

# BABYLON INDUSTRIAL DEVELOPMENT AGENCY

## IDA/IDC MEETING MINUTES

November 16, 2022

Present: Tom Gaulrapp, Chairman  
Justin Belkin, Vice Chairman  
Paulette Laborne, Secretary  
Marcus Duffin  
William Celona  
William Bogardt  
Rosemarie Dearing  
Vincent Piccoli  
Carol Quirk

Also Present: Thomas Dolan, Chief Executive Officer  
Frank Dolan, Chief Operations Officer  
David Batkiewicz, Special Projects Manager  
Joseph Ninomiya, Special Projects Manager  
William Wexler, Agency Counsel

A quorum being present, the meeting was called to order at 8:07 A.M.

A resolution was made by Justin Belkin and seconded by Vincent Piccoli to accept the minutes from the IDA/IDC Board Meeting of October 19, 2022. All in favor, motion carries.

A resolution was made by Marcus Duffin and seconded by William Bogardt to accept the minutes from the Public Hearing held November 15, 2022, for the Emmi Dessert USA, LLC Project. All in favor, motion carries.

### **CEO Report**

Mr. Dolan ceded his time to Agency Counsel, William Wexler. Mr. Wexler informed that Board the Human First Project failed to meet its required employment numbers. Mr. Wexler stated that he had a series of conversations with the Project's attorney, and he explained that Human First is a registered 501(c)(3) non-profit organization that services the developmentally disabled. Mr. Wexler stated that the COVID19 pandemic caused Human First's employment numbers to drop. Mr. Wexler informed the Board that they could either place the company in default and seek recapture or waive default and recapture. Mr. Wexler stated that it was his opinion that the Board should waive default and recapture.

A motion was made by Carol Quirk and seconded by Paulette Laborne to accept the recommendation of Agency Counsel concerning the Human First Project. All in favor, motion carries.

Mr. Wexler informed that Board that another Project, Able Weldbuilt, had failed to meet its required employment numbers for a number of years. Mr. Wexler stated that he had a series of conversations with the Project's attorney, and he explained that the failure to meet its required employment numbers was due to a mistake by the Company. Mr. Wexler explained that the Company was only counting direct employees, and they did not realize that their lease agreement allows them to report employees of affiliated facilities. Mr. Wexler stated that the inclusion of the employees from the affiliated facilities would allow Able Weldbuilt to meet its required employment numbers. Again, Mr. Wexler informed the Board that they could either place the company in default and seek recapture or waive default and recapture. Mr. Wexler stated that it was his opinion that the Board should waive default and recapture.

A motion was made by William Bogardt and seconded by William Celona to accept the recommendation of Agency Counsel concerning the Able Weldbuilt Project. All in favor, motion carries.

Mr. Dolan used the remainder of his time to inform the Board that the final meeting of the year may be at Old Town Hall or Town Hall and that he would keep the Board apprised of all updates. Mr. Dolan thanked the Board and wished them a great Thanksgiving.

### **Old Business**

No old business.

### **New Business**

No new business.

A motion was made by William Bogardt and seconded by Paulette Laborne to adjourn the meeting. All in favor, motion carries.