



AGENDA

January 29, 2025

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Resolution # 1

Accept the minutes from the IDA/IDC Board Meeting of January 8, 2025.

5. Resolution # 2

Resolution of the Board of Directors of the Town of Babylon Industrial Development Agency updating the Agency's Uniform Evaluation Criteria Policy.

6. Resolution # 3

Preliminary inducement resolution of the Town of Babylon Industrial Development Agency relating to the granting of preliminary approval to Chartwell Pharmaceuticals Amityville LLC and Chartwell Realty Amityville LLC in connection with the potential grant of certain financial assistance.

7. Chief Executive Officer's report

8. Old Business

9. New Business

10. Adjournment

BABYLON INDUSTRIAL DEVELOPMENT AGENCY

IDA/IDC MEETING MINUTES

January 8, 2025

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

Absent: Paulette LaBorne

Also Present: Thomas Dolan, TOBIDA Chief Executive Officer
Frank Dolan, TOBIDA Chief Operations Officer
Gregory Heilbrunn, Special Projects Manager
Alyson McDonough, Executive Assistant
Andrew Berger, Special Projects Advisor
William Wexler, Agency Counsel
Joseph Ninomiya, LDCII Chief Executive Officer

A quorum being present, the meeting was called to order at 8:17 A.M.

A motion was made by Vincent Piccoli and seconded by Rosemarie Dearing in favor of appointing Marcus Duffin as Acting Secretary. All in favor, motion carries.

A motion was made by William Bogardt and seconded by Justin Belkin in favor of a resolution to appoint a Secretary, Audit, Finance, and Governance Committees. All in favor, motion carries.

A motion was made by Rosemarie Dearing and seconded by Vincent Piccoli in favor of a resolution adopting the By Laws. All in favor, motion carries.

A motion was made by William Celona and seconded by Rosemarie Dearing in favor of a resolution adopting the Investment Policy. All in favor, motion carries.

A motion was made by Rosemarie Dearing and seconded by Justin Belkin in favor of a resolution adopting the Property Disposition Policy. All in favor, motion carries.

A motion was made by Marcus Duffin and seconded by Carol Quirk in favor of a resolution adopting the Procurement Policy and Procedures. All in favor, motion carries.

A motion was made by Carol Quirk and seconded by William Celona in favor of a resolution adopting the Personnel Policy. All in favor, motion carries.

A motion was made by Justin Belkin and seconded by Rosemarie Dearing in favor of a resolution adopting Schedule A of the Personnel Policy. All in favor, motion carries.

A motion was made by Marcus Duffin and seconded by William Bogardt in favor of a resolution adopting Schedule B of the Personnel Policy. All in favor, motion carries.

A motion was made by Rosemarie Dearing and seconded by Justin Belkin in favor of a resolution adopting the Policy regarding Public Comments at the Agency Board Meetings. All in favor, motion carries.

A motion was made by Carol Quirk and seconded by Rosemarie Dearing in favor of a resolution adopting the Real Property Acquisition Policy. All in favor, motion carries.

A motion was made by William Celona and seconded by Vincent Piccoli in favor of a resolution adopting the Code of Ethics. All in favor, motion carries.

A motion was made by Justin Belkin and seconded by Carol Quirk in favor of a resolution adopting the Whistleblower Protection Policy. All in favor, motion carries.

A motion was made by Marcus Duffin and seconded by Rosemarie Dearing in favor of a resolution adopting the Disaster Recovery Plan. All in favor, motion carries.

A motion was made by Rosemarie Dearing and seconded by William Celona in favor of a resolution adopting the Fee Policy. All in favor, motion carries.

A motion was made by Vincent Piccoli and seconded by Justin Belkin in favor of a resolution adopting the Mission Statement. All in favor, motion carries.

A motion was made by Justin Belkin and seconded by Carol Quirk in favor of a resolution adopting Recapture of Financial Assistance. All in favor, motion carries.

A motion was made by Marcus Duffin and seconded by Rosemarie Dearing in favor of a resolution adopting Uniform Tax Exemption Policy & Guidelines. All in favor, motion carries.

A motion was made by Carol Quirk and seconded by Vincent Piccoli to accept the minutes from the IDA/IDC Board Meeting of December 18, 2024. All in favor, motion carries.

A motion was made by Rosemarie Dearing and seconded by Justin Belkin to accept the minutes from the Gul M Corp., Shah's Halal Food and Products, Inc., GULIB M LLC and GULIB M II LLC public hearing on January 7, 2025. All in favor, motion carries.

A motion was made by William Celona and seconded by Rosemarie Dearing to accept the minutes from the 180 Deer Park Avenue LLC public hearing on January 7, 2025. All in favor, motion carries.

A motion was made by Marcus Duffin and seconded by Justin Belkin in favor of a resolution determining that the acquisition, construction and equipping of a certain project will not have a significant adverse effect on the environment. All in favor, motion carries.

A motion was made by Rosemarie Dearing and seconded by Vincent Piccoli in favor of a resolution approving the acquisition, construction and equipping of a certain facility for 180 Deer Park Avenue LLC and approving the form, substance and execution of related documents and determining other matters. All in favor, motion carries.

A motion was made by Carol Quirk and seconded by Marcus Duffin in favor of a resolution granting approval of and authorizing the grant of certain financial assistance by the Town of Babylon Industrial Development Agency to Gul M Corp., Shah's Halal Food and Products, Inc., GULIB M LLC and GULIB M II LLC in connection with the acquisition, renovation and equipping of warehouse and distribution facilities. All in favor, motion carries.

A motion was made by Vincent Piccoli and seconded by William Celona in favor of a resolution authorizing an amendment to project documents relating to the Park Plaza Holdings LLC project to extend the New York State and local sales tax exemption for the project. All in favor, motion carries.

CEO Report

Mr. Dolan began his report by offering congratulations to the board and expressing his anticipation of working together in the new year. Mr. Dolan told the Board at the last meeting that there were a few projects the Agency was expected to close on. Today, Mr. Dolan shared that those projects had in fact closed, and that he believes the Agency finished 2024 on a strong note.

Mr. Dolan then reminded the board that the next meeting will be held on January 29, 2025 and that he will confirm if Old Town Hall is available for that meeting. Board members will be notified whether the meeting will be held at Old Town Hall or Town Hall.

Mr. Dolan concluded by thanking the board, expressing optimism for 2025, and wishing everyone a Happy New Year.

Old Business

No old business

New Business

No new business.

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

RESOLUTION OF THE BOARD OF DIRECTORS OF THE TOWN OF BABYLON INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") UPDATING THE AGENCY'S UNIFORM EVALUATION CRITERIA POLICY

WHEREAS, the Town of Babylon Industrial Development Agency was established pursuant to Title 1 of Article 18-A of the New York General Municipal Law and Chapter 692 of the Laws of 1971 of the State of New York, as amended, to promote economic development, create jobs, and improve the quality of life in the Town of Babylon; and

WHEREAS, Section 874(4)(a) of the New York General Municipal Law, along with Sections 1963-a(1) and 2315(1) of the New York Public Authorities Law, as recently amended, requires industrial development agencies to evaluate projects considering whether they provide onsite child daycare facilities as part of their public benefits; and

WHEREAS, the Agency adopted its Uniform Evaluation Criteria Policy (the "Policy") in 2016 to establish consistent and transparent criteria for evaluating applications for financial assistance; and

WHEREAS, the Agency seeks to amend its Policy to include the newly required evaluation criteria in compliance with the amendments to the aforementioned laws;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE TOWN OF BABYLON INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

- 1. Amendment to the Uniform Evaluation Criteria Policy:** The Agency hereby approves and adopts the amendment to its Uniform Evaluation Criteria Policy to include the evaluation of whether a project will provide onsite child daycare facilities as part of its public benefit.
- 2. Implementation:** The amended Policy shall become effective immediately and shall be used in evaluating all applications for financial assistance submitted after the date of this Resolution.
- 3. Publication and Distribution:** The Agency shall publish and distribute the updated Policy to relevant stakeholders and post it on the Agency's official website to ensure compliance and transparency.
- 4. Further Actions:** The officers, staff, and agents of the Agency are hereby authorized and directed to take all actions necessary to implement the provisions of this Resolution and ensure compliance with applicable laws.
- 5. Severability:** In the event any provision of this Resolution or the amended Policy is found to be invalid or unenforceable, such finding shall not affect the validity or enforceability of the remaining provisions.
- 6. Effective Date:** This Resolution shall take effect immediately upon its adoption.

**PRELIMINARY INDUCEMENT RESOLUTION
DATED JANUARY 29, 2025**

**PRELIMINARY INDUCEMENT RESOLUTION OF THE TOWN OF
BABYLON INDUSTRIAL DEVELOPMENT AGENCY RELATING TO THE
GRANTING OF PRELIMINARY APPROVAL TO CHARTWELL
PHARMACEUTICALS AMITYVILLE LLC AND CHARTWELL REALTY
AMITYVILLE LLC IN CONNECTION WITH THE POTENTIAL GRANT OF
CERTAIN FINANCIAL ASSISTANCE**

WHEREAS, representatives of Chartwell Pharmaceuticals Amityville LLC, a New York limited liability company, on behalf of itself and/or the principals of Chartwell Pharmaceuticals Amityville LLC and/or any entity or entities formed on behalf of Chartwell Pharmaceuticals Amityville LLC or any of the foregoing (collectively, the “**Company**”) and Chartwell Realty Amityville LLC, a New York limited liability company, on behalf of itself and/or the principals of Chartwell Realty Amityville LLC and/or any entity or entities formed on behalf of Chartwell Realty Amityville LLC, or any other real estate holding company created in connection with the foregoing or any of the foregoing (collectively, the “**Owner**”) have filed or caused to be filed a preliminary application with the Town of Babylon Industrial Development Agency (the “**Agency**”) concerning a project (the “**Project**”) consisting of (i) the acquisition of an approximately 127,500 square foot industrial campus facility located on that certain approximately 5.22 acre lot, piece or parcel of land located at 225 Dixon Avenue, 219 Dixon Avenue, 10 Edison Street, 26 Edison Street and 369 Bayview Avenue in Amityville, New York (the “**Facility**”), (ii) the renovation and equipping of an approximately 25,500 square foot industrial building located on a portion of the Facility known as 26 Edison Street, Amityville, New York and (iii) the equipping of an approximately 38,000 square foot industrial building located on a portion of the Facility known as 369 Bayview Avenue, Amityville, New York, all for use by the Company in its business of manufacturing prescription drug products for the pharmaceutical industry; and

WHEREAS, the Company and the Owner submitted a preliminary Project Application (the “**Project Application**”) to the Agency to initiate the accomplishment of the above; and

WHEREAS, pursuant to the Project Application, representatives of the Company and the Owner have indicated that the Project and the Facility will retain and grow additional jobs in the Town of Babylon (the “**Town**”); and

WHEREAS, based upon further review of the Project Application, the Agency intends to determine whether financial assistance shall be provided by the Agency in order to induce the Company and Owner to proceed with the proposed Project; and

WHEREAS, the Company and Owner are obtaining and compiling all information necessary to allow the Agency to make such determination;

NOW, THEREFORE, BE IT RESOLVED by the Agency as follows:

Section 1. The proposed Project and the Facility would, if approved by the Agency, be in furtherance of the policy of fostering economic development in the Town in accordance with the Article 18-A and Section 907-a of the General Municipal Law of the State of New York.

Section 2. The officers of the Agency and other appropriate officials of the Agency and its agents and employees are hereby authorized and directed to take whatever steps may be necessary to implement the provision of this resolution including compiling and reviewing requisite information to determine whether financial assistance shall be provided by the Agency for the proposed Project;

Section 3. Nothing herein shall be construed as committing the Agency to undertake or approve the Project or to provide financial assistance for the Project.

Section 4. Any expenses incurred by the Agency with respect to the proposed Project shall be paid by the Applicant. The Applicant will agree to pay such expenses and further will agree to indemnify the Agency, its members, directors, employees and agents and hold the Agency and such persons harmless against claims for losses, damage or injury or any expenses or damages incurred as a result of action taken by or on behalf of the Agency in good faith with respect to the proposed Project.

Section 5. This preliminary resolution shall take effect immediately.