



HARTZ MOUNTAIN INDUSTRIES, INC.
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April 25, 2022

Via Federal Express and Electronic Mail

Anthony Catapano
Executive Director
Suffolk County Industrial Development Agency
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, NY 11788

**Re: Application for Incentives
Spagnoli Road Project, Melville**

Dear Mr. Catapano,

Further to the above-referenced application and my letter of April 22, 2022, please note that Hartz Mountain Industries, Inc. will abide by the Suffolk County IDA's new Long Island First policy, a copy of which is attached, with two exceptions explained below. As discussed, this application was filed long before the SCIDA adopted this new policy, but in the interests of cooperating with the IDA and advancing its purpose and policies, we are willing to materially comply. We have explained that both the steel and pre-cast fabrication requirements for this project cannot be fulfilled by any vendors based on Long Island, so we will be unable to comply with the policy for those contracts. In addition, the requirement that notice for contracts be provided in advance to the SCIDA so that the SCIDA can post information about the contract for a reasonable period of time may cause undue delays in instances in which a contract must be awarded on an exigent basis; therefore, Hartz Mountain cannot agree to voluntarily be bound to this policy in exigent circumstances. However, Hartz Mountain will instruct its general contractor to provide such contract information to the SCIDA for its use and distribution. Hartz Mountain will comply with the remaining requirements of the policy as a demonstration of its good faith.

Thank you.

Sincerely yours,

James P. Rhatican
Vice President, Land Use and Development
Assistant General Counsel

LONG ISLAND FIRST POLICY

It is the policy of the Suffolk County Industrial Development Agency to strongly encourage Project Applicants to support LONG ISLAND FIRST. This means that to the greatest extent possible Project Applicants should consider purchasing goods and services from Long Island Based Providers, and that to the greatest extent possible all employment opportunities be provided to Nassau and/or Suffolk residents.

For purposes of this Policy, Long Island Based Provider means:

- Business having a physical location on Long Island; or
- Business with a history of performing work in Nassau and/or Suffolk County; or
- Business employing majority Nassau and/or Suffolk County residents

The Policy seeks to cause a greater local economic impact of a project through support of Long Island Based Providers and employment of local workers and its multiplier effect on the Nassau and Suffolk County Region. There are direct and indirect benefits to the Region's economy as a result of a Project Applicant's spending and investment taking place locally (as opposed to not taking place at all or occurring out of the Region). A Project Applicant's direct local expenditures for employee salaries, supplies, services, raw materials and operating expenses create an economic benefit to the Region. This direct spending by a Project Applicant increases new economic activity by the businesses that initially received the direct spending and they in turn increase spending at other local businesses in the supply chain. A workforce and new employees create economic activity by purchasing goods and services from local businesses.

The Policy includes the construction and/or renovation phase of a project with respect to contractors and subcontractors and local workforce used during this period.

Complying with the Policy's Goals

- Project Applicants must annually provide the total dollar amount of all direct expenditures made to Long Island Based Providers (businesses, vendors, suppliers, etc.) along with a name list of all Long Island Based Providers included in the annual direct expenditure total.

For all anticipated contracts to be let during the construction and/or renovation phase, the applicant must:

- Maintain all documentation of their efforts to comply with this policy
- Send notice via email - info@suffolkida.org to the Suffolk County Industrial Development Agency. Telephone: 631-853-4802. The notice shall be prescribed in a format deemed acceptable by the IDA, posted for a reasonable amount of time, and will contain at a minimum the scope of the contract, anticipated start and end dates, methodology for prospective bidders to submit a bid, and deadline for bid submission. All notices will be publically available via the IDA's website (<https://www.suffolkida.org/>).
- If a Project Applicant or any subcontractor of whatever tier is not hiring a Long Island Based Provider, they must notify the IDA before selecting a Non-Long Island Based Provider and shall provide an explanation of why they elected not to hire a Long Island Based Provider.
- Project Applicants that claim they cannot comply with this Policy shall demonstrate and document their efforts in attempting to meet this Policy's goals and shall provide such documentation to the IDA at its request. The explanation should include a detailed account of the actions undertaken to adhere to this Policy, obstacles encountered and any other relevant information

Failure to comply with the Policy may result in the reduction, loss or recapture of IDA benefits and/or become ineligible for consideration for new project applications.

Project Applicants agree to implement and adhere to the Long Island First Policy as set forth herein.

The undersigned hereby certifies that the answers and information provided above and in any statement attached hereto are true, correct and complete.

Applicant Print Name James Rhetican

Applicant Signature: 

Date: April 25, 2022

Adopted December 14, 2021