

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

-----X  
NASSAU COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
PUBLIC HEARING  
THE CARLYLE BUILDING LLC  
-----X

Farmingdale Village Hall  
361 Main Street  
Farmingdale, NY

February 15, 2017  
11:00 a.m.

B E F O R E : HON. JOSEPH J. KEARNEY,  
Hearing Officer

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

For the IDA PHILLIPS LYTLE, LLP  
Bond Counsel  
340 Madison Avenue  
17th Floor  
New York, New York 10173  
BY: PAUL O'BRIEN, ESQ.

Rich Moffett Court Reporting, Inc.  
114 Old Country Road, Suite 630  
Mineola, New York 11501  
(516) 280-4664

1  
2 HEARING OFFICER: Good morning.  
3 My name is Joseph J. Kearney. I am the  
4 Executive Director and duly authorized  
5 hearing officer of the Nassau County  
6 Industrial Development Agency, and I  
7 have been authorized to hold a public  
8 hearing today, February 15, 2017. The  
9 time is now 11:01. We are at Village  
10 Hall, 361 Main Street, in the  
11 Incorporated Village of Farmingdale,  
12 Town of Oyster Bay, Nassau County, New  
13 York.

14 This is a public hearing  
15 pursuant to section 859-a of the New  
16 York General Municipal Law, as amended.  
17 The Agency has received an application  
18 for financial assistance in connection  
19 with the following matter:

20 The Carlyle Building LLC, a  
21 limited liability company organized and  
22 existing under the laws of the State of  
23 New York, has presented an application  
24 for financial assistance to the Agency.  
25 The application requests that the

1  
2 Agency consider undertaking a project  
3 consisting of the following:

4 (A) (1) the acquisition of an  
5 interest in an approximately .79 acre  
6 parcel of land located at 776-780  
7 Fulton Street, in the Incorporated  
8 Village of Farmingdale, the Town of  
9 Oyster Bay, in the County of Nassau,  
10 State of New York. More particularly,  
11 Section 49, Block 166, Lots 56 to 57.

12 (2) the demolition of the  
13 existing structures on the Land,

14 (3) the construction of an  
15 approximately 50,497 square foot  
16 building on the Land together with  
17 parking and other related improvements  
18 to the Land,

19 (4) the acquisition of certain  
20 furniture, fixtures, machinery, and  
21 equipment necessary for the completion  
22 thereof, all of the foregoing for use  
23 by the Applicant as a residential  
24 rental facility consisting of  
25 approximately 24 residential rental

1  
2 units which shall constitute Housing  
3 for Older Persons. That is, intended  
4 and operated for occupancy by persons  
5 55 years of age or older in accordance  
6 with the Fair Housing Act, of which two  
7 units shall be affordable housing  
8 units.

9 (B) the granting of certain  
10 financial assistance, within the  
11 meaning of Section 854(14) of the  
12 General Municipal Law, with respect to  
13 the foregoing.

14 (C) the lease, license, or  
15 sale of the Project Facility to the  
16 Applicant or such other entity as may  
17 be designated by the Applicant and  
18 agreed upon by the Agency.

19 The Project Facility would be  
20 initially owned, operated, and/or  
21 managed by the Applicant or such other  
22 entity as may be designated by the  
23 Applicant and agreed upon by the  
24 Agency.

25 The Company would receive

1  
2 financial assistance from the Agency in  
3 the form of potential exemptions or  
4 partial exemptions from real property  
5 taxes, mortgage recording taxes, and  
6 sales and use taxes.

7 Notice of this public hearing  
8 was published in Newsday in the Nassau  
9 edition, on January 27, 2017, and  
10 provided to the Chief Executive Officer  
11 of each county, city, town, village,  
12 school district, and other affected tax  
13 jurisdiction within which the Project  
14 Facility is or will be located by  
15 letter dated January 27, 2017.

16 The purpose of this hearing is  
17 to provide an opportunity to all  
18 interested parties to present their  
19 views, both orally and in writing, with  
20 respect to the Project.

21 I note that there are folks in  
22 the audience. Is there anyone wishing  
23 to be heard with respect to this  
24 Project?

25 Could you please give your name

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

and address?

MR. GOSLINE: Chuck Gosline, 33  
Waverly Place, Farmingdale.

My first question is: The IDA  
has given tax abatements to a number of  
residential developments over the past  
two years or so. So, I'm a little  
critical of apartments and developers  
getting these huge tax breaks;  
certainly a property over there on  
Fulton Street. You know, my concern is  
55 and over. It's been billed for a  
long time -- I notice you didn't say  
"luxury" -- but it has been billed as  
luxury apartments for senior citizens.

So, I take exception to Nassau  
County and the taxpayers funding a  
developer that's going to build luxury  
apartments in the community. It's just  
continuing to pass more and more of a  
tax burden on to the residents.

And thanks to Newsday a couple  
weeks ago, that huge article on the  
county reassessment boondoggle and how

1  
2 much peoples' taxes have been shifted,  
3 those who grieve go down; those who  
4 don't grieve sit around and their taxes  
5 go up.

6 My taxes have gone up 30 percent.  
7 I just filed my own grieving last week.  
8 I don't think we should have do that,  
9 but I take exception to the Nassau  
10 County IDA continuing to give tax  
11 breaks to storage facilities, fitness  
12 centers, the Green Acres Mall. I know  
13 you guys -- it was the Hempstead IDA --  
14 still, the poor taxpayer, the  
15 middle-class, Long Island person that  
16 has stuck around here just continues to  
17 get squished. It drives me crazy.

18 I don't even understand; does  
19 Nassau County really have a  
20 jurisdiction in residential tax breaks  
21 in the Village? So, I don't understand  
22 that.

23 MR. KEARNEY: Okay. Thank you,  
24 sir. Anyone else?

25 MR. CAPOBIANCO: Yes.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. KEARNEY: Your name please.

MR. CAPOBIANCO: My name is John Capobianco, 50 Van Cott Avenue. I'm here on behalf of the Farmingdale School District. We did indeed receive your notification about today's meeting.

My question for you is: What is the current assessed valuation of the properties? What is the anticipated assessed valuation after completion of construction? What is the abatement schedule? Because that was not published anywhere. Will the Carlyle Building Group be permitted to grieve their assessment once the Project is up and running? Will they be allowed to reset their abatements after the PILOT schedule is complete?

If you need these questions in writing, I will submit them to you. Give me your e-mail address.

The School District's primary concern, as you're no doubt aware, is



1  
2 that the tax levy calculation requires  
3 PILOT to be part of the equation. And  
4 we need to know if that property is  
5 going to go below the current amount  
6 that it is paying in taxes, and how  
7 that is going to affect the residents.

8 Additionally, your application  
9 says the Project should not be  
10 demolished, yet it has been demolished.  
11 So, as of the documents on your  
12 website, that Project should not have  
13 been started, yet the buildings are  
14 gone. So, I need to know, are you  
15 going to go assessed value, dirt value,  
16 built value? What's your schedule  
17 going to be?

18 MR. KEARNEY: Thank you.

19 Mr. O'Brien -- after this hearing is  
20 over, sir -- Mr. O'Brien, one of our  
21 counsel, will be happy to give you the  
22 answers, to the extent he can -- will  
23 give you the answers to those  
24 questions.

25 MR. O'BRIEN: Or direct you how

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

to get the answers.

MR. CAPOBIANCO: Okay. I have other questions that someone else is supposed to be asking, but if she's not here, I'll take on those questions.

MR. KEARNEY: Anyone else wish to be heard?

(no response)

MR. KEARNEY: Alright.

MR. CAPOBIANCO: According to your application, this Project is going to create two jobs with an approximate payroll of \$20,000 per person? My understanding is that the Industrial Development Agency is supposed to be creating decent paying jobs. Two part-time jobs is not decent paying, and I don't know how you can justify the residents of Farmingdale -- and the rest of Nassau County for that matter -- subsidizing apartments when you're not creating significant employment. Especially, significant employment with decent wages.

1  
2                   Next, Section 854 of the  
3 Municipal Law that created the IDA says  
4 that a residential property 55 and over  
5 has to have a not-for-profit  
6 corporation providing some sort of  
7 assisted living. This Project does not  
8 seem to comport with that section of  
9 the Municipal Law. So, I have some  
10 questions about that.

11                   MR. KEARNEY: Okay, thank you.  
12 Anyone else?

13                   (no response)

14                   That being said, I note that it's  
15 11:11. The record will remain open for  
16 comments up and until the date the  
17 board acts on this application, if at  
18 all.

19                   Therefore, I want to thank you  
20 all for coming and for your comments.

21                   MR. GOSLINE: Is there any  
22 recognition of how many members are  
23 here from Nassau IDA?

24                   MR. KEARNEY: Just the folks who  
25 speak. I'm here.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. GOSLINE: You're the only representative?

MR. KEARNEY: Outside counsel and one of my staff.

MR. GOSLINE: That doesn't go on the record, who's here?

MR. KEARNEY: No. There's no need for it. If you want to, we have a Newsday reporter here and some other folks in the audience.

That being said, the hearing is now closed.

\* \* \*