



DANIELLE FINKELSTEIN

Robert Ripp of Massapequa was denied a contempt order against Oyster Bay Town for not complying with a 2017 decision.

OYSTER BAY TOWN

Judge rules on info requests

No longer have to be certified by town clerk

BY RACHEL UDA
rachel.uda@newsday.com

Responses to information requests submitted to Oyster Bay Town are not required to be certified by the town clerk and can instead be certified by department heads, a state judge ruled.

Robert Ripp, a retired police officer from Massapequa, last month asked Judge Jeffrey Brown in New York State Supreme Court, to hold the

town in contempt for not complying with a June 2017 decision that ordered the town to respond to his Freedom of Information law requests.

Ripp alleged the town failed to comply with the court's order because the documents he received were not certified by the records access officer, Town Clerk James Altadonna Jr., but by other town officials.

Altadonna, who's running for town supervisor in the November election, told Newsday last year that he was "prevented from certifying" the documents because they were reviewed by the town attorney's office instead of his.

Brown ruled that although the clerk is the legal custodian

of records and responsible for the distribution of public records, "there is no requirement that only the records officer can certify the accuracy of the response."

Town Attorney Joseph Nocella said in a statement Thursday that the court "correctly recognized that department heads are authorized to certify town records."

Ripp's attorney, Vincent Grande of Massapequa, said he disagrees with the judge's decision and is planning to file an appeal.

"I'm disappointed that the judge didn't feel that the action of Oyster Bay Town officials rose to the level of contempt," Grande said.

Kristin O'Neill, the assistant director of the state Committee on Open Government, said the town's procedure for responding to Freedom of Information law requests is "consistent with the law."

"Nothing in the law says the records access officer has to be the one to certify records, as long as it's somebody with knowledge of the records," O'Neill said.

Brown last year ordered Altadonna sign a letter stating the town had responded to Ripp's information requests. Altadonna refused to sign the letter, which was drafted by the town attorney's office, and instead wrote a letter himself to be responsive to Brown's order.

DEER PARK

Developer of retirement complex gets 50 percent tax break: \$21M

BY RACHEL O'BRIEN
rachel.obrien@newsday.com

The developers of a 200-unit apartment complex coming to a former school property in Deer Park will get a \$21 million — or almost 50 percent — tax cut to build the new facility.

The Babylon Industrial Development Agency, a public authority that grants tax breaks to projects with industrial uses or workforce housing and that create or retain jobs, voted unanimously Wednesday morning to grant developer Engel Burman's request to pay \$22 million in property taxes over 30 years, instead of the \$43 million the developed property

would yield.

Engel Burman is purchasing the shuttered George Washington School property from the Deer Park School District and plans to demolish the old building and turn it into a retirement housing community.

District voters passed a referendum in 2014 to sell the property, which ceased being an elementary school about 24 years earlier. It then housed a day care program and youth community center until June 2015.

About \$30 million will be spent to construct 14 buildings to house the two-bedroom apartments, a recreational building and a building to be used for school district offices

on the 10-acre parcel.

The developer will also build a single-family house on Bowling Lane to sell, and will add 350 parking spots for the senior residents.

Engel Burman will also pay for a new traffic light at the intersection of Bay Shore Road and Skidmore's Road and a new playground at the corner of Skidmore's Road and Tiber Avenue.

The developer has all necessary town approvals and is waiting for final county approvals.

Chris Kent of Farrell Fritz, the developer's attorney, said the school district was looking to close by May or June.

Construction is expected to take two years and employ 75



NEWSDAY / RACHEL O'BRIEN

The George Washington School, shuttered for academics nearly 30 years ago, will be torn down and replaced by senior housing.

full-time workers. Four full-time jobs will be created for management of the buildings.

IDA members referred to the shuttered school Wednesday as an "eyesore," the same word residents have used in speaking

about the abandoned property.

"It's a tremendous multiplier for the community," IDA CEO Tom Dolan said of the plan. "This is not only an economic development project, but a community project."



GEICO[®] BoatU.S.[®]

Making Boating Better, Together[®]

geico.com

1-800-865-4846

Local Office



Some discounts, coverages, payment plans and features are not available in all states, in all GEICO companies, or in all situations. Boat and PWC coverages are underwritten by GEICO Marine Insurance Company. GEICO is a registered service mark of Government Employees Insurance Company, Washington, DC 20076; a Berkshire Hathaway Inc. subsidiary. GEICO Gecko image © 1999-2019. © 2019 GEICO