



NASSAU COUNTY INDUSTRIAL DEVELOPMENT AGENCY
1 WEST STREET
4TH FLOOR
MINEOLA, NY 11501
TELEPHONE (516) 571-1945 FAX (516) 571-1076
www.nassauida.org

November 30, 2020

CERTIFIED MAIL, RETURN
RECEIPT REQUESTED and
FIRST CLASS MAIL

County Executive Laura Curran
County of Nassau
1550 Franklin Avenue
Mineola, NY 11501

Supervisor Donald X. Clavin, Jr.
Town of Hempstead
1 Washington Street
Hempstead NY 11550

Superintendent Dr. Kenneth A. Card
East Meadow School District
718 The Plain Road
Westbury NY 11590

NOTICE OF PROPOSED DEVIATION FROM
UNIFORM TAX EXEMPTION POLICY

Ladies and Gentlemen:

Notice is hereby given that at a meeting of the Nassau County Industrial Development Agency (the "Agency") to be held on December 16, 2020 at 6:45 p.m. local time to be conducted electronically, as hereinafter described, the Agency will consider whether to approve the application of the Applicant (as defined below), for certain "financial assistance" which, if granted,

would deviate from the Agency's Uniform Tax Exemption Policy (the "Policy") with respect to the payment of real property taxes. The meeting of the Agency will be open to the public.

In accordance with Section 859-a of the General Municipal Law, a representative of the Agency will present a copy of the Company's project Application, which is also available for viewing on the Agency's website at <https://nassauida.org/incentive-documents/>. However, given the ongoing COVID-19 public health crisis and related Executive Orders issued by Governor Andrew M. Cuomo, the Agency will not be able to accommodate any in-person public attendance or participation at this meeting. Nonetheless, and in furtherance of the provisions of Section 859-a of the General Municipal Law requiring interested parties be provided a reasonable opportunity, both orally and in writing, to present their views with respect to the Project, and pursuant to Governor Cuomo's Executive Order 202.15 issued on April 9, 2020, as extended by Executive Order 202.29 issued on May 8, 2020, Executive Order 202.39, issued on June 7, 2020, and Executive Order 202.55, issued on August 6, 2020, Executive Order 202.60, issued on September 4, 2020, Executive Order 202.67, issued on October 5, 2020, and Executive Order 202.72, issued on November 3, 2020, suspending the Open Meetings Law and authorizing the conduct of public meetings through use of telephone conference, video conference and/or other similar service, the Agency will broadcast the meeting live on its Youtube channel at <https://www.youtube.com/channel/UCuERg-5BYx9VSdBVHUPTYJw/featured>. In addition, the Agency will provide public access via Zoom. To register for Zoom, please visit our website at Nassauida.org. After registering, you will receive a confirmation email containing information about joining the webinar.

At the meeting of the Agency, the Agency will consider the application of MITCHEL FIELD SENIOR CITIZENS REDEVELOPMENT COMPANY LP, a limited partnership organized and existing under the laws of the State of New York, (the "Applicant"), pursuant to that certain Tax Exemption Agreement entered into on June 27, 1980, between the Agency and Company, obtained a forty (40) years tax exemption following the initial closing of the mortgage loan used to finance the construction of a 93,884.68 square foot building used for affordable housing for disabled individuals and low-income seniors aged 62 and over (the "Mitchel Houses") located at 1485 Front Street, East Meadow, Town of Hempstead, Nassau County, New York (Section 50, Block 601, Lot 8) (the "Land"), which the tax exemption is scheduled to expire no earlier than December 31, 2020.

Mitchel Houses is presently operated as a senior citizen and supportive housing community consisting of 126 apartment units, of which 125 units are "affordable," and 1 unit is a non-revenue generating superintendent apartment, with the community comprised of (94) 1-bedroom units for persons 62 and older, (20) 2- and 3-bedroom units for families where the head of the household is disabled, and (11) 1-bedroom units for disabled individuals, all operated under a HUD Housing Assistance Payments ("HAP") Contract to ensure affordability to its residents.

The Project Facility would be initially owned, operated and/or managed by the Applicant or such other entity as may be designated by the Applicant and agreed upon by the Agency (the Applicant or such other entity, collectively, the “Company”).

Applicant presented an application for financial assistance (the “Application”) to the Agency, which Application requests that the Agency consider undertaking a project (the “Project”) consisting of the following: (A)(1) the retention of an interest in the Land, (2) the renovation of the Mitchel Houses (the “Building”) on the Land, together with related improvements to the Land, including surface parking spaces, (3) the acquisition of certain furniture, fixtures, machinery and equipment (the “Equipment”) necessary for the completion thereof (collectively, the “Project Facility”), all of the foregoing for the continued use by the Applicant as an affordable housing for disabled individuals and low-income seniors aged 62 and over; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the General Municipal Law) with respect to the foregoing in the form of potential exemptions or partial exemptions from real property taxes and sales and/or use taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase), license or sale of the Project Facility to the Applicant or such other entity as may be designated by the Applicant and agreed upon by the Agency.

The Application states that the Applicant is seeking an abatement of real property taxes. However, based upon preliminary negotiations between representatives of the Applicant and the Agency, the parties contemplate that the Agency may agree to grant an approximately thirty-five (35) year real property tax exemption (the “Property Tax Exemption”) with respect to the Project Facility as follows: payments shall be equal to ten percent (10%) of the “annual effective gross income” of the Project Facility as of the closing date of the Project transaction (the “Base Year PILOT Amount”), as determined by the Agency, which Base Year PILOT Amount would be subject to annual increases of 2.5% per year (compounded) each fiscal tax year after the first year of the PILOT term.

Thereafter, and through the end of the term of the lease or installment sale agreement with respect to the Project Facility, the payments would be equal to the real property taxes and assessments that would be payable as if such Project Facility were returned to the tax rolls as taxable property and subject to taxation at its then current, full assessed value, as the same may be reassessed from time to time, and subject to tax rate increases imposed by the affected tax jurisdictions.

Each annual PILOT Payment with respect to the Project Facility shall be allocated among the affected tax jurisdictions in proportion to the amount of real property taxes that would have been received by each affected tax jurisdiction had the Project Facility not been tax exempt due to the status of the Agency.

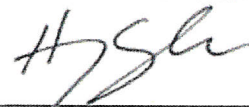
The Property Tax Exemption, if approved by the Agency, would constitute a deviation from the Policy.

The reasons for the deviation are that the Property Tax Exemption, if approved by the Agency, (a) is necessary to induce the Applicant to undertake the Project and to preserve the affordable nature of 125 units in the Project Facility for the term of the Property Tax Exemption. and (b) the PILOT payments would not be lower than the annual PILOT payment applicable to the Project Facility pursuant to the Tax Exemption Agreement dated as of June 27, 1980 entered into by the Applicant with respect to the Project Facility under Article V of the Private Housing Finance Law (the "Existing PILOT Agreement"), as if the Existing PILOT Agreement were in effect as of the closing date of the proposed transaction.

Sincerely,

NASSAU COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

By: _____



Harry Coghlan
Chief Executive Officer



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**NOTICE OF PUBLIC HEARING REGARDING A
PROPOSED PROJECT AND FINANCIAL ASSISTANCE**

Ladies and Gentlemen:

PLEASE NOTE the special hearing logistics and instructions included at the end of this notice.

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Section 859-a of the General Municipal Law, as amended, will be conducted electronically, as hereinafter described, by the Nassau County Industrial Development Agency (the "Agency") on the 15th day of December, 2020, at 3:30 p.m., local time, with respect to the following project:

MITCHEL FIELD SENIOR CITIZENS REDEVELOPMENT COMPANY LP, a limited partnership organized and existing under the laws of the State of New York, (the “Applicant”), pursuant to that certain Tax Exemption Agreement entered into on June 27, 1980, pursuant to the New York Private Housing Finance Law, obtained a forty (40) year tax exemption coupled with the obligation to make payments in lieu of taxes following the initial closing of the mortgage loan used to finance the construction of a 93,884.68 square foot building used for affordable housing for disabled individuals and low-income seniors aged 62 and over (the “Mitchel Houses”) located at 1485 Front Street, East Meadow, Town of Hempstead, Nassau County, New York (Section 50, Block 601, Lot 8) (the “Land”), which the tax exemption is scheduled to expire no earlier than December 31, 2020.

Mitchel Houses is presently operated a senior citizen and supportive housing community consisting of 126 apartment units, of which 125 units are “affordable,” and 1 unit is a non-revenue generating superintendent apartment, with the community comprised of (94) 1-bedroom units for persons 62 and older, (20) 2- and 3-bedroom units for families where the head of the household is disabled, and (11) 1-bedroom units for disabled individuals, all operated under a HUD Housing Assistance Payments (“HAP”) Contract to ensure affordability to its residents.

Applicant presented an application for financial assistance (the “Application”) to the Agency, which Application requests that the Agency consider undertaking a project (the “Project”) consisting of the following: (A)(1) the acquisition of a leasehold interest in the Land, (2) the renovation of Mitchel Houses (the “Building”) on the Land, together with related improvements to the Land, (3) the acquisition of certain furniture, fixtures, machinery and equipment (the “Equipment”) necessary for the completion thereof (collectively, the “Project Facility”), all of the foregoing for the continued use by the Applicant as an affordable housing for disabled individuals and low-income seniors aged 62 and over; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the General Municipal Law) with respect to the foregoing in the form of potential exemptions or partial exemptions from real property taxes and sales and/or use taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase), license or sale of the Project Facility to the Applicant or such other entity as may be designated by the Applicant and agreed upon by the Agency.

The Project Facility would be initially owned, operated and/or managed by the Applicant or such other entity as may be designated by the Applicant and agreed upon by the Agency (the Applicant or such other entity, collectively, the “Company”).

The Company would receive Financial Assistance from the Agency in the form of potential exemptions or partial exemptions from real property taxes, sales and use taxes and mortgage recording taxes.

PLEASE NOTE SPECIAL PUBLIC HEARING CONDUCT INSTRUCTIONS AND INFORMATION:

In accordance with Section 859-a of the General Municipal Law, a representative of the Agency will present a copy of the Company's project Application, which is also available for viewing on the Agency's website at <https://nassauida.org/incentive-documents/>. However, given the ongoing COVID-19 public health crisis and related Executive Orders issued by Governor Andrew M. Cuomo, the Agency will not be able to accommodate any in-person public attendance or participation at this hearing. Nonetheless, and in furtherance of the provisions of Section 859-a of the General Municipal Law requiring interested parties be provided a reasonable opportunity, both orally and in writing, to present their views with respect to the Project, and pursuant to Governor Cuomo's Executive Order 202.15 issued on April 9, 2020, as extended by Executive Order 202.29 issued on May 8, 2020, Executive Order 202.39, issued on June 7, 2020, and Executive Order 202.55, issued on August 6, 2020, Executive Order 202.60, issued on September 4, 2020, Executive Order 202.67, issued on October 5, 2020, and Executive Order 202.72, issued on November 3, 2020, suspending the Open Meetings Law and authorizing the conduct of public hearings through use of telephone conference, video conference and/or other similar service, the Agency will broadcast the Public Hearing live on its Youtube channel at <https://www.youtube.com/channel/UCuERg-5BYx9VSdBVHUPTYJw/featured>. In addition, the Agency will provide public access to provide oral comments via Zoom. To register for Zoom, please visit our website at Nassauida.org. After registering, you will receive a confirmation email containing information about joining the webinar.

Finally, the Agency also encourages all interested parties to submit written comments to the Agency, which will all be included within the public hearing record. Any written comments may be sent to Nassau County Industrial Development Agency, One West Street, 4th Floor, Mineola, New York 11501, Attn: Harry Coghlan, Chief Executive Officer/Executive Director and/or via email at info@nassauida.org.

NASSAU COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

By: Harry Coghlan
Chief Executive Officer