

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

No. 1

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

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

July 12, 2022

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 June 14, 2022.
3. To consider the adoption of an Inducement Resolution between the Town of Islip Industrial Development Agency and **Eastview Apt Development, LLC**. Located at 0 Eastview Drive, Central Islip. (0500-22910-0100-010000).
4. To consider the adoption of an Inducement Resolution between the Town of Islip Industrial Development Agency and **V1 ISP III, LLC**. Located at 2100 Smithtown Blvd, Ronkonkoma. (0500-10603-0100-005001).
5. To consider the adoption of an Inducement Resolution between the Town of Islip Industrial Development Agency and **Water Lilies Food, LLC**. Located at 1724 5th Avenue, Bay Shore. (0500-18200-0100-041002).
6. To consider the adoption of an Authorizing Resolution between the Town of Islip Industrial Development Agency and **22-50 Jackson Ave Associates L.P. 2002A Facility** to consider a modification and extension of PILOT agreement. (0500-07100-0100-013006).
7. To consider the adoption of an Authorizing Resolution between the Town of Islip Industrial Development Agency and **22-50 Jackson Ave Associates L.P. 2002B Facility** to consider a modification and extension of PILOT agreement. (0500-07100-0100-01008).
8. To consider the adoption of an Authorizing Resolution between the Town of Islip Industrial Development Agency and **RG 158 Candlewood, LLC**. Located at 158 Candlewood Drive, Bay Shore. (0500-18100-0200-043003).
9. To consider the adoption of a Resolution to Amend the 2020 Authorizing Resolution of the Town of Islip Industrial Development Agency regarding the **DuroDyne Spence LLC** project. Located at 81 Spence Street, Bay Shore. (0500-20000-0200-063001).
10. To consider the adoption of a Resolution of the Town of Islip Industrial Development Agency to release certain land from the **55 Paradise Lane Realty, LLC. 2019 Facility** in connection with a road dedication.
11. To consider the adoption of a Resolution of the Town of Islip Industrial Development Agency to approve the assignment of the IDA transaction from **VMH Properties, LLC/Whitsons Food Service (Bronx) Corp. 2020 Facility** to Sterling Investors Holdings, LLC, and/or its single purchase entity formed for that purpose.
12. To consider **any other business** to come before the Agency.



MEETING OF THE TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY

June 14, 2022

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 5-0.

Members Angie M. Carpenter, Councilman John C. Cochrane Jr., Councilwoman Mary Kate Mullen, Councilman James P. O'Connor and Councilman Jorge Guadron 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 **May 19, 2022**. On a motion by Councilwoman Mary Kate Mullen and seconded by Councilman John C. Cochrane Jr., said motion was approved 5-0.
3. To consider the adoption of an Inducement Resolution between the Town of Islip Industrial Development Agency and **Pennsylvania Steel Co.** Located at 10 Ranick Rd, Hauppauge. (0500-03800-0100-004002). Tabled – on a motion by Councilman James P. O'Connor.
4. To consider the adoption of an Inducement Resolution between the Town of Islip Industrial Development Agency and **22-50 Jackson Ave Associates, L.P./Pilgrim East, L.P.** to extend a PILOT Agreement. (0500-07100-0100-01008). 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 **Pilgrim East L.P.** 2002A Facility. Located at 1 Executive Drive, Edgewood. (0500-07100-0100-013006). On a motion by Councilman James P. O'Connor 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 **RG 158 Candlewood, LLC.** Located at 158 Candlewood Drive, Bay Shore. (0500-18100-0200-043003). On a motion by Councilman John C. Cochrane Jr., and seconded by Councilman James P. O'Connor, said motion was approved 5-0.
7. To consider the adoption of an Authorizing Resolution between the Town of Islip Industrial Development Agency and **Tekweld Solutions Inc.** Located at 85 Nikon Court, Hauppauge. (0500-02400-0100-013001). On a motion by Councilman James P. O'Connor and seconded by Councilwoman Mary Kate Mullen, said motion was approved 5-0.

8. To consider the adoption of an Authorizing Resolution between the Town of Islip Industrial Development Agency and **45 Rabro Solutions, LLC/Tekweld Solutions, Inc. 2014 Facility**, to extend a PILOT agreement. Located at 45 Rabro Drive, Hauppauge. (0500-02300-0200-014000). On am motion by Councilman John C. Cochrane Jr., and seconded by Councilwoman Mary Kate Mullen, said motion was approved 5-0.
9. To consider the adoption of an Amended Authorizing Resolution between the Town of Islip Industrial Development Agency and **RLP III Venture Park**. Located at 2950 Veterans Memorial Highway, Bohemia. (0500-14600-0100-001000). On a motion by Mary Kate Mullen and seconded by Councilman John C. Cochrane Jr., said motion was approved 5-0.
10. To consider **any other business** to come before the Agency there being none the meeting adjourned on a motion by Councilwoman Mary Kate Mullen and seconded by Councilman John C. Cochrane Jr.

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JULY 12, 2022**

AGENDA ITEM #3

TYPE OF RESOLUTION: INDUCEMENT RESOLUTION

COMPANY: EASTVIEW APT DEVELOPMENT, LLC

**PROJECT LOCATION: 0 EASTVIEW DRIVE, CENTRAL
ISLIP**

**JOBS (RETAINED/CREATED): RETAINED - 0 -
CREATE - 2 -**

INVESTMENT: \$4,435,000.00

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY TAKING OFFICIAL ACTION
TOWARD APPOINTING EASTVIEW APT DEVELOPMENT
LLC, A NEW YORK LIMITED LIABILITY COMPANY, ON
BEHALF OF ITSELF AND/OR THE PRINCIPALS OF
EASTVIEW APT DEVELOPMENT 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,
CONSTRUCTING, EQUIPPING, AND FURNISHING THE
FACILITY AND MAKING CERTAIN FINDINGS AND
DETERMINATIONS WITH RESPECT TO THE FACILITY

WHEREAS, Eastview Apt Development 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 Eastview Apt Development 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 2.2 acre parcel of land located at Eastview Drive, Central Islip, New York 11722 (SCTM# 0500-229.10-01.00-010.000) (the **"Land"**), the construction of an approximately 28,000 square foot building thereon (the **"Improvements"**), and the acquisition and installation therein of certain equipment and personal property (the **"Equipment"**; and together with the Land and the Improvements, the **"Facility"**), which Facility will be leased by the Agency to the Company and is to be used as a multi-family housing apartment complex, comprised of two-bedroom units, containing approximately twenty-five (25) total rental apartments, with three (3) rental apartments designated as affordable units (the **"Project"**); and

WHEREAS, the Agency will acquire a leasehold interest in the Land and the Improvements and title to the Equipment, will sublease and lease the Facility to the Company, all pursuant to Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 47 of the Laws of 1974 of the State of New York, as the same may be amended from time to time (collectively, the **"Act"**); and

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company 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, consistent with the policies of the Agency, all to be more particularly described in a Final Authorizing Resolution to be adopted by the Agency prior to the closing of the transactions described herein; and

WHEREAS, 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 made a determination for financial assistance; and

WHEREAS, prior to the closing of the transaction described herein, a public hearing (the “**Hearing**”) will be held so that all persons with views in favor of or opposed to either the financial assistance contemplated by the Agency or the location or nature of the Facility can be heard; and

WHEREAS, notice of the Hearing will be given prior to the closing of the transaction described herein, and such notice (together with proof of publication) will be substantially in the form annexed hereto as Exhibit A; and

WHEREAS, the minutes of the Hearing are or will be annexed hereto as Exhibit B; and

WHEREAS, the Agency has given due consideration to the application of the Company and to representations by the Company that the proposed financial assistance is either an inducement to the Company to maintain the Facility in the Town of Islip or is necessary to maintain the competitive position of the Company in its industry; and

WHEREAS, 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 C hereof:

1. Benefits Analysis for Town of Islip Industrial Development Agency – Eastview Apt. Development, LLC, dated June 2022 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 D, provides for the granting of financial assistance by the Agency for housing projects pursuant to Section I.A.4.; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the

State of New York (collectively, the “SEQR Act” or “SEQR”), the Agency constitutes a “State Agency”; and

WHEREAS, to aid the Agency in determining whether the Facility may have a significant effect upon the environment, the Company has prepared and submitted to the Agency an Environmental Assessment Form and related documents (the “Questionnaire”) with respect to the Facility, a copy of which is on file at the office of the Agency; and

WHEREAS, the Questionnaire has been reviewed by the Agency; and

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

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

Section 1. Based upon the Environmental Assessment Form completed by the Company and reviewed by the Agency and other representations and information furnished by the Company regarding the Facility, the Agency determines that the action relating to the acquisition, construction, equipping, furnishing and operation of the Facility is an “unlisted” action, as that term is defined in the SEQR 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 SEQR. Notice of this determination shall be filed to the extent required by the applicable regulations under SEQR or as may be deemed advisable by the Chairman or Executive Director of the Agency or counsel to the Agency.

Section 2. In connection with the acquisition, construction, equipping, and furnishing of the Facility the Agency hereby makes the following determinations and findings based upon the Agency’s review of the information provided by the Company with respect to the Facility, including, the Company’s Application, the Requisite Materials and other public information:

- (a) There is a lack of affordable, safe, clean and modern rental housing in the Town of Islip, Suffolk County;
- (b) Such lack of rental housing has resulted in individuals leaving the Town of Islip and therefore adversely affecting employers, businesses, retailers, banks, financial institutions, insurance companies, health and legal services providers and other merchants in the Town of Islip and otherwise adversely impacting the economic health and well-being of the residents of the Town of Islip, employers, and the tax base of the Town of Islip;
- (c) The Facility, by providing such rental housing will enable persons to remain in the Town of Islip and thereby to support the businesses, retailers, banks, and other financial institutions, insurance companies, health care and legal services

providers and other merchants in the Town of Islip which will increase the economic health and well-being of the residents of the Town of Islip, help preserve and increase permanent private sector jobs in furtherance of the Agency's public purposes as set forth in the Act, and therefore the Agency finds and determines that the Facility is a commercial project within the meaning of Section 854(4) of the Act;

- (d) The Facility will provide services, i.e., rental housing, which but for the Facility, would not otherwise be reasonably accessible to the residents of the Town of Islip.

Section 3. The acquisition, construction, equipping and furnishing of the Facility by the Agency, the subleasing and leasing of the Facility to the Company 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 4. Subject to the provisions of this resolution, the Agency shall (i) acquire, construct, equip and furnish the Facility, and (ii) lease and sublease the Facility to the Company.

Section 5. The Company hereby agrees to comply with Section 875 of the Act. The Company further agrees that the exemption of sales and use tax provided pursuant to the Act and the appointment of the Company as agent of the Agency pursuant to this resolution is subject to termination and recapture of benefits pursuant to Section 875 of the Act and the recapture provisions of the Lease and Project Agreement, dated a date to be determined (the "**Lease Agreement**"), by and between the Company and the Agency.

Section 6. 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 7. The Chairman, the Executive Director, the Deputy Executive Director and all members of the Agency are hereby authorized and directed (i) to distribute copies of this resolution to the Company, and (ii) to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this resolution.

Section 8. Any expenses incurred by the Agency with respect to the Facility, including the expenses of Transaction Counsel, shall be paid by the Company. The Company agrees to pay such expenses and further agrees 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 9. This resolution shall take effect immediately.

ADOPTED: July 12, 2022

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

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

I have compared the foregoing copy of a resolution of the Town of Islip Industrial Development Agency (the “**Agency**”) with the original thereof on file in the office of the Agency, and the same is a true and correct copy of such resolution and of the proceedings of the Agency in connection with such matter.

Such resolution was passed at a meeting of the Agency duly convened in public session on July 12, 2022, at _____ .m., local time, at Islip Town Hall, 655 Main Street, Islip, New York, at which meeting the following members were:

Present:

Absent:

Also Present:

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

Voting Aye

and, therefore, the resolution was declared duly adopted.

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

I FURTHER CERTIFY that (i) all members of the Agency had due notice of said meeting, pursuant to Sections 103a and 104 of the Public Officers Law (Open Meetings Law), (ii) said meeting was open to the general public and public notice of the time and place of said meeting was duly given in accordance with such Sections 103a and 104, (iii) the meeting in all respects was duly held, and (iv) there was a quorum present throughout.

IN WITNESS WHEREOF, I have hereunto set my hand as of July 12, 2022

Assistant Secretary

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Title 1 of Article 18-A of the New York State General Municipal Law will be held by the Town of Islip Industrial Development Agency (the “Agency”) on the ____ day of July, 2022, at _____ a.m., local time, at the Town of Islip, Offices of Economic Development, 40 Nassau Avenue, Islip, New York 11751 in connection with the following matters:

Eastview Apt Development 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 Eastview Apt Development 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 2.2 acre parcel of land located at Eastview Drive, Central Islip, New York 11722 (SCTM# 0500-229.10-01.00-010.000) (the “**Land**”), the construction of an approximately 28,000 square foot building thereon (the “**Improvements**”), and the acquisition and installation therein of certain equipment and personal property (the “**Equipment**”; and together with the Land and the Improvements, the “**Facility**”), which Facility will be leased by the Agency to the Company and is to be used as a multi-family housing apartment complex, comprised of two-bedroom units, containing approximately twenty-five (25) total rental apartments, with three (3) rental apartments designated as affordable units (the “**Project**”).

The Agency contemplates that it will provide financial assistance to the Company 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, 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 or the location or nature of the Facility. At the hearing, all persons will have the opportunity to review the application for financial assistance filed by the Company with the Agency and an analysis of the costs and benefits of the proposed Facility.

Dated: July ___, 2022

TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY

By: John G. Walser
Title: Executive Director

EXHIBIT B

MINUTES OF PUBLIC HEARING HELD ON
JULY [], 2022 at __:__ A.M.

TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY
(EASTVIEW APT DEVELOPMENT LLC 2022 FACILITY)

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

Section 2. _____ 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:

Eastview Apt Development 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 Eastview Apt Development 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 2.2 acre parcel of land located at Eastview Drive, Central Islip, New York 11722 (SCTM# 0500-229.10-01.00-010.000) (the “**Land**”), the construction of an approximately 28,000 square foot building thereon (the “**Improvements**”), and the acquisition and installation therein of certain equipment and personal property (the “**Equipment**”; and together with the Land and the Improvements, the “**Facility**”), which Facility will be leased by the Agency to the Company and is to be used as a multi-family housing apartment complex, comprised of two-bedroom units, containing approximately twenty-five (25) total rental apartments, with three (3) rental apartments designated as affordable units (the “**Project**”).

The Agency contemplates that it will provide financial assistance to the Company 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, 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 July 2022, at [_____] a.m., local time, with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of the minutes in connection with such matter.

IN WITNESS WHEREOF, I have hereunto set my hand as of July __, 2022.

Assistant Secretary

EXHIBIT C

Requisite Materials

EXHIBIT C-1

Benefits Analysis for Town of Islip Industrial Development Agency – Eastview Apt
Development LLC

EXHIBIT C-2

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

EXHIBIT C-3

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

EXHIBIT D

Town of Islip Industrial Development Agency Uniform Tax Exemption Policy

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JULY 12, 2022**

AGENDA ITEM #4

TYPE OF RESOLUTION: INDUCEMENT RESOLUTION

COMPANY: V1 ISP III, LLC.

**PROJECT LOCATION: 2100 SMITHTOWN AVE,
RONKONKOMA**

**JOBS (RETAINED/CREATED): RETAINED - 00 -
CREATE - 20 -**

INVESTMENT: \$42,560,000.00

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TOWARD APPOINTING V1 ISP III, LLC, A LIMITED LIABILITY COMPANY, ON BEHALF OF ITSELF AND/OR AN ENTITY FORMED OR TO BE FORMED ON BEHALF OF THE FOREGOING AS AGENT(S) OF THE AGENCY FOR THE PURPOSE OF ACQUIRING, DEMOLISHING, CONSTRUCTING AND EQUIPPING THE FACILITY, AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AGREEMENT AND MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE FACILITY.

WHEREAS, V1 ISP III, LLC an Illinois limited liability company, on behalf of itself and/or the principals of V1 ISP III, 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 8.96 acre parcel of land located at 2100 Smithtown Avenue, Ronkonkoma, New York 11779 (the “**Land**”), the demolition of an approximately 112,189 square foot existing building thereon and the construction and equipping thereon of an approximately 127,980 square foot building (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 subleased by the Company to various tenants (the “**Tenants**”), for use as an industrial warehouse space (the “**Project**”); and

WHEREAS, the Agency will acquire a leasehold interest in the Land and the Improvements and title to the Equipment and will sublease the Facility to the Company, all pursuant to Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 47 of the Laws of 1974 of the State of New York, as the same may be amended from time to time (collectively, the “**Act**”); and

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

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company, in the form of exemptions from mortgage recording taxes, exemptions from sales and use taxes and abatement of real property taxes on the Facility, consistent with the policies of the Agency, all to be more particularly described in a Final Authorizing Resolution to be adopted by the Agency prior to the closing of the transactions described herein; and

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

WHEREAS, prior to the date of the Hearing (defined below), the Agency will have made a determination for financial assistance; and

WHEREAS, prior to the closing of the transaction described herein, a public hearing (the "**Hearing**") will be held so that all persons with views in favor of or opposed to either the financial assistance contemplated by the Agency or the location or nature of the Facility can be heard; and

WHEREAS, notice of the Hearing will be given prior to the closing of the transaction described herein, and such notice (together with proof of publication) will be substantially in the form annexed hereto as Exhibit A; and

WHEREAS, the minutes of the Hearing are or will be annexed hereto as Exhibit B; and

WHEREAS, the Agency has given due consideration to the application of the Company and to representations by the Company that the proposed financial assistance is either an inducement to the Company to maintain the Facility in the Town of Islip or is necessary to maintain the competitive position of the Company in its industry; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively, the "**SEQR Act**" or "**SEQR**"), the Agency constitutes a "State Agency"; and

WHEREAS, to aid the Agency in determining whether the Facility may have a significant effect upon the environment, the Company has prepared and submitted to the Agency an Environmental Assessment Form and related documents (the "**Questionnaire**") with respect to the Facility, a copy of which is on file at the office of the Agency; and

WHEREAS, the Questionnaire has been reviewed by the Agency; and

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

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

Section 1. Based upon the Environmental Assessment Form completed by the Company and reviewed by the Agency and other representations and information furnished by the Company regarding the Facility, the Agency determines that the action relating to the acquisition, construction, demolition, equipping, and operation of the Facility is an "Unlisted" Action, as that term is defined in the SEQR 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 SEQR. Notice of this determination shall be filed to the extent required by the applicable regulations under SEQR or as may be deemed advisable by the Chairman or Executive Director of the Agency or counsel to the Agency.

Section 2. The acquisition, construction and equipping of the Facility by the Agency, the subleasing and leasing of the Facility to the Company and the provision of financial assistance on the Facility pursuant to the Act will promote job opportunities, health, general prosperity and the economic welfare of the inhabitants of the Town of Islip and the people of the State of New York and improve their standard of living, and thereby serve the public purposes of the Act, and the same is, therefore, approved.

Section 3. Subject to the provisions of this resolution, the Agency shall (i) acquire, construct and equip the Facility, and (ii) lease and sublease the Facility to the Company.

Section 4. The Company is hereby notified that it will be required to comply with Section 875 of the Act. The Company shall be required to agree to the terms of Section 875 pursuant to the Lease and Project Agreement, dated a date to be determined (the "**Lease Agreement**"), by and between the Company and the Agency. The Company is further notified that the tax exemptions and abatements provided pursuant to the Act and the appointment of the Company as agent of the Agency pursuant to this resolution are subject to termination and recapture of benefits pursuant to Sections 859-a and 875 of the Act and the recapture provisions of the Lease Agreement.

Section 5. Counsel to the Agency is authorized and directed to work with Transaction Counsel (Nixon Peabody LLP) to prepare, for submission to the Agency, all documents necessary to affect the transactions described in the foregoing resolution.

Section 6. The Chairman, the Executive Director, the Deputy Executive Director and all members of the Agency are hereby authorized and directed (i) to distribute copies of this resolution to the Company, and (ii) to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this resolution.

Section 7. Any expenses incurred by the Agency with respect to the Facility, including the expenses of Transaction Counsel, shall be paid by the Company. The Company shall agree to pay such expenses and further agree to indemnify the Agency, its members, directors, employees and agents and hold the Agency and such persons harmless against claims for losses, damage or injury or any expenses or damages incurred as a result of action taken by or on behalf of the Agency in good faith with respect to the Facility.

Section 8. This resolution shall take effect immediately.

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

I, the undersigned Secretary of the Town of Islip Industrial Development Agency, DO
HEREBY CERTIFY THAT:

I have compared the foregoing copy of a resolution of the Town of Islip Industrial
Development Agency (the "Agency") with the original thereof on file in the office of the
Agency, and the same is a true and correct copy of such resolution and of the proceedings of the
Agency in connection with such matter.

Such resolution was passed at a meeting of the Agency duly convened in public session
on July 12, 2022, at _____ .m., local time, at Islip Town Hall, 655 Main Street, Islip, New
York, at which meeting the following members were:

Present:

Absent:

Also Present:

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

Voting Aye

and, therefore, the resolution was declared duly adopted.

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

I FURTHER CERTIFY that (i) all members of the Agency had due notice of said meeting, pursuant to Sections 103a and 104 of the Public Officers Law (Open Meetings Law), (ii) said meeting was open to the general public and public notice of the time and place of said meeting was duly given in accordance with such Sections 103a and 104, (iii) the meeting in all respects was duly held, and (iv) there was a quorum present throughout.

IN WITNESS WHEREOF, I have hereunto set my hand as of July 12, 2022.

Assistant Secretary

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Title 1 of Article 18-A of the New York State General Municipal Law will be held by the Town of Islip Industrial Development Agency (the “Agency”) on the ____ day of _____, 2022, at _____ a.m., local time, at the Town of Islip, Offices of Economic Development, 40 Nassau Avenue, Islip, New York 11751 in connection with the following matters:

V1 ISP III, LLC an Illinois limited liability company, on behalf of itself and/or the principals of V1 ISP III, 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 8.96 acre parcel of land located at 2100 Smithtown Avenue, Ronkonkoma, New York 11779 (the “**Land**”), the demolition of an approximately 112,189 square foot existing building located thereon and the construction and equipping thereon of an approximately 127,980 square foot building (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 subleased by the Company to various tenants (the “**Tenants**”), for use as an industrial warehouse space (the “**Project**”). The Facility will be initially owned, operated, and/or managed by the Company.

The Agency contemplates that it will provide financial assistance to the Company in connection with the Project and consistent with the policies of the Agency, in the form of exemptions from mortgage recording taxes in connection with the financing or any subsequent refinancing of the Project’s exemptions from sales and use taxes and abatement of real property taxes.

A representative of the Agency will at the above-stated time and place hear and accept written comments from all persons with views in favor of or opposed to either the proposed financial assistance to the Company or the location or nature of the Facility. At the hearing, all persons will have the opportunity to review the application for financial assistance filed by the Company with the Agency and an analysis of the costs and benefits of the proposed Facility.

Dated: _____, 2022

TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY

By: John G. Walser
Title: Executive Director

EXHIBIT B

MINUTES OF PUBLIC HEARING HELD ON
JULY [], 2022

TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY
(V1 ISP III, LLC 2022 FACILITY)

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

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

3. The hearing officer then described the proposed transfer of the real estate, the other financial assistance proposed by the Agency and the location and nature of the Facility as follows:

V1 ISP III, LLC an Illinois limited liability company, on behalf of itself and/or the principals of V1 ISP III, 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 8.96 acre parcel of land located at 2100 Smithtown Avenue, Ronkonkoma, New York 11779 (the “**Land**”), the demolition of an approximately 112,189 square foot building thereon and the construction and equipping thereon of an approximately 127,980 square foot building (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 subleased by the Company to various tenants (the “**Tenants**”), for use as an industrial warehouse space (the “**Project**”). The Facility will be initially owned, operated, and/or managed by the Company.

The Agency will acquire a leasehold interest in the Land and the Improvements and title to the Equipment and will lease and sublease the Facility to the Company. The Agency contemplates that it will provide financial assistance to the Company in the form of exemptions from mortgage recording taxes and sales and use taxes and abatement of real property taxes on the Facility, all consistent with the policies of the Agency.

4. The hearing officer then opened the hearing for comments from the floor for or against the proposed transfer of real estate, the other financial assistance proposed by the Agency and the location and nature of the Facility. The following is a listing of the persons heard and a summary of their views:

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

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

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

That I have compared the foregoing copy of the minutes of a public hearing held by the Town of Islip Industrial Development Agency (the “**Agency**”) on the __ day of July, 2022, at [_____] a.m., local time, with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of the minutes in connection with such matter.

IN WITNESS WHEREOF, I have hereunto set my hand as of July __, 2022.

Assistant Secretary

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JULY 12, 2022**

AGENDA ITEM #5

TYPE OF RESOLUTION: INDUCEMENT RESOLUTION

COMPANY: WATER LILIES FOOD, LLC.

PROJECT LOCATION: 1724 5TH AVE, BAY SHORE

**JOBS (RETAINED/CREATED): RETAINED - 420 -
CREATE - 300 -**

INVESTMENT: \$36,113,097.00

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TOWARD APPOINTING WATER LILIES FOOD, LLC, ON BEHALF OF ITSELF AND/OR AN ENTITY FORMED OR TO BE FORMED ON BEHALF OF THE FOREGOING AS AGENT(S) OF THE AGENCY FOR THE PURPOSE OF ACQUIRING, RENOVATING, DEMOLISHING AND EQUIPPING THE FACILITY AND MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE FACILITY.

WHEREAS, the Town of Islip Industrial Development Agency (the “**Agency**”) has previously assisted Water Lilies Food, LLC, a limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Company**”) in the acquisition of a leasehold interest of an approximately 100,780 square foot portion of an approximately 461,000 square foot building (the “**Demised Premises**”) located on an approximately 32.88 acre parcel of land located at 1724 5th Avenue, Bayshore, New York 11706 (the “**Land**”), the renovation of the Demised Premises (the “**Original Improvements**”) and the acquisition and installation therein of certain equipment and personal property (the “**Original Equipment**”; and, together with the Demised Premises, the Land and the Original Improvements, the “**Original Facility**”), which Original Facility is currently leased and subleased by the Agency to the Owner (as defined below) and further sub-subleased to the Company and used by the Company as a manufacturing and distribution facility in the Company’s business as a manufacturer of gourmet Asian foods (the “**Original Project**”); and

WHEREAS, the Company has now applied to the Agency to enter into a transaction in which the Agency will assist in the (i) acquisition of a leasehold interest in an additional approximately 295,260 square foot portion of the Original Facility (the “**Expansion Premises**”; and together with the Demised Premises, the “**Premises**”), (ii) the renovation of the Expansion Premises (the “**2022 Improvements**”, and together with the Original Improvements, the “**Improvements**”), and (iii) the acquisition and installation therein of certain equipment and personal property (the “**2022 Equipment**”; and together with the Original Equipment, the “**Equipment**”, and together with the Improvements, the Land and the Premises, the “**Facility**”), which Facility will continue to be leased and sub-subleased by the Agency to the Company, and used by the Company as a manufacturing and distribution facility in the Company’s business as a manufacturer of gourmet Asian food (the “**Project**”); and

WHEREAS, the Land, the Demised Premises, and the Improvements are currently subleased by Suffolk County Industrial, LLC, a New York limited liability company (the “**Owner**”), to the Company pursuant to an Agreement of Sublease, dated on or about March 1, 2020, including pursuant to the terms of a certain Tenant Agency Compliance Agreement, dated as of March 1, 2020, by and between the Agency and the Company; and

WHEREAS, the Agency will acquire a leasehold interest in the Improvements, the Land, the Premises and title to the Equipment and will sublease and lease the Facility to the Company, all pursuant to Title 1 of Article 18-A of the General Municipal Law of the State of New York,

as amended, and Chapter 47 of the Laws of 1974 of the State of New York, as the same may be amended from time to time (collectively, the “**Act**”); and

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

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company in the form of exemptions from sales and use taxes and abatement of real property taxes on the Facility, consistent with the policies of the Agency, all to be more particularly described in a Final Authorizing Resolution to be adopted by the Agency prior to the closing of the transactions described herein; and

WHEREAS, 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 made a determination for financial assistance; and

WHEREAS, prior to the closing of the transaction described herein, a public hearing (the “**Hearing**”) will be held so that all persons with views in favor of or opposed to either the financial assistance contemplated by the Agency or the location or nature of the Facility can be heard; and

WHEREAS, notice of the Hearing will be given prior to the closing of the transaction described herein, and such notice (together with proof of publication) will be substantially in the form annexed hereto as Exhibit A; and

WHEREAS, the minutes of the Hearing are or will be annexed hereto as Exhibit B; and

WHEREAS, the Agency has given due consideration to the application of the Company and to representations by the Company that the proposed financial assistance is either an inducement to the Company to maintain the Facility in the Town of Islip or is necessary to maintain the competitive position of the Company in its industry; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively, the “**SEQR Act**” or “**SEQR**”), the Agency constitutes a “State Agency”; and

WHEREAS, to aid the Agency in determining whether the Facility may have a significant effect upon the environment, the Company has prepared and submitted to the Agency an Environmental Assessment Form and related documents (the “**Questionnaire**”) with respect to the Facility, a copy of which is on file at the office of the Agency; and

WHEREAS, the Questionnaire has been reviewed by the Agency; and

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

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

Section 1. Based upon the Environmental Assessment Form completed by the Company and reviewed by the Agency and other representations and information furnished by the Company regarding the Facility, the Agency determines that the action relating to the acquisition, renovation, demolition, equipping, and operation of the Facility is a Type 1 Action, as that term is defined in the SEQR Act. As such, no further SEQR review is required under the SEQR Act.

Section 2. The acquisition, renovation, demolition, and equipping of the Facility by the Agency, the subleasing and leasing of the Facility to the Company and the provision of financial assistance on the Facility pursuant to the Act will promote job opportunities, health, general prosperity and the economic welfare of the inhabitants of the Town of Islip and the people of the State of New York and improve their standard of living, and thereby serve the public purposes of the Act, and the same is, therefore, approved.

Section 3. Subject to the provisions of this resolution, the Agency shall (i) acquire, renovate, demolish and equip the Facility, and (ii) lease and sublease the Facility to the Company.

Section 4. The Company is hereby notified that it will be required to comply with Section 875 of the Act. The Company shall be required to agree to the terms of Section 875 pursuant to the Lease and Project Agreement, dated a date to be determined (the "**Lease Agreement**"), by and between the Company and the Agency. The Company is further notified that the tax exemptions and abatements provided pursuant to the Act and the appointment of the Company as agent of the Agency pursuant to this resolution are subject to termination and recapture of benefits pursuant to Sections 859-a and 875 of the Act and the recapture provisions of the Lease Agreement.

Section 5. Counsel to the Agency is authorized and directed to work with Transaction Counsel (Nixon Peabody LLP) to prepare, for submission to the Agency, all documents necessary to affect the transactions described in the foregoing resolution.

Section 6. The Chairman, the Executive Director, the Deputy Executive Director and all members of the Agency are hereby authorized and directed (i) to distribute copies of this resolution to the Company, and (ii) to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this resolution.

Section 7. Any expenses incurred by the Agency with respect to the Facility, including the expenses of Transaction Counsel, shall be paid by the Company. The Company shall agree to pay such expenses and further agree to indemnify the Agency, its members,

directors, employees and agents and hold the Agency and such persons harmless against claims for losses, damage or injury or any expenses or damages incurred as a result of action taken by or on behalf of the Agency in good faith with respect to the Facility.

Section 8. This resolution shall take effect immediately.

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

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

I have compared the foregoing copy of a resolution of the Town of Islip Industrial Development Agency (the “Agency”) with the original thereof on file in the office of the Agency, and the same is a true and correct copy of such resolution and of the proceedings of the Agency in connection with such matter.

Such resolution was passed at a meeting of the Agency duly convened in public session on July 12, 2022, at 40 Nassau Avenue, Islip, New York 11751, 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 that (i) all members of the Agency had due notice of said meeting, pursuant to Sections 103a and 104 of the Public Officers Law (Open Meetings Law), (ii) said meeting was open to the general public and public notice of the time and place of said meeting was duly given in accordance with such Sections 103a and 104, (iii) the meeting in all respects was duly held, and (iv) there was a quorum present throughout.

IN WITNESS WHEREOF, I have hereunto set my hand as of July 12, 2022.

Assistant Secretary

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Title 1 of Article 18-A of the New York State General Municipal Law will be held by the Town of Islip Industrial Development Agency on the ___ day of July, 2022, at ____ a.m., local time, at the Town of Islip, Offices of Economic Development, 40 Nassau Avenue, Islip, New York 11751 in connection with the following matters:

The Town of Islip Industrial Development Agency (the “**Agency**”) has previously assisted Water Lilies Food, LLC a limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Company**”) in the acquisition of a leasehold interest of an approximately 100,780 square foot portion of an approximately 461,000 square foot building (the “**Demised Premises**”) located on an approximately 32.88 acre parcel of land located at 1724 5th Avenue, Bayshore, New York 11706 (the “**Land**”), the renovation of the Demised Premises (the “**Original Improvements**”) and the acquisition and installation therein of certain equipment and personal property (the “**Original Equipment**”; and, together with the Demised Premises, the Land and the Original Improvements, the “**Original Facility**”), which Original Facility is currently leased and subleased by the Agency to the Owner (as defined below) and further sub-subleased to the Company and used by the Company as a manufacturing and distribution facility in the Company’s business as a manufacturer of gourmet Asian foods (the “**Original Project**”).

The Company has now applied to the Agency to enter into a transaction in which the Agency will assist in the (i) acquisition of a leasehold interest in an additional approximately 295,260 square foot portion of the Original Facility (the “**Expansion Premises**”; and together with the Demised Premises, the “**Premises**”), (ii) the renovation of the Expansion Premises (the “**2022 Improvements**”, and together with the Original Improvements, the “**Improvements**”), and (iii) the acquisition and installation therein of certain equipment and personal property (the “**2022 Equipment**”; and together with the Original Equipment, the “**Equipment**”, and together with the Improvements, the Land and the Premises, the “**Facility**”), which Facility will continue to be leased and sub-subleased by the Agency to the Company, and used by the Company as a manufacturing and distribution facility in the Company’s business as a manufacturer of gourmet Asian food (the “**Project**”).

The Land, the Demised Premises, and the Improvements are currently subleased by Suffolk County Industrial, LLC, a New York limited liability company (the “**Owner**”), to the Company pursuant to an Agreement of Sublease, dated on or about March 1, 2020, including pursuant to the terms of a certain Tenant Agency Compliance Agreement, dated as of March 1, 2020, by and between the Agency and the Company.

The Facility will initially be owned by the Owner, and operated and/or managed by the Company.

The Agency will acquire a leasehold interest in the Improvements, the Land, the Premises and title to the Equipment and will lease and sublease the Facility to the Company. The Agency contemplates that it will provide financial assistance to the Company in the form of exemptions from sales and use taxes and abatement of real property taxes on the Facility, all 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 or the location or nature of the Facility. At the hearing, all persons will have the opportunity to review the application for financial assistance filed by the Company with the Agency and an analysis of the costs and benefits of the proposed Facility.

Dated: July __, 2022

TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY

By: John G. Walser
Title: Executive Director

EXHIBIT B

MINUTES OF PUBLIC HEARING HELD ON
JULY [], 2022

TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY
(WATER LILIES FOOD, LLC 2022 FACILITY)

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

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

3. The hearing officer then described the proposed transfer of the real estate, the other financial assistance proposed by the Agency and the location and nature of the Facility as follows:

The Town of Islip Industrial Development Agency (the “**Agency**”) has previously assisted Water Lilies Food, LLC a limited liability company organized and existing under the laws of the State of New York, on behalf of itself and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Company**”) in the acquisition of a leasehold interest of an approximately 100,780 square foot portion of an approximately 461,000 square foot building (the “**Demised Premises**”) located on an approximately 32.88 acre parcel of land located at 1724 5th Avenue, Bayshore, New York 11706 (the “**Land**”), the renovation of the Demised Premises (the “**Original Improvements**”) and the acquisition and installation therein of certain equipment and personal property (the “**Original Equipment**”; and, together with the Demised Premises, the Land and the Original Improvements, the “**Original Facility**”), which Original Facility is currently leased and subleased by the Agency to the Owner (as defined below) and further sub-subleased to the Company and used by the Company as a manufacturing and distribution facility in the Company’s business as a manufacturer of gourmet Asian foods (the “**Original Project**”).

The Company has now applied to the Agency to enter into a transaction in which the Agency will assist in the (i) acquisition of a leasehold interest in an additional approximately 295,260 square foot portion of the Original Facility (the “**Expansion Premises**”; and together with the Demised Premises, the “**Premises**”), (ii) the renovation of the Expansion Premises (the “**2022 Improvements**”, and together with the Original Improvements, the “**Improvements**”), and (iii) the acquisition and installation therein of certain equipment and personal property (the “**2022 Equipment**”; and together with the Original Equipment, the “**Equipment**”, and together

with the Improvements, the Land and the Premises, the “**Facility**”), which Facility will continue to be leased and sub-subleased by the Agency to the Company, and used by the Company as a manufacturing and distribution facility in the Company’s business as a manufacturer of gourmet Asian food (the “**Project**”).

The Land, the Demised Premises, and the Improvements are currently subleased by Suffolk County Industrial, LLC, a New York limited liability company (the “**Owner**”), to the Company pursuant to an Agreement of Sublease, dated on or about March 1, 2020, including pursuant to the terms of a certain Tenant Agency Compliance Agreement, dated as of March 1, 2020, by and between the Agency and the Company.

The Facility will initially be owned by the Owner, and operated and/or managed by the Company.

The Agency will acquire a leasehold interest in the Improvements, the Land, the Premises and title to the Equipment and will lease and sublease the Facility to the Company. The Agency contemplates that it will provide financial assistance to the Company in the form of exemptions from sales and use taxes and abatement of real property taxes on the Facility, all consistent with the policies of the Agency.

4. The hearing officer then opened the hearing for comments from the floor for or against the proposed transfer of real estate, the other financial assistance proposed by the Agency and the location and nature of the Facility. The following is a listing of the persons heard and a summary of their views:

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

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

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

That I have compared the foregoing copy of the minutes of a public hearing held by the Town of Islip Industrial Development Agency (the “**Agency**”) on July __, 2022, at __ a.m., local time, at Town of Islip, Offices of Economic Development, 40 Nassau Avenue, Islip, New York 11751, 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 July __, 2022.

Assistant Secretary

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JULY 12, 2022**

AGENDA ITEM #6

**TYPE OF RESOLUTION: AUTHORIZING RESOLUTION
TO EXTEND A PILOT AGREEMENT**

COMPANY: PILGRIM EAST, L.P.2002A FACILITY

PROJECT LOCATION: N/A

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

INVESTMENT: \$N/A

Date: July 12, 2022

At a meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), held at Islip Town Hall, 655 Main Street, Islip, New York, on the 12th day of July, 2022, 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 a modification and extension of PILOT benefits in connection with a certain industrial development facility more particularly described below (Pilgrim East L.P. 2002A 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 APPROVING THE
MODIFICATION AND EXTENSION OF THE PILOT
BENEFITS OF A CERTAIN INDUSTRIAL DEVELOPMENT
FACILITY FOR PILGRIM EAST L.P. 2002A FACILITY
AUTHORIZING THE EXECUTION AND DELIVERY OF
AMENDMENTS TO THE COMPANY LEASE AND THE
LEASE AGREEMENT AND THE EXECUTION AND
DELIVERY OF DOCUMENTS IN CONNECTION
THEREWITH 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 has previously assisted Pilgrim East L.P., a limited partnership duly organized and validly existing under the laws of the State of New York, having an office at 1 Executive Drive, Edgewood, New York 11717 (the “**Company**”), with the acquisition and leasing of an approximately 79.928 acre parcel of land located at the former Pilgrim Psychiatric Hospital, in Brentwood, Town of Islip, Suffolk County, New York and more particularly south of Community College Road, east of the Sagtikos Parkway, east and west of Crooked Hill Road and north of Pilgrim Road, to be used by the Company for future industrial and economic development purposes (the “**Facility**”); and

WHEREAS, the Agency leased the Facility to the Company pursuant to a certain 2002A Facility Lease Agreement, dated as of December 1, 2022, as amended and restated as of December 31, 2012 (collectively, the “**Original Lease Agreement**”), a memorandum of which Original Lease Agreement was to be recorded in the Suffolk County Clerk’s Office; and

WHEREAS, in connection with the leasing of the Facility, the Agency and the Company entered into a 2002A Facility Payment-in-Lieu-of-Tax Agreement, dated as of December 1, 2002, as amended and restated as of December 31, 2012 (collectively, the “**Original PILOT Agreement**”), which provided for the Company to make payments in lieu of real property taxes on the Facility; and

WHEREAS, the Agency and the Company previously entered into a certain 2002A Facility Environmental Compliance and Indemnification Agreement dated as of December 1, 2002, as amended and restated as of December 31, 2012 (collectively, the “**Original Environmental Compliance Agreement**”); and

WHEREAS, the Company previously requested the Agency's consent to an extension of payment-in-lieu-of-tax, exemptions from mortgage recording taxes in connection with the financing or any subsequent refinancing of the Facility, and exemptions from sales and use taxes in connection with the demolition of existing buildings, site preparation and the installation of necessary utilities and roadways and the extension; and

WHEREAS, the modification and extension of the current abatement of real property taxes on the Facility were effectuated with an Amended and Restated 2002A Facility Payment-in-Lieu-of-Tax Agreement dated as of December 31, 2012 (the "**Amended and Restated PILOT Agreement**"), and together with the Original PILOT Agreement, the "**Existing PILOT Agreement**"), and between the Company and the Agency; and

WHEREAS, in accordance with such extension of benefits, the parties entered into an Amended and Restated 2002A Facility Lease Agreement dated as of December 31, 2012 (the "**Amended and Restated Lease Agreement**"), and together with the Original Lease Agreement, the "**Existing Lease Agreement**"), by and among the Company and the Agency and an Amended and Restated 2002A Facility Environmental Compliance and Indemnification Agreement dated as of December 31, 2012 (the "**Amended and Restated Environmental Compliance and Indemnification Agreement**"), and together with the Original Environmental Compliance and Indemnification Agreement, the "**Existing Environmental Compliance and Indemnification Agreement**"), by and between the Company and the Agency; and

WHEREAS, the Company has submitted a request for the Agency's consent to a further extension of benefits, including an extension and modification of payment-in-lieu-of-tax benefits (the "**PILOT Benefits**") presently provided under the Existing PILOT Agreement, which extension shall be for an additional period of ten (10) years in connection with the Facility (the "**PILOT Extension**") and in connection therewith, the amendment and restatement of the Existing Lease Agreement and Existing Environmental Compliance and Indemnification Agreement; and

WHEREAS, in connection with the PILOT Extension, the Agency will reconvey title to the Facility to the Company, and will take a leasehold interest in the Facility pursuant to a certain Company Lease Agreement, dated as of July 1, 2022, or such other date as may be determined by the Chairman, Executive Director or counsel to the Agency (the "**Company Lease**"), by and between the Agency and the Company; and

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

WHEREAS, in connection with the PILOT Extension, the Agency and the Company will amend and restate the Existing Lease Agreement, the Existing PILOT Agreement, and the Existing Environmental Compliance and Indemnification Agreement pursuant to a Second Amended and Restated Lease and Project Agreement, dated a date to be determined (the "**Second Amended and Restated Lease Agreement**" and together with the Existing Lease Agreement, the Existing PILOT Agreement, and the Existing Environmental

Compliance and Indemnification Agreement, the “**Lease Agreement**”), between the Company and the Agency; and

WHEREAS, the requested PILOT Extension deviates from the Agency’s Uniform Tax Exemption Policy (the “**Policy**”) originally adopted in or around December, 1993, as previously amended, because the PILOT Extension will result in a total term of real property tax abatement of thirty (30) years; and

WHEREAS, the extension of the benefits under the Second Amended and Restated Lease Agreement is necessary to allow the Company to redevelop an important parcel of land in the Town of Islip which redevelopment is expected to promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of the Town of Islip; and

WHEREAS, a public hearing (the “**Hearing**”) was held on July 6, 2022, 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 could be heard; and

WHEREAS, notice of the Hearing was given on [____], and such notice (together with proof of publication) is 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 contemplates that it will provide financial assistance to the Company consistent with the policies of the Agency, in the form of extended abatement of real property taxes on the Facility as shown on Exhibit C annexed hereto, all consistent with the policies of the Agency; and

WHEREAS, the Agency has given due consideration to the application of the Company and to the representations by the Company that the actions of the Agency as contemplated by this resolution, and the Second Amended and Restated Lease Agreement are either an inducement to the Company to maintain and expand the Facility in the Town of Islip or are necessary to maintain the competitive positions of the Company in its industry; 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 continued leasing 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 continued leasing of the Facility by the Agency to the Company 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.
- (d) Based upon representations of the Company and its counsel, the Facility continues to conform with the local zoning laws and planning regulations of the Town of Islip and all regional and local land use plans for the area in which the Facility is located.
- (e) The Facility and the operations conducted therein do not have a significant effect on the environment, as determined in accordance with Article 8 of the Environmental Conservation Law of the State of New York and the regulations promulgated thereunder.
- (f) The Agency has determined that the proposed PILOT Extension for the Facility will promote and further the purposes of the Act.
- (g) It is desirable and in the public interest for the Agency consent to the PILOT Extension and to continue to lease the Facility to the Company.
- (h) The Second Amended and Restated Lease Agreement will be an effective instrument whereby the Agency and the Company will amend the Existing Lease Agreement, extend the term of the Existing Lease Agreement for a term of up to ten (10) years, set forth the terms and conditions of the PILOT Extension, and amend and restate the Existing PILOT Agreement and the Existing Environmental Compliance and Indemnification Agreement.
- (i) The Project is considered extremely significant and vital to the economic health and well-being of the Town and therefor deviation from the Policy is appropriate.

Section 2. In consequence of the foregoing, the Agency hereby determines to: (i) reconvey title to the Facility to the Company, (ii) take a leasehold interest in the Facility pursuant to the Company Lease, (iii) amend and restate the Existing Lease Agreement, the Existing PILOT Agreement, and the Existing Environmental Compliance and Indemnification Agreement to reflect the PILOT Extension, and extending the term of the

Lease Agreement for a term of up to ten (10) years, and (vi) execute, deliver and perform the Second Amended and Restated Lease Agreement.

Section 3. Subject to the provisions of this resolution and the Second Amended and Restated Lease Agreement, the Agency is hereby authorized to do all things necessary or appropriate for the execution, delivery and performance of the Agency Documents (as defined below), and such other related documents as may be necessary or appropriate to effect the PILOT Extension for the Facility.

Section 4. Subject to the provisions of this resolution and the Second Amended and Restated Lease Agreement, the Agency is hereby authorized to grant the PILOT Extension for the Facility 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. Subject to the provisions of this resolution and the Second Amended and Restated Lease Agreement, the Agency hereby authorizes and approves the following economic benefits to be granted to the Company in the form of extended abatement of real property taxes on the Facility as shown on Exhibit C annexed hereto, all consistent with the policies of the Agency.

Section 6. Subject to the provisions of this resolution and the Second Amended and Restated Lease Agreement:

(a) The 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 Company Lease and the Second Amended and Restated Lease Agreement in substantially the form thereof presented to this meeting with such changes, variations, omissions and insertions as the Chairman, Vice Chairman, Chief Executive Officer, or any member of the Agency shall approve, and 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.

(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 7. Subject to the provisions of this resolution, the Agency hereby authorizes and approves the following economic benefits to be granted to the Company in connection with the Facility in the form extended abatement of real property taxes on the Facility as shown on Exhibit C annexed hereto, all consistent with the policies of the Agency.

Section 8. Subject to the provisions of this resolution and the Second Amended and Restated 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 9. Any expenses incurred by the Agency with respect to the Facility shall be paid by the Company. The Company has agreed to pay such expenses and further shall 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 10. This resolution shall take effect immediately.

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

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

That I have compared the annexed extract of the minutes of the meeting of the Town of Islip Industrial Development Agency (the “Agency”), including the resolutions contained therein, held on July 12, 2022, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

That the Agency Documents contained in this transcript of proceedings is in substantially the form presented to the Agency and/or approved by said meeting.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with the New York Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, that all members of said Agency had due notice of said meeting and that the meeting was all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 12th day of July, 2022.

By: _____
Assistant Secretary

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Title 1 of Article 18-A of the New York State General Municipal Law will be held by the Town of Islip Industrial Development Agency on the 6th day of July, 2022, at 11:00 a.m., local time, at 40 Nassau Avenue, Islip, New York 11751 in connection with the following matters:

The Agency has previously assisted Pilgrim East L.P., a limited partnership duly organized and validly existing under the laws of the State of New York, having an office at 1 Executive Drive, Edgewood, New York 11717 (the **"Company"**), with the acquisition and leasing of an approximately 372.039 acre parcel of land located at the former Pilgrim Psychiatric Hospital, in Brentwood, Town of Islip, Suffolk County, New York and more particularly in the northerly section of such property south of the Long Island Expressway, west of Crooked Hill Road and west of the Sagtikos Parkway, to be used by the Company for future industrial and economic development purposes (the **"Facility"**). The Facility is owned, operated and/or managed by the Company.

The Facility is currently leased by the Agency to the Company pursuant to a certain 2002A Facility Lease Agreement, dated as of December 1, 2002 (the **"2002A Facility Lease Agreement"**), as amended and restated pursuant to a certain Amended and Restated Lease Agreement, dated as of December 31, 2012 (the **"Amended and Restated Lease Agreement"**), and together with the 2002A Facility Lease Agreement, the **"Lease Agreement"**), by and between the Company and the Agency.

In connection with the leasing of the Facility, the Company and the Agency entered into a certain 2002A Facility Payment-in-Lieu-of-Tax Agreement, dated as of December 1, 2002 (the **"Original PILOT Agreement"**), as amended and restated pursuant to a certain Amended and Restated Payment-in-Lieu-of-Tax Agreement, dated as of December 31, 2012 (the **"Amended and Restated PILOT Agreement"**), and together with the Original PILOT Agreement, the **"PILOT Agreement"**), by and between the Company and the Agency.

In connection with the leasing of the Facility, the Company and the Agency entered into a certain 2002A Environmental Compliance and Indemnification Agreement, dated as of December 1, 2002 (the **"Original Environmental Compliance and Indemnification Agreement"**), as amended and restated pursuant to a certain Amended and Restated Environmental Compliance and Indemnification Agreement, dated as of December 31, 2012 (the **"Amended and Restated Environmental Compliance and Indemnification Agreement"**), and together with the Original Environmental Compliance and Indemnification Agreement, the **"Environmental Compliance Indemnification Agreement"**) by and between the Company and the Agency.

The Company has now requested the Agency's assistance in connection with the modification and extension of the abatement of real property taxes on the Facility for a term of up to ten (10) additional years (the "**PILOT Extension**").

The Agency contemplates that it will provide financial assistance to the Company consistent with the policies of the Agency, in the form of abatement of real property taxes.

A representative of the Agency will at the above-stated time and place hear and accept written comments from all persons with views in favor of or opposed to either the proposed financial assistance to the Company or the location or nature of the Facility. At the hearing, all persons will have the opportunity to review the extension of benefits of the proposed Facility.

Dated: July 6, 2022

TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY

By: John G. Walser
Title: Executive Director

EXHIBIT B

MINUTES OF PUBLIC HEARING HELD ON
JULY 6, 2022

TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY
(PILGRIM EAST L.P. 2002A FACILITY)

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

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

The Agency has previously assisted Pilgrim East L.P., a limited partnership duly organized and validly existing under the laws of the State of New York, having an office at 1 Executive Drive, Edgewood, New York 11717 (the “**Company**”), with the acquisition and leasing of an approximately 372.039 acre parcel of land located at the former Pilgrim Psychiatric Hospital, in Brentwood, Town of Islip, Suffolk County, New York and more particularly in the northerly section of such property south of the Long Island Expressway, west of Crooked Hill Road and west of the Sagtikos Parkway, to be used by the Company for future industrial and economic development purposes (the “**Facility**”). The Facility is owned, operated and/or managed by the Company.

The Facility is currently leased by the Agency to the Company pursuant to a certain 2002A Facility Lease Agreement, dated as of December 1, 2002 (the “**2002A Facility Lease Agreement**”), as amended and restated pursuant to a certain Amended and Restated Lease Agreement, dated as of December 31, 2012 (the “**Amended and Restated Lease Agreement**”, and together with the 2002A Facility Lease Agreement, the “**Lease Agreement**”), by and between the Company and the Agency.

In connection with the leasing of the Facility, the Company and the Agency entered into a certain 2002A Facility Payment-in-Lieu-of-Tax Agreement, dated as of December 1, 2002 (the “**Original PILOT Agreement**”), as amended and restated pursuant to a certain Amended and Restated Payment-in-Lieu-of-Tax Agreement, dated as of December 31, 2012 (the “**Amended and Restated PILOT Agreement**”, and together with the Original PILOT Agreement, the “**PILOT Agreement**”), by and between the Company and the Agency.

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

Indemnification Agreement”), as amended and restated pursuant to a certain Amended and Restated Environmental Compliance and Indemnification Agreement, dated as of December 31, 2012 (the “**Amended and Restated Environmental Compliance and Indemnification Agreement**”, and together with the Original Environmental Compliance and Indemnification Agreement, the “**Environmental Compliance Indemnification Agreement**”) by and between the Company and the Agency.

The Company has now requested the Agency’s assistance in connection with the modification and extension of the abatement of real property taxes on the Facility for a term of up to ten (10) additional years (the “**PILOT Extension**”).

The Agency contemplates that it will provide financial assistance to the Company consistent with the policies of the Agency in the form of abatement of real property taxes.

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

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

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

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

That I have compared the foregoing copy of the minutes of a public hearing held by the Town of Islip Industrial Development Agency (the “**Agency**”) on July 6, 2022, at 11:00 a.m. local time, at the Town of Islip Department of Economic Development, the Office of Economic Development Conference Room, 40 Nassau Avenue, Islip, New York with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of the minutes in connection with such matter.

IN WITNESS WHEREOF, I have hereunto set my hand as of July 6, 2022.

Assistant Secretary

EXHIBIT C

PILOT Schedule

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

Property Address 998 Crooked Hill Road, Brentwood, New York

Tax Map No. 0500-071.00-01.00-013.006

Formula: 10-year abatement starting at 50% of assessed land value decreasing 5% annually¹

Year

- 1 100% normal tax on 50% of the assessed land value
- 2 100% normal tax on 55% of the assessed land value
- 3 100% normal tax on 60% of the assessed land value
- 4 100% normal tax on 65% of the assessed land value
- 5 100% normal tax on 70% of the assessed land value
- 6 100% normal tax on 75% of the assessed land value
- 7 100% normal tax on 80% of the assessed land value
- 8 100% normal tax on 85% of the assessed land value
- 9 100% normal tax on 90% of the assessed land value
- 10 100% normal tax on 95% of the assessed land value
- 11 and beyond 100% normal tax on the assessed land value

¹ PILOT Payments may be stated as fixed figures in Lease and Project Agreement.
4867-0528-9510.3

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JULY 12, 2022**

AGENDA ITEM #7

**TYPE OF RESOLUTION: AUTHORIZING RESOLUTION
TO CONSIDER A MODIFICATION & EXTENSION OF
PILOT BENEFITS**

**COMPANY: 22-50 JACKSON AVE ASSOCIATES, L.P.
2002A FACILITY**

PROJECT LOCATION: N/A

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

INVESTMENT: \$N/A

Date: July 12, 2022

At a meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), held at Islip Town Hall, 655 Main Street, Islip, New York, on the 12th day of July, 2022, 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 a modification and extension of PILOT benefits in connection with a certain industrial development facility more particularly described below (22-50 Jackson Avenue Associates L.P. 2002B 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 APPROVING THE
MODIFICATION AND EXTENSION OF THE PILOT
BENEFITS OF A CERTAIN INDUSTRIAL DEVELOPMENT
FACILITY FOR 22-50 JACKSON AVENUE ASSOCIATES L.P.
2002B FACILITY AUTHORIZING THE EXECUTION AND
DELIVERY OF AMENDMENTS TO THE COMPANY LEASE
AND THE LEASE AGREEMENT AND THE EXECUTION
AND DELIVERY OF DOCUMENTS IN CONNECTION
THEREWITH 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 has previously assisted 22-50 Jackson Avenue Associates L.P., a limited partnership duly organized and validly existing under the laws of the State of New York, having an office at 1 Executive Drive, Edgewood, New York 11717 (the “**Company**”), with the acquisition and leasing of an approximately 372.039 acre parcel of land located at the former Pilgrim Psychiatric Hospital, in Brentwood, Town of Islip, Suffolk County, New York and more particularly in the northerly section of such property south of the Long Island Expressway, west of Crooked Hill Road and west of the Sagtikos Parkway, to be used by the Company for future industrial and economic development purposes (the “**Facility**”); and

WHEREAS, pursuant to Section 1031 of the Internal Revenue Code of 1986, as amended, the Company entered into a tax-deferred exchange (the “**Exchange**”) of certain real property owned by the Company for the premises upon which the Facility was to be located (the “**Facility Land**”); and

WHEREAS, as a condition to the Exchange, Pilgrim LLC (“**Pilgrim**”) acquired the Facility Land; and

WHEREAS, the Agency leased the Facility to Pilgrim pursuant to a certain Lease Agreement, dated as of January 1, 2002 (the “**Original Lease Agreement**”), by and between Pilgrim and the Agency; and

WHEREAS, Pilgrim subleased the Facility to the Company until the Effective Date (as such term is defined in the Assignment, Assumption and Release Agreement defined below) pursuant to a certain Sublease Agreement, dated January 25, 2002 (the “**Sublease**”); and

WHEREAS, pursuant to the Assignment, Assumption and Release Agreement, dated as of January 1, 2002 (the “**Assignment, Assumption and Release Agreement**”), among Pilgrim, the Company and the Agency, Pilgrim assigned to the Company, its rights, title, interest, obligations, liabilities and duties under the Original Lease Agreement, the Payment-in-lieu-of-Tax Agreement, dated as of January 1, 2002 (the “**Original PILOT Agreement**”), among the Company, Pilgrim and the Agency, and the Environmental Compliance and Indemnification Agreement, dated as of January 1, 2002 (the “**Original Environmental compliance and Indemnification Agreement**”), between the Company and the Agency; and

WHEREAS, the Agency and the Company previously agreed to assign to Pilgrim East L.P., a limited partnership duly organized and validly existing under the laws of the State of New York having its principal office at 1 Executive Drive, Edgewood, New York 11717 (“**Pilgrim East**”), that portion of the Original Lease Agreement corresponding to the Facility Land located east of the Sagtikos Parkway (the “**2002A Facility**”) pursuant to a Partial Assignment of Lease, dated December 30, 2002 (the “**Partial Assignment of Lease**”), by and between the Company and Pilgrim East, and a 2002A Facility Lease Agreement, dated as of December 1, 2002, (the “**2002A Facility Lease Agreement**”), between the Agency and Pilgrim East; and

WHEREAS, the remainder of the Facility Land (the “**2002B Facility**”) was leased by the Agency to the Company pursuant to the Amended and Restated Lease Agreement, dated as of December 1, 2002 (the “**First Amended and Restated Lease Agreement**”), between the Agency and the Company, a memorandum of which Amended and Restated Lease Agreement was to be recorded in the Suffolk County Clerk’s Office; and

WHEREAS, in connection with the leasing of the 2002B Facility, the Agency and the Company entered into an Amended and Restated Payment-in-Lieu-of-Tax Agreement, dated as of December 1, 2002 (the “**First Amended and Restated PILOT Agreement**”), which provided for the Company to make payments in lieu of real property taxes on the 2002B Facility; and

WHEREAS, the Agency and the Company previously entered into a certain Amended and Restated Environmental Compliance and Indemnification Agreement dated as of December 1, 2002 (the “**First Amended and Restated Environmental Compliance Agreement**”); and

WHEREAS, the Agency thereafter granted the Company’s request for an extension of benefits, including an extension and modification of payment-in-lieu-of-tax benefits provided under the First Amended and Restated PILOT Agreement for an additional period of ten (10) years; and

WHEREAS, in accordance with such extension of benefits, the Agency and the Company entered into a Second Amended and Restated Lease Agreement, dated as of December 31, 2012 (the “**Second Amended and Restated Lease Agreement**”, and together with the Original Lease Agreement and the First Amended and Restated Lease Agreement, the “**Existing Lease Agreement**”), a Second Amended and Restated PILOT Agreement, dated as of December 31, 2012 (the “**Second Amended and Restated PILOT Agreement**”,

and together with the Original PILOT Agreement and the First Amended and Restated PILOT Agreement, the “**Existing PILOT Agreement**”), and a Second Amended and Restated Environmental Compliance and Indemnification Agreement, dated as of December 31, 2012 (the “**Second Amended and Restated Environmental Compliance and Indemnification Agreement**”), and together with the Original Environmental Compliance and Indemnification Agreement and the First Amended and Restated Environmental Compliance and Indemnification Agreement, the “**Existing Environmental Compliance and Indemnification Agreement**”); and

WHEREAS, the Company has submitted a request for the Agency’s consent to a further extension of benefits, including an extension and modification of payment-in-lieu-of-tax benefits (the “**PILOT Benefits**”) presently provided under the Existing PILOT Agreement, for an additional period of ten (10) years (the “**PILOT Extension**”); and

WHEREAS, in connection with the PILOT Extension, the Agency will reconvey title to the 2002B Facility to the Company, and will take a leasehold interest in the 2002B Facility pursuant to a certain Company Lease Agreement, dated as of July 1, 2022, or such other date as may be determined by the Chairman, Executive Director or counsel to the Agency (the “**Company Lease**”), by and between the Agency and the Company; and

WHEREAS, simultaneous with the reconveyance of title to the 2002B Facility and the execution of the Company Lease, and in connection with the PILOT Extension, the Agency and the Company will amend and restate the Existing Lease Agreement, the Existing PILOT Agreement, and the Existing Environmental Compliance and Indemnification Agreement pursuant to a certain Third Amended and Restated Lease and Project Agreement dated as of July 1, 2022, or such other date as may be determined by the Chairman, Executive Director or counsel to the Agency (the “**Third Amended and Restated Lease Agreement**”), which Third Amended and Restated Lease Agreement shall extend the term of such lease up to ten (10) additional years, and also provide for the recapture of certain economic benefits; and

WHEREAS, the requested PILOT Extension deviates from the Agency’s Uniform Tax Exemption Policy (the “**Policy**”) originally adopted in or around December, 1993, as previously amended, because the PILOT Extension will result in a total term of real property tax abatement of thirty (30) years; and

WHEREAS, the extension of the benefits under the Third Amended and Restated Lease Agreement is necessary to allow the Company to redevelop an important parcel of land in the Town of Islip which redevelopment is expected to promote and maintain the job opportunities, health, general prosperity and economic welfare of the citizens of the Town of Islip; and

WHEREAS, a public hearing (the “**Hearing**”) was held on July 6, 2022, 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 2002B Facility could be heard; and

WHEREAS, notice of the Hearing was given on [____], and such notice (together with proof of publication) is 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 contemplates that it will provide financial assistance to the Company consistent with the policies of the Agency, in the form of extended abatement of real property taxes on the 2002B Facility as shown on Exhibit C annexed hereto, all consistent with the policies of the Agency; and

WHEREAS, the Agency has given due consideration to the application of the Company and to the representations by the Company that the actions of the Agency as contemplated by this resolution, and the Third Amended and Restated Lease Agreement are either an inducement to the Company to maintain and expand the 2002B Facility in the Town of Islip or are necessary to maintain the competitive positions of the Company in its industry; and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the 2002B 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 continued leasing of the 2002B 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 2002B Facility continues to constitute a “project”, as such term is defined in the Act.
- (c) The continued leasing of the 2002B Facility by the Agency to the Company 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.
- (d) Based upon representations of the Company and its counsel, the 2002B 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 2002B Facility is located.

- (e) The 2002B Facility and the operations conducted therein do not have a significant effect on the environment, as determined in accordance with Article 8 of the Environmental Conservation Law of the State of New York and the regulations promulgated thereunder.
- (f) The Agency has determined that the proposed PILOT Extension for the 2002B Facility will promote and further the purposes of the Act.
- (g) It is desirable and in the public interest for the Agency consent to the PILOT Extension and to continue to lease the 2002B Facility to the Company.
- (h) The Third Amended and Restated Lease Agreement will be an effective instrument whereby the Agency and the Company will amend the Existing Lease Agreement, extend the term of the Existing Lease Agreement for a term of up to ten (10) years, set forth the terms and conditions of the PILOT Extension, and amend and restate the Existing PILOT Agreement and the Existing Environmental Compliance and Indemnification Agreement.
- (i) The Project is considered extremely significant and vital to the economic health and well-being of the Town and therefor deviation from the Policy is appropriate.

Section 2. In consequence of the foregoing, the Agency hereby determines to: (i) reconvey title to the 2002B Facility to the Company, (ii) take a leasehold interest in the 2002B Facility pursuant to the Company Lease, (iii) amend and restate the Existing Lease Agreement, the Existing PILOT Agreement, and the Existing Environmental Compliance and Indemnification Agreement to reflect the PILOT Extension, and extending the term of the Existing Lease Agreement for a term of up to ten (10) years, and (vi) execute, deliver and perform the Third Amended and Restated Lease Agreement.

Section 3. Subject to the provisions of this resolution and the Third Amended and Restated Lease Agreement, the Agency is hereby authorized to do all things necessary or appropriate for the execution, delivery and performance of the Agency Documents (as defined below), and such other related documents as may be necessary or appropriate to effect the PILOT Extension for the 2002B Facility.

Section 4. Subject to the provisions of this resolution and the Third Amended and Restated Lease Agreement, the Agency is hereby authorized to grant the PILOT Extension for the 2002B Facility 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. Subject to the provisions of this resolution and the Third Amended and Restated Lease Agreement, the Agency hereby authorizes and approves the following economic benefits to be granted to the Company in the form of extended abatement of real

property taxes on the 2002B Facility as shown on Exhibit C annexed hereto, all consistent with the policies of the Agency.

Section 6. Subject to the provisions of this resolution and the Lease Agreement:

(a) The 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 Company Lease and the Third Amended and Restated Lease Agreement in substantially the form thereof presented to this meeting with such changes, variations, omissions and insertions as the Chairman, Vice Chairman, Chief Executive Officer, or any member of the Agency shall approve, and 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.

(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 7. Subject to the provisions of this resolution, the Agency hereby authorizes and approves the following economic benefits to be granted to the Company in connection with the 2002B Facility in the form extended abatement of real property taxes on the 2002B Facility as shown on Exhibit C annexed hereto, all consistent with the policies of the Agency.

Section 8. Subject to the provisions of this resolution and the Third Amended and Restated 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 9. Any expenses incurred by the Agency with respect to the 2002B Facility shall be paid by the Company. The Company has agreed to pay such expenses and further shall 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 2002B Facility.

Section 10. This resolution shall take effect immediately.

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

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

That I have compared the annexed extract of the minutes of the meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), including the resolutions contained therein, held on July 12, 2022, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

That the Agency Documents contained in this transcript of proceedings is in substantially the form presented to the Agency and/or approved by said meeting.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with the New York Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, that all members of said Agency had due notice of said meeting and that the meeting was all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 12th day of July, 2022.

By: _____
Assistant Secretary

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Title 1 of Article 18-A of the New York State General Municipal Law will be held by the Town of Islip Industrial Development Agency on the 6th day of July, 2022, at 10:30 a.m., local time, at 40 Nassau Avenue, Islip, New York 11751 in connection with the following matters:

The Agency has previously assisted 22-50 Jackson Avenue Associates L.P., a limited partnership duly organized and validly existing under the laws of the State of New York, having an office at 1 Executive Drive, Edgewood, New York 11717 (the “**Company**”), with the acquisition and leasing of an approximately 372.039 acre parcel of land located at the former Pilgrim Psychiatric Hospital, in Brentwood, Town of Islip, Suffolk County, New York and more particularly in the northerly section of such property south of the Long Island Expressway, west of Crooked Hill Road and west of the Sagtikos Parkway, to be used by the Company for future industrial and economic development purposes (the “**Facility**”). The Facility is owned, operated and/or managed by the Company.

The Facility is currently leased by the Agency to the Company pursuant to a certain Amended and Restated Lease Agreement, dated as of December 1, 2002 (the “**Original Lease Agreement**”), as amended and restated pursuant to a certain Second Amended and Restated Lease Agreement, dated as of December 31, 2012 (the “**Second Amended and Restated Lease Agreement**”, and together with the Original Lease Agreement, the “**Lease Agreement**”), by and between the Company and the Agency.

In connection with the leasing of the Facility, the Company and the Agency entered into a certain Amended and Restated Payment-in-Lieu-of-Tax Agreement, dated as of December 1, 2002 (the “**Original PILOT Agreement**”), as amended and restated pursuant to a certain Second Amended and Restated Payment-in-Lieu-of-Tax Agreement, dated as of December 31, 2012 (the “**Second Amended and Restated PILOT Agreement**”, and together with the Original PILOT Agreement, the “**PILOT Agreement**”), by and between the Company and the Agency.

In connection with the leasing of the Facility, the Company and the Agency entered into a certain Amended and Restated Environmental Compliance and Indemnification Agreement, dated as of December 1, 2002 (the “**Original Environmental Compliance and Indemnification Agreement**”), as amended and restated pursuant to a certain Second Amended and Restated Environmental Compliance and Indemnification Agreement, dated as of December 31, 2012 (the “**Second Amended and Restated Environmental Compliance and Indemnification Agreement**”, and together with the Original Environmental Compliance and Indemnification Agreement, the “**Environmental Compliance Indemnification Agreement**”) by and between the Company and the Agency.

The Company has now requested the Agency's assistance in connection with the modification and extension of the abatement of real property taxes on the Facility for a term of up to ten (10) additional years (the "**PILOT Extension**").

The Agency contemplates that it will provide financial assistance to the Company consistent with the policies of the Agency, in the form of abatement of real property taxes.

A representative of the Agency will at the above-stated time and place hear and accept written comments from all persons with views in favor of or opposed to either the proposed financial assistance to the Company or the location or nature of the Facility. At the hearing, all persons will have the opportunity to review the extension of benefits of the proposed Facility.

Dated: July 6, 2022

TOWN OF ISLIP INDUSTRIAL
DEVELOPMENT AGENCY

By: John G. Walser
Title: Executive Director

EXHIBIT B

MINUTES OF PUBLIC HEARING HELD ON
JULY 6, 2022

TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY
(22-50 JACKSON AVENUE ASSOCIATES L.P. 2002B FACILITY)

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

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

The Agency has previously assisted 22-50 Jackson Avenue Associates L.P., a limited partnership duly organized and validly existing under the laws of the State of New York, having an office at 1 Executive Drive, Edgewood, New York 11717 (the “**Company**”), with the acquisition and leasing of an approximately 372.039 acre parcel of land located at the former Pilgrim Psychiatric Hospital, in Brentwood, Town of Islip, Suffolk County, New York and more particularly in the northerly section of such property south of the Long Island Expressway, west of Crooked Hill Road and west of the Sagtikos Parkway, to be used by the Company for future industrial and economic development purposes (the “**Facility**”). The Facility is owned, operated and/or managed by the Company.

The Facility is currently leased by the Agency to the Company pursuant to a certain Amended and Restated Lease Agreement, dated as of December 1, 2002 (the “**Original Lease Agreement**”), as amended and restated pursuant to a certain Second Amended and Restated Lease Agreement, dated as of December 31, 2012 (the “**Second Amended and Restated Lease Agreement**”, and together with the Original Lease Agreement, the “**Lease Agreement**”), by and between the Company and the Agency.

In connection with the leasing of the Facility, the Company and the Agency entered into a certain Amended and Restated Payment-in-Lieu-of-Tax Agreement, dated as of December 1, 2002 (the “**Original PILOT Agreement**”), as amended and restated pursuant to a certain Second Amended and Restated Payment-in-Lieu-of-Tax Agreement, dated as of December 31, 2012 (the “**Second Amended and Restated PILOT Agreement**”, and together with the Original PILOT Agreement, the “**PILOT Agreement**”), by and between the Company and the Agency.

In connection with the leasing of the Facility, the Company and the Agency entered into a certain Amended and Restated Environmental Compliance and Indemnification

Agreement, dated as of December 1, 2002 (the “**Original Environmental Compliance and Indemnification Agreement**”), as amended and restated pursuant to a certain Second Amended and Restated Environmental Compliance and Indemnification Agreement, dated as of December 31, 2012 (the “**Second Amended and Restated Environmental Compliance and Indemnification Agreement**”, and together with the Original Environmental Compliance and Indemnification Agreement, the “**Environmental Compliance Indemnification Agreement**”) by and between the Company and the Agency.

The Company has now requested the Agency’s assistance in connection with the modification and extension of the abatement of real property taxes on the Facility for a term of up to ten (10) additional years (the “**PILOT Extension**”).

The Agency contemplates that it will provide financial assistance to the Company consistent with the policies of the Agency in the form of abatement of real property taxes.

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

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

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

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

That I have compared the foregoing copy of the minutes of a public hearing held by the Town of Islip Industrial Development Agency (the “**Agency**”) on July 6, 2022, at 10:30 a.m. local time, at the Town of Islip Department of Economic Development, the Office of Economic Development Conference Room, 40 Nassau Avenue, Islip, New York with the original thereof on file in the office of the Agency, and that the same is a true and correct copy of the minutes in connection with such matter.

IN WITNESS WHEREOF, I have hereunto set my hand as of July 6, 2022.

Assistant Secretary

EXHIBIT C

PILOT Schedule

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

Property Address 998 Crooked Hill Road, Brentwood, New York

Tax Map No. 0500-071.00-01.00-010.008

Formula: 10-year abatement starting at 50% of assessed land value decreasing 5% annually¹

Year

- 1 100% normal tax on 50% of the assessed land value
- 2 100% normal tax on 55% of the assessed land value
- 3 100% normal tax on 60% of the assessed land value
- 4 100% normal tax on 65% of the assessed land value
- 5 100% normal tax on 70% of the assessed land value
- 6 100% normal tax on 75% of the assessed land value
- 7 100% normal tax on 80% of the assessed land value
- 8 100% normal tax on 85% of the assessed land value
- 9 100% normal tax on 90% of the assessed land value
- 10 100% normal tax on 95% of the assessed land value
- 11 and beyond 100% normal tax on the assessed land value

¹ PILOT Payments may be stated as fixed figures in Lease and Project Agreement.
4890-6398-9282.3

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JULY 12, 2022**

AGENDA ITEM #7

TYPE OF RESOLUTION: AUTHORIZING RESOLUTION

COMPANY: RG 158 CANDLEWOOD, LLC.

**PROJECT LOCATION: 158 CANDLEWOOD DRIVE, BAY
SHORE**

**JOBS (RETAINED/CREATED): RETAINED - 50 -
CREATE - 20 -**

INVESTMENT: \$5,475,000.00

Date: July 12, 2022

At a meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), held at 40 Nassau Avenue, Islip, New York 11751 on the 12th day of July, 2022 the following members of the Agency were:

Present

Excused Absence:

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 acquisition of a leasehold and subleasehold interest in a certain industrial development facility more particularly described below (RG 158 Candlewood LLC/Central National-Gottesman Inc./Duro Dyne National Corp. 2022 Facility) and the leasing of the facility to RG 158 Candlewood LLC for subleasing by RG 158 Candlewood LLC to Central National-Gottesman Inc. and Duro Dyne National Corp.

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

Voting Aye

Voting Nay

Abstain

and, therefore, the resolution was declared duly adopted.

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY APPROVING THE ACQUISITION, RENOVATION AND EQUIPPING OF A CERTAIN INDUSTRIAL DEVELOPMENT FACILITY AND APPROVING THE APPOINTMENT OF RG 158 CANDLEWOOD LLC, A DELAWARE LIMITED LIABILITY COMPANY, ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF RG 158 CANDLEWOOD LLC AND/OR AN ENTITY FORMED OR TO BE FORMED ON BEHALF OF ANY OF THE FOREGOING AND CENTRAL NATIONAL-GOTTESMAN INC., A NEW YORK BUSINESS CORPORATION, ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF CENTRAL NATIONAL-GOTTESMAN INC. AND/OR AN ENTITY FORMED OR TO BE FORMED ON BEHALF OF ANY OF THE FOREGOING AND DURO DYNE NATIONAL CORP., A NEW YORK BUSINESS CORPORATION, ON BEHALF OF ITSELF AND/OR THE PRINCIPALS OF DURO DYNE NATIONAL CORP. 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 AN INDUSTRIAL DEVELOPMENT 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 previously provided its assistance to Paradise Lane Realty LLC, a New York limited liability company (the “**Paradise Lane**”), in the acquisition of an approximately 13.15 acre parcel of land located at 158 Candlewood Road, Bay Shore, New York 11706 (the “**Land**”), the construction and equipping of an approximately 197,248 square foot building to be located thereon, together with driveways, parking lots, landscaping and including, but not limited to, the purchase of racks for storage and related equipment such as high-lows, side-loaders, swing trucks, pickers and power tractors (the “**Original Improvements**” and “**Original Equipment**”; and together with the Land, the “**Original Facility**”), all leased by the Agency to Paradise Lane for subsequent sublease by Paradise Lane to, and used by Rubie’s Costume Company, Inc., a New York business corporation (the “**Rubie’s**”), as a warehouse and distribution center for costumes; and

WHEREAS, the Agency previously acquired title to the Original Facility with a Bargain and Sale Deed from Paradise Lane, dated December 19, 2012 (the “**Deed**”); and

WHEREAS, the Agency leased the Original Facility to Paradise Lane pursuant to a certain Lease Agreement, dated as of December 1, 2012 (the “**Original Lease Agreement**”), by and between the Agency and Paradise Lane, a memorandum of which was to be recorded in the Suffolk County Clerk’s office; and

WHEREAS, the Agency, Paradise Lane and Rubie’s previously entered into a certain Payment-in-Lieu-of-Tax Agreement, dated as of December 1, 2012 (the “**PILOT Agreement**”), by and among the Agency, Paradise Lane and Rubie’s; and

WHEREAS, the Agency, Paradise Lane and Rubie’s previously entered into a certain Environmental Compliance and Indemnification Agreement, dated as of December 1, 2012 (the “**ECIA**”), by and among the Agency, Paradise Lane and Rubie’s; and

WHEREAS, the Agency and Rubie’s previously entered into a certain Agency Compliance Agreement, dated as of December 1, 2012 (the “**Rubie’s Agency Compliance Agreement**”), by and among the Agency and Rubie’s; and

WHEREAS, RG 158 Candlewood LLC, a limited liability company organized and existing under the laws of the State of Delaware or another entity formed or to be formed by RG 158 Candlewood LLC or the principals thereof (collectively, the “**Company**”), previously requested the Agency’s consent to the assignment by Paradise Lane of all of its rights, title, interest and obligations under the Original Lease Agreement, the PILOT Agreement, the ECIA and certain other agreements in connection with the Original Facility to, and the assumption by, the Company of all of such rights, title, interest and obligations of Paradise Lane, and the release of Paradise Lane from any further liability with respect to the Original Facility subject to certain requirements of the Agency, all pursuant to the terms of an Assignment, Assumption and Amendment Agreement, dated as of December 17, 2021 (the “**Assignment, Assumption and Amendment Agreement**”), by and among the Agency, Paradise Lane and the Company; and

WHEREAS, the Agency reconveyed title to the Facility to Paradise Lane pursuant to a Quitclaim Deed, dated December 17, 2021 (the “**Assignment Deed**”), from the Agency to Paradise Lane; and

WHEREAS, Paradise Lane subsequently conveyed title to the Facility to the Company on December 17, 2021; and

WHEREAS, the Agency acquired a leasehold interest in the Land and the Improvements from the Company pursuant to a certain Company Lease Agreement, dated as of December 1, 2021 (the “**Company Lease**”), by and between the Company and the Agency; and

WHEREAS, the Original Lease Agreement was assigned by Paradise Lane and assumed by the Company, pursuant to a certain Assignment and Assumption of Lease

Agreement, dated as of December 17, 2021 (the “**Assignment of Lease Agreement**”), by and between Paradise Lane and the Company, and consented to by the Agency; and

WHEREAS, the Company, Central National-Gottesman 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 Central National-Gottesman Inc. and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, “**CNG**”) and Duro Dyne National Corp., a business corporation organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of Duro Dyne National Corp. and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, “**Duro Dyne**”; and, together with CNG, the “**Sublessees**”) have applied to the Agency, for the Agency’s assistance in (a) [the acquisition of the Land], the renovation and equipping of an approximately 197,248 square foot building located on the Land (the “**Improvements**”), and the acquisition and installation of certain equipment and personal property not part of the Equipment (as such term is defined herein) (collectively, the “**Facility Equipment**” and; together with the Land and the Improvements, the “**Company Facility**”) and (b)(i) the acquisition and installation of certain equipment and personal property, including but not limited to, cutting machinery, racking equipment, office furniture and fixtures, IT infrastructure (collectively, the “**CNG Equipment**”), which CNG Equipment is to be leased by the Agency to CNG, and (ii) the acquisition and installation of certain equipment and personal property, including but not limited to, racking, IT infrastructure, material handling equipment, upgraded electrical and lighting and modular office equipment (collectively, the “**Duro Dyne Equipment**”, and, together with the CNG Equipment, the “**Equipment**”) (the Equipment and the Company Facility, the “**Facility**”), which Duro Dyne Equipment is to be leased by the Agency to Duro Dyne, and which Company Facility is to be leased and subleased by the Agency to the Company and further subleased by the Company of (i) approximately 115,920 square feet of space to CNG and used by CNG in its business of distribution, warehousing, fulfillment and light manufacturing (the “**CNG Premises**”) and (ii) approximately 81,328 square feet of space to Duro Dyne and used by Duro Dyne in its business as a manufacturer of sheet metal components for the HVAC industry (“**Duro Dyne Premises**”; and together with the CNG Premises, collectively, the “**Project**”); and

WHEREAS, the Agency, by resolution duly adopted on June 14, 2022 (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 a fee interest in the Improvements pursuant to a certain Company Lease Agreement, dated as of July 1, 2022, or such other date as the Chairman or 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 July 1, 2022 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 CNG Equipment pursuant to a certain Equipment Bill of Sale (the “**CNG Equipment Bill of Sale**”), from CNG to the Agency; and

WHEREAS, the Agency will lease the CNG Equipment to CNG pursuant to a certain Equipment Lease Agreement, dated as of July 1, 2022 or such other date as the Chairman or Executive Director of the Agency and counsel to the Agency shall agree (the “**CNG Equipment Lease Agreement**”), by and between the Agency and CNG; and

WHEREAS, in connection with the subleasing of the CNG Premises to CNG, CNG and the Agency will enter into a certain Agency Compliance Agreement, dated as of July 1, 2022 or such other date as the Chairman or Executive Director of the Agency and counsel to the Agency shall agree (the “**CNG Agency Compliance Agreement**”), whereby CNG will provide certain assurances to the Agency with respect to the CNG Premises; and

WHEREAS, the Agency will acquire title to the Duro Dyne Equipment pursuant to a certain Equipment Bill of Sale (the “**Duro Dyne Equipment Bill of Sale**”; and, together with the CNG Equipment Bill of Sale, the “**Equipment Bills of Sale**”), from Duro Dyne to the Agency; and

WHEREAS, the Agency will lease the Duro Dyne Equipment to Duro Dyne pursuant to a certain Equipment Lease Agreement, dated as of July 1, 2022 or such other date as the Chairman or Executive Director of the Agency and counsel to the Agency shall agree (the “**Duro Dyne Equipment Lease Agreement**”; and, together with the CNG Equipment Lease Agreement, the “**Equipment Lease Agreements**”), by and between the Agency and Duro Dyne; and

WHEREAS, in connection with the subleasing of the Duro Dyne Premises to Duro Dyne, Duro Dyne and the Agency will enter into a certain Agency Compliance Agreement, dated as of July 1, 2022 or such other date as the Chairman or Executive Director of the Agency and counsel to the Agency shall agree (the “**Duro Dyne Agency Compliance Agreement**”; and, together with the CNG Agency Compliance Agreement, the “**Agency Compliance Agreements**”), whereby Duro Dyne will provide certain assurances to the Agency with respect to the Duro Dyne Premises; and

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company and the Sublessees, consistent with the policies of the Agency, in the form of: (i) exemptions from sales and use taxes in an amount not to exceed \$472,218.75, in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility, and (ii) abatement of real property taxes (as set forth in the PILOT Schedule attached as Exhibit A hereof), all consistent with the policies of the Agency; and

WHEREAS, CNG has represented to the Agency that the approval of the Facility will result in the closure of a plant located at 31 Windsor Place, Central Islip, New York 11772

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 CNG in the Application for Financial Assistance, dated May 24, 2022 (the “**Application**”), the closure of the plant is reasonably necessary for CNG to maintain its competitive position in its industry by enabling CNG to utilize a larger facility and to reduce its total costs of service to customers and is therefore not subject to the prohibitions contained in Section 862 of the Act; and

WHEREAS, in accordance with Section 859-a(5)(d) of the Act, the Agency has notified the chief executive officers of Central Islip and Suffolk County of the removal of CNG’s facility in Central Islip, New York and its relocation to Bay Shore, Town of Islip, Suffolk County, New York; and

WHEREAS, the Agency has given due consideration to the application of the Company and the Sublessees 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 subleasing 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 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 a total of sixty (60) 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 Sublessees, and the leasing of the Equipment 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) Based upon the representations of CNG, the transactions contemplated by the CNG Equipment Lease Agreement and related documents 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 CNG to maintain its competitive position in its industry by enabling CNG to utilize a larger facility and to reduce its total costs of service to customers and is therefore not subject to the prohibitions contained in Section 862 of the Act; and

(f) 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

(g) Based upon representations of the Company, the Sublessees and respective 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

(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 Sublessees; 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 subleases and leases 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 Agency may recapture some or all of the benefits granted to the Company; and

(k) The Equipment Lease Agreements will be an effective instrument whereby the Agency leases the respective Equipment to the Sublessees; and

(l) The Agency Compliance Agreements will be an effective instrument whereby the Sublessees will provide certain assurances to the Agency with respect to the Facility.

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) 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 Sublessees pursuant to the Equipment

Lease Agreements, (vi) execute, deliver and perform the Equipment Lease Agreements, and (vii) execute and deliver the Agency Compliance Agreements.

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 each 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 hereby authorizes and approves the following economic benefits to be granted to the Company in connection with the acquisition, renovation and equipping of the Facility in the form of (i) exemptions from sales and use taxes in an amount not to exceed \$472,218.75, in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility, and (ii) abatement of real property taxes (as set forth in the PILOT Schedule attached as Exhibit A hereof), all consistent with the policies of the Agency.

Section 6. 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 \$472,218.75, in connection with the purchase or lease of equipment, building materials, services or other personal property; provided however, such appointment may be extended at the discretion of the Agency, upon the written request of the Company 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 7. 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 8. The form and substance of the Company Lease, the Lease Agreement, the Equipment Lease Agreements and the Agency Compliance Agreements (each in substantially the forms presented to or approved by the Agency and which, prior to the execution and delivery thereof, may be redated and renamed) are hereby approved

Section 9.

(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 Company Lease, the Lease Agreement, the Equipment Lease Agreements, the Agency Compliance Agreements, all in substantially the forms thereof presented to this meeting with such changes, variations, omissions and insertions as 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 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.

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

Section 10. 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 11. 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 July 12, 2022, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

That the Agency Documents contained in this transcript of proceedings is in substantially the form presented to the Agency and/or approved by said meeting.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with the New York Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, that all members of said Agency had due notice of said meeting and that the meeting was all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 12th day of July, 2022.

Assistant Secretary

EXHIBIT A

Proposed PILOT Benefits

Formula for In-Lieu-of-Taxes Payment: The 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.

Property Address: 158 Candlewood Road, Bay Shore, New York

Tax Map No.: 0500-181.00-02.00-043.003

School District: Brentwood School District

Definitions

Normal Tax Due = Those payments for taxes and assessments, other than special ad valorem levies, special assessments and service charges against real property located in the Town of Islip, Brentwood School District, Suffolk County (including any existing incorporated village or any village which may be incorporated after the date thereof, 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>Payment Formula</u>
1	100% Normal Tax Due on X and 50% Normal Tax Due on Y
2	100% Normal Tax Due on X and 55% Normal Tax Due on Y
3	100% Normal Tax Due on X and 60% Normal Tax Due on Y
4	100% Normal Tax Due on X and 65% Normal Tax Due on Y
5	100% Normal Tax Due on X and 70% Normal Tax Due on Y
6	100% Normal Tax Due on X and 75% Normal Tax Due on Y
7	100% Normal Tax Due on X and 80% Normal Tax Due on Y
8	100% Normal Tax Due on X and 85% Normal Tax Due on Y
9	100% Normal Tax Due on X and 90% Normal Tax Due on Y
10	100% Normal Tax Due on X and 95% 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 JULY 12, 2022

AGENDA ITEM #8

TYPE OF RESOLUTION: RESOLUTION TO AMEND THE
2020 AUTHORIZING RESOLUTION

COMPANY: DURODYNE SPENCE, LLC.

PROJECT LOCATION: 81 SPENCE STREET, BAY
SHORE

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

INVESTMENT: \$N/A

Date: July 12, 2022

At a meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), held in public session on July 12, 2022, at 40 Nassau Avenue, Islip, New York 11751, at which meeting the following members 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 amendment of an authorizing resolution to a certain industrial development facility more particularly described below (Duro Dyne National Corp. 2022 Facility).

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

Voting Aye

Voting Nay

AMENDED RESOLUTION OF THE TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL
ACTION TOWARD APPOINTING DURO DYNE NATIONAL
CORP., A NEW YORK BUSINESS CORPORATION ON
BEHALF OF ITSELF AND/OR THE PRINCIPALS OF DURO
DYNE NATIONAL CORP. 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, Duro Dyne Spence 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 Duro Dyne Spence LLC and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Original Company**”) and Duro Dyne National Corp., a business corporation organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of Duro Dyne National Corp. and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the “**Sublessee**”), previously submitted their Application for Financial Assistance, dated April 27, 2020 (the “**Original Application**”), to the Agency, to enter into a transaction in which the Agency will assist in the acquisition of an approximately 5.36 acre parcel of land located at 81 Spence Street Bay Shore, New York (the “**Land**”), and the renovation of an approximately 130,000 square foot building located thereon (the “**Improvements**”), and the acquisition and installation therein of certain equipment and personal property (the “**Equipment**”; and together with the Land and the Improvements, the “**Facility**”), which Facility is to be leased by the Agency to the Company and further subleased by the Company to the Sublessee to be used for manufacturing in its business of a manufacturer and distributor of HVAC products (the “**Original Project**”); and

WHEREAS, the Agency, by resolution duly adopted on June 16, 2020 (the “**Original Authorizing Resolution**”), authorized the acquisition, renovation and equipping of such facility and the execution and delivery of the Agency Documents (as defined therein); and

WHEREAS, subsequent to the Original Authorizing Resolution, the Sublessee submitted an amended Application for Financial Assistance, dated June 23, 2022 (the

“Amended Application”; and, together with the Original Application, the **“Application”**), to the Agency, which Amended Application reflected that (i) the Original Company would not be a part of the Project and that the Sublessee would now be the Company in connection with the Project, (ii) the estimated sales and use tax originally approved in the amount of \$40,561, was increased to \$46,602, due to an increased in the costs of the Project, and (iii) the Land is now owned by AG-MRA 81 Spence Street, LLC, a Delaware limited liability company (the **“Owner”**) and the Owner will lease the Facility to the Company for further subleasing by the Company to the Agency; and

WHEREAS, the Agency intends to amend its Original Authorizing Resolution in order to reflect (i) the amended description of the Project, and (ii) the increase in sales tax benefits up to \$46,602 to include the acquisition, renovation and equipping of the Facility; and

WHEREAS, in connection with such amendment to the Original Authorizing Resolution, the Original Project is now described as: Duro Dyne National Corp., a business corporation organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of Duro Dyne National Corp. and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the **“Company”**), has requested the Agency, to enter into a transaction in which the Agency will assist in the acquisition of an approximately 5.36 acre parcel of land located at 81 Spence Street Bay Shore, New York (the **“Land”**), and the renovation of an approximately 130,000 square foot building located thereon (the **“Improvements”**), and the acquisition and installation therein of certain equipment and personal property (the **“Equipment”**; and together with the Land and the Improvements, the **“Facility”**), which Facility is to be sub-subleased by the Agency to the Company to be used for manufacturing in its business of a manufacturer and distributor of HVAC products (the **“Project”**); and

WHEREAS, the Owner will lease the Facility to the Company pursuant to a lease agreement, to be dated a date to be determined (the **“Ground Lease”**), between the Owner and the Company; and

WHEREAS, the Company will sublease the Facility to the Agency pursuant to the Company Lease Agreement, dated as of July 1, 2022, or such other date as may be determined by the Agency and counsel to the Agency (the **“Company Lease”**), between the Company and the Agency; and

WHEREAS, the Agency will sub-sublease the Facility to the Company pursuant to the Lease and Project Agreement, dated as of July 1, 2022, or such other date as may be determined by the Agency and counsel to the Agency (the **“Lease Agreement”**), between the Agency and the Company; and

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company, in the form of exemptions from sales and use taxes in an amount not to exceed \$46,602, in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility, all consistent with the policies of the Agency; 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 ratifies and confirms all terms contemplated under the Original Authorizing Resolution, as amended by this Amended Authorizing Resolution, including the Agency Documents (as defined therein); and

WHEREAS, the Company has agreed to indemnify the Agency against certain losses, claims, expenses, damages and liabilities that may arise in connection with the transaction contemplated by the leasing of the Facility by the Agency to the Company

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

Section 1. The Agency hereby amends the Original Authorizing Resolution to (i) amend the description of the Original Project, (ii) to reflect an increase in the amount of sales tax exemption, such that any reference to the sales tax exemption in the amount of \$40,561 therein is hereby amended to read \$46,602, and (iii) the Owner holds fee title to the Facility.

Section 2. Any expenses incurred by the Agency with respect to amendment of the Original Project shall be paid by the Company. The Company shall agree to pay such expenses and further agrees 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 amendment of the Original Project and the increase of sales and use tax benefits for the Facility.

Section 3. In connection with the Facility, the Agency hereby authorizes and approves the following benefits to be granted to the Company in connection with the acquisition, renovation and equipping of the Facility in the form of exemptions from sales and use taxes in an amount not to exceed \$46,602, in connection with the purchase or lease of equipment, building materials, services or other personal property with respect to the Facility, consistent with the policies of the Agency.

Section 4. The Agency hereby ratifies and confirms all terms contemplated by the Original Authorizing Resolution, as amended by this Amended Authorizing Resolution, including the Agency Documents.

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 12th day of July, 2022, 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 (i) all members of the Agency had due notice of said meeting, pursuant to Sections 103a and 104 of the Public Officers Law (Open Meetings Law), (ii) said meeting was open to the general public and public notice of the time and place of said meeting was duly given in accordance with such Sections 103a and 104, (iii) the meeting in all respects was duly held, and (iv) there was a quorum present throughout.

IN WITNESS WHEREOF, I have hereunto set my hand as of July 12, 2022.

By: _____
Assistant Secretary

**TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JULY 12, 2022**

AGENDA ITEM #9

TYPE OF RESOLUTION: RESOLUTION TO RELEASE
LAND

COMPANY: 55 PARADISE LANE REALTY, LLC 2019
FACILITY

PROJECT LOCATION: 40 HAROLD CT, BAY SHORE

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

INVESTMENT: \$N/A

Date: July 12, 2022

At a meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), held at 40 Nassau Avenue, Islip, New York 11751 on the 12th day of July, 2022 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 take action on certain matters pertaining to the release of a certain parcel of land in connection with the Agency’s 55 Paradise Lane Realty LLC 2019 Facility, the execution and delivery of documents with respect thereto.

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
RELEASE OF A CERTAIN PARCEL OF LAND AND THE
EXECUTION AND DELIVERY OF DOCUMENTS IN
CONNECTION THEREWITH FOR THE 55 PARADISE
LANE REALTY LLC 2019 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 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 previously assisted 55 Paradise Lane Realty LLC, a New York limited liability company (the “**Company**”), in the acquisition of an approximately 10.75 acre parcel of land located at 40 Harold Court, Bay Shore, New York 11706 (the “**Land**”), the construction of an approximately 180,000 square foot building with an option to include an approximately 34,560 square foot mezzanine, for a total of up to 214,560 square feet of leasable space 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 subleased by the Company to various future tenants (the “**Tenants**”), for use as warehouse and manufacturing space (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 March 1, 2019 (the “**Original Company Lease**”), by and between the Company and the Agency, a memorandum of which was to be recorded in the Suffolk County Clerk’s office; and

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

WHEREAS, the Agency subleased and leased the Facility to the Company pursuant to a certain Lease and Project Agreement, dated as of March 1, 2019 (the “**Original Lease Agreement**”), by and between the Agency and the Company, a memorandum of which was to be recorded in the Suffolk County Clerk’s office; and

WHEREAS, pursuant to Section 5.1(c) of the Original Lease Agreement, the Company was required to make PILOT Payments (as such term is defined therein) on the Facility commencing with the 2020/2021 Tax Year; and

WHEREAS, the Company previously requested the Agency's consent to the delay of the commencement of PILOT Payments on the Facility until the 2022/2023 Tax Year (the "**PILOT Commencement Delay**"); and

WHEREAS, the Agency will consented to the PILOT Commencement Delay and the Original Lease Agreement will be amended pursuant to a certain Amendment of Lease and Project Agreement, dated as of December 29, 2020 (the "**Lease Amendment**"), by and between the Agency and the Company; and

WHEREAS, RG 55 Paradise LLC, a limited liability company organized and existing under the laws of the State of Delaware (the "**Assignee**"), thereafter requested the Agency's consent to the assignment by the Company of all of its rights, title, interest and obligations under the Company Lease, the Lease Agreement and certain other agreements in connection with the Facility to, and the assumption by, the Assignee of all of such rights, title, interest and obligations of the Company, and the release of the Company from any further liability with respect to the Facility subject to certain requirements of the Agency, all pursuant to the terms of an Assignment, Assumption and Amendment Agreement, dated as of December 1, 2020 (the "**Assignment, Assumption and Amendment Agreement**"), by and among the Agency, the Company and the Assignee; and

WHEREAS, the Original Company Lease was assigned by the Company and assumed by the Assignee, pursuant to a certain Assignment and Assumption of Company Lease Agreement, dated as of December 1, 2020 (the "**Assignment of Company Lease Agreement**"), and together with the Original Company Lease and the Assignment, Assumption, and Amendment Agreement, the "**Company Lease**"), by and between the Company and the Assignee and consented to by the Agency; and

WHEREAS, the Original Lease Agreement was assigned by the Company and assumed by the Assignee, pursuant to a certain Assignment and Assumption of Lease Agreement, as of December 1, 2020 (the "**Assignment of Lease Agreement**"), and together with the Original Lease Agreement and the Assignment, the Amendment Agreement, and the Assignment, Assumption, and Amendment Agreement, the "**Lease Agreement**"), by and between the Company and the Assignee, and consented to by the Agency; and

WHEREAS, the Town of Islip (the "**Town**"), is requesting that the Assignee dedicate a small portion of the Land by conveying title to such portion to the Town for the improvement of a Town road; and

WHEREAS, in connection with such dedication, the Assignee has now requested that the Agency consent to the release a portion of the Land from the Facility (the "**Released Property**"); and

WHEREAS, in connection with such Released Property, the Agency and the Assignee agree to modify the description of the Land conveyed by the Company Lease and the Lease Agreement; and

WHEREAS, it is the intent of the parties hereto to amend the definition of the Facility in the Company Lease and the Lease Agreement to exclude the Released Property therefrom pursuant to a certain Amendment and Modification Agreement, to be dated as of July 1, 2022, or such other date as may be approved by the Chair, the Executive Director of the Agency and counsel to the Agency (the “**Amendment and Modification Agreement**”); and

WHEREAS, the Assignee 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 release of the Released Property from the Facility.

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

Section 1. The Agency hereby finds and determines:

(a) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

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

(c) The acquisition, demolition, construction, equipping and operation of the Facility by the Assignee will continue to 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

(d) The Amendment and Modification Agreement will be an effective instrument whereby the Agency provides for the release of the Released Property from the Company Lease and the Lease Agreement.

Section 2. In consequence of the foregoing, the Agency hereby determines to execute and deliver the Amendment and Modification Agreement and any other documents required to release the Released Property from the Facility.

Section 3. The form and substance of the Amendment and Modification Agreement (in substantially the form presented to the Agency or in such form as the Chair, the Executive Director, counsel to the Agency or any member of the Agency shall approve, and which, prior to the execution and delivery thereof, may be redated) is hereby approved.

Section 4. The Chair, 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 Amendment and Modification Agreement and any other documents required to release the Released Property from the Facility in substantially the form presented to this meeting or in such forms as 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 and counsel to the Agency,

necessary or appropriate to effect the transactions contemplated by this resolution (collectively, 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 8. 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 9. 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 July 12, 2022, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

That the Agency Documents contained in this transcript of proceedings is in substantially the form presented to the Agency and/or approved by said meeting.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with the New York Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, that all members of said Agency had due notice of said meeting and that the meeting was all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 12th day of July, 2022.

Assistant Secretary

TOWN OF ISLIP
INDUSTRIAL DEVELOPMENT AGENCY
AGENDA ITEMS FOR JULY 12, 2022

AGENDA ITEM #10

TYPE OF RESOLUTION: RESOLUTION TO APPROVE AN
ASSIGNMENT OF AN IDA TRANSACTION

COMPANY: VMH PROPERTIES, LLC/WHITSON'S
FOOD SERVICE (BRONX) CORP 2020 FACILITY

PROJECT LOCATION: 3300 VETERANS MEMORIAL
HWY, BOHEMIA

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

INVESTMENT: \$N/A

Date: July 12, 2022

At a meeting of the Town of Islip Industrial Development Agency (the “Agency”), held at 40 Nassau Avenue, Islip, New York 11751 on the 12th day of July, 2022, the following members of the Agency were:

Present:

Absent:

Also Present:

After the meeting had been duly called to order, the Chairman announced that among the purposes of the meeting was to consider and take action on the assignment and assumption of the Agency’s VMH Properties, LLC/Whitsons Food Service (Bronx) Corp. 2020 Facility, the execution and delivery of documents with respect thereto and the sale of the Facility to Sterling Investors Holdings LLC.

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

Voting Aye

Voting Nay

RESOLUTION OF THE TOWN OF ISLIP INDUSTRIAL DEVELOPMENT AGENCY APPROVING THE ASSIGNMENT AND ASSUMPTION OF A CERTAIN INDUSTRIAL DEVELOPMENT FACILITY TO STERLING INVESTORS HOLDINGS LLC, A DELAWARE LIMITED LIABILITY COMPANY OR ANOTHER ENTITY FORMED OR TO BE FORMED BY STERLING INVESTORS HOLDINGS LLC, OR THE PRINCIPALS THEREOF AS AGENT(S) OF THE AGENCY FOR THE PURPOSE OF ACQUIRING, THE FACILITY AND APPROVING THE FORM, SUBSTANCE AND EXECUTION OF RELATED DOCUMENTS.

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

WHEREAS, the Agency has previously provided its assistance to VMH Properties, LLC, a limited liability company organized and existing under the laws of the State of New York (the “**Original Company**”), in connection with the acquisition of an approximately 6.4 acre parcel of land located at 3300 Veterans Memorial Highway, Bohemia, New York (the “**Land**”), the renovation of an approximately 43,600 square foot building located on the Land (the “**Improvements**”), and the acquisition and installation therein of certain equipment and personal property (the “**Equipment**”; and together with the Land and the Improvements, the “**Facility**”), which Facility is leased by the Agency to the Company and subleased, in part, by the Original Company to Whitsons Food Service (Bronx) Corp., a New York business corporation (the “**Sublessee**”), and is used by the Original Company and the Sublessee for administrative offices and warehousing of packaged food products for distribution (the “**Project**”); and

WHEREAS, the Original Company leased the Land and the Improvements to the Agency pursuant to the terms of a certain Company Lease Agreement, dated as of December 1, 2020 (the “**Original Company Lease**”), by and between the Original Company and the Agency; and

WHEREAS, the Original Company transferred title to the Facility Equipment to the Agency pursuant to a certain Bill of Sale, dated December 1, 2020 (the “**Bill of Sale**”); and

WHEREAS, the Agency is currently subleasing and leasing the Company Facility to the Original Company, pursuant to a Lease and Project Agreement, dated as of December 1, 2020 (the “**Original Lease Agreement**”); and

WHEREAS, the Original Company sub-subleased a portion of the Facility pursuant to the terms of a certain Sublease Agreement, dated December 1, 2020 (the “**Sublease**”); and

Agreement”), by and between the Original Company, as sublessor, and the Sublessee, as sublessee; and

WHEREAS, Sterling Investors Holdings LLC, a limited liability company organized under the laws of the State of Delaware and authorized to transact business in the State of New York (the “**Assignee**”) has requested the Agency’s consent to the assignment by the Original Company of all of its rights, title, interest and obligations under the Original Company Lease, the Original Lease Agreement and certain other agreements in connection with the Facility to, and the assumption by, the Assignee of all of such rights, title, interest and obligations of the Original Company, and the release of the Original Company from any further liability with respect to the Facility subject to certain requirements of the Agency, all pursuant to the terms of an Assignment, Assumption and Amendment Agreement, to be dated as of July 1, 2022, or such other date as may be determined by the Chairman, Executive Director and counsel to the Agency (the “**Assignment, Assumption and Amendment Agreement**”), by and among the Agency, the Original Company and the Assignee; and

WHEREAS, the Original Company Lease will be assigned by the Original Company and assumed by the Assignee, pursuant to a certain Assignment and Assumption of Company Lease Agreement, to be dated as of July 1, 2022, or such other date as may be determined by the Chairman, Executive Director and counsel to the Agency (the “**Assignment of Company Lease Agreement**”), by and between the Original Company and the Assignee and consented to by the Agency; and

WHEREAS, the Original Lease Agreement will be assigned by the Original Company and assumed by the Assignee, pursuant to a certain Assignment and Assumption of Lease Agreement, to be dated as of July 1, 2022, or such other date as may be determined by the Chairman, Executive Director and counsel to the Agency (the “**Assignment of Lease Agreement**”), by and between the Original Company and the Assignee, and consented to by the Agency; and

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

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

WHEREAS, the Agency contemplates that it will provide financial assistance to the Company, consistent with the policies of the Agency, in the form of continued abatement of real property taxes (as set forth in the PILOT Schedule attached as Exhibit A hereof), all consistent with the policies of the Agency; and

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

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

Section 1. The Agency hereby finds and determines:

(a) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

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

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

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

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

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

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

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

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

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

consent to the assignment of the Original Company Lease pursuant to the Assignment of Company Lease; (iv) execute, deliver and perform the Assignment of Company Lease; (v) consent to the assignment and assumption of the Original Lease Agreement pursuant to the Assignment of Lease Agreement; (vi) execute, deliver and perform the Assignment of Lease Agreement; and (vii) execute and deliver the other Assignment Documents.

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

Section 14. The Agency hereby authorizes and approves the following economic benefits to be granted to the Assignee in connection with the acquisition of the Facility in the form of the continued abatement of real property taxes (as set forth in the PILOT Schedule attached as Exhibit A hereof).

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

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

Section 8.

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

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

Section 9. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Agency Documents, and to execute and deliver all such additional certificates, instruments and documents, pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Agency Documents binding upon the Agency.

Section 10. This resolution shall take effect immediately.

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

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

That I have compared the annexed extract of the minutes of the meeting of the Town of Islip Industrial Development Agency (the “**Agency**”), including the resolutions contained therein, held on July 12, 2022, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

That the Agency Documents contained in this transcript of proceedings is in substantially the form presented to the Agency and/or approved by said meeting.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with the New York Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, that all members of said Agency had due notice of said meeting and that the meeting was all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of the 12th day of July, 2022.

By: _____
Assistant Secretary

EXHIBIT A

PILOT Schedule

Formula of PILOT Payments: Town of Islip (including any existing incorporated village and any village which may be incorporated after the date thereof, within which the facility is wholly or partially located), Connetquot School District, Suffolk County and Appropriate Special Districts:

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>
2021/2022	50% Normal Tax Due on the taxable assessed value
2022/2023	55% Normal Tax Due on the taxable assessed value
2023/2024	60% Normal Tax Due on the taxable assessed value
2024/2025	65% Normal Tax Due on the taxable assessed value
2025/2026	70% Normal Tax Due on the taxable assessed value
2026/2027	75% Normal Tax Due on the taxable assessed value
2027/2028	80% Normal Tax Due on the taxable assessed value
2028/2029	85% Normal Tax Due on the taxable assessed value
2029/2030	90% Normal Tax Due on the taxable assessed value
2030/2031	95% Normal Tax Due on the taxable assessed value
And thereafter: 100% Normal Tax Due on the full taxable assessed value	

PILOT Payments shall be allocated among the Taxing Authorities in proportion to the amount of real property tax and other taxes which would have been received by each Taxing Authority if the Facility was owned by the Company exclusive of the Agency's leasehold interest.

All annual PILOT Payments as described above shall be payable in two equal semi-annual installments on or prior to January 10 and May 31 of each year of the Lease Term or on such other due dates as may be established from time to time during the Lease Term.

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

No. 2

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Meeting of the Town of Islip Resource Recovery Agency 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:

Martin Bellew

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

enclosure:

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



**ISLIP RESOURCE RECOVERY AGENCY
JULY 12, 2022**

1. Call the Meeting of the Islip Resource Recovery Agency to Order.
2. Approval of the Minutes for the June 14, 2022 Agency Board Meeting.
3. Resolution authorizing optional services for the existing contract between the Agency and FPM Group for Design and Construction Management of the New Truck Loading Ramp at the Multi-Purpose Recycling Facility.
4. Resolution authorizing optional services for the existing contract between the Agency and FPM Group for Special Inspection Services required by NYS Building Code regarding the Construction of a New Truck Loading Ramp at the Multi-Purpose Recycling Facility.
5. Other Business
6. Adjournment



ISLIP RESOURCE RECOVERY AGENCY

June 14, 2022

On a motion of Chairwoman Carpenter, seconded by Councilperson Cochrane and unanimously approved, a meeting of the Islip Resource Recovery Agency was convened at 3:45 p.m. in the Town Board Room of Islip Town Hall, 655 Main Street, Islip, NY 11751. A Quorum was present for this Agency Board Meeting.

DIRECTORS PRESENT

Angie M. Carpenter
Mary Kate Mullen
James P. O'Connor
Jorge Guadrón
John C. Cochrane, Jr.

OFFICERS PRESENT

Martin Bellew, President
Linda Bunde, Secretary

On a motion of Councilperson Cochrane, seconded by Councilperson O'Connor and unanimously approved, the minutes from the May 10, 2022 Agency Board Meeting were approved.

On a motion of Councilperson Mullen, seconded by Councilperson Cochrane and unanimously approved, a resolution was passed authorizing the President to increase tipping fees, as necessary, at the Town of Islip's Multi-Purpose Recycling Facility, Compost Facility, Blydenburgh Rd. Landfill and the MacArthur Waste-to-Energy Facility for delivery of materials from other than Town sources.

On a motion of Councilperson Cochrane, seconded by Councilperson Mullen, and unanimously approved, a resolution was passed authorizing the President to enter into Contract MRF-TLB-2022-00 between the Agency and J. Anthony Enterprises, Inc. for the Construction of a New Truck Loading Ramp at the Multi-Purpose Recycling Facility.

There being no further business to come before the Board, the meeting was adjourned on a motion of Councilperson Chairwoman Carpenter, seconded by Councilperson O'Connor, and unanimously approved.

Respectfully submitted,

Linda Bunde
Secretary

**ISLIP RESOURCE RECOVERY AGENCY
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

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

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

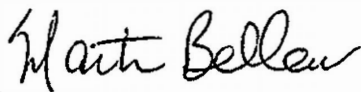
AUTHORIZATION OF OPTIONAL SERVICES FOR THE EXISTING CONTRACT BETWEEN THE ISLIP RESOURCE RECOVER AGENCY (THE AGENCY) AND FPM GROUP (FPM), REGARDING ADDITIONAL DESIGN & CM SERVICES FOR THE CONSTRUCTION OF A NEW TRUCK LOADING RAMP AT THE MULTI-PURPOSE RECYCLING FACILITY.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Islip Resource Recovery Agency
 2. Site or Location affected by resolution: Multi-Purpose Recycling Facility
 3. Cost: \$50,369
 4. Budget Line: TBD
 5. Amount and source of outside funding: N/A
-

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

- ☐ Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of NYCRR. Short EAF required.
-



Signature of President/Department Head Sponsor

6/28/22

Date

July 12, 2022

Agenda Item # _____

AUTHORIZATION OF OPTIONAL SERVICES FOR THE EXISTING CONTRACT BETWEEN THE ISLIP RESOURCE RECOVER AGENCY (THE AGENCY) AND FPM GROUP (FPM), FOR DESIGN AND CONSTRUCTION MANAGEMENT SERVICES FOR THE CONSTRUCTION A NEW TRUCK LOADING RAMP AT THE MULTI-PURPOSE RECYCLING FACILITY

WHEREAS, on April 21, 2020 the Agency Board passed a resolution to enter into a Contract between the Agency and FPM Group to provide Professional Engineering Services; and

WHEREAS, the contract specifically authorizes the performance of optional services upon written authorization by the Agency; and

WHEREAS, additional detailed structural engineering analysis and design was necessary to complete the design of the truck ramp; and

WHEREAS, this required a structural engineering sub-consultant who performed the work to allow FPM to complete the bid package; and

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

RESOLVED, that the Agency Board authorizes additional Design and Construction Management Services for the existing contract between the Agency and FPM Group, 540 Johnson Ave., Suite 101, Bohemia, NY 11716, for a total cost of \$50,369.

UPON A VOTE being taken, the result was _____.

**ISLIP RESOURCE RECOVERY AGENCY
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS**

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

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

AUTHORIZATION OF OPTIONAL SERVICES FOR THE EXISTING CONTRACT BETWEEN THE ISLIP RESOURCE RECOVER AGENCY (THE AGENCY) AND FPM GROUP (FPM), REGARDING SPECIAL INSPECTION SERVICES REQUIRED BY NEW YORK STATE BUILDING CODE FOR THE CONSTRUCTION OF A NEW TRUCK LOADING RAMP AT THE MULTI-PURPOSE RECYCLING FACILITY.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Islip Resource Recovery Agency
 2. Site or Location affected by resolution: Multi-Purpose Recycling Facility
 3. Cost: \$46,205
 4. Budget Line: TBD
 5. Amount and source of outside funding: N/A
-

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

- ☐ Type 1 action under 6NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of NYCRR. Short EAF required.
-



Signature of President/Department Head Sponsor

6/28/22

Date

July 12, 2022

Agenda Item # _____

AUTHORIZATION OF OPTIONAL SERVICES FOR THE EXISTING CONTRACT BETWEEN THE ISLIP RESOURCE RECOVER AGENCY (THE AGENCY) AND FPM GROUP (FPM), REGARDING SPECIAL INSPECTION SERVICES REQUIRED BY NEW YORK STATE BUILDING CODE FOR THE CONSTRUCTION OF A NEW TRUCK LOADING RAMP AT THE MULTI-PURPOSE RECYCLING FACILITY.

WHEREAS, on April 21, 2020 the Agency Board passed a resolution to enter into a Contract with FPM Group to provide Professional Engineering Services; and

WHEREAS, the contract specifically authorizes the performance of optional services upon written authorization by the Agency; and

WHEREAS, New York State Building Code requires special inspection services; and

WHEREAS, FPM shall perform these services; and

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

RESOLVED, that the Agency Board authorizes Special Inspection Services as required by NYS Building Code for the existing contract between the Agency and FPM Group, 540 Johnson Ave., Suite 101, Bohemia, NY 11716, for a total cost of \$46,205.

UPON A VOTE being taken, the result was _____.

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

No. 3

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to enter into the Agreement for Professional Services with Faithful Friends Veterinary Services, PC on an "as-needed" basis through 2022.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

Martin Bellew

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

enclosure:

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

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

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

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

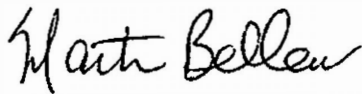
Resolution Authorizing the Supervisor to enter into an Agreement for Professional Services with Faithful Friends Veterinary Services, PC (Laura J. Fiore, DVM) to provide NYS Licensed Veterinary Services to the Town of Islip Animal Shelter And Adopt-A-Pet Center (The "Shelter") on an "As-Needed" Basis Through the Year 2022 with the option for one (1) two (2) year extension.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Animals at the Town of Islip's Animal Shelter and Adopt-a-Pet Center
2. Site or Location affected by resolution: Town of Islip Animal Shelter & Adopt-a-Pet Center
3. Cost: \$90/hr. as needed, not to exceed budgetary constraints.
4. Budget Line: A3150.4-5150
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

6-28-22

Date

July 12, 2022
Reso # _____

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES WITH FAITHFUL FRIENDS VETERINARY SERVICES, PC (LAURA J. FIORE, DVM) TO PROVIDE NYS LICENSED VETERINARY SERVICES TO THE TOWN OF ISLIP ANIMAL SHELTER AND ADOPT-A-PET CENTER (THE "SHELTER") ON AN "AS-NEEDED" BASIS THROUGH 2022 WITH THE OPTION FOR ONE (1) TWO (2) YEAR EXTENSION.

WHEREAS, the Town of Islip owns and operates a municipal animal shelter, and;

WHEREAS, part of the mission of the Shelter is to provide medical care and treatment for all animals in the care, custody and control of the Shelter;

WHEREAS, towards this end, the Shelter secured the services of a NYS Licensed Veterinarian on an "as-needed" basis; and

WHEREAS, the Town of Islip entered into an Agreement on February 12, 2019 with Faithful Friends Veterinary Services, PC (Laura J. Fiore, DVM); and

WHEREAS, the term of the this Agreement allowed for the option of a one, (1) two-year extension period, which has expired and the Town would like to continue using the Services of Laura J. Fiore, DVM; and

WHEREAS, the Town agrees to compensate Faithful Friends Veterinary Services P.C. (Laura J. Fiore, DVM) \$90/hour for professional services. Such sum will be payable upon submission of a properly documented Town of Islip Claim Voucher

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

RESOLVED, that the Supervisor is authorized to enter into the Agreement for Professional Services with Faithful Friends Veterinary Services, PC (Laura J. Fiore, DVM); for the provision of Veterinary Services at the Shelter, on an "as-needed" basis through 2022 with the option for one (1) two (2) year extension.

UPON A VOTE BEING TAKEN, the result was: _____

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

No. 4

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

FROM: 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:

Taryn Jewell, 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, July 12, 2022 at 2:00 pm

1)	6 Mindres Avenue, Brentwood	0500-115.00-02.00-050.000	CU
2)	16 Twin River Drive, Oakdale	0500-300.00-01.00-008.000	CU
3)	27 Claire Lane, Sayville	0500-331.00-02.00-053.000	BC
4)	38 Redington Street, Bay Shore	0500-368.00-01.00-010.000	CU
5)	52 Ash Street, Central Islip	0500-143.00-04.00-033.000	BC
6)	122 Myrtle Avenue, West Islip	0500-469.00-02.00-011.000	DEMO**
7)	122 Myrtle Avenue, West Islip	0500-469.00-02.00-011.000	BC**
8)	133 Irving Street, Central Islip	0500-141.00-03.00-023.000	BC
9)	230 Seaman Avenue, Bayport	0500-410.00-02.00-006.001	BC
10)	460 Hoffman Lane, Hauppauge	0500-005.00-01.00-007.000	BC
11)	1152 E. 3 rd Avenue, Bay Shore	0500-315.00-02.00-033.003	DEMO

** - demo is for main dwelling only.

** - board up is for the 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 6 Mindres Avenue, Brentwood, NY 11722.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 6 Mindres Avenue, Brentwood, NY 11722
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

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

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

Tamara L. Jewell
Signature of Commissioner/Department Head Sponsor

6/28/2022
Date

July 12, 2022

WHEREAS, numerous reports and complaints regarding high grass, overgrown vegetation and litter and debris on property located at 6 Mindres Avenue, Brentwood, Town of Islip, County of Suffolk, State of New York, SCTM No. 0500-115.00-02.00-050.000, 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, Ludys M. Velasquez, by Certified Mail, Return Receipt requested on June 28, 2022, 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 July 12, 2022; 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 June 28, 2022, 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 July 12, 2022, 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, July 12, 2022, at Islip Town Hall, Town Board Room, 655 Main Street, Islip, New York, 11751, at 2:00 P.M. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Town's determination; and

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

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

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

RESOLVED, that the Town Attorney be and he hereby is authorized to order that the work be done to cut and remove the high grass and overgrown vegetation from the property, repair or remove the fence in disrepair along with removing 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. 0500-115.00-02.00-050.000.

UPON a vote being taken, the result was:
(G: Clean Up - 6 Mindres Avenue, Brentwood)

TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS

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

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

To authorize the Town Board of the Town of Islip to order that the work be done to clean up the vacant premises located at 16 Twin River Drive, 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: 16 Twin River Drive, 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 (8). 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

6/28/2022
Date

July 12, 2022

WHEREAS, numerous reports and complaints regarding high grass, overgrown vegetation and litter and debris on property located at 16 Twin River Drive, Oakdale, NY 11769, Town of Islip, County of Suffolk, State of New York, SCTM No. 0500-300.00-01.00-008.000, 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, US Bank National Association, and also upon Specialized Loan Servicing LLC, and also upon Select Portfolio Servicing, and also upon Safeguard Properties Management LLC, by Certified Mail, Return Receipt requested on June 28, 2022, 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 July 12, 2022; 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 June 28, 2022, 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 July 12, 2022, 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, July 12, 2022, at Islip Town Hall, Town Board Room, 655 Main Street, Islip, New York, 11751, at 2:00 P.M. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Town's determination; and

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

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

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

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

RESOLVED, that the Town Attorney be and he hereby is authorized to order that the work be
done to cut and remove the high grass and overgrown vegetation from the property along with all litter
and debris (including any and all unregistered vehicles/boats/trailers), and be it

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

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with
the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on
which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel No. 0500-
300.00-01.00-008.000.

UPON a vote being taken, the result was:

(G: Clean Up - 16 Twin River Drive, Oakdale, NY 11769)

TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS

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

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

To authorize the Town Board of the Town of Islip to order that the work be done to board up and clean the vacant premises located at 27 Claire Lane, Sayville, NY 11782.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 27 Claire Lane, Sayville, NY 11782
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

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

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

Tamara L. Jewell
Signature of Commissioner/Department Head Sponsor

6/28/2022
Date

July 12, 2022

WHEREAS, the Chief Building Inspector or Authorized Agent (the “Inspector”) of the Town of Islip has declared a certain building(s) and real property situated at 27 Claire Lane, Sayville, Town of Islip, County of Suffolk, State of New York, to be unsafe, hazardous and a public nuisance the result of being vacant and unsecured, with evidence of unauthorized entry, high grass, overgrown vegetation and litter and debris on the premises; and

WHEREAS, pursuant to Chapter 68, §68-30 and Chapter 32, §32-5 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be served upon the owner of the said premises at the last known address of record, Estate of Robert Meier, and also upon Champion Mortgage, and also upon Xome Field Services, by Registered Mail, Return Receipt Requested on June 28, 2022, 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 July 12, 2022; and

WHEREAS, pursuant to Chapters 68 and 32 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be posted in a conspicuous place on the said premises on June 28, 2022, which Notice directed the commencement of the removal of said nuisance within (five) days after service of the Notice and completion of removal prior to July 12, 2022; 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 July 12, 2022, at Islip Town Hall, 655 Main Street, Islip, New York, at 2:00 p.m. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Inspector’s determination; and

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

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

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

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

RESOLVED, that the Inspector be and he hereby is authorized to order that the work be done to secure the building(s), to HUD standards, to wit: 5/8 inch plywood, painted gray and bolted from the interior and cut and remove the high grass and overgrown vegetation from the property and remove all litter and debris (including any and all unregistered vehicles/boats/trailers), by the lowest responsible bidder, and be it

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

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel No. 0500-331.00-02.00-053.000.

UPON a vote being taken, the result was:
(G:\Board up/Clean-up - 27 Claire Lane, 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: 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 38 Redington Street, 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: 38 Redington Street, 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). 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

6/28/2022
Date

July 12, 2022

WHEREAS, numerous reports and complaints regarding high grass, overgrown vegetation and litter and debris on property located at 38 Redington Street, Bay Shore, Town of Islip, County of Suffolk, State of New York, SCTM No. 0500-368.00-01.00-010.000, 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, Meri S. Crespo, and also upon Woodmont Horn LLC, by Certified Mail, Return Receipt requested on June 28, 2022, 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 July 12, 2022; 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 June 28, 2022, 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 July 12, 2022, 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, July 12, 2022, at Islip Town Hall, Town Board Room, 655 Main Street, Islip, New York, 11751, at 2:00 P.M. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Town's determination; and

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

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

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

RESOLVED, that the Town Attorney be and he hereby is authorized to order that the work be done to cut and remove the high grass and overgrown vegetation from the property along with all litter and debris (including any and all unregistered vehicles/boats/trailers), and be it

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

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel No. 0500-368.00-01.00-010.000.

UPON a vote being taken, the result was:
(G: Clean Up - 38 Redington Street, 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 board up and clean the vacant premises located at 52 Ash Street, Central Islip, NY 11722.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 52 Ash Street, Central Islip, NY 11722
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

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

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

Tanya L Jewell
Signature of Commissioner/Department Head Sponsor

6/28/2022
Date

July 12, 2022

WHEREAS, the Chief Building Inspector or Authorized Agent (the “Inspector”) of the Town of Islip has declared a certain building(s) and real property situated at 52 Ash Street, Central Islip, Town of Islip, County of Suffolk, State of New York, to be unsafe, hazardous and a public nuisance the result of being vacant and unsecured, with evidence of unauthorized entry, high grass, overgrown vegetation and litter and debris on the premises; and

WHEREAS, pursuant to Chapter 68, §68-30 and Chapter 32, §32-5 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be served upon the owner of the said premises at the last known address of record, MGRG of NY1 LLC, and also upon MGRG of NY1 LLC, c/o Eric Gothelf, by Registered Mail, Return Receipt Requested on June 28, 2022, 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 July 12, 2022; and

WHEREAS, pursuant to Chapters 68 and 32 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be posted in a conspicuous place on the said premises on June 28, 2022, which Notice directed the commencement of the removal of said nuisance within (five) days after service of the Notice and completion of removal prior to July 12, 2022; 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 July 12, 2022, at Islip Town Hall, 655 Main Street, Islip, New York, at 2:00 p.m. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Inspector’s determination; and

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

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

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

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

RESOLVED, that the Inspector be and he hereby is authorized to order that the work be done to secure the building(s), to HUD standards, to wit: 5/8 inch plywood, painted gray and bolted from the interior, remove or repair the fence in disrepair and cut and remove the high grass and overgrown vegetation from the property and remove all graffiti, litter and debris (including any and all unregistered vehicles/boats/trailers), by the lowest responsible bidder, and be it

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

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel No. 0500-143.00-04.00-033.000.

UPON a vote being taken, the result was:
(G:\Board up/Clean-up - 52 Ash Street, Central Islip)

TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS

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

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

To authorize the Town Board of the Town of Islip to order that the work be done to demolish the vacant premises located at 122 Myrtle Avenue, West Islip, NY 11795.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 122 Myrtle Avenue, West Islip, NY 11795
 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). SEQOR 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

6/28/2022
Date

July 12, 2022

WHEREAS, the Chief Building Inspector or Authorized Agent (the “Inspector”) of the Town of Islip has declared a certain dwelling and real property situated at 122 Myrtle Avenue, West Islip, 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, Carmille Marano, and also upon MERS, and also upon Fremont Investment & Loan, and also upon LaSalle Bank National Association, as Trustee, and also upon Ocwen Loan Servicing, LLC, by Regular Mail and Registered Return Receipt Requested on June 28, 2022, 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 July 12, 2022; 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 June 28, 2022, 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 July 12, 2022; 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 July 12, 2022, at Islip Town Hall, 655 Main Street, Town Board Room, Islip, New York, at 2:00 p.m. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Inspector’s determination; and

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

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

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

NOW, THEREFORE, 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 main dwelling 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 - 0500-469.00-02.00-011.000.

Upon a vote being taken, the result was:

(G:\Demo –122 Myrtle Avenue, West Islip)

TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS

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

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

To authorize the Town Board of the Town of Islip to order that the work be done to board up and clean the vacant premises located at 122 Myrtle Avenue, West Islip, NY 11795.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 122 Myrtle Avenue, West Islip, NY 11795
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

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

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

Tanya L. Jewell
Signature of Commissioner/Department Head Sponsor

6/28/2022
Date

July 12, 2022

WHEREAS, the Chief Building Inspector or Authorized Agent (the “Inspector”) of the Town of Islip has declared a certain building(s) and real property situated at 122 Myrtle Avenue, West Islip, Town of Islip, County of Suffolk, State of New York, to be unsafe, hazardous and a public nuisance the result of being vacant and unsecured, with evidence of unauthorized entry, high grass, overgrown vegetation and litter and debris on the premises; and

WHEREAS, pursuant to Chapter 68, §68-30 and Chapter 32, §32-5 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be served upon the owner of the said premises at the last known address of record, Carmille Marano, and also upon MERS, and also upon Fremont Investment & Loan, and also upon LaSalle Bank National Association, as Trustee, and also upon Ocwen Loan Servicing, LLC, by Registered Mail, Return Receipt Requested on June 28, 2022, 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 July 12, 2022; and

WHEREAS, pursuant to Chapters 68 and 32 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be posted in a conspicuous place on the said premises on June 28, 2022, which Notice directed the commencement of the removal of said nuisance within (five) days after service of the Notice and completion of removal prior to July 12, 2022; 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 July 12, 2022, at Islip Town Hall, 655 Main Street, Islip, New York, at 2:00 p.m. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Inspector’s determination; and

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

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

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

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

RESOLVED, that the Inspector be and he hereby is authorized to order that the work be done to secure the detached garage, to HUD standards, to wit: 5/8 inch plywood, painted gray and bolted from the interior and cut and remove the high grass and overgrown vegetation from the property and remove all litter and debris (including any and all unregistered vehicles/boats/trailers), by the lowest responsible bidder, and be it

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

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel No. 0500-469.00-02.00-011.000.

UPON a vote being taken, the result was:
(G:\Board up/Clean-up - 122 Myrtle Avenue, West Islip)

TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS

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

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

To authorize the Town Board of the Town of Islip to order that the work be done to board up and clean the vacant premises located at 133 Irving Street, Central Islip, NY 11722.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 133 Irving Street, Central Islip, NY 11722
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

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

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

Tamara L. Jewell
Signature of Commissioner/Department Head Sponsor

6/28/2022
Date

July 12, 2022

WHEREAS, the Chief Building Inspector or Authorized Agent (the “Inspector”) of the Town of Islip has declared a certain building(s) and real property situated at 133 Irving Street, Central Islip, Town of Islip, County of Suffolk, State of New York, to be unsafe, hazardous and a public nuisance the result of being vacant and unsecured, with evidence of unauthorized entry, high grass, overgrown vegetation and litter and debris on the premises; and

WHEREAS, pursuant to Chapter 68, §68-30 and Chapter 32, §32-5 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be served upon the owner of the said premises at the last known address of record, Dolores Estevez, and also upon Deutsche Bank National Trust Company, as Trustee, and also upon Select Portfolio Servicing, and also upon Safeguard Properties Management LLC, by Registered Mail, Return Receipt Requested on June 28, 2022, 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 July 12, 2022; and

WHEREAS, pursuant to Chapters 68 and 32 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be posted in a conspicuous place on the said premises on June 28, 2022, which Notice directed the commencement of the removal of said nuisance within (five) days after service of the Notice and completion of removal prior to July 12, 2022; 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 July 12, 2022, at Islip Town Hall, 655 Main Street, Islip, New York, at 2:00 p.m. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Inspector’s determination; and

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

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

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

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

RESOLVED, that the Inspector be and he hereby is authorized to order that the work be done to secure the building(s), to HUD standards, to wit: 5/8 inch plywood, painted gray and bolted from the interior, repair or remove the fence in disrepair and cut and remove the high grass and overgrown vegetation from the property and remove all litter and debris (including any and all unregistered vehicles/boats/trailers), by the lowest responsible bidder, and be it

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

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel No. 0500-141.00-03.00-023.000.

UPON a vote being taken, the result was:
(G:\Board up/Clean-up - 133 Irving Street, Central Islip)

TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS

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

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

To authorize the Town Board of the Town of Islip to order that the work be done to board up and clean the vacant premises located at 230 Seaman Avenue, Bayport, NY 11705.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 230 Seaman Avenue, Bayport, NY 11705
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

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

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

Tamara L Jewell
Signature of Commissioner/Department Head Sponsor

6/28/2022
Date

July 12, 2022

WHEREAS, the Chief Building Inspector or Authorized Agent (the “Inspector”) of the Town of Islip has declared a certain building(s) and real property situated at 230 Seaman Avenue, Bayport, Town of Islip, County of Suffolk, State of New York, to be unsafe, hazardous and a public nuisance the result of being vacant and unsecured, with evidence of unauthorized entry, high grass, overgrown vegetation and litter and debris on the premises; and

WHEREAS, pursuant to Chapter 68, §68-30 and Chapter 32, §32-5 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be served upon the owner of the said premises at the last known address of record, Dennis Buckshaw and Dennis Buckshaw, Jr., by Registered Mail, Return Receipt Requested on June 28, 2022, 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 July 12, 2022; and

WHEREAS, pursuant to Chapters 68 and 32 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be posted in a conspicuous place on the said premises on June 28, 2022, which Notice directed the commencement of the removal of said nuisance within (five) days after service of the Notice and completion of removal prior to July 12, 2022; 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 July 12, 2022, at Islip Town Hall, 655 Main Street, Islip, New York, at 2:00 p.m. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Inspector’s determination; and

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

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

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

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

RESOLVED, that the Inspector be and he hereby is authorized to order that the work be done to secure the building(s), to HUD standards, to wit: 5/8 inch plywood, painted gray and bolted from the interior and cut and remove the high grass and overgrown vegetation from the property and remove all litter and debris (including any and all unregistered vehicles/boats/trailers), by the lowest responsible bidder, and be it

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

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel No. 0500-410.00-02.00-006.001.

UPON a vote being taken, the result was:
(G:\Board up/Clean-up - 230 Seaman Avenue, Bayport)

TOWN OF ISLIP
SPONSOR'S MEMORANDUM
FOR TOWN BOARD RESOLUTIONS

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

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

To authorize the Town Board of the Town of Islip to order that the work be done to board up and clean the vacant premises located at 460 Hoffman Lane, Hauppauge, NY 11788.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 460 Hoffman Lane, Hauppauge, NY 11788
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

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

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

Tanya L Jewell
Signature of Commissioner/Department Head Sponsor

6/28/2022
Date

July 12, 2022

WHEREAS, the Chief Building Inspector or Authorized Agent (the “Inspector”) of the Town of Islip has declared a certain building(s) and real property situated at 460 Hoffman Lane, Hauppauge, Town of Islip, County of Suffolk, State of New York, to be unsafe, hazardous and a public nuisance the result of being vacant and unsecured, with evidence of unauthorized entry, high grass, overgrown vegetation and litter and debris on the premises; and

WHEREAS, pursuant to Chapter 68, §68-30 and Chapter 32, §32-5 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be served upon the owner of the said premises at the last known address of record, John N. and Stephanie A. Calenzo, and also upon MERS, and also upon Newrez LLC, by Registered Mail, Return Receipt Requested on June 28, 2022, 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 July 12, 2022; and

WHEREAS, pursuant to Chapters 68 and 32 of the Code of the Town of Islip, the said Inspector has caused a Notice directing the removal of the said nuisance to be posted in a conspicuous place on the said premises on June 28, 2022, which Notice directed the commencement of the removal of said nuisance within (five) days after service of the Notice and completion of removal prior to July 12, 2022; 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 July 12, 2022, at Islip Town Hall, 655 Main Street, Islip, New York, at 2:00 p.m. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Inspector’s determination; and

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

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

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

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

RESOLVED, that the Inspector be and he hereby is authorized to order that the work be done to secure the building(s), to HUD standards, to wit: 5/8 inch plywood, painted gray and bolted from the interior, secure the roof, and cut and remove the high grass and overgrown vegetation from the property and remove all litter and debris (including any and all unregistered vehicles/boats/trailers), by the lowest responsible bidder, and be it

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

FURTHER RESOLVED, that all costs and expenses incurred by the Town in connection with the proceeding to remove the said nuisance shall be annexed as a Special Assessment to the property on which the nuisance is located, which property is designated by Suffolk County Tax Map Parcel No. 0500-005.00-01.00-007.000.

UPON a vote being taken, the result was:
(G:\Board up\Clean-up - 460 Hoffman Lane, Hauppauge)

Schedule A Description

Title Number ABS-19503-NY

Page 1

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Islip at Hauppauge, County of Suffolk, State of New York, generally described as follows:

BEGINNING at a point on the westerly side of Hoffman Lane, distant southerly 835.74 feet from the corner formed by the intersection of the southerly side of Town Line Road and the westerly side of Hoffman Lane;

RUNNING THENCE along the westerly side of Hoffman Lane, South 10 degrees 7 minutes West, 228 feet;

THENCE North 85 degrees 50 minutes West, 176.42 feet;

THENCE North 10 degrees 7 minutes East, 228 feet to a point;

THENCE South 85 degrees 50 minutes East, 178.42 feet to the point and place of BEGINNING.

FOR INFORMATION ONLY:

Premises known as: 460 Hoffman Lane, Hauppauge, New York
District 0500 - Section 05.00 - Block 01.00 - Lot 007.000

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 located at 1152 E. 3rd Avenue, Bay Shore, NY 11706.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Surrounding area residents and travelers of Location
 2. Site or location effected by resolution: 1152 E. 3rd Avenue, Bay Shore, NY 11706
 3. Cost: N/A
 4. Budget Line: N/A
 5. Amount and source of outside funding: N/A
-

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

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

6/28/2022
Date

July 12, 2022

WHEREAS, the Chief Building Inspector or Authorized Agent (the “Inspector”) of the Town of Islip has declared a certain dwelling and real property situated at 1152 E. 3rd Avenue, Bay Shore, 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, Waleed Shahbaz and Raza Hussain, and also upon Sajo Real Estate Investors, Inc., c/o Alan Kovacs, by Registered Return Receipt Requested on June 28, 2022, 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 July 12, 2022; 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 June 28, 2022, 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 July 12, 2022; 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 July 12, 2022, at Islip Town Hall, 655 Main Street, Town Board Room, Islip, New York, at 2:00 p.m. to determine whether the removal of the described nuisance should be accomplished by the Town of Islip, and allow any interested person to have an opportunity to present evidence in opposition to the Inspector’s determination; and

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

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

NOW, THEREFORE, 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 building 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 - 0500-315.00-02.00-033.003.

Upon a vote being taken, the result was:
(G:\Demo -1152 E. 3rd Avenue, Bay Shore)

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

No. 5

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Authorization for the Supervisor to enter into a renewal contract with
Welsbach Electric Corp. of Long Island for the first one-year extension.**

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:

David Lopez

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

enclosure:

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

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

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

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

On June 18, 2019, the Town Board awarded DPW 4-2019, Installation and Maintenance of Street Lights, to Welsbach Electric Corp. of Long Island, 300 Newtown Road, Plainview, New York 11803. The length of this contract is from July 17, 2019 to July 17, 2022 with two additional one (1) year extensions.

This resolution will authorize the Town Board to exercise the option to renew DPW 4-2019 for the first one-year extension from July 17, 2022 to July 17, 2023.

SPECIFY WHERE APPLICABLE:

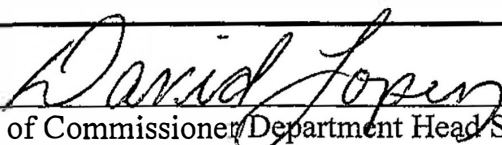
1. Entity or individual benefitted by resolution: Residents of the Town of Islip
2. Site or location effected by resolution: Various Locations
3. Cost: \$942,167.20/per year
4. Budget Line: SL5182.22505/SL 5182.44125
5. Amount and source of outside funding: N/A

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

4/26/22
Date

July 12, 2022
Resolution #

WHEREAS, on June 18, 2019, the Town of Islip Town Board (“the Town”) awarded DPW 4-2019, Installation and Maintenance of Street Lights, to Welsbach Electric Corp. of Long Island, 300 Newtown Road, Plainview, New York 11803; and

WHEREAS, the original term for said contract was from July 17, 2019 to July 17, 2022 with the Town’s option to renew for two additional one (1) year periods; and

WHEREAS, the Commissioner of the Department of Public Works, Thomas Owens, hereby recommends that the Town exercise its option to renew the contract for the first one-year extension period through July 17, 2023; and

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

RESOLVED, that the Town Board of the Town of Islip hereby exercises the Town’s option to renew its contract with Welsbach Electric Corp. of Long Island for the first one-year extension from July 17, 2022 to July 17, 2023; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to execute any and all documents necessary for the renewal of the Contract, if any, the form and content of which shall be subject to the approval of the Town Attorney; and be it further

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

Upon a vote being taken, the result was:

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

No. 6

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

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:

David Lopez

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

6/22/22

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 A
TRAFFIC SIGNAL CONTROLS
ADD**

LOCATION

DESCRIPTION OF SIGNAL

Blue Point Road and Blue Point Road West
at Waverly Avenue (HTV)

Semi-vehicle actuated

**STOP AND YIELD INTERSECTIONS
AMEND TO READ
INTERSECTION**

SIGN

CONTROLLING TRAFFIC

Bayview Drive at Byron Lake Access
Road and Tide Court (OKD)

Stop

East on Byron Lake Access Road;
North/South on Bayview Drive;
West on Tide Court

Browns River Road at River Road
and Sayville Beach (Lot No. 3) Exit (SVL)

Stop

South on River Road; North out
of Sayville Beach (Lot 3) Exit;
West out of Lands End Parking Lot

Jackson Avenue at Lukens Avenue (BWD) ~~Yield~~ Stop

North on Lukens Avenue

**STOP AND YIELD INTERSECTIONS
DELETE
INTERSECTION**

SIGN

CONTROLLING TRAFFIC

Blue Point Road at Waverly Avenue
(HTV)

Stop

West on Blue Point Road;
North/South on Waverly Avenue

Blue Point Road West at Waverly Avenue
(HTV)

Stop

East on Blue Point Road West

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

LOCATION	REGULATION	HOURS/DAYS
Edison Avenue/West From 265 ft. north of Motor Parkway for 350 ft. (HPG)	No parking	

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

LOCATION	REGULATION	HOURS/DAYS
Dolores Avenue/North From 825 ft. west of Brown Street for 140 ft. (CIS)	No parking	7:00 a.m. to 3:00 p.m. School Days

**SCHEDULE M
TRUCK EXCLUSIONS
AMEND TO READ**

NAME OF STREET	LIMITS
Belmore Avenue (NGR)	From Manhattan Boulevard to Sunrise Highway North Service Road <u>From Spur Drive North to Manhattan Blvd.</u>
Commercial Avenue (EIS) <u>(NGR)</u>	From Sunrise Highway North Service Road to East Roslyn Street <u>From East Roslyn Street to East Nassau Street</u>
East Nassau Street (EIS) <u>(NGR)</u>	From Commercial Avenue to Connetquot Avenue <u>From Belmore Avenue to Connetquot Avenue</u>

**SCHEDULE M
TRUCK EXCLUSIONS
DELTE**

NAME OF STREET	LIMITS
East Roslyn Street (EIS)	From Connetquot Avenue to Commercial Avenue

**SCHEDULE M
TRUCK EXCLUSIONS
ADD**

NAME OF STREET

LIMITS

Atlantic Avenue (NGR)

From East Roslyn Street to East Nassau Street

Pacific Avenue (NGR)

From East Roslyn Street to East Nassau Street

TRAFFIC CODE AMENDMENT SUMMATIONS

LOCATION: **BLUE POINT ROAD AND BLUE POINT ROAD WEST AT WAVERLY AVENUE, HOLTSVILLE**

REGULATION: None

REQUESTED BY: Traffic Safety

RECOMMENDATION: Semi-vehicle actuated traffic signal

BRIEF JUSTIFICATION: To update Town Code Book. Intersection is signalized

LOCATION: **BAYVIEW DRIVE AT BYRON LAKE ACCESS ROAD AND TIDE COURT, OAKDALE**

REGULATION: Existing - Stop signs control traffic east on Byron Lake Access Road and north/south on Bayview Drive

REQUESTED BY: Traffic Safety

RECOMMENDATION: Install a stop sign to control traffic west on Tide Court

BRIEF JUSTIFICATION: To correct Town Code Book to reflect existing field conditions

LOCATION: **BROWNS RIVER ROAD AT RIVER ROAD AND SAYVILLE BEACH (LOT NO. 3) EXIT, SAYVILLE**

REGULATION: Existing - Stop signs control traffic south on River Road; north out of Sayville Beach (Lot 3) exit

REQUESTED BY: Traffic Safety

RECOMMENDATION: Install a stop sign to control traffic west out of Lands End parking lot

BRIEF JUSTIFICATION: Residential Traffic Management

TRAFFIC CODE AMENDMENT SUMMATIONS

LOCATION: JACKSON AVENUE AT LUKENS AVENUE, BRENTWOOD

REGULATION: Existing – Yield sign controls traffic north on Lukens Avenue

REQUESTED BY: Traffic Safety

RECOMMENDATION: Replace the yield sign with a stop sign

BRIEF JUSTIFICATION: Limited sight, should be stop, not yield, for current field conditions

LOCATION: BLUE POINT ROAD AT WAVERLY AVENUE, HOLTSVILLE

REGULATION: Existing - Stop signs control traffic west on Blue Point Road; north/south on Waverly Avenue

REQUESTED BY: Traffic Safety

RECOMMENDATION: Delete ordinance from Town Code Book

BRIEF JUSTIFICATION: To correct Town Code Book. Intersection has been signalized for years, was never added to Schedule A

LOCATION: BLUE POINT ROAD WEST AT WAVERLY AVENUE, HOLTSVILLE

REGULATION: Existing - Stop sign controls traffic east on Blue Point Road West

REQUESTED BY: Traffic Safety

RECOMMENDATION: Delete ordinance from Town Code Book

BRIEF JUSTIFICATION: To correct Town Code Book. Intersection has been signalized for years, was never added to Schedule A

TRAFFIC CODE AMENDMENT SUMMATIONS

LOCATION: **EDISON AVENUE/WEST, HAUPPAUGE**

REGULATION: Existing – Parking Restriction

REQUESTED BY: Traffic Safety

RECOMMENDATION: Delete ordinance from Town Code Book

BRIEF JUSTIFICATION: Previous DMV commercial test site that is no longer in use/has been relocated

LOCATION: **DOLORES AVENUE/NORTH, CENTRAL ISLIP**

REGULATION: None

REQUESTED BY: Traffic Safety

RECOMMENDATION: Restrict parking from 825 feet west of Brown Street for 140 feet 7:00 a.m. to 3:00 p.m. School Days

BRIEF JUSTIFICATION: Previous DMV commercial test site that is no longer in use/has been relocated

LOCATION: **BELMORE AVENUE, NORTH GREAT RIVER**

REGULATION: Existing – Truck Restriction

REQUESTED BY: Traffic Safety

RECOMMENDATION: Extending truck restriction from Spur Drive North to Manhattan Blvd.

BRIEF JUSTIFICATION: Modifying existing truck exclusions in area for better consistency

TRAFFIC CODE AMENDMENT SUMMATIONS

LOCATION: COMMERCIAL AVENUE, NORTH GREAT RIVER

REGULATION: Existing -- Truck Restriction

REQUESTED BY: Traffic Safety

RECOMMENDATION: Extending truck restriction from East Roslyn Street to East Nassau Street

BRIEF JUSTIFICATION: Modifying existing truck exclusions in area for better consistency

LOCATION: EAST NASSAU STREET, NORTH GREAT RIVER

REGULATION: Existing -- Truck Restriction

REQUESTED BY: Traffic Safety

RECOMMENDATION: Extending truck restriction from Belmore Avenue to Connetquot Avenue

BRIEF JUSTIFICATION: Modifying existing truck exclusions in area for better consistency

LOCATION: EAST ROSLYN STREET, NORTH GREAT RIVER

REGULATION: Existing -- Truck Restriction

REQUESTED BY: Traffic Safety

RECOMMENDATION: Delete exclusion from Town Code Book

BRIEF JUSTIFICATION: New York State is directing truck traffic through this route

TRAFFIC CODE AMENDMENT SUMMATIONS

LOCATION: ATLANTIC AVENUE, NORTH GREAT RIVER

REGULATION: None

REQUESTED BY: Traffic Safety

RECOMMENDATION: To install truck restriction on Atlantic Avenue from East Roslyn Street to East Nassau Street

BRIEF JUSTIFICATION: To eliminate frequent truck traffic

LOCATION: PACIFIC AVENUE, NORTH GREAT RIVER

REGULATION: None

REQUESTED BY: Traffic Safety

RECOMMENDATION: To install truck restriction on Pacific Atlantic Avenue from East Roslyn Street to East Nassau Street

BRIEF JUSTIFICATION: To eliminate frequent truck traffic

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

No. 7

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Town Clerk to advertise for a Public Hearing to consider modifying Islip Town Code, Chapter 35, entitled "Noise".

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

July 12, 2022
Resolution No.

WHEREAS, the Town Islip currently penalizes any person violating provisions of Chapter 35 within the Town of Islip; and

WHEREAS, certain modifications are deemed necessary to portions of the Islip Town Code, Chapter 35, entitled "Noise", in order to more effectively prosecute such violations.

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 to consider modifying Islip Town Code, Chapter 35, entitled "Noise", to allow for proper prosecution of code violation as follows:

SEE ATTACHED

Additions are indicated by UNDERLINING
Deletions are indicated by STRIKEOUTS

Upon a vote being taken, the result was:

NOTICE OF PUBLIC HEARING

ON

PROPOSED CHANGES TO ISLIP TOWN CODE, CHAPTER 35, ENTITLED "NOISE"

PLEASE TAKE NOTICE that the Town Board of the Town of Islip will hold a Public Hearing on **August 9, 2022 at 2:00 p.m.**, or as soon thereafter as this matter may be heard, at Islip Town Hall, 655 Main Street, Islip, New York, to hear any and all persons either for or against to consider modifications to the Islip Town Code, Chapter 35, entitled "Noise", a copy of which is available at the offices of the Town Clerk of the Town of Islip at 655 Main Street, Islip, New York.

Any person or party wishing to be heard with respect to the foregoing may do so, through Zoom Webinar, by agent, by attorney, or by written comment addressed to the Islip Town Clerk, 655 Main Street, Islip, New York 11751 and actually received by the date and time of the public hearing as set forth herein.

TOWN BOARD, TOWN OF ISLIP

Dated at Islip, NY

, 2022

Olga H. Murray
Town Clerk, Town of Islip

CHAPTER 35: NOISE

§ 35-2 Definitions.

Noise Disturbance.

A. That level of sound which, in each context described in § 35-3, either:

- (1) Annoys or disturbs a reasonable person of normal auditory sensitivities; or
- (2) Is clearly audible outside the residential, real property boundary from which it originates; or
- (3) Is loud, disturbing, unusual, unreasonable and unnecessary as well as audible outside the structure or the real property boundary from which it originates.

B. A noise disturbance may be substantiated by either of the following:

- (1) Sworn affidavits from two or more residents who are in general agreement as to the times and durations of the noise and who reside in separate residences, apartments, condominiums, or any other place of residence; or
- (2) A noise in excess of the maximum permissible A-weighted sound levels, as measured by a sound level device, authorized by Noise Control Table 1.[1]; ~~or~~
- (3) The personal observation of a noise disturbance by a duly sworn Police Officer or a Town of Islip Peace Officer.

§ 35-6 Penalties for offenses.

Any person or business entity who shall violate any of the provisions of this chapter shall be guilty of an offense, and such violation shall be punishable by a fine of not less than \$100 and not more than \$500 for a first offense, by a fine of not less than \$500 and not more than \$1,000 for a second offense, and for any offenses thereafter, a fine not less than \$1,000 and not more than \$1,500, and for any such offense whatsoever, in addition to a monetary fine as described herein, said violation could result in imprisonment for a period not in excess of 15 days.

CHAPTER 35: NOISE

§ 35-2 Definitions.

Noise Disturbance.

A. That level of sound which, in each context described in § 35-3, either:

- (1) Annoys or disturbs a reasonable person of normal auditory sensitivities; or
- (2) Is clearly audible outside the residential, real property boundary from which it originates; or
- (3) Is loud, disturbing, unusual, unreasonable and unnecessary as well as audible outside the structure or the real property boundary from which it originates.

B. A noise disturbance may be substantiated by either of the following:

- (1) Sworn affidavits from two or more residents who are in general agreement as to the times and durations of the noise and who reside in separate residences, apartments, condominiums, or any other place of residence; or
- (2) A noise in excess of the maximum permissible A-weighted sound levels, as measured by a sound level device, authorized by Noise Control Table 1.[1]; or
- (3) The personal observation of a noise disturbance by a duly sworn Police Officer or a Town of Islip Peace Officer.

§ 35-6 Penalties for offenses.

Any person or business entity who shall violate any of the provisions of this chapter shall be guilty of an offense, and such violation shall be punishable by a fine of not less than \$100 and not more than \$500 for a first offense, by a fine of not less than \$500 and not more than \$1,000 for a second offense, and for any offenses thereafter, a fine not less than \$1,000 and not more than \$1,500, and for any such offense whatsoever, in addition to a monetary fine as described herein, said violation could result in imprisonment for a period not in excess of 15 days.

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

No. 8

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute an amendment to the agreement with CorVel for assistance with the administration of workers' compensation benefits to Town employees that sustain work-related injuries.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

Christopher Nicolini

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 a second amendment to the agreement with CorVel Corporation for assistance with the administration of workers' compensation benefits to Town employees that sustain work-related injuries. The term of the Agreement shall be extended through May 31, 2023, the annual fee for CorVel's services shall be increased from \$99,049.50 to \$104,001.98, and per-claim fees after the maximum allotted has been reached and certain Descriptions of Services shall be modified, as set forth in Exhibits A and B to the proposed Second Amendment (identifiable as, "Town of Islip Amendment 2 (Renewal and Pricing) to the TPA Services Agreement 06-30-22").

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip employees
2. Site or location effected by resolution: NA
3. Cost: \$104,001.98 for up to 56 Indemnity and 68 Medical Only Claims Annually
4. Budget Line: CS02.1710.41935
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 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

7/5/2022

Date

WHEREAS, on June 1, 2020, the Town of Islip (the “Town”) entered into a professional services agreement (the “Agreement”) with CorVel Corporation (“CorVel”), with offices located at 2010 Main Street, Suite 600, Irvine, California 92614, for assistance with administering workers’ compensation benefits to Town employees that sustain work-related injuries; and

WHEREAS, the term of the Agreement was for a period of one (1) year with options for four (4) one-year renewal periods to be exercised upon the mutual consent of the Town and CorVel; and

WHEREAS, on August 27, 2021, the parties entered into an Amendment to the Agreement whereby the term of the Agreement was extended through May 31, 2022, the fees for CorVel’s services were increased, and certain Descriptions of Services under the Agreement were modified; and

WHEREAS, the parties wish to enter into a Second Amendment to the Agreement to: (1) extend the term of the Agreement through May 31, 2023; (2) increase the annual fee for CorVel’s services to \$104,001.98 for up to 56 Indemnity and 68 Medical Only Claims Annually; (3) modify per-claim fees after the maximum allotted has been reached, as set forth in Exhibit A to the proposed Second Amendment, identifiable as, “Town of Islip Amendment 2 (Renewal and Pricing) to the TPA Services Agreement 06-30-22” (hereinafter, “the proposed Second Amendment”); and (4) modify certain Descriptions of Services, as set forth in in Exhibit B to the proposed Second Amendment; and

WHEREAS, the Director of Personnel recommends that the Town Board authorize the Town to enter into a Second Amendment to the Agreement as described above;

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

RESOLVED, that the Supervisor is hereby authorized to execute a Second Amendment to the Agreement with CorVel, the form and content of which shall be subject to the approval of the Town Attorney, which will extend the term of the Agreement through May 31, 2023, increase the annual fee for CorVel’s services to \$104,001.98, modify per-claim fees after the maximum allotted has been reached (as set forth in Exhibit A to the proposed Second Amendment), and modify certain Descriptions of Services, as set forth in Exhibits A and B to the proposed Second Amendment; 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 Second Amendment to the Agreement.

UPON A VOTE BEING TAKEN, the result was: _____.

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

No. 9

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

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
JULY 12, 2022

- | | | |
|----|------------------------|-----------------------|
| 1. | RUBBISH CONTAINERS | -J C Industries, Inc. |
| 2. | TREATED LUMBER & POLES | -East Islip Lumber |

NO: 1 RUBBISH CONTAINERS

BID PRICE: Various Prices as per Bid Items #1 through 4

LOWEST RESPONSIBLE BIDDER: J C Industries, Inc.

COMPETITIVE BID: Yes – May 4, 2022 (1st Advertisement)
May 25, 2022 (2nd Advertisement)

BUDGET ACCOUNT NUMBER: DB5110.2-2500

ANTICIPATED EXPENDITURE: \$10,000.00

DEPARTMENT: Public Works

JUSTIFICATION OF NEED: Rear loader container(s) compatible with Town-owned compactors.

PLEASE NOTE: This first advertisement produced only one (1) responding bidder.

The second advertisement produced only one (1) responding bidder.

NO: 2 TREATED LUMBER & POLES

BID PRICE: Various Prices as per Bid Items #A2 through Q1

LOWEST RESPONSIBLE BIDDER: East Islip Lumber – items A2-1-5; B16-34, 36;
D10; J4-5; K1-29; L1-19,
21-31; M1-7; O1-8; Q1

COMPETITIVE BID: Yes – May 11, 2022 (1st Advertisement)
June 1, 2022 (2nd Advertisement)

BUDGET ACCOUNT NUMBER: H14-1650.3-1550
H15-1650.3-1550

ANTICIPATED EXPENDITURE: \$350,000.00

DEPARTMENT: Parks, Recreation & Cultural Affairs

JUSTIFICATION OF NEED: For bulking projects at Town marinas

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 RUBBISH CONTAINERS

BID PRICE: Various Prices as per Bid Items #1 through 4

LOWEST RESPONSIBLE BIDDER: J C Industries, Inc.

COMPETITIVE BID: Yes – May 4, 2022 (1st Advertisement)
May 25, 2022 (2nd Advertisement)

BUDGET ACCOUNT NUMBER: DB5110.2-2500

ANTICIPATED EXPENDITURE: \$10,000.00

DEPARTMENT: Public Works

JUSTIFICATION OF NEED: Rear loader container(s) compatible with Town-owned compactors.

PLEASE NOTE: This 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 RUBBISH
CONTAINERS, CONTRACT #522-73; and

WHEREAS, the bid was advertised twice and opened on May 25, 2022; and

WHEREAS, J C Industries, Inc. 89 Eads Street, W. Babylon, NY 11704 submitted the only
bid for this contract; and

WHEREAS, J C Industries, Inc. has been determined to be 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 J C
Industries, Inc. in the amount of various prices as per bid items #1 through 4 for one (1) year
from date of award.

Upon a vote being taken, the result was:

RUBBISH
CONTAINERS

CONTRACT # 522-73

DATE: MAY 25, 2022

11:00 A.

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 # DB 5110.2-2500 ESTIMATED AMOUNT \$10,000.00

(THIS BID WAS ADVERTISED TWICE)

J C INDUSTRIES INC
89 EADS STREET
W BABYLON NY 11704

1. \$1,044.00/ea. (1 cu.yd.)
2. \$1,094.00/ea. (1 1/2 cu.yd.)
3. \$1,134.00/ea. (2 cu.yd.)
4. \$1,494.00/ea. (3 cu.yd.)

REHRIG PACIFIC CO
1738 WEST 20th STREET
ERIE PA 16502

VASSO WASTE
159 COOK STREET
BROOKLYN NY 11206

WASTEQUIP
841 MEAGHAM ROAD
STATESVILLE NC 28677

DISQUALIFIED - DID NOT BID ACCORDING TO BID SPECS


GLENCO SUPPLY INC
P O BOX 638
OAKHURST NJ 07755

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

NO: 2 TREATED LUMBER & POLES

BID PRICE: Various Prices as per Bid Items #A2 through Q1

LOWEST RESPONSIBLE BIDDER: East Islip Lumber – items A2-1-5; B16-34, 36;
D10; J4-5; K1-29; L1-19,
21-31; M1-7; O1-8; Q1

COMPETITIVE BID: Yes – May 11, 2022 (1st Advertisement)
June 1, 2022 (2nd Advertisement)

BUDGET ACCOUNT NUMBER: H14-1650.3-1550
H15-1650.3-1550

ANTICIPATED EXPENDITURE: \$350,000.00

DEPARTMENT: Parks, Recreation & Cultural Affairs

JUSTIFICATION OF NEED: For bulking projects at Town marinas

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 TREATED LUMBER & POLES, CONTRACT #522-34; and

WHEREAS, the bid was advertised twice and opened on June 1, 2022; and

WHEREAS, East Islip Lumber, 33 Wall St., East Islip, NY 11730 submitted the only bid for this contract; and

WHEREAS, East Islip Lumber 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 East Islip Lumber in the amount of various prices as per bid items: A2 1-5; B16-34, 36; D10, J4, 5; K1-29; L1-19, 21-31, 33; M1-7; O1-8; Q1 for one (1) year from date of award.

Upon a vote being taken, the result was;

TREATED LUMBER
& POLES

CONTRACT # 522-34

DATE: JUNE 1, 2022

11:00 A.

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 # H14-1650.3; H15-1650.3-1550 ESTIMATED AMOUNT \$350,000.00

EAST ISLIP LUMBER 33 WALL STREET EAST ISLIP NY 11730	(THIS BID WAS ADVERTISED TWICE) award items - #A2-1-5; B16-34,36; D10;J4,5; K1-29;L1-19,21-31,33; M1-7, 01-8; Q1 SEE ATTACHED SHEETS
PORT LUMBER 101 KROEMER AVE RIVERHEAD NY 11901	
ALLERS LUMBER COMPANY INC 217 WEST MONTAUK HWY LINDENHURST NY 11757	
84 LUMBER COMPANY 155 SILLS RD PATCHOGUE NY 11772	
RIVERHEAD BUILDING SUPPLY 1093 PULASKI STREET RIVERHEAD NY 11901	
COMMERCIAL LUMBER & BLDG SUPPLY 130 MAIN STREET ISLIP NY 11751	

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

TREATED LUMBER & POLES	EAST ISLIP LUMBER
CONTRACT #522-34	
ITEM #	
A1. STRINGERS -CCA #2.5	
1. 4"x4"x16'	NO BID
2. 4"x4"x20'	NO BID
3. 4"x6"x14'	NO BID
4. 4"x6"x16'	NO BID
5. 6"x6"x16'	NO BID
6. 6"x6"x20'	NO BID
7. 6"x8"x16'	NO BID
8. 6"x8"x20'	NO BID
9. 6"x8"x20' w/scarf joint 2"x18'	NO BID
10. 6"x8"x24'	NO BID
11. 6"x8"x24' w/scarf joint 2"x18'	NO BID
12. 6"x8"x24' w/scarf joint 2"x24'	NO BID
13. 6"x8"x30'	NO BID
14. 6"x8"x30' w/scarf joint 2"x18'	NO BID
15. 6"x8"x30' w/scarf joint 2"x24'	NO BID
16. 8"x8"x20'	NO BID
17. 8"x8"x20 w/scarf joint 2"x24'	NO BID
18. 8"x8"x24'	NO BID
19. 8"x8"x24' w/scarf joint 2"x18'	NO BID
20. 8"x8"x30' w/scarf joint 2"x18'	NO BID
21. 8"x8"x30' w/scarf joint 2"x24'	NO BID
22. 9"x8"x30' w/scarf joint 2"x24'	NO BID
A2. STRINGERS CCA #.60	
1. 4"x4"x8'	\$16.32
2. 4"x4"x10'	\$21.90
3. 4"x4"x12'	\$25.08
4"x4"x14'	\$33.18
5. 4"x4"x16'	\$32.64
6. 4"x4"x20'	NO BID
A3. STRINGERS CCA #4.0	
1. 4"x4"x10'	NO BID
2. 4"x4"x12'	NO BID
3. 4"x4"x14'	NO BID
4. 4"x4"x16'	NO BID
5. 4"x4"x20'	NO BID

ITEM #	EAST ISLIP LUMBER
A4. STRINGERS CCA #1.0	
1. 4"x6"x8'	NO BID
2. 4"x6"x10'	NO BID
3. 4"x6"x12'	NO BID
4. 4"x6"x14'	NO BID
5. 4"x6"x16'	NO BID
6. 4"x6"x18'	NO BID
7. 4"x6"x20'	NO BID
8. 6"x6"x8'	NO BID
9. 6"x6"x10'	NO BID
10. 6"x6"x12'	NO BID
11. 6"x6"x14'	NO BID
12. 6"x6"x16'	NO BID
13. 6"x6"x18'	NO BID
14. 6"x6"x20'	NO BID
15. 6"x8"x8'	NO BID
16. 6"x8"x10'	NO BID
17. 6"x8"x12'	NO BID
18. 6"x8"x14'	NO BID
19. 6"x8"x16'	NO BID
20. 6"x8"x18'	NO BID
21. 6"x8"x20'	NO BID
B. SQUARE EDGE CCA #.60	
1. 2"x4"x8'	NO BID
2. 2"x4"x10'	NO BID
3. 2"x4"x12'	NO BID
4. 2"x4"x14'	NO BID
5. 2"x4"x16'	NO BID
6. 2"x4"x18'	NO BID
7. 2"x4"x20'	NO BID
8. 2"x6"x6'	NO BID
9. 2"x6"x8'	NO BID
10. 2"x6"x10'	NO BID
11. 2"x6"x12'	NO BID
12. 2"x6"x14'	NO BID
13. 2"x6"x16'	NO BID
14. 2"x6"x18'	NO BID
15. 2"x6"x20'	NO BID
16. 2"x8"x8'	\$16.24
17. 2"x8"x10'	\$21.00
18. 2"x8"x12'	\$24.96
19. 2"x8"x14'	\$29.54
20. 2"x8"x16'	\$33.60

ITEM #	EAST ISLIP LUMBER
21. 2"x8"x18'	\$38.88
22. 2"x8"x20'	\$41.00
23. 2"x10"x8'	\$16.64
24. 2"x10"x10'	\$24.50
25. 2"x10"x12'	\$29.40
26. 2"x10"x14'	\$35.28
27. 2"x10"x16'	\$38.08
28. 2"x10"x18'	\$55.98
29. 2"x10"x20'	\$65.40
30. 2"x12"x8'	\$30.48
31. 2"x12"x10'	\$41.60
32. 2"x12"x12'	\$50.76
33. 2"x12"x14'	\$60.20
34. 2"x12"x16'	\$68.80
35. 2"x12"x18'	NO BID
36. 2"x12"x20'	\$140.20
37. 3"x6"x8'	NO BID
38. 3"x6"x10'	NO BID
39. 3"x6"x12'	NO BID
40. 3"x6"x14'	NO BID
41. 3"x6"x16'	NO BID
42. 3"x6"x18'	NO BID
43. 3"x6"x20'	NO BID
44. 3"x8"x8'	NO BID
45. 3"x8"x10'	NO BID
46. 3"x8"x12'	NO BID
47. 3"x8"x14'	NO BID
48. 3"x8"x16'	NO BID
49. 3"x8"x18'	NO BID
50. 3"x8"x20'	NO BID
51. 3"x10"x8'	NO BID
52. 3"x10"x10'	NO BID
53. 3"x10"x12'	NO BID
54. 3"x10"x14'	NO BID
55. 3"x10"x16'	NO BID
56. 3"x10"x18'	NO BID
57. 3"x10"x20'	NO BID
58. 3"x10"x22'	NO BID
C. SQUARE EDGE CCA #.40	
1. 2"x4"x8'	NO BID
2. 2"x4"x10'	NO BID
3. 2"x4"x12'	NO BID
4. 2"x4"x14'	NO BID

ITEM #	EAST ISLIP LUMBER
5. 2"x4"x16'	NO BID
6. 2"x4"x18'	NO BID
7. 2"x4"x20'	NO BID
8. 2"x6"x6'	NO BID
9. 2"x6"x8'	NO BID
10. 2"x6"x10'	NO BID
11. 2"x6"x12'	NO BID
12. 2"x6"x14'	NO BID
13. 2"x6"x16'	NO BID
14. 2"x6"x18'	NO BID
15. 2"x6"x20'	NO BID
16. 2"x8"x6'	NO BID
D. SQUARE EDGE RGH CCA #2.50	
1. 3"x8"x10'	NO BID
2. 3"x8"x12'	NO BID
3. 3"x8"x14'	NO BID
4. 3"x8"x16'	NO BID
5. 3"x8"x18'	NO BID
6. 2"x8"x20'	NO BID
7. 3"x10"x10'	NO BID
8. 3"x10"x12'	NO BID
9. 3"x10"x14'	NO BID
10. 3"x10"x16'	\$101.28
11. 3"x10"x18'	NO BID
12. 3"x10"x20'	NO BID
E. SQUARE EDGE S4S CCA #2.50	
1. 3"x10"x10'	NO BID
2. 3"x10"x12'	NO BID
3. 3"x10"x14'	NO BID
4. 3"x10"x16'	NO BID
5. 3"x10"x18'	NO BID
6. 3"x10"x20'	NO BID
F. TREATED POLES CCA #1.0	
1. 6"-7" 25'	NO BID
2. 8"x12'	NO BID
3. 8"x16'	NO BID
4. 8"x20'	NO BID
5. 8"x25'	NO BID
6. 8"x30'	NO BID
7. 10"x25'	NO BID
8. 10"x30'	NO BID

ITEM #	EAST ISLIP LUMBER
9. 10"x35'	NO BID
10. 12"x40'	
G. TREATED POLES CCA #1.5	
1. 6"-7" x25'	NO BID
2. 8"x25'	NO BID
3. 8"x30'	NO BID
4. 10"x25'	NO BID
5. 10"x30'	NO BID
6. 10"x35'	NO BID
7. 12"x40'	NO BID
H. TREATED POLES CCA #2.5	
1. 6"-7"x25'	NO BID
2. 8"x25'	NO BID
3. 8"x30'	NO BID
4. 10"x25'	NO BID
5. 10"x30'	NO BID
6. 10"x35'	NO BID
I. 'SQUARE' TONGUE & GROOVE CCA#2.5	
1. 2"x10"x8'	NO BID
2. 2"x10"x10'	NO BID
3. 2"x10"x12'	NO BID
4. 2"x10"x14'	NO BID
5. 2"x10"x16'	NO BID
6. 2"x10"x18'	NO BID
7. 2"x10"x20'	NO BID
8. 3"x10"x8'	NO BID
9. 3"x10"x10'	NO BID
10. 3"x10"x12'	NO BID
11. 3"x10"x14'	NO BID
12. 3"x10"x16'	NO BID
13. 3"x10"x18'	NO BID
14. 3"x10"x20'	NO BID
15. 3"x10"x22'	NO BID
J. 'V-JOINT' TONGUE & GROOVE CCA#2.5	
1. 2"x10"x8'	NO BID
2. 2"x10"x10'	NO BID
3. 2"x10"x12'	NO BID
4. 2"x10"x14'	\$64.96
5. 2"x10"x16'	\$74.24
6. 2"x10"x18'	NO BID

ITEM #	EAST ISLIP LUMBER
7. 2"x10"x20'	NO BID
8. 3"x10"x8'	NO BID
9. 3"x10"x10'	NO BID
10. 3"x10"x12'	NO BID
11. 3"x10"x14'	NO BID
12. 3"x10"x16'	NO BID
13. 3"x10"x18'	NO BID
14. 3"x10"x20'	NO BID
15. 3"x10"x22'	NO BID
K. CLASS B PILING	
1. 14'	NO BID
2. 16'	NO BID
3. 20'	NO BID
4. 25'	NO BID
5. 30'	NO BID
6. 35'	NO BID
7. 40'	NO BID
K. SOUTHERN YELLOW PINE, ETC.	
1. 2"x4"x8'	\$8.48
2. 2"x4"x10'	\$10.40
3. 2"x4"x12'	\$13.08
4. 2"x4"x14'	\$16.80
5. 2"x4"x16'	\$19.20
6. 2"x4"x18'	\$14.22
7. 2"x4"x20'	\$23.60
8. 2"x6"x8'	\$11.12
9. 2"x6"x10'	\$14.30
10. 2"x6"x12'	\$17.16
11. 2"x6"x14'	\$20.44
12. 2"x6"x16'	\$23.04
13. 2"x6"x18'	\$27.00
14. 2"x6"x20'	\$31.00
15. 2"x8"x8'	\$13.76
16. 2"x8"x10'	\$19.40
17. 2"x8"x12'	\$22.80
18. 2"x8"x14'	\$27.30
19. 2"x8"x16'	\$30.24
20. 2"x10"x18'	\$15.68
21. 2"x10"x10'	\$23.30
22. 2"x10"x12'	\$27.96
23. 2"x10"x14'	\$33.60
24. 2"x10"x16'	\$36.16

ITEM #	EAST ISLIP LUMBER
25. 2"x12"x12'	\$49.08
26. 2"x12"x14'	\$58.24
27. 2"x12"x16'	\$66.56
28. 2"x12"x18	NO BID
29. 2"x12"x20'	\$137.40
L. SOUTHERN YELLOW PINE, ETC.	
1. 2"x4"x8'	\$8.88
2. 2"x4"x10'	\$10.80
3. 2"x4"x12'	\$13.68
4. 2"x4"x14'	\$17.50
5. 2"x4"x16'	\$20.00
6. 2"x4"x18'	NO BID
7. 2"x4"x20'	\$24.60
8. 2"x6"x8'	\$11.68
9. 2"x6"x10'	\$15.00
10. 2"x6"x12'	\$18.00
11. 2"x6"x14'	\$21.47
12. 2"x6"x16'	\$24.16
13. 2"x6"x18'	\$28.26
14. 2"x6"x20'	\$32.40
15. 2"x8"x8'	\$14.48
16. 2"x8"x10'	\$20.30
17. 2"x8"x12'	\$23.88
18. 2"x8"x14'	\$28.56
19. 2"x8"x16'	\$31.84
20. 2"x8"x18'	NO BID
21. 2"x8"x20'	\$39.80
22. 2"x10"x8'	\$16.64
23. 2"x10"x10'	\$24.50
24. 2"x10"x12'	\$29.40
25. 2"x10"x14'	\$35.78
26. 2"x10"x16'	\$38.08
27. 2"x12"x8'	\$30.48
28. 2"x12"x10'	\$41.60
29. 2"x12"x12'	\$50.76
30. 2"x12"x14	\$60.20
31. 2"x12"x16'	\$68.80
32. 2"x12"x18'	NO BID
33. 2"x12"x20'	\$140.20

ITEM #	EAST ISLIP LUMBER
M. ACQ#40	
1. 5/4"x6"x8'	\$12.77
2. 5/4"x6"x10'	\$15.50
3. 5/4"x6"x12'	\$18.48
4. 5/4"x6"x14'	\$20.86
5. 5/4"x6"x16'	\$28.32
6. 5/4"x6"x18'	\$41.58
7. 5/4"x6"x20'	\$47.40
N. ACQ #.60	
1. 5/4"x6"x8'	NO BID
2. 5/4"x6"x10'	NO BID
3. 5/4"x6"x12'	NO BID
4. 5/4"x6"x14'	NO BID
5. 5/4"x6"x16'	NO BID
6. 5/4"x6"x18'	NO BID
7. 5/4"x6"x20'	NO BID
O. COMMON CEDAR	
1. 2"x4"x8'	\$27.04
2. 2"x4"x10'	\$33.80
3. 2"x4"x12'	\$40.56
4. 2"x4"x16'	\$54.08
5. 2"x6"x8'	\$45.68
6. 2"x6"x10"	\$57.10
7. 2"x6"x12'	\$68.52
8. 2"x6"x16'	\$91.36
P. DECKING CCA #.40	
1. 5/4"x6"x8'	NO BID
2. 5/4"x6"x10'	NO BID
3. 5/4"x6"x12'	NO BID
4. 5/4"x6"x14'	NO BID
5. 5/4"x6"x16'	NO BID
6. 5/4"x6"x18'	NO BID
7. 5/4"x6"x20'	NO BID
Q. DOUGLAS FIR MARINE GRD. PLYWOOD	
1. 4"x 8"	\$151.33

s/treated lumber & poles tab 2022

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

No. 10

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Option Year Resolutions.

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

OPTION YEAR RESOLUTIONS
JULY 12, 2022

- | | | |
|----|--|----------------------------------|
| 1. | ORIGINAL REPLACEMENT PARTS & LABOR TO | -Malvese Equip. Co., Inc. |
| 2. | PARTS & LABOR TO REPAIR MACK TRUCKS &
ROLL-OFFS | -Suffolk County Brake
Service |

NO: 1 ORIGINAL REPLACEMENT PARTS & LABOR TO REPAIR SCHWAZE
LATE MODEL FOUR-WHEEL STREET SWEEPERS

VENDOR: Malvese Equipment Co., Inc.

OPTION: First one (1) year period

ANTICIPATED EXPENDITURE: \$10,000.00

DEPARTMENT: Public Works

JUSTIFICATION OF NEED: To maintain Town-owned street sweepers.

NO: 2 PARTS & LABOR TO REPAIR MACK TRUCKS & ROLL-OFFS

VENDOR: Suffolk County Brake Service

OPTION: One (1) year

ANTICIPATED EXPENDITURE: \$50,000.00

DEPARTMENT: Public Works

JUSTIFICATION OF NEED: To maintain Town-owned Mack Trucks
& Roll-Offs.

NO: 1 ORIGINAL REPLACEMENT PARTS & LABOR TO REPAIR SCHWAZE
LATE MODEL FOUR-WHEEL STREET SWEEPERS

VENDOR: Malvese Equipment Co., Inc.

OPTION: First one (1) year period

ANTICIPATED EXPENDITURE: \$10,000.00

DEPARTMENT: Public Works

JUSTIFICATION OF NEED: To maintain Town-owned street sweepers.

WHEREAS, by a Town Board resolution adopted August 11, 2020, Contract #620-176 for ORIGINAL REPLACEMENT PARTS & LABOR TO REPAIR SCHWAZE LATE MODEL FOUR-WHEEL STREET SWEEPERS was awarded to Malvese Equipment Co., Inc., 1 Henrietta St., Hicksville, NY 11801, the lowest responsible bidder; and

WHEREAS, said contract was for a period two (2) years, with the Town's option to renew for two (2) one (1) year periods; and

WHEREAS, the Commissioner of Public Works has recommended that the Town exercise the option to renew this contract for the first one (1) year period.

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

RESOLVED, that the Town Board of the Town of Islip hereby authorizes to exercise the option to renew the contract with Malvese Equipment Co., Inc. (Contract #6290-176) for the first one (1) year period.

Upon a vote being taken, the result was:



TOWN OF ISLIP OFFICE OF THE SUPERVISOR
Department of Purchase

401 MAIN STREET • ROOM 227 • ISLIP, NEW YORK 11751 • PHONE: (631) 224-5515 • FAX: (631) 224-5517

Angle M. Carpenter, Supervisor

TO: Thomas Owens, Comm. Public Works

FROM: Barbara Maltese, Principal Office Assistant

DATE: May 27, 2022

RE: ORIGINAL REPLACEMENT PARTS & LABOR TO REPAIR SCHWAZE LATE
MODEL FOUR-WHEEL STREET SWEEPERS, CONTRACT #620-176

NOTE: Due to the pandemic, supply chain, gas prices, etc., vendors have reached out to us for price increases on existing contracts. The Town does not allow any increases during the life of the contract. Vendors are informed and told to refer to their contract(s); however, in a number of instances, vendors have then opted to withdraw from their contract(s).

In a way to be fair during these unusual times, I am requesting that when you review the above mentioned contract that you agree NOT to pickup the option year(s) and request that we go out and re-bid the commodity and indicate that the contract shall be for 'one (1) year from date of award' with no options. As always, the decision will be made by the appropriate Commissioner.

Hopefully these changes to our bidding practices will be for a short duration and we can resume our past practices when the economy stabilizes.

If you have any questions, please feel free to contact me.

The option year for the above mentioned contract is **AUGUST 11, 2022**. Please indicate below your intentions:

We agree with extending the referenced contract

We do not wish to extend this contract

We request that the service/commodity be re-bid

SIGNED

✓

WHEREAS, the Town solicited competitive bids for the purchase of ORIGINAL REPLACEMENT PARTS & LABOR TO REPAIR SCHWAZE LATE MODEL FOUR-WHEEL STREET SWEEPERS, CONTRACT #620-176; and

WHEREAS, the bid was advertised twice and opened on June 24, 2020; and

WHEREAS, Malvese Equipment Co., Inc., 1 Henrietta St., Hicksville, NY 11801 submitted the only bid for this contract; and

WHEREAS, Malvese Equipment Co., Inc. has been determined to be a responsible bidder.

NOW, THEREFORE, on a motion of Councilperson James P. O'Connor seconded by Councilperson Trish Bergin, be it,

RESOLVED, that the Town Board of the Town of Islip hereby award the contract to Malvese Equipment Co., Inc. in the amount of: 1. List Plus 10% (disc. parts); 2. \$175.00/hr. (labor) for two (2) years from date of award with the Town's option to renew for two (2) one (1) year periods.

Upon a vote being taken, the result was: carried 5-0

NO: 2 PARTS & LABOR TO REPAIR MACK TRUCKS & ROLL-OFFS

VENDOR: Suffolk County Brake Service

OPTION: One (1) year

ANTICIPATED EXPENDITURE: \$50,000.00

DEPARTMENT: Public Works

JUSTIFICATION OF NEED: To maintain Town-owned Mack Trucks
& Roll-Offs.

WHEREAS, by a Town Board resolution adopted August 10, 2021, Contract #621-177 for PARTS & LABOR TO REPAIR MACK TRUCKS & ROLL-OFFS was awarded to Suffolk County Brake Service, 862 Lincoln Ave., Bohemia, NY 11716, the lowest responsible bidder; and

WHEREAS, said contract was for a period of one (1) year from date of award, with an option to renew for one (1) additional year, under the same terms and conditions; and

WHEREAS, the Commissioner of Public Works has recommended that the Town exercise the option to renew this contract for the one (1) year period.

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

RESOLVED, that the Town Board of the Town of Islip hereby authorizes to exercise the option to renew the contract with Suffolk County Brake Service (Contract #621-177) for the one (1) year period under the same terms and conditions.


Upon a vote being taken, the result was:



TOWN OF ISLIP OFFICE OF THE SUPERVISOR
Department of Purchase

401 MAIN STREET • ROOM 227 • ISLIP, NEW YORK 11751 • PHONE: (631) 224-5515 • FAX: (631) 224-5517

Angie M. Carpenter, Supervisor

TO: Thomas Owens, Comm. Public Works
FROM: Barbara Maltese, Principal Office Assistant 
DATE: May 27, 2022
RE: PARTS & LABOR TO REPAIR MACK TRUCKS & ROLL-OFFS,
CONTRACT #621-177

NOTE: Due to the pandemic, supply chain, gas prices, etc., vendors have reached out to us for price increases on existing contracts. The Town does not allow any increases during the life of the contract. Vendors are informed and told to refer to their contract(s); however, in a number of instances, vendors have then opted to withdraw from their contract(s).

In a way to be fair during these unusual times, I am requesting that when you review the above mentioned contract that you agree NOT to pickup the option year(s) and request that we go out and re-bid the commodity and indicate that the contract shall be for 'one (1) year from date of award' with no options. As always, the decision will be made by the appropriate Commissioner.

Hopefully these changes to our bidding practices will be for a short duration and we can resume our past practices when the economy stabilizes.

If you have any questions, please feel free to contact me.

The option year for the above mentioned contract is **AUGUST 10, 2022**. Please indicate below your intentions:

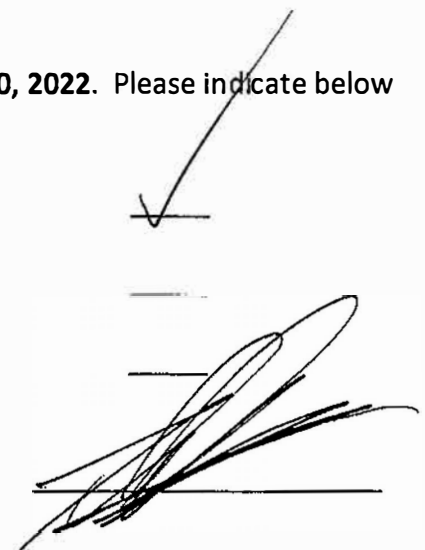
We agree with extending the referenced contract

We do not wish to extend this contract

We request that the service/commodity be re-bid

SIGNED

s/option memo consideration 2022



August 10, 2021

WHEEREAS, the Town solicited competitive bids for the purchase of PARTS & LABOR TO REPAIR MACK TRUCKS & ROLL-OFFS, CONTRACT #621-177; and

WHERERAS, the bid was advertised twice and opened on June 30, 2021; and

WHEREAS, Suffolk County Brake Service, 862 Lincoln Ave., Bohemia, NY 11716 submitted the only bid for this contract; and

WHEREAS, Suffolk County Brake Service has been determined to be a responsible bidder.

NOW, THEREFORE, on a motion of Councilperson Trish Bergin seconded by Councilperson John C. Cochrane, ~~the~~ it

RESOLVED, that the Town Board of the Town of Islip hereby award the contract to Suffolk County Brake Service in the amount of: 1. -15%/discount (parts); 2. \$99.00/hr. (labor) for one (1) year from date of award with the Town's option to renew for one (1) additional year.

Upon a vote being taken, the result was: carried 5-0

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

No. 11

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

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

Resolution Authorizing Appropriation Transfers

for (department) ASSESSORS approved by Comptroller and Comptroller JOSEPH LUDWIG : at Councilperson _____, seconded by Councilperson _____

Resolution prepared on JUNE 27, 2022
(print name & sign) ANNE M DANZIGER
(date) 7/12/22, on a motion by Co

COMP/ROLLER'S OFFICE
ISLANDIA, NY
2022 JUN 28 PM 2:40

Justification:

Upon a vote being taken, the result was _____

Date _____

Town Clerk

Comptroller

Department Head

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.

TB

TOWN OF ISLIP

Resolution Authorizing Appropriation Transfers

COMPTROLLER'S OFFICE
NEW YORK

Resolution prepared on June 23, 2022 for Parks, Recreation and Cultural Affairs approved by Commissioner/Department Head

THANKS OWNERS and Comptroller [Signature] : at the Town Board Meeting on

[Signature], on a motion by Councilperson [Signature], seconded by Councilperson [Signature], 2022 JUN 27 AM 11:03
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
Cash Registers	A.7020.22225	\$ 2,000.00	Other Contractual	A.7020.46906	\$ 18,200.00
Other Equipment	A.7020.22200	\$ 16,200.00			

18,200.00

18,200.00

Justification: Reallocating funds for various programmatic needs.

Upon a vote being taken, the Comptroller

DISTRIBUTION

Town Clerk

Department Head

COMPTROLLER'S USE ONLY

Journal Entry Number

This form is required (effective 1/1/81) for both the processing of appropriation transfers requiring Town Board Resolution and those not requiring Town Board Resolution.

Resolution Authorizing Appropriation Transfers

Resolution prepared on 7/11/22 for (department) Public Safety approved by Commissioner/Department Head
(print name & sign) Anthony Prudenti and Comptroller Joseph Ludwig : at the Town Board Meeting on
(date) 7/12/22 on a motion by Councilperson _____, seconded by Councilperson _____,
it was RESOLVED that the Comptroller is authorized to make the transfer(s) listed below:

[illegible]

Justification: To fund account for the purchase of a refrigerator for the Harbor base. Current refrigerator is quite old and leaking. Needs to be replaced.

Upon a vote being taken, the result was _____

Date _____.

DISTRIBUTION

Town Clerk

Comptroller

Department Head

COMPTROLLER'S USE ONLY

Journal Entry Number

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

No. 12

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to enter into agreements to accept funding from the County of Suffolk for positive youth development and delinquency prevention programs.

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 Suffolk County for the Youth Development/Delinquency Prevention and Runaway/Homeless programs in the Town of Islip during the period of 1/1/2022 - 12/01/2022. This will be the 48th year the Town has received such funding. In support of these programs, the Town of Islip will receive total funding of \$317,936 from Suffolk County; (\$295,333 for Youth Services and \$22,603 for Runaway/Homless programs).

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: A7311.44921 Brentwood YDC - A7311.44940 W.I. YES - A7311.44990 - A7311.443
 5. Amount and source of outside funding: \$317,936 from Suffolk County
-

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.
-

Tim Mare

Digitally signed by Tim Mare
Date: 2022.06.27 14:05:15 -04'00'

Signature of Commissioner/Department Head Sponsor

Date

July 12, 2022

WHEREAS, the Town of Islip intends to provide youth service and runaway programs for the purpose of positive youth development and delinquency prevention in the Town of Islip during the period of 1/1/22 through 12/31/22; and

WHEREAS, Suffolk County provides funding to the Town of Islip in support of these positive youth development and delinquency prevention programs in the amount of **\$317,936** for the period of 1/1/17 through 12/31/17; of which **\$295,333** is allocated for Youth Services and **\$22,603** for Runaway/Homeless programs.

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

RESOLVED, that the Supervisor of the Town of Islip is authorized to enter into agreements to accept funding from Suffolk County in the amount of **\$317,936**; (\$295,333 - Youth Services and \$22,603 - Runaway/Homeless programs) for positive youth development and delinquency prevention programs provided during the period of 1/1/22 – 12/31/22.

And be it also

RESOLVED, that the Supervisor is hereby authorized to execute this funding agreement, and any other necessary documentation attendant thereto, seeking funds from Suffolk County for positive youth development and delinquency prevention programs; Youth Services and Runaway/Homeless programs.

And be it also

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:

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

No. 13

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board approval to permit the Town of Islip Youth Bureau to host drop-off sites throughout the Town to collect donations for the School Supply Donation Drive program.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

Tim Mare

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

enclosure:

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

**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 Youth Bureau will collect school supplies for the youth in need within the Town of Islip. The drive will be advertised within the business community, school districts and libraries. Once the school supplies are collected they will be given to the local youth that are in need for the upcoming school year. This is a program that has been done by the Youth Bureau in the past and has been passed by the Board.

SPECIFY WHERE APPLICABLE:

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

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

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-

Tim Mare

Digitally signed by Tim Mare
Date: 2022.06.27 10:51:23 -0400

06/27/2022

Signature of Commissioner/Department Head Sponsor

Date

July 12, 2022

WHEREAS, the Town of Islip School Supply Donation Drive is a program overseen by the Town of Islip Youth Bureau with the mission to collect and distribute school supplies for the local young people in need; and

WHEREAS, The Town of Islip (“the Town”), through its Youth Bureau, would like to host drop-off sites throughout the Town to collect donations for the Town of Islip School Supply Donation Drive program;

WHEREAS, The Town of Islip Comptroller has the ability to add funds in lieu of supplies to be purchased by the Youth Bureau;

NOW, THEREFORE, on a motion of

Seconded by

be it,

RESOLVED, that the pursuant to Town Law Section 64(8), the Town of Islip Youth Bureau is hereby authorized to host drop-off sites throughout the Town to collect donations for the School Supply Donation Drive program.

Upon a vote being taken, the result was:

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

No. 14

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Special Events.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

Olga H. Murray

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

enclosure:

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

July 12, 2022

On a motion of Councilperson

seconded by Councilperson

be it,

RESOLVED, that permission is hereby granted to hold the following events in the Town:

Part A: Special Events

- A. Annual Carnival-Holbrook Chamber of Commerce- Thursday to Sunday-August 25 to August 28, 2022. Carnival will be on the grounds of Holbrook Country Club. Hours are as follows Thursday 6PM to 10PM, Friday 6PM to 11PM, Saturday 2PM to 11PM and Sunday 2PM to 10PM. Permission for this event will be granted pending approval from Town and County Offices and proof of liability insurance.
- B. Great South Bay Run 37th Annual Northwell Health-Half Marathon-10K, 5K Family Fun Run & Kids 1K Run-Bay Shore Marina-Bay Shore-Race Awesome -Saturday, September 24, 2022 from 4:00AM to 1:00PM. Event will take place at the Bay Shore Marina Park. Permission for this event will be granted pending approval from Town and County offices and proof of liability insurance.
- C. Autismile- Race- East Islip-EJ Autism Foundation-Sunday, October 16, 2022 from 11:00AM to 12:15PM. The Race will assembly at Jackson Hall Restaurant. Race will start near 28 Wyandanch Avenue head North on Main Street make a right to finish at Jackson Hall 335 East Main Street. Permission for this event will be granted pending approval from Town and County Offices and proof of liability insurance.
- D. Suffolk County Marathon-Bay Shore- Race Awesome-5K,10K - Sunday, October 23, 2022 from 7:30AM to 2:00PM. The Marathon will start at Babylon LIRR to finish at the Gardiner County Park, Bay Shore. (See map attached). The Event is to support our Veterans. Permission for this event will be granted pending approval from Town and County offices and proof of liability insurance.
- E. 4 Mile Run and Fun Run - Sayville / West Sayville - Sayville Chamber of Commerce- Saturday, August 6, 2022 from 8:00AM to 11:00AM. Assembles 7:30AM at Candee Avenue at Common Grounds at Rotary Park. Run starts at Candee Avenue, proceeds south. Left on Edwards, cross Foster Avenue, go straight on Erwin, right on River, run past Ferry Terminals, right on Browns River, thru Foster Avenue Park (by water). Left on Elm, left on Eastgate, right on Dalney, left on Norgate, right on Greene left on Elm, right on Handsome, left on Jones, left on Palmer Circle (run around Palmer Circle), cross Jones. Go straight on Sunset, right on Main Street, right on Candee Avenue to finish at Common Grounds. Permission will be granted pending approval from Town and County Offices and proof of liability insurance.

- F. Summer Festival - Sayville - Sayville Chamber of Commerce – Friday through Sunday, August 5, 6, & 7, 2022. Requesting permission to use Gillette and Rotary Parks, Sayville for the 3 days of the event. **Also requesting permission to have a Beer and Wine tasting tent sponsored by Long Island Events.** The hours of operation are as follows: Friday, August 5 from 5:00PM to 11:00PM; Saturday, August 6 from 8:00AM to 11:00PM; Sunday, August 7, 5AM to 9PM. requesting permission to close the Streets on Saturday, August 6 and Sunday, August 7, 2022 from 7AM to 6:30PM only. Set up will take place on Tuesday, August 2 thru Thursday, August 4, 2022. Breakdown will take place beginning at 9:30 PM on Sunday, August 7. Permission for this event will be granted pending approval from Town and County Offices and proof of liability Insurance.

Upon a vote being taken the result was:

07/12/2022

On a motion of Councilperson

, seconded by Councilperson

be it,

RESOLVED, that permission is hereby granted to hold the following events in the Town:

BLOCK PARTIES:

Part B:

- 1 BP- 175 Bayview Avenue – Bayport – Saturday - 08/06/2022 (RD: 08/07/2022) 11AM to 11PM; Bayview Avenue will be closed from Middle Road to Harried Road.
- 2 BP-429 Hillside Avenue- W. Sayville –Saturday - 07/30/2022 (RD: None) 11AM to 11PM; Hillside Avenue will be closed from Tariff Street to Tower Street.
- 3 BP – 241 Loop Drive – Sayville – Saturday -08/13/2022 (RD: None) 11AM to 11PM; Loop Drive will be closed from Broadway Avenue to Potomac Ln.
- 4 BP- 23 Penney Street- West Islip –Saturday - 07/23/2022 (RD: None) 11AM to 11: PM; Penney Street will be closed from Altmar Avenue to Haynes Avenue.
- 5 BP – 236 Marilynn Street- East Islip – Saturday – 08/06/2022 (RD: None) 11AM to 11PM; Marilynn Street will be closed from Country Village Ln to Dorset Ln.
- 6 BP- 267 Breeze Avenue – Ronkonkoma – Saturday -07/23/2022 (RD: 07/24/2022) 11AM to 11PM; Breeze Avenue will be closed from Shelter Road to Fir Grove Road; Cross Street: Deer Road.
- 7 BP- 67 N Burling Lane- West Islip – Saturday – 08/20/2022 (RD: 08/27/2022) 11AM to 11PM; Burling Lane will be closed from Alwick Avenue to Everdell Avenue; Cross Streets: Dyre Avenue, Chicot Avenue and Briarwood Avenue.
- 8 BP- 350 Singingwood Drive- Holbrook –Saturday- 08/13/2022 (RD: 08/14/2022) 11AM to 11PM, Singingwood Dr. will be closed from Live Oak Drive Drive to Gainsborough Road. (Date changed)

- 9 BP- 135 Marion Street – Sayville – Saturday- 07/30/2022 (RD: 07/31/2022) 11AM to 11PM; Marion Street will be closed from Chester Road to Lakeland Avenue.
- 10 BP- 738 Pine Avenue- West Islip – Saturday- 07/23/2022 (RD: None) 11AM to 11PM; Pine Avenue will be closed from: Udall Road to Sylvia Drive; Cross Streets: Dorothy Road in both sides.
- 11 BP- 26 la Salle PL. Oakdale – Saturday- 08/20/2022 (RD: 08/27/2022) 11AM to 11PM; La Salle Pl. will be closed from Academy LN. to Tulip Avenue.
- 12 BP- 40 Berkshire Road- Holbrook- Saturday- 07/30/2022 (RD: 07/31/2022) 11AM to 11: PM; Berkshire Road will be closed from Gainsborough Road to Gainsborough Road (Both Sides); Cross Street: Fallen Leaf Road.
- 13 BP- 11 Chapin Ct. – West Islip – Saturday – 07/16/2022 (RD: 07/23/2022) 11AM to 11PM; Chapin Ct. will be closed from Curtin Avenue to Alinda Avenue.
- 14 BP – 10 Franklin Street- Islip- Saturday – 08/06/2022 (RD: 08/13/2022) 11AM to 11PM; 10 Franklin Street will be closed from Webster Road to Commack Rd.
- 15 BP- 6 Greentree Drive – Oakdale – Saturday – 08/06/2022 (RD: 08/07/2022) 11AM to 11PM; 6 Greentree Drive will be closed from Riverdale Avenue to Ocean Avenue.
- 16 BP- 23 Sandpiper Ln – East Islip- Saturday – 09/24/2022 (RD: 10/01/2022) 11AM – 11PM; 23 Sandpiper Ln will be closed from: Woodland Drive to Quail Run. Cross Street: Tern Court.
- 17 BP- 129 Breeze Avenue-Ronkonkoma – Saturday - 07/30/2022 (RD: 07/31/2022) 11: AM to 11: PM; 129 Breeze Avenue will be closed from Express Drive to Parkwood Street.
- 18 BP- 19 South Shore Court –Islip – Saturday- 08/06/2022 (RD: 08/13/2022) 11AM to 11PM; 19 South Shore Court will be closed from Roman Street to Lake Street.
- 19 BP- 947 John Avenue- Bayport- Saturday – 08/06/2022 (RD: 08/07/2022) 11AM to 11PM; John Avenue will be closed from House # 979 John Avenue to Church Avenue.
- 20 BP- 51 Myson Street- West Islip – Saturday – 08/27/2022 (RD: 08/28/2022) 11AM to 11PM; 51 Myson Street will be closed from Udall Road to Spruce Avenue.

- 21 BP-142 Noble Street- Brentwood – Sunday -08/28/2022 (RD: 09/04/2022) 11AM to 11PM; Noble Street will be closed from Islip Avenue to Grand Blvd. Cross Street: Ferris Avenue.
- 22 BP-24 Ronald Lane- Sayville – Saturday – 09/17/2022 (RD: 09/18/2022) 11AM to 11PM; Ronald Lane will be closed from Old Broadway Avenue to Karen Drive; Cross Street: Lumur Drive.
- 23 BP- 24 Willow Avenue – Islip – Saturday – 09/10/2022 (RD: 09/11/2022) 11AM to 11PM; 24 Willow Avenue will be closed from Raymond Street to Montauk HWY.
- 24 BP – 81 Birch Street – Islip – Sunday – 09/04/2022 (RD: 09/24/2022) 11AM to 11PM; Birch Street will be closed from Islip Avenue to the end. Cross Streets: Wilson Blvd. and Ferndale Blvd.
- 25 BP-19 Grace Court – Islip- Saturday – 08/06/2022 (RD: 08/07/2022) 11: AM to 11: PM; 19 Grace Court will be closed from Maple Street to Adelphi Street.
- 26 BP- 14 Buckingham Lane – Bohemia – Saturday – 09/03/2022 (RD: 09/04/2022) 11AM to 11PM; 14 Buckingham Lane will be closed from Westminster Drive- House # 20 to Westminster Drive (House # 17).
- 27 BP- 15 Alfred Street – Sayville – Saturday – 08/06/2022 (RD: 08/07/2022) 11AM to 11PM; 15 Alfred Street will be closed from Lakeland Avenue to Johnson Avenue.
- 28 BP- 111 Washington Avenue- West Sayville – Saturday -08/13/2022 (RD: 08/14/2022) 11AM to 11PM; 111 Washington Avenue will be closed from: Brook Street to Hilary Street.
- 29 BP- 140 Simmons Drive – East Islip – Saturday -08/27/2022 (RD: 08/28/2022) 11AM to 11PM; Simmons Drive will be closed from Manistee Ln to Country Village Ln.
- 30 BP- 75 Adams Street East- East Islip – Saturday -08/20/2022 (RD: 08/21/2022) 11AM to 11PM; 75 Adams Street East will be closed from W. Conlu Drive to E. Conlu Drive (House # 82).
- 31 BP- 224 Cherokee Street – Ronkonkoma – Sunday – 08/14/2022 (RD: 08/21/2022) 11AM to 11PM; 224 Cherokee Street will be closed from Seminole Street to Parkway Blvd. Cross Streets: Canoe PI and Mohican Avenue.

32 BP- 1 Windsor Street- Islip – Saturday – 08/27/2022 (RD: 08/28/2022) 11AM to 11PM; 1 Windsor Street will be closed from Commack Road to The End; Cross Streets: Grimsley Road and Webster Road.

33 BP- 22 Barberry Road- West Islip – Saturday – 08/27/2022 (RD: 08/28/2022) 11AM to 11PM; 22 Barberry Road will be closed from Ivy Court to Larkspur Drive.

Upon a vote being taken the result was

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

No. 15

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Appointment of Rosalbina Ciresi as an additional Marriage Officer for
the Town's Clerk's office.**

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.

Resolution appointing Rosalbina Ciresi, an employee of the Town Clerk's office as a Marriage Officer effective July 12, 2022 through December 31, 2022.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Townwide
 2. Site or location effected by resolution: Town of Islip
 3. Cost: n/a
 4. Budget Line: n/a
 5. Amount and source of outside funding: n/a
-

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

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-

Olga A Murray
Signature of Commissioner/Department Head Sponsor

7/5/22
Date

July 12, 2022

Resolution #

WHEREAS, Section 11-c of the Domestic Relations Law of the State of New York authorizes the governing body of the Town to appoint Marriage Officers to solemnize a marriage within its territorial limits; and

WHEREAS, providing a marriage office easily accessible to all Town residents has proven to be a benefit and convenience to many residents.

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

RESOLVED, that Rosalbina Ciresi, an employee of the Town Clerk's office, is hereby appointed as a Marriage Officer effective July 12, 2022 through December 31, 2022, for the Town of Islip, and be it further

RESOLVED, that no fee shall be charged for the performance of marriages by the marriage officer and the compensation for the same shall be included in the salary for the respective officer and is in lieu of any fees provided in the Domestic Relations Law.

Upon a vote being taken, the result was:

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

No. 16

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board's acknowledgment of the Town of Babylon's Soldier Ride on July 15, 2022 between 9:00AM and 2:00PM, and authorization of the temporary road closures affecting Montauk Highway in West Islip from NYS Route 231 to the Robert Moses Causeway.

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.

The Town Board's acknowledgment of the Town of Babylon's Soldier Ride, scheduled to occur on July 15, 2022 between 9:00AM and 2:00PM, and authorization of the temporary road closures affecting Montauk Highway in West Islip from NYS Route 231 to the Robert Moses Causeway.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Babylon
 2. Site or location effected by resolution: Montauk Highway in West 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 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

July 12, 2022
Resolution # ____

WHEREAS, the Soldier Ride is an annual event hosted by the Town of Babylon in partnership with the Wounded Warrior Project to raise awareness for our wounded heroes (“the Soldier Ride”); and

WHEREAS, the Soldier Ride is a bicycle ride that spans 25 miles, from Babylon Town Hall in Lindenhurst to Overlook Beach; and

WHEREAS, this year’s Soldier Ride will take place on Friday, July 15, 2022, and will require roving closures along on Montauk Highway in West Islip from NYS Route 231 to the Robert Moses Causeway between 9:00AM and 2:00PM (“expected temporary road closure”); and

WHEREAS, the Town of Babylon is desirous of obtaining an acknowledgment from the Town of Islip recognizing the expected temporary road closure; and

WHEREAS, the Town of Babylon has assumed all responsibility for coordinating with the necessary agencies to ensure the safety of this event.

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

RESOLVED, that the Town Board has no objections to the Town of Babylon’s Soldier Ride, scheduled to occur on July 15, 2022 between 9:00AM and 2:00PM, and authorizes the temporary closures affecting Montauk Highway in West Islip from NYS Route 231 to the Robert Moses Causeway; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute any and all documentation in order to effectuate the same.

Upon a vote being taken, the result was:

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

No. 17

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Acceptance of a Conservation Easement from Binnacle Corp., for premises located at 45 and 0 Harrison Avenue, Bay Shore for the preservation of natural area.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

Christopher Poelker

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

enclosure:

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

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

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

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

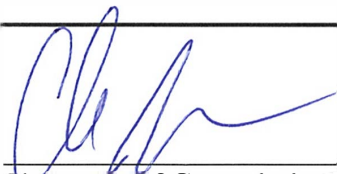
To consider the adoption of a resolution accepting a conservation easement from Binnacle Corp., in favor of the Town of Islip, for premises located at 45 and 0 Harrison Avenue, Bay Shore, NY, 11706 (SCTMN: 0500-341.00-02.00-p/o 099.002 & 099.003) for the preservation of natural area.

SPECIFY WHERE APPLICABLE:


1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: 45 & 0 Harrison Avenue, Bay Shore
 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 23. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor



Date

July 12, 2022

WHEREAS, a two-lot minor subdivision was approved for 45 Harrison Avenue, Bay Shore, NY, 11706, on May 3, 2021, by the Town of Islip Engineering Division; and

WHEREAS, the resultant properties are now designated on the Suffolk County Tax Map as District 0500 Section 341.00 Block 02.00 Lots 099.002 & 099.003; and

WHEREAS, as a condition of the minor subdivision the Town of Islip requested a conservation easement in perpetuity along the rear of said properties; and

WHEREAS, Binnacle Corp,. is the owner of said properties; and

WHEREAS, Binnacle Corp., has prepared the necessary documents for said conservation easement; and

WHEREAS, it is to the benefit of the Town of Islip that the rear of said properties are preserved in their natural state;

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

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

Upon a vote being taken, the result was:

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

No. 18

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to execute a contract with Arcadis of New York, Inc. to provide on-call environmental services at Long Island MacArthur Airport for a term of five years.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

Shelley LaRose

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

enclosure:

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

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

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

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

To authorize the Supervisor, on behalf of the Town of Islip, to execute a contract with Arcadis of New York, Inc. to provide on-call environmental services at Long Island MacArthur Airport for a term of five years at a cost not to exceed \$75,000.00 per year.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: Long Island MacArthur Airport
 3. Cost: Not to exceed \$75,000.00 per year for five years
 4. Budget Line: CT5610.4-5000
 5. Amount and source of outside funding: N/A
-

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

- ☐ Type 1 action under 6 NYCRR, Section 617.4(b), number _____. Full EAF required.
- ☒ Type 2 action under 6 NYCRR, Section 617.5(c), number 26. SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

06/27/2022

Date

July 12, 2022
Resolution #

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

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

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

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

WHEREAS, the Commissioner of the Department of Aviation and Transportation hereby recommends awarding this contract to Arcadis; and

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

RESOLVED, that the Supervisor, or her designee, is hereby authorized to execute a contract with Arcadis for on-call environmental services at Long Island MacArthur Airport for a term of five years at a cost not to exceed \$75,000.00 per year.

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

Upon a vote being taken, the result was:

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

No. 19

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Authorization for the Supervisor to execute all documents necessary to
award contract for Runway 6-24 Edge Lighting and Signage
Replacement (Construction) at Long Island MacArthur Airport to L.E.B
Electric.**

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

Shelley LaRose

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

enclosure:

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

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

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

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

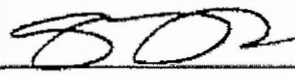
To authorize the Supervisor, on behalf of the Town of Islip, to execute all documents necessary, subject to the approval of the Town Attorney, to award the contract for Runway 6-24 Edge Lighting and Signage Replacement (Construction) at Long Island MacArthur Airport to L.E.B. Electric in the amount of \$978,778.00.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: Long Island MacArthur Airport
 3. Cost: Not to exceed \$978,778.00
 4. Budget Line: TBD
 5. Amount and source of outside funding: AIP grants: 90% FAA; 5% NYSDOT and 5% PFC
-

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

06/28/2022

Date

July 12, 2022
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, the Town desires to improve the safety and efficiency of the primary runway consisting of Runway 6-24 Edge Lighting and Signage Replacement (Construction) (the "Project"); and

WHEREAS, the Department of Aviation and Transportation shall submit an application for funding of the costs for the Project through Airport Improvement Program ("AIP") grants at the Airport based on the following allocation: 90% FAA; 5% New York State Department of Transportation ("NYSDOT"); and 5% Passenger Facility Charge ("PFC"); and

WHEREAS, the Department of Aviation and Transportation prepared and advertised a bid for Contract DAT 2022-005, Runway 6-24 Edge Lighting and Signage Replacement (Construction); and

WHEREAS, sealed bids were opened on June 2, 2022; and

WHEREAS, upon review of the bids, L.E.B. Electric of 21 Seabro Avenue, Amityville, NY 11701, was the apparent low dollar bidder with a bid of \$978,778.00; and

WHEREAS, L.E.B. Electric has been determined to be the lowest responsible bidder; and

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

RESOLVED, that the Supervisor of the Town of Islip is hereby authorized to execute all documents necessary, subject to the approval of the Town Attorney, for the awarding of the contract for Runway 6-24 Edge Lighting and Signage Replacement (Construction) at Long Island MacArthur Airport to L.E.B. Electric in the amount of \$978,778.00.

FURTHER RESOLVED, that the Comptroller is hereby authorized to make the accounting entries necessary to amend the budget in accordance with the terms of the contract.

Upon a vote being taken, the result was:

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

No. 20

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board approval to re-allocate the distribution of Town's SLFRF funds that were previously authorized on April 5, 2022.

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

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 amends the approved ARPA projects that will be funded using the "Lost Revenue" portion of the SLRFF funding.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Townwide
 2. Site or location effected by resolution: Various
 3. Cost: \$245,000
 4. Budget Line: To be established by the Comptroller
 5. Amount and source of outside funding: \$245,000 - ARPA Funding
-

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

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

7/8/22

Date

July 12, 2022
Resolution # ____

WHEREAS, the American Rescue Plan Act (ARPA) of 2021 was signed into law by President Biden on March 11, 2021, establishing the Coronavirus State and Local Fiscal Recovery Fund (SLFRF funds) program, which is intended to provide support to local governments in responding to the impact of COVID-19 and in their efforts to contain COVID-19 within their communities, residents and businesses; and

WHEREAS, the U.S. Treasury has published a detailed set of rules describing eligible uses of SLFRF funds, which provides substantial flexibility for each jurisdiction to meet local needs within the following four separate eligible use categories: (1) to replace lost revenue due to the COVID-19 public health emergency; (2) to respond to the public health and economic impacts of COVID-19; (3) to provide premium pay to eligible workers; or (4) to invest in water, sewer, or broadband infrastructure; and

WHEREAS, on July 20, 2021, by Resolution #25, the Town Board of the Town of Islip accepted the SLFRF funds, as provided by ARPA, to be used in a manner consistent with the Department of Treasury's guidance; and

WHEREAS, on April 5, 2022, by resolution #43, the Town Board approved various projects to be funded via SLFRF funds; and

WHEREAS, based on bid opening prices, the previously approved listing needs to be amended; and

WHEREAS, the Parks and Recreation Commissioner recommends the following adjustments to that plan:

<u>Project Description</u>	<u>Original Authorization</u>	<u>Adjustment</u>	<u>Revised Authorization</u>
Holbrook Pickleball & Tennis Courts	\$ 1,000,000	\$ (630,000)	\$ 370,000
Turf Fields;			
Eastview	500,000	1,000,000	1,500,000
East Islip Marina	3,000,000	(3,000,000)	-0-
Islip Little League Fields	650,000	50,000	700,000
Broadway Ave. Park	1,250,000	75,000	1,325,000
West Islip Little League Fields	1,400,000	100,000	1,500,000
Brookwood Hall Fields	-0-	1,325,000	1,325,000
401 Main St. Fields	-0-	1,325,000	1,325,000

NOW, THEREFORE, on a motion of _____,

seconded by _____, be it

RESOLVED, that the Town Board hereby authorizes the following amendments to the previously approved use of Town's SLFRF funds:

<u>Project Description</u>	<u>Original Authorization</u>	<u>Adjustment</u>	<u>Revised Authorization</u>
Holbrook Pickleball & Tennis Courts	\$ 1,000,000	\$ (630,000)	\$ 370,000
Turf Fields;			
Eastview	500,000	1,000,000	1,500,000
East Islip Marina	3,000,000	(3,000,000)	-0-
Islip Little League Fields	650,000	50,000	700,000
Broadway Ave. Park	1,250,000	75,000	1,325,000
West Islip Little League Fields	1,400,000	100,000	1,500,000
Brookwood Hall Fields	-0-	1,325,000	1,325,000
401 Main St. Fields	-0-	1,325,000	1,325,000

FURTHER RESOLVED, that the comptroller is hereby authorized to make any and all budgeting adjustments necessary to effectuate this resolution.

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

No. 21

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Authorization for the Supervisor to apply for and accept funding from
Suffolk County Office for the Aging for reimbursement of elderly
transportation service program costs.**

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.

By this resolution, the Town Board authorizes the Supervisor to apply for and accept funding from Suffolk County Office for the Aging (SCOFA), for the purpose of providing continued partial funding for an Essential Transportation Program in the amount of \$6,763.00 for the period of April 1, 2022 through December 31, 2022. The Town of Islip has entered into similar grant agreements with SCOFA for the past several decades.

SPECIFY WHERE APPLICABLE:

1. **Entity or individual benefitted by resolution:** Town of Islip senior citizen residents
 2. **Site or location effected by resolution:** Town of Islip
 3. **Cost:** N/A offsets pre-existing program operational costs
 4. **Budget Line:** A.7622.1 partial
 5. **Amount and source of outside funding:** Approximately \$6,763.00 Suffolk County Office for the Aging
-

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

6/16/2022
Date

July 12, 2022
Resolution # _____

WHEREAS, part of the mission of the Town of Islip Department of Parks, Recreation and Cultural Affairs is to provide elderly transportation services; and

WHEREAS, the Suffolk County Office for the Aging has identified certain funds in the 2022 Suffolk County Adopted Budget in the form of AAA Transportation funds for the express intent of essential elderly transportation programs; and

WHEREAS, the Suffolk County Office for the Aging has offered to reimburse the Town of Islip a total of \$6,763 for elderly transportation service costs for the period of April 1, 2022 through December 31, 2022; and

WHEREAS, the Town of Islip wishes to apply for and secure said County funding for the purpose of enhancing the lives of its senior citizen residents by providing them with an Essential Transportation Program;

NOW, THEREFORE, on motion of _____

seconded by _____, be it

RESOLVED, that the Town Board authorizes the Supervisor to apply for and accept funding from the Suffolk County Office for the Aging for reimbursement of elderly transportation service costs for the period of April 1, 2022 through December 31, 2022; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute a grant application and grant agreement, and any necessary documentation attendant thereto, with the Suffolk County Office for the Aging for funding of an Essential Transportation Program in the Town of Islip, 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 grant agreement.

UPON A VOTE BEING TAKEN, the result was:

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

No. 22

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Acceptance of a Deed from Campo Brothers Associates, LLC, for a Right of Way known as Todd Court, Holbrook for road dedication 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 Campo Brothers Associates LLC, in favor of the Town of Islip, for a Right of Way known as Todd Court, Holbrook, NY, 11741 (SCTMN: 0500-107.00-02.00-003.004) for road dedication purposes.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: Todd Court, Holbrook
 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 23, SEQR review complete.
- ☐ Action not listed as Type I or Type II under Part 617 of the NYCRR. Short EAF required.
-



Signature of Commissioner/Department Head Sponsor

6/24/2022

Date

July 12, 2022

WHEREAS, the Town of Islip granted Final Approval of the major subdivision known as Todd Court, Holbrook, on September 6, 2018; and

WHEREAS, the Map of Todd Court Homes, Holbrook, was filed at the Office of the Suffolk County Clerk on July 2, 2019, as # 12167; and

WHEREAS, all road improvements have been satisfactorily completed in accordance with Town of Islip standards and said road is in acceptable condition; and

WHEREAS, Campo Brothers Associates LLC, the owner of the road, have submitted a Bargain and Sale Deed to the Town of Islip conveying said road (SCTMN: 0500-107.00-02.00-003.004) to be dedicated for highway purposes; 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 is hereby accepted and the Town Attorney is hereby 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. 23

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Authorization to declare the Phase 2 of the Maple Avenue Bulkhead and
Utility Improvements Project a Type II Action.**

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.

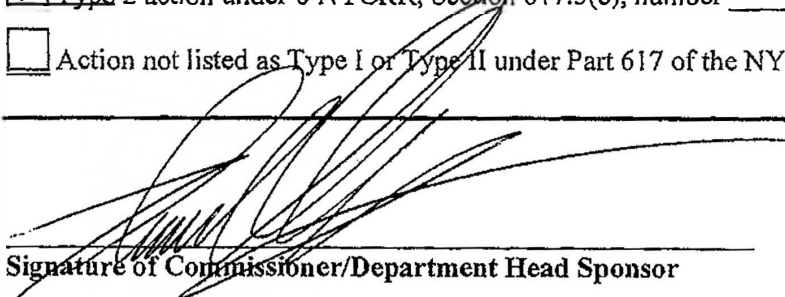
Authorization for the Town Board to declare the Phase 2 of the Maple Avenue Bulkhead and Utility Improvements is a SEQRA Type II Action in accordance with 6 NYCRR, Part 617.5. (c) Subdivision (2) which reads, "2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part,".

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Town of Islip
 2. Site or location effected by resolution: Maple Avenue Dock
 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. SEQRA 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

6/27/2002
Date

WHEREAS, the Town of Islip (the "Town") owns a waterfront facility in the hamlet of Bay Shore known as, "Maple Avenue Dock," and is planning improvements to the facility as part of its Phase 2 of the Maple Avenue Dock Bulkhead and Utility Improvements Project (the "Project"); and

WHEREAS, the proposed improvements for the Project consist of an upgrade to the stormwater pump station located on the northeast corner of the dock, resurfacing of the parking lot, installation of a pedestrian walkway on the west side of the dock, installation of a sewage waste pump-out station on the south end of the dock, utility upgrades, and new energy efficient lighting for the parking lot; and

WHEREAS, the New York State Department of Environmental Conservation has developed a list of "actions" that have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review, commonly referred to a "Type II" actions, which may be found in Title 6, Section 617.5(c) of the New York Compilation of Rules and Regulations ["6 NYCRR § 617.5(c)"]; and

WHEREAS, the Commissioner of the Department of Parks, Recreation, and Cultural Affairs (the "Commissioner") and the Town's consultant for the Project, L.K. McLean Associates, P.C., have reviewed the proposed improvements for the Project and have not identified any areas of environmental concern; and

WHEREAS, the Commissioner recommends that the Town Board declare the Project to be a, "Type II Action," pursuant to 6 NYCRR, Section 617.5 (c)(2), since it involves the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, and there are no significant environmental impacts anticipated from the Project;

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

RESOLVED, that the Town Board of the Town of Islip hereby determines that Phase 2 of the Maple Avenue Dock Bulkhead and Utility Improvements Project is a Type II Action under 6 NYCRR Section 617.5(c)(2), since it involves the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, and there are no significant environmental impacts anticipated from the Project.

UPON A VOTE BEING TAKEN, the result was:

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

No. 24

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Authorization for the Supervisor to sign a building permit application on behalf of Town of Islip as fee owner of premises on Carleton Avenue, Central Islip along with any additional documentation while the signed deed amending the conveyance of the property is pending.

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.

Supervisor of the Town is hereby authorized to sign a building permit application on behalf of the Town of Islip as fee owner of premises on Carleton Avenue, Central Islip, identified on the Suffolk County Tax Map as 500-165.00-013.00-001.000 along with 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.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Gull Haven Commons LLC
2. Site or location effected by resolution: Carleton Avenue, Central Islip (500-165.00-013.00-001.000)
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 _____. 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

mm

Dated: July 12, 2022
Resolution #:

WHEREAS, a Request for Proposal ("RFP") was advertised by the Town of Islip entitled "Various Non-Residential Town Owned Properties" to encourage development of vacant parcels throughout the Town of Islip that were no longer needed for municipal purposes; and

WHEREAS, that certain parcel of real property located on Carleton Avenue, Central Islip, identified on the Suffolk County Tax Map as 500-165.00-013.00-001.000 ("Premises") was included in the RFP; and

WHEREAS, following a comprehensive review by a committee of representatives from various departments within the Town, it was determined that the proposal submitted 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; and

WHEREAS, by Town Board Resolution dated July 16, 2019 the Supervisor was authorized to declare the Premises surplus, enter into a Contract of Sale and transfer title to Gull Haven Commons, LLC in exchange for \$710,000.00 and execute all documents necessary to effectuate the resolution; and

WHEREAS, subsequent to the July 16, 2019 Town Board Resolution it was determined that Section 7, chapter 719 of Laws of 1982 restricts the use of the Premises to hospital, park and recreation, municipal offices and educational purposes; and

WHEREAS, on May 20, 2021 the Town Board of the Town of Islip adopted a Home Rule resolution supporting Bills S6437-A and A7485-A amending Section 7, chapter 719 of Laws of 1982 wherein the commissioner of general services shall amend the conveyance to the Town of Islip 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 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, such amended conveyance to be conditioned upon payment to the state of New York by the Town of Islip of fair and reasonable consideration as determined by the commissioner of general services; and be it further ; and

WHEREAS, The State of New York has agreed to accept \$480,000.00 as fair and reasonable consideration; and

WHEREAS, the Town of Islip and Gull Haven Commons, LLC have agreed to increase the contract purchase price from \$710,000.00 to \$800,000.00 wherein \$480,000.00 of the sale proceeds will be given to the State in exchange for an amendment to the original conveyance to the Town wherein the use restriction will be modified to facilitate the development of the property as apartments with the balance of \$320,000.00 to be given to the Town in exchange for the transfer of title.

WHEREAS, the deed amending the conveyance has yet to be signed by New York State and the closing of title cannot occur until said signed deed is received by the Town;

WHEREAS, Gullhaven Commons, LLC would like to submit an application for a building permit while the signed deed amending the conveyance is pending; and

WHEREAS, the Town of Islip is the current fee owner of the Premises and is desirous of assisting Gullhaven Commons LLC in moving forward with their project while a closing date is pending.

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

RESOLVED, that the Supervisor of the Town is hereby authorized to sign a building permit application on behalf of the Town of Islip as fee owner of premises on Carleton Avenue, Central Islip, identified on the Suffolk County Tax Map as 500-165.00-013.00-001.000 along with 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.

UPON A VOTE BEING TAKEN, the result was carried

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

No. 25

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

Town Board approval for the establishment of a temporary commission to advise on the reapportionment of the Town of Islip council districts.

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

July 12, 2022
Resolution # 25

WHEREAS, pursuant to a Joint Settlement Agreement and Consent Judgment entered into on or around October 14, 2020, the Town of Islip replaced the at-large voting system with councilmanic districts for the election of Town Board Members; and

WHEREAS, pursuant to said Joint Settlement Agreement and Consent Judgement, the Town Board is required to redraw the Town Council districts prior to the regular Town Council elections in 2023 subject to certain specified standards; and

WHEREAS, the Town Board wishes to create a temporary redistricting commission to act in an advisory capacity to the Town Board in redrawing the council district map in a manner consistent with the 2020 census data and the standards set forth in the Joint Settlement Agreement and Consent Judgment.

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

RESOLVED, that the Town Board authorizes the establishment of a temporary redistricting commission ("Commission"), to advise on the reapportionment of the Town of Islip council districts; and be it

FURTHER RESOLVED, that the Commission shall consist of five (5) members, who shall serve without compensation, and will be broken down by the following party affiliations: two registered Republicans, two registered Democrats, and one At-Large (not affiliated with either Republican or Democratic party); and be it

FURTHER RESOLVED, that the Town Board hereby appoints the following members to the Commission: John Dolan (Chairperson), Manuel Vidal, Francis Brechter, Michael Loccorerie and Justin Jaycon, and be it

FURTHER RESOLVED, that the Commission shall be tasked with analyzing existing district maps as compared to the most recent census data and, if necessary, developing and presenting a reconfigured map to the Town Board for approval; and be it

FURTHER RESOLVED, that the Commission shall hold at least four (4) redistricting public hearings in each of the four (4) existing Town of Islip Districts. All public hearings and meetings shall be called by the Chairperson and shall be held in public buildings on notice to the public through appropriate media outlets; and be it

FURTHER RESOLVED, that no later than September 12, 2022, the Chairperson of the Commission shall submit a written report to the Town Board with any recommendations on the reconfiguration of council district lines. Said report and recommendation must be approved by a majority of the Commission and must be made available to the public for inspection at the office of the Town Clerk; and be it

FURTHER RESOLVED, that to aid the Commission in carrying out its function, the Town Board hereby authorizes the Town Attorney to enter into contracts with consultants to provide analyzing services and legal advice throughout this process. Agencies and departments of Town government shall be required to provide assistance to the Bipartisan Commission as requested; and be it

FURTHER RESOLVED, that the Comptroller is hereby authorized to make any and all budgetary adjustments to effectuate this resolution.

Upon a vote being taken, the result was:

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

No. 26

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

FROM: JOHN R. DICIOCCIO, TOWN ATTORNEY

RE: TOWN BOARD DISCUSSION AGENDA

**Authorization for the Town Supervisor to renew an agreement with
Alessandro Bologna to provide Dock Master services for the Fair Harbor
Dock District for 2022.**

FOR INCLUSION ON THE TOWN BOARD DISCUSSION AGENDA.

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

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 Town Supervisor to renew an agreement with Alessandro Bologna to provide Dock Master services for the Fair Harbor Dock District for 2022 retroactive from July 1st, 2022.

SPECIFY WHERE APPLICABLE:

1. Entity or individual benefitted by resolution: Users of the Fair Harbor Dock
2. Site or location effected by resolution: Fair Harbor dock, Fair Harbor, Fire Island
3. Cost: \$2,500.00
4. Budget Line: N/A
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.

7/5 /2022
Date

July 12, 2022

Town Board Resolution Authorizing Re-Appointment of Fair Harbor Dock Master

WHEREAS, the Town of Islip has established the Fair Harbor Dock District; and

WHEREAS, on July 20, 2021 a resolution was adopted by the Town Board appointing Alessandro Bologna as Dock Master of the Fair Harbor Dock District for the 2021 summer season; and

WHEREAS, there is a need to continue the position of Dock Master to ensure the orderly use of the public dock at Fair Harbor; and

WHEREAS, Mr. Alessandro Bologna has served well during the 2020 season;

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

RESOLVED that the position of Dock Master be continued for the 2021 season by ALESSANDRO BOLOGNA retroactive to July 1st, 2022 at a salary not to exceed \$2,500.00 with the same duties and responsibilities as previously charged to said Dock Master.

Upon a vote being taken the result was: