

*Lawrence N. Gray, Esq.
20 Fireplace Drive
Kings Park, New York 11754*

Supervisor Patrick Vecchio
99 West Main Street
Smithtown, New York 11787

April 18, 2009

Re: "A business decision someone makes."

Dear Supervisor Vecchio:

The *Sunday New York Times* features "***Developer's Demolition Spurs an Inquiry, and Anger, in Suffolk.***" Before quoting it, let me tell you, Councilmen McCarthy, Creighton and Wehrheim what all of you knew or had to know. **Salvatore DiCarlo**, the man from North Fork Management and Maintenance you were negotiating with, is a felon. Obliviousness lets Councilwoman Biancaniello off the hook.

The *Times* writes that "on Old Main Street in Smithtown opposite Town Hall is what is left of a Nassau Suffolk Lumber Yard.... Six storage buildings and utility sheds are partly demolished.... On the demolition site's gate is a stop-work order from Smithtown's building department and a notice stating that the site's structures are unsafe for use and occupancy. The timing of the aborted demolition has attracted special attention and an investigation by the Suffolk... District Attorney. At issue is the property's tax status. When the town's 2009-10 tax assessment roll is published on May 1, the site's developer, North Fork Management and Maintenance, may receive an 80 percent reduction in property taxes, because the buildings on the property, at 102 Main Street, are unusable. Without necessary ... permits except one for a single shed, the demolition appears to have taken place sometime between Feb. 26 and March 2. The critical date is March 1, which New York State's Office of Real Property Services calls the 'taxable status date', on the date by which the condition and ownership of the property is assessed. The taxes on the property could go to \$10,375 from \$57,701...."

DiCarlo disobeyed a stop-work order and continued to demolish the buildings. Tax Assessor Hild was told [he says] by the state that the property had to be assessed at its torn-down level. "Development plans for 102 Main Street call for 94 residential apartments and 10 stores. There are also plans to connect the property to a sewage treatment plant at the former Smithtown General Hospital...." Aside from the posturing by Planning Director Frank DeRubeis as to this, that and the other lame excuse, the *coup de asininity* is from Supervisor Vecchio, to wit: "Patrick R. Vecchio, Smithtown's Supervisor, said that he '***cannot fathom what the Suffolk County District Attorney is looking at.***' He said the act by North Fork Management to defy the stop-work order and remove the buildings before the taxable status date '***is a business decision someone makes.***'" Vecchio, if you are either a scoundrel or an ass. A scoundrel because you're expecting something from DiCarlo, like a trip to Italy, Sicily – *sans* Bernadine – or trips to Florida with walking around money. An ass, if you honestly view a felon's further criminality "as a business decision someone makes." You are **80** years old. Leave!

Yours truly,

Lawrence N. Gray, Esq.

CC: Legislator Lynne C. Nowick

Bcc: