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IN THE MATTER OF A
NOTICE OF PUBLIC HEARING
RE: NBD HOLDING, LLC

-----X

46 N. Ocean Avenue
Freeport, New York

February 16, 2022
10:00 a.m.

B E F O R E:
MICHAEL LODATO, Deputy Executive Director

Dolly Fevola
Court Reporter

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

TOWN OF HEMPSTEAD
INDUSTRIAL DEVELOPMENT AGENCY
350 Front Street
Hempstead, New York 11550
BY: MICHAEL LODATO, Dep. Exec. Director

ALSO PRESENT:

TOWN OF HEMPSTEAD
PAUL O'BRIEN, Counsel for IDA

TOWN OF FREEPORT
MAYOR ROBERT T. KENNEDY
HOWARD COLTON
VILMA LANCASTER
MARK DEVELLA
CHIEF MICHAEL SMITH
JOHN GORDON, ESQ. - Forchelli Deegan Terrana
KIMBERLY LABRADOR
MICHAEL WHITE
GRANT NEWBURGER

(PLEDGE OF ALLEGIANCE IS RECITED)

MAYOR KENNEDY: Members of the IDA join me here. Ladies and Gentlemen, please be sure to distinguish your telephone, put them on silence, clear audio for future presentation.

I'd like to go around and introduce everyone so you're familiar with who's on the dais.

CHIEF SMITH: Good morning. Michael Smith, Chief of police.

MR. DAVELLA: Mark Davella, President of the Freeport member IDA.

MS. LANCASTER: Good morning. Vilma Lancaster, member of the IDA.

HEARING OFFICER LODATO: Good morning. Michael Lodato, Deputy Executive Director of the Industrial Development Agency.

MR. COLTON: Howard Colton Freeport.

MAYOR KENNEDY: Robert Kennedy,

1
2 Mayor of the Village of Freeport
3 IDA.

4 Please proceed.

5 HEARING OFFICER LODATO: Good
6 morning. My name is Mike Lodato.
7 I'm the Deputy Executive Director of
8 the Town of Hempstead IDA.

9 I'm observing it's 10:02 a.m.
10 on February 16, 2022. We are here
11 to have a Public Hearing of NBD
12 Holding, L.L.C. who is looking for
13 PILOT benefits and tax benefits and
14 sales tax benefits from the Town of
15 Hempstead IDA.

16 I will now submit the Notice of
17 Public Hearing into the record.

18 Notice is hereby given that a
19 public hearing pursuant to Title 1
20 of Article 18-A of the New York
21 State General Municipal Law (the
22 "Hearing") will be held by the Town
23 of Hempstead Industrial Development
24 Agency on the 16th day of February,
25 2022, at 10:00 a.m. local time, at

1
2 Freeport Village Hall, 46 N. Ocean
3 Avenue, Village of Freeport, Town of
4 Hempstead, New York, in connection
5 with the following matters:

6 NBD Holding, L.L.C., a limited
7 liability company organized and
8 existing under the laws of the State
9 of New York, on behalf of itself
10 and/or the principals of NBD
11 Holding, L.L.C. and/or an entity
12 formed or to be formed on behalf of
13 any of the foregoing (collectively,
14 the "Company") submitted its
15 application for financial assistance
16 (the "Application") to the Town of
17 Hempstead Industrial Development
18 Agency (the "Agency") to enter into
19 a transaction in which the Agency
20 will assist in the acquisition of an
21 interest in an approximately 1.6
22 acre parcel of land located at 417,
23 435, 444, 447 & 477 Woodcleft
24 Avenue, Village of Freeport, Town of
25 Hempstead, Nassau County, New York

1 (the "Land"), the demolition of the
2 existing structures and improvements
3 on the Land, the construction of an
4 approximately 89,836 square foot
5 three-story building on the Land
6 (the "Improvements"), and the
7 acquisition of certain fixtures,
8 equipment and personal property
9 necessary for the completion thereof
10 (the "Equipment"; and together with
11 the Land and the Improvements, the
12 "Facility"), which Facility is to be
13 subleased by the Agency to the
14 Company and used as a 100-room hotel
15 facility and for related banquet and
16 restaurant uses (the "Project").
17 The Facility would be initially
18 owned, operated and/or managed by
19 the Company.
20

21 The Agency contemplates that it
22 would provide financial assistance
23 to the Company in the form of
24 exemptions from mortgage recording
25 taxes in connection with the

1
2 financing or any subsequent
3 refinancing of the Facility,
4 exemptions from sales and use taxes
5 and an abatement of real property
6 taxes.

7 The Company has requested that
8 the Agency provide financial
9 assistance to the Company in the
10 form of an abatement of real
11 property taxes for a term of up to
12 20 years (the "PILOT BENEFIT"). The
13 proposed PILOT Benefit deviates from
14 the Agency's Uniform Tax Exemption
15 Policy and Guidelines, as amended to
16 date (the "Policy"), because the
17 proposed PILOT Benefit would be for
18 a term of up to 20 years instead of
19 10 years. Copies of the proposed
20 PILOT payment schedule are available
21 on the Agency's website at
22 www.tohida.org. The Agency is
23 considering the proposed deviation
24 from the Policy due to the current
25 nature of the property and because

1
2 the Company would not undertake the
3 Project and the Project would not be
4 economically viable without a PILOT
5 Benefit for a term of up to 20
6 years.

7 A representative of the Agency
8 will, at the above-stated time and
9 place, hear and accept oral comments
10 from all person with view in favor
11 of or opposed to either the Project
12 or the financial assistance
13 requested by the Company. Comments
14 may also be submitted to the Agency
15 in writing or electronically prior
16 to or during the Hearing by
17 e-mailing them to
18 idamail@tohmail.org. Minutes of the
19 Hearing will be transcribed and
20 posted on the Agency's website.

21 Members of the public have the
22 opportunity to review the
23 application for financial assistance
24 filed by the Company with the Agency
25 and an analysis of the costs and

1
2 benefits of the proposed Facility,
3 which can be found on the Agency's
4 website at www.tohida.org.

5 The Agency anticipates that the
6 members of the Agency will consider
7 a resolution to approve the Project
8 and the financial assistance
9 requested by the Company, including
10 the proposed 20 year PILOT Benefit,
11 at the Agency's Board Meeting (the
12 "Board Meeting") to be held on
13 February 24, 2022, at 9:00 a.m.
14 local time, at 1 Washington Street
15 Town Hall Pavilion, Hempstead, New
16 York 11550.

17 If anyone would like to come up
18 and speak, please sign in and state
19 your name to the stenographer.
20 Thank you.

21 MR. GORDON: John Gordon,
22 Forchelli Deegan Terrana, LLP
23 representing NBD Holding, the
24 applicant.

25 I just want to say that this is

1
2 a great project for the Nautical
3 Mile, for the Village of Freeport,
4 for the Town of Hempstead. It's
5 going to bring jobs, construction
6 jobs, local labor into the building
7 of the project, as well as the
8 maintenance of the project.

9 There's going to be a hotel
10 there. There's going to be
11 employees from the hotel. There's
12 going to be a restaurant on site.
13 It's going to be over a \$43 million
14 budget of construction costs put in
15 and it's going to be a tremendous
16 project for everyone so I'd like to
17 say that this should be approved.
18 Thank you.

19 MAYOR KENNEDY: Thank you very
20 much. Do we have any other comments
21 from our residents or from the dais?
22 Please come up and state your name.

23 MR. JONES: My name is David
24 Jones. I'm a 35-year resident of
25 the Village and my comment is -- the

1
2 first one is I want to give thanks
3 to the IDA for continuing to bring
4 things to the Village that help us,
5 you know, stay here longer and have
6 families here and just do the
7 wonderful things that it takes to
8 grow a village.

9 And from my family and the
10 people who go to the Nautical Mile,
11 we are in approval of this, Mr.
12 Mayor, and wanted to just give our
13 thanks for the efforts that's all.

14 MAYOR KENNEDY: Thank you very
15 much. Any comments on the Board?

16 MS. LANCASTER: We'd like to
17 thank the IDA and the Mayor for
18 allowing us to have this project.

19 As you know, that property has
20 been sitting there with nothing on
21 it and in doing this we'll be able
22 to have more people come into our
23 community, enjoy it and basically
24 with the boats and going to the
25 restaurants and things like that.

1
2 We're known as a fishing community
3 so why not enjoy what we have.

4 MAYOR KENNEDY: Agree. Mr.
5 Davello?

6 MR. DAVELLO: I just hope it
7 turns out to be the trophy project
8 that it's supposed to be. It's a
9 destination location that is
10 utilized by more than this community
11 alone and the Mile is so that the
12 tendency down there turn around to
13 fill up to the daily walk-along
14 outdoor shops that it should be
15 along with commerce for the village.
16 I think it's positive all the way
17 around and I give my approval.

18 MAYOR KENNEDY: Thank you. I
19 just want to make a few comments
20 also.

21 I look forward to this
22 development. I think it's great for
23 jobs in the village, future jobs in
24 the village and looks at the
25 construction jobs also. This will

1
2 be a 43 million dollar development.
3 There will be many construction
4 positions opened up. It's economic
5 development for the Village of
6 Freeport where we can stabilize our
7 financial taxes in this village,
8 bring in extra revenues and secure
9 our property taxes at a good
10 reasonable rate with our residents.

11 We look at an annual property
12 tax revenue of the future, there's
13 future jobs on the long-term here.
14 We'll be bringing in, as Vilma has
15 stated, it will be bringing in and
16 expanding the boating community.

17 Freeport is known as the
18 boating capital of the northeast.
19 Let's continue. Let's bring in
20 those boats, get that intercoastal
21 traffic from down south to Main.
22 Let them stop and stay in a nice
23 place in the Village of Freeport.

24 I'm looking forward to this job
25 and I think it will be a great

1
2 advantage to the Village of Freeport
3 residence and commercial businesses.

4 Chief, any comments?

5 CHIEF SMITH: I'm in favor of
6 this project also, Mayor. I'm with
7 the department for 32 years. I've
8 grown up on Long Island and I think
9 this is going to be probably the
10 biggest draw to Freeport since the
11 start of the Recreation Center and
12 this will be a focal point on the
13 south shore of Long Island.

14 MAYOR KENNEDY: Thank you. I
15 agree.

16 Howard Colton, Village
17 attorney?

18 MR. COLTON: I'm a 50-year
19 resident of the Village of Freeport.
20 I'm very excited about this project.
21 The Nautical Mile needs a
22 destination point. This provides
23 the destination point for the Mile.
24 It's going to help businesses. This
25 is a project that its time has come

1
2 and it's definitely needed. Great
3 shot in the arm to the Nautical Mile
4 and the Village of Freeport.

5 I thank the IDA for hearing
6 this matter and I thank the
7 developer for bringing it to the
8 Village of Freeport and selecting
9 the Village of Freeport.

10 HEARING OFFICER LODATO: The
11 IDA would like to thank Mayor
12 Kennedy for allowing us to use this
13 Village Hall for this Hearing. This
14 has been very much a joint venture
15 between the IDA and the Village of
16 Freeport. It's a phenomenal
17 project. We look forward to moving
18 along with this. Thank you.

19 MAYOR KENNEDY: Mike, do we
20 need to close the meeting? Do we
21 have any other comments? Any
22 residents before we close?

23 HEARING OFFICER LODATO:
24 Normally, we keep it open for
25 20 minutes and then close it out as

1
2 long as no one has any comments.

3 MR. DAVELLA: Is the developer
4 going to have a formal
5 groundbreaking ceremony by any
6 chance?

7 MS. LABRADOR: Kimberly
8 Labrador, NBD Holding owners rep.

9 Yes, we plan on having a formal
10 groundbreaking ceremony as soon as
11 we can get the ground. That looks
12 to be about June 1st.

13 MAYOR KENNEDY: Thank you.

14 MR. WHITE: Good morning
15 everyone. My name is Mike White.
16 I'm the business rep for Local 45
17 which covers the Freeport area. I
18 just had a couple of questions.

19 Have you guys reached out to
20 the Nassau Suffolk Building Trades
21 yet for the labor for this project?

22 MR. GORDON: No, not to my
23 knowledge.

24 MR. WHITE: You have plans of
25 reaching out for a labor agreement?

1
2 MR. GORDON: We have to discuss
3 with OSHA.

4 MR. WHITE: Because I notice
5 that you have a 70 percent proposed
6 requirement of hiring within
7 Freeport and now with the labor
8 agreement we can have a lawful
9 request for labor from 11520 which
10 will suit all your needs. It would
11 suit the Town if we can get new
12 members brought in, not only just
13 carpenters, which I represent, but
14 all the building trades that
15 represent Nassau and Suffolk
16 together. I think that would be a
17 great opportunity, especially
18 because of the size and scope of
19 this project, the environmental
20 impact among state responsible
21 contractors working right on that
22 waterway. We don't damage our
23 waterways here in Freeport and you
24 have my support for sure so long as
25 it's done responsibly with

1
2 preventing, not damage, but at least
3 working standard.

4 And I also have minority
5 contractors that live in the area
6 that we can put to this project as
7 well. I'm hoping that we can work
8 together going forward.

9 MAYOR KENNEDY: I would be glad
10 to mediate between yourself and the
11 developer. If you need anything,
12 feel free to call my office. We can
13 have a meeting and work out details
14 and further carry discussions.

15 MS. LANCASTER: Do you have a
16 business card?

17 MR. WHITE: Absolutely.

18 MS. LANCASTER: Just a
19 question. Your local, they have a
20 lot of experience in -- because, you
21 know, you're on the water.
22 Bulkheads, all that, you have that
23 type of experience?

24 MR. WHITE: Surprisingly,
25 Scalamandre & Sons, our top

1
2 foundation and bulkhead contractors,
3 is right around the block in
4 Freeport. They would be perfect for
5 that work. We do everything from
6 the piles, bulkheads, all the way up
7 through the curtains. We cover it
8 all. And I have an extensive MWBE
9 list of 51 contractors that will
10 handle from the beginning all the
11 way to the end. If you'd like, I
12 can forward it to you guys if you
13 have an e-mail.

14 MS. LANCASTER: You can forward
15 it.

16 MAYOR KENNEDY: I will get you
17 a card.

18 MR. WHITE: Thank you very
19 much.

20 MR. JONES: David Jones,
21 Freeport resident. I just wanted to
22 know one other question -- the
23 neighbor across the street. Did it
24 still include the gas filling
25 station that's there?

1
2 MS. LABRADOR: With regard to
3 the gas station, which is known as
4 Richard's Gas Stop, that will be
5 taken down. That's being
6 demolished. That is out of service.
7 That's part of the project. So the
8 entire area will be level and the
9 project will go from the very end of
10 the canal where Richard's is up to
11 our survey line which is a little
12 bit south of the --

13 MAYOR KENNEDY: Please explain
14 the details on the boating facility
15 and walkable areas on the water.

16 MS. LABRADOR: So we will have
17 approximately 22 boat slips that are
18 accessible to the public to come in
19 and dock, and we have to determine
20 with the new management company how
21 that will be handled, whether or not
22 they'll have access to all the
23 amenities, any type of fee, and then
24 the public promenade will be open to
25 all to walk down and view the water.

1
2 There will be a back way on the
3 backside on the Woodcleft canal
4 side. They will be able to walk
5 down and view sunset, sunrise, any
6 of those areas.

7 MAYOR KENNEDY: Beautiful.
8 Looking forward to it.

9 When is your approximate
10 completion date scheduled for the
11 development and opening?

12 MS. LABRADOR: We're opening
13 for soft opening by the end of 2024
14 with a full grand opening by end of
15 winter beginning of Spring '25 based
16 on when we can start building.

17 MAYOR KENNEDY: As you know,
18 the Village of Freeport has its own
19 Building Department inspectors,
20 Planning Board, Zoning Board so
21 we'll be glad to help accommodate
22 the expeditious completion of this
23 project. Whatever you need, feel
24 free to come into the Mayor's
25 office. We'll try to help.

1
2 MS. LABRADOR: We greatly
3 appreciate all the cooperation from
4 the Village to date. It's been
5 extremely helpful.

6 MAYOR KENNEDY: How many
7 employees are you expecting as
8 full-term positions in the future
9 after your opening?

10 MS. LABRADOR: At start, we're
11 looking at 30 full-time and then it
12 will all be based upon during high
13 season we expect a significant more
14 amount of part-time employees. It
15 will all be based on how the project
16 progresses, how the Mile progresses,
17 how many people are coming, but to
18 start we're starting at 30.

19 MAYOR KENNEDY: Your parking is
20 ample parking. I understand you're
21 raising the building so there is
22 parking underneath, correct?

23 MS. LABRADOR: Yes, on the
24 first level. Due to the flood zone,
25 there cannot be any occupation on

1
2 the first level so that will all be
3 parking and stackable car lifts like
4 the ones you see in the City. There
5 will be car lifts underneath plus
6 the parking lot across the street.

7 And we have an arrangement for
8 private off-site parking and then we
9 also have the offer with the Village
10 to create additional parking as
11 needed.

12 MAYOR KENNEDY: Okay. Thank
13 you.

14 HEARING OFFICER LODATO: Mr.
15 Newburger, you want to sign in and
16 say anything?

17 MR. NEWBURGER: Absolutely.

18 Grant Newburger. Building
19 Construction Trades counsel of
20 Nassau and Suffolk counties.

21 Like I just said, on behalf of
22 the building trades, this is a big
23 project. We'd like to be included.
24 I'd like to make sure on the record
25 that we are strongly advocating for

1
2 prevailing wage on this project and
3 we'd very much like to see a project
4 laborer come in as well. Thank you.

5 HEARING OFFICER LODATO: Thank
6 you.

7 MAYOR KENNEDY: Thank you, sir.

8 If there is no other comments,
9 Mike, please.

10 HEARING OFFICER LODATO: If
11 there are no other comments and no
12 one else would like to testify, the
13 Town of Hempstead IDA would like to
14 close this meeting at 10:21 a.m.
15 sine die. Thank you everyone for
16 coming.

17 MAYOR KENNEDY: Thank you,
18 Ladies and Gentleman. Please get
19 home safe.

20 (Time noted: 10:21 a.m.)
21
22
23
24
25

CERTIFICATION

I, DOLLY FEVOLA, 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 17th day of February, 2022.

Dolly Fevola

DOLLY FEVOLA

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