

KELLENBERG SEQRA RESOLUTION

A regular meeting of the Nassau County Local Economic Assistance Corporation (the "Issuer") was convened in public session at the offices of the Issuer located at 1550 Franklin Avenue, Mineola, County of Nassau, New York on November 9, 2015 at 4:00 p.m., local time.

The meeting was called to order by the Chairman, upon roll being called, the following members of the Issuer were:

PRESENT:

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| Jeffrey L. Seltzer | Chairman |
| Bruce Ungar | Vice Chairman, Treasurer |
| Christopher Fusco | Asst. Secretary |

NOT PRESENT:

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| Gary Weiss | Secretary |
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THE FOLLOWING ADDITIONAL PERSONS WERE PRESENT:

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| Joseph J. Kearney | Chief Executive Officer |
| Joseph Foarile | Chief Financial Officer |
| Edward Ambrosino, Esq. | General Counsel |
| Paul O'Brien, Esq. | Bond/Transaction Counsel |

The attached resolution no. 2015-13 was offered by C. Fusco, seconded by B. Ungar:

Resolution No. 2015-13

RESOLUTION OF THE NASSAU COUNTY LOCAL ECONOMIC ASSISTANCE CORPORATION FINDING THAT ACTION TO UNDERTAKE A CERTAIN PROJECT FOR PROVINCE OF MERIBAH SOCIETY OF MARY, INC. WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

Project Name: Kellenberg Memorial High School Athletic Field Acquisition

Location: Southwest corner of Hempstead Turnpike and Glenn Curtiss Boulevard, Uniondale, Nassau County, New York

SEQR Status: Type I Unlisted XX

Determination of Significance: Negative Declaration XX Positive Declaration

WHEREAS, Section 1411 of the Not-For-Profit Corporation Law, as amended (the "Act"), has been heretofore enacted by the Legislature of the State of New York for the purposes, among others, of providing for the creation of local development corporations in the State of New York for the exclusively 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, carrying on scientific research for the purpose of aiding a community or geographical area by attracting new industry to the community or area or 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 Nassau County Legislature (the "County Legislature") authorized the formation of the Issuer under the Act pursuant to Resolution No. 255-2010 adopted by the County Legislature on September 20, 2010 and approved by the County Executive of Nassau County on September 21, 2010; and

WHEREAS, pursuant to such authorization of the County Legislature, the Issuer has been incorporated under said Act by the filing of its Certificate of Incorporation with the Office of the Secretary of State of the State of New York on November 30, 2010; and

WHEREAS, the Issuer is authorized by the Act to issue its negotiable bonds, notes or other obligations; and

WHEREAS, Province of Meribah Society of Mary, Inc. ("Meribah"), an organization formed as a not-for-profit corporation under the laws of the State of New York, and an organization described in Section 501(c)(3) of the Code and exempt from federal income taxation pursuant to Section 501(a) of the Code, has requested that the Corporation issue its tax-exempt and/or taxable revenue bonds in the aggregate principal amount not to exceed

\$12,500,000 (the "Bonds") in connection with the following project: (i) the financing and/or refinancing of the costs (including the reimbursement of costs previously paid) of the acquisition of interest in an approximately 8.17 acre vacant parcel of land located at the southwest corner of Hempstead Turnpike and Glenn Curtiss Boulevard, Uniondale, Nassau County, New York (Section 50, Block 340, Lot 483) (the "Project"); and (ii) paying certain costs of issuance of the Bonds. The Project is to be owned and operated by Meribah for the purpose of athletic fields; and

WHEREAS, pursuant to Article 8 of the New York 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, et. seq., as amended (the "Regulations" and collectively with the SEQR Act, "SEQRA"), the Issuer must satisfy the requirements contained in SEQRA prior to making a final determination whether to undertake the Project; and

WHEREAS, pursuant to SEQRA, to aid the Issuer in determining whether the Project may have a significant adverse impact upon the environment, Meribah submitted to the Agency: 1) Part 1 of the Short Environmental Assessment Form dated September 15, 2015; and 2) Applicant's Application for Financial Assistance dated September 15, 2015; and

WHEREAS, pursuant to SEQRA, the Issuer desires to conduct a review of the Project to determine whether the Project may have a significant adverse impact on the environment and whether an Environmental Impact Statement must be prepared with respect to the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE DIRECTORS OF THE NASSAU COUNTY LOCAL ECONOMIC ASSISTANCE CORPORATION AS FOLLOWS:

Section 1. Based upon a thorough review and examination of the Project Environmental Documents and upon the Issuer's knowledge of the area surrounding the Land and such further investigation of the Project and its environmental effects as the Issuer has deemed appropriate, the Issuer makes the following findings with respect to the Project:

(A) The Issuer is undertaking an uncoordinated review of the proposed action in accordance with the requirements of SEQRA;

(B) Prior to making a recommendation about the potential environmental significance of the Project, the Issuer has consulted several information sources, and has considered the list of activities which are Type I Actions outlined in Section 617.4 of the Regulations, the list of activities that are Type II Actions outlined in Section 617.5 of the Regulations, and the criteria for determining significance outlined in Section 617.7 of the Regulations; and

(C) The Project is an Unlisted action pursuant to SEQRA as it involves the acquisition of a sublease for an approximately 8.17 acre vacant parcel of real property located at the southwest corner of Hempstead Turnpike and Glenn Curtiss Boulevard, Uniondale, Nassau County, New York for use as high school athletic fields.

Section 2. No potentially adverse significant impacts on the environment are noted in the EAF and none are known to the Issuer.

Section 3. Based upon the foregoing investigations of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact indicated, the Issuer makes the following determinations with respect to the Project.

The Project will not have a significant adverse impact upon the environment. The reasons supporting this determination are as follows:

1. **Impact on Land.** The Project consists of the acquisition of a sublease for an approximately 8.17 acre vacant parcel of real property located at the southwest corner of Hempstead Turnpike and Glenn Curtiss Boulevard, Uniondale, Nassau County, New York for use as high school athletic fields. The green space will remain. The zoning and land use classification will not change as a result of the Project. The Project is consistent with the surrounding uses, composed of educational, residential and commercial. There currently is a natural buffer area bordering the residential community to the west, which Meribah will maintain and supplement as necessary. The Project is not anticipated to create any potentially significant adverse impacts to land resources or land use.
2. **Impact on Water.** The Land does not contain, nor lie in the immediate vicinity of any surface water body. There are no wetlands on site. The Project will not create any additional impervious surfaces and the Project will not create storm water discharge. As such, no adverse impacts to water are anticipated.
3. **Impact on Air.** The Project will not be a source of air emissions. The Project will not entail the types of activities or operations that are associated with a potential for air emissions. The Project will not result in a significant increase in traffic. The existing roadway system has the capacity to accommodate additional traffic volumes and a minor increase in traffic would not be a significant impact to air quality. The Project will not create any significant adverse impacts to air resources.
4. **Impact on Plants and Animals.** No new construction will occur on the Land. As such, there will be no new disturbance of flora and fauna. The Project will not create significant adverse impacts to animals, plants or natural communities, wildlife habitat or wetlands.

5. Impact on Agricultural Land Resources. The Project is located in an area currently used for residential, commercial and educational purposes. The Project will not involve the conversion or loss of agricultural land resources and no impacts to agricultural land resources are anticipated.
6. Impact on Aesthetic Resources. The surrounding area consists of residences, commercial uses and Kellenberg Memorial High School. The land will remain green space. There currently is a natural buffer area bordering the residential community to the west, which Meribah will maintain and supplement as necessary. No significant adverse impacts to aesthetic resources are anticipated.
7. Impact on Historic and Archeological Resources. The Project does not contain, nor is it adjacent to any historically significant resources or archeologically sensitive areas. The Project is not anticipated to create any potentially significant adverse impacts to historical or archaeological resources.
8. Impact on Open Space and Recreation. The Land is currently vacant and will remain green space, used as an athletic facility for Kellenberg Memorial High School. No significant impacts to open space or recreational resources are anticipated.
9. Impact on Critical Environmental Areas. The Project site is not located in or substantially contiguous to any Critical Environmental Area ("CEAs"). There will be no significant adverse impacts to CEAs.
10. Impact on Transportation. The Project will not result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services. The Project will not create any significant adverse impacts related to transportation resources.
11. Impact on Energy. The Project consists of the acquisition of a sublease on land to be used as athletic fields. No significant increase in energy usage is expected.
12. Impact on Noise and Odor. Operation of the Project is not expected to appreciably increase ambient noise levels or to create odors. The proposed Project, which consists of the acquisition of a sublease on approximately 8.17 acres of land, to be used as high school athletic fields, formerly used as the Mitchel Field Complex, does not involve the types of activities that create significant noise or odors. Thus, the Project will not create any significant adverse impacts to noise or odors.

13. Impact on Public Health. The Project does not entail the types of activities or operations that are associated with a significant potential for affecting public health, such as storing large amounts of hazardous or toxic materials. As such, the Project is not anticipated to create a significant adverse impact to public health.
14. Impact on Growth and Character of the Community and Neighborhood. The Project will not result in population growth and is in character with adjacent development. The Project will preserve green space. The Project will not create any significant adverse impacts to the growth or character of the community.
15. Considering all of the above, the Project will not have a significant adverse impact upon the environment and a negative declaration pursuant to SEQRA is hereby issued.

Section 4. The Chairman and Chief Executive Officer of the Issuer are hereby authorized and directed to distribute copies of this Resolution to Meribah and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 5. This Resolution shall take effect immediately.

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

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| Jeffrey L. Seltzer | VOTING | Aye |
| Gary Weiss | ABSENT | |
| Bruce Ungar | VOTING | Aye |
| Christopher Fusco | VOTING | Aye |

The foregoing Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF NASSAU)

WE, the undersigned officers of the Nassau County Local Economic Assistance Corporation (the "Issuer"), do hereby certify that we have compared the foregoing extract of the minutes of the meeting of the board of directors of the Issuer, including the Resolution contained therein, held on November 9, 2015, with the original thereof on file in our offices, and that the same is a true and correct copy of said original and of such Resolution set forth therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

WE FURTHER CERTIFY that (A) all directors of the Issuer had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the board of directors of the Issuer present throughout said meeting.

WE FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, we have hereunto set our hand and affixed the seal of the Issuer this 9th day of November, 2015.



[Asst.] Secretary
(SEAL)



[Vice] Chairman
(SEAL)