

## **MINUTES OF MEETING OF MONDAY, JANUARY 22, 2007**

Meeting was called to order by Chairman McCabe at 5:05 p.m.

Present: Sean McCabe  
James Csorny  
Angela DeVito  
Kathleen Wojciechoski  
Monique J. Gablenz, Acting Executive Director  
Richard Ehlers, Counsel

Absent: Jack Orben  
Robert J. Gaffney  
William Belmonte

Chairman McCabe welcomed Angela Devito and Kathleen Wojciechowski as members of the Board of Directors of the Agency. The Board then took the following action:

### **#01-07 – RATIFIES PUBLICATION OF NOTICE OF PUBLIC HEARING OF JANUARY 22, 2007 RE: APPLICATION FOR FINANCIAL ASSISTANCE OF BROWNING HOTEL PROPERTIES, LLC**

Angela DeVito offered the following resolution, which was seconded by James Csorny.

WHEREAS, by resolution #47 adopted by this Board of Directors at its meeting of December 4, 2006, a public hearing was called with respect to the providing of financial assistance by this Agency to Browning Hotel Properties, LLC, and

WHEREAS, said hearing was scheduled for January 15, 2007 and the necessary notice of public hearing was published in the December 14, 2006 edition of The News Review as the official newspaper of this agency; and

WHEREAS, due to the recognition of the legal holiday of Martin Luther King Jr. Day it was necessary to adjourn said hearing to January 22, 2007 and to publish a notice of adjournment and corrected notice of public hearing in the official newspaper.

NOW, THEREFORE, BE IT RESOLVED, that the publication of the adjournment of the January 15, 2007 public hearing and corrected notice of public hearing to be held January 22, 2007 in the matter of Browning Hotel Properties, LLC in the December 21, 2006 issue of The News Review as attached be and is hereby ratified.

**Vote: 4 yes**  
**3 absent**

Chairman McCabe then called to order the public hearing regarding the application for financial assistance of Browning Hotel Properties, LLC.

**(Transcript of public hearing is provided on the following pages.)**

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Ms. Gablenz reviewed with the Board that the by-laws of the agency provide for the following officer positions: Chairman, Vice Chairman, Secretary, Treasurer, Assistant Secretary, and Assistant Treasurer. Since several members of the Board were not present the Board decided to delay the designation of officers. The current officers will remain in said positions until a change, if any, is made by resolution.

Ms. Gablenz distributed to the Board members model Governance Committee and Audit Committee charters for review and consideration. Board members were asked to consider the content of the charters for consideration of amendment to the by-laws to include the provisions of the charters for the establishment of a Governance Committee and Audit Committee. Additionally, Ms. Gablenz distributed an "Independent Member Checklist" for the completion by each board member. In accordance with the PAAA of 2005, the membership of the Audit Committee will require "independent" board members. The completion of the checklist by the board members will confirm compliance with said requirement.

**#02-07 - DESIGNATES THE NEWS REVIEW AS OFFICIAL NEWSPAPER**

James Csorny offered the following resolution, which was seconded by Angela DeVito.

**RESOLVED**, that The News Review be and is hereby designated as the official newspaper of the Riverhead Industrial Development Agency, and be it further

**RESOLVED**, that a certified copy of this resolution shall be forwarded to The News Review.

**Vote: 4 yes**  
**3 absent**

**#03-07 - AUTHORIZES PUBLICATION OF NOTICE OF MEETING**

James Csorny offered the following resolution, which was seconded by Angela DeVito.

**RESOLVED**, that the following Notice of Meeting shall be published once in The News Review:

**PUBLIC NOTICE**

PLEASE TAKE NOTICE, that the meetings of the Riverhead Industrial Development Agency shall take place on the first Monday of each and every month at 5:00 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York. If a legal holiday should occur on the first Monday of a month then the meeting will be held on the second Monday of that month, unless otherwise amended by resolution of this Board.

BY ORDER OF THE BOARD OF DIRECTORS  
RIVERHEAD INDUSTRIAL DEVELOPMENT  
AGENCY

Jack Orben, Secretary



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**Vote: 4 yes**  
**3 absent**

**#04-07 - APPOINTS RICHARD A. EHLERS AS LEGAL COUNSEL TO AGENCY**

Angela DeVito offered the following resolution, which was seconded by James Csorny.

**RESOLVED**, that Richard A. Ehlers, be and is hereby appointed as general legal counsel to the Agency at an hourly rate of \$150 per hour, to be paid upon presentation of an itemized statement.

**Vote: 4 yes**  
**3 absent**

**#05-07 - APPOINTS FULBRIGHT & JAWORSKI AS BOND COUNSEL TO AGENCY**

Angela DeVito offered the following resolution, which was seconded by James Csorny.

**RESOLVED**, that Fulbright & Jaworski L.L.P. be and hereby is appointed as Bond Counsel to the Agency to be paid upon the presentation of an itemized statement.

**Vote: 4 yes**  
**3 absent**

**#06-07 - DESIGNATES JP MORGAN CHASE BANK AS OFFICIAL DEPOSITORY**

Kathleen Wojciechowski offered the following resolution, which was seconded by Angela DeVito.

**RESOLVED**, that J P Morgan Chase Bank be and is hereby designated as the official depository of this Agency for the year 2007.

**Vote: 4 yes**  
**3 absent**

**#07-07 - DESIGNATES MARKOWITZ, FENELON & BANK, LLP AS OFFICIAL AUDITING FIRM**

Angela DeVito offered the following resolution, which was seconded by James Csorny.

**RESOLVED**, that Markowitz, Fenelon & Bank, LLP be and is hereby designated as the official auditing firm of this Agency and that said books are to be audited annually with a

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copy of said audit to be provided to the Agency and become part of the record of such Agency.

**Vote: 4 yes**  
**3 absent**

**#08-07 – APPROVES BUDGET FOR FISCAL YEAR 1/1/07-12/31/07**

Kathleen Wojciechowski offered the following resolution, which was seconded by James Csorny.

WHEREAS, it is recommended accounting practice that an operating budget be established for the Riverhead Industrial Development Agency; and

WHEREAS, the Acting Executive Director has prepared and submitted a proposed budget for the consideration of the Board of Directors.

WHEREAS, pursuant to Section 861 of General Municipal Law, a copy of the proposed budget was filed on November 3, 2006 with the Office of the Town Supervisor and the Office of the Town Clerk for review and comment; and

WHEREAS, no comment has been received to date.

**NOW, THEREFORE, BE IT RESOLVED**, that the attached is hereby approved and adopted as the Operating Budget of the Riverhead Industrial Development Agency for fiscal year 1/1/07 through 12/31/07; and

**BE IT FURTHER RESOLVED**, the Acting Executive Director be and is hereby authorized to forward copies of this resolution to all necessary parties as prescribed by law.

**Vote: 4 yes**  
**3 absent**

**#9-07 - ACCEPTS REPORT OF EXPENSES AND AUTHORIZES PAYMENT OF BILLS**

Kathleen Wojciechowski offered the following resolution, which was seconded by James Csorny.

WHEREAS, the Executive Director has prepared and submitted a report of expenses of the RIDA for the period 12/1/06 to 12/31/06 as attached.

**NOW, THEREFORE, BE IT RESOLVED**, that said report of expenses dated 1/1/07 be and is hereby accepted and expenses as listed are authorized for payment.

**Vote: 4 yes**  
**3 absent**

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Ms. Gablenz distributed a master list of all applicants for the position of Executive Director with attachments of all submissions made by the applicants. It was the consensus that the members will review the submissions and at the next meeting decide on which applicants to interview.

Mr. Ehlers and Ms. Gablenz reviewed with the Board the potential applications for financial assistance of Peconic Bay Medical Center and Lambro Industries.

Ms. Gablenz advised the Board that all PILOT payments were received and that she will distribute at the February meeting a sheet detailing the distribution of the PILOT payments to the taxing jurisdictions.

There being no further business the meeting was adjourned at approximately 7:30 p.m.