

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

No. 1

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

FROM: MICHAEL P. WALSH, ACTING 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

January 24, 2023

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 **November 15, 2022**.
3. To consider the adoption of a Resolution on behalf of the Town of Islip Development Agency to approve the **Minutes** from the meeting on **December 13, 2022**.
4. To consider the adoption of a Resolution approving the **2023 IDA Meeting Schedule** of the Town of Islip Industrial Development Agency.
5. 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.*
6. 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., John Lorenzo* and *Anne Danziger* to that committee.
7. 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.
8. 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., John Lorenzo* and *Taryn Jewell Esq.* to that committee.
9. 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.
10. 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.
11. 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.

12. 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.
13. 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.
14. To consider a Resolution on behalf of the Town of Islip Industrial Development Agency to adopt a **Property Disposition Policy**.
15. 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.
16. To enter into a marketing agreement between the Town of Islip Industrial Development and **JVC Broadcasting (103.9 LI News Radio with Jay Oliver)** for services to promote marketing for the IDA Agency.
17. To enter into a marketing agreement between the town of Islip Development Agency and **WABC Radio (77 AM and 107.1)** for marketing for the IDA.
18. To consider the adoption of an Inducement Resolution between the Town of Islip Industrial Development Agency and **Big Geyser Inc.** located at 111 Wilshire Blvd. Edgewood, New York 11717.
19. To consider the adoption of an Inducement resolution of the Town of Islip Industrial Development Agency **JSB Real Estate Company, LLC/Positive Promotions, Inc.** 2002 Facility, located at 15 Gilpin Avenue, Hauppauge, New York.
20. To consider the adoption of an Authorizing Resolution of the Town of Islip Industrial Development Agency with **Europastry**, located at 2001 Orville Drive North, Ronkonkoma, New York.
21. To consider the adoption of Assignment and Assumption with of the Town of Islip Industrial Development Agency, for **FRC GH OwnerCo 2 LLC**,
22. To consider the adoption of Assignment and Assumption with the Town of Islip Industrial Development Agency for, **Gull Haven Commons, LLC**,
23. To consider a Resolution to amend the ownership structure at, 260 Spur Drive South, Bay Shore, NY 11706. **BDG Bay Shore, LLC**
24. To consider **any other business** to come before the Agency.

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023**

AGENDA ITEM # 2

**APPROVE THE MINUTES FROM THE MEETING ON
NOVEMBER 15, 2022**



MEETING OF THE TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
November 15, 2022
Minutes

1. Call the meeting of the Town of Islip Industrial Development Agency to order on a motion by Mary Kate Mullen and seconded by John Cochrane. Chairwoman Angie Carpenter acknowledged that the motion passed and that a quorum was present. Members present in addition to the Chairwoman were John Cochrane, Mary Kate Mullen, Jorge Guadron and James O' Connor.
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 **October 18, 2022**. On a motion by James O'Conner and seconded by Jorge Guadron said motion was approved 5-0.
3. To consider the **Adoption of an Inducement Resolution** between the Town of Islip Industrial Development Agency and **Galil Importing Corp.** at 21 Newton Place, Hauppauge. (0500-038-.023-004). On a motion by John Cochrane and seconded by Jorge Guadron said motion was approved 5-0.
4. To consider the **Adoption of an Authorizing Resolution** between the Town of Islip Industrial Development Agency and **22-50 Jackson Ave Associates L.P. 2002A Facility** to consider a modification of the PILOT agreement. On a motion by Jorge Guadron and seconded by Mary Kate Mullen said motion was approved by 5-0.
5. To consider the **Adoption of an Authorizing Resolution** between the Town of Islip Industrial Development Agency and **22-50 Jackson Avenue Associates L.P. 2002B Facility** to consider a modification of the PILOT agreement. On a motion by John Cochrane and seconded by James O'Connor said motion was approved 5-0.
6. To consider the **Adoption of an Authorizing Resolution** between the Town of Islip Industrial Development Agency and **Eastview Apt. Development LLC 2022 Facility** to account for the increase in square footage of the facility. Located at Eastview Drive, Central Islip (0500-229.10-01.00-010.000). On a motion by John Cochrane and seconded by Jorge Guadron said motion was approved 5-0.
7. To consider **any other business** to come before the Agency, there being none the meeting adjourned by motion by member John Cochrane and seconded by Mary Kate Mullen.

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023**

AGENDA ITEM # 3

**APPROVE THE MINUTES FROM THE MEETING ON
DECEMBER 13, 2022**



MEETING OF THE TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
December 13, 2022
Minutes

1. Call the meeting of the Town of Islip Industrial Development Agency to order on a motion by James O'Connor and seconded by Jorge Guadron. Chairwoman Angie Carpenter acknowledged that the motion passed and that a quorum was present. Members present in addition to Chairwoman were, John Cochrane and Mary Kate Mullen.
2. To consider the Authorizing Resolution on behalf of the Town of Islip Industrial Development Agency to approve the **Minutes** from the meeting on **November 15, 2022**, the minutes from this meeting are to be reconsidered at the January Board Meeting as per council members John Cochrane and Jorge Guadron.
3. To consider the adoption of an Adoption of the Authorizing Resolution between the Town of Islip Industrial Development Agency and **Galil Importing Corp.** located at 21 Newton Place, Hauppauge. On a motion by Mary Kate Mullen and seconded by Jorge Guadron said motion was approved 5-0.
4. To consider the adoption of an Adoption of the Inducement/Authorizing Resolution between the Town of Islip Industrial Development Agency and **Naka Technologies** for the acquisition renovation and equipping of a facility located at 201 Creative Drive, Central Islip N.Y. On a motion by Jorge Guadron and seconded by John Cochrane said motion was approved 5-0.
5. To consider the adoption of an Adoption of the Authorizing Resolution between the Town of Islip Industrial Development Agency and **Posillico Reality Partners East, LLC** for the acquisition, demolition, renovation and equipping of a facility located at 615 Furrows Rd. Holbrook N.Y. On a motion by John Cochrane and seconded by Jorge Guadron said motion was approved 5-0.
6. To consider the adoption of an Adoption of the Resolution consenting to a sublease between the Town of Islip Industrial Development Agency and **AM33 Apartments, LLC/NY Tent, LLC** facility located at 1401 Lakeland Ave. Bohemia N.Y. to Dolmit, LLC d/b/a Brick-It. On a motion by Mary Kate Mullen and seconded by Jorge Guadron said motion was approved 5-0.
7. To consider the adoption of an Adoption of an Inducement Resolution between the Town of Islip Industrial Development Agency and **Europastry USA, Inc.** for enhancement to their manufacturing and processing facility located at 2001 Orville Drive North in Ronkonkoma N.Y. . On a motion by James O'Connor and seconded by Mary Kate Mullen said motion was approved 5-0.

8. To consider **any other business** to come before the Agency, there being none the meeting adjourned by motion by Councilwoman Angie Carpenter and seconded by James O'Connor.

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023**

AGENDA ITEM #4

**TYPE OF RESOLUTION: RESOLUTION TO APPROVE
THE 2023 MEETING SCHEDULE**

| Town Board Meeting Dates | Closing Dates |
|--|----------------------|
| January 4, 2023 @ 11:00am (<i>Organizational Meeting</i>) | |
| January 24, 2023 | January 10, 2023 |
| February 7, 2023 (<i>Black History Month</i>) | January 24, 2023 |
| March 14, 2023 (<i>Women's History Month</i>) | February 28, 2023 |
| April 18, 2023 @ 5:30pm (<i>Student Awards</i>) | April 4, 2023 |
| May 16, 2023 | May 2, 2023 |
| June 13, 2023 | May 30, 2023 |
| July 18, 2023 | July 3, 2023 |
| August 15, 2023 | August 1, 2023 |
| September 12, 2023 @ 5:30pm (<i>Hispanic Heritage Month</i>) | August 29, 2023 |
| October 17, 2023 (<i>Italian Heritage Month</i>) | October 3, 2023 |
| November 9, 2023 (<i>Budget Hearing</i>) @ 10:30am | |
| November 14, 2023 | October 31, 2023 |
| December 12, 2023 | November 28, 2023 |

TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #5

TYPE OF RESOLUTION: RESOLUTION **APPOINTING OFFICERS** TO THE INDUSTRIAL DEVELOPMENT AGENCY (A 'PAAA' REQUIREMENT) AS FOLLOWS, JOHN C. COCHRANE 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.

Date: January 24, 2023

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 24th day of January, 2023, the following members of the Agency were:

Present:

Recused:

Also Present:

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to the **appointment of officers** of the Town of Islip Industrial Development Agency.

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 REGARDING THE
APPOINTMENT OF OFFICERS

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 amended (collectively, the “Act”), the Town of Islip Industrial Development Agency (the “Agency”) was created with the authority and power, among other things, to promote, develop, encourage and assist in the acquisition, construction, improvement, maintenance, equipping and furnishing of certain industrial, manufacturing, warehousing, commercial, research, and recreation facilities as authorized by the Act 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 standard of living; and

WHEREAS, the New York State Legislature adopted the Public Authorities Accountability Act of 2005, as amended (the “PAAA”), designed to ensure that New York’s public authorities operate more efficiently, more openly, and with greater accountability; and

WHEREAS, the PAAA and the Agency’s By-Laws require that the Agency **appoint officers** of the Agency; and

WHEREAS, in order to fully comply with the provisions of the PAAA and the Agency’s By-Laws, the Agency intends to appoint certain members as officers of the Agency whose responsibilities are to provide oversight and management of all persons employed in chief executive and senior management positions of the Agency; and

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

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; and

(b) **Appointing the officers** of the Agency will allow the Agency to continue to operate in compliance with the Act, the provisions of the PAAA, and the Agency’s By-Laws, and cause the Agency to operate more efficiently, openly and with greater accountability to the residents of the Town of Islip.

Section 2. In consequence of the foregoing, the Agency hereby determines to designate and appoint *John C. Cochrane, Secretary of the Agency, James P. O’Connor, Treasurer of the Agency, John G. Walser, Assistant Secretary of the Agency, John Walser, Compliance Officer of the Agency.*

Section 3. In consequence of the foregoing, the Agency hereby determines to designate and appoint *John G. Walser as Executive Director of the Agency.*

Section 4. The Agency hereby undertakes to comply with all other provisions of the PAAA applicable to the Agency as diligently as possible.

Section 5. 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 6. This resolution shall take effect immediately.

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

I, the undersigned 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 the 24th day of January, 2023, 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.

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, as amended, that all
members of said Agency had due notice of said meeting and that said meeting was in all respects
duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 24th day of January,
2023.

By: _____
Assistant Secretary

TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #6

TYPE OF RESOLUTION: TO CONSIDER THE ADOPTION
OF A RESOLUTION TO APPROVE AN **AUDIT**
COMMITTEE TO THE INDUSTRIAL DEVELOPMENT
AGENCY (A 'PAAA' REQUIREMENT) AND TO APPOINT

JOHN C. COCHRANE, JOHN LORENZO, AND ANN
DANZIGER TO THAT COMMITTEE

January 24, 2023

Whereas, the Public Authority Accountability Act, (the Act) Section 18, requires all public authorities within the State of New York to establish an **Audit Committee**, and

Whereas, the Town of Islip Industrial Development Agency (the Agency) has been identified as an “Authority” subject to the Act, and

Resolved, that the Agency has created an **Audit Committee of the Town of Islip Industrial Development Agency** in compliance with Section 18 of the Act, and appoints the following individuals to that committee:

Chairmen: John Lorenzo

Member: John C. Cochrane

Member: Ann Danziger

Upon a vote being taken, the result was:

TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #7

TYPE OF RESOLUTION: TO CONSIDER THE ADOPTION OF A RESOLUTION TO APPROVE A **FINANCE COMMITTEE** (A 'PAAA' REQUIREMENT) AND TO APPOINT JOHN C. COCHRANE, JAMES P. O'CONNOR AND ROBERT KORDIC TO THAT COMMITTEE.

January 24, 2023

Whereas, the Public Authority Accountability Act, (the Act) Section 18, requires all public authorities within the State of New York to establish a **Finance Committee**, and

Whereas, the Town of Islip Industrial Development Agency (the Agency) has been identified as an “Authority” subject to the Act, and

Now therefore on a motion by,

Resolved, that the Agency has created a **Finance Committee of the Town of Islip Industrial Development Agency** in compliance with Section 18 of the Act, and appoints the following individuals to that committee:

Member John C. Cochrane Jr.

Member James P. O’Connor

Member, Robert Kordic

Upon a vote being taken, the result was:

TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #8

TYPE OF RESOLUTION: TO CONSIDER THE ADOPTION OF A RESOLUTION TO APPROVE A **GOVERNANCE COMMITTEE** (A 'PAAA' REQUIREMENT) AND TO APPOINT JOHN C. COCHRANE, JOHN LORENZO AND TARYN JEWELL TO THAT COMMITTEE.

January 24, 2023

Whereas, the Public Authority Accountability Act, (the Act) Section 18, requires all public authorities within the State of New York to establish a **Governance Committee**, and

Whereas, the Town of Islip Industrial Development Agency (the Agency) has been identified as an “Authority” subject to the Act, and

Now therefore on a motion by Chairwoman Angie M. Carpenter, seconded by Councilman Jorge C. Guadron be it; approved. Councilman John C. Cochrane Jr., was absent.

Resolved, that the Agency has created a **Governance Committee of the Town of Islip Industrial Development Agency** in compliance with Section 18 of the Act, and appoints the following individuals to that committee:

Chairman, John C. Cochrane Jr.

Member, John Lorenzo

Member, Taryn Jewell

Upon a vote being taken, the result was:

TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #9

TYPE OF RESOLUTION: TO CONSIDER THE ADOPTION OF A RESOLUTION ON BEHALF OF THE TOWN OF ISLIP IDA TO APPROVE 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.

January 24, 2023

Whereas, the Public Authority Accountability Act, (the Act) Section 18, requires all public authorities within the State of New York to adopt a **Code of Ethics**, and

Whereas, the Town of Islip Industrial Development Agency (the Agency) has been identified as an “Authority” subject to the Act, 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**.

Resolved, that the Agency adopts the **Code of Ethics of the Town of Islip Industrial Development Agency**, as attached to this resolution, in compliance with Section 18 of the Act, and be it further

Resolved, that the Agency appoints the Board of Ethics of the Town of Islip as its Ethics Officer, to fulfill the legal requirements of the Act.

Upon a vote taken, the result was: .

CODE OF ETHICS

The Town of Islip Industrial Development Agency ("IDA" or "the Agency"), in compliance with the Public Authority Accountability Act of 2005, has adopted the following Code of Ethics applicable to each Agency Board Member, the Executive Director and employees. These policies shall serve as a guide for official conduct and are intended to enhance the ethical and professional performance of the Agency's directors and employees and to preserve public confidence in the Agency's mission.

Responsibility of Board Members, Directors and Employees

1. Board members, directors and employees shall perform their duties with transparency, without favor and refrain from engaging in outside matters of financial or personal interest, including other employment that could impair independence of judgment, or prevent the proper exercise of one's official duties.
2. Board members, directors and employees shall not directly or indirectly, make, advise, or assist any person to make any financial investment based upon information available through the director's or employee's official position that could create any conflict between their public duties and interests and their private interests.
3. Board members, directors and employees shall not accept or receive any gift or gratuities where the circumstances would permit the inference that: (a) the gift is intended to influence the individual in the performance of official business or (b) the gift constitutes a tip, reward, or sign of appreciation for any official act by the individual. This prohibition extends to any form of financial payments, services, loans, travel reimbursement, entertainment, hospitality, thing or promise from any entity doing business with or before the Agency. Any gifts or gratuities received by a board member, director or employee shall be reported to the Ethics Officer within forty eight hours of the receipt thereof.
4. Board members, directors and employees shall not use or attempt to use their official position with the Agency to secure unwarranted privileges for themselves, members of their family or others, including employment with the Agency or contracts for materials or services with the Agency.
5. Board members, directors 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.

6. Board members, directors and employees may not engage in any official transaction with an outside entity in which they have a direct or indirect financial interest that may reasonably conflict with the proper discharge of their official duties.

7. Board members, directors and employees shall manage all matters within the scope of the Agency's mission independent of any other affiliations or employment. Directors, including ex officio board members, and employees employed by more than one government shall strive to fulfill their professional responsibility to the Agency without bias and shall support the Agency's mission to the fullest.

8. Board members, directors and employees shall not use Agency property, including equipment, telephones, vehicles, computers, or other resources, or disclose information acquired in the course of their official duties in a manner inconsistent with State or local law or policy and the Agency's mission and goals.

9. Board members, directors and employees are prohibited from appearing or practicing before the Agency for two (2) years following employment with the Agency, consistent with the provisions of the New York State Public Officers Law.

Implementation of Code of Ethics

This Code of Ethics shall be provided to all board members, directors and employees upon commencement of employment or appointment and shall be reviewed annually by the Governance Committee. The board may designate an Ethics Officer, who shall report to the board and shall have the following duties:

- Counsel in confidence Agency board members, directors and employees who seek advice about ethical behavior.
- Receive and investigate complaints about possible ethics violations.
- Dismiss complaints found to be without substance.
- Prepare an investigative report of their findings for action by the Executive Director or the board.
- Record the receipt of gifts or gratuities of any kind received by a director or employee.

Penalties

In addition to any penalty contained in any other provision of law, an Agency board member, director or employee who knowingly and intentionally violates any of the provisions of this code may be removed in the manner provided for in law, rules or regulations.

Reporting Unethical Behavior

Board members, directors and employees are required to report possible unethical behavior by a board member, director or employee of the Agency to the Ethics Officer. Board members, directors and employees may file ethics complaints anonymously and are protected from retaliation by the policies adopted by the Agency.

Adopted on January 13, 2015

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023**

AGENDA ITEM #10

TYPE OF RESOLUTION: RESOLUTION TO APPROVE AN INVESTMENT POLICY TO THE INDUSTRIAL DEVELOPMENT AGENCY IN COMPLIANCE WITH THE PUBLIC AUTHORITY ACCOUNTABILITY ACT ("PAAA") WHICH SHALL APPLY TO ALL OPERATING FUNDS, BOND PROCEEDS AND OTHER FUNDS AND ALL INVESTMENTS TRANSACTIONS INVOLVING OPERATING FUNDS, BOND PROCEEDS AND OTHER FUNDS ACCOUNTED FOR IN THE FINANCIAL STATEMENTS OF THE AGENCY.

January 24, 2023

Whereas, the Public Authority Accountability Act, (the Act) Section 18, requires all public authorities within the State of New York to adopt an **Investment Policy**, and

Whereas, the Town of Islip Industrial Development Agency (the Agency) has been identified as an “Authority” subject to the Act.

Resolved, that the Agency adopts a policy entitled **Investment Policy of the Town of Islip Industrial Development Agency**, as attached to this resolution, in compliance with Section 18 of the Act.

Upon a vote being taken, the result:

INVESTMENT POLICY
Town of Islip Industrial Development Agency

This Investment Policy of the Town of Islip Industrial Development Agency (the Agency) 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. 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 Chairman 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 Chairman 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, 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 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, bond proceeds 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 Chairman 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 Chairman, 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 Chairman, 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.

Adopted by the IDA Board of Directors on January 20, 2016.

TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #11

TYPE OF RESOLUTION: TO CONSIDER THE ADOPTION OF A RESOLUTION ON BEHALF OF THE TOWN OF ISLIP IDA TO APPROVE A **PROCUREMENT POLICY (A ‘PAAA’ REQUIREMENT)** WHICH WILL APPLY TO THE PROCUREMENT FOR GOODS AND SERVICES NOT SUBJECT TO THE COMPLETIVE BIDDING REQUIREMENTS SET FORTH IN GENERAL MUNICIPAL LAW SECTION 103 AND WHICH GOODS AND SERVICES ARE PAID FOR AND USED BY THE AGENCY.

January 24, 2024

Whereas, the Public Authority Accountability Act, (the Act) Section 18, requires all public authorities within the State of New York to adopt a **Procurement Policy**, and

Whereas, the Town of Islip Industrial Development Agency (the Agency) has been identified as an “Authority” subject to the Act, and

Resolved, that the Agency adopts a policy entitled **Procurement Policy of the Town of Islip Industrial Development Agency**, as a attached to this resolution, in compliance with Section 18 of the Act.

Upon a vote taken, the result was:

PROCUREMENT POLICY
Town of Islip Industrial Development Agency

ARTICLE I. SCOPE AND PURPOSE

Pursuant to Section 2824 of the Public Authorities Law, the Town of Islip Industrial Development Agency (the AAgency@) 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 APolicy@) 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 Chairman or an authorized designee 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 years= 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 (1) above, then prior to commencing any procurement of goods and services, the Chairman or an authorized designee 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 UNDER \$20,000.
 - a. \$0.01 - \$500 May be purchase at the discretion of the Chairman or the authorized designee.
 - b. \$501 - \$3,000 Upon Agency approval, may be purchased from the vendor

providing the lowest quote after receiving and documenting at least three (3) verbal quotes.

- c. \$3,000 - \$19,999 Upon Agency approval, may be purchased from the vendor providing the lowest quote after receiving at least three (3) written, faxed, or e-mailed quotes.

4. PROCEDURES FOR THE PURCHASE OF PUBLIC WORKS OR SERVICES UNDER \$35,000.

- a. \$0.01 - \$1,000 May be purchased at the discretion of the Chairman or the authorized designee.
- b. \$1,001 - \$5,000 Upon Agency approval, may be purchased after receiving and documenting at least three (3) verbal quotes.
- c. \$5,001 - \$34,999 Upon Agency approval, may be purchased from the vendor providing the lowest quote after receiving at least three (3) written, faxed, or e-mailed quotes.

5. QUOTES.

- b. 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.
- c. 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.
- d. 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 Chairman 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 Chairman, such emergency shall not be subject to competitive bidding or the procedures stated herein. The Chairman 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 Chairman 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 Chairman 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 Chairman 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. MISCELLANEOUS.

1. The Agency shall annually review this Policy.
2. The unintentional failure to comply with the provisions of this Policy an 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.

This Policy was duly adopted by the IDA Board of Directors on January 23, 2018.

TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #12

TYPE OF RESOLUTION: TO CONSIDER THE ADOPTION OF A RESOLUTION ON BEHALF OF THE TOWN OF ISLIP IDA TO APPROVE A **CONFLICT OF INTEREST POLICY** (A 'PAAA' REQUIREMENT) AND AMENDING THE BY-LAWS OF THE AGENCY.

Date: January 24, 2023

At a meeting of the Town of Islip Industrial Development Agency held at Islip Town Hall, 655 Main Street, Islip, New York on the 11th day of January 2022, the following members of the Agency were:

Present:

After the meeting had been duly called to order, the Chairman announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to the adoption of a Conflict of Interest Policy of the Town of Islip Industrial Development Agency in furtherance of the provisions of the PAAA and the Act, each as amended.

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 AUTHORIZING AND
ADOPTING A **CONFLICT OF INTEREST POLICY**
NECESSARY TO IMPLEMENT THE PROVISIONS OF
THE PAAA AND THE ACT, AS AMENDED AND
APPROVING THE FORM, SUBSTANCE AND
EXECUTION OF 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 promote, develop, encourage and assist in the acquisition, construction, improvement, maintenance, equipping and furnishing of certain industrial, manufacturing, warehousing, commercial, research, and recreation facilities as authorized by the Act 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 standard of living; and

WHEREAS, the New York State Legislature adopted the Public Authorities Accountability Act of 2005 and the Public Authorities Accountability Act of 2009, each as amended from time to time (collectively, the “**PAAA**”), 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, a Conflict of Interest Policy would permit the Agency to continue to provide financial assistance to various business entities to acquire, locate, construct, renovate, equip and/or expand in the Town of Islip, New York (the “**Town**”), which would generate additional revenues, housing and employment within the Town; 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, 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; and

(b) Authorizing and adopting the Conflict of Interest Policy will allow the Agency 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

(c) Authorizing and adopting the Conflict of Interest Policy will allow the Agency to continue to provide financial assistance to various business entities to acquire, locate, construct, renovate, equip and/or expand in the Town, which would generate additional revenues, housing and employment within the Town; and

(d) It is desirable and in the public interest for the Agency to adopt the Conflict of Interest Policy.

(e) The adoption of a stand-alone Conflict of Interest Policy will permit the Agency to maintain stand-alone Conflict of Interest Policy.

Section 2. In consequence of the foregoing, 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.

Section 3. 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.

Section 4. This resolution shall take effect immediately.

[illegible]

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 the 24th day of January, 2024, 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.

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, as amended, that all members of said Agency had due notice of said meeting and that said meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 24th day of January, 2023.

By: _____
Assistant Secretary

Exhibit A

TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT 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 Town of Islip Industrial Development 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 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 Executive Officer or counsel to the Agency.

Adopted January 24th, 2023

TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #13

TYPE OF RESOLUTION: TO CONSIDER THE ADOPTION OF A RESOLUTION ON BEHALF OF THE TOWN OF ISLIP IDA TO APPROVE A **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.

January 24, 2023

WHEREAS, the Town of Islip Industrial Development Agency (the Agency) is duly established under 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 amended; and

WHEREAS, the purpose of the Agency is to promote and encourage economic development within the Town of Islip; and

WHEREAS, periodically, it is necessary that the Agency participates in various conferences, conventions and educational schooling and/or requests mileage reimbursement for the use of personal vehicles; and

WHEREAS, **Travel Authorization and Mileage Reimbursement guidelines** have been adopted in the Town of Islip's Administrative Procedures Manual, Section 303; and

WHEREAS, as a recommended Governance Practice by the Authorities Budget Office, the Agency wishes to adopt and adhere to the same guidelines as outlined in the Town of Islip's Administrative Procedures Manual, Section 303; and

NOW THEREFORE, on motion by Councilmen:

RESOLVED, that the Chairman, or his designee, has authorized the Agency to adopt and abide by the Travel Authorization and Mileage Reimbursement guidelines as outlined in the Town of Islip's Administrative Procedures Manual, Section 303, subject to approval of the Agreement by the Town Attorney as to form.

UPON a vote being taken the result was:

TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #14

TYPE OF RESOLUTION: TO CONSIDER THE ADOPTION
OF A RESOLUTION APPROVING A **PROPERTY**
DISPOSITION POLICY ON BEHALF OF THE TOWN OF
ISLIP IDA

Date: January 24, 2023

At a meeting of the Town of Islip Industrial Development Agency (the "Agency"), held at 40 Nassau Avenue, Islip, New York on the 24th day of January, 2023, the following members of the Agency were:

Present:

After the meeting had been duly called to order, the Chairman announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to adopting a Property Disposition Policy of the Town of Islip Industrial Development Agency necessary to implement the provisions of the PAAA, as amended.

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 ADOPTING
A PROPERTY DISPOSITION POLICY OF THE TOWN
OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY
NECESSARY TO IMPLEMENT THE PROVISIONS OF
THE PAAA AND THE ACT, AS AMENDED

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 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 the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, the New York State Legislature adopted the Public Authorities Accountability Act of 2005, as amended (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 a Property Disposition Policy (the “**Property 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, 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; and

(b) Adopting the Property 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 (i) the Property 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.

[illegible]

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 the 24th day of January, 2023, 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.

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, as amended, that all members of said Agency had due notice of said meeting and that said meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 24th day of January, 2023.

By: _____
Assistant Secretary

Exhibit A

Town of Islip Industrial Development Agency

Property Disposition Policy

In keeping with the policy of maintaining the highest standards of conduct and ethics and to operate in the most accountable and open manner, the Town of Islip Industrial Development 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 (as such term is defined below) of Property in compliance with any applicable Law, Rule or Regulation (as such term is defined below). Failure to follow the provisions of this Property Disposition 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: Any duly enacted statute, or ordinance or any rule or regulation promulgated pursuant to any federal, state or local statute or ordinance.

Property shall mean (a) personal property in excess of five thousand dollars (\$5,000.00) in value, (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 Contracting Officer of the Agency shall be responsible for the Agency's compliance with this Property Disposition Policy and the supervision and control of all Property Disposed of by the Agency. In addition, the Contracting Officer 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 under the control of the Agency and periodically inventorying such property to determine which, if any, property should be Disposed by the Agency. The Contracting Officer shall recommend to the Board any Property he or she deems suitable for Disposal.

Disposition of Property

Unless otherwise authorized by this Policy, the Agency shall Dispose of Property 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 Contracting Officer deems proper. Provided, however, that no disposition of real property, any interest in real property, or any other Property 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 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 or entering into a contract for the Disposal of Property, 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. 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 or enter into contracts for the disposal of Property 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 if the Property 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 is Disposed by lease (or exchange), then the Agency shall file an explanatory statement when the Property 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 consisting of real property of the Agency. In addition, the Annual Report shall include a list and full description of all Property 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, in addition to the name of the purchaser for all such Property 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.

Property Disposition Policy

The Agency shall review and approve this Property Disposition Policy annually by resolution of the Board. On or before March 31 of each year, the Agency shall file with the Comptroller a copy of its Property Disposition Policy, including the name of the Contracting Officer appointed by the Agency. Upon such filing with the comptroller, the Agency shall post its Property Disposition Policy on its website.

Adopted:

TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #15

TYPE OF RESOLUTION: RESOLUTION TO APPROVE A PROGRAMMING SERVICE AGREEMENT WITH MIKE SINISKI TO PROVIDE COMPUTER PROGRAMMING SERVICES FOR THE MAINTANANCE OF UPDATED AND IMPROVED **IDA** ASSESSMENT ROLL AND PILOT BILLING SYSTEM INCLUDING TRAINING TOWN OF ISLIP STAFF AT THE RATE OF \$65.00 PER HOUR, NOT TO EXCEED \$5,000.

**AGREEMENT BETWEEN TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY
AND Mike Siniski**

THIS AGREEMENT, entered into the 24th day of January 2023, by and between the TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY ("the AGENCY"), a duly authorized agency of the Town of Islip, established under 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 the State of New York, as amended, and having its principal place of business at 40 Nassau Ave., Islip, New York, and **Mike Siniski**, 19 Zavra St., Bohemia, NY 11716.

WHEREAS, by a resolution duly adopted on January 11, 2022 (attached hereto), the Chairwoman of the AGENCY is authorized to enter into this Agreement with **Mike Siniski**;

WHEREAS, the term of this Agreement shall be for the period of December 31, 2022 until completion;

WHEREAS, **Mike Siniski** agrees to perform the following tasks during the term of the Agreement;

- (1) Provide computer programming services for the development of an IDA assessment roll and pilot billing system;

WHEREAS, the AGENCY agrees to compensate Mike Siniski in the amount of \$65 per hour, not to exceed \$5,000.00 for the term of this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and consideration set forth above, the parties hereto agree as set forth;

IN WITNESS WHEREOF, the AGENCY and **Mike Siniski** have executed this Agreement as of the date of the year first written.

Mike Siniski

By: _____
Mike Siniski

TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY

By: _____
Angie M. Carpenter
Chairwoman

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023**

AGENDA ITEM # 16

TYPE OF RESOLUTION: MARKETING AGREEMENT

**COMPANY: JVC BROADCASTING
(103.9 LI NEWS RADIO WITH JAY OLIVER)**

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 January 25, 2023 - December 31, 2023;

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

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 January 25, 2022-December 31, 2023, for an amount not to exceed \$12,000.00.

Upon a vote being taken, the result was:



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 7P-8p.
- Excerpts from Jay Oliver LI in the AM 6A-9A radio show, played in the PM.
- TOI ED to receive title sponsorship of the 7P-8P 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 340,000 listeners each week
- LI in the PM has 245,000 listeners each week

JANUARY-DECEMBER 2023 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.

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023**

AGENDA ITEM # 17

TYPE OF RESOLUTION: MARKETING AGREEMENT

COMPANY: WABC RADIO (77 AM AND 107.1)

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 WABC Radio (77 AM and 107.1 FM) for marketing

WHEREAS, the agreement between the Agency and WABC Radio will not exceed \$24,000.00 for the period of January 25, 2023 - December 31, 2023;

NOW, THEREFORE, on a motion by _____seconded by _____,
Be it; approved

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 January 25, 2022-December 31, 2023, for an amount not to exceed \$24,000.00.

Upon a vote being taken, the result was:

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023**

AGENDA ITEM # 18

TYPE OF RESOLUTION: INDUCEMENT RESOLUTION

COMPANY: BIG GEYSER

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TOWARD APPOINTING BIG GEYSER INC., A DELAWARE BUSINESS CORPORATION, ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF BIG GEYSER INC. AND/OR AN ENTITY FORMED OR TO BE FORMED ON BEHALF OF ANY OF THE FOREGOING AS AGENT(S) OF THE AGENCY FOR THE PURPOSE OF ACQUIRING, RENOVATING AND EQUIPPING THE FACILITY AND MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE FACILITY.

WHEREAS, Big Geyser Inc., a Delaware business corporation, on behalf of itself and/or the principals of Big Geyser Inc. 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 7.04 acre parcel of land located at 111 Wilshire Boulevard, Edgewood, New York 11717 (the “**Land**”), and the renovation and equipping of an approximately 120,000 square foot building located thereon (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, for use by the Company as corporate office space and warehouse space in the storage and distribution of non-alcoholic beverages and snacks (the “**Project**”); and

WHEREAS, the Company will acquire a leasehold interest in the Facility pursuant to a lease agreement (the “**Ground Lease**”), between Wilshire Rental Properties LLC (the “**Owner**”) and the Company; 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 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, renovation, equipping, and operation of the Facility is a Type II Action, as that term is defined in the SEQR Act. As such, no further SEQR review is required under the SEQR Act.

Section 2. The acquisition, renovation 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, renovate 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 January 24, 2023, 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 January 24, 2023.

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, 2023, 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:

Big Geyser Inc., a Delaware business corporation, on behalf of itself and/or the principals of Big Geyser Inc. 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 7.04 acre parcel of land located at 111 Wilshire Boulevard, Edgewood, New York 11717 (the “**Land**”), and the renovation and equipping of an approximately 120,000 square foot building located thereon (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, for use by the Company as corporate office space and warehouse space in the storage and distribution of non-alcoholic beverages and snacks (the “**Project**”). The Facility will be initially 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 sales and use taxes, exemptions from mortgage recording 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: _____, 2023

TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY

By: John G. Walser
Title: Executive Director

EXHIBIT B

MINUTES OF PUBLIC HEARING HELD ON
_____, 2023

TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY
(BIG GEYSER INC. 2023 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:

Big Geyser Inc., a Delaware business corporation, on behalf of itself and/or the principals of Big Geyser Inc. 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 7.04 acre parcel of land located at 111 Wilshire Boulevard, Edgewood, New York 11717 (the “**Land**”), and the renovation and equipping of an approximately 120,000 square foot building located thereon (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, for use by the Company as corporate office space and warehouse space in the storage and distribution of non-alcoholic beverages and snacks (the “**Project**”). The Facility will be initially 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 sales and use taxes, exemptions from mortgage recording taxes, and abatement of real property taxes.

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, 2023, at _____ a.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 __, 2023.

Assistant Secretary

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023**

AGENDA ITEM # 19

TYPE OF RESOLUTION: INDUCEMENT RESOLUTION

**COMPANY: JSB REAL ESTATE COMPANY,
LLC/POSITIVE PROMOTIONS, INC. (2002 FACILITY)**

Date: January 24, 2023

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 24th day of January, 2023, 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 an amendment, modification and extension of PILOT benefits and the execution of related documents in connection with a certain industrial development facility more particularly described below (JSB Real Estate Company, LLC/Positive Promotions, Inc. 2002 Facility)

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 TAKING OFFICIAL ACTION
TOWARDS THE AMENDMENT, MODIFICATION AND
EXTENSION OF THE PILOT BENEFITS OF A CERTAIN
INDUSTRIAL DEVELOPMENT FACILITY FOR J.S.B. REAL
ESTATE COMPANY, LLC/POSITIVE PROMOTIONS, INC.
2002 FACILITY AND MAKING CERTAIN FINDINGS AND
DETERMINATIONS WITH RESPECT TO THE FACILITY

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 J.S.B. Real Estate Company, LLC, a limited liability company duly organized and validly existing under the laws of the State of New York, having an office at 40-01 168th Street, Flushing, New York 11358 (the “**Company**”), with the acquisition and renovation of an approximately 140,000 square foot building located at 15 Gilpin Avenue, Hauppauge, Town of Islip, Suffolk County, New York, leased by the Agency to the Company and subleased by the Company to, and used by, Positive Promotions, Inc., a corporation duly organized and validly existing under the laws of the State of New York, 40-01 168th Street, Flushing, New York 11358 (the “**Sublessee**”) for the purposes of efficiently manufacturing finished products and to provide for sufficient space for future expansion (the “**Original Facility**”), whereby the foregoing project is hereinafter referred to as the “**Original Project**”; and

WHEREAS, the Agency leased the Original Facility to the Company pursuant to a Lease Agreement, dated as of December 1, 2002 (the “**2002 Lease Agreement**”; as modified by a certain Amendment and Modification Agreement, dated as of November 30, 2012, the “**Original Lease Agreement**”), a memorandum of such Original Lease Agreement was presented to the Suffolk County Clerk’s office for recording; and

WHEREAS, the Original Facility is further subleased by the Company to the Sublessee pursuant to a certain Sublease Agreement, dated as of December 19, 2002 (the “**Sublease Agreement**”), by and between the Company and the Sublessee; and

WHEREAS, in connection with the leasing of the Original Facility, the Company, the Sublessee and the Agency entered into a certain Environmental Compliance and Indemnification Agreement, dated as of December 1, 2002 (the “**Environmental Compliance and Indemnification Agreement**”), by and between the Company, the Sublessee and the Agency; and

WHEREAS, in connection with the leasing of the Original Facility, the Agency, the Sublessee and the Company entered into a certain Payment-in-Lieu-of-Tax Agreement, dated as of December 1, 2002, as amended and restated pursuant to a certain Amended and

Restated PILOT Agreement, dated as of November 30, 2012 (collectively, the “**PILOT Agreement**”), between the Agency, the Company and the Sublessee, which provided for payments in lieu of taxes with respect to the Original Facility; and

WHEREAS, in connection with the leasing of the Original Facility, the Sublessee and Agency entered into a certain Agency Compliance Agreement, dated as of December 1, 2002 (the “**Original Agency Compliance Agreement**”), by and between the Sublessee and the Agency; and

WHEREAS, the Company and Sublessee have now submitted to the Agency, a request and application to amend, modify and extend the current payment-in-lieu-of-tax benefits (the “**2023 PILOT Amendment**”); and

WHEREAS, in connection with the 2023 PILOT Amendment, the project shall consist of the acquisition and installation of certain equipment and personal property in the Original Facility, including but not limited to embroidery machines, M&R machines for silk screening, Full Color Helix machines, Full Color Xjet machines, printers, and certain other equipment (the “**2023 Equipment**”, and together with the Original Facility, the “**Facility**”), to be used in connection with the Sublessee’s business as a manufacturer and distributor of themed promotion products, including a product line of themed box gift sets, which will also require certain minor modifications to the roof for venting and related adjustments in connection therewith (the “**2023 Project**”, and together with the Original Project, the “**Project**”); and

WHEREAS, in connection with the 2023 PILOT Amendment and the Project, the Agency contemplates that it will (i) amend and restate the Original Lease Agreement, the PILOT Agreement and the Environmental Compliance and Indemnification Agreement pursuant to a certain Amended and Restated Lease and Project Agreement (the “**Lease and Project Agreement**”) and (ii) amend and restate the Original Agency Compliance Agreement pursuant to a certain Amended and Restated Agency Compliance Agreement; and

WHEREAS, further in connection therewith, the Agency will amend and extend its leasehold interest in the Facility pursuant to the Act; and

WHEREAS, the Agency proposes to provide financial assistance to the Company and/or Sublessee in the form of the extension, modification and amendment of current abatements of real property taxes; and

WHEREAS, as of the date of this resolution, no determination for financial assistance has been made; 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 prepared a new PILOT schedule and cost/benefit analysis with respect to the proposed 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 will be annexed hereto as Exhibit B; and

WHEREAS, the Agency has given due consideration to the request of the Company and the Sublessee, and to representations by the Company and the Sublessee that the proposed financial assistance with respect to the amendment, modification and extension of abatement of real property taxes is either an inducement to the Company and the Sublessee to maintain the Facility in the Town of Islip or is necessary to maintain the competitive position of the Company and the Sublessee in their industries; 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, in connection with the 2023 Project, 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 and the Sublessee will agree to indemnify the Agency against certain losses, claims, expenses, damages and liabilities that may arise in connection with the transaction contemplated by the continued leasing of the Facility by the Agency to the Company and the Sublessee; and

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) Based upon representations of the Company and the Sublessee, and their 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.
- (d) 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.
- (e) 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, equipping, and operation of the Facility is a Type II Action, as that term is defined in the SEQRA Act. As such, no further SEQRA review is required under the SEQRA Act.

Section 2. The continued leasing of the Facility by the Agency to the Company and the subleasing of the Facility by the Company to the Sublessee, and the provision of financial assistance 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. The Company and the Sublessee are hereby notified that it will be required to comply with Section 875 of the Act. The Company and the Sublessee shall be required to agree to the terms of Section 875 pursuant to the Lease and Project Agreement, by and between the Company and the Agency. The Company and the Sublessee are further notified that the tax exemptions and abatements provided pursuant to the Act 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 and Project Agreement.

Section 4. 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 transfer of the real estate or transactions described in the foregoing resolution.

Section 5. 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 the Sublessee, 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 6. Any expenses incurred by the Agency with respect to the Facility, including the expenses of Transaction Counsel, shall be paid by the Company and the Sublessee. The Company and the Sublessee 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 7. 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 January 24, 2023, with the original thereof on file in my office, and that the same is a true and correct copy of such resolution and of the proceedings of the Agency in connection with such matter and of such resolutions set forth therein.

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 24th day of January, 2023.

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 ___ day of January, 2023, at ___:___ a.m., local time, at 40 Nassau Avenue, Islip, New York 11751 in connection with the following matters:

The Agency has previously assisted J.S.B. Real Estate Company, LLC, a limited liability company duly organized and validly existing under the laws of the State of New York, having an office at 40-01 168th Street, Flushing, New York 11358 (the “**Company**”), with the acquisition and renovation of an approximately 140,000 square foot building located at 15 Gilpin Avenue, Hauppauge, Town of Islip, Suffolk County, New York, leased by the Agency to the Company and subleased by the Company to, and used by, Positive Promotions, Inc., a corporation duly organized and validly existing under the laws of the State of New York, 40-01 168th Street, Flushing, New York 11358 (the “**Sublessee**”) for the purposes of efficiently manufacturing finished products and to provide for sufficient space for future expansion (the “**Original Facility**”), whereby the foregoing project is hereinafter referred to as the “**Original Project**”.

The Agency leased the Original Facility to the Company pursuant to a Lease Agreement, dated as of December 1, 2002 (the “**2002 Lease Agreement**”; as modified by a certain Amendment and Modification Agreement, dated as of November 30, 2012, the “**Original Lease Agreement**”), a memorandum of such Original Lease Agreement was presented to the Suffolk County Clerk’s office for recording.

The Original Facility is further subleased by the Company to the Sublessee pursuant to a certain Sublease Agreement, dated as of December 19, 2002 (the “**Sublease Agreement**”), by and between the Company and the Sublessee.

In connection with the leasing of the Original Facility, the Company, the Sublessee and the Agency entered into a certain Environmental Compliance and Indemnification Agreement, dated as of December 1, 2002 (the “**Environmental Compliance and Indemnification Agreement**”), by and between the Company, the Sublessee and the Agency.

In connection with the leasing of the Original Facility, the Agency, the Sublessee and the Company entered into a certain Payment-in-Lieu-of-Tax Agreement, dated as of December 1, 2002, as amended and restated pursuant to a certain Amended and Restated PILOT Agreement, dated as of November 30, 2012 (collectively, the “**Original PILOT Agreement**”), between the Agency, the Company and the Sublessee, which provided for payments in lieu of taxes with respect to the Original Facility.

The Company and Sublessee have now submitted to the Agency, a request and application to amend, modify and extend the current payment-in-lieu-of-tax benefits (the “**2023 PILOT Amendment**”).

In connection with the 2023 PILOT Amendment, the project shall consist of the acquisition and installation of certain equipment and personal property in the Original Facility, including but not limited to embroidery machines, M&R machines for silk screening, Full Color Helix machines, Full Color Xjet machines, printers, and certain other equipment (the “**2023 Equipment**”, and together with the Original Facility, the “**Facility**”), to be used in connection with the Sublessee’s business as a manufacturer and distributor of themed promotion products, including a product line of themed box gift sets, which will also require certain minor modifications to the roof for venting and related adjustments in connection therewith (the “**2023 Project**”, and together with the Original Project, the “**Project**”). In connection therewith, the Agency will amend and extend its leasehold interest in the Facility.

The Agency contemplates that it will provide financial assistance to the Company and/or Sublessee in the form of the extension, modification and amendment of current abatements of real property taxes, exemptions from mortgage recording taxes, and exemptions from sales and use 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 and the Sublessee. At the hearing, all persons will have the opportunity to review the application for the continued financial assistance filed by the Company and the Sublessee with the Agency and an analysis of the costs and benefits of the continued proposed Facility.

Dated: January __, 2023

TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY

By: John G. Walser
Title: Executive Director

MINUTES OF PUBLIC HEARING HELD ON
JANUARY __, 2023

TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY
(J.S.B. REAL ESTATE COMPANY, LLC/POSITIVE PROMOTIONS, INC. 2002 FACILITY)

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

2. The _____ then described the location and nature of the Facility to be financed as follows:

The Agency has previously assisted J.S.B. Real Estate Company, LLC, a limited liability company duly organized and validly existing under the laws of the State of New York, having an office at 40-01 168th Street, Flushing, New York 11358 (the “**Company**”), with the acquisition and renovation of an approximately 140,000 square foot building located at 15 Gilpin Avenue, Hauppauge, Town of Islip, Suffolk County, New York, leased by the Agency to the Company and subleased by the Company to, and used by, Positive Promotions, Inc., a corporation duly organized and validly existing under the laws of the State of New York, 40-01 168th Street, Flushing, New York 11358 (the “**Sublessee**”) for the purposes of efficiently manufacturing finished products and to provide for sufficient space for future expansion (the “**Original Facility**”), whereby the foregoing project is hereinafter referred to as the “**Original Project**”.

The Agency leased the Original Facility to the Company pursuant to a Lease Agreement, dated as of December 1, 2002 (the “**2002 Lease Agreement**”; as modified by a certain Amendment and Modification Agreement, dated as of November 30, 2012, the “**Original Lease Agreement**”), a memorandum of such Original Lease Agreement was presented to the Suffolk County Clerk’s office for recording.

The Original Facility is further subleased by the Company to the Sublessee pursuant to a certain Sublease Agreement, dated as of December 19, 2002 (the “**Sublease Agreement**”), by and between the Company and the Sublessee.

In connection with the leasing of the Original Facility, the Company, the Sublessee and the Agency entered into a certain Environmental Compliance and Indemnification Agreement, dated as of December 1, 2002 (the “**Environmental Compliance and Indemnification Agreement**”), by and between the Company, the Sublessee and the Agency.

In connection with the leasing of the Original Facility, the Agency, the Sublessee and the Company entered into a certain Payment-in-Lieu-of-Tax

Agreement, dated as of December 1, 2002, as amended and restated pursuant to a certain Amended and Restated PILOT Agreement, dated as of November 30, 2012 (collectively, the “**Original PILOT Agreement**”), between the Agency, the Company and the Sublessee, which provided for payments in lieu of taxes with respect to the Original Facility.

The Company and Sublessee have now submitted to the Agency, a request and application to amend, modify and extend the current payment-in-lieu-of-tax benefits (the “**2023 PILOT Amendment**”).

In connection with the 2023 PILOT Amendment, the project shall consist of the acquisition and installation of certain equipment and personal property in the Original Facility, including but not limited to embroidery machines, M&R machines for silk screening, Full Color Helix machines, Full Color Xjet machines, printers, and certain other equipment (the “**2023 Equipment**”, and together with the Original Facility, the “**Facility**”), to be used in connection with the Sublessee’s business as a manufacturer and distributor of themed promotion products, including a product line of themed box gift sets, which will also require certain minor modifications to the roof for venting and related adjustments in connection therewith (the “**2023 Project**”, and together with the Original Project, the “**Project**”). In connection therewith, the Agency will amend and extend its leasehold interest in the Facility.

The Agency contemplates that it will provide financial assistance to the Company and/or Sublessee in the form of the extension, modification and amendment of current abatements of real property taxes, exemptions from mortgage recording taxes, and exemptions from sales and use taxes.

3. The hearing officer then opened up the hearing for comments from the floor for or against the location and nature of the Facility. The following is a listing of the persons heard and a summary of their views:

4. The _____ then asked if there were any further comments and, there being none, the hearing was closed at _____ .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 __, 2023, at __:__ a.m. local time, at the Town of Islip Department of Economic Development, the Office of Economic Development Conference Room, 40 Nassau Avenue, Islip, New York 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 __, 2023.

Assistant Secretary

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023**

AGENDA ITEM # 20

TYPE OF RESOLUTION: AUTHORIZING RESOLUTION

COMPANY: EUROPASTRY

Date: January 24, 2023

At a meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), held at 40 Nassau Avenue, Islip, New York 11751 on the 24th day of January, 2023 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 and take action on certain matters pertaining to acquisition of a leasehold interest to a certain industrial development facility more particularly described below (Europastry USA, Inc. 2023 Facility).

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 TAKING OFFICIAL ACTION
TOWARD APPOINTING EUROPASTRY USA, INC., A NEW
YORK BUSINESS CORPORATION, ON BEHALF OF ITSELF
AND/OR THE PRINCIPALS OF EUROPASTRY USA, INC.
AND/OR AN ENTITY FORMED OR TO BE FORMED ON
BEHALF OF ANY OF THE FOREGOING AS AGENT(S) OF
THE AGENCY FOR THE PURPOSE OF ACQUIRING,
RENOVATING AND EQUIPPING THE FACILITY AND
APPROVING THE FORM, SUBSTANCE AND EXECUTION OF
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 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 the acquisition of certain industrial development projects as authorized by 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, Europastry USA, Inc., a New York business corporation, on behalf of itself and/or the principals of Europastry USA, Inc. 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 5.8 acre parcel of land located at 2001 Orville Drive North, Ronkonkoma, New York (the “**Land**”), and the renovation and equipping of an approximately 72,000 square foot building located thereon (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, for use in the manufacture of ciabatta bread rolls, the slicing and bagging of bread and/or bakery products, and for corporate office space (the “**Project**”); and

WHEREAS, the Agency, by resolution duly adopted on December 13, 2022 (the “**Inducement Resolution**”), decided to proceed under the provisions of the Act; and

WHEREAS, the Company will acquire a leasehold interest in the Facility pursuant to a lease agreement (the “**Ground Lease**”), between REP D-2030 LLC (the “**Owner**”) and the Company; and

WHEREAS, the Agency will acquire a subleasehold interest in the Land and the Improvements pursuant to a certain Company Lease Agreement, dated as of January 1, 2023, or such other date as the Chairman or the Executive Director of the Agency and counsel to the Agency shall agree (the “**Company Lease**”), by and between the Company and the Agency; and

WHEREAS, the Agency will acquire title to the Equipment pursuant to a certain Bill of Sale, dated the Closing Date (as defined in the hereinafter defined Lease Agreement) (the “**Bill of Sale**”), from the Company to the Agency; and

WHEREAS, the Agency will sublease and lease the Facility to the Company pursuant to a certain Lease and Project Agreement, dated as of January 1, 2023 or such other date as the Chairman or Executive Director of the Agency and counsel to the Agency shall agree (the “**Lease Agreement**”), by and between the Agency and the Company; and

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company in the form of (i) exemptions from sales and use taxes in an approximate amount not to exceed \$37,725.75, in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility, and (ii) abatement of real property taxes (as set forth in the PILOT Schedule attached as Exhibit A hereof); and

WHEREAS, the Agency has given due consideration to the application of the Company and to representations by the Company that the proposed transaction is necessary to maintain the competitive position of the Company in its industry; 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 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; and

(b) The Facility constitutes a “project”, as such term is defined in the Act; and

(c) The Facility preserves the public purposes of the Act by preserving or increasing the number of permanent private sector jobs in the Town of Islip. The Company has represented to the Agency that it intends to provide and maintain (by preserving and retaining current jobs) approximately one hundred fifty-two (152) full-time employees (total) within the second year after completion of the Facility; and

(d) The acquisition, renovation and equipping of the Facility, the leasing of the Facility to the Company will promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of Town of Islip, and the State of New York and improve their standard of living and thereby serve the public purposes of the Act; and

(e) The acquisition, renovation and equipping of the Facility by the Agency is reasonably necessary to induce the Company to maintain and expand its business operations in the Town of Islip; and

(f) Based upon representations of the Company and counsel to the Company, the Facility conforms 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; and

(g) It is desirable and in the public interest for the Agency to sublease the Land and the Improvements and to lease the Equipment to the Company; and

(h) The Company Lease will be an effective instrument whereby the Agency leases the Land and the Improvements from the Company; and

(i) The Lease Agreement will be an effective instrument whereby the Agency leases and subleases the Facility to the Company, the Agency and the Company set forth the terms and conditions of their agreement regarding payments-in-lieu of taxes, the Company agrees to comply with all Environmental Laws (as defined therein) applicable to the Facility and will describe the circumstances in which the Agency may recapture some or all of the benefits granted to the Company.

Section 2. The Agency has assessed all material information included in connection with the Company's application for financial assistance, including but not limited to, the cost-benefit analysis prepared by the Agency and such information has provided the Agency a reasonable basis for its decision to provide the financial assistance described herein to the Company.

Section 3. In consequence of the foregoing, the Agency hereby determines to: (i) lease the Land and the Improvements from the Company pursuant to the Company Lease, (ii) execute, deliver and perform the Company Lease, (iii) sublease and lease the Facility to the Company pursuant to the Lease Agreement, and (iv) execute, deliver and perform the Lease Agreement.

Section 4. The Agency is hereby authorized to acquire the real property and personal property described in Exhibit A and Exhibit B, respectively, to the Lease Agreement, 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. The Agency hereby authorizes and approves the following economic benefits to be granted to the Company in connection with the acquisition, renovation and equipping of the Facility in the form of (i) exemptions from sales and use taxes in an approximate amount not to exceed \$37,725.75, in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility, and (ii) abatement of real property taxes (as set forth in the PILOT Schedule attached as Exhibit A hereof).

Section 6. Subject to the provisions of this resolution, the Company is herewith and hereby appointed the agent of the Agency to acquire, renovate and equip the Facility. The Company is hereby empowered to delegate its status as agent of the Agency to its agents, subagents, contractors, subcontractors, materialmen, suppliers, vendors and such other parties as the Company may choose in order to acquire, renovate and equip the Facility. The Agency

hereby appoints the agents, subagents, contractors, subcontractors, materialmen, vendors and suppliers of the Company as agents of the Agency solely for purposes of making sales or leases of goods, services and supplies to the Facility, and any such transaction between any agent, subagent, contractor, subcontractor, materialmen, vendor or supplier, and the Company, as agent of the Agency, shall be deemed to be on behalf of the Agency and for the benefit of the Facility. This agency appointment expressly excludes the purchase by the Company of any motor vehicles, including any cars, trucks, vans or buses which are licensed by the Department of Motor Vehicles for use on public highways or streets. The Company shall indemnify the Agency with respect to any transaction of any kind between and among the agents, subagents, contractors, subcontractors, materialmen, vendors and/or suppliers and the Company, as agent of the Agency. The aforesaid appointment of the Company as agent of the Agency to acquire, renovate and equip the Facility shall expire at the earlier of (a) the completion of such activities and improvements, (b) a date which the Agency designates, or (c) the date on which the Company has received exemptions from sales and use taxes in an amount not to exceed \$37,725.75, in connection with the purchase or lease of equipment, building materials, services or other personal property; provided however, such appointment may be extended at the discretion of the Agency, upon the written request of the Company, if such activities and improvements are not completed by such time. The aforesaid appointment of the Company is subject to the execution of the documents contemplated by this resolution.

Section 7. 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 Agreement. 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 Authorizing 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 8. The form and substance of the Company Lease and the Lease Agreement (each in substantially the forms presented to or approved by the Agency and which, prior to the execution and delivery thereof, may be redated and renamed) are hereby approved.

Section 9. The Chairman, Vice Chairman, Executive Director, or any member of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Company Lease and the Lease Agreement, all in substantially the forms thereof presented to this meeting with such changes, variations, omissions and insertions as the Chairman, Vice Chairman, Executive Director or any member of the Agency shall approve, and such other related documents as may be, in the judgment of the Chairman and counsel to the Agency, necessary or appropriate to effect the transactions contemplated by this resolution (hereinafter collectively called the “**Agency Documents**”). The execution thereof by the Chairman, Vice Chairman, Executive Director, Deputy Executive Director or any member of the Agency shall constitute conclusive evidence of such approval.

Section 10. The Chairman, Vice Chairman, Executive Director, Deputy Executive Director or any member of the Agency are further hereby authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency (as defined in and pursuant to the Lease Agreement).

Section 11. 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 12. 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 January 24, 2023, 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 24th day of January, 2023.

By: _____
Assistant Secretary

EXHIBIT A

Proposed PILOT Benefits

Formula for Payments-In-Lieu-of-Taxes: 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), Connetquot School District, Suffolk County and Appropriate Special Districts

Address – 2001 Orville Drive North, Ronkonkoma
Suffolk County, New York

Tax Map No. 0500-106.00-01.00-007.11

Formula: 10-year abatement starting at 50% of assessed value decreasing 5% annually

Definitions:

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), Connetquot School District, Suffolk County which are or may be imposed for special improvements or special district improvements, that the Company would pay without exemption.

| <u>Year</u> | <u>Payment</u> |
|---------------|--|
| 1 | 100% normal tax on 50% of the taxable assessed value |
| 2 | 100% normal tax on 55% of the taxable assessed value |
| 3 | 100% normal tax on 60% of the taxable assessed value |
| 4 | 100% normal tax on 65% of the taxable assessed value |
| 5 | 100% normal tax on 70% of the taxable assessed value |
| 6 | 100% normal tax on 75% of the taxable assessed value |
| 7 | 100% normal tax on 80% of the taxable assessed value |
| 8 | 100% normal tax on 85% of the taxable assessed value |
| 9 | 100% normal tax on 90% of the taxable assessed value |
| 10 | 100% normal tax on 95% of the taxable assessed value |
| 11 and beyond | 100% normal tax on the taxable assessed value |

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023**

AGENDA ITEM # 21

TYPE OF RESOLUTION: ASSIGNMENT & ASSUMPTION

COMPANY: FRC GH OWNERCo2 LLC,

Date: January 24, 2023

At a meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), held at 40 Nassau Avenue, Islip, New York 11751 on the 24th day of January, 2023, 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 and take action on the assignment and assumption of the Agency’s FRC GH OwnerCo 2 LLC 2022 Facility, the execution and delivery of documents with respect thereto and the sale of the Facility to Fairfield Gull Haven LLC.

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
ASSIGNMENT AND ASSUMPTION OF A CERTAIN
INDUSTRIAL DEVELOPMENT FACILITY TO FAIRFIELD
GULL HAVEN LLC, A NEW YORK LIMITED LIABILITY
COMPANY OR ANOTHER ENTITY FORMED OR TO BE
FORMED BY FAIRFIELD GULL HAVEN LLC, OR THE
PRINCIPALS THEREOF AS AGENT(S) OF THE AGENCY
FOR THE PURPOSE OF ACQUIRING, THE FACILITY
AND APPROVING THE FORM, SUBSTANCE AND
EXECUTION OF 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 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 the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, the Agency has previously provided its assistance to FRC GH Ownerco 2 LLC, a limited liability company organized and existing under the laws of the State of Delaware (the “**Original Company**”), in connection with the acquisition of an approximately 2.12 acre parcel of land (Tax Map #0500-165.00-13.00-001.000) located at Gull Haven Road, Central Islip, New York 11722 (the “**Land**”), the construction of an approximately 24,000 square foot building thereon (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 was leased by the Agency to the Company and is used by the Company as a twenty-four (24) unit residential apartment complex (the “**Project**”); and

WHEREAS, the Original Company leased the Land and the Improvements to the Agency pursuant to the terms of a certain Company Lease Agreement, dated as of September 1, 2022 (the “**Original Company Lease**”), by and between the Original Company and the Agency; and

WHEREAS, the Original Company transferred title to the Facility Equipment to the Agency pursuant to a certain Bill of Sale, dated September 1, 2022 (the “**Bill of Sale**”); and

WHEREAS, the Agency is currently subleasing and leasing the Company Facility to the Original Company, pursuant to a Lease and Project Agreement, dated as of September 1, 2022 (the “**Original Lease Agreement**”); and

WHEREAS, Fairfield Gull Haven LLC, a limited liability company organized under the laws of the State of New York on behalf of itself and/or the principals of Fairfield Gull Haven LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Assignee**” and “**Company**”) has requested the Agency’s consent to the assignment by the Original Company of all of its rights, title, interest and obligations under

the Original Company Lease, the Original Lease Agreement and certain other agreements in connection with the Facility to, and the assumption by, the Assignee of all of such rights, title, interest and obligations of the Original Company, and the release of the Original Company from any further liability with respect to the Facility subject to certain requirements of the Agency, all pursuant to the terms of an Assignment, Assumption and Amendment Agreement, to be dated as of January 1, 2023, or such other date as may be determined by the Chairman, Executive Director and counsel to the Agency (the **"Assignment, Assumption and Amendment Agreement"**), by and among the Agency, the Original Company and the Assignee; and

WHEREAS, the Original Company Lease will be assigned by the Original Company and assumed by the Assignee, pursuant to a certain Assignment and Assumption of Company Lease Agreement, to be dated as of January 1, 2023, or such other date as may be determined by the Chairman, Executive Director and counsel to the Agency (the **"Assignment of Company Lease Agreement"**), by and between the Original Company and the Assignee and consented to by the Agency; and

WHEREAS, the Original Lease Agreement will be assigned by the Original Company and assumed by the Assignee, pursuant to a certain Assignment and Assumption of Lease Agreement, to be dated as of January 1, 2023, or such other date as may be determined by the Chairman, Executive Director and counsel to the Agency (the **"Assignment of Lease Agreement"**), by and between the Original Company and the Assignee, and consented to by the Agency; and

WHEREAS, the Agency and the Assignee will enter into such other documents upon advice of counsel, in both form and substance, as may be reasonably required to effectuate the assignment and assumption of the Facility (together with the Assignment, Assumption and Amendment Agreement, the Assignment of Company Lease Agreement and the Assignment of Lease Agreement, collectively, the **"Assignment Documents"**); and

WHEREAS, pursuant to Section 9.3 of the Original Lease Agreement, the Facility may be assigned, in whole or in part, with the prior written consent of the Agency; and

WHEREAS, the Agency contemplates that as part of the aforementioned assignment, the Company will assume the portions of the real property tax abatement, sales tax exemption, and mortgage recording tax exemption contemplated in the Original Lease Agreement that have not, as of the date of the assignment, been used by the Original Company; and

WHEREAS, the Original Company and the Assignee have agreed to indemnify the Agency against certain losses, claims, expenses, damages and liabilities that may arise in connection with the transaction contemplated by the sublease 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; and

(b) The Facility constitutes a “project”, as such term is defined in the Act; and

(c) The leasing of the Facility to the Assignee will promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of the Town of Islip, Suffolk County and the State of New York and improve their standard of living and thereby serve the public purposes of the Act; and

(d) The leasing of the Facility is reasonably necessary to induce the Assignee to maintain and expand its business operations in the State of New York; and

(e) Based upon representations of the Assignee and counsel to the Assignee, the Facility conforms with the local zoning laws and planning regulations of the Town of Islip, Suffolk County and all regional and local land use plans for the area in which the Facility is located; and

(f) It is desirable and in the public interest for the Agency to lease the Facility to the Assignee; and

(g) It is desirable and in the public interest for the Agency to consent to the transfer of the interest in the Facility from the Original Company to the Assignee; and

(h) The Assignment Documents to which the Agency is a party will be effective instruments whereby the Agency, the Assignee and the Original Company will effectuate the assignment and assumption of the Facility; and

Section 11. The Agency has assessed all material information included in connection with the Assignee’s application for financial assistance, including but not limited to, the cost-benefit analysis prepared by the Agency and such information has provided the Agency a reasonable basis for its decision to provide the financial assistance described herein to the Assignee.

Section 12. In consequence of the foregoing, the Agency hereby determines to: (i) consent to the assignment and assumption of the Facility from the Original Company to and by the Assignee pursuant to the Assignment, Assumption and Amendment Agreement, (ii) execute, deliver and perform the Assignment, Assumption and Amendment Agreement, (iii) consent to the assignment of the Original Company Lease pursuant to the Assignment of Company Lease; (iv) execute, deliver and perform the Assignment of Company Lease; (v) consent to the assignment and assumption of the Original Lease Agreement pursuant to the Assignment of Lease Agreement; (vi) execute, deliver and perform the Assignment of Lease Agreement; and (vii) execute and deliver the other Assignment Documents.

Section 13. The Agency is hereby authorized to consent to the assignment and assumption of the Facility by the Assignee and to do all things necessary or appropriate for

the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such assignment and assumption are hereby approved, ratified and confirmed.

Section 14. The Agency hereby authorizes and approves the assumption by the Company of the portions of the real property tax abatement, sales tax exemption, and mortgage recording tax exemption contemplated in the Original Lease Agreement that have not been used by the Original Company as of the date of the assignment.

Section 15. The Assignee is hereby notified that it will be required to comply with Section 875 of the Act. The Assignee shall be required to agree to the terms of Section 875 pursuant to the Lease Agreement. The Assignee is further notified that the continued abatements provided pursuant to the Act are subject to termination and recapture of benefits pursuant to Sections 859-a and 875 of the Act and the recapture provisions of the Original Lease Agreement, as assigned.

Section 7. The form and substance of the Assignment, Assumption and Amendment Agreement and the other Assignment Documents, to which the Agency is a party (each in substantially the forms presented to or approved by the Agency and which, prior to the execution and delivery thereof, may be redated and renamed) are hereby approved.

Section 8.

(a) The Chairman, Vice Chairman, Executive Director or any member of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Assignment, Assumption and Amendment Agreement and the other Assignment Documents to which the Agency is a party, in the form the Chairman, Vice Chairman, Executive Director, or any member of the Agency shall approve, and such other related documents as may be, in the judgment of the Chairman, Vice Chairman, Executive Director, or any member and Agency Counsel, necessary or appropriate to effect the transactions contemplated by this resolution (hereinafter collectively called the “**Agency Documents**”). The execution thereof by Chairman, Vice Chairman, Executive Director, or any member of the Agency shall constitute conclusive evidence of such approval.

(b) The Chairman, Vice Chairman, Executive Director or any member of the Agency are further hereby authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency (as defined in and pursuant to the Original Lease Agreement).

Section 9. 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 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 January 24, 2023, 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 24th day of January, 2023.

By: _____
Assistant Secretary

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023**

AGENDA ITEM # 22

TYPE OF RESOLUTION: ASSIGNMENT & ASSUMPTION

COMPANY: GULL HAVEN COMMONS, LLC.

Date: January 24, 2023

At a meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), held at 40 Nassau Avenue, Islip, New York 11751 on the 24th day of January, 2023, 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 and take action on the assignment and assumption of the Agency’s Gull Haven Commons, LLC 2018 Facility, the execution and delivery of documents with respect thereto and the sale of the Facility to Fairfield Gull Haven LLC.

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
ASSIGNMENT AND ASSUMPTION OF A CERTAIN
INDUSTRIAL DEVELOPMENT FACILITY TO FAIRFIELD
GULL HAVEN LLC, A NEW YORK LIMITED LIABILITY
COMPANY OR ANOTHER ENTITY FORMED OR TO BE
FORMED BY FAIRFIELD GULL HAVEN LLC, OR THE
PRINCIPALS THEREOF AS AGENT(S) OF THE AGENCY
FOR THE PURPOSE OF ACQUIRING, THE FACILITY
AND APPROVING THE FORM, SUBSTANCE AND
EXECUTION OF 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 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 the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, the Agency has previously provided its assistance to Gull Haven Commons, LLC, a limited liability company organized and existing under the laws of the State of New York (the “**Original Company**”), in connection with the acquisition of an approximately 28.9 acre parcel of land (Tax Map #0500-165.00-13.00-002.004) located at Carleton Avenue and Sunburst Boulevard, Central Islip, New York (the “**Land**”), the demolition of an existing approximately 7,000 square foot building located thereon, the construction of an approximately 187,000 square foot building thereon and the renovation of existing buildings located thereon totaling approximately 160,000 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 is leased by the Agency to the Assignor to be used by the Assignor as a 268-unit residential apartment complex (the “**Project**”); and

WHEREAS, the Original Company leased the Land and the Improvements to the Agency pursuant to the terms of a certain Company Lease Agreement, dated as of April 1, 2018 (the “**Original Company Lease**”), by and between the Original Company and the Agency; and

WHEREAS, the Original Company transferred title to the Equipment to the Agency pursuant to a certain Bill of Sale, dated April 1, 2018 (the “**Bill of Sale**”); and

WHEREAS, the Agency is currently subleasing and leasing the Company Facility to the Original Company, pursuant to a Lease and Project Agreement, dated as of April 1, 2018 (the “**Original Lease Agreement**”); and

WHEREAS, the Agency previously consented to an assignment by the Original Company of all its rights, title, interest and obligations under the Original Company Lease and the Original Lease Agreement, and the assumption by FRC GH Ownerco LLC, a

Delaware limited liability company (the “**FRC GH Ownerco**” and “**Assignor**”), pursuant to a certain Assignment, Assumption and Amendment Agreement, dated as of February 1, 2019 (the “**Original Assignment, Assumption and Amendment Agreement**”), by and among the Agency, the Original Company and FRC GH Ownerco; and

WHEREAS, Fairfield Gull Haven LLC, a limited liability company organized under the laws of the State of New York on behalf of itself and/or the principals of Fairfield Gull Haven LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Assignee**” and “**Company**”) has requested the Agency’s consent to the assignment by the Assignor of all of its rights, title, interest and obligations under the Original Company Lease, the Original Lease Agreement and certain other agreements in connection with the Facility to, all as assigned by the Original Assignment, Assumption, and Amendment Agreement, and the assumption by, the Assignee of all of such rights, title, interest and obligations of the Assignor, and the release of the Assignor from any further liability with respect to the Facility subject to certain requirements of the Agency, all pursuant to the terms of a 2023 Assignment, Assumption and Amendment Agreement, to be dated as of January 1, 2023, or such other date as may be determined by the Chairman, Executive Director and counsel to the Agency (the “**2023 Assignment, Assumption and Amendment Agreement**”), by and among the Agency, the Assignor and the Assignee; and

WHEREAS, the Original Company Lease, as assigned pursuant to the Original Assignment, Assumption and Amendment Agreement, dated as of February 1, 2019, will be further assigned by the Assignor and assumed by the Assignee, pursuant to a certain 2023 Assignment and Assumption of Company Lease Agreement, to be dated as of January 1, 2023, or such other date as may be determined by the Chairman, Executive Director and counsel to the Agency (the “**2023 Assignment of Company Lease Agreement**”), by and between the Assignor and the Assignee and consented to by the Agency; and

WHEREAS, the Original Lease Agreement, as assigned pursuant to the Original Assignment, Assumption and Amendment Agreement, dated as of February 1, 2019, will be further assigned by the Assignor and assumed by the Assignee, pursuant to a certain 2023 Assignment and Assumption of Lease Agreement, to be dated as of January 1, 2023, or such other date as may be determined by the Chairman, Executive Director and counsel to the Agency (the “**2023 Assignment of Lease Agreement**”), by and between the Assignor and the Assignee, and consented to by the Agency; and

WHEREAS, the Agency and the Assignee will enter into such other documents upon advice of counsel, in both form and substance, as may be reasonably required to effectuate the assignment and assumption of the Facility (together with the 2023 Assignment, Assumption and Amendment Agreement, the 2023 Assignment of Company Lease Agreement and the 2023 Assignment of Lease Agreement, collectively, the “**2023 Assignment Documents**”); and

WHEREAS, pursuant to Section 9.3 of the Original Lease Agreement, the Facility may be assigned, in whole or in part, with the prior written consent of the Agency; and

WHEREAS, the Agency contemplates that as part of the aforementioned assignment, the Company will assume the portions of the real property tax abatement, sales tax exemption, and mortgage recording tax exemption contemplated in the Original Lease Agreement (as amended by the Original Assignment, Assumption, and Amendment Agreement) that have not, as of the date of the assignment, been used by the Original Company or otherwise expired; and

WHEREAS, the Assignor and the Assignee have agreed to indemnify the Agency against certain losses, claims, expenses, damages and liabilities that may arise in connection with the transaction contemplated by the sublease 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; and

(b) The Facility constitutes a “project”, as such term is defined in the Act; and

(c) The leasing of the Facility to the Assignee will promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of the Town of Islip, Suffolk County and the State of New York and improve their standard of living and thereby serve the public purposes of the Act; and

(d) The leasing of the Facility is reasonably necessary to induce the Assignee to maintain and expand its business operations in the State of New York; and

(e) Based upon representations of the Assignee and counsel to the Assignee, the Facility conforms with the local zoning laws and planning regulations of the Town of Islip, Suffolk County and all regional and local land use plans for the area in which the Facility is located; and

(f) It is desirable and in the public interest for the Agency to lease the Facility to the Assignee; and

(g) It is desirable and in the public interest for the Agency to consent to the transfer of the interest in the Facility from the Assignor to the Assignee; and

(h) The 2023 Assignment Documents to which the Agency is a party will be effective instruments whereby the Agency, the Assignee and the Assignor will effectuate the assignment and assumption of the Facility; and

Section 11. The Agency has assessed all material information included in connection with the Assignee’s application for financial assistance, including but not limited to, the cost-benefit analysis prepared by the Agency and such information has provided the

Agency a reasonable basis for its decision to provide the financial assistance described herein to the Assignee.

Section 12. In consequence of the foregoing, the Agency hereby determines to: (i) consent to the assignment and assumption of the Facility from the Assignor to and by the Assignee pursuant to the 2023 Assignment, Assumption and Amendment Agreement, (ii) execute, deliver and perform the 2023 Assignment, Assumption and Amendment Agreement, (iii) consent to the assignment of the Original Company Lease pursuant to the 2023 Assignment of Company Lease; (iv) execute, deliver and perform the 2023 Assignment of Company Lease; (v) consent to the assignment and assumption of the Original Lease Agreement pursuant to the 2023 Assignment of Lease Agreement; (vi) execute, deliver and perform the 2023 Assignment of Lease Agreement; and (vii) execute and deliver the other 2023 Assignment Documents.

Section 13. The Agency is hereby authorized to consent to the assignment and assumption of the Facility by the Assignee and to do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such assignment and assumption are hereby approved, ratified and confirmed.

Section 14. The Agency hereby authorizes and approves the assumption by the Company of the portions of the real property tax abatement, sales tax exemption, and mortgage recording tax exemption contemplated in the Original Lease Agreement that have not been used by the Original Company or expired as of the date of the assignment.

Section 15. The Assignee is hereby notified that it will be required to comply with Section 875 of the Act. The Assignee shall be required to agree to the terms of Section 875 pursuant to the Lease Agreement. The Assignee is further notified that the continued abatements provided pursuant to the Act are subject to termination and recapture of benefits pursuant to Sections 859-a and 875 of the Act and the recapture provisions of the Original Lease Agreement, as assigned.

Section 7. The form and substance of the 2023 Assignment, Assumption and Amendment Agreement and the other 2023 Assignment Documents, to which the Agency is a party (each in substantially the forms presented to or approved by the Agency and which, prior to the execution and delivery thereof, may be redated and renamed) are hereby approved.

Section 8.

(a) The Chairman, Vice Chairman, Executive Director or any member of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the 2023 Assignment, Assumption and Amendment Agreement and the other 2023 Assignment Documents to which the Agency is a party, in the form the Chairman, Vice Chairman, Executive Director, or any member of the Agency shall approve, and such other related documents as may be, in the judgment of the Chairman, Vice Chairman, Executive Director, or any member and Agency Counsel, necessary or appropriate to effect the transactions contemplated by this resolution (hereinafter collectively called the “**Agency Documents**”).

The execution thereof by Chairman, Vice Chairman, Executive Director, or any member of the Agency shall constitute conclusive evidence of such approval.

(b) The Chairman, Vice Chairman, Executive Director or any member of the Agency are further hereby authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency (as defined in and pursuant to the Original Lease Agreement).

Section 9. 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 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 January 24, 2023, 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 24th day of January, 2023.

By: _____
Assistant Secretary

**TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT CORPORATION
AGENDA ITEMS FOR JANUARY 24, 2023**

AGENDA ITEM #23

TYPE OF RESOLUTION: RESOLUTION AMENDING THE OWNERSHIP STRUCTURE AT 260 SPUR DRIVE SOUTH BAY SHORE, NY. 11706

COMPANY: BDG BAY SHORE, LLC.

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY PERTAINING TO THE
AMENDMENT OF OWNERSHIP OF THE AGENCY'S BDG
BAY SHORE, LLC/TENSATOR INC. 2018 FACILITY AND
APPROVING THE FORM, SUBSTANCE, EXECUTION AND
DELIVERY OF 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 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 the acquisition of certain industrial development projects as authorized by 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, BDG Bay Shore, LLC, a limited liability company organized and existing under the laws of the State of Delaware, on behalf of itself and/or the principals of BDG Bay Shore, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "**Company**") and Tensator Inc., a business corporation organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of Tensator Inc. and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "**Sublessee**"), previously applied to the Agency to enter into a transaction in which the Agency assisted in (a) the acquisition of an approximately 4.0 acre parcel of land located at 260 Spur Dive South, Bay Shore, New York 11706 (the "**Land**"), the renovation of an approximately 80,000 square foot building located thereon (the "**Improvements**"), and the acquisition and installation therein of certain equipment and personal property, not part of the Equipment (as such term is defined herein) (the "**Facility Equipment**"; and, together with the Land and the Improvements, the "**Company Facility**"), which Company Facility is to be leased by the Agency to the Company and further subleased by the Company to the Sublessee; and (b) the acquisition and installation of certain equipment and personal property, including but not limited to a new office equipment, furniture, manufacturing equipment and information technology equipment, (collectively, the "**Equipment**"; and together with the Company Facility, the "**Facility**"), which Equipment is to be leased by the Agency to the Sublessee, and which Facility is to be used by the Sublessee as office, manufacturing and distribution space in its business as a manufacturer and distributor of crowd control and customer guidance systems, and approximately 10,000 square feet of space (inclusive of office space, warehouse space, 2 loading docks and 1 drive-in for trucks will be leased to a tenant or tenants (the "**Tenant**") (the "**Project**"); and

WHEREAS, the Agency, by resolution duly adopted on December 19, 2017 (the "**Inducement Resolution**"), decided to proceed under the provisions of the Act; and

WHEREAS, the Agency acquired a leasehold interest in the Land and the Improvements pursuant to a certain Company Lease Agreement, dated as of May 1, 2018 (the “**Company Lease**”), by and between the Company and the Agency; and

WHEREAS, the Agency acquired title to the Facility Equipment pursuant to a certain Bill of Sale, dated the Closing Date (as defined in the hereinafter defined Lease Agreement) (the “**Bill of Sale**”), from the Company to the Agency; and

WHEREAS, the Agency sublease and lease the Company Facility to the Company pursuant to a certain Lease and Project Agreement, dated as of May 1, 2018 (the “**Lease Agreement**”), by and between the Agency and the Company; and

WHEREAS, the Agency will acquire title to the Equipment pursuant to a certain Equipment Bill of Sale (the “**Equipment Bill of Sale**”), from the Sublessee to the Agency; and

WHEREAS, the Agency lease the Equipment to the Sublessee pursuant to a certain Equipment Lease Agreement, dated as of May 1, 2018 (the “**Equipment Lease Agreement**”), by and between the Agency and the Sublessee; and

WHEREAS, in connection with the subleasing of the Company Facility to the Sublessee, the Sublessee and the Agency will enter into a certain Agency Compliance Agreement, dated as of May 1, 2018 (the “**Agency Compliance Agreement**”), whereby the Sublessee provides certain assurances to the Agency with respect to the Facility; and

WHEREAS, the Company now intends to sell a fifty percent (50%) tenant-in-common interest in the Land and Improvements to Hampshire Bay Shore LLC and/or the principals of Hampshire Bay Shore LLC and/or an entity formed or to be formed on behalf of any of the foregoing (the “**Purchaser**”) and has requested the Agency’s consent to the transfer by the Company of fifty percent (50%) of its leasehold interest and certain other agreements in connection with the Land and Improvements (the “**Ownership Amendment**”). The Facility will thereafter be owned, operated and/or managed by the Company and the Purchaser, each as fifty percent (50%) tenants-in-common; and

WHEREAS, the Company has requested that the Agency consent to Ownership Amendment; and

WHEREAS, pursuant to Section 9.3 of the Lease Agreement, the Facility may not be assigned, in whole or in part, without the prior written consent of the Agency; and

WHEREAS, the Agency will amend the Company Lease and the Lease Agreement to add the Purchaser as a party thereto, pursuant to a certain Amendment Agreement, dated as of January 1, 2023 or such other date as may be determined by the Chairman, Executive Director and counsel to the Agency (the “**Amendment Agreement**”), by and among the Agency, the Company and the Purchaser; and

WHEREAS, the Agency will consent to the Ownership Amendment pursuant to this resolution; and

WHEREAS, the Company and the Sublessee have 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 and the Sublessee.

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; and

(b) The Facility constitutes a "project", as such term is defined in the Act; and

(c) The Ownership Amendment will promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of 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) The Ownership Amendment is reasonably necessary to induce the Company and the Sublessee to maintain and expand their respective business operations in the Town of Islip.

(e) The Agency consents to the Ownership Amendment; and

(f) The execution of the Amendment Agreement will satisfy the requirement of Section 9.3 of the Original Lease Agreement that any assignment of the Facility be consented to in writing by the Agency; and

(g) It is desirable and in the public interest for the Agency to consent to the Ownership Amendment and to enter into the Amendment Agreement.

Section 2. In consequence of the foregoing, the Agency hereby determines to enter into the Ownership Amendment.

Section 3. The form and substance of the Amendment Agreement (in substantially the form presented to the Agency and which, prior to the execution and delivery thereof, may be redated) is hereby approved. This resolution shall take effect immediately.

Section 4.

(a) The Chairman, Vice Chairman, Executive Director, the Deputy Executive Director, or any member of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Amendment Agreement in the form the Chairman, Vice Chairman, Executive Director, the Deputy Executive Director or any member of the Agency shall approve, and such other related documents as may be, in the judgment of the Chairman, Vice

Chairman, Executive Director, the Deputy Executive Director, or any member and Agency Counsel, necessary or appropriate to effect the transactions contemplated by this resolution (hereinafter collectively called the “**Agency Documents**”). The execution thereof by Chairman, Vice Chairman, Executive Director, the Deputy Executive Director, or any member of the Agency shall constitute conclusive evidence of such approval.

(b) The Chairman, Vice Chairman, Executive Director, the Deputy Executive Director, or any member of the Agency are further hereby authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency (as defined in and pursuant to the Original Lease Agreement).

Section 5. 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 Amendment Agreement binding upon the Agency.

Section 6. 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 via webinar on the 24th day of January, 2023 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.

Such resolution was passed at a meeting of the Agency duly convened in public session on January 24, 2023.

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 the 24th day of January, 2023.

Assistant Secretary

Date: January 24, 2023

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 24th day of January, 2023, 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 and take action on certain matters pertaining to a consent to the amendment of ownership of the Agency’s BDG Bay Shore, LLC/Tensator Inc. 2018 Facility.

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

Voting Aye

Voting Nay

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

No. 2

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Meeting of the Town of Islip Economic Development Corporation.

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

ECONOMIC DEVELOPMENT CORPORATION

January 24, 2023

Agenda

1. Call the meeting of the Town of Islip Economic Development Corporation to order.
2. To consider the adoption of a Resolution on Behalf of the Town of Islip Economic Development Corporation to approve the **Minutes** from the Meeting of the Members of the Town of Economic Development Corporation on **October 18, 2022**.
3. To consider the adoption of a **Resolution approving** the **2023 EDC Meeting Schedule** of the Town of Islip Economic Development Corporation.
4. To consider the adoption of a **Resolution to Appointing Officers** of the Town of Islip Economic Development Corporation as follows: *John C. Cochrane Jr., Secretary to the Corporation, James P. O'Connor, Treasurer of the Corporation, John G. Walser Assistant Secretary of the Corporation, John G. Walser, Compliance Officer of the Corporation.*
5. To consider the adoption of a **Resolution** on behalf of the Town of Islip Economic Development Corporation to adopt an **Audit Committee** in compliance with the Public Authority Accountability Act ("PAAA") and to appoint *John Cochrane, John Lorenzo, and Anne Danziger* to that committee.
6. To consider the adoption of a **Resolution** on Behalf of the Town of Islip Economic Development Corporation 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.
7. To consider the adoption of a **Resolution** on behalf of the Town of Islip Economic Development Corporation to adopt a **Governance Committee** in compliance with the Public Authority Accountability Act ("PAAA") and to appoint *John Cochrane, John Lorenzo and Taryn Jewell* to that committee.
8. To consider the adoption of a **Resolution** on behalf of the Town of Islip Economic Development Corporation 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 Economic Development Corporation as its Ethics Officer.
9. To consider the adoption of a **Resolution** on behalf of the Town of Islip Economic Development Corporation 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 Corporation.

10. To consider the adoption of a Resolution on behalf of the Town of Islip Economic Development Corporation 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 Corporation.
11. To consider the adoption of a Resolution on behalf of the Town of Islip Economic Development Corporation to adopt a **Conflict of Interest Policy** in compliance with the Public Accountability Act ("PAAA") and amending the by-laws of the Corporation.
12. To consider a Resolution on behalf of the Town of Islip Economic Development Corporation to adopt a **Property Disposition Policy** in compliance with the Public Authority Accountability Act ("PAAA").
13. To consider a Resolution on behalf of the Town of Islip Economic Development Corporation 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.
14. To consider a Resolution Authorizing LIBOR replacement for, United Cerebral Palsy Association of Greater Suffolk, Inc. Bonds.
15. To consider any other business that may come before the corporation.

**TOWN OF ISLIP ECONOMIC DEVELOPMENT
CORPORATION
AGENDA ITEMS FOR JANUARY 24, 2023**

AGENDA ITEM #2

**TYPE OF RESOLUTION: TO APPROVE THE MEETING
MINUTES FROM 10-18-2022**



MEETING OF THE TOWN OF ISLIP
ECONOMIC DEVELOPMENT AGENCY

Date 10-18-2022

Meeting Minutes

1. Call the meeting of the Town of Islip Industrial Development Agency to order on a motion by Mary Kate Mullen and seconded by James O'Connor said motion was approved
2. To consider the adoption of a Resolution to approve the 2023 Town of Islip Economic Development Corporation Budget. On a motion by James O'Connor and seconded by Mary Kate Mullen, said motion was approved
3. To consider any other business to come before the Agency there being none the meeting adjourned by a motion by John Cochrane and seconded by James O'Connor.

**TOWN OF ISLIP
ECONOMIC DEVELOPMENT AGENCY
AGENDA ITEMS FOR JANUARY 24, 2023**

AGENDA ITEM #3

**TYPE OF RESOLUTION: RESOLUTION TO APPROVE
THE MEETING SCHEDULE FOR 2023 EDC.**

| Town Board Meeting Dates | Closing Dates |
|--|----------------------|
| January 4, 2023 @ 11:00am (<i>Organizational Meeting</i>) | |
| January 24, 2023 | January 10, 2023 |
| February 7, 2023 (<i>Black History Month</i>) | January 24, 2023 |
| March 14, 2023 (<i>Women's History Month</i>) | February 28, 2023 |
| April 18, 2023 @ 5:30pm (<i>Student Awards</i>) | April 4, 2023 |
| May 16, 2023 | May 2, 2023 |
| June 13, 2023 | May 30, 2023 |
| July 18, 2023 | July 3, 2023 |
| August 15, 2023 | August 1, 2023 |
| September 12, 2023 @ 5:30pm (<i>Hispanic Heritage Month</i>) | August 29, 2023 |
| October 17, 2023 (<i>Italian Heritage Month</i>) | October 3, 2023 |
| November 9, 2023 (<i>Budget Hearing</i>) @ 10:30am | |
| November 14, 2023 | October 31, 2023 |
| December 12, 2023 | November 28, 2023 |

TOWN OF ISLIP ECONOMIC DEVELOPMENT
CORPORATION

AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #4

TYPE OF RESOLUTION: TO CONSIDER THE ADOPTION OF A RESOLUTION **APPOINTING OFFICERS** TO THE ECONOMIC DEVELOPMENT CORPORATION AS FOLLOWS: JOHN C. COCHRANE, SECRETARY TO THE CORPORATION, JAMES P. O'CONNOR, TREASURER OF THE CORPORATION, JOHN G. WALSER ASSISTANT SECRETARY OF THE CORPORATION, JOHN G. WALSER, COMPLIANCE OFFICER OF THE CORPORATION.

Date: January 24, 2023

At a meeting of the Town of Economic Development Corporation (the "EDC"), held at Islip Town Hall, 655 Main Street, Islip, New York on the 24th day of January, 2023, the following members of the EDC were:

Present:

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to the appointment of officers of the Town of Islip Economic Development Corporation.

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 ECONOMIC
DEVELOPMENT CORPORATION REGARDING THE
APPOINTMENT OF OFFICERS

WHEREAS, pursuant to and in accordance with the provisions of Section 1411 of the New York Not-for-Profit Corporation Law, as amended (collectively, the “Act”), the Town of Islip Economic Development Corporation (the “EDC”) was created with the authority and power to issue its revenue bonds for the purpose of, among other things, acquiring certain facilities as authorized by the Act; and

WHEREAS, the New York State Legislature adopted the Public Authorities Accountability Act of 2005 and the Public Authorities Reform Act of 2009, each as amended (the “PAAA”), designed to ensure that New York’s public authorities operate more efficiently, more openly, and with greater accountability; and

WHEREAS, the PAAA and the EDC’s By-Laws require that the EDC appoint officers of the EDC; and

WHEREAS, in order to fully comply with the provisions of the PAAA and the EDC’s By-Laws, the EDC intends to appoint certain members as officers of the EDC whose responsibilities are to provide oversight and management of all persons employed in chief executive and senior management positions of the EDC; and

WHEREAS, to carry out the aforesaid purposes, the EDC has the power under the Act, the PAAA and its By-Laws to do all things necessary to fulfill its obligations imposed by the Act, the PAAA and its By-Laws.

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

Section 1. The EDC hereby finds and determines:

(a) By virtue of the Act, the EDC 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) Appointing the officers of the EDC will allow the EDC to continue to operate in compliance with the Act, the provisions of the PAAA, and the EDC’s By-Laws, and cause the EDC to operate more efficiently, openly and with greater accountability to the residents of the Town of Islip.

Section 2. In consequence of the foregoing, the EDC hereby determines to designate and appoint ***John C. Cochrane, Secretary of the EDC, James P. O’Connor, Treasurer of the EDC, John G. Walser, Assistant Secretary, of the EDC and John G. Walser, Compliance Officer of the EDC.***

Section 3. In consequence of the foregoing, the EDC hereby determines to designate and appoint ***John G. Walser as Chief Executive Officer*** of the EDC.

Section 4. The EDC hereby undertakes to comply with all other provisions of the PAAA applicable to the EDC as diligently as possible.

Section 5. The EDC 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 EDC with respect to such activities are hereby approved, ratified and confirmed.

Section 6. This resolution shall take effect immediately.

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

I, the undersigned Secretary of the Town of Islip Economic Development Corporation,
DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town of Islip Economic Development Corporation (the “EDC”), including the resolutions contained therein, held on the 24th day of January, 2023, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the EDC 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.

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, as amended, that all members of said EDC had due notice of said meeting and that said meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 24th day of January 2023.

By: _____
Assistant Secretary

TOWN OF ISLIP ECONOMIC DEVELOPMENT
CORPORATION
AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #5

TYPE OF RESOLUTION: TO CONSIDER THE ADOPTION
OF A RESOLUTION APPOINTING AN **AUDIT**
COMMITTEE TO THE ECONOMIC DEVELOPMENT
CORPORATION AS FOLLOWS: JOHN COCHRANE, JOHN
LORENZO, AND ANN DANZIGER

January 24, 2023

Whereas, the Public Authority Accountability Act, (the Act) Section 18, requires all public authorities within the State of New York to establish an **Audit Committee**, and

Whereas, the Town of Islip Economic Development Corporation has been identified as an “Authority” subject to the Act, and

Now therefore on a motion by Chairwoman Angie M. Carpenter, seconded by Councilman Jorge C. Guadron; be it approved

Resolved, that the Corporation has created an **Audit Committee of the Town of Islip Economic Development Corporation** in compliance with Section 18 of the Act, and appoints the following individuals to that committee:

Member John C. Cochrane Jr.
Member John Lorenzo
Member Anne Danziger

Upon a vote being taken, the result was:

TOWN OF ISLIP ECONOMIC DEVELOPMENT
CORPORATION
AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #6

TYPE OF RESOLUTION: TO CONSIDER THE ADOPTION OF A RESOLUTION APPOINTING A **FINANCE COMMITTEE** ON BEHALF OF THE ECONOMIC DEVELOPMENT AGENCY IN COMPLIANCE WITH THE PUBLIC AUTHORITY ACCOUNTABILITY ACT ("PAAA") AND TO APPOINT JOHN COCHRANE, JAMES O'CONNOR AND ROBERT KORDIC TO THAT COMMITTEE.

January 24, 2023

Whereas, the Public Authority Accountability Act, (the Act) Section 18, requires all public authorities within the State of New York to establish a **Finance Committee**, and

Whereas, the Town of Islip Economic Development Corporation has been identified as an “Authority” subject to the Act, and

Resolved, that the Corporation has created a **Finance Committee of the Town of Islip Economic Development Corporation** in compliance with Section 18 of the Act, and appoints the following individuals to that committee:

Member John C. Cochrane Jr.
Member, James P. O’Connor
Member, Robert Kordic

Upon a vote being taken, the result was:

TOWN OF ISLIP ECONOMIC DEVELOPMENT
CORPORATION

AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #7

TYPE OF RESOLUTION: TO CONSIDER THE ADOPTION OF A RESOLUTION APPOINTING A **GOVERNANCE COMMITTEE** TO THE ECONOMIC DEVELOPMENT CORPORATION IN COMPLIANCE WITH THE PUBLIC AUTHORITY ACCOUNTABILITY ACT (“PAAA”) AND TO APPOINT, JOHN COCHRANE, JOHN LORENZO AND TARYN JEWELL TO THE COMMITTEE.

January 24, 2023

Whereas, the Public Authority Accountability Act, (the Act) Section 18, requires all public authorities within the State of New York to establish a **Governance Committee**, and

Whereas, the Town of Islip Economic Development Corporation has been identified as an “Authority” subject to the Act, and

Resolved, that the Corporation has created a **Governance Committee of the Town of Islip Economic Development Corporation** in compliance with Section 18 of the Act, and appoints the following individuals to that committee:

Chairperson, John Cochrane

Member, John Lorenzo

Member, Taryn Jewell

Upon a vote taken, the result was:

TOWN OF ISLIP ECONOMIC DEVELOPMENT
CORPORATION
AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #8

TYPE OF RESOLUTION: TO CONSIDER THE ADOPTION
OF A RESOLUTION TO APPROVE A **CODE OF ETHICS**
POLICY TO THE ECONOMIC DEVELOPMENT
CORPORATION

January 24, 2023

Whereas, the Public Authority Accountability Act, (the Act) Section 18, requires all public authorities within the State of New York to adopt a **Code of Ethics**, and

Whereas, the Town of Islip Economic Development Corporation has been identified as an “Authority” subject to the Act, and

Whereas, the Act requires that the Corporation 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 by Councilman:

Resolved, that the Corporation adopts the **Code of Ethics of the Town of Islip Economic Development Corporation**, as attached to this resolution, in compliance with Section 18 of the Act, and be it further

Resolved, that the Corporation appoints the **Board of Ethics** of the Town of Islip as its Ethics Officer, to fulfill the legal requirements of the Act.

Upon a vote taken, the result was:

CODE OF ETHICS

The Town of Islip Economic Development Corporation (“EDC” or “the Corporation”), in compliance with the Public Authority Accountability Act of 2005, has adopted the following Code of Ethics applicable to each Corporation Board Member, the Executive Director and employees. These policies shall serve as a guide for official conduct and are intended to enhance the ethical and professional performance of the Corporation’s directors and employees and to preserve public confidence in the Corporation’s mission.

Responsibility of Board Members, Directors and Employees

1. Board members, directors and employees shall perform their duties with transparency, without favor and refrain from engaging in outside matters of financial or personal interest, including other employment that could impair independence of judgment, or prevent the proper exercise of one's official duties.
2. Board members, directors and employees shall not directly or indirectly, make, advise, or assist any person to make any financial investment based upon information available through the director's or employee's official position that could create any conflict between their public duties and interests and their private interests.
3. Board members, directors and employees shall not accept or receive any gift or gratuities where the circumstances would permit the inference that: (a) the gift is intended to influence the individual in the performance of official business or (b) the gift constitutes a tip, reward, or sign of appreciation for any official act by the individual. This prohibition extends to any form of financial payments, services, loans, travel reimbursement, entertainment, hospitality, thing or promise from any entity doing business with or before the Corporation. Any gifts or gratuities received by a board member, director or employee shall be reported to the Ethics Officer within forty eight hours of the receipt thereof.
4. Board members, directors and employees shall not use or attempt to use their official position with the Corporation to secure unwarranted privileges for themselves, members of their family or others, including employment with the Corporation or contracts for materials or services with the Corporation.
5. Board members, directors 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.

6. Board members, directors and employees may not engage in any official transaction with an outside entity in which they have a direct or indirect financial interest that may reasonably conflict with the proper discharge of their official duties.

7. Board members, directors and employees shall manage all matters within the scope of the Corporation's mission independent of any other affiliations or employment. Directors, including ex officio board members, and employees employed by more than one government shall strive to fulfill their professional responsibility to the Corporation without bias and shall support the Corporation's mission to the fullest.

8. Board members, directors and employees shall not use Corporation property, including equipment, telephones, vehicles, computers, or other resources, or disclose information acquired in the course of their official duties in a manner inconsistent with State or local law or policy and the Corporation's mission and goals.

9. Board members, directors and employees are prohibited from appearing or practicing before the Corporation for two (2) years following employment with the Agency, consistent with the provisions of the New York State Public Officers Law.

Implementation of Code of Ethics

This Code of Ethics shall be provided to all board members, directors and employees upon commencement of employment or appointment and shall be reviewed annually by the Governance Committee. The board may designate an Ethics Officer, who shall report to the board and shall have the following duties:

- Counsel in confidence Corporation board members, directors and employees who seek advice about ethical behavior.
- Receive and investigate complaints about possible ethics violations.
- Dismiss complaints found to be without substance.
- Prepare an investigative report of their findings for action by the Executive Director or the board.
- Record the receipt of gifts or gratuities of any kind received by a director or employee.

Penalties

In addition to any penalty contained in any other provision of law, any Corporation board member, director or employee who knowingly and intentionally violates any of the provisions of this code may be removed in the manner provided for in law, rules or regulations.

Reporting Unethical Behavior

Board members, directors and employees are required to report possible unethical behavior by a board member, director or employee of the Corporation to the Ethics Officer. Board members, directors and employees may file ethics complaints anonymously and are protected from retaliation by the policies adopted by the Corporation.

TOWN OF ISLIP ECONOMIC DEVELOPMENT
CORPORATION
AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #9

TYPE OF RESOLUTION: TO CONSIDER THE ADOPTION
OF A RESOLUTION TO APPROVE AN **INVESTMENT**
POLICY TO THE ECONOMIC DEVELOPMENT
CORPORATION

January 24, 2023

Whereas, the Public Authority Accountability Act, (the Act) Section 18, requires all public authorities within the State of New York to adopt an **Investment Policy**, and

Whereas, the Town of Islip Economic Development Corporation has been identified as an “Authority” subject to the Act.

Resolved, that the Corporation adopts a policy entitled **Investment Policy of the Town of Islip Economic Development Corporation**, as attached to this resolution, in compliance with Section 18 of the Act.

Upon a vote being taken, the result was:

INVESTMENT POLICY
Town of Islip Economic Development Corporation

This Investment Policy of the Town of Islip Economic Development Corporation (the Corporation) 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 Corporation. 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 Corporation resides with the Chief Financial Officer of the Corporation under the direction and oversight of the Chairman of the Corporation. Only the Chief Financial Officer and those authorized by resolution or the Corporations' 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 Corporation, shall require the outside person to notify the Corporation 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 Corporation by the outside person.

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

The Chief Financial Officer of the Corporation under the direction and oversight of the Chairman 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 Corporation 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 Corporation:

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

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 Corporation 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 Corporation shall conduct its investment activities involving 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 Corporation 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, bond proceeds and other funds of the Corporation, other than those associated with a bank, savings and loan association or credit union involving a depository relationship only, the Corporation 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 Chairman and all officers and employees of the Corporation 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 Chairman, or any other officer or member of the Board, or employee of the Corporation from obtaining interests in mutual funds which may include within its investment portfolio, bonds, debentures, notes or other evidence of indebtedness of the Corporation; provided however, that the Corporations' 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 Chairman, 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.

Adopted by the EDC Board of Directors on January 20, 2016.

TOWN OF ISLIP ECONOMIC DEVELOPMENT
CORPORATION

AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #10

TYPE OF RESOLUTION: TO CONSIDER THE ADOPTION OF A RESOLUTION TO APPROVE A **PROCUREMENT POLICY** TO THE ECONOMIC DEVELOPMENT CORPORATION IN COMPLIANCE WITH THE PUBLIC AUTHORITY ACCOUNTABILITY ACT, (“PAAA”) WHICH WILL APPLY TO THE PROCUREMENT FOR GOOD AND SERVICES NO SUBJECT TO THE COMPLETIVE BIDDING REQUIREMENTS SET FORTH IN GENERAL MUNICIPAL LAW SECTION 103 AND WHICH GOODS AND SERVICES ARE PAID FOR AND USED BY THE CORPORATION.

January 24, 2023

Whereas, the Public Authority Accountability Act, (the Act) Section 18, requires all public authorities within the State of New York to adopt a **Procurement Policy**, and

Whereas, the Town of Islip Economic Development Corporation has been identified as an “Authority” subject to the Act, and

Resolved, that the Corporation adopts a policy entitled **Procurement Policy of the Town of Islip Economic Development Corporation**, as attached to this resolution, in compliance with Section 18 of the Act.

Upon a vote being taken, the result was:

PROCUREMENT POLICY
Town of Islip Economic Development Corporation

ARTICLE I. SCOPE AND PURPOSE

Pursuant to Section 2824 of the Public Authorities Law, the Town of Islip Economic Development Corporation (the Corporation) 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 Corporation. 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 Chairman or an authorized designee 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 years' 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 (1) above, then prior to commencing any procurement of goods and services, the Chairman or an authorized designee 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 UNDER \$20,000.
 - a. \$0.01 - \$500 May be purchase at the discretion of the Chairman or the authorized designee.
 - b. \$501 - \$3,000 Upon Corporation approval, may be purchased from the vendor

providing the lowest quote after receiving and documenting at least three (3) verbal quotes.

- c. \$3,000 - \$19,999 Upon Corporation approval, may be purchased from the vendor providing the lowest quote after receiving at least three (3) written, faxed, or e-mailed quotes.

4. PROCEDURES FOR THE PURCHASE OF PUBLIC WORKS OR SERVICES UNDER \$35,000.

- a. \$0.01 - \$1,000 May be purchased at the discretion of the Chairman or the authorized designee.
- b. \$1,001 - \$5,000 Upon Corporation approval, may be purchased after receiving and documenting at least three (3) verbal quotes.
- c. \$5,001 - \$34,999 Upon Corporation approval, may be purchased from the vendor providing the lowest quote after receiving at least three (3) written, faxed, or e-mailed quotes.

5. QUOTES.

- b. 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.
- c. 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.
- d. 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 Corporation 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 Chairman or an authorized designee, and maintained in a specially designated file at the Corporation 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 Chairman, such emergency shall not be subject to competitive bidding or the procedures stated herein. The Chairman 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 Chairman 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 Chairman 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 Chairman 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. MISCELLANEOUS.

1. The Corporation 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 Corporation or any director, officer, member or employee thereof.

This Policy was duly adopted by the EDC Board of Directors on _____.

TOWN OF ISLIP ECONOMIC DEVELOPMENT
CORPORATION
AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #11

TYPE OF RESOLUTION: TO CONSIDER THE ADOPTION
OF A RESOLUTION TO APPROVE A **CONFLICT OF
INTEREST POLICY** TO THE ECONOMIC DEVELOPMENT
CORPORATION

RESOLUTION OF THE TOWN OF ECONOMIC
DEVELOPMENT AGENCY AUTHORIZING AND
ADOPTING A **CONFLICT OF INTEREST POLICY**
NECESSARY TO IMPLEMENT THE PROVISIONS OF
THE PAAA AND THE ACT, AS AMENDED AND
APPROVING THE FORM, SUBSTANCE AND
EXECUTION OF 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 promote, develop, encourage and assist in the acquisition, construction, improvement, maintenance, equipping and furnishing of certain industrial, manufacturing, warehousing, commercial, research, and recreation facilities as authorized by the Act 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 standard of living; and

WHEREAS, the New York State Legislature adopted the Public Authorities Accountability Act of 2005 and the Public Authorities Accountability Act of 2009, each as amended from time to time (collectively, the “**PAAA**”), 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, a Conflict of Interest Policy would permit the Agency to continue to provide financial assistance to various business entities to acquire, locate, construct, renovate, equip and/or expand in the Town of Islip, New York (the “**Town**”), which would generate additional revenues, housing and employment within the Town; 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, 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; and

(b) Authorizing and adopting the Conflict of Interest Policy will allow the Agency 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

(c) Authorizing and adopting the Conflict of Interest Policy will allow the Agency to continue to provide financial assistance to various business entities to acquire, locate, construct, renovate, equip and/or expand in the Town, which would generate additional revenues, housing and employment within the Town; and

(d) It is desirable and in the public interest for the Agency to adopt the Conflict of Interest Policy.

(e) The adoption of a stand-alone Conflict of Interest Policy will permit the Agency to maintain stand-alone Conflict of Interest Policy.

Section 2. In consequence of the foregoing, 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.

Section 3. 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.

Section 4. This resolution shall take effect immediately.

[illegible]

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

That I have compared the annexed extract of the minutes of the meeting of the Town of Islip Economic Development Agency (the “**Agency**”), including the resolutions contained therein, held on the 24th day of January, 2023, 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.

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, as amended, that all members of said Agency had due notice of said meeting and that said meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 24th day of January, 2023.

By: _____
Assistant Secretary

Exhibit A

TOWN OF ISLIP
ECONOMIC DEVELOPMENT 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 Town of Islip Economic Development 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 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 Executive Officer or counsel to the Agency.

Adopted January 11, 2022

TOWN OF ISLIP ECONOMIC DEVELOPMENT
CORPORATION
AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #12

TYPE OF RESOLUTION: TO CONSIDER THE ADOPTION
OF A RESOLUTION TO APPROVE A **PROPERTY**
DISPOSITION POLICY

RESOLUTION OF THE TOWN OF ISLIP ECONOMIC
DEVELOPMENT AGENCY ADOPTING A
PROPERTY DISPOSITION POLICY OF THE TOWN
OF ISLIP ECONOMIC DEVELOPMENT AGENCY
NECESSARY TO IMPLEMENT THE PROVISIONS OF
THE PAAA AND ACT, AS AMENDED

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 amended from time to time (collectively, the “**Act**”), the Town of Islip Economic Development Agency (the “**Agency**”), was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, the New York State Legislature adopted the Public Authorities Accountability Act of 2005, as amended (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 a Property Disposition Policy (the “**Property 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, 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; and

(b) Adopting the Property 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 (i) the Property 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.

Exhibit A

Town of Islip Industrial Development Agency

Property Disposition Policy

In keeping with the policy of maintaining the highest standards of conduct and ethics and to operate in the most accountable and open manner, the Town of Islip Industrial Development 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 (as such term is defined below) of Property in compliance with any applicable Law, Rule or Regulation (as such term is defined below). Failure to follow the provisions of this Property Disposition 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: Any duly enacted statute, or ordinance or any rule or regulation promulgated pursuant to any federal, state or local statute or ordinance.

Property shall mean (a) personal property in excess of five thousand dollars (\$5,000.00) in value, (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 Contracting Officer of the Agency shall be responsible for the Agency's compliance with this Property Disposition Policy and the supervision and control of all Property Disposed of by the Agency. In addition, the Contracting Officer 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 under the control of the Agency and periodically inventorying such property to determine which, if any, property should be Disposed by the Agency. The Contracting Officer shall recommend to the Board any Property he or she deems suitable for Disposal.

Disposition of Property

Unless otherwise authorized by this Policy, the Agency shall Dispose of Property 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 Contracting Officer deems proper. Provided, however, that no disposition of real property, any interest in real property, or any other Property 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 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 or entering into a contract for the Disposal of Property, 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. 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 or enter into contracts for the disposal of Property 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 if the Property 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 is Disposed by lease (or exchange), then the Agency shall file an explanatory statement when the Property 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 consisting of real property of the Agency. In addition, the Annual Report shall include a list and full description of all Property 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, in addition to the name of the purchaser for all such Property 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.

Property Disposition Policy

The Agency shall review and approve this Property Disposition Policy annually by resolution of the Board. On or before March 31 of each year, the Agency shall file with the Comptroller a copy of its Property Disposition Policy, including the name of the Contracting Officer appointed by the Agency. Upon such filing with the comptroller, the Agency shall post its Property Disposition Policy on its website.

Adopted: January 11, 2022

Date: January 24, 2023

At a meeting of the Town of Islip Economic Development Agency (the "Agency"), held at 40 Nassau Avenue, Islip, New York on the 24th day of January 2023, the following members of the Agency were:

Present:

After the meeting had been duly called to order, the Chairman announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to adopting a Property Disposition Policy of the Town of Islip Economic Development Agency necessary to implement the provisions of the PAAA, as amended.

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

Voting Aye

Voting Nay

TOWN OF ISLIP ECONOMIC DEVELOPMENT
CORPORATION

AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #13

TYPE OF RESOLUTION: TO CONSIDER THE ADOPTION
OF A RESOLUTION TO APPROVE A **TRAVEL**
AUTHORIZATION AND MILEAGE REIMBURSEMENT
GUIDELINE

January 24, 2023

WHEREAS, the Town of Islip Economic Development Agency (the Agency) is duly established under 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 amended; and

WHEREAS, the purpose of the Agency is to promote and encourage economic development within the Town of Islip; and

WHEREAS, periodically, it is necessary that the Agency participates in various conferences, conventions and educational schooling and/or requests mileage reimbursement for the use of personal vehicles; and

WHEREAS, **Travel Authorization and Mileage Reimbursement** guidelines have been adopted in the Town of Islip's Administrative Procedures Manual, Section 303; and

WHEREAS, as a recommended Governance Practice by the Authorities Budget Office, the Agency wishes to adopt and adhere to the same guidelines as outlined in the Town of Islip's Administrative Procedures Manual, Section 303; and

NOW THEREFORE, on motion of Councilman

RESOLVED, that the Chairman, or his designee, has authorized the Agency to adopt and abide by the Travel Authorization and Mileage Reimbursement guidelines as outlined in the Town of Islip's Administrative Procedures Manual, Section 303, subject to approval of the Agreement by the Town Attorney as to form.

UPON a vote taken the result was; approved.

TOWN OF ISLIP ECONOMIC DEVELOPMENT
CORPORATION
AGENDA ITEMS FOR JANUARY 24, 2023

AGENDA ITEM #14

**TYPE OF RESOLUTION: RESOLUTION AUTHORIZING
“LIBOR” REPLACEMENT FOR UNITED CEREBRAL
PALSY ASSOCIATION OF GREATER SUFFOLK, INC.
BONDS.**

RESOLUTION OF THE TOWN OF ISLIP ECONOMIC DEVELOPMENT CORPORATION AUTHORIZING THE EXECUTION AND DELIVERY OF A SECOND SUPPLEMENTAL INDENTURE OF TRUST WITH RESPECT TO THE ISSUER'S REVENUE BONDS, SERIES 2013A-1 (UNITED CEREBRAL PALSY ASSOCIATION OF GREATER SUFFOLK, INC. PROJECT), IN THE ORIGINAL PRINCIPAL AMOUNT OF \$7,365,000 AND ITS REVENUE BONDS, SERIES 2013A-2 (UNITED CEREBRAL PALSY ASSOCIATION OF GREATER SUFFOLK, INC. PROJECT) IN THE ORIGINAL PRINCIPAL AMOUNT OF \$7,365,000 AND APPROVING THE FORM, SUBSTANCE, EXECUTION AND DELIVERY OF RELATED DOCUMENTS AND INSTRUMENTS.

WHEREAS, pursuant to and in accordance with the provisions of Section 1411 of the New York Not-for-Profit Corporation Law, as amended (collectively, the "**Act**"), the Town of Islip Economic Development Corporation (the "**Issuer**") was created with the authority and power to issue its revenue bonds for the purpose of, among other things, acquiring certain facilities as authorized by the Act; and

WHEREAS, the Issuer, on July 16, 2013, adopted its Authorizing Resolution (the "**Bond Resolution**") authorizing the issuance of a series of tax-exempt Revenue Bonds (United Cerebral Palsy Association of Greater Suffolk, Inc. Project) (the "**Series 2013A Bonds**", which such Series 2013A Bonds consisted of two sub-series: the Series 2013A-1 Bonds and the Series 2013A-2 Bonds) and another series of Taxable Revenue Bonds (United Cerebral Palsy Association of Greater Suffolk, Inc. Project) (the "**Series 2013B Bonds**", which such Series 2013B Bonds consisted of two sub-series: the Series 2013B-1 Bonds and the Series 2013B-2 Bonds, and together with the Series 2013A Bonds, the "**Bonds**"), described pursuant to the terms of a certain Indenture of Trust, dated as of October 1, 2013 (the "**Original Indenture**"), by and between the Issuer and U.S. Bank National Association, a national banking association organized and existing under the laws of the United States of America (the "**Trustee**"), for the purpose of providing funds for the benefit of United Cerebral Palsy Association of Greater Suffolk, Inc., a New York not-for-profit corporation (the "**Organization**"), for the (1) refinancing of the Civic Facility Revenue Bonds, Series 2006 (United Cerebral Palsy Association of Greater Suffolk, Inc. Civic Facility) issued by the Town of Islip Industrial Development Agency (the "**IDA**"), in the original aggregate principal amount of \$17,430,000 (the "**Series 2006 Bonds**"), \$15,275,000 of which were then outstanding, the proceeds of which Series 2006 Bonds, were used for the financing and/or refinancing of the acquisition of an approximately 9.8 acre parcel of land located at 159 Carleton Avenue, Central Islip, Town of Islip, Suffolk County, New York, and the construction and equipping of an approximately 25,640 square foot diagnostic and treatment center and clinical program thereon (the "**Facility**"); and (2) paying all or a portion of the costs incidental to the issuance of the Bonds, including issuance costs of the Bonds, capitalized interest and any debt service reserve funds as may be necessary to secure the Bonds (collectively, the "**Project**"); and

WHEREAS, contemporaneously with the execution of the Original Indenture, the Issuer loaned the proceeds of the Bonds pursuant to a certain Loan Agreement, dated as of October 1, 2013 (the "**Loan Agreement**"), by and between the Issuer and the Organization; and

WHEREAS, the obligations of the Organization under the Loan Agreement were evidenced by certain Promissory Notes, each dated October 30, 2013 (collectively, the “**Notes**”), each from the Organization to the Issuer and assigned by the Issuer to the Trustee; and

WHEREAS, the Bonds and the Organization’s obligations under the Loan Agreement and the Notes were secured by, among other things, a certain Mortgage and Security Agreement, dated as of October 1, 2013 (the “**Mortgage**”), from the Organization to the Issuer securing the principal amount of \$14,986,000, which Mortgage was intended to be recorded in the Suffolk County Clerk’s Office; and

WHEREAS, the Issuer assigned all of its right, title and interests in and to the Mortgage, to the Trustee and the Swap Provider (as defined in the hereinafter defined Assignment), pursuant to a certain Assignment of Mortgage and Security Agreement, dated October 30, 2013 (the “**Assignment**”), given by the Issuer to the Trustee and the Swap Provider, which such Assignment was intended to be recorded in the Suffolk County Clerk’s office immediately after the recordation of the Mortgage; and

WHEREAS, People’s United Bank, as successor in interest to The Suffolk County National Bank (“**People’s United**”) purchased the Series 2013A-2 Bonds and the Series 2013B-2 Bonds pursuant a certain Bond Purchase and Continuing Covenants Agreement, dated as of October 30, 2013; and

WHEREAS, 233 Genesee Street Corporation (“**233 Genesee**”) and Manufacturers and Traders Trust Company (“**M&T**”; and together with People’s United and 233 Genesee, collectively, the “**Bond Purchasers**”) entered into a certain Bond Purchase and Continuing Covenants Agreement, dated as of October 30, 2013, whereby 233 Genesee purchased the 2013A-1 Bonds, and M&T purchased the Series 2013B-1 Bonds; and

WHEREAS, the Organization and the Issuer set forth certain representations, expectations, conditions and covenants establishing compliance with the restrictions of the Internal Revenue Code of 1986, as amended (the “**Code**”) relating to the hearings and approval by the Issuer, activities of the Organization, the Series 2013 Bonds, the Facility, the Project, and the application of proceeds of the Series 2013 Bonds pursuant to a certain Tax Regulatory Agreement dated October 30, 2013 (the “**Tax Regulatory Agreement**”) by and between the Issuer and the Organization; and

WHEREAS, the Issuer and Trustee previously amended the Original Indenture pursuant to a First Supplemental Indenture, dated as of December 1, 2017 (the “**First Supplemental Indenture**”, and together with the Original Indenture, the “**Indenture**”), for the purposes of amending certain language in the Original Indenture and the Bonds with respect to the payment of Sinking Fund Installments; and

WHEREAS, in connection with the execution and delivery of the First Supplemental Indenture, the Issuer executed replacement bonds issued pursuant to the First Supplemental Indenture (the “**Replacement Bonds**”), which such Replacement Bonds amended and replaced the Bonds; and

WHEREAS, pursuant to Section 11.02 of the Original Indenture, the prior written consent of the Bond Purchasers to execution and delivery of the First Supplemental Indenture and the Replacement Bonds was required; and

WHEREAS, consent of the Bond Purchasers was obtained prior to the execution and delivery of the First Supplemental Indenture and the Replacement Bonds; and

WHEREAS, the Series 2013B Bonds, as amended and replaced, have been paid in full; and

WHEREAS, the Organization has now requested that the Issuer and the Trustee further amend the Indenture, to provide for amendments to the interest rate provisions of the 2013A-1 Bonds to account for the impending cessation of LIBOR; and

WHEREAS, pursuant to Sections 11.03 of the Original Indenture, the Issuer and the Trustee are permitted to amend the Original Indenture with the consent of Bond Purchasers to the extent required by such Section 11.03; and

WHEREAS, subject to the consent of such Bond Purchaser(s), the Issuer and the Trustee will enter into a certain Second Supplemental Indenture of Trust, dated as of January 1, 2023, or such other date as may be determined (the “**Second Supplemental Indenture**”), between the Issuer and the Trustee; and

WHEREAS, in connection with such Second Supplemental Indenture, the Issuer and Organization will be required to execute and deliver an amendment or supplement to the Tax Regulatory Agreement, to be dated a date to be determined, along with any ancillary certifications (the “**Supplemental Tax Regulatory Agreement**”); and

WHEREAS, the Organization has agreed to indemnify the Issuer against certain losses, claims, expenses, damages and liabilities that may arise in connection with the transaction contemplated by the Second Supplemental Indenture and Supplemental Tax Regulatory Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Town of Islip Economic Development Corporation (a majority of the members thereof affirmatively concurring) as follows:

Section 1. The Issuer hereby finds and determines:

(a) By virtue of the Act, the Issuer 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) The Second Supplemental Indenture will be an effective instrument whereby the Issuer and the Trustee amend the Indenture as set forth in the Second Supplemental Indenture; and

(c) The Supplemental Tax Regulatory Agreement will be an effective instrument whereby the Issuer and the Organization set forth certain, representations, expectations, conditions and covenants establishing compliance with restrictions imposed by the Code; and

Section 2. In consequence of the foregoing, the Issuer hereby determines to: (i) execute and deliver the Second Supplemental Indenture, the Supplemental Tax Regulatory Agreement, and any additional documents necessary to effectuate the provisions of this resolution (collectively, the “**Issuer Documents**”).

Section 3. The form and substance of the Issuer Documents (in substantially the form approved by the Executive Director of the Issuer and Nixon Peabody LLP (“**Bond Counsel**”) and which, prior to the execution and delivery thereof, may be redated) are hereby approved.

Section 4. The Chairman, Executive Director or any other member of the Issuer are hereby authorized, on behalf of the Issuer, to approve, such other related documents as may be, in the judgment of the Chairman, Executive Director and Issuer Counsel, necessary or appropriate to effect the transactions contemplated by this resolution. The execution thereof by the Chairman, Executive Director or any other member of the Issuer, together with any additional documents that may be required, shall constitute conclusive evidence of such approval.

Section 3. This resolution shall take effect immediately.

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

I, the undersigned Assistant Secretary of the Town of Islip Economic Development Corporation, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town of Islip Economic Development Corporation (the “**Issuer**”), including the resolutions contained therein, held on the 24th day of January, 2023, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Issuer 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 Issuer Documents contained in this transcript of proceedings is in substantially the form presented to the Issuer 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 Issuer 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 24th day of January, 2023.

Assistant Secretary

Date: January 24, 2023

At a meeting of the Town of Islip Economic Development Corporation (the “**Issuer**”), held at 40 Nassau Avenue, Islip, New York 11751 on the 24th day of January, 2023 the following members of the Issuer 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 and take action on certain matters pertaining to the Issuer’s (i) Revenue Bonds, Series 2013A-1 (United Cerebral Palsy Association of Greater Suffolk, Inc. Project), originally in the principal amount of \$7,365,000 (the “**Series 2013A-1 Bonds**”) and (ii) Revenue Bonds, Series 2013A-2 (United Cerebral Palsy Association of Greater Suffolk, Inc. Project), originally in the principal amount of \$7,365,000 (the “**Series 2013A-2 Bonds**”), and the execution of related documents.

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

Voting Aye

Voting Nay

Abstain

and, therefore, the resolution was declared duly adopted.

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

No. 3

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

FROM: MICHAEL P. WALSH, ACTING 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

January 24, 2023

1. Call the Meeting of the Islip Resource Recovery Agency to Order.
2. Approval of the Minutes for the December 13, 2022 Agency Board Meeting.
3. Resolution authorizing the President to enter into a contract with Germano & Cahill, P.C. to provide General Legal and Litigation Services for the year 2023.
4. 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.
5. Resolution authorizing the President to enter into a contract extension between the Islip Resource Recovery Agency (Agency) and Dvirka & Bartilucci Engineers and Architects, P.C., (D&B) to provide Professional On-call, Planning and Environmental/Regulatory Compliance Support Services related to the continued operation and maintenance of the MacArthur Resource Recovery Facility for Calendar Year 2023.
6. Authorizing the President to enter into a Contract between the Agency and Pace Analytical Services, Inc. for calendar years 2023, 2024 and 2025; for Professional Services related to Laboratory Analytical Services for Groundwater and Ash Analysis for all Islip Resource Recovery Agency (IRRA) Sites.
7. Resolution authorizing the President to enter into an Agreement between the Agency and the Hauppauge Union Free School District, for the school year 2022-2023, to provide for collection and processing by the Agency and/or the Town of certain recyclable materials generated at the facilities of the School District, to reduce the amount of solid waste destined for disposal by the School District.
8. Other Business
9. Adjournment



ISLIP RESOURCE RECOVERY AGENCY

December 13, 2022

On a motion of Councilperson O'Connor, seconded by Councilperson Cochrane, a meeting of the Islip Resource Recovery Agency was convened at 2:55 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
John C. Cochrane, Jr.
Jorge Guadrón

OFFICERS PRESENT

Martin Bellew, President
Linda Bunde, Secretary

On a motion of Councilperson O'Connor seconded by Councilperson Mullen and unanimously approved, the minutes from the November 15, 2022 Agency Board Meeting were approved.

On a motion of Councilperson Cochrane, seconded by Councilperson O'Connor and unanimously approved, a resolution was passed authorizing the President to enter into a Professional Services Agreement between the Agency and HDR Architecture & Engineering, P.C., to Provide Technical Support to the Islip Resource Recovery Agency MacArthur Waste-to-Energy Facility Technical Feasibility Study.

On a motion of Councilperson Guadrón, seconded by Councilperson Cochrane, and unanimously approved, a resolution was passed authorizing the President to enter into a contract amendment to Contract #IRRA-2016-7 between the Agency and Lockwood, Kessler & Bartlett, Inc. (LKB), to provide Professional Engineering Design Services related to the expansion of the Blydenburgh Cleanfill.

On a motion of Councilperson Mullen, seconded by Councilperson O'Connor and unanimously approved, a resolution was passed authorizing the President to enter into a contract between the Agency and Envirotec Leasing and Rental Corp.; for the Loading and Transport of Landfill Leachate to In-County permitted disposal facility from the Blydenburgh Road Landfill Complex for the years 2023 and 2024; with one (1) additional two (2) year option, and another 2 year option by mutually agreed upon proposal.

On a motion of Councilperson Cochrane, seconded by Councilperson Guadrón and unanimously approved, a resolution was passed authorizing the execution of a Management Services Agreement for the year 2023 between the Islip Resource Recovery Agency and the Town of Islip for the Provision of Solid Waste Support Systems in the Town of Islip.

There being no further business to come before the Board, the meeting was adjourned on a motion of Councilperson Guadrón, 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.

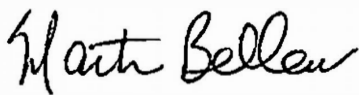
Resolution authorizing the President to enter into a contract with Germano & Cahill, P.C. to provide General Legal and Litigation Support Services for the year 2023.

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

1-10-23

Date

January 24, 2023

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 2023, 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.

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: Islip Resource Recovery Agency
 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 Bellen
Signature of President/Department Head Sponsor

1/10/23
Date

January 24, 2023

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.

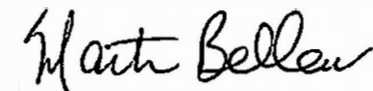
Authorizing the President to enter into a contract extension between the Islip Resource Recovery Agency (Agency) and Dvirka & Bartilucci Engineers and Architects, P.C., (D&B) to provide Professional On-call, Planning and Environmental/Regulatory Compliance Support Services related to the continued operation and maintenance of the MacArthur Resource Recovery Facility for Calendar Year 2023.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Islip Resource Recovery Agency
 2. Site or Location affected by resolution: MacArthur Waste to Energy Facility
 3. Cost: \$113,091
 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

1/10/23
Date

January 24, 2023

AUTHORIZING THE PRESIDENT TO EXTEND A CONTRACT BETWEEN THE ISLIP RESOURCE RECOVERY AGENCY (AGENCY) AND DVIRKA & BARTILUCCI ENGINEERS AND ARCHITECTS, P.C., (D&B) TO PROVIDE PROFESSIONAL ON-CALL, PLANNING AND ENVIRONMENTAL/REGULATORY COMPLIANCE SUPPORT SERVICES RELATED TO THE CONTINUED OPERATION AND MAINTENANCE OF THE MACARTHUR RESOURCE RECOVERY FACILITY FOR CALENDAR YEAR 2023

WHEREAS the Agency has an Operating Agreement with Covanta MacArthur Renewable Energy, Inc., the plant operator; and requires professional and engineering support services in regard to Waste-to-Energy Facility operations, modifications and enhancements, special projects, maintenance and regulatory issues to comply with facility needs, permit requirements and regulations of the New York State Dept. of Environmental Conservation (NYSDEC) and the Environmental Protection Agency (EPA); and

WHEREAS on December 15, 2020 a resolution was passed for the Agency to enter into a Contract with D&B for the above referenced services for years 2021 and 2022, with the option for one (1) year extension; and

WHEREAS D&B's project manager is currently involved with the ongoing USEPA Title V Permit renewal and Operating Permits which includes review comment and negotiations with the NYSDEC Region 1. Keeping continuity with the parties involved in the negotiation is beneficial for the Agency; and

WHEREAS D&B's personnel also has experience with the Agency's Solid Waste Management Plan updates and related solid waste management system infrastructure and their involvement and preparation of the updated Plan is beneficial to the Agency; and

WHEREAS D&B's project manager is currently involved with the ongoing Part 360 Permit renewal which includes review comment and negotiations with the NYSDEC Region 1. Keeping continuity with the parties involved in the negotiation is beneficial for the Agency; and

WHEREAS the Agency requires on-going professional and technical support services to assist in the review and implementation of special projects, facility operations, maintenance and regulatory issues; now

WHEREAS after taking into account the experience and quality of work, and the need for familiarity with the facility during this coming year, it is recommended that the contract be extended for the year 2023; now

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

RESOLVED, that the President is authorized to enter into contract extension with D&B Engineers and Architects, P.C., to provide Professional On-call, Planning and Environmental/Regulatory Compliance Support Services Related to the Continued Operation and Maintenance of the MacArthur Waste to Energy Facility for the calendar year 2023, for the amount of \$113,091.

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.

Authorizing the President to enter into a Contract between the Agency and Pace Analytical Services, Inc. for Calendar years 2023, 2024 and 2025; for Professional Services related to Laboratory Analytical Services for Groundwater and Ash Analysis for all Islip Resource Recovery Agency (IRRA) Sites.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Islip Resource Recovery Agency
 2. Site or Location affected by resolution: All IRRA Sites
 3. Cost: Total: \$980,037.74 **2023:** \$310,362.40; **2024:** \$505,963.19; **2025:** \$163,712.15
 4. Budget Line: ZR02.1020.4-8162
 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

1/10/23

Date

January 24, 2023

AUTHORIZING THE PRESIDENT TO ENTER INTO A CONTRACT BETWEEN THE AGENCY AND PACE ANALYTICAL SERVICES, INC FOR CALENDAR YEARS 2023, 2024 AND 2025; FOR PROFESSIONAL SERVICES RELATED TO LABORATORY ANALYTICAL SERVICES FOR GROUNDWATER AND ASH ANALYSIS FOR ALL ISLIP RESOURCE RECOVERY AGENCY (IRRA) SITES.

WHEREAS the Agency is responsible for the construction, operation and maintenance of all solid waste systems in the Town of Islip; and

WHEREAS the Agency is required by the New York State Department of Environmental Conservation (NYSDEC) through various permits, Orders-on-Consent, and other regulatory requirements to undertake site investigations and provide for environmental monitoring of all IRRA sites; and

WHEREAS the current contract between the Agency and Pace Analytical Services, Inc. to provide the aforementioned laboratory analytical services is due to expire; and

WHEREAS on October 6, 2022 three requests for proposals were sent and on October 27, 2022, only one response was received for the above referenced service from Pace Analytical Services, Inc.; and

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

RESOLVED, that the President is authorized to enter into a contract between the Agency and Pace Analytical Services, Inc., located at 575 Broadhollow Road, Melville, New York 11747, for Calendar Years 2023, 2024 and 2025. The total amount for the term of the contract will not exceed \$980,037.74 The amount for each year is as follows: 2023 - \$310,362.40, 2024 -\$505,963.19 and 2025 - \$163,712.15

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 an Agreement between the Agency and the Hauppauge Union Free School District, to provide for the collection and processing by the Agency and/or the Town of certain recyclable materials generated at the facilities of the School District for the School Year 2022-2023. The School District shall pay the Agency a fee of \$45.00 per pick up for the collection of recyclables.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Islip Resource Recovery Agency
2. Site or Location affected by resolution: Multi-purpose Recycling 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

1/10/23

Date

January 24, 2023

RESOLUTION AUTHORIZING THE PRESIDENT TO ENTER INTO AN AGREEMENT BETWEEN THE ISLIP RESOURCE RECOVERY AGENCY ("the Agency"), THE HAUPPAGUE UNION FREE SCHOOL DISTRICT ("the School District") TO PROVIDE FOR COLLECTION AND PROCESSING BY THE AGENCY AND/OR THE TOWN OF CERTAIN RECYCLABLE MATERIALS GENERATED AT THE FACILITIES OF THE SCHOOL DISTRICT, TO REDUCE THE AMOUNT OF SOLID WASTE DESTINED FOR DISPOSAL BY THE SCHOOL DISTRICT

WHEREAS the Agency owns and operates a Multi-Purpose Recycling Facility (the "MRF") located at 1155 Lincoln Avenue in Holbrook, NY., which is capable of receiving, processing, disposing, and/or marketing of recyclable materials; and

WHEREAS The School District hereby warrants and represents that it is the owner and operator of the school's facilities and that it will separate recyclables from other solid wastes to reduce the amount of solid waste destined for disposal by the school at its own cost and expense; and place such Recyclables; and

WHEREAS the Agency and the School District make this Agreement to provide for the collection and processing by the Agency and/or Town of certain recyclable material; by execution of the terms set forth in the Agreement; now

HEREFORE on motion of _____, seconded by _____, be it hereby

RESOLVED that the President is hereby authorized to enter into an Agreement between the Agency and The Hauppauge Union Free School District located at 495 Hoffman Lane, P.O. Box 6006, Hauppauge, New York 11788. The School District shall pay the Agency a fee of \$45.00 per pick up for the collection of recyclables; and be it further

RESOLVED that the Agency agrees to collect recyclable materials for the 2022-2023 School Calendar Year and may be extended by the mutual agreement of the parties for such period, an on such terms as the parties agree;

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: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Authorization for the Supervisor to recognize the new ownership of
Dune Fishery, LLC for the purpose of shellfish cultivation in the Great
South Bay.**

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.

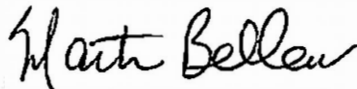
RESOLUTION AUTHORIZING THE SUPERVISOR TO RECOGNIZE THE NEW OWNERSHIP OF DUNE FISHERY, LLC, FOR THE PURPOSE OF SHELLFISH CULTIVATION IN THE GREAT SOUTH BAY.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or Location affected by resolution: Town Owned Bay Bottom in the Great South Bay
Parcels A2 - 3.5 Acres and Parcel B18 - 10 Acres
 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 Commissioner/Department Head Sponsor

Date

January 24, 2023

AUTHORIZING THE SUPERVISOR TO RECOGNIZE THE NEW OWNERSHIP OF DUNE FISHERY, LLC, FOR THE PURPOSE OF SHELLFISH CULTIVATION IN THE GREAT SOUTH BAY

WHEREAS, the Town of Islip owns underwater land in the Great South Bay (GSB) which has historically produced substantial quantities of shellfish, including clams, scallops and oysters; however, the GSB has recently seen a steady significant decline in the shellfish harvest; and

WHEREAS, the Town of Islip established a Bay Bottom Licensing Program in 2009 for those individuals having experience in shellfish cultivation, with the intent of promoting the overall health of the Great South Bay's Ecosystem; and

WHEREAS, the Town of Islip currently has an existing license agreement with Dune Fishery for the cultivation of shellfish in the Great South Bay; and

WHEREAS, the Town of Islip recognizes Raymond Smith and Michael Miezianka as the new owners of Dune Fishery, LLC and an effective tenant and steward of the bay; and

WHEREAS, the Town of Islip Department of Environmental Control has reviewed the request;

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

RESOLVED, that the Supervisor recognize the new ownership Dune Fishery, for the Town's Bay Bottom Licensing Program based upon joint Departmental recommendations, with said License having a term of five (5) years; with an annual rent of \$750.00 per acre, and a security deposit of \$150.00 per acre, beginning on the commencement date of the License.

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: MICHAEL P. WALSH, ACTING 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:

Jeffrey Panasci, 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, January 24, 2023 at 2:00 pm

| | | | |
|----|---------------------------------------|---------------------------|----|
| 1. | 31 Rossmore Avenue, Central Islip | 0500-120.00-02.00-057.000 | CU |
| 2. | 164 5 th Avenue, Bay Shore | 0500-366.00-02.00-044.000 | BU |
| 3. | 400 Suffolk Avenue, Brentwood | 0500-136.00-03.00-038.001 | CU |
| 4. | 467 Smith Avenue, Islip | 0500-444.00-02.00-039.000 | BC |
| 5. | 1401 Spur Drive South, Islip | 0500-249.00-02.00-007.002 | BC |

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 31 Rossmore Avenue, Central Islip.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 31 Rossmore Avenue, Central 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 (8). SEQR review complete.
- ☐ Action not listed as Type 1 or Type II under Part 617 of the NYCRR. Short EAF required.
-

Jeffrey Panasci
Signature of Commissioner/Department Head Sponsor

1-10-2023
Date

January 24, 2023

WHEREAS, numerous reports and complaints regarding high grass, overgrown vegetation and litter and debris on property located at 31 Rossmore Avenue, Central Islip, Town of Islip, County of Suffolk, State of New York, SCTM No. 0500-120.00-02.00-057.000, 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, Robert Williams, and also upon Champion Mortgage, and also upon Reverse Mortgage Solutions, and also upon Innovative Inspections – NY, by Certified Mail, Return Receipt requested on January 10, 2023, 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 January 24, 2023; 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 10, 2023, 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 January 24, 2023, 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, January 24, 2023, 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-
120.00-02.00-057.000.

UPON a vote being taken, the result was:

(G: Clean Up - 31 Rossmore 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 board up the vacant premises located at 164 5th Avenue, 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: 164 5th Avenue, 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 (1). SEQR review complete.
- ☐ Action not listed as Type 1 or Type II under Part 617 of the NYCRR. Short EAF required.
-

Jeffrey Panasci
Signature of Commissioner/Department Head Sponsor

1-10-2023
Date

January 24, 2023

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 164 5th Avenue, Bay Shore, 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 on the premises; 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, Rufia Dinsay, and also upon MERS, and also upon Aegis Funding Corporation, and also upon Ocwen Loan Servicing, LLC, by Registered Mail, Return Receipt Requested on January 10, 2023, 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 January 24, 2023; 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 10, 2023, 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 January 24, 2023; 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 January 24, 2023, 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), to HUD standards, to wit: 5/8 inch plywood, painted gray and bolted from the interior, 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. 0500-366.00-02.00-044.000.

UPON a vote being taken, the result was:

(G:\Board up - 164 5th Avenue, Bay Shore)

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 400 Suffolk 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: 400 Suffolk 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 (8). SEQOR review complete.
- ☐ Action not listed as Type 1 or Type II under Part 617 of the NYCRR. Short EAF required.
-

Jeffrey Panasci
Signature of Commissioner/Department Head Sponsor

1-10-2023
Date

January 24, 2023

WHEREAS, numerous reports and complaints regarding high grass, overgrown vegetation and litter and debris on property located at 400 Suffolk Avenue, Brentwood, Town of Islip, County of Suffolk, State of New York, SCTM No. 0500-136.00-03.00-038.001, 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, WEC 97K-8 Investment Trust, and also upon WEC 97K-8 Investment Trust, c/o United Trust Fund, and also upon WEC 97K-8 Investment Trust, c/o Triumph Properties Group, and also upon Toluca Towers Investment Co LL, and also upon DuCon Construction Inc., by Certified Mail, Return Receipt requested on January 10, 2023, 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 January 24, 2023; 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 10, 2023, 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 January 24, 2023, 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, January 24, 2023, 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, etc.), 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. 0500-136.00-03.00-038.001.

UPON a vote being taken, the result was:
(G: Clean Up - 400 Suffolk 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 board up and clean the vacant premises located at 467 Smith Avenue, Islip.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 467 Smith Avenue, 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 (1) and (8). SEQR review complete.
- ☐ Action not listed as Type 1 or Type II under Part 617 of the NYCRR. Short EAF required.
-

Jeffrey Panasci
Signature of Commissioner/Department Head Sponsor

1-10-2023
Date

January 24, 2023

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 467 Smith Avenue, 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 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, Housing Trust Fund Corporation, and also upon Housing Trust Fund Corporation c/o NYS Housing Finance Agency, by Registered Mail, Return Receipt Requested on January 10, 2023, 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 January 24, 2023; and

WHEREAS, pursuant to Chapter 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 10, 2023, 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 January 24, 2023; 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 January 24, 2023, 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), to HUD standars, 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. 0500-444.00-02.00-039.000.

UPON a vote being taken, the result was:
(G:\Board up/Cleanup – 467 Smith Avenue, 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 1401 Spur Drive South, Islip, NY 11751.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 1401 Spur Drive South, Islip, NY 11751
 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.
-

Jeffrey Panasei
Signature of Commissioner/Department Head Sponsor

1-10-2022
Date

January 24, 2023

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 1401 Spur Drive South, 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, Bruce and Barbara Kundle, and also upon JPMorgan Chase Bank, N.A., and also upon Federal National Mortgage Association, and also upon MTGLQ Investors LP, and also upon Selene Finance LP, and also upon ServiceLink, and also upon Shellpoint Mortgage Servicing, and also upon Karen B. Olson, Esq., Knuckles, Komosinski & Manfro, LLP, by Registered Mail, Return Receipt Requested on January 10, 2023, 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 January 24, 2023; 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 10, 2023, 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 January 24, 2023; 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 January 24, 2023, 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), (two (2) accessory structures) 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. 0500-249.00-02.00-007.002.

UPON a vote being taken, the result was:

(G:\Board up/Clean-up - 1401 Spur Drive South, Islip)

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

No. 6

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

FROM: MICHAEL P. WALSH, ACTING 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

1) Iron Castings (Grates, Frames, & Extension Rings)
(822-42)

Chemung Supply Corp.

No: 1

BID ITEM: 822-42 Iron Castings (Grates, Frames, & Extension Rings)

BID PRICE: See attached tabulation

LOWEST RESPONSIBLE BIDDER: Chemung Supply Corp.

COMPETITIVE BID: Yes, 8/24/22 (2nd Advertisement)

BUDGET ACCOUNT NUMBER : H20.5110.30616 

ANTICIPATED EXPENDITURE: \$10,000.00

DEPARTMENT: DPW

JUSTIFICATION OF NEED: _____

EXPLANATION IF NOT LOW BIDDER: _____

PLEASE NOTE: This Bid was advertised twice. The first advertisement produced no bids. The second advertisement only one (1) responsive bidder.

IRON CASTINGS (GRATES,
FRAMES : EXTENSION RINGS)

CONTRACT # 822-42

DATE: AUGUST 24, 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 # H20.5110.30616 ESTIMATED AMOUNT \$10,000⁰⁰

(THIS BID WAS ADVERTISED TWICE)

LONG ISLAND PRECAST
20 STIRIZ ROAD
BROOKHAVEN NY 11719

CHEMUNG SUPPLY CORP
P O BOX 527
ELMIRA NY 14902

SEE ATTACHED SHEET

IT IS RECOMMENDED TO AWARD TO THE LOWEST RESPONSIBLE BIDDER AS INDICATED.
COMMISSIONER  CONCURS.

SIGNED BY:


MICHAEL RAND
DIRECTOR

BARBARA MALTESE
PRINCIPAL OFFICE ASSISTANT

| | |
|---|-------------------|
| IRON CASTINGS (GRATES, FRAMES & EXTENSION RINGS) | CHEMUNG SUPPLY |
| CONTRACT # 822-42 | |
| ITEM # | |
| 1. A- Frame & Grate | NO BID |
| 2. B-Frame & Grate | NO BID |
| 3. A-Grate w/o Frame | NO BID |
| 4. B-Grate w/o Frame | NO BID |
| 5. C-1 Frame & Cover | NO BID |
| 6. C-2 Frame & Cover | NO BID |
| 7. C-3 Frame & Cover | NO BID |
| 8. C-4 Frame & Cover | NO BID |
| 9. C-1 Cover w/o Frame | NO BID |
| 10. C-2 Cover w/o Frame | NO BID |
| 11. C-3 Cover w/o Frame | NO BID |
| 12. C-4 Cover w/o Frame | NO BID |
| 13. EXR-1 Manhole Ext. Ring (1 1/2" Rise) | \$130.00 |
| 14. EXR-1 Manhole Ext. Ring (2" Rise) | \$140.00 |
| 15. EXR-2 Manhole Ext. Ring (1 1/2" Rise) | \$185.00 |
| 16. EXR-2 Manhole Ext. Ring (2" Rise) | \$195.00 |
| 17. EXR-3 Manhole Ext. Ring (1 1/2" Rise) | \$230.00 |
| 18. EXR-3 Manhole Ext. Ring (2" Rise) | \$245.00 |
| 19. B Frame & Grate (1 1/2" Rise) | \$375.00 |
| 20. N Style Curb Back Piece 6" | NO BID |
| 21. Bolts, Nuts, Washers | NO BID |

January , 2023

WHEREAS, the Town solicited competitive bids for the purchase of Iron Castings (Grates, Frames, & Extension Rings), Contract # 822-42; and

WHEREAS, the bid was advertised twice and sealed bids were opened on August 24, 2022 and Chemung Supply Corp., PO Box 527, Elmira, NY 14902 submitted the only bid; and

WHEREAS, Chemung Supply Corp. 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 Chemung Supply Corp for items 13 to 19 for one (1) year from date of award.

Upon a vote being taken, the result was:

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

No. 7

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to sign an Indemnification/Hold Harmless Agreement for the Youth Enrichment Services 2023 Summer 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

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**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 2023 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 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

1/10/23

Date

February 7, 2023

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 2023 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. 8

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Town Board appointment of Collette Faucher Sandler as Deputy
Commissioner of the Fair Harbor/Dunewood Medical Service District.**

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 appoint Collette Faucher Sandler, a longtime resident of Fair Harbor and a OBGYN Nurse Practitioner at Northwell Health, as Deputy Commissioner of the Fair Harbor/Dunewood Medical District to serve in such capacity until her successor is qualified and appointed. The present Deputy, Kathleen Chinkel has tendered her resignation and Collette has been recommended by the Board of the Fair Harbor Community Association and found to be qualified to serve in such capacity.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Residents/visitors of Fair Harbor/Dunewood
 2. Site or location effected by resolution: Fair Harbor and Dunewood, Fire Island
 3. Cost: to serve without compensation
 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

January 24, 2023

No.

WHEREAS, Ms. Kathleen Chinkel, who has served as Deputy Commissioner of the of the Fair Harbor/Dunewood Medical Service District for the past three (3) years, has tendered her resignation; and

WHEREAS, Ms. Collette Faucher Sandler, a longtime resident of the Fair Harbor Community and an OBGYN Practitioner at Northwell Health with 15 years of clinical experience in both inpatient and outpatient services has been highly recommended by the Board of the Fair Harbor Community Association as deputy; and

WHEREAS, she has been determined to be qualified to serve in her place with the support of the communities who she will be benefitting;

NOW, THEREFORE, be it resolved that Ms. Collette Faucher Sandler of Fair Harbor, Fire Island, is hereby appointed to serve as Deputy Commissioner of the Fair Harbor/Dunewood Medical Service District without compensation until such time as a successor is duly qualified and appointed.

Upon a vote being taken, the result was:

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

No. 9

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Meeting 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

Agenda for Meeting of the Town of Islip Foreign Trade Zone Board

January 24, 2023

1. Meeting called to order;
2. Approval of the minutes from October 18, 2022 meeting of Town of Islip Foreign Trade Zone Board;
3. Authorization for the Islip Foreign Trade Zone Authority to renew a custodial service agreement with Odds & Ends LLC for its final year;
4. Authorization for the Islip Foreign Trade Zone Authority to renew a heating and cooling service contract with Quinn and Feiner Service Company, Inc, with a one-year option for renewal;
5. Authorization for the Islip Foreign Trade Zone to enter into landscape contract with Surburban Maintenance & Landscaping Inc. for one-year, with an option to renew for two additional one-year periods;
6. Adjournment;



TOWN OF ISLIP
FOREIGN TRADE ZONE AUTHORITY

Brad Hemingway
Executive Director

Jaime Martinez
Deputy Director

October 18, 2022

The Town of Islip Foreign Trade Zone Authority has four items on the agenda:

Item number one is a meeting of the Town of Islip Foreign Trade Zone Authority. The meeting called to order at 3:00 P.M., on motion by James O'Connor, seconded by Jorge Guadrón, and unanimously approved.

Board Members Present

John Cochrane Jr.
Mary Kate Mullen
James O'Connor (Not present)
Jorge Guadrón

Officers Present

Angie M. Carpenter, Chair
Thomas Hemingway III, Executive Director
Jaime Martinez, Treasurer (Not present)
Shelly LaRose-Arken, VP and Secretary

Item number two is approval of the minutes from previous Town of Islip Foreign Trade Zone Board meeting on April 5, 2022. Motion to approve the minutes by John Cochrane Jr., seconded by Jorge Guadrón, and approved by those present.

Item number three adoption of the Town of Islip Foreign Trade Zone Authority 2023 Budget. With no questions asked a motion to approve made by Jorge Guadrón, seconded by Mary Kate Mullen and approved by those present.

With no further business, **Item number four** is adjournment of the Foreign Trade Zone Board meeting. A motion by John Cochrane Jr., seconded by Jorge Guadrón and approved by those present at 3:01 P.M.

Jaime Martinez, Treasurer

**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 to renew custodial service agreement with Odds & Ends LLC for a second year. The original resolution went before the Town of Islip Foreign Trade Zone Board on December 14, 2021.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefited by resolution: Islip Foreign Trade Zone
 2. Site or location effected by resolution: 1 Trade Zone Drive, Ronkonkoma, NY 11779
 3. Cost: 4,500
 4. Budget Line: zf01.1015.44301
 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 1. 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

11/9/23

January 24, 2023

WHEREAS, by resolution adopted on December 14, 2021, the Town of Islip Foreign Trade Zone Board authorized the custodial service contract with Odds & Ends LLC, also known as Spot on Cleaning NY, with offices located at 15286 Goldfinch Circle, Westlake, FL 33470; and

WHEREAS, said contract was for a one-year term, with an option to renew for one additional year; and

WHEREAS, Islip Foreign Trade Zone Authority wishes to exercise its option to renew said contract for its final period of one-year; and

WHEREAS, Odds & Ends LLC has provided the Town of Islip Foreign Trade Zone Authority with documentation evidencing compliance with relevant insurance requirements;

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

BE IT RESOLVED, the Town of Islip Foreign Trade Zone Board hereby authorizes the extension of the aforesaid custodial contract with Odds & Ends LLC for a period of one-year;

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: 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 to renew heating and cooling service contract with Quinn and Feiner Service Company Inc. for a second year with an option to renew for one additional year. The original resolution went before the Town of Islip Foreign Trade Zone Board on April 5, 2022.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Islip Foreign Trade Zone
 2. Site or location effected by resolution: 1 Trade Zone Drive, Ronkonkoma, NY 11779
 3. Cost: 2,096
 4. Budget Line: zf01.101 5. 44300
 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 1. 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

11/9/23

January 24, 2023

WHEREAS, by resolution duly adopted on April 5, 2022, the Town of Islip Foreign Trade Zone Board authorized a heating and cooling service contract with Quinn and Feiner Service Company, Inc., with offices at 79 Hazel Street, Glen Cove, New York, 11542; and

WHEREAS, said contract was for a one-year term, with an option to renew for two additional one-year periods; and

WHEREAS, Islip Foreign Trade Zone Authority wishes to exercise its option to renew said contract for its first period of one-year; and

WHEREAS, Quinn and Feiner Service Company, Inc. has met all requirements to move forward with the heating and cooling service contract;

THEREFORE, on a motion by_____, seconded by_____,

BE IT RESOLVED, the Town of Islip Foreign Trade Zone Board hereby authorizes the extension of the aforesaid heating and cooling service contract with Quinn and Feiner Service Company, Inc. for the period of one year, with an option to renew for one additional year;

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: 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 Town of Islip Foreign Trade Zone Authority to enter into a landscape contract with the lowest responsible bidder from bids opened on November 30, 2022. Suburban Maintenance & Landscape was found to be the lowest responsible bidder and the contract will be for one-year with an option to renew for two additional one-year periods.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Islip Foreign Trade Zone
 2. Site or location effected by resolution: Islip Foreign Trade Zone
 3. Cost: 55,000
 4. Budget Line: zf01.1015.41551
 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 8. 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

1/18/23

Date

January 24, 2023

WHEREAS, a meeting of the Town of Islip Foreign Trade Zone Authority, an independent agency, having been duly called to order; and

WHEREAS, bid openings relative to landscaping, were held in the Town of Islip Purchasing Department located at 401 Main Street, Room 227, Islip New York, 11751, November 30, 2022 at 11:00 A.M.; and

WHEREAS, the lowest responsible bidder has been found to be Suburban Maintenance & Landscaping Inc., PO Box 150, Hawthorne, New York, 10532; and

WHEREAS, Suburban Maintenance & Landscaping Inc. has shown compliance with insurance requirements;

WHEREAS, the bid breakdown is attached;

THEREFORE, on a motion by _____, seconded by _____;

BE IT RESOLVED, Suburban Maintenance & Landscaping Inc. is awarded the Town of Islip Foreign Trade Zone Authority landscape contract for landscape services. The contract period will be for services rendered one (1) year from February 27, 2023, with an option for the Town of Islip Foreign Trade Zone Authority to renew said contract for two (2), one (1) year additions.

Upon a vote being taken, the result was:

| | | | | |
|--|------------------------|--|-----------------------------|------------------------------|
| Landscape within TOI Foreign Trade Zone | | | | |
| CONTRACT # 1122-113 | | | | |
| | Milano Brothers | Suburban Maintenance & Landscaping Inc. | Dom's Lawnmaker Inc. | Blink Contractors LLC |
| A. Landscape Cost per Occurance | | | | |
| 1) Area to be maintained | | | | |
| a. Area as noted on map x 30 | \$26,250.00 | \$27,420.00 | \$45,000.00 | \$75,000.00 |
| b. Litter removal with no cutting x 22 | \$8,470.00 | \$9,152.00 | \$14,850.00 | \$33,000.00 |
| 2) Maintenance of Flower Beds | | | | |
| a. Planting Spring + Fall | \$1,600.00 | \$1,278.00 | \$800.00 | \$24,000.00 |
| b. Aeration | \$2,200.00 | \$1,894.00 | \$2,300.00 | \$5,000.00 |
| c. Seeding-sq foot | \$0.95 | \$2.34 | \$1.35 | \$3.00 |
| Total A | \$38,520.95 | \$39,746.34 | \$62,951.35 | \$137,003.00 |
| B. Pesticide | | | | |
| 1) Application 1 (Early Spring) | \$700.00 | \$401.00 | \$825.00 | \$7,500.00 |
| 2) Application 2 (Late Spring) | \$700.00 | \$401.00 | \$825.00 | \$7,500.00 |
| 3) Application 3 (Summer) | \$700.00 | \$632.00 | \$1,000.00 | \$8,000.00 |
| 4) Application 4 (Late Summer) | \$700.00 | \$792.00 | \$900.00 | \$8,000.00 |
| 5) Application 5 (Fall) | \$700.00 | \$389.00 | \$760.00 | \$4,000.00 |
| Total B | \$3,500.00 | \$2,615.00 | \$4,310.00 | \$35,000.00 |
| C. Tree and Shrub Maintenance | | | | |
| a. Spring- Trimming x2 | \$3,900.00 | \$2,490.00 | \$5,000.00 | \$40,000.00 |
| b. Spraying for Insects x1 | \$700.00 | \$800.00 | \$900.00 | \$7,500.00 |
| Total C | \$4,600.00 | \$3,290.00 | \$5,900.00 | \$47,500.00 |
| D. Clean Up- total | | | | |
| a. Spring Clean Up | \$3,000.00 | \$2,771.00 | \$3,900.00 | \$15,000.00 |
| b. Fall Clean Up | \$3,000.00 | \$3,990.00 | \$3,900.00 | \$15,000.00 |
| Total D | \$6,000.00 | \$6,761.00 | \$7,800.00 | \$30,000.00 |
| Total estimate for 2023 Landscape | \$52,620.95 | \$52,412.34 | \$80,961.35 | \$249,503.00 |

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

No. 10

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

FROM: MICHAEL P. WALSH, ACTING 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

TOWN OF ISLIP

Resolution Authorizing Appropriation Transfers

Resolution prepared on January 6, 2023 for Parks, Recreation and Cultural Affairs approved by Commissioner/Department Head

and Comptroller _____ : at the Town Board Meeting on

1/24/23, on a motion by Councilperson _____, seconded by Councilperson _____,
it was RESOLVED that the Comptroller is authorized to make the transfer(s) listed below:

| Increase | | | Decrease | | |
|--------------------------|----------------|--------------|----------------------------------|----------------|--------------|
| Account Title | Account Number | Amount | Account Title | Account Number | Amount |
| Groundskeeper III Coord | A.7111.15464 | \$ 76,648.46 | Groundskeeper III Coord | A.7115.15464 | \$ 76,648.46 |
| Heavy Equipment Operator | A.7117.15540 | \$ 4,000.00 | Automotive Equipment Operator | A.7115.15140 | \$ 4,000.00 |

80,648.46

80,648.46

Justification: Reallocating funds for personnel transfers.

Upon a vote being taken, the r Comptroller

DISTRIBUTION

Town Clerk

Department Head

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. 11

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board approval for the use of a portion of the Town's SLFRF funds for the purpose of acquiring "GASB 87" software.

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 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's accounting rules are set by the Governmental Accounting Standards Board (GASB), and they have recently approved a new standard that the Town must comply with. The change deals with all leases, meaning with the Town as the lessee or the lessor, and how these leases are recorded and treated for financial statement purposed. Due to the number of leases the Town has, it would be beneficial to acquire software which will assist the Comptroller's office in preparing the financial statement information. The funding for this software, which will cost \$29,150, would come from the "Lost Revenue" portion of the ARPA funding that the Town recived.

SPECIFY WHERE APPLICABLE:

1. **Entity or individual benefitted by resolution:** Town of Islip
2. **Site or location effected by resolution:** N/A
3. **Cost:** \$29,150
4. **Budget Line:** ARPA Funding – account to be established by Comptroller
5. **Amount and source of outside funding:** ARPA 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.

___X___ Type 2 action under 6 NYCRR, Section 617.5(c), number _____. 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.

1/10/23

Date

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, using lost revenue funds to augment the existing capital program is an acceptable use of SLFRF funds; and

WHEREAS, the Town is required to follow accounting guidance from the Governmental Accounting Standards Board (GASB), the regulatory entity for all governmental entities; and,

WHEREAS, the GASB has announced a new accounting standard known as “GASB Statement Number 87”; and,

WHEREAS, GASB Statement Number 87 requires governments to review and analyze all leases for proper accounting application and for financial reporting requirements; and,

WHEREAS, the Comptroller is recommending utilizing SLFRF funds for the purchase of software which will enable to the Town to stay in compliance with new accounting pronouncements in an amount not to exceed \$29,150.00.

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

RESOLVED, that the Town Board hereby authorizes the use of the Town’s SLFRF funds for the purpose of acquiring “GASB 87” software; 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. 12

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board approval to extend the Town Department Planning and Development's ability to issue temporary outdoor dining permits through January 31, 2024.

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:

Ela Dokonal

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 extends the authorization granted to the Town of Islip Department of Planning and Development to issue temporary outdoor dining permits through January 31, 2024, in accordance with all requirements and restrictions contained in the resolution adopted June 15, 2020, or until the establishment of a permanent outdoor dining program, whichever occurs first.

+


SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Restaurants and bars in the Town of Islip, and Town residents and visitors.
 2. Site or location effected by resolution: Town-wide
 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.
-

Ela Dokonal

 Digitally signed by Ela Dokonal
Date: 2023.01.18 15:09:53 -05'00'

1/18/2023

Signature of Commissioner/Department Head Sponsor

Date

January 24, 2023
Resolution #

WHEREAS, on January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern; and

WHEREAS, on March 7, 2020, New York State Governor issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York to address the threat that COVID-19 poses to the health and welfare of New York residents and visitors; and

WHEREAS, the Zoning Code of the Town of Islip ("Town") authorizes the use of outside seating and/or outside bar service as an accessory use to a restaurant, a minor restaurant, a bar, a tavern, a nightclub, and a fast-food restaurant, provided that permission is first obtained from the Town Planning Board or the Town Planning Department (depending upon the Zoning District) and provided that the site complies with an applicable Town Code requirements; and

WHEREAS, at the height of the COVID-19 pandemic, the Town Board, by resolution adopted June 15, 2020, authorized the Town Department of Planning and Development the ability to issue temporary outdoor dining permits in accordance with particular requirements and restrictions ("the temporary outdoor dining program"); and

WHEREAS, this temporary outdoor dining program is set to expire on January 31, 2023; and

WHEREAS, in order to continue assisting establishments and support economic recovery of local businesses post-pandemic, the Town Board is considering establishing a long-term outdoor dining program; and

WHEREAS, the Town Board wishes to extend the temporary outdoor dining program until January 31, 2024, or until the establishment of a permanent outdoor dining program, whichever occurs first; and

WHEREAS, all requirements and restrictions contained in the resolution adopted June 15, 2020, remain in full force and effect; and

WHEREAS, the Commissioner of the Town Department of Planning and Development recommends approval of this resolution extending temporary outdoor dining availability.

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

RESOLVED, that the Town Board hereby authorizes extending the Town Department of Planning and Development's ability to issue temporary outdoor dining permits through January

31, 2024, in accordance with all requirements and restrictions contained in the resolution adopted June 15, 2020, or until the adoption of regulations establishing a permanent outdoor dining program, whichever occurs first.

Upon a vote being taken, the result was:

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

No. 13

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board acceptance of a corner radius dedication required for the property on Eastview Drive and Lowell Avenue in Central 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:

Ela Dokonal

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.

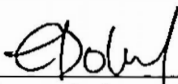
This resolution is for a corner radius dedication required as part of site plan review and site development for the property frontage on Eastview Drive and Lowell Avenue in Central Islip. A corner radius dedication is required at the northwestern corner of Eastview Drive and Lowell Avenue.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: 725 Eastview Drive, Central 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

01/09/23

Date

Town Board Resolution for Right of Way and Highway Purposes

January 24, 2023

No.

WHEREAS, the Commissioner of Planning, on behalf of the Planning Board, has required the owner of a certain piece of property located at 725 Eastview Drive, Central Islip, new York 11722 (0500-142.00-13.00-001.001) to dedicate a portion of said property to be used for highway purposes; and

WHEREAS, the owner of said property, Central Islip Associates, LLC, has submitted a deed to the Town of Islip dated January 6, 2023 making the required conveyance; and

WHEREAS, the Department of Engineering has examined the metes and bounds description contained in the deed and found it acceptable; and

WHEREAS, the dedication is consistent with the applicable provisions of the Town Law Sections 274A, 277 and 278; and

WHEREAS, the Office of the Town Attorney has also found the deed acceptable as to form;

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

RESOLVED, that the said deed is hereby accepted and the Town Attorney be and he hereby is authorized to take the necessary steps to have 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. 14

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute an agreement with Sky Synergy, LLC for the purpose of providing Professional Consulting Services to the Department of Aviation & Transportation for development, implementation and improvement of the Airport's Air Service Development 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:

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 any and all documents, subject to approval of the Town Attorney, to execute an agreement with Sky Synergy, LLC for the purpose of providing professional consulting services to the Department of Aviation & Transportation for development, implementation, and improvement of the Airport's Air Service Development Program at a total cost not to exceed \$509,123.00.

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 \$509,123.00
 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

12/20/2022

Date

January __, 2023
Resolution No.

RESOLUTION AUTHORIZING the Supervisor of the Town of Islip to enter into a professional services agreement with Sky Synergy, LLC to provide professional consulting services for Air Service Development for Long Island MacArthur Airport.

WHEREAS, the Town of Islip ("Town") owns and operates Long Island MacArthur Airport ("the Airport"), a 14 CFR Part 139 certified airport with commercial and general aviation operations; and

WHEREAS the Town of Islip desires to review and strengthen the Airport's existing Air Service Development Program; and

WHEREAS, Sky Synergy, LLC located at 8150 Bay View Drive, Foley, AL 36535 provides a niche professional service and has a proven track record in working with similarly situated airports to develop, implement, and improve Air Service Development programs; and

WHEREAS, the Department of Aviation has previously engaged the services of Sky Synergy, LLC to improve Long Island MacArthur Airport's position to strengthen the Air Service Development program for capacity improvements and recruitment; and

WHEREAS, a well-developed Air Service Development program will assist the Airport in incumbent airline retention, incumbent airline expansion, and the recruitment of new air carriers; and

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

RESOLVED, that the Supervisor, or her designee, is hereby authorized to execute an agreement with Sky Synergy, LLC. for the purpose of providing professional consulting services for development, implementation, and improvement of the Airport's Air Service Development Program at a total cost not to exceed \$509,123.00; and

FURTHER RESOLVED, that the comptroller is authorized to make any and all budgeting adjustments necessary to facilitate this contract.

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.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute an agreement with John Jamotta Consulting, LLC to provide professional services to the Department of Aviation & Transportation to promote the 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 any and all documents, subject to approval of the Town Attorney, to execute an agreement with John Jamotta Consulting, LLC to provide professional services to the Department of Aviation & Transportation so as to promote the Airport at a cost not to exceed \$95,600.00 on an as needed basis in a 12 month period.

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 \$95,600.00
 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

12/20/2022

Date

January __, 2023
Resolution No.

RESOLUTION AUTHORIZING the Supervisor of the Town of Islip to enter into a professional services agreement with John Jamotta Consulting, LLC to provide professional services for Long Island MacArthur Airport.

WHEREAS, the Town of Islip ("Town") owns and operates Long Island MacArthur Airport ("the Airport"), a 14 CFR Part 139 certified airport with commercial and general aviation operations; and

WHEREAS the Airport is a focal point of the Town of Islip and the success of the Airport is instrumental in the growth of the economy and the region at large; and

WHEREAS, the Department of Aviation and Transportation seeks to improve the financial stability of the Airport by promoting new opportunities for growth; and

WHEREAS, the Department of Aviation and Transportation has previously engaged the services of John Jamotta Consulting, LLC to improve Long Island MacArthur Airport's position to strengthen the Air Service Development program for capacity improvements and recruitment; and

WHEREAS, the Department of Aviation and Transportation continues to work to secure additional air carrier routes to expand current services provided by the Airport; and

WHEREAS, John Jamotta Consulting, LLC located at 2805 Bremen Drive, Hurst, Texas 76054, is a professional firm with public and private experience that is capable of serving the Department of Aviation & Transportation to develop strategies that will fulfill the goal of increasing the public's use of the Airport; and

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

RESOLVED, that the Supervisor, or her designee, is hereby authorized to execute an agreement with John Jamotta Consulting, LLC to develop operational analysis, demand forecasting for passenger services, prioritize and develop strategic Air Service Development goals, coordinate industry research guidance on analytics and leading aviation practices, coordinate meetings with airline representatives, track, monitor, and manage the Airport's Air Service Development program, and provide other such professional services to the Department of Aviation & Transportation so as to promote the Airport at a cost not to exceed \$95,600.00 on an as needed basis in a 12 month period; and

FURTHER RESOLVED, that the comptroller is authorized to make any and all budgeting adjustments necessary to facilitate this contract.

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.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board approval to amend the contract with Arcadis of New York authorizing a monetary increase in connection with providing additional on-call environmental services 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 increase the Contract with Arcadis of New York, Inc., in the amount of \$102,700.00 for additional on-call environmental services at Long Island MacArthur Airport, for the period covering August 19, 2022 through August 31, 2023, a total cost not to exceed \$177,700.00.

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: Increase of \$102,700.00, total cost not to exceed \$177,700.00
 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

1/10/2023

Date

January 24, 2023
Resolution #

WHEREAS, the Town of Islip ("Town") owns, operates and maintains Long Island MacArthur Airport (the "Airport"), a 14 CFR Part 139 certificated airport with commercial (air carrier) and general aviation operations; and

WHEREAS, the Airport has certain legal and administrative obligations concerning periodic environmental monitoring and reporting; and

WHEREAS, the Department of Aviation and Transportation prepared and advertised a request for qualifications (RFQ) for on-call environmental services for a term of five years; and

WHEREAS, upon review of the Statement of Qualifications, Arcadis of New York, Inc. ("Arcadis"), with offices at Two Huntington Quadrangle, Suite 1s10, Melville, NY 11747, was determined to be the most qualified proposer; and

WHEREAS, on July 12, 2022, the Town Board by Resolution No. 18 authorized the Supervisor to execute a contract with Arcadis for on-call environmental services at the Airport for a term of five years at a cost not to exceed \$75,000.00 per year; and

WHEREAS, additional environmental services not to exceed \$102,700.00 are required for the period covering August 19, 2022 through August 31, 2023 to cover the cost of additional work required in connection with the Airport's Glycol Treatment Facility as regulated by New York State Department Environmental Conservation (NYSDEC) under the Airport's State Pollutant Discharge Elimination System (SPDES) permit; and

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

RESOLVED, that the Supervisor, or her designee, is hereby authorizes an increase of \$102,700.00 to the contract with Arcadis for additional on-call environmental services at Long Island MacArthur Airport, for the period covering August 19, 2022 through August 31, 2023, a total cost not to exceed \$177,700.00.

FURTHER RESOLVED, that the Comptroller is authorized to make any and all budgeting adjustments necessary to facilitate this Amendment to the Agreement.

Upon a vote being taken, the result was:

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

No. 17

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute an agreement with the Community Development Agency for reimbursement of certain services related to code enforcement in the designated areas for the calendar year of 2022.

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:

Anthony Prudenti

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 enter into an agreement with the Community Development Agency (CDA) for calendar year 2022 whereby the Town will provide certain services related to code enforcement in the designated areas and the CDA will provide \$100,000 for these services.

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: 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 35. 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

1/18/23

Date

January 24, 2023
Resolution #

WHEREAS, the Town of Islip Community Development Agency (CDA) is the recipient of Community Development Block Grant (CDBG) funds provided by the Federal Government and the purpose of those funds is to provide certain services to designated areas of the Town of Islip; and

WHEREAS, certain designated community improvement areas in low and moderate income target areas within the hamlets of Bay Shore, Brentwood, and Central Islip in the Town of Islip have widespread code violations and the CDA and the Town of Islip wish to insure that adequate code enforcement services are provided in those areas.

NOW, THEREFORE, on a motion of

and seconded by

BE IT RESOLVED, that the Town Board authorizes the Supervisor to execute an agreement with the CDA for reimbursement of certain services related to code enforcement in the designated areas, in exchange for which the CDA will provide \$100,000 in CDBG grant funds. The Supervisor is authorized to sign any documents necessary in connection with this agreement.

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

No. 18

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board acceptance of a monetary donation of \$1,500.00 from the Town of Islip Housing Authority to be used for the Town of Islip's 37th Annual "Just say NO to Drugs" Sharp Shooter Basketball Contest which will be held on Saturday, March 4, 2023.

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 37th 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 37th Annual "Just say NO to Drugs" Sharp Shooter Basketball Contest on Saturday, March 4, 2023.

SPECIFY WHERE APPLICABLE:

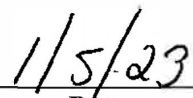
| | |
|--|--|
| Entity of individual benefitted by resolution: | Sharp Shooter Basketball Finalists, 4 th and 5 th grade boys and girls from participating Town of Islip elementary schools |
| Site or location effected by resolution: | N/A |
| Cost: | No cost to the Town of Islip- self-sustaining. |
| 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:



Date:

January 24, 2023

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 37th 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 37th Annual "Just say NO to Drugs" Sharp Shooter Basketball Contest on Saturday, March 4, 2023;

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 37th Annual "Just say NO to Drugs" Sharp Shooter Basketball Contest which will be held on Saturday, March 4, 2023.

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. 19

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Authorization for the Supervisor to enter into an agreement with the
National Circus Project to provide a Circus Star Summer Camp
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: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with The National Circus Project to provide a Circus Star Summer Camp. Circus Star Summer Camp will begin on Tuesday, February 21, 2023 through Friday, February 24, 2023. The registration fee is \$250.00 for the week for each registrant and a \$75.00 surcharge for each non-resident registrant. The minimum amount of participants will be twenty-two (22) and the maximum amount of participants will be sixty (60). This program will be self-sustaining. The total minimum revenue will be \$4,700.00 and the maximum revenue including the non-resident surcharge will be \$19,500.00. Compensation for said services to The National Circus Project will be a flat rate of \$4,700.00. 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 The National Circus Project by the Town Board in 2017, 2018 and 2019.

SPECIFY WHERE APPLICABLE:

| | |
|--|--|
| Entity or individual benefitted by resolution: | The National Circus Project |
| Site or location effected by resolution: | Brentwood Recreation Center 99 Third Avenue, Brentwood, NY 11717 |
| Cost: | No cost to the Town of Islip – self-sustaining. |
| Budget Line: | A7035.4 5006 |
| Amount and source of outside funding: | Maximum revenue is \$19,500.00 including non-resident surcharge Maximum revenue to be retained by the Town is \$14,800.00 |

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:

1/10/23
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 Circus Star Summer Camp for our citizens; and

WHEREAS, The National Circus Project 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 The National Circus Project 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 The National Circus Project to provide Circus Star Summer Camp to our citizens for an amount not to exceed \$4,700.00, 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. 20

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

FROM: MICHAEL P. WALSH, ACTING 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

January 24, 2023

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. St. Patrick's Day Parade - Bay Shore/ Brightwaters - St. Patrick's Parade of Greater Bay Shore - Saturday, March 11, 2023 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.
- B. St. Patrick's Day Parade - East Islip - Friends of the Hibernians- Sunday, March 5, 2023 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.
- C. In conjunction with the St. Patrick's Day Parade East Islip- Friends of the Hibernians- Sunday, March 5, 2023 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.

Upon a vote being taken the result was:

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

No. 21

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Authorization for the Supervisor to execute a renewal agreement with
The Landtek Group (DPW 7-2018) for the one-year extension period
from December 31, 2022 to December 31, 2023.**

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**


INSTRUCTION: All items for Town Board action must be accompanied by a sponsor's memorandum which shall be the covering document for all agenda submissions. All items should be reported to the Deputy Supervisor no later than 12 days prior to the scheduled 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 been passed or denied by the Board.

On June 19, 2018, the Town Board awarded DPW 7-2018, Concrete Curbs, Sidewalk and Aprons at Various Locations, to The Landtek Group, 105 Sweenydale Avenue, Bay Shore, New York 11706. The length of this contract is from date of contract execution, July 26, 2018, to December 31, 2022 with a one-year extension.

This resolution will authorize the Town Board to exercise the option to renew DPW 7-2018 for the final one-year period extension to December 31, 2023.

SPECIFY WHERE APPLICABLE:

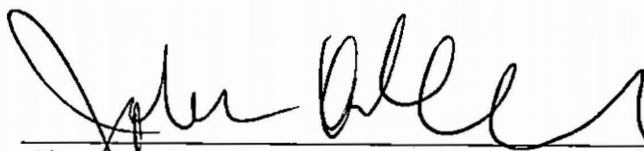
1. Entity or individual benefitted by resolution: Town of Islip
2. Site or location effected by resolution: Various Locations
3. Cost: Unit Bid Prices
4. Budget Line: H225410.30515 
5. Amount and source of outside funding:

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
Form A-8/85 GWM

1/6/23

Date

January 24, 2023
Resolution #

WHEREAS, on June 19, 2018, the Town of Islip Town Board (the "Town") awarded DPW 7-2018, Concrete Curbs, Sidewalk and Aprons at Various Locations" (the "Contract") to The Landtek Group, 105 Sweenydale Avenue, Bay Shore, New York 11706; and

WHEREAS, the original term for the Contract was from date of contract execution, July 26, 2018 to December 31, 2022, with the Town's option to renew for one (1) additional year; and

WHEREAS, the Commissioner of the Department of Public Works, Thomas Owens, recommends that the Town exercise its option to renew the contract for the final one-year extension period through December 31, 2023; and

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

RESOLVED, that the Town Board of the Town of Islip hereby exercises the Town's option to renew its contract with The Landtek Group (DPW 7-2018) for the one-year extension period from December 31, 2022 to December 31, 2023; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to execute any and all documents necessary for the renewal of the Contract, if any, 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 necessary to amend the budget in accordance with the terms of the contract.

Upon a vote being taken, the result was:

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

No. 22

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board acceptance of \$25,000.00 in Multi-Modal #4 funding from the NYSDOT for the Installation of Rectangular Rapid Flashing Beacon Systems with complimenting crosswalk and ADA compliant ramps on Railroad Avenue at Center Street in Sayville and any and all documentation in connection with said 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:

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**

INSTRUCTION: All items for Town Board action must be accompanied by a sponsor's memorandum which shall be the covering document for all agenda submissions. All items should be reported to the Deputy Supervisor no later than 12 days prior to the scheduled 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 been passed or denied by the Board.

To allow the Supervisor to accept \$25,000.00 in Multi-Modal funding for the Installation of Rectangular Rapid Flashing Beacon Systems with complimenting crosswalk and ADA compliant ramps on Railroad Avenue at Center Street in Sayville (OMA561.30).

The Supervisor is also authorized to execute all necessary agreements, memos, or certifications on behalf of the Town of Islip with New York State in connection with the project being funded by Multi-Modal funding.

SPECIFY WHERE APPLICABLE:

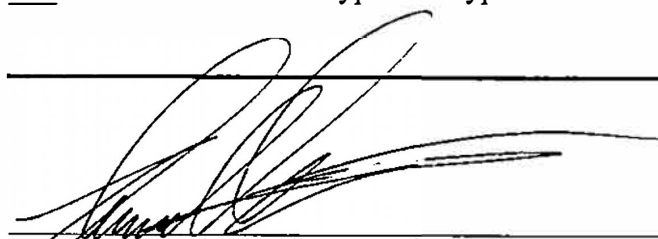
1. Entity or individual benefitted by resolution: Town of Islip
2. Site or location effected by resolution: Railroad Avenue and Center Street, Sayville
3. Cost: \$25,000.00
4. Budget Line: To be determined by the Comptroller
5. Amount and source of outside funding: Multi-Modal #4 will reimburse 100% of costs

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

1/9/2023
Date

January 24, 2023
Resolution #

WHEREAS, the Town of Islip (the "Town") Department of Public Works has applied for and been authorized to receive \$25,000.00 in Multi-Modal #4 funding from the New York State Department of Transportation (the "NYSDOT") for the Installation of Rectangular Rapid Flashing Beacon Systems with complimenting crosswalk and ADA compliant ramps on Railroad Avenue at Center Street in Sayville (OMA561.30); and

WHEREAS, funding for the above-referenced project is fully reimbursable by the NYSDOT, provided that the Town Board agrees to receive the Multi-Modal #4 funding; and

WHEREAS, the Commissioner of Public Works, Thomas Owens, recommends the approval of this resolution; and

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

RESOLVED, that the Town Board hereby authorizes the Town to accept \$25,000.00 in Multi-Modal #4 funding from the NYSDOT for the Installation of Rectangular Rapid Flashing Beacon Systems with complimenting crosswalk and ADA compliant ramps on Railroad Avenue at Center Street in Sayville (OMA561.30); and be it further

RESOLVED, that the Supervisor be and is authorized to execute all necessary agreements, memos, certifications, or reimbursement requests on behalf of the Town with the NYSDOT in connection with the advancement of this project; and be it furthers

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.

Upon a vote being taken, the result was:

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

No. 23

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute a Professional Services Agreement with Nelson and Pope, Engineering, Architecture, and Land Surveying, PLLC to prepare building plans and site design for an electrical service upgrade and a new air conditioning system at the Central Islip Senior Center.

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.

Authorization for the Supervisor to execute a Professional Services Agreement with Nelson and Pope, Engineering, Architecture, and Land Surveying, PLLC., to prepare site concept design and building plans for an electrical service upgrade and a new air conditioning system at the Central Islip Senior Center, for a fee not to exceed \$25,000.00, the form and content of which are subject to the approval of the Town Attorney

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip, residents, Nelson and Pope
2. Site or location effected by resolution: Central Isl ipSenior Center
3. Cost: \$25,000
4. Budget Line: H20. 710.30503
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 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

1/10/2023

Date

January 23, 2022
Resolution # _____

WHEREAS, the Town of Islip (the "Town") wishes to hire an architectural and engineering consultant to prepare a building plans and site design for an electrical service upgrade and a new air conditioning system at the Central Islip Senior Center; and

WHEREAS, the Town requested a proposal for the foregoing services from Nelson and Pope Engineering, Architecture and Land Surveying, PLLC, 70 Maxess Road, Melville, NY 11747 (the "Consultant"), an architectural and engineering firm with the qualifications and experience necessary to conduct the services required; and

WHEREAS, on December 12, 2022, the Consultant submitted a proposal to the Town to assess existing building systems and conditions at Central Islip Senior Center, prepare plans for an electrical service upgrade and an air conditioning system for the first floor, conduct walk-throughs with on call- contractors, and perform site visits to oversee construction; and

WHEREAS, the Town Commissioner of Parks, Recreation, and Cultural Affairs recommends entering into a professional services agreement with the Consultant to perform the services outlined above;

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

RESOLVED that the Supervisor is hereby authorized to execute a Professional Services Agreement with Nelson and Pope, Engineering, Architecture, and Land Surveying, PLLC., to prepare building plans and site design for an electrical service upgrade and a new air conditioning system at the Central Islip Senior Center, for a fee not to exceed \$25,000.00, the form and content of which are subject to the approval of the Town Attorney; and be it further

RESOLVED that the Comptroller is hereby authorized to make any and all necessary changes to the budget to effectuate the Professional Services Agreement.

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.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Authorization for the Supervisor to enter into an agreement with
Haugland Energy Group LLC for the non-exclusive use of the Central
Islip Highway Yard for storage of equipment.**

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 P. Walsh, 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.

Authorization for the Supervisor to enter into an agreement with Haugland Energy Group LLC, for the non-exclusive use of the Central Islip Highway Yard for a four (4) year term commencing as of January 1, 2022 and terminating December 31, 2026 in exchange for monthly payments of \$3,250.00 to the Town of Islip, the terms of said agreement shall be subject to the approval of the Town Attorney.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Haugland Energy Group, LLC
 2. Site or location effected by resolution: Part of Central Islip DPW Yard
 3. Cost: 0
 4. Budget Line: _____
 5. Amount and source of outside funding: 0
-

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

January , 2023
Resolution#:

WHEREAS, Haugland Energy Group LLC, 11 Commercial Street, Plainview, New York 11803 is a contractor for PSEG/LIPA for the purpose of hardening the electrical infrastructure; and

WHEREAS, since September of 2016 the Town of Islip has permitted Haugland Energy Group LLC the non-exclusive use of the Town's property known as the Central Islip Highway Yard in exchange for payment of \$3,000 per month; and

WHEREAS, the most recent Access Agreement expired on December 31, 2022 and Haugland Energy Group LLC has requested the continued non-exclusive use of the Central Islip Highway Yard located on Carlton Avenue, Central Islip, New York, for storage of equipment for a period of four (4) years commencing as of January 1, 2023 and terminating December 31, 2026 in exchange for a monthly payment of \$3,250.00 per month to the Town of Islip; and

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

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Haugland Energy Group LLC, for the non-exclusive use of the Central Islip Highway Yard for a four (4) year term commencing as of January 1, 2022 and terminating December 31, 2026 in exchange for monthly payments of \$3,250.00 to the Town of Islip, the terms of said agreement shall be subject to the approval of the Town Attorney.

FURTHER RESOLVED that the Comptroller is hereby authorized to make any and all budget adjustments necessary.

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.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute an extension to the agreement with Fire Island Ferries, Inc. and Unchartered Trading Company, LLC to permit the use of the Town Docking Facilities for an additional two year term.

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 P. Walsh, 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.

Authorization for the Supervisor to exercise the existing option term and execute an extension agreement to extend the current license agreement with Fire Island Ferries, Inc., and Unchartered Trading Company, LLC, for another two years with a yearly increase in the license fee equal to the license fee of the preceding year plus either the annual CPI or 2.5%, whichever is greater and adding Fire Island Water Taxi, LLC as a licensee to the Agreement.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Fire Island Ferries, Inc., Fire Island Water Taxi, LLC and Unchartered
 2. Site or location effected by resolution: Docking facility at Atlantique, Bay Shore Marina and Maple Avenue
 3. Cost: 0.00
 4. Budget Line: _____
 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

Am

Date

January , 2023
Resolution#:

WHEREAS, the Town of Islip owns, manages and operates (1) a public beach facility and a docking facility located at Fire Island known as Atlantique Beach and Marina, (2) the Bay Shore Marina which provides docking facilities and (3) docking facilities located at the southern terminus of Maple Avenue, Bay Shore, New York (collectively "Docking Facilities"); and

WHEREAS, the Town of Islip, Fire Island Ferries, Inc. and Unchartered Trading Company, LLC, have previously entered into Agreements granting the Fire Island Ferries, Inc. the non-exclusive right to utilize the Docking Facilities for passenger ferry service, water taxi service, ferry freight service and daily bay cruises between the mainland terminal at Bay Shore and the Fire Island terminal at Atlantique Beach and Marina; and

WHEREAS, the most recent Agreement, which expired December 31, 2022, and contains one option term of two years;

WHEREAS, it has come to the attention of the Town of Islip that the water taxi service operates under an entity, although having the same principals, separate and apart from Fire Island Ferries, Inc. and Unchartered Trading Company, LLC; and

WHEREAS, the Town and Fire Island Ferries have a mutual desire to exercise the option to permit the use of the Town Docking Facilities for a term of two years; and

WHEREAS, the Fire Island Water Taxi, LLC will be added to the License Agreement as a Licensee; and

WHEREAS, the yearly license fee during the option term shall be the license fee for the preceding year plus either the annual CPI or 2.5%, whichever is greater;

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

RESOLVED, that the Supervisor is hereby authorized to exercise the existing option term and execute and extension agreement to extend the current license agreement for another two years with a yearly increase in the license fee equal to the license fee of the preceding year plus either the annual CPI or 2.5%, whichever is greater and adding Fire Island Water Taxi, LLC as a licensee to the Agreement.

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.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Authorization for the Supervisor to execute an agreement with the
Suffolk County Board of Elections for the use of Town Facilities as
Polling Places during elections.**

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 P. Walsh, 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.

Authorization for the Supervisor to execute a Polling Place Contract for the year 2023 and 2024 for the facilities known as and located at Bohemia Recreation Center, Greenbelt Recreation Center, Ronkonkoma Beach Recreation Center, and the West Islip Senior Citizen Center, Town Hall West, and Town Hall, authorizing the locations to be utilized by the Board of Electors, County of Suffolk as polling places for primary, general and special elections as well as early voting.

+

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Suffolk County
 2. Site or location effected by resolution: Bohemia Rec Center, Greenbelt Rec Center, Ronk Rec Center and WI Senior Center
 3. Cost: 0.00
 4. Budget Line: 0.00
 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

Am

Date

Resolution #:
Date: January 24, 2023

WHEREAS, the Town of Islip owns and operates the following facilities, Bohemia Recreation Center, located at 1 Ruzicka Way, Bohemia, NY, Greenbelt Recreation Center located at 281 Patchogue-Holbrook Rd., Holtsville, New York, Ronkonkoma Beach Recreation Center located at 299 Rosevale Avenue, Ronkonkoma, New York and the West Islip Senior Citizen Center, located at 90 Higbie Lane, West Islip, New York 11795, Town Hall West, 401 Main Street, Islip, New York 11751 and Town Hall, 655 Main Street, Islip, New York 11751 ("Locations"); and

WHEREAS, the Board of Electors, County of Suffolk, has designated the Locations as polling places for primary, general, special elections and early voting for the year 2023 and 2024; and

WHEREAS, the Board of Elections, County of Suffolk requires the Town execute a Polling Place Contract for 2023 and 2024; and

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

RESOLVED, that the Supervisor is hereby authorized to execute a Polling Place Contract for the year 2023 and 2024 for the facilities known as and located at Bohemia Recreation Center, 1 Ruzicka Way, Bohemia, NY, Greenbelt Recreation Center, 281 Patchogue-Holbrook Rd., Holtsville, New York, Ronkonkoma Beach Recreation Center, 299 Rosevale Avenue, Ronkonkoma, New York, the West Islip Senior Citizen Center, 90 Higbie Lane, West Islip, New York 11795, Town Hall West, 401 Main Street, Islip, New York 11751 and Town Hall, 655 Main Street, Islip, New York 11751 authorizing the locations to be utilized by the Board of Electors, County of Suffolk as polling places for primary, general, special elections and early voting.

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.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute a consent authorizing the sub-lease by SBA Structures, LLC of the leased town owned real property located at 401 Main Street, Islip to Dish Wireless L.L.C.

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 P. Walsh, 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.

Authorization for the Supervisor to execute a consent authorizing the sub-lease by SBA Structures, LLC of the leased town owned real property located at 401 Main Street, Islip, NY to Dish Wireless L.L.C. in such form and substance acceptable to the Town Attorney.

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SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: SBA Structures, LLC
 2. Site or location effected by resolution: 401 Main Street, Islip, NY
 3. Cost: 0.00
 4. Budget Line: 0.00
 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

January 24, 2021
Resolution#:

WHEREAS, on September 21, 2004 the Town entered into a Communications Site Lease Agreement with Affordable Housing Associates, Inc. d/b/a Beacon Wireless Management ("Beacon") for 4,000 square feet of Town owned property located at 401 East Main Street, Islip, New York and designated on the Suffolk County Tax Map as tax map number 500-370.00-01.00-66.000 ("Agreement"); and

WHEREAS, in September of 2006, Beacon assigned its interests in the Agreement to AAT Communications Corp., said interest being further assigned by AAT Communications Corp. to SBA Structures, Inc. ("SBA") by Assignment and Assumption Agreement dated October 31, 2006; and

WHEREAS, said Agreement permits SBA to sublet or license the Premises or any portion thereof for any lawful activity in connection with the provision of communication services with the Consent of the Town; and

WHEREAS, SBA has entered into a sub-lease agreement with Dish Wireless, L.L.C. and is seeking consent of the Town; and

NOW, THEREFORE, on motion of councilperson _____
seconded by

Councilperson _____, be it

RESOLVED, that the Supervisor is hereby authorized to execute a consent authorizing the sub-lease by SBA Structures, LLC of the leased town owned real property located at 401 Main Street, Islip, NY to Dish Wireless L.L.C., in such form and substance acceptable to the Town Attorney.

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.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to sign a consent to the assignment by James Joeckel of an unspecified percentage of his rights and interest in the Lease of that certain real property located on Captree Island in the Great South Bay.

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 P. Walsh, 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.

Supervisor is authorized to sign a consent to the assignment by James Joeckel of an unspecified percentage of his rights and interest in the Lease of that certain real property located on Captree Island in the Great South Bay and identified as Suffolk County tax map number 0500-486.00-01.00-p/o 09.000 (Lot#40), subject to all the obligations, terms and conditions of the Lease to his sister Laura Greatsinger, the form and substance of said consent shall be subject to approval by Town Attorney. Be it further resolved that the Supervisor is hereby authorized to execute any and all documents necessary to execute this consent.

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SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: James Joeckel and Laura Greatsinger
 2. Site or location effected by resolution: Captree Island, Lot 40
 3. Cost: 0.00
 4. Budget Line: 0.00
 5. Amount and source of outside funding: 0.0 0
-

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

Date

Jim

January 24, 2023
Resolution #:

WHEREAS, the TOWN OF ISLIP ("Town"), as Landlord, entered into a lease for certain real property located at Captree Island in the Great South Bay, Town of Islip, identified as Suffolk County Tax Map number 500-486.00-01.00-p/o 09.000 (Lot 40) for residential purposes ("Lease"), with James Joeckel residing in Islip, New York ("Tenant"); and

WHEREAS, the Lease term commenced on June 1, 2008 and expires on May 31, 2028; and

WHEREAS, James Joeckel has expressed a desire to assign an unspecified percentage of his leasehold interest under the Lease to his sister, Laura Greatsinger, resulting in the distribution of the leasehold interest amongst James Joeckel and Laura Greatsinger; and

WHEREAS, the Lease Agreement permits an assignment of the Lease only to the Tenant's spouse, parent, child, sibling, grandparent or grandchild with Landlord's written consent; and

WHEREAS, the Town Board supports the continued leasing of Captree Island, the tenants of which serve as caretakers of this valuable Town resource; and

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

RESOLVED, that the Supervisor is authorized to sign a consent to the assignment by James Joeckel of an unspecified percentage of his rights and interest in the in the Lease of that certain real property located on Captree Island in the Great South Bay and identified as Suffolk County tax map number 0500-486.00-01.00-p/o 09.000 (Lot#40), subject to all the obligations, terms and conditions of the Lease to his sister Laura Greatsinger, the form and substance of said consent shall be subject to approval by Town Attorney. Be it further resolved that the Supervisor is hereby authorized to execute any and all documents necessary to execute this consent.

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.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute a non-binding Term Sheet, as amended subsequent to prior resolution number 16 passed on August 9, 2022 to remove the sports/entertainment complex.

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 P. Walsh, 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.

Authorization for the Supervisor to execute a non-binding Term Sheet, as amended subsequent to the August 9, 2022 Town Board authorization, to remove the sports/entertainment complex; said Term Sheet to be in substantial conformance with that authorized by Suffolk County by resolution number 1617-2022.

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SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Isl ip, Suffolk County, JLL
 2. Site or location effected by resolution: 500-106.00-01.00-06.012 & 06.013 & 06.009
 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

WHEREAS, in April 2020, the Town of Islip advertised a Request for Proposals (“RFP”) entitled “Development of Parcels of Land at Long Island Macarthur Airport” to encourage the development and Lease of certain parcels of property located at Long Island MacArthur Airport (“Town Project”); and

WHEREAS, on June 15, 2021, the Town Board designated JLL as the preferred responder with respect to its proposed mixed-use, transit-oriented development known as “Midway Crossing”, subject to the approval of the Islip Town Board of a final development plan together with terms and conditions of an agreement to effectuate such plan; and

WHEREAS, in addition to the properties which are the subject of the Town Project, Suffolk County (the “County”) owns approximately 40 acres of property located immediately south of the Ronkonkoma Long Island Railroad Station and immediately north of the Town Project; and

WHEREAS, in October of 2017, Suffolk County issued a Request for Qualifications for a Master Developer of the 40-acre County owned property and the six-acre Town owned property (“County Project”); and

WHEREAS, by resolution 438-2018, the County Legislature adopted a resolution designating JLL as the Master Developer for the County Project; and

WHEREAS, as the Town Project and County Project are adjacent to one another and JLL was awarded both projects, the Town of Islip and County of Suffolk have previously entered into an Inter-Municipal Agreement wherein both municipal corporations will work in partnership to foster the “Midway Crossing” project; and

WHEREAS, the Town, County, and JLL had completed negotiations for a non-binding term sheet; and

WHEREAS, by Town Board Resolution dated August 9, 2022, the Town Board approved the provisions of a non-binding term sheet, to memorialize the preliminary terms that were negotiated among the parties and to inform the public regarding the project concept that will be reviewed during the environmental and land use processes; and

WHEREAS, the term sheet for the “Midway Crossing” project that was approved by Town Board on August 9, 2022 included a life sciences complex, office, commercial and retail development, a convention center, a hotel, and a sports/entertainment complex; and

WHEREAS, the term sheet was not executed by the Town or the County; and

WHEREAS, subsequent to the August 9, 2022 Town Board approval the “Midway Crossing” project was modified to remove the sports/entertainment complex;

WHEREAS, Suffolk County approved the term sheet annexed hereto as Exhibit A (“Term Sheet”) by County resolution number 1617-2022; and

WHEREAS, the Town and JLL have agreed upon the removal of the sports/entertainment complex as set forth in the Term Sheet; and

WHEREAS, and although non-binding, the revised material terms of the Term Sheet are hereby accepted by the Town Board, and the Supervisor is authorized to execute a Term Sheet that substantially conforms with the attached; and be it further

WHEREAS, all other material terms of the Term Sheet not modified by this resolution shall remain as negotiated and are set forth in the attached Term Sheet.

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

RESOLVED, that the Supervisor is authorized to execute a non-binding Term Sheet, as amended subsequent to the August 9, 2022 Town Board authorization, to remove the sports/entertainment complex, said Term Sheet to be in substantial conformance with the attached Exhibit A; and be it further

RESOLVED, that no legal obligations will exist or arise unless and until the County, Town and JLL have negotiated, approved, executed, and delivered a mutually acceptable Master Developer Agreement and Master Lease related to the project.

Upon a vote being taken, the result was:

1617

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| The Project | The Project is defined as a multiuse, multimodal development known as "Midway Crossing." The Project Plan ("Plan") will provide for a private commercial development, an intermodal connection between the Long Island Railroad ("LIRR") Ronkonkoma Rail Station ("Station"), and a new Long Island MacArthur Airport North Terminal ("North Terminal"), as well as a life sciences complex, convention center, hotel, and airport/entertainment complex . The Project is being developed as a public-private partnership which includes the Town of Islip ("Town"), Suffolk County ("County"), both municipal corporations of the State of New York, the Master Developer, and a new Local Development Corporation ("LDC"). | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Master Developer | Jones Lang LaSalle Americas, Inc. ("JLL") and/or permitted development entity where JLL retains majority ownership or control. If JLL relinquishes fifty-one percent (51%) or more ownership or control, approval must be sought from the County and the Town. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lessee | The LDC is to be created by the Town and County for the Project, for the purpose of promoting the Project, leasing property to the Master Developer, or any permitted development entity in furtherance of the Plan, and providing a financing entity for public/private funding. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Project Parcels | <p>The following parcels of property are part of the Project. Certain Town parcels will not be leased to the LDC, as they will be used for the North Terminal.</p> <p>(Confirm Town Parcel-Airport/Non-Airport)</p> <table><tr><td>Present Owner</td><td>Parcel Identifier</td><td>Area (Acres)</td></tr><tr><td>County of Suffolk</td><td>500.6400.100.10001</td><td>21.72</td></tr><tr><td>County of Suffolk</td><td>500.6400.100.12001</td><td>0.19</td></tr><tr><td>County of Suffolk</td><td>500.6400.100.13001</td><td>0.17</td></tr><tr><td>County of Suffolk</td><td>500.6400.100.14001</td><td>0.43</td></tr><tr><td>County of Suffolk</td><td>500.6400.100.15000</td><td>0.26</td></tr><tr><td>County of Suffolk</td><td>500.6400.100.16000</td><td>0.53</td></tr><tr><td>County of Suffolk</td><td>500.6400.100.17000</td><td>0.26</td></tr><tr><td>County of Suffolk</td><td>500.6400.100.18000</td><td>0.58</td></tr><tr><td>County of Suffolk</td><td>500.6400.100.19000</td><td>0.58</td></tr><tr><td>County of Suffolk</td><td>500.064.00-01.00-023.000</td><td>10.75 (Reverter parcel)</td></tr><tr><td>County of Suffolk</td><td>500.6400.100.9000</td><td>0.58</td></tr><tr><td>County of Suffolk</td><td>500.6500.100.10000</td><td>0.11</td></tr><tr><td>County of Suffolk</td><td>500.6500.100.11000</td><td>0.10</td></tr><tr><td>County of Suffolk</td><td>500.6500.100.12000</td><td>5.22</td></tr><tr><td>County of Suffolk</td><td>500.6500.100.16000</td><td>0.53</td></tr><tr><td>County of Suffolk</td><td>500.6500.100.17000</td><td>0.26</td></tr><tr><td>County of Suffolk</td><td>500.6500.100.18000</td><td>0.58</td></tr><tr><td>County of Suffolk</td><td>500.6500.100.19000</td><td>0.58</td></tr><tr><td>County of Suffolk</td><td>500.6500.100.2000</td><td>0.17</td></tr><tr><td>County of Suffolk</td><td>500.6500.100.3000</td><td>0.26</td></tr><tr><td>County of Suffolk</td><td>500.6500.100.4000</td><td>0.23</td></tr></table> | | | Present Owner | Parcel Identifier | Area (Acres) | County of Suffolk | 500.6400.100.10001 | 21.72 | County of Suffolk | 500.6400.100.12001 | 0.19 | County of Suffolk | 500.6400.100.13001 | 0.17 | County of Suffolk | 500.6400.100.14001 | 0.43 | County of Suffolk | 500.6400.100.15000 | 0.26 | County of Suffolk | 500.6400.100.16000 | 0.53 | County of Suffolk | 500.6400.100.17000 | 0.26 | County of Suffolk | 500.6400.100.18000 | 0.58 | County of Suffolk | 500.6400.100.19000 | 0.58 | County of Suffolk | 500.064.00-01.00-023.000 | 10.75 (Reverter parcel) | County of Suffolk | 500.6400.100.9000 | 0.58 | County of Suffolk | 500.6500.100.10000 | 0.11 | County of Suffolk | 500.6500.100.11000 | 0.10 | County of Suffolk | 500.6500.100.12000 | 5.22 | County of Suffolk | 500.6500.100.16000 | 0.53 | County of Suffolk | 500.6500.100.17000 | 0.26 | County of Suffolk | 500.6500.100.18000 | 0.58 | County of Suffolk | 500.6500.100.19000 | 0.58 | County of Suffolk | 500.6500.100.2000 | 0.17 | County of Suffolk | 500.6500.100.3000 | 0.26 | County of Suffolk | 500.6500.100.4000 | 0.23 |
| Present Owner | Parcel Identifier | Area (Acres) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6400.100.10001 | 21.72 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6400.100.12001 | 0.19 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6400.100.13001 | 0.17 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6400.100.14001 | 0.43 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6400.100.15000 | 0.26 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6400.100.16000 | 0.53 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6400.100.17000 | 0.26 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6400.100.18000 | 0.58 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6400.100.19000 | 0.58 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.064.00-01.00-023.000 | 10.75 (Reverter parcel) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6400.100.9000 | 0.58 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6500.100.10000 | 0.11 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6500.100.11000 | 0.10 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6500.100.12000 | 5.22 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6500.100.16000 | 0.53 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6500.100.17000 | 0.26 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6500.100.18000 | 0.58 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6500.100.19000 | 0.58 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6500.100.2000 | 0.17 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6500.100.3000 | 0.26 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| County of Suffolk | 500.6500.100.4000 | 0.23 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | County of Suffolk 500.6500.100.6000 0.41 County of Suffolk 500.6500.100.7000 0.99 County of Suffolk 500.6500.100.8000 0.48 County of Suffolk 500.6500.100.9000 0.14 Town of Islip 500.106.00.01.00-06.013 7.69 Town of Islip 500.106.00.01.00-06.012 6.00 Town of Islip 500.106.00.01.00 164.67 (part of this lot 6.009) |
| MTA and DOT, and Private Parcels | State of New York 1.33 The Master Developer shall be responsible for securing the necessary rights to include the MTA, DOT and any private parcels in the Project. Where appropriate the County and the Town will use commercially reasonable efforts to assist with acquisition but will not fund any acquisition. |
| Lease Structure | <p>The Master Developer will have adequate standing by the County and Town via corresponding resolutions to perform all of the site and infrastructure planning, and project funding and capital raising activities necessary to manage and deliver the project as set forth in the Plan and coordinate and perform all environmental studies, predevelopment activities and environmental due diligence pursuant to a license or other access agreement required by the Project and the Plan, all at the expense of the Master Developer. The Master Developer may pursue zoning and permitting activities under the Town's and County's owner authorization. Any such zoning will be contingent upon the Master Developer executing the Master Lease for the property involved.</p> <p>Upon approval of this Term Sheet and appropriate resolutions by the Town and the County, it is contemplated that the Town, County and Master Developer will then enter into a Master Developer Designation Agreement (MDDA) that will delineate the conditions precedent for the LDC to enter into a Ground Lease with the County and Town and a Master Lease with the Master Developer. The Town and County will enter into a ground lease (the "Ground Lease") with the LDC for certain Project Parcels. There will be a master lease from the LDC, as lessor, to the Master Developer, as lessee ("Master Lease") on mutually agreeable terms and conditions</p> <p>One or more newly formed private entities of the Master Developer will enter into subleases with the Master Developer as permitted under the Master Lease (each a "Sublease" and collectively the "Subleases"). It is expected that after Substantial Completion (as defined below) of the subleased component of the Project, the Sublease converts to a direct ground lease (a "Direct Lease" and collectively the "Direct Leases") between the sublessee as the ground lessee ("Developer Affiliate") and the LDC as the ground lessor on terms and conditions satisfactory to the LDC, and that leasehold premises will be severed from the Master Lease leasehold premises.</p> <p>After the first Direct Lease, subsequent Project Parcels will be released pursuant to the Master Lease only upon completion of certain milestones for construction and development have been achieved, and only if the Master Developer is not in default under the Master Lease or any related agreement. If the Master Developer has not</p> |

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| | met any requisite milestone for construction or development under the Direct Lease and has been provided a reasonable cure period, the LDC may terminate both the Direct Lease and the Master Lease. |
| Direct Leases: | Each Direct Lease will relate to each Project Component as defined below, or other logical division. The form and substance of the Direct Lease is expected to be on terms substantially similar to the terms, form and substance of the Master Lease, except for the economic terms and matters specific to the uses and operation of each Component (as defined herein) any and all agreed upon changes from the Master Lease exhibit (including, without limitation those that may be required by any leasehold or sub-leasehold mortgage). |
| Severance Process: | The Master Lease shall provide specific details on the process, conditions precedent, and responsibilities for the County and the Town, if applicable, and Master Developer obligations as they relate to the ongoing development and operation under any Direct Lease. |
| Term | While the parties understand that under the state law the term of the lease is limited to forty (40) years and there are constraints under FAA regulations, they will consider obtaining state and federal permission to create a lease of at least seventy-five (75) years. It is contemplated that the Direct Lease (and/or the Master Lease) may be entered into in categories or segments over time, to be negotiated among the parties, such that the LDC and the Master Developer may take down parcels as needed to allow for a phased development of the Project. |
| Ground Rent and Additional Consideration | <p>The consideration shall consist of Ground Rent and Additional Consideration.</p> <p><u>Ground Rent</u></p> <p>Ground rent (structure and commencement date to be determined) will be at fair market value as determined by an appraisal in accordance with the Federal Aviation Administration (FAA), Town, and County requirements, or as appropriate, an appraisal based upon the current value from an agreed-upon qualified appraiser in compliance with the County's or Town's requirements for Non-Airport Property or County-owned property, respectively, assuming:</p> <ol style="list-style-type: none"> 1) highest and best use, excluding residential; 2) all public infrastructure in place; 3) all local entitlements have been received; and 4) its current existing Town, MTA, and FAA encumbrances. <p>Initial Land Value and Rent Value will be negotiated among the Parties before commencement of environmental reviews and entitlements. The Parties understand and will negotiate in good faith an appropriate rent escalator (such as a CPI and/or a fixed rent escalator) and reappraisal, frequency of the same, and possible additional consideration.</p> <p><u>Additional Consideration.</u></p> |

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| | <p>Additional lease consideration shall include a payment in lieu-of-taxes ("PILOT"), capital event fees from equity sales and debt re-financings, and will negotiate shares on return of investment/revenue sharing of commercial components, subject to land that will have commercial use, and other mutually agreeable additional rent payments to the LDC.</p> <p>The Project Parcels are currently contemplated to be approximately fifty (50) acres, which does not include the Terminal, parking associated with Terminal, Terminal access road, and the Intermodal Connector (as defined herein). At Master Lease commencement date, a good-faith deposit, to be negotiated by the LDC, shall be made into escrow. The Master Developer shall also be required to pay the actual reasonable expenses incurred by the LDC related to the Project Parcels, its creation and initial operation, with future costs to be covered by tenants' common charges. Consideration for Project Parcels (including, but not limited to Ground Rent and Additional Consideration) shall not be paid by the Town or County, but shall be obligations of the Master Developer or Developer Affiliate. The parties agree to dedicate all Consideration towards the Project and shall decide upon a formula on how to apply such Consideration towards Project needs in an equitable manner (factoring all sources of Consideration), understanding that "Airport Revenue" shall be directed to legally permitted uses in support of the Airport components.</p> |
| Project Components | <p>The Project will consist of the following Components (referred to as "Project Components" or just "Component(s)"): </p> <ol style="list-style-type: none"> 1. Terminal Component. A new north terminal and terminal support functions (parking, rental car, GSE facilities, airline support offices, and concessions), will be developed by the Town. Parking facilities may be shared in part with other Project Components that pay a proportionate share of the capital costs (including design and construction), and of operation and maintenance. The Town will be responsible for planning, securing approval, funding, and construction of the Terminal Component. For the avoidance of doubt, the Terminal Component is independent from and will not be among the Project Parcels leased to, or controlled by, the LDC. 2. Intermodal Connector. A people mover or other acceptable mode of transport, the technology of which is to be determined, or connection will provide the intermodal link between the Train Station to the Terminal Component. The people mover will principally serve the Terminal but will be accessible for use by other Project Components ("Intermodal Connector"). It is anticipated that the LDC will own the Intermodal Connector. The Master Developer will be responsible for funding, constructing, delivering, operating and maintaining the Intermodal Connector with proportionate shares of "Airport Revenue" and other public and private funding to be determined. The LDC will consult regularly with the Town/Airport and County throughout all stages of the Intermodal Connector's development and operations, and the Town/Airport and County must approve in advance all plans for the design and construction of the Intermodal Connector. The Airport desires and anticipates the Intermodal |

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Connector to be elevated and enclosed, and the parties agree to evaluate all options. Some vertical development may be needed to accommodate the Intermodal Connector for the most efficient connection to the Station and will be subject to approval of the MTA/LIRR and the LDC.

3. **Convention Center and Hotel.** A Suffolk County Convention Center is envisioned to contain approximately 100,000 square feet of ground floor exhibit hall space, 40,000 square feet of pre-function and meeting spaces, and 50,000 square feet of support spaces. As currently planned, the Convention Center is adjacent to the Terminal Component. The County will be solely responsible for funding the construction of the improvements of the Convention Center and may provide financial assistance for developing the companion Hotel component based upon a to-be-negotiated agreement with the Master Developer. The Master Developer, in conjunction with the County will identify and retain a management team with at least ten (10) years experience operating a convention center and a hotel who will construct, deliver, maintain, and operate both the Convention Center and Hotel. For the avoidance of any doubt, the Master Developer will be responsible for any ground rent or additional consideration owed on the Convention Center and Hotel parcels. The Convention Center hotel will focus on supporting the air travel and convention activity on the site and shall be a full-service, high-end hotel. The planning, design, sources of construction funding, and operation will be addressed in consultation with the LDC and the County. The economic development tools of the County, Town and LDC will be available to help, but it is not the responsibility of the Town to fund the construction or operation and maintenance of the Convention Center and Hotel. It is anticipated that rent and other consideration for the land for the Convention Center and Hotel will be paid for by the Master Developer. The location of the Convention Center and Hotel, as presently contemplated may be changed to ~~the location of the Sports and Entertainment Complex, as presently contemplated, or~~ some other mutually agreeable location as the project develops.
4. ~~Sports and Entertainment Complex. A 5,000 seat sports arena and 4,000 to 6,500 seat indoor sports and entertainment center. Funding for this complex is to be discussed but neither the LDC nor the County nor the Town will be responsible, directly or indirectly, for funding, developing, or operating the Sports and Entertainment Complex, however their economic development tools will be available to help. The Master Developer will be fully responsible for this component.~~
5. **Commercial Office Component.** A Life Sciences Center, commercial and medical office buildings with medical research and health-care facilities and a STEM educational institute. Funding of the Commercial Office Component is to be discussed, but neither the LDC nor the County nor the Town will be responsible for funding, developing or operating the Commercial Office Component, however its economic development tools will be available to help. The Master Developer will be fully responsible for

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this Component.

6. **Retail Component** will be integrated amongst the other Project Components. Funding of this Retail Component is to be discussed, but neither the LDC nor the County nor the Town will be responsible to fund, develop or operate the Complex, but its economic development tools will be available to help. The Master Developer will be fully responsible for this Component
7. **Ronkonkoma Station Connection.** An integrated Station connecting the other Project Components, to include parking, station access, County BRT ridership connectivity, and any other Station-related matters. The Master Developer will lead planning, design, identification of sources of construction funding, and operation in consultation with the LDC. Once sufficient funding is secured, the Master Developer will be fully responsible for delivering this Component. Notwithstanding the foregoing, all 3,574 existing parking spaces at the Ronkonkoma Station must be suitably replaced prior to the commencement of construction of the Commercial Office Component.
8. **Decommissioning of, and Possible Relocation of, the Compost Facility.** Master Developer and Town are jointly responsible for developing a program, design, and financial plan, including grants to cover all costs related to the (i) relocation of, (ii) acquisition of a replacement site for, and (iii) development of, a replacement facility for the Compost Facility, which will be sited within the Town boundaries in accordance with the Town's design specifications, once sufficient funding is secured. This deliverable is a condition precedent to any and all of the Project Components. The Town will be solely responsible for the closure, relocation, actual construction of the replacement Compost Facility, and its operation once completed. The County shall provide technical (advisory) assistance to the Town from time to time as requested. Such technical assistance shall not include financial or monetary commitments or obligations.
9. **Public Infrastructure (Project-Wide).** Currently, Project-wide Infrastructure Improvement (but excluding the infrastructure on the Terminal Component and the Town-controlled portion of the Intermodal Connector) includes water, sewer, electric under Railroad Avenue South, replacement and new parking, and road improvements identified for improvement by the Midway Crossing SEQRA process, including, but not limited, to the following (as examples only): sanitary sewer collection systems, roads, sidewalks, curbs, parking structures, parking lots, public hardscape and landscape, water mains, storm water runoff, collection system, street and walkway lighting (the "Public Infrastructure"). Any revenue generated by the Public Infrastructure shall be dedicated to public or private debt service, maintenance, or operations.

The financial plan for the Public Infrastructure will include public and private sources where appropriate. Neither the County nor the Town shall be responsible

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| | <p>to pay for any common infrastructure, except for their respective proportional shares of infrastructure related to the Terminal Component and the Convention Center and Hotel Component.</p> <p>It is contemplated that the first Component(s) to be delivered will be the Convention Center and a Hotel; a to-be-defined portion of the Commercial Office Component which includes life sciences and some of the Retail Component. The parties will create a Master Developer Summary Schedule that will be incorporated into this agreement to ensure coordination and timely delivery of the development components. Notwithstanding the foregoing, development components that are fully funded and entitled can proceed in accordance with the Plan.</p> <p>The scope of each Component will be defined and will allow for some small deviations in location, size, massing and function so long as no such changes violate Part 77 (e.g., Runway Protection Zone, Object Free Zone, etc.) or other protected aeronautical surfaces and Airport security functionality. The Terminal Component will be determined by an Airport Layout Plan submitted for FAA review and approval as required by law.</p> <p>If the Master Developer requests a change to the Project scope that is deemed significant by the LDC, or of any Component for which it is responsible, the LDC shall engage the Town and County in discussions if necessary, and any such change will require the prior written consent of the Town and County, which shall not be unreasonably delayed.</p> |
| FAA and MTA Approvals | <p>The Master Developer and the County will cooperate with the Town to seek necessary or appropriate FAA approvals, formal or informal, to allow the Project, including, without limitation, amendments to the Airport Layout Plan, the siting of the Terminal Component, and the lease of "Airport Property" (as such term is defined by federal law) to the LDC. Notwithstanding the previous clause, if siting of the Terminal Component or the Convention Center and Hotel Component changes or lease terms materially change the Master Developer, Town, and County may opt out of the Project. The Town and the County will cooperate with the Master Developer and LDC to seek necessary approvals, participation, and cooperation from the MTA.</p> |
| Property Condition | <p>Both LDC and Master Developer will accept the Property in its "as-is, where-is" and "with all faults" condition. The LDC, County and Town will make no representations or warranties, express or implied, of any kind, character or nature whatsoever, including without limitation, as to the condition of the Property (including, without limitation, the environmental condition of, at, in, on, under, above and/or about the Property), its habitability, merchantability, fitness, or suitability for any particular use or purpose or its ability to be redeveloped. Both the LDC and Master Developer, in consultation with the Town and County, will have the right after completion of environmental review to determine not to accept certain parcels if a reasonable funding source for remediation cannot be absorbed by the</p> |

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| | Master Developer or obtained from the state or federal government. |
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| Party Responsibilities | <p><u>TOWN</u></p> <p>Compost Facility (closure or relocation).</p> <p>The Town is responsible for all aspects of the Terminal Component, including but not limited to:</p> <ul style="list-style-type: none"> - Financing Plan - Schedule - Budget - Coordination with LDC and Master Developer <p>Environmental Review (National Environmental Performance Act ["NEPA"] and New York State Environmental Quality Review Act ["SEQRA"]) – Lead Agency for SEQRA and project proponent for NEPA for the Terminal Component.</p> <p>Entitlements (Zoning) – Lead Agency.</p> <p>State and federal funding– Active leadership in requesting state and federal infrastructure funding.</p> <p>Dedicated Lead Personnel for Project Development.</p> <p>Agreement to the formation of LDC and its Board.</p> <p>Agreement to a PILOT.</p> <p>Commitment to build the Terminal Component in a timely manner that complies with the Master Developer Summary Schedule, subject to all necessary and required government approvals, and funding.</p> <p>Commitment to place relevant Town-owned Project Parcels into the LDC for development as delineated in the Plan, subject to FAA approval and compliance with all relevant FAA requirements.</p> <p><u>COUNTY</u></p> <p>Agreement to formation of LDC and its Board.</p> <p>Dedicated Lead Personnel for Project Development.</p> <p>Commitment to place relevant County-owned Project Parcels into the LDC for development as delineated in the Plan, subject to the right to opt out of the Project in the event there are changes to the Convention Center and Hotel Component.</p> <p>Lead funding efforts with the state and federal government to show the regional effect of the project on Long Island.</p> <p>Agreement to a PILOT.</p> <p>Technical support for environmental review and funding efforts, such as through the Planning Department and their economic development entities.</p> <p>Commit to a financing plan and funding sources for the Convention Center and Hotel Component in a timely manner that complies with the Master Developer</p> |
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| | <p>Summary Schedule.</p> <p><u>MASTER DEVELOPER</u></p> <p>With respect to the Project Components for which it is responsible, Master Developer,</p> <ol style="list-style-type: none"> 1) At its sole cost and expense, will finalize the development plans, secure all necessary approvals, prepare, and secure all environmental approvals required, consents, and financing 2) Complete all necessary Project-wide Infrastructure Improvements as state and federal funds become available to cover those costs. 3) Conduct all necessary construction and equipping of buildings, and all building renovations, remove and remediate all environmental hazardous materials and operate and manage the Project Parcels. As discussed herein, this includes all common element Infrastructure Improvements to which the Master Developer and Town can connect to from the Terminal Component and Convention Center Component. 4) Paying all consideration (including ground rent and additional consideration) real estate taxes, through a PILOT or other mutually agreed upon structure that includes ad valorem taxes, special assessments, special district taxes, and all other taxes associated with the Project Parcels and/or any redevelopment of the Project Parcels. 5) Required at its sole cost and expense to comply with all applicable laws, rules, regulations, including, environmental laws, labor laws and construction laws, and be responsible for obtaining all required building permits, certificates of occupancy, and approvals. 6) Required to coordinate its plans, through the LDC, with the Town and County. Responsible for facilitating and integrating all infrastructure associated with roads and utilities for the entire Project. Master Developer is responsible for the connection to the utilities for each Component. In no event may the Master Developer develop any of the Project Components in a manner that conflicts with the North Terminal component and/or FAA regulations. The Master Lease will contain explicit operational performance standards and handback provisions with which the Master Developer will be required to comply. |
| Financial Partners: | The Master Developer may at any time during the Term of the Master Lease identify a financial partner(s) and/or co-venturer(s), subject to LDC's prior written approval, which will not be unreasonably denied, conditioned, or delayed. And JLL shall notify the Town and County of any and all changes in equity ownership and/or control. |
| Environmental Site Conditions | Master Developer, at its cost and expense, will be required to remediate any hazardous materials on the Property, as well as any materials deemed a health risk by the DEC, in accordance with all applicable laws and indemnify, defend and hold |

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| | LDC, County, and Town harmless from the same. Master Developer will be responsible for due diligence regarding existing site conditions. Master Developer, in consultation with the Town and County, will have the right after completion of environmental review to determine whether or not to accept certain parcels if a reasonable funding source for remediation cannot be absorbed by the development or secured from state and federal funding. The County and Town have a right to opt out, in the event the Developer is not able to offer a suitable alternative as determined in the County's and Town's sole but reasonable discretion. The Master Developer's right to opt out shall expire and terminate upon execution of the Master Lease. |
| Substantial Completion | "Substantial Completion" means that the development of the subleased Project Component has been completed substantially in accordance with the approved plans and specifications, free and clear of any material liens and/or claims for unpaid labor, material and/or supplies and the Town's Building Department has issued a certificate of occupancy. |
| PILOT | If approved, it is envisioned that the County and Town (as affected tax jurisdictions) and Master Developer will negotiate in good faith on the terms of a PILOT Agreement that provides terms that are mutually acceptable to the County, Town and the Master Developer. The PILOT Agreement will take effect upon Master Developer's Substantial Completion of each Project Component. The PILOT shall represent "full taxes," meaning a payment made by the Master Developer for each non-exempt Project Component. |
| Construction Schedule | <p>A Construction Schedule for project development acceptable to the LDC, will be attached to the Master Lease (and each sublease) identifying the timing of commencement and completion of the different stages and improvements constituting the Project and/or any Project Component, as the case may be. Any modifications to the Construction Schedule shall be approved by the LDC, which will not be unreasonably withheld, conditioned, or delayed. The Master Lease will contain consequences for delays and provision for unanticipated delays.</p> <p>The parties recognize that the sequence of Project Components is critical, and Master Developer will be required to develop the Project Components in an agreed-upon sequence. As an illustration, the Terminal Component and to-be-defined portion of the Commercial Office Component, Retail Component, and Convention Center and Hotel Component will need to be developed in tandem while other Components may have a more flexible sequencing schedule.</p> <p>The Construction Schedule will ensure no disruption in access to parking for the Train Station and (once the Terminal Component has been completed), no disruption in access to adequate parking for the Terminal.</p> |
| Environmental Reviews | Upon commencement of environmental review, all costs associated with environmental review of the Project in accordance with NEPA and SEQRA will be the responsibility of Master Developer, except that the Town will be responsible for |

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| | <p>costs for environmental review associated with the Terminal Component. For the avoidance of doubt, environmental review includes the necessary due diligence and investigation to determine the existence of environmental conditions but does not include any costs associated with the remediation or other mitigation work that may be necessary, which is a separate Master Developer obligation.</p> <p>Master Developer will provide assistance, as requested, by the Town, the County, and the FAA, on the environmental reviews. Supervision of work on the environmental reviews will be in accordance with applicable federal and state law. All Project Components are subject to all appropriate environmental review processes. For purposes of defining an "Action," the decommissioning and relocation of the Compost Facility shall be deemed a separate Action for environmental review purposes.</p> |
| Approvals, Entitlements and Contingencies | <p>The parties recognize that there are many local, state and federal approvals and entitlements that must be secured for the Project. The parties agree to cooperate in seeking such entitlements and approvals, but the Master Developer shall be principally responsible for all such entitlements and approvals for all Project Components except the Terminal Component, for which the Town will be responsible.</p> <p>The parties agree that the following actions are conditions precedent to execution of the Master Lease:</p> <ul style="list-style-type: none"> (i) Creation of the LDC; (ii) FAA approval of relocation of the Terminal to north side subject to stakeholder approval; (iii) To the extent required, FAA approval of the use of "Airport Property" for the Project (to the extent required by federal law) which, for clarity is not the same as FAA approval of the Terminal Component, subject to SEQRA and NEPA; (iv) The environmental review for the closure or relocation of the Compost Facility under SEQRA and the filing of a negative declaration under SEQRA for the closure of the Compost Facility; (v) Legislative approvals and County's third-party review; and (vi) A financing plan for the Convention Center and Hotel Component, the Terminal Component, and Public Infrastructure mutually agreeable among the County, Town, the Master Developer and the LDC. <p>It is anticipated that there will be additional conditions precedent in the MDDA.</p> |
| Community Benefits | <p>The package of community benefits is to be negotiated between the Town and County and the Master Developer. The design, implementation and funding of the community benefits package will be negotiated to avoid adverse effects on Project timing and to accord with federal law concerning use of Airport revenue and "Airport Property", and requisite procurement laws and requirements. It is</p> |

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| | <p>contemplated that the Community Benefits package will include, but not necessarily limited to the following:</p> <p><u>Local Labor and Employment:</u> Master Developer recognizes greater local economic impact of the Project through support of local businesses and employment of local workers and its multiplier effect on the Long Island region ("Region"). The Project's direct local expenditures for employee salaries, supplies, services, raw materials and operating expenses creates an economic benefit to the Region. This direct spending increases new economic activity by the businesses and employees that initially received the direct spending and then in turn increase spending at other local businesses in the supply chain. Therefore, Master Developer agrees to use good faith efforts to rely on regionally-based businesses and workforce throughout construction and operation of the development. This provision will not apply to the North Terminal component unless permitted by federal contracting requirements.</p> <p><u>Utilization of Disadvantaged and Small Businesses:</u> Master Developer recognizes that the County and Town business community has a significant number of disadvantaged small businesses that, if permitted to participate in the Project, would benefit both the businesses themselves and the County and Town community at large. Therefore, Master Developer agrees to use good faith efforts to utilize disadvantaged small businesses throughout construction and operation of the development. This provision will not apply to the Terminal Component unless permitted by federal contracting requirements.</p> <p><u>Project Labor Agreement:</u> Master Developer will enter into a pre-hire agreement with the Building and Trades Council of Nassau and Suffolk Counties which will establish the terms and conditions of employment for all craft workers during construction of the Project.</p> <p><u>Community/Public Amenities:</u> The parties will develop a comprehensive Community Benefits Agreement that will ensure that the new development helps to address the needs of the surrounding area, with a particular focus on underserved communities, populations/communities disproportionately affected by COVID-19 and that are traditionally underrepresented in the workforce.</p> |
| Timing of Execution and Development | Subject to the preconditions listed herein, the Master Lease may be executed within 90 days of final determination of no jurisdiction to approve (or final FAA approval of) the terms and conditions of the lease of "Airport Property" for the Project. For clarity, FAA approval of the Terminal Component is not a condition precedent to execution of the Master Lease. The Master Lease will contain development benchmarks and milestones that must be met by the Master Developer. |
| Construction Performance Standards | The Master Developer will make best efforts to meet construction performance standards to comply with local and regional climate leadership, environmental stewardship and similar requirements. The Parties shall agree on sustainable |

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| | standards for Project construction and development. |
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**Funding and
Tax Credits**

The LDC, County and Town will actively work with the Master Developer to identify industry-accepted financing mechanisms to fund the cost of infrastructure for the Project to be undertaken by the Master Developer under the Master Lease including, but not limited, to the Public Infrastructure.

The parties will explore creation of shared infrastructure or special taxing districts to the extent permitted by applicable law. The LDC, County, Town, and the Master Developer shall each use commercially reasonable efforts to reach agreement on the source of funds and allocation of Public Infrastructure costs required for the Project, including, but not limited to, the identification of grants available from Suffolk County, the State of New York or the federal government for the planning, design and/or construction of infrastructure required for the Project, as well as other sources of private funding. The parties will cooperate to identify and seek available federal, state and other grants and/or subsidies, including, but not limited to, government grants (i.e. federal grants, and state grant programs and AIP funding), and New York State Environmental Facilities Corporation, community development block grants, funds available through the newly formed Long Island Regional Economic Development Council, New York State Brownfields Clean Up Program Grants, Sustainable Communities Grants, National Endowment for the Arts Design Grants, Historic Rehabilitation Tax Credits, New Markets Tax Credits, Renewable Energy Tax Credits and Grants, Transportation Enhancement Grants, New York Main Street Program Grants, Tax Increment Financing, Foundations, Business Improvement Districts, as well as any other programs that are or may become available. The Master Lease and other Project documents will be structured to optimize the eligibility of the Project for grant and other government funds and to optimize tax treatment of the Project to the benefit of the Master Developer.

The Parties acknowledge that grants, loans and other funding opportunities are essential for the ability to construct infrastructure that is necessary for the Project. To that end, the Parties shall work diligently to secure any public or other funding opportunities or grants for Public Infrastructure and other Project Components that may ultimately be identified as necessary or appropriate for the development of the Project. The Town, County and Master Developer shall mutually consult and confer from time to time with respect to any such potential funding opportunities or grants. The Master Developer shall identify creative financing mechanisms to fund the cost of infrastructure and other Project Components for the Project for which public funding is contemplated, including, but not limited to Public Infrastructure, including pursuing government grants and other financing programs to write down interest costs. In addition, the Parties will work together to identify and utilize any, and all available federal, state and other grants and/or subsidies to the extent permitted by applicable law, as well as any other programs that are or may become available in order to ensure the feasibility of the Project while maximizing the benefits of the project to the Town, County and Master Developer.

Notwithstanding the foregoing and any other term or conditions contained herein, nothing contained in the foregoing shall be deemed to obligate either LDC, the County and/or the Town to incur any indebtedness and any action requiring the

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| | incurrence of any indebtedness and/or the expenditure of funds by or of the LDC and/or the County and/or the Town, which requires specific approval of the LDC and/or the County Legislature and/or the Town Board, as the case may be, separate and distinct from approval of the Master Lease and of any Direct Lease and no term or condition contained herein or therein shall require any particular action either by the LDC or by the County Legislature or the Town Board in their respective legislative capacities. |
| Project Infrastructure | The Master Developer will be responsible for undertaking the design, engineering, and installation of all site utilities necessary to service the Project, including, without limitation, the Public Infrastructure (the "Infrastructure Improvements"), with the exception of the internal infrastructure on the Terminal Component which will be the responsibility of the Town. For example, the Master Developer shall be solely responsible to create sewer infrastructure that will accept capacity from the Terminal Component and Convention Center and Hotel Component. Where appropriate, Master Developer will lead all efforts to obtain private financing for any shortfalls to complete the Infrastructure Improvements. It is contemplated that offsite improvements as required by the Midway Crossing environmental review and entitlements may be necessary to mitigate the impacts of the Project, and the Master Developer will be responsible for same, and remediate those conditions which will be rationally related to the project. |
| Payment and Performance Bonds and Insurance | Prior to the commencement of construction of each Project Component for which the Master Developer (or its sublessee, as the case may be) is responsible, Master Developer (or its sublessee, as the case may be) will be required to submit (a) labor and material bonds, and (b) payment and performance bonds equal to the greater of (i) the hard costs of development of the Component, and (ii) the payment and performance security requirements of Master Developer's (or sublessee's) leasehold mortgagee, if any. Appropriate industry standard insurance would also be required for construction and performance. With regard to the Terminal Component, bonding and insurance requirements of the Federal, state and local governments will be applicable. |
| Access and Interface with Existing Facilities | <p>The Master Developer and its affiliates, representatives, lenders, agents, contractors and consultants, shall have the right, pursuant to a license or access agreement, at its sole cost and expense, upon five (5) days' notice to the County and Town, during normal business hours, and subject to the availability of County and Town staff to provide access, to conduct those investigations, samplings, surveys, borings and tests (collectively the "Investigation") specified by the Master Developer and expressly approved by the County and Town, pursuant to written approval, which shall not unreasonably be withheld, conditioned or delayed. All access will be subject to Airport and TSA security requirements and will generally require escort.</p> <p>In order to obtain approval, the Master Developer shall submit to the County and Town, at least five (5) business days before the proposed Investigation is to commence, an approval request, together with a scope of work, list of contractors</p> |

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| | <p>and appropriate insurance certificates for such Investigation, for any Investigation that the Master Developer proposes to perform or have performed, and a plan for remediation, if necessary. The Master Developer shall have no right of access to perform a particular Investigation until the County and Town has indicated its approval by countersigning the submitted approval request.</p> <p>Master Developer acknowledges that the Project site contains existing transportation and compost facilities and that its access will be subject to security and related operational requirements that may limit access due to timing, personnel and related matters.</p> |
| Reimbursable Expenses | <p>Master Developer shall be responsible for all reasonable Reimbursable Expenses, upon presentation of an accounting. Reimbursable Expenses shall include County and Town legal and consulting expenses pertaining to developments of Midway Crossing and Local Development Corporation start-up fees and seed money. Reimbursable Expenses shall not include any and all costs associated with the design, relocation, engineering, financing, and construction of the North Terminal component. Such fees shall be paid or reimbursed by the Master Developer within ninety (90) days of execution of the MDDA. Post-MDDA reimbursable expenses will be negotiated and detailed in subsequent agreements.</p> |
| Brokers | None. |
| Customary Clauses | <p>The Master Lease will contain customary representations and warranties, indemnification clauses, definitions of adverse actions which could affect the schedule for the Project, events of default, consequences for breach, step-in rights for any lenders, termination, title insurance requirements, dispute resolution and compensation to the Town and County in the event of certain financial transactions involving the Master Developer.</p> |
| Term Sheet Not Binding | <p>This term sheet is for discussion purposes only. It is not binding on the County, Town, LDC, or Master Developer. It sets forth some but not all of the terms and conditions on which the LDC would consider entering into a Master Lease and/or any Direct Lease and undertaking the transactions contemplated respectively thereby and thereunder. It does not constitute and should not be construed as an offer, proposal, agreement or commitment by the LDC to approve, consent to or enter into any such leases or any other agreements nor undertake any of the transactions summarized herein or contemplated therein or thereunder. Any agreement or commitment to enter into any such leases or any other agreements and to undertake any of the transactions summarized herein or contemplated therein or thereunder would require completion of and satisfaction with the LDC's contingencies and due diligence and, if approved, execution and delivery of complete and definitive documentation satisfactory in form and substance to the LDC and its legal counsel.</p> |

[Signatures on Next Page]

1617
**FOR JONES LANG LASALLE
AMERICAS, INC.**

By:
Derek Trulson, Vice Chairman

COUNTY OF SUFFOLK

By:
~~Natalie Wright~~ **Sarah Lonsdale**
**Commissioner Suffolk County Economic
Development and Planning**

TOWN OF ISLIP

By:
Angie M. Carpenter, Supervisor
Town of Islip
655 Main Street
Islip NY 11751

1617

**STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION**

| | | |
|---|--|---|
| 1. Type of Legislation | | |
| Resolution <input checked="" type="checkbox"/> | Local Law <input type="checkbox"/> | Charter Law <input type="checkbox"/> |
| 2. Title of Proposed Legislation | | |
| RESOLUTION NO. -2022 APPROVING A NON-BINDING TERM SHEET WITH THE TOWN OF ISLIP AND JONES LANG LASALLE AMERICAS INC. RELATED TO THE DEVELOPMENT OF COUNTY AND TOWN OWNED LAND TO BE KNOWN AS "MIDWAY CROSSING" (THE "PROJECT") AND DESIGNATING JLL AS MASTER DEVELOPER OF SUCH DEVELOPMENT | | |
| 3. Purpose of Proposed Legislation | | |
| Designating a Master Developer and approval of non-binding term sheet for the Ronkonkoma South development | | |
| 4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | |
| 5. If the answer to item 4 is "yes", on what will it impact? | | |
| <input type="checkbox"/> County | <input type="checkbox"/> Town | <input type="checkbox"/> Economic Impact |
| <input type="checkbox"/> Village | <input type="checkbox"/> School District | <input type="checkbox"/> Other (Specify): |
| <input type="checkbox"/> Library District | <input type="checkbox"/> Fire District | |
| 6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact | | |
| | | |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision | | |
| | | |
| 8. Proposed Source of Funding | | |
| | | |
| 9. Timing of Impact | | |
| | | |
| 10. Typed Name & Title of Preparer | 11. Signature of Preparer | 12. Date |
| Jonathan Keyes | <i>Jonathan Keyes</i> | 7/13/2022 |

SCIN FORM 175b (10/95)

Kimberly Pettit

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

No. 30

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to enter into a Professional Services Agreement with Custom Computer Systems to provide investigation, repair and remediation of the Town's computer network.

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:

Doug Miller

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.

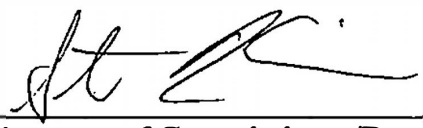
On Nov 25th the towns data system experinced a Cyber event. This event required the services of Custom Computer Systems to get the Town operational again.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: _____
 2. Site or location effected by resolution: Entire Town Network
 3. Cost: 136,000
 4. Budget Line: A.1680.41052.00.
 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

11/5/22

Date

WHEREAS, after an unforeseeable and unfortunate threat to the safety and security of the Town of Islip's computer network, the Town of Islip (the "Town") was in immediate need of cyber security and remediation services in order to investigate, repair and remediate any actual or potential malware attacks; and

WHEREAS, based on the foregoing circumstances, the Town's Director of Information Technology recommends entering into a professional services agreement with Custom Computer Systems for the investigation, repair and remediation of the Town's computer network, to the extent needed; and

WHEREAS, it is further recommended by the Director of Information Technology that the Town Board authorize the Town to enter this professional services agreement in the amount of \$135,000.00;

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

RESOLVED, that the Town Board hereby finds that immediate action is necessary to ensure the safety and security of the Town's computer network; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an professional services agreement with Custom Computer Systems to provide the services set forth above; and be it further

RESOLVED, that the Comptroller be authorized to make any and all budgetary adjustments necessary to effectuate this resolution.

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.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Town Clerk to advertise for a Public Hearing to consider amending Islip Town Code, Chapter 6A, Article III, entitled "Community Preservation and Anti-Blight Enforcement".

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 P. Walsh, 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 Town Clerk to publish a notice for a public hearing to amend the Islip Town Code, Chapter 6A, Article III.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 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

Date

January 24, 2023
Resolution #

WHEREAS, on November 21, 2022, New York State amended the Real Property Actions and Proceedings Law (“RPAPL”) by adding a new section of law, “§1393 Mortgages in Default”; and

WHEREAS, pursuant to RPAPL §1393, there are certain modifications needed to update portions of the Islip Town Code relating to the registration of properties with a mortgage in default; and

WHEREAS, the Town Board wishes to hold a public hearing to consider amending Chapter 6A, Article III of the Islip Town Code entitled “Community Preservation and Anti-Blight Enforcement” to align the Town Code with the newly adopted changes to the New York State Law.

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

RESOLVED, that the Town Clerk is authorized to advertise for a public hearing to consider amending the Islip Town Code, Chapter 6A, Article III of the Islip Town Code entitled “Community Preservation and Anti-Blight Enforcement” as follows:

SEE ATTACHED

ADDITIONS are indicated by UNDERLINING

DELETIONS are indicated by ~~STRIKEOUTS~~

Upon a vote being taken, the result was:

CHAPTER 6A, ARTICLE III
COMMUNITY PRESERVATION AND ANTI-BLIGHT ENFORCEMENT

§ 6A-9 Title.

This article shall be known as the "Community Preservation and Anti-Blight Enforcement Local Law."

§ 6A-10 Legislative intent.

It is hereby found and declared that there may exist within the Town of Islip a number of real properties which are vacant and/or in a blighted condition that are subject to a mortgage-in-default, and that the continued existence of such properties negatively affects the economic well-being of the Town of Islip; adds to the decline of neighborhoods; and affects the overall health, safety and welfare of its residents. It is the Town Board's intent to establish a defaulted mortgage registration program as a mechanism to protect neighborhoods from becoming blighted through the lack of adequate maintenance and security of vacant properties subject to a mortgage or properties subject to mortgages which are in default.

§ 6A-11 Scope; applicability.

- A. Scope. The provisions of this article shall apply to all properties in the Town of Islip, residential and otherwise, and constitute the requirements and standards for the maintenance of such premises.
- B. Applicability. The provisions of this article shall be deemed to supplement applicable state and local laws, ordinances, codes and regulations. Nothing in this article shall be deemed to abolish, impair, supersede or replace existing remedies of the Town, county or state or existing requirements of any other provision of local laws or ordinances of the Town or county or state laws and regulations. In case of conflict between any provisions of this article and any applicable state or local law, ordinance, code or regulation, the more-restrictive or more-stringent provision or requirement shall prevail.

§ 6A-12 Definitions and word usage.

- A. Word usage. Whenever used in this article, words in the singular include the plural and vice versa.
- B. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

ENFORCEMENT OFFICER

Any full-time law enforcement officer, building inspector, fire marshal, zoning inspector, Town investigator and/or code enforcement officer employed within the Town.

EVIDENCE OF VACANCY

Any condition that, on its own or combined with other conditions, would lead a reasonable person to believe that the property is vacant. Such conditions may include, but not be limited to, overgrown and/or dead vegetation; electricity, water or other utilities turned off; stagnant swimming pool; and/or statements by neighbors, passers-by, delivery agents or government agents, among other evidence that the property is vacant.

FORECLOSURE

The process by which a property, placed as security for a mortgage loan, after a judicial process, is to be sold at an auction to satisfy a debt upon which the borrower has defaulted.

MORTGAGEE

The creditor, including, but not limited to, trustees; mortgage servicing companies; lenders in a mortgage agreement; any agent, servant, or employee of the creditor; any successor in interest; or any assignee of the creditor's rights, interests or obligations under the mortgage agreement; or any other person or entity with the legal right to foreclose on the real property, excluding governmental entities.

NOTICE OF PENDENCY

A filing that indicates that a piece of property has a lien against it.

REAL PROPERTY IN DEFAULT

Any real property that is under a current notice of default and/or notice of mortgagee's sale or pending tax lien sale and/or properties that have been the subject of a foreclosure sale where the title was retained by the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure or sale.

VACANT

Any building or structure shall be deemed to be vacant if no person or persons actually currently conduct a lawfully licensed business or lawfully reside or live in any part of the building as the legal or equitable owner(s) or tenant-occupant(s), or owner-occupant(s) or tenant(s) on a permanent nontransient basis.

Registration of real property with mortgage-in-default.

- A. Any mortgagee who holds a mortgage on real property located within the Town shall perform an inspection of the property upon default by the mortgagor as evidenced by the filing of a foreclosure action and the subsequent Notice of Pendency.
- B. Within 10 days of the date any mortgagee files a ~~Notice of Pendency~~foreclosure action, the mortgagee shall register the real property with the Town Registry and, at the time of registration, shall indicate whether the property is vacant, and if so shall designate in writing a property manager to inspect, maintain and secure the real property subject to the mortgage in foreclosure. A separate registration is required for each registrable property.
- C. If the property is occupied but remains in default it shall be inspected by the mortgagee, or said mortgagee's designee, monthly until the mortgagor or other party remedies the default.
- D. Mortgage-in-default registration. Registration pursuant to this section shall contain the name of the mortgagee and mortgage servicer; the direct mailing address of the mortgagee and servicer; email address and telephone number; and the name and address, email, and telephone number of a local property manager who shall be responsible for the inspection, security and maintenance of the property. The local property manager named in the registration shall be located and available within Suffolk and Nassau Counties Monday through Friday between 9:00 a.m. and 5:00 p.m., holidays and lunch hours excepted, to be contacted by the Town.
- E. An ~~semi~~annual nonrefundable registration fee in the amount of ~~\$75500~~ per property shall accompany the mortgage-in-default registration form(s). Subsequent ~~semi~~annual registrations of defaulted properties and fees in the amount of ~~\$75500~~ are due within 10 days of the expiration of the previous registration.
- ~~F. If the foreclosing or foreclosed property is not registered, or the registration fee is not paid, within 30 days of when the registration or renewal is required pursuant to this section, a late fee equivalent to 10% of the semiannual registration fee shall be charged for every thirty day period.~~
- FG.** If the mortgage and/or servicing on a property is sold or transferred, the new mortgagee is subject to all the terms of this chapter. Within 10 days of the transfer, the new mortgagee shall register the property or update the existing registration. The previous mortgagee(s)

will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that mortgagee's involvement with the registrable property.

GH. This section shall also apply to properties that have been the subject of foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.

HL. Properties subject to this section shall remain under the semiannual mortgage-in-default registration requirement, inspection, security, and maintenance standards of this section as long as they remain in default.

IJ. Any person or other legal entity that has registered a property under this section must report any change of information contained in the registration within 10 days of the change.

JK. Failure of the mortgagee and/or property owner of record to properly register and/or update the information of the registered property in accordance with Subsection **J** of this section is a violation of the Town Code.

§ 6A-14 Maintenance requirements.

A. Properties subject to this article shall maintain the minimum maintenance standards as set forth in Article **IV** of this chapter.

B. The property shall also be maintained free of graffiti or similar markings by removal or painting over with an exterior-grade paint that matches the color of the exterior structure.

C. Pools and spas shall be kept in working order so that pool and spa water remains free and clear of pollutants and debris. Pools and spas shall comply with the enclosure requirements and any other requirements of this Code found in Chapter **68**, Article **XXVIII**, and the New York State Building Code and New York State Property Maintenance Code, as amended from time to time.

D. Failure of the mortgagee and/or property owner of record to properly maintain the property is a violation of the Town Code.

§ 6A-15 Security requirements.

- A. Properties subject to this article shall be maintained in a secure manner so as not to be accessible to unauthorized persons.
- B. A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property and/or structure. In the event the property is vacant, windows and doors should be boarded to HUD standards, to wit: 5/8-inch plywood, painted gray and bolted from the interior.
- C. If a mortgage on property is in default and has become vacant, the local property manager or mortgagee must perform weekly inspections to verify compliance with the requirements of this section, and the property shall be posted with the name and twenty-four-hour contact telephone number of the property manager. The sign shall be placed in a window facing the street and shall be visible from the street. The posting shall contain the following language with supporting information:

THIS PROPERTY IS MANAGED BY:

TELEPHONE NUMBER:

EMAIL:

- D. Failure of the mortgagee and/or property owner of record to properly inspect and secure the property, and post and maintain the signage noted in this section, is a violation of this Code.

§ 6A-16 Failure to register property.

It shall be a violation of this chapter to fail to register any property as defined by this article.

~~§ 6A-17 Violations and penalties.~~

~~Any person, association, firm or corporation found to have violated any provision of this article or who assists in the violation of any provision of this article shall be guilty of a violation, punishable by:~~

- ~~A. A fine of not less than \$250 and not exceeding \$1,000 or by imprisonment for a period not to exceed five days, or both, for conviction of a first offense.~~

~~B. For any second conviction, committed within a period of five years of the first conviction, such violation will be subject to a fine of not less than \$1,000 nor more than \$2,000 or by imprisonment for a period not to exceed 15 days, or both.~~

~~C. For any third or subsequent offense, after having been convicted two or more times within a period of five years, such violation shall be prosecuted as an unclassified misdemeanor, with a minimum fine of \$2,000 and a maximum fine of \$5,000 and/or up to one year incarceration, or a period of probation as permitted by law.~~

§ 6A-178 Failure to abate violations.

In the event that a violation is identified, such violation shall be reported to the owner of record or his designee, as identified within the property registration application. If the violation is not corrected within 10 days, the Town of Islip shall take the necessary action to abate the violation.

- A. Failure to comply with this article. Whenever the owners of a property shall fail to comply with the minimum standards of property maintenance, the Town Board may authorize the work to be done and shall provide for the cost thereof to be paid from general Town funds as directed by resolution of the Town Board, pursuant to the authority provided under §§ 64 and 130 of the Town Law.
- B. Assessment of costs and expenses, liens. All costs and expenses incurred by the Town in connection with the abatement of a violation of this article shall be assessed against the subject premises or lot. An itemization of such costs shall be provided to the Town Board by the Law Enforcement Department. The total costs and expenses shall then be determined by the Town Board and shall be reported to the Assessor of the Town as the amount to be assessed against the premises, and the expense so assessed shall constitute a lien and charge on the premises on which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other Town charges.

§ 6A-189 Registry exempt from disclosure.

Under New York State Public Officers Law § 87, the vacant property registry and all vacant property registration forms shall be exempt from disclosure under the Freedom of Information Law on the grounds that such disclosure would constitute an unwarranted invasion of personal privacy. The Commissioner of Public Safety Enforcement shall institute strict policies to ensure that such information is available only to Town personnel engaged in the enforcement of the provisions of this article and, in emergency situations, to members of law enforcement, the fire

service, emergency medical services, and public utility companies. The information contained in the property registry and all property registration forms shall not be disclosed to any party for sale.

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Islip will hold a Public Hearing to consider amending Chapter 6A, Article III of the Islip Town Code entitled “Community Preservation and Anti-Blight Enforcement”, on Tuesday, February 7, 2023, at 2:00 pm. A copy of the draft amendments are available upon request from the Office of the Islip Town Clerk located at 655 Main Street, Islip, NY 11751. Public comment can be made at the Town Board meeting on February 7, 2023, or by providing written comment prior to the date of the public hearing to the Islip Town Clerk at townclerk@islipny.gov.

**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 amending the Islip Town Code, Chapter 6A, Article III.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 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

Date

February 7, 2023
Resolution #

WHEREAS, the Town Board wishes to amend Chapter 6A, Article III of the Islip Town Code entitled "Community Preservation and Anti-Blight Enforcement" to align the Town Code with the newly adopted changes to the New York State Law.

WHEREAS, this amendment shall become effective twenty (20) days after filing with the Office of the Secretary of State for the State of New York; and

WHEREAS, a public hearing was held therefor on February 7, 2023.

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

RESOLVED, that the Town Board of the Town of Islip hereby amends, as of the twentieth day after filing with the Office of the Secretary of State for the State of New York, Chapter 6A, Article III of the Islip Town Code entitled "Community Preservation and Anti-Blight Enforcement" as follows:

SEE ATTACHED

ADDITIONS are indicated by UNDERLINING

DELETIONS are indicated by ~~STRIKEOUTS~~

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.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Town Clerk to advertise for a Public Hearing to consider amending Islip Town Code, Chapter 32, entitled "Littering".

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 P. Walsh, 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 amending the Islip Town Code, Chapter 32.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 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

Date

January 24, 2023
Resolution #

WHEREAS, a review of the Islip Town Code, Chapter 32 entitled "Littering" has been conducted by the Town Attorney; and

WHEREAS, on the basis of said review, there are certain modifications needed to update portions of the Code relating to the penalties associated with violating this Chapter; and

WHEREAS, the Town Board wishes to hold a public hearing to consider amending sections in Chapter 32 of the Islip Town Code entitled "Littering".

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

RESOLVED, that the Town Clerk is authorized to advertise for a public hearing to consider amending the Islip Town Code, Chapter 32, as follows:

SEE ATTACHED

ADDITIONS are indicated by UNDERLINING

DELETIONS are indicated by ~~STRIKEOUTS~~

Upon a vote being taken, the result was:

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Islip will hold a Public Hearing to consider amending Chapter 32, entitled "Littering," on Tuesday, February 7, 2023, at 2:00 pm. A copy of the draft amendments are available upon request from the Office of the Islip Town Clerk located at 655 Main Street, Islip, NY 11751. Public comment can be made at the Town Board meeting on February 7, 2023, or by providing written comment prior to the date of the public hearing to the Islip Town Clerk at townclerk@islipny.gov.

February __, 2023
Resolution #

WHEREAS, the Town Board wishes to amend Chapter 32 of the Islip Town Code entitled “Littering”; and

WHEREAS, this amendment shall become effective twenty (20) days after filing with the Office of the Secretary of State for the State of New York; and

WHEREAS, a public hearing was held therefor on February __, 2023.

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

RESOLVED, that the Town Board of the Town of Islip hereby amends, as of the twentieth day after filing with the Office of the Secretary of State for the State of New York, Chapter 32 entitled “Littering” as follows:

SEE ATTACHED

ADDITIONS are indicated by UNDERLINING

DELETIONS are indicated by ~~STRIKEOUTS~~

Upon a vote being taken, the result was:

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

Chapter 32

Littering

[HISTORY: Adopted by the Town Board of the Town of Islip 6-28-1966; amended in its entirety 8-16-2011. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Garbage and rubbish — See Ch. 21.

§ 32-1 Purpose.

The purpose of this chapter is to accomplish litter control in the Town and pursuant to the general laws of the State of New York to adopt basically uniform and coordinated litter control local legislation throughout the state. This chapter is intended to place upon all persons within the Town the duty of contributing to the public cleanliness and appearance of the Town in order to promote the public health, safety and welfare and to protect the economic interests of the people against the health and safety menace and the expense incident to the littering of the streets and public places by the promiscuous and uncontrolled distribution of advertising matter and commercial and noncommercial handbills.

§ 32-2 Definitions.

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future; words used in the plural number include the singular number; and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

AUTHORIZED PRIVATE RECEPTACLE

A litter storage and collection container which is durable, rust-resistant and capable of being tightly sealed. Receptacles used for the storage of garbage shall, in addition thereto, be nonabsorbent, watertight, easily washable and equipped with handles and shall not exceed 30 gallons in capacity. Biodegradable bags shall be deemed authorized private receptacles for the storage and collection of grass cuttings and leaves.

COMMERCIAL HANDBILL

Any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature, excluding newspapers:

- A. Which advertises for sale any merchandise, product, commodity, or thing; or
- B. Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales; or
- C. Which directs attention to or advertises any meeting, theatrical performance, exhibition or event of any kind for which an admission fee is charged for the purpose of private gain or profit; but the terms of this clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition or event of any kind when information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order; provided that nothing contained in this clause shall be deemed to authorize

the holding, giving or taking place of any meeting, theatrical performance, exhibition or event of any kind without a license, where such license is or may be required by any law of this state or under any ordinance of this City; or

- D. Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement and is distributed or circulated for advertising purposes or for the private benefit and gain of any person so engaged as advertiser or distributor.

COMMERCIAL PROPERTY

Any store, office building or group thereof; any professional, institutional, mercantile or industrial premises, and all yard and parking areas thereof; any vacant or unimproved commercial, business or industrial property.

LITTER

All waste material, including rubbish, which tends to create a danger to public health, safety and welfare or creates unsightliness .

NEWSPAPER

Any publication or newspaper of general circulation as defined by general law, any newspaper duly entered with the Post Office Department of the United States in accordance with the federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law; and in addition thereto, means and includes any periodical or current magazine regularly published with not less than four issues per year and sold to the public.

NONCOMMERCIAL HANDBILL

Any printed or written matter, any sample or device, circular, leaflet, pamphlet, magazine, paper, booklet or any other printed or otherwise reproduced original or copies of any matter of literature not included in the aforesaid definitions of "commercial handbill" or "newspaper."

PERSON

Any person, firm, partnership, association, corporation, company or organization of any kind.

PRIVATE PROPERTY

Any house, building or other structure designed or used, either wholly or in part, for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

PUBLIC PROPERTY

Any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds and buildings.

RESIDENTIAL PROPERTY

Any house, building or other structure designed or used, either wholly or in part, for a single-family or multiple-family dwelling, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure, including any vacant or unimproved residential property.

TOWN

The unincorporated areas in the Town of Islip.

§ 32-3 Littering prohibited.

No person shall dispose of litter in or upon public, private or commercial property within the Town except in public receptacles, in authorized private receptacles for collection or in official disposal areas. Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited upon any street, sidewalk or other public, private or commercial property. No person shall dispose of handbills upon vehicles without the consent of the owner of the vehicle.

§ 32-4 Maintenance of residential and commercial property.

Any person owning, occupying or in control of residential or commercial property shall maintain such property, including the sidewalk and street in front thereof, free of litter.

§ 32-5 Failure to remove litter; notice; assessment of costs.

- A. Authority to remove. In the event that the owner, occupant or person in control of such land shall fail to remove litter in the Town, including unregistered motor vehicle(s), vehicle parts and machinery, the Town shall have the authority as provided for herein to enter onto such land and clean the same and charge the cost of expense of such action against the owner and establish a lien in the manner herein provided.
- B. Town Board action. Any owner of real property in the Town shall be required to remove the litter which exists upon his land when directed to do so by resolution of the Town Board, pursuant to the authority provided under Town Law § 64(5).
- C. Notice to be served. Whenever the Town Board shall adopt a resolution requiring the owners of land to remove litter which exists thereon, the Town Board shall specify the time within which such work shall be completed. Such notice shall set forth, with reasonable certainty, the location at which the condition exists and the manner in which the removal work shall be performed. The owners shall be given at least 10 days from the date of the mailing of the notice during which the work shall be performed, and, in any event, such notice shall grant a reasonable time giving due consideration to the amount of accumulation of rubbish or debris and the location thereof. Notice of the adoption of a resolution requiring the removal work shall be served upon the owners of the property at which the condition exists, by certified mail, addressed to the last known address of said owner.
- D. Failure to comply. Whenever a notice or notices referred to in § 32-5C of this chapter have been served and the owner shall neglect or fail to comply with such notice within the time provided therein, the Town Board shall authorize the work to be done and shall provide for the cost thereof to be paid from general Town funds as directed by resolution.
- E. Manner of assessment of cost upon real property. In any case where it shall be necessary for the Town Board to have the work performed due to the failure of the owner to comply with the Town Board's resolution, the Town shall be reimbursed for the cost of the work performed or the services rendered at its direction, by assessment or levy upon the lots or parcels of land where such work was performed or such services rendered. All costs actually incurred by the Town upon each lot or parcel and the charge therefor shall be assessed and collected in the same manner and in the same time as other ad valorem Town charges.

§ 32-6 Throwing or distributing commercial and noncommercial handbills in public places.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any sidewalk, street or other public place within the Town, nor shall any person hand out or distribute or sell any commercial handbill in any public place; however, it is not unlawful on any sidewalk, street or other public place within the Town for any person to hand out or distribute, without charge to the receiver thereof, any noncommercial handbill to any person willing to accept it.

§ 32-7 Depositing commercial and noncommercial handbills on uninhabited or vacant property.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any private residence or other private property which is temporarily or continuously uninhabited or vacant.

§ 32-8 Distributing handbills on posted property.

No person shall throw, deposit or distribute any commercial or noncommercial handbill upon any private residence or other private property, if requested by anyone thereon not to do so, or if there is placed on the residence or property in a conspicuous position near the entrance thereof a sign bearing the words: "No Trespassing," "No Peddlers or Agents," "No Advertisement," or any similar notice, indicating in any manner that the occupants of the residence or property do not desire to have their right of privacy disturbed or to have any handbills left upon such premises.

§ 32-9 Distributing commercial and noncommercial handbills at inhabited private residences.

- A. No person shall throw, deposit or distribute any commercial or noncommercial handbill in or upon any private residence which is inhabited, except by handing or transmitting any such handbill directly to the owner, occupant, or other person then present in or upon such private residence; provided, however, that in case of an inhabited private residence which is not posted, as provided in this chapter, such person, unless requested by anyone upon such residence not to do so, may place or deposit any such handbill in or upon such inhabited private residence, if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifting about such residence or sidewalks, streets, or other public places, and except that mailboxes may not be so used when so prohibited by federal postal law or regulations, and in no event shall such handbill be placed or deposited upon the curb, sidewalk, driveway or front, rear or side yard.
- B. Exemption for mail and newspapers. The provisions of this section shall not apply to the distribution of mail by the United States or to newspapers (as defined in § 32-2) except that newspapers shall be placed on private residences or other private property in such manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place or upon private residences or other private property.

§ 32-10 Penalties for offenses.

~~The violation of any provision of this chapter shall be an offense against the chapter, which shall be punishable by a fine of not less than \$50 and not to exceed \$1,000 or imprisonment for a period not to exceed 15 days for each such offense, or by both such fine and imprisonment. Each and every day such violation continues shall constitute a separate offense, and the penalties prescribed above shall be applicable to each such separate offense, except that no further penalties shall be imposed for the period during which any appeal from a conviction of such offense is pending.~~

Any person who shall violate any of the provisions of this chapter or who shall fail to comply therewith or with any of the requirements thereof shall be guilty of an offense and, upon conviction thereof, a fine of not less than \$250 nor more than \$1,000 must be imposed, for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, a fine of not less than \$1,000 nor more than \$2,500 must be imposed; and, upon conviction for a third or subsequent offense, all of which were committed within a period of five years, a fine of not less than \$2,500 nor more than \$5,000 must be imposed.

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§ 32-11 Severability.

If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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

No. 33

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to enter into a Professional Services Agreement with North American Risk Services to manage the Town's general and automobile liability claims.

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 P. Walsh, 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.

By this Resolution, the Town Board authorizes the Town Supervisor to enter into an Agreement with North American Risk Services for the administration of its excess casualty claims (third party administrator services), specifically the Town's general and automobile liability claims.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip residents
 2. Site or location effected by resolution: Townwide
 3. Cost: Variable
 4. Budget Line: CS01 171041710
 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

January 24, 2023
Resolution #

WHEREAS, The Town of Islip ("Town") utilizes a third party administrator ("TPA") to manage the Town's general and automobile liability claims; and

WHEREAS, the current professional services agreement for such services with Rockville Risk Management has expired and the Town advertised a Request for Proposals ("RFPs"); and

WHEREAS, a committee was convened, reviewed the submitted Responses to the Town's RFP and thereafter evaluated each Proposer based on the score sheet; and

WHEREAS, pursuant to the committee's majority vote and in order to ensure accurate risk assessment, the Town wishes to enter into a new professional services agreement with North American Risk Services, 240 East Central Parkway, Suite 4010, Altamonte Springs, FL 32701; and

WHEREAS, based on the foregoing, the Acting Town Attorney recommends entering into an agreement with North American Risk Services to manage the Town's general and automobile liability claims;

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

RESOLVED, that the Supervisor of the Town of Islip is hereby authorized to enter into a professional services agreement with North American Risk Services to manage the Town's general and automobile liability claims in a form acceptable to the Office of the Town Attorney; and be it further

RESOLVED, that the comptroller is authorized to make the account entries necessary to amend the budget in accordance with the terms of the agreement.

UPON A VOTE BEING TAKEN, the result was:

REQUEST FOR PROPOSAL NO. TA-01-2022
OVERALL SCORE SHEET

Company Name: North American Risk

| | |
|--------------------------|------------|
| 1 Operational Capability | 167 |
| 2 Experience | 157 |
| 3 Financial Stability | 69 |
| 4 Proposed Cost | 54 |
| | <hr/> |
| | 447 Points |

Company Name: Corvel

| | |
|--------------------------|---------------|
| 1 Operational Capability | 162 |
| 2 Experience | 141.5 |
| 3 Financial Stability | 72 |
| 4 Cost | 65.75 |
| | <hr/> |
| | 441.25 Points |

Company Name: Rockville

| | |
|--------------------------|--------------|
| 1 Operational Capability | 167 |
| 2 Experience | 140 |
| 3 Financial Stability | 59 |
| 4 Cost | 32.5 |
| | <hr/> |
| | 398.5 Points |

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

No. 34

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Appointment of a Delegate and an Alternate Delegate to attend the 2023
Association of Towns 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

**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 designate a Delegate and an Alternate Delegate for the Annual Association of Town's Meeting to be held on February 19 through February 22, 2023.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: N/A
 3. Cost: N/A
 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. 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

January 24, 2023

Resolution #

WHEREAS, the New York State Association of Town's meeting is scheduled for February 19-22, 2023; 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 John M. Lorenzo is appointed as an Alternate delegate to the Association of Town's Annual Meeting to be held on February 19 through February 22, 2023.

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.
COUNCILMAN JAMES P. O'CONNOR
COUNCILMAN JORGE C. GUADRÓN
COUNCILMAN JOHN M. LORENZO

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board acceptance of a Deed of Dedication from Gatlas Enterprises, Inc. for a portion of property located at 820 South 2nd Street, Ronkonkoma.

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.

Resolution of Town Board accepting Deed of Dedication from GATLAS ENTERPRISES, INC. dated 11/17/22 for a portion of property located at 820 South 2nd Street, Ronkonkoma, N.Y. (SCTM # 0500-105.00-02.00-p/o 025.000) for road widening purposes as shown on the approved site plan (SP2020-007)

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
2. Site or location effected by resolution: 820 South 2nd Street, Ronkonkoma
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

1-17-23

Date

January 24, 2023

Resolution No.:

WHEREAS, the Commissioner of Planning, on behalf of the Planning Board, has required that the owner of a certain piece of property located at 820 South 2nd Street, Ronkonkoma, New York 11779 (SCTM # 0500-105.00-02.00-025.002) dedicate a portion of said property to the Town of Islip to be used for highway purposes; and

WHEREAS, the owner of said property, GATLAS ENTERPRISES, INC, has submitted to the Town of Islip a deed dated November 17, 2022, making the required conveyance; and

WHEREAS, the Department of Engineering and the Town Attorney's Office have examined the deed with the metes and bound description and found it acceptable as to form; and

WHEREAS, the dedication is consistent with the applicable provisions of the Town Law Sections 174A, 277 and 278;

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

RESOLVED, that the said deed is hereby accepted and the Town Attorney be and he hereby is authorized to take the necessary steps to have 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. 36

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board approval to appoint Marc Herbst as a Director of Midway Crossing Local Development Corporation, to replace Donald Rettaliata, Jr. who resigned and to approve the joint appointment by the Suffolk County Legislature and the Islip Town Board of Mitch Pally as a Director, who shall serve as the Chairperson of the Corporation.

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 P. Walsh, 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.

Authorization for the Town to (i) appoint Marc Herbst as a Director of Midway Crossing Local Development Corporation, to replace Donald Rettaliata, Jr., who resigned by letter dated January 8, 2023 and (ii) to approve the joint appointment by the Suffolk County Legislature and the Town of Islip Town Board of Mitch Pally as a Director, who shall also serve as the Chairperson of the Corporation.



SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip, Suffolk County, JLL
 2. Site or location effected by resolution: 500-106.00-01.00-06.012 & 06.013 & 06.009
 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

Resolution #:
Dated: January 24, 2023

**RESOLUTION AUTHORIZING THE REPLACEMENT OF A
DIRECTOR AND THE JOINT APPOINTMENT OF A
CHAIRPERSON TO THE MIDWAY CROSSING LOCAL
DEVELOPMENT CORPORATION**

WHEREAS, by Town Board resolution adopted on August 9, 2022, the Town of Islip approved the formation of the Midway Crossing Local Development Corporation, a Corporation formed jointly between the Town of Islip and the County of Suffolk in accordance with N-PCL; and

WHEREAS, by Town Board resolution adopted on August 9, 2022, the Town appointed three (3) Directors of the Corporation; and

WHEREAS, Donald A. Rettaliata, Jr., resigned from his appointment as a Director by letter dated January 8, 2023; and

WHEREAS, in light of said resignation, the Town wishes to appoint a Director to serve in place and stead of Donald Rettaliata Jr., and

WHEREAS, that One Director shall be appointed jointly by the County Legislature and the Town of Islip Town Board and such Director shall serve as the Chairperson of the Corporation.

NOW, THEREFORE, it is

1st RESOLVED, that the Town appoints Marc Herbst as a Director to replace Donald Rettaliata, Jr; and

2nd RESOLVED, that the Director to be appointed jointly by the Suffolk County Legislature and the Town of Islip Town Board shall be Mitch Pally, who shall serve as the Chairperson of the Corporation

3rd RESOLVED, that the Board of Directors appointed by this resolution are hereby empowered, authorized and directed to take all actions as may be required in furtherance of the designation of the Corporation; and be it further

4th RESOLVED, that this Town Board, hereby finds and determines that the Town of Islip Town Clerk, is authorized to take such actions and execute such documents as he/she deems necessary or appropriate to carry out these resolutions.

Upon a vote being taken, the result was:

MARC HERBST



AREAS OF EXPERTISE

Administration and Management

- Transform moribund, stagnant organizations; implement necessary cultural change, enhance professionalism, increase ethical practices and credibility, and encourage excitement and growth
- Manage complex studies and public works projects
- Ability to coordinate and direct multiple consultant teams and personnel
- Oversee and manage project controls and budgets
- Familiarity and knowledge of public and nonprofit agencies, the cultures, procedures, and key decision-makers

Communications and Public Advocacy

- Develop and execute short and long-term strategic objectives for public relations
- Arrange and participate in media events and press conferences
- Act and appear in media on behalf of the organization
- Maintain internal and external dialogue concerning organizational projects and goals
- Coordinate a unified oral, written, and visual message for the organization
- Advocate organizational commitment and value to the community
- Ensure that external efforts promote a positive image and the organization's core message
- Identify, survey, and engage business and community opinion and decision-makers

Labor Relations

- Negotiate in achieving amicable collective bargaining agreements with organized labor
- Represent employers' interests in grievance dispute panels
- Serve as employer trustee on several multi-million-dollar Taft-Hartley benefits and pension funds

Public Policy and Strategic Planning

- Intimate knowledge of intricacies involved to effectively participate and help maneuver issues through legislative and regulatory processes
- Effective leadership of government personnel and collaborative delivery of services for municipalities
- Experience in testifying and participating in various legislative and executive committees and hearings at all levels of government, including Congress
- Understanding of responsibilities and roles of various governmental regulatory agencies, their complex inter-relationships, and the ability to successfully navigate among them
- Ability to effectively lobby elected and political party officials, regardless of political affiliation
- Wisdom and understanding of formal and informal dynamics of the political process

EMPLOYMENT

Long Island Contractors' Association, Inc. (LICA) (September 2006 – present)

- Executive Director
- President, New York State Roadway Improvement Coalition
- Past Chair of Council of State Executives, American Road and Transportation Builders Association
- Employer Trustee, several Multiemployer Benefit and Pension Trust Funds
- Member, Long Island Economic Development Council's Infrastructure Committee

Evangelical Lutheran Church in America (January 2011- present)

- Interim Pastor, Church of the Good Shepherd – Lutheran, Plainview, NY
- Pastor, Church of Our Saviour, Lutheran, Manhasset, NY
- Chief of Staff for Bishop/Director of Strategic Planning, Metropolitan New York Synod
- Pastor, Faith Evangelical Lutheran Church, Syosset, NY
- Executive Committee, Metropolitan New York Synod

New York State Thruway Authority (January 2003 – September 2006)

- Executive Project Manager, Tappan Zee Bridge/I-287 Environmental Review
- Director of Transportation Planning and Environmental Services

Member of Assembly, State of New York (five terms, February 1994 - December 2002)

- Ranking Member of the Assembly Standing Committee on Transportation
- Other committee assignments: Ways & Means, Energy (former ranking member)
- Member of the Legislative Commission on Critical Transportation Choices
- Member of the Metropolitan Transportation Authority's Capital Review Board

Town of Oyster Bay, State of New York (July 1982 – February 1994)

- Chief Deputy Receiver of Taxes
- Assistant to Town Supervisor

EDUCATION

St. Bernard's School of Theology & Ministry, Rochester, NY [REDACTED]

- Master of Divinity (includes study at Lutheran School of Theology at Chicago, and internationally in France, Germany, and Switzerland)

New York University Tandon School of Engineering/Polytechnic Institute Brooklyn, NY [REDACTED]

- M.S., Transportation Planning & Engineering

SUNY Empire State College, Saratoga Springs, NY [REDACTED]

- B.S., Business Administration/Political Science – SUNY Alumni Honor Roll; Distinguished Alumni Award

PROFESSIONAL LEADERSHIP POSITIONS

United Way of Long Island, Board Member, 2013 - present

Long Island MacArthur Airport (ISP), Advisory Board Member, 2017 – present

Molloy College's Energeia Regional Stewardship Program, Board Member, 2018 – present; Class of 2008

Long Island Lutheran Middle-High School, Strategic Planning Committee – 2019 present

Bethpage Federal Credit Union, Associate Board Director, 2019 – 2022

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

No. 37

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to sign site plan review application on behalf of Brentwood Volunteer Ambulance District and Town of Islip, as owners of 29 3rd Avenue and 25 3rd Avenue in Brentwood.

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.

On November 15, 2022, Resolution #18 authorized the Supervisor to enter into a contract of sale for the Volunteer District Parcel of vacant land located at 23 3rd Ave., Brentwood subject to the merger and consolidation with the Town Parcel and the Legion-Ambulance Parcel; and

On November 15, 2022, Resolution # 19 authorized the Supervisor to enter into a contract of sale for the Town-owned parcel located at 25 3rd Ave., Brentwood subject to the merger and consolidation of the Volunteer Ambulance District Parcel and the Legion-Ambulance Parcel.

The attached resolution authorizes the Supervisor to sign the site plan application and any associated permit applications on behalf of the Volunteer District, as owner of the District Parcel, and on behalf of the Town of Islip as owner of the Town Parcel for the property located at 29 3rd Ave., Brentwood, NY.

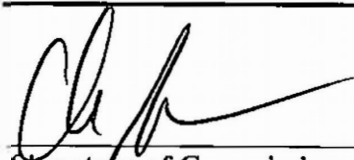
The supervisor's signature shall not be construed as support or approval of the proposals, rather permission to submit such applications and documents for review.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Brentwood Volunteer Ambulance District
 2. Site or location effected by resolution: 23,25, & 29 3rd Ave., Brentwood, NY
 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 34. 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

1-17-2023

Date

WHEREAS, Brentwood Volunteer Ambulance District (the “Volunteer District”) is the fee owner of a certain parcel of real property located at 29 3rd Avenue in Brentwood, New York (SC Tax Map # 500-136-3-16.001), which is currently improved with an ambulance dispatch building (hereinafter, the “Volunteer District Parcel”); and

WHEREAS, the Town of Islip (the “Town”) is the fee owner of the adjacent parcel of real property to the west of the Volunteer District Parcel, which consists of approximately 9,290 square feet of vacant land and has an address of 25 3rd Avenue, (SC Tax Map # 500-136-3-17) (hereinafter, the “Town Parcel”); and

WHEREAS, Brentwood Legion Ambulance Services, Inc. (“Legion Ambulance”) is the fee owner of real property adjacent to the west of the Town-owned Parcel, which consists of approximately 13,935 square feet of vacant land and has an address of 23 3rd Avenue (SC Tax Map # 500-136-3-18) (hereinafter, the “Legion Ambulance Parcel”); and

WHEREAS, on November 15, 2022, by Resolution #18, the Town Board, acting on behalf of the Volunteer District, declared the Volunteer District Parcel to be, “surplus,” and authorized the Supervisor to enter into a contract of sale for said parcel with Legion Ambulance, in exchange for \$2,300,000.00, subject to the merger and consolidation with the Town Parcel and the Legion-Ambulance Parcel; and

WHEREAS, on November 15, 2022, by Resolution #19, the Town Board declared the Town-owned Parcel to be, “surplus,” and authorized the Supervisor to enter into a contract of sale for said parcel with Legion Ambulance, in exchange for \$100,000.00, subject to the merger and consolidation with the Volunteer Ambulance District Parcel and the Legion Ambulance Parcel; and

WHEREAS, the Volunteer District and the Town have yet to enter into a contract with Legion Ambulance or close on the sale of the District Parcel; and

WHEREAS, Legion Ambulance is seeking to expand the size of its dispatch building on the Volunteer District Parcel and make associated site improvements that would encroach upon the Town Parcel; and

WHEREAS, R&W Engineers, P.C., (“R&W”) with offices at 380 Townline Road – Suite 150, Hauppauge, NY, has prepared a site plan for the proposed improvements on behalf of Legion Ambulance, which it wishes to submit the Town Department of Planning and Development for review; and

WHEREAS, Legion Ambulance, as applicant, and R&W, as the applicant’s representative, have requested that the Supervisor sign the applicant’s site plan review application (“the site plan review application”) on behalf of the Volunteer District, as owner of the Volunteer District Parcel, and the Town of Islip, as owner of the Town Parcel and

WHEREAS, the Town Board wishes to authorize the Supervisor to sign the site plan review application and any associated permit applications, if any, on behalf of the Volunteer District, as owner of the District Parcel, and the Town of Islip, as owner of the Town Parcel, with the express condition that the Supervisor’s signature(s) not be construed as support or approval of proposed plans by R&W or Legion Ambulance, but rather as permission from the Volunteer District and the Town to submit such applications to authorities having jurisdiction for their review;

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

RESOLVED, that the Supervisor is hereby authorized to sign the site plan review application and any associated permit applications, if any, on behalf of the Volunteer District, as owner of the District Parcel, and the Town of Islip, as owner of the Town Parcel, as well as any necessary documentation attendant thereto, the form and content of which shall be subject to approval by the Town Attorney, with the express condition that the signing of such documents not be construed as support or approval of proposed plans by R&W or Legion Ambulance, but rather as permission from the Volunteer District and the Town to submit such documents to authorities having jurisdiction for their review.

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: MICHAEL P. WALSH, ESQ.

RE: TOWN BOARD DISCUSSION AGENDA

Next is an authorization for the Town Clerk to advertise for a Public Hearing to consider a one year contract with Bay Shore-Brightwaters Rescue Ambulance Inc. to provide emergency ambulance services to the residents of the District.

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 items for Town Board action 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 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 Clerk to advertise for a Public Hearing to consider a one (1) year contract with Bay Shore-Brightwaters Rescue Ambulance Inc. for providing emergency ambulance services for the residents and persons situated in the Bay Shore/Brightwaters Ambulance District for the year 2023 for an annual consideration of \$3,126,773.00 ("Contract Fee"), of which \$1,826,773.00 shall be raised from taxes and \$1,300,000.00 shall be paid from billing revenue only.

SPECIFY WHERE APPLICABLE:

1. **Entity or individual benefitted by resolution:** Residents and persons within the Bay Shore/Brightwaters Ambulance District
 2. **Site or location effected by resolution:** Area serviced by the Bay Shore Ambulance District
 3. **Cost:** As described above.
 4. **Budget Line:** N/A
 5. **Amount and source of outside funding:** To be paid by District property owners and users
-

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 II under Part 617 of the NYCRR. ~~Short EAF required.~~

Signature of Commissioner/Department Head Sponsor.
Joseph Ludwig

Date

January 24, 2023
Resolution #

WHEREAS, the current Contract in place between the **TOWN OF ISLIP**, on behalf of the **BAY SHORE/BRIGHTWATERS AMBULANCE DISTRICT**, with **BAY SHORE-BRIGHTWATERS RESCUE AMBULANCE INC.**, to provide ambulance services for residents and persons situated within the **BAY SHORE/BRIGHTWATERS AMBULANCE DISTRICT**, expired on the 31st day of December, 2022; and

WHEREAS, prior to the execution of any new Contract, a Public Hearing is necessary.

NOW, THEREFORE, on motion of _____, seconded by
Councilperson _____ ;

BE IT RESOLVED that the Town Clerk is hereby authorized to advertise for a Public Hearing to be held on February 7, 2023 at 2:00 p.m. in the afternoon for the purpose of considering contracting with the **BAY SHORE-BRIGHTWATERS RESCUE AMBULANCE INC.** for the same services for an additional year upon the following general terms:

1. **BAY SHORE-BRIGHTWATERS RESCUE AMBULANCE INC.** shall answer and attend to all emergency calls within the **BAY SHORE/BRIGHTWATERS AMBULANCE DISTRICT**;
2. The term of said Contract shall be for one year commencing on the 1st day of January, 2023 and terminate on the 31st day of December, 2023;
3. For such services, the **BAY SHORE-BRIGHTWATERS RESCUE AMBULANCE INC.** shall receive the sum of \$3,126,773.00 ("Contract Fee") as an annual payment, of which \$1,826,773.00 shall be raised from taxes and \$1,300,000.00 shall be paid from billing revenue only; and
4. The terms of the Contract shall be substantially similar to the previous existing Contract for the year 2022.

Upon a vote being taken, the result was:

NOTICE OF PUBLIC HEARING
ON CONTRACT
BETWEEN TOWN OF ISLIP, ON BEHALF OF BAY SHORE/BRIGHTWATERS
AMBULANCE DISTRICT, AND BAY SHORE-BRIGHTWATERS RESCUE AMBULANCE,
INC.
FOR THE YEAR 2023

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Islip on Tuesday, February 7, 2023 at 2:00 p.m., at Islip Town Hall, 655 Main Street, Islip, NY 11751, for the purpose of considering the contracting with the Bay Shore-Brightwaters Rescue Ambulance, Inc., to provide emergency ambulance services for the residents and persons situated within the Bay Shore/Brightwaters Ambulance District upon the following general terms, to wit:

1. The Bay Shore-Brightwaters Rescue Ambulance Service, Inc. shall answer and attend to all emergency calls within said Bay Shore/Brightwaters Ambulance District.
2. The term of such Contract shall be for one year, commencing retroactively on the 1st day of January 2023, and to continue to and include the 31st day of December 2023.
3. For such services the Bay Shore-Brightwaters Rescue Ambulance, Inc. shall receive an annual payment in the sum of \$3,126,773.00 ("Contract Fee") of which \$1,826,773.00 shall be raised from taxes and \$1,300,000.00 shall be paid from billing revenue only.
4. The terms of the contract shall be substantially similar to those of the previously existing Contract for the year 2022.

Anyone interested in providing comments to the Town Board regarding this matter is encouraged to do so prior to the date of the hearing by providing written comment to the Islip Town Clerk at townclerk@islipny.gov.

TOWN BOARD, TOWN OF ISLIP

Town Clerk, Town of Islip

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

No. 39

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Town Clerk to advertise for a Public Hearing to consider entering into an Agreement with Exchange Ambulance Corporation of the Islips for their services for 2023.

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 items for Town Board action 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 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 Clerk to advertise for a Public Hearing to consider a one (1) year contract with Exchange Ambulance Corporation of the Islips for providing emergency ambulance services for the residents and persons situated in the Exchange of the Islips Ambulance District for the year 2023 for an annual consideration of \$3,134,500.00 ("Contract Fee") of which \$1,170,500.00 shall be raised from taxes and \$1,964,000.00 will be paid from billing revenue only.

SPECIFY WHERE APPLICABLE:

1. **Entity or individual benefitted by resolution:** Residents and persons within the Exchange of the Islips Ambulance District
 2. **Site or location effected by resolution:** Area serviced by the Exchange of the Islips Ambulance District
 3. **Cost:** As Described Above
 4. **Budget Line:** N/A
 5. **Amount and source of outside funding:** To be paid by District property owners and users
-

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 II under Part 617 of the NYCRR. ~~Short EAF required.~~

Signature of Commissioner/Department Head Sponsor.
Joseph Ludwig

11/7/23
Date

NOTICE OF PUBLIC HEARING
ON CONTRACT
BETWEEN TOWN OF ISLIP, ON BEHALF OF EXCHANGE OF THE ISLIPS
AMBULANCE DISTRICT, AND EXCHANGE AMBULANCE
CORPORATION OF THE ISLIPS
FOR THE YEAR 2023

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Islip on Tuesday, February 7, 2023 at 2:00 p.m., at Islip Town Hall, 655 Main Street, Islip, NY 11751, for the purpose of considering the contracting of Exchange Ambulance Corporation of the Islips, to provide emergency ambulance services for the residents and persons situated within the Exchange of the Islips Ambulance District upon the following general terms, to wit:

1. The Exchange Ambulance Corporation of the Islips shall answer and attend to all emergency calls within said Exchange of the Islips Ambulance District.
2. The term of such Contract shall be for one year, commencing retroactively on the 1st day of January 2023, and to continue to and include the 31st day of December 2023.
3. For such services the Exchange Ambulance Corporation of the Islips shall receive an annual payment in the sum of \$3,134,500 ("Contract Fee") of which \$1,170,500.00 shall be raised from taxes and \$1,964,000.00 shall be paid from billing revenue only.
4. The terms of the contract shall be substantially similar to those of the previously existing Contract for the year 2022.

Anyone interested in providing comments to the Town Board regarding this matter is encouraged to do so prior to the date of the hearing by providing written comment to the Islip Town Clerk at townclerk@islipny.gov.

TOWN BOARD, TOWN OF ISLIP

Town Clerk, Town of Islip

January 24, 2023
Resolution #

WHEREAS, the current Contract in place between the **TOWN OF ISLIP**, on behalf of the **EXCHANGE AMBULANCE OF THE ISLIPS AMBULANCE DISTRICT**, with **EXCHANGE AMBULANCE CORPORATION OF THE ISLIPS**, to provide ambulance services for residents and persons situated within the **EXCHANGE AMBULANCE OF THE ISLIPS AMBULANCE DISTRICT** expired on the 31st day of December, 2022; and

WHEREAS, prior to the execution of any new Contract, a Public Hearing is necessary.

NOW, THEREFORE, on motion of _____, seconded by
Councilperson _____ ;

BE IT RESOLVED that the Town Clerk is hereby authorized to advertise for a Public Hearing to be held on February 7, 2023 at 2:00 p.m. in the afternoon for the purpose of considering contracting with the **EXCHANGE AMBULANCE CORPORATION OF THE ISLIPS** for the same services for an additional year upon the following general terms:

1. The **EXCHANGE AMBULANCE CORPORATION OF THE ISLIPS** shall answer and attend to all emergency calls within the **EXCHANGE AMBULANCE OF THE ISLIPS AMBULANCE DISTRICT**;
2. The term of said Contract shall be for one year commencing on the 1st day of January, 2023 and terminate on the 31st day of December, 2023;
3. For such services, the **EXCHANGE AMBULANCE CORPORATION OF THE ISLIPS** shall receive the sum of \$2,985,500.00 as an annual payment ("Contract Fee") of which \$1,170,500.00 shall be raised from taxes and \$1,815,000.00 shall be paid from billing revenue only; and
4. The terms of the Contract shall be substantially similar to the previous existing Contract for the year 2022.

Upon a vote being taken, the result was:

**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:

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Town Clerk to advertise for a Public Hearing to consider a one year contract with Community Ambulance Company, Inc. to provide emergency ambulance services to the residents of the District.

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 items for Town Board action 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 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 Clerk to advertise for a Public Hearing to consider a one (1) year contract with Community Ambulance, Inc. for providing emergency ambulance services for the residents and persons within the Sayville Ambulance District for the year 2023 for an annual consideration of \$5,334,884.00 ("Contract Fee") of which \$2,074,884.00 shall be raised from taxes and \$3,260,000.00 will be paid from billing revenue only.

SPECIFY WHERE APPLICABLE:

1. **Entity or individual benefitted by resolution:** Residents and persons within the Sayville Ambulance District
 2. **Site or location effected by resolution:** Area serviced by the Sayville Ambulance District
 3. **Cost:** As Described Above
 4. **Budget Line:** N/A
 5. **Amount and source of outside funding:** To be paid by District property owners and users
-

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 II under Part 617 of the NYCRR. Short EAF required.

Signature of Commissioner/Department Head Sponsor.
Joseph Ludwig

Date
1/22/22

NOTICE OF PUBLIC HEARING
ON CONTRACT
BETWEEN TOWN OF ISLIP, ON BEHALF OF THE SAYVILLE AMBULANCE DISTRICT,
AND THE COMMUNITY AMBULANCE, INC.
FOR THE YEAR 2023

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Islip on Tuesday, February 7, 2023 at 2:00 p.m., at Islip Town Hall, 655 Main Street, Islip, NY 11751, for the purpose of considering the contracting with the **Community Ambulance Inc.** to provide emergency ambulance services for the residents and persons situated within the **Sayville Ambulance District** upon the following general terms, to wit:

1. The **Community Ambulance, Inc.** shall answer and attend to all emergency calls within said **Sayville Ambulance District**.
2. The term of such Contract shall be for one year, commencing retroactively on the 1st day of January 2023, and to continue to and include the 31st day of December 2023.
3. For such services **Community Ambulance Inc.** shall receive an annual payment in the amount of \$5,334,884.00 ("Contract Fee"), of which \$2,074,884.00 shall be raised from taxes and \$3,260,000.00 shall be paid from billing revenue only.
4. The terms of the contract shall be substantially similar to those of the previously existing Contract for the year 2022.

Anyone interested in providing comments to the Town Board regarding this matter is encouraged to do so prior to the date of the hearing by providing written comment to the Islip Town Clerk at townclerk@islipny.gov.

TOWN BOARD, TOWN OF ISLIP

Town Clerk, Town of Islip

January 24, 2023
Resolution #

WHEREAS, the current Contract in place between the **TOWN OF ISLIP**, on behalf of the **SAYVILLE AMBULANCE DISTRICT**, with **COMMUNITY AMBULANCE, INC.**, to provide ambulance services for residents and persons situated within the **SAYVILLE AMBULANCE DISTRICT**, expired on the 31st day of December, 2022; and

WHEREAS, prior to the execution of any new Contract, a Public Hearing is necessary.

NOW, THEREFORE, on motion of _____, seconded by
Councilperson _____ ;

BE IT RESOLVED that the Town Clerk is hereby authorized to advertise for a Public Hearing to be held on February 7, 2023 at 2:00 p.m. in the afternoon for the purpose of considering contracting with **COMMUNITY AMBULANCE, INC.** for the same services for an additional year upon the following general terms:

1. **COMMUNITY AMBULANCE, INC.** shall answer and attend to all emergency calls within the **SAYVILLE AMBULANCE DISTRICT**;
2. The term of said Contract shall be for one year commencing on the 1st day of January, 2023 and terminate on the 31st day of December, 2023;
3. For such services, the **COMMUNITY AMBULANCE, INC.** shall receive the sum of \$5,334,884.00 as an annual payment ("Contract Fee"); of which \$2,074,884.00 shall be raised from taxes and \$3,260,000.00 shall be paid from billing revenue only; and
4. The terms of the Contract shall be substantially similar to the previous existing Contract for the year 2022.

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:

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Town Clerk to advertise for a Public Hearing to consider a one year contract with Central Islip-Hauppauge Volunteer Ambulance Inc. to provide emergency ambulance services to the residents of the District.

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 items for Town Board action 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 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 Clerk to advertise for a Public Hearing to consider a one (1) year contract with Central Islip-Hauppauge Volunteer Ambulance, Inc. for providing emergency ambulance services for the residents and persons situated in the Central Islip-Hauppauge Volunteer Ambulance District for the year 2023 for an annual consideration of \$4,622,000.00 ("Contract Fee") of which \$1,362,000.00 shall be raised from taxes and \$3,260,000.00 will be paid from billing revenue only.

SPECIFY WHERE APPLICABLE:

1. **Entity or individual benefitted by resolution:** Residents and persons within the Central Islip-Hauppauge Volunteer Ambulance District
 2. **Site or location effected by resolution:** Area serviced by the Central Islip-Hauppauge Volunteer Ambulance District
 3. **Cost:** As Described Above
 4. **Budget Line:** N/A
 5. **Amount and source of outside funding:** To be paid by District property owners and users
-

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 II under Part 617 of the NYCRR. ~~Short EAF required.~~

Signature of Commissioner/Department Head Sponsor.
Joseph Ludwig

1/20/23
Date

January 24, 2023
Resolution #

WHEREAS, the current Contract in place between the **TOWN OF ISLIP**, on behalf of the **CENTRAL ISLIP-HAUPPAUGE VOLUNTEER AMBULANCE DISTRICT**, with **CENTRAL ISLIP-HAUPPAUGE VOLUNTEER AMBULANCE, INC.**, to provide ambulance services for residents and persons situated within the **CENTRAL ISLIP-HAUPPAUGE VOLUNTEER AMBULANCE DISTRICT**, expired on the 31st day of December, 2022; and

WHEREAS, prior to the execution of any new Contract, a Public Hearing is necessary.

NOW, THEREFORE, on motion of _____, seconded by
Councilperson _____ ;

BE IT RESOLVED that the Town Clerk is hereby authorized to advertise for a Public Hearing to be held on February 7, 2023 at 2:00 p.m. in the afternoon for the purpose of considering contracting with the **CENTRAL ISLIP-HAUPPAUGE VOLUNTEER AMBULANCE INC.** for the same services for an additional year upon the following general terms:

1. The **CENTRAL ISLIP-HAUPPAUGE VOLUNTEER AMBULANCE INC.** shall answer and attend to all emergency calls within the **CENTRAL ISLIP-HAUPPAUGE VOLUNTEER AMBULANCE DISTRICT**;
2. The term of said Contract shall be for one year commencing on the 1st day of January, 2023 and terminate on the 31st day of December, 2023;
3. For such services, the **CENTRAL ISLIP-HAUPPAUGE VOLUNTEER AMBULANCE INC.** shall receive the sum of \$4,622,000.00 as an annual payment ("Contract Fee"), of which \$1,362,000.00 shall be raised from taxes and \$3,260,000.00 will be paid from billing revenue only; and
4. The terms shall be substantially similar to the previous existing Contract for the year 2022.

Upon a vote being taken, the result was:

NOTICE OF PUBLIC HEARING
ON CONTRACT
BETWEENTOWN OF ISLIP, ON BEHALF OF CENTRAL ISLIP-HAUPPAUGE
AMBULANCE DISTRICT, AND CENTRAL ISLIP-HAUPPAUGE VOLUNTEER
AMBULANCE INC.
FOR THE YEAR 2023

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Islip on Tuesday, February 7, 2023 at 2:00 p.m., at Islip Town Hall, 655 Main Street, Islip, NY 11751, for the purpose of considering the contracting with the Central Islip-Hauppauge Volunteer Ambulance Inc., to provide emergency ambulance services for the residents and persons situated within the Central Islip-Hauppauge Ambulance District upon the following general terms, to wit:

1. The Central Islip-Hauppauge Volunteer Ambulance, Inc. shall answer and attend to all emergency calls within said Central Islip-Hauppauge Ambulance District.
2. The term of such Contract shall be for one year, commencing retroactively on the 1st day of January 2023, and to continue to and include the 31st day of December 2023.
3. For such services the Central Islip-Hauppauge Volunteer Ambulance Inc. shall receive an annual payment in the amount of \$4,622,000.00 ("Contract Fee"), of which \$1,362,000.00 shall be raised from taxes and \$3,260,000.00 shall be paid from billing revenue only.
4. The terms of the contract shall be substantially similar to those of the previously existing Contract for the year 2022.

Anyone interested in providing comments to the Town Board regarding this matter is encouraged to do so prior to the date of the hearing by providing written comment to the Islip Town Clerk at townclerk@islipny.gov.

TOWN BOARD, TOWN OF ISLIP

Town Clerk, Town of Islip

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

No. 42

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Town Clerk to advertise for a Public Hearing to consider entering into an Agreement with the Brentwood Legion Ambulance Services Inc. for their services for 2023.

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 items for Town Board action 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 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 Clerk to advertise for a Public Hearing to consider a one (1) year contract with Brentwood Legion Ambulance Services, Inc. for providing emergency ambulance services for the residents and persons situated in the Brentwood Volunteer Ambulance District for the year 2023 for an annual consideration of \$8,058,500.00 ("Contract Fee") of which \$3,058,500.00 shall be paid from taxes and \$5,000,000.00 shall be paid from billing revenue only.

SPECIFY WHERE APPLICABLE:

1. **Entity or individual benefitted by resolution:** Residents and persons within the Brentwood Volunteer Ambulance District.
 2. **Site or location effected by resolution:** Area serviced by the Brentwood Volunteer Ambulance District
 3. **Cost:** As described above
 4. **Budget Line:** N/A
 5. **Amount and source of outside funding:** To be paid by District property owners and users
-

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 II under Part 617 of the NYCRR. ~~Short EAF required.~~

Signature of Commissioner/Department Head Sponsor.
Joseph Ludwig

11/17/23
Date

NOTICE OF PUBLIC HEARING
ON CONTRACT
BETWEEN TOWN OF ISLIP, ON BEHALF OF BRENTWOOD LEGION AMBULANCE
SERVICE INC. DISTRICT, AND BRENTWOOD LEGION AMBULANCE SERVICE INC..
FOR THE YEAR 2023

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Islip on Tuesday, February 7, 2023 at 2:00 p.m., at Islip Town Hall, 655 Main Street, Islip, NY 11751, for the purpose of considering the contracting with the Brentwood Legion Ambulance Service Inc., to provide emergency ambulance services for the residents and persons situated within the Brentwood Legion Ambulance Service Inc. District upon the following general terms, to wit:

1. The Brentwood Legion Ambulance Service Inc. shall answer and attend to all emergency calls within said Brentwood Legion Ambulance Service Inc. District.
2. The term of such Contract shall be for one year, commencing retroactively on the 1st day of January 2023, and to continue to and include the 31st day of December 2023.
3. For such services the Brentwood Legion Ambulance Service Inc. shall receive an annual payment in the sum of \$8,058,500.00 ("Contract Fee") of which \$3,058,500.00 shall be paid from taxes and \$5,000,000.00 shall be paid from billing revenue only.
4. The terms of the contract shall be substantially similar to those of the previously existing Contract for the year 2022.

Anyone interested in providing comments to the Town Board regarding this matter is encouraged to do so prior to the date of the hearing by providing written comment to the Islip Town Clerk at townclerk@islipny.gov.

TOWN BOARD, TOWN OF ISLIP

Town Clerk, Town of Islip

January 24, 2023
Resolution #

WHEREAS, the current Contract in place between the **TOWN OF ISLIP**, on behalf of the **BRENTWOOD VOLUNTEER AMBULANCE DISTRICT**, with **BRENTWOOD LEGION AMBULANCE SERVICE, INC.** to provide ambulance services for residents and persons situated within the **BRENTWOOD VOLUNTEER AMBULANCE DISTRICT**, expired on the 31st day of December, 2022; and

WHEREAS, prior to the execution of any new Contract, a Public Hearing is necessary.

NOW, THEREFORE, on motion of _____, seconded by
Councilperson _____ ;

BE IT RESOLVED that the Town Clerk is hereby authorized to advertise for a Public Hearing to be held on February 7, 2023 at 2:00 p.m. in the afternoon for the purpose of considering contracting with **BRENTWOOD LEGION AMBULANCE SERVICE INC.** for the same services for an additional year upon the following general terms:

1. **BRENTWOOD LEGION AMBULANCE SERVICE INC.** shall answer and attend to all emergency calls within the **BRENTWOOD VOLUNTEER AMBULANCE DISTRICT**;
2. The term of said Contract shall be for one year commencing on the 1st day of January, 2023 and terminate on the 31st day of December, 2023;
3. For such services, the **BRENTWOOD LEGION AMBULANCE SERVICE INC.** shall receive the sum of \$8,058,500.00 as an annual payment ("Contract Fee") of which \$3,058,500.00 shall be raised from taxes and \$5,000,000.00 shall be paid from billing revenue only.
4. The terms of the Contract shall be substantially similar to the previous existing Contract for the year 2022.

Upon a vote being taken, the result was:

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

No. 43

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

FROM: MICHAEL P. WALSH, ACTING TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Town Board approval of the list of employees and titles which must file
Financial Disclosure Statements with the Town of Islip Board of Ethics
for the year 2023.**

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 Nicolino

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 the list of employees and titles provided by the Town of Islip Personnel Office which must file Financial Disclosure Statements with the Town of Islip Board of Ethics for the year 2023.

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

1/18/23

Date

January 18, 2023
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 for the year 2023.

Upon a vote being taken, the result was:

FINANCIAL DISCLOSURE 2023

| | |
|------------------------|---|
| Abbate, Jessica | Assistant Animal Shelter Supervisor |
| Albergo, Christopher | Assistant to Town Historian |
| Arkin, Julianne | Legislative Secretary |
| Barbarelli, Nicholas | Planner |
| Barksdale, Dorina | Commissioner Housing Authority Board |
| Barone, Michael | Member Plumber's Examining Board |
| Barravecchio, Dennis | Town Maintenance Crew Leader |
| Bassen, Michelle | Deputy Town Commissioner of Planning and Development |
| Bastidas, Richard | Deputy Commissioner Public Safety |
| Bellew, Martin | Town Commissioner of Environmental Control |
| Bennett, Dennis | Executive Assistant to Commissioner of the Department of Public Works |
| Bingham, Jonathan | Veterinarian |
| 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 |
| Bruno, Gary | Member Planning Board |
| Bunde, Linda | Secretary to the President/ Secretary for Islip Resource Recovery |
| Burgos, Daniel | Planner |

1/20/2023

FINANCIAL DISCLOSURE 2023

| | |
|--------------------------|--|
| Byrnes, Martin | Waterways Management Supervisor |
| Campasano, Nicholas | Chairman Board of Ethics |
| Cannava, Ernest | Assistant Town Attorney |
| Carballo, Glen | Member Board of Ethics |
| Carpenter, Angie | Supervisor |
| Cavanagh, Debra | Chairwoman CDA |
| Chappelle, Luisanilly | Legislative Aide |
| Charchalis, Carol | Deputy Town Commissioner of Parks, Recreation and Cultural Affairs |
| Chirillo, Robert | Geographic Information Systems Technician |
| 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 |
| Daly, James | Geographic Information Systems Technician |
| Danseglio, Renee | Safety Officer |
| Danziger, Anne | Assessor |
| DeCastro, Manuel | Airport Security Director |
| De Grottole, Eric | Assistant Town Engineer |
| Delgado, Juan Carlos | Member Islip Environmental Council |
| Devaney, Patricia | Secretary to Town Clerk |
| Devine, Ronald | Deputy Assessor |
| DiCioccio, Vincent | Deputy Town Comptroller |
| Distinti, Anett | Secretary to Town Tax Receiver |
| Dokonal, Ela | Commissioner of Planning and Development |
| Donohue, Lawrence | Member Board of Ethics |

1/20/2023

FINANCIAL DISCLOSURE 2023

| | |
|--------------------|---|
| Dunn, Maureen | Member Islip Environmental Council |
| Elsayed, 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 | Resident Commissioner Housing Authority Board |
| Friedland, Edward | Chairman Planning Board |
| Fuchs, Robert | General Counsel CDA |
| Furman, Paul | Site Plan Reviewer |
| Gandolfo, Jarett | Director CDA |
| Gandolfo, Natalia | Assistant Town Attorney |
| 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 |
| Gremli, 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 |
| Harris, John | Geographic Information Systems Technician |
| Hemingway, Thomas | Executive Director Foreign Trade Zone |
| Hendricks, Tara | Secretary to Commissioner of Parks, Recreation and Cultural Affairs |
| Holmes-Reid, Mary | Commissioner Housing Authority Board |
| Hyland, Steven | Chairman Board of Assessment Review |

1/20/2023

FINANCIAL DISCLOSURE 2023

| | |
|----------------------|---|
| Jewell, Taryn | Assistant Town Attorney |
| Kahl, Thomas | Deputy Town Commissioner of Public Works |
| Klueber, Mary Pat | Executive Assistant to Commissioner, Parks, Recreation and Cultural Affairs |
| Kluepfel, Ellen | Assistant Town Attorney |
| Knapp, Marie | Assistant Town Attorney |
| Kordic, Robert | Secretary to Town Comptroller |
| 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/Commissioner Housing Authority Board |
| Licker, Gary | Secretary to Deputy Supervisor |
| Lite, Jordan | Assistant Town Attorney |
| Lorenzo, John | Councilman |
| Ludwig, Joseph | Town Comptroller |
| Luquer, John III | Deputy Commissioner of Parks, Recreation and Cultural Affairs |
| Lutz, Richard | Legislative Aide |
| Mac Ananey, Patricia | Site Plan Reviewer |
| MacGibbon, Julia | Assistant Director CDA |
| Martinez, Jaime | Deputy Director Foreign Trade Zone |
| Mattessich, Nicholas | Site Plan Reviewer |
| Mattimore, Timothy | Member Planning Board |
| McCabe, Edward | Vice Chairman Board of Appeals |
| McCaffrey, Lisamarie | Member Youth Board |
| McConnell, Cathy | Member Islip Environmental Council |
| Meehan, Maureen | Executive Assistant to Commissioner of Planning and Development |
| Mezzipesa, Dominick | Town Emergency Preparedness Coordinator |

1/20/2023

FINANCIAL DISCLOSURE 2023

| | |
|------------------------|---|
| Miller, Douglas | Executive Assistant to Supervisor |
| 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 |
| 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 | Director of Personnel, Labor Relations and Safety |
| O'Connor, James | Councilman |
| Ohayon, Stefanie | Labor Relations Technician |
| Owens, Thomas | Commissioner of Public Works/Commissioner of Parks, Recreation and Cultural Affairs |
| Pagdanganan, Belinda | Legislative Secretary |
| Panasci, Jeffrey | Assistant Town Attorney |
| Passaro, Mary | Secretary to Board of Appeals |
| Perniciaro, John | Chief Building Inspector |
| Poelker, Christopher | Town Engineer |
| Prudenti, Anthony | Town Commissioner of Public Safety |
| Rand, Michael | Town Purchasing Director |
| Rettaliata, Donald Jr. | Chairman Board of Appeals |
| Ricioppo, Ercole | Secretary to Commissioner of Public Works |
| Ross, Sean | Site Plan Reviewer |
| Rotzman, John | Member Board of Assessment Review |
| Rubino, Carrie | Town Maintenance Crew Leader |
| Rund, Robert | Safety Officer Trainee |
| Russo, Peter | Member Plumbers Examining Board |

1/20/2023

FINANCIAL DISCLOSURE 2023

| | |
|-------------------------|--|
| Ryan, Deirdre | Planner |
| Schlosser, Grace | Resident Commissioner Housing Authority Board |
| Schneider, Robert | Deputy Town Commissioner Aviation and Transportation/Airport Operations Director |
| Sepulveda, Nicholas | Principal Engineering Aide |
| Shires, Kevin | Executive Assistant to Comptroller |
| Sioutopoulos, Maria | Secretary to Town Attorney |
| Smith, Caroline | Public Information Officer |
| Stocker, Jonathan | Management Analyst |
| Sullivan, Daniel | Member Board of Appeals |
| Sumpter, Renee | CFO CDA |
| 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 | Acting Town Attorney |
| Walser, John | Town Director of Economic Development |
| Warner, Ethan | Geographic Information Systems Technician |
| Weeks, Kenneth | Construction Project Manager |
| Welling, Kara | Legislative Secretary |
| 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 |
| | |
| | |
| | |

1/20/2023

**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:

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute a Professional Services Agreement or any additional documentation required with L.K. McLean Associates to provide services at the Fair Harbor Dock.

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.

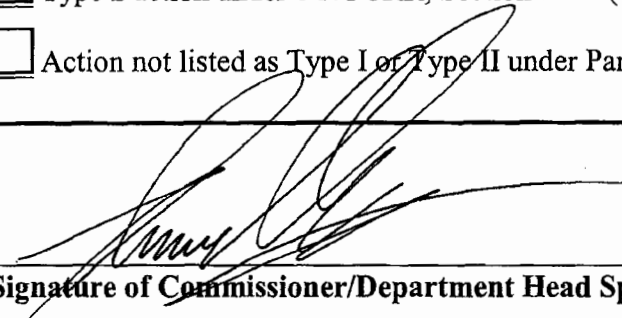
Authorize the Supervisor to enter into an agreement with LK McLean Associates to provide services for the Fair Harbor Dock.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Fair Harbor Residents; LK McLean
 2. Site or location effected by resolution: Fair Harbor Dock
 3. Cost: _____
 4. Budget Line: SM07.4560.44110
 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 2 _____. 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

1/20/2023

Date

WHEREAS, the Town of Islip (the "Town") is responsible for the maintenance of the boardwalk and pier at Fair Harbor; and

WHEREAS, the pier and boardwalk have shown signs of deterioration; and

WHEREAS, L.K. McLean Associates, PC, 437 South Country Road, Brookhaven, NY 11719, has the experience and skills necessary to evaluate the current conditions of the dock and make appropriate recommendations to address the situation; and

WHEREAS, the Department of Parks, Recreation and Cultural Affairs recommends that the Town enter into a professional services agreement with L.K. McLean Associates to provide an evaluation of the current conditions and a scope of work necessary to make the repairs on the dock; and

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

RESOLVED, that the Supervisor is hereby authorized to execute a professional services agreement with L.K. McLean Associates for evaluation of current conditions at Fair Harbor Dock, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute a professional services agreement with L.K. McLean Associates for Engineering Services for the Repair of Fair Harbor Dock, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

January 24, 2023
Resolution #____

RESOLVED, that the Supervisor is hereby authorized to execute any and all necessary permits, applications or similar type forms to effectuate the completion of this 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 the accounting entries and budgetary amendments necessary in accordance with the terms of the agreement.

UPON A VOTE BEING TAKEN, the result was _____.