-----X IN THE MATTER OF A NOTICE OF PUBLIC HEARING RE: 110 GRAHAM REALTY, LLC -----X Nathan Bennett Pavilion 1 Washington Street Hempstead, New York February 16, 2023 9:30 a.m. BEFORE: MICHAEL LODATO, Deputy Executive Director LAURA TOMEO, Deputy Agency Administrator Dolly Fevola, Court Reporter -FEVOLA REPORTING & TRANSCRIPTION INC (631) 724-7576-

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2	APPEARANCES:
3	TOWN OF HEMPSTEAD
4	INDUSTRIAL DEVELOPMENT AGENCY 350 Front Street
5	Hempstead, New York 11530
6	
7	ALSO PRESENT:
8	HON. KEVIN D. BOONE
9	JOHN R. DICIOCCIO
10	JAYLETTE WILLIAMS
11	JAMAL SCOTT
12	BRADLEY HINTON
13	KELLY V.
14	TERRY WINSTON
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1 Proceedings-110 Graham Realty 3 MR. LODATO: Good morning. 2 My 3 name is Michael Lodato. I'm with the Town of Hempstead Industrial 4 5 Development Agency. I'm the Deputy Executive Director. I'm observing 6 7 it's 9:43 a.m. on Thursday, 8 February 16th. We're here for the 9 public hearing of 110 Graham. I 10 will now read the Notice of Public 11 Hearing into the record for the 12 stenographer. We're also live 13 streaming this meeting. 14 Notice is hereby given that a 15 Public Hearing pursuant to Title 1 16 of Article 18-A of the New York 17 State General Municipal Law will be 18 held by Town of Hempstead IDA on the 19 16th day of February, 2023, at 9:30 20 a.m., local time, at Nathan L.H. 21 Bennet Pavilion, 1 Washington 22 Street, Hempstead, New York, in 23 connection with the following 24 matters: 25 The Agency previously provided

1 Proceedings-110 Graham Realty 4 2 its assistance to 110 Graham Realty 3 LLC, a limited liability company duly authorized and validly existing 4 under the laws of the State of New 5 6 York (the "Company.") with a certain 7 industrial development facility 8 which consisted of the acquisition 9 of an approximately 3.8 acre parcel 10 of land located at 110 West Graham 11 Avenue, Village of Hempstead, Town 12 of Hempstead, New York (the "Land"), 13 and the construction, renovation and 14 equipping thereon of an existing 15 approximately 83,400, square foot 16 building, together with an 17 approximately 12,445 square foot 18 addition totaling an approximately 19 98.755 square foot facility includes 20 a two-story building with indoor 21 parking, and the installation of 22 certain equipment including, but not 23 limited to, lifts, air compressors, 24 prep equipment, office furniture and 25 car wash equipment (collectively,

1	Proceedings-110 Graham Realty <sup>5</sup>
2	the "Original Improvements" and
3	"Original Equipment"; and, together
4	with the Land, the "Original
5	Facility"), all subleased by the
6	Company to the Agency and sub-leased
7	by the Agency to, and used by, the
8	Company in the operation of a
9	Mercedes Benz, USA dealership
10	offering sales of new and used
11	automobiles and service of
12	automobiles to its customers,
13	including the following, as the
14	relate to the acquisition,
15	renovation and equipping of such
16	Original Facility, whether or not
17	any materials or supplies described
18	below are incorporated into or are
19	an integral part of such Original
20	Facility: (i) all purchases, leases,
21	rentals and other uses of tools,
22	machinery and equipment in
23	connection with the acquisition,
24	renovation and equipping of the
25	Original Facility, (ii) all

1 Proceedings-110 Graham Realty 6 purchases, rentals, uses or 2 3 consumption of supplies, materials and services of every kind and 4 5 description used in connection with 6 the acquisition, renovation and 7 equipping of the Original Facility, 8 and (iii) all equipment, machinery 9 and other tangible personal property 10 (including installation costs with 11 respect thereto) installed or placed 12 in, upon or under such Original 13 Facility (the "Original Project"). 14 The Company has submitted a request to the Agency for financial 15 16 assistance and a modification and 17 extension of the abatement or real 18 property taxes on the Original 19 Facility for a term of up to two 20 additional years (the "PILOT 21 Extension"), in connection with the 22 renovation and equipping of the 23 Original Improvements, together with 24 the acquisition and installation of 25 furniture, fixtures and equipment

1 Proceedings-110 Graham Realty 7 2 (the "2022 Improvements" (and 3 together with the Original 4 Improvements, the "Improvements"), and the "2022 Equipment" (and 5 6 together with the Original 7 Equipment, the "Equipment"); and 8 together with the Land, the "2022 9 Facility", and the 2022 Facility 10 together with the Original Facility, 11 the "Facility"), all to be subleased 12 by the Company to the Agency and 13 subleased by the Agency to, and 14 continued to be used by, the Company 15 in the operation of a Mercedes Benz, 16 USA dealership offering sales of new 17 and used automobiles and service of 18 automobiles to its customers, 19 including the following, as they 20 relate to the acquisition, 21 renovation and equipping of such 22 Facility, whether or not any 23 materials or supplies described 24 below are incorporated into or 25 become an integral part of such

1 Proceedings-110 Graham Realty <sup>8</sup> 2 Facility: (i) all purchases, leases, 3 rentals and other uses of tools, 4 machinery and equipment in 5 connection with the acquisition, 6 renovation and equipping of the 7 Facility, (ii) all purchases, 8 rentals, uses or consumption of 9 supplies, materials and services of 10 every kind and description used in 11 connection with the acquisition, 12 renovation and equipping of the 13 Facility, and (iii) all equipment, 14 machinery and other tangible 15 personal property (including 16 installation costs with respect 17 thereto) installed or placed in, 18 upon or under such Facility (the 19 "2022 Project", and together with 20 the Original Project, the 21 "Project"). The Facility will 22 continue to be owned, operated 23 and/or managed by the Company. 24 The Agency has previously 25 acquired a leasehold interest in the

1 Proceedings-110 Graham Realty 9 2 Original Facility, and will continue 3 to lease and sublease the Facility 4 to the Company. The Agency 5 contemplates that it will continue to provide financial assistance to 6 7 the Company in the form of 8 exemptions from sales and use taxes, 9 exemptions from mortgage recording 10 taxes, and the modification and 11 extension of current abatements of 12 real property taxes, consistent with 13 the policies of the Agency. 14 A representative of the Agency 15 will, at the above-stated time and 16 place, hear and accept written 17 comments from all person with views 18 in favor of or opposed to either the 19 proposed grant of financial 20 assistance to the Company by the 21 Agency or the location or nature of 22 the Facility. Prior to the hearing, 23 all persons will have the 24 opportunity to review on the 25 Agency's website

1 Proceedings-110 Graham Realty 10 2 (https://tohida.org/) the 3 application for financial assistance 4 filed by the Company with the Agency 5 and an analysis of the costs and benefits of the construction and 6 7 ongoing operation of the proposed 8 Facility. 9 If anyone would like to be 10 heard, please step up. State your 11 name for the stenographer, please, 12 and we're going to give everyone 13 3 minutes to speak. 14 Thank you. 15 MR. DiCIOCCIO: Good morning. 16 My name is J.R. DiCioccio. I'm with 17 the law firm of Greenberg & Traurig. 18 We represent the applicant with 19 respect to this application today. 20 The applicant is 110 Graham Realty, 21 L.L.C. They are seeking a two-year 22 PILOT extension for an existing 23 Mercedes Benz facility. As part of 24 this application, the company is 25 prepared to expend approximately 1.5

1	Proceedings-110 Graham Realty <sup>11</sup>
2	million dollars to improve the
3	facility.
4	I'm here today just to listen
5	to the public comments, take any
6	questions back to my clients, and
7	hopefully have answers prepared for
8	the upcoming board meeting.
9	Thank you.
10	MR. LODATO: Thank you.
11	MS. WINSTON: Good morning. My
12	name is Terry Winston. I'm a
13	homeowner in the Village of
14	Hempstead for approximately 29 years
15	and over the years I've seen PILOTS
16	increase. These PILOTS are given to
17	the businesses that cannot afford
18	their fair share of taxes. I would
19	like to know that as a homeowner
20	I've invested in these businesses
21	because my tax dollars are
22	subsidizing these businesses. When
23	am I going to cash in on my
24	investment?
25	They make promises that they
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1 Proceedings-110 Graham Realty 12 don't keep, but all the PILOTS that 2 3 Hempstead has and, of course, with 4 the extensions, Hempstead should 5 look and be in a lot of a better financial situation with as far as 6 7 the residents, the schools and the 8 Village itself. I don't think it's 9 fair that Hempstead has been 10 bombarded with all these PILOTS. 11 MR. SCOTT: Good morning. My 12 name is Jamal Scott. I'm the 13 Assistant Superintendent for 14 Business for Hempstead Public 15 Schools. I just have a couple of 16 questions and one of the questions 17 is, in relation to the company 18 getting back all the tax on the 19 regular taxes, what's the difference 20 of how much it would be for the 21 regular property taxes in comparison 22 to the PILOT? How much are we 23 paying? What's the difference? Did 24 I miss it? Is it here? 25 MR. LODATO: In the cost

1 Proceedings-110 Graham Realty 13 2 benefit analysis that was on the 3 website, I'm not sure if you downloaded that one but --4 5 MR. SCOTT: No, I didn't get an 6 opportunity to do that. 7 MR. LODATO: -- there is an 8 estimate that if we did not do the 9 PILOT program, the taxes would be 10 around 410,000 and with the PILOT 11 they are 400,000 in the first year so it's a \$10,000 difference. 12 13 MR. SCOTT: So my question is, 14 I don't understand the purpose of 15 the PILOT if it's only a \$10,000 16 difference. And from my understanding, the company that 17 18 exists that is asking for the PILOT 19 is a profitable business. What's 20 the purpose of this request? 21 MR. LODATO: That's something 22 that's between the company and their 23 finances that they would have to... 24 MR. SCOTT: Figure out. 25 MR. LODATO: Yes. It makes -FEVOLA REPORTING & TRANSCRIPTION INC (631) 724-7576-

1 Proceedings-110 Graham Realty 14 2 sense to them, obviously. 3 MR. SCOTT: And the 4 decisionmaking from our perspective, 5 from the IDA's perspective, I think we need to look into that. If we're 6 7 looking at a business that is 8 profitable and has been profitable 9 over the years, why are we extending 10 a PILOT for additional years if it's 11 a \$10,000 difference. There has to 12 be something more to it so I think 13 we need to look into that before a 14 decision made. 15 MR. LODATO: There is also a 16 sales tax benefit they are seeking 17 so the purchases that they are 18 making will be sales tax exempt, so 19 that is probably another reason that 20 they are seeking it. 21 MR. SCOTT: So all of that 22 wholistically, I think we need to 23 look at it from a bigger picture 24 perspective. 25 MR. LODATO: Thank you very

1 Proceedings-110 Graham Realty 15 2 much. 3 Good morning, Mr. Oppenheimer. 4 MR. OPPENHEIMER: Good morning. 5 Good morning all. I think I'm at 2:26. 6 7 MR. LODATO: The timer is 8 giving us an issue. We're going to 9 use our phones. 10 MR. OPPENHEIMER: Can you just 11 repeat the difference on that 12 because I'm looking at some 13 materials from December showing a 14 much wider difference in the 15 proposed PILOT versus total tax if not within a PILOT. 16 17 MR. LODATO: The cost benefit 18 analysis has a \$410,746 amount as an 19 estimate for what the taxes would be 20 and the PILOT payments starts at 21 \$400,000 flat. 22 MR. OPPENHEIMER: Okay. So 23 first let me just state for the 24 record, I'm Dan Oppenheimer. I'm 25 speaking as a Village resident, not -FEVOLA REPORTING & TRANSCRIPTION INC (631) 724-7576-

1 Proceedings-110 Graham Realty 16 2 in an official capacity. 3 But what I'm seeing is a 4 difference -- a discrepancy between 5 total tax numbers from documents that were submitted in December and 6 7 the current. I know that the 8 applicant is disputing or 9 potentially disputing the assessment 10 so that has to be cleared up, I 11 think, before we really look at what is the difference between with tax 12 13 and without tax. 14 MR. LODATO: The applicant has 15 provided us an appraisal, as well as 16 an opinion letter which points to 17 the 410,000 figure. The cost 18 benefit analysis that was previously 19 provided to the Board members like 20 yourself has been amended to reflect 21 those figures and is up on the 22 website for you to review. And we 23 will obviously send you a copy 24 before the meeting. 25 MR. OPPENHEIMER: Thank you

1 Proceedings-110 Graham Realty 17 2 very much. So here is some of my 3 feelings on this. The applicant business has strived under the 4 5 assistance of the IDA over the last 6 10 years. They accomplished 7 everything that they were required 8 to in terms of the employment. As a 9 thriving business it's a 10 multi-billion dollar international company. The PILOT accomplished 11 12 what it was intended to do. Now 13 they are asking -- and this is in my 14 interpretation of it -- for us to 15 cover the cost of doing business. 16 Now, is that the proper 17 responsibility of the IDA? The 18 fiduciary responsibility of the IDA 19 is to the locality in which the 20 project is, it's not to the business 21 person. If first you satisfy the 22 responsibility to the locality and 23 it benefits the business then that 24 is, I think, the best result that 25 you can get. But if you don't meet

1 Proceedings-110 Graham Realty 18 2 the one first, you can't do the 3 second one. 4 So they clearly did accomplish 5 what they were asked in the past. 6 We can't say that without knowing 7 for certain what the appraisal 8 amount is going to be going forward 9 on this. 10 Also, in terms of their 11 employment numbers, it was pointed 12 out that they exceeded by far the 13 number of new jobs that they were 14 supposed to create with this 15 project, but we don't know how many 16 of those are people who reside in 17 the 11550 area code and I don't know 18 if the representative would be able 19 to answer that today. That is a 20 really important part of the job 21 picture. 22 They are mentioning that a 23 total increase of 10 full-time 24 employment positions over the next 25 2 years. If those were Town of -FEVOLA REPORTING & TRANSCRIPTION INC (631) 724-7576-

1 Proceedings-110 Graham Realty 19 2 Hempstead jobs, that's a big 3 difference than ten Village of 4 Hempstead jobs. That's a big 5 difference than 10 non-Village jobs. 6 Thank you. 7 MR. LODATO: Mr. Oppenheimer, 8 I'm going to reference something 9 from the application here. It looks 10 like the labor market area, which is 11 not specifically Hempstead Village, references 89 jobs coming from the 12 13 labor market area out of the 96 or 14 out of the 106, I guess. So that's 15 the difference. But, again, like 16 you're stating, that does not 17 specifically mean Village of 18 Hempstead. 19 MR. OPPENHEIMER: Correct. 20 Thank you. 21 MR. LODATO: God morning, Mr. 22 Johnson. 23 MR. JOHNSON: Good morn, Sir. 24 My name is Lamont E. Johnson. I'm a 25 51-year resident of Hempstead, New -FEVOLA REPORTING & TRANSCRIPTION INC (631) 724-7576-

1 Proceedings-110 Graham Realty 20 York. My address is 12 Roosevelt 2 3 Street in Hempstead. I'm against this extension of the PILOT. It 4 5 really serves no need for the 6 Village. It does not help the 7 Village in any way. 8 As other speakers have said, 9 Mercedes Benz is a franchisee. They 10 are an international company with 11 billions and billions of dollars in 12 profit. Furthermore, the name of 13 the place says Lake View so I don't 14 see how it benefits the Village of 15 Hempstead in any way. 16 I was against the PILOT that 17 Mazda had years ago. They made 18 several promises about 19 apprenticeship for young people and 20 training that never happened and 21 never materialized. I was against 22 that because they are a franchisee 23 and they do not need the money. 24 They are very profitable. And 25 besides a few gates, white fences

1 Proceedings-110 Graham Realty 21 that were put along West Graham and 2 3 a few other areas, those fences 4 have -- it's been more than 5 11 years -- those fences are all 6 falling down so it brings nothing to 7 the community. It doesn't make the 8 community look better, and I don't 9 believe that any people that's from 10 the Village of Hempstead are being 11 employed by Mercedes Benz so I would 12 like their representative to 13 explain -- It's really kind of 14 outrageous what the rents that 15 people pay in the apartments and the 16 mortgages that people pay in 17 Hempstead that a company such as 18 Mercedes would come to Hempstead and 19 think that they deserve -- They 20 already have a PILOT and now they 21 want an additional PILOT and I think 22 it's absurd and really outrageous 23 and a few other words and I don't 24 agree with it. 25 The Hempstead School

1 Proceedings-110 Graham Realty 22 2 District -- Hempstead High School is 3 right across the street. I don't 4 think Mercedes Benz has been a great 5 partner. They have not offered any 6 programs to help students learn how 7 to work on Mercedes or anything like 8 that, so I don't think they have 9 been a great partner for the Village 10 of Hempstead. 11 It looks good but it says -- I 12 believe it says Lake View Mercedes, 13 whatever it says, but it doesn't 14 really associate with Hempstead. 15 They want Hempstead to give them a 16 PILOT but they don't want to give 17 anything back in return and as a 18 taxpayer I'm against it. 19 MR. LODATO: Thank you. Mr. 20 Boone. 21 MR. BOONE: Good morning. How 22 are you? Kevin Boone, Village of 23 Hempstead resident. You need my 24 address? 25 THE REPORTER: If you'd like to

1 Proceedings-110 Graham Realty 23 2 give it. 3 MR. BOONE: 40 West Orchard 4 Street, Hempstead, New York. 5 Based on what we've been hearing today, this business has 6 7 been profitable I would say over the 8 last 10 years that they have had 9 this PILOT. For an extension, the 10 cost of doing business is not the 11 Village of Hempstead's business to look into or handle. It's not fair 12 13 to the residents of the Village of 14 Hempstead and I'm definitely not for 15 the extension of the PILOT. 16 I believe, at this time, they 17 have had enough, you know, more than 18 enough time where they are cash 19 fluid where they can pay their taxes 20 or the cost of doing business from 21 here on in so an extension for 22 two years is something that I really 23 don't believe they need. 24 On top of that, when it comes 25 down to the school district or

1 Proceedings-110 Graham Realty 24 2 anything else, the Hempstead 3 residents have not benefited, the 4 school district has not benefited, 5 and it says Rockville Centre Mercedes Benz, which has nothing to 6 7 do with the Incorporated Village; so 8 therefore, I do not see any point or 9 any rhyme or reason why we should 10 extend this benefit just for the 11 cost of doing business where it's 12 not helping our residents or anyone 13 else in the Village at all. 14 MR. LODATO: Thank you. 15 Would anyone else like to be 16 heard? 17 MS. WILLIAMS: Good morning. 18 Jaylette Williams, 99 Mason Street, 19 Hempstead, New York. 20 I would simply like to know, 21 based on the responses that you 22 received in this hearing, what will 23 be your next steps as far as the 24 feedback that you have received from 25 myself and my fellow Village

1 Proceedings-110 Graham Realty 25 2 residents? 3 And also, I would like to hear 4 from the attorney what his analysis 5 is of the discussion that we have 6 had today, and I'm going to request 7 that he come forward if that's 8 appropriate. MR. LODATO: Because we're just 9 10 staff here, as you know, we don't 11 make the decisions and so between 12 the stenographer capturing the 13 minutes and the live stream that I 14 will as well provide to all the 15 Board members, we will express 16 exactly what's on the record to them 17 and it's kind of up to the Hempstead Board and the regular IDA Board to 18 19 make their decision and the determination on all the facts laid 20 21 in front of them. 22 MS. WILLIAMS: Do you think that this agenda item would be 23 24 presented at the next formal IDA 25 Board meeting?

1 Proceedings-110 Graham Realty 26 2 MR. LODATO: Yes. I expect 3 this to be on the February 28th 4 agenda for authorization. 5 MS. WILLIAMS: Thank you. MR. LODATO: As far counsel 6 7 answering any of your questions, we 8 normally don't do a back and forth. 9 It's really more for the public just 10 to appear. If he would like to, he 11 may but that's up to him. 12 MS. WILLIAMS: I accept that. MR. LODATO: Thank you. 13 14 MR. DiCIOCCIO: Mr. John 15 DiCioccio. I will take all the 16 comments made today and I'll take 17 them back to my client. We will do 18 our best to address them at the 19 Board meeting. 20 Thank you. 21 MR. LODATO: Thank you. Would 22 anyone else like to be on the record 23 and heard? 24 We're going to stay on for 25 another 5 minutes in case anyone -FEVOLA REPORTING & TRANSCRIPTION INC (631) 724-7576-

1	Proceedings-110 Graham Realty 27
2	else comes in.
3	(At this time, a brief recess
4	was taken while awaiting any further
5	comments from anyone in attendance.)
6	MR. LODATO: We're going to
7	close this meeting. I am observing
8	it's 10:10 a.m. on February the 16th
9	for the Town of Hempstead IDA 110
10	Graham Realty, L.L.C. project.
11	Thank you everyone for your
12	comments and input. We will make
13	sure that the Board has all this
14	available to them for their
15	decision.
16	Thank you and have a good
17	morning. I'm now closing this
18	meeting sine die. Take care.
19	(Time noted: 10:10 a.m.)
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2	CERTIFICATION
3	I, DOLLY FEVOLA, a Notary Public in
4	and for the State of New York, do hereby certify:
5	THAT the within transcript is a true record
6	of my stenographic notes.
7	I further certify that I am not related,
8	either by blood or marriage, to any of the parties
9	to this action; and
10	THAT I am in no way interested in
11	the outcome of this matter.
12	IN WITNESS WHEREOF, I have hereunto
13	set my hand this 20th day of February, 2023.
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15	Dog F
16	Nolly Tevola
17	DOLLY FEVOLA
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