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CHARLES ECKERT

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Nassau OKs plan to lower \$59M in levies on two plants by 46.5%



LIPA's power station in Island Park, one of two that are part of the tax settlement with Nassau County.

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The following pertains to mailed subscriptions  
as required by the USPS:

Newsday (USPS# 388-760)  
ISSN 0278-5587 (print) ISSN 2643-9417 (online) is published  
daily except Sunday and Christmas Day by Newsday LLC,  
6 Corporate Center Drive, Melville, NY 11747. Periodicals postage  
paid at Huntington Station, N.Y. Postmaster: Send address changes  
to 6 Corporate Center Drive, Melville, NY 11747.

## TOP STORIES

# LEGISLATURE OKs

## If approved would lower levies on 2 power stations

BY MARK HARRINGTON  
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The Nassau County Legislature, in a sometimes heated session Monday, voted 10 to 8 to approve a settlement of the Long Island Power Authority's decadelong tax challenge of two power stations in the county, capping LIPA's main quest to cut big plant taxes nearly in half.

The settlement, which had the blessing of Nassau County Executive Bruce Blakeman, would lower the combined \$59 million in taxes LIPA pays for the Island Park and Glenwood Landing power stations by 46.5% over the next five years. It still must be approved by a judge in state Supreme Court, where a trial was scheduled to begin in late May.

LIPA earlier this month reached agreements to settle two separate suits by the Island Park and North Shore school districts for one-time payments of \$9 million and \$3.2 million, respectively, sources have said.

The legislature's presiding officer, Richard Nicoletto, who voted in favor of the measure, cited the



The E.F. Barrett Power Plant in Island Park is one of two LIPA plants

potential liability to the county from the tax challenges of upward of \$1 billion and noted the county's own assessment for the

two plants were in some cases lower than LIPA's. That made the case virtually unwinnable, while the potential impact was "devas-

# Nassau OKs \$100M in

BY CANDICE FERRETTE  
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The Nassau County Legislature on Monday unanimously approved more than \$100 million in retroactive and future longevity pay for about 8,000 county public employees.

Eighteen of the county's 19 legislators agreed to settle a yearslong legal dispute with its five major unions: Police Benevolent Association, Superior Officers Association, Detectives' Association Inc., Corrections Officers Benevolent Association and the Civil Service Employees Association.

The settlement agreement still needs the approval of the

county's financial oversight board, NIFA.

Superior Officers Association president Rick Frassetto said he was "very happy after eleven years to finally be moving forward on this longevity issue" on behalf of his union members.

"We believe our mediated deal with the county to be a fair one for both our members as well as the residents of Nassau County," Frassetto said.

The deal was the result of several meetings earlier this year between attorneys for the administration of County Executive Bruce Blakeman and the unions. Funding for the \$100 million agreement would come from the 2021 year-end surplus.

Administration officials have said that without the settlement, the county could lose \$80 million more in arbitration with the five unions.

The administration said it plans to take \$50 million from a special revenue fund Republicans pushed through during the administration of former County Executive Laura Curran. The fund includes excess revenue from better-than-estimated sales tax receipts during the pandemic.

The other \$50 million will come from other 2021 county reserves, according to a new report by the independent Office of Legislative Budget Review.

The budget review found



# TAX SETTLEMENT WITH LIPA



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which would have their tax assessments reduced by the settlement.

tating and immediate," he said. "We can rail about LIPA, none of us like LIPA," he said. "But our residents are smart.

They don't want to pay another billion dollars in county taxes and get nothing for it."

In all, LIPA says taxes and re-

lated payments cost ratepayers \$702 million a year, comprising 19% of ratepayer bills. Around \$179 million is for the four biggest power stations owned by National Grid. LIPA pays another \$51 million for all other power plants and \$302 for payments in lieu of taxes for other properties.

The settlement vote survived an unsuccessful motion to table by Legis. Denise Ford (R-Long Beach) after former U.S. Sen. Alfonso D'Amato urged the board to delay it pending a hearing on his recently filed motion to intervene in the case for the Village of Island Park. (Ford noted that an Island Park resident with current taxes of \$4,827 will see them increase to \$7,549 by the final year of the settlement.)

D'Amato called LIPA's \$9 million settlement offer to the Island Park School District "blackmail" and said all LIPA contracts enacted without Public Authorities Control Board approval were "illegal." The PACB argument has previously been rejected by a Suffolk Supreme Court judge.

"I'm asking you to do the right thing," D'Amato urged the legislature. "Put this thing over for three weeks. Let LIPA know we don't march to their drum. We follow the law."

LIPA chief Tom Falcone, in an interview with Newsday, noted that arguments similar to D'Amato's have "all been

heard" and rejected, adding, "There's no requirement that the PACB has to approve litigation or a tax settlement."

"I understand his [D'Amato's] desire to advocate for the community and certainly respect it," Falcone said. "This is one situation where not everybody is going to walk away pleased, but we are trying to do the best we can in a very difficult circumstance."

Falcone called the utility's 12-year quest to lower plant taxes "a long journey," but noted the plants have been "overassessed for a long time."

LIPA has previously reached similar settlements with Huntington and Brookhaven towns over taxes for the Northport and Port Jefferson power stations. But settlement of the biggest cases won't affect the dozens of tax cases filed by LIPA and National Grid, which owns power plants and the gas distribution system, over smaller properties across Long Island. While the amounts in many of those cases involved tens or hundreds of thousands of dollars, they are numerous enough to have a material collective impact, particularly on smaller municipalities.

The figures had little weight with Island Park community members, including Richard Schurin, who pointed to years of work by residents to urge leg-

islators to work out a better deal. "You all failed," he said. "It was a failure. We didn't get the help . . . And everyone in this community is going to pay hundreds if not thousands of dollars more . . . many of them can't afford it."

Lawmakers say the State Legislature has appropriated money to help school districts deal with the pending loss of power plant tax base, including \$1.8 million for Island Park in the past two years. Sen. Todd Kaminsky (D-Long Beach), said enactment of the settlement will put Island Park and nearby schools impacted by it in a "different category."

Kaminsky said it's also "incumbent on LIPA to show ratepayers what is happening to all of the dollars it is saving through the tax settlements."

Kyle Strober, executive director of the Association for a Better Long Island, which has long advocated for the tax challenges by LIPA, said that with the settlements now complete, "phase two begins, working with LIPA to ensure that these tax savings are used to reduce the burden for ratepayers."

Said LIPA's Falcone, "If we save a dollar, it automatically goes to the customer . . . It's certainly better to be saving money on taxes than to have that bill going up."

## retro, longevity pay

that the Blakeman administration underestimated the actual cost of the settlement by \$3 million. The administration estimated the deal would cost \$103.3 million; The independent review estimated an actual cost of \$106.7 million.

It immediately would cost about \$43.8 million in retroactive payments and about \$15 million annually in years 2022 to 2025.

Longevity pay awards county employees annually for their length of service and varies based on the number of years, and also the union of which the employee is a member. The extra pay, which could be thousands of dollars for an individual county employee, had not

increased since the county imposed a wage freeze in 2011.

Current and former county employees eligible for longevity payments between January 2018 and December 2021 would receive 50% of the difference between the full value of their longevity payment, as if it had never been frozen, and the 2011 value. Employees eligible as of this past Jan. 1 would get 72% of the full value and, starting January 2023, the longevity schedule will be capped at 32 years.

Police union members for example, would get an extra \$1,950 for 6 years of service on top of their base pay. That payment would rise to \$10,400 for 32 years

of employment with the county.

Also Monday, the Blakeman administration pulled from consideration a settlement with food service company Dover Gourmet. Blakeman said he would put out a new request for proposals to solicit bids for new vendors to run concessions at county parks.

The settlement cleared two legislative committees April 11 and was on the agenda for a full legislature vote Monday.

The Blakeman administration had previously agreed to a settlement that would provide Dover concessions at county parks and beaches for the next 5 years. Dover would invest \$200,000 worth of capital improvements



Nassau County legislators meet Monday in Mineola.

to various county properties.

In a statement, Blakeman said: "I have asked the County Attorney to request the settlement with Dover be tabled pending a new RFP for concession

service to our County parks and recreation facilities. Past administrations lack of accurate record keeping and conflicting documents have made it necessary to start the process over."