

GLEN COVE LOCAL ECONOMIC ASSISTANCE CORP.

9 Glen Street, City Hall

Glen Cove, New York 11542

MINUTES OF MEETING

March 28, 2023

Resolution #7(b)

RESOLUTION OF THE GLEN COVE LOCAL ECONOMIC ASSISTANCE CORP. AUTHORIZING THE SUBMISSION OF THE AGENCY ANNUAL ACCOMPLISHMENTS AND PERFORMANCE REPORTING FOR FYE 12-31-22 TO THE NEW YORK STATE AUTHORITIES BUDGET OFFICE

WHEREAS, the Glen Cove LEAC Governance Committee met on February 28, 2023 to review the annual accomplishments and performance goals as outlined in the attached report as well as summary of the confidential results of the annual board evaluation.

WHEREAS, the Governance Committee hereby recommends submission of the attached 2022 Accomplishments Report as outlined herein to the New York State Authorities Budget Office (NYS ABO).

NOW, THEREFORE, BE IT RESOLVED that the Glen Cove Local Economic Assistance Corp. is hereby authorized to submit the annual board evaluation and accomplishments/performance goal report to the NYS ABO on or before March 31, 2023. The Governance Committee also recommends submission of the 2022 summary of confidential results of the annual board evaluation noting that all board members are reminded and encouraged to not hesitate to ask for more time, defer or table actions if they require more time before casting their vote.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

	<u>VOTING</u>
Chairperson Panzenbeck	AYE
Vice Chair Hartley	AYE
James Cappiello	AYE
Grady Farnan	AYE
John Fielding	AYE
Thomas Hopke	<i>ABSENT</i>
Dave Jimenez	AYE

The foregoing Resolution is thereupon declared duly adopted.

GC-LEAC
ENTERED
3-28-23
CP

**Glen Cove Local Economic Assistance Corporation (“GCLEAC”)
Mission Statement, Goals and Accomplishment Report FYE 12/31/22
Governance Committee Meeting 2/28/23**

GCLEAC Mission Statement: The mission and public purpose of the Corporation is to support and promote economic development efforts in the City of Glen Cove, New York (the “City”) and for the public purpose and charitable purpose of benefiting and furthering the activities of the City of Glen Cove, New York, by serving as a conduit financing entity issuing taxable and tax-exempt revenue debt and providing other financial assistance to support the growth, expansion, on-going operations and continued viability of the non-profit sector in the City. The Corporation supports and promotes economic development in the City by efforts to attract new non-profits to the City and by assisting existing non-profits in their efforts to reduce costs.

The Corporation can best achieve its mission and public purpose by (i) the judicious use of its authority to offer “financial assistance” (as such quoted term is defined in Article 18-A of the General Municipal Law with respect to industrial development agencies) to qualified applicants, and (ii) offering the expertise of the Corporation’s staff and officers in economic development matters to (a) assist non-profits in relocating to the City or expanding their operations in the City, and (b) assist other governmental authorities in identifying, creating, and expanding economic development opportunities within the City, particularly those related to the non-profit sector.

The Mission Statement is reviewed annually by the board members and will be reaffirmed by the board at the March 28, 2023 board meeting approving this report. The initial approval of the mission statement by the board members was on September 30, 2014.

Governance Certification: (Answer to 5 questions)

- 1. Have the board members acknowledged that they have read and understood the mission of the public authority?**

ANSWER: YES NO

- 2. Who has the power to appoint the management of the public authority?**

ANSWER: The duly appointed board of directors of the Corporation appoints the management of the Corporation.

- 3. If the Board appoints management, do you have a policy you follow when appointing the management of the public authority?**

ANSWER: YES NO

The Corporation has no employees at this time. If, in the future, the board of directors decides to hire employees, employment at the Corporation will be determined by mutual consent. Both the employee and the Corporation would have the right to terminate the employment relationship at any time.

Employment would be “at will.” Also, each position requires a degree of expertise and certain qualities that the directors of the Corporation define before hiring an employee and which they would discuss and evaluate when interviewing candidates.

4. Briefly describe the role of the Board and the role of management in the implementation of the mission.

ANSWER:

The directors of the Corporation (with input from Corporation management) annually evaluate the Corporation’s mission and continuously assess its goals and measurements to ensure the Corporation is complying with its mission statement. Pursuant to applicable law and the Corporation’s by-laws, the directors exercise direct oversight and control over the management. The directors of the Corporation are required to review and monitor management and financial controls and the activities of the Corporation. The directors are responsible for the adoption of policies and procedures that provide guidance to management, including a whistleblower policy, indemnification policy and code of ethics.

The Corporation established an independent Audit Committee, which Committee assists the Corporation in fulfilling its responsibilities with respect to the internal and external audit process, the financial reporting process and the system of risk assessment and internal controls over financial reporting. The Committee interacts with the Corporation’s independent CPA firm that conducts the Corporation’s annual audit.

The Corporation also established an independent Governance Committee. The Governance Committee is responsible for recommending corporate governance principles and practices to the directors of the Corporation and for reviewing corporate governance trends to ensure that the directors and management of the Corporation are kept informed of current best practices.

The Corporation also established a Finance Committee, which Committee assists the Corporation by reviewing proposals for the issuance of debt, recommending the appointment of professionals in connection with such issuances of debt and performing an annual review of the Corporation’s budget, investments, and procurement policies. On February 11, 2020, the GCLEAC board adopted a policy requiring all members and officers of the board to file an annual financial disclosure form to be kept on file with the GCLEAC Board Secretary to identify any conflicts of interest of the member/officer relative to the business of the Agency.

The Corporation’s management is responsible for the implementation of the Corporation’s mission and the administration and day-to-day operation of the Corporation pursuant to applicable law, the Corporation’s by-laws and its duly adopted policies and procedures.

5. Has the Board acknowledged that they have read and understood the responses to each of these questions?

ANSWER: ■ YES □ NO

All directors of the Corporation participated in the preparation, presentation for discussion and approval of the Mission Statement and these responses.

List of Performance Goals and Accomplishments:

- 1. Provide assistance for eligible “projects” in the City of Glen Cove for purposes of sustaining and promoting existing and new not-for-profit organizations in the City of Glen Cove.**

In 2014, the City created a new corporation the **Glen Cove Local Economic Assistance Corporation**, (“GCLEAC”) to assist the National Healthplex, (d/b/a “**The Regency at Glen Cove**”). The Glen Cove LDC closed on an existing not-for-profit agency, the National Healthplex; (d/b/a “**The Regency at Glen Cove**”). The Regency signed an Amended and restated Healthcare Facility Note of \$32,487,700, on April 19, 2016. The Note has an interest rate of 4.20% and term is for 40 years. The ability to refinance their debt has allowed the Regency to a) increase the assisted living unit count by three units from 96 to 99 units; b) create additional common space and other aesthetic and functional improvements within the building; c) improve the School Street façade and construct 22 memory care units (making the total unit count 121). The improvements should significantly enhance the quality of life for the residents. This project began construction in May 2016 and will produce 16 new full-time jobs as well as 11 construction phase jobs. The Regency reported 57 Full Time Equivalent(FTE) jobs in 2022- and 24-Part Time jobs as a result of the new memory care unit, Safe Harbor, completed in 2019 with ribbon cutting commemorating the official grand opening on January 23, 2020. The CEO receives updates from The Regency at Glen Cove Inter-Agency Council meetings, typically held monthly throughout the year.

The ability to refinance their debt has allowed the Regency to a) increase the assisted living unit count by three units from 96 to 99 units; b) create additional common space and other aesthetic and functional improvements within the building; c) improve the School Street façade and construct a new 22 memory care unit (making the total unit count 121). The improvements should significantly enhance the quality of life for the residents. This project began construction in May 2016 and will create 16 new full-time jobs as well as 11 construction phase jobs. The construction of the Alzheimer’s units was completed in late 2019 and produced 752 full time equivalent construction and construction related jobs. The Ribbon cutting for the newly named Safe Harbor took place on January 30, 2020. The Regency reported 69 Full-Time Equivalent (FTE) jobs in 2022.

On November 22, 2016, the LDC closed on a series of four Revenue bonds totaling \$124,562,833. These funds were raised from a Public Bond Offering to assist the Glen Cove IDA in its obligation to provide infrastructure and public amenities for the **Waterfront Revitalization Project (Garvies Point) Garvies Point Project**. The repayment of the bonds is solely from the PILOT payments on the property, payable by the individual property owners. These bonds are nonrecourse to the City and its Agencies. As of December 31, 2020, Phase I and Phase II of the public amenities was 99% complete. The IDA closed on the **Waterfront Revitalization Project (Garvies Point)** in November 2016 and continues to work with RXR Glen Isle Partners LLC (RXR) in constructing the Public Amenities and green space for use by the residents of Glen Cove. Phases 1 and 2 of the public amenities are 99% completed including marina, dog park, esplanade, playground, boat ramp, bathrooms, ferry site parking lot pavement. Angler Club docks are now complete as of February 2022. This project will benefit the City of Glen Cove, its

residents, and Nassau County by reclaiming blighted industrial waterfront property for public benefit and enjoyment through creating open space, luxury and workforce housing and retail/office space. RXR as developer of the Garvies Point waterfront destination created more than 460 direct and indirect jobs per year during construction and will support more than 220 jobs post-completion. There will also be new tax revenues and money infused into the Glen Cove economy. Three residential buildings are being developed during phase I of construction. Building H-rentals (177 units) and Building I-rentals (208 units), also known as Harbor Landing is open for occupancy, with Building H resident move-ins that started during fall 2019. Brendel's Bagels and Building I at Harbor Landing opened in fall 2020. As of 2021, Harbor Landing is fully leased-up. The Building B-condos (167 units known as The Beacon) leasing office opened at the end of 2019, with closings and move-ins which began in early 2020. At the end of 2021, Building B had approximately 71% of the units sold or under contract. In 2021, work on Phase 1 (east of the Ferry Terminal) of the public amenities was substantially completed and opened to the public. The U.S. Army Corp. of Engineers (ACOE) issued its Bulkhead/Marina Permit for the project on August 17, 2018, with subsequent amendments approved in the following years. The old Angler's Club was removed and replaced with a new building in 2019. The Certificate of Occupancy was issued in early 2020, with a ribbon cutting held thereafter. The Angler's Club Marina was completed in 2020; however, installation of the finger docks had been put on hold pending a waiver request for 20 ft docks to the ACOE (granted in 2021). Installation of the longer finger docks was completed in early 2022, with all work at the Angler's club complete as of March 2022. . Additional work to stabilize the open cell bulkhead at the Garvies Point Public Marina was completed in 2021, with the final set of docks installed in 2022. Public roadway work in Phase I (Dickson Street, Road F and Road G) is complete and open to the public. Phase 2 (west of the ferry terminal) of the public amenities was completed in 2021 and opened to the public; this includes Road D parking adjacent to the ferry terminal and dog park as well as a public parking lot adjacent to Building B and Garvies Point Park. The Deep Roots Farmer's Market is located in the public parking lot near Building B during the summer months . All of the outside furniture has been installed and the Ecology Pier and playground were completed and opened to the public in 2021. The dog park was previously completed and opened to the public in winter 2021. The entire Phase I and Phase II Waterfront Esplanade was completed and opened to the public by the end of 2021. Both gazebos have been constructed and furnished. The public bathrooms on the west of the ferry terminal and boat attendant building (with public bathrooms) at the terminus of Garvies Point Road were completed and opened to the public in 2021. In February 2022, an agreement between RXR acting as agent to the IDA and Terry Contracting & Materials, Inc. (Terry) was reached to stabilize and reconstruct a portion of bulkhead located on Block J adjacent to the Brewery. In order to accomplish this work, an easement agreement between the current property owner of the bulkhead (47 Herb Hill LCC), RXR and the IDA was executed in July 2022. The four (4) properties that currently make up Block J are the subject of Phase III, the final phase of the public amenities work. As of 2022, RXR has entered into purchase agreements for two (2) of those properties with 47 Herb Hill LLC and Windsor Oil. RXR and Garvies Point Brewery (see below) own the remaining Block J properties. A total of \$71,638,056.83 has been spent on the Public Amenities at the Waterfront, as of December 31, 2022 The Waterfront Revitalization Project (Garvies Point) reported 81 FTEs in 2022, with 55 retained and 26 created. 131 construction jobs were also reported.

In December 2017, the City signed an Agreement with the **School for Language and Communication Development (SLCD)**. Subsequently SLCD changed its name to **Tiegerman Schools** and purchased a 1.89-acre portion of the former Coles School property, including the former elementary school building. The Tiegerman School completed its renovation of the school and surrounding grounds in July 2019 and a ribbon cutting was held in September 2019. The CEO participated in the ribbon cutting and toured the renovated facilities at that time. The newly renovated school contains Tiegerman Middle School, which

was relocated from a site in Queens. The nonprofit serves children with language and autistic-related disorders. In June 2018, Tiegerman School closed on Series 2018 Revenue A & B Bonds in the amount of \$8,315,000. The Corporation received an admin fee of \$54,617 for providing financial assistance in the form of tax-exempt and taxable bond financing and an exemption from mortgage tax recording tax. The estimated combined jobs to be created for the new Tiegerman School (Middle School) and the existing Tiegerman School (High School) in Glen Cove is Year 1, 255, Year 2, 256 and Year 3, 257. The CEO receives updates from Tiegerman Schools at Glen Cove Inter-Agency Council meetings, typically held monthly throughout the year. Tiegerman School reported 69 FTE's in 2022

2. Educate not-for-profit sponsors and other community leaders regarding the existence and purposes of the Corporation and the resources the Corporation has available for new and existing business in the City of Glen Cove.

The CEO has adopted a plan to reach out to new and existing not-for-profits in the City of Glen Cove and outside of the City, to advise them of the creation of the new corporation and how the corporation may be able to help with refinancing of existing bonds or assisting with future capital projects. In 2022, the CEO and Chairman tried to actively recruit non-profit agencies by speaking to local community groups and organizations. Due to the aftermath of Covid-19 pandemic, many of these discussions were held on virtual platforms such as Microsoft Teams and Zoom as well as by conference call; however, some discussions were also held in-person during 2022.

3. Maintain full compliance with all State disclosure and reporting requirements and meet with outside consultants and auditors as required to ensure such compliance.

The GCLEAC has conformed to all State policies and reporting with the Advisory Budget Office and Office of the State Comptroller. All committees have been established and have met on a scheduled basis. An annual meeting schedule has been adopted. Outside auditors have been retained to do the annual audit. The CEO meets regularly with the CFO and counsel on current and potential projects as well as the compliance of the corporation. On September 29, 2021, the LEAC board approved a formalized procedure for conducting site visits for financial aid assistance recipients to verify the FTE's and report on improvements to the building made by the project owner. This procedure involves the CEO to go to the site and meet with management and take notes/photos that is then reported to the board members.

4. Ensure transparency of all Corporation activities and operations.

The annual budget was approved by the audit committee and the board members. The audit/finance committees met and reviewed the internal control and investing policies and made no findings to the board. The budget, disclosures, projects, and current news pertaining to the corporation are posted to PARIS and the GCLEAC webpage of the IDA website. The CEO is available to answer any questions of the board and citizens of Glen Cove. The corporation also conducts public meetings on potential projects. As a matter of policy, GCLEAC staff will be providing adequate time (such as weeks) between the distribution of project materials, public hearings and voting on project resolutions by the GCLEAC Board. Both Board and public comment will be addressed with at least a week of review of the LEAC staff and/or applicant responses by the GCLEAC Board before bringing the matter to vote. Due to the aftermath of the Covid-19 pandemic and by Open Meetings Law Executive Order 202.1 of the State of New York, the Board meetings, Committee meetings and public hearings were held on virtual platforms during the first half of 2022, such as Microsoft Teams, with a conference call option. Meetings are noticed with these instructions and information for accessing virtual meetings and calls were provided

on the IDA website under the GCLEAC webpage and City of Glen Cove websites. Livestreams of the GCLEAC meetings and public hearings are available for viewing in accordance with the Open Meetings Law, Executive Order 202.1. Since mid-2022, the board and committee meetings have reverted to in-person but are also livestreamed and recordings of said meeting are posted on the Agency's website.

5. Achieve complete adherence by management to all internal controls.

All internal control policies are in place and in effect for the corporation. The CFO, Treasurer, and Audit/Finance committees will ensure that these policies are adhered to and reported annually.

Adopted by GC-LEAC board 3-28-23

**Glen Cove Local Economic Assistance Corporation
2022 Confidential Evaluation of Board Performance
SUMMARY: 7 out of 7 members responded**

Criteria	Agree	Somewhat Agree	Somewhat Disagree	Disagree
Board members have a shared understanding of the mission and purpose of the Authority.	7			
The policies, practices and decisions of the Board are always consistent with this mission.	7			
Board members comprehend their role and fiduciary responsibilities and hold themselves and each other to these principles.	7			
The Board has adopted policies, by-laws, and practices for the effective governance, management and operations of the Authority and reviews these annually.	7			
The decisions made by Board members are arrived at through independent judgment and deliberation, free of political influence, pressure or self-interest.	7			
Individual Board members communicate effectively with executive staff so as to be well informed on the status of all important issues.	7			
Board members are knowledgeable about the Authority's programs, financial statements, reporting requirements, and other transactions.	7			
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.	7			
The Board knows the statutory obligations of the Authority and if the Authority is in compliance with state law.	7			
Board and committee meetings facilitate open, deliberate and thorough discussion, and the active participation of members.	7			
Board members have sufficient opportunity to research, discuss, question and prepare before decisions are made and votes taken.	7			
Individual Board members feel empowered to delay votes, defer agenda items, or table actions if they feel additional information or discussion is required.	6*			1*
Board members demonstrate leadership and vision and work respectfully with each other.	7			
The Board sets clear and measurable performance goals for the Authority that contributes to accomplishing its mission.	7			

Name of Authority: Glen Cove Local Economic Assistance Corporation

**The Glen Cove LEAC Governance Committee reviewed above responses and the Chairperson formally announced to the full board at the 3-28-2023 board meeting, in which the report was adopted, that all board members should not hesitate to ask for additional time to review agenda items and/or make a motion to defer/table decisions pending additional information/discussion.*