

## **AR HICKSVILLE LLC - Preliminary Inducement 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 January 27, 2022 at 6:45 p.m., local time.

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

### **PRESENT:**

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

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

Harry Coghlan	Chief Executive Officer/Executive Director
Colleen Pereira	Administrative Director
Thomas D. Glascock	Agency Counsel
Andrew Komaromi	Bond/Transaction Counsel

The attached resolution no. 2022-\_\_ was offered by \_\_\_\_\_, seconded by \_\_\_\_\_.

RESOLUTION TAKING PRELIMINARY ACTION TOWARD THE  
ACQUISITION AND STRAIGHT LEASING OF A CERTAIN PROJECT FOR AR HICKSVILLE  
LLC (THE “APPLICANT”) AND AUTHORIZING THE EXECUTION AND DELIVERY OF A  
PRELIMINARY AGREEMENT WITH THE APPLICANT WITH  
RESPECT TO SUCH TRANSACTION

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 promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, industrial and commercial facilities, among others, for the purpose of promoting, attracting and developing 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 prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more “projects” (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, AR HICKSVILLE LLC, a limited liability company organized and existing under the laws of the State of Delaware and duly authorized to do business in the State of New York, together with entities formed or to be formed on its behalf (collectively, the “Applicant”) has presented an application for financial assistance (the “Application”) to the Agency, which Application requests that the Agency consider undertaking a project (the “Project”) consisting of the following: (A)(1) the acquisition of a 2.0846 acre parcel of land located at 99 Newbridge Road, 4 Duffy Avenue and 2-10 Jerusalem Avenue, Hicksville, Town of Oyster Bay, Nassau County, New York (Section: 11; Block: G; Lot: 4, 30 and 235) (the “Land”), (2) the construction of an approximately 390,000 square foot building, consisting of 235,000 square feet above grade and 155,000 square below grade (collectively, the “Building”) on the Land, together with related improvements to the Land, (3) the acquisition of certain furniture, fixtures, machinery and equipment (the “Equipment”) necessary for the completion thereof (collectively, the “Project Facility”), all of the foregoing for use by the Applicant as an approximately two-hundred-twenty-seven (227) unit residential rental housing facility, including twenty-three affordable residential rental apartments, and approximately 6,500 square feet of retail space, together with structured parking and surface parking; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the General Municipal Law) with respect to the foregoing in the form of potential exemptions or partial exemptions from real property taxes, mortgage recording taxes and sales and use taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase), license or sale of the Project Facility to the Applicant or such other entity as may be designated by the Applicant and agreed upon by the Agency; and

WHEREAS, the Agency has given due consideration to the Application and to the representations made by the Applicant therein, in certain supplemental documents and at this meeting, including, without limitation, representations of the Applicant that: (A) the granting by the Agency of the Financial Assistance with respect to the Project Facility will be an inducement to the Applicant to undertake the Project in Nassau County, New York; (B) the completion of the Project and the leasing and operation of the Project Facility will not result in the removal of a facility or plant of the Applicant or any tenant, user or occupant of the Project Facility from one area of the State of New York (the "State") to another area of the State or in the abandonment of one or more plants or facilities of the Applicant or any tenant, user or occupant of the Project Facility located in the State but outside Nassau County, New York; (C) the Project will serve the public purposes of the Act by preserving permanent, private sector jobs and increasing the overall number of permanent, private sector jobs in the State; and (D) the granting of the Financial Assistance by the Agency will promote the job opportunities, health, general prosperity and economic welfare of the inhabitants of Nassau County, New York, and improve their standard of living, and prevent unemployment and economic deterioration, and thereby serve the public purposes of the Act; and

WHEREAS, a portion of the Financial Assistance consisting of an exemption from real property taxes, if granted, may represent a deviation from the Agency's uniform tax exemption policy with respect to the making of payments in lieu of real property taxes; and

WHEREAS, any approval of the Project is contingent upon, among other things, a final determination by the members of the Agency to proceed with the Project following determinations by the Agency that: (A) the public hearing and notice requirements and other procedural requirements contained in the Act relating to the Project and the Financial Assistance have been satisfied; and (B) the undertaking of the Project by the Agency and the granting of the Financial Assistance are and will be in compliance with all other applicable requirements of the Act, Article 8 of the Environmental Conservation Law (the "SEQR Act") and the regulations adopted pursuant thereto (the "Regulations" and together with the SEQR Act, collectively, "SEQRA"), and all other statutes, codes, laws, rules and regulations of any governmental authority having jurisdiction over the Project or the Project Facility (collectively, the "Applicable Laws"); and

WHEREAS, the Agency desires to encourage the Applicant to preserve and advance the job opportunities, health, general prosperity and economic welfare of the people of Nassau County, New York, and to prevent unemployment and economic deterioration, by undertaking the Project in Nassau County, New York; and

WHEREAS, a preliminary agreement (the "Preliminary Agreement") relative to the proposed undertaking of the Project by the Agency has been or will be delivered to the Applicant for execution;

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

Section 1. The Agency hereby authorizes the Chief Executive Office/Executive Director of the Agency (and hereby ratifies any actions taken to date by the Chief Executive Officer/Executive Director): (A) to establish a time, date and place for a public hearing (the "Public Hearing") of the Agency to hear all persons interested in the location and nature of the Project and the proposed Financial Assistance being contemplated by the Agency with respect to

the Project, said Public Hearing to be held in the city, town or village within which the Project Facility is or will be located; (B) to cause notice of said Public Hearing to be given to the public by publishing a notice of said Public Hearing in a newspaper of general circulation available to residents of the governmental units where the Project Facility is or is to be located, such notice to comply with the requirements of and to be published in accordance with the requirements of the Act; (C) to cause notice of said Public Hearing, pursuant to the Act, to be given to the chief executive officer of the County of Nassau, New York, and of each city, town, village, school district and other affected tax jurisdiction in which the Project Facility is or is to be located; (D) to establish a time, date and place for a meeting of the Agency (the "IDA Meeting") to consider whether to approve a proposed deviation from the Agency's uniform tax exemption policy in accordance with the Act if the Executive Director determines that the portion of the Financial Assistance consisting of an exemption from real property taxes constitutes a deviation from such policy; (E) to cause notice of any such proposed deviation from the Agency's uniform tax exemption policy and of the IDA Meeting to be given to the chief executive officer of each affected tax jurisdiction in accordance with the Act; (F) to conduct the Public Hearing or to authorize a hearing officer to conduct the Public Hearing; (G) to cause a report of the Public Hearing fairly summarizing the views presented at said Public Hearing to be promptly prepared and cause copies of said report to be made available to the members of the Agency; (H) to hold the IDA Meeting and to review and respond to any correspondence received from the affected tax jurisdictions regarding the proposed deviation from the Agency's uniform tax exemption policy, if applicable; and (I) to otherwise comply with all other procedural and other requirements imposed on the Agency pursuant to Applicable Laws with respect to the Project and/or the Financial Assistance.

Section 2. The Applicant is hereby authorized to conduct such environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary or convenient to enable the Agency to make its determination whether to proceed with the Project and to grant the Financial Assistance; provided, however, that such authorization shall not entitle or permit the Applicant to commence the acquisition, construction, installation or equipping of the Project Facility on behalf of the Agency unless and until the Agency shall determine that all requirements of Applicable Laws have been fulfilled. The officers, agents and employees of the Agency are hereby directed to proceed to do such things or perform such acts as may allow the Agency to proceed to its final consideration of the Project. This Resolution constitutes an authorization to conduct concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning with respect to the Project within the meaning of Section 617.3(c)(2) of the Regulations and a determination of compliance with technical requirements within the meaning of Section 617.3(c)(2) of the Regulations and does not constitute, and shall not be deemed to constitute, either an approval by the Agency of the Project for the purposes of the Act or SEQRA or a commitment by the Agency to approve the Project or to grant the Financial Assistance.

Section 3. Any expenses incurred by the Agency with respect to the Project and/or the financing thereof shall be paid by the Applicant as set forth in the Preliminary Agreement.

Section 4. The findings of the Agency set forth herein are expressly conditioned upon full compliance of the Applicant, the Project and the Project Facility with all Applicable Laws, and the Applicant shall be required to provide evidence of same satisfactory to the Agency prior to the granting of any Financial Assistance.

Section 5. If, following full compliance with all Applicable Laws, the Agency adopts a future resolution (the "Future Resolution") determining to proceed with the Project and to grant the Financial Assistance, or any portion thereof, with respect to the Project and the Applicant complies with all conditions set forth in the Preliminary Agreement and the Future Resolution, then the Agency will (A) acquire an interest in the Project Facility pursuant to a deed, lease agreement, assignment of lease, license, bill of sale and/or other documentation to be negotiated between the Agency and the Applicant (the "Acquisition Agreement"); (B) construct, install and equip the Building and acquire and install the Equipment; (C) lease (with the obligation to purchase), license or sell the Project Facility to the Applicant pursuant to a lease agreement or an installment sale agreement (the "Project Agreement") to be negotiated between the Agency and the Applicant; and (D) provide the Financial Assistance with respect to the Project, all as contemplated by the Preliminary Agreement and the Future Resolution.

Section 6. The form, terms and substance of the Preliminary Agreement (in substantially the form presented at this meeting and attached hereto) are in all respects approved, and the Chairman, Vice Chairman, Chief Executive Office/Executive Director, Chief Operating Officer/Deputy Executive Director or Administrative Director of the Agency are each hereby authorized, empowered and directed, acting individually or jointly, to execute and deliver said Preliminary Agreement in the name and on behalf of the Agency, with such changes therein as shall be approved by the officer executing same on behalf of the Agency, the execution thereof by such officer to constitute conclusive evidence of such officer's approval of any and all changes or revisions therein from the form now before this meeting.

Section 7. From and after the execution and delivery of the Preliminary Agreement, the officers, agents and employees of the Agency are hereby authorized, empowered and directed, acting individually or jointly, to proceed with the undertakings provided for therein on the part of the Agency, and are further authorized to do all such acts and things and to execute all such documents as may be necessary or convenient to carry out and comply with the terms and provisions of the Preliminary Agreement as and when executed.

Section 8. The law firm of Harris Beach PLLC, Uniondale, New York, is hereby appointed Special Counsel to the Agency with respect to all matters in connection with the Project. Special Counsel for the Agency is hereby authorized, at the expense of the Applicants, to work with counsel to the Agency, the Applicants, counsel to the Applicants, and others to prepare, for submission to the Agency, all documents necessary to effect the transactions contemplated by this Resolution.

Section 9. The Chairman, Vice Chairman, Chief Executive Office/Executive Director, Chief Operating Officer/Deputy Executive Director and Administrative Director of the Agency are each hereby authorized and directed to distribute copies of this Resolution to the Applicants and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

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

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

The foregoing Resolution was thereupon declared duly \_\_\_\_\_.

STATE OF NEW YORK

) SS.:

COUNTY OF NASSAU

We, the undersigned [Vice] Chairman and [Assistant] Secretary of the Nassau County 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 January 27, 2022 with the original thereof on file in our office, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

WE FURTHER CERTIFY that (A) all members of the 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 27th day of January 2022.

\_\_\_\_\_  
[Assistant] Secretary

\_\_\_\_\_  
[Vice] Chairman

(SEAL)

**Nassau County Industrial Development Agency (the “Agency”)**  
**Board Meeting Minutes**  
**December 16, 2021**  
**6:58 PM**

I. Board Roll Call

John Coumatos	Present
Amy Flores	Present
Christopher Fusco	Present
Richard Kessel	Present
Anthony Simon	Present
Lewis M. Warren	Present
Timothy Williams	Present

Others 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
Carlene Wynter	Compliance Assistant
Nicole Gil	Administrative Assistant

Thomas D. Glascock, Esq.	General Counsel
Andrew D. Komaromi, Esq.	Bond/Transactional Counsel

II. Chair Report

Chair Kessel led a moment of silence, and then made a report to the board.

III. Chief Executive Officer Report

Chief Executive Officer / Executive Director Harry Coghlan made a report to the board.

IV. Public Comment Period

Matthew Aracich, president of The Building and Construction Trades Council of Nassau & Suffolk Counties, AFL-CIO, spoke, and Chair Kessel described the importance of union participation.

V. New Business and Discussion

A. Approval Resolutions.

i. Steel K LLC

- a. SEQRA Resolution
- b. PILOT Deviation Resolution
- c. Approving Resolution

The applicant's counsel (Daniel P. Deegan, Esq. of Forchelli Deegan Terrana LLP) presented on behalf of the applicant, with applicant principal Glenn Lostritto also speaking and answering questions. Member Williams and Member Coumatos each asked questions, which were answered.

Member Simon moved to adopt the resolutions, which was seconded by Member Warren. The resolutions were approved unanimously.

- ii. Lunar Module Park, LLC
  - a. Approving Resolution

The applicant's counsel (Daniel P. Deegan, Esq. of Forchelli Deegan Terrana LLP) presented on behalf of the applicant, with Chair Kessel speaking in support of the application.

Chair Kessel moved to adopt the resolution, which was seconded by Member Simon. The resolution was approved unanimously.

- iii. JP Optionee LLC
  - a. Approving Resolution
  - b. SEQRA Resolution
  - c. PILOT Deviation Resolution

The applicant counsel (Daniel P. Deegan, Esq. of Forchelli Deegan Terrana LLP) presented on behalf of the applicant, with applicant principal Paul Amoruso answering questions.

Matthew Aracich, president of The Building and Construction Trades Council of Nassau & Suffolk Counties, AFL-CIO, spoke in support of the application.

Chair Kessel and Member Williams made additional comments

Member Williams moved to adopt the resolutions, which was seconded by Member Simon. The resolutions were approved unanimously.

B. Preliminary Resolutions

None.

C. Consent Resolutions

i. Twenty-Six Sunset LLC – Extension to Close Resolution

Bond/Transactional Counsel Andrew D. Komaromi, Esq. described the requested consent resolution, as did the applicant's counsel (William Cornachio of Rivkin Radler LLP).

Member Simon spoke about the importance of communication, and Matthew Aracich, president of The Building and Construction Trades Council of Nassau & Suffolk Counties, AFL-CIO, described his communication with the applicant.

Member Williams moved to adopt the consent resolution, which was seconded by Member Simon. The consent resolution was approved unanimously.

ii. Kim & Bae Trading Corporation – Consent to Amend Resolution

Bond/Transactional Counsel Andrew D. Komaromi, Esq. described the requested consent to amend resolution.

Member Williams moved to adopt the consent to amend resolution, which was seconded by Member Simon. The consent to amend resolution was approved unanimously.

VI. Other Business

A. Minutes -- Approval of November 18, 2021 Minutes

Member Flores moved to approve the draft November 18, 2021 meeting minutes. Member Simon seconded the motion. The motion was approved unanimously.

B. Committee Reports

a. Audit Committee – Audit Committee Chair, Timothy Williams, gave a report to the board.

b. Finance Committee – Finance Committee Chair, Lewis Warren, gave a report to the board.

C. Other

i. Committee Reports

a. Audit Committee – Audit Committee Chair, Timothy Williams, gave a report to the board.

b. Finance Committee – Finance Committee Chair, Lewis Warren, gave a report to the board.

ii. Resolution to Engage a firm for Audit Services

Member Williams moved to adopt the proposed resolution. Member Simon seconded the motion. The motion was approved unanimously.

iii. FY 2022 Final Budget Resolution

Member Flores moved to adopt the proposed resolution. Member Warren seconded the motion. The motion was approved unanimously.

VII. Chief Financial Officer's Report

Chief Financial Officer Anne LaMorte gave a report to the board.

VIII. Executive Session

Member Simon moved to convene the meeting into executive session pursuant to NY Public Officers Law Article 7, Section 105 for the purpose of discussing personnel matters. Member Warren seconded the motion. The motion was approved unanimously.

Member Simon moved to reconvene the meeting. Member Williams seconded the motion. The motion was approved unanimously.

IX. Adjournment

Chair Kessel announced that the Agency's next board meeting is scheduled for Thursday, January 27, 2022.

A motion to adjourn was made by Member Simon, which was seconded by Member Fusco. The Resolution was approved unanimously. The meeting ended at 8:23 PM.

[For additional information, please see a recording of the December 16, 2021 meeting of the board of the Nassau County Industrial Development Agency found at <https://www.youtube.com/channel/UCuERg-5BYx9VSdBVHUPTYJw/featured>.]

-END-

# NASSAU COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## **AUDIT COMMITTEE MINUTES**

**November 18, 2021 at 6:43 PM**

- I. A motion to open the meeting was made by Committee Member Williams, and seconded by Member Coumatos. The Resolution was approved unanimously.

II. Roll Call

Timothy Williams, Chair	Present
John Coumatos	Present
Anthony Simon	Present
Christopher Fusco	Present

III. Business and Discussion

- a. Review and vote to approve March 18, 2021 Minutes

Chair Williams moved to approve the draft minutes of the Audit Committee's March 18, 2021 meeting minutes. Member Fusco seconded the motion. The motion was approved unanimously.

- b. Chief Executive Officer / Executive Director Harry Coghlan presented a proposed draft Preliminary Budget for 2022.

Chair Williams moved to authorize and recommend to the Board of the Nassau County Industrial Development Agency its adoption of the described proposed draft Preliminary Budget for 2022. Member Fusco seconded the motion. The motion was approved unanimously.

IV. Adjournment

A motion to adjourn was made by Chair Williams, which was seconded by Member Fusco. The Resolution was approved unanimously. The meeting ended at 6:49 PM.

**Audit Committee Members:**

Timothy Williams, Chair  
John Coumatos  
Anthony Simon  
Christopher Fusco

[For additional information, please see a recording of the November 18, 2021 meeting of the Audit Committee of the Nassau County Industrial Development Agency found at <https://www.youtube.com/watch?v=Wa3zPqWOSQc>.]

# NASSAU COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## FINANCE COMMITTEE MINUTES

November 18, 2021 at 6:44 PM

- I. A motion to open the meeting was made by Committee Member Warren, and seconded by Member Williams. The Resolution was approved unanimously.

II. Roll Call

Lewis M. Warren, Chair	Present
Amy Flores	Present
Timothy Williams	Present

III. Business and Discussion

- a. Review and vote to approve March 18, 2021 Minutes

Chair Warren moved to approve the draft minutes of the Finance Committee's March 18, 2021 meeting minutes. Member Flores seconded the motion. The motion was approved unanimously.

- b. Chief Executive Officer / Executive Director Harry Coghlan presented a proposed draft Preliminary Budget for 2022.

Chair Warren moved to authorize and recommend to the Board of the Nassau County Industrial Development Agency its adoption of the described proposed draft Preliminary Budget for 2022. Member Flore seconded the motion. The motion was approved unanimously.

IV. Adjournment

A motion to adjourn was made by Member Williams, which was seconded by Member Flores. The Resolution was approved unanimously. The meeting ended at 6:49 PM.

**Finance Committee**  
**Members:**

Lewis M. Warren, Chair  
Amy Flores  
Timothy Williams

[For additional information, please see a recording of the November 18, 2021 meeting of the Finance Committee of the Nassau County Industrial Development Agency found at <https://www.youtube.com/watch?v=Wa3zPqWOSQc>.]

## **Economic Development Advisory Services 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 January 27, 2022, at 6:45 p.m., local time.

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

### **PRESENT:**

Richard Kessel	Chair
Lewis M. Warren	Vice Chair
Anthony Simon	2 <sup>nd</sup> Vice Chair
Amy Flores	Treasurer
John Coumatos	Asst. Treasurer
Timothy Williams	Secretary
Christopher Fusco	Asst. Secretary

### **NOT PRESENT:**

N/A

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

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

The attached resolution no. 2022-\_\_ was offered by \_\_\_\_\_, seconded by \_\_\_\_\_:

RESOLUTION OF THE NASSAU COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY AUTHORIZING THE EXECUTIVE  
DIRECTOR TO ENGAGE CAMOIN ASSOCIATES, INC. TO  
PROVIDE CERTAIN ECONOMIC DEVELOPMENT  
ADVISORY SERVICES

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 promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, industrial and commercial facilities, among others, for the purpose of promoting, attracting and developing 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 prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, Agency has previously engaged Camoin Associates, Inc., and its affiliate Camoin Associates 360 Marketing, to provide various economic development research services and related services; and

WHEREAS, pursuant to its mission and purpose to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, industrial and commercial facilities, among others, for the purpose of promoting, attracting and developing 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 prosperity and standard of living, and to prevent unemployment and economic deterioration, the Agency wishes to engage Camoin to provide certain economic development advisory services, and Camoin wishes to be so engaged.

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

Section 1. The Agency is hereby authorized to enter into an agreement with Camoin Associates, Inc., for it to prepare a 2021 Annual Economic Impact Report (the “Services”) for a fee of Seven Thousand and XX/100 (\$7,000.00) Dollars plus any applicable taxes, as applicable.

Section 2. The Agency hereby determines that the procurement of the Services constitutes a procurement of professional services involving the application of specialized expertise and a high degree of creativity and, therefore, is not subject to the competitive bidding requirements of the Agency’s State of Procurement Policy and Procedures.

Section 3. 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 §617.5(c)(20)) and therefore no findings or determination of significance are required under SEQRA.

Section 4. The Agency hereby authorizes and directs the Executive Director and/or Administrative Director to enter into an agreement with Camoin Associates, Inc., for it to provide the Services and for the fee amount above, on such terms and subject to such conditions as the Executive Director and/or Administrative Director may deem advisable or necessary, subject to the terms of this resolution. The Executive Director's or Administrative Director's execution of any such agreement or contract shall evidence the Agency's approval of the terms thereof.

Section 5. This Resolution shall take effect immediately.

ADOPTED: January 27, 2022

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 ____
Lewis M. Warren	VOTING ____
Anthony Simon	VOTING ____
Timothy Williams	VOTING ____
Chris Fusco	VOTING ____
Amy Flores	VOTING ____
John Coumatos	VOTING ____

The foregoing Resolution was thereupon declared duly 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 January 27, 2022, with the original thereof on file in our office, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

WE FURTHER CERTIFY that (A) all members of the 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 January, 2022.

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[Assistant] Secretary

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[Vice] Chairman

(SEAL)

**Long Island Association, Inc. Executive Breakfast: State of the Region Report Event Resolution, Nunc Pro Tunc**

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

**PRESENT:**

Richard M. Kessel	Chair
Lewis M. Warren	Vice Chair
Anthony Simon	2 <sup>nd</sup> Vice Chair
Timothy Williams	Secretary
Chris Fusco	Assistant Secretary
Amy Flores	Treasurer
John Coumatos	Assistant Treasurer

**ABSENT:**

None

**THE FOLLOWING PERSONS WERE ALSO PRESENT:**

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

The attached resolution no. 2022-\_\_ was offered by \_\_\_\_\_, seconded by \_\_\_\_\_:

RESOLUTION OF THE NASSAU COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
("THE AGENCY") APPROVING THE SPONSORSHIP OF A LONG ISLAND ASSOCIATION,  
INC. EXECUTIVE BREAKFAST: STATE OF THE REGION REPORT EVENT, NUNC PRO  
TUNC

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 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; improve their economic welfare, recreation opportunities, prosperity and standard of living, and prevent unemployment and economic deterioration; and promote the development of facilities to provide recreation for the citizens of New York State and to attract tourists from other states; and

WHEREAS, the Long Island Association, Inc. is the organizer of an Executive Breakfast: State of the Region Report event that took place on January 21, 2022 (the "Event"), which organization's mission is to lead and unify the region in order to enhance, strengthen and protect Long Island as a premier place to live, work and play, with its activities including, without limitation, supporting policies, programs and projects that (i) create jobs, spur private investment, and improve the overall business climate in our region and (ii) support economic development, workforce housing, clean reliable energy, workforce training and retention, environmental protection, technology and infrastructure investments, and opportunities for growth, equality and diversity on Long Island; and

WHEREAS, the purposes of such Event were consistent with the mission of the Agency;  
and

WHEREAS, the Agency desired to enter into an agreement to purchase advertising services for the Event, to promote the economic development within the County;

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

Section 1. The Agency is hereby authorized to purchase advertising services in connection with the Event, all as to be more particularly set forth in a certain form of agreement to be made by and between the Agency and the Long Island Association, Inc. (the "Agreement"), at a cost that is anticipated not to exceed \$4,500 plus any applicable taxes, nunc pro tunc. The Agency finds that (a) the purposes of the Event 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 / Executive Director is hereby authorized and directed in his sole discretion, to negotiate and enter into the Agreement, together with such changes to the terms and conditions thereof that the Chief Executive Officer / Executive Director may deem advisable or necessary, subject to the terms of this Resolution. The Chief Executive Officer / Executive Director’s execution of the Agreement shall evidence the Agency’s approval of the terms thereof.

Section 4. This Resolution shall take effect immediately.

Adopted: January 27, 2022

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

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

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK                    )  
  ) SS:  
COUNTY OF NASSAU                    )

We, the undersigned [Assistant] Secretary and [Vice] Chairman 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 January 27, 2022 with the original thereof on file in our office, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matter 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 and 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 hands and affixed the seal of the Agency this 27<sup>th</sup> day of January, 2022.

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairman

(SEAL)