

Smithtown assessor seeks state opinion on vacant property

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Smithtown Town Assessor Gregory Hild is asking the state for an opinion on whether he must lower the assessment on a Smithtown piece of property where the owner took down buildings in defiance of a stop-work order.

If confirmed that the property is now considered vacant land and the partially torn down buildings are unusable, the Main Street property could be considered vacant land and the tax burden for that plot could drop from \$57,761 to \$10,393.

Newsday reported last week that town fines for defying the stop-work order would be a maximum of \$3,250.

Hild sent the letter March 12 to counsel at the New York State Offices of Real Property Services, asking for an opinion that he said will "carry weight" in his decision. "I have not put pen to paper to anything," Hild said. "I need to do that by May 1, when we all must publish our tentative assessment rolls."

Salvatore DiCarlo - who owns South Fork Management and Maintenance, which is called North Fork Management in town assessment records - was given a permit on Feb. 10 to demolish a shed on the site. On Feb. 27, an inspector noticed that other buildings on the property owned by DiCarlo were being torn down and issued a stop-work order, according to building director John Bongino.

On March 2, the same inspector noticed more buildings had been taken down over the weekend. Through DiCarlo's attorney, Vincent Trimarco Sr. of Smithtown, the developer was given six appearance tickets: four for demolishing buildings without a permit, one for violating a stop-work order, and one for failure to obtain site plan approval. The case will be in district court April 7.

Trimarco said yesterday he will wait for the state's opinion before commenting. Trimarco and Bongino confirmed that DiCarlo was given on Monday additional permits to tear down buildings that were considered a safety hazard.

According to state law, the town assessor is the authority on assessments, according to ORPS spokesman Joseph Hesch.

"Our agency cannot tell an assessor how to value a property," Hesch said. "It is a locally administered function."