

The Glen Cove Industrial Development Agency and Local Economic Assistance Corp. held a special joint business meeting on Tuesday, August 27, 2019 in the 2nd floor conference room, City Hall, Glen Cove, NY 11542. The meeting was called to order at 6:37 p.m. and the following members were present:

MEMBERS

Timothy Tenke, Chairman
Vincent C. Hartley, Vice Chairman
James Cappiello
John Tetta

ABSENT

Joseph Gioino

Also Present:

A. Fangmann, Executive Director
A. LaMorte, CFO/Assistant Secretary
C. Byrne/Secretary
Interested public

The Secretary reported that the notice of special meeting was served in accordance with the IDA/GCLEAC by laws.

MINUTES:

Chairman Tenke made a motion to adopt the minutes of the IDA/GCLEAC meeting held June 25, 2019 and asked for a second. The motion was seconded by Vincent Hartley. Motion carried as follows:

MEMBERS

Timothy Tenke, Chairman
Vincent Hartley
James Cappiello
John Tetta
Joseph Gioino

VOTING

AYE
AYE
AYE
AYE
Absent

EXECUTIVE DIRECTOR'S REPORT:

- The Executive Director deferred her report toward the latter part of the meeting, time permitting, to ensure we get through the agenda items.

UNFINISHED BUSINESS:

- Chairman Tenke advised the board that the Local Economic Assistance Corporation will adopt the use of a "Form of Annual Employment and Financial Assistance Certification Letter," included in Board member packets for all projects receiving Glen Cove Local Economic Assistance Corporation (GCLEAC) financial assistance. The Secretary reminded the members that the IDA adopted this form at the 6/25/19 meeting, but it was an oversight not to adopt the same form for GCLEAC.
- Mayor Tenke provided the members with a ferry update. We are working on a contract with Hornblower and that will likely be on the 9/24/19 IDA and City Council meeting agenda.
- The Secretary explained to the members that in response to a letter received 8/12/19 from the NYS-Authorities Budget Office (NYS-ABO) concerning the Whistleblower Policy, both the IDA and GCLEAC will amend its policy to ensure consistency with Public Authorities Law 2857 adding a clause concerning "Action by an authority". Both the letter from the NYS-ABO as well as the amended and restated policy reflecting the changes were included in board member packets.

NEW BUSINESS:

- Ms. Fangmann provided the members with an overview of the “BeLONG on Long Island” IDA cooperative advertising campaign with Discover Long Island and National Grid. She advised that there is no monetary obligation by the Glen Cove IDA (GC-IDA) and, therefore, no need for the GC-IDA to enter into an official MOU agreement. She further explained that the purpose of adopting a resolution this evening was to memorialize the GC-IDA’s commitment to work cooperatively with the other Long Island IDAs, National Grid and Discover Long Island on this marketing campaign.
- A proposal was included in the board member packets from P.W. Grosser Consulting Engineer & Hydrogeologist to perform professional engineering services at the Glen Cove Ferry Terminal site, specifically to evaluate existing conditions and produce bidding documents and construction inspection services for paving of the parking field. Ms. Fangmann informed the members that the parking lot was left in a temporary unfinished state (7 years prior) due to funding constraints, but the City feels the need to revisit paving and grading in the parking area given the upcoming commuter ferry in Spring 2020. P.W. Grosser has been the environmental consultants for the waterfront project since the closing and given their experience with the site, they shall be considered a sole source proprietor on this project. Ms. Fangmann explained that the IDA holds title to the land which it leases to the City who owns the Glen Cove Ferry Terminal Boat Basin and Building. The agreement requires GC-IDA approval; however, the City of Glen Cove has agreed to pay P.W. Grosser’s fees for said services.
- Ms. Fangmann provided the members with copies of here agreements between RXR and the GC-IDA regarding: RXR Garvies Point Buildings B, H and I Subordination, Non-Disturbance and Attornment Agreements. In the absence of our IDA Legal Counsel, Ms. Fangmann explained that RXR notified the IDA of reorganization related to second tier mezzanine financing for the initial phases of the Garvies Point project (Buildings H, I and B). The Executive Director informed the IDA Board that she signed agreements (following review by counsel) acknowledging the refinancing of investor equity already in place for the project and explained that these acknowledgments did not affect the IDA’s borrower or owner for the project.
- Ms. Fangmann notified the board members that on this date, 8/27/19, Governor Cuomo’s office announced that effective January 2020, all IDA meetings are required to be livestreamed.
- Ms. Fangmann notified the board members that in accordance with the agreement between the GC-IDA (Agency) and RXR Village Square Partners, LLC (Company) that the Company agrees at its sole expense shall, at the option of the Agency to install a sign or plaque permanently memorializing the Agency’s role in the Project and said plaque shall be in form, content and placed in a location satisfactory to the Agency. Ms. Fangmann presented this option to the members this evening for their consideration and all members expressed a desire to move ahead with this option. Ms. Fangmann also

reminded the members of the Village Square Topping Out ceremony on Friday, 9/13/19 at 11AM.

- Given the above, some members suggested that RXR come to a future board meeting to meet some of the newer members and provide the board with information about the projects under construction in the City. Ms. Fangmann advised that she reach out to RXR to plan accordingly.
- The Executive Director gave a brief recap of a discussion at the 8/20/2019 Pre-Council Meeting regarding appointment of the IDA Chairman and Board members. While possible actions include the City Council or IDA Board respectfully passing policy to give City Council oversight over IDA Board appointments, those potential actions would likely not hold up to legal scrutiny if challenged. Petitioning New York State to amend NYS General Municipal Law (“GML”) §919 would be the clearest, albeit most involved approach.

Resolutions:

Chairman Tenke made a motion to adopt resolution 7(a) and asked for a second:

7(a) GCLEAC resolution adopting the usage of “Form of Annual Employment and Financial Assistance Certification Letter” for all projects receiving Glen Cove Local Economic Assistance Corp. financial assistance.

The motion to approve GCLEAC resolution 7(a) was seconded by Vincent Hartley. Motion carried as follows:

<u>GCLEAC MEMBERS</u>	<u>VOTING</u>
Mayor Tenke	AYE
Vincent Hartley	AYE
James Cappiello	AYE
John Tetta	AYE
<i>Joseph Gioino</i>	<i>Absent</i>

Chairman Tenke made a motion to adopt resolution 7(b) and asked for a second:

7(b) GCLEAC resolution adopting the amended/restated Whistleblower policy consistent with Public Authorities Law 2986 (2) and (3) and compliance with Public Authorities Law 2857 (attached herein).

The motion to approve GCLEAC resolution 7(b) was seconded by Vincent Hartley. Motion carried as follows:

<u>GCLEAC MEMBERS</u>	<u>VOTING</u>
Mayor Tenke	AYE
Vincent Hartley	AYE
James Cappiello	AYE
John Tetta	AYE
<i>Joseph Gioino</i>	<i>Absent</i>

Chairman Tenke made a motion to adopt resolution 7(c) and asked for a second:

7(c) GCIDA resolution adopting the amended/restated Whistleblower policy consistent with Public Authorities Law 2986 (2) and (3) and compliance with Public Authorities Law 2857 (attached herein).

The motion to approve GCIDA resolution 7(c) was seconded by Vincent Hartley.
Motion carried as follows:

IDA MEMBERS

Mayor Tenke
Vincent Hartley
James Cappiello
John Tetta
Joseph Gioino

VOTING

AYE
AYE
AYE
AYE
Absent

Chairman Tenke made a motion to adopt resolution 7(d) and asked for a second:

7(d) GCIDA resolution to work cooperatively with Long Island IDA's on the "BeLONG on Long Island" advertising campaign with Discover Long Island and National Grid.

The motion to approve GCIDA resolution 7(d) was seconded by Vincent Hartley.
Motion carried as follows:

IDA MEMBERS

Mayor Tenke
Vincent Hartley
James Cappiello
John Tetta
Joseph Gioino

VOTING

AYE
AYE
AYE
AYE
Absent

Chairman Tenke made a motion to adopt resolution 7(e) and asked for a second:

7(e) GCIDA resolution authorizing the Chairman and/or Executive Director to enter into an agreement with P.W. Grosser Consulting Engineer & Hydrogeologist P.C. for professional engineering and construction management/inspection services at the Glen Cove Ferry Terminal with payment of the services provided under this agreement at the expense of the City of Glen Cove.

The motion to approve GCIDA resolution 7(e) was seconded by Vincent Hartley.
Motion carried as follows:

IDA MEMBERS

Mayor Tenke
Vincent Hartley
James Cappiello
John Tetta
Joseph Gioino

VOTING

AYE
AYE
AYE
AYE
Absent

Ms. Fangmann provided the board with updates on other projects being administered by the GCIDA and GCLEAC.

As there was no further business to come before the GCIDA and GCLEAC boards, Chairman Tenke made a motion to adjourn the meeting. Motion to adjourn was seconded by Vincent Hartley. Motion carried and the meeting was adjourned at 6:59 p.m.

Respectfully Submitted,

Camille Byrne, Secretary
Glen Cove IDA/Local Economic Assistance Corp.