEPARTMENT: Environmental Control

JUSTIFICATION OF NEED: Material needed to keep cleanfill in compliance with
DEC Regulations.

NO: 3

OVERHAULING, REPAIRS, ADJUSTMENTS TO ALLISON
AUTOMOTIVE TRANSMISSIONS

BID PRICE: A. \$110.00/hr. (repairs)
B. 20%/disc. (parts)

LOWEST RESPONSIBLE BIDDER: Van Buren Automotive Transmissions Work LLC

COMPETITIVE BID: Yes – December 8, 2021

BUDGET ACCOUNT NUMBER: A8170.4-4110

ANTICIPATED EXPENDITURE: \$10,000.00

DEPARTMENT: Resource Recover

JUSTIFICATION OF NEED: Repair Allison transmissions on an as needed basis.

NO: 4 LIQUID RUNWAY DEICER

BID PRICE: \$9.75/gal.

LOWEST RESPONSIBLE BIDDER: Peters Chemical

COMPETITIVE BID: Yes – December 1, 2021 (1st Advertisement)
December 22, 2021 (2nd Advertisement)

ACCOUNT NUMBER: CT 5610.4-1840

ANTICIPATED EXPENDITURE: \$80,000.00

DEPARTMENT: Aviation & Transportation

JUSTIFICATION OF NEED: Snow and ice control for runways and taxiways,

F.A.A. approved.

PLEASE NOTE: This bid was advertised twice. The first advertisement produced only one (1) responding bidder. The second advertisement produced only one (1) responding bidder.

NO: 1 AUTOMOTIVE ENGINE OIL (SYNTHETIC BLEND)

BID PRICE: Various Prices as per Bid Items 1A1-3; B1-3; 2A1-2; B1-2

LOWEST RESPONSIBLE BIDDER: Lubenet, LLC

COMPETITIVE BID: Yes – December 29, 2021

BUDGET ACCOUNT NUMBER: A1640.4-1220
DB1640.4-1220

ANTICIPATED EXPENDITURE: \$10,000.00

DEPARTMENT: Public Works

JUSTIFICATION OF NEED: Maintain Town-owned vehicles.

WHEREAS, the Town solicited competitive bids for the purchase of AUTOMOTIVE ENGINE OIL (SYNTHETIC BLEND), CONTRACT #1221-110; and

WHEREAS, on December 29, 2021 sealed bids were opened and Lubenet, LLC, 126 Scott Avenue, Brooklyn, NY 11237 submitted the apparent low dollar bid; and

WHEREAS, Lubenet, LLC has been determined to be a responsible bidder.

NOW, THEREFORE, on a motion of
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby award the contract to Lubenet, LLC in the amount of various prices as per bid items #1A1-3; B1-3; 2A1-2; B1-2 for one (1) year from date of award.

Upon a vote being taken, the result was:

AUTOMOTIVE ENGINE OIL
(SYNTHETIC BLEND)

CONTRACT # 1221-110

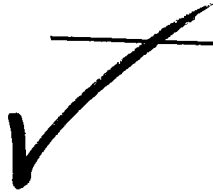
DATE: DECEMBER 29, 2021

11:00 A

THIS TABULATION OF SEALED BIDS OPENED IN ACCORDANCE WITH SECTION 103 OF THE
GENERAL MUNICIPAL LAW FOR THE PURPOSE OF CONSIDERING THE AWARD OF A PURCHASE
CONTRACT FOR USE IN THE TOWN OF ISLIP.

BUDGET # A1640.4-1220; DB 1640.4-1220 ESTIMATED AMOUNT \$10,000.00

LUBENET LLC
126 SCOTT AVENUE
BROOKLYN NY 11237



SEE ATTACHED SHEET
award - items 1A1-3; 2A1,2 B1,2

PRIME LUBE INC
800 ROOSEVELT AVE
P O BOX 539
CARTERET NJ 07008

DAVID WEBER OIL CO
601 INDUSTRIAL RD
CARLSTADT NJ 07072

SEE ATTACHED SHEET

CIRCLE LUBRICANTS INC
35 DREXEL DRIVE
BAY SHORE NY 11706

RELADYNE NORTHEAST LLC
35 DREXEL DRIVE
BAY SHORE NY 11706


MILES PETROLEUM
66 MARINE STREET
FARMINGDALE NY 11735

SEE ATTACHED SHEET

IT IS RECOMMENDED TO AWARD TO THE LOWEST RESPONSIBLE BIDDER AS INDICATED.
COMMISSIONER T. OWENS CONCURS.

SIGNED BY:


MICHAEL RAND
DIRECTOR


BARBARA MALTESE
PRINCIPAL OFFICE ASSISTANT

AUTOMOTIVE ENGINE OIL (SYNTHETIC BLEND)	LUBENET LLC	DAVID WEBER OIL CO.	MILES PETROLEUM
CONTRACT #1221-110			
ITEM #			
1. SNYTHETIC BLEND			
A. QUARTS			
1. 5W20	\$2.16/qt.	\$4.00/qt. (in cases)	\$43.00/qt.
2. 5W30	\$2.16/qt.	\$4.00/qt. (in cases)	\$43.00/qt.
3. 10W30	\$2.16/qt.	\$4.00/qt. (in cases)	\$43.00/qt.
B. 55 GAL. DRUMS			
1. 5W20	\$369.00/drum	\$409.75/drum	\$534.00/drum
2. 5W30	\$369.00/drum	\$409.75/drum	\$534.00/drum
3. 10W30	\$369.00/drum	\$409.75/drum	\$534.00/drum
2. FULLY SNYTHETIC OIL			
A. QUARTS			
1. 5W30	\$3.58/qt.	\$9.95/qt. (in cases)	\$55.00/qt.
2. 0W20	\$3.58/qt.	\$9.95/qt. (in cases)	\$55.00/qt.
B. 55 GAL. DRUMS			
1. 5W30	\$589.00/drum	\$656.70/drum	\$703.00/drum
2. 0W20	\$589.00/drum	\$656.70/drum	\$703.00/drum

s/automotive engine oil
(synthetic blend) tab 2021

NO: 2 SUPPLY AND DELIVERY OF GENERAL FILL AND CLAY MATERIAL

BID PRICE: 1. \$5.70/ton (General Fill)
 2. \$18.07/ton (Clay Material)

LOWEST RESPONSIBLE BIDDER: Watral Brothers, Inc.

COMPETITIVE BID: Yes – January 5, 2022

BUDGET ACCOUNT NUMBER: A8162.4-4110

ANTICIPATED EXPENDITURE: \$10,000.00

DEPARTMENT: Environmental Control

JUSTIFICATION OF NEED: Material needed to keep cleanfill in compliance with
DEC Regulations.

WHEREAS, the Town solicited competitive bids for the SUPPLY AND DELIVERY OF
GENERAL FILL AND CLAY MATERIAL, CONTRACT #122-23; and

WHEREAS, on January 5, 2022 sealed bids were opened and Watral Brothers, Inc., 45
South 4th Street, Bay Shore, NY 11706 submitted the apparent low dollar bid; and

WHEREAS, Watral Brothers, Inc. has been determined to be a responsible bidder.

NOW, THEREFORE, on a motion of
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby award the contract to
Watral Brothers, Inc. in the amount of: 1. \$5.70/ton (General Fill); 2. \$18.07/ton (Clay Material)
for two (2) years from date of award with the Town's option to renew for one (1) additional
year under the same terms and conditions.

Upon a vote being taken, the result was:

SUPPLY & DELIVERY OF
GENERAL FILL & CLAY
MATERIAL

CONTRACT # 122-23

DATE: JANUARY 5, 2022

11:00 A.M

THIS TABULATION OF SEALED BIDS OPENED IN ACCORDANCE WITH SECTION 103 OF THE
GENERAL MUNICIPAL LAW FOR THE PURPOSE OF CONSIDERING THE AWARD OF A PURCHASE
CONTRACT FOR USE IN THE TOWN OF ISLIP.

BUDGET # A8162,4-4110

ESTIMATED AMOUNT \$10,000.00

CUSTOM CLAY
85 OAK DRIVE
SYOSSET NY 11791

1. \$22/ton (General Fill)
2. \$42/ton (Clay Material)
check #1667014970 - \$500.00 submitted

BENIMAX INC
56 MIDDLE COUNTRY RD
MIDDLE ISLAND NY 11953

WATRAL BROTHERS INC
45 SOUTH 4th STREET
BAY SHORE NY 11706

1. \$5.70/ton (General Fill)
2. \$18.07/ton (Clay Material)

Bid Bond Submitted

M HOLDEN LLC
P O BOX 392
2557 ARMY PLACE
BELLMORE NY 1171

IT IS RECOMMENDED TO AWARD TO THE LOWEST RESPONSIBLE BIDDER AS INDICATED.

COMMISSIONER M. BELLOW CONCURS.

SIGNED BY:

MICHAEL RAND
DIRECTOR

BARBARA MALTESE
PRINCIPAL OFFICE ASSISTANT

NO: 3

OVERHAULING, REPAIRS, ADJUSTMENTS TO ALLISON
AUTOMOTIVE TRANSMISSIONS

BID PRICE: A. \$110.00/hr. (repairs)
B. 20%/disc. (parts)

LOWEST RESPONSIBLE BIDDER: Van Buren Automotive Transmissions Work LLC

COMPETITIVE BID: Yes – December 8, 2021

BUDGET ACCOUNT NUMBER: A8170.4-4110

ANTICIPATED EXPENDITURE: \$10,000.00

DEPARTMENT: Resource Recover

JUSTIFICATION OF NEED: Repair Allison transmissions on an as needed basis.

WHEREAS, the Town solicited competitive bids for the OVERHAULING, REPAIRS, ADJUSTMENTS TO ALLISON AUTOMATIC TRANSMISSIONS, CONTRACT #1221-229; and

WHEREAS, on December 8, 2021 sealed bids were opened and Van Buren Automotive Transmission Work, LLC, 10 Industrial Blvd., Medford, NY 11763 submitted the apparent low dollar bid; and

WHEREAS, Van Buren Automotive Transmission Work, LLC has been determined to be a responsible bidder.

NOW, THEREFORE, on a motion of
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby award the contract to Van Buren Automotive Transmission Work, LLC in the amount of: A. \$110.00/hr. (repairs); B. 20%/disc. (parts) for two (2) years from date of award with the Town's option to renew for two (2) additional years under the same terms and conditions.

Upon a vote being taken, the result was:

CONTRACT # 1221-229

DATE: DECEMBER 8, 2021

11:00 A.M

THIS TABULATION OF SEALED BIDS OPENED IN ACCORDANCE WITH SECTION 103 OF THE
GENERAL MUNICIPAL LAW FOR THE PURPOSE OF CONSIDERING THE AWARD OF A PURCHASE
CONTRACT FOR USE IN THE TOWN OF ISLIP.

BUDGET # A8170.4-4120 ESTIMATED AMOUNT \$10,000.00

DRIVE TRAIN TRUCK PARTS
763 BLUE POINT ROAD
HOLTSVILLE NY 11742

A. \$130.00/hr. (Repairs)
B. 20%/disc. (Parts)

VAN BUREN AUTOMOTIVE
TRANSMISSION WORK LLC
10 INDUSTRIAL BLVD
MEDFORD NY 11763

A. \$110.00/hr. (Repairs)
B. 20%/disc. (Parts)


BETTER MILES INC
100 GRADINER AVE
LEVITTOWN NY 11756

IT IS RECOMMENDED TO AWARD TO THE LOWEST RESPONSIBLE BIDDER AS INDICATED.

~~COMMISSIONER~~ M. BELLOW
PRESIDENT

CONCURS.

SIGNED BY:


MICHAEL RAND
DIRECTOR


BARBARA MALTESE
PRINCIPAL OFFICE ASSISTANT

NO: 4

LIQUID RUNWAY DEICER

BID PRICE: \$9.75/gal.

LOWEST RESPONSIBLE BIDDER: Peters Chemical

COMPETITIVE BID: Yes – December 1, 2021 (1st Advertisement)
December 22, 2021 (2nd Advertisement)

ACCOUNT NUMBER: CT 5610.4-1840

ANTICIPATED EXPENDITURE: \$80,000.00

DEPARTMENT: Aviation & Transportation

JUSTIFICATION OF NEED: Snow and ice control for runways and taxiways,

F.A.A. approved.

PLEASE NOTE: This bid was advertised twice. The first advertisement produced only one (1) responding bidder. The second advertisement produced only one (1) responding bidder.

WHEREAS, the Town solicited competitive bids for the purchase of LIQUID RUNWAY
DEICER, CONTRACT #1221-225; and

WHEREAS, the bid was advertised twice and opened on December 22, 2021; and

WHEREAS, Peters Chemical, P. O. Box 193, Hawthorne, NJ 07507 submitted the only bid
for this contract; and

WHEREAS, Peters Chemical has been determined to be a responsible bidder.

NOW, THEREFORE, on a motion of
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby award the contract to
Peters Chemical in the amount of \$9.75/gal. for one (1) year from date of award with the
Town's option to renew for one (1) additional year under the same terms and conditions.

Upon a vote being taken, the result was:

LIQUID RUNWAY
DEICER

CONTRACT # 1221-225

DATE: DECEMBER 22, 2021 11:00 A.

THIS TABULATION OF SEALED BIDS OPENED IN ACCORDANCE WITH SECTION 103 OF THE
GENERAL MUNICIPAL LAW FOR THE PURPOSE OF CONSIDERING THE AWARD OF A PURCHASE
CONTRACT FOR USE IN THE TOWN OF ISLIP.

BUDGET # CT 5610.4-1840

ESTIMATED AMOUNT \$80,000.00

PETERS CHEMICAL
P O BOX 193
HAWTHORNE NJ 07507

(THIS BID WAS ADVERTISED TWICE)

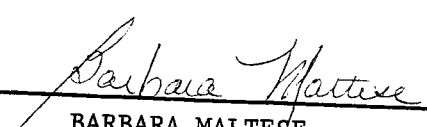
✓
\$9.75/gal.

WALSH & HUGHES INC
d/b/a VELVETOP PRODUCTS
1455 NEW YORK AVE
HUNTINTON STA NY 11746

IT IS RECOMMENDED TO AWARD TO THE LOWEST RESPONSIBLE BIDDER AS INDICATED.
COMMISSIONER S. LAROSE ARKEN CONCURS.

SIGNED BY:


MICHAEL RAND
DIRECTOR


BARBARA MALTESE
PRINCIPAL OFFICE ASSISTANT

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 10

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Option Year Resolutions.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Michael Rand

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

OPTION YEAR RESOLUTIONS
FEBRUARY 8, 2022

- | | | |
|----|---|-----------------------------------|
| 1. | ACCUBRINE AUTOMOTIVE BRINE SERVICE & REPAIR | -Long Island
Sanitation Equip. |
| 2. | WOOD DECKING | -East Islip Lumber |

NO: 1 ACCUBRINE AUTOMATIC BRINE MAKER SERVICE & REPAIR

VENDOR: Long Island Sanitation Equipment Co.

OPTION: Third one (1) year period

ANTICIPATED EXPENDITURE: \$10,000.00

DEPARTMENT: Public Works

JUSTIFICATION OF NEE: To maintain the brine maker.

NO: 2 WOOD DECKING

VENDOR: East Islip Lumber

OPTION: One (1) year

ANTICIPATED EXPENDITURE: \$50,000.00

DEPARTMENT: Parks, Recreation & Cultural Affairs

JUSTIFICATION OF NEED: To maintain Town docks and marinas.

NO: 1 ACCUBRINE AUTOMATIC BRINE MAKER SERVICE & REPAIR

VENDOR: Long Island Sanitation Equipment Co.

OPTION: Third one (1) year period

ANTICIPATED EXPENDITURE: \$10,000.00

DEPARTMENT: Public Works

JUSTIFICATION OF NEE: To maintain the brine maker.

WHEREAS, by a Town Board resolution adopted March 19, 2019, Contract #219-179 for ACCUBRINE AUTOMATIC BRINE MAKER SERVICE & REPAIR was awarded to Long Island Sanitation Equipment Co., 1670 New Highway, Farmingdale, NY 11735, the lowest responsible bidder; and

WHEREAS, said contract was for a period of one (1) year with an option to renew for four (4) one (1) year periods; and

WHEREAS, the Commissioner of Public Works has recommended that the Town exercise the option to renew this contract for the third one (1) year period.

NOW, THEREFORE, on a motion of
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby authorizes the option to renew this contract with Long Island Sanitation Equipment Co., for the third one (1) year period.

Upon a vote being taken, the result was:



TOWN OF ISLIP

OFFICE OF THE SUPERVISOR

Department of Purchase

401 MAIN STREET • ROOM 227 • ISLIP, NEW YORK 11751 • PHONE (631) 224-5515 • FAX: (631) 224-5517

Angie M. Carpenter, Supervisor

TO: Thomas Owens, Comm. Public Works

FROM: Barbara Maltese, Principal Office Assistant

DATE December 30, 2021

RE: ACCUBRINE AUTOMATIC BRINE MAKER SERVICE & REPAIR,
CONTRACT #219-179

The THIRD option year for the above mentioned contract is MARCH 19, 2022. Please indicate below your intentions:

We agree with extending the referenced contract

☒

We do not wish to extend this contract

☐

We request that the service/commodity be re-bid

☐

SIGNED

WHEREAS, by a Town Board resolution adopted March 19, 2019, Contract #219-179 for ACCUBRINE AUTOMATIC BRINE MAKER SERVICE & REPAIR was awarded to Long Island Sanitation Equipment Co., 1670 New Highway, Farmingdale, NY 11735, the lowest responsible bidder; and

WHEREAS, said contract was for a period of one (1) year with an option to renew for four (4) one (1) year periods; and

WHEREAS, the Commissioner of Public Works has recommended that the Town exercise the option to renew this contract for the second one (1) year period.

NOW, THEREFORE, on a motion of Councilman James P. O'Connor seconded by Councilwoman Mary Kate Mullen, be it

RESOLVED, that the Town Board of the Town of Islip hereby authorizes the option to renew this contract with Long Island Sanitation Equipment Co. for the second one (1) year period.

Upon a vote being taken, the result was: carried 5-0

WHEREAS, by a Town Board resolution adopted March 19, 2019, Contract #219-179 for ACCUBRINE AUTOMATIC BRINE MAKER SERVICE & REPAIR was awarded to Long Island Sanitation Equipment Co., 1670 New Highway, Farmingdale, NY 11735, the lowest responsible bidder; and

WHEREAS, said contract was for a period of one (1) year with an option to renew for four (4) one (1) year periods; and

WHEREAS, the Commissioner of Public Works has recommended that the Town exercise the option to renew this contract for the first one (1) year period.

NOW, THEREFORE, on a motion of Council Trish Bergin Weichbrodt seconded by Council Mary Kate Mullen, be it

RESOLVED, that the Town Board of the Town of Islip hereby authorizes the option to renew the contract with Long Island Sanitation Equipment Co. for the first one (1) year period.

Upon a vote being taken, the result was: unanimous

WHEREAS, the Town solicited competitive bids for the purchase of ACCUBRINE
AUTOMATIC BRINE MAKER SERVICE & REPAIR, CONTRACT #219-179; and

WHEREEAS, the bid was advertised twice and opened on FEBRUARY 20, 2019; and

WHEREAS, Long Island Sanitation Equipment Co., 1670 New Highway, Farmingdale, New
York 11735 submitted the only bid for this contract; and

WHEREAS, Long Island Sanitation Co. has been determined to be a responsible bidder.

NOW, THEREFORE, on a motion of Councilperson Trish Bergin Weichbrodt
seconded by Councilperson Mary Kate Mullen, be it,

RESOLVED, that the Town Board of the Town of Islip hereby award the contract to Long
Island Sanitation Co. in the amount of the following bid items: A1. 0%/Disc. ; B. \$149.00/hr.
(Labor) for one (1) year from date of award with the Town's option to renew for four (4) one (1)
year periods.

Upon a vote being taken, the result was: carried 5-0

NO: 2

WOOD DECKING

VENDOR: East Islip Lumber

OPTION: One (1) year

ANTICIPATED EXPENDITURE: \$50,000.00

DEPARTMENT: Parks, Recreation & Cultural Affairs

JUSTIFICATION OF NEED: To maintain Town docks and marinas.

WHEREAS, by a Town Board resolution adopted March 9, 2021, Contract #1220-37 for WOOD DECKING was awarded to East Islip Lumber, 33 Wall Street, East Islip, NY 11730, the lowest responsible bidder; and

WHEREAS, said contract was for a period of one (1) year from date of award, with an option to renew for one (1) additional year, under the same terms and conditions; and

WHEREAS, the Commissioner of Parks, Recreation & Cultural Affairs has recommended that the Town exercise the option to renew this contract for the one (1) year period.

NOW, THEREFORE, on a motion of
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby authorizes to exercise the option to renew the contract with East Islip Lumber (Contract #1220-37) for the one (1) year period under the same terms and conditions.

Upon a vote being taken, the result was:



TOWN OF ISLIP OFFICE OF THE SUPERVISOR
Department of Purchase

401 MAIN STREET • ROOM 227 • ISLIP, NEW YORK 11751 • PHONE (631) 224-5515 • FAX: (631) 224-5517

Angle M. Carpenter, Supervisor

TO: Thomas Owens, Comm. Parks, Recreation & Cultural Affairs
FROM: Barbara Maltese, Principal Office Assistant *B. Maltese*
DATE: December 30, 2021
RE: WOOD DECKING, CONTRACT #1220-137

The option year for the above mentioned contract is MARCH 9, 2022. Please indicate below your intentions:

We agree with extending the referenced contract

☒

We do not wish to extend this contract

☐

We request that the service/commodity be re-bid

☐

SIGNED

[Signature]

March 9, 2021

WHEREAS, the Town solicited competitive bids for the purchase of WOOD DECKING,
CONTRACT #1220-37; and

WHEREAS, the bid was advertised twice and opened on January 20, 2021; and

WHEREAS, East Islip Lumber, 33 Wall St., East Islip, NY 11730 submitted the only bid for
this contract; and

WHEREAS, East Islip Lumber has been determined to be a responsible bidder.

NOW, THEREFORE, on a motion of Council Mary Kate Mullen
seconded by Council John C. Cochrane, Jr., be it

RESOLVED, that the Town Board of the Town of Islip hereby award the contract to East
Islip Lumber in the amount of various prices as per bid items #A1 through B16 for one (1) year
from date of award with the Town's option to renew for one (1) additional year.

Upon a vote being taken, the result was: carried 5-0

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 11

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board approval to update the Town's Administrative Procedures Manual in regards to section 201, Contracting and Purchasing.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Michael Rand

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To update the Town's Administrative Procedures Manual, section 200, to add Nelly Smith, Senior Office Assistant, as responsible for the purchase of goods and services.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: Purchasing/Comptroller
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

1/21/21

Date

February 8, 2022

WHEREAS, the Town of Islip Administrative Procedures Manual is a compilation of policies and regulations that govern the operations of the Town; and

WHEREAS, the Administrative Procedures Manual is essential for the efficient functioning of government throughout the Town so that Elected Officials, management and employees can be guided by the appropriate policies and procedures; and

WHEREAS, from time to time the Administrative Procedures Manual has been updated to reflect changes policies and procedures; and

WHEREAS, General Municipal Law ("GML") §104-b mandates that local government develop procurement policies and procedures for the procurement of goods and services not required to be made pursuant to the competitive bidding requirements of the GML §103 and said policies and procedures are to be reviewed annually by the Town Board; and

WHEREAS, the need to update the purchasing section, section 200 of the Town's Administrative Procedures Manual is necessary to comply with state law and to streamline Town's purchasing process; and

WHEREAS, the Purchasing Director has recommended certain revisions to the Town's purchasing policies and has requested adding Nelly Smith, Senior Office Assistant, as an additional user responsible for the purchasing of goods and services; and

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board hereby adopts the changes to the Administrative Procedures Manual to bring it up to date with current purchasing standards established by state law; as follows:

SEE ATTACHED

Additions are indicated by UNDERLINING

DELETIONS are indicated by STRIKEOUTS

Upon a vote being taken, the result was:

SUBJECT: CONTRACTING AND PURCHASING

1. PURPOSE. To standardize contracting and purchasing procedures to be followed by all personnel and all Departments in the Town of Islip.

2. BACKGROUND. General Municipal Law mandates that all purchase contracts involving a yearly expenditure of more than ~~\$10,000~~ \$20,000 and all contracts for public work involving an expenditure of more than \$35,000 be awarded to the lowest responsible bidder furnishing security, when required, after advertisements for sealed bids. In addition to the requirements of General Municipal Law, all Department Heads as well as the Purchasing Director, are responsible for ensuring that all purchases are in compliance with the procurement procedures as set forth in the resolution adopted by the Town Board at the annual organizational meeting. A copy of this resolution is on file in the Town Clerk's Office.

Purchase contracts are those solely concerned with the purchase of materials, commodities and equipment; public works contracts involve labor and may also include materials, commodities and equipment. The public bidding statute requires competitive bidding where it reasonably can be expected that aggregate purchases of the item of supply or equipment will exceed ~~\$10,000~~ \$20,000 in an operating year for purchase contracts and \$35,000 for public works contracts. The splitting of purchases to evade the bidding requirements of the law is strictly prohibited.

In any case where a responsible bidder's gross price is reducible by an allowance for the value of used machinery, equipment, apparatus or tools to be traded in by the Town of Islip, the gross price will be reduced by the amount of such allowance for the purpose of determining the low bid.

Town Law decrees that the Director of Purchasing will make all purchases and all contracts for supplies, materials and equipment of every nature for the Town and for any Department, Board or Agency for which the Town is liable. Before making any purchase, the Director of Purchasing must comply with such rules and regulations as may be established by resolution of the Town Board and General Municipal Law.

~~The following exceptions to competitive bidding are allowed by statute and court opinion:~~

- a. ~~In the case of a public emergency arising out of an accident or other unforeseen occurrence whereby circumstances affecting the life, health or safety of the inhabitants of the Town require immediate action which cannot await competitive bidding, contracts may be let by the Director of Purchasing. He/She will make a full report of the emergency justifying the exemption from competitive bidding.~~
- b. ~~The purchase of surplus and second hand supplies, material or equipment from the Federal Government, the State of New York or any other political subdivision or district.~~
- c. ~~Purchases made through the State Office of General Services on a State contract.~~
- d. ~~Purchases made through Suffolk County under a county contract.~~

- e. ~~Purchases of products made by the blind with the approval of the Commissioner of General Services.~~
- f. ~~Professional services.~~
- g. ~~Purchases of insurance policies.~~
- h. ~~Purchases of prison-made goods under the Correction Law.~~
- i. ~~Purchases made through BOCES II Quantity Purchase Program~~

The following items are either not subject to or are exceptions to the General Municipal Law § 103 competitive bidding requirements:

- a. Purchase contracts under \$20,000 and public works contracts under \$35,000;
- b. Purchases under State contracts pursuant to §104 of the General Municipal Law;
- c. Purchases under County contracts pursuant to §103(3) of the General Municipal Law;
- d. Emergency purchases pursuant to §103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. The Department Head will make a full report of the emergency justifying the exemption from competitive bidding.
- e. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures;
- f. Sole source procurement. Purchase in which only one vendor can supply the commodity, technology and/or perform the services required and there is no substantial equivalent. The Department Head must document the unique nature, unsuccessful steps taken to identify other potential provides and basis upon which the cost was determined to be reasonable;
- g. Purchases of insurance policies;
- h. Certain Municipal Hospital or Nutrition Program Purchases pursuant to §103(8) of the General Municipal Law;
- i. Purchases of surplus and second-hand goods from the Federal Government, the State of New York or from any other political subdivision, district or public benefit corporation pursuant to § 103(6) of the General Municipal Law;
- j. Goods purchased from agencies for the blind or severely handicapped pursuant to §175-b of the State Finance Law;

- k. Goods purchased from correctional institutions pursuant to §186 of the Correction Law;
or
- l. Cooperative or Piggyback Contracts. General Municipal Law §103(16) and other state laws allow for the procurement of certain goods (including apparatus, materials, equipment and supplies) and services through contracts let by the United States or any agency thereof, any state or any other political subdivision or district therein, if such contract was let in a manner consistent with competitive bidding, and has been made available for use by other governmental entities.

Town of Islip Purchasing Thresholds
Purchasing of Commodities

\$.01 - \$999.99: Only Purchase Order required.

\$1,000.00 - \$19,999.99: Documented written quotes from at least three (3) separate vendors (if available).

\$20,000.00 and up: Advertised, formal, sealed bids in conformance with all requirements of General Municipal Law Section 103 for contracts, letting and blanket orders.

Purchasing of Public Works Projects

\$.01-\$999.99: Only Purchase Order required.

\$1,000.00 - \$34,999.99: Documented written quotes from at least three (3) separate vendors (if available) and written prevailing wage certification as required under Articles 8 and 9 of the Labor Law.

\$35,000.00 and up: Advertised, formal, sealed bids in conformance with all requirements of General Municipal Law Section 103 for contracts, letting and blanket orders.

3. REQUISITION/PURCHASE ORDER/CLAIM VOUCHER PURCHASE ORDER. When a Department Head requires the purchase of materials, commodities or equipment, he/she will prepare a Town of Islip ~~pre-numbered, six-part Requisition/Purchase Order/Claim Voucher set.~~ The set consists of: electronic purchase order via the KVS software currently being used by the Town of Islip.

- | | | |
|----|---|--------------------|
| a. | Requisition—White. _____ | <u>Purchasing</u> |
| b. | Purchase Order—White. _____ | <u>Vendor</u> |
| c. | Purchase Order—Pink. _____ | <u>Purchasing</u> |
| d. | Purchase Order—Yellow. _____ | <u>Comptroller</u> |
| e. | Purchase Order—Orange. _____ | <u>Department</u> |
| f. | _____ Claim Voucher. | |

The Department Head, or his/her officially authorized representative, will enter complete the Electronic Purchase Order (hereinafter "E-PO"), Requisition, including a detailed itemization of his/her needs, vendor's name and prices, and the account number(s) to be charged; sign in the space provided in the lower left corner of the form; and forward the entire six-part set to the Director of Purchasing. The Purchasing Department will review all Requisitions and record any necessary additional data to complete the set, attach any documentation that may be required (such as quotes, sole source letters, etc.) and save the document. Once the E-PO has been saved by the E-PO initiator, an email will automatically be sent to the Department Head to review the E-PO. Once approved by the Department Head, an email will be sent to the Purchasing Department notifying them that an E-PO is pending for approval. The Purchasing Department will review all E-PO's. In the event that additional data is needed to complete the E-PO, the Purchasing Department will contact the E-PO initiator to request the requisite information needed to approve the E-PO. Once the E-PO is approved by the Purchasing Department, an email will be sent to the E-PO initiator notifying him/her that E-PO has been approved. The Purchasing Department will send the E-PO to the vendor and keep a hard copy for their files.

Funds will be encumbered when the PO is entered, but the funds will only be released when the Purchasing Department approves the E-PO. The Purchasing Department will then encumber the funds into the computer. After the funds have been encumbered, the Director of Purchasing will sign and forward to the vendor the white Purchase Order and Claim Voucher; to the Comptroller, the yellow copy; and to the requesting Department, the orange copy.

The original Requisition and the pink Purchase Order will be retained and filed by the Purchasing Department.

When a vendor submits his/her invoice and copy of Purchase Order Claim Voucher for payment, signed and dated in the Claimant's Certification section of the Claim Voucher Purchase Order, the Department Head will sign and date the Department approval section of the Voucher Purchase Order if the materials or services were received as indicated. The Department Head will forward Claim Voucher Purchase Order and Invoice to the Comptroller for payment.

4. PURCHASE CONTRACTS. When a Department Head requires the purchase of materials, commodities or equipment in excess of, ~~\$10,000~~ \$20,000. The Director of Purchasing will:

Prepare specifications, in conjunction with the Department Head and the Town Attorney's Office.

Advertise for bids in the Town's officially designated newspaper and any other newspaper as may be designed by the Town Board. The newspaper notice will appear at least five days prior to the last day set for the receipt of bids, and will include a general description of the articles or classes or articles to be purchased will state where bid blanks and specifications may be secured, and the time when and the place where all bids will be publicly opened and read.

Open the bids. The Sealed bids will be submitted to the office of the Director of Purchasing. The bids will be publicly opened by the Director of Purchasing at the set time and place specified in the advertisement for bids. He/She will compile a tabulation of all bids received, and this tabulation will be made available for public inspection.

Forward three copies of each bid recommendation, signed by the Director of Purchasing and the Commissioner or Department Head involved to the Deputy

Supervisor twelve days prior to the scheduled Town Board meeting. The Deputy Supervisor will distribute copies of the bid recommendation to all Town Board members and the Town Attorney for review.

The bids will then be voted upon by the Town Board at the next scheduled meeting, and the Town Clerk will notify the Director of Purchasing when the bids have been awarded. The Purchasing Director will send a letter, with a copy of the Town Board Resolution, to the successful bidder and to the Commissioner, notifying them of the award of the contract.

Issue Purchase Order, upon notification of award, and instruct the vendor when and where to deliver the materials, commodities or equipment purchased. Upon receipt of the items purchased, the Department Head, as the approving official, will sign the Department Approval section of the vendor's ~~Claim Voucher~~ Purchase Order, and forward the ~~voucher~~ Purchase Order and the vendor's invoice to the Comptroller for payment.

5. CONTRACTS FOR PUBLIC WORK. When a contract for public works that will cost more than \$20,000 ~~\$35,000~~ is needed, the Director of Purchasing will act as the contract administrator, and coordinate all steps in the contracting procedure with the engineers, the Town Attorney, the Town Clerk, the Department Head and the Town Board. All such contracts will be prepared by the Town Attorney's office based upon the information provided by the Director of Purchasing.

The Director of Purchasing will advertise for bids in the officially designated newspaper, as described in the previous section on Purchase Contracts, with the exception that the newspaper notice will appear at least two weeks prior to the last day set for the receipt of bids. The sealed bids will be publicly opened by the Director of Purchasing, as previously described. The respective Department Heads, or their duly authorized representatives, will be present at the bid opening.

The Director of Purchasing and an employee designated by him/her will both sign the tabulation of bids opened, which will become a permanent part of the contract record retained by the Town Clerk. After careful analysis of all bids received, the Town Engineer or Department Head will recommend the letting of the contract for public work to the lowest responsible bidder. The Director of Purchasing will follow the procedures outlined above in Section 4, paragraphs d and e. If the contract is awarded as recommended, the Director of Purchasing will coordinate the final steps for signing of the contract by the Supervisor, for inclusion of insurance papers, etc., and see that copies of the contract are distributed to all concerned parties--the Town Clerk as official custodian of the records, the Town Attorney, the Department Head, the vendor and the Purchasing Department.

The Town Comptroller will audit all ~~claim vouchers~~ Purchase Orders and make payment to the vendor in the same manner as described in Section 3, above.

6. OPEN MARKET PURCHASES. All purchases of supplies and contractual services of an amount less than \$10,000 ~~\$20,000~~ may be made in the open market without advertisement and without formal contracting procedures.

When a Department Head decides to request the purchase of an item not under contract, and when he/she is reasonably certain that no additional purchases of this item will be made to increase expenditures for such item to more than \$10,000 ~~\$20,000~~ in any one operating year, he/she will first authorize the preparation of, and then sign, a Town of Islip ~~Requisition/Purchase Order/Claim Voucher~~ set Purchase Order.

The ~~Director of Purchasing~~ Director of Purchasing will verify that the Town has not entered into any contractual agreement that could supply the needed item, ~~and will not issue any order for an open market purchase until the Purchasing Department will have certified that there is to the credit of the requesting Department a sufficient unencumbered balance in excess of all unpaid obligations to defray the amount of the order.~~

Once these contingencies have been met, the ~~Director of Purchasing~~ Department Head will request, wherever possible, at least three competitive bids on open market purchases. He/She may solicit bids by direct mail requests to prospective vendors, or by telephone/email. He/She will make awards to the lowest responsible bidder in accordance with the guidelines set forth previously. Upon receipt of the purchased item, the Department Head will sign the ~~vendor's Claim Voucher~~ Purchase Order, and the Comptroller will audit the claim as previously described in Section 3, above.

7. CONTRACTS FOR PUBLIC WORK UNDER \$35,000. Contracts for public work under \$35,000 may be made, after encumbering funds as described in Section 6, above, without advertising and without observing formal contracting procedures. All other requirements listed in the section on Public Works Contracts will apply, as well as the requirement for three competitive bids described in the section on Open Market Purchases.

8. PURCHASES UNDER \$100. ~~Claim vouchers~~ Purchase Orders must be used on purchases under \$100. ~~The Comptroller will have Claim Vouchers forwarded to all Department Heads. These Claim Vouchers will not be numbered and will be marked "Direct Claim - Not Valid Over \$100," so as not to confuse them with the Requisition/Purchase Order/Claim Voucher set described in Section 3, above.~~ Claim Vouchers will no longer be utilized. Purchase Orders must be issued for all purchases.

9. ALL PURCHASES AND DISBURSEMENTS. Department Heads are responsible for ensuring that direct purchases are made from vendors who have contracts with the Town, when supplies are available from those vendors. They will also ensure that funds are available to cover such purchases, and that an internal financial system is developed to account for all direct purchases. The purchaser will ~~obtain~~ enter a ~~Direct Claim Voucher from his/her Department Head~~ Purchase Order, make the purchase, and secure an itemized invoice from the vendor. All vendors must provide billing addresses, phone numbers and a W-9. The vendor will print or type his/her name and address on the ~~Claim Voucher~~ Purchase Order, itemize the purchase thereon, and complete the Claimant's Certification portion of the ~~voucher~~ Purchase Order. In the absence of original invoice and ~~claim voucher~~ Purchase Order, the department is required to confirm that the ~~voucher~~ Purchase Order/invoice was never paid.

The Department Head will indicate his/her approval of the purchases and receipt of the items purchased by signing the Department Approval section of the ~~Claim Voucher~~ Purchase Order, which he/she will forward to the Comptroller for processing. The Department Head or authorized designee will indicate his/her approval upon verification that services were rendered in accordance with the contract provisions.

10. IMPROPER PROCEDURES. The approval of the Director of Purchasing will be required on all Requisitions. To obtain such approval, proper purchasing procedures must be followed. Any claims not meeting these standards will be returned to the Department involved for the necessary information.

11. PETTY CASH. The Town Board authorizes the Comptroller to create Petty Cash funds for expenditures under \$100, which may be used for Town benefit in instances such as acquisition of materials, supplies or services when payment is required by the vendor at the time of purchase.

This account will enable Departments to pay promptly all expenditures under \$100 by issuance of a Departmental Petty Cash drawn on the Departmental Petty Cash Account. All expenditures will be supported by documentation including the regular Town Petty Cash Voucher form.

Periodically, the Department will process a regular Claim form through the Comptroller's Office for reimbursement of the Petty Cash Account. Such Claim form will have attached all supporting documentation that supported the original Petty Cash Check. It is suggested that a certain minimum balance be set as to when the fund should be reimbursed, allowing five days for the reimbursed check to be processed through the Comptroller's Office.

Petty cash records will be subject to audit by the Comptroller's Office.

As the Town of Islip is not subject to the New York State sales tax, it is necessary to present to vendors, at the time of purchase, a form letter with the Exemption Certificate number. SALES TAX CHARGES WILL NOT BE REIMBURSED ON PETTY CASH EXPENDITURES.

12. TOWN PERSONNEL. In accordance with the requirements of NYS GML § 104-b(2)(f), the following individuals are responsible for the purchase of goods and services:

- Michael Rand, Purchasing Director, or his successor;
- Barbara Maltese, Principal Office Assistant, or her successor.
- Nelly Smith, Senior Office Assistant, or her successor

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 12

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Appropriation Transfers.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Joseph Ludwig

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

7

approved by Commissioner/Department Head

_____, seconded by Councilperson _____, JUNE 20 11 10:07

Approved by Councilperson James E. Hill on 11-10-01

Justification: volleyball mega ref folding referee stand and pads

Date _____

COMPTROLLER'S USE ONLY

Journal Entry Number

This form is required (effective 1/1/81) for both the processing of appropriation transfers requiring Town Board Resolution and those not requiring Town Board Resolution.

TOWN OF ISLIP
Resolution Authorizing Appropriation Transfers

Resolution prepared on 1/28/22 for (department) Planning Dept approved by Commissioner/Department Head
(print name & sign) _____ and Comptroller _____; at the Town Board Meeting on
(date) 2/8/22, on a motion by Councilperson _____, seconded by Councilperson _____,
it was RESOLVED that the Comptroller is authorized to make the transfer(s) listed below:

Increase		Increase	
Account Title	Account Number	Account Title	Account Number
Court Reporting	B.8021.45200	Approp Fund Balance	B.0000.1002.09
	20,000.00		20,000.00

Justification: Appropriation of fund balance for court reporting

20,000.00

20,000.00

Upon a vote being taken, the result was _____

Date _____

DISTRIBUTION

Town Clerk

Comptroller

COMPTROLLER'S USE ONLY

Journal Entry Number

This form is required (effective 1/1/81) for both the processing of appropriation transfers requiring Town Board Resolution and those not requiring Town Board Resolution.

TOWN OF ISLIP
Resolution Authorizing Appropriation Transfers

Resolution prepared on 2/1/22 for (department) Joseph Ludwig approved by Commissioner/Department Head
 (print name & sign) Joseph Ludwig and Comptroller _____ at the Town Board Meeting on
 (date) 2/8/22, on a motion by Councilperson _____, seconded by Councilperson _____,
 it was RESOLVED that the Comptroller is authorized to make the transfer(s) listed below:

Account Title	Increase		Account Title	Increase	
	Account Number	Amount		Account Number	Amount
Chairman - Board of Appeals	B.8010.19930	1,000.00	Appropriated Fund Balance	B..1002.09	12,000.00
Vice-Chairman - Board of Appeals	B.8010.19935	1,000.00			
Bd of Appeals - Board Members	B.8010.19940	3,000.00			
Chairman - Planning Board	B.8021.19930	1,000.00			
Vice-Chairman - Planning Board	B.8021.19935	1,000.00			
Planning Board - Board Members	B.8021.19940	5,000.00			

12,000.00
12,000.00

Justification: Increase annual salary for all members of the Board of Appeals and the Planning Board.

Upon a vote being taken, the result was _____ Date _____

DISTRIBUTION
 Town Clerk _____

COMPTROLLER'S USE ONLY
 Journal Entry Number _____

This form is required (effective 1/1/81) for both the processing of appropriation transfers requiring Town Board Resolution and those not requiring Town Board Resolution.

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 13

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Reappointment of Edward Wiggins as a member to the Board of
Assessment Review.**

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

John R. DiCioccio, Esq.

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Town Board approval to reappoint Edward Wiggins as a member to the Board of Assessment Review for a five year term ending, September 30, 2026.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Townwide
 2. Site or location effected by resolution: Townwide
 3. Cost: \$7,875.00
 4. Budget Line: _____
 5. Amount and source of outside funding: _____
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-

Signature of Commissioner/Department Head Sponsor

Date

February 8, 2022

WHEREAS, pursuant to Section 523 of the Real Property Tax Law, the Town Board is authorized to appoint and reappoint members of the Board of Assessment Review; and

WHEREAS, Edward Wiggins has the necessary knowledge to continue to perform the duties of a member of the Assessment Review Board.

WHEREAS, the Town Board recognizes that Edward Wiggins, has been ably performing these duties and desires to reappoint him as a member of the Board;

NOW, THEREFORE on motion of _____,
seconded by _____, be it

RESOLVED, that Edward Wiggins is hereby reappointed as a member to the Board of Assessment Review for a five year term, ending September 30, 2026, at the budgeted amount.

Upon a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 14

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board acceptance of 576 home Covid test kits from the Town of Islip Community Development Agency.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

John R. DiCioccio, Esq.

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Through the use of available funds under the Consolidated Appropriation Act of 2021, the CDA wishes to provide the Town of Islip with 576 home Covid test kits to respond to and mitigate the spread of the Covid-19 virus.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: Town wide facilities
 3. Cost: n/a
 4. Budget Line: n/a
 5. Amount and source of outside funding: n/a
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-

Signature of Commissioner/Department Head Sponsor

Date

Resolution #:

Date:

WHEREAS, the Town of Islip Community Development Agency ("CDA") is a public benefit corporation located at 15 Shore Lane, Bay Shore, New York 11717; and

WHEREAS, through the use of available funds under the Consolidated Appropriation Act of 2021, the CDA wishes to provide the Town of Islip with 576 home Covid test kits to respond to and mitigate the spread of the Covid-19 virus; and

WHEREAS, the approximate value for the test kits is \$8,640.00

NOW, THEREFORE, on motion of Councilperson _____, seconded by Councilperson _____, be it

RESOLVED, that the Supervisor, is hereby authorized to accept the 576 home Covid test kits with an approximate value of \$8,640.00; and be it further

RESOLVED, that the Comptroller is authorized to make any necessary budgetary adjustments that may arise from this donation.

UPON A VOTE BEING TAKEN, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 15

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to sign an Indemnification/Hold Harmless Agreement for the event, Youth Enrichment Services 2022 Program.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Tim Mare

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

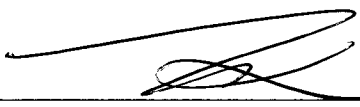
To authorize the Supervisor to sign an indemnification/Hold Harmless Agreement for the event: Youth Enrichment Services 2022 Summer Program - Held on Higbie Lane Fields, on behalf of the Town of Islip. Youth Enrichment Services administers a Summer Enrichment Program held on West Islip Union Free School District's Higbie Lane Fields. The Town of Islip includes Youth Enrichment Services in their liability insurance policy. West Islip U.F.S.D requires all organizations using District facilities to have on file with the District an executed Indemnification/Hold Harmless Agreement.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip Youth
 2. Site or location effected by resolution: Town of Islip
 3. Cost: -\$0-
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number _____. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

1/6/2022

Date

February 8, 2022

WHEREAS, the Town of Islip contracts with Youth Enrichment Services to provide youth service for the purpose of positive youth development and delinquency prevention in the Town of Islip; and

WHEREAS, Youth Enrichment Services administers a Summer Enrichment Program held on West Islip U.F.S.D. Higbie Lane Fields; and

WHEREAS, The Town of Islip includes Youth Enrichment Services in their liability insurance policy; and

WHEREAS, West Islip U.F.S.D. requires all organizations using District facilities to have on file with the District an executed Indemnification/Hold Harmless Agreement.

NOW, THEREFORE, on a motion of _____,
seconded by _____; be it

RESOLVED, that the Supervisor is authorized to sign an Indemnification/Hold Harmless Agreement for the event: Youth Enrichment Services 2022 Summer Program- Held on Higbie Lane Fields, on behalf of the Town of Islip.

Upon a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 16

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Town Board approval to amend the Investment Policy to include the
"ICS" program as an allowable collateral option.**

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Joseph Ludwig

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To change the Town's investment policy to allow the "ICS" program. This program allows the banks to "share" deposits with other banks so they can take advantage of FDIC coverage, which reduces the need for 3rd party collateral. The expectation is that this program will give the Town better opportunities to increase its interest earnings.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Townwide
 2. Site or location effected by resolution: N/A
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-

Signature of Commissioner/Department Head Sponsor

1/25/22

Date

February 8, 2022

WHEREAS, in accordance with Section 11 of General Municipal Law, the Town of Islip is required to have an Investment Policy, and;

WHEREAS, on January 5, 2022 the Town of Islip re-adopted its Investment Policy, and;

WHEREAS, the Investment Policy states the allowable types of collateral that the Town will accept in order to protect its deposits, and;

WHEREAS, currently, the Investment Policy does not allow certain types of allowable collateral, and;

WHEREAS, upon the recommendation of the Town Comptroller, the Investment Policy needs to be amended to include the "ICS" program as an allowable collateral option.

NOW, THEREFORE, on motion of Councilperson _____,
seconded by Councilperson _____, be it

RESOLVED, that the Town Board hereby approves the amended Investment Policy to include the "ICS" program as an allowable collateral option.

Upon a vote being taken, the result was:

TOWN OF ISLIP INVESTMENT POLICY

I. SCOPE

This investment policy applies to all monies and other financial resources available for investment on its own behalf or on behalf of another entity or individual.

II. OBJECTIVES

The primary objectives of the Town of Islip's investment activities are, in priority order:

- A) to conform with all applicable Federal, State and other legal requirements;
- B) to adequately safeguard principal;
- C) to provide sufficient liquidity to meet all operating requirements; and
- D) to obtain a reasonable rate of return.

III. DELEGATION OF AUTHORITY

The Town Board's responsibility for administration of the investment program is delegated to the Chief Fiscal Officer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a database or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town of Islip.

Investments shall be made with judgment and care under circumstances then prevailing. Investments shall be the type which would be made by persons of prudence, discretion and intelligence in the exercise in the management of their own affairs. Investments shall not be made for speculation but for investment considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the Town of Islip to diversify, when appropriate, its deposits and investments by financial institution, investment instruments and by maturity schedule.

VI. INTERNAL CONTROLS

All monies collected by an office or employee of the Town shall be expeditiously transferred to the Chief Fiscal Officer certainly within the time period specified by law.

The Chief Fiscal Officer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORIES

The designation of banks and/or trust companies as depositories with the Town of Islip are selected via Resolution at the annual Town Board Meeting. That Resolution is to be made part and parcel of this agreement.

VIII. COLLATERALIZING OF DEPOSITS

All public deposits in excess of the amount insured under the provisions of the Federal Deposit Insurance Act as now, or hereafter amended shall be secured in accordance with this subdivision.

In accordance with the provisions of General Municipal Law (GML). Section 10, all public deposits of the Town of Islip, including certificates of deposit and special time deposits shall be secured by:

- A) Provisions of Federal Deposit Insurance Act to the extent available, or;
- B) By a pledge of "eligible securities" as denominated in Appendix A attached hereto having in the aggregate "market value" equal to at least 102% of the aggregate amount of public deposits, or 100% of the aggregate amount of public deposits, if pledged securities are marked to market on a daily basis, or;
- C) By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations if permitted by the General Municipal Law of the State of New York.

Eligible securities used for collateralizing deposits shall be held by a third party bank or trust company subject to security and custodial agreements.

The security agreement and custodial agreement may be the same agreement, however, the bank or trust company holding deposits shall not also hold the collateral for the local government. The security agreement shall provide that such eligible securities are being pledged by the bank or trust company as security for the public deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposit upon a default. The security agreement shall also provide for the conditions under which the securities held maybe sold, presented for payment, substituted or released and shall specify the events of default which would allow the local government to exercise its rights against the pledged securities. Unless registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the local government or the bank or trust company with which the local government entered into a written custodial agreement.

The custodial agreement shall provide that the pledged securities will be held by the custodial bank or trust company as agent of, and custodian for the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or liabilities and it shall also provide for the manner in which the custodial bank or trust company shall confirm the receipt, substitution or release of the collateral.

Such agreement shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and the substitution of collateral when a change in the rating of a security causes ineligibility pursuant to Appendix A attached hereto. Such agreement shall include all provisions deemed necessary and sufficient to secure in a satisfactory manner the local government's perfected interest in the collateral. Such agreement may also contain such other provisions as the governing board may deem necessary.

Whenever eligible securities are delivered to a custodial bank or trust company pursuant to this paragraph or transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of such obligations, the records of the custodial bank or trust company shall show, at all times, the interest of the local government in such securities as set forth in the security agreement.

Statements indicating the market value of "*eligible securities*" held by the third party custodian for the Town of Islip must be submitted to the Town of Islip on a monthly basis.

IX. PERMITTED INVESTMENTS

The Town of Islip authorizes the Chief Fiscal Officer to invest monies not required for immediate expenditure or for terms not to exceed its projected cash flow needs in the following types of investments which are amongst those permitted by GML, Section 11:

- Certificate of Deposit by a bank or trust company authorized to do business in New York State designated by resolution of the Town Board.
- Time Deposit accounts in a bank or trust company authorized to do business in New York State designated by resolution of the Town Board.
- Obligations of the United States.
- Obligations of the State of New York.
- Repurchase agreements as defined XII INFRA.
- Obligations of agencies of the United States when principal and interest is guaranteed by the United States.

All investment obligations shall be payable or redeemable of the Town of Islip, within such times as the proceeds will be needed to meet expenditures for purposes of which monies were provided. Obligations purchased with the proceeds of bonds or notes shall be payable or redeemable at the option of the Town of Islip within two years from date of purchase.

X. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Town of Islip shall maintain a list of Banks and Dealers approved for investment purposes. All such institutions must be credit worthy. Inclusion on the list will require that Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Town of Islip, and that Security Dealers not affiliated with a bank, classified as reporting dealers affiliated with the Federal Reserve Bank located in New York as primary dealers. The Chief Fiscal Officer is responsible for evaluating the financial position and maintaining a list of proposed depositories, trading partners, and custodians. Such listing shall be evaluated periodically.

XI. PURCHASE OF INVESTMENTS

The Chief Fiscal or ~~his~~ their designee is authorized to contract for the purchase of investments:

- 1) Directly, including through a repurchase agreement from an authorized trading partner.
- 2) By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5-G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No.88-46 and the specific program has been authorized by the Town Board.
- 3) By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the Town Board.

All purchased obligations unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town of Islip by the bank or trust company. Any obligations held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in GML Section 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government will be kept separate and apart from the general assets of the custodial bank or trust company and will not in any circumstances, be commingled with or become part of, the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government with a perfected interest in the securities.

The Town of Islip will encourage the purchase and sale of securities and certificates of deposit through a competitive or negotiated process including telephone solicitations of at least three (3) bids for each transaction.

~~At the time independent auditors conduct the annual audit of the accounts and financial affairs of the Town of Islip, the independent auditors shall audit the investments of the Town of Islip for compliance with the provisions of these investment guidelines.~~

XII REPURCHASE AGREEMENTS

When repurchase agreements have a term of two (2) business days or more, the seller shall transfer to the buyer securities having a value of at least, One Hundred Five percent (105%) of the funds to be transferred by the buyer to the seller. For these repurchase agreements a value of at least One Hundred Five percent (105%) of the funds to be transferred by the buyer to the seller shall be the "*Buyer's Margin Amount*". Throughout the term of the agreement, upon the buyer's demand, the seller shall be required to transfer to the buyer such additional securities or funds as may be required to insure that all the securities transferred to the buyer shall have a value equal to the Buyer's Margin Amount. Throughout the term of the agreement, upon the seller's demand, the buyer shall be required to transfer back to the seller such additional securities or funds as are not required to insure that all the securities transferred to the buyer shall have a value equal to the Buyer's Margin Amount.

When repurchase agreements have an overnight term, the seller shall transfer to the buyer securities having a value of at least, One Hundred Two percent (102%) of the funds to be transferred by the buyer to the seller. For these repurchase agreements a value of at least, One Hundred Two percent (102%) of the funds to be transferred by the buyer to the seller shall be the "*Buyer's Margin Amount*".

Every repurchase agreement shall provide that all payments and transfers shall be made through a bank or trust company authorized to do business in the State of New York or a primary reporting dealer. Funds transfers serving as payment for securities in accordance with repurchase agreements shall not occur prior to the delivery of the securities in such manner as provided for herein. Securities shall be delivered by one of the following methods:

- A) delivery to the Town of Islip.
- B) delivery to an authorized bank or trust company other than the selling bank or trust company for a separate account entitled "*Town of Islip*" and subject to withdrawal only upon order of the Chief Fiscal Official or other Fiscal Officer of the Town designated by Chief Fiscal Official of the Town of Islip (Treasury Direct Registration is permitted); or
- C) by registering the securities by Treasury Direct Registration at a Federal Reserve Bank and the transfer of the securities on the records of the Federal Reserve Bank to the custody bank or trust company in accordance with B.

Obligations of the United States of America are the only securities which may be the subject of an overnight repurchase agreement.

Repurchase agreements shall be limited to a term of thirty (30) days or less. The buyer or its agent shall not release funds for the purchase of securities subject to a repurchase agreement until the buyer or its agent has received all such securities having value equal to the buyer's margin amount.

Individual repurchase agreements must incorporate, by reference, an executed master repurchase agreement between the buyer and a seller properly designated by the buyer's Town Board.

APPENDIX A
SCHEDULE OF ELIGIBLE SECURITIES

- 1) Obligations issued by the United States of America that are fully insured, or guaranteed by the United States of America.
- 2) Obligations issued by an Agency of the United States of America or a corporation sponsored by the United States of America, only if such obligations are fully insured or guaranteed as to payment of principle and interest by the United States of America.
- 3) Obligations issued by New York State that are fully insured, or guaranteed by New York State as to payment of principle and interest.
- 4) Obligations issued by New York State Municipal Corporation, school district, or district corporation that are fully insured or guaranteed as to payment of principle and interest by the State of New York.
- 5) Obligations issued by a New York State public benefit corporation which under a specific New York State statute may be accepted as security for deposit of public monies if such obligation is fully insured or guaranteed as to the payment of principle and interest by the State of New York.
- 6) Reciprocal Deposit Program wherein savings and/or demand accounts placed through a bank or trust company authorized to do business in New York State designated by resolution of the Town Board contractually agrees to place the funds in a federally insured depository institutions through the Insured Cash Sweep service, or "ICS"

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 17

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board approval of list of employees and titles who are required to fill out a financial disclosure statement with the Town of Islip Board of Ethics.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Arthur Abbate

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.


Town Board approval of list of employees and titles who are required to fill out a financial disclosure statement with the Town of Islip Board of Ethics.

SPECIFY WHERE APPLICABLE:

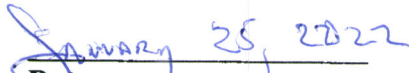
1. Entity or individual benefitted by resolution: Townwide
 2. Site or location effected by resolution: Townwide
 3. Cost: n/a
 4. Budget Line: n/a
 5. Amount and source of outside funding: n/a
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor



Date

February 8, 2022
Resolution #

WHEREAS, the Islip Town Code requires that the Director of Personnel annually compile a list of names and titles of those employees who are required to file a financial disclosure statement ("the list") with the Town of Islip Board of Ethics; and

WHEREAS, Islip Town Code requires the list be approved by the Town Board and filed with the Board of Ethics each year.

NOW, THEREFORE, on motion of _____; seconded by _____, be it,

RESOLVED, that the Town Board approves the attached list of employees and titles required to report; and it is further

RESOLVED, that the attached list of employees and titles shall be filed with the Town of Islip Board of Ethics.

Upon a vote being taken, the result was:

FINANCIAL DISCLOSURE 2022

Abbate, Arthur	Director of Labor Relations, Personnel and Safety
Abbate, Jessica	Assistant Animal Shelter Supervisor
Albergo, Christopher	Assistant to Town Historian
Amelia, Zachary	Legislative Secretary
Barbarelli, Nicholas	Planner
Barksdale, Dorina	Member Housing Authority Board
Barone, Michael	Member Plumber's Examining Board
Barravecchio, Dennis	Town Maintenance Crew Leader
Bassen, Michelle	Deputy Town Commissioner of Development
Bastidas, Richard	Deputy Commissioner Public Safety
Bellew, Martin	Town Commissioner of Environmental Control
Bennett, Dennis	Executive Assistant to Commissioner, Department of Public Works
Blanco, Nancy	Treasurer/Financial Director
Bobelis, Debra	Site Plan Reviewer
Bobelis, Vaidotas	Senior Site Plan Reviewer
Bodenmiller, Kassondra	Planner
Bogardt, Teresa	Executive Assistant to Town Clerk
Bond, Joseph	Member Board of Ethics
Bowers, James	Executive Director CDA
Brennan, James III	Deputy Commissioner of Planning and Development
Brown, Kevin	Vice Chairman Planning Board
Brown, Phyllis	Legislative Secretary
Bruno, Gary	Member Planning Board
Bunde, Linda	Secretary to the President/ Secretary for Islip Resource Recovery

1/14/2022

FINANCIAL DISCLOSURE 2022

Burgos, Daniel	Planner
Burke, Kevin	Airport Security Director
Byrnes, Martin	Waterways Management Supervisor
Camposano, Nicholas	Chairman Board of Ethics
Cannava, Ernest	Assistant Town Attorney
Carballo, Glen	Member Board of Ethics
Carpenter, Angie	Supervisor
Cavanagh, Debra	Chairwoman CDA
Chappelle, Luisanily	Legislative Aide
Charchalls, Carol	Deputy Town Commissioner of Parks, Recreation and Cultural Affairs
Clarke, Michael	Member Youth Board
Cochrane, John	Councilman
Coffey, Thomas	Secretary to the Commissioner of Aviation and Transportation
Colgan, Sean	Principal Planner
Conlon, Sean	Member Plumber's Examining Board
Coppola, Deborah	Secretary to Commissioner of Planning
Courten, Dorothy A., Esq.	Chairperson Housing Authority Board
Crimi, Carolyn	Citizen Advocate
Cruz, Ines	Member Planning Board
Curci, Patricia	Deputy Town Clerk
Danseglio, Renee	Safety Officer
Danziger, Anne	Assessor
De Grottole, Eric	Assistant Town Engineer
De Lauter, Hope	Assistant Town Attorney
Devaney, Patricia	Secretary to Town Clerk
Devine, Ronald	Deputy Assessor
DiCioccio, John	Town Attorney
DiCioccio, Vincent	Deputy Town Comptroller
Distinti, Anett	Secretary to Town Tax Receiver
Donohue, Lawrence	Member Board of Ethics

1/14/2022

FINANCIAL DISCLOSURE 2022

Dunn, Maureen	Member Islip Environmental Council
Elisayed, Mohsen	Director of Finance
Ferruggiari, Brian	Member Planning Board
Fields, Ginny	Member Islip Environmental Council
Fontana, James	Map & Coordinate Supervisor
Fouhy, Christine	Executive Assistant to Supervisor
Frase, Maureen	Vice Chairperson Housing Authority Board
Friedland, Edward	Chairman Planning Board
Fuchs, Robert	General Counsel CDA
Furman, Paul	Site Plan Reviewer
Furshpan, Brenda	Assistant Town Attorney
Gandolfo, Jarrett	Director CDA
Garbarino, William	Assistant Town Attorney
Gellar, Steve	Member Islip Environmental Council
Giacalone, Teri	Animal Shelter Supervisor
Glickstein, Howard	Member Board of Ethics
Gonzalez, Tanner	Site Plan Reviewer
Goodrich, Daniel	Government Liaison Officer
Graziano, Nicole	Secretary to the Supervisor
Grenli, Victor C.	Member Islip Environmental Council
Groneman, Belinda	Chairwoman Youth Board
Gross, Dale	Member Plumber's Examining Board
Guadron, Jorge	Councilman
Hahn, Lori	Executive Assistant to Town Attorney
Hancock, Gregory	Deputy Town Commissioner of Environmental Control
Hemingway, Thomas	Executive Director Foreign Trade Zone
Hendricks, Tara	Secretary to Commissioner of Parks, Recreation and Cultural Affairs
Holmes-Reid, Mary	Member Housing Authority Board
Hyland, Steven	Chairman Board of Assessment Review
Jewell, Taryn	Assistant Town Attorney

1/14/2022

FINANCIAL DISCLOSURE 2022

Johnston, Marlene	Legislative Aide
Kahl, Thomas	Deputy Town Commissioner of Public Works
Kane, Leslie	Member Islip Environmental Council
Clueber, Mary Pat	Executive Assistant to Commissioner, Parks, Recreation and Cultural Affairs
Cluepfel, Ellen	Assistant Town Attorney
Knapp, Marie	Assistant Town Attorney
Kordic, Robert	Secretary to Town Comptroller
Kosin, Steven	Executive Assistant to the Supervisor
Kuri, Robert	Affordable Housing Program Director
Lange, James	Chairman Plumber's Examining Board
Lange-Krut, Tracey	Chief of Staff
La Rose, Shelley	Town Commissioner of Aviation
Lauricella, Krupa	Legislative Aide
Leggio, Guy	Member Youth Board
Lettieri, Dominick	Member Board of Assessment Review/Member Housing Authority Board
Licker, Gary	Secretary to Deputy Supervisor
Lite, Jordan	Assistant Town Attorney
Lorenzo, John	Chairman Board of Appeals
Ludwig, Joseph	Town Comptroller
Mac Ananey, Patricia	Site Plan Reviewer
MacGibbon, Julia	Assistant Director CDA
Martinez, Jaime	Deputy Director Foreign Trade Zone
Matera, Salvatore	CFO CDA
Mattessich, Nicholas	Site Plan Reviewer
Mattimore, Timothy	Member Planning Board
McCaffrey, Lisamarie	Member Youth Board
Meehan, Maureen	Executive Assistant to Commissioner of Planning and Development
Messina, Vincent	Vice Chairman Board of Appeals
Mezzapesa, Dominick	Town Emergency Preparedness Coordinator

1/14/2022

FINANCIAL DISCLOSURE 2022

Mirabella, Christopher	Town Maintenance Crew Leader
Mistler, Linda	Deputy Town Tax Receiver
Montiglio, Michael	Member Plumber's Examining Board
Moriarty, Michael	Member Planning Board
Morris, Timothy	Director CDA
Moses, Kenneth	Executive Assistant to Commissioner of Environmental Control
Mullen, Mary Kate	Councilwoman
Mulligan, Geraldine	Executive Assistant to Commissioner of Airport
Murphy, Amy	Assistant Town Attorney
Murray, Olga	Town Clerk
Nathan, Robert	Member Board of Assessment Review
Nicola, Christopher	Member Board of Appeals
Nicolino, Christopher	Executive Assistant to Supervisor
O'Connor, James	Councilman
Ohayon, Stefanie	Labor Relations Technician
Owens, Thomas	Commissioner of Public Works/Commissioner of Parks, Recreation and Cultural Affairs
Panasci, Jeffrey	Assistant Town Attorney
Passaro, Mary	Secretary to Board of Appeals
Perniciaro, John	Chief Building Inspector
Peterson, Richard	Site Plan Reviewer
Plotke, Stephen	Member Islip Environmental Council
Poelker, Christopher	Town Engineer
Prudenti, Anthony	Town Commissioner of Public Safety
Rand, Michael	Town Purchasing Director
Riccioppo, Ercole	Secretary to Commissioner of Public Works
Rios, Anthony	Secretary to Planning Board
Ross, Sean	Site Plan Reviewer
Rotzman, John	Member Board of Assessment Review
Rubino, Carrie	Town Maintenance Crew Leader
Russo, Peter	Member Plumbers Examining Board

1/14/2022

FINANCIAL DISCLOSURE 2022

Ryan, Deirdre	Planner
Schlosser, Grace	Treasurer Housing Authority Board
Schneider, Robert	Deputy Town Commissioner, Aviation and Transportation/Airport Operations Director
Sepulveda, Nicholas	Principal Engineering Aide
Shatz, Steven	Member Islip Environmental Council
Shires, Kevin	Executive Assistant to Comptroller
Sioutopoulos, Maria	Secretary to Town Attorney
Smith, Caroline	Public Information Officer
Stocker, Jonathan	Management Analyst
Studer, Erica	Executive Assistant to Tax Receiver
Sullivan, Daniel	Member Board of Appeals
Torres, Rosa	Deputy Registrar/Deputy Town Clerk
Troche, Manuel	Director CDA
Trotto, Janessa	Assistant Town Attorney
Valletti, Robert	Secretary to Commissioner of Public Safety
Varrichio, Anthony	Chief Engineer (Resource)
Vidal, Maria	Director CDA
Wahlberg, Deirdre	Deputy to Commissioner of Parks, Recreation and Cultural Affairs
Walsh, Michael	Deputy Town Attorney
Walser, John	Town Director of Economic Development
Warner, Ethan	Geographic Information Systems Technician
Weeks, Kenneth	Construction Project Manager
Welling, Kara	Executive Assistant to Commissioner of Public Safety
Wexler, William D. Esq.	Member Board of Appeals
Wiggins, Edward	Member Board of Assessment Review
Wilson, Camille	Secretary to Commissioner of Environmental Control
Wittman, Andrew III	Town Tax Receiver
Woznick, Kellie	Planner

1/14/2022

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 18

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Acceptance of Maintenance Easements and Storm Drainage Access
required at property located at 900 Sylvan Avenue, Bayport.**

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Christopher Poelker

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

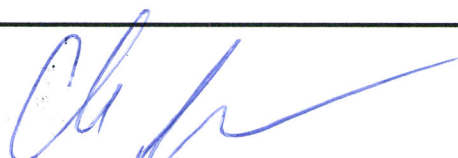
The resolution is for Storm Drainage Access and Maintenance Easements for required site frontage drainage systems installed by the applicant on their subject property due to conflicts with other installed infrastructure in the Sylvan Avenue right of way.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip Department of Public Works
 2. Site or location effected by resolution: 900 Sylvan Avenue, Bayport New York
 3. Cost: None
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 9 _____. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

January 12, 2022

Date

Town Board Resolution for Drainage Easements

WHEREAS, the Commissioner of Planning, on behalf of the Planning Board, has required that the owner of a certain property located at 900 Sylvan Avenue, Bayport NY (SCTM0500-239.00-04.00-008.001) to record an easement on the property; and

WHEREAS, the owner of said property Ferguson Enterprises, LLC, has submitted to the Town of Islip an easement agreement, making the required easement; and

WHEREAS, the Department of Planning has examined the metes and bounds and found it acceptable as to form; and

WHEREAS, the Department of Public works has reviewed the purpose and size of the easements and finds them acceptable for stormwater drainage system access and maintenance purposes; and

WHEREAS, the easement is consistent with the applicable provisions of Town Law Section 274A, 277, 278 and

WHEREAS, the Office of the Town Attorney has also found the easement acceptable as to form;

NOW, THEREFORE, on a motion by Councilperson _____

and seconded by Councilperson _____, be it

RESOLVED, that the said easements are hereby accepted and the Town Attorney be and hereby authorized to take the necessary steps in having the easement recorded in the Office of the Suffolk County Clerk; and

RESOLVED, that the Supervisor be and she hereby is authorized to execute said easement agreement on behalf of the Town.

UPON a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 19

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board approval to dedicate a portion of property located at 546 Montauk Highway, West Islip to be used as a corner radius dedication.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Christopher Poelker

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

This resolution is for a corner radius dedication required as part of Site Plan Review for development on the Southwestern corner of Montauk Highway and Brookfield Place, West Islip, New York.

546 Montauk Hwy LLC to Town of Islip

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: 546 Montauk Highway, West Islip, New York
 3. Cost: None
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 23. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

Christopher Poelker

January 13, 2022

Date

Town Board Resolution for Corner Radius Dedications

WHEREAS, the Commissioner of Planning, on behalf of the Planning Board, has required that the owner of a certain property located at 546 Montauk Highway, West Islip, New York, (SCTM0500-473.00-02.00-004.003) dedicate a portion of property to be used as a corner radius dedication; and

WHEREAS, the owner of said property, Phelps Lane Development Corp., has submitted to the Town of Islip a deed dated January 13, 2022, making the required conveyance; and

WHEREAS, the Department of Engineering has examined the metes and bounds and found it acceptable as to form; and

WHEREAS, the dedication is consistent with the applicable provisions of Town Law Section 274A, 277, 278 and

WHEREAS, the Office of the Town Attorney has also found the deed acceptable as to form;

NOW, THEREFORE, on a motion by Councilperson _____

and seconded by Councilperson _____, be it

RESOLVED, that the said deed is hereby accepted and the Town Attorney be and hereby authorized to take the necessary steps in having the deed recorded in the Office of the Suffolk County Clerk.

UPON a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 20

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Authorization for the Town Clerk to advertise for a Public Hearing to
consider amending the Town of Islip Uniform Traffic Code.**

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Christopher Poelker

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

The attached resolution lists various traffic control devices recommended by the Traffic Safety Division.

SPECIFY WHERE APPLICABLE:

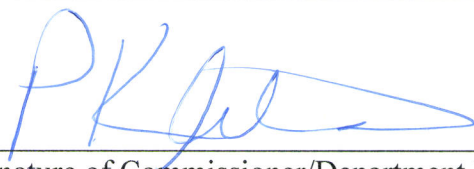
1. Entity or individual benefitted by resolution: Residents of the Town of Islip
2. Site or location effected by resolution: Various Locations
3. Cost: N/A
4. Budget Line: N/A
5. Amount and source of outside funding: N/A

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.

☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 22 _____. SEQR review complete.

☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.


Signature of Commissioner/Department Head Sponsor

1/18/22
Date

On a motion of Councilperson _____, seconded by
Councilperson _____ be it

RESOLVED, that the Town Clerk be and is hereby authorized to advertise for Public
Hearing to consider amending the Uniform Code of Traffic Ordinances for the Town of Islip as
follows:

**SCHEDULE C
PROHIBITED TURNS
ADD**

LOCATION	CONTROLLING TRAFFIC	PROHIBITED TURN	HOURS
Old Nichols Road at Terry Road (RNK)	Northwest on Terry Road	Right on Red	

**SCHEDULE J
PARKING, STOPPING AND STANDING REGULATIONS
AMEND TO READ**

LOCATION	REGULATION	HOURS/DAYS
Greene Avenue/East From Center Street to <u>200 ft. north of Swayze</u> Street (SVL)	No parking	8:00 a.m. to 9:00 p.m. School Days

**SCHEDULE J
PARKING, STOPPING AND STANDING REGULATIONS
ADD**

LOCATION	REGULATION	HOURS/DAYS
Connetquot Avenue/East From 150 ft. south of Atlantic Street to Atlantic Street (CIS)	No parking	

TRAFFIC CODE AMENDMENT SUMMATIONS

LOCATION: OLD NICHOLS ROAD AT TERRY ROAD, RONKONKOMA

REGULATION: None

REQUESTED BY: Resident

RECOMMENDATION: Install "No Right on Red" sign for northwest bound traffic on Terry Road

BRIEF JUSTIFICATION: Inadequate sight distance to vehicles approaching from the left

LOCATION: GREENE AVENUE, SAYVILLE

REGULATION: Existing

REQUESTED BY: Resident

RECOMMENDATION: Extend parking restriction from Center Street to 200 feet north of Swayze Street

BRIEF JUSTIFICATION: Relieve congestion and improve sight lines at intersection of Greene Avenue and Swayze Street

LOCATION: CONNETQUOUT AVENUE/EAST, CENTRAL ISLIP

REGULATION: None

REQUESTED BY: Resident

RECOMMENDATION: Restrict parking from 150 feet south of Atlantic Street to Atlantic Street

BRIEF JUSTIFICATION: On-street parking, when combined with roadway grade change, creates sight obstruction for vehicles exiting Atlantic Street

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 21

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute a Landlord's Estoppel Certificate certifying that the Lease, License and Management Agreement is in effect and has not been modified/amended for property located at 660 Terry Road, Hauppauge.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

John R. DiCioccio, Esq.

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Resolution authorizing Supervisor to execute Landlord's Estoppel Certificate certifying that the Lease, License and Management Agreement is in full force and effect and has not been modified/amended since the Third Amendment dated June 12, 2018 in connection with a line of credit loan facility from Citibank, N.A. that is not collateralized by the leasehold interest in Town owned property.

+

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: The RINX
 2. Site or location effected by resolution: Hidden Pond Park, 660 Terry Rd., Hauppauge, NY
 3. Cost: 0.00
 4. Budget Line: N/A
 5. Amount and source of outside funding: 0.00
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-

Signature of Commissioner/Department Head Sponsor 

Date

Date: February 8, 2022
Resolution#:

WHEREAS, pursuant to that certain Amended, Restated and Extended Lease, License and Management Agreement by and between the Town of Islip as Lessor/Licensor and HPP Rinx, Inc., and HPP Summer Camp, Inc., as Lessee/Licensee (collectively the "RINX"), dated December 2, 2004, as amended by that certain, (i) Amendment to Amended, Restated and Extended Lease, License and Management Agreement, dated November 29th, 2011, (ii) Lease Extension and Modification Agreement dated October 17, 2012, (iii) the Second Amendment to Amended, Restated and Extended Lease, License and Management Agreement, dated January 30, 2013, and (iv) the Third Amendment to Amended, Restated and Extended Lease, License and Management Agreement, dated June 12th, 2018 (collectively called "the Lease, License and Management Agreement") the Town leases/licenses municipally owned parkland located at Hidden Pond Park, 660 Terry Road, Hauppauge to the RINX, for the purpose of operating and managing Town facilities for the benefit and welfare of Town of Islip residents;

WHEREAS, the RINX, has used its leasehold interest as collateral to obtain financing from Citibank, N.A., the most recent loan transaction a Consolidated Leasehold Mortgage in the amount of \$1,000,000.00 in 2018 to which the Town had consented to by Resolution dated May 15, 2018;

WHEREAS, the RINX has obtained other credit facilities from Citibank, N.A. without collateralizing its leasehold interest in Town owned property; and;

WHEREAS, Citibank, N.A. , in connection with contemplated issuance of line of credit wherein the Leasehold interest is not being used as collateral, has requested that the Town execute the attached Estoppel Certificate certifying that the Lease, License and Management Agreement remains in full force and effect and has not been amended since the Third Amendment in 2018;

NOW, THEREFORE, on a motion of _____, seconded by _____, be it

RESOLVED, that the Supervisor is hereby authorized to execute the Landlord's Estoppel Certificate certifying that the Lease, License and Management Agreement is in full force and effect and has not been modified/amended since the Third Amendment dated June 12, 2018 in connection with a line of credit loan facility from Citibank, N.A. that is not collateralized by the leasehold interest in Town owned property.

UPON A VOTE BEING TAKEN, the result was:

LANDLORD'S ESTOPPEL CERTIFICATE AND CONSENT

Citibank, N.A.
730 Veterans Memorial Highway
Hauppauge, New York 11787

Re: Amended, Restated and Extended Lease, License and Management Agreement by and between Town of Islip as Lessor/Licensor and HPP Rinx, Inc and HPP Summer Camp, Inc. as Lessee/Licensee dated December 2, 2004, as amended by that certain (i) Amendment to Amended, Restated and Extended Lease, License and Management Agreement dated November 29, 2011, (ii) the Second Amendment to Amended, Restated and Extended Lease, License and Management Agreement, dated January 30, 2013, and (iii) the Third Amendment to Amended, Restated and Extended Lease, License and Management Agreement, dated June 12th, 2018 (collectively called "the Lease, License and Management Agreement") for the leasing, licensing and management of that certain property commonly known as 660 Terry Road, Hauppauge, New York 11788; and

Gentlemen:

The undersigned, as landlord and licensor under the Lease, License and Management Agreement, understanding that you as Lender ("Lender") will rely on the information herein contained in connection with financing between you as Lender and HPP Rinx, Inc. and HPP Summer Camp, Inc. as borrower, hereby certify the following:

1. The Lease, License and Management Agreement is in full force and effect without default thereunder;
2. The Lease, License and Management Agreement has not been modified except as set forth hereinabove; and
3. In the event any notice of default of termination is sent to HPP Rinx, Inc. or HPP Summer Camp, Inc. pursuant to the terms of the Ground Lease and License Agreements, a copy of such notice shall be simultaneously sent to the Lender at the address hereinabove stated, to the attention of Mr. Jason Quinn, Vice President in the manner specified in Ground Lease and License Agreements or to such other address as the Lender may request by written notice to the undersigned;

4. Under the Lease, License and Management Agreement HPP Rinx, Inc. and HPP Summer Camp, Inc. are obligated to pay rent and licensing fees at the base rate of \$50,000 per annum (with increases thereafter based upon increases in the consumer price index) commencing as of June 12, 2001, and continuing semi-annually thereafter with (i) payments due on May 1st and November 1st of each year, and (ii) increases in said amount to continue computed by increases in the consumer price index as set forth in the Lease Extension and Management and License _____ Agreement Extension dated June 12, 2001.

TOWN OF ISLIP

By: _____

Dated: _____

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 22

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute a Memorandum of Understanding memorializing the Town's agreement in regards to the Contract of Sale to be drafted for each Parcel included in the Central Islip Downtown Revitalization Initiative Plan.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

John R. DiCioccio, Esq.

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Resolution authorizing Supervisor to execute Memorandum of Understanding memorializing the Town's agreement to essential terms of the Contract of Sale to be drafted for each Parcel included in the DRI plan. The terms of each contract shall be identical except for the economic terms and matters specific to the individual Parcel which is the subject of the contract.

+

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: TOI, Suffolk County Land Bank, Inc. and TOI CDA
 2. Site or location effected by resolution: 500-098.00-01.00-069.000, 500-120.00-03.00-062.000, 500-098.00-01.00-068.00
500-120.00-03.00-093.003
 3. Cost: 0.00
 4. Budget Line: N/A
 5. Amount and source of outside funding: 0.00
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-

Signature of Commissioner/Department Head Sponsor



Date

Resolution #:

Date: February 8, 2022

WHEREAS, In May of 2021, a Request for Proposals (RFP) was issued by the Town to encourage the revitalization of downtown Central Islip. The RFP invited qualified parties to submit a development proposal for the 3.6 acre site, located at the corner of Carleton Avenue and Railroad Avenue. The RFP is a direct result of planning and funding provided through the Central Islip Downtown Revitalization Initiative (DRI) Plan;

WHEREAS, four development parcels are included within the DRI Plan. Two parcels are owned by the Town and are known as 1 Carleton Avenue, Central Islip (SCTM#:500-098.00-01.0-069.000) and 29-31 Carleton Avenue, Central Islip, New York (SCTM#: 500-120.00-03.00-062.000), one by the CDA, known by the street address of 9 Railroad Avenue, Central Islip (SCTM#: 500-098.00-01.00-068.000) and the final parcel owned by the County Land Bank, known as 1 Cordello Avenue, Central Islip, NY (SCTM#:500-120.00-03.00-093.003 (collectively "Parcels"));

WHEREAS, with the recommendation of a committee charged with reviewing all proposals, the Town Board, by resolution dated December 14, 2021 authorized the designation of Georgica Green Ventures, LLC together with The Kulka Group (collectively "GGVK") as the preferred responder for the project described in the RFP, subject to the approval of the Islip Town Board of a final development plan.

WHEREAS, as part of the DRI Plan, GGVK will pay a total of \$4,950,000.00 as consideration and in exchange for fee title to the four Parcels, said consideration to be disbursed amongst the Sellers; and

WHEREAS, the Sellers', via a Memorandum of Understanding, wish to memorialize the agreed upon allocation of the consideration as well as other essential terms of the contract of sale to be drafted;

WHEREAS, the terms to be memorialized are as follows:

1. The consideration allocated to each Parcel and to be paid to the Seller upon the transfer of title shall be as set forth in the Statement of Values attached hereto and made a part hereof as Exhibit A;
2. Notwithstanding that all the Parcels are part of the DRI project, each Seller shall enter into a separate contract of sale with GGVK for their respective Parcels;
3. The terms of each contract shall be identical except for the economic terms and matters specific to the individual Parcel which is the subject of the contract;
4. It shall be a condition to each contract that the subject Parcel shall be developed in substantial conformance with the accepted RFP Proposal and the transfer of title to each Parcel shall be contingent upon the transfer of the remaining three Parcels to GGVK.

NOW THEREFORE, on motion of Councilperson _____, seconded by
Councilperson _____,

RESOLVED, that the Supervisor is authorized to execute a Memorandum of Understanding memorializing the Town's agreement to those certain terms itemized as 1-4 hereinabove and set forth on Exhibit A attached hereto with respect to the Contract of Sale to be drafted for those Parcels included in the DRI plan.

Upon a vote being taken,

STATEMENT OF VALUES

1. **1 Cordello Avenue**

SCTM#: 500-120.00-03.00-093.003 Acres=1.35

Fee Owner: Suffolk County

Appraised value as per appraisal dated October 27, 2017: \$460,000

Total Consideration: \$460,000 + \$990,401.78= **\$1,450,401.70**

2. **Carleton Avenue & Brightside Avenue**

SCTM#: 500-098.00-01.00-069.000 & 500-120.00-03.00-062.000 Acres=1.67

Fee Owner: Town of Islip

Appraised Value as per appraisal dated December 28, 2020:\$1,825,000.00

Total Consideration: \$1,825,000.00 + \$1,225,163.60= **\$3,050,163.60**

3. **9 Railroad Avenue**

SCTM#: 500-098.00-01.00-068.000 Acres=.34

Fee Owner: Town of Islip Community Development Agency

Appraised Value as per appraisal dated October 6, 2020: \$200,000.00

Total Consideration: \$200,000.00 + \$249,434.72= **\$449,434.72**

Total Financial Consideration from Kulka/Georgica Greens	\$4,950,000.00
Total Appraised Values:	\$2,485,000.00
Remaining Consideration to be equally disbursed per acre	\$2,465,000.00
Total Acres	3.36
Consideration per acre (\$2,465,000/3.36)	\$733,630.95

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 23

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to apply for and accept grant funding from the New York State Environmental Facilities Corporation for the 2022 Clean Vessel Assistance Program to off-set operation and maintenance expenses for the Town's pump-out boat and five land-based pump-out stations throughout the Town of Islip.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Thomas Owens

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: *All items for Town Board actions must be accompanied by a sponsor's memorandum which shall be the covering document for all agenda submissions. All items shall be reported to the Deputy Supervisor no later than 12 days prior to the scheduled meeting.*

PURPOSE: *Describe the essence of the attached resolutions and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.* By this resolution, the Town Board authorizes the Supervisor to apply for and accept grant funding in the amount of approximately \$15,000.00, from the New York State Environmental Facilities Corporation, for the 2022 Clean Vessel Assistance Program Operation and Maintenance to off-set operation and maintenance expenses for the Town's pump-out boat and five land-based pump-out stations located at East Islip Marina, Browns River East Marina, Bayport, Maple Avenue Dock, Bay Shore and the Atlantique Marina, Fire Island.

SPECIFY WHERE APPLICABLE:

1. **Entity or individual benefitted by resolution:** Town of Islip residents
2. **Site or location effected by resolution:** Town of Islip
3. **Cost:** 0.00
4. **Budget Line (s):** Revenue Account TBD
5. **Amount and source of outside funding:** Approximately \$15,000.00

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.

☒ Type 2 action under 6 NYCRR, Section 617.5©, number 26. SEQOR review complete.

☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.



Signature of Commissioner/Department Head Sponsor



Date

February 8, 2022
Resolution # _____

WHEREAS, the Town of Islip operates and maintains a pump-out boat and five land-based pump-out stations for the use of its residents; and

WHEREAS, the aforementioned pump-out boat and facilities are operated by the Town of Islip Department of Parks and Recreation; and

WHEREAS, the Town of Islip is eligible for grant funding from the New York State Environmental Facilities Corporation to off-set the costs of operation and maintenance expenses related to the pump-out boat and five land-based pump-out stations located at East Islip Marina, Browns River East Marina, Bayport, Maple Avenue Dock, Bay Shore and the Atlantique Marina, Fire Island;

NOW, THEREFORE on motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to apply for and accept grant funding in the amount of approximately \$15,000.00 from the New York State Environmental Facilities Corporation for the 2022 Clean Vessel Assistance Program Operation and Maintenance to off-set operation and maintenance expenses for the Town's pump-out boat and five land-based pump-out stations; be it further

RESOLVED, that the Supervisor is hereby authorized to execute any and all necessary documentation attendant to such grant funding; and be it further

RESOLVED, that the Comptroller is hereby authorized to make any and all budgetary adjustments and accounting entries to facilitate the acceptance of such grant funding.

UPON A VOTE BEING TAKEN, the result was: _____.

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 24

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Acceptance of a Deed from East Islip Landings, LLC. for a parcel of land known as 0 Fox Run, East Islip for a road dedication for highway purposes.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Thomas Owens

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To consider the adoption of a resolution accepting a deed from East Islip Landings LLC, in favor of the Town of Islip, for a parcel of land known as Fox Run, East Islip, NY, (SCTMN: 0500-397.00-03.00-012.017) for a road dedication for highway purposes.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: Fox Run, East Islip
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 23. SEQOR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

1/25/2022

Date

February 8, 2022

WHEREAS, the Town of Islip Planning Board granted Final Approval of the major subdivision known as Fox Run Estates, East Islip on December 6, 2007; and

WHEREAS, the Map of Fox Run Estates, East Islip was filed at the office of the Suffolk County Clerk on January 20, 2009, as # 11674; and

WHEREAS, all road improvements have been satisfactorily completed in accordance with Town of Islip standards and said road is in acceptable condition; and

WHEREAS, East Islip Landings LLC, the owners of the road, hereafter referred to as Fox Run, have submitted a Bargain and Sale Deed to the Town of Islip conveying said road (SCTMN 0500-397.00-03.00-012.017) to be dedicated for highway purposes; and

WHEREAS, the Office of the Town Attorney has found the deed to be in acceptable form; and

NOW, THEREFORE, on motion of Councilperson _____, seconded by Councilperson _____, be it

RESOLVED, that the aforementioned deed is hereby accepted and the Town Attorney be and is hereby directed to take the necessary steps to record the deed in the Office of the Suffolk County Clerk.

Upon a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 25

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Acceptance of a Deed from East Islip Landings, LLC. for a parcel of land known as 0 Fox Run, East Islip for a recharge basin dedication for drainage purposes.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Thomas Owens

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To consider the adoption of a resolution accepting a deed from East Islip Landings LLC, in favor of the Town of Islip, for a parcel of land known as 0 Fox Run, East Islip, NY, (SCTMN: 0500-397.00-03.00-012.016) for a recharge basin dedication for drainage purposes.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: Fox Run, East Islip
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____ . Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 23 . SEQOR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

1/25/2022

Date

February 8, 2022

WHEREAS, the Town of Islip Planning Board granted Final Approval of the major subdivision known as Fox Run Estates, East Islip on December 6, 2007; and

WHEREAS, the Map of Fox Run Estates, East Islip was filed at the office of the Suffolk County Clerk on January 20, 2009, as # 11674; and

WHEREAS, all improvements for the recharge basin have been satisfactorily completed in accordance with Town of Islip standards and said recharge basin is in acceptable condition; and

WHEREAS, East Islip Landings LLC, the owners of the recharge basin, have submitted a Bargain and Sale Deed to the Town of Islip conveying said recharge basin (SCTMN 0500-397.00-03.00-012.016) to be dedicated for drainage purposes; and

WHEREAS, the Office of the Town Attorney has found the deed to be in acceptable form; and

NOW, THEREFORE, on motion of Councilperson _____, seconded by Councilperson _____, be it

RESOLVED, that the aforementioned deed is hereby accepted and the Town Attorney be and is hereby directed to take the necessary steps to record the deed in the Office of the Suffolk County Clerk.

Upon a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 26

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board acceptance of a monetary donation from the Town of Islip Housing Authority for the Town of Islip's 36th annual "Just say NO to Drugs" Sharp Shooter Basketball Contest.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Thomas Owens

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to accept a monetary donation of \$1,500.00 from Town of Islip Housing Authority, located at 963 Montauk Highway, Oakdale, NY 11769, for the Town of Islip's 36th Annual "Just say NO to Drugs" Sharp Shooter Basketball Contest. The donation is to be used for the awards and t-shirts that will be issued to the 4th and 5th grade boys and girls finalists at the Town of Islip's 36th Annual "Just say NO to Drugs" Sharp Shooter Basketball Contest on Saturday, March 5, 2022.

SPECIFY WHERE APPLICABLE:

Entity of individual benefitted by resolution:	Sharp Shooter Basketball Finalists, 4 th and 5 th grade boys and girls from participating Town of Islip elementary schools
Site or location effected by resolution:	N/A
Cost:	No cost to the Town of Islip- self-sustaining.
Budget Line:	7035.4-4920
Amount and source of outside funding:	\$1,500.00

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5©, number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.

Signature of Commissioner/Department Head Sponsor:

1/24/2022

Date:

February 8, 2022

Resolution # _____

WHEREAS, Town of Islip Housing Authority, located at 963 Montauk Highway, Oakdale, New York 11769, wishes to make a monetary donation of \$1,500.00 to the Town of Islip's 36th Annual "Just say NO to Drugs" Sharp Shooter Basketball Contest; and

WHEREAS, this donation will be used for the awards and t-shirts that will be issued to the 4th and 5th grade boys and girls finalists at the Town of Islip's 36th Annual "Just say NO to Drugs" Sharp Shooter Basketball Contest on Saturday, March 5, 2022;

NOW THEREFORE, on a motion of _____

seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to accept a monetary donation of \$1,500.00 from Town of Islip Housing Authority to be used for the Town of Islip's 36th Annual "Just say NO to Drugs" Sharp Shooter Basketball Contest which will be held on Saturday, March 5, 2022.

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the donation.

UPON A VOTE BEING TAKEN, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 27

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to apply for and accept funding from the Suffolk County Office for the Aging for the purpose of providing continued funding for a Residential Repair Program.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Thomas Owens

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implication, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board. By this resolution, the Town Board authorizes the Supervisor to apply for and accept funding from Suffolk County Office for the Aging (SCOFA), for the purpose of providing continued funding for a Residential Repair Program as set forth by Title IIIB of the Older Americans Act, to senior citizen residents of the Town of Islip, in the amount of approximately \$25,500 for the period of January 1, 2022 through December 31, 2022. The Town of Islip has entered into similar grant agreements with SCOFA for the past several decades.

SPECIFY WHERE APPLICABLE:

1. **Entity or individual benefitted by resolution:** Town of Islip senior citizen residents
 2. **Site or location effected by resolution:** Town of Islip
 3. **Cost:** Approximately \$12,313.00
 4. **Budget Line:** A.7624
 5. **Amount and source of outside funding:** Approximately \$25,500 Suffolk County Office for the Aging
\$1,700 Participant Donations
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5©, number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-

Signature of Commissioner/Department Head Sponsor

Date

1/12/2022

February 8, 2022
Resolution# _____

WHEREAS, the Suffolk County Office for the Aging wishes to provide continued funding for a Residential Repair Program as set forth by the Title IIIB of the Older Americans Act, to senior citizen residents of the Town of Islip; and

WHEREAS, the Suffolk County Office for the Aging has agreed to reimburse the Town of Islip a total of approximately \$25,500 for the period of January 1, 2022 through December 31, 2022; and

WHEREAS, the Town of Islip wishes to apply for and secure said County funding for the purpose of enhancing the lives of its senior citizen residents by allowing them to live independently by providing them with a Residential Repair Program; and

WHEREAS, said funding will be used to offset the expense of supplies, salaries and fringe expenses;

NOW, THEREFORE, on motion by _____

seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to apply for and accept funding from the Suffolk County Office for the Aging for a Residential Repair Program, for the period of January 1, 2022 through December 31, 2022; and be it also;

RESOLVED, that the Supervisor is hereby authorized to execute a grant application and grant agreement, and any other necessary documentation attendant thereto, with the Suffolk County Office for the Aging for funding a Residential Repair Program in the Town of Islip, the form and content of which shall be subject to the approval of the Town Attorney; and be it also;

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries necessary to amend the budget in accordance with the terms of the grant agreement.

UPON A VOTE BEING TAKEN, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 28

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to apply for and accept funding from the Suffolk County Office for the Aging for the purpose of providing new funding for a Shopping Assistance Program.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Thomas Owens

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implication, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board. By this resolution, the Town Board authorizes the Supervisor to apply for and accept funding from Suffolk County Office for the Aging (SCOFA), for the purpose of providing new funding for a Shopping Assistance Program, which will augment our existing senior citizen essential shopping services. The amount shall be approximately \$40,000.00 for the period of January 1, 2022 through December 31, 2022.

SPECIFY WHERE APPLICABLE:

1. **Entity or individual benefitted by resolution:** Town of Islip senior citizen residents
 2. **Site or location effected by resolution:** Town of Islip
 3. **Cost:** No cost to the Town of Islip
 4. **Budget Line:** A.7622
 5. **Amount and source of outside funding:** Approximately \$40,000.00 Suffolk County Office for the Aging
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5©, number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-

Signature of Commissioner/Department Head Sponsor

Date

1/18/2022

February 8, 2022
Resolution# _____

WHEREAS, the Suffolk County Office for the Aging wishes to provide new funding for a Shopping Assistance Program, which will augment our existing essential shopping services to senior citizen residents of the Town of Islip; and

WHEREAS, the Suffolk County Office for the Aging has agreed to reimburse the Town of Islip a total of approximately \$40,000 for the period of January 1, 2022 through December 31, 2022; and

WHEREAS, the Town of Islip wishes to apply for and secure said County funding for the purpose of enhancing the lives of its senior citizen residents by allowing them to live independently by providing them with a Shopping Assistance Program; and

NOW, THEREFORE, on motion by _____
seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to apply for and accept funding from the Suffolk County Office for the Aging for a Shopping Assistance Program, for the period of January 1, 2022 through December 31, 2022; and be it also;

RESOLVED, that the Supervisor is hereby authorized to execute a grant application and grant agreement, and any other necessary documentation attendant thereto, with the Suffolk County Office for the Aging for funding a Shopping Assistance Program in the Town of Islip, the form and content of which shall be subject to the approval of the Town Attorney; and be it also;

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries necessary to amend the budget in accordance with the terms of the grant agreement.

UPON A VOTE BEING TAKEN, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 29

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to enter into several agreements for programs to be held throughout the Town to be funded by either registration fees or grant fees.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Thomas Owens

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

February 8, 2022

<u>Date</u>	<u>Name</u>	<u>Program/Event</u>	<u>Location</u>
3/28	Triple Threat Basketball Club, Inc.	Basketball Leagues	East Islip High School 1 Redmen Street Islip Terrace
7/19	South Bay Paddle Wheel, Cruises, Inc.	Sunset Dinner Cruises	Bay Shore Marina South Clinton Ave, Bay Shore
7/22	Agostino Arts, LLC.	Summer Theatre Workshop	West Islip Recreation Center 90 Higbie Lane, W.I.
7/22	Seatuck Environmental Assoc.	Kid in Nature Camp	South Shore Nature Center Bayview Ave., E.I.

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with the Triple Threat Basketball Club, Inc. to provide two (2) basketball leagues at East Islip High School. League 1 will be held Mondays, March 28, 2022 thru May 23, 2022. League 2 will be held Wednesdays, April 6, 2022 thru June 1, 2022. The registration fee is \$75.00 for each registrant and a \$25.00 surcharge for each non-resident registrant. This program will be self-sustaining. The total minimum revenue will be \$75.00 and the maximum revenue including the non-resident surcharge will be \$20,000.00. Compensation for said services to Triple Threat Basketball Club, Inc. will be 80% of the total revenue for an amount not to exceed \$12,000.00 excluding the non-resident surcharge. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: Triple Threat Basketball Club, Inc.

Site or location effected by resolution: East Islip High School, 1 Redmen Street, Islip Terrace, NY 11752

Cost: No cost to the Town of Islip - self-sustaining.

Budget Line: A7035.4 5006

Amount and source of outside funding: Maximum revenue is \$20,000.00 including non-resident surcharge.
Maximum revenue to be retained by the Town is \$8,000.00.

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.

☒ Type 2 action under 6 NYCRR, Section 617.5©, number 26. SEQR review complete.

☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.


Signature of Commissioner/Department Head Sponsor:

Date:

1/12/2022

February 8, 2022
Resolution # _____

WHEREAS, the Town of Islip, Department of Parks, Recreation and Cultural Affairs provides a variety of recreational opportunities and has identified a need to provide access to basketball instruction for our citizens; and

WHEREAS, Triple Threat Basketball Club, Inc., PO Box 345, Islip Terrace, New York 11752 has the required skills, background and existing infrastructure to perform this task in a satisfactory manner; and

WHEREAS, the Town of Islip is desirous of entering into an agreement with Triple Threat Basketball Club, Inc. to provide said instruction;

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to execute an agreement with Triple Threat Basketball Club, Inc. to provide a basketball league to our citizens for an amount not to exceed \$12,000.00, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with Agostino Arts, LLC to provide a two (2) week Summer Theater Workshop which will be held July 11, 2022 thru July 22, 2022 at the West Islip Recreation Center. The registration fee is \$300.00 for the two (2) week session for each registrant and a \$75.00 surcharge for each non-resident registrant. The minimum amount of participants will be fourteen (14) and the maximum amount of participants will be thirty (30). This program will be self-sustaining. The total minimum revenue will be \$300.00 and the maximum revenue including the non-resident surcharge will be \$11,250.00. Compensation for said services to Agostino Arts, LLC will be 70% of the total revenue for an amount not to exceed \$6,300.00 excluding the non-resident surcharge. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs. A similar resolution was passed for Agostino Arts, LLC by the Town Board in previous years.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution:	Agostino Arts, LLC
Site or location effected by resolution:	West Islip Recreation Center 90 Higbie Lane, West Islip, New York 11795
Cost:	No cost to the Town of Islip – self-sustaining
Budget Line:	A7035.4 5006
Amount and source of outside funding:	Maximum revenue is \$11,250.00 including non-resident surcharge. Maximum revenue to be retained by the Town is \$4,950.00.

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6NYCRR, Section 6.17.5©, number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Park 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor:

1/12/2022

Date:

WHEREAS, the Town of Islip, Department of Parks, Recreation and Cultural Affairs provides a variety of recreational opportunities and has identified a need to provide access to instructional theater programs for our citizens; and

WHEREAS, Agostino Arts, LLC located at 3 Windsor Road, Baldwin, New York, 11510 has the required skills, background and existing infrastructure to perform this task in a satisfactory manner; and

WHEREAS, the Town of Islip is desirous of entering into an agreement with Agostino Arts, LLC to provide said workshop;

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to execute an agreement with Agostino Arts, LLC to provide a two (2) week Summer Theater Workshop to our citizens for an amount not to exceed \$6,300.00, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with South Bay Paddle Wheel Cruises, Inc. to provide full service Sunset Dinner Cruises on July 19th and October 29, 2022 on the Lauren Kristy, which is docked at the Bay Shore Marina. The minimum amount of registrants is 50 per cruise and the maximum amount of registrants is 90 per cruise. South Bay Paddle Wheel Cruises, Inc. will provide each guest with a full service dinner buffet as mentioned in the contractual agreement, and one (1) complimentary beer, wine or soda. Compensation for said services to South Bay Paddle Wheel Cruises, Inc. will be \$60.00 per person for a maximum amount of \$5,400.00 per cruise with a total amount not to exceed \$10,800.00 excluding the non-resident surcharge. This event is self-sustaining. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs. A similar resolution was passed for South Bay Paddle Wheel Cruises, Inc. by the Town Board in previous years.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: South Bay Paddle Wheel Cruises, Inc.

Site or location effected by resolution: Bay Shore Marina
South Clinton Avenue, Bay Shore, New York 11706

Cost: No cost to the Town of Islip – self-sustaining

Budget Line: A7035.4 4918

Amount and source of outside funding: Maximum revenue is \$13,500.00 including non-resident surcharge.
Maximum revenue to be retained by the Town is \$2,700.00.

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6NYCRR, Section 6.17.5©, number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Park 617 of the NYCRR. Short EAF required.

Signature of Commissioner/Department Head Sponsor:

1/12/2022
Date:

WHEREAS, the Town of Islip, Department of Parks, Recreation and Cultural Affairs provides a variety of recreational opportunities and has identified a need to provide access to dinner cruises on the Great South Bay for our citizens; and

WHEREAS, South Bay Paddle Wheel Cruises, Inc., PO Box 98, Brightwaters, NY 11718 has the required skills, background and existing infrastructure to perform this task in a satisfactory manner; and

WHEREAS, the Town of Islip is desirous of entering into an agreement with South Bay Paddle Wheel Cruises, Inc., to provide said activity.

NOW, THEREFORE, on a motion of _____,

seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to execute an agreement with South Bay Paddle Wheel Cruises, Inc., to provide two (2) Sunset Dinner Cruises to our citizens for an amount not to exceed \$5,400.00 per cruise, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with Seatuck Environmental Association to provide three (3) separate weeks of Kid in Nature Camp which will be held July 25, 2022 thru August 12, 2022 at the South Shore Nature Center. The registration fee is \$300.00 per week for each registrant and a \$75.00 surcharge for each non-resident registrant. The minimum amount of participants will be one (1) per week and the maximum amount of participants will be twenty-six (26) per week for a maximum total of seventy-eight (78). This program will be self-sustaining. The total minimum revenue will be \$300.00 and the maximum revenue including the non-resident surcharge will be \$29,250.00. Compensation for said services to Seatuck Environmental Association will be 70% of the total revenue for an amount not to exceed \$16,380.00 excluding the non-resident surcharge. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs. A similar resolution was passed for Seatuck Environmental Association by the Town Board in previous years.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: Seatuck Environmental Association

Site or location effected by resolution: South Shore Nature Center
Bayview Avenue, East Islip, New York 11730

Cost: No cost to the Town of Islip – self-sustaining

Budget Line: A7035.4 5006

Amount and source of outside funding: Maximum revenue is \$29,250.00 including non-resident surcharge.
Maximum revenue to be retained by the Town is \$12,870.00.

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6NYCRR, Section 6.17.5©, number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Park 617 of the NYCRR. Short EAF required.

Signature of Commissioner/Department Head Sponsor:

1/19/2022
Date:

WHEREAS, the Town of Islip, Department of Parks, Recreation and Cultural Affairs provides a variety of recreational opportunities and has identified a need to provide access to a Kids in Nature Camp for our citizens; and

WHEREAS, Seatuck Environmental Association, located at PO Box 31, Islip, New York, has the required skills, background and existing infrastructure to perform this task in a satisfactory manner; and

WHEREAS, the Town of Islip is desirous of entering into an agreement with Seatuck Environmental Association to provide said camp;

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to execute an agreement with Seatuck Environmental Association to provide three (3) separate weeks of Kids in Nature Camp to our citizens for an amount not to exceed \$16,380.00, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 30

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Special Events.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Olga H. Murray

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

February 08, 2022

On a motion of Councilperson,

seconded by Councilperson

be it,

RESOLVED, that permission is hereby granted to hold the following events in the Town:

- A. 5K Run/Walk for Judi- Great South Bay YMCA-Bay Shore/Brightwaters-Memorial Foundation-Saturday, June 4, 2022 from 7AM to 11AM. Race begins on Main Street in front of the YMCA. Runners proceeds west on West Main Street past the Bay Shore Library, Brightwaters Lakes and will then head south down Bay Way Avenue to the end, then east onto West Shore Drive to Concourse West taking this north to Main Street, head east on Main Street to the YMCA, making a right onto South Clinton Avenue to the YMCA parking lot to the finish line. Permission for this event will be granted pending approval from Town and County Offices and proof of liability insurance.
- B. 22nd Street Festival-Islip-The Islip Chamber of Commerce- Sunday, June 5, 2022 from 11AM to 6PM (set up will begin at 8AM/clean up 6PM to 8PM.) Main Street from Ocean Avenue to Route 111. And the easternmost driveway of Town Hall East parking lot. Also requesting permission to use the parking lot on Main Street adjacent to Town Hall East. Permission for this event will be granted pending approval from Town and County Offices and proof of liability insurance.
- C. Dine & Shop on Main Street-Islip Chamber of Commerce- Islip -Thursday, July 28, 2022 from 6PM to 10PM. Event to be held at Locust Avenue and Smith Avenue. This event is to bring out community members to enjoy entertainment, visit our shops and restaurants. No proceeds will be made at this event. Permission for this event will be granted pending approval from Town and County offices and proof of liability insurance.
- D. 7.1 Mile Mardi Gras Run to the Great South Bay Brewery-Greater Long Island Running Club-Bay Shore-Sunday, February 13, 2022 form 9:00AM to 10:30AM route as follows:
Run assembles at Drexel Drive, proceeds East Side Bright shore Blvd, West side Pine Acres Blvd, south of fire hydrant, East side Baldwin Blvd south of mailbox, Center Cedar Drive, East side North Gardiner Drive, East side Pine Grove Blvd, North of 1711 & 1712 Property Lines, West side 5th Avenue, South edge of cutout 1656 strip mall. Permission for this event will be granted pending approval from Town and County offices and proof of liability Insurance.
- E. 5K and Little Leprechauns Fun Run Race Holbrook St Patrick's Day -Strong Island Running Club, INC-Holbrook-Saturday, March 19, 2022 from 8:30AM to 10:00AM. Route as follows:
begin at Starling Auto Glass on Main Street, Holbrook. Sharp left onto Grundy Avenue, pass over Furrows Road, turn left onto Benning Lane, turn right onto Henry Blvd, turn left onto Dorothy Street, turn left onto Mollie Blvd, turn right onto Hiram Avenue, turn right onto Furrows Road, turn left onto Main Street, 5K will end at the Irish Times Pub. Permission for this event will be granted pending approval from Town and Country Offices and proof of liability Insurance.

- F. St. Patrick's Day Parade - East Islip - Friends of the Hibernians- Sunday, March 6, 2022 from 1:30PM to 4:00PM route as follows: Parade assembles East Islip Library, proceeding West on Main Street to Irish Lane where the Parade ends. Permission for this event will be granted pending approval from Town and County Offices and proof of liability insurance.
- G. In conjunction with the St. Patrick's Day Parade East Islip- Friends of the Hibernians- Sunday, March 6, 2022 from 1:30pm-4:00pm, The Hometown Café, tenants of 104 East Main Street, East Islip NY, request permission from the Islip Town Board to apply for a temporary beer and wine permit pursuant to the New York State Liquor Authority Special Event permit application.
- H. In conjunction with the 22nd Street Festival-Islip-The Islip Chamber of Commerce- Sunday, June 5, 2022 from 11AM to 6PM, The Harp & Hound, tenants of 528 Main Street, Islip NY request permission from the Islip Town Board to apply for a temporary beer and wine permit pursuant to the New York State Liquor Authority Special Event permit application.
- I. In conjunction with the 22nd Street Festival-Islip-The Islip Chamber of Commerce- Sunday, June 5, 2022 from 11AM to 6PM, Maxwell', tenants of 501 Main Street, Islip, NY request permission from the Islip Town Board to apply for a temporary beer and wine permit pursuant to the New York Liquor Authority Special Event permit application.
- J. In conjunction with the 22nd Street Festival-Islip-The Islip Chamber of Commerce- Sunday, June 5, 2022 from 11AM to 6PM, Bubbas Burrito Bar, tenants of 513 Main Street, Islip NY request permission from the Islip Town Board to apply for a temporary beer and wine permit pursuant to the New York Liquor Authority Special Event permit application.
- K. In conjunction with the Dine & Shop on Main Street-Islip Chamber of Commerce- Islip – Thursday, July 28th, 2022 from 6PM to 10PM, The Harp and Hound, tenants of 528 Main Street, Islip, NY request permission from the Islip Town Board to apply for a temporary beer and wine permit pursuant to the New York Liquor Authority Special Event permit application.
- L. In conjunction with the St. Patrick's Day Parade East Islip- Friends of the Hibernians- Sunday, March 6, 2022 from 1:30pm-4:00pm, Drift Inn, tenants of 236 East Main Street, East Islip NY, request permission from the Islip Town Board to apply for a temporary beer, wine and cider permit pursuant to the New York State Liquor Authority Special Event permit application.
- M. In conjunction with the St. Patrick's Day Parade East Islip- Friends of the Hibernians- Sunday, March 6, 2022 from 1:30pm-4:00pm, Shandon Court tenants of 115 East Main Street, East Islip NY, request permission from the Islip Town Board to apply for a temporary beer and wine permit pursuant to the New York State Liquor Authority Special Event permit application.

- N. St. Patrick's Day Parade - Bay Shore/ Brightwaters - St. Patrick's Parade of Greater Bay Shore - Saturday, March 12, 2022 from 2:00PM to 4:00PM, route as follows: Parade assembles at South Saxon Avenue and Awixa Avenue at 12:30PM, proceeds West on Main (Street (Montauk Hwy.) to St. Patrick's Church. Marchers will then proceed north on Clinton Avenue and Mechanicsville to Union Blvd. where the parade will terminate. Requesting permission for no parking on Main Street from Homan Avenue, to Clinton Avenue starting at 1:00PM., Permission for this event will be granted pending approval from Town and County Offices and proof of liability insurance.

Upon a vote being taken the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 31

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Appointment of a Delegate and an Alternate Delegate to attend the 2022
Association of Town's Annual Meeting.**

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL
INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Olga H. Murray

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

February 8, 2022

Resolution #

WHEREAS, the New York State Association of Town's meeting is scheduled for February 20-23, 2022; and

WHEREAS, the Town Board must appoint a delegate and an alternate delegate from the Town Board to vote at the meeting.

NOW, THEREFORE, on a motion of _____, seconded by _____, be it

RESOLVED, that Supervisor Angie M. Carpenter is hereby appointed delegate and Councilman James O'Connor is appointed as an alternate delegate to the 2022 Association of Town's Annual Meeting to be held on February 20 through February 23, 2022.

Upon a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 32

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to apply for and accept any and all grant funding to assist with the cost, including all soft costs, for the relocation and replacement of the current compost facility with a state of the art indoor compost facility.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

John R. DiCioccio, Esq.

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Resolution authorizing the Supervisor to apply for and accept grant funding to assist with the cost, including all soft costs, for the relocation and replacement of the current compost facility with a state of the art indoor compost facility.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: To be determined
 3. Cost: _____
 4. Budget Line: _____
 5. Amount and source of outside funding: _____
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-

Signature of Commissioner/Department Head Sponsor 

Date

February 8, 2022

Resolution #:

WHEREAS, the Town of Islip currently owns and operates a compost facility located just south of railroad avenue on that certain parcel identified by Suffolk County tax map number 500-106.00-01.00-006.009; and

WHEREAS, the Town of Islip Department of Environmental Control is currently exploring options to replace and potentially relocate the current facility with a state of the art indoor facility; and

WHEREAS, the Town of Islip is interested in applying for any and all grant funding to assist with this endeavor.

NOW, THEREFORE, on a motion of Councilperson _____; seconded by Councilperson _____; be it

RESOLVED, that the Supervisor is hereby authorized to apply for and accept any and all grant funding which can be used to assist with the cost, including all soft costs, for the potential replacement and relocation of the current compost facility; and be it

FURTHER RESOLVED, that the Comptroller is hereby authorized to make any and all necessary budgetary adjustment to effectuate this resolution.

UPON VOTE BEING TAKEN, THE RESULT WAS:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 33

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Reappointment of Ginny Fields for a two (2) year term on the Islip Town Environmental Council Board.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

John R. DiCioccio, Esq.

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

February 8, 2022

WHEREAS, pursuant to Section 13A of the Islip Town Code, the Town Board is authorized to appoint members to the Islip Town Environmental Council (ITEC Board); and

WHEREAS, a vacancy currently exists on the Board as Chairperson; and

WHEREAS, the Town Board recognizes that Ginny Fields has the necessary knowledge and has been ably performing such duties as Acting Chairperson in this duration; and

WHEREAS, the Town Board desires to reappoint her on the ITEC Board for a term of (2) two years and the Supervisor desires to designate her the Chairperson.

NOW, THEREFORE, on a motion of _____, seconded by _____ be it

RESOLVED, that Ginny Fields is hereby reappointed for a two (2) year term and will serve as Chairperson on the Islip Town Environmental Council Board at the already budgeted amount.

Upon a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 34

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board approval to cancel the Change of Zone hearing for February 17, 2022, and re-schedule the March 31, 2022, Change of Zone hearing to March 10, 2022, at 5:00pm.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

James Brennan

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

February 8, 2022
Resolution #

WHEREAS, on Wednesday, January 5, 2021, the Town Board of the Town of Islip adopted the 2022 schedule for the Change of Zone Hearings; and

WHEREAS, the Change of Zone of Hearing scheduled for February 17, 2022, has been cancelled; and

WHEREAS, the Town Board is desirous of re-scheduling the previously approved March 31, 2022, Change of Zone hearing to March 10, 2022.

NOW, THEREFORE, on motion of Councilperson _____; seconded by Councilperson _____, be it,

RESOLVED, the Town Board hereby cancels the February 17, 2022, and re-schedules the March 31, 2022, Change of Zone hearing to March 10, 2022, at 5:00 pm.

Upon a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 35

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute a Consent to Assignment and Assumption of Lease Agreement and execute an Estoppel Certificate in connection with the Assignment of Lease Agreement with Sheltair Islip, LLC and Modern Aviation Islip, LLC pertaining to 1 Clark Drive.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Shelley LaRose

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize the Supervisor, on behalf of the Town of Islip, to execute a Consent to the Assignment and Assumption of Lease and execute an Estoppel Certificate and any other related documents as may be required to effectuate the Assignment of Lease between Sheltair Islip, LLC and Modern Aviation Islip LLC pertaining to 1 Clark Drive at Long Island MacArthur Airport.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: Long Island MacArthur Airport
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 32. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

1/25/2022

Date

February 8, 2022
Resolution No.

WHEREAS, the Town of Islip (the "Town") owns and operates Long Island MacArthur Airport ("Airport"); and;

WHEREAS, Sheltair Islip, LLC ("Lessee") leases from the Town a certain parcel at the Airport known as "1 Clark Drive" pursuant to a lease between the Town and Lessee, dated March 1, 2010 (the "Lease"); and

WHEREAS, Lessee as Seller, has entered into a Purchase Agreement with Modern Aviation Islip, LLC a Delaware limited liability company ("Modern Aviation"), as Buyer; and

WHEREAS, Modern Aviation has requested the Town execute an Estoppel Certificate confirming the following: (i) the Lease is still in full force and effect and unmodified, except as set forth above and the Agreement contains all contractual obligations as between the Town and Lessee; (ii) there are no uncured notices of default outstanding from either party to the Lease; (iii) to the best knowledge of the Town, no condition exists which with notice and/or passage of time would constitute a default under the Lease; (iv) there are no defenses, claims or offsets owed by Lessee to Lessor which are presently known by Lessor in respect to the Lease; (v) confirm the total monthly amount due under the Lease from Lessee to Lessor; (vi) confirm the amount of any security deposit and/or any prepaid amount held by Lessor in favor of Lessee; and (vii) acknowledge date of last payment made to Lessor; and

WHEREAS, Modern Aviation has demonstrated experience in aviation operations at airports nationwide; and

WHEREAS Modern Aviation will, at Modern Aviation's sole cost and expense, perform and discharge all of Sheltair Aviation's obligations and undertakings under the Lease Agreement; and

NOW, THEREFORE on motion of _____, seconded by be it hereby

RESOLVED, that the Supervisor is hereby authorized and directed to execute a Consent to Assignment and Assumption of Lease Agreement and execute an Estoppel Certificate and any other related documents as may be required in connection with the Assignment of Lease Agreement between Sheltair Islip, LLC and Modern Aviation Islip, LLC pertaining to 1 Clark Drive in a form to be approved by the Town Attorney, on behalf of the Town of Islip.

UPON a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 36

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute a consent to the Assignment and Assumption of Lease and execute an Estoppel Certificate with Sheltair Islip, LLC and Modern Aviation Islip LLC pertaining to the Westside Parcel at Long Island MacArthur Airport.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Shelley LaRose

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize the Supervisor, on behalf of the Town of Islip, to execute a Consent to the Assignment and Assumption of Lease and execute an Estoppel Certificate and any other related documents as may be required to effectuate the Assignment of Lease between Sheltair Islip, LLC and Modern Aviation Islip LLC pertaining to the Westside Parcel at Long Island MacArthur Airport.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: Long Island MacArthur Airport
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 32. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

1/25/2022

Date

February 8, 2022
Resolution No.

WHEREAS, the Town of Islip (the "Town") owns and operates Long Island MacArthur Airport ("Airport"); and;

WHEREAS, Sheltair Islip, LLC ("Lessee") leases from the Town a certain parcel at the Airport known as the "Westside Parcel" pursuant to a lease between the Town and Lessee, dated March 1, 2010 (the "Lease"); and

WHEREAS, the Lessee and Town amended the Lease pursuant to that certain First Amendment to Agreement between the Town and Tenant on November 27, 2017 (the "First Amendment"); and

WHEREAS, the Lessee and Town further amended the Lease pursuant to that certain Second Amendment to Agreement between the Town and Tenant on December 10, 2021 (the "Second Amendment") (collectively the Lease, First Amendment and the Second Amendment shall be referred to as the "Amended Lease"); and

WHEREAS, Lessee as Seller, has entered into a Purchase Agreement with Modern Aviation Islip, LLC a Delaware limited liability company ("Modern Aviation"), as Buyer; and

WHEREAS, Modern Aviation has requested the Town execute an Estoppel Certificate confirming the following: (i) the Lease is still in full force and effect and unmodified, except as set forth above and the Agreement contains all contractual obligations as between the Town and Lessee; (ii) there are no uncured notices of default outstanding from either party to the Lease; (iii) to the best knowledge of the Town, no condition exists which with notice and/or passage of time would constitute a default under the Lease; (iv) there are no defenses, claims or offsets owed by Lessee to Lessor which are presently known by Lessor in respect to the Lease; (v) confirm the total monthly amount due under the Lease from Lessee to Lessor; (vi) confirm the amount of any security deposit and/or any prepaid amount held by Lessor in favor of Lessee; and (vii) acknowledge date of last payment made to Lessor; and

WHEREAS, Modern Aviation has demonstrated experience in aviation operations at airports nationwide; and

WHEREAS Modern Aviation will, at Modern Aviation's sole cost and expense, perform and discharge all of Sheltair Aviation's obligations and undertakings under the Lease Agreement; and

NOW, THEREFORE on motion of _____, seconded by be it hereby

RESOLVED, that the Supervisor is hereby authorized and directed to execute a Consent to Assignment and Assumption of Lease Agreement and execute an Estoppel Certificate and any other related documents as may be required in connection with the Assignment of Lease Agreement between Sheltair Islip, LLC and Modern Aviation Islip, LLC pertaining to the Westside Parcel in a form to be approved by the Town Attorney, on behalf of the Town of Islip.

UPON a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 37

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute a Consent to the Assignment and Assumption of Lease and execute an Estoppel Certificate with Assignment of Lease with Sheltair Islip, LLC and Modern Aviation Islip LLC pertaining to 90 Arrival Avenue at LIMA.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Shelley LaRose

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize the Supervisor, on behalf of the Town of Islip, to execute a Consent to the Assignment and Assumption of Lease and execute an Estoppel Certificate and any other related documents as may be required to effectuate the Assignment of Lease between Sheltair Islip, LLC and Modern Aviation Islip LLC pertaining to 90 Arrival Avenue at Long Island MacArthur Airport.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: Long Island MacArthur Airport
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 32. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

1/25/2022

Date

February 8, 2022
Resolution No.

WHEREAS, the Town of Islip (the "Town") owns and operates Long Island MacArthur Airport ("Airport"); and;

WHEREAS, Sheltair Islip, LLC ("Lessee") leases from the Town a certain parcel at the Airport known as "90 Arrival Avenue" pursuant to a lease between the Town and Lessee, dated March 1, 2010 (the "Lease"); and

WHEREAS, Lessee as Seller, has entered into a Purchase Agreement with Modern Aviation Islip, LLC a Delaware limited liability company ("Modern Aviation"), as Buyer; and

WHEREAS, Modern Aviation has requested the Town execute an Estoppel Certificate confirming the following: (i) the Lease is still in full force and effect and unmodified, except as set forth above and the Agreement contains all contractual obligations as between the Town and Lessee; (ii) there are no uncured notices of default outstanding from either party to the Lease; (iii) to the best knowledge of the Town, no condition exists which with notice and/or passage of time would constitute a default under the Lease; (iv) there are no defenses, claims or offsets owed by Lessee to Lessor which are presently known by Lessor in respect to the Lease; (v) confirm the total monthly amount due under the Lease from Lessee to Lessor; (vi) confirm the amount of any security deposit and/or any prepaid amount held by Lessor in favor of Lessee; and (vii) acknowledge date of last payment made to Lessor; and

WHEREAS, Modern Aviation has demonstrated experience in aviation operations at airports nationwide; and

WHEREAS Modern Aviation will, at Modern Aviation's sole cost and expense, perform and discharge all of Sheltair Aviation's obligations and undertakings under the Lease Agreement; and

NOW, THEREFORE on motion of _____, seconded by be it hereby

RESOLVED, that the Supervisor is hereby authorized and directed to execute a Consent to Assignment and Assumption of Lease Agreement and execute an Estoppel Certificate and any other related documents as may be required in connection with the Assignment of Lease Agreement between Sheltair Islip, LLC and Modern Aviation Islip, LLC pertaining to 90 Arrival Avenue in a form to be approved by the Town Attorney, on behalf of the Town of Islip.

UPON a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 38

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute a Title VI Policy Statement and Title VI Plan to be submitted to the Federal Aviation Administration in compliance with 49 CFR Part 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964".

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Shelley LaRose

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize the Supervisor, on behalf of the Town of Islip, to execute a Title VI Policy Statement and Title VI Plan to be submitted to the Federal Aviation Administration in accordance with 49 CFR Part 21 "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964".

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: Long Island MacArthur Airport
 3. Cost: N/A
 4. Budget Line: TBD
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

01/25/2022

Date

February 8, 2022
Resolution #

RESOLUTION authorizing the Supervisor to execute a Title VI Policy Statement and Title VI Plan to be submitted to the Federal Aviation Administration (“FAA”) in accordance with 49 CFR Part 21 “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964”.

WHEREAS, the Town of Islip (“Town”) owns and operates Long Island MacArthur Airport (“ISP”) (the “Airport”), a 14 CFR Part 139 certificated airport with commercial (air carrier) and general aviation operations; and

WHEREAS, the Airport receives grants from the FAA and therefore must comply with the provisions of 49 CFR Part 21, “Nondiscrimination in Federally – Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964”; and

WHEREAS, the Airport must submit a Title VI Policy Statement and Title VI Plan to the FAA demonstrating compliance efforts with 49 CFR Part 21; and

WHEREAS, the Title VI Plan outlines efforts implemented by the Airport to assure that no person shall on the grounds of race, color, national origin, sex, sexual orientation, gender identity, creed, age, or disability, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Section 520 of the Airport and Airway Improvement Act of 1982, and related authorities, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination under any program or activity; and

NOW THEREFORE be it, on motion of _____, seconded by _____, be it

RESOLVED, that the Supervisor is hereby authorized to execute a Title VI Policy Statement and Title VI Plan to be submitted to the FAA in compliance with 49 CFR Part 21, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964”.

Upon a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 39

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute an Estoppel Certificate for Mid Island Air Realty, Inc. as Lessee's operating a FBO operation at the airport to secure a mortgage for The First National Bank of Long Island.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Shelley LaRose

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Authorization for the Supervisor to execute an Estoppel Certificate for Mid Island Air Realty, Inc. as Lessee's operating a FBO operation at the airport to secure a mortgage for The First National Bank of Long Island.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Long Island MacArthur Airport
 2. Site or location effected by resolution: Long Island MacArthur Airport
 3. Cost: n/a
 4. Budget Line: n/a
 5. Amount and source of outside funding: none
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-

Signature of Commissioner/Department Head Sponsor

Date

February 8, 2022
Resolution No.

WHEREAS, the Town of Islip (the "Town") entered into an Amended and Restated Ground Lease with Mid Island AIR Realty, Inc. ("Lessee") dated on or about January 1, 2017, to be engaged as a fixed base operator (FBO) for general aviation; and

WHEREAS, Mid Island Air Realty, Inc. is currently operating as an FBO at the Airport in accordance with the Airport's Minimum Standards for FBO's; and

WHEREAS, The First National Bank of Long Island, Lender and Mortgagee, has requested that for purposes of Lessee financing, the Town sign estoppel certificates confirming that Mid Island Air Realty, Inc. is not in default of their lease.

NOW, THEREFORE on motion of _____, seconded by _____; be it hereby

RESOLVED, that the Supervisor is hereby authorized and directed to sign Estoppel Certificates for the above premises, in a form to be approved by the Town Attorney, on behalf of the Town of Islip.

UPON a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 41

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board approval to utilize a portion of Town's American Rescue Plan Act (ARPA) funds to compensate eligible essential employees.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

John R. DiCioccio, Esq.

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

Town Board approval to utilize a portion of Town's American Rescue Plan Act (ARPA) funds to compensate eligible essential employees.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: Town of Islip
 3. Cost: not to exceed \$330,000
 4. Budget Line: various
 5. Amount and source of outside funding: \$330,000 fully funded by ARPA
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-

Signature of Commissioner/Department Head Sponsor

Date

February 8, 2022

Resolution # __

WHEREAS, the American Rescue Plan Act (ARPA) of 2021 was signed into law by President Biden on March 11, 2021, establishing the Coronavirus State and Local Fiscal Recovery Fund (SLFRF funds) program, which is intended to provide support to local governments in responding to the impact of COVID-19 and in their efforts to contain COVID-19 within their communities, residents and businesses; and

WHEREAS, the U.S. Treasury has published a detailed set of rules describing eligible uses of SLFRF funds, which provides substantial flexibility for each jurisdiction to meet local needs within the following four separate eligible use categories: (1) to replace lost revenue due to the COVID-19 public health emergency; (2) to respond to the public health and economic impacts of COVID-19; (3) to provide premium pay to eligible workers; or (4) to invest in water, sewer, or broadband infrastructure; and

WHEREAS, on July 20, 2021, by Resolution #25, the Town Board of the Town of Islip accepted the SLFRF funds, as provided by ARPA, to be used in a manner consistent with the Department of Treasury's guidance; and

WHEREAS, under ARPA, Town must obligate SLFRF funds by December 31, 2024, and expend funds by December 31, 2026; and

WHEREAS, providing premium pay to eligible workers who performed essential work during the pandemic is an acceptable use of SLFRF funds; and

WHEREAS, the Department of Treasury classifies State, local, or Tribal government workforce as "eligible" workers who qualify for premium pay; and

WHEREAS, throughout the pandemic, Town of Islip employees continued to provide essential in-person government services to the public at the risk of exposure to COVID-19; and

WHEREAS, the Town Board is recommending utilizing SLFRF funds to compensate Town of Islip essential employees with a one-time, non-pensionable lump sum payment for their continuous service during COVID-19 pandemic.

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board hereby authorizes the use of Town's SLFRF funds to compensate Town of Islip essential employees with a one-time, non-pensionable lump sum payment of \$500; and

FURTHER RESOLVED, that the comptroller is hereby authorized to make any and all budgeting adjustments necessary to effectuate this resolution.

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 40

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board approval of the continued retention of Kaplan Kirsch & Rockwell LLP as outside counsel in connection with property development at LIMA.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

Shelley LaRose

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

The Town Board authorizes an increase of \$200,000.00 to be used for the continued retention of Kaplan Kirsch & Rockwell LLP as outside counsel in connection with property development at Long Island MacArthur Airport.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: Long Island MacArthur Airport
 3. Cost: not to exceed \$200,000.00
 4. Budget Line: CT5610.4-5000
 5. Amount and source of outside funding: N/A
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

01/25/2022

Date

February 8, 2022
Resolution #

RESOLUTION AUTHORIZING the Town Attorney to continue to retain Kaplan Kirsch & Rockwell LLP as outside counsel in connection with property development at Long Island MacArthur Airport (ISP).

WHEREAS, the Town of Islip ("Town") owns and operates Long Island MacArthur Airport (the "Airport"), a 14 CFR Part 139 certificated airport with commercial (air carrier) and general aviation operations; and

WHEREAS, the Town desires to make the Airport self-sufficient and self-sustaining by entering into a partnership agreement with the County and involving private sector capital to develop property and generate revenue for the Town and Airport; and

WHEREAS, Kaplan Kirsch & Rockwell LLP located at 1634 Eye Street, NW, Suite 300, Washington, DC 20006 provides a niche professional service with a proven track record in complex projects assisting to coordinate and integrate the multiple aspects involved in property development negotiations at airports, while ensuring compliance with FAA regulatory requirements and environmental review under state and federal law; and

WHEREAS, on April 20, 2021, the Town Board by Resolution No. 39 authorized the Town Attorney to retain Kaplan Kirsch & Rockwell LLP to provide legal services as outside counsel in connection with property development at the Airport for a total cost not to exceed \$50,000.00; and

WHEREAS, on November 18, 2021, the Town Board by Resolution No. 25 authorized the Town Attorney to continue to retain Kaplan Kirsch & Rockwell LLP to provide additional legal services as outside counsel in connection with property development at the Airport for a total cost not to exceed \$20,000.00; and

WHEREAS, additional legal services not to exceed \$200,000.00 are required in 2022 to cover the cost of continued outside counsel in connection with property development at the Airport; and

NOW THEREFORE be it, on motion of _____, seconded by _____, be it

RESOLVED, that the Town Board authorizes an increase of \$200,000.00 to be used for the continued retention of Kaplan Kirsch & Rockwell LLP as outside counsel in connection with property development at Long Island MacArthur Airport; and be it

FURTHER RESOLVED, that the Comptroller is authorized to make any and all budgeting adjustments necessary to facilitate this increase to the cost of outside legal services.

Upon a vote being taken, the result was:

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 42

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Approval for the establishment of the Islip Small Business and Nonprofit American Rescue Plan Act (ARPA) Grant Program to provide a one-time grant payment to be eligible Town of Islip small businesses and non-profits.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

John R. DiCioccio, Esq.

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize the establishment of the Islip Small Business and Nonprofit American Rescue Plan Act (ARPA) Grant Program to provide a one-time grant payment to eligible Town of Islip small businesses and non-profits, the allotment of \$1,500,000 of Town's ARPA funds, and the creation of the Town's Rescue Grant Review Committee.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Townwide
 2. Site or location effected by resolution: Townwide
 3. Cost: \$1,500,000
 4. Budget Line: To be determined by the Comptroller.
 5. Amount and source of outside funding: \$1,500,000 fully funded by ARPA.
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-

Signature of Commissioner/Department Head Sponsor

Date

February 8, 2022

Resolution # ____

WHEREAS, the American Rescue Plan Act (ARPA) of 2021 was signed into law by President Biden on March 11, 2021, establishing the Coronavirus State and Local Fiscal Recovery Fund (SLFRF funds) program, which is intended to provide support to local governments in responding to the impact of COVID-19 and in their efforts to contain COVID-19 within their communities, residents and businesses; and

WHEREAS, the U.S. Treasury has published a detailed set of rules describing eligible uses of SLFRF funds, which provides substantial flexibility for each jurisdiction to meet local needs within the following four separate eligible use categories: (1) to replace lost revenue due to the COVID-19 public health emergency; (2) to respond to the public health and economic impacts of COVID-19; (3) to provide premium pay to eligible workers; or (4) to invest in water, sewer, or broadband infrastructure; and

WHEREAS, on July 20, 2021, by Resolution #25, the Town Board of the Town of Islip accepted the SLFRF funds, as provided by ARPA, to be used in a manner consistent with the Department of Treasury's guidance; and

WHEREAS, under ARPA, Town must obligate SLFRF funds by December 31, 2024, and expend funds by December 31, 2026; and

WHEREAS, assistance to small business and non-profits, including loans or grants to small business and non-profits to mitigate financial hardship caused by the pandemic, is an acceptable use of SLFRF funds; and

WHEREAS, small businesses and non-profits within the Town of Islip have faced widespread challenges due to the pandemic, including periods of shutdown, declines in revenue, or increased costs; and

WHEREAS, to provide relief to our small businesses and non-profits, the Town Board is recommending allotting \$1,500,000 of Town's SLFRF funds to establish the Islip Small Business and Nonprofit ARPA Grant Program in order to provide a one-time grant payment to eligible Town of Islip small businesses and non-profits; and

WHEREAS, eligible small businesses and non-profits who meet the beneficiary criteria set forth in the published application, may apply for a grant with the Town of Islip in an amount up to \$5,000; and

WHEREAS, the Town Board shall create an ARPA Grant Review Committee to verify, review and score applications and make corresponding recommendations to the Town Board.

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board hereby authorizes the allotment of \$1,500,000 of Town's SLFRF funds and establishing of the Islip Small Business and Nonprofit ARPA Grant Program to provide a one-time grant payment to eligible Town of Islip small businesses and non-profits; and

FURTHER RESOLVED, that the Town's Rescue Grant Review Committee is hereby established and the following persons are hereby appointed to serve on the Rescue Grant Review Committee: Brad Hemmingway, Robert Kordic, Tracey Krut, Jordan Lite, and John Walser.

FURTHER RESOLVED, that the comptroller is hereby authorized to make any and all budgeting adjustments necessary to effectuate this resolution.

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 43

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute an Intermunicipal Agreement with the County of Suffolk and any other necessary documents for the transfer of funds from ARPA to cover a portion of the construction costs related to the Carleton Avenue Infrastructure Project.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

John R. DiCioccio, Esq.

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

To authorize allotting \$1,275,000 of Town's American Rescue Plan Act (ARPA) funds to Suffolk County to provide additional financial assistance in connection with the Carleton Avenue Infrastructure Project, to be transferred upon the execution of an intermunicipal agreement between Town of Islip and Suffolk County.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Townwide
 2. Site or location effected by resolution: Townwide
 3. Cost: \$1,275,000
 4. Budget Line: To be determined by the Comptroller.
 5. Amount and source of outside funding: \$1,275,000 fully funded by ARPA.
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-

Signature of Commissioner/Department Head Sponsor

Date

February 8, 2022

Resolution # __

WHEREAS, the American Rescue Plan Act (ARPA) of 2021 was signed into law by President Biden on March 11, 2021, establishing the Coronavirus State and Local Fiscal Recovery Fund ("SLFRF" funds) program, which is intended to provide support to local governments in responding to the impact of COVID-19 and in their efforts to contain COVID-19 within their communities, residents, and businesses; and

WHEREAS, the U.S. Treasury has published a detailed set of rules describing eligible uses of SLFRF funds, which provides substantial flexibility for each jurisdiction to meet local needs within the following four separate eligible use categories: (1) to replace lost revenue due to the COVID-19 public health emergency; (2) to respond to the public health and economic impacts of COVID-19; (3) to provide premium pay to eligible workers; or (4) to invest in water, sewer, and or broadband infrastructure; and

WHEREAS, on July 20, 2021, by Resolution # 25, the Town Board of the Town of Islip accepted the SLFRF funds, as provided by ARPA, to be used in a manner consistent with the Department of Treasury's guidance; and

WHEREAS, under ARPA, Town must obligate SLFRF funds by December 31, 2024, and expend funds by December 31, 2026; and

WHEREAS, sewer infrastructure projects are an eligible use of SLFRF funds according to the Department of Treasury; and

WHEREAS, the Town of Islip ("Town") and County of Suffolk ("County") have expressed interest in the creation of sewer infrastructure in Carlton Avenue in the downtown area of Central Islip, which will permit connection to the Suffolk County Sewer District No. 3 – Southwest (hereinafter referred to as, "the Carleton Avenue Infrastructure Project"); and

WHEREAS, the Carleton Avenue Infrastructure Project is a critical infrastructure initiative for the continued revitalization and economic development of the Central Islip area, which would benefit the Town of Islip and County at large; and

WHEREAS, ARPA and its implementing regulations authorize a recipient to transfer its funds to another municipality, provided the transferring municipality receives the benefit of the resulting project within its boundaries; and

WHEREAS, the design, construction, and administration of sewer facilities in Suffolk County have traditionally been County functions; and

WHEREAS, the Town and the County anticipate that the overall cost of the Carleton Avenue Infrastructure project will be approximately Eleven Million Dollars (\$11,000,000.00); and

WHEREAS, the Town Board is recommending allotting \$1,275,000 of Town's SLFRF funds to the County to provide additional financial assistance in connection with the Carleton Avenue Infrastructure Project, to be transferred upon the execution of an intermunicipal agreement between Town of Islip and the County; and

WHEREAS, the potential environmental impact of the Carleton Avenue Infrastructure Project will be assessed by the County, as lead agency, and required by the State Environmental Quality Review Act; and

WHEREAS, the execution of an intermunicipal agreement to authorize the transfer of funds for the extension of utility distribution facilities (i.e., sewer infrastructure) is a Type II Action under 6 NYCRR Section 617.5(c)(13), (26), and (27), as it constitutes routine and continuing agency administration and management, and it involves preliminary planning and budgetary processes necessary to the formulation of proposal for action, namely the extension of utility distribution facilities (i.e., sewer infrastructure).

NOW, THEREFORE, on a motion of _____, seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby authorizes the Supervisor to execute an intermunicipal agreement with the County of Suffolk, and any necessary documents attendant thereto, for the transfer of \$1,275,000 of Town's SLFRF funds to the County to cover a portion of the construction costs related to the Carleton Avenue Infrastructure Project, the form and content of which shall be subject to the approval of the Town Attorney; and be it

FURTHER RESOLVED, that the Comptroller is hereby authorized to make any and all budgetary adjustments necessary to effectuate this resolution.

**MEMORANDUM FROM:
OFFICE OF THE TOWN ATTORNEY**

No. 44

TO: SUPERVISOR ANGIE M. CARPENTER
COUNCILMAN JOHN C. COCHRANE, JR.
COUNCILWOMAN MARY KATE MULLEN
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute an intermunicipal agreement with the County of Suffolk and any other documentation for the transfer of funds in DRI granting funding to the County for the construction of the Carleton Avenue Infrastructure Project.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

SHOULD YOU HAVE ANY QUESTIONS, OR IF YOU REQUIRE ADDITIONAL INFORMATION RELATIVE TO THE ATTACHED, PLEASE CONTACT:

John R. DiCioccio, Esq.

IF YOU HAVE ANY COMMENTS, PLEASE ADVISE AS SOON AS POSSIBLE.

enclosure:

cc: OLGA H. MURRAY, TOWN CLERK
JOSEPH LUDWIG, COMPTROLLER
TRACEY KRUT, CHIEF OF STAFF

**TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

INSTRUCTIONS: All submissions for placement on the Town Board Meeting agenda must be accompanied by a sponsor's memorandum, which shall be the covering document. All agenda submissions shall be reported to the Town Attorney no later than 14 days prior to the scheduled Town Board meeting.

PURPOSE: Describe the essence of the attached resolution and give a brief background. Explain any policy implications, whether this item has previously been before the Board, and if any similar resolutions have previously been passed or denied by the Board.

This resolution authorizes the Supervisor to execute an intermunicipal agreement with the County of Suffolk, and any necessary documentation attendant thereto, for the transfer of \$2,000,000.00 in DRI granting funding to the County for the construction of the Carleton Avenue Infrastructure Project, the form and content of which shall be subject to the review and approval of the Town Attorney

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: the hamlet of Central Islip, the Town, the County
 2. Site or location effected by resolution: Carleton Avenue in Central Islip
 3. Cost: \$11 million for overall construction cost, \$2 million of which will come from DRI grant
 4. Budget Line: TBD by Comptroller
 5. Amount and source of outside funding: \$2 million in DRI grant funding from NYS
-

ENVIRONMENTAL IMPACT: What type of action is being authorized by this resolution?

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 13, 26, and 27. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-

Signature of Commissioner/Department Head Sponsor

Date

WHEREAS, the Town of Islip (the "Town") and the County of Suffolk (the "County") have identified the Carleton Avenue Infrastructure Project as a critical infrastructure initiative for the continued revitalization and economic development of the Central Islip area, which will benefit the Town of Islip and County at large; and

WHEREAS, the Carleton Avenue Infrastructure Project will include the installation of three-quarters ($\frac{3}{4}$) of a mile of sewer pipeline on the west side of Carleton Avenue, running from the existing Suffolk County Sewer District 3 connection at Walnut Street and proceeding north to Railroad Ave; and

WHEREAS, the design, construction, and administration of sewer facilities in the County have traditionally been County functions, and the County is close to completing the design phase for the Carleton Avenue Infrastructure Project; and

WHEREAS, the Town and the County anticipate that the overall cost of the Carleton Avenue Infrastructure project will be approximately Eleven Million Dollars (\$11,000,000.00); and

WHEREAS, in 2019, the State of New York informed the Town that it would be receiving Two Million Dollars (\$2,000,000.00) in Downtown Revitalization Initiative ("DRI") grant funding for the Carleton Avenue Infrastructure Project; and

WHEREAS, on February 11, 2020, by Resolution # 16, the Town Board of the Town of Islip authorized the Supervisor to execute a Master Contract for Grants with the State of New York, and any necessary documentation attendant thereto, which is required for receipt of the Two Million Dollars (\$2,000,000.00) in DRI grant funding for the Carleton Avenue Infrastructure Project; and

WHEREAS, the Town Board recommends that the Town allocate its \$2,000,000.00 in DRI granting funding for the Carleton Avenue Infrastructure Project to the County, to be used for construction of the project and to be transferred upon the execution of an intermunicipal agreement between the Town and the County; and

WHEREAS, the potential environmental impact of the Carleton Avenue Infrastructure Project will be assessed by the County, as lead agency, as required by the State Environmental Quality Review Act and its implementing regulations; and

WHEREAS, the execution of an intermunicipal agreement to authorize the transfer of funds for the extension of utility distribution facilities (i.e., sewer infrastructure) is a Type II Action under 6 NYCRR Section 617.5(c)(13), (26), and (27), as it constitutes routine and continuing agency administration and management, and it involves preliminary planning and budgetary processes necessary to the formulation of proposal for action, namely the extension of utility distribution facilities (i.e., sewer infrastructure);

NOW, THEREFORE, on a motion of _____,
seconded by _____, be it

RESOLVED, that the Town Board of the Town of Islip hereby authorizes the Supervisor to execute an intermunicipal agreement with the County of Suffolk, and any necessary documentation attendant thereto, for the transfer of \$2,000,000.00 in DRI granting funding to the County for the construction of the Carleton Avenue Infrastructure Project, the form and content of which shall be subject to the review and approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make any and all budgetary adjustments necessary to effectuate this resolution.

Upon a vote being taken, the result was: