

**TOWN OF HEMPSTEAD INDUSTRIAL DEVELOPMENT AGENCY  
BOARD MEETING**

**Nathan L. Bennett Pavilion\*  
One Washington Street, Hempstead, NY  
AGENDA**

**Monday, December 20, 2021, 9:00 AM**

**\*Notes:**

- **AS MANDATED BY GOVERNOR KATHY HOCHUL, MASKS MUST BE WORN AT THE TOWN OF HEMPSTEAD FACILITY. Social Distancing is also encouraged.**
- A livestream of the meeting may also be viewed at [www.tohida.org](http://www.tohida.org) . Select "Watch Meetings"

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The Agenda will include but not be limited to:

**AGENDA:**

- Confirm the presence of a Quorum
- Public Comment with respect to Agenda items

**VILLAGE BUSINESS:**

**Village of Freeport:**

- None

**Village of Hempstead:**

- Consideration of a Termination and Recapture Resolution for **Alphamore LLC**, 50 Clinton Street, Hempstead
- Update late PILOT payments – **Fad Henry**

**NEW BUSINESS - Applications, Transaction Resolutions and Presentations:**

- Consideration of an Authorizing Resolution for **S & S Atlantic Realty Inc.**, 418 Atlantic Avenue, Oceanside
- Consideration of a Sales Tax Exemption Extension (of time only) for **Gabrielli Inwood Phase II**, 31 Alameda Street, Inwood
- Consideration of a Mortgage Consolidation for **3235 Hempstead Mid Rockland Levittown**, 3235 Hempstead Tpke., Levittown
- Consideration of a Mortgage Consolidation for **SLZM Realty Mid Rockland Lynbrook**, 443 Sunrise Highway, Lynbrook
- Consideration of a Mortgage Refinance for **CHSGN LI Hotel Partners LLC**, 1800 Privado Road, Westbury
- Consideration of a Tenant Consent for **444 Merrick Road LLC**, 444 Merrick Road, Lynbrook, NY – Goal Family Medical PC
- Consideration of a Tenant Consent for **Equity One/Regency Centers LP**, 900 Old Country Road, Garden City - Restore Hyper Wellness and Cryotherapy
- Consideration of a Tenant Consent for **Valley Stream Green Acres LLC**, 2034 Green Acres Mall, Valley Stream – Green Acres Kids LLC

- Consideration of a Tenant Consent for **Valley Stream Green Acres LLC**, 2034 Green Acres Mall, Valley Stream – Jembro

**NEW BUSINESS - Other:**

- CEO's Report
- Consideration and Adoption of the Fund Balance Policy
- Consideration and Adoption of the Standard Project Procedures
- Consideration and Adoption of the Sexual Harassment Policy
- Consideration of a Salary Resolution for Frederick Parola
- Consideration of a Salary Resolution for Edith Longo
- Consideration of a Salary Resolution for Lorraine Rhoads
- Consideration of a Salary Resolution for Arlyn Eames
- Consideration of a Salary Resolution for Michael Lodato
- Consideration of a Salary Resolution for Laura Tomeo
- Consideration of an Amended and Restated Resolution for PILOT Administrative Late Fees
- Consideration of a Resolution to pay Massa and Associates for 2021 update to Actuary report, subject to GASB 74/75 requirements
- Consideration of a Resolution to approve the contract with Giovatto Agency for website maintenance
- Consideration of a Resolution to approve the contract with Sheehan & Company for the 2021 Audit and 2022 Review
- Consideration of a Resolution for the NYSEDC membership for 2021
- Consideration and Adoption of the 2022 Meeting Schedule
- Confidential Evaluation of Board Performance 2021

**OLD BUSINESS:** None

**READING AND APPROVAL OF MINUTES OF PREVIOUS MEETING(s):**

- Consideration and Adoption of the Minutes of November 18, 2021

**REPORT OF THE TREASURER:**

- Financial Statements and Expenditure List: November 12, 2021 – December 13, 2021

**COMMITTEE UPDATES:**

**EXECUTIVE SESSION:**

**ADJOURNMENT**

Chairman Approval:

**ALPHAMORE LLC – DEFAULT\* as of 12/13/21**

50 Clinton St., Hempstead

Update from last meeting:   **\*The Board voted to terminate on 10/21/21 and a Notice of Default was sent 11/1/21 requesting the default issues be resolved by 11/18/21 . No payments have been made. 4 PILOT payments outstanding. Mortgage Default**

Status:           Default

Reason(s):   **1) UNPAID LATE PILOTS:**

Unpaid Late 2<sup>nd</sup> Half School 2020/21 - \$111,480.82

Unpaid Late 1st Half Village 2021 - \$53,440.19

Unpaid Late 2<sup>nd</sup> Half General 2021 - \$16,439.80

Unpaid Late 1<sup>st</sup> Half School 2021/22 - \$111,978.64

**TOTAL LATE PILOTS: \$293,339.45**

**2) Unpaid current PILOT: 2<sup>nd</sup> Half Village 2021 - \$48,425.24**

**3) MORTGAGE DEFAULT – Bank gave company notice to pay by December 10th**

**4) Unpaid IDA Document Processing Fee - \$1,000.00**

Original PILOT Termination date:   12/31/27

**Fad Henry Street Food Corp.**  
216-228 Henry Street, Hempstead  
(under construction)

Late 1<sup>st</sup> Half School 2021/22: \$20,107.92 (inclusive of 2 months late penalties)

*PROJECT ABSTRACT*  
*TOWN OF HEMPSTEAD INDUSTRIAL DEVELOPMENT AGENCY*

**S&S Atlantic Realty, INC**  
**Project: 2802-19-05A**

Application Date: 8/15/19,  
Amended 2/5/21

Contact: Usman Bandukra

Applicant Name and Address: 400 Anchor Avenue  
Oceanside, NY 11572

Project Address: 418 Atlantic Avenue  
Oceanside, NY 11572

Project: The applicant seeks to construct a residential rental complex of approximately 22,500 square feet on 1.2 acre parcel of land. The project will consist of 22 two bedroom apartments and 1 one bedroom apartment. The project is located in a transit oriented district approved by the Town of Hempstead. The site is less than one half mile from both the Oceanside and East Rockaway Long Island Railroad Stations. The project will also set aside ten percent of all units as affordable workforce housing.

Project Costs:

Hard Costs	\$4,628,000.00
Legal Fees	\$25,000.00
Architectural / Engineering Fees	\$138,000.00
Civil Engineer:	\$52,000.00
Advertising and Model Kit:	\$15,000.00
Insurance Consultants:	\$25,000.00
Financing Fees:	\$185,000.00
Real Estate Taxes:	\$108,000.00

Total: \$5,176,000.00

Employment: Full and Part Time

Present	0	0
1 <sup>st</sup> Year	0	1
2 <sup>nd</sup> Year	0	1

Employment: Creation of .5 FTE positions by year 1

Retention: 0

Average Estimated Salary of jobs to be created: \$16,000

Average Salary Range for jobs to be created: \$16,000

Benefits Sought: Seeking 15 Year PILOT, Sales Tax Exemption, MRT

Benefit Analysis:

Sales Tax Exemption Renovation, Furnishing and Fixture:  
 $\$2,475,330 \times 8.625\% = \$213,497.21$

Mortgage Amount:  $\$3,537,240 \times .75\% = \$26,529.30$

Current Tax Information:

Section: 38 Block: 400, Lots: 442,460,464,479,480

Parcels: 5

SD- Oceanside UFSD - 11

2021

Total Assessed Value: \$4,158

Total Full Value: \$1,161,000

Total Current Taxes: \$52,166.39

General 2021: \$19,202.70

School 2020/2021: \$32,963.69

Estimated Taxes Once Built: \$274,278.00

Applicant's Counsel: David Curry

ID Counsel: Paul O'Brien

S&S Atlantic Realty, INC  
DRAFT PILOT

418 Atlantic Ave  
Oceanside, NY 11572  
Section: 38 Block: 400, Lots: 442,460,464,479,480  
Parcels: 5  
SD- Oceanside UFSD - 11

Current Total Taxes Year: \$52,166.39  
Estimated Taxes Once Built: \$274,278.00

Year	Total
1	\$52,166.00
2	\$52,166.00
3	\$52,166.00
4	\$100,000.00
5	\$120,000.00
6	\$175,000.00
7	\$200,000.00
8	\$210,000.00
9	\$230,000.00
10	\$250,000.00
11	\$255,000.00
12	\$260,000.00
13	\$265,000.00
14	\$270,000.00
15	\$275,000.00

2/5/21 - DRAFT

This has not been approved by the IDA Board.

## **TOWN OF Hempstead Industrial Development Agency POLICY ON FUND BALANCE**

It is Board's fiduciary duty is to provide a fiscally responsible financial plan that considers both the short and long-term needs of the IDA.

While the expenditures for the base operations of the IDA are stable, the revenue streams are typically dependent on the number and magnitude of projects that are approved. Even when one or more projects may be pending, the actual timing of closings is dependent upon many external factors, including the ability of the applicant to obtain financing, the current economic conditions, and relationships with the applicant's key business partners. These factors contribute to a sometimes extended period of time between the company's IDA application and closing.

### **Level of Fund Balance**

Given the possibility of a lengthy period elapsing before project fees are realized, a reasonable minimum, fund balance level would be approximately four times the average annual expenses. The maximum target level will be eight times the average annual budget for the previous three years.

### **Actions to be Taken to Maintain the Fund Balance**

If the fund balance is projected to fall below the minimum targeted level by calendar year, a plan for recommended expenditure reductions and/or revenue increases shall be submitted to the Finance Committee as well as the CEO and the Chief Financial Officer. The plan to restore the minimum/maximum fund balance will be presented and adopted by the Board.

**The Policy, and the determination of the appropriate minimum/maximum balance amount, shall be reviewed annually.**

*Created 9/23/2021*

*Resolution #056-2021*

*Ayes:*

*Nays:*

*Adopted:*

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*Florestano Girardi*  
*Chairman*



## **Standard Project Procedures**

### TOWN OF HEMPSTEAD INDUSTRIAL DEVELOPMENT AGENCY

1. Applications for new projects, together with an Environmental Assessment Form, application fee, a detailed breakdown of project costs and a narrative description of the project, must be submitted to the Town of Hempstead IDA (TOHIDA/the Agency) no later than the 1<sup>st</sup> of the month for the Monthly Board meeting. Incomplete Applications will not be accepted and will not be placed on Agenda for consideration. The application must be finalized with an Executed Recapture Policy and PILOT Schedule.
2. The attorney or law firm listed on the application in connection with the TOHIDA financing will be expected to give the usual and customary opinions of borrowers Counsel in such TOHIDA financing including, without limitation, zoning, site plan, public approvals, opinions and SEQR compliance opinions. If such attorneys are not willing or able to give such opinion, the applicant must engage competent and experienced counsel, satisfactory to TOHIDA, to render such opinions.
3. An application fee of \$3,000.00 will be required upon submission of application package. In addition a \$500.00 fee payable to the Agency will be required for the engagement of an outside firm to develop the Cost Benefit Analysis and is to be paid at the time of submitting the formal application. The \$3,500 fee will not be applied to the final administrative fee. The fee for the basic Cost Benefit Analysis is \$2,500.00 or \$7,000.00 for a more comprehensive Cost Benefit Analysis.
4. The Agency will not move ahead of any other governmental authorities until all necessary permits, variances, governmental approvals and site plans have been approved, and copies of such approvals have been submitted to the Agency. The Agency may induce a project prior to the Applicant receiving all necessary permits, variances, governmental approvals and site plans if the inducement resolution states that any final authorization of the project or the issuance of Bonds will be subject to the Applicant having obtained all such necessary permits, variances, governmental approvals and site plans. The Agency will not hold a public hearing until all approvals have been granted and copies of the approvals received by the TOHIDA. The Agency reserves the right to request a copy of an appraisal by a licensed appraiser prior to inducing a project or prior to granting final approval of a project. Notwithstanding the foregoing, a public hearing may be held and an inducement resolution issued where the situs of the project has been approved by the applicable government

entity for rezoning and all that remains outstanding is a non-discretionary ministerial approval, such as site plans or an approval under Section 239 of the General Municipal Law.

5. The Agency reserves the right to request the status of any and all tax certiorari cases prior to inducing a project.
6. The Agency will not consider an inducement resolution for a project until the TOHIDA staff completes a Cost Benefit Analysis, PILOT Schedule and Feasibility Study if applicable, and the Agency's Transaction Counsel completes a SEQR review and the Agency is in a position to adopt a negative declaration with respect to SEQR. The Agency will not adopt preliminary inducement resolutions before SEQR is completed, except for instances where a Lead Agency for SEQR has already been appointed and the adoption of a preliminary resolution is necessary for the Agency to be included in a coordinated SEQR review, or (ii) when a preliminary inducement resolution is required under the Internal Revenue Code (the "Code") for the issuance of tax-exempt bonds.
7. Enhanced benefits are based on policies set forth in the Agency's Uniform Tax Exemption Policy. Any PILOT Agreement, which provides for enhanced benefit shall include provisions for recapture or adjustment of benefits if a material change occurs (as defined in the PILOT agreement).
8. All notices of Public Hearings shall be mailed by TOHIDA staff to elected officials representing the area in which the PILOT is proposed, including State, County (including the County Legislator), Town (Town Clerk, Supervisor & the Town Board member from the District in which the PILOT parcel is located) and Village elected official (Mayor) as well as to the Superintendent of, and/or President of the Board of Education of any School District located within the area of the proposed PILOT, but excluding the County Clerk, County Comptroller and District Attorney.
9. All public notices advertising the date, time, place and agenda of public hearings and Board meetings are to be published 10 days prior to the meeting/hearing and 3 days prior to any Special Board meeting, in a newspaper of general circulation in the Town of Hempstead.
10. Notice of regularly scheduled TOHIDA Board meetings and the agenda thereof, shall be posted by the TOHIDA staff on the Town's bulletin boards and on the TOHIDA website at least 7 days prior to each Board meeting and at least 3 days before each Special Board meeting. Notice of

regularly scheduled Board meetings and an agenda thereof, shall also be mailed by TOHIDA staff to the local press, (Newsday) at least 7 days prior to a regularly scheduled Board meeting and at least 3 days prior to a Special Board meeting.

11. Prior to adopting a final authorizing resolution approving any transaction and the granting of economic benefits in connection therewith and the issuance of Bonds, the Agency shall hold a public hearing as required by the IDA Act and the Code. A stenographer will record the minutes and furnish them to the IDA to become part of the official record. The CEO and/or the Deputy Executive Director are hereby directed to publish public notices in a newspaper of general circulation in the Town of Hempstead. The CEO and/or the Deputy Executive Director are hereby authorized to pay the costs of such publication without the need of any further approvals by this Board. The CEO and/or the Deputy Executive Director are further directed and authorized to mail notice of such public hearing to each affected tax jurisdiction as required by the IDA Act. Public Notices of Public Hearings shall be published after the Agency has adopted an inducement resolution for a project; provided, however, if in order to coordinate the 10-day public notice requirement under the IDA Act with the Agency's meeting schedule it is necessary to publish a public notice prior to inducement, then the Chairman or the CEO, upon consultation with Counsel to the Agency and Transaction Counsel, may publish a public notice for such transaction.
12. The Agency will require a copy of an executed commitment agreement between the Applicant and the lender, a title report, a survey certified to the Agency, a Phase I Environmental Audit (If Applicable), certified copies of organizational documents of the applicant and if applicable a Phase II Environmental Audit, before a closing date can be scheduled.
13. All Applicants will require permission by the Agency in order to sublease any space within the Facility, subject to the applicable Agency fees.
14. Assignments must include the actual PILOT Schedule to be filed with the taxing jurisdictions.
15. The Agency may require a written agreement by the Applicant to remain within the Town of Hempstead for specified time frame and such agreement will state the number of jobs to be created or retained by the Applicant.
16. Use of the Sales Tax Exemption beyond the expiration date will require approval of the board. Extension of sales tax benefits will require a fee payable to the Agency. (See Fee Schedule)

17. Yearly compliance affidavits will be required by the Agency at the end of each calendar year. All projects will be required to provide employment figures and documentation, certificates of insurance, a letter regarding any pending litigation, sales tax exemption documents, and any other documents required by the Lease Agreement.
18. An initial compliance fee will be required at the closing of each transaction. An annual compliance fee will be required each year thereafter for the life of the project. Upon the termination of the project, a termination fee will be required. (See Fee Schedule)
19. All projects must submit their ST-60's to the Agency for all contractors within 30 days of their appointment and their bi-annual report of exemption. The Agency shall report any failure by the applicant, or any of its contractors to comply with this requirement, to the New York Department of Taxation.
20. The Agency shall deliver all sales tax exemption documents at the closing. The sales tax exemption will also include the stipulation that if the Applicant does not adhere to the guidelines specified, the Applicant will be reported to the New York State Department of Taxation and Finance by the Agency. The sales tax exemption will also be revoked retroactively to the date of issuance if the transaction is not closed. Each sales tax exemption shall state that it shall expire on the earlier of the completion of the Project or a specified date. In addition, sales tax exemptions for straight lease transactions shall also state that the sales tax exemption shall expire on the date that the Applicant has incurred a specific dollar amount of sales tax exemptions.
21. The Staff of the Agency shall circulate to all Board members, with copies to Agency Counsel and Transaction Counsel, an Agenda, as approved by the Chairman, one week prior to the Agency's Board meeting. The Staff shall circulate an Agenda change if necessary, no later than the end of business two days before a Board meeting. Copies of internal resolutions to be adopted by the Board shall be attached to the Agenda. The Board in its sole discretion may, but is not required to, consider matters brought to its attention at a meeting which were not included on the Agenda.
22. The Agenda for Board meetings shall follow the following format:
  - I. New Business/Transaction Resolutions, Applications and Presentations
  - II. New Business
  - III. Reading of the Minutes
  - IV. Old Business

- V. Treasurer's Report
- VI. Committee Reports
- VII. Executive Session
- VIII. Unfinished Business
- IX. Adjournment

- 23. Except when it is necessary for the Board to go into an Executive Session, all meetings of the Board of the Agency shall be conducted in compliance with the New York State Open Meetings Law and shall be open to the Public.
- 24. No documents will be released until the Agency is paid in full.
- 25. The Board in its sole discretion may waive any of these procedures as may be necessary.

#### APPLICANT DUTIES

- 1. All applications for a PILOT (except for affordable housing projects using shelter rent calculations) shall include an independent appraisal from a certified and licensed real estate appraiser, and said appraisal shall set forth as of the date of the PILOT application, the value of the proposed building(s) to be constructed or renovated, in its finished (completed) condition. A lender's mortgage appraisal shall not be considered an independent appraisal for application purposes.

Approved: 12/20/21  
Resolution # 055-2021  
Ayes:  
Nays:

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Chairman, Flo Girardi

## **Town of Hempstead Industrial Development Agency Sexual Harassment Policy**

The Town of Hempstead Industrial Development Agency is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of the Town of Hempstead Industrial Development Agency's commitment to a discrimination-free work environment. Sexual harassment is against the law and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with the Town of Hempstead Industrial Development Agency. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

### **Policy:**

1. The Town of Hempstead Industrial Agency's policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with the Town of Hempstead Industrial Development Agency. In the remainder of this document, the term "employees" refers to this collective group.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. The Town of Hempstead Industrial Development Agency will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of the Town of Hempstead Industrial Development Agency who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, Chairman, or Agency Counsel. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.
4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject the Town of Hempstead Industrial Development Agency to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.

5. The Town of Hempstead Industrial Development Agency will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Town of Hempstead Industrial Development Agency will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
6. All employees are encouraged to report any harassment or behaviors that violate this policy. The Town of Hempstead Industrial Development Agency will provide all employees a complaint form for employees to report harassment and file complaints.
7. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to Agency Counsel of the IDA.
8. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring.

### **What Is “Sexual Harassment”?**

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

### **Examples of sexual harassment**

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee’s body or poking another employee’s body;
  - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target’s job performance evaluation, a promotion or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person’s sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people’s ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual’s sex, sexual orientation, gender identity and the status of being transgender, such as:
  - Interfering with, destroying or damaging a person’s workstation, tools or equipment, or otherwise interfering with the individual’s ability to perform the job;
  - Sabotaging an individual’s work;
  - Bullying, yelling, name-calling.
  -

### **Who can be a target of sexual harassment?**

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace.



Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

### **Where can sexual harassment occur?**

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

### **Retaliation**

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

### **Reporting Sexual Harassment**

**Preventing sexual harassment is everyone's responsibility.** The Town of Hempstead Industrial Development Agency cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may

constitute sexual harassment is encouraged to report such behavior to Management, Counsel, CEO or Chairman. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, Counsel, CEO or Chairman.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

### **Supervisory Responsibilities**

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, **are required** to report such suspected sexual harassment to CEO or Chairman.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

### **Complaint and Investigation of Sexual Harassment**

**All** complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Town of Hempstead Industrial Development Agency will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, the Counsel, CEO or the Chairman will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage the individual to complete the “Complaint Form” in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.
- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
  - A list of all documents reviewed, along with a detailed summary of relevant documents;
  - A list of names of those interviewed, along with a detailed summary of their statements;
  - A timeline of events;
  - A summary of prior relevant incidents, reported or unreported; and
  - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

### **Legal Protections And External Remedies**

Sexual harassment is not only prohibited by Town of Hempstead Industrial Development Agency but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Town of Hempstead Industrial Development Agency, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

### **State Human Rights Law (HRL)**

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Town of Hempstead Industrial Development Agency does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: [www.dhr.ny.gov](http://www.dhr.ny.gov).

Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

### **Civil Rights Act of 1964**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

### **Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml).

### **Contact the Local Police Department**

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

Adopted: 12/20/21  
Resolution: 054-2021  
Ayes:  
Nays:

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Florestano Girardi, Chairman

RESOLUTION  
TOWN OF HEMPSTEAD  
INDUSTRIAL DEVELOPMENT AGENCY

SALARY INCREASE  
Chief Executive Officer  
Frederick E. Parola

WHEREAS, Frederick E. Parola began employment effective January 1, 2018 as the part-time CEO of the Hempstead IDA as an hourly employee, and

WHEREAS, Frederick E. Parola shall continue to work part time expanding to a maximum of seven days bi-weekly and not to exceed seven days per pay period, unless approval for additional hours is granted by the IDA Chairman, and

WHEREAS, the Agency shall increase the hourly salary for Frederick E. Parola to \$88.70, plus reimbursable expenses, payable in arrears on alternate Fridays coinciding with payroll of full time employees, and

WHEREAS, Frederick E. Parola shall not receive any other benefits associated with employment with the Hempstead IDA, including but not limited to health insurance, dental insurance, time accrual, longevity or health benefit buy back.

NOW, THEREFORE, BE IT

RESOLVED, effective January 1, 2022, the Agency shall employ Frederick E. Parola as its Chief Executive Officer, at an hourly salary of \$\_\_\_\_\_ plus reimbursable expenses with no additional benefits granted by the Town of Hempstead Industrial Development Agency.

Adopted: 12/20/21

Ayes:

Nays:

Resolution: 057-2021

Chairman: \_\_\_\_\_

RESOLUTION  
Town of Hempstead  
Industrial Development Agency

SALARY INCREASE  
Chief Financial Officer  
Edie M. Longo

WHEREAS, Edie M. Longo began employment effective September 1, 2018 as the part-time CFO of the Hempstead IDA as an hourly employee, and

WHEREAS, Edie M. Longo shall continue to work part time for a maximum of 24 hours a week and not to exceed 6 days per pay period, unless approval for additional hours is granted by the IDA Chairman, and

WHEREAS, the Agency shall increase the hourly salary of Edie M. Longo to \$\_\_\_\_\_, plus reimbursable expenses, payable in arrears on alternate Fridays coinciding with payroll of full time employees and shall not be paid in excess of \$30,000.00 annually, and

WHEREAS, Edie M. Longo shall continue to receive eyeglass and dental benefits only associated with her part time employment; and

WHEREAS, the Hempstead IDA will continue to provide family coverage health insurance, but will not provide any additional active benefits such as time accrual, longevity or health benefit buy back.

NOW, THEREFORE, BE IT

RESOLVED, effective January 1, 2022, the Agency shall employ Edie M. Longo as its Chief Financial Officer at an hourly salary of \$\_\_\_\_\_, not to exceed \$30,000.00 annually plus reimbursable expenses granted by the Town of Hempstead Industrial Development Agency.

Adopted: 12/20/21

Ayes:

Nays:

Resolution: 058-2021

Chairman: \_\_\_\_\_

RESOLUTION  
Town of Hempstead  
Industrial Development Agency

SALARY INCREASE  
Agency Administrator  
Lorraine Rhoads

WHEREAS, Lorraine Rhoads began employment effective January 2, 2019 as the part-time Agency Administrator of the Hempstead IDA as an hourly employee, and

WHEREAS, Lorraine Rhoads shall continue to work part time for a maximum of 24 hours a week and not to exceed 6 days per pay period, unless approval for additional hours is granted by the IDA Chairman, and

WHEREAS, the Agency shall increase the hourly salary for Lorraine Rhoads to \$\_\_\_\_\_, plus reimbursable expenses, payable in arrears on alternate Fridays coinciding with payroll of full time employees, and

WHEREAS, Lorraine Rhoads shall continue to receive eyeglass and dental benefits only associated with her part time employment; and

WHEREAS, the Hempstead IDA will not provide any additional active benefits such as time accrual, longevity or health benefit buy back.

NOW, THEREFORE, BE IT

RESOLVED, effective January 1, 2022, the Agency shall employ Lorraine Rhoads as its part-time Agency Administrator at an hourly salary of \$\_\_\_\_\_ plus reimbursable expenses granted by the Town of Hempstead Industrial Development Agency.

Adopted: 12/20/21

Ayes:

Nays:

Resolution: 059-2021

Chairman: \_\_\_\_\_



RESOLUTION  
TOWN OF HEMPSTEAD  
INDUSTRIAL DEVELOPMENT AGENCY

SALARY INCREASE  
Deputy Financial Officer  
Arlyn Eames

WHEREAS, Arlyn Eames is employed by the Town of Hempstead Industrial Development Agency as the Deputy Financial Officer,

NOW, THEREFORE, BE IT

RESOLVED, that effective January 1, 2022 the Agency shall increase the annual salary of Arlyn Eames to \$\_\_\_\_\_ (not inclusive of longevity or health insurance buy back during the calendar year) and she shall continue to receive all other benefits outlined in resolutions 023-1998, 032-2008.

Adopted: 12/20/21

Ayes:

Nays:

Resolution Number: 060-2021

Approved as to available funds:

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Chairman

RESOLUTION  
TOWN OF HEMPSTEAD  
INDUSTRIAL DEVELOPMENT AGENCY

SALARY INCREASE  
Deputy Executive Director  
Michael Lodato

WHEREAS, Michael Lodato is employed by the Town of Hempstead Industrial Development Agency as the Deputy Executive Director,

NOW, THEREFORE, BE IT

RESOLVED, that effective January 1, 2022 the Agency shall increase the annual salary of Michael Lodato \$\_\_\_\_\_ (not inclusive of longevity or health insurance buy back during the calendar year) and he shall continue to receive all other benefits outlined in resolutions 023-1998, 024-2010.

Adopted: 12/20/21

Ayes:

Nays:

Resolution Number: 061-2021

Approved as to available funds:

\_\_\_\_\_  
Chairman

RESOLUTION  
Town of Hempstead  
Industrial Development Agency

SALARY INCREASE  
Deputy Agency Administrator  
Laura Tomeo

WHEREAS, Laura Tomeo is employed by the Town of Hempstead Industrial Development Agency as the Deputy Agency Administrator,

NOW, THEREFORE, BE IT

RESOLVED, effective January 1, 2022, the Agency shall increase the annual salary for Laura Tomeo to \$\_\_\_\_\_ (not inclusive of longevity or health insurance buy back during the calendar year) and she shall continue to receive benefits as outlined in Resolution 023-1998 and in the Town of Hempstead Collective Bargaining Agreement.

Adopted: 12/20/21

Ayes:

Nays:

Resolution: 062-2021

Approved as to available funds:

\_\_\_\_\_  
Chairman

RESOLUTION

TOWN OF HEMPSTEAD  
INDUSTRIAL DEVELOPMENT AGENCY

ADMINISTRATIVE LATE FEES FOR PILOTS  
RATIFYING AND CONFIRMING

WHEREAS, the Town of Hempstead Industrial Development Agency adopted a Fee Schedule on May 28, 2020, and;

WHEREAS, the Fee Schedule included an Administrative Late Fee assessment for late PILOT payments, and;

WHEREAS, the Agency deemed it necessary to temporarily suspend the assessment of Administrative Late Fees due to the current financial stress on companies during the Covid19 Pandemic (Resolutions 039-2020, 061-2020, and 038-2021) through December 31, 2021 and;

WHEREAS, the Agency no longer believes a suspension of these fees is warranted;

NOW, THEREFORE, BE IT

RESOLVED, the Agency hereby re-instates the assessment of Administrative Late Fees for late PILOT payments, according to the Agency's Fee Schedule, effective January 1, 2022.

Adopted :12/20/21

Ayes:

Nays:

Resolution Number: 063-2021

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Chairman, Florestano Girardi

RESOLUTION  
TOWN OF HEMPSTEAD  
INDUSTRIAL DEVELOPMENT AGENCY

CONTRACT WITH MASSA & ASSOCIATES, INC.

WHEREAS, the Town of Hempstead Industrial Development Agency deems it necessary to have all financial information reviewed and audited by a certified public accountant and actuary firm and;

WHEREAS, the governmental Accounting Standards Board has released a statement establishing standards for the measurement, recognition and display of post-employment benefits, expenditures and related liabilities other than pensions; and

WHEREAS, the Agency has selected the actuary firm of Massa & Associates Inc. to enter into a contract for review year 2021 with the IDA to prepare all reports, statements and updates related to the post-employment benefits of all employees as required by the GASB 74/75,

NOW, THEREFORE, BE IT

RESOLVED, the Town of Hempstead Industrial Development Agency hereby retains Massa & Associates, Inc., 100 North Centre Avenue, Suite 400, Rockville Centre, NY 11570, as the actuary firm for the Agency, subject to the approval of a contract as to form by Agency Counsel, for an amount not to exceed \$1,800 for the post-employment benefit reports, statements and updates for the 2021 Audited Financial Statements

Adopted: December 20, 2021

Ayes:

Nays:

Resolution Number: 051-2021

Chairman: \_\_\_\_\_

RESOLUTION

TOWN OF HEMPSTEAD  
INDUSTRIAL DEVELOPMENT AGENCY

PROCUREMENT OF ADVERTISING/MARKETING FIRM  
Giovatto Agency  
2022 Contract

WHEREAS, the Advertising/Marketing Committee of the Town of Hempstead Industrial Development Agency (TOHIDA) makes a recommendation to the full board at meeting on December 20, 2021 to hire Giovatto Agency, 307 West Penn St., Long Beach, NY, 11561 to host and maintain the TOHIDA website and;

WHEREAS, the budget has been allocated for hosting and maintenance of the TOHIDA website, for an amount not to exceed \$5,000.00 for the calendar year 2022;

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Hempstead Industrial Development Agency has chosen to enter into a contract with Giovatto Agency, 307 West Penn St, Long Beach, NY, 11561, for the period beginning January 1, 2022 – December 31, 2022, to host and maintain the TOHIDA website, for an amount not to exceed \$5,000.00 for the calendar year 2021, subject to approval of a contract as to form by Agency Counsel.

Adopted: December 20, 2021

Ayes:

Nays:

Resolution Number: 053-2021

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Chairman

RESOLUTION

TOWN OF HEMPSTEAD  
INDUSTRIAL DEVELOPMENT AGENCY

CONTRACT WITH SHEEHAN AND COMPANY  
2021/2022

WHEREAS, the Town of Hempstead Industrial Development Agency deems it necessary to have all financial information reviewed and audited by a certified public accountant and;

WHEREAS, the Agency has selected the firm of Sheehan and Company to audit the financial records of the Agency for the calendar year of 2021 and;

WHEREAS, Sheehan and Company will enter into a contract with the IDA to file all necessary tax documents for 2021, to file the Annual Financial Statement with the State of New York for 2021, to furnish the Board with audited financial statements for 2020, as well as to review of the agency's financial records for the calendar year of 2022 on a quarterly basis, and to assist with the preparation of the Budget and State Report filing in 2022.

NOW, THEREFORE, BE IT

RESOLVED, the Town of Hempstead Industrial Development Agency hereby retains Sheehan and Company, 165 Orinoco Drive, Brightwaters, as the auditors for the Agency, subject to the approval of a contract as to form by Agency Counsel, for an amount not to exceed \$27,500.00 for the filing of all necessary tax documents for 2021, the filing of the Annual Financial Statement with the State of New York for 2021, the furnishing to the Board with audited financial statements for 2021, as well as reviewing the agency's financial records for the calendar year of 2022 on a quarterly basis, and assisting with the preparation of the Budget and State Report filing in 2022.

Adopted: December 20, 2021

Ayes:

Nays:

Resolution Number: 052-2021

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Chairman

RESOLUTION

TOWN OF HEMPSTEAD  
INDUSTRIAL DEVELOPMENT AGENCY and  
LOCAL DEVELOPMENT CORPORATION

NEW YORK STATE ECONOMIC DEVELOPMENT COUNCIL  
MEMBERSHIP FOR 2022

WHEREAS, the Town of Hempstead Industrial Development Agency endeavors to support business and community activities; and

WHEREAS, the Town of Hempstead IDA encourages its members and staff to interface with the business community; and

WHEREAS, the Agency and Corporation seeks to promote the sharing and exchanging of information with other influential business leaders, bankers and real estate brokers in the Town of Hempstead and around Long Island.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Hempstead Industrial Development Agency authorizes payment to the New York State Economic Development Council, 111 Washington Avenue, 4<sup>th</sup> Floor, Albany, New York, 12210, for an amount not to exceed \$1,500.00 and subject to the filing and approval of the necessary documentation, for the purpose of continuing the IDA membership with the New York State Economic Development Council for 2022.

Adopted: December 20, 2021

Ayes:

Nays:

Resolution Number: 065-2021

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Chairman



## **2022 IDA Meeting Schedule**

All board meetings will begin at 9:00 a.m. in the  
Nathan L. Bennett Pavilion, Hempstead Town  
unless another designation is made.

January 31	February 24	March 24
April 21	May 19	June 17
July 21	August 18	September 22
October 20	November 17	December 15

Adopted: 12/20/21

Resolution: 064-2021

Ayes:

Nays:

**Confidential Evaluation of Board Performance 2021 - TOH IDA**

<b>Criteria</b>	<b>Agree</b>	<b>Somewhat Agree</b>	<b>Somewhat Disagree</b>	<b>Disagree</b>
Board members have a shared understanding of the mission and purpose of the Authority.				
The policies, practices and decisions of the Board are always consistent with this mission.				
Board members comprehend their role and fiduciary responsibilities and hold themselves and each other to these principles.				
The Board has adopted policies, by-laws, and practices for the effective governance, management and operations of the Authority and reviews these annually.				
The Board sets clear and measurable performance goals for the Authority that contribute to accomplishing its mission.				
The decisions made by Board members are arrived at through independent judgment and deliberation, free of political influence, pressure or self-interest.				
Individual Board members communicate effectively with executive staff so as to be well informed on the status of all important issues.				
Board members are knowledgeable about the Authority's programs, financial statements, reporting requirements, and other transactions.				
The Board meets to review and approve all documents and reports prior to public release and is confident that the information being presented is accurate and complete.				
The Board knows the statutory obligations of the Authority and if the Authority is in compliance with state law.				
Board and committee meetings facilitate open, deliberate and thorough discussion, and the active participation of members.				
Board members have sufficient opportunity to research, discuss, question and prepare before decisions are made and votes taken.				
Individual Board members feel empowered to delay votes, defer agenda items, or table actions if they feel additional information or discussion is required.				
The Board exercises appropriate oversight of the CEO and other executive staff, including setting performance expectations and reviewing performance annually.				
The Board has identified the areas of most risk to the Authority and works with management to implement risk mitigation strategies before problems occur.				
Board members demonstrate leadership and vision and work respectfully with each other.				

Date Completed: \_\_\_\_\_

Frederick E. Parola  
Chief Executive Officer



350 FRONT STREET HEMPSTEAD, NY 11550-4037  
(516) 489-5000 EXT. 4200 • (516) 489-3179

TOWN OF HEMPSTEAD INDUSTRIAL DEVELOPMENT AGENCY  
BOARD MEETING

November 18, 2021 9:00 a.m.

Town Hall Pavilion, One Washington Street, Hempstead

Agenda: Village Business: Village of Freeport: No new Business, Village of Hempstead: No new Business, New Business: Consideration of an Authorizing Resolution for 43-47 Broadway Realty LLC, 47 Broadway Lynbrook, Consideration of an Authorizing Resolution for 25 Wanser LLC, 25 Wanser Avenue and 40 Bayview Avenue, Inwood, Consideration of an Inducement Resolution for 615 Merrick Owner, 615 Merrick Avenue, Westbury, CEO Report, Old Business: Updated Contact List, Updated Alphamore LLC Default, Consideration and Adoption of the Minutes October 21, 2021, Report of the Treasurer, Committee Updates, Executive Session, Adjournment

Those in attendance:

Florestano Girardi, Chairman  
Eric C. Mallette, Treasurer  
Thomas Grech, Member  
Jack Majkut, Secretary

Village of Hempstead Members:

Daniel Oppenheimer (attended for Alphamore, but was not required)

Also in attendance:

Frederick E. Parola, CEO  
Edie Longo, CFO  
Arlyn Eames, Deputy Financial Officer  
Michael Lodato, Deputy Executive Director  
Laura Tomeo, Deputy Agency Administrator  
John E. Ryan, Agency Counsel  
Paul O'Brien, Phillips Lytle LLP  
Bill Weir, Nixon Peabody  
Alan Wax, Todd Shapiro Associates, Inc. (electronically)

Excused:

Robert Bedford, Board Member

Resigned:

James G. Marsh, Esq., Vice Chairman  
Cherice Vanderhall, Board Member

The meeting was called to order at 9:13 a.m. The Chairman declared a quorum was present.

**Public Comment:** The Chairman opened the floor to comments by the public. There was no public comment.

**Village of Freeport:** No new Business

## **Village of Hempstead:**

### **New Business:**

**Consideration of an authorizing Resolution for 43- 47 Broadway Realty LLC, 17 & 21 Langdon Place, 47 Broadway, 90 & 96 Station Plaza Lynbrook:** Elisabetta Coschignano made a presentation to the Board on behalf of 43-47 Broadway Realty LLC., 17 & 21 Langdon Place, 47 Broadway, 90 & 96 Station Plaza Lynbrook. Flo Girardi made a motion to approve an Inducement Resolution for 43-47 Broadway Realty, LLC. The applicant intends to demolish a vacant building, as well as a warehouse and distribution center and a residential home. The project site would be developed into a multi-family transit oriented development. The project would be comprised of 201 residential units, consisting of approximately 55 studios, 111 one bedrooms, and 35 two bedroom units. The total project will be an approximately, 278,014 square foot building with approximately 2,000 square feet of ground floor/retail/amenity space and 205 on-site parking spaces. This motion was seconded by Eric Mallette. All were in favor. Motion carried

**Consideration of an Authorizing Resolution for 25 Wanser LLC, 25 Wanser: Avenue and 40 Bayview Avenue, Inwood:** Peter Curry made a presentation to the board on behalf of 25 Wanser. Flo Girardi made a motion to approve an authorizing resolution for 25 Wanser LLC. The applicant seeks to demolish 4 building sand to construct a new 391,241 square foot building on approx.5.23 acres. This new complex will contain 313 apartments in a single five story structure, the complex will include 250 market rate units, consisting of 148 one bedroom, 129 two bedroom, 26 three bedroom and 10 four bedroom apartments. In addition, the community will include a retail component which will amount to less than 10% of the project, and parking for 492 vehicles. This motion was seconded by Tom Grech. All were in favor. Motion carried

**Consideration of an Inducement Resolution for 615 Merrick Owner LLC, 615 Merrick Ave, and Westbury:** Dan Deegan made a presentation to the Board on behalf 615 Merrick Owner LLC. Flo Girardi made a motion to approve an Inducement Resolution for 615 Merrick Owner LLC. The applicant intends to renovate a current 73,909 sf (plus 95,288 sf parking garage) building located at 615 Merrick Ave, Westbury on 2.1 acres. The building will be leased to one or more tenants for office use, which will require renovation, updating and modifications to accommodate one or more new occupants and split the space up if necessary. It is currently owner-occupied as the headquarters of NY Community Bank as anchor tenant, which is leaving the space and selling the property. The building itself is outdated, and requires extensive and significant renovations to transform and reposition the building into a modern, attractive, Class-A office building. This motion was seconded by Eric Mallette. All were in favor. Motion carried

**CEO Report:** Fred Parola provided the Board with a copy of the CEO Report.

### **Old Business:**

Updated Contact List: The board was furnished with an updated contact list

Updated Alphamore LLC Default: The board was furnished with copies of letters sent to Alphamore outlining the default provisions and cure date

### **Reading and Approval of Minutes of Previous Meeting(s):**

**Minutes of the October 21, 2021 Board Meeting:** Flo Girardi made a motion to adopt the minutes of October 21, 2021. This motion was second by Jack Majkut. All were in favor. Motion carried. No action was taken.

**Report of the Treasurer:** The Board was furnished with copies of the Financial Statements and Expenditure list for October 15, 2021 – November 11, 2021.

**Committee Updates:** There were no updates

**Executive Session:** Flo Girardi made a motion to go into executive session at 9:35 a.m. to discuss matters of litigation. This motion was seconded by Tom Grech. All were in favor. Motion carried. Eric Mallette made a motion to come out of executive session at 9:53 a.m. This motion was seconded by Jack Majkut. All were in favor. Motion carried.

**Adjournment:** Flo Girardi made a motion to adjourn the meeting at 9:53 a.m. This motion was seconded by Jack Majkut. All were in favor. Motion carried.

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Jack Majkut, Secretary  
November 18, 2021