

## **Crain's Communication Inc. Resolution**

A regular meeting of the Nassau County Industrial Development Agency (the "Agency") was convened in public session at the Theodore Roosevelt Executive & Legislative Building, Ceremonial Chambers, 1550 Franklin Avenue, Mineola, Nassau County, New York on May 27, 2021 at 6:30 p.m., local time.

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

### **PRESENT:**

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

### **NOT PRESENT:**

Lewis M. Warren	Vice Chairman
-----------------	---------------

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

Harry Coghlan	Chief Executive Officer / Executive Director
Danielle Oglesby	Chief Operating Officer/ Deputy Executive Director
Anne LaMorte	Chief Financial Officer
Catherine Fee	Director of Business Development/Chief Marketing Officer
Colleen Pereira	Administrative Director
Carlene Wynter	Compliance Assistant
Thomas D. Glascock, Esq.	General Counsel
Andrew D. Komaromi, Esq.	Bond/Transactional Counsel

The attached resolution no. 2021-35 was offered by Timothy Williams seconded by Anthony Simon:

RESOLUTION OF THE NASSAU COUNTY INDUSTRIAL DEVELOPMENT AGENCY (“THE AGENCY”) APPROVING THE PLACEMENT OF AN ADVERTISEMENT WITHIN THE BUSINESS SPOTLIGHT TO LONG ISLAND SECTION TO CRAIN’S NEW YORK BUSINESS

WHEREAS, the Nassau County Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title I of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”), and Chapter 674 of the 1975 Laws of New York, as amended, constituting Section 922 of said general Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”), to, inter alia, promote the economic welfare, recreation opportunities and prosperity of the inhabitants of New York State and to actively promote, develop, encourage and assist in the promotion, attraction and development of economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their economic welfare, recreation opportunities, prosperity and standard of living, and to prevent unemployment and economic deterioration, and to promote the development of facilities to provide recreation for the citizens of New York State and to attract tourists from other states; and

WHEREAS, Crain Communication Inc. (“Crain’s”) is the publisher of Crain’s New York Business, which publishes daily and weekly local New York business news (including, without limitation, local business news on such topics as banking, the economy, education, health care, hospitality and tourism, real estate, and small business); and

WHEREAS, as part of its Crain’s New York Business publication, Crain’s publishes a Business Spotlight to Long Island section, where it provides information on topics that affect Long Island’s business and non-profit community; and

WHEREAS, the Agency wishes to place a full page advertisement within the Business Spotlight to Long Island section to Crain’s New York, advertising Long Island’s strong business climate and its significant economic development efforts, the purposes of which advertising and publication are consistent with the mission of the Agency; and

WHEREAS, the Agency desires to enter into an agreement to purchase said advertising services, to promote economic development within Nassau County;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NASSAU COUNTY INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby approves the purchase of an advertisement within the Business Spotlight to Long Island section to Crain’s New York Business, advertising Long Island’s strong business climate and its significant economic development efforts, as more particularly set forth in a certain form of agreement to be made by and between the Agency and Crain Communication Inc. (or one of its affiliates) (the “Agreement”), at a cost that is anticipated

not to exceed \$9,000 plus any applicable taxes. The Agency finds that (a) the purposes of the advertisement and publication are consistent with and would further the mission and purposes of the Agency, (b) the required services are not available through the New York State Preferred Source Program, (c) there is only one possible source from which to procure the services contemplated by the Agreement, and such services have unique benefits and, therefore, no competitive bidding process is feasible, and (d) the cost of such services is reasonable.

Section 2. The Agency hereby determines that the proposed action is a Type II Action pursuant to Article 8 of the New York Environmental Conservation Law (including the regulations thereunder, "SEQRA") involving "continuing agency administration" which does not involve "new programs or major reordering of priorities that may affect the environment" (6 NYCRR Section 6.17.5 (c)(26)) and therefore no findings or determination of significance are required under SEQRA.

Section 3. The Chief Executive Officer is hereby authorized and directed, in his sole discretion, to negotiate and enter into an agreement with such terms and conditions as the Chief Executive Officer may deem advisable or necessary, but subject to the terms of this Resolution. The Chief Executive Officer's execution of the Agreement shall evidence the Agency's approval of the terms thereof.

Section 4. This Resolution shall take effect immediately.

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

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

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK

) SS.:

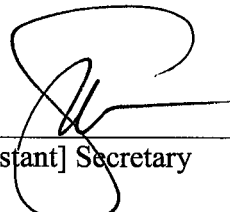
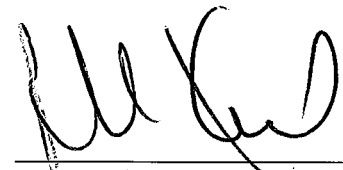
COUNTY OF NASSAU

We, the undersigned [Vice] Chairman and [Assistant] Secretary of the Nassau County Industrial Development Agency (the "Agency"), do hereby certify that we have compared the foregoing extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on May 27, 2021 with the original thereof on file in our office, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

WE FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

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

IN WITNESS WHEREOF, we have hereunto set our respective hands and affixed the seal of the Agency this 27<sup>th</sup> day of May 2021.

  
\_\_\_\_\_  
[Assistant] Secretary  
\_\_\_\_\_  
[Vice] Chairman

(SEAL)