

ACCEPTED BY BOARD MEMBERS
10/27/22

MINUTES
IDA REGULAR MEETING
SEPTEMBER 15, 2022

Present: Sarah Lansdale, Chair
Kevin Harvey, Vice Chair
Sondra Cochran, Treasurer
Brian Beedenbender, Member
Cris Damianos, Member
Josh Slaughter, Member

Excused Absence: Greg Casamento, Secretary

Also Present: Anthony Catapano, Executive Director
Daryl Leonette, Executive Assistant
Lori LaPonte, Agency Accountant
Regina Halliday, Bookkeeper
William Wexler, Esq., Agency Counsel
Andrew Komaromi, Esq., Harris Beach PLLC, Transaction Counsel
Chiara Haueter, Law Clerk, Harris Beach PLLC
Carolyn Trespasz, Esq., Barclay Damon, LLP, Transaction Counsel
Lola Rivera, ZE Creative Communications
Corey Gluckstal, Managing Member, WHBH Real Estate LLC (Seven Beach Lane LLC)
Daniel Baker, Esq., Greenberg Traurig, LLP, Counsel to WHBH Real Estate LLC (Seven Beach Lane LLC)

Ms. Sarah Lansdale, Chair who is presiding over the Meeting today indicated that the documents for this meeting can be accessed and are posted to the IDA's website at <https://www.suffolkida.org/resources/> under the Board Meetings tab.

The Regular Meeting of the Suffolk County Industrial Development Agency held in the Arthur Kunz Memorial Planning Library Conference Room located on the 2nd. Floor of the H. Lee Dennison Building, 100 Veterans Memorial Highway, Hauppauge, NY was called to order at 12:45 p.m. by Ms. Lansdale, Chair of the IDA.

This is the September 15, 2022 Regular Board Meeting of the Suffolk County Industrial Development Agency and for the record, we do have a quorum present. The Meeting is being held as an in-person Meeting and also being livestreamed. Members of the public may listen and view the Meeting via the Agency's website www.suffolkida.org. Watch Meeting menu option, and will be linked to the Agency's YouTube Channel.

Ms. Lansdale indicated that she would like to acknowledge the incredible efforts of the staff for being able to have the meeting and distributing all the meeting materials in a timely manner given the circumstances that the County is operating under. Ms. Lansdale thanked Mr. Catapano and his entire staff for the efforts.

PUBLIC COMMENT

Ms. Lansdale asked if there are any public comments and no one replied and Ms. Lansdale closed the public comment portion of the meeting.

Mr. Catapano noted that the Agency's website is still up and running it is not hosted by the County. We cannot live stream the Board Meeting today it is being recorded. The law is that it is not mandatorily required it is to the extent practicable. We are recording the Meeting and it will be posted on our website. All of the Meeting material is also posted to our website suffolkida.org.

OLD BUSINESS

WHBH Real Estate LLC (Seven Beach Lane LLC): Request for a final resolution for a lease transaction.

Mr. Catapano presented Exhibit A. WHBH Real Estate LLC (Seven Beach Lane LLC) is involved in real estate development and management. The project involves the partial demolition, renovate a historic portion of the Grassmere Inn (3,680 sq. ft.) and construct an addition (5,570 sq. ft. in rear of Inn) to the existing vacant 6,374 sq. ft. building formerly the Grassmere Inn located in Westhampton Beach, NY. The cottage which is also vacant and in disrepair (2,170 sq. ft.) will be demolished. The facility will be redeveloped to restore the original Inn and create a new modern high-end 16 room boutique hotel. The new combined structure will total 9,250 sq. ft. which includes revitalized outdoor porches, decks and entrances. The hotel will have an outdoor pool and lounge; outdoor bar and restaurant; indoor bar and restaurant and an outdoor fitness and gathering area. Mr. Catapano stated at the last Board Meeting, July 28, 2022 it was unanimously approved and on August 16, 2022 a public hearing was held and the Village Attorney submitted a letter which was provided to the Board. The issue with the Village is that they are in between Village board meetings and work sessions and they were unable to discuss the project as a group. They submitted a letter preserving their right to object to the project. The following day they had a work session for the Board and Dan Baker, Esq., Counsel to WHBH Real Estate LLC (Seven Beach Lane LLC) and Corey Gluckstal, Authorized Member of WHBH Real Estate LLC visited that work session to explain the project. Mr. Catapano indicated that he asked the Village Attorney and the Village Mayor if it was necessary for him to attend and they said no. The Village Attorney on behalf of the Village Trustees submitted a letter withdrawing his objection to the project. The Village of Westhampton Beach uses the Town of Southampton Assessor's office. No one knew in the Village if they provided any kind of exemption (485 b) type of abatement which ironically is the same benefit that we are providing through the IDA. Mr. Catapano indicated that he was able to research this and found that the Town of Southampton's tax assessor said that the Village of Westhampton Beach does provide the business exemption of (485 b). He informed the Village Mayor and Village Attorney also that the Village of Westhampton Beach provides the (485 b) and Mr. Catapano stated we are okay to proceed with this project. Mr. Beedenbender asked the letter that we received on the September 13, 2022 about the number of full time employees (FTE's) increasing from 7 to 13 that number has now been incorporated into the

proposal so if approved by us the FTE responsibility of this applicant is 13 not 7 is that correct and Mr. Catapano said yes.

After further discussion and;

Upon a motion by Mr. Damianos, seconded by Ms. Cochran, it was:

RESOLVED, to approve a final resolution for a lease transaction in the approximate amount of \$11,596,785 for WHBH Real Estate LLC (Seven Beach Lane LLC) facility.

Unanimously carried 6/0.

Mr. Catapano indicated that he sent the Board a letter from Nixon Peabody LLP which will enable the Agency to do remote in a limited capacity. There has to be a definition of what extraordinary circumstances are with respect to Board Members excuse for not being in-person. There must still be a quorum present (4 members present in-person) and only 3 Board Members video conferencing remotely. This also requires that we hold a public hearing and develop written procedures which Nixon Peabody has developed a template of these documents and the public hearing written procedures. The Agency will hold the public hearing and we will bring it to the Board at the October 27, 2022 Meeting to get the final approval on this. Some of the extraordinary circumstances can be illness, caring for a family member, transportation issues and work or personal conflicts would apply. We will also have a catch all, where the Chairperson if not available the Vice Chair could excuse the Board Member and then they could participate remotely. Ms. Lansdale asked if the Agency has a Board Governance Committee and Mr. Catapano replied yes. Ms. Lansdale stated maybe members of that committee could work on this and Mr. Catapano said yes and Ms. Lansdale indicated then bring it back to the full Board for deliberation. Mr. Catapano said we will go ahead with the public hearing and we will schedule a Governance meeting prior to the full board meeting on October 27, 2022. Mr. Beedenbender asked does the public hearing need to be about the idea of doing this or the specific rules in which we would not be physically present. Mr. Catapano replied how it was done with other agencies was that a public hearing was held for the idea and noting that the written procedures and the resolution would have to be approved by Board Members. Mr. Beedenbender we are going to solicit public input as to whether we have a remote option or not and we will adopt procedures after that. Mr. Catapano stated we have the draft of the procedure and we will post that on our website it will be referenced in the public hearing notice to look at our website for the written procedures. Mr. Catapano said the public hearing is for the idea and the written procedures. Ms. Lansdale said we will have the Governance Meeting on October 27, 2022.

MINUTES

The Minutes of the July 28, 2022 meeting were accepted by Board Members.

After further discussion and;

Upon a motion by Ms. Cochran, seconded by Mr. Beedenbender, it was:

RESOLVED, to adjourn the Regular Meeting of the Suffolk County Industrial Development Agency.

Unanimously carried 6/0.

The Meeting adjourned at 12:40 p.m.

The next Regular Meeting of the Suffolk County Industrial Development Agency is tentatively scheduled for October 27, 2022.