

**The Town of Huntington**  
**Local Development Corporation (TOH LDC)**

100 Main Street, Huntington, New York  
Board of Directors  
Wednesday, December 7, 2016  
10:30 a.m. Huntington Town Hall Room 114

**AGENDA**

1. **Call meeting to order**
2. **Presentation from Elija School**, Dylan Saperman, ELIJA Counsel from Moritt Hock and Debora Thivierge, Executive Director of ELIJA School & ELIJA Farm
3. **Organizational Matters.**
  - a. **Resolution LDC-12-7- 2016-1** RATIFYING AND CONFIRMING THE CORPORATION'S MEETING MINUTES OF APRIL 5, 2016 AND OCTOBER 19, 2016
  - b. **Resolution LDC-12-7-2016-2** AUTHORIZING THE CHAIRMAN TO EXECUTE AN EXTENSION TO THE CONTRACT WITH CULLEN & DANOWSKI, LLP, CERTIFIED PUBLIC ACCOUNTANTS, TO CONDUCT AN INDEPENDENT AUDIT FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016
  - c. **Resolution LDC 12-7-2016-3** AUTHORIZING THE CORPORATION TO ENGAGE BARRY D. LITES OF THE LAW OFFICES OF BARRY D. LITES, LLP AS GENERAL COUNSEL, AND ANDREW D. KOMAROMI OF HARRIS BEACH PLLC AS BOND COUNSEL
4. **Operational matters.**
  - a. **Resolution LDC 12-7-2016-4** AUTHORIZING THE ISSUANCE, EXECUTION, SALE AND DELIVERY OF THE ISSUER'S TAX-EXEMPT AND/OR TAXABLE REVENUE BONDS (THE ELIJA FARM, INC., PROJECT), IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,350,000, FOR THE PURPOSE OF FINANCING OR REFINANCING A CERTAIN PROJECT FOR THE BENEFIT OF THE ELIJA FARM, INC.; (II) DESCRIBING AND AUTHORIZING OTHER FINANCIAL ASSISTANCE BY THE ISSUER WITH RESPECT TO SUCH PROJECT; (III) RATIFYING A PUBLIC HEARING WITH RESPECT TO SUCH FINANCING AND SUCH PROJECT; (IV) MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE PROJECT AND (V) AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS
5. **Adjournment**

**Resolution LDC-12-7-2016-1** RATIFYING AND CONFIRMING THE CORPORATION'S MEETING MINUTES OF APRIL 5, 2016 AND OCTOBER 19, 2016

*BE IT RESOLVED:*

THAT THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION HEREBY RATIFIES AND CONFIRMS THE MEETING MINUTES OF APRIL 5, 2016 AND OCTOBER 19, 2016

OFFERED BY:

SECONDED BY:

VOTED:

FRANK P. PETRONE

SUSAN A. BERLAND

MARK A. CUTHBERTSON

EUGENE COOK

TRACEY A. EDWARDS

**Resolution LDC-12-7-2016-2** AUTHORIZING THE CHAIRMAN TO EXECUTE AN EXTENSION TO THE CONTRACT WITH CULLEN & DANOWSKI, LLP, CERTIFIED PUBLIC ACCOUNTANTS, TO CONDUCT AN INDEPENDENT AUDIT FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016

*BE IT FURTHER RESOLVED:*

THAT THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION HEREBY AUTHORIZES THE CHAIRMAN TO EXECUTE AN EXTENSION TO THE CONTRACT WITH CULLEN & DANOWSKI, LLP, CERTIFIED PUBLIC ACCOUNTANTS, TO CONDUCT AN INDEPENDENT AUDIT FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016

OFFERED BY:

SECONDED BY:

VOTED:

FRANK P. PETRONE

SUSAN A. BERLAND

MARK A. CUTHBERTSON

EUGENE COOK

TRACEY A. EDWARDS

**Resolution LDC 12-7-2016-3** AUTHORIZING THE CORPORATION TO ENGAGE BARRY D. LITES OF THE LAW OFFICES OF BARRY D. LITES, LLP AS GENERAL COUNSEL, AND ANDREW D. KOMAROMI OF HARRIS BEACH PLLC AS BOND COUNSEL

*BE IT FURTHER RESOLVED*

THAT THE CORPORATION HEREBY ENGAGES BARRY D. LITES OF THE LAW OFFICES OF BARRY D. LITES, LLP, 23 GREEN STREET, SUITE 209, HUNTINGTON, NY 11743 AS GENERAL COUNSEL, AND ANDREW D. KOMAROMI OF HARRIS BEACH PLLC, 333 EARLE OVERTON BOULEVARD, SUITE 901, UNIONDALE, NY 11553 AS BOND COUNSEL, TO PROVIDE LEGAL SERVICES FOR THE CORPORATION ON SUCH TERMS AS THE CHAIRPERSON SHALL DEEM REASONABLY JUST AND PROPER

OFFERED BY:

SECONDED BY:

VOTED:

FRANK P. PETRONE

SUSAN A. BERLAND

MARK A. CUTHBERTSON

EUGENE COOK

TRACEY A. EDWARDS

**Resolution LDC 12-7-2016-4** RESOLUTION OF THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION (THE “ISSUER”) (I) AUTHORIZING THE ISSUANCE, EXECUTION, SALE AND DELIVERY OF THE ISSUER’S TAX-EXEMPT AND/OR TAXABLE REVENUE BONDS (THE ELIJA FARM, INC., PROJECT), IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,350,000, FOR THE PURPOSE OF FINANCING OR REFINANCING A CERTAIN PROJECT (AS SET FORTH BELOW) FOR THE BENEFIT OF THE ELIJA FARM, INC.; (II) DESCRIBING AND AUTHORIZING OTHER FINANCIAL ASSISTANCE BY THE ISSUER WITH RESPECT TO SUCH PROJECT; (III) RATIFYING A PUBLIC HEARING WITH RESPECT TO SUCH FINANCING AND SUCH PROJECT; (IV) MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE PROJECT AND (V) AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS

**BOND RESOLUTION**  
*(The Elija Farm Inc., Project)*

OFFERED BY:

SECONDED BY:

WHEREAS, pursuant to the purposes and powers contained within Section 1411 of the Not-for-Profit Corporation Law (“N-PCL”) of the State of New York (the “State”), as amended (hereinafter collectively called the “Act”), and pursuant to its duly filed certificate of incorporation (the “Certificate”), **THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION** (the “Issuer”) was established as a not-for-profit local development corporation of the State with the authority and power to own, lease and sell personal and real property for the purposes of, among other things, acquiring, constructing and equipping certain projects exclusively in furtherance of the charitable or public purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities, instructing or training individuals to improve or develop their capabilities for such jobs, by encouraging the development of, or retention of, an industry in the community or area, and lessening the burdens of government and acting in the public interest; and

WHEREAS, the territory in which the Issuer’s activities are principally to be conducted is the Town of Huntington and its surrounding communities; and

WHEREAS, **THE ELIJA FARM, INC.**, a not-for-profit corporation organized and existing under the laws of the State of New York, (the “Institution”), previously submitted an application to the Issuer requesting that the Issuer issue its tax-exempt and/or taxable revenue bonds (The Elija Farm Inc., Project) in one or more series in an aggregate principal amount not to exceed \$2,350,000 (the “Bonds”) for the purpose of paying the costs associated with a certain project (the “Project”) consisting of: (A) the financing or refinancing of all or a portion of the costs of (1) the acquisition of approximately 6.6 acre parcel of farm land, at 43 Foxhurst Road, Huntington Station, Suffolk County, New York 11746 (the “Land”) and existing improvements located thereon, consisting principally of an approximately 2,700 square foot single family residence (the “Existing Improvements”) and (2) renovation, upgrading, and equipping of the Existing Improvements (the “Improvements” and collectively with the Land and the Existing Improvements, the “Facility”); and (B) the funding of a debt service reserve fund, if any, and paying capitalized interest, if any, and certain other costs incidental to the issuance of the Bonds (the costs associated with items (A) and (B) being hereinafter collectively referred to as the “Project Costs”); and

WHEREAS, the Issuer is contemplating providing financial assistance to the Institution with respect to the Project (collectively, the “Financial Assistance”) in the form of the issuance of the Bonds and an exemption from applicable mortgage recording tax; and

WHEREAS, in accordance with Section 147(f) of the Internal Revenue Code (the “Code”), the Issuer conducted a public hearing with respect to the issuance of the Bonds on Wednesday, December 7, 2016, at 9:00 a.m., local time, at The Town of Huntington Town Hall, Room 304, 100 Main Street, Huntington, New York 11743, following the publication on November 23, 2016, *in the Nassau and Suffolk Editions of Newsday* of a notice of said public hearing; and

WHEREAS, the Bonds are being issued pursuant to an Indenture of Trust (the “Indenture”), by and between the Issuer and UMB Bank N.A., (or any other trustee designated by the Institution and reasonably acceptable to the Issuer) as trustee (the “Trustee”); and

WHEREAS, the Issuer will loan the proceeds of the Bonds to the Institution pursuant to a certain Loan Agreement, (the “Loan Agreement”), with the payments made by the Institution thereunder being sufficient to pay the principal of premium, if any, purchase price and interest on the Bonds; and

WHEREAS, the Issuer will assign its rights (except Unassigned Rights as such term is defined in the Indenture) under the Loan Agreement to the Trustee, pursuant to a certain Pledge and Assignment, from the Issuer to the Trustee with Acknowledgement thereof by the Institution (the “Pledge and Assignment”); and

WHEREAS, the Bonds will be placed by Gates Capital Corporation, as placement agent (the “Placement Agent”) pursuant to a certain Bond Placement Agreement, among

the Issuer, the Placement Agent and the Institution (the “Bond Placement Agreement”); and

WHEREAS, as security for the Institution's obligations under the Loan Agreement, (i) the Institution will grant to the Issuer a first priority mortgage lien on and security interest in and to Mortgaged Premises (as defined in the hereinafter defined Mortgage) pursuant to one or more Mortgage, Assignment of Rents, Security Agreements and Fixture Filings, from the Institution to the Trustee (the “Mortgage”); the Issuer will assign its rights under the Mortgage to the Trustee pursuant to a certain Assignment of Mortgage, from the Issuer to the Trustee (the “Assignment of Mortgage”); and; (ii) if required, the Institution and one or more of its affiliates (collectively, the “Guarantors”) will guarantee the principal of and interest on the Bonds pursuant to a certain Guaranty, from the Guarantors to the Trustee (the “Guaranty”); and

WHEREAS, any approval of the Project is contingent upon, among other things, a final determination by the members of the Issuer to proceed with the Project following determinations by the Issuer that (i) the public hearing and notice requirements and other procedural requirements contained in Section 147(f) of the Code, and (ii) the granting of the financial assistance is and will be in compliance with all other applicable requirements of the Act, Article 8 of the Environmental Conservation Law (the “SEQR Act”) and the regulations adopted pursuant thereto (the “Regulations” and together with the SEQR Act, collectively, “SEQRA”), and all other statutes, codes, laws, rules and regulations of any governmental authority having jurisdiction over the Project (collectively, the “Applicable Laws”); and

WHEREAS, to aid the Issuer in determining whether the Facility may have a significant effect upon the environment, the Institution has prepared and submitted to the Issuer a Long Environmental Assessment Form and related documents with respect to the Facility, a copy of which is on file at the office of the Issuer; and

WHEREAS, the Issuer determines that the actions relating to the acquisition, renovation and equipping of the Facility is an Unlisted action under SEQRA; and

WHEREAS, the Institution reasonably expects that it will (i) pay or incur certain capital expenditures in connection with the Project prior to the issuance of the Bonds, (ii) use funds from sources other than proceeds from the Bonds which are or will be available on a short-term basis to pay for such capital expenditures, and (iii) reimburse itself for the use of such funds with proceeds of the Bonds.

*NOW, THEREFORE, BE IT RESOLVED* by The Town of Huntington Local Development Corporation as follows:

Section 1. Based upon the information regarding the Facility supplied by the Institution, the Issuer determines that the Project involves an Unlisted Action under SEQRA as that term is defined by 6 NYCRR §617.2(ak). The Issuer is acting as Lead Agency pursuant to SEQRA and conducting an Uncoordinated Review pursuant to 6 NYCRR §617.6 Based upon a thorough and comprehensive review by the Issuer of the

Application, the Long Environmental Assessment Form and related documents delivered by the Institutions to the Issuer, as well as other representations made by the Institutions to the Issuer in connection with the Project, the finds that the Project will result in no potential significant adverse environmental impacts requiring the preparation of an environmental impact statement for the action. Attached hereto, as Schedule A, is the Issuer's Environmental Evaluation for purposes of the SEQR Act with respect to the Project. Notice of this determination shall be filed to the extent required by the applicable regulations under that Act or as may be deemed advisable by the Executive Director and Chief Executive Officer or Deputy Executive Director and Chief Financial Officer or the Chairman or Vice Chair of the Issuer or counsel to the Issuer.

Section 2.

- (a) It is the policy of the State to promote the economic welfare, recreation opportunities and prosperity of its inhabitants and to actively promote, attract, encourage and develop recreation and economically sound commerce and industry for the purpose of preventing unemployment and economic deterioration.
  
- (b) Pursuant to the Issuer's certificate of incorporation filed on April 7, 2010 with the Department of State as amended by the Issuer's certificate of amendment to the certificate of incorporation filed on February 23, 2012 (the "Certificate") and the purposes and powers contained within Section 1411 of the N-PCL, the Issuer is empowered to undertake the Project, issue the Bonds, and undertake the various transactions contemplated herein.
  
- (c) The proposed financial assistance being contemplated by the Issuer includes: (i) financing all or a portion of the Project Costs by the issuance of the Bonds in an amount not to exceed the lesser of the Project Costs or \$2,350,000 and (ii) an exemption from all New York State and local mortgage recording taxes with respect to any qualifying mortgage in connection with the Project to secure the Bonds.

Section 2. It is among the purposes of the Issuer to promote, develop, encourage and assist in the acquisition, construction, rehabilitation and improvement of facilities for not-for profit corporations and thereby relieve and reduce unemployment, better and maintain job opportunities and lessen the burdens of government. The Issuer, in undertaking the Project pursuant to the purposes and powers set forth within N-PCL Section 1411 and the Certificate is acting in the public interest by lessening the burdens of government.

Section 3. Based upon representations made by the Institution to the Issuer, the Issuer makes the following findings and determinations:

- (d) the Project is in furtherance of the purposes of the Issuer; and
- (e) the issuance of the Bonds will be an inducement to the Institution to continue to operate and maintain the Project in the Town of Huntington, Suffolk County; and
- (f) it is desirable and in the public interest for the Issuer to issue the Bonds to finance the costs of the Project, together with certain related costs and amounts; and
- (g) the Institution is not undertaking the Project in place of, on behalf of, for the benefit of, or at the request of the Issuer.

Section 4. In consequence of the foregoing, the Issuer hereby determines to:

- (a) execute the Indenture with such amendments or modifications as the Chief Executive Officer or other officer designated by the Chief Executive Officer (the “Authorized Officer”) deems necessary under the circumstances, provided no such amendment or modification materially alters the risk to the Issuer; and
- (b) execute the Bond Placement Agreement with such amendments or modifications as the Authorized Officer deems necessary under the circumstances, provided no such amendment or modification materially alters the risk to the Issuer; and
- (c) execute the Loan Agreement with such amendments or modifications as the Authorized Officer of the Issuer deems necessary under the circumstances, provided no such amendment or modification materially alters the risk to the Issuer and loan the proceeds derived from the issuance of the Bonds to the Institution pursuant to the terms thereto; and
- (d) issue and deliver the Bonds to the Trustee on a mutually agreeable date, subject however to the approval of the final terms for the Bonds and the terms and conditions of the Indenture, the Bond Placement Agreement and the Loan Agreement consistent with this Resolution, and the prior written approval of all terms contained therein, by the Authorized Officer of the Issuer and by the Institution; and
- (e) assign certain of its rights (excluding Unassigned Rights as such term is defined in the Indenture) under the Loan Agreement pursuant to the Pledge and Assignment and under the Mortgage pursuant to the Assignment of Mortgage; and
- (f) use the proceeds of the Bonds to finance or refinance a portion of the Project and to pay necessary incidental expenses in accordance with the Indenture and the Loan Agreement; and

- (g) execute a Tax Compliance Agreement (the “Tax Compliance Agreement”), between the Institution and the Issuer and a completed Internal Revenue Service Form 8038 (Information Return for Private Activity Bonds) relating to the tax-exempt Bonds (the “Information Return”) and file the Information Return with the Internal Revenue Service in connection with the issuance of the tax-exempt Bonds; and
- (h) execute and deliver all other certificates and documents required in connection with issuance and sale of the Bonds including the documents identified on the draft Closing Memorandum and any other documents as may be required by the Trustee or otherwise required to accomplish the Project, qualify a portion of the interest on the tax-exempt Bonds for tax-exempt status under Section 103 of the Code (such certificates and documents collectively, with the Bonds, the Indenture, the Bond Placement Agreement, the Loan Agreement, the Assignment and the Tax Compliance Agreement, the “Financing Documents”); and
- (i) grant an exemption from all New York State and local mortgage recording taxes with respect to any qualifying mortgage in connection with the Project to secure the Bonds; and
- (j) execute any and all documentation, including an “Issuer Blanket Letter of Representation” to permit the Issuer to be a “Participant” as such term is defined in the rules and procedures of the Depository Trust Institution (“DTC”) and the Bonds to be DTC eligible securities.

Section 5. The Issuer is hereby authorized to undertake the Project, finance or refinance the acquisition, construction, renovation and equipping, if any, of the Facility, the funding of a debt service reserve fund, if any and costs of issuance, by the issuance of the Bonds and to grant the other Financial Assistance in the form of an exemption from all New York State and local mortgage recording taxes with respect to any qualifying mortgage in connection with the Project to secure the Bonds; and all acts previously taken by the Issuer with respect to the Project, including without limitation the conducting of the public hearing referenced herein, the undertaking of the Project, the grant of Financial Assistance with respect to the Project and the issuance of the Bonds are hereby approved, ratified and confirmed.

Section 6. Subject to receipt of the approval of the Town Supervisor of The Town of Huntington, New York, (the “Huntington Town Supervisor”) of the issuance of the tax-exempt Bonds pursuant to, and solely for the purposes of, Section 147 of the Code and the other limitations contained herein, the Issuer, through an Authorized Officer is hereby authorized to issue, execute, sell and deliver the Bonds to the Trustee in accordance with the provisions of the Indenture and the terms authorized in this Resolution in the aggregate principal amount of up to \$2,350,000 in the form heretofore approved in Section 4 of this Resolution, pursuant to the Act and in accordance with the Indenture, the Loan Agreement and the Bond Placement Agreement; provided that:

- (a) the Bonds authorized to be issued, executed, sold and delivered pursuant to this Section 6 (i) shall be issued, executed and delivered at such time as an Authorized Officer shall determine, (ii) shall be in such aggregate principal amount (not to exceed \$2350,000) as is hereinafter approved by an Authorized Officer, (iii) shall bear interest at such rates as are set forth in the Bonds and the Indenture or as are hereinafter approved by an Authorized Officer, and (iv) shall be subject to prepayment prior to maturity, and have such other provisions and be issued in such manner and on such conditions as are set forth in the Bonds and the Indenture, all of which provisions are specifically incorporated herein with the same force and effect as if fully set forth in this Resolution; and
- (b) the Bonds shall be issued solely for the purpose of providing funds to assist the Institution to finance or refinance the Project Costs, the administrative, legal, financial, and other expenses of the Issuer in connection with such assistance and incidental to the issuance of the Bonds, as such costs are more specifically set forth in the Financing Documents; and
- (c) the Bonds and the interest thereon are not and shall never be a debt of the State of New York, Suffolk County, New York, The Town of Huntington, New York and neither the State of New York, Suffolk County, New York, or The Town of Huntington, New York shall be liable thereon; and
- (d) the Bonds, together with interest payable thereon, shall be special obligations of the Issuer payable solely from the revenues and receipts derived from the payments made by the Institution pursuant to the Loan Agreement or from the enforcement of the security provided by the Financing Documents.

Each of the Authorized Officers of the Issuer is hereby authorized, on behalf of the Issuer, to execute (by manual or facsimile signature) and deliver the Financing Documents, on such terms and conditions as shall be consistent with this Resolution and approved by an Authorized Officer, the execution thereof by such Authorized Officer constituting conclusive evidence of such approval.

Section 8. Notwithstanding any other provision of this Resolution, the Issuer covenants that it will make no use of the proceeds of the tax-exempt Bonds or of any other funds which, if such use had been reasonably expected on the date of issue of the tax-exempt Bonds, would cause the tax-exempt Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code.

Section 9. The Authorized Officers of the Issuer are hereby authorized and directed for and in the name and on behalf of the Issuer to do all acts and things required or provided by the provisions of the Financing Documents, and to execute and deliver all such additional certificates, instruments and documents, including the Financing Documents and the Information Return, and to do all such further acts and things as may

be necessary or in the opinion of the Authorized Officer acting on behalf of the Issuer, desirable and proper to effect the purposes of this Resolution and to cause compliance by the Issuer with all of the terms, covenants, and provisions of the Financing Documents binding upon the Issuer.

Section 10. Counsel to the Issuer and Harris Beach PLLC, as Bond Counsel for the Issuer, are hereby authorized to work with counsel to the Institution and others to prepare for submission to the Issuer, all documents necessary to effect the issuance and sale of the Bonds and reimbursement of the cost of all such work prior to the date hereof is hereby authorized to the extent permitted by the Code.

Section 11. This Resolution shall constitute the adoption of “official intent” (within the meaning of the United States Treasury Regulations Section 1.150-2(d) with respect to issuance of the Bonds and the original expenditures which are reasonably expected to be reimbursed from the proceeds of the Bonds.

Section 12. It is hereby found and determined that all formal actions of the Issuer concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Issuer; and that all deliberations of the Issuer and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

Section 13. Due to the complex nature of this transaction, the Issuer hereby authorizes its Authorized Officers to approve, execute and deliver such further agreements, documents and certificates as the Issuer may be advised by counsel to the Issuer and/or Bond Counsel to be necessary or desirable to effectuate the foregoing, such approval to be conclusively evidenced by the execution of any such agreements, documents or certificates by the Authorized Officer acting on behalf of the Issuer.

Section 14. The Chairman (or Vice Chairman), President, Chief Executive Officer, Executive Director and/or Chief Financial Officer of the Issuer are hereby authorized and directed to distribute copies of this Resolution to the Institution and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 15. This resolution shall take effect immediately and the Bonds are hereby ordered to be issued in accordance with this Resolution.

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

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
FRANK P. PETRONE	[     ]	[     ]	[     ]	[     ]

SUSAN A. BERLAND [ ] [ ] [ ] [ ]  
MARK A. CUTHBERTSON [ ] [ ] [ ] [ ]  
TRACY A. EDWARDS [ ] [ ] [ ] [ ]  
EUGENE COOK [ ] [ ] [ ] [ ]

The Resolutions were thereupon duly adopted.



SCHEDULE A

**STATE ENVIRONMENTAL QUALITY REVIEW ACT  
DETERMINATION OF SIGNIFICANCE**

This notice is issued by The Town of Huntington Local Development Corporation (hereinafter the “Corporation”), acting as lead agency, in an uncoordinated environmental impact review, pursuant to and in accordance with Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”) and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the “Regulations” and collectively with the SEQR Act, “SEQRA”).

On December 7, 2016, the Corporation determined that the Corporation’s issuance of its tax-exempt and/or taxable revenue bonds (The Elija Farm Inc., Project) in one or more series in an aggregate principal amount not to exceed \$2,350,000 (the “Bonds”) for the purpose of paying the costs associated with a certain project (the “Project”) consisting of: (A) the financing or refinancing of all or a portion of the costs of (1) the acquisition of approximately 6.6 acre parcel of farm land, at 43 Foxhurst Road, Huntington Station, Suffolk County, New York 11746 (the “Land”) and existing improvements located thereon, consisting principally of an approximately 2,700 square foot single family residence (the “Existing Improvements”) and (2) renovation, upgrading, and equipping of the Existing Improvements (the “Improvements” and collectively with the Land and the Existing Improvements, the “Facility”); and (B) the funding of a debt service reserve fund, if any, and paying capitalized interest, if any, and certain other costs incidental to the issuance of the Bonds (the costs associated with items (A) and (B) being hereinafter collectively referred to as the “Project Costs”), will not have a significant impact upon the environment.

Reasons supporting this determination are fully explained below.

**Project Name:** Elija Farm Inc., Project

**SEQR Status:** Type I \_\_\_\_\_ Unlisted: X

**Project Description:** The Project consists of: (A)(1) the acquisition of the Land and the Existing Improvements and (2) renovation, upgrading, and equipping of the Existing Improvements; and (B) the funding of a debt service reserve fund, if any, and paying capitalized interest, if any, and certain other costs incidental to the issuance of the Bonds.

**Project Site:** 43 Foxhurst Road, Huntington Station, Suffolk County,  
New York 11746.

**Reasons Supporting This Determination:**

The Project consists of the acquisition of the existing facility and potential renovation or upgrading of the same. Typically, maintenance and repair of an existing facility is considered Type II activities exempt from further SEQRA review because they have been determined not to have a significant impact on the environment. 6 NYCRR § 617.5.

The Project is a permitted use in the district.

The Project involves the transfer of agricultural land with no anticipated change in use of the same.

The Land is not substantially contiguous to, nor does it contain, buildings, sites or districts listed on the National Registers of Historic Places.

There are no unique or unusual land forms at the Land.

Energy demands for the Project are not significant.

The Project will not result in a material increase in solid waste generation and any solid waste generated by the Project will be properly disposed of pursuant to Federal, State and local laws and regulations.

The Land has never been used for the disposal of solid or hazardous waste.

There are no sensitive animals, plants or natural communities and/or significant wildlife habitat that will be impacted by the Project.

The Land is not presently used by the community as open space or a recreation area.

The Land does not contain, nor will the Project adversely affect, any scenic views known to be important to the community.

The Project will not require any extensive changes in levels of service from community resources or facilities or adversely impact local public safety services, such as police and fire protection, either collectively or individually.

The Project will not involve the removal of a substantial amount of natural materials or vegetation from the Land and any disturbed topsoil will be stockpiled on-site and replaced.

The Project will not result in the discharge of surface or subsurface wastewater to any existing water body.

Environmental impacts associated with the renovation and construction activities at the Land will be minimal and temporary.

There will be no significant adverse environmental impacts as a result of the Project.

**Supporting Documentation:**

- 1) Long Environmental Assessment Form dated November 10, 2016.
- 2) Application for Financial Assistance dated November 10, 2016.

**For Further Information Contact:**

Joan Cergol  
Executive Director  
The Town of Huntington Local  
Development Corporation  
100 Main Street | Huntington, NY 11743  
w. **631 351 2881**

Authorized Signature

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE MEETING,  
UPON MOTION DULY MADE BY FRANK P. PETRONE, SECONDED BY -  
TRACEY A. EDWARDS AND UNANIMOUSLY CARRIED, THE SAME WAS  
ADJOURNED.

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SUSAN A. BERLAND, SECRETARY

DATE: \_\_\_\_\_

The following are appended to this Agenda:

1. TOH LDC Meeting Minutes, October 19, 2016
2. TOH LDC Meeting Minutes, April 5, 2016