

VanBRUNT, JUZWIAK & RUSSO, P.C.

ATTORNEYS AT LAW
140 MAIN STREET
SAYVILLE, NEW YORK 11782
(631) 589-5000
FAX: (631) 589-5003

ERIC J. RUSSO

RITA BUCKLEY
Paralegal

JEFFREY M. JUZWIAK
Retired
RICHARD H. VanBRUNT
1927 - 2006

June 11, 2020

RECEIVED

JUN 15 2020

TOWN OF BROOKHAVEN
ECONOMIC DEVELOPMENT

Via Email and Regular Mail

Ms. Lisa M.G. Mulligan, Executive Director
Brookhaven Town Industrial Development Agency
One Independence Hill
Farmingdale, New York 11738

Re: Applicant: The Vistas of Port Jefferson LLC
Application: Brookhaven Town IDA / PILOT
SCTM #: 0200-229.00-01.00-002.016
Premises: 588 Bicycle Path, Port Jefferson Station, New York

Dear Ms. Mulligan:

As we discussed, our client, The Benjamin Companies, whose project, The Vistas of Port Jefferson LLC, received Brookhaven Town IDA benefits for mortgage tax, PILOT and sales and use tax in July 2018, seeks to modify its PILOT Agreement commencement date from tax year 2022/2023 to 2020/2021. The PILOT Schedule is attached for your review and reference.

The initial PILOT tax period was deferred as our client did not anticipate completion of necessary project construction until approximately February 2022. However, as is evidenced by the Log of Brookhaven Town Building Permits and the Log of Brookhaven Town Certificates of Occupancy enclosed herewith, our client was successful in completing its construction and securing occupancy of residents in this townhouse project earlier than was anticipated.

Thus, we respectfully request that the Brookhaven Town IDA Board review and consider at its next meeting on June 17, 2020 our client's request to proceed with an earlier commencement date of its Brookhaven Town IDA PILOT then previously approved for the current tax year, 2020/2021. This request is needed as the Brookhaven Town Assessor changed the assessed value for the project from 14,445 to 320,000 as of June 1, 2020. Please see the Notice of Tentative Assessment Change enclosed herewith.

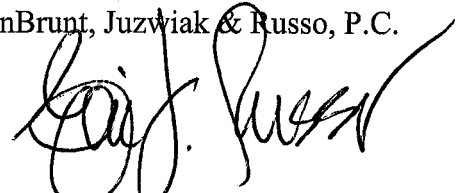
In discussions with our client, the Office of the Brookhaven Town Assessor and our client's certiorari counsel, Donald Leistman, Esq., a tax grievance has been filed with the Town and a negotiated settlement is anticipated should an approval be received by the Brookhaven Town IDA for this PILOT amendment request.

Page Two
Ms. Lisa M.G. Mulligan
June 11, 2020

If you should require any additional documentation or information, please do not hesitate to contact our office. Thank you for your consideration.

Very truly yours,

VanBrunt, Juzwiak & Russo, P.C.

A handwritten signature in black ink, appearing to read "Eric J. Russo". The signature is fluid and cursive, with a large initial "E" and "R".

Eric J. Russo, Esq.

EJR/tml
Encs.

cc: Mr. Howard Gross, Esq., Weinberg, Gross & Pergament
Ms. Annette Eaderesto, Brookhaven Town Attorney
Mr. Russell Mohr, The Benjamin Companies
Ms. Meredith Black, Esq., The Benjamin Companies

EXHIBIT C

PILOT Schedule

<u>Tax Year</u>	<u>PILOT Amount</u>
2022/2023	\$51,928.00
2023/2024	\$52,967.00
2024/2025	\$54,026.00
2025/2026	\$89,906.00
2026/2027	\$190,423.00
2027/2028	\$315,453.00
2028/2029	\$471,910.00
2029/2030	\$655,730.00
2030/2031	\$854,564.00
2031/2032	\$1,055,557.00
2032/2033	\$1,252,293.00
2033/2034	\$1,445,900.00
2034/2035	\$1,516,043.00

Thereafter, 100% of all taxes and assessments, including special ad valorem levies, special assessments and service charges against real property located in the Town of Brookhaven (including any existing incorporated village or any village which may be incorporated after the date hereof, within which the Facility is wholly or partially located) which are or may be for special improvements or special district improvements, that the Company would pay without exemption as if the Facility was owned by the Company exclusive of the Agency's leasehold interest therein.

In addition, at all times, 100% of all special ad valorem levies, special assessments, special district taxes and service charges levied (or would be levied if the Facility were owned by the Company exclusive of the Agency's leasehold interest therein) against the Facility for special improvements or special district improvements.

VISTAS OF PORT JEFFERSON
BUILDING PERMIT LOG as of 6/11/2020

Permit #	Title	Expiration Date
19B125864	01 Building Dept Permit	11/6/2020
19B125595	02 Building Dept Permit	11/3/2020
19B125863	03 Building Dept Permit	11/6/2020
19B125598	04 Building Dept Permit	11/3/2020
19B125862	05 Building Dept Permit	11/6/2020
19B127717	06 Building Dept Permit	3/7/2021
19B127764	07 Building Dept Permit	3/7/2021
19B126137	08 Building Dept Permit	12/4/2020
19B126132	09 Building Dept Permit	11/22/2020
19B126136	10 Building Dept permit	12/4/2020
19B126117	11 Building Dept Permit	11/20/2020
19B126135	12 Building Dept Permit	11/27/2020
19B126093	13 Building Dept Permit	11/20/2020
19B126134	14 Building Dept Permit	11/27/2020
19B125332	15 Building Dept Permit	10/9/2020
19B125333	16 Building Dept Permit	10/9/2020
19B125214	17 Building Dept Permit	10/2/2020
19B125212	18 Building Dept Permit	10/2/2020
19B125017	19 Building Dept Permit	9/19/2020
19B124408	20 Building Dept Permit	8/6/2020
19B124646	21 Building Dept Permit	8/20/2020
19B124711	22 Building Dept Permit	8/28/2020
19B124407	23 Building Dept Permit	8/6/2020
19B123964	24 Building Dept Permit	7/15/2020
19B124750	25 Building Dept Permit	8/28/2020
19B124417	26 Building Dept Permit	8/9/2020
19B124572	27 Building Dept Permit	8/13/2020
19B124832	28 Building Dept Permit	9/4/2020
19B124835	CH House Building Dept	12/4/2020
19B122220	SM House Building Dept	4/4/2020
19B130487	Gatehouse Building Dept	8/21/2020
19B123964	Pool Building Dept Permit	6/26/2020
19B125031	Pump House Building Dept	9/19/2020

VISTAS OF PORT JEFFERSON
Certificate of Occupancy

BLDG #	CO No.	DATE ISSUED
1	CO317954	5/8/2020
2	CO317953	5/8/2020
3	CO317955	5/8/2020
4	CO317957	5/8/2020
5	CO317956	5/8/2020
6		
7		
8		
9		
10		
11		
12		
13		
14		
15	CO315066	11/27/2019
16	CO315553	12/19/2019
17	CO315060	11/27/2019
18	CO315059	11/27/2019
19	CO315543	12/18/2019
20	CO315056	11/27/2019
21	CO315590	12/18/2019
22	CO315057	11/27/2019
23	CO315592	12/18/2019
24	CO315064	11/27/2019
25	CO315870	1/8/2020
26	CO315052	11/27/2019
27	CO315063	11/27/2019
28	CO315058	11/27/2019
CH	CO316756	2/21/2020
SM	CO315660	12/20/2019
PS	CC314876	11/20/2019
Pool		

*Certificates of Occupancy issued on or before March 2020



**Town of
Brookhaven
Long Island**

Edward P Romaine, Supervisor

June 1, 2020

**TOWN OF BROOKHAVEN IDA THE VISTAS OF PORT JEFFERSON LLC
or Current Property Owner
377 OAK ST STE 110
GARDEN CITY NY 11530**

NOTICE OF TENTATIVE ASSESSMENT CHANGE

SCTM #: 0200229000100002016

ITEM #: 1040051

PHYSICAL ADDRESS: BICYCLE PATH, PORT JEFF STA NY 11776

SD: 03

TAX CODE: 136

2019/20 Assessed Value: 14445

2020/21 Assessed Value: 320000

REASON FOR CHANGE: NEW CONSTRUCTION

ASSESSMENT EFFECTIVE FOR THE 2020/21 ASSESSMENT ROLL

Should you disagree with this determination, you may file an appeal (grievance application) with the Board of Assessment Review from June 1st through June 23rd. A grievance application may be obtained from the Town of Brookhaven website (www.brookhavenny.gov/grievance), or by searching "RP-524" via google.

Grievance applications must be filed with the Assessor's Office electronically through the website (Preferred Method), by mail, or in the Assessor's drop box at Brookhaven Town Hall for consideration by the Town of Brookhaven Board of Assessment Review. The Board will be in session on June 23rd via virtual session from 4:00 pm to 8:00 pm.

The Assessor's Office hours are Monday through Friday, 9:00 am to 4:30 pm. The office is closed to the public, but you may call or contact us through the website. This notice is sent in compliance with Section 510 of the New York State Real Property Tax Law. The 2020/21 Tentative Assessment Roll is available for public inspection as of June 1st on the Town website.

For additional assistance please contact the Assessor's Office at (631) 451-6300.