

## AGENDA

August 20, 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 July 23, 2025.

5. **Resolution # 2**

Preliminary Inducement resolution of the Town of Babylon Industrial Development Agency relating to the granting of preliminary approval to Mival Enterprises Inc. d/b/a Lifestyle Sports and 3<sup>rd</sup> Gen Realty LLC in connection with the potential grant of certain financial assistance.

6. **Resolution # 3**

Resolution authorizing an amendment to project documents relating to the Apogee Translite, Inc. project.

7. **Chief Executive Officer's report**
8. **Old Business**
9. **New Business**
10. **Adjournment**

BABYLON INDUSTRIAL DEVELOPMENT AGENCY

IDA/IDC MEETING MINUTES

July 23, 2025

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

Also Present: Thomas Dolan, TOBIDA Chief Executive Officer  
Frank Dolan, TOBIDA Chief Operations Officer  
Gregory Heilbrunn, Special Projects Manager  
Alyson McDonough, Executive Assistant  
William Wexler, Agency Counsel  
Anthony Conway, Intern  
Chase Liardi, Intern  
Ubaid Iqbal, Ujima Intern

A quorum being present, the meeting was called to order at 8:03 A.M.

A motion was made by Paulette LaBorne and seconded by Carol Quirk in favor of a resolution to accept the minutes from the June 25, 2025 IDA/IDC Board meeting. All in favor, motion carries.

A motion was made by William Bogardt and seconded by Rosemarie Dearing in favor of a resolution to accept the minutes from the All-Color Offset Printers, Inc. / All Color Business Specialties, Ltd. Public Hearing of July 22, 2025. All in favor, motion carries.

A motion was made by William Celona and seconded by Paulette LaBorne in favor of a resolution authorizing the Chief Executive Officer to execute an easement agreement with the Long Island Railroad and P.C. Richard & Son for installation and maintenance of a security fence. All in favor, motion carries.

A motion was made by Marcus Duffin and seconded by Carol Quirk in favor of a resolution authorizing the assignment of the project documents relating to the HSRE-EB West Babylon, LLC Project. All in favor, motion carries.

A motion was made by Justin Belkin and seconded by Rosemarie Dearing in favor of a resolution authorizing an amendment to project documents relating to the Park Plaza Holdings LLC project to increase the mortgage recording tax exemption for the project. All in favor, motion carries.

A motion was made by Paulette LaBorne and seconded by Carol Quirk in favor of a resolution granting approval of and authorizing the grant of certain financial assistance to All-Color Offset Printers, Inc., All Color Business Specialties, Ltd., Bogue Realty LLC and Marcus Blvd. Associates LLC in connection with the acquisition, renovation and equipping of warehouse, distribution and manufacturing facilities. All in favor, motion carries.

### **CEO Report**

Mr. Dolan welcomed Ubaid Iqbal, who is interning with the Agency through the Town of Babylon's Ujima program. Mr. Dolan shares that Ubaid's been doing a great job working with staff alongside the Agency's other summer interns.

Next, Mr. Dolan commended all Agency staff who worked on raising donations for the Wounded Warrior Project this year, which totaled approximately \$7,000. He thanks the business community, the Agency's clients, civic groups, and everyone who has reached out to support the cause. He anticipates a post to the Agency's website which will congratulate and thank all who have contributed.

Mr. Dolan concluded by thanking the board, hoping that everyone is having a great summer. He reminded members that they can reach out to him with any questions.

### **Old Business**

No old business

### **New Business**

No new business.

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

**PRELIMINARY INDUCEMENT RESOLUTION  
DATED AUGUST 20, 2025**

**PRELIMINARY INDUCEMENT RESOLUTION OF THE TOWN OF  
BABYLON INDUSTRIAL DEVELOPMENT AGENCY RELATING TO THE  
GRANTING OF PRELIMINARY APPROVAL TO MIVAL ENTERPRISES INC.  
D/B/A LIFESTYLE SPORTS AND 3RD GEN REALTY LLC IN CONNECTION  
WITH THE POTENTIAL GRANT OF CERTAIN FINANCIAL ASSISTANCE**

**WHEREAS**, representatives of MiVal Enterprises Inc. d/b/a Lifestyle Sports, a New York corporation, on behalf of itself and/or the principals of MiVal Enterprises Inc. d/b/a Lifestyle Sports and/or any entity or entities formed on behalf of MiVal Enterprises Inc. d/b/a Lifestyle Sports, or any of the foregoing (collectively, the “**Company**”), and 3rd Gen Realty LLC, a New York limited liability company, on behalf of itself and/or the principals of 3rd Gen Realty LLC and/or any entity or entities formed on behalf of 3rd Gen Realty LLC, 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 the acquisition, renovation and equipping of an approximately 18,500 square foot building located on that certain approximately 1.4 acre lot, piece or parcel of land located at 110 Broadhollow Road in Farmingdale, New York (the “**Facility**”), all for use by the Company in its business as a manufacturer of decorated apparel for the corporate, team sports and medical industry; and

**WHEREAS**, the Company and 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.

**RESOLUTION AUTHORIZING AN AMENDMENT TO PROJECT DOCUMENTS  
RELATING TO THE APOGEE TRANSLITE, INC. PROJECT**

**WHEREAS**, on September 9, 2014, the Agency adopted a resolution granting approval of and authorizing the grant of certain financial assistance by the Agency to JVM Acorn Realty LLC (the "Owner") and Apogee Translite, Inc. (the "Company") with respect to a project (the "Project") consisting of the acquisition, renovation and equipping by the Company of an approximately 39,500 aggregate square foot manufacturing and distribution facility to be located on that certain approximately 2 acre lot, piece or parcel of land (the "Project Site") generally known as 593 Acorn Street in Deer Park, New York (the "Facility"), all for use by the Company in its businesses of designing and manufacturing lighting and electrical fixtures and components; and

**WHEREAS**, on September 30, 2014 the Agency entered into a straight lease transaction with the Owner pursuant to which the Agency granted the Owner and the Company financial assistance in the form of among others, exemptions from real property taxes, New York State and local sales and use taxes and mortgage recording tax exemptions in accordance with a Lease and Project Agreement, between the Agency and the Owner dated September 30, 2014 (the "Lease Agreement"); and

**WHEREAS**, pursuant to Section 9.3 of the Lease Agreement, the Lessee shall not at any time assign or transfer the Lease Agreement or the Sublease Agreement (as defined in the Lease) without the prior written consent of the Agency; and

**WHEREAS**, on February 1, 2018, pursuant to Section 9.3 of the Lease Agreement, the Agency consented to the assignment of the Sublease Agreement from the Company to Apogee Lighting Holdings, LLC (the "Assignee"); and

**WHEREAS**, the Agency, the Assignee and the Owner desire to further amend the Sublease Agreement pursuant to a First Amendment to the Lease Agreement (the "Amendment"); and

**WHEREAS**, the Agency desires to approve the Amendment.

**NOW, THEREFORE, BE IT DETERMINED, APPROVED AND RESOLVED** by the members of the Agency as follows:

Section 1. The Agency hereby approves of the form and substance of the Amendment and any other amendments to the Lease Agreement consistent with the foregoing.

Section 2. Thomas E. Dolan as Chief Executive Officer ("CEO") or any other Authorized Representative, is hereby authorized, on behalf of the Agency, to consent to final forms of the Amendment, any other amendments to the Lease Agreement consistent with the foregoing and any other consents, agreements or certificates consistent herewith (hereinafter collectively called the "**Amended Documents**"), all in form acceptable to the Agency upon the advice of counsel to the Agency. The execution thereof by the CEO shall constitute conclusive evidence of the approval of the Amended Documents.

The CEO or any other Authorized Representatives are further hereby authorized, on behalf of the Agency, to designate any additional authorized representatives including the Chairman, the Secretary or Assistant Secretary of the Agency, to execute any Amended Documents or certificates of the Agency authorized pursuant to this Resolution and determine the terms of the Amended Documents.

The Secretary, Assistant Secretary or Counsel to the Agency is hereby authorized to attest to the CEO's or any other Authorized Representative's signature on the foregoing documents and to impress or affix the seal or facsimile seal of the Agency thereto.

Section 3. The CEO, the Chairman or the Secretary and any member of the Agency (as used in this resolution, the "**Authorized Representatives**") are hereby designated the authorized representatives of the Agency and each of them is hereby authorized and directed to cause the transactions as described herein to be undertaken and in relation thereto, to execute and deliver any and all papers, instruments, agreements, opinions, certificates, affidavits and other documents, and to do and cause to be done any and all acts and things necessary or proper for carrying out this resolution, and the Amended Documents including such changes or revisions in the forms of such documents as may be requested by counsel to the Agency.

Section 4. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Amended Documents, and to execute and deliver all such additional certificates, instruments, agreements and documents, pay all such fees, charges and expenses and to do all such further acts and things as may be necessary, or in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Amended Documents binding upon the Agency.

Section 5. All covenants, stipulations, obligations and agreements of the Agency contained in this resolution, and the Amended Documents shall be deemed to be the covenants, stipulations, obligations and agreements of the Agency to the full extent authorized or permitted by law, and such covenants, stipulations, obligations and agreements shall be binding upon the Agency and its successors from time to time and upon any board or body to which any powers or duties, affecting such covenants, stipulations, obligations and agreements shall be transferred by or in accordance with law. Except as otherwise provided in this resolution, all rights, powers and privileges conferred and duties and liabilities imposed upon the Agency or the members thereof by the provisions of this resolution, and the Amended Documents shall be exercised or performed by the Agency or by such members, officers, board or body as may be required by law to exercise such powers and to perform such duties.

Section 6. No covenant, stipulation, obligation or agreement contained in this resolution, or the Amended Documents shall be deemed to be a covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency or the Town of Babylon in his or their individual capacity and neither the members of the Agency nor any officer shall be liable

personally on the Amended Documents or be subject to any personal liability or accountability by reason of the execution thereof.

Section 7. This resolution shall take effect immediately.