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IN THE MATTER OF A NOTICE OF
PUBLIC HEARING

RE: OCEAN AVENUE MARINA, INC.

-----X

350 Front Street
Hempstead, New York

October 30, 2024
10:00 a.m.

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

Christina Schmidt,
Court Reporter

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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, Deputy Executive
Director

ALSO PRESENT:

FREDERICK E. PAROLA, CEO
VINCENT RANDAZZO, Superintendent, Island
Park Schools
JACK VOBIS, President of the Board, Island
Park Schools
RICHARD SCHURIN, Member of the Island Park
Civic Association
SALVATORE CARAMBIA, Business Administrator,
Island Park Schools
IAN SMITH, Assistant Library Director,
Island Park Public Library

MR. LODATO: Good morning.

Just so everybody is aware, we are live-streaming this meeting on YouTube. I will now read the Notice of Public Hearing into the record. By the way, my name is Michael Lodato. I'm the Deputy Executive Director of the Town of Hempstead IDA. I'm accompanied by Frederick Parola, CEO of the Town of Hempstead IDA.

"NOTICE IS HEREBY GIVEN that a public hearing pursuant to Title 1 of Article 18-A of the New York State Municipal Law (the "Hearing") will be held by the Town of Hempstead Industrial Development Agency (the "Agency") on the 30th day of October, 2024, at 10:00 a.m., local time, at the Town of Hempstead Town Hall, Town Hall Courtroom, 350 Front Street, Hempstead, New York 11550, in connection with the following matters:

Ocean Avenue Marina, Inc., a corporation organized and existing under the laws of the State of New York, on behalf of itself and/or the principals of Ocean Avenue Marina Inc. and/or an entity formed or to be formed on behalf of any of the foregoing (collectively, the "Company"), submitted an application for financial assistance (the "Application") to the Town of Hempstead Industrial Development Agency (the "Agency") to enter into a transaction in which the Company has requested that the Agency assist in the acquisition of an interest in an approximately 3.58 acre parcel of land located at 50 & 80 Waterfront Boulevard, Island Park, Town of Hempstead, Nassau County, New York, including discontinuance of town roads for portions of Beach Avenue and Waterfront Boulevard (collectively, the "Land"), the

1
2 demolition of the existing
3 structures and improvements on the
4 Land, the construction of an
5 approximately 135,406 square foot
6 four-story building on the Land
7 consisting of approximately 117
8 residential rental units (consisting
9 of grilling and pool areas and
10 garage parking on the Land for
11 approximately 196 vehicles (the
12 "Improvements"), and the acquisition
13 of certain fixtures, equipment and
14 personal property necessary for the
15 completion thereof (the "Equipment";
16 and together with the Land and the
17 Improvements, the "Facility"), which
18 Facility would be subleased by the
19 Agency to the Company and further
20 sub-subleased by the Company to
21 future tenants for use as a
22 transit-oriented market-rate rental
23 housing facility (the "Project").

24 The Agency contemplates that it
25 would provide financial assistance

1
2 to the Company in the form of
3 exemptions from mortgage recording
4 taxes in connection with the
5 financing or any subsequent
6 refinancing of th Facility,
7 exemptions from sales and use taxes
8 and abatement of real property
9 taxes.

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

1
2 www.tohida.org. The Agency is
3 considering the proposed deviation
4 from the Policy due to the current
5 nature of the property and because
6 the Company would not undertake the
7 Project and the Project would not be
8 economically viable without the
9 PILOT Benefit for the term of up to
10 twenty (20) years.

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

25 Members of the public have the

1
2 opportunity to review the
3 application for financial assistance
4 filed by the Company with the Agency
5 and an analysis of the costs and
6 benefits of the proposed Project,
7 which can be found at the Agency's
8 website at www.tohida.org.

9 To the extent practicable, the
10 Hearing will be streamed on the
11 Agency's website in real-time in
12 accordance with Section 857 of the
13 New York State General Municipal
14 Law. A video recording of the
15 Hearing will be posted on the
16 Agency's website, all in accordance
17 with Section 857 of the New York
18 State General Municipal Law.

19 The Agency anticipates that the
20 members of the Agency will consider
21 a resolution to approve the Project
22 and the financial assistance
23 requested by the Company, including
24 the proposed twenty (20) year PILOT
25 Benefit, at the Agency's Board

1 Meeting (the "Board Meeting") to be
2 held on November 19, 2024, at 9:00
3 a.m., local time, at Town of
4 Hempstead Town Hall, Town Hall
5 Courtroom, 350 Front Street,
6 Hempstead, New York 11550."
7

8 If anyone would like to speak,
9 please step up to the podium. Just
10 click the microphone on and state
11 where you're from for the
12 stenographer and you may speak.

13 MR. RANDAZZO: Good morning.
14 Vincent Randazzo, Superintendent of
15 Schools, Island Park.

16 Thank you for acknowledging
17 receipt of my letter that I ask to
18 officially be put in the record.
19 I'm also going to take a few moments
20 to highlight some points that I made
21 in that letter here today.

22 The proposed tax exemption and
23 20-year PILOT is proposed at a time
24 when the District is already
25 encountering financial and tax levy

1 pressures. The District is already
2 absorbing the significant assessment
3 impact of the LIPA E.F. Barrett
4 Power Plant tax certiorari
5 settlement. LIPA E.F. Barrett Power
6 Plant tax certiorari settlement set
7 forth a five-year glide path to
8 decrease valuation from 15.5 million
9 to 8.5 million in the '26-'27 school
10 year. Thereafter, value to remain
11 at 8.5 million as long as the power
12 plant generates 1 kilowatt of
13 electricity. On this glide path,
14 the District has experienced a
15 decrease of approximately 45.8
16 percent in class 3 utility assessed
17 value and a loss of total assessed
18 value class 1 through class 4 of
19 approximately 51.5 percent. Absent
20 offset through expenditure of
21 reserves and available fund balance
22 as well as LIPA funds and bullet aid
23 awarded to the District by the New
24 York State Senate, the total tax
25

1
2 increase would be approximately 47.8
3 percent on our residents. In the
4 face of a substantially diminished
5 assessment base, the Town of
6 Hempstead IDA is considering an
7 exemption for an additional taxable
8 property coupled with a 20-year
9 PILOT period. This will place
10 additional financial pressure and
11 tax rate issues upon the District
12 and its resident taxpayers. The
13 project should not obtain tax
14 abatement relief under the following
15 circumstances:

16 First, the creation of
17 market-rate housing through the
18 PILOT assistance is outside of the
19 Town of Hempstead IDA statutory
20 authority. This type of project is
21 not one specified within the purpose
22 of an industrial development agency.

23 Second, the assistance under
24 consideration by the Town of
25 Hempstead IDA substantially deviates

1
2 from its uniform tax exemption
3 policy, UTEP, which sets forth a
4 10-year standard on PILOT agreements
5 receiving assistance from the Town
6 of Hempstead IDA.

7 Third, if the Town of Hempstead
8 IDA determines to deviate from
9 policy and applicable law and award
10 PILOT benefits, these benefits must
11 be calibrated to address:

12 First, the tax impacts upon the
13 District and its residents.

14 Second, continued demands upon
15 limited school resources.

16 And third, the 10-year standard
17 to be observed by the Town of
18 Hempstead IDA under its UTEP.

19 The projected PILOT benefits
20 would not provide adequate relief to
21 the District. PILOT agreements
22 detrimentally impact the District's
23 tax levy in three principal ways:

24 PILOT arrangements,
25 specifically, an underlying tax

1 exemption, reduce overall taxable
2 rateables against which the
3 District's taxes can be levied,
4 shrinking the pie of taxable
5 assessments and shifting tax levy
6 burdens onto the owners of
7 non-exempt parcels and increasing
8 tax rates across the District.
9

10 In the District's annual tax
11 cap calculation, PILOT revenues
12 received by the District must be
13 subtracted which has the effect of
14 reducing the overall amount of taxes
15 the District can levy.

16 Third, the elimination of the
17 growth factor, which could otherwise
18 be added to an allowable levy when a
19 new development, is rendered tax
20 exempt.

21 Impact upon school resources
22 and resource demands:

23 The proposed PILOT benefits
24 will support a residential project
25 inevitably producing school resource

1
2 demands upon the District. These
3 impacts must be evaluated as part of
4 the State Environmental Quality
5 Review (SEQRA) evaluation of the
6 project. This process has yet to be
7 undertaken.

8 And I want to take a moment to
9 just give one example. When I was
10 here speaking against a PILOT that
11 the Town of Hempstead IDA awarded to
12 Avalon Bay, you know, at that time,
13 there was a certain number of
14 students that were projected to be
15 entering into the District. And one
16 of the things that I want to share
17 is that you can never factor in the
18 type of students that are going to
19 come into the District and whether
20 or not the District has the
21 resources and the ability to educate
22 that child. Currently, at Avalon
23 Bay, there is a student with special
24 needs that we cannot educate in our
25 schools who costs the District over

1
2 \$100,000 per year to educate, lives
3 in Avalon Bay, and that's exactly
4 what we're getting in a PILOT. So
5 the PILOT payment doesn't even cover
6 tuition for one student that we
7 can't educate in-district.

8 The economic impact of the
9 project and the proposed PILOT
10 benefits cannot and must not be
11 considered in a vacuum. Cost must
12 be considered but the impact of
13 additional budgetary pressures
14 arising from the project in the
15 context of the existing issues
16 created by the LIPA E.F. Barrett
17 Power Plant settlement and other
18 residential developments within the
19 District must also be considered.

20 In sum, I ask the Town of
21 Hempstead IDA to consider the
22 District's written submission and my
23 comments here today. Thank you.

24 MR. LODATO: Thank you.

25 MR. VOBIS: Good morning. My

1
2 name is Jack Vobis. I'm the
3 president of the Board of Education
4 in the Island Park Union Free School
5 District.

6 Thank you for hearing me this
7 morning, Mr. Parola. Sir, thank
8 you.

9 I did not prepare a statement.
10 I actually did a written statement
11 and read it into the record at the
12 previous application for this
13 applicant, Mr. Vitale, who owns the
14 property in question. He actually
15 is a veteran of the IDA hearings as
16 he previously received a similar
17 PILOT for part of his property after
18 super storm Sandy which,
19 incidentally, was 12 years ago
20 yesterday. And the difference
21 between that and this is that there
22 was legitimate damage done to that
23 property at that time. And in my
24 statement, I acknowledge Mr.
25 Vitale's contributions to the

1 community, basically at the
2 properties that are now in question,
3 because it had a catering hall which
4 he made available to community
5 organizations at a decreased cost.
6 However, it seems that there's a
7 little bit of a discrepancy that I
8 noted in the application and the
9 same was true previously. Here, as
10 I note, not only are we assisting in
11 the acquisition of an interest,
12 Mr. Vitale formed a company, okay,
13 Ocean Avenue Marina, Incorporated,
14 and that company will purchase the
15 land from Mr. Vitale, who owns the
16 land. So when the purpose in the
17 stated announcement, the Notice
18 letter, says "The proposed PILOT
19 will be amended for up to 10 to 20
20 years," and it deviates from the
21 agency's authority and the purpose
22 of that is so that Mr. Vitale can
23 build market-rate housing and due to
24 the current nature of the property
25

1
2 and because the company would not
3 undertake the project because it
4 would not be economically viable
5 without a PILOT. So that's saying
6 that Mr. Vitale can't afford to buy
7 the land from himself and needs 20
8 years of abatement in order to
9 recover those funds where he's
10 running a profitable company there
11 now. So basically, what the deal
12 is, that Mr. Vitale no longer wants
13 to work on that land for his money.
14 He wants to let the land work for
15 him and not pay any taxes on it
16 which is -- Just listen to what I
17 said. It's ridiculous.

18 I would like all of the members
19 of the Board that are considering
20 this application to think about
21 whether this is economically viable
22 for the taxpayers in Island Park.
23 Did anyone ever consider that? I'm
24 going to ask the Board, everyone
25 involved in making this decision and

1
2 those that were present when this
3 was voted unanimously, Florestano
4 Girardi, Thomas J. Grech, Dr. Eric
5 C. Mallette, Jack Makjut, Jill Ann
6 Mollitor, and those that were not
7 present, Robert Bedford and Jerry
8 Kornbluth, when this was first
9 presented back in July, I'm going to
10 ask them to sit down and consider
11 Mr. Vitale's application but
12 consider the plight of the taxpayer
13 and the children in Island Park. As
14 Mr. Randazzo just said, we're facing
15 economic situations far greater than
16 this PILOT but this PILOT will just
17 push us down deeper in trying to dig
18 us out of a hole that was created
19 through the whole LIPA situation.
20 So I'm just imploring the Board,
21 okay, by me, to consider the
22 economic plight and whether it's
23 viable for the citizens of Island
24 Park. I understand this Board
25 considers benefits that are given to

1 communities for projects such as
2 this but there is no -- There's no
3 jobs to be had here. Once this is
4 over, once the construction is done,
5 you have a few people working
6 onsite. You have a maintenance
7 crew. You might have a
8 Superintendent. That's it. It's
9 not going to be a business where
10 you're employing people, where
11 you're selling things, where you're
12 paying sales tax. This money is
13 going directly into the owner's
14 pocket and no taxes are being paid.
15 So I'm just asking for the people in
16 Island Park on behalf of the School
17 Board in Island Park that be
18 considered and not just say, oh,
19 yeah, maybe that's a consideration
20 but you know what? We really need
21 to do this because this guy needs to
22 build this and make some
23 transit-oriented housing. But I'll
24 just remind you in your own notice,
25

1 "market-rate rental housing," so
2 this is not affordable housing.
3 This is not giving housing to
4 people. This is not a veteran
5 housing that is being built down the
6 block from this facility that will
7 also go from taxable property to
8 nontaxable property at the expense
9 of Island Park taxpayers. And as
10 Mr. Randazzo said, this is all about
11 educating children and being able to
12 afford that. We're already looking
13 at -- Taxpayers were shocked at
14 their last tax bill because this
15 LIPA settlement has started to kick
16 in and the money is just not
17 available anymore and we're looking
18 for ways to plug that gap and this
19 is just making the gap wider.
20

21 So thank you again for having
22 me and letting me make my statement.
23 And I will, again, in closing, just
24 implore the members of the Board to
25 actually sit down and consider the

1
2 plight of the taxpayer, not just the
3 plight of the applicant. Thank you.

4 MR. LODATO: Thank you.

5 MR. SCHURIN: Should I wait for
6 him to return?

7 MR. PAROLA: No. There's a
8 record.

9 MR. SCHURIN: Okay.

10 My name is Richard Schurin. I
11 live at 167 Jefferson Avenue, Island
12 Park, New York. I'm a resident and
13 homeowner within this District.

14 I brought with me my school tax
15 levy and I want to represent to the
16 Board that my school taxes went up
17 over 10 percent this year and
18 understanding the situation and the
19 School District, I expect it to go
20 up even more. Island Park is a
21 working-class District. We're not
22 talking about -- This is not Syosset
23 or Garden City or other places like
24 that. People here live paycheck to
25 paycheck, all right? We cannot

1
2 continue to absorb 10 percent
3 increases, yearly increases, in our
4 school taxes. It's not --

5 MR. PAROLA: What's the hard
6 number of that increase in taxes?

7 MR. SCHURIN: My taxes went
8 from 9,500 to \$11,000, okay? I have
9 it with me, if you would like to
10 take a look at it. And the value of
11 my house is approximately \$800,000,
12 okay? But this is typical. This is
13 what every homeowner in our small
14 district -- Our school is the
15 smallest school district on Long
16 Island. We have a budget of
17 approximately less than \$50,000,000.
18 Up until recently, approximately 45
19 percent of that budget was being
20 paid by the Barrett Power Plant,
21 LIPA. As you should know, there was
22 a decade-long process where they
23 challenged the assessment and Nassau
24 County entered into a settlement
25 with them and they decreased that by

1
2 at least 50 percent. So as a
3 result, we're approaching this
4 fiscal cliff that our Superintendent
5 spoke of. And for the Board to
6 consider this PILOT, as Mr. Vobis
7 indicated, you're just continually
8 compounding the difficulties on the
9 residents of Island Park.

10 And I just want to say, I'm
11 taken aback by the fact that there's
12 not a single Board member that
13 showed up for this public hearing.
14 The applicant's not here. It's a
15 disrespect to our community. It's a
16 continued disrespect to our
17 community, in my opinion.

18 I want to also give a little
19 bit of history of the site to the
20 extent that the applicant did not
21 indicate it in his application.
22 This site was originally a nightclub
23 called Channel 80, extremely
24 successful nightclub, okay? Mr.
25 Vitale owned it at that point,

1 right? He then converted it into
2 Bridgeview Catering Hall, extremely
3 successful catering hall, okay, from
4 which the Town and the School
5 District, throughout all these
6 years, you know, we received a tax
7 benefit as a result of these but we
8 also incurred the inconvenience. We
9 had a huge nightclub that we bore
10 the burden of having that in our
11 community. Then we had a catering
12 hall, okay, which is, for all
13 intents and purposes, seems to be
14 extremely profitable. And he also
15 owned Paddy McGees which was another
16 restaurant attached to that, right?
17 As Mr. Vobis indicated, he converted
18 that into a successful, extremely
19 successful, rental development. So
20 in my mind, he's already proven the
21 economic viability of this project.
22 From what I understand, the project
23 that he is proposing now is very
24 similar to the project that exists
25

1 right next to him -- right next to
2 it which has proven to be an
3 economic success. So I don't
4 believe that he needs a 20-year tax
5 abatement in order to have a
6 successful project. He's not
7 converting a contaminated property
8 to a new use. He's converting a
9 successful catering hall to a rental
10 development that's going to be
11 essentially identical to the rental
12 development that's right next door.
13

14 So what's the purpose of this
15 IDA? Is the purpose of this IDA to
16 gift developers who, for all intents
17 and purposes, haven't shown to this
18 Board a need? What you're doing is
19 you're transferring money from me, a
20 homeowner, to him, a successful,
21 experienced developer, okay? That's
22 what you're doing. And I've heard
23 before that you should measure the
24 taxes that are being paid now to
25 what the PILOT is. That's not

1 correct. You should measure the
2 taxes that we would receive when the
3 property is properly assessed as a
4 rental development through the
5 PILOT, whatever extreme discount
6 you're offering him. So he should,
7 I believe -- and I believe he will.
8 I know Mr. Vitale. I believe he
9 will develop that property without
10 the PILOT. He will develop it. It
11 will be a successful rental
12 development and we ought to be able
13 to reap the benefits of that through
14 a proper assessment of that property
15 and the proper tax revenue that goes
16 to the School District which will
17 lesson my taxes or at least keep
18 them the way they should be. It's
19 an unfair burden that you're passing
20 on to us. That's not the purpose of
21 the IDA. I read your purpose, okay?
22 You are here to provide financial
23 assistance to developers in need,
24 not to provide financial assistance
25

1
2 to every single applicant that comes
3 your way. You should take into
4 account the complete circumstances
5 of this situation.

6 And just to review, I just want
7 to say, you have a community that's
8 struggling. We're struggling from a
9 situation with the Barrett Power
10 Plant settlement, okay? Our taxes
11 are going up 10 percent a year as a
12 result of that, okay? You have a
13 successful developer in our
14 community, very successful. He's
15 proposing essentially an identical
16 development to what's next door,
17 okay? We ought to benefit from
18 that, from the proper assessed value
19 of that project. He ought not
20 receive a 20-year tax abatement
21 which is ten years even beyond what
22 you're statutorily permitted to do,
23 is my understanding. You are there
24 for the entire community, not just
25 the developers. So I ask you,

1
2 please, please, don't make our
3 situation worse. Don't make it so
4 we're all going to have to move. It
5 literally is coming to that. We go
6 to School Board meetings. We're
7 cutting programs. We're working on
8 contingency plans for the next
9 couple of years. Tell this
10 developer, Mr. Vitale, that he's
11 been a member of our community for
12 20 -- more than 20 years, 30 years,
13 I think. He's had successful
14 businesses in our community. He can
15 give back to our community here. He
16 doesn't need this 20-year tax
17 abatement. He can find -- If he
18 wants to finance it, he can show his
19 project right next door as an
20 example of the success. He doesn't
21 need this. So please do not give
22 this to him. Thank you.

23 MR. LODATO: Thank you.

24 MR. CARAMBIA: Good morning.

25 My name is Salvatore Carambia. I'm

1
2 the business administrator at Island
3 Park Schools.

4 And not to reiterate what my
5 members have said from our
6 community, Board member and Mr.
7 Randazzo, our Superintendent of
8 Schools, but as everyone knows in
9 this room, school districts are
10 required to submit a tax cap. We,
11 in the past, since I've been at the
12 District and previously, have not
13 exceeded that cap. In fact, we've
14 been below the cap and at worse,
15 we've met the cap. Once again, as
16 previously stated, this is putting a
17 major burden on our homeowners and
18 the School District. Health
19 insurance, other contractual
20 agreements that we are tied to, are
21 forcing us to find other ways to
22 provide the proper education for our
23 students and to stay within the cap.
24 We are applying our reserves on a
25 yearly basis; thus, you know,

1
2 hurting the financial stability of
3 the District going forward. And,
4 once again, a PILOT for the amount
5 of time that they're proposing is
6 very detrimental to the District. I
7 have received phone calls from our
8 taxpayers. They no longer can
9 afford to live at Island Park. I
10 have seniors calling me saying, Sal,
11 can I set up a payment plan? I
12 can't make those tax payments and I
13 don't know what to tell them. You
14 know, these are people who love
15 Island Park, have lived in Island
16 Park for a long time and now, we're
17 hurting them even more. Avalon Bay,
18 Mr. Randazzo and I walked past it
19 yesterday afternoon after our lunch
20 and the place looks empty. I don't
21 know the numbers but I would bet you
22 that that place isn't nearly half
23 full in terms of people renting that
24 property. In addition, this new
25 facility, what are the rents going

1
2 to be, 3, \$4,000? And as we all
3 know, no one can buy a house these
4 days. Interest rates are crazy and
5 who can afford rents to that extent?
6 This is really going to be, again,
7 in addition to the LIPA settlement
8 that has hurt us tremendously,
9 speaking plainly, this is going to
10 be another shot at Island Park that
11 is going to drive our residents
12 crazy. And it's not right. It's
13 not fair and it's just purely
14 something that needs to be
15 addressed. We have these meetings.
16 Once again, IDA held these previous
17 meetings and they're pushed through.
18 And the way it looks like here
19 today, the two of you here, and I
20 thank you, but this looks like a
21 fait accompli and we hope that's not
22 the case. Thank you very much for
23 listening to me. Have a great day.

24 MR. SMITH: Good morning. My
25 name is Ian Smith. I am the

1
2 assistant library director at the
3 Island Park Public Library.

4 On behalf of the library, I
5 would like to echo the School
6 District's statements and the
7 statements from the Island Park
8 Civic Association. Our taxpayers
9 have already been significantly
10 affected by the Barrett Power Plant
11 settlement and they will face even
12 greater burdens when the tax levy
13 shifts onto them to compensate for
14 the reduced funds resulting from the
15 property exemptions and the extended
16 20-year PILOT period. The proposed
17 tax exemption and 20-year PILOT will
18 affect the community as it adapts to
19 the E.F. Barrett plant reduced
20 assessment. The library is already
21 experiencing financial strain from
22 the reassessment at a time where our
23 children's program are needed more
24 than ever and the proposed tax
25 exemptions and extended PILOT period

1
2 will further increase this pressure.
3 If a PILOT is established for the
4 Ocean Avenue Marina project, we
5 request that the library be
6 explicitly named as one of the
7 recipients. Thank you for your
8 time.

9 MR. SCHURIN: I neglected to
10 mention in my previous comments that
11 I'm also a member of the Island Park
12 Civic Association and I represent
13 that association in this hearing.
14 Thank you.

15 MR. LODATO: And your name?

16 MR. SCHURIN: Richard Schurin.

17 MR. LODATO: Gentleman, you had
18 handed up, I thought it was three
19 letters but I'm seeing two.

20 Was there just two letters from
21 everyone here today? I have
22 Mr. Randazzo and the public library.
23 That was it?

24 MR. RANDAZZO: Yes.

25 MR. LODATO: Okay.

1
2 We're going to keep this open a
3 couple more minutes and see if
4 anyone shows up. And then, we'll
5 probably end the meeting.

6 I don't see anyone else that
7 would like to get up to speak.
8 We've been here for half an hour
9 now. We're going to close this
10 public hearing at 10:30 on October
11 30th, sine die. Thank you very much
12 everyone for attending and giving
13 your comments.

14 (Time noted: 10:30 a.m.)
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CERTIFICATION

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

THAT the within transcript is a true record
of my stenographic notes.

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 10th day of November, 2024.


CHRISTINA SCHMIDT

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Island Park Public Library

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October 30, 2024

Town of Hempstead Industrial Development Agency
Frederick Parola, Chief Executive Officer
350 Front Street
Room 234-A
Hempstead, NY 11550
VIA HAND DELIVERY

Re: Ocean Avenue Marina, Inc.
Proposed Project No. 2802-21-14A

Dear Members of the Town of Hempstead IDA:

I am writing on behalf of the Board of Trustees of the Island Park Public Library regarding the above-captioned project.

The taxpayers of Island Park are currently in the process of absorbing the assessment impact of the Nassau County tax certiorari settlement with LIPA regarding the E.F. Barrett Power Plant. Both the school district and public library have experienced a diminished assessment base due to this settlement. Our taxpayers have been heavily impacted by the settlement and will be further impacted when the tax levy burden is shifted onto them to make up for the diminished funds caused by the exemptions for the property in question in conjunction with a long, 20-year, PILOT period.

PILOTs also impact the Library in that annual PILOT revenues received by the Library must be subtracted in our tax cap calculation, reducing the amount that the Library is permitted to levy.

The proposed tax exemption and 20-year PILOT will impact the community at a time when it is adjusting to the reduced assessment of the E.F. Barrett plant. The Library has suffered financial pressures due to the reassessment and the tax exemptions and long PILOT period proposed for the project will add to the pressure.

Further, the Library has seen recent market rate housing projects in Island Park create additional demand for enhanced programming, particularly for children. Additional sections of popular children's programs have been added to meet this demand for enrichment. The Library's resources

M. Frederick Parola
2024

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October 30,

will be strained further if full taxes are not being collected for all of the taxable properties in our district.

Should the PILOT payment plan move forward on this project, we are requesting that the Library's portion be clearly broken out on the PILOT schedule. Without a specific amount listed, the school district is unable to forward our proportionate share to us because they are not certain what our share is. This is very important to the Library as we do not currently receive our share of any Town of Hempstead PILOTs. We only receive our share of Nassau County PILOTs where the Library's share is clearly indicated on an invoice. Our budget is very small and we need every dollar we are entitled to.

We thank you for your time and hope that our comments will be taken into consideration as plans for the project move forward.

Sincerely,



Jessica Koenig
Library Director

Island Park Public Library Board of Trustees

Island Park Schools

99 RADCLIFFE ROAD
ISLAND PARK, NEW YORK 11558



PHONE (516) 434-2600
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VINCENT RANDAZZO
SUPERINTENDENT OF SCHOOLS

October 30, 2024

VIA HAND DELIVERY AND EMAIL [idamail@hempsteadny.gov]

Town of Hempstead Industrial Development Agency
Frederick E. Parola, Chief Executive Officer
350 Front Street
Room 234-A
Hempstead, New York 11550

Re: Ocean Avenue Marina, Inc.
Proposed Project No. 2802-21-14A
Town of Hempstead Industrial Development Agency

Dear Mr. Parola and Members of the Town of Hempstead IDA:

I write, on behalf of the Island Park Union Free School District (the "District"), concerning the above-referenced Project, for which financial assistance is sought from the Town of Hempstead Industrial Development Agency ("TOHIDA"). This financial assistance includes a twenty (20) year abatement of real property taxes in the form of a tax exemption and accompanying Payment in Lieu of Taxes ("PILOT") Agreement.

At the outset, the District objects to TOHIDA's consideration of PILOT relief for this Project, which entails the construction and operation of a rental housing complex. The creation of market-rate housing through PILOT assistance is outside of TOHIDA's statutory authority.

TOHIDA is established under §905 of the New York General Municipal Law ("GML"), which delineates the powers and purposes that may be served by the agency. In this regard, GML §905 provides TOHIDA "shall have the powers and duties now or hereafter conferred by title one of article eighteen-A of this chapter upon industrial development agencies . . ." These, in turn, are specified in §858 of the GML, which prescribes the purposes of an industrial development agency, such as TOHIDA, as follows: "to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing industrial, manufacturing, warehousing, commercial, research, renewable energy and recreation facilities including industrial pollution control facilities, educational or cultural facilities, railroad facilities, horse racing facilities, automobile racing facilities, renewable energy projects and continuing care retirement communities . . ." Significantly, the construction and operation of market rate rental housing does *not* fall

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Frederick E. Parola, Chief Executive Officer
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within any of these purposes. Consequently, the District maintains the Project is ineligible for TOHIDA assistance.

Moreover, TOHIDA is considering PILOT assistance that substantially deviates from its Uniform Tax Exemption Policy (“UTEF”). As acknowledged by TOHIDA, these tax exemption standards will be waived as the proposed PILOT benefits will extend over twenty (20) years, rather than the ten (10) year period specified in its UTEF. Although this UTEF provides for a policy deviation, the proposed 20-year PILOT period is double the length of TOHIDA’s 10-year standard. The District further asserts this deviation fails to account for factors to be considered in the event PILOT relief departs from this 10-year period.

Indeed, TOHIDA is to consider, when weighing whether to countenance such a deviation, “[t]he economic impact of the project and the proposed tax exemptions on affected tax jurisdictions.” TOHIDA UTEF, p. 4. In this instance, the proposed PILOT relief will detrimentally impact the District, which is already absorbing the significant assessment impact of the LIPA—E.F. Barrett Power Plant tax certiorari settlement. The District has experienced a decrease of approximately 45.8% in Class III utility assessed value and a loss of total assessed value (Class I through IV) of approximately 51.5%. Absent offsets through expenditure of reserves and available fund balance, as well as LIPA funds and “bullet aid” from New York State, the total tax increase would be approximately 47.8%. Yet, in the face of a substantially diminished assessment base, TOHIDA is considering an exemption for an additional taxable property, coupled with a 20-year PILOT period.

Furthermore, these proposed PILOT benefits will support a residential project inevitably producing school resource demands upon the District. These impacts must be evaluated as part of the State Environmental Quality Review (“SEQRA”) evaluation of the Project, and this process has yet to be undertaken. A genuine analysis of the economic impact of the Project and the proposed PILOT benefits must consider the overall financial burdens borne by the District, including the potential diminution of New York State education funding and its effect upon school resources. This examination should focus not only on cost, but on the impact additional budgetary pressures arising from the Project (in the context of the exigencies created by the LIPA—E.F. Barrett Power Plant settlement and other residential developments within the District).

The projected PILOT payments do not provide adequate relief to the District. Although PILOT agreements generate revenues, they nonetheless have negative tax levy consequences. PILOT agreements detrimentally impact the District’s tax levy in three principal ways.

Town of Hempstead Industrial Development Agency
Frederick E. Parola, Chief Executive Officer
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First, PILOT arrangements (specifically, an underlying tax exemption) reduce overall tax rateables against which the District's taxes can be levied. This is the consequence of rendering otherwise taxable property exempt. Thus, while a PILOT agreement may produce revenue for affected taxing jurisdictions, the underlying exemption "shrinks the pie" of taxable assessments, shifts tax levy burdens onto the owners of non-exempt parcels and increases tax rates.

Second, with this exemption, taxing jurisdictions (like the District) lose the ability to include a "growth factor" reflecting the "quantity change" in taxable property values as part of their tax cap computations. This factor is based upon physical changes to taxable property – such as new development – that can be added to an allowable levy in the first year after the value of the change is reflected on an assessment roll. This growth factor is eliminated when new development is rendered tax exempt.

Third, under the tax cap formula, annual PILOT revenues received by the District must be subtracted from its tax cap calculation. This has the effect of reducing the overall amount of taxes the District may levy.

In sum, the proposed tax exemption and 20-year PILOT is proposed at a time when the District is already encountering financial and tax levy pressures. The Project should not obtain tax abatement relief under these circumstances. At a minimum, the PILOT benefits should be calibrated to address the tax impacts upon the District and its residents, continued demands upon limited school resources, and align with the 10-year standard to be observed by TOHIDA under its UTEP.

I appreciate TOHIDA's consideration of these comments.

Respectfully submitted,



Vincent Randazzo
Superintendent of Schools

cc: Island Park U.F.S.D. Board of Education