

Schools sued over taxes

■ **Homeowner seeks refund in East Meadow**

■ **Claim cites 2016 findings of overestimates**

BY SCOTT EIDLER
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A homeowner in East Meadow is suing the local school system over taxes she's paid, citing a 2016 state audit faulting district officials for overestimating expenses by \$29.4 million over a three-year period.

The suit by Marie Unapanta, filed in Nassau County State Supreme Court on Dec. 21, seeks to compel the East Meadow Union Free School District to refund excess monies to taxpayers or apply those funds to other years' budgets, attorney Richard Cronin of Uniondale said in an interview.

The issue of stockpiling excess reserves has in recent years angered many property owners on Long Island, who pay some of the highest taxes in the nation, and sparked combative exchanges at local school board meetings. The state comptroller's office in recent years has faulted 27 school districts on the Island for its management of unrestricted reserve funds.

In a report released in February 2016, state auditors wrote that East Meadow had exceeded the statutory 4 percent limit for what is called "unrestricted fund balances." That fund is commonly tapped to cover unexpected costs that arise during the school year. "The ultimate goal is to stop this prolific practice of overtaxing its residents," Cronin said of the lawsuit. "It's crippling taxpayers."

District superintendents have pushed back against the audits, arguing that reserve funds have become a necessary cushion for emergencies in the era of the tax cap. The state's property tax cap, which took effect in 2012, limits annual tax-levy increases to 2 percent or the rate of inflation, whichever is lower.

Kenneth Card, superinten-

dent of the East Meadow schools, said Thursday: "The district does not comment on active litigation."

East Meadow's former superintendent, Leon Campo, told Newsday in 2016, after the audit's release, "If you can't tax for it and you're not getting more state aid for it, then where are you going to get the money? . . . There's only one place to go — the gingerbread jar — and that's our reserves."

Kyle Strober, executive director of the Association for a Better Long Island, a lobbying group for real estate developers, said his organization is seeking "friend of the court status" in an effort to support the suit.

"In the wake of the recent GOP tax-reform bill that will put an unfair burden on Long Island taxpayers, ABLI is putting all school districts on notice," Strober said, referring to limitations on deductions for local and state taxes in the recently signed overhaul of the nation's tax code. "If they continue to utilize this illegal loophole that allows them to maximize excessive slush funds, then expect additional legal actions."

A spokesman for State Education Commissioner MaryEllen Elia, who is named as a defendant along with the education department, declined to comment.

School taxes on the average single family home in the East Meadow district for the current school year are \$7,381.85, according to estimates provided to Newsday before the budget vote this past May.

In 2016, Unapanta sought relief in a petition to Elia's office, including a return of funds to taxpayers and lower property taxes. Elia denied the appeal, in part, on procedural grounds and said the suit lacked relevant financial information. However, she wrote to "admonish" the district and said "compliance with the statutory 4 percent fund balance is not merely aspirational, but rather is required as a matter of law."

Cronin said Unapanta was available for an interview.

FORECAST IS COLD COMFORT

It'll stay below freezing for a while

BY LISA IRIZARRY
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The cold spell continues, with temperatures expected to remain below freezing at least through next Wednesday and possibly longer, forecasters say.

Temperatures may not rise above 32 degrees until Jan. 6 or later, said Richard Von Ohlen, News 12 Long Island meteorologist.

Friday was looking to dip down to the single digits just before sunrise for most of Long Island, rising only to the low 20s during daylight hours, but feeling considerably colder due to wind chill, said Joe Pollina, National Weather Service meteorologist in Upton.

The day could deliver two records for cold at Long Island MacArthur Airport, that of daily low, with 11 degrees the record set in 1963, and that of coldest high temperature, with 28 degrees the record set in 1977, according to the weather service.

Such frigid conditions can be particularly dangerous for the elderly, homeless people and the very young.

Warming centers have been made available in both Suffolk and Nassau counties to help people who may need assistance in escaping the dangerously cold weather.

Dr. Paul Pipia, chief medical officer of Nassau University Medical Center in East Meadow, said he expects to see an uptick in



RANDIE DADDONA

Miles Lewis and Marion Barton, both of Coram, brave a cold Riverhead walk on Thursday.
■ **Video: newsday.com/li**

hospital visits as the arctic temperatures continue through the holiday weekend. "The people we are most concerned about are the elderly because they are most susceptible to hypothermia, but also some of the younger people who think they are invincible and will also get themselves into trouble," Pipia said.

Friday also brings a chance of snow flurries, the weather service said, with snow likely for Saturday. One to 3 inches is forecast for most of the Island, with up to 4 inches on the North Fork, Pollina said. Highs on Saturday are expected to reach the upper 20s.

Highs Sunday, the final day of 2017, will be in the low 20s, with New Year's Eve revelers facing single-digit temperatures in the overnight hours, according to Pollina. The first day of the new year sees similar conditions, perhaps a bit colder.



People pose for photographs as

TIPS
for coping with the bitter cold temps

BY CANDICE FERRETTE
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With bitter cold temperatures gripping Long Island, health professionals are advising residents how to cope and stay safe while at home and outside. Here are a few tips from officials at Nassau University Medical Center in East Meadow: