

Nassau County Industrial Development Agency

Board Meeting Minutes

June 19, 2018

6:30 PM

I. Board Roll Call

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

Others Present:

Joseph J. Kearney
Joseph Foarile
Paul V. O'Brien, Esq.
Milan K. Tyler, Esq.

After the roll was called, Board Chairman Kessel noted that it was Colleen Pereira's birthday and thanked her and the entire staff for their hard work. Lewis Warren commented on the effectiveness of the IDA's marketing around the Belmont Stakes. Chairman Kessel described the marketing plan, including the "Nassau County - Open for Business" slogan and the networking events hosted by the Agency.

II. Public Comment Period

Chairman Kessel noted that tonight was the first of a series of quarterly meetings, aimed at fulfilling County Executive Curran's effort to increase openness and transparency. He then asked whether there was any comment from the public with respect to any matter before the members. Hearing no response, the Chairman called the public comment period to a close.

III. New Business

A. Seviroli Foods, Inc.

Applicant's Chief Operating Officer explained that the Applicant is seeking to expand its operations in Garden City, but that Long Island is an expensive place to do business. The Applicant has a warehouse in New Jersey and could easily move there. The Applicant will maintain its existing 235 jobs and add 30 new

jobs within three (3) years (in addition to approximately 64 construction period jobs).

Chris Fusco asked whether the Applicant had contacted the Long Island Building Trades Council and the Applicant agreed to do so.

Chairman Kessel advised the Board that he had reached out to the various elected officials and that they were all generally supportive of the company and the expansion project. Chairman Kessel opined that Seviroli Foods is the kind of company we want to keep on Long Island.

At the request of the Chairman, Transaction Counsel, Paul O'Brien described the proposed financial assistance and the proposed Resolutions.

Tim Williams moved to approve the following Resolutions:

NCIDA No. 2018-26 - Seviroli Foods -SEQRA Resolution
NCIDA No. 2018-27 - Seviroli Foods - Tax Deviation Resolution
NCIDA No. 2018-28 - Seviroli Foods - Inducement/Approving Resolution

Chris Fusco seconded the motion. The Resolutions were approved unanimously.

Chairman Kessel then explained that as part of the Agency's new process, new applications would have preliminary inducement Resolutions, as well as final/approving Resolutions.

B. Nassau Events Center

Peter Curry, the Applicant's counsel, summarized the prior Agency financial assistance for its Nassau Veterans Memorial Coliseum project. Mr. Curry also explained that in order for the New York Islanders hockey team to return to play at Nassau Coliseum while a new arena is being built for them at Belmont Raceway, the NHL is requiring certain upgrades to the facility.

Matt Belker from the Applicant described the current operations at the Nassau Coliseum, including its 100 full time jobs, and approximately 1,000 part time jobs for various events. Zach Klein, Deputy General Counsel for the Islanders, described the NHL's signage, HVAC, lighting, cabling and other requirements. Jerry Lee, a consultant to the Applicant, described the project budget, originally estimated to be \$8.6 million, but now up to \$9.5 million.

Chairman Kessel asked how many games the Islanders would play at the Coliseum and was advised that they would play a minimum of 60 games there over the next three seasons. Chairman Kessel commended the efforts of the NYS Governor and County Executive to bring the Islanders back to Nassau County (at both the Coliseum and a new facility at Belmont).

John Coumatos commented that this would be very good for local businesses. Chris Fusco inquired about the contractor and was told that Hunt would be the general contractor; Joe Kearney noted that the existing project labor agreement requirement would apply to this project also.

At the Chairman's request, Paul O'Brien described the proposed Resolution.

Tim Williams moved to approve the following Resolution:

NCIDA No. 2018-29 - Nassau Events Center Preliminary Inducement Resolution

Lewis Warren seconded the motion and the Resolution was approved unanimously.

C. Luxottica

Tom Stringer, a site selection consultant for the Applicant, described the 2011 Agency financial assistance for the Applicant's Port Washington facility, noting that the Applicant had over-performed on its jobs covenant. The Applicant is considering an approximately 9,000 square foot expansion and is requesting that the existing PILOT Agreement be extended to cover the additional space.

Vito Giannola described the Applicant's history and worldwide growth. With a recent merger, the company needs to prove internally that Long Island is still a good place to do business (they have a manufacturing facility in Dallas for example).

Chairman Kessel asked about the current level of employment and was advised that it was 269 people. Chris Fusco commented that the 2011 project was performed using prevailing wage standards.

Lewis Warren moved to approve the following Resolution:

NCIDA No. 2018-30 - Luxottica Preliminary Inducement Resolution

Anthony Simon seconded the motion and the Resolution was approved unanimously.

Chairman Kessel asked Paul O'Brien to summarize the next five matters.

D. Cornerstone

Applicant has requested consent for a transfer of the project and a substitution of guarantors.

E. Mattress Firm (f/k/a Sleepy's)

Consent requested by the Applicant for a purchase of an interest in the Applicant entity and release of an obligor, and sublease of space to South Nassau Communities Hospital.

F. Salrum

Applicant has requested consent for an extension of time to complete construction of the project.

G. Lumber Earth

Applicant has requested consent for an ownership interest transfer.

H. 26 Sunset

Consent requested by Applicant for a 6-month extension of time to close.

Tim Williams moved to approve the following Resolutions (and the 26 Sunset extension request):

NCIDA No. 2018-31 - Cornerstone Consent Resolution
NCIDA No. 2018-32 - Mattress Firm Consent Resolution
NCIDA No. 2018-33 - Salrum Associates Consent Resolution
NCIDA No. 2018-34 - Lumber Earth Consent Resolution

Chris Fusco seconded the motion. The Resolutions and extension request were approved unanimously.

I. Governance

Anthony Simon moved, Lewis Warren seconded and the Board unanimously voted to adjourn the Board meeting at 7:48 p.m. and convene the Governance Committee.

Anthony Simon described a number of governance reforms that the Agency staff and General Counsel had drafted in order to further implement County Executive Curran's proposed reforms.

Chairman Kessel applauded these efforts, especially the Affordable Housing and the Clean Energy initiatives.

Chris Fusco and Anthony Simon both endorsed the new Prevailing Wage and Labor Disharmony policies.

After further discussion of each of the policies, the Governance Committee (Anthony Simon, Chris Fusco, Chairman Kessel) voted to recommend the slate of policies to the full Board and then adjourned.

Tim Williams moved, John Coumatos seconded and the Board voted to reconvene.

Tim Williams moved to approve the following Resolution:

NCIDA No. 2018-35 - Resolution Addressing Governance Matters

Anthony Simon seconded the motion. The Resolution was adopted unanimously.

Chairman Kessel thanked the Governance Committee, the full Board, staff and General Counsel for their work on these reforms, and credited the County Executive for recommending many of the measures.

IV. Approval of Meeting Minutes

Tim Williams moved to approve the May 8, 2018 minutes. Lewis Warren seconded the motion. The motion carried unanimously.

V. Bills and Communications

Board Chairman Richard Kessel reported that there were no bills or communications to report.

VI. Treasurer's Report

Joe Foarile, Chief Financial Officer of the Agency, explained that the Treasurer's Report handed out to board members is through May 2018 and briefly summarized the results.

VII. Committee Reports

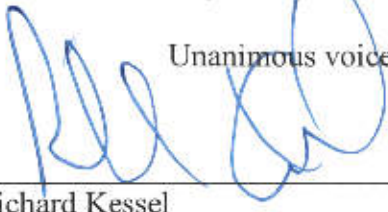
None.

VIII. Unfinished Business

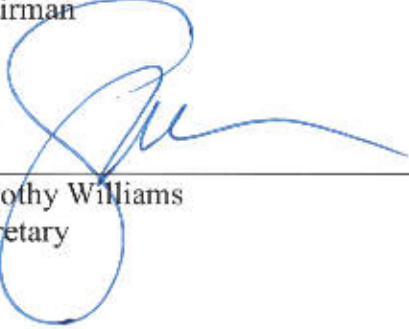
Paul O'Brien advised the Board that the Agency staff had compiled the 2017 job covenant results and approximately a half dozen applicants were out of compliance by varying degrees. Staff will contact each Applicant and report back to the Board with a summary and possible recommendations for further action.

IX. Adjournment

Unanimous voice vote to adjourn at 8:18 PM.



Richard Kessel
Chairman



Timothy Williams
Secretary