

## **Long Island Community Foundation 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 October 27, 2022, at 6:45 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	Chair
John Coumatos	Asst. Treasurer
Reginald A. Spinello	Member
William H. Rockensies	Member
Victor LaGreca	Member
Raymond Pinto	Member

### **ABSENT:**

Timothy Williams	Secretary
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### **THE FOLLOWING PERSONS WERE ALSO PRESENT:**

Anne LaMorte	Chief Financial Officer
Colleen Pereira	Administrative Director
Carlene Wynter	Compliance Assistant
Nicole Gil	Administrative Assistant
Judge Anthony Marano	Agency Counsel
Thomas D. Glascock, Esq.	Agency Counsel
Andrew D. Komaromi, Esq.	Bond/Transactional Counsel
Milan K. Tyler, Esq.	Bond/Transactional Counsel
Paul V. O’Brien, Esq.	Bond/Transactional Counsel

### **EXCUSED:**

Catherine Fee	Director of Business Development/Chief Marketing Officer
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The attached resolution no. 2022 - 93 was offered by Victor LaGreca, seconded by Reginald Spinello:

Resolution No. 2022-93

RESOLUTION OF THE NASSAU COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
("THE AGENCY") APPROVING THE FUNDING FOR CERTAIN SERVICES TO BE  
PROVIDED BY THE LONG ISLAND COMMUNITY FOUNDATION

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 Community Foundation is a public charity and grantmaking foundation dedicated to improving the lives of Long Islanders by, among other activities, seeking to bring individuals, families, foundations, and businesses together to build a better community, supporting nonprofit organizations that make a difference, and applying knowledge, creativity, and resources to the most challenging issues facing Long Island in an effort to ensure meaningful opportunities and a better quality of life for all Long Islanders, today and tomorrow; and

WHEREAS, in connection with these purposes, the Long Island Community Foundation has undertaken a Long Island Zoning Atlas Mapping Project, to map all zoning districts within Nassau County and Suffolk County with detailed information, including what types of housing can be built in each district along with critical characteristics such as whether it is "as-of-right" or allowed only after a public hearing and local approvals and by providing parcel level data, special district boundary information (e.g., sewer, fire, water, school, library, police, and ambulance districts), census data, and multifamily housing data (hereinafter, the "Long Island Zoning Atlas Mapping Project"); and

WHEREAS, to provide the resources necessary to complete the Long Island Zoning Atlas Mapping Project several Long Island industrial development agencies, local development corporations, and the like have contributed funding for the project; and

WHEREAS, the generally purposes of the Long Island Community Foundation are consistent with the mission of the Agency to promote the availability of affordable housing in Nassau County, and the information to be made available by the Long Island Zoning Atlas Mapping Project will greatly facilitate these Agency efforts; and

WHEREAS, the Agency therefore desires to enter into an agreement to purchase services in support the Long Island Zoning Atlas Mapping Project, to promote the availability of affordable housing in Nassau 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 services from the Long Island Community Foundation in furtherance of its Long Island Zoning Atlas Mapping Project, 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 Community Foundation (the "Agreement"), at a cost that is anticipated not to exceed \$5,000 plus any applicable taxes. The Agency finds that (a) the purposes of the said project 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 Chairman 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 Chairman may deem advisable or necessary, subject to the terms of this Resolution. The Chairman's execution of the Agreement shall evidence the Agency's approval of the terms thereof.

Section 4. This Resolution shall take effect immediately.

Adopted: October 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	VOTING	AYE
Timothy Williams	ABSENT	
John Coumatos	VOTING	AYE
Reginald A. Spinello	VOTING	AYE
William H. Rockensies	VOTING	AYE
Victor LaGreca	VOTING	AYE
Raymond Pinto	VOTING	AYE

The foregoing Resolution was thereupon declared duly adopted.

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

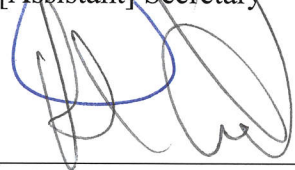
We, the undersigned [Assistant] Secretary and [Vice] Chairman of the Nassau County Local Economic Assistance Corporation (the "Corporation"), do hereby certify that we have compared the foregoing extract of the minutes of the meeting of the Directors of the Corporation, including the Resolution contained therein, held on October 27, 2022, with the original thereof on file in my 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 Directors of the Corporation 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 Directors of the Corporation 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 Corporation this 27<sup>th</sup> day of October, 2022.

  
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[Assistant] Secretary

  
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[Vice] Chairman

(SEAL)