

NASSAU COUNTY INTERIM FINANCE AUTHORITY

**MEETING OF THE DIRECTORS**

MINUTES OF MARCH 17, 2020

The Directors' Meeting of the Nassau County Interim Finance Authority was convened on March 17, 2020 at 7:00 PM via teleconference, pursuant to legal notice given on March 16, 2020 and electronic notice posted on the Authority's website.

Directors on call: Adam Barsky, Chairman  
Paul Annunziato  
Paul Leventhal  
Howard Weitzman  
Christopher Wright

Absent from call: Lester Petracca

Staff on call: Evan Cohen, Executive Director  
Carl Dreyer, Treasurer  
Kathleen Stella, Corporate Secretary  
Jeremy Wise, General Counsel  
Martha Worsham, Deputy Director

**Call to Order/Roll Call**

The meeting was called to order at 7:00 PM.

**Executive Session**

Pursuant to section 105 subdivision 1e of the NYS Open Meetings Law, Director Wright entertained a motion, which was seconded, to go into Executive Session to discuss collective negotiations pursuant to article fourteen of the civil service law.

Positive votes: 6 Negative votes: 0

At 7:05 PM the open session of the Directors was temporarily adjourned, and an Executive Session of the Directors was convened.

RESOLUTION NO. 20-782

EXECUTIVE SESSION - PURSUANT TO SECTION 105 OF THE PUBLIC OFFICERS LAW

RESOLVED, that pursuant to Section 105 of the Public Officers Law, the Directors of the Nassau County Interim Finance Authority shall convene in Executive Session for the purpose of discussing collective negotiations pursuant to article fourteen of the civil service law.

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At 7:55 PM a motion was made and seconded to come out of Executive Session.

Positive votes: 6 Negative votes: 0

**Reconvened**

Chairman Barsky noted that no votes were taken in the Executive Session and reconvened the meeting. He also noted that Director Petracca would not be rejoining the public meeting (call).

**1. Approval of Minutes**

Upon a motion made and seconded, the Directors approved the minutes from the meeting on February 4, 2020.

Positive votes: 5 Negative votes: 0

RESOLUTION NO. 20-783

APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN AT THE  
FEBRUARY 4, 2020 MEETING OF THE DIRECTORS OF THE NASSAU COUNTY INTERIM  
FINANCE AUTHORITY

RESOLVED, that the Minutes of the meeting of the Authority held on February 4, 2020 are hereby approved and all actions taken by the Directors present at such meeting, as set forth in such Minutes, are hereby in all respects ratified and approved as actions of the Authority.

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**2. Consideration of County Contract for the J. Anthony Enterprises, Inc. - (NIFA #19-20)**

It was stated that on November 13, 2019, the County Legislature approved the contract for services between the Nassau County Department of Public Works and the Firm. The purpose of this contract was to provide for traffic safety improvements on Austin Boulevard between Railroad Place and Henrietta Avenue in Island Park.

The Directors were requested to consider the County's Contract with J. Anthony Enterprises, Inc.

A motion was made by Director Wright and seconded. The Directors approved the following resolution.

Positive votes: 5      Negative votes: 0

RESOLUTION NO. 20-784

CONSIDERATION OF COUNTY CONTRACT FOR THE J. ANTHONY ENTERPRISES, INC.

RESOLVED, that the materials presented to this meeting of the Directors (the “Materials”) are ordered to be filed with the records of the Nassau County Interim Finance Authority (the “Authority”); and be it further

RESOLVED, that based upon the discussion in the Materials and pursuant to Section 3669 2(d) of the Authority Act, the Authority hereby approves the County’s Contract for J. Anthony Enterprises, Inc. in the amount of \$15,292,210.10; and be it further

RESOLVED, that NIFA’s approval of the agreement is given with the caveat that NIFA does not guaranty that it will approve any borrowing for this project(s); and be it further

RESOLVED, that staff may take all actions and do all things that they deem necessary to carry out the intent of this resolution.

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**3. Consideration of County Contract for the H & L Contracting, LLC  
(NIFA #27-20)**

It was stated that on November 13, 2019, the County Legislature approved the contract for services between the Nassau County Department of Public Works and the Firm. The purpose of this contract is to rehabilitate the Bayville Bridge, which carries West Shore road over Mill Neck Creek in the Town of Oyster Bay. The major work includes structural, mechanical and electrical rehabilitation of the bridge components

The Directors were requested to consider the County’s Contract with H & L Contracting, LLC.

On a motion by Director Wright and seconded, the Directors approved the following resolution.

Positive votes: 5      Negative votes: 0

RESOLUTION NO. 20-785

CONSIDERATION OF COUNTY CONTRACT FOR THE H & L CONTRACTING, LLC

RESOLVED, that the materials presented to this meeting of the Directors (the “Materials”) are ordered to be filed with the records of the Nassau County Interim Finance Authority (the “Authority”); and be it further

RESOLVED, that based upon the discussion in the Materials and pursuant to Section 3669 2(d) of the Authority Act, the Authority hereby approves the County’s Contract for H & L Contracting, LLC. in the amount of \$21,654,378.00; and be it further

RESOLVED, that NIFA’s approval of the agreement is given with the caveat that NIFA does not guaranty that it will approve any borrowing for this project(s); and be it further

RESOLVED, that staff may take all actions and do all things that they deem necessary to carry out the intent of this resolution.

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**4. Consideration of County Contract for the Maryhaven Center of Hope Inc.**  
*(NIFA #15-20)*

The Directors were requested to consider the County’s Contract with Maryhaven Center of Hope Inc. with the following recommended amendment:

- The amount to be approved is \$2,883,776.00, and the term is from 01/01/2020 – 12/31/2020
- Approval of this contract in subsequent years is contingent upon the County submitting a current reconciliation of historical expenditures and associated grant revenues.

On a motion by Director Wright and seconded, the Directors approved the following resolution.

Positive votes: 5      Negative votes: 0

RESOLUTION NO. 20-786

CONSIDERATION OF COUNTY CONTRACT FOR MARYHAVEN CENTER OF HOPE, INC.

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RESOLVED, that the materials presented to this meeting of the Directors (the “Materials”) are ordered to be filed with the records of the Nassau County Interim Finance Authority (the “Authority”); and be it further

RESOLVED, that based upon the discussion in the Materials and pursuant to Section 3669 2(d) of the Authority Act, the Authority hereby approves the County's Contract for the Maryhaven Center of Hope, Inc. in the amount of \$2,883,776.00, and be it further

RESOLVED, that NIFA's approval of this contract in subsequent years will be contingent upon the County submitting a current reconciliation of historical expenditures and associated grant revenues; and be it further

RESOLVED, that NIFA's approval of the agreement is given with the caveat that NIFA does not guaranty that it will approve any borrowing for this project(s); and be it further

RESOLVED, that staff may take all actions and do all things that they deem necessary to carry out the intent of this resolution.

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## **5. Consideration of County Contract for the Nassau Health Care Corporation (NIFA #26-20)**

The Directors were requested to consider the County's Contract with Nassau Health Care Corporation.

On a motion by Director Wright and seconded, the Directors approved the following resolution.

Positive votes: 5      Negative votes: 0

### RESOLUTION NO. 20-787

#### CONSIDERATION OF COUNTY CONTRACT FOR THE NASSAU HEALTH CARE CORPORATION.

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RESOLVED, that the materials presented to this meeting of the Directors (the "Materials") are ordered to be filed with the records of the Nassau County Interim Finance Authority (the "Authority"); and be it further

RESOLVED, that based upon the discussion in the Materials and pursuant to Section 3669 2(d) of the Authority Act, the Authority hereby approves the County's Contract for the Nassau Health Care Corporation in the amount of \$5,600,000, excluding amounts already approved under an earlier emergency request; and be it further

RESOLVED, that NIFA's approval of the agreement is given with the caveat that NIFA does not guaranty that it will approve any borrowing for this project(s); and be it further

RESOLVED, that staff may take all actions and do all things that they deem necessary to carry out the intent of this resolution.

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## **6. Consideration of Contract Guidelines the for the Nassau Health Care Corporation**

Approval of the contents of the attached NHCC Contract Approval Guidelines, which include the Contract Approval Request Form, together with authorization for the Chairman or his designee(s) to do all things deemed necessary or appropriate to carry out the intent of these materials and the accompanying resolution.

On a motion by Director Wright and seconded, the Directors approved the following resolution.

Positive votes: 5      Negative votes: 0

### RESOLUTION NO 20-788

#### CONSIDERATON OF CONTRACT APPROVAL GUIDELINES FOR THE NASSAU HEALTH CARE CORPORATION

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RESOLVED, that the materials presented to this meeting of the Directors (the “Materials”) are ordered to be filed with the records of the Nassau County Interim Finance Authority (the “Authority”) and are incorporated into this Resolution by reference; and be it further

RESOLVED, that the Authority hereby approves the staff recommendations in the Materials and approves the Nassau Health Care Corporation (“NHCC”) Contract Approval Guidelines, which include the Contract Approval Request Form, in substantially the form attached to the Materials; and be it further

RESOLVED, that only the Board of Directors may vote to disapprove a contract; however, the Executive Director or his designee(s) (“Staff”) are hereby directed as follows:

1. Staff shall approve all contracts over \$50,000.
2. Staff shall submit any contract in the amounts between \$500,000 and under \$5,000,000 to the Chairman or such other Director(s) as he may delegate, for approval.
3. Staff shall submit all contracts over \$5,000,000 to the entire Board of Directors, for approval;

and be it further

RESOLVED that a copy of the Materials and the Contract Approval Guidelines which include the Contract Approval Request Form shall be forwarded to the County and NHCC with an indication that these are the parameters that they must comply with during the Control Period regarding contract review; and be it further

RESOLVED that the Chairman of NIFA may request such further reports concerning the contract approval process as he may deem appropriate or advisable; and be it further

RESOLVED, that Chairman of NIFA or his designee(s) may take all actions and do all things that they deem necessary to carry out the intent of this resolution.

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## **7. Consideration of Issuance of General Obligation Bonds by Nassau County**

The Directors were requested to approve the County's proposed issuance of Obligations, subject to the terms and conditions.

### RESOLUTION NO. 20-789

#### CONSIDERATION OF ISSUANCE OF GENERAL OBLIGATION BONDS OR NOTES BY NASSAU COUNTY

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RESOLVED, that the materials presented to this meeting of the Directors (the "Materials") are incorporated into this Resolution and are ordered to be filed with the records of the Nassau County Interim Finance Authority (the "Authority"); and be it further

RESOLVED, that based upon the discussions in the Materials and pursuant to Section 3669 2(e) of the Authority Act, the Authority has reviewed the terms of the County's proposed issuance(s) of Obligations (as defined in the Materials) and approves the issuance of up to:

- (i) \$75,435,160 of Obligations (plus cost of issuance) for the purposes described in the Materials (repay maturing BANs);
  - (ii) \$59,682,750 of Obligations (plus cost of issuance) for the purposes described in the Materials (general capital projects);
  - (iii) \$19,604,838 of Obligations (plus cost of issuance) for the purposes described in the Materials (sewer and storm water capital projects); and
- upon the conditions outlined in the Materials; and be it further

RESOLVED, that the Chairperson or his designee shall approve the final terms and conditions of the Obligations, including, but not limited to, their sale as either bonds or bond anticipation notes (which may be fixed or variable rate) and pursuant to either a competitive or negotiated sale, including by means of a private placement, if necessary; and be it further

RESOLVED, that staff may take all actions and do all things that they deem necessary to carry out the intent of this resolution.

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The Chairman made a motion to adjourn, which was seconded and affirmed. The Director's meeting was adjourned at 8:45 PM.

Respectfully submitted,

Kathleen Stella  
Corporate Secretary