

PROPOSED RESOLUTION NO: 243 - 2023

A RESOLUTION to authorize the execution of a Tax Exemption Extension Agreement between the County of Nassau (the “County”) and Sunnyside of Bethpage Redevelopment Company Owners Corporation, a mutual redevelopment company (“Sunnyside”).

WHEREAS, Sunnyside is a mutual redevelopment company organized pursuant to Article V of the New York Private Housing Finance Law (the “PHFL”). Sunnyside owns and operates a moderate income senior cooperative apartment development located at 223 - 201 Sunset Court, Bethpage, Town of Oyster Bay, New York identified as Section 46, Block 323, p/o Lot 17E on the Nassau County Land and Tax Map (the “Premises”); and

WHEREAS, the Premises consists of a 300 unit cooperative apartment complex and a community center owned by shareholders who are moderate income senior citizens aged 62 and older; and

WHEREAS, Sunnyside of Bethpage Redevelopment Company Owners Corp. I (“Sunnyside I”) and Sunnyside of Bethpage Redevelopment Company Owners Corp. II (“Sunnyside II”), predecessors-in-interest to Sunnyside, and the County entered into Tax Exemption Agreements that were both effective as of January 1, 1998 (the “Tax Exemption Agreements”) as an inducement for the construction and operation of the

Premises described herein. Pursuant to a Certificate of Consolidation executed on February 10, 2003 Sunnyslane I and Sunnyslane II consolidated to form Sunnyslane. The Tax Exemption Agreements provided for an exemption from all County, Town, Special District and School District taxes, other than assessments for local improvements, of one hundred percent (100%) of the value of the Premises, both land and improvements, which represents an increase over the assessed valuation of the Premises at the time of its acquisition by Sunnyslane, which assessed value remained constant for the term of the agreement; and

WHEREAS, the Tax Exemption Agreements expired on December 31, 2022 and Sunnyslane has determined that an extension of the Agreements pursuant to Article V, Section 125(1)(a) of the PHFL is necessary in order to maintain the Premises as an affordable senior citizen cooperative apartment facility and to provide safe, clean and affordable housing for seniors in Nassau County; and

WHEREAS, Article V, Section 125(1)(a) of the New York Private Housing Finance Law provides that “the local legislative body of any municipality in which a project of such company is or is to be located..... may contract with such mutual redevelopment company to extend such tax exemption for not more than twenty-five additional years.....etc.”; 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 Sunnyside, 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