

PROPOSED RESOLUTION NO: 43 - 2021

A RESOLUTION to authorize the execution of a Tax Exemption Extension Agreement between the County of Nassau (the “County”) and Halandia Associates - Baldwin L.P. (“Halandia”).

WHEREAS, Halandia Associates - Baldwin, L.P., a redevelopment company organized pursuant to Article V of the New York Private Housing Finance Law (the “PHFL”) owns and operates the Halandia Shores Apartments, an affordable income senior community located at 2878 Grand Avenue, Baldwin, New York identified as Section 54, Block U, Lots 39 & 42 on the Nassau County Land and Tax Map (the “Premises”); and

WHEREAS, the Premises consists of 132 rental units leased exclusively to senior citizens aged 62 and older all of whom are recipients of governmental financial assistance, either in the form of rental subsidies under Section 8 of the Housing Act of 1937 or disability benefits; and

WHEREAS, Halandia and the County entered into a Tax Exemption Agreement dated December 5, 1980 (the “Tax Exemption Agreement”) in conjunction with the redevelopment of the Premises for the Halandia Shores Apartments as described herein. The Tax Exemption Agreement provided for an exemption from all County, Town and School District taxes, other than assessments for local improvements, of one hundred percent (100%) of the value of the Premises together with the improvements to be constructed thereon which represented an increase over the assessed valuation of the

Premises, both land and improvements, at the time of the conveyance of the Premises to Halandia and established an annual payment in lieu taxes (inclusive of all real estate taxes) of ninety-five thousand dollars (\$95,000.00) for each calendar year of the term of the agreement; and

WHEREAS, the Tax Exemption Agreement expired on December 31, 2020 and Halandia has determined that an extension of the Agreement pursuant to Article V, Section 125(1)(a-3) of the PHFL is necessary in order to maintain the Premises as an affordable senior citizen housing facility and to provide safe, clean and affordable housing for seniors in Nassau County; and

WHEREAS, Article V, Section 125(1)(a-3) of the New York Private Housing Finance Law provides that “the local legislative body of any municipality may grant an additional tax exemption period for any project.....that received a tax exemption under paragraph (a) of this subdivision, upon the expiration of the tax exemption period”, and further provides that “the additional tax exemption period may be for a term of forty years,.....”; and

WHEREAS, the County acts on behalf of itself, the Town, Special Districts and the School District in assessing real property for the purposes of taxation within the meaning of and in accordance with Section 125(c) and (d) of the PHFL.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF NASSAU AS FOLLOWS:

RESOLVED, that this Legislature hereby approves and the County Executive be and is hereby authorized to execute the Tax Exemption Extension Agreement on behalf of the County with Halandia, a copy of which shall be on file in the Office of the Clerk of the County Legislature of Nassau County, and it is further

RESOLVED, that the County Executive is hereby authorized to execute any and all ancillary documents and to take such other action as is necessary to carry out the purposes of the Tax Exemption Extension Agreement, and it is further

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the proposed action has been determined not to have a significant effect on the environment and that no further review is required, and be it further

RESOLVED, that this Resolution shall take effect immediately