

At a regular meeting of the Members of the Town of Riverhead Industrial Development Agency, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on August 1, 2016 at 5:00 p.m. o'clock, Prevailing Time.

The meeting was called to order by Chairman Thomas Cruso, and upon roll being called, the following were

PRESENT: Thomas Cruso, Chairman

Elias (Lou) Kalogeras, Vice Chairman

Robert Kern, Treasurer

Lori Ann Pipczynski, Asst. Treasurer

ABSENT: Dawn Thomas, Secretary

The following resolution was offered by Member Lou Kalogeras, who moved its adoption, seconded by Member Lori Ann Pipczynski, to wit:

RESOLUTION #43-16

DATED AUGUST 1, 2016.

A RESOLUTION AUTHORIZING THE PROVISION OF FINANCIAL ASSISTANCE  
BY THE TOWN OF RIVERHEAD INDUSTRIAL DEVELOPMENT AGENCY TO  
PECONIC CROSSING, LLC

WHEREAS, the Town of Riverhead Industrial Development Agency was created by Chapter 624 of the Laws of 1980 and is a public benefit corporation and an industrial development agency of the State of New York (the “Agency”) having those powers set forth in, and subject to the requirements of, Article 18-A of the General Municipal Law; and

WHEREAS, the Agency has received an application for financial assistance from Peconic Crossing, LLC as property owner, and Conifer Realty, LLC as operating entity, in conjunction with Community Development Corporation of Long Island, Inc. all qualified to do business in the State of New York (“collectively referred to herein as Applicant”), with respect to the acquisition of parcel, demolition of existing structure, and construction of a 52,205 +/- square foot building located at 11 West Main Street, Riverhead, New York (S.C.T.M. #0600-128.00-03.00-068.002) for use as 45 units of workforce rental housing with downstairs interior parking garage and vehicle access across adjacent parcel to Peconic Avenue for project known as Peconic Crossing at an aggregate cost, including costs associated with the financing thereof, estimated to be \$17,650,928 (the “Project”); and

WHEREAS, a public hearing pursuant to Section 859-a of the General Municipal Law was held by the Agency on June 6, 2016 with respect to the application for financial assistance and the Project and the proposed financial assistance requested by Applicant with respect to the Project; and

WHEREAS, the Agency provided notice of the public hearing to the chief executive officer of each affected tax jurisdiction within which the Project is located; and

WHEREAS, at the Public Hearing all interested parties were provided with reasonable opportunity, both orally and in writing, to present their views with respect to the Project and the providing of financial assistance therefore, as set forth in the notice of Public Hearing; and

WHEREAS, by correspondence dated July 27, 2016, the Applicant advised that the Project will be constructed by Conifer – LeChase Construction, LLC, 205 Indigo Creek Drive, Rochester, New York 14626.

NOW, THEREFORE, BE IT RESOLVED, by the Members of the Town of Riverhead Industrial Development Agency, Suffolk County, New York, as follows:

Section 1. Based upon the record of the proceedings of this application the Board makes the following findings necessary to provide a reasonable basis for the decisions of the Agency made herein. The total Project cost is \$17,650,928 and would include 45 residential units (16 one-bedroom units and 29 two-bedroom units), a parking garage with 33 spaces (3 Handicap spaces), a fitness room, community room, on-site laundry, an on-site management office and artist gallery space of approximately 1700 square feet. The exterior of the building would consist of brick and cast stone. The Project would create housing for 74-119 residents. Five of the units would be set aside for households earning 50% of the area median income (AMI); 35 units would be set aside for households earning up to 60% AMI, and 5 units for those earning up to 90% AMI. All units will be offered to qualified artists in conjunction with advice from the East End Arts Council.

A cost benefit analysis has been prepared and reviewed by the Agency. The Project has been reviewed by the New York Governor's Office of Storm Recovery and

issued a Federal Finding of No Significant Impact and Notice of Intent to Release Funds through the Community Development Block Grant-Disaster Recovery Program (CDBG-DR) in the amount of \$5,440,000. Additional funding is provided by provision of Low Income Housing Tax Credits as approved by NYS Homes and Community Renewal, Division of Housing and Community Renewal with Federal Tax Credit Equity of \$8,506,171 and New York State Tax Credit Equity of \$1,279,872.

Waverly Research Group has prepared a Housing Market Analysis in accordance with generally accepted procedures for a professional market study, including the identification and analysis of the site circumstances, demographic and economic conditions in the area, existing housing supply, and projected demand for rental housing. The conclusions of this study reflect high need for the housing proposed with a market absorption resulting in stabilized occupancy within four months of completion of construction.

The Project is within the East Main Street Urban Renewal Area as so designated by the Riverhead Town Board and is in conformance with all zoning and land use policies as so adopted.

Conifer Realty, LLC the developer and Community Development of Long Island have demonstrated ability and experience in the construction, maintenance and operation of Projects similar in nature to the Project.

The Board also finds that the Applicant has certified that the Project, as of the date of the Application, is in substantial compliance with all provisions of Article 18-A of the General Municipal Law of the State of New York, including, but not limited to GML section 859-a and section 862. The Board also finds that the Applicant has certified it is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations. This resolution is not effective until it is

dated and countersigned by the Applicant as set forth at the foot hereof, certifying the truth of this finding and all other statements of facts and findings made by the Agency in this resolution based upon information provided by the Agency.

Section 2. It is hereby determined that the Agency shall provide Applicant with the following financial assistance with respect to the Project: (i) the provision of an exemption from Sales and Compensating Use Taxes on certain property, including tangible personal property in an amount not to exceed a total value of eligible goods and services in the amount of \$388,314, and (ii) a partial abatement of real property taxes by granting a real property tax abatement equal to the assessed value of the improvements for a period of ten years, effective for the 2017/2018 tax billing year. PILOT payments shall be paid on the land assessment of \$70,000 and 100% abatement of improvements assessment over 10 years as set forth in the attached Schedule A, and (iii) the provision of an abatement of the Mortgage Recording Tax on a mortgage not to exceed \$7,180,000. The Executive Director of the Agency is hereby directed to proceed, at the expense of Applicant, to cause agreements and documents to be prepared that will enable the aforesaid benefits to be provided to Applicant, and to submit such agreements and documents to the Agency for approval. The financial assistance authorized hereby shall not be effective until closing.

Section 3. The Agency has declared itself "lead agency", in accordance with the provisions of the State Environmental Quality Review Act with respect to the Agency's providing financial assistance to the Applicant with respect to the Project, as described in Section 4 of this Resolution and as authorized pursuant to Article 18-A of the General Municipal Law, and has determined that the provision of said financial assistance will not have a significant effect on the environment.

Section 4. The Chairperson or Vice Chairperson of the Agency is hereby authorized, on behalf of the Agency, to execute and deliver standard Agency documents including, but not limited to the Project Agreement, Ground Lease, Lease, Mortgage if necessary, PILOT, and Guarantees, necessary to grant the financial assistance set forth herein upon payment of the Agency fee and Attorney fees. Closing shall occur no later than two years from the date hereof.

Section 5. This resolution shall take effect upon immediately.

I hereby CERTIFY AND SWEAR UNDER PENALTY OF PERJURY that all findings and other statements of fact made by the Riverhead Industrial Development Agency contained in the above resolution are complete, true and correct as of this \_\_\_\_\_ day of August, 2016.

Print Title:

COUNTY OF SUFFOLK     )

Notary Public

I hereby CERTIFY AND SWEAR UNDER PENALTY OF PERJURY that all findings and other statements of fact made by the Riverhead Industrial Development Agency contained in the above resolution are complete, true and correct as of this \_\_\_\_\_ day of August, 2016.

Print Title:

[illegible]

On the            day of August in the year 2016 before me, the undersigned, a notary  
public in and for said State, personally appeared    personally  
known to me or proved to me on the basis of satisfactory evidence to be the individual  
whose name is subscribed to the within instrument and acknowledged to me that he  
executed the same in its capacity and that by its signature on the instrument, the  
individual, or the person upon behalf of which the individual acted, executed the  
instrument.

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I hereby CERTIFY AND SWEAR UNDER PENALTY OF PERJURY that all findings and other statements of fact made by the Riverhead Industrial Development Agency contained in the above resolution are complete, true and correct as of this \_\_\_\_\_ day of August, 2016.

COMMUNITY DEVELOPMENT  
CORPORATION OF LI, INC.

Print Title:

) SS.:

COUNTY OF SUFFOLK )

On the            day of August in the year 2016 before me, the undersigned, a notary public in and for said State, personally appeared    personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in its capacity and that by its signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

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

Thomas Cruso	VOTING	Yes
Elias Kalogeras	VOTING	Yes
Robert Kern	VOTING	Yes
Lori Ann Pipczynski	VOTING	Yes
_____	VOTING	_____

The resolution was thereupon declared duly adopted.

STATE OF NEW YORK     )  
                                      ) ss.:  
COUNTY OF SUFFOLK    )

I, the undersigned Secretary of the Town of Riverhead Industrial Development Agency, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Members of said Agency, including the resolution contained therein, held on August 1, 2016, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Agency had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media	Date given
The News Review	5-19-16

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of posted notice

Dated of Posting

Website

5-19-16

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of  
said Agency on 9/28/, 2016.

A handwritten signature in black ink, appearing to be "Dance", written over a horizontal line.

Secretary

(CORPORATE

SEAL)

SCHEDULE A  
REAL PROPERTY TAX ABATEMENT

Tax Year	% of abatement of improvements
2017-2018	0
2018-2019	100
2019-2020	100
2020-2021	100
2021-2022	100
2022-2023	100
2023-2024	100
2024-2025	100
2025-2026	100
2026-2027	100
2027-2028	100
2028-2029	0