

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

No. 1

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Meeting of the Town of Islip Industrial Development Agency.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

John Walser

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

enclosure:

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



MEETING OF THE TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY

May 18, 2021

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 **April 20, 2021**.
3. To consider the adoption of a Preliminary Inducement Resolution between the Town of Islip Industrial Development Agency and **The Belmont at Eastview**. Located on the E/S of Carleton Ave (C.R. 17), approximately 1,215 feet north of Courthouse Drive, Central Islip. (0 Carleton Ave), (0500-18710-0100-004000).
4. To consider the adoption of an Inducement Resolution between the Town of Islip Industrial Development Agency and **Reliance Communications, LLC**. Located at 1560 Fifth Ave, Bay Shore. (0500-24500-0100-005000).
5. To consider the adoption of an Inducement Resolution between the Town of Islip Industrial Development Agency and **100 Wilbur Place, LLC/NY Tent, LLC**. Located at 100 Wilbur Place, Bohemia. (0500-19100-0200-063000).
6. To consider the adoption of an Inducement Resolution between the Town of Islip Industrial Development Agency and **227 4th Ave Bay Shore, LLC**. (0500-39300-0100-008000).
7. To consider the adoption of an Authorizing Resolution between the Town of Islip Industrial Development Agency and **Jennosa Pools**. Located at 3 Central Avenue, Hauppauge. (0500-03000-0200-005000).
8. To consider the adoption of an Authorizing Resolution between the Town of Islip Industrial Development Agency and **Nationwide Sales & Service, Inc. /The Three G's LLC**. Located at 215 Candlewood Road, Bay Shore. (0500-18200-0100-038000).
9. To consider the adoption of an Authorizing Resolution between the Town of Islip Industrial Development Agency and **Corner Electronics, Inc.** Located at 100 Emjay Blvd, Brentwood. (0500-13400-0200-011000).
10. To consider the adoption of an Authorizing Resolution between the Town of Islip Industrial Development Agency and **CVD Equipment Corporation**. Located at 355 N. Research Place, Central Islip. (0500-20600-0300-001003).
11. To consider an adoption of an Authorizing Resolution between the Town of Islip Industrial Development Agency and **CIVF-NY1W03, LLC./PODS Enterprises, LLC 2021**

Facility, to approve a mortgage financing, without mortgage recording tax exemption (no benefits provided). Located at 555 Prime Pl, Hauppauge. (0500-03800-0200-020010).

12. To consider an adoption of an Authorizing Resolution between the Town of Islip Industrial Development Agency and **CIVF-NY1W02, LLC./WESCO, LLC 2021 Facility** to approve a mortgage financing, without mortgage exemption (no benefits provided). Located at 500 Prime Pl, Hauppauge. (0500-03800-0200-020010).
13. To consider the adoption of a Resolution **consenting to a rooftop solar sub-lease agreement at the SYSCO Long Island LLC**. Located at 5-10 Boulevard Avenue, Central Islip. (0500-09900-0400-007001 & 0500-10000-0200-078001).
14. To consider the adoption of a Resolution Authorizing the Agency to provide Financing for the construction of an **Extension of South Technology Drive, Central Islip**.
15. To consider the adoption of a Resolution Authorizing the Town of Islip Industrial Development Agency to enter into a contract with **National Development Council** for the production of a feasibility study.
16. To consider **any other business** to come before the Agency.



MEETING OF THE TOWN OF ISLIP

INDUSTRIAL DEVELOPMENT AGENCY

April 20, 2021

Meeting Minutes

1. Call the meeting of the Town of Islip Industrial Development Agency to order on a motion by Councilman James P. O'Connor., and seconded by Councilman John C. Cochrane Jr, said motion was approved

Members Angie M. Carpenter, Councilwoman Trish Bergin Weichbrodt, Councilman John C. Cochrane Jr., Councilwoman Mary Kate Mullen and Councilman James P. O'Connor were present and the Chairwoman acknowledge a quorum.

2. To consider the adoption of a Resolution on behalf of the Town of Islip Industrial Development Agency to approve the **Minutes** from the meeting on **March 9, 2021**. On a motion by Councilwoman Trish Bergin Weichbrodt., and seconded by Councilwoman Mary Kate Mullen, said motion was approved
3. To consider the adoption of an Inducement Resolution between the Town of Islip Industrial Development Agency and **Jennosa Pools**. Located at 3 Central Avenue, Hauppauge. (0500-03000-0200-005000). On a motion by Councilwoman Mary Kate Mullen, and seconded by Councilman John C. Cochrane Jr, said motion was approved 4-0-1. (Councilwoman Trish Bergin Weichbrodt recused).
4. To consider the adoption of an Inducement Resolution between the Town of Islip Industrial Development Agency and **Nationwide Sales & Service, Inc.** Located at 215 Candlewood Road, Bay Shore. (0500-18200-0100-038000). On a motion by Councilman John C. Cochrane Jr., and seconded by Councilman James P. O'Connor, said motion was approved 5-0.
5. To consider the adoption of an Inducement Resolution between the Town of Islip Industrial Development Agency and **Corner Electronics, Inc.** Located at 100 Emjay Blvd, Brentwood. (0500-13400-0200-011000). On a motion by Councilwoman Trish Bergin Weichbrodt., and seconded by Councilwoman Mary Kate Mullen, said motion was approved 5-0.
6. To consider the adoption of an Inducement Resolution between the Town of Islip Industrial Development Agency and **CVD Equipment Corporation**. Located at 555 N. Research Place, Central Islip. (0500-20600-0300-001003). On a motion by Councilman John C. Cochrane Jr., and seconded by Councilwoman Mary Kate Mullen, said motion was approved 5-0.
7. To consider the adoption of an Authorized Resolution between the Town of Islip Industrial Development Agency and **NY Tent, LLC**. Located at 110 Wilbur Place, Bohemia, (0500-0200-061016 & 065001). On a motion by Councilman James P. O'Connor and seconded by Councilman John C. Cochrane Jr., said motion was approved 5-0.

8. To consider the adoption of an Authorized Resolution between the Town of Islip Industrial Development Agency and **Wilshire Rental Properties, LLC/Wrap-N-Pack, Inc. 2021 Facility**. Located at 120 Wilshire Blvd, Brentwood. (0500-11200-0300-001017). On a motion by Councilman John C. Cochrane Jr., and seconded by Councilwoman Trish Bergin Weichbrodt, said motion was approved 5-0.
9. To consider the adoption of a Resolution between the Town of Islip Industrial Development Agency and **100 Pineaire Drive, LLC** to approve a sub-lease space to **ARRA of NY, Inc.** as tenant. Located at 100 Pine Aire Drive, Bay Shore. (0500-15800-0200-048000). On a motion by Councilman James P. O'Connor, and seconded by Councilwoman Mary Kate Mullen, said motion was approved 5-0.
10. To consider the adoption of a Resolution authorizing a contract between the Town of Islip Industrial Development Agency and **Executive Consultants of New York** for Islip's Job Search Boot Camp program for 2021. On a motion by Councilman John C. Cochrane Jr., and seconded by Councilman James P. O'Connor, said motion was approved 5-0.
11. To consider **any other business** to come before the Agency there being none the meeting adjourned by a motion by Councilwoman Trish Bergin Weichbrodt and seconded by Councilman John C. Cochrane, Jr.

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR MAY 18, 2021**

AGENDA ITEM #3

TYPE OF RESOLUTION: PRELIMINARY INDUCEMENT

**COMPANY: THE BELMONT AT EASTVIEW/STEEL
CAMPUS, LLC**

**PROJECT LOCATION: E/S OF CARLETON AVE,
CENTRAL ISLIP**

**JOBS (RETAINED/CREATED): RETAINED - 01 -
CREATE - 20 -**

INVESTMENT: \$126,466,504

PRELIMINARY RESOLUTION OF THE TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL
ACTION IN CONNECTION WITH STEEL CAMPUS, LLC, A
DELAWARE LIMITED LIABILITY COMPANY, ON BEHALF
OF ITSELF AND/OR THE PRINCIPALS OF STEEL CAMPUS,
LLC AND/OR AN ENTITY FORMED OR TO BE FORMED ON
BEHALF OF ANY OF THE FOREGOING AND MARCUS ISP
APTS HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY
COMPANY, ON BEHALF OF ITSELF AND/OR THE
PRINCIPALS OF MARCUS ISP APTS HOLDINGS, LLC
AND/OR AN ENTITY FORMED OR TO BE FORMED ON
BEHALF OF ANY OF THE FOREGOING

WHEREAS, Steel Campus, LLC, a Delaware limited liability company, on behalf of itself and/or the principals of Steel Campus, LLC and/or an entity formed or to be formed on behalf of any of the foregoing ("**Steel Campus**") and Marcus ISP APTS Holdings, LLC, a Delaware limited liability company, on behalf of itself and/or the principals of Marcus ISP APTS Holdings, LLC and/or an entity formed or to be formed on behalf of any of the foregoing ("**Marcus ISP**"; and, together with Steel Campus, as tenants in common, the "**Company**") have submitted an application, for financial assistance (the "**Application**") 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 83.40 acre parcel of land located on the East side of Carleton Avenue (C.R. 17), approximately 1,215 feet north of Courthouse Drive, Central Islip (0 Carleton Avenue), Town of Islip, Suffolk County, New York (the "**Land**"), and the acquisition of fifteen (15) vacant apartment buildings totaling approximately 682,2368 square feet) located on the Land and the construction of an approximately 20,000 square foot building on the Land to be used as a community center together with other on-site amenities including, but not limited to, a pool, fitness room, outdoor cooking facilities, sports courts (tennis, basketball), playground, community garden and dog parks (collectively, the "**Improvements**") and the installation and equipping including, but not limited to, a sprinkler system, HVAC, electrical equipment, plumbing, and lighting, and the furnishing of the apartments including, but not limited to, electrical appliances, flooring and lighting (collectively, the "**Equipment**"; and, together with the Land and the Improvements, the "**Facility**"), all to be leased by the Agency to, and used by the Company for residential rental units for to include approximately three-hundred sixty-four (364) total apartments (at least ten percent (10%) of the units shall be set aside as affordable units (defined as 80% of the current median family income for the Nassau-Suffolk Fair Market Rent Area as published annually by the United States Department of Housing and Urban Development) and twenty percent (20%) of the units will be designated for senior housing age 55 and older (the "**Project**"); and

WHEREAS, the Agency, subject to the provisions of this preliminary resolution, will consider the acquisition of a leasehold interest in the Facility and will lease or 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**");

WHEREAS, subject to the Company's providing the Agency with a feasibility report (the "**Feasibility Study**"), together with such letters or reports from interested parties and governmental agencies or officials (the "**Letters of Support**"; and together with the Feasibility Study, the "**Requisite Materials**") to enable the Agency to make findings and determinations that the Facility qualifies as a "project" under the Act and that the Facility satisfies all other requirements of the Act, the Agency will consider the inducement of the Project; 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;

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 will prepare and submit to the Agency an Environmental Assessment Form and related documents (the "**Questionnaire**") with respect to the Facility; and

WHEREAS, as of the date of this resolution, no determination for the Facility been made under SEQR.

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

Section 1. At such time as the Company submits to the Agency all necessary information for the Agency to comply with SEQR, the Agency will undertake to review such information. If a "Lead Agency" other than the Agency is declared under SEQR, the Agency shall send written notification to such Lead Agency that the Agency is an "involved agency" with respect to the Lead Agency's SEQR review. Notice of this determination shall be filed to the extent required by the applicable regulations under that Act or as may be deemed advisable by the Chairman or Executive Director of the Agency or counsel to the Agency.

Section 2. Nothing herein shall be construed as committing the Agency to approve the acquisition, construction, equipping and financing of the Facility until such time as the Agency has (i) received all Requisite Materials, and (ii) all of the requirements of SEQR have been satisfied. No final action may be taken before the Agency has received all Requisite Material the requirements of SEQR have been satisfied.

Section 3. The Chairman, Executive Director, counsel to the Agency and Transaction Counsel (Nixon Peabody LLP), and all members of the Agency, are hereby authorized and directed (i) to distribute copies of this preliminary

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 in the foregoing preliminary resolution.

Section 4. This preliminary 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 Town of Islip Industrial Development Agency (the “Agency”), held via Live-Stream at <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, on the 18th day of May, 2021, the following members of the Agency 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

Voting Nay

and, therefore, the resolution was declared duly adopted.

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

I FURTHER CERTIFY that, due to the Novel Coronavirus (COVID-19) Emergency State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, as amended to date, permitting local governments to hold public hearings by telephone and video conference and/or similar device, the Agency's Board Meeting on May 18, 2021 (the "**Board Meeting**"), was held electronically via Live-Stream instead of a public meeting open for the public to attend in person. Members of the public were advised, via the Agency's website, to listen to the Board Meeting by going to <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, and were further advised that the Minutes of the Board Meeting would be transcribed and posted on the Agency's website, and that all members of said Agency had due notice of said meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of May 18, 2021.

Assistant Secretary

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR MAY 18, 2021**

AGENDA ITEM #4

TYPE OF RESOLUTION: INDUCEMENT RESOLUTION

COMPANY: RELIANCE COMMUNICATIONS, LLC

**PROJECT LOCATION: 1560 FIFTH AVENUE, BAY
SHORE**

**JOBS (RETAINED/CREATED): RETAINED - 26 -
CREATE - 34 -**

INVESTMENT: \$8,839,000.00

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TOWARD APPOINTING ASHI PROPERTIES, LLC, A NEW YORK LIMITED LIABILITY COMPANY, ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF ASHI PROPERTIES, LLC AND/OR AN ENTITY FORMED OR TO BE FORMED ON BEHALF OF ANY OF THE FOREGOING AND RELIANCE COMMUNICATIONS, LLC, A NEW JERSEY LIMITED LIABILITY COMPANY ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF RELIANCE COMMUNICATIONS, LLC 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, Ashi Properties, LLC, a limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of Ashi Properties, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Company**”) and Reliance Communications, LLC, a limited liability company organized and existing under the laws of the State of New Jersey, on behalf of itself and/or the principals of Reliance Communications, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Sublessee**”), have applied to the Town of Islip Industrial Development Agency (the “**Agency**”), to enter into a transaction in which the Agency will assist in (a) the acquisition of an approximately 2.9 acre parcel of land located at 1560 Fifth Avenue, Bay Shore, New York 11706 (the “**Land**”), the renovation of an existing approximately 52,000 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 defined below) (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 subleased by the Company to the Sublessee; and (b) the acquisition and installation of certain equipment and personal property (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 as manufacturing and distribution space in the Sublessee’s business as a manufacturer and distributor of wireless devices (the “**Project**”); and

WHEREAS, the Agency will acquire a leasehold interest in the Land and the Improvements and title to the Facility Equipment and the Equipment, will sublease and lease the Company Facility to the Company for further sublease to the Sublessee, and will lease the Equipment to the Sublessee, 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 Agency contemplates that it will provide financial assistance to the Company and the Sublessee in connection with the Facility, consistent with the policies of the Agency, in the form of exemptions from mortgage recording taxes in connection with the

financing or any subsequent refinancing of the Facility, exemptions from sales and use taxes and abatement of real property taxes, 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, 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 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 application of the Company and the Sublessee and to representations by the Company and the Sublessee that the proposed financial assistance 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 respective industries; 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 leasing of the Facility by the Agency to the Company and the Sublessee; 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 and Sublessee have 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.

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 and the Sublessee regarding the Facility, the Agency determines that the action relating to the acquisition, renovation, equipping, and operation of the Facility is an “unlisted” action, as that term is defined in the SEQRA Act. The Agency also determines that the action will not have a “significant effect” on the environment, and, therefore, an environmental impact statement will not be prepared. This determination constitutes a negative declaration for purposes of SEQRA. Notice of this determination shall be filed to the extent required by the applicable regulations under SEQRA or as may be deemed advisable by the Chairman or Executive Director of the Agency or counsel to the Agency.

Section 2. The acquisition, renovation and equipping of the Facility by the Agency, the subleasing and leasing of the Company Facility to the Company for further subleasing to the Sublessee, the leasing of the Equipment 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. Subject to the provisions of this resolution, the Agency shall (i) acquire, renovate and equip the Facility; (ii) lease and sublease the Company Facility to the Company for further sublease to the Sublessee; and (iii) lease the Equipment to the Sublessee.

Section 4. The Company and the Sublessee are hereby notified that they 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 Sublessee shall be required to agree to the terms of Section 875 pursuant to the Agency Compliance Agreement, dated a date to be determined (the “**Agency Compliance Agreement**”), by and between the Sublessee and the Agency. The Company and the Sublessee are further notified that the tax exemptions and abatements provided pursuant to the Act and the appointment of the Company and the Sublessee as agents 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 and the Agency Compliance 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 transfer of the real estate 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 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 7. 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 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 Town of Islip Industrial Development Agency (the “**Agency**”), held via Live-Stream at <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, on the 18th day of May, 2021, the following members of the Agency 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 is in substantially the form presented to and approved at such meeting.

I FURTHER CERTIFY that, due to the Novel Coronavirus (COVID-19) Emergency State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, as amended to date, permitting local governments to hold public hearings by telephone and video conference and/or similar device, the Agency's Board Meeting on May 18, 2021 (the "**Board Meeting**"), was held electronically via Live-Stream instead of a public meeting open for the public to attend in person. Members of the public were advised, via the Agency's website, to listen to the Board Meeting by going to <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, and were further advised that the Minutes of the Board Meeting would be transcribed and posted on the Agency's website, and that all members of said Agency had due notice of said meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of May 18, 2021.

Assistant Secretary

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that due to the Novel Coronavirus (COVID-19) Emergency State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, as amended to date, permitting local governments to hold public hearings by telephone and video conference and/or similar device, the Public Hearing scheduled for June __, 2021, at __:__ a.m., local time will be held by the Town of Islip Industrial Development Agency electronically via conference call in connection with the following matters:

Ashi Properties, LLC, a limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of Ashi Properties, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "**Company**") and Reliance Communications, LLC, a limited liability company organized and existing under the laws of the State of New Jersey, on behalf of itself and/or the principals of Reliance Communications, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "**Sublessee**"), have applied to the Town of Islip Industrial Development Agency (the "**Agency**"), to enter into a transaction in which the Agency will assist in (a) the acquisition of an approximately 2.9 acre parcel of land located at 1560 Fifth Avenue, Bay Shore, New York 11706 (the "**Land**"), the renovation of an existing approximately 52,000 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 defined below) (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 subleased by the Company to the Sublessee; and (b) the acquisition and installation of certain equipment and personal property (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 as manufacturing and distribution space in the Sublessee's business as a manufacturer and distributor of wireless devices (the "**Project**"). The Company Facility will be initially owned, operated and/or managed by the Company. The Equipment will be initially owned, operated and/or managed by the Sublessee.

The Agency contemplates that it will provide financial assistance to the Company and the Sublessee in the form of exemptions from mortgage recording taxes in connection with the financing or any subsequent refinancing of the Facility, exemptions from sales and use taxes in connection with the acquisition, renovation and equipping of the Facility and exemption of real property taxes consistent with the policies of the Agency.

A representative of the Agency will, at the above-stated time and place, hear and accept written comments from all persons with views in favor of or opposed to either the proposed financial assistance to the Company and the Sublessee or the location or nature of the Facility. Members of the public may listen to the Public Hearing and comment on the Project and the benefits to be granted to the Company and the Sublessee by the Agency during the Public Hearing by calling (631) 490-9050, conference number 1040, and entering password 24816. Comments may also be submitted to the Agency in writing or electronically. Minutes of the Public Hearing will be transcribed and posted on the Agency's website. Prior to the hearing, all

persons will have the opportunity to review on the Agency's website (<https://islipida.com/>) the application for financial assistance filed by the Company and the Sublessee with the Agency and an analysis of the costs and benefits of the proposed Facility.

Dated: May __, 2021

TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY

By: John G. Walser
Title: Executive Director

EXHIBIT B

MINUTES OF PUBLIC HEARING HELD ON
June __, 2021 at _____ A.M.

TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY
(ASHI PROPERTIES, LLC/RELIANCE COMMUNICATIONS, LLC 2021 FACILITY)

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

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

Section 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:

Ashi Properties, LLC, a limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of Ashi Properties, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Company**”) and Reliance Communications, LLC, a limited liability company organized and existing under the laws of the State of New Jersey, on behalf of itself and/or the principals of Reliance Communications, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Sublessee**”), have applied to the Town of Islip Industrial Development Agency (the “**Agency**”), to enter into a transaction in which the Agency will assist in (a) the acquisition of an approximately 2.9 acre parcel of land located at 1560 Fifth Avenue, Bay Shore, New York 11706 (the “**Land**”), the renovation of an existing approximately 52,000 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 defined below) (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 subleased by the Company to the Sublessee; and (b) the acquisition and installation of certain equipment and personal property (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 as manufacturing and distribution space in the Sublessee’s business as a manufacturer and distributor of wireless devices (the “**Project**”). The Company Facility will be initially owned, operated and/or managed by the Company. The Equipment will be initially owned, operated and/or managed by the Sublessee.

The Agency contemplates that it will provide financial assistance to the Company and the Sublessee in the form of exemptions from mortgage recording taxes in connection with the financing or any subsequent refinancing of the Facility, exemptions from sales and use taxes in connection with the acquisition, renovation and equipping of the Facility and exemption of real property taxes consistent with the policies of the Agency.

Section 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:

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

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 June, 2021, at _____ a.m., local time, by calling (631) 490-9050, conference number 1040, and entering password 24816, 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 June ____, 2021.

Assistant Secretary

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR MAY 18, 2021**

AGENDA ITEM #5

TYPE OF RESOLUTION: INDUCEMENT RESOLUTION

**COMPANY: 100 WILBUR PLACE, LLC/NY TENT,
LLC**

PROJECT LOCATION: 100 WILBUR PL, BOHEMIA

**JOBS (RETAINED/CREATED): RETAINED - 47 -
CREATE - 59 -**

INVESTMENT: \$8,035,000.00

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TOWARD APPOINTING 100 WILBUR PLACE LLC, A NEW YORK LIMITED LIABILITY COMPANY, ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF 100 WILBUR PLACE LLC AND/OR AN ENTITY FORMED OR TO BE FORMED ON BEHALF OF ANY OF THE FOREGOING AND NY TENT, LLC, A DELAWARE LIMITED LIABILITY COMPANY ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF NY TENT, LLC 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, DEMOLISHING, RENOVATING AND EQUIPPING THE FACILITY AND MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE FACILITY

WHEREAS, 100 Wilbur Place LLC, a limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of 100 Wilbur Place LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Company**”) and NY Tent, 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 NY Tent, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Sublessee**”), have 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 2.50 acre parcel of land located at 100 Wilbur Place, Bohemia, New York (the “**Land**”), the demolition of approximately 2,500 square foot portion of the existing approximately 43,454 square foot building located on the Land and the renovation of an approximately 2,500 square feet of the remaining space (the “**Improvements**”), and the acquisition and installation therein of certain equipment and personal property, not part of the Equipment (as defined below) (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 subleased by the Company to the Sublessee; and (b) the acquisition and installation of certain equipment and personal property (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 and manufacturing space in the Sublessee’s business as a distributor of tents and other event rentals (the “**Project**”); and

WHEREAS, the Agency will acquire a leasehold interest in the Land and the Improvements and title to the Facility Equipment and the Equipment, will sublease and lease the Company Facility to the Company for further sub-sublease to the Sublessee, and will lease the Equipment to the Sublessee, 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 Agency contemplates that it will provide financial assistance to the Company and the Sublessee in connection with the Facility, consistent with the policies of the

Agency, in the form of exemptions from mortgage recording taxes in connection with the financing or any subsequent refinancing of the Facility, exemptions from sales and use taxes and abatement of real property taxes, 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, 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 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 application of the Company and the Sublessee and to representations by the Company and the Sublessee that the proposed financial assistance 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 respective industries; 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 leasing of the Facility by the Agency to the Company and the Sublessee; 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 and Sublessee have 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.

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 the Sublessee and reviewed by the Agency and other representations and information furnished by the Company and the Sublessee regarding the Facility, the Agency determines that the action relating to the acquisition, construction, equipping, and operation of the Facility is an “unlisted” action, as that term is defined in the SEQRA Act and undergo the uncoordinated review procedures set forth in 6 NYCRR § 617.6(b)(4).

Section 2. The acquisition, demolition, renovation and equipping of the Facility by the Agency, the subleasing and leasing of the Company Facility to the Company for further subleasing to the Sublessee, the leasing of the Equipment 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. Subject to the provisions of this resolution, the Agency shall (i) acquire, demolish, renovate and equip the Facility; (ii) lease and sublease the Company Facility to the Company for further sub-sublease to the Sublessee; and (iii) lease the Equipment to the Sublessee.

Section 4. The Company and the Sublessee are hereby notified that they 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 Sublessee shall be required to agree to the terms of Section 875 pursuant to the Agency Compliance Agreement, dated a date to be determined (the “**Agency Compliance Agreement**”), by and between the Sublessee and the Agency. The Company and the Sublessee are further notified that the tax exemptions and abatements provided pursuant to the Act and the appointment of the Company and the Sublessee as agents 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 and the Agency Compliance 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 transfer of the real estate 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 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 7. 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 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 Town of Islip Industrial Development Agency (the “**Agency**”), held via Live-Stream at <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, on the 18th day of May, 2021, the following members of the Agency 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 is in substantially the form presented to and approved at such meeting.

I FURTHER CERTIFY that, due to the Novel Coronavirus (COVID-19) Emergency State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, as amended to date, permitting local governments to hold public hearings by telephone and video conference and/or similar device, the Agency's Board Meeting on May 18, 2021 (the "**Board Meeting**"), was held electronically via Live-Stream instead of a public meeting open for the public to attend in person. Members of the public were advised, via the Agency's website, to listen to the Board Meeting by going to <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, and were further advised that the Minutes of the Board Meeting would be transcribed and posted on the Agency's website, and that all members of said Agency had due notice of said meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of May 18, 2021.

Assistant Secretary

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that due to the Novel Coronavirus (COVID-19) Emergency State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, as amended to date, permitting local governments to hold public hearings by telephone and video conference and/or similar device, the Public Hearing scheduled for _____, 2021, at ____:____ a.m., local time will be held by the Town of Islip Industrial Development Agency electronically via conference call in connection with the following matters:

100 Wilbur Place LLC, a limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of 100 Wilbur Place LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "**Company**") and NY Tent, 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 NY Tent, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "**Sublessee**"), have 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 2.50 acre parcel of land located at 100 Wilbur Place, Bohemia, New York (the "**Land**"), the demolition of approximately 2,500 square foot portion of the existing approximately 43,454 square foot building located on the Land and the renovation of an approximately 2,500 square feet of the remaining space (the "**Improvements**"), and the acquisition and installation therein of certain equipment and personal property, not part of the Equipment (as defined below) (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 subleased by the Company to the Sublessee; and (b) the acquisition and installation of certain equipment and personal property (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 and manufacturing space in the Sublessee's business as a distributor of tents and other event rentals (the "**Project**"). The Company Facility will be initially owned, operated and/or managed by the Company. The Equipment will be initially owned, operated and/or managed by the Sublessee.

The Agency contemplates that it will provide financial assistance to the Company and the Sublessee in the form of exemptions from mortgage recording taxes in connection with the financing or any subsequent refinancing of the Facility, exemptions from sales and use taxes in connection with the acquisition, demolition, renovation and equipping of the Facility and exemption of real property taxes consistent with the policies of the Agency.

A representative of the Agency will, at the above-stated time and place, hear and accept written comments from all persons with views in favor of or opposed to either the proposed financial assistance to the Company and the Sublessee or the location or nature of the Facility. Members of the public may listen to the Public Hearing and comment on the Project and the benefits to be granted to the Company and the Sublessee by the Agency during the Public Hearing by calling (631) 490-9050, conference number 1040, and entering password 24816. Comments may also be submitted to the Agency in writing or electronically. Minutes of the

Public Hearing will be transcribed and posted on the Agency's website. Prior to the hearing, all persons will have the opportunity to review on the Agency's website (<https://islipida.com/>) the application for financial assistance filed by the Company and the Sublessee with the Agency and an analysis of the costs and benefits of the proposed Facility.

Dated: _____, 2021

TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY

By: John G. Walser
Title: Executive Director

EXHIBIT B

MINUTES OF PUBLIC HEARING HELD ON
_____, 2021 at _____ A.M.

TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY
(100 WILBUR PLACE LLC/NY TENT, LLC 2021 FACILITY)

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

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

Section 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:

100 Wilbur Place LLC, a limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of 100 Wilbur Place LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Company**”) and NY Tent, 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 NY Tent, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Sublessee**”), have 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 2.50 acre parcel of land located at 100 Wilbur Place, Bohemia, New York (the “**Land**”), the demolition of approximately 2,500 square foot portion of the existing approximately 43,454 square foot building located on the Land and the renovation of an approximately 2,500 square feet of the remaining space (the “**Improvements**”), and the acquisition and installation therein of certain equipment and personal property, not part of the Equipment (as defined below) (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 subleased by the Company to the Sublessee; and (b) the acquisition and installation of certain equipment and personal property (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 and manufacturing space in the Sublessee’s business as a distributor of tents and other event rentals (the “**Project**”). The Company Facility will be initially owned, operated and/or managed by the

Company. The Equipment will be initially owned, operated and/or managed by the Sublessee.

The Agency contemplates that it will provide financial assistance to the Company and the Sublessee in the form of exemptions from mortgage recording taxes in connection with the financing or any subsequent refinancing of the Facility, exemptions from sales and use taxes in connection with the acquisition, demolition, renovation and equipping of the Facility and exemption of real property taxes consistent with the policies of the Agency.

Section 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:

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

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 ___, 2021, at _____ a.m., local time, by calling (631) 490-9050, conference number 1040, and entering password 24816, 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 ____ ___, 2021.

Assistant Secretary

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR MAY 18, 2021**

AGENDA ITEM #6

TYPE OF RESOLUTION: INDUCEMENT RESOLUTION

COMPANY: 227 4TH AVE BAY SHORE, LLC

PROJECT LOCATION: 227 4TH AVE BAY SHORE

**JOBS (RETAINED/CREATED): RETAINED - 00 -
CREATE - 02 -**

INVESTMENT: \$6,060,600.00

PRELIMINARY RESOLUTION OF THE TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL
ACTION IN CONNECTION WITH 227 4TH AVE. BAY SHORE
LLC, A LIMITED LIABILITY COMPANY, ON BEHALF OF
ITSELF AND/OR THE PRINCIPALS OF 227 4TH AVE. BAY
SHORE LLC AND/OR AN ENTITY FORMED OR TO BE
FORMED ON BEHALF OF THE FOREGOING.

WHEREAS, 227 4th Ave. Bay Shore LLC, a limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of 227 4th Ave. Bay Shore LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Company**”), has applied to the Town of Islip Industrial Development Agency (the “**Agency**”), to enter into a transaction in which the Agency will assist in the acquisition of an approximately 0.65 acre parcel of land located at 227 4th Avenue, Bay Shore, New York (SCTM# 0500-393.00-01.00-008.000) (the “**Land**”), the demolition of an approximately 4,352 square foot building located thereon, and the construction of an approximately 22,178 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 will be leased by the Agency to the Company and is to be used as a mixed-used rental apartment complex containing approximately twenty-two (22) residential units and approximately 2,000 square feet of medical office and retail space (the “**Project**”); and

WHEREAS, the Agency, subject to the provisions of this preliminary resolution, will consider the acquisition of a leasehold interest in the Land and the Improvements and title to the Equipment and will lease and 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**”);

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;

WHEREAS, the Agency has required the Company to provide to the Agency a feasibility report (the “**Feasibility Study**”), together with such letters or reports from interested parties and governmental agencies or officials (the “**Letters of Support**”; and together with the Feasibility Study, the “**Requisite Materials**”) to enable the Agency to make findings and determinations that the Facility qualifies as a “project” under the Act and that the Facility satisfies all other requirements of the Act, and such Requisite Materials received to date are listed below and attached as Exhibit A hereof:

1. Benefits Analysis for Town of Islip Industrial Development Agency – 227 4th Avenue Bay Shore LLC, dated April 2021, prepared by VHB Engineering, Surveying, Landscape Architecture and Geology, P.C.;

2. New York Law Journal Article, dated March 22, 2017 on Eligibility of Residential Developments for IDA Benefits by Anthony Guardino, Esq.; and
3. Ryan et al. v. Town of Hempstead Industrial Development Agency et al.; and

WHEREAS, the Agency's Uniform Tax Exemption Policy ("UTEP"), which such UTEP is annexed hereto as Exhibit B, provides for the granting of financial assistance by the Agency for housing projects pursuant to Section I.A.4.; and

WHEREAS, subject to the Company's providing the Agency with all necessary site plan approvals, architectural review, zoning approvals, permits, with respect to the Facility, the Agency will consider the inducement of the project; 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 will prepare and submit to the Agency an Environmental Assessment Form and related documents (the "Questionnaire") with respect to the Facility; and

WHEREAS, as of the date of this resolution, no determination for the Facility been made under SEQR.

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

Section 1. At such time as the Company submits to the Agency all necessary information for the Agency to comply with SEQR, the Agency will undertake to review such information. If a "Lead Agency" other than the Agency is declared under SEQR, the Agency shall send written notification to such Lead Agency that the Agency is an "involved agency" with respect to the Lead Agency's SEQR review. Notice of this determination shall be filed to the extent required by the applicable regulations under that Act or as may be deemed advisable by the Chairman or Executive Director of the Agency or counsel to the Agency.

Section 2. Nothing herein shall be construed as committing the Agency to approve the acquisition, demolition, construction, equipping and financing of the Facility until such time as: (i) all of the requirements of SEQR have been satisfied, and (ii) the Company has provided the Agency with evidence that all necessary site plan approvals, architectural review, zoning approvals, and permits with respect to the Facility have been approved. Rather, the actions undertaken pursuant to this resolution shall be limited to environmental, engineering, economic, feasibility and other studies and preliminary planning necessary to formalize the Action as that term is

defined under SEQR. No final action may be taken before the Agency has received the requirements of SEQR have been met, and all necessary site plan approvals, architectural review, zoning approvals and permits with respect to the Facility have been approved.

Section 3. The Chairman, Executive Director, counsel to the Agency and Transaction Counsel (Nixon Peabody LLP), and all members of the Agency, are hereby authorized and directed (i) to distribute copies of this preliminary 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 in the foregoing preliminary resolution.

Section 4. The Agency may publish a notice of a Public Hearing and conduct a public hearing with respect to the location and nature of the Project and the economic benefits, if any, to be granted by the Agency to the Company, in accordance with the provisions of Section 859-a of the Act.

Section 5. This preliminary 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 held via Live-Stream at <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, on the 18th day of May, 2021, 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 is in substantially the form presented to and approved at such meeting.

I FURTHER CERTIFY, because of the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, as amended to date suspending the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, the Agency's Board Meeting on May 18, 2021 (the "**Board Meeting**"), was held electronically via Live-Stream instead of a public meeting open for the public to attend in person. Members of the public were advised, via the Agency's website, to listen to the Board Meeting by going to <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, and were further advised that the Minutes of the Board Meeting would be transcribed and posted on the Agency's website, and that all members of said Agency had due notice of said meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of May 18, 2021.

Assistant Secretary

EXHIBIT C

Requisite Materials

EXHIBIT A-1

Benefits Analysis for Town of Islip Industrial Development
Agency – 227 4th Avenue Bay Shore LLC

EXHIBIT A-2

New York Law Journal Article, dated March 22, 2017 on
Eligibility of Residential Developments for IDA Benefits

EXHIBIT A-3

Ryan et al. v. Town of Hempstead Industrial Development Agency
et al.

EXHIBIT B

**Town of Islip Industrial Development Agency Uniform Tax
Exemption Policy**

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR MAY 18, 2021**

AGENDA ITEM #7

TYPE OF RESOLUTION: AUTHORIZING RESOLUTION

COMPANY: JENNOSA POOLS

**PROJECT LOCATION: 3 CENTRAL AVENUE,
HAUPPAUGE**

**JOBS (RETAINED/CREATED): RETAINED - 19 -
CREATE - 01 -**

INVESTMENT: \$1,335.000.00

Date: May 18, 2021

At a meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), held via Live-Stream at <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, on the 18th day of May, 2021, 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 (3 Central Avenue LLC/Jennosa Pools Inc. 2021 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 3 CENTRAL AVENUE LLC, A NEW YORK LIMITED LIABILITY COMPANY, ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF 3 CENTRAL AVENUE LLC AND/OR AN ENTITY FORMED OR TO BE FORMED ON BEHALF OF ANY OF THE FOREGOING AND JENNOSA POOLS INC., A NEW YORK BUSINESS CORPORATION ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF JENNOSA POOLS 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, CONSTRUCTING 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, 3 Central Avenue LLC, a limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of 3 Central Avenue LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "**Company**") and Jennosa Pools 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 Jennosa Pools Inc. and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "**Sublessee**"), have applied to the Town of Islip Industrial Development Agency (the "**Agency**"), to enter into a transaction in which the Agency will assist in (a) the acquisition of an approximately 0.49 acre parcel of land located at 3 Central Avenue, Hauppauge, New York 11788 (the "**Land**"), the construction of an approximately 7,400 square foot building located on the Land (the "**Improvements**"), and the acquisition and installation therein of certain equipment and personal property, not part of the Equipment (as defined below) (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 subleased by the Company to the Sublessee; and (b) the acquisition and installation of certain equipment and personal property (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 as the Sublessee's corporate

headquarters, warehouse and office space in the Sublessee's business of the construction and service of commercial and residential swimming pools (the "**Project**"); and

WHEREAS, the Agency, by resolution duly adopted on April 20, 2021 (the "**Inducement Resolution**"), decided to proceed under the provisions of the Act; and

WHEREAS, the Agency will acquire a leasehold interest in the Land and the Improvements and title to the Facility Equipment and the Equipment, and will sublease and lease the Company Facility to the Company for further sublease to the Sublessee, and will lease the Equipment to the Sublessee; and

WHEREAS, the Agency will acquire a leasehold interest in the Land and the Improvements pursuant to a certain Company Lease Agreement, dated as of May 1, 2021, 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 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 will sublease and lease the Company Facility to the Company pursuant to a certain Lease and Project Agreement, dated as of May 1, 2021 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 will acquire title to the Equipment pursuant to a certain Equipment Bill of Sale, dated the Closing Date (as defined in the hereinafter defined Lease Agreement) (the "**Equipment Bill of Sale**"), from the Sublessee to the Agency; and

WHEREAS, the Agency will lease the Equipment to the Sublessee pursuant to a certain Equipment Lease Agreement, dated as of May 1, 2021 or such other date as the Chairman or Executive Director of the Agency and counsel to the Agency shall agree (the "**Equipment Lease Agreement**"), by and between the Agency and the Sublessee; and

WHEREAS, the Sublessee and the Agency will enter into a certain Agency Compliance Agreement, dated as of May 1, 2021, or such other date as may be determined by the Chairman or Executive Director of the Agency and counsel to the Agency (the "**Agency Compliance Agreement**"), whereby the Sublessee will provide certain assurances to the Agency with respect to the Facility; and

WHEREAS, as security for a Loan or Loans (as such term is defined in the Lease Agreement), the Agency and the Company will execute and deliver to a lender or lenders not yet determined (collectively, the "**Lender**"), a mortgage or mortgages, and such other loan documents satisfactory to the Agency, upon advice of counsel, in both form and substance, as may be reasonably required by the Lender, to be dated a date to be determined, in connection

with the financing, any refinancing or permanent financing of the costs of the acquisition, construction, and equipping of the Facility (collectively, the “**Loan Documents**”); and

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company and the Sublessee in the form of (i) exemptions from mortgage recording taxes for one or more mortgages securing an amount presently estimated to be \$1,000,000 but not to exceed \$1,500,000, corresponding to mortgage recording tax exemptions presently estimated to be \$7,500, but not to exceed \$11,250, in connection with the financing of the acquisition, construction and equipping of the Facility and any future financing, refinancing or permanent financing of the costs of acquiring, constructing and equipping of the Facility (ii) exemptions from sales and use taxes in an approximate amount not to exceed \$56,925.00, in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility, and (iii) 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 the Sublessee and to representations by the Company and the Sublessee that the proposed transaction is necessary to maintain the competitive position of the Company and the Sublessee in their respective industries; 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 for further sublease by the Company to 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 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 and the Sublessee have represented to the Agency that they intend to provide one hundred eighteen (18) full-time employees within the first year after completion of the Facility; and

(d) The acquisition, construction and equipping of the Facility, the leasing of the Company Facility to the Company for further subleasing to the Sublessee, and the leasing of the Equipment to the Sublessee, 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, construction and equipping of the Facility by the Agency is reasonably necessary to induce the Company and the Sublessee to maintain and expand their respective business operations in the Town of Islip; and

(f) Based upon representations of the Company and the Sublessee and counsel to the Company and the Sublessee, 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 Facility Equipment to the Company and to lease the Equipment to the Sublessee; 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 Company 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 Agreement may recapture some or all of the benefits granted to the Company; and

(j) The Equipment Lease Agreement will be an effective instrument whereby the Agency leases the Equipment to the Sublessee; and

(k) The Agency Compliance Agreement will be an effective instrument whereby the Sublessee will provide certain assurances to the Agency with respect to the Facility; and

(l) The Loan Documents to which the Agency is a party will be effective instruments whereby the Agency and the Company agree to secure the loan made to the Company by the Lender.

Section 2. The Agency has assessed all material information included in connection with the Company's and the Sublessee'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 and the Sublessee.

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 Company Facility to the Company pursuant to the Lease Agreement, (iv) execute, deliver and perform the Lease Agreement, (v) lease the Equipment to the Sublessee pursuant to the Equipment Lease Agreement, (vi) execute, deliver and perform the Equipment Lease Agreement, (vii) execute and deliver the Agency Compliance Agreement, (viii) grant a mortgage on and security interests in and to the Facility pursuant to the Loan Documents, and (ix) execute and deliver the Loan Documents to which the Agency is a party.

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 the personal property described in Exhibit A to the Equipment 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 is hereby authorized to execute and deliver the Loan Documents in connection with the financing of the costs of acquiring, constructing, and equipping the Facility and any future Loan Documents in connection with any future refinancing or permanent financing of such costs of acquiring, constructing, and equipping of the Facility without the need for any further or future approvals of the Agency.

Section 6. The Agency hereby authorizes and approves the following economic benefits to be granted to the Company and the Sublessee in connection with the acquisition, construction and equipping of the Facility in the form of (i) exemptions from mortgage recording taxes for one or more mortgages securing an amount presently estimated to be \$1,000,000 but not to exceed \$1,500,000, corresponding to mortgage recording tax exemptions presently estimated to be \$7,500, but not to exceed \$11,250, in connection with the financing of the acquisition, construction and equipping of the Facility and any future financing, refinancing or permanent financing of the costs of acquiring, constructing and equipping of the Facility (ii) exemptions from sales and use taxes in an approximate amount not to exceed \$56,925.00, in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility, and (iii) abatement of real property taxes (as set forth in the PILOT Schedule attached as Exhibit A hereof).

Section 7. Subject to the provisions of this resolution, the Company and the Sublessee are herewith and hereby appointed the agents of the Agency to acquire, renovate and equip the Facility. The Company and the Sublessee are hereby empowered to delegate their respective status as agents of the Agency to their respective agents, subagents, contractors, subcontractors, materialmen, suppliers, vendors and such other parties as the Company and the Sublessee 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 and the Sublessee 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 and the Sublessee, as agents 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 or the Sublessee 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 and the Sublessee 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 and the Sublessee, as agents of the Agency. The aforesaid appointment of the Company and the Sublessee as agents 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 and the

Sublessee have received exemptions from sales and use taxes in an amount not to exceed \$56,925.00, 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 and/or the Sublessee, if such activities and improvements are not completed by such time. The aforesaid appointment of the Company and the Sublessee is subject to the execution of the documents contemplated by this resolution.

Section 8. The Company and the Sublessee are hereby notified that they 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 Agreement and the Agency Compliance Agreement. The Company and the Sublessee are further notified that the tax exemptions and abatements provided pursuant to the Act and the appointment of the Company and the Sublessee, as agents 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 and the Agency Compliance Agreement.

Section 9. The form and substance of the Company Lease, the Lease Agreement, the Equipment Lease Agreement, the Agency Compliance Agreement, and the Loan 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 10. 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, the Lease Agreement, the Equipment Lease Agreement, the Agency Compliance Agreement, and the Loan Documents to which the Agency is a party, 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 11. 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 12. 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 13. 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 the 18th day of May, 2021, 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 are each in substantially the form presented to the Agency and/or approved by said meeting.

I FURTHER CERTIFY that, due to the Novel Coronavirus (COVID-19) Emergency State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo’s Executive Order 202.1 issued on March 12, 2020, as amended and extended to date, permitting local governments to hold public hearings by telephone and video conference and/or similar device, the Agency’s Board Meeting on May 18, 2021 (the “**Board Meeting**”), was held electronically via Live-Stream instead of a public meeting open for the public to attend in person. Members of the public were advised, via the Agency’s website, to listen to the Board Meeting by going to <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, and were further advised that the Minutes of the Board Meeting would be transcribed and posted on the Agency’s website, and that all members of said Agency had due notice of said meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of May 18, 2021.

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), Hauppauge School District, Suffolk County and Appropriate Special Districts

Address – 3 Central Avenue, Hauppauge, Town of Islip,
Suffolk County, New York

Definitions:

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

X = \$24,600 (current assessed value of vacant industrial land)

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

<u>Tax Year</u>	<u>PILOT Payments</u>
1	100% Normal Tax Due on X and 0% Normal Tax Due on Y
2	100% Normal Tax Due on X and 10% Normal Tax Due on Y
3	100% Normal Tax Due on X and 20% Normal Tax Due on Y
4	100% Normal Tax Due on X and 30% Normal Tax Due on Y
5	100% Normal Tax Due on X and 40% Normal Tax Due on Y
6	100% Normal Tax Due on X and 50% Normal Tax Due on Y
7	100% Normal Tax Due on X and 60% Normal Tax Due on Y
8	100% Normal Tax Due on X and 70% Normal Tax Due on Y
9	100% Normal Tax Due on X and 80% Normal Tax Due on Y
10	100% Normal Tax Due on X and 90% Normal Tax Due on Y
11 and thereafter	100% Normal Tax Due on X and 100% Normal Tax Due on Y

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR MAY 18, 2021**

AGENDA ITEM #8

TYPE OF RESOLUTION: AUTHORIZING RESOLUTION

COMPANY: NATIONWIDE SALES & SERVICE, INC.

**PROJECT LOCATION: 215 CANDLEWOOD ROAD, BAY
SHORE**

**JOBS (RETAINED/CREATED): RETAINED - 00 -
CREATE - 13 -**

INVESTMENT: \$7,000,000.00

Date: May 18, 2021

At a meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), held via Live-Stream at <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, on the 18th day of May, 2021, 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 (Three G’s Candlewood LLC/Nationwide Sales and Service Inc. 2021 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 THREE G'S CANDLEWOOD LLC, A NEW YORK LIMITED LIABILITY COMPANY, ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF THREE G'S CANDLEWOOD LLC AND/OR AN ENTITY FORMED OR TO BE FORMED ON BEHALF OF ANY OF THE FOREGOING AND NATIONWIDE SALES AND SERVICE INC., A NEW YORK BUSINESS CORPORATION ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF NATIONWIDE SALES AND SERVICE 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, Three G's Candlewood LLC, a limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of Three G's Candlewood LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "**Company**") and Nationwide Sales and Service 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 Nationwide Sales and Service Inc. and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "**Sublessee**"), have applied to the Town of Islip Industrial Development Agency (the "**Agency**"), to enter into a transaction in which the Agency will assist in (acquisition of an approximately 2.53 acre parcel of land located at 215 Candlewood Road, Bay Shore, New York 11706 (the "**Land**"), the renovation of an approximately 53,530 square foot building located on the Land (the "**Improvements**"), and the acquisition and installation therein of certain equipment and personal property, not part of the Equipment (as defined below) (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 subleased by the Company to the Sublessee; and (b) the acquisition and installation of certain equipment and personal property (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 manufacturing, warehousing and distribution space in the Sublessee's business of providing commercial and industrial janitorial supplies (the "**Project**"); and

WHEREAS, the Agency, by resolution duly adopted on April 20, 2021 (the "**Inducement Resolution**"), decided to proceed under the provisions of the Act; an

WHEREAS, the Agency will acquire a leasehold interest in the Land and the Improvements and title to the Facility Equipment and the Equipment, and will sublease and lease the Company Facility to the Company for further sublease to the Sublessee, and will lease the Equipment to the Sublessee; and

WHEREAS, the Agency will acquire a leasehold interest in the Land and the Improvements pursuant to a certain Company Lease Agreement, dated as of May 1, 2021, 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 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 will sublease and lease the Company Facility to the Company pursuant to a certain Lease and Project Agreement, dated as of May 1, 2021 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 will acquire title to the Equipment pursuant to a certain Equipment Bill of Sale, dated the Closing Date (as defined in the hereinafter defined Lease Agreement) (the "**Equipment Bill of Sale**"), from the Sublessee to the Agency; and

WHEREAS, the Agency will lease the Equipment to the Sublessee pursuant to a certain Equipment Lease Agreement, dated as of May 1, 2021 or such other date as the Chairman or Executive Director of the Agency and counsel to the Agency shall agree (the "**Equipment Lease Agreement**"), by and between the Agency and the Sublessee; and

WHEREAS, the Sublessee and the Agency will enter into a certain Agency Compliance Agreement, dated as of May 1, 2021, or such other date as may be determined by the Chairman or Executive Director of the Agency and counsel to the Agency (the "**Agency Compliance Agreement**"), whereby the Sublessee will provide certain assurances to the Agency with respect to the Facility; and

WHEREAS, as security for a Loan or Loans (as such term is defined in the Lease Agreement), the Agency and the Company will execute and deliver to JPMorgan Chase Bank, N.A., or a lender not yet determined (collectively, the "**Lender**"), a mortgage or mortgages, and such other loan documents satisfactory to the Agency, upon advice of counsel, in both form and substance, as may be reasonably required by the Lender, to be dated a date to be determined, in connection with the financing, any refinancing or permanent

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financing of the costs of the acquisition, renovation, and equipping of the Facility (collectively, the “**Loan Documents**”); and

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company and the Sublessee in the form of (i) exemptions from mortgage recording taxes for one or more mortgages securing an amount presently estimated to be \$4,760,000 but not to exceed \$5,000,000, corresponding to mortgage recording tax exemptions presently estimated to be \$35,700, but not to exceed \$37,500, in connection with the financing of the acquisition, renovation and equipping of the Facility and any future financing, refinancing or permanent financing of the costs of acquiring, renovating and equipping of the Facility (ii) exemptions from sales and use taxes in an approximate amount not to exceed \$12,939, in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility, and (iii) 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 the Sublessee and to representations by the Company and the Sublessee that the proposed transaction is necessary to maintain the competitive position of the Company and the Sublessee in their respective industries; 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 for further sublease by the Company to 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 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 and the Sublessee have represented to the Agency that they presently employ ten (10) full-time employees and intend to provide an additional three (3) full-time employees within the second year after completion of the Facility; and

(d) The acquisition, renovation and equipping of the Facility, the leasing of the Company Facility to the Company for further subleasing to the Sublessee, and the leasing of the Equipment to the Sublessee, 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

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

(f) Based upon representations of the Company and the Sublessee and counsel to the Company and the Sublessee, 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 Facility Equipment to the Company and to lease the Equipment to the Sublessee; 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 Company 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 Agreement may recapture some or all of the benefits granted to the Company; and

(j) The Equipment Lease Agreement will be an effective instrument whereby the Agency leases the Equipment to the Sublessee; and

(k) The Agency Compliance Agreement will be an effective instrument whereby the Sublessee will provide certain assurances to the Agency with respect to the Facility; and

(l) The Loan Documents to which the Agency is a party will be effective instruments whereby the Agency and the Company agree to secure the loan made to the Company by the Lender.

Section 2. The Agency has assessed all material information included in connection with the Company's and the Sublessee'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 and the Sublessee.

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 Company Facility to the Company pursuant to the Lease Agreement, (iv) execute, deliver and perform the Lease Agreement, (v) lease the Equipment to the Sublessee pursuant to the Equipment Lease Agreement, (vi) execute, deliver and perform the Equipment Lease Agreement, (vii) execute and deliver the Agency Compliance Agreement, (viii) grant a mortgage on and security interests in and to the Facility pursuant to the Loan Documents, and (ix) execute and deliver the Loan Documents to which the Agency is a party.

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 the personal property described in Exhibit A to the Equipment 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 is hereby authorized to execute and deliver the Loan Documents in connection with the financing of the costs of acquiring, renovating, and equipping the Facility and any future Loan Documents in connection with any future refinancing or permanent financing of such costs of acquiring, renovating, and equipping of the Facility without the need for any further or future approvals of the Agency.

Section 6. The Agency hereby authorizes and approves the following economic benefits to be granted to the Company and the Sublessee in connection with the acquisition, renovation and equipping of the Facility in the form of (i) exemptions from mortgage recording taxes for one or more mortgages securing an amount presently estimated to be \$4,760,000 but not to exceed \$5,000,000, corresponding to mortgage recording tax exemptions presently estimated to be \$35,700, but not to exceed \$37,500, in connection with the financing of the acquisition, renovation and equipping of the Facility and any future financing, refinancing or permanent financing of the costs of acquiring, renovating and equipping of the Facility (ii) exemptions from sales and use taxes in an approximate amount not to exceed \$12,939, in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility, and (iii) abatement of real property taxes (as set forth in the PILOT Schedule attached as Exhibit A hereof).

Section 7. Subject to the provisions of this resolution, the Company and the Sublessee are herewith and hereby appointed the agents of the Agency to acquire, renovate and equip the Facility. The Company and the Sublessee are hereby empowered to delegate their respective status as agents of the Agency to their respective agents, subagents, contractors, subcontractors, materialmen, suppliers, vendors and such other parties as the Company and the Sublessee 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 and the Sublessee 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 and the Sublessee, as agents 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 or the Sublessee 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 and the Sublessee 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 and the Sublessee, as agents of the Agency. The aforesaid appointment of the Company and the Sublessee as agents 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 and the

Sublessee have received exemptions from sales and use taxes in an amount not to exceed \$12,939, 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 and/or the Sublessee, if such activities and improvements are not completed by such time. The aforesaid appointment of the Company and the Sublessee is subject to the execution of the documents contemplated by this resolution.

Section 8. The Company and the Sublessee are hereby notified that they 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 Agreement and the Agency Compliance Agreement. The Company and the Sublessee are further notified that the tax exemptions and abatements provided pursuant to the Act and the appointment of the Company and the Sublessee, as agents 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 and the Agency Compliance Agreement.

Section 9. The form and substance of the Company Lease, the Lease Agreement, the Equipment Lease Agreement, the Agency Compliance Agreement, and the Loan 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 10. 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, the Lease Agreement, the Equipment Lease Agreement, the Agency Compliance Agreement, and the Loan Documents to which the Agency is a party, 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 11. 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 12. 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 13. 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 the 18th day of May, 2021, 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 are each in substantially the form presented to the Agency and/or approved by said meeting.

I FURTHER CERTIFY that, due to the Novel Coronavirus (COVID-19) Emergency State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo’s Executive Order 202.1 issued on March 12, 2020, as amended and extended to date, permitting local governments to hold public hearings by telephone and video conference and/or similar device, the Agency’s Board Meeting on May 18, 2021 (the “**Board Meeting**”), was held electronically via Live-Stream instead of a public meeting open for the public to attend in person. Members of the public were advised, via the Agency’s website, to listen to the Board Meeting by going to <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, and were further advised that the Minutes of the Board Meeting would be transcribed and posted on the Agency’s website, and that all members of said Agency had due notice of said meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of May 18, 2021.

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), Brentwood School District, Suffolk County and Appropriate Special Districts

Address – 215 Candlewood Road, Bay Shore, Town of Islip,
Suffolk County, New York

Definition:

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

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

<u>Tax Year</u>	<u>PILOT Payments</u>
1	100% Normal Tax Due on 50% of the taxable assessed value
2	100% Normal Tax Due on 55% of the taxable assessed value
3	100% Normal Tax Due on 60% of the taxable assessed value
4	100% Normal Tax Due on 65% of the taxable assessed value
5	100% Normal Tax Due on 70% of the taxable assessed value
6	100% Normal Tax Due on 75% of the taxable assessed value
7	100% Normal Tax Due on 80% of the taxable assessed value
8	100% Normal Tax Due on 85% of the taxable assessed value
9	100% Normal Tax Due on 90% of the taxable assessed value
10	100% Normal Tax Due on 95% of the taxable assessed value
11 and thereafter	100% Normal Tax Due on 100% of the taxable assessed value

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR MAY 18, 2021**

AGENDA ITEM #9

TYPE OF RESOLUTION: AUTHORIZING RESOLUTION

COMPANY: CORNER ELECTRONICS, INC.

**PROJECT LOCATION: 100 EMJAY BLVD,
BRENTWOOD**

**JOBS (RETAINED/CREATED): RETAINED - 07 -
CREATE - 02 -**

INVESTMENT: \$4,900,000.00

Date: May 18, 2021

At a meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), held via Live-Stream at <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, on the 18th day of May, 2021, 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 (Kurram LLC/Corner Electronics Inc. 2021 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 KURRAM LLC, A NEW YORK LIMITED LIABILITY COMPANY, ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF KURRAM LLC AND/OR AN ENTITY FORMED OR TO BE FORMED ON BEHALF OF ANY OF THE FOREGOING AND CORNER ELECTRONICS INC., A NEW YORK BUSINESS CORPORATION ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF CORNER ELECTRONICS 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, Kurram LLC, a limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of Kurram LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "Company") and Corner Electronics 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 Corner Electronics Inc. and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "Sublessee"), have applied to the Town of Islip Industrial Development Agency (the "Agency"), to enter into a transaction in which the Agency will assist in (a) the acquisition of an approximately 1.39 acre parcel of land located at 100 Emjay Boulevard, Brentwood, New York 11717 (the "Land"), the renovation of an existing approximately 38,000 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 defined below) (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 subleased by the Company to the Sublessee; and (b) the acquisition and installation of certain equipment and personal property (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 as warehouse and distribution space in the Sublessee's business as a distributor of small electronic products (the "Project"); and

WHEREAS, the Agency, by resolution duly adopted on April 20, 2021 (the “**Inducement Resolution**”), decided to proceed under the provisions of the Act; and

WHEREAS, the Agency will acquire a leasehold interest in the Land and the Improvements and title to the Facility Equipment and the Equipment, and will sublease and lease the Company Facility to the Company for further sublease to the Sublessee, and will lease the Equipment to the Sublessee; and

WHEREAS, the Agency will acquire a leasehold interest in the Land and the Improvements pursuant to a certain Company Lease Agreement, dated as of May 1, 2021, 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 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 will sublease and lease the Company Facility to the Company pursuant to a certain Lease and Project Agreement, dated as of May 1, 2021 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 will acquire title to the Equipment pursuant to a certain Equipment Bill of Sale, dated the Closing Date (as defined in the hereinafter defined Lease Agreement) (the “**Equipment Bill of Sale**”), from the Sublessee to the Agency; and

WHEREAS, the Agency will lease the Equipment to the Sublessee pursuant to a certain Equipment Lease Agreement, dated as of May 1, 2021 or such other date as the Chairman or Executive Director of the Agency and counsel to the Agency shall agree (the “**Equipment Lease Agreement**”), by and between the Agency and the Sublessee; and

WHEREAS, the Sublessee and the Agency will enter into a certain Agency Compliance Agreement, dated as of May 1, 2021, or such other date as may be determined by the Chairman or Executive Director of the Agency and counsel to the Agency (the “**Agency Compliance Agreement**”), whereby the Sublessee will provide certain assurances to the Agency with respect to the Facility; and

WHEREAS, as security for a Loan or Loans (as such term is defined in the Lease Agreement), the Agency and the Company will execute and deliver to a lender or lenders not yet determined (collectively, the “**Lender**”), a mortgage or mortgages, and such other loan documents satisfactory to the Agency, upon advice of counsel, in both form and substance, as may be reasonably required by the Lender, to be dated a date to be determined, in connection with the financing, any refinancing or permanent financing of the costs of the acquisition, renovation, and equipping of the Facility (collectively, the “**Loan Documents**”); and

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company and the Sublessee in the form of (i) exemptions from mortgage recording taxes for one or more mortgages securing an amount presently estimated to be \$1,900,000 but not to exceed \$3,800,000, corresponding to mortgage recording tax exemptions presently estimated to be \$14,250, but not to exceed \$28,500, in connection with the financing of the acquisition, renovation and equipping of the Facility and any future financing, refinancing or permanent financing of the costs of acquiring, renovating and equipping of the Facility (ii) exemptions from sales and use taxes in an approximate amount not to exceed \$17,250.00, in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility, and (iii) abatement of real property taxes (as set forth in the PILOT Schedule attached as Exhibit A hereof); and

WHEREAS, the Company and the Sublessee have represented to the Agency that the approval of the Facility will result in the closure of a plant located at 295 Oser Avenue, Hauppauge, New York 11788 and unless an exception applies the Agency would otherwise be prohibited from granting benefits pursuant to the provisions of Section 862 of the Act; and

WHEREAS, based upon the representations of the Company and the Sublessee in the Application, the closure of the plant is reasonably necessary for the Company and the Sublessee to maintain their competitive position in their respective industries by enabling the Company and the Sublessee to utilize a larger facility and to prevent the Company and the Sublessee from relocating the facility to New Jersey and is therefore not subject to the prohibitions contained in Section 862 of the Act; and

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

WHEREAS, in accordance with Section 859-a(5)(d) of the Act, the Agency has notified the chief executive officers of the Town of Smithtown and Suffolk County of the removal of the Company's and/or Sublessee's facility in Hauppauge, Town of Smithtown, New York and its relocation to the Town of Islip, Suffolk County; 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 for further sublease by the Company to 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 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 and the Sublessee have represented to the Agency that they intend to provide fourteen (14) full-time employees within the first year after completion of the Facility; and
- (d) The acquisition, renovation and equipping of the Facility, the leasing of the Company Facility to the Company for further subleasing to the Sublessee, and the leasing of the Equipment to the Sublessee, 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) Based upon the representations of the Company and the Sublessee, the transactions contemplated by the Lease Agreement shall result in the removal of a plant from one area of the State to another area of the State, but the Project and the related financial assistance is reasonably necessary for the Company and the Sublessee to maintain their competitive position in their respective industries by enabling the Company and the Sublessee to utilize a larger facility which will increase productivity and efficiency and prevent the Company and the Sublessee from relocating the facility to New Jersey.
- (f) The acquisition, renovation and equipping of the Facility by the Agency is reasonably necessary to induce the Company and the Sublessee to maintain and expand their respective business operations in the Town of Islip; and
- (g) Based upon representations of the Company and the Sublessee and counsel to the Company and the Sublessee, 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
- (h) It is desirable and in the public interest for the Agency to sublease the Land and the Improvements and to lease the Facility Equipment to the Company and to lease the Equipment to the Sublessee; and
- (i) The Company Lease will be an effective instrument whereby the Agency leases the Land and the Improvements from the Company; and
- (j) The Lease Agreement will be an effective instrument whereby the Agency leases and subleases the Company 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 Agreement may recapture some or all of the benefits granted to the Company; and
- (k) The Equipment Lease Agreement will be an effective instrument whereby the Agency leases the Equipment to the Sublessee; and

(l) The Agency Compliance Agreement will be an effective instrument whereby the Sublessee will provide certain assurances to the Agency with respect to the Facility; and

(m) The Loan Documents to which the Agency is a party will be effective instruments whereby the Agency and the Company agree to secure the loan made to the Company by the Lender.

Section 2. The Agency has assessed all material information included in connection with the Company's and the Sublessee'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 and the Sublessee.

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 Company Facility to the Company pursuant to the Lease Agreement, (iv) execute, deliver and perform the Lease Agreement, (v) lease the Equipment to the Sublessee pursuant to the Equipment Lease Agreement, (vi) execute, deliver and perform the Equipment Lease Agreement, (vii) execute and deliver the Agency Compliance Agreement, (viii) grant a mortgage on and security interests in and to the Facility pursuant to the Loan Documents, and (ix) execute and deliver the Loan Documents to which the Agency is a party.

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 the personal property described in Exhibit A to the Equipment 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 is hereby authorized to execute and deliver the Loan Documents in connection with the financing of the costs of acquiring, renovating, and equipping the Facility and any future Loan Documents in connection with any future refinancing or permanent financing of such costs of acquiring, renovating, and equipping of the Facility without the need for any further or future approvals of the Agency.

Section 6. The Agency hereby authorizes and approves the following economic benefits to be granted to the Company and the Sublessee in connection with the acquisition, renovation and equipping of the Facility in the form of (i) exemptions from mortgage recording taxes for one or more mortgages securing an amount presently estimated to be \$1,900,000 but not to exceed \$3,800,000, corresponding to mortgage recording tax exemptions presently estimated to be \$14,250, but not to exceed \$28,500, in connection with the financing of the acquisition, renovation and equipping of the Facility and any future financing, refinancing or permanent financing of the costs of acquiring, renovating and equipping of the Facility (ii) exemptions from sales and use taxes in an approximate amount not to exceed \$17,250.00, in connection with the purchase or lease of equipment, building

materials, services or other personal property with respect to the Facility, and (iii) abatement of real property taxes (as set forth in the PILOT Schedule attached as Exhibit A hereof).

Section 7. Subject to the provisions of this resolution, the Company and the Sublessee are herewith and hereby appointed the agents of the Agency to acquire, renovate and equip the Facility. The Company and the Sublessee are hereby empowered to delegate their respective status as agents of the Agency to their respective agents, subagents, contractors, subcontractors, materialmen, suppliers, vendors and such other parties as the Company and the Sublessee 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 and the Sublessee 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 and the Sublessee, as agents 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 or the Sublessee 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 and the Sublessee 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 and the Sublessee, as agents of the Agency. The aforesaid appointment of the Company and the Sublessee as agents 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 and the Sublessee have received exemptions from sales and use taxes in an amount not to exceed \$17,250.00, 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 and/or the Sublessee, if such activities and improvements are not completed by such time. The aforesaid appointment of the Company and the Sublessee is subject to the execution of the documents contemplated by this resolution.

Section 8. The Company and the Sublessee are hereby notified that they 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 Agreement and the Agency Compliance Agreement. The Company and the Sublessee are further notified that the tax exemptions and abatements provided pursuant to the Act and the appointment of the Company and the Sublessee, as agents 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 and the Agency Compliance Agreement.

Section 9. The form and substance of the Company Lease, the Lease Agreement, the Equipment Lease Agreement, the Agency Compliance Agreement, and the Loan 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 10. 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, the Lease Agreement, the Equipment Lease Agreement, the Agency Compliance Agreement, and the Loan Documents to which the Agency is a party, 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 11. 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 12. 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 13. 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 the 18th day of May, 2021, 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 are each in substantially the form presented to the Agency and/or approved by said meeting.

I FURTHER CERTIFY that, due to the Novel Coronavirus (COVID-19) Emergency State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo’s Executive Order 202.1 issued on March 12, 2020, as amended and extended to date, permitting local governments to hold public hearings by telephone and video conference and/or similar device, the Agency’s Board Meeting on May 18, 2021 (the “**Board Meeting**”), was held electronically via Live-Stream instead of a public meeting open for the public to attend in person. Members of the public were advised, via the Agency’s website, to listen to the Board Meeting by going to <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, and were further advised that the Minutes of the Board Meeting would be transcribed and posted on the Agency’s website, and that all members of said Agency had due notice of said meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of May 18, 2021.

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), Brentwood School District, Suffolk County and Appropriate Special Districts

Address – 100 Emjay Boulevard, Brentwood, Town of Islip,
Suffolk County, New York

Definitions:

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

<u>Tax Year</u>	<u>PILOT Payments</u>
1	100% Normal Tax Due on 50% of the taxable assessed value
2	100% Normal Tax Due on 55% of the taxable assessed value
3	100% Normal Tax Due on 60% of the taxable assessed value
4	100% Normal Tax Due on 65% of the taxable assessed value
5	100% Normal Tax Due on 70% of the taxable assessed value
6	100% Normal Tax Due on 75% of the taxable assessed value
7	100% Normal Tax Due on 80% of the taxable assessed value
8	100% Normal Tax Due on 85% of the taxable assessed value
9	100% Normal Tax Due on 90% of the taxable assessed value
10	100% Normal Tax Due on 95% of the taxable assessed value
11 and thereafter	100% Normal Tax Due on 100% of the taxable assessed value

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR MAY 18, 2021**

AGENDA ITEM #10

TYPE OF RESOLUTION: AUTHORIZING RESOLUTION

COMPANY: CVD EQUIPMENT CORPORATION

**PROJECT LOCATION: 355 S. TECHNOLOGY DRIVE,
CENTRAL ISLIP**

**JOBS (RETAINED/CREATED): RETAINED - 105 -
CREATE - 000 -**

INVESTMENT: \$1,000,000.00

Date: May 18, 2021

At a meeting of the Town of Islip Industrial Development Agency (the “Agency”), held via Live-Stream at <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, on the 18th day of May, 2021, 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 (FAE Holdings 411519R, LLC/CVD Equipment Corporation/CVD Materials Corporation 2021 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 FAE HOLDINGS 411519R, LLC, A NEW YORK LIMITED LIABILITY COMPANY, ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF FAE HOLDINGS 411519R, LLC AND/OR AN ENTITY FORMED OR TO BE FORMED ON BEHALF OF ANY OF THE FOREGOING, CVD EQUIPMENT CORPORATION, A NEW YORK BUSINESS CORPORATION ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF CVD EQUIPMENT CORPORATION AND/OR AN ENTITY FORMED OR TO BE FORMED ON BEHALF OF ANY OF THE FOREGOING, AND CVD MATERIALS CORPORATION, A NEW YORK BUSINESS CORPORATION ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF CVD MATERIALS CORPORATION 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, The Agency has previously provided assistance to FAE Holdings 411519R, LLC, a limited liability company organized and existing under the laws of the State of New York (the “**Company**”), and CVD Equipment Corporation, a business corporation organized and existing under the laws of the State of New York (“**CVD Equipment**”), in the acquisition, construction and equipping of an approximately 128,510 square foot building (the “**Original Improvements**” and the “**Original Equipment**”), on approximately 8.0 acres of land located at 355 South Technology Drive, Central Islip, Suffolk County, New York (the “**Land**”; and together with the Original Improvements and the Original Equipment, the “**Original Facility**”), which Original Facility is used by CVD Equipment as a manufacturing facility to process surface treatments or films and coatings on various product lines in its business as a manufacturer of equipment and materials for the semiconductor industry; and

WHEREAS, the Agency acquired fee title to the Land and the Original Improvements pursuant to a certain Bargain and Sale Deed, dated December 28, 2000 (the “**Deed**”), from SJA Industries, LLC (the “**Original Company**”), to the Agency; and

WHEREAS, the Agency currently leases the Original Facility to the Company pursuant to a certain Lease Agreement, dated as of March 1, 2012, as amended and restated by a certain Amended and Restated Lease and Project Agreement, dated as of November 1, 2017 (collectively, the “**Original Lease Agreement**”), by and between the Agency and the Company; and

WHEREAS, the Agency and CVD Equipment previously entered into a certain Agency Compliance Agreement, dated as of March 1, 2012, as amended and restated pursuant to a certain Amended and Restated Agency Compliance Agreement, dated as of November 1, 2017 (collectively, the “**Original Agency Compliance Agreement**”), by and between the Agency and CVD Equipment; and

WHEREAS, the Agency also previously provided assistance to 555 N Research Corporation, a New York business corporation (the “**555 Company**”), and CVD Materials Corporation, a New York business corporation (“**CVD Materials**”; and together with CVD Equipment, the “**Sublessees**”), in: (a) the acquisition of an approximately 11.88 acre parcel of land located at 555 North Research Place, Central Islip, New York 11722 (the “**555 Land**”), the renovation of an approximately 179,000 square foot building located thereon, together with the acquisition, installation and equipping of improvements, structures and other related facilities attached to the 555 Land (the “**555 Improvements**”), and the acquisition and installation therein of certain equipment not part of the 555 Equipment (as such term is defined herein) (the “**555 Facility Equipment**”; and together with the 555 Land and the 555 Improvements, the “**555 Company Facility**”), which 555 Company Facility is currently leased and subleased by the Agency to the 555 Company, pursuant to a certain Lease and Project Agreement, dated as of November 1, 2017 (the “**555 Lease Agreement**”), and further subleased by the 555 Company to CVD Materials; and (b) the acquisition and installation of certain equipment and personal property (the “**555 Equipment**”; and together with the 555 Company Facility, the “**555 Facility**”), which 555 Equipment is leased by the Agency to CVD Materials pursuant to a certain Equipment Lease Agreement, dated as of November 1, 2017 (the “**555 Equipment Lease**”), and which 555 Facility is used by CVD Materials for its primary use as a manufacturing facility to process surface treatments or films and coatings on various product lines in its business as a manufacturer of equipment and materials for the semiconductor industry; and

WHEREAS, due to adverse circumstances related to the COVID-19 pandemic, the Agency, the 555 Company and CVD Materials intend to terminate the 555 Lease Agreement and the 555 Equipment Lease Agreement, the Agency will reconvey the 555 Company Facility to the 555 Company and the 555 Equipment to CVD Materials, and CVD Materials will consolidate its operations in the Original Facility (the “**Consolidation**”); and

WHEREAS, as part of the Consolidation, the Company and the Sublessees have now requested the Agency’s assistance in the renovation of an approximately 30,000 square foot portion of the Original Facility (the “**2021 Improvements**”; and together with the Original

Improvements, the “**Improvements**”), and the acquisition and installation of certain equipment and personal property (the “**2021 Equipment**”; and together with the 2021 Improvements, the “**2021 Facility**”; and together with the Original Facility, the “**Facility**”), which Facility will be leased by the Agency to the Company and subleased by the Company to the Sublessees for use by the Sublessees as a manufacturing facility to process surface treatments or films and coatings on various product lines in its business as a manufacturer of equipment and materials for the semiconductor industry (the “**Project**”); and

WHEREAS, the Agency, by resolution duly adopted on April 20, 2021 (the “**Inducement Resolution**”), decided to proceed under the provisions of the Act; and

WHEREAS, the Agency will acquire a leasehold interest in the Land and the Improvements and title to the 2021 Equipment, and will sublease and lease the Facility to the Company for further sublease to the Sublessees; and

WHEREAS, the Agency will convey the Land and the Original Improvements to the Company pursuant to a certain Quitclaim Deed, to be dated the Closing Date (as such term is defined the hereinafter defined Lease Agreement) (the “**Quitclaim Deed**”), from the Agency to the Company; and

WHEREAS, the Agency will acquire a leasehold interest in the Land and the Improvements pursuant to a certain Company Lease Agreement, dated as of May 1, 2021, 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 2021 Equipment pursuant to one or more Bills of Sale, dated the Closing Date (as defined in the hereinafter defined Lease Agreement) (collectively, 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 Second Amended and Restated Lease and Project Agreement, dated as of May 1, 2021 or such other date as the Chairman or Executive Director of the Agency and counsel to the Agency shall agree (the “**Second Amended and Restated Lease Agreement**”; and together with the Original Lease Agreement, the “**Lease Agreement**”), by and between the Agency and the Company; and

WHEREAS, CVD Equipment and the Agency will enter into a certain Second Amended and Restated Agency Compliance Agreement, dated as of May 1, 2021, or such other date as may be determined by the Chairman or Executive Director of the Agency and counsel to the Agency (the “**Second Amended and Restated Agency Compliance Agreement**”; and together with the Original Agency Compliance Agreement, the “**CVD Equipment Agency Compliance Agreement**”), whereby CVD Equipment will provide certain assurances to the Agency with respect to the Facility; and

WHEREAS, the CVD Materials and the Agency will enter into a certain Agency Compliance Agreement, dated as of May 1, 2021, or such other date as may be determined

by the Chairman or Executive Director of the Agency and counsel to the Agency (the “**CVD Materials Agency Compliance Agreement**”; and together with the CVD Equipment Agency Compliance Agreement, the “**Agency Compliance Agreements**”), whereby CVD Materials will provide certain assurances to the Agency with respect to the Facility; and

WHEREAS, the Agency will enter into an Equipment Lease Agreement, dated as of May 1, 2021, or such other date as may be determined by the Chairman or Executive Director of the Agency and counsel to the Agency (the “**Equipment Lease Agreements**”) with one or more of the Sublessees, if needed, in order to appoint either Sublessee as an agent of the Agency for purposes of exempting certain purchases of the 2021 Equipment from sales and use taxes; and

WHEREAS, as security for a Loan or Loans (as such term is defined in the Lease Agreement), the Agency and the Company will execute and deliver to a lender or lenders not yet determined (collectively, the “**Lender**”), a mortgage or mortgages, and such other loan documents satisfactory to the Agency, upon advice of counsel, in both form and substance, as may be reasonably required by the Lender, to be dated a date to be determined, in connection with the financing, any refinancing or permanent financing of the costs of the acquisition, renovation, and equipping of the Facility (collectively, the “**Loan Documents**”); and

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company and the Sublessees in the form of (i) exemptions from sales and use taxes in an approximate amount not to exceed \$43,125.00, 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, because the termination of the 555 Facility was caused by Force Majeure (as defined in the 555 Lease Agreement), the Agency will waive any recapture of benefits associated with the 555 Facility; and

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

WHEREAS, the Company and the Sublessees 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 for further sublease by the Company to the Sublessees.

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 and the Sublessees have represented to the Agency that they intend to provide ninety-five (95) full-time employees within the first year after completion of the Facility; and

(d) The acquisition, renovation and equipping of the Facility, and the leasing of the Facility to the Company for further subleasing to the Sublessees, 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 and the Sublessees to maintain and expand their respective business operations in the Town of Islip; and

(f) Based upon representations of the Company and the Sublessees and counsel to the Company and the Sublessees, 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 2021 Equipment to the Company; and

(h) The Quitclaim Deed will be an effective instrument whereby the Agency transfers fee title to the Land and the Original Improvements to the Company; and

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

(j) 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 Agreement may recapture some or all of the benefits granted to the Company; and

(k) The Agency Compliance Agreements will be effective instruments whereby the Sublessees will provide certain assurances to the Agency with respect to the Facility; and

(l) The Equipment Lease Agreements will be an effective instrument whereby the Agency leases certain of the 2021 Equipment to the Sublessees; and

(m) The Loan Documents to which the Agency is a party will be effective instruments whereby the Agency and the Company agree to secure the loan made to the Company by the Lender; and

(n) The termination of the 555 Facility is a result of a Force Majeure event, and therefore benefits associated with the 555 Facility are not subject to recapture.

Section 2. The Agency has assessed all material information included in connection with the Company's and the Sublessees' 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 and the Sublessees.

Section 3. In consequence of the foregoing, the Agency hereby determines to: (i) convey fee title to the Land and the Original Improvements to the Company pursuant to the Quitclaim Deed; (ii) execute and deliver the Quitclaim Deed; (iii) lease the Land and the Improvements from the Company pursuant to the Company Lease, (iv) execute, deliver and perform the Company Lease, (v) sublease and lease the Facility to the Company pursuant to the Lease Agreement, (vi) execute, deliver and perform the Lease Agreement, (vii) execute and deliver the Agency Compliance Agreements and Equipment Lease Agreements, (viii) grant a mortgage on and security interests in and to the Facility pursuant to the Loan Documents, (ix) execute and deliver the Loan Documents to which the Agency is a party, and (x) waive recapture of benefits associated with the 555 Facility.

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 is hereby authorized to execute and deliver the Loan Documents in connection with the financing of the costs of acquiring, renovating, and equipping the Facility and any future Loan Documents in connection with any future refinancing or permanent financing of such costs of acquiring, renovating, and equipping of the Facility without the need for any further or future approvals of the Agency.

Section 6. The Agency hereby authorizes and approves the following economic benefits to be granted to the Company and the Sublessees 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 \$43,125.00, 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 7. Subject to the provisions of this resolution, the Company and the Sublessees are herewith and hereby appointed the agents of the Agency to acquire, renovate and equip the Facility. The Company and the Sublessees are hereby empowered to delegate

their respective status as agents of the Agency to their respective agents, subagents, contractors, subcontractors, materialmen, suppliers, vendors and such other parties as the Company and the Sublessees 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 and the Sublessees 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 and the Sublessees, as agents 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 or the Sublessees 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 and the Sublessees 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 and the Sublessees, as agents of the Agency. The aforesaid appointment of the Company and the Sublessees as agents 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 and the Sublessees have received exemptions from sales and use taxes in an amount not to exceed \$43,125.00, 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 and/or the Sublessees, if such activities and improvements are not completed by such time. The aforesaid appointment of the Company and the Sublessees is subject to the execution of the documents contemplated by this resolution.

Section 8. The Company and the Sublessees are hereby notified that they will be required to comply with Section 875 of the Act. The Company and the Sublessees shall be required to agree to the terms of Section 875 pursuant to the Lease Agreement and the Agency Compliance Agreements. The Company and the Sublessees are further notified that the tax exemptions and abatements provided pursuant to the Act and the appointment of the Company and the Sublessees, as agents 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 and the Agency Compliance Agreements.

Section 9. The form and substance of the Quitclaim Deed, the Company Lease, the Lease Agreement, the Agency Compliance Agreements, and the Loan 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 10. 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 Quitclaim Deed, the Company Lease, the Lease Agreement, the Agency Compliance Agreements, Equipment Lease Agreements, and the Loan Documents to which the Agency is a party, 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 11. 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 12. 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 13. 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 18th day of May, 2021, 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 are each in substantially the form presented to the Agency and/or approved by said meeting.

I FURTHER CERTIFY that, due to the Novel Coronavirus (COVID-19) Emergency State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, as amended and extended to date, permitting local governments to hold public hearings by telephone and video conference and/or similar device, the Agency's Board Meeting on May 18, 2021 (the "**Board Meeting**"), was held electronically via Live-Stream instead of a public meeting open for the public to attend in person. Members of the public were advised, via the Agency's website, to listen to the Board Meeting by going to <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, and were further advised that the Minutes of the Board Meeting would be transcribed and posted on the Agency's website, and that all members of said Agency had due notice of said meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of May 18, 2021.

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), Central Islip School District, Suffolk County and Appropriate Special Districts

Address – 355 South Technology Drive, Central Islip, Town of Islip,
Suffolk County, New York

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

<u>Tax Year</u>	<u>PILOT Payments</u>
1	100% Normal Tax Due on the taxable assessed value of \$280,000
2	100% Normal Tax Due on the taxable assessed value of \$280,000
3	100% Normal Tax Due on the taxable assessed value of \$280,000
4	100% Normal Tax Due on the taxable assessed value of \$280,000
5	100% Normal Tax Due on the taxable assessed value of \$280,000
6	100% Normal Tax Due on the taxable assessed value of \$354,260
7	100% Normal Tax Due on the taxable assessed value of \$428,520
8	100% Normal Tax Due on the taxable assessed value of \$502,780
9	100% Normal Tax Due on the taxable assessed value of \$577,040
10	100% Normal Tax Due on the taxable assessed value of \$651,300
11	100% Normal Tax Due on the taxable assessed value of \$725,560
12	100% Normal Tax Due on the taxable assessed value of \$799,820
13	100% Normal Tax Due on the taxable assessed value of \$874,080
14	100% Normal Tax Due on the taxable assessed value of \$948,340
15 and thereafter	100% Normal Tax Due on the full taxable assessed value

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR MAY 18, 2021**

AGENDA ITEM #11

TYPE OF RESOLUTION: AUTHORIZING RESOLUTION

COMPANY: CIVF-NY1W03, LLC (PODS)

PROJECT LOCATION: 555 PRIME PL, HAUPPAUGE

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

INVESTMENT: \$N/A

Date: May 18, 2021

At a meeting of the Town of Islip Industrial Development Agency (the “Agency”), held via Live-Stream at <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-05-18-2021.html>, on the 18th day of May, 2021, 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 mortgage financing and the execution of related loan documents in connection with a certain industrial development facility more particularly described below (CIVF V-NY1W03, LLC/ PODS Enterprises, LLC 2021 Facility) and approving the execution and delivery of related documents.

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

Voting Aye

Voting Nay

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY AUTHORIZING A MORTGAGE
FINANCING AND THE EXECUTION AND DELIVERY OF
LOAN DOCUMENTS IN CONNECTION THEREWITH FOR
THE CIVF V-NY1W03, LLC/PODS ENTERPRISES, LLC 2021
FACILITY AND APPROVING THE FORM, SUBSTANCE,
EXECUTION AND DELIVERY OF SUCH RELATED
DOCUMENTS

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

WHEREAS, the Agency previously provided its assistance to CIVF V-NY1W03, LLC, a limited liability company organized and existing under the laws of the State of Delaware (the “**Company**”) and PODS Enterprises, LLC, a limited liability company organized and existing under the laws of the State of New York (the “**Sublessee**”) in the in the acquisition of an approximately 1.93 acre parcel of land located at 555 Prime Place, Hauppauge, New York 11788 (the “**Land**”), and an existing approximately 102,500 square foot building located thereon (the “**Improvements**”; and, together with the Land, the “**Facility**”), which Facility is to be leased by the Agency to the Company and further subleased by the Company to the Sublessee to be used by the Sublessee as warehouse, distribution and light manufacturing in its business of warehousing of portable storage units (the “**Project**”); and

WHEREAS, the Agency acquired a leasehold interest in the Land and the Improvements pursuant to a certain Company Lease Agreement, dated as of January 1, 2021 (the “**Company Lease**”), by and between the Company, as lessor, and the Agency, as lessee, and a memorandum of Company Lease was to be recorded in the Suffolk County Clerk’s office; and

WHEREAS, the Agency currently leases the Facility to the Company pursuant to a certain Lease and Project Agreement, dated as of January 1, 2021 (the “**Lease Agreement**”), by and between the Agency, as lessor, and the Company, as lessee, and a memorandum of Lease Agreement was to be recorded in the Suffolk County Clerk’s office; and

WHEREAS, the Agency and the Sublessee entered into a Tenant Agency Compliance, dated as of January 1, 2021 (the “**Tenant Agency Compliance Agreement**”), by and between the Agency and the Sublessee, wherein the Sublessee provided certain assurances to the Agency with respect to the Facility; and

WHEREAS, the Company has now requested that the Agency consent to enter into a mortgage with U.S. Bank National Association, or such other lender or lenders (the “**Lender**”) to provide security for a portfolio loan consisting of a collective of properties

owned by the Company (the “**Portfolio Loan**”), with respect to the Facility the apportioned approximate principal amount is estimated to be \$5,798,487 but not to exceed \$8,000,000 (the “**2021 Loan**”); and

WHEREAS, as security for such 2021 Loan being made to the Company by the Lender, the Company has submitted a request to the Agency that it join with the Company in executing and delivering to the Lender one or more mortgages and such other loan documents, satisfactory to the Agency, upon advice of counsel, in both form and substance, as may be reasonably requested by the Lender (the “**2021 Loan Documents**”); and

WHEREAS, the Agency will not be providing any further financial assistance to the Company; and

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

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

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

Section 1. The Agency hereby finds and determines:

- (a) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act.
- (b) The Facility continues to constitute a “project” as such term is defined in the Act.
- (c) The financing of the Facility 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.
- (d) The financing of the Facility as contemplated in this resolution is reasonably necessary to maintain the competitive position of the Company and the Sublessee in their respective industries.
- (e) Based upon representations of the Company and Sublessee and counsel to the Company and Sublessee, 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.

- (f) It is desirable and in the public interest for the Agency to assist in the financing of the Facility.
- (g) The Loan Documents will be effective instruments whereby the Agency and the Company agree to secure the Loan and assign to the Lender their respective rights under the Lease Agreement (except the Agency's Unassigned Rights as defined therein).

Section 2. In consequence of the foregoing, the Agency hereby determines to: (i) grant a mortgage or mortgages on and security interest in and to the Facility pursuant to certain mortgages and security agreements for the benefit of the Lender (the "**Mortgage**"), (ii) execute, deliver and perform the Mortgage, and (iii) execute, deliver and perform the Loan Documents to which the Agency is a party, as may be necessary or appropriate to effect the Loan or any subsequent refinancing of the Mortgage provided, however, the Company shall be required to pay the mortgage recording tax on the full principal amount of the Mortgage.

Section 3. Subject to the provisions of this resolution and the Lease Agreement, the Agency is hereby authorized to do all things necessary or appropriate for the execution, delivery and performance of the Loan Documents and the Mortgage, and such other related documents as may be necessary or appropriate to effect the Loan, or any subsequent refinancing of the Loan, and all acts heretofore taken by the Agency with respect to such financing or refinancing are hereby approved, ratified and confirmed. The Agency is hereby further authorized to execute and deliver any future documents in connection with any future refinancing or permanent financing of the Facility without need for any further or future approvals of the Agency.

Section 4.

(a) Subject to the provisions of this resolution and the Lease Agreement, the Chairman, Executive Director, Deputy Executive Director and all other members of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Mortgage and Loan Documents, together with such other related documents as may be, in the judgment of the Chairman and Agency Counsel, necessary or appropriate to effect the transactions contemplated by this resolution (hereinafter collectively called the "**Agency Documents**"). The execution thereof by the Chairman, Executive Director, Deputy Executive Director or any member of the Agency shall constitute conclusive evidence of such approval; and

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

Section 5. Subject to the provisions of this resolution and the Lease Agreement, the officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Agency Documents, and to execute and deliver all such additional

certificates, instruments and documents, pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Agency Documents binding upon the Agency.

Section 6. Any expenses incurred by the Agency with respect to the financing or refinancing of the Facility shall be paid by the Company. The Company has agreed to pay such expenses and have further agreed 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 financing or refinancing of 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 the 18th day of May, 2021, 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 are each in substantially the form presented to the Agency and/or approved by said meeting.

I FURTHER CERTIFY that, due to the Novel Coronavirus (COVID-19) Emergency State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo’s Executive Order 202.1 issued on March 12, 2020, as amended and extended to date, permitting local governments to hold public hearings by telephone and video conference and/or similar device, the Agency’s Board Meeting on May 18, 2021 (the “**Board Meeting**”), was held electronically via Live-Stream instead of a public meeting open for the public to attend in person. Members of the public were advised, via the Agency’s website, to listen to the Board Meeting by going to <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-05-18-2021.html>, and were further advised that the Minutes of the Board Meeting would be transcribed and posted on the Agency’s website, and that all members of said Agency had due notice of said meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of May 18, 2021.

By: _____
Assistant Secretary

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR MAY 18, 2021**

AGENDA ITEM #12

TYPE OF RESOLUTION: AUTHORIZING RESOLUTION

COMPANY: CIVF-NY1WO2, LLC (WESCO)

PROJECT LOCATION: 500 PRIME PL, HAUPPAUGE

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

INVESTMENT: N/A

Date: May 18, 2021

At a meeting of the Town of Islip Industrial Development Agency (the “Agency”), held via Live-Stream at <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-05-18-2021.html>, on the 18th day of May, 2021, 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 mortgage financing and the execution of related loan documents in connection with a certain industrial development facility more particularly described below (CIVF V-NY1W02, LLC/ Wesco, LLC 2021 Facility) and approving the execution and delivery of related documents.

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

Voting Aye

Voting Nay

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY AUTHORIZING A MORTGAGE
FINANCING AND THE EXECUTION AND DELIVERY OF
LOAN DOCUMENTS IN CONNECTION THEREWITH FOR
THE CIVF V-NY1W02, LLC/WESCO, LLC 2021 FACILITY
AND APPROVING THE FORM, SUBSTANCE, EXECUTION
AND DELIVERY OF SUCH RELATED DOCUMENTS

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

WHEREAS, the Agency previously provided its assistance to the Prime Eleven, LLC, a New York limited liability company (the “**Original Company**” and “**Assignor**”) and Jaarf Realty Corp., a New York business corporation (“**Jaarf**”), consisting of the acquisition, environmental remediation, infrastructure development and eventual leasing of an approximately 10.8709 acre parcel of land located at Prime Place (Edison Avenue off Motor Parkway and formerly known as “**Watch Hill Site**”), Hauppauge, Town of Islip, Suffolk County, New York (Tax Map Nos. District 0500, Section 38, Block 2, part of Lot 20.7 and District 0500, Section 53, Block 1, Lots 20 and 22) (the “**Original Land**”), to be used by the Original Company and Jaarf for future industrial and economic development purposes (the “**Original 2006 Facility**”); and

WHEREAS, the Original Company and Jaarf previously leased the Original 2006 Facility to the Agency pursuant to and in accordance with a certain Company Lease Agreement, dated as of January 1, 2006 (the “**Original 2006 Company Lease**”), among the Original Company, Jaarf and the Agency, a memorandum of which such Original 2006 Company Lease was recorded in the Suffolk County Clerk’s office on February 28, 2006, in Liber 12438 of Deeds, page 123; and

WHEREAS, the Agency previously subleased the Original 2006 Facility to the Original Company and Jaarf pursuant to and in accordance with a certain Lease Agreement, dated as of January 1, 2006 (the “**Original 2006 Lease Agreement**”), among the Agency, the Original Company and Jaarf, a memorandum of which such Original 2006 Lease Agreement was recorded in the Suffolk County Clerk’s office on February 28, 2006, in Liber 12438 of Deeds, Cp 126; and

WHEREAS, the Agency, the Original Company and Jaarf previously agreed to release a parcel of land from the Original 2006 Facility pursuant to a certain Amendment and Modification Agreement, dated June 13, 2006 (the “**Amendment to 2006 Facility**”), among the Agency, the Original Company and Jaarf, which Amendment to 2006 Facility amended the Original 2006 Company Lease and the Original 2006 Lease Agreement to release the Triangle Piece (as defined in the Amendment), and which Amendment was recorded in the Suffolk County Clerk’s office on June 14, 2006, in Liber 12455 of Deeds, Cp 252; and

WHEREAS, the Original Company and Jaarf previously requested that the Agency consent to a development plan for the Original 2006 Facility, as amended, and the Agency agreed to enter into certain real estate transactions in order to subdivide the Original Facility, as amended, for the future construction and equipping of three (3) industrial buildings to be located thereon which subdivision created three (3) new parcels of land described in part as follows: (i) Lot A was to consist of approximately 6.63 acres of land ("**Lot A**"), (ii) Lot B was to consist of approximately 1.48 acres of land ("**Lot B**"), and (iii) Lot C was to consist of approximately 2.69 acres of land ("**Lot C**"; and collectively with Lot A and Lot B, the "**Subdivided Land**"; and

WHEREAS, further the Original Company and Jaarf requested that the Agency consent to a reorganization of the ownership structure of the Original Company to provide for separate and newly created entities to assume ownership of the Original 2006 Facility, as amended, as follows: (i) Lot A was to be owned by the Original Company and Jesop Associates, L.P., a New York limited partnership ("**Jesop**"), (ii) Lot B was to be owned by Prime Eleven West, LLC, a New York limited liability company, and (iii) Lot C was to be owned by Prime Eleven East, LLC, a New York limited liability company (collectively, the "**Subdivision Reorganization**"; and, together with the Subdivided Land, the "**Subdivision Transactions**"; and

WHEREAS, in connection with the Subdivision Transactions, the Agency, the Original Company, Jaarf and Jesop entered into an Assignment, Assumption, Amendment and Modification Agreement, dated as of May 1, 2007 (the "**Assignment, Assumption, Amendment and Modification Agreement**"), among the Agency, the Original Company, Jaarf and Jesop, which Assignment, Assumption, Amendment and Modification Agreement released Lot B and Lot C from the Original 2006 Facility, and assigned Jaarf's interest in the Original 2006 Company Lease and the Original 2006 Lease Agreement, and which Assignment, Assumption, Amendment and Modification Agreement was recorded in the Suffolk County Clerk's office on June 7, 2007 in Liber of Deeds D12508 at page 476; and

WHEREAS, in connection with the Subdivision Transactions, the Agency, the Original Company and Jesop entered into an Amended Company Lease, dated May 18, 2007 (the "**Second Amended 2006 Company Lease**"), among the Agency, the Original Company and Jesop and a memorandum of Amended 2006 Company Lease was recorded in the Suffolk County Clerk's office on June 7, 2007 in Liber of Deeds D12508 at page 477; and

WHEREAS, the Original Company previously requested that the Agency consent to a further reorganization of the ownership structure of the Original Company to allow Jesop to contribute its tenant-in-common interest in the Facility to the Original Company in exchange for a corresponding membership interest in the Original Company (the "**Fee Interest Conversion**"; and

WHEREAS, the Agency consented to the Original Company's acquisition of Jesop's tenant-in-common interest in the Original 2006 Facility, as amended, and agreed that the Amended 2006 Company Lease and the Original 2006 Lease Agreement, as amended, would be amended to both be by and between the Original Company and the Agency; and

WHEREAS, in connection with the Fee Interest Conversion, the Agency and the Original Company entered into an Amendment of Company Lease Agreement, dated May 9, 2011 (the "**Third Amended 2006 Company Lease**"; and, together with the Original 2006 Company Lease and the Amended 2006 Company Lease, the "**2006 Company Lease**"), between the Original Company and the Agency, and consented to by Jesop, and a memorandum of Amended Company Lease was recorded in the Suffolk County Clerk's office on June 8, 2011 in Liber of Deeds D12662 at page 111; and

WHEREAS, in connection with the Fee Interest Conversion, the Agency and the Original Company entered into an Amendment of Lease Agreement, dated May 9, 2011 (the "**Second Amended 2006 Lease Agreement**"; and, together with the Original 2006 Lease Agreement and the Assignment, Assumption, Amendment and Modification Agreement, the "**2006 Lease Agreement**"), between the Original Company and the Agency, and consented to by Jesop, and a memorandum of Second Amended 2006 Lease Agreement was recorded in the Suffolk County Clerk's office on June 8, 2011 in Liber of Deeds D12662 at page 110; and

WHEREAS, the Agency subsequently entered into a straight lease transaction with the Original Company and Wesco Distribution, Inc., a Delaware business corporation (the "**Sublessee**"), consisting of consisting of (i) an approximately 6.62 acre portion of the Original Land (the "**2013 Company Land**"), and the construction and equipping thereon of an approximately 85,000 square foot building, with improvements, structures, and related facilities attached to the 2013 Company Land (collectively, the "**Improvements**"), and the acquisition and installation of certain equipment not part of the Equipment (as defined in Exhibit A to the Equipment Lease Agreement) (the "**Facility Equipment**"; and, together with the 2013 Company Land and the 2013 Improvements, the "**2013 Company Facility**"), which 2013 Company Facility was leased by the Original Company to the Agency, and subleased by the Agency to the Original Company, and further sub-subleased by the Original Company to, and used by, the Sublessee, and (ii) the acquisition and installation of the Equipment, which Equipment was leased by the Agency to, and used by, the Sublessee for the distribution of electrical supplies to electrical and general contractors in the New York metro area (the Company Facility and the Equipment collectively referred to herein as the "**2013 Facility**"); and

WHEREAS, the 2006 Company Lease was amended and restated to provide for the leasing of the 2013 Company Facility to the Agency pursuant to and in accordance with a certain Amended and Restated Company Lease Agreement, dated as of April 1, 2013 (the "**Amended and Restated Company Lease**"; and together with the 2006 Company Lease, the "**Original Company Lease**"), between the Original Company and the Agency, a memorandum of which was recorded in the Suffolk County Clerk's office on May 14, 2013, in Liber 12729 of Deeds, Cp 564; and

WHEREAS, the 2006 Lease Agreement was amended and restated to provide for the subleasing of the 2013 Company Facility by the Agency to the Original Company pursuant to and in accordance with a certain Amended and Restated Lease Agreement, dated as of April 1, 2013 (the "**Amended and Restated Lease Agreement**"; and together with the 2006 Lease Agreement, the "**Original Lease Agreement**"), between the Agency and the Original

Company, a memorandum of which such Lease Agreement was recorded in the Suffolk County Clerk's office on May 14, 2013, in Liber 12729 of Deeds, Cp 562; and

WHEREAS, the Original Company previously subleased the 2013 Company Facility to the Sublessee pursuant to and in accordance with a certain Agreement of Sublease, dated June 19, 2012 (as amended to date, the "**Sublease Agreement**"), between the Original Company and the Sublessee, a memorandum of which such Sublease Agreement was recorded in the Suffolk County Clerk's office on May 14, 2013, in Liber 12729, Cp 563; and

WHEREAS, in connection with the leasing and the subleasing of the 2013 Company Facility, the Agency, the Original Company and the Sublessee entered into an Amended and Restated Payment-in-Lieu-of-Tax Agreement, originally dated as of January 1, 2006, as amended and restated as of April 1, 2013 (the "**Original PILOT Agreement**"), whereby the Original Company and the Sublessee agreed to make certain payments-in-lieu-of real property taxes on the 2013 Company Facility (as defined therein); and

WHEREAS, in connection with the leasing and the subleasing of the 2013 Company Facility, the Agency, the Original Company and the Sublessee entered into an Environmental Compliance and Indemnification Agreement, originally dated as of January 1, 2006, as amended and restated as of April 1, 2013 (the "**Original Environmental Compliance and Indemnification Agreement**"), whereby the Original Company and the Sublessee agreed to comply with all Environmental Laws (as defined therein) applicable to the 2013 Company Facility; and

WHEREAS, in connection with the leasing and the subleasing of the 2013 Company Facility, the Agency, the Original Company and the Sublessee entered into a Recapture Agreement, dated as of April 1, 2013 (the "**Original Recapture Agreement**"), whereby the Original Company and the Sublessee agreed to provide assurances with respect to the recapture of benefits granted under the Original PILOT Agreement, the Original Company Lease, the Original Lease Agreement, and the other Agency agreements (as defined therein), and such Original Recapture Agreement was recorded in the Suffolk County Clerk's office on May 14, 2013, in Liber 22338 of Mortgages, Mp 792; and

WHEREAS, the Agency previously consented to a request from the Original Company to a development plan for the 2013 Company Facility and a reorganization of the ownership structure of the Original Company to provide for separate and newly created entities to assume ownership of the 2013 Company Facility as follows: (i) a portion of the 2013 Company Land known as Lot A-1 continued to be owned by the Original Company and (ii) a portion of the 2013 Company Land known as Lot A-2 was conveyed to Prime Eleven Tower LLC, a New York limited liability company (collectively, the "**Subdivision Reorganization**"); and

WHEREAS, in connection with such Subdivision Reorganization, the Agency agreed to amend and modify the Original Company Lease, the Original Lease Agreement, the Original PILOT Agreement, the Original Environmental Compliance and Indemnification Agreement and the Original Recapture Agreement, in order to release from the 2013 Facility

the Lot A-2 (described above) portion of the parcel of 2013 Company Land described in Exhibit A attached to the Original Lease Agreement (the “**2013 Released Parcel**”); and

WHEREAS, in furtherance of the release of the 2013 Released Parcel, the Agency, the Original Company and the Sublessee entered into an Amendment and Modification Agreement, dated as of October 1, 2013 (the “**Amendment and Modification Agreement**”), among the Agency, the Original Company and the Sublessee, wherein the parties agreed to amend the definition of Facility in the Original Company Lease, the Original Lease Agreement, the Original PILOT Agreement, the Original Environmental Compliance and Indemnification Agreement and the Original Recapture Agreement, to release the 2013 Released Parcel described therein, and to continue to lease to the Original Company the land known as Lot A-1 (as described in the Amendment and Modification Agreement) (the “**Company Land**”) plus the Improvements and Equipment (collectively, the “**Facility**”), (each document, as amended by the Amendment and Modification Agreement shall be referred to herein as: the “**Amended Company Lease**”, the “**Amended Lease Agreement**”, the “**Amended PILOT Agreement**” the “**Amended Environmental Compliance and Indemnification Agreement**” and the “**Amended Recapture Agreement**”); and

WHEREAS, to evidence such Amendment and Modification Agreement, the Agency and the Original Company entered into (i) an Amendment of Company Lease Agreement, dated October 4, 2013 (the “**Amendment of Original Company Lease**”), between the Company and the Agency, and a Memorandum of Amendment of Original Company Lease was recorded in the Suffolk County Clerk’s office on October 22, 2013 in Liber 12749 of Deeds at Cp 421; and (ii) an Amendment of Lease Agreement, dated October 4, 2013 (the “**Amendment of Original Lease Agreement**”), between the Agency and the Company, and a Memorandum of Amendment of Original Lease Agreement was recorded in the Suffolk County Clerk’s office on October 22, 2013 in Liber 12749 of Deeds at Cp 422; and

WHEREAS, CIVF V – NY1W02, LLC, a Delaware limited liability company (the “**Assignee**” and “**Company**”), previously requested the Agency’s consent to the assignment by the Assignor of all of its rights, title, interest and obligations under the Amended Company Lease, the Amended Lease Agreement, the Amended PILOT Agreement, the Amended Environmental Compliance and Indemnification Agreement, the Amended Recapture 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 Assignor, and the release of the Assignor from any further liability with respect to the Facility subject to certain requirements of the Agency; and

WHEREAS, the Amended Company Lease was assigned by the Assignor to the Assignee and assumed by the Assignee pursuant to a certain Assignment and Assumption of Amended Company Lease, dated February 27, 2020 (the “**Assignment and Assumption of Amended Company Lease**”; and, together with the Amended Company Lease and this Assignment Agreement, the “**Company Lease**”), by and between the Assignor and the Assignee, and consented to by the Agency; and

WHEREAS, the Amended Lease Agreement was assigned by the Assignor to the Assignee and assumed by the Assignee pursuant to a certain Assignment and Assumption of Amended Lease Agreement, dated February 27, 2020 (the “**Assignment and Assumption of Amended Lease Agreement**”; and, together with the Amended Lease and this Assignment Agreement, the “**Lease Agreement**”), by and between the Assignor and the Assignee, and consented to by the Agency; and

WHEREAS, the Amended PILOT Agreement was assigned and amended pursuant to the Assignment Agreement (the “**Amended PILOT Agreement**”; and, together with this Assignment Agreement, the “**PILOT Agreement**”), by and among the Agency, the Company and the Sublessee; and

WHEREAS, the Amended Recapture Agreement was assigned and amended pursuant to this Assignment Agreement (the “**Amended Recapture Agreement**”; and, together with the Assignment Agreement, the “**Recapture Agreement**”), by and among the Agency, the Company and the Sublessee; and

WHEREAS, the Amended Environmental Compliance and Indemnification Agreement was assigned and amended pursuant to the Assignment Agreement (the “**Amended Environmental Compliance and Indemnification Agreement**”; and, together with this Assignment Agreement, the “**Environmental Compliance and Indemnification Agreement**”), by and among the Agency, the Company and the Sublessee; and

WHEREAS, the Company has now requested that the Agency consent to enter into a mortgage with U.S. Bank National Association, or such other lender or lenders (the “**Lender**”) to provide security for a portfolio loan consisting of a collective of properties owned by the Company (the “**Portfolio Loan**”), with respect to the Facility the apportioned approximate principal amount is estimated to be \$10,045,115, but not to exceed \$12,000,000 (the “**2021 Loan**”); and

WHEREAS, as security for such 2021 Loan being made to the Company by the Lender, the Company has submitted a request to the Agency that it join with the Company in executing and delivering to the Lender one or more mortgages and such other loan documents, satisfactory to the Agency, upon advice of counsel, in both form and substance, as may be reasonably requested by the Lender (the “**2021 Loan Documents**”); and

WHEREAS, the Agency will not be providing any further financial assistance to the Company; and

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

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

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

Section 1. The Agency hereby finds and determines:

- (a) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act.
- (b) The Facility continues to constitute a "project" as such term is defined in the Act.
- (c) The financing of the Facility 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.
- (d) The financing of the Facility as contemplated in this resolution is reasonably necessary to maintain the competitive position of the Company and the Sublessee in their respective industries.
- (e) Based upon representations of the Company and Sublessee and counsel to the Company and Sublessee, 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.
- (f) It is desirable and in the public interest for the Agency to assist in the financing of the Facility.
- (g) The Loan Documents will be effective instruments whereby the Agency and the Company agree to secure the Loan and assign to the Lender their respective rights under the Lease Agreement (except the Agency's Unassigned Rights as defined therein).

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

- (i) grant a mortgage or mortgages on and security interest in and to the Facility pursuant to certain mortgages and security agreements for the benefit of the Lender (the "**Mortgage**"),
- (ii) execute, deliver and perform the Mortgage, and (iii) execute, deliver and perform the Loan Documents to which the Agency is a party, as may be necessary or appropriate to effect the Loan or any subsequent refinancing of the Mortgage provided, however, the Company shall be required to pay the mortgage recording tax on the full principal amount of the Mortgage.

Section 3. Subject to the provisions of this resolution and the Lease Agreement, the Agency is hereby authorized to do all things necessary or appropriate for the execution, delivery and performance of the Loan Documents and the Mortgage, and such other related documents as may be necessary or appropriate to effect the Loan, or any subsequent

refinancing of the Loan, and all acts heretofore taken by the Agency with respect to such financing or refinancing are hereby approved, ratified and confirmed. The Agency is hereby further authorized to execute and deliver any future documents in connection with any future refinancing or permanent financing of the Facility without need for any further or future approvals of the Agency.

Section 4.

(a) Subject to the provisions of this resolution and the Lease Agreement, the Chairman, Executive Director, Deputy Executive Director and all other members of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Mortgage and Loan Documents, together with such other related documents as may be, in the judgment of the Chairman and Agency Counsel, necessary or appropriate to effect the transactions contemplated by this resolution (hereinafter collectively called the “**Agency Documents**”). The execution thereof by the Chairman, Executive Director, Deputy Executive Director or any member of the Agency shall constitute conclusive evidence of such approval; and

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

Section 5. Subject to the provisions of this resolution and the Lease Agreement, the officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Agency Documents, and to execute and deliver all such additional certificates, instruments and documents, pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Agency Documents binding upon the Agency.

Section 6. Any expenses incurred by the Agency with respect to the financing or refinancing of the Facility shall be paid by the Company. The Company has agreed to pay such expenses and have further agreed 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 financing or refinancing of 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 the 18th day of May, 2021, 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 are each in substantially the form presented to the Agency and/or approved by said meeting.

I FURTHER CERTIFY that, due to the Novel Coronavirus (COVID-19) Emergency State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo’s Executive Order 202.1 issued on March 12, 2020, as amended and extended to date, permitting local governments to hold public hearings by telephone and video conference and/or similar device, the Agency’s Board Meeting on May 18, 2021 (the “**Board Meeting**”), was held electronically via Live-Stream instead of a public meeting open for the public to attend in person. Members of the public were advised, via the Agency’s website, to listen to the Board Meeting by going to <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-05-18-2021.html>, and were further advised that the Minutes of the Board Meeting would be transcribed and posted on the Agency’s website, and that all members of said Agency had due notice of said meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of May 18, 2021.

By: _____
Assistant Secretary

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR MAY 18, 2021**

AGENDA ITEM #13

TYPE OF RESOLUTION: RESOLUTION CONSENTING TO
A ROOFTOP SOLAR SUB-LEASE AGREEMENT

COMPANY: SYSCO LONG ISLAND, LLC 2011
FACILITY/ESNY-SYS-CENTRAL ISLIP, LLC

PROJECT LOCATION: 5-10 BOULEVARD, CENTRAL
ISLIP

JOBS (RETAINED/CREATED): RETAINED - N/A -
CREATE - N/A -

INVESTMENT: N/A

Date: May 18, 2021

At a meeting of the Town of Islip Industrial Development Agency (the “Agency”), held via Live-Stream at <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, on the 18th day of May, 2021, 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 the consent to the subleasing of a portion of the SYSCO Long Island, LLC 2011 Facility to ESNY-SYS-CENTRAL ISLIP, LLC and approving the execution and delivery of related documents.

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

Voting Aye

Voting Nay

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY PERTAINING TO THE
CONSENT TO THE SUBLEASING OF A PORTION OF THE
SYSCO LONG ISLAND, LLC 2011 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 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 assistance to SYSCO Long Island, LLC, a Delaware limited liability company (the “**Company**”), in the acquisition of an approximately 45.89 acre parcel of land located at 5-10 Boulevard Avenue, Central Islip, Town of Islip, Suffolk County, New York (more specifically identified as tax map numbers 0500-099-04-007.001 and 0500-100-02-078.001) and the construction and equipping thereon of an approximately 400,000 square foot warehouse, together with parking lots and landscaping, to be used by the Company as a distribution center for wholesale food items serving Long Island and the New York City metro area (the “**Facility**”); and

WHEREAS, the Agency leases the Facility to the Company pursuant to a certain Lease Agreement, dated as of July 1, 2011 (the “**Lease Agreement**”), by and between the Agency, as lessor, and the Company, as lessee; and

WHEREAS, the Company entered into negotiations with ESNY-SYS-CENTRAL ISLIP, LLC, a Delaware limited liability company (the “**Tenant**”), to sublease a portion of the rooftop of the Facility and certain other space within the building (the “**Demised Premises**”), pursuant to a Rooftop Solar Sublease Agreement, dated a date to be determined (the “**Tenant Lease**”), for a term of twenty (20) years, with two (2) optional additional five (5) year terms, for the installation, operation and maintenance of a solar power generating facility by the Tenant; and

WHEREAS, the Company has requested that the Agency consent to the Tenant Lease between the Company and the Tenant; and

WHEREAS, the Facility may not be subleased, in whole or in part, without the prior written consent of the Agency; and

WHEREAS, such consent may be manifested by the execution and delivery of a Tenant Agency Compliance Agreement, to be dated a date to be determined, between the Agency and the Tenant (the “**Tenant Agency Compliance Agreement**”); 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 continued subleasing 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 subleasing of the Demised Premises to the Tenant will promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of the Town of Islip and the State of New York and improve their standard of living and thereby serve the public purposes of the Act; and

(c) The Agency consents to the subleasing of the Demised Premises to the Tenant; and

(d) The execution of the Tenant Agency Compliance Agreement will satisfy the requirement of Section 9.3 of the Lease Agreement that any subleasing of the Facility be consented to in writing by the Agency; and

(e) It is desirable and in the public interest for the Agency to consent to the subleasing of the Demised Premises to the Tenant and to enter into the Tenant Agency Compliance Agreement.

Section 2. In consequence of the foregoing, the Agency hereby determines to enter into the Tenant Agency Compliance Agreement.

Section 3. The form and substance of the Tenant Agency Compliance Agreement (in substantially the form presented to the Agency and which, prior to the execution and delivery thereof, may be redated) are hereby approved.

Section 4.

(a) The Chairman, Vice Chairman, Executive Director, Deputy Executive Director or any member of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Tenant Agency Compliance Agreement in the form the Chairman, Vice Chairman, Executive Director, 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, Deputy Executive Director or any member of the Agency 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, Deputy Executive Director or any member of the Agency shall constitute conclusive evidence of such approval.

(b) 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 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 Agency Documents 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 on the 18th day of May, 2021, 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 are each in substantially the form presented to the Agency and/or approved by said meeting.

I FURTHER CERTIFY that, due to the Novel Coronavirus (COVID-19) Emergency State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo’s Executive Order 202.1 issued on March 12, 2020, as amended and extended to date, permitting local governments to hold public hearings by telephone and video conference and/or similar device, the Agency’s Board Meeting on May 18, 2021 (the “**Board Meeting**”), was held electronically via Live-Stream instead of a public meeting open for the public to attend in person. Members of the public were advised, via the Agency’s website, to listen to the Board Meeting by going to <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, and were further advised that the Minutes of the Board Meeting would be transcribed and posted on the Agency’s website, and that all members of said Agency had due notice of said meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of May 18, 2021.

By: _____
Assistant Secretary

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR MAY 18, 2021**

AGENDA ITEM #14

TYPE OF RESOLUTION: RESOLUTION AUTHORIZING

COMPANY: N/A

**PROJECT LOCATION: S. TECHNOLOGY DRIVE & DPW
DRIVE, CENTRAL ISLIP**

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

INVESTMENT: \$N/A

Date: May 18, 2021

At a meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), held via Live-Stream at <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, on the 18th day of May, 2021, 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 authorizing the Agency to provide financing for the construction of an extension of South Technology Drive in the Islip Tech Park located in Central Islip, Town of Islip, New York and approving the execution and delivery of related documents.

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

Voting Aye

Voting Nay

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY AUTHORIZING THE AGENCY
TO PROVIDE FINANCING FOR THE CONSTRUCTION OF
AN EXTENSION OF SOUTH TECHNOLOGY DRIVE IN
THE ISLIP TECH PARK LOCATED IN CENTRAL ISLIP
COMMERCIAL CORRIDOR IN CENTRAL ISLIP, TOWN OF
ISLIP, NEW YORK 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 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 Islip Tech Park (the “**Islip Tech Park**”), is located on a portion of the former Central Islip Psychiatric Facility, in the hamlet of Central Islip in the Town of Islip, New York (the “**Town**”); and

WHEREAS, the Islip Tech Park is located in an underdeveloped commercial area of the Town and the Islip Tech Park is located in Highly Distressed Area as defined in Section 854(18) of the New York General Municipal Law; and

WHEREAS, the Islip Tech Park is also located in the census tract immediately contiguous to the Federal Opportunity Zone and the Islip Tech Park was designated by the Town as part of the Central Islip Revitalization Master Plan; and

WHEREAS, located in the Islip Tech Park are eight (8) existing industrial development projects that have been financed by the Agency pursuant to the Act, two (2) industrial development projects under construction that are receiving benefits from the Agency and one (1) other commercial or industrial facility; and

WHEREAS, the Islip Tech Park is accessed via South Technology Drive; and

WHEREAS, the construction of South Technology Drive was financed in part by the Agency with of funds provided to the Agency by New York State Department of Transportation (“**NYSDOT**”) pursuant to the terms of Industrial Access Agreements (the “**Industrial Access Agreements**”), by and between NYSDOT and the Agency; and

WHEREAS, South Technology Drive was dedicated to the Town which owns and maintains South Technology Drive as a public roadway; and

WHEREAS, to allow for better access to the existing industrial development projects located in the Islip Tech Park and to allow for the completion of the construction of additional industrial development projects to be located in the Islip Tech Park, the Town of

Islip Department of Public Works (“DPW”) has informed the Agency that it will necessary to construct an approximately 1,080 linear foot extension of the South Technology Drive (the “**South Technology Drive Extension**”) to provide access to all of the industrial development projects under construction in the Islip Tech Park and to complete the connection of South Technology Drive to Carleton Avenue in Central Islip; and

WHEREAS, the DPW has estimated that the South Technology Extension will cost approximately One Million One Hundred Thousand Dollars (\$1,100,000) of which One Hundred Twenty-Five Thousand Dollars (\$125,000) will be provided by the Agency and the balance will be provided by other sources; and

WHEREAS, since the Islip Tech Park is located in a Highly Distressed Area, under the Agency’s Uniform Tax Exemption Policy (“UTEP”), the Agency is authorized to provide enhanced abatements to any commercial, retail, industrial, manufacturing, warehouse, distribution, research project, including multifamily or workforce or affordable housing projects currently located in the Islip Tech Park that wish to renovate or expand or such projects that are not currently in the Islip Tech Park but may wish to relocate to the Islip Tech Park or adjacent to the Islip Tech Park and such projects may also be eligible for other State and Federal benefits such as new market tax credits, low income housing tax credits and historic tax credits; and

WHEREAS, the Agency’s powers and purposes mandated by the Act to promote, develop, encourage and assist in the acquisition, construction, reconstruction, improving, maintaining, equipping and furnishing of projects under the Act, including industrial, manufacturing, warehousing, commercial, research, retail and recreational facilities located or to be located in the Islip Tech Park or adjacent to the Islip Tech in order to promote the health and economic wellbeing of the residents of the Town, enhancing employment in the town and the prevention of economic deterioration in the Town, has been stymied and delayed by the need to construct the Technology Drive Extension to serve the Islip Tech Park and to connect South Technology Drive to Carleton Avenue in Central Islip ; and

WHEREAS, the development, planning, environmental review, design, engineering, and construction of the Technology Drive Extension to serve the Islip Tech Park and to connect South Technology Drive to Carleton Avenue in Central Islip constitutes a Project under the Act and is eligible in and of itself for the Agency’s financing under the Act, furthermore, the Technology Drive Extension to serve the Islip Tech Park and to connect South Technology Drive to Carleton Avenue in Central Islip would enhance and enable the Agency’s public powers and purposes with respect to Projects located or to be located in the Islip Tech Park or adjacent to the Islip Tech or to attract new Projects to locate in the Islip Tech Park or adjacent to the Islip Tech; and

WHEREAS, the development, planning, environmental review, design, engineering and construction of the Technology Drive Extension to serve the Islip Tech Park and to connect South Technology Drive to Carleton Avenue in Central Islip is a necessary and vital step in the redevelopment and revitalization of the Islip Tech Park and the Central Islip commercial area; and

WHEREAS, the development, planning, environmental review, design, engineering and construction of the Technology Drive Extension to serve the Islip Tech Park and to connect South Technology Drive to Carleton Avenue in Central Islip is a Project under the Act and is within the powers and purposes of the Agency under the Act; and

WHEREAS, the Agency, desires to participate in and fund, in whole, or in part, the development, planning, environmental review, design, engineering and construction of the Technology Drive Extension to serve the Islip Tech Park and to connect South Technology Drive to Carleton Avenue in Central Islip in an amount presently expected to be \$125,000; and

WHEREAS, upon completion of the South Technology Drive Extension, the South Technology Drive Extension will be dedicated to the Town and will be owned and maintained by the Town as a public roadway; and

WHEREAS, in connection in connection with the Agency's participation in and funding, in whole, or in part, of the development, planning, environmental review, design, engineering and construction of the Technology Drive Extension to serve the Islip Tech Park and to connect South Technology Drive to Carleton Avenue in Central Islip, the Agency will enter into a contract or contracts for such services and leases, subleases, easements or licenses and related certificates, affidavits and instruments, as may be desirable and necessary with the Town and/or DPW, on behalf of itself or on behalf of the Town in connection with the development, planning, environmental review, design, engineering and construction of the Technology Drive Extension to serve the Islip Tech Park and to connect South Technology Drive to Carleton Avenue in Central Islip to be dated a date to be determined (collectively, the "**South Technology Drive Extension Contracts**"), from the Agency to such parties as may be determined by the Agency, the Town and DPW; 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 Town and/or DPW prepared and submitted to the Agency an Environmental Assessment Form and related documents (the "**Questionnaire**") with respect to the South Technology Drive Extension, a copy of which is on file at the office of the Agency; and

WHEREAS, the Questionnaire has been reviewed by the Agency.

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) Based upon the Environmental Assessment Form completed by the Town and/or DPW and reviewed by the Agency and other representations and information

furnished by the Town and/or DPW regarding the Facility, the Agency determines that the action relating to the construction and operation of the South Technology Drive Extension is an “unlisted” action, as that term is defined in the SEQR Act and undergo the uncoordinated review procedures set forth in 6 NYCRR § 617.6(b)(4).

(b) By virtue of the Act, the Agency has the power and in furtherance of its public purposes to assist in the development, planning, environmental review, design, engineering and construction of the Technology Drive Extension to serve the Islip Tech Park and to connect South Technology Drive to Carleton Avenue in Central Islip as a Project under the Act.

(c) The South Technology Drive Extension Contracts will be effective instruments whereby the Agency participates in and funds in whole or in part, the development, planning, environmental review, design, engineering and construction of the Technology Drive Extension to serve the Islip Tech Park and to connect South Technology Drive to Carleton Avenue in Central Islip.

(d) It is desirable and in the public interest for the Agency to enter into the south Technology Drive Extension Contracts and to fund the development, planning, environmental review, design, engineering and construction of the Technology Drive Extension to serve the Islip Tech Park and to connect South Technology Drive to Carleton Avenue in Central Islip.

Section 2. In consequence of the foregoing, the Agency hereby determines to (i) provide its assistance in the funding in whole, or in part, of the development, planning, environmental review, design, engineering and construction of the Technology Drive Extension to serve the Islip Tech Park and to connect South Technology Drive to Carleton Avenue in Central Islip, in an amount presently expected to be \$125,000 to be paid by the Agency, (ii) enter into the South Technology Drive Extension Contracts, and (iii) dedicate the South Technology Drive Extension to the Town or cause the South Technology Drive Extension be dedicated to Town to be owned and maintained by the Town as a public roadway.

Section 3. The Chairperson, Vice Chairperson, Executive Director, Deputy Executive Director or any member of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the South Technology Drive Extension Contracts in the form the Chairperson, Vice Chairperson, Executive Director, Deputy Executive Director or any member of the Agency shall approve, and such other related documents as may be, in the judgment of the Chairperson, Vice Chairperson, Executive Director, Deputy Executive Director or any member of the Agency and Agency Counsel, necessary or appropriate to effect the transactions contemplated by this resolution. The execution thereof by Chairperson, Vice Chairperson, Executive Director, Deputy Executive Director or any member of the Agency of the South Technology Drive Extension Contracts shall constitute conclusive evidence of such approval.

Section 4. 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 South Technology Drive Extension Contracts, 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 South Technology Drive Extension Contracts binding upon the Agency.

Section 5. 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 the 18th day of May, 2021, 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, due to the Novel Coronavirus (COVID-19) Emergency State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo’s Executive Order 202.1 issued on March 12, 2020, as amended to date, permitting local governments to hold public hearings by telephone and video conference and/or similar device, the Agency’s Board Meeting on May 18, 2021 (the “**Board Meeting**”), was held electronically via Live-Stream instead of a public meeting open for the public to attend in person. Members of the public were advised, via the Agency’s website, to listen to the Board Meeting by going to <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, and were further advised that the Minutes of the Board Meeting would be transcribed and posted on the Agency’s website, and that all members of said Agency had due notice of said meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of May 18, 2021.

Assistant Secretary

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR MAY 18, 2021**

AGENDA ITEM #15

TYPE OF RESOLUTION: RESOLUTION AUTHORIZING

COMPANY: NATIONAL DEVELOPMENT COUNCIL

PROJECT LOCATION: (FOR THE STEEL CAMPUS, LLC)

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

INVESTMENT: N/A

Date: May 18, 2021

At a meeting of the Town of Islip Industrial Development Agency (the “Agency”), held via Live-Stream at <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, on the 18th day of May, 2021, 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 authorizing the Agency to enter into a contract with the National Development Council to produce a feasibility study for the Steel Campus, LLC/Marcus ISP APTS Holdings, LLC 2021 Facility and approving the execution and delivery of related documents.

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

Voting Aye

Voting Nay

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY AUTHORIZING THE AGENCY
TO ENTER INTO A CONTRACT WITH THE NATIONAL
DEVELOPMENT COUNCIL FOR THE PRODUCTION OF A
FEASIBILITY STUDY IN CONNECTION WITH THE STEEL
CAMPUS, LLC/MARCUS ISP APTS HOLDINGS, LLC 2021
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 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, Steel Campus, LLC, a Delaware limited liability company, on behalf of itself and/or the principals of Steel Campus, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (“**Steel Campus**”) and Marcus ISP APTS Holdings, LLC, a Delaware limited liability company, on behalf of itself and/or the principals of Marcus ISP APTS Holdings, LLC and/or an entity formed or to be formed on behalf of any of the foregoing (“**Marcus ISP**”; and, together with Steel Campus, as tenants in common, the “**Company**”) have submitted an application, for financial assistance (the “**Application**”) 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 83.40 acre parcel of land located on the East side of Carleton Avenue (C.R. 17), approximately 1,215 feet north of Courthouse Drive, Central Islip (0 Carleton Avenue), Town of Islip, Suffolk County, New York (the “**Land**”), and the acquisition of fifteen (15) vacant apartment buildings totaling approximately 682,2368 square feet) located on the Land and the construction of an approximately 20,000 square foot building on the Land to be used as a community center together with other on-site amenities including, but not limited to, a pool, fitness room, outdoor cooking facilities, sports courts (tennis, basketball), playground, community garden and dog parks (collectively, the “**Improvements**”) and the installation and equipping including, but not limited to, a sprinkler system, HVAC, electrical equipment, plumbing, and lighting, and the furnishing of the apartments including, but not limited to, electrical appliances, flooring and lighting (collectively, the “**Equipment**”; and, together with the Land and the Improvements, the “**Facility**”), all to be leased by the Agency to, and used by the Company for residential rental units for to include approximately three-hundred sixty-four (364) total apartments (at least ten percent (10%) of the units shall be set aside as affordable units (defined as 80% of the current median family income for the Nassau-Suffolk Fair Market Rent Area as published annually by the United States Department of Housing and Urban Development) and twenty percent (20%) of the units will be designated for senior housing age 55 and older (the “**Project**”); and

WHEREAS, the Agency, subject to the provisions of a certain preliminary resolution, dated the date hereof (the “**Preliminary Resolution**”), will consider the acquisition of a leasehold interest in the Land and the Improvements and title to the Equipment and will lease and sublease the Facility to the Company, all pursuant to the Act;

WHEREAS, prior to the inducement of the Project, the Agency has required a feasibility report (the “**Feasibility Study**”), together with such letters or reports from interested parties and governmental agencies or officials (the “**Letters of Support**”; and together with the Feasibility Study, the “**Requisite Materials**”), to enable the Agency to make findings and determinations that the Facility qualifies as a “project” under the Act and that the Facility satisfies all other requirements of the Act; and

WHEREAS, in connection therewith, the Agency will enter into a Service Agreement, dated a date to be determined (the “**NDC Contract**”), between the Agency and the National Development Council (the “**NDC**”), authorizing the NDC to prepare the Feasibility Study in connection with the Project; 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 execution and delivery of the NDC Contract.

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 NDC Contract will be an effective instrument whereby the Agency authorizes the NDC to prepare the Feasibility Study with respect to the Project; and

(c) It is desirable and in the public interest for the Agency to enter into the NDC Contract.

Section 2. In consequence of the foregoing, the Agency hereby determines to enter into the NDC Contract.

Section 3. The form and substance of the NDC Contract (in substantially the form presented to the Agency and which, prior to the execution and delivery thereof, may be redated) are hereby approved.

Section 4.

(a) The Chairman, Vice Chairman, Executive Director, Deputy Executive Director or any member of the Agency are hereby authorized, on behalf of the Agency, to

execute and deliver the NDC Contract in the form the Chairman, Vice Chairman, Executive Director, 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, Deputy Executive Director or any member of the Agency 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, Deputy Executive Director or any member of the Agency shall constitute conclusive evidence of such approval.

(b) 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 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 Agency Documents binding upon the Agency.

Section 6. Any expenses incurred by the Agency with respect to the NDC Contract and the Project, including the expenses of Transaction Counsel, shall be paid by the Company. The Company agrees 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 Project.

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 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 Town of Islip Industrial Development Agency (the “Agency”), held via Live-Stream at <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, on the 18th day of May, 2021, the following members of the Agency 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

Voting Nay

and, therefore, the resolution was declared duly adopted.

I FURTHER CERTIFY that, due to the Novel Coronavirus (COVID-19) Emergency State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo’s Executive Order 202.1 issued on March 12, 2020, as amended to date, permitting local governments to hold public hearings by telephone and video conference and/or similar device, the Agency’s Board Meeting on May 18, 2021 (the “**Board Meeting**”), was held electronically via Live-Stream instead of a public meeting open for the public to attend in

person. Members of the public were advised, via the Agency's website, to listen to the Board Meeting by going to <http://islipida.com/business-assistance/ida/ida-documents-2/96-ida-videos/ida-board-meetings/335-ida-board-meeting-5-18-2021.html>, and were further advised that the Minutes of the Board Meeting would be transcribed and posted on the Agency's website, and that all members of said Agency had due notice of said meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of May 18, 2021.

Assistant Secretary

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

No. 2

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Town Board authorization to clean up or secure certain properties in the
Town of Islip.**

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

Michael 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 Board Meeting

Tuesday, May 18, 2021 at 2:00 pm

1) 0 Brentwood Road, Bay Shore	0500-202.00-04.00-039.000	CU
2) 959 Montauk Highway, Oakdale	0500-353.00-01.00-005.000	DEMO*
		*detached
		garage only

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 0 Brentwood Road, 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: 0 Brentwood Road, Bay Shore, NY 11706
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

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

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number (8). SEQOR review complete.
- ☐ Action not listed as Type 1 or Type II under Part 617 of the NYCRR. Short EAF required.
-

Taryn L Jewell
Signature of Commissioner/Department Head Sponsor

5/4/2021
Date

May 18, 2021

WHEREAS, numerous reports and complaints regarding high grass, overgrown vegetation and litter and debris on property located at 0 Brentwood Road, Bay Shore, Town of Islip, County of Suffolk, State of New York, SCTM No. 0500-202.00-04.00-039.000, 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, M&H Brothers Realty Inc., by Certified Mail, Return Receipt requested on May 4, 2021, 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 May 18, 2021; 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 May 4, 2021, 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 May 18, 2021, 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, May 18, 2021, at Islip Town Hall, via Zoom Webinar (subject to change), 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. 0500-202.00-04.00-039.000.

UPON a vote being taken, the result was:

(G: Clean Up - 0 Brentwood Road, 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 demolish the vacant premises (detached garage) located at 959 Montauk Highway, Oakdale, NY 11769.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 959 Montauk Highway, Oakdale, NY 11769
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

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

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number (2) (42). SEQR review complete.
- ☐ Action not listed as Type 1 or Type II under Part 617 of the NYCRR. Short EAF required.
-

Tamara L Jewell
Signature of Commissioner/Department Head Sponsor

5/4/2021
Date

May 18, 2021

WHEREAS, the Chief Building Inspector or Authorized Agent (the "Inspector") of the Town of Islip has declared a certain dwelling and real property (detached garage) situated at 959 Montauk Highway, Oakdale, Town of Islip, County of Suffolk, State of New York, to be vacant and unsecured, dangerous, unsound, unsafe, and hazardous as created by fire, disrepair, collapse and/or structural failure; and

WHEREAS, pursuant to Chapter 68, §68-30 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be served upon the owner of the said premises at the last known address of record, Esterlilly Allmaier, by Regular Mail and Registered Return Receipt Requested on May 4, 2021, which Notice directed the commencement of the removal of said nuisance within seven (7) days after service of the Notice and completion of removal prior to May 18, 2021; 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 May 4, 2021, which Notice directed the commencement of the removal of said nuisance within (seven) days after service of the Notice and completion of removal prior to May 18, 2021; 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 May 18, 2021, at Islip Town Hall, via Zoom Webinar (subject to change), at 2:00 p.m. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Inspector's determination; and

WHEREAS, at the time and place specified for the Hearing, the Town Board has received evidence supporting the Inspector's determination that the described premises constitutes a nuisance, that due notice of the nuisance has been posted on the premises and that no action has been taken to remove

the described nuisance and that the Town of Islip should undertake the task of removing the said nuisance; and

WHEREAS, at the time of said Hearing no evidence was adduced to support a contrary determination,

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

RESOLVED, that the Inspector be and he hereby is authorized to order that the work be done to demolish the **detached garage only** and remove demolition debris from the premises by a lowest responsible bidder, and be it

FURTHER RESOLVED, that upon receipt of additional complaints pertaining to the nuisance identified herein, upon verification of the existence or recurrence of the said violation(s), and upon confirmation that the premises are owned by the persons or entities previously notified as described herein, that, without further Town Board approval, the Town of Islip or its duly authorized agent may enter upon the premises to insure that the nuisance is abated and that the property is in compliance with the minimum property maintenance standards of all applicable state and local laws, and be it

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel Number - 0500-353.00-01.00-005.000.

Upon a vote being taken, the result was:

(G:\Demo -959 Montauk Highway, Oakdale)

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

No. 3

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

FROM: JOHN R. DICIOCCIO, 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

May 18, 2021

1. Meeting called to order;
2. Approval of the minutes from February 9, 2021 meeting of Town of Islip Foreign Trade Zone Board;
3. Authorization to assign a sub-lease agreement to NSB MGMT LLC for property within the Town of Islip Foreign Trade Zone, with an address of 100 Trade Zone Drive, Ronkonkoma, New York 11779;
4. Authorization for the Town of Islip Foreign Trade Zone Authority to use PFK O'Connor Davies, LLP for professional auditing services for yearend 2020.
5. Adjournment;



TOWN OF ISLIP
FOREIGN TRADE ZONE AUTHORITY

Brad Hemingway
Executive Director

Jaime Martinez
Deputy Director

February 9, 2021

The Town of Islip Foreign Trade Zone Authority has six 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 2:33 P.M., on motion by Trish Bergin, seconded by James O'Connor, and unanimously approved. Due to the Corona virus pandemic this meeting was held through a video conference via Zoom.

Board Members Present

Trish Bergin
John Cochrane Jr.
Mary Kate Mullen
James O'Connor

Officers Present

Angie M. Carpenter, Chair
Thomas Hemingway III, Executive Director
Jaime Martinez, Treasurer (Present not on screen)
Shelly LaRose-Arken, Vice President and Secretary
(Not present on screen)

Item number two is approval of the minutes from previous Town of Islip Foreign Trade Zone Board meeting on December 15, 2020. Motion to approve the minutes by Trish Bergin, seconded by Mary Kate Mullen, and approved by all.

Item number three is authorization to enter into a sub-lease agreement with 101 Roebling Court, LLC for Parcel 10 with an address of 101 Roebling Court, Ronkonkoma, New York 11779. With no questions asked, motion to approve by John Cochrane Jr., seconded by James O'Connor and approved by all.

With no further business, **Item number four** is adjournment of the Foreign Trade Zone Board meeting. The meeting adjourned at 2:35 P.M.

Jaime Martinez, Treasurer

**TOWN of ISLIP
FOREIGN TRADE ZONE
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 Town Attorney 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.

Authorization to assign a sub-lease with CS Two Realty, LLC to NSB MGMT LLC for real property within the Town of Islip Foreign Trade Zone, known as parcel 13, 100 Trade Zone Drive, Ronkonkoma, New York 11779.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip Foreign Trade Zone Authority
2. Site or location effected by resolution: Town of Islip Foreign Trade Zone Authority,
1 Trade Zone Drive, Ronkonkoma, NY 11779
3. Cost: NA
4. Budget Line:
5. Amount and source of outside funding:

ENVIRONMENTAL IMPACT: Is this action subject to a SEQRA environmental review?

_____ Yes under Section I, Sub. A., Number ____ of Town of Islip 617 Check List, an environmental review is required.

 X No under Section II, Sub. ____, Number ____ of Town of Islip 617 Check List, no environmental review is required.

Not an Action within SEQRA



Signature of Commissioner/Department Head Sponsor.

5/3/14
Date

May 18, 2021

WHEREAS, the Town of Islip is the owner of 52 acres of land adjacent to Long Island MacArthur Airport and commonly known as the Islip Town Foreign Trade Zone; and

WHEREAS, the Town of Islip Foreign Trade Zone Authority entered into a certain sublease agreement with an effective date of January 1, 2018 (the "Sublease") for the demised land, as described in the Sublease, with LMRP, LLC, more commonly known as Parcel 13.

WHEREAS, the Sublease was assigned and amended to CS Two Realty LLC (the "Tenant") with an effective date of June 25, 2020 for the demised land, more commonly known as Parcel 13.

WHEREAS, the Tenant has agreed to sell its rights, title and interest in and to the Sublease, Parcel 13, to NSB MGMT LLC with an address of 69-28 261 Street, Glen Oaks, New York, 11004 (the "Purchaser").

WHEREAS, in furtherance of the Contract, the Tenant has requested the Foreign Trade Zone Authority consent to assign the Tenant's right, title and interest in and to the Sublease to the Purchaser.

WHEREAS, the Foreign Trade Zone Authority is willing to consent to the assignment of the Sublease subject to terms and conditions and documents that are acceptable to the Foreign Trade Zone Authority and the Town Attorney.

THEREFORE, on motion of _____seconded by _____; be it

RESOLVED, the Town of Islip Foreign Trade Zone Board authorizes the Executive Director to execute the assignment of lease, upon such terms are acceptable by the Town Attorney, and any and all documents in the opinion of the Islip Town Attorney or his designee, are necessary for, and appropriate to, implementing the aforementioned action.

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 use PFK O'Connor Davies, LLP for professional auditing services for yearend 2020.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Foreign Trade Zone Authority
 2. Site or location effected by resolution: 1 Trade Zone Drive, Ronkonkoma, NY
 3. Cost: \$13,500
 4. Budget Line: ZFo1.1015.45050
 5. Amount and source of outside funding: NA
-

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

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



Signature of Commissioner/Department Head Sponsor

Date

5/4/21

May 18, 2021

WHEREAS, the Town of Islip Foreign Trade Zone Authority is in need of auditing services for yearend 2020;

WHEREAS, the Town of Islip Foreign Trade Zone Authority is required by General Municipal Law to have an audit conducted by an independent, licensed accounting firm, and;

WHEREAS, the Town of Islip Foreign Trade Zone Authority is interested in using PKF O'Connor Davies, LLP, with offices at 25 Suffolk Court, Hauppauge, New York, 11788 to perform this audit.

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

RESOLVED, the Authority Board hereby authorizes the Town of Islip Foreign Trade Zone Authority to have PKF O'Connor Davies, LLP perform auditing services.

Upon a vote being taken, the result was:

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

No. 4

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Designation of Simplicity MA LLC as the sole source provider of
Komptech Parts and Service for Komptech machinery utilized for
operations at the Town's Compost Facility.**

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

Martin Bellew

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

enclosure:

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

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

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

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

DESIGNATING SIMPLICITY MA LLC AS SOLE SOURCE PROVIDER OF KOMPTECH PARTS AND SERVICE FOR KOMPTECH MACHINERY UTILIZED FOR OPERATIONS AT THE TOWN'S COMPOST FACILITY

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or Location effected by resolution: Compost 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 Commissioner/Department Head Sponsor

5/4/21

Date

May 18, 2021
Resolution # _____

**DESIGNATING SIMPLICITY MA LLC AS SOLE SOURCE PROVIDER OF
KOMPTECH PARTS AND SERVICE FOR KOMPTECH MACHINERY UTILIZED FOR
OPERATIONS AT THE TOWN'S COMPOST FACILITY**

WHEREAS, the Town of Islip owns and operates the Compost Facility; and

WHEREAS, the Compost Facility receives approximately 55,000 tons of yard waste per year which must be processed in a timely manner in order to comply with New York State DEC permit regulations, and

WHEREAS, the Town of Islip Department of Environmental Control has a current inventory Komptech de-stoners and screeners and utilizes such to process yard waste; and

WHEREAS, Simplicity MA LLC is the sole source provider and distributor of Komptech parts/service made specifically for Komptech de-stoners and screeners utilized for operations at the Town's Compost Facility.

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

RESOLVED, that Simplicity MA LLC located at 249 Union St., Westfield, MA 01085 is designated as sole source provider of Komptech parts/service utilized for operations at the Town's Compost Facility.

UPON A VOTE being taken, the result was _____ .



6345 Downing Street • Denver, CO 80216
p: 720.890.9090 • f: 720.890.5907
Info@komptechamericas.com

04/15/2021

Dear Madam or Sir,

The intent of this letter is to make it known that Simplicity MA LLC is the sole provider of Komptech parts as well as agricultural and recycling machinery for the northeast region of the United States. State included in Simplicity's territory are New York, Massachusetts, Connecticut, Vermont, New Hampshire, Rhode Island, and Maine.

Auguie Henry, Aftersales Manager
Komptech Americas
Ahenry@komptechamericas.com

SIMPLICITY MA, LLC

249 Union Street
Westfield, MA 01085

PH: (413) 562-8653
FAX: (413) 562-3282
Rcullen@simplicityne.com

April 21, 2021

Mr. Steve Bruno
Town of Islip
401 Main Street, Rm. 301
Islip, NY 11751

Dear Steve,

The intent of this letter is to make it known that Simplicity MA LLC is the sole provider of Komptech service for the Komptech line in the Northeast region of the United States. Those states include New York, Massachusetts, Rhode Island, Connecticut, Vermont, New Hampshire, and Maine.

Ryan Cullen, Owner
Simplicity Engineering
RCullen@SimplicityNE.com

Thank you,

Marge Martin
Simplicity MA, LLC

SIMPLICITY

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

No. 5

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Designation of Komatsu, Inc. as the sole source provider for parts and service required to maintain operation of Komatsu pay loaders, bulldozers and excavators located at the Compost Facility.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

Martin Bellew

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

enclosure:

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

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

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

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

DESIGNATING KOMATSU, INC. AS SOLE SOURCE SUPPLIER FOR PARTS AND SERVICE REQUIRED TO MAINTAIN OPERATION OF KOMATSU PAY LOADERS, BULLDOZERS AND EXCAVATORS LOCATED AT THE COMPOST FACILITY.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or Location effected by resolution: Compost 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 Commissioner/Department Head Sponsor

5/4/21

Date

May 18, 2021
Resolution # _____

DESIGNATING KOMATSU, INC. AS SOLE SOURCE SUPPLIER FOR PARTS AND SERVICE REQUIRED TO MAINTAIN OPERATION OF KOMATSU PAY LOADERS, BULLDOZERS AND EXCAVATORS LOCATED AT THE COMPOST FACILITY.

WHEREAS, the Town of Islip Compost Facility owns and operates Komatsu equipment manufactured by Komatsu, Inc. (formerly Edward Ehrbar, Inc.), and

WHEREAS, the Compost Facility receives approximately 55,000 tons of yard waste per year which must be processed in a timely manner in order to comply with New York State DEC permit regulations, and

WHEREAS, the Town of Islip Department of Environmental Control has a current fleet of Komatsu pay loaders, bulldozers and excavators utilized to process yard waste; and

WHEREAS, Komatsu Inc., is the sole supplier or distributor of parts made specifically for Komatsu pay loaders, bulldozers and excavators and maintains an inventory ensuring availability of parts required on an emergency basis.

NOW THEREFORE, on a motion of Councilperson

,
seconded by Councilperson _____ be it,

RESOLVED, that Komatsu Inc., of 4 Executive Plaza, Yonkers, NY 10701, be designated as sole source supplier of all parts and repair service specifically manufactured for use on Komatsu pay loaders, bulldozers and excavators.

UPON A VOTE being taken, the result was _____ .



Komatsu America Corp.
4 Executive Plaza, Suite 155
Yonkers, New York 10701
Phone: +1 914 738 5100
Fax: +1 914 738 6847

Anthony N. Olivieri
GM of Product Support
Komatsu Empire Region

Town of Islip, NY
401 Main Street, Room 302
Islip, New York 11751
ATTN: Ms. Linda Bunde

7 May 2021

Dear Ms. Bunde,

This transmittal is being provided in reference to your emailed request dated May 6, 2021.
Komatsu America, with local branches based in Holbrook, New York and Yonkers, New York is
the sole source provider for genuine Komatsu OEM Parts and Authorized Service in your area.

Best Regards,

A handwritten signature in black ink, appearing to read "Anthony Olivieri", with a stylized flourish at the end.

Anthony Olivieri

GM, Product Support

Komatsu America-Empire Region

cc: H. Levine

S. Schiavetta

J. Barbuto

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

No. 6

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Authorization for the Town Clerk to advertise for a Public Hearing to
consider amending the Town of Islip Uniform Traffic Code.**

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

Peter Kletchka

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

enclosure:

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

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

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

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

The attached resolution lists various traffic control devices recommended by the Traffic Safety Division.

SPECIFY WHERE APPLICABLE:

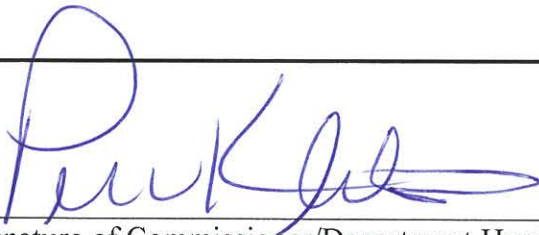
1. Entity or individual benefitted by resolution: Residents of the Town of Islip
 2. Site or location effected by resolution: Various Locations
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

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

☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.

☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 22 _____. SEQR review complete.

☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.



Signature of Commissioner/Department Head Sponsor

5/6/21

Date

On a motion of Councilperson _____, seconded by
Councilperson _____ be it

RESOLVED, that the Town Clerk be and is hereby authorized to advertise for Public
Hearing to consider amending the Uniform Code of Traffic Ordinances for the Town of Islip as
follows:

**SCHEDULE G
STOP AND YIELD INTERSECTIONS
ADD**

INTERSECTION	SIGN	CONTROLLING TRAFFIC
Broadway Avenue at Leona Street (HBK)	Stop	West on Leona Street

**SCHEDULE J
PARKING, STOPPING AND STANDING REGULATIONS
AMEND TO READ**

LOCATION	REGULATION	HOURS/DAYS
Esther Avenue/East From Sunrise Highway North Service Road to Mildred Place (BSR)	No parking <u>stopping</u>	
Esther Avenue/West From Mildred Place to Sunrise Highway North Service Road (BSR)	No parking <u>stopping</u>	

**SCHEDULE J
PARKING, STOPPING AND STANDING REGULATIONS
ADD**

LOCATION	REGULATION	HOURS/DAYS
Browns River Road/North From 355 ft. west of River Road to Foster Avenue (SVL)	No parking	4/1 to 11/1
Browns River Road/North From River Road to west for 355 feet (SVL)	No parking	

SCHEDULE J
PARKING, STOPPING AND STANDING REGULATIONS
DELETE

LOCATION	REGULATION	HOURS/DAYS
Browns River Road/North From River Road to Foster Avenue (SVL)	No parking	8:00 a.m. to 4:00 p.m.
Browns River Road/South From 270 ft. east of Foster Avenue to 500 ft. east of Foster Avenue (SVL)	Limited parking	30 minutes

TRAFFIC CODE AMENDMENT SUMMATIONS

LOCATION: BROADWAY AVENUE AT LEONA STREET, HOLBROOK

REGULATION: None

REQUESTED BY: Traffic Safety

RECOMMENDATION: Install a stop sign to control traffic westbound on Leona Street

BRIEF JUSTIFICATION: For consistency in area. This is the only side street without a stop sign entering Broadway Avenue

LOCATION: ESTHER AVENUE/EAST, BAY SHORE

REGULATION: Existing – Parking Restriction

REQUESTED BY: Resident

RECOMMENDATION: Amend restriction from “No Parking” to “No Stopping” from Sunrise Highway North Service Road to Mildred Place

BRIEF JUSTIFICATION: To deter Nissan Dealership from off-loading vehicles

LOCATION: ESTHER AVENUE/WEST, BAY SHORE

REGULATION: Existing – Parking Restriction

REQUESTED BY: Resident

RECOMMENDATION: Amend restriction from “No Parking” to “No Stopping” from Mildred Place to Sunrise Highway North Service Road

BRIEF JUSTIFICATION: To deter Nissan Dealership from off-loading vehicles

LOCATION: BROWNS RIVER ROAD/NORTH, SAYVILLE

REGULATION: None

REQUESTED BY: Residents

RECOMMENDATION: Restrict parking from April 1st to November 1st from 355 feet west of River Road to Foster Avenue

BRIEF JUSTIFICATION: Update parking restriction to meet residential needs

TRAFFIC CODE AMENDMENT SUMMATIONS

LOCATION: **BROWNS RIVER ROAD/NORTH, SAYVILLE**

REGULATION: None

REQUESTED BY: Residents

RECOMMENDATION: Restrict parking from River Road west for 355 feet

BRIEF JUSTIFICATION: Update parking restriction to meet residential needs

LOCATION: **BROWNS RIVER ROAD/NORTH, SAYVILLE**

REGULATION: Existing – Parking Restriction

REQUESTED BY: Residents

RECOMMENDATION: Remove existing 8:00 a.m. to 4:00 p.m. “No Parking” restriction from River Road to Foster Avenue

BRIEF JUSTIFICATION: Parking restrictions are being changed to meet residential needs

LOCATION: **BROWNS RIVER ROAD/SOUTH, SAYVILLE**

REGULATION: Existing – Parking Restriction

REQUESTED BY: Residents

RECOMMENDATION: Remove 30 minute limited parking restriction from 270 feet east of Foster Avenue to 500 feet east of Foster Avenue

BRIEF JUSTIFICATION: Parking restrictions are being changed to meet residential needs

LOCATION:

REGULATION:

REQUESTED BY:

RECOMMENDATION:

BRIEF JUSTIFICATION:

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

No. 7

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Appropriation Transfers.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

Joseph Ludwig

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

enclosure:

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

TOWN OF ISLIP

Resolution Authorizing Appropriation Transfers

Resolution prepared on April 8, 2021 for Parks, Recreation and Cultural Affairs approved by Commissioner/Department Head

Thomas Owens and Comptroller _____

5/18/21 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
Other Equipment	A.7034.22500	\$ 20,000.00	Special Events	A.7034.44450	\$ 20,000.00

\$ 20,000.00

\$ 20,000.00

Justification: To purchase tents and materials needed for a variety of Town special events

Upon a vote being taken, the result was _____

Comptroller

Date _____

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.

transfers

_____ approved _____
_____ bonded by Court _____
How: _____

Coral Chambers for (depar

[illegible][illegible]

Justification: To have the budgetary lines reflect the fully executed SCOFA Nutrition grant.

Upon a vote being taken, the result was _____

Date _____ .

DISTRIBUTION

Town Clerk

Comptroller

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.

TOWN OF ISLIP
Resolution Authorizing Appropriation Transfers

Resolution prepared on May 6, 2021 for (department) Comptroller approved by Commissioner/Department Head
(print name & sign) Joseph Ludwig and Comptroller _____ : at the Town Board Meeting on
(date) 5/18/21, 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
Other Equipment	A.1315.22350	800.00	Education & Seminars	A.1315.45350	(250.00)
			Memberships	A.1315.46450	(250.00)
			Misc & Travel	A.1315.46900	(300.00)
		<u>800.00</u>			<u>(800.00)</u>

Justification: Replacement of refrigerator

Upon a vote being taken, the result was _____.

Date _____.

DISTRIBUTION

Town Clerk

Comptroller

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. 8

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Bid Awards.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

Michael Rand

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

enclosure:

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

BIDS TO BE AWARDED
MAY 18, 2021

- | | | |
|----|--|-----------------|
| 1. | EAST ISLIP LIGHT POLE & LUMINAIRE (INDUCTION or LED) | -City Energy |
| 2. | RECYCLING/DISPOSAL OF ELECTRONICS WASTE (E-WASTE) | -EcoTech Mgmt. |
| 3. | NEW MODEL YEAR 3,500 GALLON WATER TRUCK | -Gabrielli Mack |

NO: 1 EAST ISLIP LIGHT POLE & LUMINAIRE (INDUCTION or LED)

BID PRICE: Various Prices as per Bid Items #840-El-I to 840-El-A-L

LOWEST RESPONSIBLE BIDDER: City Energy

COMPETITIVE BID: Yes – January 27, 2021 (1st Advertisement)
February 17, 2021 (2nd Advertisement)

BUDGET ACCOUNT NUMBER: SI5182.4-1770

ANTICIPATED EXPENDITURE: \$100,000.00

DEPARTMENT: Public Works

JUSTIFICATION OF NEED: Inventory of stock/supplies to be used as needed.

PLEASE NOTE: This bid was advertised twice. The first advertisement produced only one (1) responding bidder. The second advertisement produced only one (1) responding bidder.

NO: 2 RECYCLING/DISPOSAL OF ELECTRONICS WASTE (E-WASTE)

BID PRICE: Various Prices as per Bid Items #1 (1-4) and #2

LOWEST RESPONSIBLE BIDDER: EcoTech Management

COMPETITIVE BID: Yes – March 25, 2021

BUDGET ACCOUNT NUMBER: SR8160.4-4222

ANTICIPATED EXPENDITURE: \$5,000.00

DEPARTMENT: Environmental Control

JUSTIFICATION OF NEED: Disposing of E-Waste per NYS DEC regulations.

NO: 3 NEW MODEL YEAR 3,500 GALLON WATER TRUCK

BID PRICE: \$197,720.00 (Option 2 Stainless Steel Shell)
\$4,500.00 (Option A Two (2) Year Extended Warranty)

LOWEST RESPONSIBLE BIDDER: Gabrielli Mack

COMPETITIVE BID: Yes – March 3, 2021 (1st Advertisement)
March 25, 2021 (2nd Advertisement)

BUDGET ACCOUNT NUMBER: H21 8170.3-2303

ANTICIPATED EXPENDITURE: \$202,220.00

DEPARTMENT: Environmental Control

JUSTIFICATION OF NEED: To say in compliance with NYSDEC odor control regulations.

PLEASE NOTE: This bid was advertised twice. The first advertisement produced only one (1) responding bidder. The second advertisement produced only one (1) responding bidder.

NO: 1 EAST ISLIP LIGHT POLE & LUMINAIRE (INDUCTION or LED)

BID PRICE: Various Prices as per Bid Items #840-EI-I to 840-EI-A-L

LOWEST RESPONSIBLE BIDDER: City Energy

COMPETITIVE BID: Yes – January 27, 2021 (1st Advertisement)
February 17, 2021 (2nd Advertisement)

BUDGET ACCOUNT NUMBER: SI5182.4-1770

ANTICIPATED EXPENDITURE: \$100,000.00

DEPARTMENT: Public Works

JUSTIFICATION OF NEED: Inventory of stock/supplies to be used as needed.

PLEASE NOTE: This bid was advertised twice. The first advertisement produced only one (1) responding bidder. The second advertisement produced only one (1) responding bidder.

WHEREAS, the Town solicited competitive bids for the purchase of EAST ISLIP LIGHT POLE & LUMINAIRE (INDUCTION or LED); and

WHEREAS, the bid was advertised twice and opened on February 17, 2021; and

WHEREAS, City Energy, 80 Orville Dr., Ste. 100, Bohemia, NY 11716 submitted the only bid for this contract; and

WHEREAS, City Energy 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 City Energy in the amount of various prices as per bid items #840-El-I to 840-El-A-L for one (1) year from date of award with the Town's option to renew for one (1) additional year under the same terms and conditions.

Upon a vote being taken, the result was:

EAST ISLIP LIGHT POLE &
LUMINAIRE (INDUCTION OR
LED)

CONTRACT #

121-155

DATE: Feb. 17, 2021

11:00 A.M

THIS TABULATION OF SEALED BIDS OPENED IN ACCORDANCE WITH SECTION 103 OF THE
GENERAL MUNICIPAL LAW FOR THE PURPOSE OF CONSIDERING THE AWARD OF A PURCHASE
CONTRACT FOR USE IN THE TOWN OF ISLIP.

BUDGET # S15182.4-1770 ESTIMATED AMOUNT \$100,000.00

(THIS BID WAS ADVERTISED TWICE)

CITY ENERGY
80 ORVILLE DR STE 100
BOHEMIA NY 11716

award - items "#840-E1-1 to 840-E1-A-L
SEE ATTACHED SHEET

MAGNIFLOOD INC
7200 NEW HORIZONS BLVD
NO AMITYVILLE NY 11701

GRAYBAR ELECTRIC CO INC
800 HUYLER STREET
TETERBORO NJ 07069

KELLY & HAYES
66 SOUTHERN BLVD
NESCONSET NY 11767

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

COMMISSIONER T. OWENS CONCURS.

SIGNED BY:


MICHAEL RAND
DIRECTOR


BARBARA MALTESE
PRINCIPAL OFFICE ASSISTANT

EAST ISLIP LIGHT POLE & LUMINAIRE (INDUCTION or LED)	CITY ENERGY SERVICES
ITEM #	
840-EI-I	NO BID
840-EI-L	\$8,350.00
840-EI-Q-I	NO BID
840-EI-Q-L	\$12,300.00
840-EI-A-I	NO BID
840-EI-A-L	\$2,950.00

s/east islip light pole &
luminaire (induction or
LED) 2021 tabulation

NO: 2 RECYCLING/DISPOSAL OF ELECTRONICS WASTE (E-WASTE)

BID PRICE: Various Prices as per Bid Items #1 (1-4) and #2

LOWEST RESPONSIBLE BIDDER: EcoTech Management

COMPETITIVE BID: Yes – March 25, 2021

BUDGET ACCOUNT NUMBER: SR8160.4-4222

ANTICIPATED EXPENDITURE: \$5,000.00

DEPARTMENT: Environmental Control

JUSTIFICATION OF NEED: Disposing of E-Waste per NYS DEC regulations.

WHEREAS, the Town solicited competitive bids for RECYCLING/DISPOSAL OF ELECTRONICS WASTE (E-WASTE), CONTRACT #421-71; and

WHEREAS, on March 30, 2021 sealed bids were opened and EcoTech Management, 935 Lincoln Ave., Holbrook, NY 11741 submitted the apparent low dollar bid; and

WHEREAS, EcoTech Management 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 EcoTech Management in the amount of various prices as per bid items #1 (1-4) and #2 for one (1) year from date of award with the Town's option to renew for one (1) additional year under the same terms and conditions.

Upon a vote being taken, the result was:

RECYCLING/DISPOSAL OF
ELECTRONICS WASTE
(E-WASTE)

CONTRACT # 421-71

DATE: MARCH 30, 2021

11:00 A.M

THIS TABULATION OF SEALED BIDS OPENED IN ACCORDANCE WITH SECTION 103 OF THE
GENERAL MUNICIPAL LAW FOR THE PURPOSE OF CONSIDERING THE AWARD OF A PURCHASE
CONTRACT FOR USE IN THE TOWN OF ISLIP.

BUDGET # SR 8160.4-4222

ESTIMATED AMOUNT \$5,000.00

E-GREEN RECYCLING MGMT LLC
3542 ROUTE 112
CORAM NY 11727

SEE ATTACHED SHEET

EWASTE+
7318 VICTOR MENDON RD
VICTOR NY 14564

NO BID

DATA-STRUCTION
3350 HAMPTON ROAD
OCEANSIDE NY 11572

SEE ATTACHED SHEET

KEVIN GERSHOWITZ
GERSHOW RECYCLING
71 PECONIC AVE
MEDFORD NY 11763

ARROW SCRAP CORP
1120 LINCOLN AVE
HOLBROOK NY 11741

SEE ATTACHED SHEET

ECO TECH MANAGEMENT
935 LINCOLN AVE
HOLBROOK NY 11741

award - items #1 (1-4); 2

SEE ATTACHED SHEET

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

COMMISSIONER M. BELLOW CONCURS.

SIGNED BY:

MICHAEL RAND
DIRECTOR

BARBARA MALTESE
PRINCIPAL OFFICE ASSISTANT

RECYCLING/DISPOSAL OF	E-GREEN	DATA-	ARROW	ECO TECH
ELECTRONICS WASTE (E-WASTE)	RECYCLING	STRUCTION	SCRAP	MGMT.
ITEM #				
Item 1				
1. Computer, CPUs, laptops, etc	(+) \$.10/lb.	(-) \$25/lb.	(-) \$.05/lb.	(+) \$0.30
2. Televisions, CRTs, etc	(-) \$.25/lb.	(-) \$25/lb.	(-) \$.10/lb.	(-) \$0.16
3. All other covered electronics	(-) \$.12/lb.	(-) \$25/lb.	(-) \$.05/lb.	(+) \$0.05
4. Broken/damaged televisions, etc.	(-) \$.25/lb.	(-) \$25/lb.	(-) \$.10/lb.	(-) \$0.25
Item 2				
STOP Day Event Cost	(-) \$600	(-) \$850/4 hrs	NO CHARGE	(-) \$500

NO: 3 NEW MODEL YEAR 3,500 GALLON WATER TRUCK

BID PRICE: \$197,720.00 (Option 2 Stainless Steel Shell)
\$4,500.00 (Option A Two (2) Year Extended Warranty)

LOWEST RESPONSIBLE BIDDER: Gabrielli Mack

COMPETITIVE BID: Yes – March 3, 2021 (1st Advertisement)
March 25, 2021 (2nd Advertisement)

BUDGET ACCOUNT NUMBER: H21 8170.3-2303

ANTICIPATED EXPENDITURE: \$202,220.00

DEPARTMENT: Environmental Control

JUSTIFICATION OF NEED: To say in compliance with NYSDEC odor control regulations.

PLEASE NOTE: This bid was advertised twice. The first advertisement produced only one (1) responding bidder. The second advertisement produced only one (1) responding bidder.

WHEREAS, the Town solicited competitive bids for the purchase of NEW MODEL YEAR 3,500 GALLON WATER TRUCK, CONTRACT #321-252; and

WHEREAS, the bid was advertised twice and opened on March 25, 2021; and

WHEREAS, Gabrielli Mack, 880 S. Oyster Bay Rd., Hicksville, NY 11801 submitted the only bid for this contract; and

WHEREAS, Gabrielli Mack 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 Gabrielli Mack in the amount of: \$197,720.00 (Option 2 Stainless Steel Shell); \$4,500.00 (Option A – Two (2) year extended warranty) for one (1) year from date of award with the Town's option to renew for one (1) additional year under the same terms and conditions.

Upon a vote being taken, the result was:

NEW MODEL YEAR 3,500 GAL.
WATER TRUCK

CONTRACT # 321-252

DATE: MARCH 25, 2021

11:00 A.M

THIS TABULATION OF SEALED BIDS OPENED IN ACCORDANCE WITH SECTION 103 OF THE
GENERAL MUNICIPAL LAW FOR THE PURPOSE OF CONSIDERING THE AWARD OF A PURCHASE
CONTRACT FOR USE IN THE TOWN OF ISLIP.


BUDGET # H21 8170.3-2303 ESTIMATED AMOUNT \$202,220.00


(THIS BID WAS ADVERTISED TWICE)	
STEPHEN CANNONE GABRIELLI MACK 880 S OYSTER BAY RD HICKSVILLE NY 11801	award - items #Option 2; Option A SEE ATTACHED SHEET
JAMES HOGAN KOMATSU AMERICA 601 COATES AVE HOLBROOK NY 11741	
GARY CERVELLI TRIUS 458 JOHNSON AVE P O BOX 158 BOHEMIA NY 11716	NO BID
BRIAN CARROLL H O PENN MACHINERY CO 660 UNION AVE HOLTSVILLE NY 11742	

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

COMMISSIONER M. BELLOW CONCURS.

SIGNED BY:


MICHAEL RAND
DIRECTOR


BARBARA MALTESE
PRINCIPAL OFFICE ASSISTANT

NEW MODEL YEAR 3,500 GAL. WATER TRUCK	GABRIELLI
CONTRACT #321-252	TRUCK SALES
ITEM #	
OPTION 1 WATER TRUCK POLY. CHLORINATED	\$188,953.00
OPTION A TWO (2) YEAR EXTENDED WARRANTY	\$4,500.00
OPTION 2 STAINLESS STEEL SHELL	\$197,720.00
OPTION A TWO (2) YEAR EXTENDED WARRANTY	\$4,500.00

s/new model year 3,500 gal. water truck
2021 tab

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

No. 9

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to sign an Indemnification/Hold Harmless Agreement for the event: Youth Enrichment Services 2021 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:

Timothy Mare

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

enclosure:

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

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

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

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

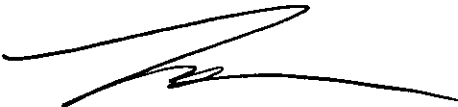
To authorize the Supervisor to sign an Indemnification/Hold Harmless Agreement for the event: Youth Enrichment Services 2021 Summer Program - Held of Higbie Lane Fields, of behalf of the Town of Islip.
Youth Enrichment Services administers a Summer Enrichment Program held on West Islip Union Free School District's Hegbie Lane Fields. The Town of Islip includes Youth Enrichment Services in their liability insurance policy. West Islip U.F.S.D. requires all organizations using District facilities to have on file with the District an executed Indemnification/Hold Harmless Agreement.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip youth
 2. Site or location effected by resolution: Town of Islip
 3. Cost: -\$0-
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

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

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



Signature of Commissioner/Department Head Sponsor

4/21/21

Date

May 18, 2021

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 2021 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. 10

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to accept funds from National Grid to compensate the Department of Public Works for the milling and overlay work required for Manton and Marion Street in Sayville.

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 authorize the Supervisor to accept funds from National Grid in the amount of \$35,149.95 to compensate the Department of Public Works for the milling and overlay work required for Manton Street and Marion Street in Sayville due to the recently installed gas mains on these roads.

SPECIFY WHERE APPLICABLE:

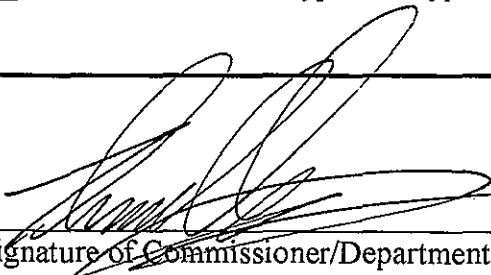
1. Entity or individual benefitted by resolution: Residents of the Town of Islip
2. Site or location effected by resolution: Various Locations
3. Cost: N/A
4. Budget Line: To be determined by the Comptroller
5. Amount and source of outside funding: (National Grid \$35,149.95)

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

4/26/2021

Date

May 18, 2021
Resolution #

WHEREAS, KeySpan East Gas Corporation d/b/a National Grid ("National Grid") is in the process of completing work in the Hamlet of Sayville, Town of Islip ("the Town"), as part of its 2019 Sayville Gas Main Replacement Project MSL170344;

WHEREAS, National Grid has offered funding in the amount of \$35,149.95 to the Town of Islip ("the Town") Department of Public Works to perform the necessary overlay paving restoration of Manton Street and Marion Street in Sayville; and

WHEREAS, as condition of providing such funding, National Grid has requested that the Town assume liability for the paving restoration work; and

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

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

RESOLVED, that the Supervisor is hereby authorized to request and accept funding from National Grid for the paving restoration of the above-referenced roads and to execute any necessary documents attendant thereto, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that upon approval and acceptance of payment of no less than \$35,149.95 for the paving restoration of the above-referenced roads, the Town shall assume liability for such paving restoration; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries necessary to amend the budget in accordance with this resolution.

Upon a vote being taken, the result was:

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

No. 11

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to accept funds from National Grid to compensate the Department of Public Works for the milling and overlay work required for various roadways in Holbrook.

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 authorize the Supervisor to accept funds from National Grid in the amount of \$313,916.80 to compensate the Department of Public Works for the milling and overlay work required for Bradbury Court, including the cul-de-sac, Greenbelt Parkway West, Shadow Grove Lane and Whitehall Court, including the cul-de-sac, in Holbrook due to the recently installed gas mains on these roads.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Residents of the Town of Islip
2. Site or location effected by resolution: Various Locations
3. Cost: N/A
4. Budget Line: To be determined by the Comptroller
5. Amount and source of outside funding: (National Grid \$313,916.80)

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

4/26/2021
Date

May 18, 2021
Resolution #

WHEREAS, KeySpan East Gas Corporation d/b/a National Grid (“National Grid”) is in the process of completing work in the Hamlet of Holbrook, Town of Islip (“the Town”), as part of its 2021 Holbrook Gas Main Replacement Project MSL190159; and

WHEREAS, National Grid has offered funding in the amount of \$313,916.80 to the Town Department of Public Works to perform the necessary overlay paving restoration of Bradbury Court (including the cul-de-sac), Greenbelt Parkway West, Shadow Grove Lane, and Whitehall Court (including the cul-de-sac) in Holbrook, New York; and

WHEREAS, as condition of providing such funding, National Grid has requested that the Town assume liability for the paving restoration work; and

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

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

RESOLVED, that the Supervisor is hereby authorized to request and accept funding from National Grid for the paving restoration of the above-referenced roads and to execute any necessary documents attendant thereto, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that upon approval and acceptance of payment of no less than \$313,196.80 for the paving restoration of the above-referenced roads, the Town shall assume liability for such paving restoration; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting

entries necessary to amend the budget in accordance with this resolution.

Upon a vote being taken, the result was:

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

No. 12

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute a Professional Services Agreement with de Bruin Engineering, P.C. for Engineering Services for the Byron Lake Pool Reconstruction 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**

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 de Bruin Engineering to provide engineering services related to the Byron Lake Pool Reconstruction project.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: de Bruin Engineering; Town of Islip; Byron Lake Po
 2. Site or location effected by resolution: Byron Lake Pool
 3. Cost: \$646,000
 4. Budget Line: H17.7032.31530; H20.7110.30503
 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, the Town of Islip ("the Town") Department of Parks, Recreation, and Cultural Affairs advertised a Request for Proposals ("RFP") for Engineering Services for the Byron Lake Pool Reconstruction Project; and

WHEREAS, seven (7) companies submitted a response to the RFP (see Schedule A attached hereto); and

WHEREAS, a review committee was formed to review all proposals received in response to the RFP; and

WHEREAS, the review committee conducted a thorough review of all proposals received and recommends that the Town enter into a professional services agreement with de Bruin Engineering P.C., 1400 Old Country Road, Suite 106, Westbury, NY 11590, which received the highest score pursuant to the rating system outlined in the Town's RFP; and

WHEREAS, de Bruin Engineering, P.C. has been determined to be a responsible proposer with the necessary qualifications and experience for the satisfactory completion of the Byron Lake Pool Reconstruction Project; and

WHEREAS, the Commissioner of the Department of Parks, Recreation, and Cultural Affairs recommends approval of this resolution;

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

RESOLVED, that the Supervisor is hereby authorized to execute a professional services agreement with de Bruin Engineering, P.C. for Engineering Services for the Byron Lake Pool Reconstruction Project, and any necessary documentation attendant thereto, the term of which shall be through project completion, the cost of which shall be \$646,200.00, and 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 agreement.

Upon a vote being taken, the result was _____.

Schedule A

RESPONDENT	POINTS
de Bruin Engineering, P.C	85
Cameron Engineering	75
H2M	70
Nelson and Pope	70
M&J Engineering P.C.	55
LiRO Engineering, Inc.	55
Savik & Murray	35

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

No. 13

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board acceptance of a Deed from Unique Design Home Builders, Inc. for a parcel of land known as the extension of Huntting Lane, East Islip for a road dedication for highway purposes.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

Thomas Owens

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

enclosure:

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

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

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

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

To consider the adoption of a resolution accepting a deed from Unique Design Home Builders, Inc., in favor of the Town of Islip, for a parcel of land known as the extension of Hunting Lane, East Islip, NY, (SCTMN 0500-424.00-01.00-050.007) for a road dedication for highway purposes.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: Hunting Lane, East Islip
 3. Cost: N/a
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

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

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☐ Type 2 action under 6 NYCRR, Section 617.5(c), number _____. 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

05/03/2021

Date

May 18, 2021

WHEREAS, the Town of Islip Planning Board granted Final Approval of the major subdivision known as Grace Estates, East Islip on November 20, 2002; and

WHEREAS, Grace Estates was approved subject to keeping the extension of Huntting Lane, East Islip a private road not offered for dedication; and

WHEREAS, the Map of Grace Estates, East Islip was filed at the office of the Suffolk County Clerk on September 4, 2003 as # 10991; and

WHEREAS, the Supreme Court of the State of New York, County of Suffolk, declared that the existing portion of Huntting Lane, East Islip is a public highway pursuant to New York Highway Law §189; and

WHEREAS, the Town of Islip agreed to accept the extension of Huntting Lane, East Islip for dedication after the owners of said extension comply with standard criteria; and

WHEREAS, the owners of said extension of Huntting Lane, Unique Design Home Builders, Inc., have submitted a Bargain and Sale Deed to the Town of Islip conveying said extension (SCTMN 0500-424.00-01.00-050.007); and

WHEREAS, the Office of the Town Attorney has found the deed to be in acceptable form; and

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

RESOLVED, that the aforementioned deed/easement is hereby accepted and the Town Attorney be and he hereby is directed to take the necessary steps to record the deed in the Office of the Suffolk County Clerk.

Upon a vote being taken, the result was:

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

No. 14

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to accept funds from National Grid to compensate the Department of Public Works for the milling and overlay work required for various roadways in Islip.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

Thomas Owens

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

enclosure:

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

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

INSTRUCTIONS: All 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 accept funds from National Grid in the amount of \$507,129.75 to compensate the Department of Public Works for the milling and overlay work required for Commack Road, Romaine Avenue, Lake Street, Camelot Court, Creekside Court, Brook Street, Richmond Street, Franklin Street, Grand Blvd., Beverly Street, Windsor Street, Bainbridge Street, 44th Street, Broadway, Cumberland Street, 38th Street, 39th Street, Winthrop Street, Oxford Street, Weldon Street, Bertram Street, Langdon Street and Grimsley Street in Islip due to the recently installed gas mains on these roads.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Residents of the Town of Islip
2. Site or location effected by resolution: Various Locations
3. Cost: N/A
4. Budget Line: To be determined by the Comptroller
5. Amount and source of outside funding: (National Grid \$507,129.75)

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

4/29/2021

Date

May 18, 2021
Resolution #

WHEREAS, KeySpan East Gas Corporations d/b/a National Grid (“National Grid”) is in the process of completing work in the hamlet of Islip, Town of Islip (“the Town”), as part of its 2021 Islip Gas Main Replacement Project MSL190067; and

WHEREAS, National Grid has offered funding in the amount of \$507,129.75 to the Town of Islip (“the Town”) Department of Public Works to perform the necessary overlay paving restoration of Commack Road, Romaine Avenue, Lake Street, Camelot Court, Creekside Court, Brook Street, Richmond Street, Franklin Street, Grand Blvd., Beverly Street, Windsor Street, Bainbridge Street, 44th Street, Broadway, Cumberland Street, 38th Street, 39th Street, Winthrop Street, Oxford Street, Weldon Street, Bertram Street, Langdon Street and Grimsley Street in Islip; and

WHEREAS, as condition of providing such funding, National Grid has requested that the Town assume liability for the paving restoration work; and

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

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

RESOLVED, that the Supervisor is hereby authorized to request and accept funding from National Grid for the paving restoration of the above-referenced roads and to execute any necessary documents attendant thereto, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that upon approval and acceptance of payment of no less than \$507,129.75 for the paving restoration of the above-referenced roads, the Town shall assume liability for such paving restoration; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with this resolution.

Upon a vote being taken, the result was:

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

No. 15

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to enter into various agreements for programs or events to be held throughout the Town to be funded either by registration or grant funds.

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

May 18, 2021

<u>Date</u>	<u>Name</u>	<u>Program</u>	<u>Location</u>
6/1	Rich Jones	Golf Lessons	Gull Haven Golf Course 1 Gull Haven Dr, CI
6/29	Triple Threat Basketball Club Inc.	Basketball League	East Islip High School 1 Redman St., Islip Terrace
7/3	Suffolk County Tennis & Education Foundation	Tennis/Pickleball Instruction	Casamento Park, WI 401 Main Street, Islip Broadway Ave. Park, Sayville 299 Rosevale Ave., Ronkonkoma
7/8	Minieri's Parkview Riding Center	Horseback Riding Instruction	989 Connetquot Ave, CI
7/12	Diamond Baseball	Baseball/Softball Instruction	Sunrise Little League Complex Sayville Little League Complex Islip Little League Complex
7/12	East Islip Youth Lacrosse	Lacrosse Camp	East Islip Marina, E.I

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

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

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with Rich Jones to provide golf lessons. Rich Jones will offer the following golf lessons: Nine (9) separate Quick Start sessions, June 14, 2021 thru August 18, 2021; fourteen (14) separate Linkster sessions from June 8, 2021 thru September 21, 2021; three (3) separate Youth Three Holer sessions from July 10, 2021 thru September 25, 2021; Seven (7) separate 3 Day Camp sessions from July 7, 2021 thru August 20, 2021; seven (7) separate 5 Day Camp sessions from June 21, 2021 thru August 13, 2021; sixteen (16) separate Adult sessions from June 1, 2021 thru September 23, 2021; five (5) separate Adult Three Holer sessions from June 7, 2021 thru August 18, 2021. A full session schedule is set forth on Exhibit A. The fees are as follows: Quick Start -\$95.00 per session per registrant and a \$15.00 non-resident surcharge per session per registrant; Linksters-\$95.00 per session per registrant and a \$15.00 non-resident surcharge per session per registrant; Youth Three Holer-\$140.00 per session per registrant and a \$10.00 non-resident surcharge per session per registrant; 3 Day Camp-\$150.00 per session per registrant and a \$20.00 non-resident surcharge per session per registrant; 5 Day Camp-\$230.00 per session per registrant and a \$10.00 non-resident surcharge per session per registrant; Adult (ages 14-59) -\$95.00 per session per registrant and a \$15.00 non-resident surcharge per session per registrant; Adult (ages 60+) - \$80.00 per session per registrant and a \$15.00 non-resident surcharge per session per registrant; Adult Three Holer-\$140.00 per session per registrant and a \$10.00 non-resident surcharge per session per registrant. These programs will be self-sustaining. Compensation for said services to Rich Jones will be 80% of the total revenue for an amount not to exceed \$186,600.00 excluding the non-resident surcharge. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs. A similar resolution was passed for Rich Jones by the Town Board in 2018 and 2019

SPECIFY WHERE APPLICABLE:

Entity of individual benefitted by resolution: Rich Jones

Site or location effected by resolution: Gull Haven Golf Course, 1 Gull Haven Drive, Central Islip, NY 11722

Cost: No cost to the Town of Islip - self-sustaining.

Budget Line: A7035.4-5006

Amount and source of outside funding: Maximum revenue is \$269,750.00 including non-resident surcharge.
Maximum revenue to be retained by the Town is \$83,150.00.

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: 4/19/2021

May18, 2021

Resolution # _____

WHEREAS, the Town of Islip, Department of Parks, Recreation and Cultural Affairs provides a variety of recreational opportunities and has identified a need to provide access to golf programs for our citizens; and

WHEREAS, Rich Jones 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 Rich Jones 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 Rich Jones to provide golf programs to our citizens for an amount not to exceed \$186,600.00, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

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

INSTRUCTIONS: All 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 Supervisor no later than 12 days prior to the scheduled meeting.

PURPOSE By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with the Triple Threat Basketball Club, Inc. to provide three (3) separate weeks of basketball camps. Camps will be held on the following dates: Week 1 - Boys and Girls Camp, June 29, 2020 thru July 2, 2020; Week 2 - Boys Camp, July 6, 2020 thru July 9, 2020; Week 3 - Boys Camp, July 13, 2020 thru July 16, 2020. Camps will be held at the East Islip High School. The registration fee is \$150.00 per week for each registrant and a \$40.00 surcharge for each non-resident registrant (register the same registrant for an additional week and receive a \$20.00 discount). This program will be self-sustaining. The total minimum revenue will be \$150.00 and the maximum revenue including the non-resident surcharge will be \$85,500.00. Compensation for said services to Triple Threat Basketball Club, Inc. will be 80% of the total revenue for an amount not to exceed \$54,000.00 excluding the non-resident surcharge. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: Triple Threat Basketball Club, Inc.

Site or location effected by resolution: East Islip High School, 1 Redmen Street, Islip Terrace, NY 11752

Cost: No cost to the Town of Islip – self-sustaining.

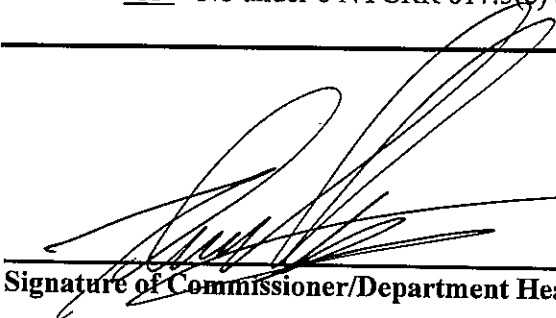
Budget Line: A7035.4 5006

Amount and source of outside funding: Maximum revenue is \$85,500.00 including non-resident surcharge.
Maximum revenue to be retained by the Town is \$31,500.00.

ENVIRONMENTAL IMPACT: Is this action subject to a SEQRA environmental review?

☐ Yes under Section I, Sub. A, Number _____ of Town of Islip 617 Check List, an
Environmental review is required.

☒ No under 6 NYCRR 617.5(c) (20) – routine or continuing agency administration and management



Signature of Commissioner/Department Head Sponsor:



Date:

April 21, 2020
Resolution # _____

WHEREAS, the Town of Islip, Department of Parks, Recreation and Cultural Affairs provides a variety of recreational opportunities and has identified a need to provide access to basketball instruction for our citizens; and

WHEREAS, Triple Threat Basketball Club, Inc., located at PO Box 345, Islip Terrace, New York 11752 has the required skills, background and existing infrastructure to perform this task in a satisfactory manner; and

WHEREAS, the Town of Islip is desirous of entering into an agreement with Triple Threat Basketball Club, Inc. to provide said instruction.

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

RESOLVED, that the Supervisor is hereby authorized to execute an agreement with Triple Threat Basketball Club, Inc. to provide basketball camps and recreation programs to our citizens for an amount not to exceed \$54,000.00, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

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

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

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an Agreement with the Suffolk County Tennis and Education Foundation to provide seven (7) sessions of tennis instruction and two (2) sessions of pickleball. Adult tennis will be held Saturdays, July 3, 2021 thru July 24, 2021 at Town Hall West. Junior tennis will be held Mondays & Wednesdays, July 12, 2021 thru July 28, 2021 at Casamento Park and Tuesdays and Thursdays, July 13, 2021 thru July 29, 2021 at Broadway Avenue Park. Pickleball will be held Fridays, July 9, 2021 thru July 30, 2021 at Lake Ronkonkoma. The registration fee for tennis is \$60.00 for each registrant ages 4-6 and a \$15.00 surcharge for each non-resident registrant. All other tennis classes the registration fee is \$115.00 for each registrant and a \$28.75 surcharge for each non-resident registrant. The registration fee for pickleball is \$115.00 for each registrant and a \$28.75 surcharge for each non-resident registrant. This program will be self-sustaining. The maximum revenue including the non-resident surcharge will be \$14,437.50. Compensation for said services to the Suffolk County Tennis and Education Foundation will be 80% of the total revenue, with a maximum amount not to exceed \$9,240.00 excluding the non-resident surcharge. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs. A similar resolution was passed for Suffolk County Tennis and Education Foundation by the Town Board in 2018 and 2019.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: Suffolk County Tennis and Education Foundation

Site or location effected by resolution: Casamento Park, 65 Muncey Road, Bay Shore, NY 11706
Town Hall West, 401 Main Street, Islip, NY 11751
Broadway Avenue Park, Broadway Avenue, Sayville, NY 11730
Lake Ronkonkoma, 299 Rosevale Avenue, Ronkonkoma, NY 11779

Cost: No cost to the Town of Islip - self-sustaining.

Budget Line: A7035.4-5006

Amount and source of outside funding: Maximum revenue is \$14,437.50 including non-resident surcharge.
Maximum revenue to be retained by the Town is \$5,197.50.

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:

4/19/2021

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 tennis and pickleball instruction for our citizens; and

WHEREAS, the Suffolk County Tennis and Education Foundation 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 Suffolk County Tennis and Education Foundation 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 Suffolk County Tennis and Education Foundation to provide tennis and pickleball instruction to our citizens for an amount not to exceed \$9,240.00, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

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

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

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with the Minieri's Parkview Riding Center Inc. to provide two (2) Horseback Riding Instruction Programs at Minieri's Parkview Riding Center Inc., 989 Connetquot Avenue, Central Islip, NY 11722. The summer program will consist of nine (9) sessions between July 8, 2021 and August 15, 2021 and the fall program consists of nine (9) sessions between September 16, 2021 and October 24, 2021. The registration fee is \$200.00 per session for each registrant and a \$50.00 surcharge for each non-resident registrant. The minimum amount of participants will be one (1) per session and the maximum amount of participants will be six (6) per session with a total number of eighteen (18) sessions with a maximum of 108 participants. This program will be self-sustaining. The total minimum revenue will be \$200.00 and the maximum revenue including the non-resident surcharge will be \$27,000.00. Compensation for said services to the Minieri's Parkview Riding Center Inc. will be 80% of the total revenue for an amount not to exceed \$17,280.00 excluding the non-resident surcharge. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs. A similar resolution was passed by the Town Board in 2018, 2019 and 2020.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: Minieri's Parkview Riding Center Inc.

Site or location effected by resolution: Minieri's Parkview Riding Center Inc.
989 Connetquot Avenue, Central Islip, NY 11722

Cost: No cost to the Town of Islip – self-sustaining

Budget Line: A7035.4 5006

Amount and source of outside funding: Maximum revenue is \$27,000.00 including non-resident surcharge.
Maximum revenue to be retained by the Town is \$9,720.00.

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:

Date:

4/7/2021

May 18, 2021
Resolution # _____

WHEREAS, the Town of Islip, Department of Parks, Recreation and Cultural Affairs provides a variety of recreational opportunities and has identified a need to provide access to horseback riding instruction for our citizens; and

WHEREAS, Minieri's Parkview Riding Center Inc., located at 989 Connetquot Avenue, Central Islip, New York 11722, 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 Minieri's Parkview Riding Center Inc. to provide said instruction;

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

RESOLVED, that the Town Board authorizes the Supervisor to execute an agreement with Minieri's Parkview Riding Center Inc. to provide a summer and a fall program of horseback riding instruction to our citizens for an amount not to exceed \$17,280.00, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

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

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

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an Agreement with Diamond Baseball, d/b/a Long Island Junior Ducks to provide fifteen (15) separate classes of baseball and/or softball instruction. Two (2) separate baseball classes: ages 5 & 6 and 7-12 from July 12, 2021 thru July 15, 2021 held at Sayville Little League Complex. Two (2) separate baseball classes: ages 5 & 6 and 7-12 from July 26, 2021 thru July 29, 2021, held at Sunrise Little League Complex. Two (2) separate baseball classes: ages 5 & 6 and 7-12 from July 26, 2021 thru July 29, 2021, held at Islip Little League Complex. Two (2) separate baseball classes: ages 5 & 6 and 7-12 from August 2, 2021 thru August 5, 2021, held at Sayville Little League Complex. Two (2) separate softball classes: ages 5 & 6 and 7-12 from August 16, 2021 thru August 19, 2021 held at Islip Little League Complex. Three (3)) separate baseball classes: ages 3 & 4, 5 & 6 and 7-12 from August 16, 2021 thru August 19, 2021 held at Islip Little League Complex. Two (2) separate baseball classes: ages 5 & 6 and 7-12 from August 16, 2021 thru August 19, 2021, held at Sunrise Little League Complex. The registration fee for ages 3 & 4 is \$150.00 per registrant per week and a \$40.00 surcharge for each non-resident registrant per week. The registration fee for ages 5 & 6 attending the half day camp is \$175.00 per registrant per week and a \$40.00 surcharge for each non-resident registrant per week. The registration fee for ages 7-12 attending the full day camp is \$205.00 per registrant per week and a \$50.00 surcharge for each non-resident. This program will be self-sustaining. The total minimum revenue will be \$150.00 and the maximum revenue including the non-resident surcharge will be \$348,000.00. Compensation for said services to Diamond Baseball, d/b/a Long Island Junior Ducks will be 80% of the total revenue for an amount not to exceed \$224,800.00. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: Diamond Baseball, d/b/a Long Island Junior Ducks

Site or location effected by resolution: Sunrise Little League Complex, Locust Avenue, Oakdale, NY 11769
Sayville Little League Complex, Broadway Avenue, Sayville, NY 11782
Islip Little League Complex, Connetquot Avenue, East Islip, NY 11730

Cost: No cost to the Town of Islip- self-sustaining.

Budget Line: A7035.4 5006

Amount and source of outside funding: Maximum revenue is \$348,000.00 including non-resident surcharge.
Maximum revenue to be retained by the Town is \$123,200.00.

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:

5/3/2021

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 baseball & softball instruction for our citizens; and

WHEREAS, Diamond Baseball, d/b/a Long Island Junior Ducks, located at 41 Saxon Avenue, Bay Shore, New York 11706, 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 Diamond Baseball, d/b/a Long Island Junior Ducks 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 Diamond Baseball, d/b/a Long Island Junior Ducks to provide baseball and softball instruction to our citizens for an amount not to exceed \$224,800.00, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

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

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

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with East Islip Youth Lacrosse to provide a lacrosse camp from July 12, 2021 thru July 15, 2021 and July 16, 2021 will be used as a makeup day in case of inclement weather. Camp will be held at the East Islip Marina. The registration fee is \$175.00 per registrant and a \$35.00 surcharge for each non-resident registrant. The minimum amount of participants will be one (1) and the maximum amount of participants will be one hundred and fifty (150). This program will be self-sustaining. The total minimum revenue will be \$175.00 and the maximum revenue including the non-resident surcharge will be \$31,500.00. Compensation for said services to East Islip Youth Lacrosse will be 80% of the total revenue for an amount not to exceed \$21,000.00 excluding the non-resident surcharge. Dates are subject to change at the discretion of the Town of Islip Department of Parks, Recreation & Cultural Affairs. A similar resolution was passed for East Islip Youth Lacrosse by the Town Board in 2018 and 2019.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: East Islip Youth Lacrosse

Site or location effected by resolution: East Islip Marina, Bayview Avenue, East Islip, NY 11730

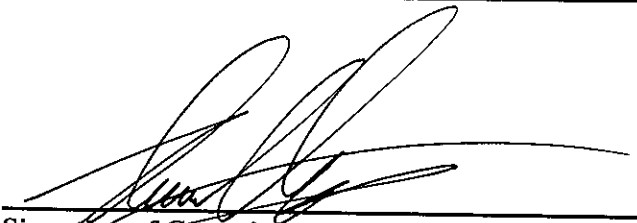
Cost: No cost to the Town of Islip - self-sustaining

Budget Line: A7035.4 5006

Amount and source of outside funding: Maximum revenue is \$31,500.00 including non-resident surcharge.
Maximum revenue to be retained by the Town is \$10,500.00.

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:

4/30/2021

Date:

May 18, 2021
Resolution # _____

WHEREAS, the Town of Islip, Department of Parks, Recreation and Cultural Affairs provides a variety of recreational opportunities and has identified a need to provide access to lacrosse instruction for our citizens; and

WHEREAS, East Islip Youth Lacrosse, 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 East Islip Youth Lacrosse 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 East Islip Youth Lacrosse to provide lacrosse instruction to our citizens for an amount not to exceed \$21,000.00, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

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

No. 16

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Town Board approval for the addition or removal of authorized users
for the Town Home Depot Card.**

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

Thomas Owens

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

enclosure:

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

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

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

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

The Department of Parks, Recreation and Cultural Affairs requests the addition and removal of authorized users for the Town Home Depot Card.

SPECIFY WHERE APPLICABLE:

1. **Entity or individual benefitted by resolution:** Department of Parks, Recreation and Cultural Affairs
 2. **Site or location effected by resolution:** Parks, Recreation and Cultural affairs
 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©, 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

5/4/2021

May 18, 2021
Resolution # _____

WHEREAS, on October 27, 2009, the Town Board unanimously approved to implement a Town-wide Charge Card policy; and

WHEREAS, in accordance with the policy, all changes to authorized users must be put before the Town board for their approval; and

WHEREAS, the Department of Parks, Recreation and Cultural Affairs is requesting the following user to be added to the policy, Carol Charchalis, and Ken Gesseck to be removed, as he is no longer a Town of Islip employee;

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

RESOLVED, that the Town Comptroller and the Director of Purchasing are instructed to take the necessary steps associated with the addition and removal of these authorized users.

UPON A VOTE BEING TAKEN, the result was:

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

No. 17

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Drive In Movie Approval.

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

May 18, 2021

On a motion of Councilperson,

seconded by

be it,

RESOLVED, that permission is hereby granted to hold the following Drive in Movie:

- A. Starfish Junction- Movie Lot Drive in- Westfield South shore Mall- Projection Truck-Bay Shore- Requesting permission to move the current event date Thursday, June 03 thru Sunday, June 06 2021 to Thursday, June 10 thru Sunday June 13, 2021. Same hours of operation. Permission will be granted pending approval from Town and County Offices and proof of liability insurance.

Upon a vote being taken the result was:

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

No. 18

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board approval to update the Administrative Procedures Manual sections Town 108 & 108.1 to include the LGS-1 retention schedule and remove the MU-1 scheduled references.

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.

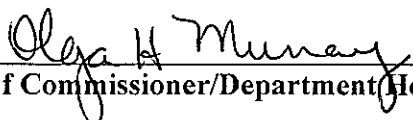
Updates to the Admin Procedure Manual sections Town 108 & 108.1 to include the LGS-1 retention schedule and remove the MU-1 schedule references

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town Clerk
 2. Site or location effected by resolution: Town Clerk
 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

5/5/2021

Date

May 18, 2021
Resolution No. _____

WHEREAS, the Town of Islip Administrative Procedures Manual is a compilation of policies and regulations that govern the operations of the Town; and

WHEREAS, from time to time the Administrative Procedures Manual has been updated to reflect changes policies and procedures; and

WHEREAS, the Administrative Procedures Manual is essential for the efficient functioning of government throughout the Town so that Elected Officials, management and employees can be guided by the appropriate policies and procedures; and

WHEREAS, the Records Retention and Disposition Schedules CO-2, MU-1, MI-1, and ED-1 have been consolidated and revised into the "Retention and Disposition Schedule for New York Local Government Records (LGS-01) 2020; and

WHEREAS, the Town adopted the new retention on February 9, 2021; and

WHEREAS, the Town of Islip Administrative Procedures Manual "Town 108" and "Town 108.1" and now requires certain updates to conform to the adopted schedule; and

WHEREAS, to assist Town employees in the management of electronic records, the Town Board is desirous of amending the Administrative Procedures Manual to all updates.

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

RESOLVED, that the Town Board hereby adopts the changes to the Administrative Procedures Manual as follows:

SEE ATTACHED

Additions are indicated by UNDERLINING
DELETIONS are indicated by STRIKEOUTS

Upon a vote being taken, the result was:

SUBJECT: MANAGEMENT OF ELECTRONIC RECORDS DERIVED FROM PAPER ORIGINALS.

1 . PURPOSES. To provide for a standardized method and procedure for the acquisition, dissemination, security, back-up, and destruction of electronic records derived from paper originals or which may be used for archival purposes. Said methods and procedures shall be implemented in conjunction with or shall complement those procedures established for paper or other records as per Section 108 of this manual. Note: Original records which were first created electronically in connection with any Town action may be subject to any future administrative procedures outlined in this manual or in any other applicable document. This section shall pertain to those electronic records created as an alternative to paper, microfiche, or microfilm and which would be used primarily to satisfy New York State records retention rules and to provide a portable method of document dissemination.

2 . DEFINITIONS.

Departmental Network Share – a portion of a hard disk allocated for a single department's electronic files and accessible by that department's staff alone.

Document Level Security – an administrative control, usually password protected, that controls whether an electronic document can be edited, copied, or printed. This security level is propagated to all subsequent copies of a file.

Network Based Security – Methods used by server operating systems that control access to individual folders and/or subfolders by client users of that system. The Town of Islip currently uses a Windows NT based network security system.

PDF – Adobe Corporation's portable document format.

3 . RECORDS CUSTODIAN. The Town Clerk shall remain the official custodian of all electronic records produced or maintained by the Town as per New York State Town Law and further as the official Records Management Officer (RMO). However, due to the interaction with and use of advancing computer and network technology, the Director of Information Management, or his designee, shall be consulted on all matters relating to the management of electronic records. The ultimate disposition of electronic records shall occur at the direction of the RMO (Town Clerk). The technological methods and/or system design of electronic record management shall occur at the direction of the Director of Information Management.

As with standard records described in Section 108 of this manual, the various Department heads shall:

1. Act for, and be under the direction of, the Town Clerk in all matters concerning electronic records retention, maintenance, filing, disposition, and accessibility to the public, and
2. Be held responsible for all laws, rules and regulations imposed upon the Town Clerk as official custodian of the Town's electronic records.

4. RETENTION AND DESTRUCTION. The existence of an electronic record or image as a method of archiving a paper case file and which is managed according to the policies and procedures herein is officially deemed to satisfy the definition of "record" and shall be subject to the same retention rules as the originating paper document even after the authorized destruction of such paper document as per Section 57-29 of the New York State Arts and Cultural Affairs Law:

" 57.29. Reproduction of records and disposition of the originals. Any local officer may reproduce any record in his custody by microphotography **or other means** that accurately and completely reproduces all the information in the record. Such official may then dispose of the original record even though it has not met the prescribed minimum legal retention period, provided that the process for reproduction and the provisions made for preserving and examining the copy meet requirements established by the commissioner of education. Such copy shall be deemed to be an original record for all purposes including introduction as evidence in proceedings before all courts and administrative agencies.

No paper records may be destroyed prior to an authorized destruction date specified in the ~~MU-1~~ LGS-01 Record Retention schedule unless:

1. The associated electronic files or archival images have been properly created according to the policies and specifications herein,
2. An appropriate document class has been duly created and added to a securely distributed database having the specifications listed in Appendix A at the direction of both the Director of Information Management and the Town Clerk,
3. A Records Destruction Authorization form, contained herein has been signed by the Department head, the Town Clerk, and the Director of Information Management.

Certain electronic documents which have procedural or historical value shall be maintained indefinitely at the direction of each Department head even though the ~~MU-1~~ LGS-01 Records Retention Schedule allows the destruction of said document. Department heads shall make such determinations after carefully balancing the benefits of long-term or permanent retention of said documents weighed against the potential liability to the Town created by long-term retention.

Back-up files of any electronic file authorized for destruction shall also be destroyed.

It shall be the official policy of the Town of Islip to maintain an electronic archive copy of all paper files, to the extent allowed by law. Said electronic archive copy shall be produced as soon as the paper case file is closed or when no further document additions to said file are expected. Departments using electronic document images as part of any workflow or active case review may do so at the direction of the Director of Information Management or as described in any future section of this manual.

4.1 DISPOSITION OF CERTAIN DOCUMENT CLASSES PERTAINING TO FINANCIAL OBLIGATIONS. The Town Clerk and the Comptroller shall coordinate on determining the proper disposition of certain documents related to financial matters pursuant to NYS Local Finance Law, or when paper is required to be the official medium of record archiving.

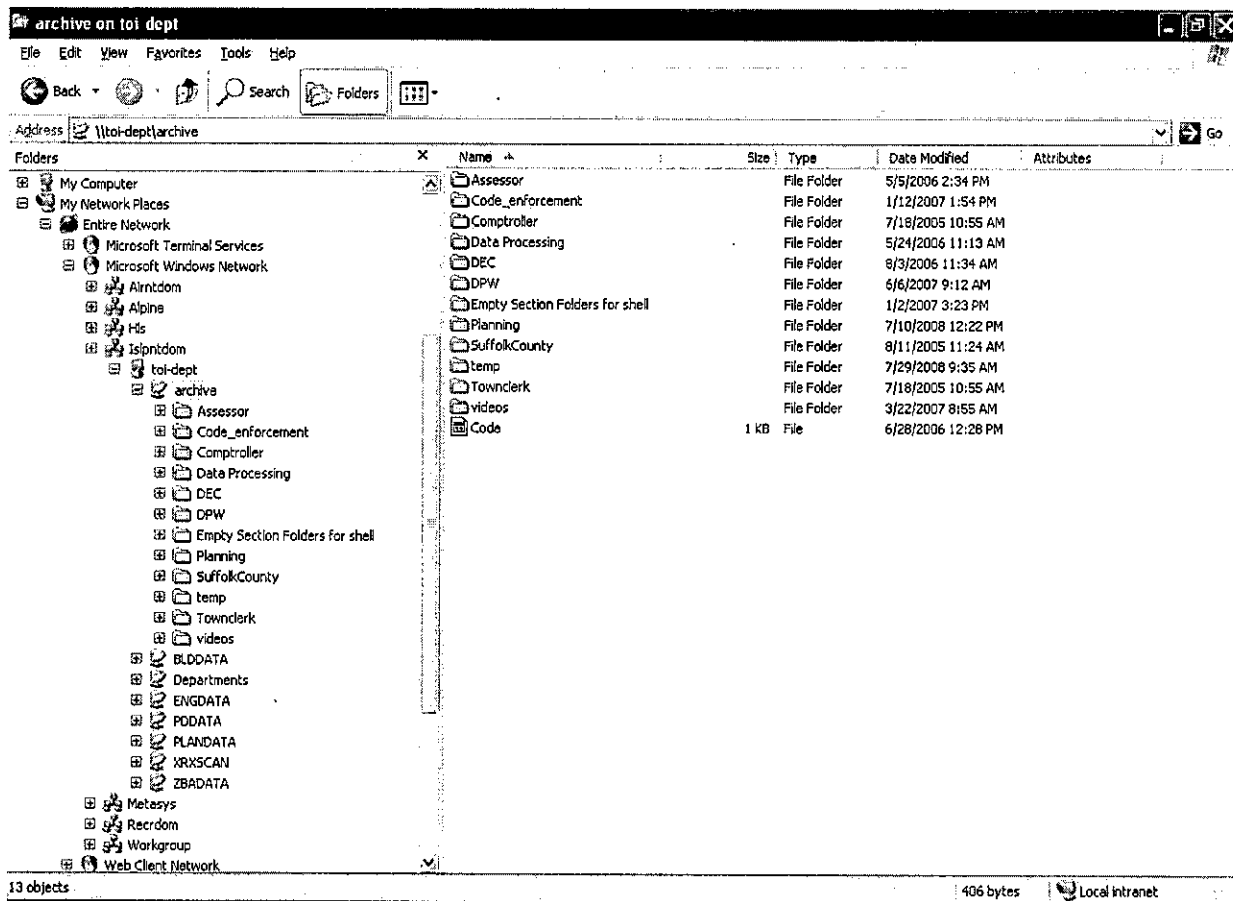
5. NEW YORK STATE AUTHORITY. It is the function of the New York State Department of Education and/or the State Archives and Records Administration (NYSARA) to examine the condition of all official records of the counties, cities, towns, and villages of the State, and to advise and recommend to officials in those public offices having custody or control over said records as to making, managing, reproducing, preserving or disposing of those records in their custody or control as per New York State Education Law.

6. DEPARTMENTAL RECORDS TRANSFER. Electronic records may be transferred to the Department of Information Management and/or standardized network location from multiple sources as follows:

- A. Vendors or Service Bureaus may transfer files to the Town via portable media such as DVDs, CD-Roms, external hard-drives, tape or magnetic media, or directly via file transfer protocol (ftp), email attachments, etc. Said transfers shall comply with all rules and procedures found in the Town of Islip Computer use policy.
- B. Each Department may scan or produce their own electronic files and/or image copies of original paper documents. Said files may be transferred to the Town's network only when sufficient planning and network folder structure have been created in consultation with the Department of Information Management. Information Management may, at its own discretion, give certain Department heads the security clearance necessary to move files directly to any specified network folder. Information Management shall maintain a record of which Department head and/or network user ID has such clearance.
- C. A central town scanning agency may also transfer files to the Town's network. The technological processes used by such agency shall be supervised directly by the Department of Information Management even if such agency formally exists under a different department.

The Department of Information Management shall deploy a central database that shall be used by any Department head or authorized records clerks to track and update the disposition of any electronic records transferred directly to the Town's network or indirectly, via storage media, to that department. Said database shall track the class, retention, file naming convention, network location, file type, etc. for each series of records transferred to the network. Note: Said database shall not replace any "Records Inventory Data Worksheets" or "Records Destruction Authorization" forms used to track paper records as per Section 108 of this manual. Appendix A shall contain the specifications for this database.

7. LOCATION OF RECORDS. Electronic records derived from paper originals shall exist on a central shared folder located on a file server accessible on the Town's central domain currently known as ISLPNTDOM. The full path name of said folder shall be: \\TOI-DEPT\ARCHIVE\. Subfolders for each department shall exist in the root of this folder. Network security clearance, including "Read-only" access to each departmental subfolder shall be managed by the Director of Information Management or his designee. The current configuration of the \\TOI-DEPT\ARCHIVE\ folder shall be as follows but additional subfolders may be added at any time:



8. RETRIEVAL OF RECORDS. Several methods may be used for the retrieval of any electronic record subject to network access and/or security rights:

A. TOIHOME. TOIHOME is the term used to generally describe the Town's web-based intranet and its associated document retrieval system. The basic TOIHOME web is accessible to all users on the ISLPNTDOM domain. Certain document and/or database retrieval functions require security clearance. Copies of actual .php, .html, or .asp code used in the TOIHOME system are available for review at the Department of Information Management. Said code shall be available to appropriate New York State agencies for the purposes of audit or records retention compliance. To access TOIHOME, simply type <http://toihome> into your web browser.

B. MANUAL NAVIGATION OF NETWORKED FILE SYSTEM. Authorized users will have the ability to manually navigate or search those networked shared folders to which they have security access or clearance. Users may use any number of programs to perform such manual searches such as Windows Explorer or DOS emulation programs such as Windows Scripting Host (Command window). Users may rely on standard and logical file naming conventions, as specified in Appendix A, for ease and consistency of image retrieval.

C. VERBAL OR WRITTEN REQUEST MADE TO DEPARTMENT OF INFORMATION MANAGEMENT OR ORIGINATING DEPARTMENT. Users without security clearance to specified networked shared folders, or if they are not familiar with TOIHOME or manual search methods, may request, in writing, an electronic or paper copy of a record from any department head. Upon approval of such request, the department head, or his designee may produce a copy of the record. If the department head is unable to produce the copy, the Director of Information Management may produce a copy of the record.

D. AUTOMATED INDEXING SYSTEMS. Multiple software programs exist that maintain an automated index of searchable documents. Currently, such programs include: Google Desktop Search, Microsoft Desktop Search, Adobe Acrobat, etc. Indexing software monitors specified folders, provides simplified search interfaces, and reveals results as hyperlinks. Such methods of document retrieval require no knowledge of any proprietary network folder structure or file naming convention.

E. DOCUMENT MANAGEMENT SYSTEMS. Custom programs are available that enable the complete management of electronic files including production (scanner drivers) and process workflow.

Freedom of Information requests involving electronic files shall be handled as follows:

A. Requests for paper output derived from an electronic archive file shall be satisfied by the originating Divisions only using one of the methods described above. Standard redaction and fees apply.

B. Requests for the actual electronic file without any paper output shall be reviewed by the Town Attorney's office. Fees shall be determined as the "actual cost of reproduction" and any redaction of said files shall occur at the direction of the head of the originating Department and the Department of Information Management.

FOIL requests shall otherwise be handled as indicated in Section 107 of this manual.

9. FILE NAMING CONVENTIONS – Electronic files shall be named as specified in the Town of Islip Document Classes database described in Appendix A. All electronic files identified under a specific document class shall have consistent file names with no deviations.

10. EXISTING DOCUMENT CLASSES – The database described in Appendix A shall identify all document classes within the Town and shall be updated at any time. Any changes made thereto, shall be deployed via TOIHOME or any future version of the Town's intranet home web page.

11. CREATION OF NEW DOCUMENT CLASSES – Department heads wishing to either transfer electronic files to the Town's network or to access said records through a custom programming interface such as TOIHOME, must make a request in writing to the Department of Information Management. Said Department shall consult with the requesting Department head to determine the: number and size of files to be stored, need for deployment via any programming interface, users who should have access to those specified electronic files, etc. If approved, the Department of Information Management shall update: the database described in Appendix A with the new document class created, configure network folders and access, and configure any custom programming interface to enable document retrieval if necessary. No paper records may be destroyed prior to an authorized destruction date specified in the MU-1-LGS-01 Record Retention schedule unless the associated electronic files or archival images have been properly created according to the policies and specifications herein and an appropriate document class has been duly created in a the central database described in Appendix A at the direction of both the Director of Information Management and the Town Clerk.

12. SPECIFICATIONS OF IMAGE FILE and RETRIEVAL SYSTEM. – The Town of Islip hereby officially adopts the Adobe Corporation's Portable Document Format (PDF) as a primary imaging and archiving format.

The PDF file shall have the following specifications:

Dots Per Inch (DPI):	300 black and white 200 for color or grayscale documents 600 for color or grayscale aerial photographs
Compression:	Consultative Committee International Telephone and Telegraph (CCITT) Group 3 and 4, Joint Photographics Expert Group (JPEG), JPG2000, or other comparable standard.

The hardware and software used for image production and/or retrieval shall have the following specifications:

Retrieval:	The ubiquitous Adobe Reader program either as a stand-alone software product or when embedded within a web browser, shall be used to open any .pdf file.
Network Communications Protocol:	TCP/IP
Desktop Operating System:	Windows XP, Windows Vista, or any future version thereof
Video Monitors:	Large color screens, high quality, minimum 17", Minimum of 120 dpi resolution, Dot pitch no greater than .28, Fast refresh rate of 70 Hz or better, high resolution (1024 x 768) or greater.
Video Adapters:	Video adapters should utilize an accelerator chip set; Video adapters should have a minimum of 2 MB of video memory. 4 MB to 8 MB are common for graphic applications; Video adapters must be matched to the monitor (resolution supported, color palette, refresh rate) and the computer itself (bus, drivers, speed, and operating system support);
Scanners:	TWAIN or ISIS compatible
Storage:	Networked file server, RAID array or other technology which mirrors images of hard drives
Legal Admissibility Standards:	Refer to Legal Acceptance of Electronically Stored Documents (NYS Office of Technology Policy 96-10)

Database Software: Open Database Connectivity (ODBC) Compliance.
Microsoft SQL is selected back-end database for TOIHOME and GIS applications. SQL is ODBC compliant.

13. GUARANTEE OF ABILITY TO PRODUCE EYE READABLE COPY. A continuous audit of the viability of the Portable Document Format as an image format for long term storage shall occur. In the event that the Adobe Corporation ceases to exist or upon information and belief, that the viability of the Portable Document Format as a primary image format for archiving purposes is suspect, the Department of Information Management will initiate the migration to a future, industry standard image format after careful planning and in conformance with a needs analysis. Any future image format adopted by the Department of Information Management, shall be subject to the same continuous audit such that the ability to produce an eye readable copy of any electronic document is guaranteed at any point in the future. Images stored with any lossy compression, shall be produced with sufficient quality, pixel count, or color or grayscale specification, to guarantee that any derivative, film-based or paper archival medium is legible at any future date. Sufficient budgetary and staffing commitments must be made by any affected department to ensure that any data migration or conversion is possible at any future date.

14. ELECTRONIC FILE BACK-UP SPECIFICATIONS AND SCHEDULE. Several overlapping back-up and/or fail safe operations shall occur and shall be constantly monitored as follows:

A. Mirrored image of storage hard-drives in off-site location. Duplicate file-server is located on the second floor of 401 Main Street in a secure area. Said server contains an exact replica of primary storage units located at 655 Main Street.

B. Nightly back-up to tape. All tapes stored in fire proof and secure safe located at 655 Main Street and off-site location.

C. Weekly back-up to tape. All tapes stored in fire proof and secure safe located at 655 Main Street and off-site location.

D. Selected static .pdf files (not appended) remain on original optical media (CD-ROM, DVD) delivered by vendors. Deliverable media remains in secure storage within each department.

15. SECURITY. Several overlapping security mechanisms are in place to ensure the long-term safety of archived images:

A. NETWORK SECURITY. Windows NT security protocols are in place which manage individual user ID access to networked shared folders. Users belong to specified groups with write access to their departmental shares only. A small core group of users within the Department of Information Management have

administrative and full rights to all network resources and settings. Other users may be issued levels of access to network shared folders upon written request of any department head and approval of the Director of Information Management. Such access shall only be granted upon proof of necessity.

B. DOCUMENT LEVEL SECURITY. The PDF format contains embedded security. Even if file is transferred to open network share or other location, files may be protected from viewing, mark-up, page extraction, or other edits without proper password.

C. INTRANET SECURITY. Access to documents, property flags, and other database information available through TOIHOME is managed through a central security table. Said table is editable by the Director of Information Management or his designee. Selected access to departmental files, property flags, and/or database information may be requested, in writing, to the Department of Information Management and shall be granted only upon approval of the originating department head.

16. STAFF TRAINING.

A. RETRIEVAL. Staff training on any aspect of electronic document management should be standardized between departments. All new staff shall undergo a basic orientation to the Town's network design, file naming conventions, and retrieval methods at the direction of the Department of Information Management and the various department heads.

B. PRODUCTION. Internal staff involved in the production of the electronic archive images shall be specifically trained by the Department of Information Management or his designee or by authorized and experienced staff. Instructional manuals detailing the process may be distributed to scanning staff for ongoing reference.

17. AUDIT TRAIL. The Town of Islip shall continuously audit the systems and processes expressed herein to ensure that all electronic archived records:

- 1) Are backed up on a regular basis,
- 2) Are adequately protected using various layers of file and network security,
- 3) May be retrieved using non-proprietary file formats and software programs,
- 4) Are able to be converted to any future, industry standard format, and
- 5) "Eye readable" copies of any electronic files may be produced at any future date.

The results of said audit shall be logged on a regular basis.

18. DISASTER RECOVERY. All data files, permit tracking software, and backups referenced herein shall continue to function in the event of any significant disaster. Upon implementation of any disaster plan, the operation of any document retrieval system shall be unaffected and any changes made to the underlying IT systems or software programming which constitute any "fail-safe" document retrieval system shall be undetectable by the average user. Said disaster plan shall encompass, at a minimum, the following:

- 1) Off-site back-up servers not likely to be affected by disaster events such as hurricanes or flood events.
- 2) On-site generators which serve mission-critical operations.

Section 108.1 – Appendix A
Document Class Database Specifications

Purpose: Provide a standardized method of tracking and creating any new document class that may participate in the Town's document management system.

Fields: ID – Provides for a unique control number or primary key for database
Document Class – Name of document type
~~MU-1~~ LGS-01 – Page in the ~~MU-1~~ LGS-01 schedule that pertains to this document class
Description – Narrative description of document class
Disposition Schedule – Length of required retention as per ~~MU-1~~ LGS-01
Originating Department – Which Department created and controls access to this document class.
Naming Schema – Representation of file name
Naming Example – Actual sample of file name
Pathname – Location of files on network shared folder
Production Method – How are the files created? In-house, vendor, etc.
Primary? – Tracks whether electronic file is the primary record source.
Notes – General notes about each document class.

Location: \\toi-data\toishare\

Method of Distribution: Microsoft Access and/or MS Sql database distributed to selected client machines across ISLPNTDOM.

SUBJECT: RECORDS ADMINISTRATION

1. PURPOSES. To provide for the centralized care, custody, retention and disposition of public records of the Town of Islip, an inactive Records Center has been set up in Islip Town Hall West (401 Main Street). All inactive records will be sent to the Records Center in standard file boxes accompanied by a Records Inventory Data Worksheet (Form 108-A).

2. DEFINITIONS.

Public Records. The words "Public Records" mean "any book, paper, map, photograph, micrograph, or other information storage device, regardless of its physical form or characteristic, which is the property of the . . . Town . . . on which any officer or employee of said . . . Town . . . has received or is required to receive for filing" . Reference – New York State Education Law 144 (1).

Inactive Records. Records are considered inactive if they are referred to less than six times per year.

3. RECORDS CUSTODIAN.

A. Public Records. The Town Clerk will have custody of all the records, books and papers of the Town. Reference - New York State Town Law 30 (1).

However, since official records of the Town of Islip are so vast, and the efficient operation of the Town's daily business requires that official records be maintained in close proximity to where such daily business takes place, and since Section 146 of the Education Law authorizes the filing and storage of records in the buildings in which they are ordinarily used, the various Department Heads who have care and custody of official records will:

1. Act for, and be under the direction of, the Town Clerk in all matters concerning records retention, maintenance, filing, disposition, and accessibility to the public.
2. Be held responsible for all laws, rules and regulations imposed upon the Town Clerk as official custodian of the Town records.

B. Inactive Records. A Records Custodian will be assigned to the Records Center and will have custody of all the records, books, and papers of the Town. However, ownership of said records is retained by each individual Department. Records should not be transferred to the Records Center when their legal minimum retention period has already expired, unless the records for some reason have continuing administrative, legal, fiscal, historical or research value. The Records Custodian and/or Records Room staff are the only persons who shall have access to the Records Center storage area.

4. NEW YORK STATE AUTHORITY. It is the function of the Office of State History of the Department of Education to examine the condition of all official records of the counties, cities, towns, and villages of the State, and to advise and recommend to officials in those

reproducing, preserving or disposing of those records in their custody or control.
Reference- Education Law 141F.

5. DEPARTMENTAL RECORDS TRANSFER. The Records Inventory Data Worksheet (Form 108-A) is the key for maintaining control of records in the Records Center. Each time a Department sends records to the Center, a Records Inventory Data Worksheet must be filled out, including information as to what records are being stored, their location and when they may be removed for legal disposition. Records should be sent to the Center in standard records storage boxes, measuring 12" wide, 15 " long and 10" high. This type of box will accommodate both legal and letter size documents and will be provided to each Department upon written request being made to the Records Center. These boxes are to be used for records storage only.

A. Originating Department.

(1) Procedure. One copy of the Records Inventory Data Worksheet (Form 108-A), containing an original and two carbon copies, is prepared by the department transferring records (the originating department). The List should provide the following information:

(a) Identify the Department/Division/Building.

(b) Assign & write a Department box number in lower right-hand corner of box. **DO NOT WRITE ANYTHING ELSE ON BOX**

(c) List each box number being transferred. Boxes should be given sequential numbers.

(d) Indicate complete title(s) of record(s) contained in the box. If more than one record has been packed in a box, clearly indicate this and give information for each type of record included. If possible, pack only one type of record records, chose those records having a similar retention period.

(e) Show dates of records contained in box from earliest date to latest date.

(f) The person transferring the records should sign and date the Records Inventory Data Worksheet.

(g) Transmit the original and one copy of the Records Inventory Data Worksheet to the Records Center. Keep one carbon copy of the list for your file until a signed carbon copy is returned from the Records Center.

(h) The Records Inventory Data Worksheet should be placed in an interoffice envelope and taped to the top of the box labeled 01.

(2) Records Clerk. Each department should assign one person to coordinate records storage and transferring for their agency. The Department Records Clerk should check the boxes being transferred to make sure that they contain only the records that are listed to be stored. Pendeflex folders, duplicate copies of records, etc. should not be included in the box.

- (1) To retrieve records in storage at the Records Center the Records Requisition Form (Form 108-B) is utilized.
 - (2) The originating department completes Form 108-B, and makes two copies.
 - (3) The department files one copy of Form 108-B.
 - (4) Two copies of Form 108-B are then sent by interoffice mail or brought in person to the Records Center.
 - (5) The Records Custodian reviews Form 108-B and signs both the original and the copy when the records are released. The original Form 108-B is retained and filed by the Records Custodian, the other copy is returned with the records to the originating Department.
 - (6) When the records are received back in the Records Center the Records Custodian will record this information on the original Form 108-B.
- B. Files requested by Town Personnel outside of the originating Department.
- Permission for anyone to review files must be given by the originating Department in all cases on Form 108-B. It is the responsibility of the originating Department to determine the confidentiality of the records and who should have access.
- C. Files requested by the public.
- All requests to review inactive records made by the public should be made to the originating department. This access is governed by the procedures outlined in Section 107 of the Administration Procedures Manual: Freedom of Information.

8. DISPOSITION OF RECORDS. When public records no longer have continuing administrative, legal, fiscal or historical value, the storage of such records beyond the legal retention period defeats one of the main purposes of having an inactive Records Center.

- A. Section 63 .10 of the Local Finance Law and Article XXIV of the State Comptroller's Regulation cover the cancellation and destruction of paid obligations. These include paid Town bonds, coupons and notes. This matter is under the jurisdiction of the State Comptroller who issues periodic regulations concerning the disposition of such fiscal records.
- B. Disposition of State government records generated pursuant to Article 41 of the Public Health Law including births, deaths, and marriages are governed by the provisions of Section 57 .05(11) of the Arts and Cultural Affairs Law . Disposition under this Law is coordinated by the State Archives and Records Administration, Division of State Government Archives and Records Services.
- C. Section 57 .25 of the Arts and Cultural Affairs Law and Part 185, Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of

(3) Records Center:

Procedure. Records Center personnel are responsible for the admittance of records, file box location assignment, record retrieval, and determination of records disposition.

(4) Records Admittance. Records Center staff are responsible for:

- (a) Checking Records Inventory Data Worksheet against the shipment to confirm all records were delivered.
- (b) Prior to shelving, checking the contents of boxes against the information provided on the Records Inventory Data Worksheet to clarify any questions with the originating department.
- (c) Indicating in the proper column on the Records Inventory Data Worksheet the assigned location within the Records Center of each box of records stored.
- (d) Writing the date when records may be destroyed on the Records Inventory Data Worksheet. This information is obtained from the Local Records Disposition Request List, which is available from the State Education Department.
- (e) Signing and dating the Records Inventory Data Worksheet and returning one copy to the originating department.
- (f) Filing the Records Inventory Data Worksheet according to department and date.

6. LOCATION OF RECORDS.

- A. A location number is assigned to every space for a box on the shelving, starting at the extreme bottom and left of the rows of shelving and working up. When all of the columns on one side of an aisle are filled, proceed to the next aisle and continue numbering the shelves.
- B. When a location number is assigned to a box of records, that location number is printed on the end of the box and the box is stored in that space.
- C. Rules for storing irregularly shaped documents is left to the discretion of the Records Custodian.
- D. Pursuant to the goal of transparent government, Town Board Agendas will be posted on the Town website, and archived after each meeting.

7. RETRIEVAL OF RECORDS. Due to the nature of the records stored, people will want to have access to them. It is essential that control be kept by the originating department of files that have been removed from the records room. There will be three types of record retrieval requests:

- A. Files requested by originating department personnel:

New York covers the disposition of all other Town records . These records are to be disposed of according to the Records Retention and Disposition Schedule (~~MU-4~~ LGS-1) which supersedes and replaces all Records Retention and Disposition Schedules previously issued by SARA for Municipalities.

- D. Section 57.19 of the Arts and Cultural Affairs Law requires each local government to designate a Records Management Officer, who in conjunction with Department Heads, should coordinate or directly carryout disposition. The Records Management Officer in Town government is the Town Clerk.

Procedure:

1. The Records Custodian will annually:
 - (a) Review the entire file of Records Inventory Data Worksheet (Form 108A).
 - (b) Inspect the right hand column headed, Destroy Date.
 - (c) Circle every current year date so that disposition may occur when permission is granted.
 - (d) Prepare a Disposition List of all records that can be destroyed. Cross reference the Disposition List to the most recent copy of the Local Records Disposition Request List to make certain that no record retention periods have changed.
 - (e) Send a copy of the Disposition List to every department, whose records are being considered for removal for their approval.
 - (f) Upon receipt of Department approval the Records Custodian will again verify that all records being considered for disposition have met the minimum legal retention period and will then make a list of the box numbers containing the records to be destroyed and remove them from the shelves.
 - (g) On the Records Center file copy of the Records Inventory Data Worksheet (Form 108-A) the Records Custodian will draw a line through the description of the box of records to be destroyed and send a Xerox copy of the Form to the originating department requesting them to amend their file copy of Form 108-A in a similar fashion.
- (8) Replace the Records Inventory Data Worksheet in the file.
- (9) If the record box(es) are to be reused, cross out the location numbers on the box(es) before reusing them.
- (10) Dispose of the box of records in whatever manner is acceptable.
- (11) Use the list of location numbers vacated for reissuing location numbers to new boxes of records assigned to the Records Center.

RECORDS REQUISITION FORM *

I _____ wish to review the following documents: _____

Department Originating Records: _____ Title
of Record(s): _____ Dates of Records _____

I wish to review the above cited records for the following reason : _____

Originating Department approval issued by _____

Date _____

Originating Dept. approval not issued because _____

Records released _____

Date _____

Approved by _____

Records Custodian

Due back no later than _____ Returned on: _____

* Records may not be released directly to any individual or agency except the originating department. All requests to review records must be made to the department whose records you wish to review. Records will only be sent to the originating department. When the record is no longer needed the record must be sent back to the Records Center.

rev 02/08

Pursuant to the provisions of Section 146 of the Education Law, the following section of the Regulations of the Commissioner of Education has been somewhat revised and brought more in conformity with today's practices. This section is contained in Part 185, Records of Public Corporations, Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York.

Sec. 185 .8 Records protection in towns. The following records of a town, including similar records of all improvements, fire and fire protection districts and, special boards, must be kept in a records safe, vault or insulated records container approved by the Office of State History:

- (a) minutes and proceedings from organization of the town, districts and boards to and including current minutes and proceedings;
- (b) supervisors' accounts and district accounting records, current or unaudited by the State Comptroller;
- (c) tax rolls containing warrant to collect and record of collection for current and previous ten years;
- (d) tax sale records;
- (e) special franchises, applications, transcripts of hearings, etc.;
- (f) special franchise valuations as fixed by State Department of Taxation and Finance for current and two previous years;
- (g) highway designation, determination, description, and acceptance books and papers;
- (h) all original maps and surveys;
- (i) records of school district boundaries, including maps;
- (j) oaths of current and previous officers;
- (k) bonds of officers currently in effect;
 - (1) election material less than one year old, the preservation of which is required by Section 125 of the Election Law;
- (m) justices' docket books less than 10 years old;
- (n) jury lists for current and previous two years;
- (o) deeds relating to town, improvement district, fire district, and fire protection district property;
- (p) insurance policies in force and related inventories pertaining to town, improvement district, fire district and fire protection district property;
- (q) all records of births, marriages and deaths;
- (r) census records;
- (s) records relating to outstanding indebtedness;
- (t) any town records dated prior to 1875.

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

No. 19

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Authorization for the Town Clerk to advertise for a Public Hearing
concerning the Proposed Use and Occupancy Agreement with Civil Air
Patrol at the 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 hold a public hearing in the Town of Islip Hall, 655 Main Street, Islip, on June 15, 2021 at 2:00 p.m., or as soon thereafter as the same may be heard, to hear comments of all persons wishing to be heard concerning the proposed Use and Occupancy Agreement with Civil Air Patrol at the Long Island MacArthur Airport for a period of ten (10) years with base rent in the amount of \$1,200.00 per annum.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Long Island Group, Civil Air Patrol
 2. Site or location effected by resolution: Long Island MacArthur Airport
 3. Cost: N/A
 4. Budget Line: CT0000.01776.02
 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

05/04/2021

Date

May 18, 2021
Resolution No.

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

WHEREAS, Long Island Group, Civil Air Patrol (“Civil Air Patrol”) is an educational organization qualifying as a “nonprofit educational organization” for purposes of exemption under 501(c)(3); and

WHEREAS, Civil Air Patrol is engaged in Senior and Cadet training, authorized search and rescue missions, cooperative efforts with the State of New York, emergency services, youth development and Aerospace Education; and

WHEREAS, the Department of Aviation and Transportation recommends entering into a Use and Occupancy Agreement with Civil Air Patrol for a period of ten (10) years with base rent in the amount of \$1,200.00 per annum; and

WHEREAS, Civil Air Patrol shall have an option to extend the term for an additional five (5) years, subject to approval of the Town Board, with base rent to be escalated every fifth year by the Consumer Price Index beginning May 1, 2024; and

WHEREAS, the Town of Islip will hold a public hearing on June 15, 2021 to hear all matters relating to the Civil Air Patrol Use and Occupancy Agreement.

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

RESOLVED, that the Town Clerk is hereby authorized to publish the Notice of Public Hearing regarding the Civil Air Patrol Use and Occupancy Agreement at Long Island MacArthur Airport.

Upon a vote being taken, the result was:

NOTICE OF PUBLIC HEARING

ON

CIVIL AIR PATROL USE AND OCCUPANCY AGREEMENT

PLEASE TAKE NOTICE that the Town Board of the Town of Islip will hold a public hearing on **June 15, 2021 at 2:00 p.m.**, or as soon thereafter as this matter may be heard to hear any and all persons either for or against to entering into the Civil Air Patrol Use and Occupancy Agreement.

The Town Board Meeting will be held electronically via Zoom Webinar instead of an in-person public meeting and will be streamed live over the internet. Instructions on how to access the Zoom Webinar and/or livestream are available on the Town's website – www.islipny.gov. The format of this meeting is subject to change and may be held in-person. Attendees should check the Town website for instructions prior to the date of the meeting

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 June 15, 2021, or by providing written comment prior to the date of the public hearing to the Islip Town Clerk at townclerk@islipny.gov.

TOWN BOARD, TOWN OF ISLIP

Dated at Islip, NY

, 2021

Olga H. Murray
Town Clerk, Town of Islip

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

No. 20

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to enter into a License Agreement with Bonnie Vie Bay Shore, LLC for the utilization of 14 parking spaces located at the terminus of Maple Avenue in Bay Shore.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

John R. DiCioccio

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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SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

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

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

Resolution authorizing the Supervisor to enter into a license agreement, in a form to be approved by the Town Attorney, with Bonne Vie Bay Shore, LLC, for the utilization of 14 parking spaces (limited daily hours from May 15 to September 30) located at the terminus of Maple Avenue, Bay Shore, for an initial term of one (1) year with two (2) additional two (2) year option terms and an annual payment of \$10,200.00 which shall be subject to increase equal to any percentage to increase in the hourly rate of the parking meters in the Maple Avenue dock; and be it

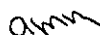
SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Bonne Vie Bay Shore, LLC
 2. Site or location effected by resolution: Terminus of Maple Avenue, Bay Share
 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 _____. 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

May 18, 2021
Resolution #:

WHEREAS, the Town of Islip (the “Town”) is the owner of the property located at the terminus of Maple Avenue (SCTM # 0500-44200-0100-047000), Bay Shore (the “subject property”); and

WHEREAS, the subject property is currently in use as a parking lot; and

WHEREAS, Bonne Vie Bay Shore LLC (“Bonne Vie”), is the operator of “The Lake House” restaurant located immediately adjacent to the subject property; and

WHEREAS, Bonne Vie is desirous of utilizing, on a non-exclusive basis, 14 parking spaces located on the subject property in conjunction with their restaurant.

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

RESOLVED, that the Supervisor is hereby authorized to enter into a license agreement, in a form to be approved by the Town Attorney, with Bonne Vie Bay Shore, LLC, for the utilization of 14 parking spaces (limited daily hours from May 15 to September 30) located at the terminus of Maple Avenue, Bay Shore, for an initial term of one (1) year with two (2) additional two (2) year option terms and an annual payment of \$10,200.00 which shall be subject to increase equal to any percentage to increase in the hourly rate of the parking meters in the Maple Avenue dock; and be it

FURTHER RESOLVED, that the Town of Islip Comptroller is hereby authorized to make any and all budgetary adjustments necessary to effectuate said agreement.

Upon a vote being taken, the result was:

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

No. 21

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Town Clerk to advertise for a public hearing to consider amending the 2021 contract with Bay Shore/Brightwaters Ambulance Service Inc. for emergency ambulance services for the residents in 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 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 Clerk to advertise for a Public Hearing to consider amending 2021 contract with Bay Shore-Brightwaters Rescue Ambulance Inc. for emergency ambulance services for the residents and persons within the Bay Shore Ambulance District previously approved by Town Board on 2/9/21 retroactively from 1/1/21 thru 12/31/21 for annual consideration of \$4,576,773.00 for the year ("Contract Fee"), of which \$1,826,773.00 will be raised from taxes and \$2,750,000.00 shall be paid from billing revenue only.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Residents/persons within the Ambulance District
 2. Site or location effected by resolution: Area serviced by the 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 as described
-

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

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

Signature of Commissioner/Department Head Sponsor

5/10/2021

Date

May 18, 2021

WHEREAS, the 2020 contract between TOWN OF ISLIP, on behalf of the Bay Shore Ambulance District and the Bay Shore-Brightwaters Rescue Ambulance Inc. District, to provide ambulances services for residents and persons situated within the Bay Shore Ambulance District expired on the 31st day of December, 2020, and

WHEREAS, a public hearing was held on February 9, 2021 at which a new contract for the year 2021 was authorized by the Town Board for an annual payment of \$1,826,773.00 ("Contract Fee"); and

WHEREAS, the Bay shore-Brightwaters Rescue Ambulance Inc., prior to executing said new contract, is requesting that the contract be amended to include an additional sum in the amount of \$2,750,000.00, making the total compensation \$4,576,773.00, of which \$1,826,773.00 will be collected and paid from taxes and the additional \$2,750,000.00 shall be paid from billing revenue only.

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

BE IT RESOLVED that the Town Clerk is hereby authorized to advertise for a Public Hearing to be held on _____, 2021 at 2:00 o'clock in the afternoon for the purpose of considering amending the 2021 contract with the Bay Shore-Brightwaters Rescue Ambulance Inc. for the same services retroactively to January 1st, 2021 upon the following general terms:

1. The Bay Shore-Brightwaters Rescue Ambulance Inc. shall answer and attend to all emergency calls within the Bay Shore Ambulance District.
2. The term of said contract shall be for one year commencing retroactively on the 1st day of January, 2021 and to terminate on the 31st day of December, 2021.
3. For such services the Bay Shore-Brightwaters Rescue Ambulance Inc. shall receive the sum of \$4,576,773.00 ("Contract Fee") annual payment of which the sum of \$1,826,773.00 will be paid from taxes and \$2,750,000.00 shall be paid from billing revenue only.
4. The terms of the contract shall be substantially similar to the above-referred to previously authorized contract for the year 2021.

Upon a vote being taken, the result was:

**NOTICE OF PUBLIC HEARING
ON
AGREEMENT BETWEEN THE
TOWN OF ISLIP AND BAY SHORE AMBULANCE DISTRICT
AND
BAY SHORE-BRIGHTWATERS RESCUE AMBULANCE INC.
FOR THE YEAR 2021**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Islip will hold a Public Hearing at Islip Town Hall, located at 655 Main Street, Islip, New York, on June 15, 2021 at 2:00 p.m. for the purpose of considering amending the Agreement with Bay Shore-Brightwaters Rescue Ambulance Service Inc. for the year 2021 upon the following general terms, to wit:

1. The Bay Shore-Brightwaters Rescue Ambulance Service shall answer and attend to all emergency calls within said Bay Shore Ambulance District.
2. The term of such Agreement shall be for one year, commencing retroactively on the 1st day of January 2021, and to continue to and include the 31st day of December 2021.
3. For such services the Bay Shore-Brightwaters Rescue Ambulance Inc. shall receive the sum of \$4,576,773.00 ("Contract Fee") annual payment, of which \$1,826,773.00 shall be raised from taxes and \$2,750,000.00 shall be paid from billing revenue only.
4. The terms of the Agreement shall be substantially similar to those of the previously authorized Agreement for the year 2021.

The Town Board Meeting will be held electronically via Zoom Webinar instead of an in-person public meeting and will be streamed live over the internet. Instructions on how to access the Zoom Webinar and/or livestream are available on the Town's website – www.islipny.gov. The format of this meeting is subject to change and may be held in-person. Attendees should check the Town website for instructions prior to the date of the meeting.

Public comment can be made at the Town Board meeting on June 15, 2021, or by providing written comment prior to the date of the public hearing to the Islip Town Clerk at townclerk@islipny.gov.

, 2021

WHEREAS, the Bay Shore-Brightwaters Rescue Ambulance Inc. has been providing emergency ambulance services to the residents and persons in the Bay Shore Ambulance District pursuant to a contract which expired on December 31, 2020; and

WHEREAS, the Town Board of the Town of Islip, on behalf of the Bay Shore Ambulance District, held a public hearing on February 9, 2021 to consider entering into a new contract to provide similar services for the year 2021, at which time the Town Board gave its approval to authorize the Supervisor to enter into a new 2021 contract at a cost of \$1,826,773.00; and

WHEREAS, the Town Board of the Town of Islip has held a public hearing on , 2021 to consider amending said contract for the year 2021 by including an additional sum in the amount of \$2,750,000.00, making the total compensation \$4,576,773.00 ("Contract Fee"), of which \$1,826,773.00, will be collected and paid from taxes and the additional \$2,750,000.00 shall be paid from billing revenue only; and

WHEREAS, it has been determined to be in the public interest to enter into such amended contract retroactive to January 1st, 2021;

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

RESOLVED, that the Supervisor is authorized to enter into an amended contract on behalf of the Bay Shore Ambulance District for the year 2021 retroactive to January 1st, 2021 with the Bay Shore-Brightwaters Rescue Ambulance Inc. whereby the said Ambulance Service will provide emergency ambulance services for the residents and persons within the Bay Shore Ambulance District for the year 2021 at a cost of \$4,576,773.00 ("Contract Fee"), of which \$1,826,773.00 shall be raised from taxes and \$2,750,000.00 shall be paid from billing revenue only.

Upon a vote being taken, the result was:

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

No. 23

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to enter into a License Agreement with Gramercy Bay LLC for the use of the town owned real property located at 90 Park Avenue in Bay Shore.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

John R. DiCioccio, Esq.

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

enclosure:

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

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

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

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


Resolution authorizing the Supervisor to enter into a License Agreement with Gramercy Bay LLC, or its assignee, for the use of the Town owned real property with an address of 90 Park Avenue, Bay Shore, NY and bearing Suffolk County Tax Map number: 500-366.00-04.00-039.000 until such time as the property is needed for municipal use, in exchange for a yearly license fee of \$5,000.00, and provided the construction and maintenance of said plaza shall be the sole responsibility of Gramercy Bay, LLC or its assignee, subject to Town Attorney review and approval.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Gramercy Bay LLC
2. Site or location effected by resolution: 90 Park Ave., Bay Shore, NY (SCTM#: 500-366.00-04.00-039.000
3. Cost: 0.00
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 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 _____

Date: May 18th, 2021
Resolution No.

WHEREAS, the Town of Islip Planning Board approved a site plan application submitted by Gregory Collins for a change of zone so that Gramercy Bay, LLC or its assignee (collectively "Gramercy") can construct a mixed use building on the southeast corner of Oak Street (and 22 Oak Street, Bay Shore), and 5th Avenue (91 5th Avenue., Bay Shore), bearing Suffolk County Tax Map Nos. 500-366.00-04.00-035.000 and 500-392.00-01.00-038.000; and

WHEREAS, a condition to the site plan approval was the inclusion of an outdoor plaza on the east side of the proposed building, the construction and maintenance of the plaza to be the sole responsibility of Gramercy; and

WHEREAS, to satisfy said condition Gramercy needs to enter into a License Agreement with the Town as the property located immediately east to the proposed building is owned by the Town; and

WHEREAS, the Town is willing to enter into a License Agreement with Gramercy, for a portion of the Town owned property located immediately east of the proposed building, having an address of 90 Park Avenue, Bay Shore, NY and identified on the Suffolk County Tax Map as SCTM#: 500-366.00-04.00-039.000, until such time as the property is needed for municipal use, in exchange for a yearly license fee of \$5,000.00 and provided the construction and maintenance of said plaza shall be the sole responsibility of Gramercy; and

WHEREAS, the Town consents to the assignment of the contemplated license agreement by Gramercy to R Squared Bay Shore LLC or its affiliate; and

WHEREAS, the Town Board hereby recommends that the Town enter into said License Agreement with Gramercy and consent to an assignment of the License Agreement to R Squared Bay Shore LLC or its affiliate, subject to review and approval by the Town Attorney; and

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

RESOLVED, that the Supervisor is hereby authorized to enter into a License Agreement with Gramercy, or its assignee, for the use of the Town owned real property with an address of 90 Park Avenue, Bay Shore, NY and bearing Suffolk County Tax Map number: 500-366.00-04.00-039.000 until such time as the property is needed for municipal use, in exchange for a yearly license fee of \$5,000.00, and provided the construction and maintenance of said plaza shall be the sole responsibility of Gramercy or its assignee, subject to Town Attorney review and approval.

Upon a vote being taken, the result was:

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

No. 24

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Approval to consent to the assignment by Robin Schaper of a portion of her rights and interest in the Lease of 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:

John R. DiCioccio, Esq.

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

enclosure:

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

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

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

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

Resolution authorizing the Town consent to the assignment by Robin Schaper of a portion of her 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 0500-486.00-01.00-21.000 (lot# 11 & 12), subject to all the obligations, terms and conditions of the Lease to her mother Mary Schaper and the further assignment by Mary Schaper to her granddaughter, Kerilyn A. Nilsen.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Bay Island Lessees
 2. Site or location effected by resolution: Havemeyer Island/Lots 11 & 12
 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 _____. 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 Ammy

Date _____

May 18th, 2021

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 0500-486.00-01.00-21.000 (Lot# 11 & 12), for residential purposes, with Robin Schaper and Trevor Schaper ("Lease"), for a yearly fee payable to the Town; and

WHEREAS, the current Lease term commenced as of June 1, 2008 and expires on May 31, 2028, leaving a term of approximately seven years remaining; and

WHEREAS, the Robin Schaper, ("Tenant"), has expressed a desire to assign a portion of her rights and interest under the Lease to, Mary Schaper, her mother and

WHEREAS, Mary Shaper, upon receiving an interest in the leasehold estate by assignment from her daughter, will become a Tenant and as a Tenant, desires to assign a portion of that leasehold estate to her granddaughter, Kerilyn A. Nilsen; and

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

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

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

RESOLVED, that the Town hereby consents to the assignment by Robin Schaper of a portion of her 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 0500-486.00-01.00-21. (lot# 11 & 12), subject to all the obligations, terms and conditions of the Lease to her mother Mary Schaper and the further assignment by Mary Schaper to her granddaughter, Kerilyn A. Nilsen. 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. 25

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Revised Completeness Determination for the Draft EIS for Change of
Zone Application Number CZ2017-009, GreyBarn-Sayville Planned
Development 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:

Ronald Meyer

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 an official determination by the Town Board, as lead agency responsible for SEQRA review of change-of-zone application # CZ2017-009, Greybarn-Sayville Planned Development District ("the proposed action"), that the draft environmental impact statement ("Draft EIS") for the proposed action is inadequate with respect to scope and content for the purpose of commencing public review pursuant to 6 NYCRR §617.9.

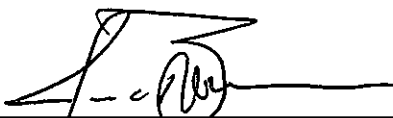
The resolution further directs the project sponsor, 385 IH LLC, to address the written list of deficiencies set forth in the April 30, 2021 review and comment letter by VHB, the Town's SEQRA consultant for the proposed action, and to resubmit a revised version of the Draft EIS to the Town when all the deficiencies have been corrected.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip residents, the project sponsor
 2. Site or location effected by resolution: the former Island Hills Golf Club in Sayville
 3. Cost: NA
 4. Budget Line: NA
 5. Amount and source of outside funding: NA
-

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

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 24, 27, 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

05/04/2021

Date

Date: May 18, 2021
Tax Map#: 0500-280.00-01.00-
015.001, 004.000, 003.000,
002.000, 016.000, 010.000,
0500-257.00-03.00-003.000
TC#
Resolution #

WHEREAS, on December 19, 2017, by resolution # 19, the Town Board of the Town of Islip (“the Town”) assumed the role of, “lead agency,” under the State Environmental Quality Review Act (“SEQRA”), for the purpose of conducting environmental review of change-of-zone application # CZ2017-009, Greybarn-Sayville Planned Development District (hereinafter, “the proposed action”); and

WHEREAS, on December 19, 2017, by resolution # 19, the Town Board, as lead agency responsible for SEQRA review of the proposed action, determined that an environmental impact statement must be prepared for the proposed action, as it may have a significant adverse impact on the environment; and

WHEREAS, on June 19, 2018, by resolution # 38, the Town Board, as lead agency responsible for SEQRA review of the proposed action, adopted a final written scope of the issues and analyses to be included the draft environmental impact statement for proposed action pursuant to 6 NYCRR § 617.8; and

WHEREAS, on March 9, 2021, by resolution # 17, the Town Board authorized the retention of VHB Engineering, Surveying, Landscape Architecture, and Geology P.C. (“VHB”), to provide SEQRA administration and support services to the Town Board, as lead agency responsible for SEQRA review of the proposed action, on an as-needed basis; and

WHEREAS, on April 6, 2021, in cooperation with staff of the Town Department of Planning and Development, VHB completed a comprehensive review of the draft environmental impact statement (“Draft EIS”) for the proposed action and recommended that the Town Board require revisions to the Draft EIS prior to accepting it as complete and adequate for the purpose of commencing public review; and

WHEREAS, on April 20, 2021, by resolution # 44, the Town Board, determined that the Draft EIS that had been submitted on behalf of the project sponsor for the proposed action, 385 IH LLC (“the project sponsor”), was inadequate with respect to scope and content for the purpose of commencing public review pursuant to 6 NYCRR § 617.9; and

WHEREAS, the project sponsor has submitted a revised Draft EIS which addresses many of the

Date: May 18, 2021
Tax Map#: 0500-280.00-01.00-
015.001, 004.000, 003.000,
002.000, 016.000, 010.000,
0500-257.00-03.00-003.000
TC#
Resolution #

deficiencies identified by the Town in prior submissions, but there are several deficiencies which remain;

NOW THEREFORE, on a motion of _____, seconded by

_____, be it

RESOLVED, that the Town Board of the Town of Islip, as lead agency responsible for SEQRA review of the proposed action, hereby determines that the revised Draft EIS, which was submitted to the Town by the project sponsor on April 19, 2021, is inadequate with respect to scope and content for the purpose of commencing public review pursuant to 6 NYCRR §617.9; and be it further

RESOLVED, that the Town Board of the Town of Islip, as lead agency responsible for SEQRA review of the proposed action, hereby directs the project sponsor to address the written list of deficiencies set forth in the April 30, 2021 review and comment letter by VHB and to resubmit a revised version of the Draft EIS to the Town when all the deficiencies have been corrected.

UPON A VOTE BEING TAKEN, the result was:

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

No. 26

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to enter into a one-year extension contract with PKF O'Connor Davies for Auditing and Accounting Services.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

Joseph Ludwig

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

enclosure:

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

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

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

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

Resolution to enter into a contract with PKF O'Connor Davies to perform the audit for the year ended December 31, 2020. Audit includes the Basic Financial Statement (required by General Municipal Law), Single Audit (required by the Federal Government), State DOT Report (required by NYS). Additional reports include an agreed upon procedures report for compliance with DEC for year ending December 31, 2020.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: Townwide
 3. Cost: \$299,400
 4. Budget Line: A.1670.45050
 5. Amount and source of outside funding: None
-

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

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☐ Type 2 action under 6 NYCRR, Section 617.5(c), number _____. 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

5/6/21

Date

May 18, 2021

WHEREAS, the Town of Islip is required by General Municipal Law to have an audit conducted by an independent, licensed accounting firm, and;

WHEREAS, in order to ensure that the Town of Islip will be provided the best services available, at the best cost available, and in compliance with accepted standards, on February 26, 2016, the Town issued a Request for Proposal (RFP) for Accounting and Auditing services, and;

WHEREAS, on April 19, 2016 the Town Board awarded the contract to Albrecht, Viggiano, Zureck & Co., P.C., and;

WHEREAS, Albrecht, Viggiano, Zureck & Co., P.C. has merged with P.K.F. O'Connor Davies, and;

WHEREAS, the Town of Islip has received written consent from P.K.F. O'Connor Davies to extend the contract to perform the audit of the Town for the year ended December 31, 2020, and;

WHEREAS, the Town of Islip is interested in extending the contract with P.K.F. O'Connor Davies to perform this audit.

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

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a one year extension with P.K.F. O'Connor Davies, by mutual written consent for Auditing and

Accounting Services for an amount not to exceed the sum of TWO HUNDRED-NINETY-NINE THOUSAND FOUR HUNDRED AND NO/100 (\$), to be charged to Operating Budget line A-1670.45050.

Upon a vote being taken, the result was:

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

No. 27

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to enter into various agreements with All County Amusements, Inc. to provide several carnivals throughout the Town of Islip.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

Thomas Owens

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

enclosure:

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

May 18, 2021

Agreements with All County Amusements, Inc.

<u>Date</u>	<u>Location</u>
5/27/21-5/31/21	Brookwood Hall Park 50 Irish Lane, East Islip
6/3/21-6/6/21	Gull Haven Golf Course Driving Range 1 Gull Haven Drive, Central Islip
6/10/21-6/13/21	Ronkonkoma Beach Park 229 Rosevale Avenue, Ronkonkoma
6/17/21-6/20/21	Grange Park 10 Broadway Avenue, Sayville

**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 All County Amusements, Inc. to provide a five (5) day carnival at Brookwood Hall Park, 50 Irish Lane, East Islip, NY 11730. The carnival will be held from Thursday, May 27 through Monday, May 31, 2021. The Town shall receive \$1,200.00 each day or 20% of all ticket ride sales, whichever is greater, a \$150.00 fee per each food concession vendor, with the exception of the popcorn and cotton candy concessions, operating at the carnival. If the event is cancelled due to inclement weather, a daily flat rate of \$75.00 (customary park usage fee) would be charged in lieu of the \$1,200.00 fee. Any revenue derived from the carnival will be allotted for various costs associated with recreation programming to be determined by the Commissioner of the Department of Parks, Recreation and Cultural Affairs or his designee. A similar resolution was passed for All County Amusements, Inc., by the Town Board in previous years.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: All County Amusements, Inc.

Site or location effected by resolution: Brookwood Hall Park
50 Irish Lane, East Islip, NY 11730

Cost: No cost to the Town of Islip – self-sustaining

Budget Line: N/A

Amount and source of outside funding: The Town shall receive \$1,200.00 for each day or 20% of profits, whichever is greater, a \$150.00 fee per each food concession vendor, with the exception of the popcorn and cotton candy concessions, operating at the carnival. If the event is cancelled due to inclement weather, a flat rate of \$75.00 (customary park usage fee) would be charged in lieu of the \$1,200.00 fee.

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. SEQOR 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:

5/14/2021
Date:

WHEREAS, the Town of Islip currently owns and maintains certain parklands and properties known as Brookwood Hall Park, 50 Irish Lane, East Islip, NY 11730; and

WHEREAS, All County Amusements, Inc., a domestic corporation with a mailing address of P.O. Box 161, East Islip, New York, 11730, desires to hold a carnival from May 27 thru May 31, 2021 on the field of Brookwood Hall consisting of food vendors, amusement and carnival rides; and

WHEREAS, All County Amusements, Inc. shall pay to the Town a fee in the amount of \$1,200.00 for each day of the carnival or 20% of ticket ride sales, whichever is greater, as well as an additional \$150.00 per each food concession, with the exception of the popcorn and cotton candy concessions, for the use of Brookwood Hall Park; if the event is cancelled due to inclement weather, a daily flat rate of \$75.00 (customary park usage fee) would be charged in lieu of the \$1,200.00 fee;

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

RESOLVED, that the Town Board authorizes the Supervisor to execute an agreement with All County Amusements, Inc., whereby All County Amusements, Inc. shall pay to the Town on average a daily fee in the amount of \$1,200.00, as outlined above, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

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

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

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with All County Amusements, Inc. to provide a four (4) day carnival at Gull Haven Golf Course Driving Range, 1 Gull Haven Dr., Central Islip, NY 11782. The carnival will be held from Thursday, June 3 through Sunday, June 6, 2021. The Town shall receive \$1,200.00 each day or 20% of all ticket ride sales, whichever is greater, a \$150.00 fee per each food concession vendor, with the exception of the popcorn and cotton candy concessions, operating at the carnival. If the event is cancelled due to inclement weather, a daily flat rate of \$75.00 (customary park usage fee) would be charged in lieu of the \$1,200.00 fee. Any revenue derived from the carnival will be allotted for various costs associated with recreation programming to be determined by the Commissioner of the Department of Parks, Recreation and Cultural Affairs or his designee. A similar resolution was passed for All County Amusements, Inc., by the Town Board in previous years.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: All County Amusements, Inc.

Site or location effected by resolution: Gull Haven Golf Course Driving Range
1 Gull Haven Dr., Central Islip, NY 11722

Cost: No cost to the Town of Islip – self-sustaining

Budget Line: N/A

Amount and source of outside funding: The Town shall receive \$1,200.00 for each day or 20% of profits, whichever is greater, a \$150.00 fee per each food concession vendor, with the exception of the popcorn and cotton candy concessions, operating at the carnival. If the event is cancelled due to inclement weather, a flat rate of \$75.00 (customary park usage fee) would be charged in lieu of the \$1,200.00 fee.

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. SEQOR 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:

Date:

5/10/2021

WHEREAS, the Town of Islip currently owns and maintains certain parklands and properties known as Gull Haven Golf Course Driving Range, 1 Gull Haven Drive, Central Islip, NY 11722; and

WHEREAS, All County Amusements, Inc., a domestic corporation with a mailing address of P.O. Box 161, East Islip, New York, 11730, desires to hold a carnival from June 3 thru June 6, 2021 on the field of Gull Haven Golf Course Driving Range consisting of food vendors and amusement and carnival rides; and

WHEREAS, All County Amusements, Inc. shall pay to the Town a fee in the amount of \$1,200.00 for each day of the carnival or 20% of ticket ride sales, whichever is greater, as well as an additional \$150.00 per each food concession, with the exception of the popcorn and cotton candy concessions, for the use of Gull Haven Golf Course Driving Range; if the event is cancelled due to inclement weather, a daily flat rate of \$75.00 (customary park usage fee) would be charged in lieu of the \$1,200.00 fee;

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

RESOLVED, that the Town Board authorizes the Supervisor to execute an agreement with All County Amusements, Inc., whereby All County Amusements, Inc. shall pay to the Town on average a daily fee in the amount of \$1,200.00, as outlined above, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

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

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

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with All County Amusements, Inc. to provide a four (4) day carnival at Ronkonkoma Beach Park, 299 Rosevale Ave., Ronkonkoma, NY 11779. The carnival will be held from Thursday, June 10 through Sunday, June 13, 2021. The Town shall receive \$1,200.00 each day or 20% of all ticket ride sales, whichever is greater, a \$150.00 fee per each food concession vendor, with the exception of the popcorn and cotton candy concessions, operating at the carnival. If the event is cancelled due to inclement weather, a daily flat rate of \$75.00 (customary park usage fee) would be charged in lieu of the \$1,200.00 fee. Any revenue derived from the carnival will be allotted for various costs associated with recreation programming to be determined by the Commissioner of the Department of Parks, Recreation and Cultural Affairs or his designee. A similar resolution was passed for All County Amusements, Inc., by the Town Board in previous years.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: All County Amusements, Inc.

Site or location effected by resolution: Ronkonkoma Beach Park
229 Rosevale Ave., Ronkonkoma, NY 11779

Cost: No cost to the Town of Islip – self-sustaining

Budget Line: N/A

Amount and source of outside funding: The Town shall receive \$1,200.00 for each day or 20% of profits, whichever is greater, a \$150.00 fee per each food concession vendor, with the exception of the popcorn and cotton candy concessions, operating at the carnival. If the event is cancelled due to inclement weather, a flat rate of \$75.00 (customary park usage fee) would be charged in lieu of the \$1,200.00 fee.

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. SEQOR 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:

Date:

5/10/2021

May 18, 2021
Resolution #____

WHEREAS, the Town of Islip currently owns and maintains certain parklands and properties known as Ronkonkoma Beach Park, 229 Rosevale Avenue, Ronkonkoma, NY 11779; and

WHEREAS, All County Amusements, Inc., a domestic corporation with a mailing address of P.O. Box 161, East Islip, New York, 11730, desires to hold a carnival from June 10 thru June 13, 2021 on the field of Ronkonkoma Beach Park consisting of food vendors, amusement and carnival rides; and

WHEREAS, All County Amusements, Inc. shall pay to the Town a fee in the amount of \$1,200.00 for each day of the carnival or 20% of ticket ride sales, whichever is greater, as well as an additional \$150.00 per each food concession, with the exception of the popcorn and cotton candy concessions, for the use of Ronkonkoma Beach Park; if the event is cancelled due to inclement weather, a daily flat rate of \$75.00 (customary park usage fee) would be charged in lieu of the \$1,200.00 fee;

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

RESOLVED, that the Town Board authorizes the Supervisor to execute an agreement with All County Amusements, Inc., whereby All County Amusements, Inc. shall pay to the Town on average a daily fee in the amount of \$1,200.00, as outlined above, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make the accounting entries or budgetary amendments necessary in accordance with the terms of the contract.

UPON A VOTE BEING TAKEN, the result was:

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

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

PURPOSE: By this resolution, the Town Board authorizes the Supervisor to enter into an agreement with All County Amusements, Inc. to provide a four (4) day carnival at Grange Park, 10 Broadway Avenue, Sayville, NY 11782. The carnival will be held from Thursday, June 17 through June 20, 2021. The Town shall receive \$1,200.00 each day or 20% of all ticket ride sales, whichever is greater, a \$150.00 fee per each food concession vendor, with the exception of the popcorn and cotton candy concessions, operating at the carnival. If the event is cancelled due to inclement weather, a daily flat rate of \$75.00 (customary park usage fee) would be charged in lieu of the \$1,200.00 fee. Any revenue derived from the carnival will be allotted for various costs associated with recreation programming to be determined by the Commissioner of the Department of Parks, Recreation and Cultural Affairs or his designee. A similar resolution was passed for All County Amusements, Inc., by the Town Board in previous years.

SPECIFY WHERE APPLICABLE:

Entity or individual benefitted by resolution: All County Amusements, Inc.

Site or location effected by resolution: Grange Park
10 Broadway Avenue, Sayville, NY 11782

Cost: No cost to the Town of Islip – self-sustaining

Budget Line: N/A

Amount and source of outside funding: The Town shall receive \$1,200.00 for each day or 20% of profits, whichever is greater, a \$150.00 fee per each food concession vendor, with the exception of the popcorn and cotton candy concessions, operating at the carnival. If the event is cancelled due to inclement weather, a flat rate of \$75.00 (customary park usage fee) would be charged in lieu of the \$1,200.00 fee.

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:

Date:

5/10/2021

WHEREAS, the Town of Islip currently owns and maintains certain parklands and properties known as Islip Grange, 10 Broadway Avenue, Sayville, NY 11782; and

WHEREAS, All County Amusements, Inc., a domestic corporation with a mailing address of P.O. Box 161, East Islip, New York, 11730, desires to hold a carnival from June 17 thru June 20, 2021 on the field of Islip Grange consisting of food vendors and amusement and carnival rides; and

WHEREAS, All County Amusements, Inc. shall pay to the Town a fee in the amount of \$1,200.00 for each day of the carnival or 20% of ticket ride sales, whichever is greater, as well as an additional \$150.00 per each food concession, with the exception of the popcorn and cotton candy concessions, for the use of Islip Grange; if the event is cancelled due to inclement weather, a daily flat rate of \$75.00 (customary park usage fee) would be charged in lieu of the \$1,200.00 fee;

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

RESOLVED, that the Town Board authorizes the Supervisor to execute an agreement with All County Amusements, Inc., whereby All County Amusements, Inc. shall pay to the Town on average a daily fee in the amount of \$1,200.00, as outlined above, 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. 28

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board Adoption of a Home Rule Resolution.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

John R. DiCioccio, Esq.

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

enclosure:

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

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

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

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

Resolution authorizing the Town Board to adopt a Home Rule resolution supporting Bills S 6437 and A 7485 amending Section 7, chapter 719 of Laws of 1982 to remove the restriction limiting the use of the SCTM#:
500-165.00-013.00-01.000, located on Carleton Avenue, Central Islip, to hospital, park and recreation, municipal office or educational purposes, facilitating the development of the property in a manner consistent with the surrounding area, in satisfaction of the condition of the Contract of Sale, and as supported by the Town Board approval of the change of

FEONC.

+

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Gull Haven Commons, LLC
 2. Site or location effected by resolution: Carlton Avenue, Central Islip, NY SCTM#: 500-165.00-013.00-01.000
 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 46. 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 QMM

Date _____

Dated: May 18, 2021
Resolution #

WHEREAS, the Town of Islip (“the Town”), a municipal corporation of the State of New York, with offices located at 655 Main Street, Islip, New York 11751, owns a parcel of certain real property located in Central Islip, New York, identified on the Suffolk County Tax Map as SCTM#: 0500-165.00-013.00-01.000 (“Premises”); and

WHEREAS, by Town Board resolution dated July 16, 2019, the Town of Islip (i) declared the Premises surplus, (ii) determined that proposal by Gull Haven Commons, LLC to construct apartment housing, to be incorporated into the surrounding apartment housing, was in the best interest of the Town, (iii) approved the sale and (iv) authorized the Supervisor to enter into a Contract of Sale to transfer title to the Premises to Gull Haven Commons, LLC; and

WHEREAS, Section 7, chapter 719 of Laws of 1982 restricts the use of the Premises to hospital, park and recreation, municipal office or educational purposes; and.

WHEREAS, pursuant to Section 7, chapter 17 of the Laws of 1982 the Premises cannot be used for its intended purpose without an amendment to the law; and

WHEREAS, an amendment to the Law is consistent with the Town’s desired use of the Premises as apartments as said development is consistent with the surrounding area, said development and use was a condition to the Contract of Sale, and the Town of Islip, by Town Board Resolution dated February 27, 2020 approved a change of zone to Planned Development District-Multi Family to facilitate said development and use; and

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

RESOLVED, that the Town Board of the Town of Islip hereby adopts a Home Rule resolution supporting Bills S 6437 and A 7485 amending Section 7, chapter 719 of Laws of 1982 to remove the restriction limiting the use of the Premises to hospital, park and recreation, municipal office or educational purposes, facilitating the development of the property in a manner consistent

Dated: May 18, 2021
Resolution #

with the surrounding area, in satisfaction of the condition of the Contract of Sale, and as supported by the Town Board approval of the change of zone; and be it further

RESOLVED, that the Supervisor of the Town is hereby authorized to execute any agreements, documents, or papers necessary to implement the purpose of this resolution, the form of which is subject to the approval of the Islip Town Attorney; and be it further

RESOLVED, that the Clerk of the Town of Islip is hereby directed to send a copy of this resolution and all supporting documentation to the New York State Senate and Assembly Home Rule Offices, Senator Alexis Weik, and Assemblyman Phil Ramos.

UPON A VOTE BEING TAKEN, the result was _____.

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

No. 29

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Establishment of the Town of Islip Veteran's Advisory Board.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

John R. DiCioccio, Esq.

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

enclosure:

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

**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 Town Board to establish the Town of Islip Veterans Advisory Board to enhance the quality of life for veterans in the Town of Islip. This resolution further authorizes the Town Board to appoint the members of the Town of Islip Veterans Advisory Board, which will consist of nine (9) members and one (1) chairperson, who will each be appointed for 2-year terms and serve without compensation.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip Veterans
 2. Site or location effected by resolution: N/A
 3. Cost: No cost to the Town of Islip.
 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 6 NYCRR 617.5(c)(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, the Town of Islip has a large population of veterans; and

WHEREAS, in recognition of the need to create awareness of veterans' issues, assess their needs, and recommend direction for increased services and resources, the Islip Town Board wishes to create the Town of Islip Veterans Advisory Board ("Veterans Advisory Board"); and

WHEREAS, the mission of the Veterans Advisory Board is to assist the Town in identifying the needs of its veteran community, to advise the Town Board and make recommendations as to the direction the Town can take in coordinating services and programs benefiting our veteran population; and

WHEREAS, the Veterans Advisory Board shall consist of nine (9) members and one (1) Chairperson, who will each be appointed for 2-year terms and serve without compensation; and

WHEREAS, the Town Board shall appoint the members of the Veterans Advisory Board and shall designate the member of the Board who will serve as Chairperson of the Veterans Advisory Board.

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

RESOLVED, that the Town Board does hereby establish the Town of Islip Veterans Advisory Board; and be it further

RESOLVED, that the Town Board appoints the following individuals as members of the Town of Islip Veterans Advisory Board, each having a 2-year term scheduled to begin as of this date and expire on December 31, 2022, each serving without compensation:

- Councilman **John C. Cochrane, Jr.** (Chairperson)
- American Legion Rusy-Bohm Post 411 Commander, **Richard Abrams** (Member)
- American Legion Smith-Wever Post 651 Commander, **Steven Antonacci** (Member)
- American Legion Sherwood Bros Post 1152 Adjunct, **Ron Barz** (Member)
- Suffolk County American Legion, 2nd Vice Chair, **Roby Johnson** (Member)
- Brentwood VFW Commander, **Sabrina Lacy** (Member)
- American Legion Post 1738 Incoming Commander, **Ken Moses** (Member)
- AMVETS Post 76 Commander, **Bob Oakes** (Member)
- AMVETS Post 18 Commander, **John Rosetti** (Member)
- AMVETS Legion Post 1738 Past Commander/Chairman of the Executive Board, **Greg Buck** (Member)

Upon a vote being taken, the result was:

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

No. 30

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to apply for and accept grant funding from the NYS Department of Parks, Recreation and Historic Preservation through the Boating Infrastructure Grant 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: The resolution authorizes the Supervisor to execute any and all documents required to apply for and accept grant funding through the Boating Infrastructure Grant ("BIG") Program for eligible improvements to Atlantique Marina, the form and content of which shall be subject to the review and approval of the Town Attorney.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip Residents
2. Site or location effected by resolution: Atlantique Marina, Atlantique, NY
3. Cost: up to \$2,000,000.00
4. Budget Line:
5. Amount and source of outside funding: 75% NYS BIG Program; 25% Strong's Marina
-

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

Date

5/12/2021



May 18, 2021
Resolution #

**RESOLUTION AUTHORIZING THE SUPERVISOR TO
APPLY FOR AND ACCEPT GRANT FUNDING THROUGH
THE BOATING INFRASTRUCTURE GRANT ("BIG") PROGRAM**

WHEREAS, the New York State Department of Parks, Recreation & Historical Preservation is accepting applications for grant funding through the Boating Infrastructure Grant ("BIG") Program, which is a nationally-competitive program administered by the U.S. Fish and Wildlife Service; and

WHEREAS, the BIG Program provides grant funding to municipalities and other governmental entities for the construction, renovation, and maintenance of facilities that service transient non-trailerable recreational vessels of 26 feet or more in length; and

WHEREAS, the Town of Islip's Atlantique Marina is a facility that is eligible to receive grant funding through the BIG Program; and

WHEREAS, in March of 2021, the Town of Islip ("the Town") entered into a License Agreement with Strong's Marine LLC ("Strong's Marine") for the operation and maintenance of Atlantique Marina; and

WHEREAS, the Town Department of Parks, Recreation and Cultural Affairs (the "Parks Department") and Strong's Marine recommend that the Town solicit Tier II grant funding (up to \$1,500,000) through the BIG Program for eligible improvements to Atlantique Marina; and

WHEREAS, should the Town be awarded grant funding for improvements to Atlantique Marina, the BIG Program provides up to 75% of total project costs, and Strong's Marine has agreed to provide the 25% matching funds which shall offset their annual capital expenditure as required by the License Agreement; and

WHEREAS, the Parks Department and Strong's Marine will coordinate in the application and administration process for BIG Program funding for Atlantique Marina;

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

RESOLVED, that the Town Board of the Town of Islip hereby authorizes the Supervisor to execute any and all documents required to apply for and accept grant funding through the Boating Infrastructure Grant ("BIG") Program for eligible improvements to Atlantique Marina, the form and content of which shall be subject to the review and approval of the Town Attorney; and be it further

RESOLVED, that the Comptroller is hereby authorized to make any and all budgetary adjustments necessary to effectuate this resolution.

Upon a vote being taken, the result was:

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

No. 31

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Acceptance of a donation by Dr. James Bertsch of a commemorative plaque recognizing the role Mr. Bodkin played in establishing the Baymen Soccer Fields in Sayville.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

John R. DiCioccio, Esq.

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

enclosure:

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

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

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

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

Acceptance of a Donation by Dr. James Bertsch of a commemorative plaque recognizing the role Mr. Bodkin played in establishing the Baymen Soccer Fields.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Townwide
 2. Site or location effected by resolution: 500 Cherry Street, Sayville
 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

WHEREAS, the Town of Islip ("Town") owns the Baymen Soccer Fields located at 500 Cherry Street, Sayville; and

WHEREAS, Christopher Bodkin led a career of exemplary public service; and

WHEREAS, as a former Islip Town Board member, Christopher Bodkin served an integral role in securing the Baymen Soccer Fields for the Town of Islip; and

WHEREAS, Dr. James Bertsch has requested permission to place a commemorative plaque at the Baymen Soccer Fields recognizing the role Mr. Bodkin played in establishing the fields.

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

RESOLVED that the Town Board hereby accepts the donation by Dr. James Bertsch of a commemorative plaque recognizing the role Mr. Bodkin played in establishing the Baymen Soccer Fields; and be it

FURTHER RESOLVED that the Town Board hereby grants access to and permission for Dr. James Bertsch to place and install the plaque at the Baymen Soccer Fields in a location to be approved by the Commissioner of Parks and Recreation.

Upon a vote being taken, the result was: