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T O W N O F B R O O K H A V E N

- - - - -x

TOWN BOARD MEETING

HELD VIA ZOOM VIDEOCONFERENCE

- - - - -x

August 13, 2020
5:00 p.m.

TRANSCRIPT OF PROCEEDINGS

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A P P E A R A N C E S :

BOARD MEMBERS :

JANE BONNER
VALERIE M. CARTRIGHT
NEIL J. FOLEY
KEVIN LaVALLE
MICHAEL A. LOGUERCIO JR.
DANIEL PANICO
SUPERVISOR EDWARD P. ROMAINE

ALSO PRESENT :

DONNA LENT, TOWN CLERK
ANNETTE EADERESTO,
TOWN ATTORNEY

* * *

1

2

SUPERVISOR ROMAINE: Okay, we're going to start. We'll turn around and we start all of our meetings by pledging allegiance to our flag.

5

6

(Pledge of Allegiance.)

7

SUPERVISOR ROMAINE: Thank you.

8

9

I ask for a moment of silence for some Town workers that are working very long hours. Those are our highway workers and our parks workers. Those who are cleaning the streets, this storm has left so much damage and these guys are out, guys and gals are out, you know, working 12, 14 hours a day. The Highway superintendent estimates it's going to be the rest of August before this is cleaned up. It's huge, every street has piles and piles of stuff.

10

11

12

13

14

15

16

17

18

19

COUNCILWOMAN BONNER: It's almost a thousand trees down.

20

21

SUPERVISOR ROMAINE: Actually 1,600.

22

COUNCILWOMAN BONNER: Okay.

23

24

SUPERVISOR ROMAINE: Sixteen hundred down, 400 which were involved with wires that we had to wait an inordinate amount of time to

25

1

2

get PSE&G to turn off so we could take down

3

the trees and let them get in there and

4

restore power, but with that, let's offer a

5

silent thanks for all those who work, I know

6

they get paid, but this is a tough job and we

7

thank them for what they're doing, cleaning

8

our streets.

9

(Moment of silence.)

10

SUPERVISOR ROMAINE: Thank you and with

11

that, I'll ask our clerk to call the roll.

12

MS. LENT: Let me remind everybody

13

should mute because I'm hearing background

14

noise already in one of the offices.

15

Councilwoman Cartright.

16

COUNCILWOMAN CARTRIGHT: Present.

17

MS. LENT: Councilwoman Bonner.

18

COUNCILWOMAN BONNER: Present.

19

MS. LENT: Councilman LaValle.

20

COUNCILMAN LaVALLE: Present.

21

MS. LENT: Councilman Loguercio.

22

COUNCILMAN LOGUERCIO: Here.

23

MS. LENT: Councilman Foley.

24

COUNCILMAN FOLEY: Here.

25

MS. LENT: Councilman Panico.

1

2

COUNCILMAN PANICO: Here.

3

MS. LENT: Supervisor Romaine.

4

SUPERVISOR ROMAINE: Present.

5

MS. LENT: You have a quorum, sir.

6

SUPERVISOR ROMAINE: Thank you.

7

We have one report to the board.

8

MS. LENT: I have a report of revenue

9

for the Town Clerk's office for the month of

10

July in the amount of \$87,122.96.

11

May I have a motion to accept this

12

report item?

13

COUNCILMAN LaVALLE: So moved.

14

COUNCILWOMAN BONNER: Second.

15

MS. LENT: All those in favor?

16

COUNCILWOMAN BONNER: Aye.

17

COUNCILWOMAN CARTRIGHT: Aye.

18

COUNCILMAN FOLEY: Aye.

19

COUNCILMAN LaVALLE: Aye.

20

COUNCILMAN LOGUERCIO: Aye.

21

COUNCILMAN PANICO: Aye.

22

SUPERVISOR ROMAINE: Aye.

23

MS. LENT: Opposed?

24

(No response.)

25

MS. LENT: Motion carries.

1

2

SUPERVISOR ROMAINE: We have the
communication consensus agenda that has two
items on it.

5

MS. LENT: Yes.

6

7

May I have a motion to accept the
communication consensus items?

8

COUNCILMAN LaVALLE: So moved.

9

COUNCILWOMAN BONNER: Second.

10

MS. LENT: All those in favor?

11

COUNCILWOMAN BONNER: Aye.

12

COUNCILWOMAN CARTRIGHT: Aye.

13

COUNCILMAN FOLEY: Aye.

14

COUNCILMAN LaVALLE: Aye.

15

COUNCILMAN LOGUERCIO: Aye.

16

COUNCILMAN PANICO: Aye.

17

SUPERVISOR ROMAINE: Aye.

18

MS. LENT: Opposed?

19

(No response.)

20

MS. LENT: Motion carries.

21

SUPERVISOR ROMAINE: We have the
highway consensus agenda that has two items on
it.

24

MS. LENT: Yes, two items, also.

25

May I have a motion to accept the

1

2

highway consensus agenda items?

3

COUNCILMAN LaVALLE: So moved.

4

COUNCILWOMAN BONNER: Second.

5

MS. LENT: All those in favor?

6

COUNCILWOMAN BONNER: Aye.

7

COUNCILWOMAN CARTRIGHT: Aye.

8

COUNCILMAN FOLEY: Aye.

9

COUNCILMAN LaVALLE: Aye.

10

COUNCILMAN LOGUERCIO: Aye.

11

COUNCILMAN PANICO: Aye.

12

SUPERVISOR ROMAINE: Aye.

13

MS. LENT: Opposed?

14

(No response.)

15

MS. LENT: Motion carries.

16

SUPERVISOR ROMAINE: We have the

17

consensus resolution agenda.

18

Who is that?

19

COUNCILWOMAN CARTRIGHT: Yes, thank

20

you, Supervisor.

21

I move resolutions 2020 C-0224 through

22

2020 C-0264.

23

COUNCILWOMAN BONNER: Second.

24

MS. LENT: All those in favor?

25

COUNCILWOMAN BONNER: Aye.

1

2 COUNCILWOMAN CARTRIGHT: Aye.

3 COUNCILMAN FOLEY: Aye.

4 COUNCILMAN LaVALLE: Aye.

5 COUNCILMAN LOGUERCIO: Aye.

6 COUNCILMAN PANICO: Aye.

7 SUPERVISOR ROMAINE: Aye.

8 MS. LENT: Opposed?

9 (No response.)

10 MS. LENT: Motion carries.

11 SUPERVISOR ROMAINE: Okay. Now we go
12 to our resolution agenda.13 Before we go, do we have anyone just
14 from the public that wants to speak, not at
15 public hearings, but just from the public?16 MS. EADERESTO: Hold on one second,
17 Mr. Supervisor, I'll check on that.

18 SUPERVISOR ROMAINE: Thank you.

19 (Pause.)

20 MS. EADERESTO: Let me see. I'm just .
21 . . looks like Tom Stock is on regarding a --22 SUPERVISOR ROMAINE: Tom's a resident
23 of Babylon, but he certainly is free to speak.24 MS. EADERESTO: Let me see. It's
25 something about item number five, but let me

1

2 just see which one is . . .

3

4 MS. LENT: Is that a public hearing,
five or . . .

5

6 MS. EADERESTO: It says dumping costs,
so I don't know what he's talking about.

7

8 That's not item number five, it's number six,
but let's see.

9

(Pause.)

10

11 MS. EADERESTO: We're checking it out
now.

12

13 SUPERVISOR ROMAINE: Okay. Maybe we'll
do the resolution --

14

15 MS. EADERESTO: What I could just do
now, Mr. Supervisor, if I may, my technical
16 staff is asking me to announce that anyone who
17 is on participating, please indicate if you're
18 here on a public hearing and the number of the
19 public hearing because that helps us.

20

21 COUNCILWOMAN BONNER: And the one you
just mentioned is for public hearing -- is for
22 public hearings.

23

24 MS. EADERESTO: Number six it would be,
not five, I think.

25

SUPERVISOR ROMAINE: Right, but we

1

2

don't have anyone just to speak?

3

4

MS. EADERESTO: No, it doesn't look like that.

5

6

7

8

9

SUPERVISOR ROMAINE: Okay. So we'll -- I wanted to check on that before we did the resolutions in case anyone wanted to chime in on anything, but let's go with the resolutions and we'll start with Valerie.

10

11

COUNCILWOMAN CARTRIGHT: Thank you, Supervisor.

12

13

14

Resolution 2020-0433, a resolution to amend contract number 20160023, landscaping services for South Setauket Park.

15

So moved.

16

COUNCILWOMAN BONNER: Second.

17

MS. LENT: All those in favor?

18

COUNCILWOMAN BONNER: Aye.

19

COUNCILWOMAN CARTRIGHT: Aye.

20

COUNCILMAN FOLEY: Aye.

21

COUNCILMAN LaVALLE: Aye.

22

COUNCILMAN LOGUERCIO: Aye.

23

COUNCILMAN PANICO: Aye.

24

SUPERVISOR ROMAINE: Aye.

25

MS. LENT: Opposed?

1

2

(No response.)

3

MS. LENT: Motion carries.

4

SUPERVISOR ROMAINE: Okay. Kevin.

5

COUNCILMAN LaVALLE: Oh, I'm sorry.

6

Resolution 434, amend resolution

7

2020-0337, operating budget transfer for

8

highway department to increase the budget for

9

recharge basin maintenance.

10

So moved.

11

COUNCILWOMAN BONNER: Second.

12

MS. LENT: All those in favor?

13

COUNCILWOMAN BONNER: Aye.

14

COUNCILWOMAN CARTRIGHT: Aye.

15

COUNCILMAN FOLEY: Aye.

16

COUNCILMAN LaVALLE: Aye.

17

COUNCILMAN LOGUERCIO: Aye.

18

COUNCILMAN PANICO: Aye.

19

SUPERVISOR ROMAINE: Aye.

20

MS. LENT: Opposed?

21

(No response.)

22

MS. LENT: Motion carries.

23

COUNCILMAN PANICO: 435 of '20 is

24

authorizing the declaration of decommissioned

25

vehicles as surplus to be sold at Town

1

2

auction.

3

So moved.

4

COUNCILMAN FOLEY: Second.

5

MS. LENT: All those in favor?

6

COUNCILWOMAN BONNER: Aye.

7

COUNCILWOMAN CARTRIGHT: Aye.

8

COUNCILMAN FOLEY: Aye.

9

COUNCILMAN LaVALLE: Aye.

10

COUNCILMAN LOGUERCIO: Aye.

11

COUNCILMAN PANICO: Aye.

12

SUPERVISOR ROMAINE: Aye.

13

MS. LENT: Opposed?

14

(No response.)

15

MS. LENT: Motion carries.

16

COUNCILMAN LOGUERCIO: Resolution 436

17

of 2020, authorizing the commissioner of

18

Housing and Human Services to apply for,

19

execute and submit the 2020 grant application

20

to the U.S. Department of Housing & Urban

21

Development for the funding of a full-time

22

family self-sufficiency coordinator.

23

So moved.

24

COUNCILMAN FOLEY: Second.

25

MS. LENT: All those in favor?

1

2

COUNCILWOMAN BONNER: Aye.

3

COUNCILWOMAN CARTRIGHT: Aye.

4

COUNCILMAN FOLEY: Aye.

5

COUNCILMAN LaVALLE: Aye.

6

COUNCILMAN LOGUERCIO: Aye.

7

COUNCILMAN PANICO: Aye.

8

SUPERVISOR ROMAINE: Aye.

9

MS. LENT: Opposed?

10

(No response.)

11

MS. LENT: Motion carries.

12

COUNCILMAN FOLEY: Resolution 437 of

13

2020, amend resolution 431 of 2020, awarding

14

the bid number 20031 entitled "refuse removal

15

at various Town locations."

16

So moved.

17

COUNCILMAN LOGUERCIO: Second.

18

MS. LENT: All those in favor?

19

COUNCILWOMAN BONNER: Aye.

20

COUNCILWOMAN CARTRIGHT: Aye.

21

COUNCILMAN FOLEY: Aye.

22

COUNCILMAN LaVALLE: Aye.

23

COUNCILMAN LOGUERCIO: Aye.

24

COUNCILMAN PANICO: Aye.

25

SUPERVISOR ROMAINE: Aye.

1

2

MS. LENT: Opposed?

3

(No response.)

4

MS. LENT: Motion carries.

5

COUNCILMAN PANICO: 438 of '20 is

6

authorization to enter into a lease agreement

7

with the Town of Brookhaven and Site Tech

8

Wireless Towers, LLC., for the leasing of

9

approximately 3,900 square feet of property at

10

the Town of Brookhaven's Calabro Airport,

11

Shirley, New York.

12

So moved.

13

COUNCILMAN FOLEY: Second.

14

MS. LENT: All those in favor?

15

COUNCILWOMAN BONNER: Aye.

16

COUNCILWOMAN CARTRIGHT: Aye.

17

COUNCILMAN FOLEY: Aye.

18

COUNCILMAN LaVALLE: Aye.

19

COUNCILMAN LOGUERCIO: Aye.

20

COUNCILMAN PANICO: Aye.

21

SUPERVISOR ROMAINE: Aye.

22

MS. LENT: Opposed?

23

(No response.)

24

MS. LENT: Motion carries.

25

COUNCILMAN FOLEY: Resolution 439 of

1

2

2020, authorizing the execution of consent

3

judgment between the Town of Brookhaven and

4

the United States Environmental Protection

5

Agency.

6

So moved.

7

COUNCILMAN LOGUERCIO: Second.

8

MS. LENT: All those in favor?

9

COUNCILWOMAN BONNER: Aye.

10

COUNCILWOMAN CARTRIGHT: Aye.

11

COUNCILMAN FOLEY: Aye.

12

COUNCILMAN LaVALLE: Aye.

13

COUNCILMAN LOGUERCIO: Aye.

14

COUNCILMAN PANICO: Aye.

15

SUPERVISOR ROMAINE: Aye.

16

MS. LENT: Opposed?

17

(No response.)

18

MS. LENT: Motion carries.

19

COUNCILMAN LOGUERCIO: Resolution 440

20

of 2020, authorization for settlement of

21

acquisition of property for highway purposes -

22

Munsell Road - road improvement district -

23

owner: EWN Property Management LLC.

24

So moved.

25

COUNCILMAN FOLEY: Second.

1

2

MS. LENT: All those in favor?

3

COUNCILWOMAN BONNER: Aye.

4

COUNCILWOMAN CARTRIGHT: Aye.

5

COUNCILMAN FOLEY: Aye.

6

COUNCILMAN LaVALLE: Aye.

7

COUNCILMAN LOGUERCIO: Aye.

8

COUNCILMAN PANICO: Aye.

9

SUPERVISOR ROMAINE: Aye.

10

MS. LENT: Opposed?

11

(No response.)

12

MS. LENT: Motion carries.

13

COUNCILMAN LOGUERCIO: Resolution 441

14

of 2020, determination of the premises at 1645

15

Montauk Highway in Bellport, New York 11713 to

16

be unsafe as defined by Chapter 73 pursuant to

17

the engineer's report Cashin, Spinelli &

18

Ferretti, LLC and setting the public hearing

19

by which the owner or other persons having an

20

interest in the premises may be heard with

21

respect to the condition of the premises and

22

the actions necessary to secure or remove

23

same.

24

So moved.

25

COUNCILMAN FOLEY: Second.

1

2

MS. LENT: That public hearing will be
heard on October 1, 2020 at 2:30 p.m.

3

4

All those in favor?

5

COUNCILWOMAN BONNER: Aye.

6

COUNCILWOMAN CARTRIGHT: Aye.

7

COUNCILMAN FOLEY: Aye.

8

COUNCILMAN LaVALLE: Aye.

9

COUNCILMAN LOGUERCIO: Aye.

10

COUNCILMAN PANICO: Aye.

11

SUPERVISOR ROMAINE: Aye.

12

MS. LENT: Opposed?

13

(No response.)

14

MS. LENT: Motion carries.

15

COUNCILMAN LOGUERCIO: Resolution 442

16

of 2020, SEQRA negative declaration -

17

authorization for settlement of acquisition of

18

property located on Middle Country Road,

19

Middle Island, for drainage purposes - owner

20

is Michael Olsen.

21

So moved.

22

COUNCILMAN FOLEY: Second.

23

MS. LENT: All those in favor?

24

COUNCILWOMAN BONNER: Aye.

25

COUNCILWOMAN CARTRIGHT: Aye.

1

2 COUNCILMAN FOLEY: Aye.

3 COUNCILMAN LaVALLE: Aye.

4 COUNCILMAN LOGUERCIO: Aye.

5 COUNCILMAN PANICO: Aye.

6 SUPERVISOR ROMAINE: Aye.

7 MS. LENT: Opposed?

8 (No response.)

9 MS. LENT: Motion carries.

10 COUNCILMAN LOGUERCIO: Resolution 443

11 of 2020, authorization for settlement of

12 acquisition of property located on Middle

13 Country Road, Middle Island, for drainage

14 purposes - owner: Michael Olsen.

15 So moved.

16 COUNCILMAN FOLEY: Second.

17 MS. LENT: All those in favor?

18 COUNCILWOMAN BONNER: Aye.

19 COUNCILWOMAN CARTRIGHT: Aye.

20 COUNCILMAN FOLEY: Aye.

21 COUNCILMAN LaVALLE: Aye.

22 COUNCILMAN LOGUERCIO: Aye.

23 COUNCILMAN PANICO: Aye.

24 SUPERVISOR ROMAINE: Aye.

25 MS. LENT: Opposed?

1

2

(No response.)

3

MS. LENT: Motion carries.

4

5

COUNCILMAN LOGUERCIO: Resolution 444
of 2020, setting a public hearing on the
application of L2G Holdings LLC for a change
of zone from L Industrial 1 and J Business 2
to L Industrial 1 on property located on
Commercial Boulevard in Medford, New York.

10

So moved.

11

COUNCILMAN FOLEY: Second.

12

13

MS. LENT: That public hearing will be
held on September 17, 2020 at 5:30 p.m.

14

All those in favor?

15

COUNCILWOMAN BONNER: Aye.

16

COUNCILWOMAN CARTRIGHT: Aye.

17

COUNCILMAN FOLEY: Aye.

18

COUNCILMAN LaVALLE: Aye.

19

COUNCILMAN LOGUERCIO: Aye.

20

COUNCILMAN PANICO: Aye.

21

SUPERVISOR ROMAINE: Aye.

22

MS. LENT: Opposed?

23

(No response.)

24

MS. LENT: Motion carries.

25

COUNCILMAN LaVALLE: Resolution 445,

1

2

setting a public hearing on the application of

3

Westfield Center for a change of zone from A

4

Residence 1 and J Business 2 to J Business 2

5

on property located on Middle Country Road in

6

Selden, New York.

7

So moved.

8

COUNCILWOMAN BONNER: Second.

9

MS. LENT: All those in favor?

10

COUNCILWOMAN BONNER: Aye.

11

COUNCILWOMAN CARTRIGHT: Aye.

12

COUNCILMAN FOLEY: Aye.

13

COUNCILMAN LaVALLE: Aye.

14

COUNCILMAN LOGUERCIO: Aye.

15

COUNCILMAN PANICO: Aye.

16

SUPERVISOR ROMAINE: Aye.

17

MS. LENT: Opposed?

18

(No response.)

19

MS. LENT: Motion carries.

20

That public hearing will be held on

21

September 17, 2020 at 5:30 p.m.

22

COUNCILMAN PANICO: 447 of '20 is

23

authorization for acceptance --

24

COUNCILMAN FOLEY: Dan, I got to do

25

446, Bud.

1

2

COUNCILMAN PANICO: Very sorry, Neil.

3

4

COUNCILMAN FOLEY: Resolution 446-2020,
authorizing the Supervisor/Deputy Supervisor
to execute inter-municipal agreements between
the Town of Brookhaven and the Village of
Poquott and Shoreham to accept storm debris at
the Brookhaven landfill related to Tropical
Storm Isaias.

5

6

7

8

9

10

So moved.

11

COUNCILWOMAN BONNER: I'll second that.

12

13

COUNCILMAN LOGUERCIO: You said that
well, Neil, I'll second it.

14

MS. LENT: All those in favor?

15

COUNCILWOMAN BONNER: Aye.

16

COUNCILWOMAN CARTRIGHT: Aye.

17

COUNCILMAN FOLEY: Aye.

18

COUNCILMAN LaVALLE: Aye.

19

COUNCILMAN LOGUERCIO: Aye.

20

COUNCILMAN PANICO: Aye.

21

SUPERVISOR ROMAINE: Aye.

22

MS. LENT: Opposed?

23

(No response.)

24

MS. LENT: Motion carries.

25

COUNCILMAN PANICO: 447 of '20 is

1

2

authorization for acceptance of donation of

3

land from American Homeowner Preservation

4

Trust, this is 86 Huguenot Drive, Mastic

5

Beach, for open space purposes.

6

So moved.

7

COUNCILMAN FOLEY: Second.

8

MS. LENT: All those in favor?

9

COUNCILWOMAN BONNER: Aye.

10

COUNCILWOMAN CARTRIGHT: Aye.

11

COUNCILMAN FOLEY: Aye.

12

COUNCILMAN LaVALLE: Aye.

13

COUNCILMAN LOGUERCIO: Aye.

14

COUNCILMAN PANICO: Aye.

15

SUPERVISOR ROMAINE: Aye.

16

MS. LENT: Opposed?

17

(No response.)

18

MS. LENT: Motion carries.

19

COUNCILMAN PANICO: 448 of '20 is

20

consent to abandon certain Town-owned paper

21

streets. These include portions of Riviera

22

Drive, Violet Drive and Walnut Road in Mastic

23

Beach.

24

So moved.

25

COUNCILMAN FOLEY: Second.

1

2

MS. LENT: All those in favor?

3

COUNCILWOMAN BONNER: Aye.

4

COUNCILWOMAN CARTRIGHT: Aye.

5

COUNCILMAN FOLEY: Aye.

6

COUNCILMAN LaVALLE: Aye.

7

COUNCILMAN LOGUERCIO: Aye.

8

COUNCILMAN PANICO: Aye.

9

SUPERVISOR ROMAINE: Aye.

10

MS. LENT: Opposed?

11

(No response.)

12

MS. LENT: Motion carries.

13

COUNCILMAN PANICO: 449 of '20 is

14

authorization for acquisition of land in the

15

Town of Brookhaven for property located in

16

Mastic Beach, New York and these are two tax

17

lots, so moved -- and the owner is Woods.

18

So moved.

19

COUNCILMAN FOLEY: Second.

20

MS. LENT: All those in favor?

21

COUNCILWOMAN BONNER: Aye.

22

COUNCILWOMAN CARTRIGHT: Aye.

23

COUNCILMAN FOLEY: Aye.

24

COUNCILMAN LaVALLE: Aye.

25

COUNCILMAN LOGUERCIO: Aye.

1

2

COUNCILMAN PANICO: Aye.

3

SUPERVISOR ROMAINE: Aye.

4

MS. LENT: Opposed?

5

(No response.)

6

MS. LENT: Motion carries.

7

COUNCILMAN FOLEY: Resolution 450 of

8

2020, authorization for the settlement of the

9

acquisition of property located at Six Frank

10

Street, East Patchogue, for open space

11

purposes, the owner is Gunnar Christian

12

Cortes.

13

So moved.

14

COUNCILMAN LOGUERCIO: Second.

15

MS. LENT: All those in favor?

16

COUNCILWOMAN BONNER: Aye.

17

COUNCILWOMAN CARTRIGHT: Aye.

18

COUNCILMAN FOLEY: Aye.

19

COUNCILMAN LaVALLE: Aye.

20

COUNCILMAN LOGUERCIO: Aye.

21

COUNCILMAN PANICO: Aye.

22

SUPERVISOR ROMAINE: Aye.

23

MS. LENT: Opposed?

24

(No response.)

25

MS. LENT: Motion carries.

1

2

COUNCILMAN PANICO: 451 of '20 is

3

determination of the premises at 19 Overlook

4

Drive, Mastic, New York, to be unsafe as

5

defined by Chapter 73 pursuant to the

6

engineer's report of Cashin, Spinelli &

7

Ferretti, LLC and setting a public hearing by

8

which the owner or other persons having an

9

interest in the premises may be heard with

10

respect to the condition of the premises and

11

the actions necessary to secure or remove

12

same.

13

So moved.

14

COUNCILMAN FOLEY: Second.

15

MS. LENT: That public hearing will be

16

held October 1, 2020 at 2:30 p.m.

17

All those in favor?

18

COUNCILWOMAN BONNER: Aye.

19

COUNCILWOMAN CARTRIGHT: Aye.

20

COUNCILMAN FOLEY: Aye.

21

COUNCILMAN LaVALLE: Aye.

22

COUNCILMAN LOGUERCIO: Aye.

23

COUNCILMAN PANICO: Aye.

24

SUPERVISOR ROMAINE: Aye.

25

MS. LENT: Opposed?

1

2

(No response.)

3

MS. LENT: Motion carries.

4

COUNCILMAN PANICO: 452 of '20 is

5

ratification of the agreement between the Town

6

of Brookhaven and Brookhaven Town White Collar

7

Unit, Suffolk Local CSEA Incorporated.

8

So moved.

9

COUNCILMAN FOLEY: Second.

10

MS. LENT: All those in favor?

11

COUNCILWOMAN BONNER: Aye.

12

COUNCILWOMAN CARTRIGHT: Aye.

13

COUNCILMAN FOLEY: Aye.

14

COUNCILMAN LaVALLE: Aye.

15

COUNCILMAN LOGUERCIO: Aye.

16

COUNCILMAN PANICO: Aye.

17

SUPERVISOR ROMAINE: Aye.

18

MS. LENT: Opposed?

19

(No response.)

20

MS. LENT: Motion carries.

21

COUNCILWOMAN BONNER: Resolution 0453

22

is determination of the premises at 53

23

Glenmere Lane, Coram, New York 11727, Suffolk

24

County tax map numbers are provided, to be

25

unsafe as defined by Chapter 73 pursuant to

1

2

the engineer's report of Cashin, Spinelli &
3 Ferretti, LLC and setting a public hearing by
4 which the owner or other persons having an
5 interest in the premises may be heard with
6 respect to the condition of the premises and
7 the actions necessary to secure or remove
8 same.

9

COUNCILMAN LaVALLE: Second.

10

MS. LENT: That public hearing will be
11 held October 1, 2020 at 2:30 p.m.

12

All those in favor?

13

COUNCILWOMAN BONNER: Aye.

14

COUNCILWOMAN CARTRIGHT: Aye.

15

COUNCILMAN FOLEY: Aye.

16

COUNCILMAN LaVALLE: Aye.

17

COUNCILMAN LOGUERCIO: Aye.

18

COUNCILMAN PANICO: Aye.

19

SUPERVISOR ROMAINE: Aye.

20

MS. LENT: Opposed?

21

(No response.)

22

MS. LENT: Motion carries.

23

COUNCILMAN PANICO: 454 of '20 is

24

setting a public hearing to consider enacting

25

an introductory local law adding Chapter 21 of

1

2

the code of the Town of Brookhaven entitled

3

"Sewer Use."

4

So moved.

5

COUNCILMAN FOLEY: Second.

6

MS. LENT: That public hearing will be

7

held October 1, 2020 at 2:30 p.m.

8

All those in favor?

9

COUNCILWOMAN BONNER: Aye.

10

COUNCILWOMAN CARTRIGHT: Aye.

11

COUNCILMAN FOLEY: Aye.

12

COUNCILMAN LaVALLE: Aye.

13

COUNCILMAN LOGUERCIO: Aye.

14

COUNCILMAN PANICO: Aye.

15

SUPERVISOR ROMAINE: Aye.

16

MS. LENT: Opposed?

17

(No response.)

18

MS. LENT: Motion carries.

19

COUNCILMAN PANICO: 455 of '20 is

20

authorizing an extension of a contract with

21

Vehicle Tracking Solutions Incorporated.

22

So moved.

23

COUNCILMAN FOLEY: Second.

24

MS. LENT: All those in favor?

25

COUNCILWOMAN BONNER: Aye.

1

2

COUNCILWOMAN CARTRIGHT: Aye.

3

COUNCILMAN FOLEY: Aye.

4

COUNCILMAN LaVALLE: Aye.

5

COUNCILMAN LOGUERCIO: Aye.

6

COUNCILMAN PANICO: Aye.

7

SUPERVISOR ROMAINE: Aye.

8

MS. LENT: Opposed?

9

(No response.)

10

MS. LENT: Motion carries.

11

COUNCILWOMAN CARTRIGHT: Resolution 456

12

of 2020, amending the January 16, 2020

13

resolution 2020-0087, authorizing attendance

14

and administrative leave for William Demorest,

15

Senior Bay Constable, Division of Harbors and

16

Waterways, to attend the marine law

17

enforcement course and marine patrol vessel

18

operations course in Lake George, New York,

19

which was rescheduled due to COVID-19.

20

So moved.

21

COUNCILWOMAN BONNER: Second.

22

MS. LENT: All those in favor?

23

COUNCILWOMAN BONNER: Aye.

24

COUNCILWOMAN CARTRIGHT: Aye.

25

COUNCILMAN FOLEY: Aye.

1

2

COUNCILMAN LaVALLE: Aye.

3

COUNCILMAN LOGUERCIO: Aye.

4

COUNCILMAN PANICO: Aye.

5

SUPERVISOR ROMAINE: Aye.

6

MS. LENT: Opposed?

7

(No response.)

8

MS. LENT: Motion carries.

9

COUNCILWOMAN CARTRIGHT: Resolution 457

10

of 2020, authorization to enter into an

11

inter-municipal agreement with the

12

Incorporated Village of Port Jefferson for

13

scanning electronic records and storing them

14

on the Town of Brookhaven server.

15

So moved.

16

COUNCILWOMAN BONNER: Second.

17

MS. LENT: All those in favor?

18

COUNCILWOMAN BONNER: Aye.

19

COUNCILWOMAN CARTRIGHT: Aye.

20

COUNCILMAN FOLEY: Aye.

21

COUNCILMAN LaVALLE: Aye.

22

COUNCILMAN LOGUERCIO: Aye.

23

COUNCILMAN PANICO: Aye.

24

SUPERVISOR ROMAINE: Aye.

25

MS. LENT: Opposed?

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25

(No response.)

MS. LENT: Motion carries.

COUNCILWOMAN CARTRIGHT: Resolution 458 of 2020, setting a public hearing on the application of 43 Jayne LLC for a change of zone from J Business 2 and B Residence 1 to J Business 4 on property located on Jayne Boulevard in Port Jefferson Station, New York.

So moved.

COUNCILWOMAN BONNER: Second.

MS. LENT: That public hearing will be held September 17, 2020 at 5:30 p.m.

All those in favor?

COUNCILWOMAN BONNER: Aye.

COUNCILWOMAN CARTRIGHT: Aye.

COUNCILMAN FOLEY: Aye.

COUNCILMAN LaVALLE: Aye.

COUNCILMAN LOGUERCIO: Aye.

COUNCILMAN PANICO: Aye.

SUPERVISOR ROMAINE: Aye.

MS. LENT: Opposed?

(No response.)

MS. LENT: Motion carries.

COUNCILWOMAN CARTRIGHT: Thank you.

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Resolution 459 of 2020, setting a public hearing on the application of M&R Stony Brook, Incorporated for an amendment of restrictive covenants on property located on New York State Route 112 in Port Jefferson Station, New York.

So moved.

COUNCILWOMAN BONNER: Second.

MS. LENT: That public hearing will be held September 17, 2020 at 5:30 p.m.

All those in favor?

COUNCILWOMAN BONNER: Aye.

COUNCILWOMAN CARTRIGHT: Aye.

COUNCILMAN FOLEY: Aye.

COUNCILMAN LaVALLE: Aye.

COUNCILMAN LOGUERCIO: Aye.

COUNCILMAN PANICO: Aye.

SUPERVISOR ROMAINE: Aye.

MS. LENT: Opposed?

(No response.)

MS. LENT: Motion carries.

COUNCILWOMAN BONNER: Resolution 0460 of 2020, various operating budget reductions in response to COVID-19 pandemic.

1

2

So moved.

3

COUNCILMAN LaVALLE: So moved.

4

MS. LENT: All those in favor?

5

COUNCILWOMAN BONNER: Aye.

6

COUNCILWOMAN CARTRIGHT: Aye.

7

COUNCILMAN FOLEY: Aye.

8

COUNCILMAN LaVALLE: Aye.

9

COUNCILMAN LOGUERCIO: Aye.

10

COUNCILMAN PANICO: Aye.

11

SUPERVISOR ROMAINE: Aye.

12

MS. LENT: Opposed?

13

(No response.)

14

MS. LENT: Motion carries.

15

COUNCILWOMAN CARTRIGHT: Resolution 461

16

of 2020, authorize the Commissioner of Finance

17

to amend the 2020 adopted capital budget to

18

establish a new project for the Percy Raynor

19

ball field improvements to be funded through a

20

budget neutral transfer.

21

So moved.

22

COUNCILWOMAN BONNER: Second.

23

MS. LENT: All those in favor?

24

COUNCILWOMAN BONNER: Aye.

25

COUNCILWOMAN CARTRIGHT: Aye.

1

2

COUNCILMAN FOLEY: Aye.

3

COUNCILMAN LaVALLE: Aye.

4

COUNCILMAN LOGUERCIO: Aye.

5

COUNCILMAN PANICO: Aye.

6

SUPERVISOR ROMAINE: Aye.

7

MS. LENT: Opposed?

8

(No response.)

9

MS. LENT: Motion carries.

10

COUNCILWOMAN BONNER: Resolution 0462

11

is amending resolution number -- resolutions

12

numbers 2020-0362 and 2020-0372, both entitled

13

"Authorize Commissioner of Finance to amend

14

the 2020 capital budget for various capital

15

budgets reductions and capital project

16

deferments in response to the COVID-19

17

pandemic."

18

So moved.

19

COUNCILMAN LaVALLE: Second.

20

MS. LENT: All those in favor?

21

COUNCILWOMAN BONNER: Aye.

22

COUNCILWOMAN CARTRIGHT: Aye.

23

COUNCILMAN FOLEY: Aye.

24

COUNCILMAN LaVALLE: Aye.

25

COUNCILMAN LOGUERCIO: Aye.

1

2

COUNCILMAN PANICO: Aye.

3

SUPERVISOR ROMAINE: Aye.

4

MS. LENT: Opposed?

5

(No response.)

6

MS. LENT: Motion carries.

7

COUNCILMAN PANICO: 463 of '20 is

8

setting a public hearing to amend Chapter 85

9

entitled "Zoning", Article VII entitled "Town

10

board Amendments", Section 85-81 entitled

11

"Application Requirements" of the code of the

12

Town of Brookhaven.

13

So moved.

14

COUNCILMAN FOLEY: Second.

15

MS. LENT: That public hearing will be

16

held October 1, 2020 at 2:30 p.m.

17

All those in favor?

18

COUNCILWOMAN BONNER: Aye.

19

COUNCILWOMAN CARTRIGHT: Aye.

20

COUNCILMAN FOLEY: Aye.

21

COUNCILMAN LaVALLE: Aye.

22

COUNCILMAN LOGUERCIO: Aye.

23

COUNCILMAN PANICO: Aye.

24

SUPERVISOR ROMAINE: Aye.

25

MS. LENT: Opposed?

1

2

(No response.)

3

MS. LENT: Motion carries.

4

5

SUPERVISOR ROMAINE: Okay. That ends our resolution agenda.

6

Do we have to set dates, Madam Clerk?

7

MS. LENT: No, we do not, sir.

8

9

10

11

12

13

14

SUPERVISOR ROMAINE: Okay. So then we really have no other business but the public hearings. Unfortunately, the public hearings have been advertised for 5:30, which will be in 11 minutes, so what we will do is we will take a hiatus, we will come back at 5:30 and we will conduct the public hearings.

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21

MS. EADERESTO: Before we go off air for ten minutes, I would just like to remind the public, our technical staff and the attorneys are trying to ask you if you want to speak on hearings. If you're just here to observe, can you let them know that, also, because no one's responding to them?

22

Thank you.

23

SUPERVISOR ROMAINE: Okay.

24

25

So we will be back at 5:30, which is now in ten minutes and we will start the public

1

2

hearings starting with public hearing number

3

one.

4

(Short recess taken.)

5

SUPERVISOR ROMAINE: We're going to

6

start with public hearing number one. I'll

7

let the clerk open that first public hearing.

8

MS. LENT: Yes.

9

Public hearing number one, to consider

10

an acquisition of property for open space

11

purposes, Six Frank Street, East Patchogue.

12

This hearing had been adjourned from

13

the June 18th meeting and I understand we're

14

going to adjourn it to August 27th. I'll take

15

a motion.

16

SUPERVISOR ROMAINE: Make a motion to

17

adjourn.

18

COUNCILMAN LaVALLE: Second.

19

MS. LENT: All those in favor?

20

COUNCILWOMAN BONNER: Aye.

21

COUNCILWOMAN CARTRIGHT: Aye.

22

COUNCILMAN FOLEY: Aye.

23

COUNCILMAN LaVALLE: Aye.

24

COUNCILMAN LOGUERCIO: Aye.

25

COUNCILMAN PANICO: Aye.

1

2

SUPERVISOR ROMAINE: Aye.

3

MS. LENT: Opposed?

4

(No response.)

5

6

MS. LENT: Motion carries. Adjourned
to August 27, 2020 at 2:30 p.m.

7

SUPERVISOR ROMAINE: Okay.

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MS. LENT: Public hearing number two is
to consider the application known as 1680
North Ocean LLC for a change of zone from J
Business 5, L Industrial 1 and A Residence 1
to J Business 5 and special permits on
property located in Holtsville, New York.

Legal notices for public hearings are
published no less than ten days, no more than
20 days prior to a public hearing in one of
the legal Town newspapers.

My office has received a signed
affidavit of publication from the newspaper.

A SEQRA negative determination will be
submitted by the Law Department via resolution
if applicable.

I am in receipt of a letter from
Suffolk County Planning Commission determining
it to be a matter of local determination and I

1

2

am also in receipt of letters from the Medford

3

Taxpayers and Civic Association and Tower

4

Fasteners expressing concerns.

5

The applicant was required to post the

6

property as well as notify all property owners

7

within a 500-foot radius of the subject

8

property and my office is in receipt of the

9

affidavits of mailing and posting.

10

The Suffolk County Planning letter is

11

dated June 11, 2020. That's interesting.

12

It's addressed to Mr. Sanzano.

13

Pursuant to Section 239 l & m of the

14

General Municipal Law, the following special

15

permit which has been submitted to the Suffolk

16

County Planning Commission is considered to be

17

a matter for local determination as there

18

appears to be no significant county-wide or

19

inter-community impact(s). A decision of

20

local determination should not be construed as

21

either an approval or disapproval.

22

Signed Very truly yours, Andrew P.

23

Freleng dated June 11, 2020; I don't remember

24

if I said that or not. I don't know why it

25

was addressed to Joe, maybe Joe will know.

1

2

That's what I have for you, sir.

3

SUPERVISOR ROMAINE: Okay. Thank you.

4

MR. SANZANO: My video is paused right

5

now.

6

MS. LENT: It's okay.

7

MR. SANZANO: There we go.

8

I'm going to share my screen and this

9

is . . . okay. This site is located along the

10

west side of North Ocean Avenue, CR 83, north

11

of Long Island Avenue in Holtsville. The

12

parcel is 0.59 acres and is currently occupied

13

with an existing motor vehicle fueling station

14

with an attended kiosk.

15

The site enjoys a certificate of

16

occupancy that was issued in 1981. The

17

subject site is currently split zoned J 5

18

Business, L 1 Industrial and A 1 Residential

19

since 1971. It appears that due to possible

20

roadway taking, a portion of the site along

21

County Road 83 was excluded and left

22

residentially zoned. The taking never

23

occurred and has left the site split zone

24

today.

25

The applicant now seeks to change the

1

2

zone application to J5 Business in order to

3

make the site whole again and conform to

4

zoning. The applicant also seeks a special

5

use permit in J5 Business zone for a motor

6

vehicle fueling station and a special permit

7

for accessory convenience store. The proposed

8

concept plan shows a motor vehicle fueling

9

station with pump islands, canopy, along with

10

a new 1,500 square foot building for an

11

accessory convenience store along with

12

associated other site improvements. Access to

13

the site is via two curb cuts along North

14

Ocean Avenue that are currently provided.

15

North Ocean Avenue is a divided highway.

16

Waivers from the special permit criteria are

17

required. Variances may also be required at

18

the time of site plan review.

19

The 1996 comp. plan recommends this

20

area for industrial use.

21

With that, I will turn it over to the

22

applicant for their comments.

23

MR. ALTMAN: Thank you, Mr. Sanzano.

24

Good evening. This is David Altman

25

from the law office of Brown & Altman, LLP,

1

2

538 Broadhollow Road, Suite 301, Melville, New
York.

3

4

5

6

7

Good evening everybody, good to see you
and I just want to thank you for advancing us
on the calendar tonight, I have another
hearing following this.

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So I think Mr. Sanzano's summary of the
application encapsulated the issues on this
site rather succinctly. This site has become
a bit of a hodgepodge from a zoning
perspective as a result of the plan taking,
which never occurred and as he notes,
historically this site has been used for a gas
station for the better part of 50 years,
redevelopments having occurred in I believe
'81 and then later on in '92. As a result, we
have mixed zoning of Res A 1, J Business 5 and
L 1 Industrial.

20

21

22

23

24

25

The applicant seeks to rezone the site
in its entirety to J Business 5 commensurate
with the gasoline service station use and the
proposed accessory convenience store in order
to be consistent with the Town's current
zoning scheme for gasoline service station

1

2

uses.

3

4

5

Joe, if you could pull up the aerial for a second, I think that the aerial photo, that's pretty helpful.

6

MR. SANZANO: Certainly.

7

MR. ALTMAN: Thanks, Joe.

8

9

10

11

So if you look at the aerial, that's rather telling as to both the character of the area and sort of frankly the isolation of this site.

12

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Due south, west and north, we have the Jesus Is Lord church facility, which followed several years later the existing -- the gasoline service station, I think the C of O that we have of record is dated '83, so some 12 years after a gas station use was initially permitted on the site, but as you can see, you have the church and church parking lot bounding the site to the south. You also have additional church parking facilities rather extensive both to the west and the north. So this site is self-contained in terms of its neighbor to the west, north and south. In addition, North Ocean Avenue proximate to this

1

2

site is a divided roadway with traffic being

3

southbound here, you have two lanes

4

southbound, a dedicated left turn and then a

5

dedicated right-turn lane. It's a signalized

6

intersection approximately a hundred feet

7

south of Long Island Avenue.

8

The character of the area, particularly

9

again to the west, north and south is

10

commercial; in fact, on the south side of Long

11

Island Avenue, at the southwest corner you

12

have the LIPA power station. You have vacant

13

land due north, which is zoned L 1 and then

14

you have the fastener company north of that.

15

Across the street to the northeast is a

16

Suffolk County sump on the northeast corner of

17

Robinson and North Ocean Ave. and then you

18

have a single family home, which is directly

19

across at the southwest corner -- southeast

20

corner rather of Robinson and North Ocean

21

Avenue.

22

The applicant is proposing to leave the

23

existing canopy in place. There are four

24

fueling pumps underneath, which are

25

multi-product dispensers accessible from both

1

2

sides; if you look at the site plan, both on

3

the four outside pumps, we propose to keep

4

those. They're in the middle of the canopy

5

underneath. There are two single sided fuel

6

dispensers and a small 60 square foot -- I'm

7

sorry, 140 square foot attended kiosk. We're

8

going to be removing those and replacing those

9

with two new dual sided MPD's, so we'll have a

10

total of 12 fueling positions.

11

The site at the southwest corner, you

12

see the home plate style convenience store,

13

which is 1,500 square feet in area

14

commensurate with Town regs. The proposed

15

retail area is slightly above at it's

16

approximately 856 square feet where 750 is

17

permitted.

18

There are a few waivers as they relate

19

to buffers. I think certain of them are

20

self-evident and being part created as a

21

result of the failure to move forward with the

22

taking many years ago along North Ocean

23

Avenue.

24

In addition, we do seek a waiver for

25

proximity to the church, which abuts us on all

1

2

sides. These waivers that are requested by

3

the applicant have been granted by this board

4

in the past with regard to other applications

5

and I will simply mention that on I believe it

6

was August 6th, we submitted copying of a

7

number of cases with demonstrative precedent

8

as well as a chart and I would ask the board

9

to refer to that chart, it's certainly helpful

10

to show that similar relief has been granted

11

by this board on other applications.

12

Finally I'll note for the record that I

13

did receive proposed covenants and

14

restrictions from Mr. Sanzano the other day.

15

I've reviewed them with the applicant and we

16

have no objection to them. I believe this

17

application is consistent with the nature and

18

character of the area, the use having been

19

established, like I said, for the better part

20

of 50 years and the accessory convenience

21

store, as this board knows, has become part

22

and parcel of the gasoline service station

23

industry these days and is a logical adjunct

24

to the gas station as provided for under Town

25

code.

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I do have with me hopefully on tonight's Zoom meeting Chris Tartaglia from High Point Engineering, he's the project civil engineer if you have any questions of him. I also have with me Andrew Villari from Stonefield Engineering, they are our traffic consultants and in fact, the report prepared by Stonefield was submitted to the board in connection with this application showing minimal or nominal increase in traffic.

I believe John Breslin should be with us as well, if John is there, I'm not sure, I don't see him, but we also submitted a real estate report from John which shows no adverse impact in connection with the proposed project.

If there are any questions from the board, we'd be happy to answer them.

MS. LENT: Before we start, can I swear the gentlemen in so in the event that they're going to speak?

Would you three, please, four of you, raise your right hand?

Do you swear to tell the truth, the

1

2

whole truth and nothing but the truth so help

3

you God?

4

MR. ALTMAN: I do.

5

MR. TARTAGLIA: Yes.

6

MR. VILLARI: I do.

7

MS. LENT: And you, sir, Mr. Ingber?

8

MR. INGBER: Yes.

9

MS. LENT: Thank you.

10

SUPERVISOR ROMAINE: Are there any

11

questions from board members?

12

(No response.)

13

SUPERVISOR ROMAINE: There are no

14

questions from the board members?

15

COUNCILMAN PANICO: I have one

16

question, Mr. Supervisor.

17

Joe, it's a small parcel, it's .59. I

18

see that it's -- the applicant seeks to

19

construct 1,500 square feet, am I correct?

20

MR. SANZANO: That's correct.

21

COUNCILMAN PANICO: Is that the maximum

22

allowed without a variance by the Town code?

23

MR. SANZANO: That is correct, yes,

24

that is the maximum Town code offers. The

25

board recently did a code amendment to

1

2

increase that and with that increase comes

3

Pine Barrens credits.

4

COUNCILMAN PANICO: Okay.

5

And how much of the 1,500 is retail

6

space?

7

MR. SANZANO: I believe it's 800 and

8

change.

9

MR. ALTMAN: Dan, it's 856.

10

COUNCILMAN PANICO: What's the rest of

11

the space used for?

12

MR. ALTMAN: It will be storage, cooler

13

space, I believe bathrooms, cash register.

14

Chris, if there's anything else you

15

want to add, please feel free.

16

MR. TARTAGLIA: That's correct, Dave,

17

you hit it on the nose.

18

MR. ALTMAN: Okay.

19

COUNCILMAN PANICO: Okay.

20

SUPERVISOR ROMAINE: Thank you.

21

Other questions?

22

COUNCILMAN LaVALLE: Joe, just a quick

23

question because we're working on some stuff

24

on County Road 83.

25

The entrance and exit, it shows that

1

2 there's two different -- there's an entrance
3 and then there's a separate exit.

4

5 Is the County going to go along with
6 that as far as the way they have it set up?

6

7

MR. SANZANO: That's an existing curb
cut --

8

COUNCILMAN LaVALLE: Oh, it is.

9

10

MR. SANZANO: -- and it's already been
permitted by the County --

11

COUNCILMAN LaVALLE: Okay. Okay.

12

13

MR. SANZANO: -- and they had no
further comments when we did send it to them.

14

15

COUNCILMAN LaVALLE: I know, but
they've resisted on some occasions with some
16 of that, but if it's existing, then that will
17 move right along.

18

MR. SANZANO: That's correct.

19

SUPERVISOR ROMAINE: Okay.

20

Other comments?

21

(No response.)

22

SUPERVISOR ROMAINE: No other comments?

23

Don Seubert is here --

24

MR. SEUBERT: How you doing there guys?

25

SUPERVISOR ROMAINE: -- from the

1

2

Medford Civic Association.

3

MR. SEUBERT: Right.

4

SUPERVISOR ROMAINE: Even though the gas station is technically in Holtsville.

6

MR. SEUBERT: Technically. If you throw a rock, you know where you are.

8

MS. LENT: Mr. Seubert, if you would, please, raise your right hand.

9

10

Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?

11

12

13

MR. SEUBERT: Yes, I do.

14

MS. LENT: Thank you.

15

MR. SEUBERT: Okay.

16

I just --

17

MS. LENT: Just so that you know, Mr. Seubert, I'm going to set my timer, so you won't see it, but I will be letting you know when your time has expired.

18

19

20

21

MR. SEUBERT: Okay.

22

I sent my letter over to you and I hope your guys have all reviewed it. We have concerns and probably the most -- the critical one I think, whether -- Joe maybe doesn't

23

24

25

1

2 quite agree, is that we're not delighted to
3 see any perpetuation of commercial development
4 along the north -- on the North Ocean Avenue
5 corridor there, okay, nobody wanted that gas
6 station when it went in --

7

8

SUPERVISOR ROMAINE: When did it go in,
Don?

9

10

11

12

13

14

15

16

17

18

MR. SEUBERT: -- and we had a problem
with leaking into the water table and the gas
tanks were in the water table as told by the
public, okay and in the past, contrary on the
east side, people have come in, for where that
one house went up thankfully, that doesn't
mean that house might want to not stay there
anymore and have a change of zone on that
property on the southeast corner of Robinson
and others around there.

19

20

21

22

23

24

25

It's -- you know, you're supposed to be
500 feet from a church, you know and it's in
the church, you know, so and if you ride
through and drive through the gas station and
you certainly want to see the people be
competitive and get in there, like I said in
the letter, but it's very difficult and the

1
2 size of the Amoco on the corner of North Ocean
3 and 63, their convenience store is smaller and
4 here you're going to add that amount of square
5 footage and not compensate and now it looks
6 like you're adding a couple more fueling
7 stations, pumps, okay, so I think whether it's
8 how the hours of operation, some consideration
9 should be to that and different things that
10 they might sell and also people hanging out
11 there we wouldn't like to see, either, so
12 that's why certain things if you read in the
13 letter ought to be included and like I said,
14 that is part of the Patchogue River, just go
15 to the Exit 63 sump and you can go fishing in
16 it and that was in water there and the same
17 with the DOT and the other, so I think we
18 should be cognizant to that fact, okay and
19 anything you could do, we would like to see
20 the guy do all right, but we don't want to
21 see, it's like a lot of baloney in a small
22 package. It's going to be tough and you can
23 park outside on North Ocean and go into the --
24 and you can go into the convenience store and
25 you have to do something about that, the

1

2

parking there, also and you wouldn't want

3

anything to interfere with the church's -- any

4

comments the church might have now or in the

5

future. Thank you.

6

What happened there, you just turn it

7

off?

8

MS. LENT: Yup. That's it. You're

9

doing. If you're done. I mean your timer is

10

still going.

11

MR. SEUBERT: Merry Christmas to all of

12

you, hope you're all healthy.

13

MR. ALTMAN: Take care.

14

MR. SEUBERT: Thank you.

15

MR. ALTMAN: And if somebody will be so

16

kind as to send us a copy of that letter, I'd

17

like to see it since it was not sent to us.

18

SUPERVISOR ROMAINE: Just received it

19

this afternoon.

20

MR. ALTMAN: Okay. So I would

21

appreciate if we could have it forwarded to

22

us.

23

I'll address a couple of comments, if I

24

may, made by Mr. Seubert with regard to

25

proliferation of commercial development.

1

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This is an existing site and as Mr. Sanzano noted, it has been a gas station for 50 years and as I mentioned, this site precedes its neighboring church facility by the better part of approximately 12 years and surrounds us, so we're not changing the pattern of development whatsoever as it relates to the area and I think Mr. Breslin's report, which this board has already been provided with, definitively and affirmatively establishes that fact.

13

14

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With regard to any comment concerning leaking tanks, there are no problems at this site that I am aware of. This is a clean site. The tanks were recently replaced and we propose to leave them in place.

18

19

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22

23

Again, it precedes the church. To the extent we need the waiver from this board due to proximity to the church, frankly the church built around us after the fact, so again, we're seeking a waiver for a condition that was not created by the applicant.

24

25

The rest of the comments I don't think need to be addressed as it just concerned

1

2 general concerns related to the area, itself.

3

4

SUPERVISOR ROMAINE: Can I ask a question?

5

MR. ALTMAN: Sure.

6

7

SUPERVISOR ROMAINE: The tanks in the ground, aren't they tested by DEC?

8

9

MR. ALTMAN: Chris, you want to address that?

10

11

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MR. TARTAGLIA: Yes, Supervisor Romaine, they're under Suffolk County Health Department jurisdiction, but as David indicated, they're in full compliance, there's no evidence of any leaks, they are double wall fiberglass, latest and greatest technology, so we're not aware of any proof to that allegation that there are leaks. I'm not aware of that at all.

19

SUPERVISOR ROMAINE: Thank you.

20

21

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25

I received the letter, but I didn't receive any back-up information from Mr. Seubert and I've often found as Supervisor, people who don't want to see something will make an allegation without the appropriate back-up, so I would say if

1

2

Mr. Seubert is still listening, please send me whatever back-up you have on that.

3

4

MR. ALTMAN: Yeah. Again, as far as we know, we have no record of any leaks or any open items with DEC, Mr. Supervisor. There's nothing to substantiate that.

5

6

7

8

SUPERVISOR ROMAINE: Thank you.

9

10

Anything else; does a board member want to make a motion to close this?

11

12

13

COUNCILMAN FOLEY: Supervisor, I will make a motion to close public hearing number two.

14

COUNCILMAN LOGUERCIO: Second.

15

16

17

18

19

COUNCILMAN PANICO: I'm just going to point out the covenant talks about an attractive appearance on all four sides. Home plate has five sides, just going to point that out.

20

21

MR. ALTMAN: Thank you, Councilman Panico, you are correct.

22

23

COUNCILMAN PANICO: Just want to point that out, if you read it, keep you honest.

24

25

MS. LENT: Having been moved and seconded, all those in favor?

1

2

COUNCILWOMAN BONNER: Aye.

3

COUNCILWOMAN CARTRIGHT: Aye.

4

COUNCILMAN FOLEY: Aye.

5

COUNCILMAN LaVALLE: Aye.

6

COUNCILMAN LOGUERCIO: Aye.

7

COUNCILMAN PANICO: Aye.

8

SUPERVISOR ROMAINE: Aye.

9

MS. LENT: Opposed?

10

(No response.)

11

MS. LENT: Motion to close carries.

12

COUNCILMAN FOLEY: Public hearing

13

number two, I have a SEQRA negative

14

declaration granting the application of 1680

15

North Ocean LLC for a change of zone from J

16

Business 5, A Residential 1 and L Industrial 1

17

to J Business 5, special permit for motor

18

vehicle fueling station, special permit for

19

convenience store accessory to a motor vehicle

20

fueling station and waivers of special permit

21

criteria on property located on North Ocean

22

Avenue in Holtsville, New York.

23

So moved.

24

COUNCILMAN LOGUERCIO: Second.

25

MS. LENT: All those in favor?

1

2

COUNCILWOMAN BONNER: Aye.

3

COUNCILWOMAN CARTRIGHT: Aye.

4

COUNCILMAN FOLEY: Aye.

5

COUNCILMAN LaVALLE: Aye.

6

COUNCILMAN LOGUERCIO: Aye.

7

COUNCILMAN PANICO: Aye.

8

SUPERVISOR ROMAINE: Aye.

9

MS. LENT: Opposed?

10

(No response.)

11

MS. LENT: Motion carries.

12

COUNCILMAN FOLEY: I have a resolution

13

of adoption for public hearing number two

14

granting the application of 1680 North Ocean

15

LLC for a change of zone from J Business 5, A

16

Residential 1 and L Industrial 1 to J Business

17

5, special permit for motor vehicle fueling

18

station, special permit for a convenience

19

store accessory to a motor vehicle fueling

20

station and waivers of special permit criteria

21

on property located on North Ocean Avenue in

22

Holtsville, New York.

23

So moved.

24

COUNCILMAN LOGUERCIO: Second.

25

MS. LENT: All those in favor?

1

2

COUNCILWOMAN BONNER: Aye.

3

COUNCILWOMAN CARTRIGHT: Aye.

4

COUNCILMAN FOLEY: Aye.

5

COUNCILMAN LaVALLE: Aye.

6

COUNCILMAN LOGUERCIO: Aye.

7

COUNCILMAN PANICO: Aye.

8

SUPERVISOR ROMAINE: Aye.

9

MS. LENT: Opposed?

10

(No response.)

11

MS. LENT: Motion carries.

12

SUPERVISOR ROMAINE: Okay. We're on to

13

public hearing --

14

MR. ALTMAN: Thank you everyone.

15

SUPERVISOR ROMAINE: Thank you.

16

MR. ALTMAN: Have a great night.

17

SUPERVISOR ROMAINE: You, too.

18

We're on to public hearing number

19

three.

20

MS. LENT: Public hearing number three

21

is to consider the application known as

22

McDonald's Corporation, Stony Brook, for a

23

change of zone from J Business 2 and B

24

Residence to J Business 5 and a special permit

25

on property located in Stony Brook, New York.

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Legal notices for public hearings are published no less than 10 days, no more than 20 days prior to a public hearing in one of the legal Town newspapers. My office has received a signed affidavit of publication from the newspaper.

A SEQRA negative determination will be submitted by the Law Department via resolution if applicable.

I am in receipt of a letter from Suffolk County Planning Commission determining it to be a matter of local determination. I am also in receipt of a letter from the Three Village Civic Association with comments and just to note that the applicant was required to post the property as well as notify all property owners within a 500-foot radius of the subject property and my office is in receipt of the affidavits of mailing and posting.

A letter from Suffolk County Planning is dated May 14, 2020.

Dear Ms. Lent:

Pursuant to the requirements of

1

2

Sections A 14-14 to A 14-25 of the Suffolk

3

County Administrative Code, the above

4

referenced application which has been

5

submitted to the Suffolk County Planning

6

Commission is considered to be a matter for

7

local determination as there is no apparent

8

significant county-wide or inter-community

9

impact(s). A decision of local determination

10

should not be construed as either an approval

11

or disapproval.

12

Signed Very truly yours,

13

Andrew P. Freleng.

14

SUPERVISOR ROMAINE: Okay.

15

MR. INGBER: Good evening, Supervisor

16

Romaine and the honorable members of this

17

board.

18

MR. SANZANO: Can I start first, if you

19

don't mind?

20

MR. INGBER: Sorry, Joe.

21

MR. SANZANO: That's okay. I'm just

22

going to give a brief summary and then we'll

23

turn it over to you guys.

24

MR. INGBER: Okay, great.

25

MR. SANZANO: The site is located along

1

2

the north side of Route 347, west of Stony Brook Road in Stony Brook. The subject parcel is 1.88 acres and it is currently occupied with an existing major restaurant with drive-thru. That's a McDonald's. And it's also approved with landscaping and other site permits.

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5

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11

12

The site enjoys a certificate of occupancy that was issued in 1971. The subject property is currently zoned J2 Business and B Residential.

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21

Similar to the last application, this was because of the possible roadway taking that never occurred, leaving the frontage of the property residentially zoned. In 2003 -- in addition, in 2003, the code has changed and now requires that all major restaurants with the drive-thru be established in a J5 Business district with a special use permit from the Town board.

22

23

24

25

The applicant currently seeks a change of zone to J5 Business and also seeks a special use permit for the major restaurant with the drive-thru and their concept plan

1

2

shows a McDonald's restaurant with a double drive-thru, access to Route 347, as it exists pretty much today.

3

4

5

Both change of zone and special use permit would bring the site back into zoning compliance. Waivers from the special permit criteria are required and there may be variances at the time of site plan review.

6

7

8

9

The '96 comprehensive plan recommends a site for a commercial use.

10

11

12

With that, I will turn it over to the applicant for their comments.

13

14

MR. INGBER: Good evening, Supervisor Romaine and the honorable members of this board. Matthew Ingber from Brown & Altman, 538 Broadhollow Road, Suite 301, Melville, New York and as Mr. Sanzano has just mentioned, we're here for a McDonald's application for a change of zone and a special use permit and special use permit waivers in order to raise and rebuild this restaurant and add a new side-by-side drive-thru with a cueing capacity for 17 cars and at the onset, I'd like to thank you for hearing this application and all

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1

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mailings and postings was performed in

3

accordance with the Town code.

4

5

This property has been used as a
McDonald's restaurant for nearly 40 years. As

6

Mr. Sanzano mentioned, there's a certificate

7

of occupancy with the Town dating from 1971.

8

9

Tonight McDonald's requests Town board
relief to develop the property with an updated

10

building and a side-by-side drive-thru using

11

modern digital menu boards and a copy of the

12

site plan was previously shown by Mr. Sanzano

13

and as part of the development, the new

14

restaurant will be 4,298 square feet. In

15

addition, the applicant will be removing the

16

outdoor dining area that is currently situated

17

in the front of the building.

18

19

Our office discussed this application

with the Three Village Civic Association and

20

they reviewed the site plan and the proposed

21

architecture. The letter of support was sent

22

to the Town by email dated August 7th of 2020.

23

And also submitted to the Town was just

24

following precedent that was in further

25

support of this application for change of

1

2

zones, special use permit and special use permit waivers.

3

4

5

And with that, I'll leave it to the board if they have any questions about this

6

application and with us tonight is Jared

7

Jones, our project engineer. We have our

8

traffic engineer and Patrick Blease from Core

9

States, who is a project architect.

10

SUPERVISOR ROMAINE: Thank you.

11

Are there any questions from board

12

members?

13

COUNCILWOMAN CARTRIGHT: I have no

14

questions, but I would like Joe to please just

15

go over the restrictive covenants here.

16

MR. SANZANO: Certainly.

17

So we had recommended that there's an

18

intensification fee that's required and

19

limited to a major restaurant exclusively with

20

the drive-thru and that the landscape front

21

yard is 40 feet and also a supplemented

22

re-buffer of a hundred feet.

23

COUNCILWOMAN CARTRIGHT: Thank you so

24

much. I looked at the paperwork that's

25

attached to the public hearing and I

1

2

specifically made a request to Joe to tighten

3

up the language with respect to covenant

4

number two to state that it's exclusive use

5

for a major restaurant with or without a

6

drive-thru and he said that he would make that

7

proper change before we vote, so I just wanted

8

to identify that particular issue.

9

I did receive a letter from the civic

10

association. Originally they were in

11

opposition, but after being in constant

12

communication with our planning department as

13

well as with the applicants, they have given

14

us a letter of no objection, but they do ask

15

the applicant to stay in touch with them as it

16

relates to the planning process.

17

MS. EADERESTO: The decision has

18

already been amended, Councilwoman.

19

COUNCILWOMAN CARTRIGHT: Thank you.

20

MS. LENT: Supervisor, you had said

21

something, but you were cutting out, so I

22

don't think we'll have it on the transcript;

23

could you repeat what it was that you said?

24

SUPERVISOR ROMAINE: I was asking the

25

intensification fee I think is a little bit

1

2

more than 35,000, Joe?

3

4

5

6

7

MR. SANZANO: That's correct and it's half the -- 19,000 due at the onset of the change of zone, if the board should grant this and then there's another 19, nine due at the time of site plan.

8

9

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25

SUPERVISOR ROMAINE: Thank you. Okay.

Other questions?

(No response.)

SUPERVISOR ROMAINE: No other

questions.

Do we have any speakers on this?

(No response.)

SUPERVISOR ROMAINE: Annette, do we have any speakers on this?

MS. EADERESTO: Sorry, I was muted, Mr. Supervisor.

No speakers.

SUPERVISOR ROMAINE: No speakers.

I'll make a motion to close this public hearing.

COUNCILWOMAN CARTRIGHT: Second.

MS. LENT: All those in favor?

COUNCILWOMAN BONNER: Aye.

1

2

COUNCILWOMAN CARTRIGHT: Aye.

3

COUNCILMAN FOLEY: Aye.

4

COUNCILMAN LaVALLE: Aye.

5

COUNCILMAN LOGUERCIO: Aye.

6

COUNCILMAN PANICO: Aye.

7

SUPERVISOR ROMAINE: Aye.

8

MS. LENT: Opposed?

9

(No response.)

10

MS. LENT: Motion to close carries.

11

SUPERVISOR ROMAINE: Okay.

12

COUNCILWOMAN CARTRIGHT: I have a

13

motion with respect to the SEQRA negative

14

declaration granting the application of

15

McDonald's at Stony Brook for a change of zone

16

from J Business 2 and B Residence zoning

17

districts to J Business 5 zoning district and

18

Town board special permit for proposed major

19

restaurant with accessory drive-thru on

20

property located on New York State Route 347

21

also known as Nesconset Highway in Stony

22

Brook, New York.

23

So moved.

24

COUNCILWOMAN BONNER: Second.

25

MS. LENT: All those in favor?

1

2

COUNCILWOMAN BONNER: Aye.

3

COUNCILWOMAN CARTRIGHT: Aye.

4

COUNCILMAN FOLEY: Aye.

5

COUNCILMAN LaVALLE: Aye.

6

COUNCILMAN LOGUERCIO: Aye.

7

COUNCILMAN PANICO: Aye.

8

SUPERVISOR ROMAINE: Aye.

9

MS. LENT: Opposed?

10

(No response.)

11

MS. LENT: Motion carries.

12

COUNCILWOMAN CARTRIGHT: Next

13

resolution is granting the application of

14

McDonald's at Stony Brook for a change of zone

15

from J Business 2 and B Residence zoning

16

districts to J Business 5 zoning district and

17

Town board special permit for proposed major

18

restaurant with accessory drive-thru on

19

property located on New York State Route 347

20

also known as Nesconset Highway in Stony

21

Brook, New York, as amended.

22

So moved.

23

COUNCILWOMAN BONNER: Second.

24

MS. LENT: All those in favor?

25

COUNCILWOMAN BONNER: Aye.

1

2

COUNCILWOMAN CARTRIGHT: Aye.

3

COUNCILMAN FOLEY: Aye.

4

COUNCILMAN LaVALLE: Aye.

5

COUNCILMAN LOGUERCIO: Aye.

6

COUNCILMAN PANICO: Aye.

7

SUPERVISOR ROMAINE: Aye.

8

MS. LENT: Opposed?

9

(No response.)

10

MS. LENT: Motion carries.

11

SUPERVISOR ROMAINE: Okay. We're on to

12

the next public hearing, public hearing four.

13

MS. LENT: Public hearing number four

14

is to consider the application known as

15

McDonald's Corporation, Miller Place, for a

16

change of zone from J Business 2 to J Business

17

5 and a special permit on property located in

18

Miller Place, New York. This was previously

19

opened on July 16, 2020.

20

My office is in receipt of the

21

affidavits of revised mailing and revised

22

posting from the applicant.

23

SUPERVISOR ROMAINE: Okay.

24

Joe, would you explain a little bit

25

about this application?

1

2

MR. SANZANO: Certainly,

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Mr. Supervisor.

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12

Today we have this application before us. It is located along the south side of New York State Route 25A west of Miller Place Road in Miller Place. The subject parcel is 1.49 acres and it's currently occupied with an existing McDonald's restaurant, major restaurant, with accessory drive-thru facility, landscaping and other site improvements.

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19

The site has enjoyed a certificate of occupancy that was issued in 1991. The project site is currently zoned J2 Business. In 2003, Town code was changed to require that all major restaurants with drive-thru facility be located in a J5 Business district with special use permits from the Town board.

20

21

22

23

The applicant currently seeks a change of zone to J5 Business. Applicant also seeks a special use permit for a major restaurant with drive-thru facility.

24

25

The concept plan shows a McDonald's restaurant with a drive-thru facility, access

1

2

to Miller Place Road and Route 25.

3

The change of zone --

4

COUNCILWOMAN BONNER: 25A.

5

6

MR. SANZANO: -- would bring the site back into zoning compliance. Waivers from the

7

criteria are required. Variances may also be

8

required at the time of site plan review.

9

10

The site does fall within the Route 25A Miller Place Hamlet center overlay district,

11

which recommends this site as heavy

12

commercial, which also defines that as uses

13

consistent with the J5 Business district

14

including fast food restaurants.

15

16

It should also be noted that the cross access that is recommended is considered to

17

the adjacent commercial properties to the east

18

and west and not any connections to any

19

residential properties to the south.

20

With that, I will turn it over to the

21

applicant for their comments.

22

23

COUNCILWOMAN BONNER: Joe, I just want to, before the applicant speaks, just

24

confirming that McDonald's is not expanding,

25

not growing, not becoming bigger or larger or

1

increasing their footprint.

2

3

MR. SANZANO: Councilwoman, they have a one and a half acre site. I don't know that they would need much more than that --

4

5

6

COUNCILWOMAN BONNER: Okay.

7

MR. SANZANO: -- normally, so . . .

8

COUNCILWOMAN BONNER: I know that from the last Town board meeting there was some confusion with some residents, so I just want to put it on the record.

10

11

12

Thank you, Joseph.

13

MR. INGBER: For the record, McDonald's is actually decreasing the size of the building by a hundred square feet to make it more ADA compliant.

14

15

16

17

MR. SANZANO: Right.

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COUNCILWOMAN BONNER: Thank you.

19

SUPERVISOR ROMAINE: Okay.

20

MR. INGBER: Good evening, Supervisor Romaine and the honorable members of the board. Matthew Ingber from Brown & Altman, 538 Broadhollow Road, Suite 301 West, Melville New York.

21

22

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24

25

I'm here tonight for a McDonald's

1

2

application to redevelop the existing

3

McDonald's restaurant and add a tandem

4

drive-thru for the property located at 340

5

Route 25A in Miller Place and for the record,

6

we met with the Miller Place Civic Association

7

and they are not opposed to the application.

8

An email from the Miller Place Civic

9

Association approving the plans and the

10

elevations was sent by the civics on June 19,

11

2020 and as Mr. Sanzano mentioned in his

12

introduction, this property has been used as a

13

McDonald's since -- for nearly 30 years since

14

1991. It is currently improved with a single

15

lane drive-thru that we're going to modernize

16

and turn it into a tandem drive-thru.

17

The McDonald's is requesting Town board

18

relief for a change of zone, special use

19

permit and special use permit waivers in order

20

to make these improvements and bring the site

21

back into zoning compliance into the J5 zoning

22

district.

23

In respect to the Town special use

24

permit waivers, we're seeking a waiver for the

25

minimum required landscaping for the front

1

2

yard and a waiver for the minimum cueing

3

spaces where we're depicting ten spaces and

4

the Town code requires 12.

5

Prior to the hearing, we submitted

6

(inaudible) president by this board that

7

supports this application, many of which were

8

prior McDonald's approvals and with us, again,

9

with me tonight is the project engineer, the

10

traffic engineer and the project architect who

11

are available to answer any questions that the

12

board or the public may have.

13

So with that, I'll let the board ask

14

any questions on the application.

15

MS. LENT: I have to swear them in

16

first, who do you think . . .

17

(Pause.)

18

MS. LENT: Do you swear to tell the

19

truth -- sir, you're an attorney, I didn't

20

realize that before, I'm sorry, you don't need

21

to do that.

22

Do you swear to tell the truth, the

23

whole truth and nothing but the truth so help

24

you God?

25

MR. JONES: I do.

1

2

MR. BLEES: I do.

3

MR. SCHUKOSKE: I do.

4

MS. LENT: Thank you.

5

Go ahead.

6

7

MR. INGBER: So if the board or the public have any questions, I'm here and my

8

three experts are here to address any

9

questions.

10

COUNCILWOMAN BONNER: I don't have any.

11

12

SUPERVISOR ROMAINE: Any questions from the board at all, anyone?

13

(No response.)

14

15

SUPERVISOR ROMAINE: No questions and no speakers.

16

17

Is there a motion to close this public hearing?

18

COUNCILWOMAN BONNER: Motion to close.

19

SUPERVISOR ROMAINE: Second.

20

MS. LENT: All those in favor?

21

COUNCILWOMAN BONNER: Aye.

22

COUNCILWOMAN CARTRIGHT: Aye.

23

COUNCILMAN FOLEY: Aye.

24

COUNCILMAN LaVALLE: Aye.

25

COUNCILMAN LOGUERCIO: Aye.

1

2

COUNCILMAN PANICO: Aye.

3

SUPERVISOR ROMAINE: Aye.

4

MS. LENT: Opposed?

5

(No response.)

6

MS. LENT: Motion to close carries.

7

COUNCILWOMAN BONNER: Do you have a

8

question, Valerie?

9

COUNCILWOMAN CARTRIGHT: No. Before

10

the applicants come off after you move forward

11

with this vote, I just want to make a

12

statement.

13

COUNCILWOMAN BONNER: Okay.

14

SEQRA negative declaration granting the

15

application of McDonald's at Miller Place for

16

a change of zone from J Business 2 to J

17

Business 5, a special permit to operate a

18

major restaurant with an accessory drive-thru

19

and waivers of special permit criteria on

20

property located on New York State Route 25A

21

in Miller Place, New York.

22

So moved.

23

COUNCILMAN LaVALLE: Second.

24

MS. LENT: All those in favor?

25

COUNCILWOMAN BONNER: Aye.

1

2

COUNCILWOMAN CARTRIGHT: Aye.

3

COUNCILMAN FOLEY: Aye.

4

COUNCILMAN LaVALLE: Aye.

5

COUNCILMAN LOGUERCIO: Aye.

6

COUNCILMAN PANICO: Aye.

7

SUPERVISOR ROMAINE: Aye.

8

MS. LENT: Opposed?

9

(No response.)

10

MS. LENT: Motion carries.

11

COUNCILWOMAN BONNER: We have a

12

resolution of adoption granting the

13

application of McDonald's at Miller Place for

14

a change of zone from J Business 2 to J

15

Business 5, special permit for a major

16

restaurant with accessory drive-thru and

17

waivers of special permit criteria on property

18

located on New York State Route 25A in Miller

19

Place, New York.

20

So moved.

21

COUNCILMAN LaVALLE: Second.

22

MS. LENT: All those in favor?

23

COUNCILWOMAN BONNER: Aye.

24

COUNCILWOMAN CARTRIGHT: Aye.

25

COUNCILMAN FOLEY: Aye.

1

2

COUNCILMAN LaVALLE: Aye.

3

COUNCILMAN LOGUERCIO: Aye.

4

COUNCILMAN PANICO: Aye.

5

SUPERVISOR ROMAINE: Aye.

6

MS. LENT: Opposed?

7

(No response.)

8

MS. LENT: Motion to close carries.

9

COUNCILWOMAN CARTRIGHT: Okay.

10

So I just asked Town Attorney Eaderesto

11

if we could just address, I believe there was

12

a constituent from Strathmore Gate that had a

13

question on the prior hearing and she had her

14

hand up, but I believe Leigh Rate is trying to

15

address her issue. I just don't want the

16

applicants to leave if I have to possibly

17

reopen the hearing if there's a question that

18

can't be answered.

19

MS. EADERESTO: Okay. They've been

20

trying to communicate with her since before

21

the hearing started, since five p.m. and

22

trying to ask her what hearing she was here on

23

and we're having a very hard time

24

communicating, but Leigh is trying to answer

25

her question now.

1

2

COUNCILWOMAN CARTRIGHT: Okay.

3

4

5

6

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25

I think, you know, given the fact that we are in a situation where not everyone knows how to use Zoom and they're getting accustomed to this, if there is someone that's part of an adjoining property, which is Strathmore Gate, they should have an opportunity to be able to ask any questions and apparently this did not become an issue until the next hearing opened.

COUNCILMAN PANICO: The question must be related to the hundred foot buffer, which is covenanted in your approval to remain natural because Strathmore Gate is to the northwest, right?

COUNCILWOMAN CARTRIGHT: That's correct. Yes, I indicated that to her.

MS. EADERESTO: The problem is she's not responding to any of our chats. She's just saying question, she's not saying what hearing it is, so I don't know how you're communicating with her, but she's not responding to my attorneys.

COUNCILWOMAN CARTRIGHT: Okay.

MS. EADERESTO: We're trying everything

1

2 we can, but if she doesn't answer, we can't
3 help her.

4

COUNCILWOMAN CARTRIGHT: I mean
5 normally we would have just brought on her so
6 we can have her speak and ask a question,
7 correct, if she was commenting on the public
8 hearing?

9

MS. EADERESTO: She's not telling us
10 what hearing she wanted to comment on.

11

COUNCILWOMAN CARTRIGHT: It's on the --

12

COUNCILWOMAN BONNER: She had a
13 question at 6:03. Jen answered. She said she
14 had a question from Strathmore Gate. What is
15 your question at 6:04. Then at 6:06 she said
16 questions about adjoining property. So she's
17 obviously --

18

COUNCILWOMAN CARTRIGHT: Strathmore
19 Gate is immediately adjoining my property, you
20 know, the property that we just dealt with,
21 with respect to McDonald's, public hearing
22 number three, so I don't want to move forward
23 if she has a question.

24

So can we bring her on to find out if
25 she's not typing, if she can let us know what

1

2

the question --

3

MS. EADERESTO: We're letting her in.

4

5

MS. LENT: Annette, Annette, let me ask you, please, because we've already closed the public hearing, I've taken a vote on all

6

7

three --

8

9

MS. EADERESTO: I understand, but let's just see if she has a question that doesn't need to be part of the record, otherwise you're going to have to reopen three.

10

11

12

COUNCILWOMAN CARTRIGHT: That's right.

13

MS. LENT: Okay.

14

COUNCILWOMAN CARTRIGHT: Thank you.

15

SUPERVISOR ROMAINE: Okay.

16

(Pause.)

17

COUNCILWOMAN CARTRIGHT: I no longer see her on. Maybe after they told her that the hearing was closed, she removed herself.

18

19

20

COUNCILMAN PANICO: No, she's on.

21

COUNCILWOMAN CARTRIGHT: She's on?

22

Okay.

23

COUNCILMAN PANICO: SGBOD?

24

COUNCILWOMAN CARTRIGHT: Yes.

25

MS. LENT: Yes, she's there.

1

2

(Pause.)

3

4

MR. SCHUKOSKE: Is there a call-in
number that you can send to them?

5

(Pause.)

6

7

MS. LENT: I'm seeing we want to check
PON from her; what is that, PON?

8

9

MS. EADERESTO: This is what we've been
getting the whole time, so I can't help you.

10

11

I don't know how to say her name, just
spell it.

12

SGBOD, do you wish to speak?

13

(No response.)

14

15

COUNCILWOMAN BONNER: Do you want to go
back and open it and leave it open for written
comment for 15 days, Valerie?

16

17

MS. EADERESTO: How is that fair to the
applicant, I'm just saying?

18

19

COUNCILWOMAN BONNER: I don't know. I
mean, you know, we obviously have a resident
that --

20

21

22

COUNCILWOMAN CARTRIGHT: Okay. Here's
what I'm going to request.

23

24

COUNCILWOMAN BONNER: -- has the
councilwoman concerned that she's not getting

25

1

2

her question answered.

3

4

COUNCILWOMAN CARTRIGHT: How many more hearings do we have, I don't have that open in front of me?

5

6

COUNCILMAN PANICO: Two.

7

MS. LENT: Two more.

8

9

SUPERVISOR ROMAINE: We have three more hearings after this one.

10

MS. EADERESTO: Hold on one second.

11

(Pause.)

12

MS. EADERESTO: Okay.

13

Does she want to speak?

14

(Pause.)

15

COUNCILWOMAN BONNER: Maybe Jennifer can call her.

16

17

MS. EADERESTO: She's on and she's

18

listening right now and she's not speaking,

19

but she had a question about the hundred foot

20

buffer, so I'll answer the question.

21

The hundred foot buffer is covenanted.

22

Not only will it remain natural, it has to be

23

supplemented.

24

COUNCILWOMAN BONNER: So the applicant

25

will add additional buffering on the --

1

2

MS. EADERESTO: As necessary and they'll do that at the time of site plan approval.

3

4

COUNCILWOMAN BONNER: Okay.

5

6

MR. JONES: The existing buffer now is -- well, the buffer's being expanded to over 200 feet. I think she may be concerned that we're moving closer. We're actually moving it farther away from her development, so I hope that clarifies it for her.

7

8

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24

COUNCILWOMAN CARTRIGHT: So this is what I'm going to ask. We have what, four people that are here representing the applicant. I'd like to move forward with the rest of the hearings. If you guys can stay on, please, I mean we can put you back in the attendees just in case we need to reopen. I don't want you to have to ever come back on another day if not necessary, so let's just address this this evening. So while we move forward with the next two hearings, we can push the applicant representatives out -- oh, there she goes, she just left.

25

COUNCILWOMAN BONNER: We want to check

1

2

on the buffer to Strathmore.

3

4

Annette, the applicant just addressed
it --

5

6

MS. EADERESTO: Okay, I can answer it,
what does supplemented mean.

7

8

9

10

Joe, she's asking if it will include
fencing and shrubs. So it will include
evergreens, which are I guess she's calling
shrubs.

11

MR. SANZANO: Yes.

12

13

MS. EADERESTO: Will it include
fencing, Joe?

14

15

16

17

18

19

MR. SANZANO: Yes. Typically we will
require fencing around the commercial property
and by supplemental plantings, usually that's
an evergreen tree, it's seven foot high, five
foot planted in between, so it's a pretty
significant supplemental buffer.

20

21

MS. EADERESTO: Okay. I think we've
answered her question.

22

23

24

25

COUNCILWOMAN CARTRIGHT: Thank you.
And if you can please type in there the phone
number that she can reach the Law Department
or the applicant if she has additional

1

2

questions, I would appreciate that so she can

3

have that.

4

MS. EADERESTO: Jen will do that.

5

COUNCILWOMAN CARTRIGHT: Thank you very

6

much.

7

SUPERVISOR ROMAINE: Okay. Let's go

8

back to where we're at.

9

MS. LENT: Hearing number five.

10

SUPERVISOR ROMAINE: Hearing number

11

five, please.

12

MS. LENT: Public hearing number five

13

is to consider the application known as

14

McDonald's Corporation Rocky Point for a

15

change of zone from J Business 2 to J Business

16

5 and a special permit on property located in

17

Rocky Point, New York.

18

My office is in receipt of the

19

affidavits of revised mailing and revised

20

posting from the applicant as this had

21

previously been opened on July 16, 2020.

22

Mr. Sanzano, I guess you can do an

23

overview.

24

MR. SANZANO: Yes, I'm ready. Okay.

25

This application is located along the

1

2

north side of New York State Route 25A,

3

1,724 feet east of Hallock Landing Road in

4

Rocky Point. The parcel is 1.033 acres and

5

it's currently occupied with a McDonald's

6

restaurant, major restaurant, with a

7

drive-thru and associated landscaping and

8

other site improvements. The site enjoys a

9

certificate of occupancy that was issued in

10

1974.

11

The site is currently zoned J2

12

Business. In 2003, Town code changed, which

13

required that all major restaurants with a

14

drive-thru facility be located in a J5

15

Business district.

16

The applicant currently seeks a J5

17

Business district along with a special use

18

permit for a major restaurant and drive-thru

19

facility.

20

Applicant's conceptual plan shows a

21

major restaurant with drive-thru facility,

22

associated parking and landscaping. The

23

proposed change of zone would bring the site

24

back into zoning compliance. Waivers from the

25

special permit criteria are required.

1

2

Variances may also be required at the time of site plan review.

3

4

5

6

7

8

9

The subject site falls within the Route 25A transition overlay district. The Route 25A land use plan classifies this area for limited business, which it also defines as consistent with the J5 Business district including fast food restaurants.

10

11

With that, I will turn it over to the applicant for their comments.

12

13

14

15

16

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21

22

MR. INGBER: Good evening, Supervisor Romaine and the honorable members of the Town board. Matthew Ingber from Brown & Altman, 538 Broadhollow Road, Suite 301 West, Melville, New York and I am here tonight for a McDonald's change of zone and special use permit application to make a 454 square foot expansion to the rear of the restaurant to make additional space for a freezer and to ADA improvements of the property and install new digital menu boards to service the drive-thru.

23

24

25

By way of background, the property is currently improved with a McDonald's restaurant with a single lane drive-thru and

1

2

the property has been used as a McDonald's restaurant since circa 1974 and in addition to the change of zone and special use permit application, the applicant is also seeking special use permit waivers, one for the minimum landscape buffer and the other for the percentage of natural landscape area on the property.

4

5

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10

We note that on March 3, 2020, we met with the Rocky Point Civic Association and we obtained a letter in support of the proposed building and the architecture by letter dated June 16, 2020.

11

12

13

14

15

16

17

18

19

Prior to the hearing, we submitted Town board president in support of this application showing prior cases where the Town granted change of zones, special permits and special use permit waivers.

20

21

22

23

24

25

With that, I ask that the board, if you have any questions, I have my project engineer, my traffic engineer and the project architect who are available to answer questions from the board or members of the public.

1

2

SUPERVISOR ROMAINE: Thank you.

3

Are there any questions for the

4

applicant?

5

COUNCILWOMAN BONNER: No. I just want

6

to say that one of the covenants, if we decide

7

to adopt this, is that the landscaping

8

treatment in the front, the westerly and

9

southerly front yard, stays intact. There's

10

some nice mature landscaping you have there

11

and the community and the councilwoman that

12

lives in the community would like to see that

13

landscaping stay intact.

14

COUNCILMAN PANICO: Jane, is this where

15

you get your chicken nuggets?

16

COUNCILWOMAN BONNER: I do have an

17

unsweetened iced tea problem. I have nothing

18

against McDonald's, I just don't eat it,

19

sorry.

20

So if there are no questions from my

21

colleagues, is there anything in the cue, any

22

questions from residents?

23

MS. EADERESTO: No, there are no

24

participants for this.

25

COUNCILWOMAN BONNER: All right. Then

1

2

I make a motion to close.

3

SUPERVISOR ROMAINE: Second.

4

MS. LENT: All those in favor?

5

COUNCILWOMAN BONNER: Aye.

6

COUNCILWOMAN CARTRIGHT: Aye.

7

COUNCILMAN FOLEY: Aye.

8

COUNCILMAN LaVALLE: Aye.

9

COUNCILMAN LOGUERCIO: Aye.

10

COUNCILMAN PANICO: Aye.

11

SUPERVISOR ROMAINE: Aye.

12

MS. LENT: Opposed?

13

(No response.)

14

MS. LENT: Motion to close carries.

15

COUNCILWOMAN BONNER: I have a SEQRA

16

negative declaration granting the application

17

of McDonald's at Rocky Point for a change of

18

zone from J Business 2 to J Business 5, a

19

special permit to operate a major restaurant

20

with accessory drive-thru and waivers of

21

special permit criteria on property located on

22

New York State Route 25A, Rocky Point, New

23

York.

24

So moved.

25

COUNCILMAN LaVALLE: Second.

1

2

MS. LENT: All those in favor?

3

COUNCILWOMAN BONNER: Aye.

4

COUNCILWOMAN CARTRIGHT: Aye.

5

COUNCILMAN FOLEY: Aye.

6

COUNCILMAN LaVALLE: Aye.

7

COUNCILMAN LOGUERCIO: Aye.

8

COUNCILMAN PANICO: Aye.

9

SUPERVISOR ROMAINE: Aye.

10

MS. LENT: Opposed?

11

(No response.)

12

MS. LENT: Motion carries.

13

COUNCILWOMAN BONNER: I have a

14

resolution of adoption granting the

15

application of McDonald's at Rocky Point for a

16

change of zone from J Business 2 to J Business

17

5, special permit to operate a major

18

restaurant with accessory drive-thru and

19

waivers of special permit criteria on property

20

located on New York State Route 25A in Rocky

21

Point, New York.

22

So moved.

23

COUNCILMAN LaVALLE: Second.

24

MS. LENT: All those in favor?

25

COUNCILWOMAN BONNER: Aye.

1

2

COUNCILWOMAN CARTRIGHT: Aye.

3

COUNCILMAN FOLEY: Aye.

4

COUNCILMAN LaVALLE: Aye.

5

COUNCILMAN LOGUERCIO: Aye.

6

COUNCILMAN PANICO: Aye.

7

SUPERVISOR ROMAINE: Aye.

8

MS. LENT: Opposed?

9

(No response.)

10

MS. LENT: Motion carries.

11

COUNCILWOMAN BONNER: Thank you.

12

MR. INGBER: Thank you.

13

SUPERVISOR ROMAINE: Thank you very

14

much. Have a good night.

15

MR. INGBER: You, too.

16

SUPERVISOR ROMAINE: Okay. We're on to

17

the next one, which is number six, public

18

hearing number six.

19

MS. LENT: Public hearing number six,

20

to audit and determine the amount of cleanup

21

costs and expenses incurred by the Town of

22

Brookhaven and to impose liens enforceable

23

through tax levies against each subject

24

property for the full cleanup costs and

25

expenses.

1

2

Legal notices for public hearings are published for legal compliance no less than ten days, no more than 20 days prior to the public hearing in one of the legal Town newspapers.

5

6

7

8

9

10

11

My office has received a signed affidavit of publication from the newspaper and should the board render a decision tonight, this has been deemed a SEQRA Type II action.

12

SUPERVISOR ROMAINE: Okay.

13

14

We're going to have Annette explain a little bit about this.

15

16

MS. EADERESTO: Thank you, Mr. Supervisor.

17

18

19

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21

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25

This hearing is in regard to three parcels that are located in our Manorville farm protection area. This matter was initiated by my office, Town of Brookhaven versus John W. Dosiak, Bennett S. Dosiak, J.D. Materials Trucking, Inc., et al. and those individuals we had alleged in that enforcement action had brought fill in massive amounts onto the three farms.

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11

Pursuant to that enforcement action, the Town obtained a judgment directing the owners of the property to remove the fill from the property. They had a time certain to do that, which was I believe September of 2019. When they did not do that, the Town filed a motion for contempt, civil contempt and they added Lisa Dosiak as an additional defendant at that time because she had been placed on one of the deeds.

12

13

14

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21

The court enforcement action, thereupon the judge issued a supplemental order and judgment and that was dated August 8, 2019 and it authorized the Town to conduct a cleanup at the three subject premises and so those premises are 191 South Street, Manorville, 293 South Street, Manorville and the north Dosiak farm, which is also in Manorville, but it's north of Exit 69 on the Long Island Expressway.

22

23

24

25

Thereafter, the Town bid the work out to a contractor to remove the material and bring said material to the Brookhaven landfill. The material was tested, it was not

1

2

appropriate soils to be placed on these

3

properties and that's why we obtained these

4

orders from the Supreme Court.

5

Thereafter, the Brookhaven Town

6

Commissioner of Recyclable -- Department of

7

Recycling and Sustainable Materials Management

8

and the Town Attorney calculated and

9

determined and certified the actual cleanup

10

costs incurred by the Town of Brookhaven to

11

clean up these properties and in accordance

12

with the August 8th supplemental order and

13

judgment, the following cleanup costs are

14

being assessed and in that order we also asked

15

the judge to put a lien on the tax bills.

16

The cleanup costs and expenses for 191

17

South Street, Manorville, are \$177,691.87; the

18

cleanup costs and expenses for 293 South

19

Street, Manorville, are \$1,072,658.56 and the

20

cleanup costs and expenses for the north

21

Dosiak farm are \$917,565.30 and pursuant to

22

law of public hearing, it is being set to give

23

due process to the owners to weigh in on these

24

liens before they're levied on the tax bills

25

and that's all I have. I'd answer any

1

2

questions from the board and we do have two
speakers on this hearing.

3

4

SUPERVISOR ROMAINE: Okay. Let's hear
from the speakers first.

5

6

MS. EADERESTO: Okay.

7

Jen, will you let the speakers in,

8

please?

9

(Pause.)

10

MS. EADERESTO: Okay. The speakers are

11

in.

12

MR. STOCK: Hello.

13

MR. RIYAZ: Hello.

14

MS. EADERESTO: Do you see them?

15

MS. LENT: I see --

16

SUPERVISOR ROMAINE: One is Tom Stock.

17

MR. STOCK: Yes.

18

MS. LENT: And the other is --

19

MR. RIYAZ: Zachary Riyaz.

20

MS. LENT: If you will please both just

21

raise your right hand and repeat after me.

22

Do you swear to tell the truth, the

23

whole truth and nothing but the truth so help

24

you God?

25

MR. STOCK: I do.

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MR. RIYAZ: I do.

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MS. LENT: Thank you.

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So we're going to take, I don't know who came in first, but you're first, Zachary, so I'm going to let you go first. I'm going to time you, you will have five minutes and you won't see the timer, but I will and I will stop you when your time is expired unless you stop yourself before.

11

Thank you. You can go ahead.

12

MR. RIYAZ: Thank you.

13

14

Zachary Riyaz, P.C. by Zachary Riyaz for Lisa Dosiak.

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22

Good evening, Supervisor and the honorable members of the board. My client's Lisa Dosiak. She has an interest in 191 South Street, Manorville, New York. Lisa and John are in the process of getting a divorce and have been for a few years, but they finally settled their case and they are going to be divorced soon.

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25

The property, 191 South Street, has always been controlled by John Dosiak and my client has not been able to control or what

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2

has happened on that property and at this

3

point, we understand that there's a cleanup

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cost of 177,000 and we're asking the Town

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board to impose such -- any liens associated

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with the cleanup against John Dosiak's

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interest in the subject property.

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MS. EADERESTO: Does the board want me

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to address that?

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SUPERVISOR ROMAINE: Yes.

11

MS. EADERESTO: Basically what the

12

court order says is that this will be assessed

13

against the tax bill, so when the tax bill

14

comes out in December, it will not only have

15

the taxes that are for the farm, itself, but

16

this special assessment will be there on the

17

tax bill. So it actually attaches to the real

18

property, not to an individual.

19

SUPERVISOR ROMAINE: Thank you.

20

MR. RIYAZ: Thank you very much.

21

MS. EADERESTO: The next speaker,

22

Mr. Stock.

23

MS. LENT: Mr. Stock.

24

MR. STOCK: Yeah. My name is Thomas

25

Stock from the office of Victor A. Carr &

1

2

Associates and we represent John Dosiak and

3

Bennett Dosiak with respect to the action

4

which resulted in this hearing today and

5

judge's order which resulted in this hearing

6

today.

7

I just want to recite for the record

8

first my client's objection to the hearing and

9

to the findings of the Town with respect to

10

the cleanup costs in that they are not in

11

accordance with the court order and consists,

12

at least partially, of opinions and estimates,

13

which are not appropriate.

14

I would further indicate that with

15

respect to Mr. Riyaz's request, he's basically

16

asking the Town board to take the place of

17

Judge Crecca, who I understand is on the -- is

18

the Supreme Court judge on the matrimonial in

19

terms of the dispute between Lisa Dosiak and

20

John Dosiak and although I am not involved in

21

the matrimonial in any way, he's represented

22

by other counsel in that, as it affects the

23

proceeding in Supreme Court relative to these

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cleanup costs, I would object to the Town

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board taking any action in that direction.

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I would further recite for the record that my clients having once been victimized by the people who brought these materials to the property under false pretenses now are of the opinion, for what it's worth, that they're being victimized by the Town and I have nothing further.

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MS. EADERESTO: Mr. Supervisor, I would just like to add that these are not estimates, these are not guesstimates, these are hard facts. We have all the tonnage, the tipping fees. The contract was bid pursuant to 103 of the General Municipal Law and the Town awarded to the lowest responsible bidder. Those are real costs that the Town incurred.

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The court order also allowed for our environmental group, FPM, to bill their costs and our engineer to bill his costs, which were very nominal for the engineer. So again, this was a court order, we followed all the requirements of the court order and I'd ask the board to vote to place this lien on these properties, these liens on these properties.

25

SUPERVISOR ROMAINE: Thank you.

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I would urge Mr. Dosiak's attorney to take up the issues he raised with the court, itself. Although they've already ruled on it, if he has any complaints about that, he should take it up with the court.

6

7

MR. STOCK: The question is, is whether or not the Town board's action is in compliance with the court order, sir, with all due respect.

10

11

SUPERVISOR ROMAINE: That's an opportunity, you will have the opportunity to go to court if you believe it is not and petition the court. We believe it is in the court's, with the court and we are moving forthwith and at that, unless there's other questions, I'm going to move to close this public hearing.

18

19

Other questions?

20

(No response.)

21

SUPERVISOR ROMAINE: No other questions.

22

23

I move to close the public hearing.

24

MS. LENT: Can I have a second?

25

COUNCILMAN FOLEY: Second.

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MS. LENT: I'm sorry, Mr. Foley, that
was you?

3

4

COUNCILMAN FOLEY: Yes.

5

MS. LENT: You're so quick.

6

All those in favor?

7

COUNCILWOMAN BONNER: Aye.

8

COUNCILWOMAN CARTRIGHT: Aye.

9

COUNCILMAN FOLEY: Aye.

10

COUNCILMAN LaVALLE: Aye.

11

COUNCILMAN LOGUERCIO: Aye.

12

COUNCILMAN PANICO: Aye.

13

SUPERVISOR ROMAINE: Aye.

14

MS. LENT: Opposed?

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(No response.)

16

MS. LENT: Motion to close carries.

17

COUNCILMAN FOLEY: I have a resolution

18

of adoption for public hearing number six to

19

audit and determine the amount of cleanup

20

costs and expenses incurred by the Town of

21

Brookhaven and to impose liens enforceable

22

through the tax levies against each subject

23

property for the full cleanup costs and

24

expenses.

25

So moved.

1

2 COUNCILMAN LOGUERCIO: Second.

3 MS. LENT: All those in favor?

4 COUNCILWOMAN BONNER: Aye.

5 COUNCILWOMAN CARTRIGHT: Aye.

6 COUNCILMAN FOLEY: Aye.

7 COUNCILMAN LaVALLE: Aye.

8 COUNCILMAN LOGUERCIO: Aye.

9 COUNCILMAN PANICO: Aye.

10 SUPERVISOR ROMAINE: Aye.

11 MS. LENT: Opposed?

12 (No response.)

13 MS. LENT: Motion carries.

14 SUPERVISOR ROMAINE: Okay. We're on to
15 our last public hearing, public hearing number
16 seven.17 MS. LENT: Public hearing number seven,
18 determination of the premises located at 38
19 Parkside Avenue, Miller Place, New York. This
20 had been previously opened on June 6, 2019 and
21 I will take a motion to adjourn this public
22 hearing to October 1, 2020 at 2:30 p.m.

23 SUPERVISOR ROMAINE: So moved.

24 COUNCILWOMAN BONNER: I make that
25 motion.

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MS. LENT: It's been made by the

3

Supervisor.

4

Can I have a second?

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COUNCILWOMAN BONNER: Second.

6

MS. LENT: All those in favor?

7

COUNCILWOMAN BONNER: Aye.

8

COUNCILWOMAN CARTRIGHT: Aye.

9

COUNCILMAN FOLEY: Aye.

10

COUNCILMAN LaVALLE: Aye.

11

COUNCILMAN LOGUERCIO: Aye.

12

COUNCILMAN PANICO: Aye.

13

SUPERVISOR ROMAINE: Aye.

14

MS. LENT: Opposed?

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(No response.)

16

MS. LENT: Motion carries.

17

SUPERVISOR ROMAINE: Okay. That ends

18

all of the agenda work that we have for this

19

meeting. I'll entertain a motion to adjourn.

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COUNCILWOMAN BONNER: So moved.

21

COUNCILWOMAN CARTRIGHT: Second.

22

MS. LENT: All those in favor?

23

COUNCILWOMAN BONNER: Aye.

24

COUNCILWOMAN CARTRIGHT: Aye.

25

COUNCILMAN FOLEY: Aye.

1

2

COUNCILMAN LaVALLE: Aye.

3

COUNCILMAN LOGUERCIO: Aye.

4

COUNCILMAN PANICO: Aye.

5

SUPERVISOR ROMAINE: Aye.

6

MS. LENT: We're adjourned.

7

SUPERVISOR ROMAINE: We stand

8

adjourned.

9

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14

I, JOANN O'LOUGHLIN, a Notary Public

15

for and within the State of New York, do hereby

16

certify that the above is a correct transcription

17

of my stenographic notes.

18

19

JOANN O'LOUGHLIN

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