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NOTICE OF PUBLIC HEARING

IN THE MATTER OF 750 MERRICK ROAD LLC

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Teleconference

May 13, 2020
9:30 a.m.

B E F O R E:

MICHAEL LODATO, Deputy Executive Director

Denise Mantekas,
Court Reporter

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A P P E A R A N C E S :

TOWN OF HEMPSTEAD INDUSTRIAL
DEVELOPMENT AGENCY
Representing the
INDUSTRIAL DEVELOPMENT AGENCY
350 Front Street
Hempstead, New York 11530
BY: MICHAEL LODATO, Deputy Executive
Director
FREDERICK E. PAROLA, CEO

ALSO PRESENT:
DAN DEEGAN
JOHN RYAN
JONATHAN ORR
CHRISTOPHER SHISHKO
BRIAN PHILLIPS
WILLIAM GAYLOR
DENISE RIGGIO
ANN MARIE KONZET

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2 MR. LODATO: Good morning,
3 everyone. This is Mike Lodato, the
4 Deputy Executive Director of the
5 Town of Hempstead IDA. I am
6 accompanied by the CEO, Frederick
7 Parola.

8 MR. PAROLA: Good morning.

9 MR. LODATO: We will now start
10 reading the hearing notice into the
11 minutes.

12 "NOTICE IS HEREBY GIVEN that a
13 public hearing pursuant to Title 1
14 of Article 18-A of the New York
15 State General Municipal Law (the
16 "Hearing") will be held by the Town
17 of Hempstead Industrial Development
18 Agency on the 13th day of May, 2020
19 at 9:30 a.m., local time in
20 connection with the following
21 matters:

22 WHEREAS, 750 Merrick Road LLC,
23 a limited liability company
24 organized and existing under the
25 laws of the State of Delaware and

1
2 qualified to do business in the
3 State of New York as a foreign
4 limited liability company, on behalf
5 of itself and/or the principals of
6 750 Merrick Road LLC and/or an
7 entity formed or to be formed on
8 behalf of the foregoing
9 (collectively, the "Company"),
10 submitted its application for
11 financial assistance (the
12 "Application") to the Town of
13 Hempstead Industrial Development
14 Agency (the "Agency"), to enter into
15 a transaction in which the Agency
16 will assist in the acquisition of an
17 interest in an approximately 1.2
18 acre parcel of land located at 750
19 West Merrick Road, Incorporated
20 Village of Valley Stream, Town of
21 Hempstead, Nassau County, New York
22 (the "Land"), the demolition of the
23 existing structures and improvements
24 on the Land, the construction of an
25 approximately 140,000 square foot

1 building on the Land (the
2 "Improvements"), and the acquisition
3 of certain fixtures, equipment and
4 personal property necessary for the
5 completion thereof (the "Equipment";
6 and together with the Land and the
7 Improvements, the "Facility"), which
8 Facility is to subleased by the
9 Agency to the Company and is to be
10 used by the Company for primary use
11 as commercial storage and warehouse
12 facility and further sub-subleased
13 by the Company to future tenants for
14 warehouse and storage purposes (the
15 "Project"). The Facility would be
16 initially owned, operated and/or
17 managed by the Company.
18

19 The Agency contemplates that it
20 would provide financial assistance
21 to the Company in the form of
22 exemptions from mortgage recording
23 taxes in connection with the
24 financing or any subsequent
25 refinancing of the Facility,

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2 exemptions from sales and use taxes
3 and abatement of real property
4 taxes, consistent with the policies
5 of the Agency.

6 Because of the restrictions on
7 meetings and gatherings in effect
8 pursuant to Executive Orders issued
9 by the Governor of the State of New
10 York, the Hearing will be held
11 remotely via conference call rather
12 than a public hearing open for the
13 public to attend in person. A
14 representative of the Agency will,
15 at the above-stated time, hear and
16 accept oral comments from all
17 persons with views in favor of or
18 opposed to either the Project or the
19 financial assistance requested by
20 the Company. Members of the public
21 may listen to the Hearing and
22 provide their comments during the
23 Hearing by calling 1-415-655-0001
24 and entering access code 478 242
25 525. Comments may also be submitted

1
2 to the Agency in writing or
3 electronically prior to or during
4 the Hearing by e-mailing them to
5 idamail@tohmail.org. Minutes of the
6 Hearing will be transcribed and such
7 Minutes will be provided to the
8 members of the Agency and posted on
9 the Agency's website.

10 Members of the public have the
11 opportunity to review the
12 Application and an analysis of the
13 costs and benefits of the proposed
14 Project, which can be found on the
15 Agency's website at www.tohida.org.

16 A video recording of the
17 Hearing will be posted on the
18 Agency's website, all in accordance
19 with Section 857 of the New York
20 State General Municipal Law."

21 If anyone would like to speak,
22 please clearly state your name and
23 where you're calling from so that
24 the stenographer will get you on
25 record. Every time you speak,

1
2 please state your name again.

3 MR. DEEGAN: This is Dan Deegan.
4 I just wanted to give a very brief
5 overview of the project and the
6 benefits so it's on the record.

7 MR. LODATO: Go ahead.

8 MR. DEEGAN: I'm representing
9 the applicant here, Storage Deluxe
10 and CubeSmart.

11 As you indicated, this is
12 regarding the property at 750 West
13 Merrick Road in Valley Stream, which
14 is currently a blighted former auto
15 dealership.

16 The project would entail
17 demolishing the existing 7500 square
18 foot building there and replacing it
19 with a 140,000 square foot brand new
20 commercial storage building. We're
21 talking about a 25 million dollar
22 construction job, installing about
23 120 local construction individuals.
24 We're talking about a proposed PILOT
25 that would double the existing taxes

1
2 from 200,000 approximately to
3 400,000 over the course of the 10
4 year PILOT term here. We're talking
5 about increasing the payments made
6 to the affected taxing jurisdictions
7 from 1.8 million dollars without the
8 project to 4.4 million dollars with
9 the project.

10 I want to point out that the
11 mayor and the Village Board are
12 generally very supportive of the
13 project and the use for this
14 property. The project will serve an
15 underserved area which is to provide
16 storage, flexible storage for local
17 businesses, and it is geared towards
18 doing so. I think it will be a very
19 positive development for this
20 property and for the Town of
21 Hempstead. That concludes my
22 remarks.

23 MR. PAROLA: Thanks, Dan.

24 MR. LODATO: Would anyone else
25 care to be heard?

2 MR. GAYLOR: Legislator William
3 Gaylor. Good morning, everybody.

4 It sounds like, from what I
5 reviewed, this is, you know,
6 definitely a positive development
7 for the community. My concern, if
8 you want to call it a concern, or
9 question, has to do with the effect
10 of the PILOT on the three school
11 districts of Valley Stream. I'm
12 concerned about the impact it might
13 have on the school districts that
14 feed into the central high school
15 district. When we take something
16 off the tax roll, the other school
17 districts then have to pick up that
18 slack. The same situation that
19 happened with the Green Acres PILOT,
20 I'm trying to ensure is avoided.

21 If somebody could explain the
22 impact on the school taxes in
23 particular and the reallocation of
24 those tax dollars that would
25 normally come in for a taxable

1
2 property to the school district and
3 then be allocated up to central
4 high, I'd like to hear some comment
5 on that, if possible.

6 MR. DEEGAN: Let me take a shot
7 at that.

8 Currently, the taxes on this
9 property are about 1.8 million
10 annually, about \$200,000 a year.
11 Obviously, this project is not going
12 to produce anymore school children
13 so there's not going to be any
14 additional burden on the school
15 districts.

16 Basically, when the property
17 goes into the PILOT which then gets
18 completed, we're talking about
19 doubling that revenue, of which the
20 school district probably takes 60 to
21 70 percent of that \$200,000 a year,
22 up to \$400,000 a year, ultimately
23 working its way up to close to over
24 \$700,000 a year by year ten.
25 There's more revenue that's being

1
2 produced, that's being fed into the
3 affected taxing jurisdiction. It
4 should have a net positive impact on
5 the school districts.

6 One of the issues that took
7 place for the Green Acres Mall is
8 that the school districts did not
9 budget the PILOT revenue coming in.
10 If the PILOT revenue which is
11 proposed to be paid under this PILOT
12 was properly budgeted, it should not
13 have a negative impact. As a matter
14 of fact, it should have a positive
15 impact in increasing the revenue for
16 the school districts without any
17 additional burden to the school
18 districts in the form of school age
19 children.

20 MR. GAYLOR: The question is,
21 once you take it off the tax roll
22 and you make your PILOT payment,
23 that \$200,000 a year in taxes that
24 was coming in was, you know,
25 benefitted School District 30. In

1
2 this case, it would benefit School
3 District 30 predominantly. But then
4 School District 30 would use a
5 portion of those tax dollars to feed
6 into the central high school. When
7 you take the \$200,000 out of the tax
8 revenue stream and you call it a
9 PILOT, that PILOT money benefits
10 School District 30 and nobody else.
11 My understanding, it's not shared
12 with the central high school
13 district or the other. And the
14 \$200,000 that's off the tax roll has
15 to be made up because of the central
16 high school district which is a non
17 taxing school district. It doesn't
18 have the authority to tax its
19 residents. The three school
20 districts have to make up the
21 \$200,000. So it's a direct impact
22 for the next ten years on the other
23 two school districts out of this
24 area but that make up the revenue
25 base for the central high school

1
2 district.

3 Do we know if anybody is on the
4 line here from the other two school
5 districts that can provide input or
6 can explain how they are going to
7 make up this revenue, you know,
8 which was the whole impact on all of
9 the residents of Valley Stream when
10 we took Green Acres off the tax roll
11 and gave them a PILOT? The shortage
12 during the PILOT period has to be
13 made up by the other two school
14 districts. We saw people's taxes
15 last year and this year, because
16 it's the second half which is paid,
17 went up in some instances by \$1100
18 or \$1200 for Green Acres. Maybe we
19 don't know the answer right now and
20 we can look into it further, but I'm
21 curious.

22 MR. RYAN: Bill Gaylor, this is
23 John Ryan. How are you?

24 MR. GAYLOR: Very good, John.
25 How are you today?

1
2 MR. RYAN: I'm good.

3 Listen, I'm very familiar with
4 Green Acres. My understanding, and
5 maybe my understanding is wrong,
6 that the school district should be
7 treating that PILOT payment that
8 they get like they treat tax
9 dollars.

10 MR. PAROLA: Correct.

11 MR. RYAN: So if the tax
12 dollars go in and get paid out a
13 certain way, the PILOT payment
14 should be treated the same way.

15 MR. GAYLOR: I think the way
16 the state law is written, the PILOT
17 isn't counted as though it was
18 taxable dollars. That was why
19 School District 24, you know, which
20 includes parts of Lynbrook and
21 Valley Stream, and School District
22 13 which runs all the way up into
23 Franklin Square, those residents
24 felt the impact of the Green Acres
25 PILOT. That was the whole uproar.

1
2 Everybody's taxes were going up to
3 make up the difference to feed into
4 the central high school.

5 MR. PAROLA: Legislator, that
6 is incorrect.

7 MR. GAYLOR: Okay.

8 MR. PAROLA: The reason for the
9 Valley Stream debacle was because
10 the Valley Stream School District
11 misappropriated the dollars by
12 putting into a teacher's fund and
13 not committing it as John said to
14 what it should have been to in lieu
15 of taxes. There is no diminution of
16 tax monies for the other districts
17 if the school districts act in the
18 proper way. That was in the
19 findings of the New York State
20 comptroller who vindicated the IDA
21 and found that the school district
22 had acted improperly.

23 MR. PHILLIPS: This is Brian
24 Phillips of Valley Stream School
25 District 30.

1
2 Is there a page or a paragraph
3 where the statement of the teacher
4 funding of the PILOT is anywhere?
5 Can I find it?

6 MR. PAROLA: You can start
7 looking. I don't have it in front
8 of me. I haven't looked at it in a
9 year. But it's well established
10 that you didn't put it towards
11 taxes.

12 MR. PHILLIPS: I thought you
13 said teacher funds.

14 MR. PAROLA: I may have
15 misspoken. It was not put towards
16 taxes. It was put into a
17 sequestered fund, which I may be
18 wrong, I thought was related to
19 employment, but it doesn't matter.
20 It went to the wrong area. That was
21 the reason, the genesis of the whole
22 issue. They obfuscated. They lied.
23 I don't know if you were part of it.
24 I apologize if you were. The bad
25 press came against the IDA, which we

1
2 still resent, because that's a
3 lingering lie that we did not cause
4 the problem.

5 MS. RIGGIO: My name is Denise
6 Riggio. I'm a resident.

7 My question would be, what
8 steps have been taken to ensure that
9 that same debacle and that same, you
10 know, problem doesn't occur again as
11 part of this? Because if we don't
12 learn from the past, we're going to
13 repeat it again, and the residents
14 are going to be hit again. I know
15 my mother lives in that area, and
16 her taxes as a senior went up \$1,000
17 a year. They're fixed income. They
18 can't afford it.

19 I drove to that site this
20 morning. That site, right now,
21 Honda does have cars all over it, so
22 they're paying something to that
23 site. There are two other storage
24 facilities in that area.

25 My question to whoever is

1
2 proposing this would be, what is the
3 capacity in this area to absorb yet
4 a third one within a half a mile
5 stretch of land, another storage
6 facility versus something else that
7 is going to bring in more than four
8 jobs post construction?

9 My other question is, what
10 commitments do we have that local
11 construction, local, you know, if
12 this goes forward, if it goes
13 forward, what local residents will
14 gain employment from this project?
15 And if there is no guarantee, then
16 you're talking four positions to run
17 a facility post construction where
18 taxpayers may be hit again for the
19 cost of it. I'm just trying to
20 understand, like, what the real
21 benefit is to Valley Stream of this,
22 like, the residents, not, you know,
23 four jobs that are minimum wage down
24 the road.

25 MR. DEEGAN: This is Dan

1
2 Deegan. I'm the attorney for the
3 applicant.

4 First of all, you know, yes,
5 Honda, this is a former car
6 dealership that's being used for
7 storage. The property is currently
8 paying \$180,000 a year. What we're
9 proposing is to have that number
10 more than double upon completion of
11 construction so that there will be
12 additional revenue going to all the
13 affected taxing jurisdictions.

14 In terms of the need, this is
15 not a typical self storage facility.
16 This self storage facility is geared
17 to provide storage because of the
18 nature of the larger units that are
19 being contemplated to service local
20 businesses. The market study,
21 believe me, they're not making this
22 type of investment without
23 understanding that there is a demand
24 for this and a need for this. We do
25 anticipate that it will be a, you

1
2 know, a big demand.

3 Finally, you know, in terms of
4 the benefits, I mean, this project
5 is pretty much shovel ready. We can
6 immediately get these construction
7 jobs going. There will be a legal
8 commitment made to the IDA in
9 writing, but there will have to be
10 local, you know, Nassau, Suffolk
11 contractors and jobs. There will be
12 a local labor pool that is used in
13 this project.

14 MS. RIGGIO: How long is the
15 project intended to last?

16 MR. DEEGAN: It should be I
17 think 14 to 18 months.

18 MS. RIGGIO: And how is it
19 impacted by COVID with all of the
20 businesses closing down? It may
21 have been clients that you were
22 going to depend on for your storage
23 facility revenue.

24 MR. DEEGAN: Well, the intent
25 is that we are going forward with

1
2 the project. There is a commitment
3 here that down the road this
4 investment is going to be made and
5 with hopefully the confidence that
6 the economy is going to recover and
7 there is going to be a continuing
8 demand for this. The last I've
9 heard from the client is that they
10 are moving forward with this.

11 MS. RIGGIO: What kind of local
12 businesses would be your typical
13 client?

14 MR. DEEGAN: There are
15 different types of businesses.

16 Jonathan, are you on the phone?

17 MR. ORR: Yes, I am.

18 MR. DEEGAN: Jonathan is with
19 Storage Deluxe.

20 Do you want to just talk about
21 the types of businesses that we see
22 as likely users?

23 MR. ORR: Sure. My name is
24 Jonathan Orr.

25 I actually think it's a good

1
2 question that you raised. I
3 actually think given the current
4 climate, we anticipate that, you
5 know, obviously, no one can predict
6 what is going to happen the next few
7 months, but as things start to turn
8 around, we believe that our facility
9 will actually give an opportunity to
10 people a cheap and affordable
11 solution for small and medium type
12 businesses, most of which will be
13 local, to store with us as they get
14 back on their feet and get back to
15 kind of, you know, normal business
16 activity.

17 As far as what kind of people
18 typically store with us, we have a
19 lot of local contractors. We have a
20 lot of plumbers. We have local
21 people that need to store documents.
22 We also have, you know, the local
23 water cooler guy will store. It's a
24 lot of different local sources of
25 labor that have a lot of access

1
2 supplies that don't have the means
3 or the method to, you know, go get
4 their own large warehouse somewhere
5 else that would be far more
6 expensive. We hope that they will
7 be able to use our facility as a
8 cheaper means of warehousing, and
9 that will allow them to spend any
10 other revenue that they may have in
11 their business, you know, to hire
12 more employees or expand their
13 business.

14 MR. PAROLA: This is Fred
15 Parola from the IDA.

16 For the record, our IDA will
17 not do, unless it's in an impacted
18 area of economically blighted, our
19 IDA will not do those storage
20 facilities that are dressed
21 basically residential type of
22 storage. We will only do those that
23 are related to this particular
24 project, commercial, where it helps
25 existing businesses. I think in the

1
2 long run, we are certainly impacted
3 by COVID, but I think in the long
4 run, this would be beneficial to the
5 businesses that bounce back as they
6 bounce back from this horrific time
7 in our lives.

8 MS. RIGGIO: So presumably,
9 these businesses have not had this
10 kind of access in facility before so
11 they're already doing something.
12 Has there been any survey of the
13 local businesses that would utilize
14 this in any way?

15 MR. DEEGAN: This is Dan
16 Deegan. There has been a market
17 study done by CubeSmart and Storage
18 Deluxe that does show that there is
19 a need based upon a number of
20 different factors. I'm not sure
21 exactly how they did the survey, but
22 I can tell you that they're making a
23 commitment to invest 25 million
24 dollars in the community. That's
25 not being done on a whim. That's

1
2 being done because there seems to be
3 a demand for this and a need for
4 this.

5 MS. RIGGIO: Is that market
6 study available to the public?

7 MR. DEEGAN: I do not believe
8 so. That's an internal document.

9 I mean, the proof is in the 25
10 million dollars that would be spent
11 on this project and the construction
12 jobs that would be created. They
13 wouldn't do it unless they were seen
14 as a strong market and strong
15 demand. That is worth more than
16 words on a paper I would say in
17 terms of the proof that there is a
18 demand and that this company is
19 willing to invest this money.

20 We've gone down the road with
21 the Village of Valley Stream. We're
22 very close to getting a building
23 permit. All we need is some
24 certainty as to what the taxes are
25 going to be on this, which is what

1 we're looking for from the IDA.

2 It's gotta be a net positive revenue
3 wise. With the IDA's help, we can
4 get going on this right away.
5

6 MR. ORR: This is Jonathan Orr
7 again.

8 Just high level, as part of the
9 study, just so I can put it on the
10 record, what we focussed on is the
11 amount of local businesses that are
12 in the surrounding area and national
13 friends of businesses and how often
14 they do need to use some sort of
15 commercial storage. The data that
16 we have used from the National
17 Storage Association and the New York
18 Storage Association anticipates that
19 about 11 to 12 percent of businesses
20 require some sort of commercial
21 storage need. That said, there are
22 about 200 businesses within the
23 Village of Valley Stream, and there
24 are 1,000 businesses within a 10
25 minute drive of this proposed

1
2 facility and approximately 2,000 to
3 3,000 businesses that are local to
4 the Town of Hempstead. We
5 anticipate that there will be a
6 substantial amount of businesses
7 that have a need for this type of
8 service. And as stated earlier, you
9 know, given the current climate,
10 more than ever, we believe that
11 we're going to provide that sort of
12 bridge that allows people to get
13 back on their feet with a cheap
14 solution to their storage needs.

15 MS. RIGGIO: As a resident, I'd
16 still like to understand the answers
17 to William Gaylor's questions in
18 terms of how this is going to impact
19 the schools, the residents, and if
20 their taxes are going to go up for
21 this 10 year period. Like, somebody
22 needs to run those numbers and be
23 sure, because in this economy, the
24 residents -- I don't see how my
25 mother can afford this. She just

1
2 can't.

3 MR. PAROLA: Dan, do you want
4 to reiterate those numbers that it's
5 a net increase across the board?

6 MR. DEEGAN: Obviously, it
7 should be. We're talking about this
8 piece of property paying more in
9 revenue to the school district. The
10 school district will be getting more
11 revenue after this project with the
12 PILOT than they do today, more than
13 double. So how that can result in a
14 tax increase on any property owners
15 would obviously be a failure within
16 the system someplace.

17 My understanding from the state
18 comptroller was that it was a
19 budgeting issue and, you know, as
20 long as the tax revenue that is not
21 there is replaced with the PILOT
22 revenue that does come in which is
23 much larger than the tax revenue
24 that was there, then it should have
25 only a net positive impact on the

1
2 affected taxing jurisdictions,
3 including the school district, which
4 should translate through to the
5 property owners.

6 MS. RIGGIO: Is anyone from the
7 school district on? Have they been
8 advised in any way to make sure that
9 this doesn't happen again?

10 MR. PAROLA: Someone from
11 School District 30 did speak
12 earlier.

13 MR. PHILLIPS: Correct. I was
14 looking for more information also.

15 MS. RIGGIO: Who is that from
16 District 30?

17 MR. PHILLIPS: Brian Phillips.

18 MS. RIGGIO: I'm sorry, what
19 was your last name?

20 MR. PHILLIPS: Phillips,
21 P-H-I-L-L-I-P-S.

22 MR. GAYLOR: This is Legislator
23 Gaylor again.

24 What I would like to see is a
25 written analysis of the PILOT money

1
2 and the impact it's going to have on
3 all three school districts that
4 comprise the Valley Stream Central
5 High School feed in. That's 13, 30
6 and 24 I'm talking about.

7 My understanding, once the
8 PILOT kicks in, the other school
9 districts will proportionally pick
10 up the 200,000 or whatever you're
11 paying now, the 180,000, 170,000.
12 They would have to pick up
13 proportionally their share of that
14 loss tax dollars, because the PILOT
15 is not counted as a tax revenue
16 source to feed into the central
17 school district as per state law.
18 An analysis has to be done on what
19 the impact would be on School
20 District 13 and 24. Then those
21 residents should be made aware of
22 that so they know full and well in
23 advance of this PILOT, this project
24 kicking off, what the impact is
25 going to be in their school bill a

1
2 year from now or two years from now.

3 It would likely be two years from
4 now is when they would see this.

5 MR. RYAN: Bill, this is John
6 Ryan again. I hear what you're
7 saying, but if the school district
8 follows what the New York State
9 comptroller said should be done
10 regarding Green Acres, that money
11 will not be treated as non taxes.
12 That money will be treated as
13 payment in lieu of taxes and
14 allocated the way tax monies are
15 allocated.

16 MR. GAYLOR: I understand that.
17 That's obviously going to be I'm
18 sure something Mr. Phillips takes
19 back to School District 30, you
20 know, our comments here today. I'm
21 not so sure that they are required
22 by law to do what the comptroller
23 suggested, would be the right thing
24 to do.

25 I guess the second part of my

1
2 question is that, you know, first we
3 do some analysis to that to
4 determine if they did and what the
5 impact would be on the other school
6 districts.

7 Do we have an assurance from
8 the Superintendent of School
9 District 30 that they would not, you
10 know, it would treat this as taxable
11 dollars? I guess that's the way to
12 say it. I don't want to say
13 anything in a more negative way.
14 But is it possible as part of this
15 project that the Town of Hempstead
16 IDA is going to, you know, review
17 and come to a conclusion to
18 specifically state that the PILOT
19 dollars can be allocated a third, a
20 third and a third for the school
21 districts so that we don't have a
22 problem? Can that be written? I
23 don't know. Maybe some analysis has
24 to be done and get a decision later
25 on that, but I would ask that the

1
2 IDA look that the PILOT payment
3 being made is split to the three
4 school districts so it doesn't all
5 go to benefit one school district
6 and that it's actually paid to the
7 three school districts. Thus, we
8 prevent the problem on our taxpayers
9 that we experienced during the Green
10 Acres project.

11 MR. PHILLIPS: This is Brian
12 Phillips again.

13 Will the tax rolls be only
14 effective of Valley Stream 30 due to
15 the property's location? If the
16 property in question is going to be
17 removed from the tax rolls in Valley
18 Stream 30's property, then that is
19 really the question that goes up.

20 MR. GAYLOR: I would think that
21 the project sits predominantly in
22 School District 30's area. That's
23 where it's coming off.

24 MS. RIGGIO: My understanding
25 of what happened with the Green

1
2 Acres is that it was very similar to
3 this where it was coming off the
4 District 30 tax rolls but the
5 District 30 students feed into the
6 central high school district which
7 is District 13. That is why all the
8 school districts are tethered
9 together, for lack of a better word.
10 So the analysis has to include all
11 three.

12 MR. GAYLOR: That's my
13 understanding as well. You take
14 something off the tax roll in 30,
15 because of the makeup of the central
16 high school district, the Valley
17 Stream Central High School District
18 is a non taxing school district.
19 They don't have the authority to tax
20 anybody. They rely on money that
21 comes, that is fed to them from each
22 of the three school districts. If
23 you remove something from one school
24 district and it was a tax paying
25 entity, the other two school

1
2 districts have to make up their
3 proportional share of the difference
4 because everybody still has to feed
5 into potential high school districts
6 to fund it. That's the analysis I
7 would hope somebody is doing.

8 Then the second question is, as
9 part of approving this project, if
10 the PILOT could be paid a third, a
11 third, and a third to each of the
12 school districts, which would then
13 alleviate any question of the other
14 school districts having to pick up a
15 share. They would get a share up
16 front.

17 MR. RYAN: This is John Ryan
18 again.

19 MR. GAYLOR: I think you know
20 what I'm talking about, John.

21 MR. RYAN: I do.

22 I just want to go back to one
23 thing. Maybe I don't understand it.
24 The tax dollars that are now paid on
25 this property go to District 30,

1
2 correct?

3 MR. GAYLOR: Yes.

4 MR. RYAN: Then District 30
5 makes some allocation of those tax
6 dollars to the other districts? Why
7 can't this be treated the same way?
8 I just don't understand the point.

9 MR. GAYLOR: I think the State
10 law isn't written to include PILOT
11 money in a school district's budget
12 as taxable dollars. So when you
13 take something off the tax roll and
14 then you give them a PILOT instead,
15 the PILOT doesn't count like the tax
16 dollars. That's my understanding.

17 MR. RYAN: I gotta look at
18 that, you know, and if we can do the
19 other thing, but they are payment in
20 lieu of taxes, so I just don't
21 understand why they're not treated
22 like tax dollars.

23 MR. GAYLOR: Because the word
24 "PILOT" isn't written in the state
25 law that mandates them to consider

1
2 it like taxes. It's not there.
3 This was something that we had a
4 home rule request, all 19
5 legislators asked the State to
6 change the State law to include the
7 PILOT as though it was a tax after
8 the Green Acres.

9 That's why Ms. Riggio is saying
10 her mom who lives in a different
11 school district, her taxes went up
12 about \$1,000. We had many residents
13 in School District 13 and 24 who had
14 to pick up, you know, \$1100, \$900 in
15 additional taxes because of the
16 Green Acres project. We need a
17 little more analysis.

18 MR. RYAN: Understood.

19 Could you send to the IDA that
20 home rule measure that was proposed?

21 MR. GAYLOR: Yeah, not a
22 problem.

23 MR. RYAN: We'll look at that
24 issue and look at what we can do.

25 MR. PAROLA: Paul O'Brien, in

1
2 our documents, closing documents,
3 can't we mandate language that
4 requires any PILOT to rectify this
5 problem so that it is shared by the
6 other districts or they don't get
7 the money?

8 MR. O'BRIEN: The answer is,
9 theoretically, yes. If you are
10 going to change the proportions that
11 anybody would otherwise receive, all
12 affected tax jurisdictions have to
13 agree to the change in allocation.

14 MR. PAROLA: Okay. But we can
15 explore that language to at least
16 ensure it?

17 MR. O'BRIEN: Absolutely.

18 MR. PAROLA: So we will. It's
19 a very good discussion. We
20 appreciate it. We're going to try
21 to do everything we can legally to
22 ensure that the concern of Ms.
23 Riggio and the others is not
24 realized.

25 MS. RIGGIO: Okay. I

1
2 appreciate that. We're one
3 community. We want to make sure
4 that, you know, no one area is
5 adversely impacted more than the
6 other, because the students, as I
7 said, they all feed up into the same
8 high school. So trying to make up
9 that deficit is difficult. I know
10 retroactively, they were not able to
11 do anything after the, you know, the
12 horse is out of the gate, so to
13 speak. Once it was done, it was
14 done. Now these residents have to
15 bear that burden until the PILOT is
16 over.

17 MR. PAROLA: The last thing we
18 want to do is, this is to enhance
19 taxes, not reduce them. Some
20 jurisdictions that have IDAs
21 actually cut taxes in half, Babylon
22 for example. We never do that. We
23 try to make sure that the existing
24 taxes at least stay before they
25 begin to rise. We understand the

1
2 nature of the consolidated
3 districts. It's a unique situation.

4 We thank you very much for
5 raising this. We will definitely do
6 everything in our power to ensure
7 that that does not occur.

8 MS. RIGGIO: Who is this
9 speaking?

10 MR. PAROLA: Fred Parola, IDA.

11 For the record, our Board
12 members, we will engage in
13 discussion, share this with them.
14 We know they will be as concerned as
15 the staff here is in terms of making
16 sure that this is corrected.

17 MS. RIGGIO: Is anyone from the
18 Village of Valley Stream on the
19 call? We only have somebody from
20 30, not 13 and 24, correct?

21 MR. SHISHKO: This is Chris
22 Shishko. I'm counsel for the Valley
23 Stream Central High School District.

24 I appreciate a lot of the
25 information that was given out

1
2 today. I know during public
3 hearings there is not always a back
4 and forth and answers, so it's
5 helpful. I do have some questions
6 that might address some of these
7 concerns.

8 The first question is, will the
9 property be moved to the exempt side
10 of the tax roll as a result of the
11 PILOT?

12 MR. DEEGAN: This is Dan
13 Deegan.

14 Yes. The property, when it
15 gets a PILOT, it avails itself to
16 the IDA's tax exempt status. The
17 IDA does file with the assessor an
18 application for exemption. It's a
19 412a form. Then the assessor will
20 list the property as exempt.

21 MR. SHISHKO: Thank you.

22 And a PILOT schedule will be
23 provided to all the school
24 districts, the Village, and other
25 jurisdictions?

1
2 MR. PAROLA: Yes, most
3 certainly.

4 MR. SHISHKO: Will that PILOT
5 schedule include the exact amounts
6 that those jurisdictions will
7 receive?

8 MR. PAROLA: It will be in the
9 same proportion as the general tax
10 is now. So if there's a million
11 dollars tax for a property and, I
12 don't know, 550,000 of it goes to
13 the school district, that is what
14 the school district would receive,
15 and it alters each year based upon
16 the small changes that occur between
17 the Village, the general tax and the
18 school tax.

19 In terms of the situation with
20 the centralized three localized
21 districts, as you heard, we're going
22 to look into that to see if we can
23 get some certainty within the
24 perimeters of the way the PILOT
25 works. I hope that's clear.

1
2 MR. SHISHKO: Thank you.

3 MR. PAROLA: Yes, sir.

4 MS. RIGGIO: Are they taking
5 minutes and will that be made
6 available to the public?

7 MR. LODATO: This is Mike
8 Lodato from the Town of Hempstead
9 IDA. Yes. There is a stenographer
10 on the line who is taking minutes.
11 Once she sends those over, those
12 will be uploaded to our website.

13 MS. RIGGIO: Thank you.

14 MS. KONZET: My name is Anne
15 Marie Konzet. I'm a resident of
16 Valley Stream. I do not live in
17 District 30. I live in District 13.

18 I agree with what the other
19 residents of Valley Stream have been
20 saying about the effect on taxes.
21 It's a very unusual situation that
22 we have in this village. Homeowners
23 are hit very hard with taxes.
24 Especially in District 13, there are
25 fewer commercial properties. The

1
2 largest portion of taxes assessed in
3 13 are against residents. Whatever
4 increases happen in the high school
5 district, the residents mostly are
6 going to be pulling that.

7 I have a question. Because the
8 use of the storage facility is going
9 to be commercial and you said there
10 will be large storage areas and
11 businesses will be -- local
12 businesses will be coming back and
13 forth to use that as a storage
14 resource -- so will the transfer of
15 goods be taking place well off
16 Merrick Road, and will the coming
17 and going of larger vehicles to
18 accommodate the kind of products
19 that they store there, will those
20 vehicles have access to get in and
21 out of that property without
22 affecting local neighborhoods,
23 streets?

24 MR. DEEGAN: This is Dan
25 Deegan, the attorney.

Jonathan, do you wanna take a shot at that?

I mean, my understanding is that this is a very low intensity use, very low traffic generation. Even though we're saying it's geared towards business, it's not like people are operating their day-to-day businesses out of there. It's more of a passive type of storage use.

Jonathan, do you want to address that directly?

MR. RYAN: We addressed many of these concerns, and we obviously appreciate these concerns. We addressed them with the Zoning Board. By the nature of our use, we do many studies at every facility that we have as far as traffic, as we try to be as limited of a burden on the local municipalities as possible in that regard.

For this particular use, we

1
2 anticipate approximately, at the
3 most, 14 total in and out of the
4 facility at a peak hour. That would
5 be the highest hour that we could
6 potentially have. In that regard,
7 the traffic is extremely low.
8 Although we do occasionally see
9 bigger trucks that are going to be
10 used for this type of facility, more
11 often than not, the largest type of
12 vehicle that is used is more similar
13 to kind of a box truck that you
14 would see, which is slightly larger
15 than a mini van that you would see
16 on the street. So as far as
17 traffic, we are extremely low
18 impact.

19 MS. KONZET: And would there be
20 a way for those vehicles to be off
21 Merrick Road? They would not be on
22 the street while they do their
23 loading and unloading?

24 MR. RYAN: Correct. All of the
25 loading and parking is going to be

1
2 on our side.

3 MS. KONZET: Thank you.

4 MR. LODATO: If anyone else
5 would like to say anything. We've
6 been at this for a little while. We
7 can close the meeting unless someone
8 else would like to speak.

9 MR. PHILLIPS: This is Brian
10 Phillips from Valley Stream 30.

11 I just have a question
12 regarding if we're going to split
13 the PILOT among three districts,
14 will the property value that is
15 coming off the roll only of Valley
16 Stream 30 get allocated to all three
17 districts so their property will get
18 decreased also?

19 MR. PAROLA: I don't think we
20 legally can do that. We're going to
21 explore language, as I indicated
22 before, to share in some way to
23 mandate that the PILOT is treated as
24 taxes, if we can do that. I don't
25 think we can do what you're

1
2 proposing.

3 MR. PHILLIPS: But the property
4 value is only in 30. It's only
5 coming off in 30. That's really it.
6 It seems to be a one-sided equation.
7 You're taking the properties off of
8 the Valley Stream 30 roll for the
9 Valley Stream 30 property owners and
10 then dedicating the PILOT will not
11 --

12 MR. PAROLA: I hear what you're
13 saying. The bottom line is the net
14 is going to be an increase in taxes
15 or payment in lieu of taxes. So
16 however it's worth, I think it is
17 going to be a benefit to the
18 taxpayers in the various districts.
19 We have to find out.

20 MR. PHILLIPS: I'll wait for
21 the schedule to come out. Thank you
22 very much.

23 MR. PAROLA: We will explore
24 this. It's three consolidated
25 districts in New York State, two on

1
2 Long Island. You're one of them.
3 It does create a unique situation
4 for us. We will do all in our power
5 to ensure that we don't hurt any
6 taxpayer in any of the respective
7 local districts.

8 MS. RIGGIO: Again, this is
9 Denise Riggio, we really do
10 appreciate that. We all benefit
11 from the use of the pool and the
12 park and things like that, but those
13 things are not taxed, right. So
14 while all residents enjoy that, and
15 as the other resident said, we in 13
16 don't have very many commercial
17 properties, and it really does
18 impact the residents directly. It
19 comes out of our pockets to
20 subsidize that. It's just not
21 sustainable.

22 MR. PAROLA: Understood, yes.

23 MS. RIGGIO: Thank you.

24 MR. LODATO: Does anyone else
25 have anything else to say?

1
2 Otherwise, this is Mike Lodato, the
3 Deputy Executive Director of the
4 Town of Hempstead IDA. I am going
5 to close this public hearing sine
6 die. Thank you all for coming and
7 speaking.

8 (Time noted: 10:15 a.m.)
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CERTIFICATION

I, DENISE MANTEKAS, a Notary Public
in and for the State of New York, do hereby certify:

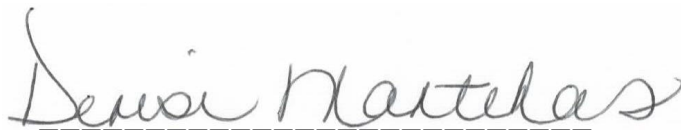
THAT the witness whose testimony is herein
before set forth, was duly sworn by me; and

THAT the within transcript is a true record
of the testimony given by said witness.

I further certify that I am not related,
either by blood or marriage, to any of the parties
to this action; and

THAT I am in no way interested in
the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 14th day of May, 2020.



DENISE MANTEKAS

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