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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 27, 2020
2:00 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

* * *

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2

3

SUPERVISOR ROMAINE: Welcome to the August 27th meeting of the Brookhaven Town board and we're going to start this board meeting as we start all of our board meetings with the pledge to the flag, which is behind me.

8

9

(Pledge of Allegiance.)

10

SUPERVISOR ROMAINE: We'll have a moment of silence and what I really want to do in this moment of silence is thank all of the community leaders throughout the Town, civics of community clubs, of service clubs, for their help and their commitment to improving their communities. We are all working to make Brookhaven a better place and with that, if we could remember all of these people in our silence, thank them for their service and their commitment to improving Brookhaven Town.

20

21

(Moment of silence.)

22

SUPERVISOR ROMAINE: Thank you and with that, I'd ask our Town Clerk, Donna Lent, to call the roll.

24

25

MS. LENT: Thank you.

1

2

Councilwoman Cartwright.

3

COUNCILWOMAN CARTRIGHT: Present.

4

MS. LENT: Councilwoman Bonner.

5

COUNCILWOMAN BONNER: Here.

6

MS. LENT: Councilman LaValle.

7

COUNCILMAN LaVALLE: Present.

8

MS. LENT: Councilman Loguercio.

9

COUNCILMAN LOGUERCIO: Present.

10

MS. LENT: Councilman Foley.

11

COUNCILMAN FOLEY: Here.

12

MS. LENT: Councilman Panico.

13

COUNCILMAN PANICO: Here.

14

MS. LENT: Supervisor Romaine.

15

SUPERVISOR ROMAINE: Present.

16

MS. LENT: You have a quorum, sir.

17

SUPERVISOR ROMAINE: Thank you very

18

much and we'll start with reports to the

19

board. We only have one report today, but

20

significantly enough, it comes from our

21

highway superintendent and I think he's going

22

to give us -- fill us in a little bit about

23

what his department has been doing to clean up

24

our 3,700 miles of roads after that storm that

25

we had earlier this month.

1

2

Superintendent.

3

MR. LOSQUADRO: Thank you,

4

Mr. Supervisor.

5

Wanted to give you a little status as

6

to where we are right now and what we are

7

doing moving forward.

8

At the moment, I have all of my

9

district crews continuing to work on debris.

10

We remain working on overtime six days a week.

11

I would say we are slightly more than

12

40 percent complete on our first pass through

13

the Town at this point, the volume of debris

14

has been that significant and homeowners

15

continue to put debris out from their yards

16

onto the road, making this quite a Herculean

17

effort for us, but we're working street by

18

street, we are organized by snow maps.

19

I'll move out of the way just a little

20

bit, you can see our arts and crafts project

21

behind me. We found a visual representation

22

as the best way for us to track the

23

neighborhoods that we've been through. So any

24

time we do get a request, either from other

25

elected officials or from our residents, we

1

2

can say definitively we have load tickets from

3

every truck, we know which streets we've been

4

on, we know where that material is coming from

5

and where it's going to.

6

So we're about two weeks in from the

7

actual start of the cleanup, which was

8

August 10th.

9

Right now we have 20 payloaders, we

10

have four six-wheel dump trucks working with

11

each of those payloaders. I have eight

12

ten-wheel dump trucks, there are two of those

13

in each of the zones of the Town. We have two

14

tree trucks that are working nonstop with

15

chippers working on trees that are too large

16

for the district crews to handle. We have

17

the -- both the Waste Management and the Parks

18

Department involved in assisting us. Waste

19

Management has four tractor trailers that are

20

hauling the chipped debris from the yards to

21

the landfill. Waste Management is also

22

operating the large horizontal grinder that we

23

own and we are moving that from yard to yard

24

processing material on site so that the volume

25

of debris is greatly reduced and we're just

1

2

hauling wood chip out of that yard, makes it

3

much more efficient that we don't have to

4

handle that material as many times.

5

Parks Department has provided us with a

6

backhoe, two six-wheel dump trucks, two

7

payloaders and in consultation with the

8

Supervisor and the Director of Operations and

9

I know we had spoken to some of the board, I

10

know the Director of Operations did, we did a

11

cost analysis. Obviously I have been trying

12

to manage this cleanup while being cognizant

13

of cost because we have not received a

14

disaster declaration yet, we're not certain

15

that we're going to. We certainly hope we

16

will, but I have to always go on the

17

assumption that the Town is going to have to

18

foot the bill for this, so I have been

19

endeavoring to do this work with in-house

20

resources, but now that we have the Waste

21

Management and Parks working with us, we have

22

enough payloaders out on the road that our

23

slowdown at this point is really just not

24

enough dump trucks to keep pace with those

25

payloaders, so what we are doing is we brought

1

2

12 additional ten-wheel dump trucks and two

3

tractor trailers in as hired equipment from

4

outside contractors. The approximate cost for

5

two weeks for those contractors to work with

6

us, about \$170,000 and right now, I'm spending

7

almost \$175,000 a week in overtime alone.

8

So when we did our cost analysis, I

9

used it as a zero-sum game and said we would

10

save at least a week off our overtime costs.

11

I am confident it will actually be more than

12

that, but just for analysis purpose, we will

13

definitely at least break even and greatly

14

accelerate our cleanup by bringing in those

15

outside contractors.

16

So we are going to continue to work six

17

days a week. We have those contractors for

18

ten hours a day. Our crews will be coming in

19

before them and working after them to make

20

sure that we are utilizing those outside

21

contractors to the utmost of our ability, that

22

we have the equipment on site before those

23

trucks get there and they can work until those

24

trucks are ready to leave and go home for the

25

day.

1

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So we are trying to be as efficient as possible and be as economically responsible as possible given the fact that this may or may not wind up, you know, with the Town footing the entire bill for this.

3

4

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6

7

So as I said, we do have that visual representation and load tickets from every street we've been on.

8

9

10

We do have the usual case of some residents putting out debris after we've gone through a neighborhood and calling and claiming we've never been there. As I said, we have documented every road we've been on and you know, after the initial pass through the entire Town is over and we are not working on overtime anymore, if we have the ability, we may be able to go back and do some mop-up, but at this point, we would advise residents that if we have already been through your neighborhood, bundle debris in accordance with Waste Management guidelines or if the material is too large, have a contractor remove it for you, but we will, as I said, after we get through the entire Town once, go back and

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possibly mop up any areas that are still a concern, but right now, my primary focus is getting through every street in the Town once, getting all that bulk pickup done so that we can complete that process.

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So that's where we are right now. I expect this process to continue for the next two weeks in earnest with those contractors and that should get us through the bulk of the work that we have. We will continue to provide you updates as we increase the percentage of the roads that we have gotten through.

15

16

If there's any questions, I'll be happy to answer them.

17

18

MS. LENT: Superintendent, I'll just make a comment.

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While visiting the Farmingville post office, Joe there at the post office asked me to express his thanks and really appreciation for the work of the Highway Department and also said how much money you saved him by not having to call a contractor to come in and pick up, so I just wanted to share that.

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MR. LOSQUADRO: Thank you.

Most of the comments that we're getting thankfully are very positive. Most people have complied with getting the debris out. We've heard a few grumbles that, you know, we wanted it out by August 10th and we haven't gotten there yet, but, you know, unfortunately you have to start somewhere and finish somewhere, so some people are going to we'll get there right away, other people, you know, will be later on in the process, but you look at the map behind me and you see certain small pockets in certain areas and then larger swathes in other areas and I will tell you some of those small pockets took as long or longer than some of the other areas that were not hit as hard. We had areas throughout this Town that were just absolutely devastated, many of my employees who have worked with the department for a long time are saying unequivocally that this is more vegetative debris than we had in Sandy, so it's a large undertaking for us.

We have multiple alternate staging

1

2

sites that we are utilizing to put debris, be

3

able to grind it on site, so we have a very

4

good debris management plan thankfully that we

5

had in place. The equipment that we got

6

through the grant with FEMA is being utilized

7

every single day including that almost

8

\$900,000 grinder that we purchased with that

9

grant, so we're very happy we have it and this

10

is why you have disaster plans in place

11

because it's not a question of if, it's just a

12

question of when.

13

So it's been a lot of work, it's going

14

to be a lot of work for the next couple of

15

weeks, but we will get through it and we have

16

a good plan that we are executing.

17

SUPERVISOR ROMAINE: Thank you,

18

Superintendent. Please thank the men and

19

women of your department for the work they're

20

doing and you're absolutely right, FEMA has

21

not indicated that they're going to reimburse

22

us nor has the federal government declared an

23

emergency. This is a multi-million dollar

24

operation and it could not come financially at

25

a worst time as we get through this COVID

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2

crisis and all of our revenues are down, Sixth

3

District Court has been closed in terms of

4

collecting fines for people with violations

5

and enforcing our code, so -- and the activity

6

at the landfill has been down because of the

7

business slowdown, so we face a challenging

8

time and I appreciate your efforts and your

9

men and women and their efforts in keeping

10

this Town clean. Thank you.

11

MR. LOSQUADRO: Thank you, Supervisor.

12

COUNCILWOMAN BONNER: Thanks, Dan.

13

COUNCILMAN FOLEY: Thank you,

14

Superintendent.

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SUPERVISOR ROMAINE: Okay. I

16

appreciate it, Dan and we're going to move on

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and now we have communications consensus

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agenda and we have two items there.

19

MS. LENT: Yes.

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May I have a motion to accept the

21

communication consensus agenda items?

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COUNCILMAN LaVALLE: So moved.

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COUNCILWOMAN BONNER: Second.

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MS. LENT: All those in favor?

25

COUNCILWOMAN BONNER: Aye.

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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: Motion carries.

9

SUPERVISOR ROMAINE: Okay.

10

We have a highway consensus agenda with

11

two items.

12

MS. LENT: Yes; two items, also.

13

May I have a motion to accept the

14

highway consensus agenda items?

15

COUNCILMAN LaVALLE: 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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(No response.)

3

MS. LENT: Motion carries.

4

SUPERVISOR ROMAINE: Okay.

5

We have consensus resolution agenda.

6

COUNCILWOMAN BONNER: Thank you,

7

Mr. Supervisor.

8

I move C-0265 to C-0289. So moved.

9

COUNCILMAN LaVALLE: 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're now on to --

22

do we have a public portion, can I ask our

23

Town Attorney, has anyone signed up for the

24

public portion?

25

MS. LENT: We don't . . .

1

2

SUPERVISOR ROMAINE: Well . . .

3

4

MS. EADERESTO: Public portion is going to be returned to the Town board calendar in September.

5

6

SUPERVISOR ROMAINE: Okay.

7

MS. EADERESTO: I have --

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14

SUPERVISOR ROMAINE: I just want to say that so that people can Zoom in in September depending on what the governor orders. We are doing these meetings by Zoom and it's a good time to point that out because the governor has an executive order that limits in-person meetings.

15

MS. EADERESTO: Right.

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And I would just like to say while we have this opportunity, there are at least two speakers that look to be in the cue or at least are participating and we would like them to let us know what public hearing they're here to speak about, I see one of them has just done that on the chat, but again, if you're waiting to speak, please let the monitors know, Jen Lutzer and Leigh Rate, know which hearing you're here for.

1

2

SUPERVISOR ROMAINE: Okay.

3

MS. EADERESTO: Thank you.

4

SUPERVISOR ROMAINE: Thank you.

5

MS. EADERESTO: Use the chat to do

6

that.

7

SUPERVISOR ROMAINE: Now we'll go right

8

to the resolution agenda and we start with

9

Councilwoman Bonner.

10

COUNCILWOMAN BONNER: Thank you,

11

Supervisor.

12

I move resolution 0464 of 2020, which

13

is an amendment to the part-time seasonal

14

salary schedule.

15

So moved.

16

COUNCILMAN LaVALLE: 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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(No response.)

3

MS. LENT: Motion carries.

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5

COUNCILWOMAN BONNER: Resolution 0465 of '20 is authorize Commissioner of Finance to amend the 2020 adopted budget to increase the dedicated appropriation for expenses related to the COVID-19 pandemic and the FEMA declared disaster.

6

7

8

9

10

So moved.

11

COUNCILMAN LaVALLE: 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

24

COUNCILMAN FOLEY: Resolution 0466 of 2020, authorizing change order number three to contract number 20190023 for the project

25

1

2

entitled "Cell 6, Phase XI, XII, and XII."

3

So moved.

4

COUNCILMAN LOGUERCIO: 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

COUNCILWOMAN CARTRIGHT: Resolution 467

17

of 2020, change order to contract with General

18

Code, LLC for electronic document management

19

professional services, in order to digitize

20

records in the Village of Port Jefferson.

21

So moved.

22

COUNCILWOMAN BONNER: Second.

23

MS. LENT: All those in favor?

24

COUNCILWOMAN BONNER: Aye.

25

COUNCILWOMAN CARTRIGHT: Aye.

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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 FOLEY: Resolution 0468 of

11

2020, establishment of the Town of Brookhaven

12

ad hoc committee for solid waste disposal.

13

So moved.

14

COUNCILMAN LOGUERCIO: Second.

15

COUNCILWOMAN CARTRIGHT: If I could

16

just be heard on that.

17

SUPERVISOR ROMAINE: Yes.

18

COUNCILWOMAN CARTRIGHT: Supervisor and

19

I have had a number of conversations and I'm

20

just very happy that we are moving forward

21

with the establishment of an ad hoc committee,

22

I think it's definitely a step in the right

23

direction and I think that a determination on

24

how the Town moves forwards with handling the

25

disposal of solid waste should not be taken

1

2

without comprehensive research and assessment

3

of all viable options, so in a situation like

4

this, we should be intentional about working

5

with our local stakeholders, our waste

6

experts, other municipalities and general

7

community members.

8

In doing my research and you look

9

across the country at other municipalities

10

forced to deal with these hard decisions, they

11

formulated committees to outline all the

12

options and conducted informational public

13

hearings to engage the community and solicit

14

input and I'm hoping that this is the approach

15

that this ad hoc committee will follow before

16

providing us recommendations and after the

17

recommendations come from the committee, it's

18

my request that the Town move forward with,

19

flush out each individual recommendation.

20

The other municipalities, particularly

21

those in the New England area, that deal with

22

pay-as-you-go programs, published

23

comprehensive studies on their website of all

24

options for public view, so I'm asking that

25

that be done for this Town as well.

1

2

SUPERVISOR ROMAINE: Thank you and I've

3

had very productive discussions with

4

Councilwoman Cartright and I'm sure and I've

5

invited her to attend meetings of this ad hoc

6

committee so her voice can be heard and I

7

certainly would encourage this ad hoc

8

committee to meet with the community

9

stakeholders and to -- and we will as a board

10

provide whatever financial incentives we have

11

to to provide information of what other

12

localities do in bringing experts so that when

13

they make their recommendations to the board,

14

they will be fully informed not only of the

15

expert opinions and what other municipalities

16

do, but what local people throughout the Town

17

and all sections of the Town have on their

18

mind as far as garbage.

19

So, thank you, Councilwoman Cartright.

20

MS. LENT: Having been moved and

21

seconded, all those in favor?

22

COUNCILWOMAN BONNER: Aye.

23

COUNCILWOMAN CARTRIGHT: Aye.

24

COUNCILMAN FOLEY: Aye.

25

COUNCILMAN LaVALLE: Aye.

1

2 COUNCILMAN LOGUERCIO: Aye.

3 COUNCILMAN PANICO: Aye.

4 SUPERVISOR ROMAINE: Aye.

5 MS. LENT: Opposed?

6 (No response.)

7 MS. LENT: Motion carries.

8 COUNCILMAN PANICO: 469 of '20 is
9 setting public hearing to consider enacting an
10 introductory local law amending Chapter 85 of
11 the code of the Town of Brookhaven entitled
12 "Zoning" by amending Section 85-734 entitled
13 "Application Procedure."

14 So moved.

15 COUNCILMAN FOLEY: Second.

16 (Councilwoman Bonner dropped off.)

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

19 All those in favor?

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

6

COUNCILMAN FOLEY: Resolution 0470 of
2020, award bid 20046 - removal and lawful

7

disposal of whole rubber tires to the lowest

8

responsible bidder, S&M Prompt Rubbish Removal

9

Services, Inc.

10

So moved.

11

COUNCILMAN LOGUERCIO: Second.

12

MS. LENT: All those in favor?

13

COUNCILWOMAN CARTRIGHT: Aye.

14

COUNCILMAN FOLEY: Aye.

15

COUNCILMAN LaVALLE: Aye.

16

COUNCILMAN LOGUERCIO: Aye.

17

COUNCILMAN PANICO: Aye.

18

SUPERVISOR ROMAINE: Aye.

19

MS. LENT: Opposed?

20

(No response.)

21

MS. LENT: Motion carries.

22

23

COUNCILWOMAN CARTRIGHT: Resolution 471
of 2020, appointment of Councilman Neil Foley

24

as a marriage officer.

25

So moved.

1

2

COUNCILMAN LOGUERCIO: Second.

3

MS. LENT: Can I have a second?

4

COUNCILMAN LOGUERCIO: Yeah, I seconded

5

it.

6

MS. LENT: Oh.

7

All those in favor?

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?

15

(No response.)

16

MS. LENT: Motion carries.

17

COUNCILMAN PANICO: Neil, when's the

18

big day?

19

COUNCILMAN FOLEY: The day is

20

September 13th.

21

COUNCILMAN LOGUERCIO: Very nice.

22

COUNCILMAN LaVALLE: I think you and

23

Mike have a competition of how many people you

24

marry.

25

COUNCILMAN PANICO: It's like Monty

1

2 Hall. All right.

3 472 of '20 is designating Brookhaven

4 Town board as lead agency and adopting

5 negative declaration for the dredging of

6 Heil's Creek in East Moriches, New York.

7 So moved.

8 COUNCILMAN FOLEY: Second.

9 MS. LENT: All those in favor?

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 (Pause.)

20 SUPERVISOR ROMAINE: Jane.

21 COUNCILMAN PANICO: Jane.

22 (No response.)

23 COUNCILMAN LOGUERCIO: I'll grab it,

24 Jane.

25 COUNCILMAN LaVALLE: I think she's

1

2 having some issues with her computer.

3 SUPERVISOR ROMAINE: Oh, okay.

4 COUNCILMAN LaVALLE: I'll do it, I'll

5 go.

6 Resolution 473, SEQRA negative
7 declaration - authorization for acquisition of
8 property for drainage purposes - Iroquois
9 Trail, Ridge.

10 So moved.

11 COUNCILMAN LOGUERCIO: Second.

12 MS. LENT: All those in favor?

13 COUNCILWOMAN CARTRIGHT: Aye.

14 COUNCILMAN FOLEY: Aye.

15 COUNCILMAN LaVALLE: Aye.

16 COUNCILMAN LOGUERCIO: Aye.

17 COUNCILMAN PANICO: Aye.

18 SUPERVISOR ROMAINE: Aye.

19 MS. LENT: Opposed?

20 (No response.)

21 MS. LENT: Motion carries.

22 COUNCILMAN LaVALLE: Resolution 474,
23 authorization for acquisition of property for
24 drainage purposes - Iroquois Trail, Ridge.

25 So moved.

1

2

COUNCILMAN LOGUERCIO: Second.

3

MS. LENT: All those in favor?

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

SUPERVISOR ROMAINE: Resolution 475 of

14

2020 is authorizing the assignment of Agilitas

15

Energy LLC membership interests to CVI

16

Renewable Holdings, LLC.

17

COUNCILMAN FOLEY: Second.

18

MS. LENT: Mr. Foley second.

19

All those in favor?

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

6

COUNCILMAN PANICO: 476 is co-sponsored
by the entire Town board and that is amending

7

resolution 2016-0723, appointment of open

8

space and farmland acquisition advisory

9

committee members.

10

So moved.

11

COUNCILMAN FOLEY: Second.

12

(Councilwoman Bonner rejoined.)

13

MS. LENT: All those in favor?

14

COUNCILWOMAN BONNER: Aye.

15

COUNCILWOMAN CARTRIGHT: Aye.

16

COUNCILMAN FOLEY: Aye.

17

COUNCILMAN LaVALLE: Aye.

18

COUNCILMAN LOGUERCIO: Aye.

19

COUNCILMAN PANICO: Aye.

20

SUPERVISOR ROMAINE: Aye.

21

MS. LENT: Opposed?

22

(No response.)

23

MS. LENT: Motion carries.

24

COUNCILMAN PANICO: Welcome back, Jane.

25

COUNCILWOMAN BONNER: I'm back, where

1

2

are we?

3

MS. LENT: We're at 477.

4

COUNCILWOMAN BONNER: Okay.

5

COUNCILMAN LOGUERCIO: 477 of 2020,

6

SEQRA negative declaration - authorizing the

7

acquisition of land in the Town of Brookhaven

8

for property located at 444 Horseblock Road in

9

Brookhaven Hamlet, New York. Owner is Ken --

10

Kim Silverman.

11

So moved.

12

COUNCILMAN FOLEY: Second.

13

MS. LENT: All those in favor?

14

COUNCILWOMAN BONNER: Aye.

15

COUNCILWOMAN CARTRIGHT: Aye.

16

COUNCILMAN FOLEY: Aye.

17

COUNCILMAN LaVALLE: Aye.

18

COUNCILMAN LOGUERCIO: Aye.

19

COUNCILMAN PANICO: Aye.

20

SUPERVISOR ROMAINE: Aye.

21

MS. LENT: Opposed?

22

(No response.)

23

MS. LENT: Motion carries.

24

COUNCILMAN LOGUERCIO: Resolution 478

25

of 2020, authorizing the acquisition of land

1

2

in the Town of Brookhaven for property located

3

at 444 Horseblock Road, Brookhaven Hamlet, New

4

York. Owner is Kim Silverman.

5

So moved.

6

COUNCILMAN FOLEY: Second.

7

MS. LENT: All those in favor?

8

COUNCILWOMAN BONNER: Aye.

9

COUNCILWOMAN CARTRIGHT: Aye.

10

COUNCILMAN FOLEY: Aye.

11

COUNCILMAN LaVALLE: Aye.

12

COUNCILMAN LOGUERCIO: Aye.

13

COUNCILMAN PANICO: Aye.

14

SUPERVISOR ROMAINE: Aye.

15

MS. LENT: Opposed?

16

(No response.)

17

MS. LENT: Motion carries.

18

COUNCILMAN PANICO: 479 of '20 is

19

authorization for settlement of acquisition of

20

property located on Laurelton Drive and Park

21

Place, Mastic Beach, for highway/drainage

22

purposes. The owner is Altamura Estate.

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 0480 of

13

2020, designating Brookhaven Town board as

14

lead agency and adopting a positive

15

declaration for the construction of a regional

16

recovery and recycling facility at the Town of

17

Brookhaven Solid Waste Management facility in

18

Yaphank, New York.

19

So moved.

20

COUNCILMAN PANICO: Second.

21

COUNCILWOMAN CARTRIGHT: On this,

22

before we take a vote, I just wanted to make a

23

few statements again.

24

Again, the creation of an ashfill or a

25

proposed ashfill is a drastic measure that

1

2

should not be taken without the proper

3

research and assessment of other viable

4

options, so at this junction, since I believe

5

that there has not been that expiration of all

6

options yet and it's only this afternoon that

7

we formed an ad hoc committee, I'm not

8

prepared to moved forward with the

9

environmental review for a proposed ashfill.

10

So with that, I'm going to be voting no, I

11

just wanted to explain that to my colleagues.

12

MS. LENT: Okay and I'm sorry, but I

13

did not see who seconded that, the voices were

14

going, so please, can I hear that again?

15

MS. EADERESTO: It was Dan. Dan Panico

16

was second.

17

COUNCILMAN PANICO: Was me.

18

MS. LENT: Okay.

19

All those in favor?

20

COUNCILWOMAN BONNER: 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

COUNCILWOMAN CARTRIGHT: Opposed.

4

MS. LENT: Motion carries, by the way.

5

COUNCILMAN FOLEY: 0481 of year 2020,

6

authorization for appropriation of funds from

7

the Joseph Macchia Environmental Preservation

8

Capital Reserve Fund for acquisition of

9

property on Union Avenue in Patchogue, New

10

York, see the Suffolk County tax map. The

11

owner is Union Avenue LLC.

12

So moved.

13

COUNCILMAN LOGUERCIO: 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 LOGUERCIO: Resolution 482

1

2

of 2020, amending resolution number 2019-0712

3

dated September 12, 2019, authorizing an

4

agreement with Long Island Housing Partnership

5

to administer the home investment partnership

6

program on behalf of the Town and authorizing

7

the Supervisor/Deputy Supervisor to execute an

8

amended agreement with LIHP.

9

So moved.

10

COUNCILMAN FOLEY: Second.

11

MS. LENT: All those in favor?

12

COUNCILWOMAN BONNER: Aye.

13

COUNCILWOMAN CARTRIGHT: Aye.

14

COUNCILMAN FOLEY: Aye.

15

COUNCILMAN LaVALLE: Aye.

16

COUNCILMAN LOGUERCIO: Aye.

17

COUNCILMAN PANICO: Aye.

18

SUPERVISOR ROMAINE: Aye.

19

MS. LENT: Opposed?

20

(No response.)

21

MS. LENT: Motion carries.

22

COUNCILWOMAN BONNER: Resolution 0483

23

of 2020 is 2020 various operating and capital

24

budget transfers.

25

So moved.

1

2

COUNCILMAN LaVALLE: 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: Resolution 484 of

15

2020, extending a memorandum of understanding

16

regarding food delivery assistance to the

17

County of Suffolk and I just want to say, we

18

are helping the County of Suffolk deliver

19

food, but on our own. The Town is delivering

20

about 515 hot meals a day to seniors,

21

homebound seniors, through this pandemic, just

22

so people know and that number grows every

23

day.

24

COUNCILMAN PANICO: 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 PANICO: 485 of '20 is

13

amending resolution number 2019-0962 adopted

14

December 19, 2019 entitled, "Appointment of

15

2020 Professional Service Providers."

16

So moved.

17

COUNCILMAN FOLEY: 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: 486 of '20 is

6

authorizing the award of contract to MRI

7

Software LLC for HAPPY Software upgrades and

8

services for the project entitled "2020

9

Waiting List and Tenant Selection Process,"

10

and Cares Act requirements to electronically

11

communicate with applicants and current

12

participants of the Section 8 Housing Choice

13

Voucher program to enhance telework capacity

14

to carry out program responsibilities.

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

SUPERVISOR ROMAINE: I believe that's
the end of our resolution agenda.

6

Does anyone have any walk-ons?

7

MS. EADERESTO: No.

8

SUPERVISOR ROMAINE: No walk-ons.

9

10

Then what we'll do is we'll proceed
immediately to our public hearings.

11

12

13

14

MS. EADERESTO: Mr. Supervisor, excuse
me, before we do that, we do have one public
comment that came in through an email; would
you want me to read that?

15

SUPERVISOR ROMAINE: Sure.

16

MS. EADERESTO: Okay.

17

18

And it's from Elaine Morrison, Seven
Vermont Street in Patchogue and she says:

19

Good Day.

20

21

22

23

Along with my community, I want to
thank Councilperson Foley and the Brookhaven
Town board for approving the purchase of the
field on Union Avenue in East Patchogue.

24

25

The efforts of the organization Friends
Against the Contamination of the Environment,

1

2

(FACE), had the support of many reaching

3

beyond Patchogue's boundary.

4

5

The community's goal was to preserve
this piece of nature. We extend our gratitude

6

to all of you for seeing this come to

7

fruition. Thank you.

8

Sincerely.

9

Elaine M. Morrison, Executive Member of

10

FACE.

11

SUPERVISOR ROMAINE: Great.

12

Neil, sounds like you're doing a great

13

job.

14

COUNCILWOMAN BONNER: Let's frame that,

15

we never get those.

16

SUPERVISOR ROMAINE: Okay.

17

COUNCILMAN FOLEY: Thank you.

18

SUPERVISOR ROMAINE: We'll be going to

19

public hearings and we'll start with public

20

hearing number one.

21

MS. LENT: Yes.

22

Public hearing number one, Uniform

23

Traffic Code amendments. Town Attorney

24

Annette Eaderesto will be providing a brief

25

summary of today's public hearing to amend the

1
2
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11
12
13
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18
19
20
21
22
23
24
25

Uniform Traffic Code.

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.

MS. EADERESTO: Mr. Supervisor.

SUPERVISOR ROMAINE: Yes. Public hearing number one.

MS. EADERESTO: The following is a summary of amendments to the Town of Brookhaven Uniform Traffic Code.

Section -- Article Seven, rather, Section 25, through highways. There's one deletion in Hamlet of Bellport.

Article Seven, Section 26, stop and yield intersections. There are eight additions in the hamlets of Bellport, Coram, Medford, Patchogue and Ridge.

Article Eight, Section 33, parking prohibited in designated areas. There are two additions for segments of roadway in the hamlets of Blue Point and Mastic Beach.

1

2

Article Eight, Section 38, standing prohibited in designated locations. There are two additions for segments of roadway in the Hamlet of East Moriches.

3

4

5

And that's the amendments for today.

6

7

SUPERVISOR ROMAINE: Thank you. So I move the adoption of these changes.

8

9

COUNCILWOMAN BONNER: Second.

10

MS. LENT: Motion to close first, please.

11

12

COUNCILWOMAN BONNER: Motion to close.

13

SUPERVISOR ROMAINE: Second.

14

MS. LENT: Okay.

15

COUNCILWOMAN BONNER: Motion to adopt.

16

MS. LENT: Let me finish the vote. All those in favor of motion to close?

17

COUNCILWOMAN BONNER: Aye.

18

COUNCILWOMAN CARTRIGHT: Aye.

19

COUNCILMAN FOLEY: Aye.

20

COUNCILMAN LaVALLE: Aye.

21

COUNCILMAN LOGUERCIO: Aye.

22

COUNCILMAN PANICO: Aye.

23

SUPERVISOR ROMAINE: Aye.

24

MS. LENT: Opposed?

25

1

2

(No response.)

3

MS. LENT: Motion carries.

4

Thank you.

5

Now go ahead, Jane.

6

COUNCILWOMAN BONNER: Motion to adopt.

7

SUPERVISOR ROMAINE: 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

SUPERVISOR ROMAINE: Okay. We're on to

20

public hearing number two and my understanding

21

is that this is going to be withdrawn. The

22

Town has accepted -- the owner has accepted an

23

offer from the Town and we're going to be

24

purchasing this piece of property, which is a

25

lot of wetlands and next to I think it's Mud

1

2

Creek there or . . .

3

COUNCILMAN FOLEY: Correct.

4

MS. EADERESTO: Yes. Yes,

5

Mr. Supervisor.

6

SUPERVISOR ROMAINE: Okay.

7

So I'm going to make a motion to

8

withdraw this public hearing.

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

Thank you.

22

SUPERVISOR ROMAINE: Okay.

23

We're on to public hearing number three

24

and I understand this is going to be adjourned

25

till October 1st.

1

2

Do you want to open it first?

3

MS. LENT: Well, it's been opened.

4

I'll just say that public hearing is for the

5

determination of the premises located at 120

6

Avery Avenue (also known as Falcon Avenue),

7

East Patchogue, New York and I will take a

8

motion to adjourn to October 1st at 2:30,

9

please.

10

SUPERVISOR ROMAINE: I will make that

11

motion. Thank you.

12

COUNCILMAN PANICO: Second.

13

MS. LENT: I'm sorry, the second was?

14

COUNCILMAN PANICO: Was me, Donna, Dan.

15

COUNCILWOMAN BONNER: Councilman

16

Panico.

17

MS. LENT: I'm looking at all of your

18

views and it doesn't always light up because

19

if I'm writing, I apologize, but that's just

20

the way that goes.

21

All those in favor?

22

COUNCILWOMAN BONNER: Aye.

23

COUNCILWOMAN CARTRIGHT: Aye.

24

COUNCILMAN FOLEY: Aye.

25

COUNCILMAN LaVALLE: Aye.

1

2 COUNCILMAN LOGUERCIO: Aye.

3 COUNCILMAN PANICO: Aye.

4 SUPERVISOR ROMAINE: Aye.

5 MS. LENT: Opposed?

6 (No response.)

7 MS. LENT: Motion carries.

8 SUPERVISOR ROMAINE: Public hearing
9 number four.

10 MS. LENT: Public hearing number four.

11 This has also been previously opened and was
12 adjourned from the June 4, 2020 board meeting.13 It is the determination of the premises
14 located at 112 Chanel Drive East, Shirley, New
15 York, to be unsafe as defined by Chapter 73
16 pursuant to the engineer's report of Cashin,
17 Spinelli & Ferretti.18 As I said, that has been previously
19 opened, so I think we can move along.

20 SUPERVISOR ROMAINE: Okay.

21 Well, the speaker on this is Brendan
22 Sweeney, who's going to give us a little
23 information and then we'll open it up and see
24 if anyone would like to speak.

25 MR. SWEENEY: Good afternoon,

1

2 Mr. Supervisor, members of the Town board.

3

4

5

6

7

8

9

10

11

Before I resume with this hearing, I just want to give a heads-up, the reason we're adjourning the previous hearing, 120 Avery, is because they actually did most of the work already on the home to rectify it and make it much better looking. They just have to complete obtaining their building permit and then at that point, we will actually withdraw that hearing as a hearing, so --

12

13

SUPERVISOR ROMAINE: That's the whole purpose of this.

14

MR. SWEENEY: Exactly.

15

16

17

18

19

20

21

22

23

SUPERVISOR ROMAINE: When houses are unsafe or structurally unsound, we go after them and the hope is -- we don't want to knock down anything. The hope is that whoever owns it will fix it up. Unfortunately many times it's owned by a bank or servicing company, they have no interest and as a result, we're forced to knock it down, but there is hope that they'll come in and fix it up.

24

MR. SWEENEY: Indeed.

25

So in the case of 112 Chanel, it is

1

2

owned by Federal National Mortgage Association

3

since June 20th of 2018. There is no mortgage

4

that we saw on both the title report and

5

anything in our Town records. Taxes were paid

6

to date as of this year. It is on our vacant

7

registry for 2020. Asbestos is present on

8

this site.

9

We did do three inspection dates. We

10

did one January 16th that was done by Cashin,

11

Spinelli & Ferretti; we had one done by

12

Inspector Incagliato back in May and I had him

13

do a follow-up inspection just on the 18th of

14

August.

15

There were three violations on this

16

property: one for litter in 2016 that we

17

cleaned, one in 2018 that either the owner or

18

a representative cleaned and then another

19

litter violation in 2018 that we cleaned. We

20

initially boarded this property on August 6th

21

of 2019.

22

So in terms of who we contacted, we

23

contacted three addresses. We contacted

24

Federal National Mortgage in Texas, we

25

contacted an asset management company in

1

2

Miami, Florida and we contacted Belzak &

3

Bodkin Realty Corp. in Patchogue.

4

5

In terms of correspondence from anyone, we have received no correspondence with either

6

the owners, lending agencies or a

7

representative of any aforementioned groups

8

since we opened this demolition process.

9

10

Now in terms of the house, itself. The subject building is 38 by 45, two frame

11

residential structure resting on a concrete

12

slab foundation. It's clad with wood and

13

asbestos shingle siding and an asphalt shingle

14

roof and is in extremely poor condition. The

15

roof is old, worn and based on conditions

16

observed at the interior, it's not watertight.

17

The roof edge is damaged in areas where the

18

fascia is rotted away and open. The siding

19

and the fascia are dilapidated, rotted and

20

broken throughout.

21

22

Areas of the exterior walls are open to the interior. There is no gutter at the front

23

of the building and the gutter at the rear is

24

full of vegetation and it's sagging.

25

The attic vent on the east side is

1

2

missing, leaving an open hole to the attic and

3

the rear of the property was cleared except

4

for a dilapidated wood shed and some

5

construction debris.

6

As you can see by the pictures I'm now

7

showing, the interior is also in poor

8

condition, with it being damp, trash and

9

construction debris throughout.

10

Unsanitary conditions also exist

11

throughout the interior with ceilings having

12

fallen due to prolonged exposure to moisture,

13

rotted subfloor and joists are observed

14

through the open ceiling on the first floor.

15

The flooring is wet, tiles are peeling and

16

there's suspect mold throughout.

17

Wall are open to the exterior in

18

various areas and as you saw on a recent

19

picture, we've also observed graffiti, which

20

indicates trespassers.

21

The heating unit is also not in a

22

serviceable condition.

23

At the time that the inspectors went

24

by, the building was boarded up, but this site

25

is also not secure, constituting a public

1

2

safety hazard, especially due to the advanced state of decay of the building.

3

4

Now Senior Building Inspector

5

Incagliato noted that on May 29th, he felt the conditions had not changed from when he had --

6

7

we had done the inspection by Cashin, Spinelli

8

& Ferretti and then on August 18th he noted

9

that conditions largely remained the same, but

10

as you'll see, there were shingles taken and

11

removed from the siding, we're not sure who

12

did that, but you can see these pictures as

13

evident here.

14

Now in terms of violations, we have

15

from the 2015 International Property

16

Maintenance Code, Chapter One, Sections 101

17

and 108, Chapter Three, Sections 301 and 304,

18

2015 International Fire Code, we have

19

violations of Chapter Three, Sections 301 and

20

311 and from the code of the Town of

21

Brookhaven, I have violations of chapters 49

22

and 73.

23

Pursuant to the above definitions, the

24

building is considered unsafe, lacks

25

maintenance, is in a state of extreme

1

2

disrepair, unsanitary and unfit for human

3

occupancy. Due to its extremely poor

4

condition and rapid deterioration, the

5

engineers believe the site poses a threat to

6

the health, safety and general welfare of the

7

public.

8

Based on prior mentioned inspections,

9

the owner has not corrected the existing

10

defects nor made required repairs to the

11

structure.

12

Due to the dilapidated and unsafe

13

conditions, the numerous violations, it should

14

be demolished.

15

SUPERVISOR ROMAINE: Okay. I believe

16

we have a speaker on this.

17

MS. FEYLER: Yes. Hi, good afternoon.

18

This is Heidi Feyler with Fein, Such & Crane

19

for Fannie Mae.

20

SUPERVISOR ROMAINE: Yes.

21

MS. FEYLER: It is our client's

22

intention to demolish this property. They've

23

been working on a schedule to get it

24

demolished and I don't know if the Town would

25

rather that my client perform the demolition

1

2

or if the Town wanted to move forward with the demolition.

3

4

5

SUPERVISOR ROMAINE: We prefer you to demolish it. The way you do that is you can

6

take out a demo permit, demolition permit,

7

from our building department and then make

8

sure that all of the utilities are signed off

9

so that you can go ahead and demolish it.

10

It's always better and far more cost effective

11

if you do it than a public entity do it.

12

MS. FEYLER: Okay.

13

SUPERVISOR ROMAINE: The way this works

14

is we're going close this public hearing, if I

15

haven't missed my guess, the board is going to

16

vote to demolish this building. We give you a

17

30-day stay and in that 30 days, there should

18

be a demo, demolition permit taken out from

19

our building department and there should be a

20

date in which you're going to demolish it and

21

then we don't do anything. But if we don't

22

hear from you, on the 31st day we move ahead

23

and we demolish the structure and charge your

24

tax bill.

25

MS. FEYLER: Understood.

1

2

SUPERVISOR ROMAINE: Do you have any questions that I can answer?

3

4

MS. FEYLER: No, that makes perfect sense to me.

5

6

SUPERVISOR ROMAINE: Okay.

7

So we're going to -- I'll make a motion then to close this. After we vote, if we vote to demolish it, there's a 30-day window in which you can get a demolition permit, I would definitely encourage you, you could probably do it a lot cheaper than the Town.

8

9

10

11

12

13

MS. FEYLER: Okay.

14

SUPERVISOR ROMAINE: Okay?

15

MS. FEYLER: Yes.

16

SUPERVISOR ROMAINE: Okay, thank you.

17

MS. LENT: Do I have a motion to close,

18

sir?

19

SUPERVISOR ROMAINE: Motion to close.

20

COUNCILMAN PANICO: Second.

21

MS. LENT: All those in favor?

22

COUNCILWOMAN BONNER: Aye.

23

COUNCILWOMAN CARTRIGHT: Aye.

24

COUNCILMAN FOLEY: Aye.

25

COUNCILMAN LaVALLE: Aye.

1

2

COUNCILMAN LOGUERCIO: Aye.

3

COUNCILMAN PANICO: Aye.

4

SUPERVISOR ROMAINE: Aye.

5

MS. LENT: Opposed?

6

(No response.)

7

MS. LENT: Motion to close carries.

8

COUNCILMAN PANICO: I have public

9

hearing number four of August 27, 2020, a

10

resolution of adoption determining the

11

premises at 112 Chanel Drive East, Shirley,

12

New York, to be unsafe as defined by Chapter

13

73 pursuant to the engineer's report of

14

Cashin, Spinelli & Ferretti, LLC.

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

SUPERVISOR ROMAINE: Okay. We're on to public hearing number five.

6

MS. LENT: Public hearing number five.

7

8

Public hearing number five is also -- had been adjourned from the June 4, 2020 Town board meeting. It is for the determination of the premises located at 14 Baldwin Road, Sound Beach, New York, to be unsafe as defined by Chapter 73 pursuant to the engineer's report of Cashin, Spinelli & Ferretti, LLC.

10

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18

The owner or other persons having an interest in the premises may be heard with respect to the condition of the premises and the actions necessary to secure or remove same.

19

SUPERVISOR ROMAINE: Okay.

20

21

We have Brendan Sweeney to discuss 14 Baldwin Road.

22

MR. SWEENEY: Yes.

23

24

25

So 14 Baldwin Road has -- is owned by James and Joanne LaScalia. They've owned it since July 13th of 2016. It was purchased

1

2

from Suffolk County actually; I just wanted to

3

note it for you, Supervisor. The mortgage is

4

with Fleet National Bank. Taxes are unpaid

5

since 2017-2018, allowing the County to be

6

eligible to take it after December of 2020,

7

which would be the end of this year.

8

SUPERVISOR ROMAINE: Once again.

9

MR. SWEENEY: Yes.

10

It's verified vacant, but not on our

11

registry, asbestos is present and we have

12

three inspection dates: we have Cashin,

13

Spinelli & Ferretti inspecting it on

14

March 20th of 2020 and Inspector Incagliato

15

inspected it twice, May 29, 2020 and

16

August 18, 2020 and I also want to know in

17

addition to that, Inspector Incagliato has

18

actually done previously inspections of this

19

site before it got to a state where we've

20

brought it forward for demolition.

21

In terms of violations, we have a

22

litter violation in 2019 that was cleaned by

23

the Town and a high grass violation also in

24

2019 cleaned by the Town.

25

We initially boarded this property on

1

2

February 3rd of 2020.

3

4

5

6

7

8

9

10

11

There were three locations we sent notice to: the LaScalias at the address in question, an address for them in West Babylon and then Fleet National Bank, the mortgage holder, in Utica, New York. We've had no correspondence with the owners, lending agencies or a representative of any of the aforementioned groups since we opened the demolition process.

12

13

14

15

16

17

18

19

20

The subject building is a 32 by 50 wood frame single story residential structure with a basement resting on concrete block foundation. It's clad with asbestos shingle siding and an asphalt shingle roof and is in extremely poor condition. The roof was once covered by tarping, which has since disintegrated with shredded portions hanging over the roof edges as you just saw.

21

22

23

24

25

Based on conditions observed at the interior, it's not watertight. Siding, fascia and soffits are dilapidated and deteriorating. All of the exposed wood trim on the building is rotting. The gutters are filled with

1

2

vegetation. The awning on the front door is

3

broken, detached and hanging from the

4

structure. Concrete steps leading up to the

5

front entrance are broken apart.

6

The brick chimney on the east side of

7

the building has been removed and there's an

8

abandoned vehicle at the rear of the property.

9

The interior is also in extremely poor

10

condition with it being damp and full of

11

trash, construction debris and miscellaneous

12

household items. Unsanitary conditions exist

13

throughout the interior of this building,

14

ceilings having fallen throughout the interior

15

due to prolonged exposure to moisture.

16

Suspect mold is also present and in one area,

17

there is damaged floor structure that actually

18

rotted through the basement as you see right

19

now.

20

Floor joists and subfloor above are

21

also rotting, especially seen in the area

22

where it rotted through from the first floor.

23

The furnace is not in serviceable

24

condition in the basement and there is a

25

propane tank near the furnace which presents a

1

2

hazardous situation.

3

4

5

6

The building is boarded up, but the site is not secure, constituting a public safety hazard, especially due to the state of decay of the building.

7

8

9

10

11

12

In terms of Inspector Incagliato, on May 29th he noted that conditions had not changed from his initial inspection in March, but on August 18th he felt that both conditions have deteriorated on the property around it, on the outside and inside the home.

13

14

15

16

17

18

19

20

21

Numerous violations were observed including the following: from the 2015 International Property Maintenance Code, Chapter One, sections 101 and 108; from Chapter Three, sections 301, 302 and 304; from the 2015 International Fire Code we have Chapter Three, sections 301 and 311 and from the code of the Town of Brookhaven I have chapters 49 and 73.

22

23

24

25

Pursuant to the above definitions, the building is considered unsafe, lacks maintenance, is in a state of extreme disrepair, unsanitary and unfit for human

1

2

occupancy. Due to its extremely poor

3

condition and rapid deterioration, the

4

engineers believe the site poses a threat to

5

the health, safety and general welfare of the

6

public.

7

Based on prior mentioned inspections,

8

the owner has not corrected the existing

9

defects nor made required repairs to the

10

structure. Due to the dilapidated and unsafe

11

condition of the building, rate of

12

deterioration and numerous violations of State

13

and Town codes, it should be demolished.

14

SUPERVISOR ROMAINE: Okay.

15

COUNCILWOMAN BONNER: Thank you,

16

Brendan.

17

SUPERVISOR ROMAINE: Do we have any

18

speakers on this?

19

(No response.)

20

SUPERVISOR ROMAINE: Any speakers on

21

this public hearing?

22

COUNCILWOMAN BONNER: No?

23

SUPERVISOR ROMAINE: No speakers on

24

this public hearing.

25

Any questions --

1

2

COUNCILWOMAN BONNER: I make a motion
to close then.

4

SUPERVISOR ROMAINE: Okay.

5

COUNCILMAN LaVALLE: 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?

15

(No response.)

16

MS. LENT: Motion carries.

17

COUNCILWOMAN BONNER: I have a

18

resolution of adoption determining the

19

premises at 14 Baldwin Road, Sound Beach, New

20

York -- Suffolk County tax map numbers are

21

provided -- to be unsafe as defined by Chapter

22

73 pursuant to the engineer's report of

23

Cashin, Spinelli & Ferretti, LLC.

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

SUPERVISOR ROMAINE: Okay, thank you.

14

We are on to public hearing number six.

15

MS. LENT: Yes.

16

Public hearing number six also was

17

adjourned from the June 4, 2020 meeting. It

18

is a determination of the premises located at

19

117 Pine Road, Mastic Beach, New York, to be

20

unsafe as defined by Chapter 73 pursuant to

21

the engineer's report of Cashin, Spinelli &

22

Ferretti, LLC.

23

The owner or other persons having an

24

interest in the premises may be heard with

25

respect to the condition of the premises and

1

2

the actions necessary to secure or remove

3

same.

4

SUPERVISOR ROMAINE: Okay.

5

We have Brendan Sweeney to tell us a

6

little bit about this house.

7

MR. SWEENEY: Yes.

8

So 117 Pine Road, let me just get it

9

right here, it's owned by an Ali Syed since

10

June 6th of 2006. No mortgage was found on

11

the title report and taxes, also like the

12

previous property, remain unpaid since the

13

2017-2018 tax bill, with the County eligible

14

to claim it after 12/2020 this year. It's not

15

on our vacant registry. Asbestos is present.

16

We had three inspection dates: one by

17

Cashin, Spinelli & Ferretti also on March 20th

18

and then two inspections by Inspector

19

Incagliato, one on May 29th and one on

20

August 18th.

21

We have numerous violations of waste

22

management. We have one for litter in 2009

23

before the Village formed, we have another --

24

two more in 2010 that were before the Village

25

formed, two of them were cleaned by the owner

1

2

or representative, one by us and then we had two high grass violations, one in 2018 and one in 2019 that we both cleaned and placed a lien on the property.

5

6

7

8

9

10

11

12

13

14

15

16

17

We only had one address of contact for Mr. Syed, which was the address, itself. We had no other way of forming a way to get into contact with him. The only contact that we had for correspondence was is we did receive some word from someone inquiring about the costs that we had presently incurred on this property. They had a desire to pay, but we told them that payment would not be accepted until the property was brought into compliance, either by us or by them in terms of demolition or repair of this home.

18

19

20

21

22

23

24

25

The subject building is a 30 by 60 wood frame two-story residential structure with a basement resting on concrete block foundation clad with vinyl siding and asphalt shingle roof. It's in extremely poor condition with shingles buckled and missing and based on conditions observed at the interior as you're seeing, it's not watertight, the roof.

1

2

The siding, fascia and soffits are dilapidated and there are open holes to the interior through rotted fascia boards.

3

4

5

The gutters are detached and broken and several leaders are missing. At one corner of the building, vegetation has grown under the siding causing it to break away from the structure. This building was also opened to trespassers at the rear through a sliding glass door whose glass had been broken. The property has miscellaneous trash and overgrown vegetation, it's not being maintained.

6

7

8

9

10

11

12

13

14

The interior is also in extremely poor condition with it being damp and full of trash and construction debris. Unsanitary conditions exist throughout with ceilings having fallen due to prolonged exposure to moisture.

15

16

17

18

19

20

Large amounts of animal feces, that they suspect was raccoon, are encountered on the second floor. All baseboard copper has also been removed from this building. The basement is damp, full of trash and the steel support columns are actually rusting. Floor

21

22

23

24

25

1

2

joists and subfloor above are rotting and the

3

furnace was not in a serviceable condition.

4

5

The building was not boarded up and the site is not secure, constituting a public

6

safety hazard, especially due to the advanced

7

state of decay of the building.

8

9

Senior Building Inspector Incagliato

10

noted that on May 29th he felt conditions had worsened since the initial inspection and on

11

August 18th, he noted that they've remained

12

the same since that time.

13

14

For violations, we have from the 2015

15

International Property Maintenance Code

16

Chapter One, sections 101 and 108; from

17

Chapter Three, sections 301, 302 and 304; from

18

the 2015 International Fire Code, I have

19

Chapter Three, sections 301 and 311 and from

20

the code of the Town of Brookhaven, I have

21

chapters 49 and 73.

22

Pursuant to the above definitions, the

23

building is considered unsafe, lacks

24

maintenance, is in a state of extreme

25

disrepair, unsanitary and unfit for human

occupancy.

1

2

Due to its extremely poor condition and rapid deterioration, we believe it's a threat, the site poses a threat to the health, safety and general welfare of the public.

5

6

7

Based on prior mentioned inspections, the owner has not corrected the existing defects nor made the required repairs to the structure.

8

9

10

11

12

13

Due to the dilapidated and unsafe condition, rate of deterioration and numerous violations of State and Town codes, it should be demolished.

14

15

SUPERVISOR ROMAINE: Thank you, Brendan.

16

17

Any questions from the board?

(No response.)

18

19

SUPERVISOR ROMAINE: No questions.

Any speakers?

20

21

MS. EADERESTO: No speakers, Mr. Supervisor.

22

23

SUPERVISOR ROMAINE: No speakers.

Dan.

24

25

COUNCILMAN PANICO: I'm just going to make one comment in that we've done, this

1

2

entire Town board's done considerable work

3

down in Mastic Beach and especially in this

4

section of Mastic Beach. This house is a

5

total disaster, constantly broken into and it

6

will be a good day for the community when this

7

one goes down, so thank you, Brendan and thank

8

you all.

9

I'll make a motion to close public

10

hearing number six of August 27, 2020.

11

SUPERVISOR ROMAINE: 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: I have a resolution

24

of adoption determining the premises at 117

25

Pine Road, Mastic Beach, New York, to be

1

2

unsafe as defined by Chapter 73 pursuant to

3

the engineer's report of Cashin, Spinelli &

4

Ferretti, LLC.

5

So moved.

6

COUNCILMAN FOLEY: Second.

7

MS. LENT: All those in favor?

8

COUNCILWOMAN BONNER: Aye.

9

COUNCILWOMAN CARTRIGHT: Aye.

10

COUNCILMAN FOLEY: Aye.

11

COUNCILMAN LaVALLE: Aye.

12

COUNCILMAN LOGUERCIO: Aye.

13

COUNCILMAN PANICO: Aye.

14

SUPERVISOR ROMAINE: Aye.

15

MS. LENT: Opposed?

16

(No response.)

17

MS. LENT: Motion carries.

18

SUPERVISOR ROMAINE: Okay.

19

We're on to public hearing number

20

seven.

21

MS. LENT: Yes.

22

Public hearing number seven, it's a

23

determination of the premises located at 106

24

Parkside Avenue, Miller Place, New York, to be

25

unsafe as defined by Chapter 73 pursuant to

1

2

the engineer's report of Cashin, Spinelli &
Ferretti, LLC.

3

4

5

The owner or other persons having an
interest in the premises may be heard with
respect to the condition of the premises, any
actions necessary to secure or remove same.

6

7

8

9

10

11

12

13

14

15

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 and should the board render
a decision today, this has been deemed a SEQRA
Type II action.

16

SUPERVISOR ROMAINE: Thank you.

17

18

19

Okay. We're going to hear from Brendan
Sweeney, who's going to describe 106 Parkside
Avenue in Miller Place.

20

MR. SWEENEY: Yes.

21

22

23

24

25

So the owner for this property is a
Nationstar REO Sub 1C LLC, who's owned it
since December of 2019, but I should note that
the transfer of ownership that they had occur
in September of '17 was from a Sub 1B to Sub

1

2 1C, so it seems as though it's the same owner,
3 just a change of the LLC.

4 COUNCILWOMAN BONNER: Is that what that
5 means?

6 MR. SWEENEY: That was my understanding
7 because the name was exactly the same
8 otherwise, it just changed from 1B to 1C, so
9 in terms of mortgage, there was no mortgage,
10 taxes are paid to date. It is on our vacant
11 registry for this year of 2020. No asbestos
12 is on this property.

13 In terms of inspections, we had one
14 inspection done by Cashin, Spinelli & Ferretti
15 on December 5th of 2019 and Inspector
16 Incagliato conducted a follow-up visit on
17 August 18th of this year.

18 In terms of violations, we have a
19 litter violation in 2019 and a high grass
20 violation in 2019 that was both cleaned by the
21 Town.

22 We have for board and secures, we
23 initially boarded it back in 2016, March 11th.
24 We've contacted numerous people for this
25 property. We contacted Nationstar in Coppell,

1

2

Texas. We contacted the Nationstar Sub 1B in

3

Dallas. We contacted Nationstar Mortgage in

4

Dallas. We contacted them again in a

5

different address in Dallas and we contacted a

6

Five Brothers Mortgage Company in Warren,

7

Michigan.

8

Until this date -- I know we have a

9

speaker for this property -- we have received

10

no correspondence with the owners, the lending

11

agencies or a representative of any of the

12

aforementioned groups since we opened this

13

demolition process and I checked that this

14

morning just to confirm that that was the

15

case.

16

Subject building is a 28 by 44 wood

17

frame two-story residential structure with a

18

basement resting on concrete foundation. It's

19

clad with wood siding and an asphalt shingle

20

roof and is in a very poor condition. The

21

roof appeared to be new, but the siding is

22

rotting and broken in areas, especially at the

23

building corners. Fascia boards are

24

deteriorating and the upper roof gutter is

25

missing on both sides of the roof.

1

2

The front brick stoop is crumbling and presents a tripping hazard and there is an abandoned vehicle, as you saw earlier, on the north side of the building.

5

6

7

The interior is in a very poor condition with trash, debris and household items strewn about.

8

9

10

11

12

13

Unsanitary conditions exist throughout the interior. There is suspect mold in areas and I don't believe this image has been shown yet, but there is a decomposing squirrel that was caught in a rodent trap.

14

15

16

17

18

Extensive smoke damage was observed on the first floor of the building. There are falling ceilings throughout due to prolonged exposure to moisture, which probably occurred before the new roof was installed.

19

20

On the second floor, it appears there was an illegal apartment that was made.

21

22

23

The basement was reasonably dry, but has trash, debris and household items strewn about.

24

25

The furnace and the water heater appear to be in a serviceable condition.

1

2

The building was boarded up, but the site is not secure, constituting a public safety hazard.

3

4

5

On August 18th, Inspector Incagliato noted that he felt conditions have remained the same since we did this inspection back in December.

6

7

8

9

In terms of violations, I have from the 2015 International Property Maintenance Code Chapter One, sections 101 and 108; from Chapter Three, sections 301, 302 and 304; from the 2015 International Fire Code, I have Chapter Three, sections 301 and 311; from the code of the Town of Brookhaven, I have chapters 49 and 73.

10

11

12

13

14

15

16

17

Pursuant to the above definitions, the building is considered unsafe, lacks maintenance, is in a state of disrepair, unsanitary and unfit for human occupancy.

18

19

20

21

Due to its very poor condition and rapid deterioration, the engineers believe this site poses a threat to the health, safety and general welfare of the public.

22

23

24

25

Based on prior mentioned inspections,

1

2

the owner has not corrected the existing

3

defects nor made required repairs to the

4

structure.

5

It is recommended that it's unsafe and

6

if it cannot be reasonably repaired to meet

7

State and Town codes, it should be demolished.

8

SUPERVISOR ROMAINE: Thank you,

9

Brendan.

10

Any questions for Brendan from the

11

board?

12

(No response.)

13

SUPERVISOR ROMAINE: No questions.

14

I believe there is a speaker on this.

15

MS. EADERESTO: Yes, there is.

16

SUPERVISOR ROMAINE: So this would be a

17

good time to hear from the speaker.

18

MS. LENT: I'd like to swear the

19

speaker in first, please.

20

MS. EADERESTO: It may be an attorney.

21

(Pause.)

22

SUPERVISOR ROMAINE: Hello?

23

(No response.)

24

MS. EADERESTO: Okay. Let me . . .

25

I'll text the monitors.

1

2

COUNCILWOMAN CARTRIGHT: She's on.

3

SUPERVISOR ROMAINE: Okay.

4

(Pause.)

5

COUNCILWOMAN CARTRIGHT: We can't hear

6

her.

7

MS. LENT: I don't even see her.

8

COUNCILMAN FOLEY: Hello?

9

MS. EADERESTO: Yeah, I'm trying.

10

(Pause.)

11

MS. EADERESTO: She's next to Valerie

12

on the screen, if you hit that little button

13

there.

14

COUNCILMAN FOLEY: There she is.

15

MS. LENT: I see her now, yes.

16

Hello?

17

SUPERVISOR ROMAINE: Hello?

18

MS. EADERESTO: Her microphone needs to

19

go on, so whoever's monitoring this, please

20

put the microphone on.

21

MS. LENT: Renee Pincus, can you hear

22

me?

23

MS. EADERESTO: Okay.

24

So to the speaker, if you can hear me,

25

your microphone is not on, we cannot hear you.

1

2

MS. LENT: Can you say something?

3

COUNCILMAN FOLEY: You're muted.

4

5

COUNCILWOMAN BONNER: She says her microphone is not working. She just typed that into the talk box.

6

7

8

MS. LENT: Then we won't be able to hear from her unless she wants to do it through chat.

9

10

MS. EADERESTO: All right. I believe she's counsel for Fannie Mae.

11

12

What we can do is if she calls --

13

14

SUPERVISOR ROMAINE: She can type in what she would like to say.

15

16

MS. EADERESTO: Yeah. She types it in --

17

18

19

SUPERVISOR ROMAINE: If we can't hear her, we can certainly read what she'd like to say.

20

21

MS. EADERESTO: I can read it into the record.

22

23

24

25

SUPERVISOR ROMAINE: Right.

COUNCILMAN PANICO: Annette, do you want to have her call your line, just put your phone on speaker phone?

1

2

MS. EADERESTO: That's what I was
thinking of doing.

3

4

COUNCILWOMAN BONNER: Just let her know
she gets 30 days.

5

6

(Pause.)

7

MS. EADERESTO: Okay.

8

So just to the speaker, if you could
call (631)451-6520 and Michelle is my
assistant, will transfer into my line.

9

10

(Pause.)

11

MS. LENT: Can you shake your head if
you can hear that?

12

13

(No response.)

14

MS. LENT: She didn't hear that; you
have to type it in, Annette; what is her
number?

15

16

SUPERVISOR ROMAINE: While Annette is
typing that in, she did type -- Renee Aragona
Pincus typed we --

17

18

MS. LENT: Waiting for the sheriff.

19

SUPERVISOR ROMAINE: I'm going to just
read what she typed.

20

21

We request additional time for our
client to secure/repair the property. We are

22

23

24

25

1

2

awaiting the sheriff to remove personal

3

property at the premises. This has been

4

delayed due to COVID.

5

COUNCILWOMAN BONNER: Supervisor, will

6

you let her know on my behalf that she gets 30

7

days?

8

MS. EADERESTO: Well, Jen Lutzer can do

9

that.

10

COUNCILWOMAN BONNER: Thank you.

11

Jen, let her know that we're closing

12

this and voting on it and she has 30 days.

13

MS. EADERESTO: Hello?

14

MS. PINCUS: Hi, yes, this is Renee

15

Aragona Pincus.

16

MS. EADERESTO: I have her on my phone,

17

hold on one second.

18

SUPERVISOR ROMAINE: Okay.

19

COUNCILWOMAN CARTRIGHT: We can hear

20

her.

21

MS. EADERESTO: Can the board hear

22

this?

23

COUNCILMAN FOLEY: Yes.

24

COUNCILMAN LaVALLE: Yes.

25

MS. EADERESTO: Go ahead, Renee. Go

1

2 ahead, we can hear you.

3 MS. PINCUS: Okay. I'm so sorry.

4 So I'm from Pincus Law Group appearing
5 for Nationstar REO. We're requesting
6 additional time for our client to secure and
7 repair the property. They received a warrant
8 of eviction in February and everything was
9 sent over to the sheriff early March, but
10 things have been delayed by the sheriff's
11 office because of the -- because of COVID.

12 We've been following up with the
13 sheriff's office throughout this whole time,
14 but they've told us that they haven't been
15 able to schedule a lock-out and you know,
16 remove all the personal property that's in
17 there.

18 SUPERVISOR ROMAINE: Well, okay.

19 Can you hear me?

20 MS. PINCUS: Yes.

21 SUPERVISOR ROMAINE: Okay.

22 This is the way this works. This house
23 has been found not to be a safe house, to be
24 in an unsafe condition. We have an obligation
25 to cure that by either having someone come in

1

2

and improve the house or we're going to knock
it down.

3

4

5

6

7

8

9

10

11

12

13

14

So what happens is we're going to vote
today, if I haven't missed my guess, to knock
this house down. You have 30 days from today,
tomorrow, if you wish, to either file a
building permit and start making improvements
to the house or file a demolition permit and
demo it yourself, which would be somewhat
cheaper than if the Town government did it.
But in those 30 days, if you do not take any
action, on the 31st day we will move ahead to
demolish this house.

15

16

17

18

19

So time is up. I understand with COVID
and everything else, but you do, all you have
to do in the next 30 days if you're looking to
improve this house is come in and file a
building permit.

20

21

Is there any questions that you have
that I can answer?

22

23

24

25

MS. EADERESTO: The REO for Nationstar
is the owner, they have every right to file a
demo permit or a building permit. You're
going to need a full extensive set of plans

1

2

with the damage to this property, so you do

3

have that right whether there's a tenant there

4

or not, so as the Supervisor said, you can --

5

COUNCILWOMAN BONNER: There's no

6

tenant, the house has already been boarded and

7

secured. There's no tenant. I don't know

8

what they need an eviction for.

9

SUPERVISOR ROMAINE: Thank you.

10

MS. EADERESTO: Jane, it's the law with

11

the bank, they have to get a lock-out --

12

COUNCILWOMAN BONNER: You know what, we

13

had a long conversation this morning. We are

14

inundated with these homes, squatters are

15

taking them over, they are affecting the

16

quality of life for the communities that

17

they're in. It's the lawlessness and the

18

destruction of the quality of life for the

19

residents that are doing the right thing.

20

I don't know if you can tell, but most

21

of us have about had it up to here

22

(indicating) with this nonsense with this,

23

we're done. We are now in the property

24

maintenance business. With all the other

25

things that we have to do as a township, now

1

2

we have to board and secure, cut grass, remove
litter, stay on top of squatters.

3

4

SUPERVISOR ROMAINE: Thank you.

5

6

COUNCILWOMAN BONNER: You can let the
attorney know that I'm closing the hearing

7

now, I'm going to ask my colleagues to vote

8

and --

9

10

SUPERVISOR ROMAINE: Let's ask the
attorney if you have any questions that we can

11

answer before we close the hearing.

12

Is there any other questions we could
answer?

13

14

MS. PINCUS: No, thank you. I
understand we have the 30 days to file some
kind of permit, otherwise the Town will likely
demolish.

15

16

17

18

SUPERVISOR ROMAINE: That's correct.

19

MS. PINCUS: Will there be any further
notices on that?

20

21

SUPERVISOR ROMAINE: No. Nope.

22

MS. EADERESTO: No.

23

SUPERVISOR ROMAINE: No further notice,
this is it.

24

25

MS. EADERESTO: But you can keep in

1

2 touch with Brendan Sweeney or myself if you
3 are making progress, just give us a ring or
4 just keep us in the loop of what progress
5 you're keeping.

6

COUNCILWOMAN BONNER: Because the
7 residents will be -- this is Jane Bonner, I'm
8 the representative for this -- for council
9 district two -- the residents will be
10 contacting my office wanting to know the
11 progress of this home. This is not going to
12 get lost in the shuffle.

13

14

SUPERVISOR ROMAINE: I don't believe
so.

15

16

17

Brendan, do you want to give this
attorney your telephone number where she can
contact you?

18

19

MR. SWEENEY: I was actually just about
to provide that, Supervisor.

20

21

22

23

I'll give you both my email and my
phone number. My phone number is
(631)451-6402 and my email is
bsweeney@brookhavenny.gov.

24

25

MS. EADERESTO: Brendan, one more time;
I had that on mute when you started.

1

2

Go ahead.

3

4

MR. SWEENEY: It's (631)451-6402 for
the phone number and my email is
bsweeney@brookhavenny.gov.

5

6

MS. EADERESTO: Did you get that?

7

8

MS. PINCUS: Yeah, I got the number at
least.

9

10

MR. SWEENEY: I'll message you
privately my email so that way you have it.

11

12

MS. PINCUS: Oh, great. Thank you so
much.

13

14

15

COUNCILWOMAN BONNER: And Brendan will
stay in touch with my office, we're watching
this one.

16

17

18

19

20

21

22

MR. SWEENEY: Yeah, I do now -- I
actually do work in the building department
now, so I can make sure that -- if you submit
the paperwork for the permit, I can make sure
that we properly address it and have it
reviewed, you know, in a way that makes sure
it works for everybody.

23

24

25

COUNCILWOMAN BONNER: Not only a
permit, but progress. Not just taking out a
permit, but progress moving forward.

1

2

MS. EADERESTO: Oh, my God.

3

SUPERVISOR ROMAINE: Yes, thank you.

4

5

Again, our goal is to have these houses
fixed up, but if they're not, we will knock

6

them down.

7

8

Jane, if you'd like to make your motion
to close.

9

10

COUNCILWOMAN BONNER: Thank you,
Mr. Supervisor.

11

Make a motion to close.

12

COUNCILMAN LaVALLE: Second.

13

MS. LENT: All those in favor?

14

COUNCILWOMAN BONNER: Aye.

15

COUNCILWOMAN CARTRIGHT: Aye.

16

COUNCILMAN FOLEY: Aye.

17

COUNCILMAN LaVALLE: Aye.

18

COUNCILMAN LOGUERCIO: Aye.

19

COUNCILMAN PANICO: Aye.

20

SUPERVISOR ROMAINE: Aye.

21

MS. LENT: Opposed?

22

(No response.)

23

MS. LENT: Motion to close carries.

24

25

COUNCILWOMAN BONNER: I have a
resolution of adoption determining the

1

2

premises at 106 Parkside Avenue, Miller Place,

3

New York -- Suffolk County tax map numbers are

4

provided -- to be unsafe as defined by Chapter

5

73 pursuant to the engineer's report of

6

Cashin, Spinelli & Ferretti, LLC.

7

So moved.

8

COUNCILMAN LaVALLE: 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

SUPERVISOR ROMAINE: Okay. We have one

21

more piece of business. We have to set dates

22

for a public hearing to amend the Uniform

23

Traffic Code on October 1, 2020 and I so move.

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

SUPERVISOR ROMAINE: Okay.

13

We have no additional business, so I

14

will make a motion to adjourn.

15

COUNCILMAN PANICO: Second.

16

MS. LENT: Mr. Panico. Thank you.

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: We're adjourned.

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24
25

I, JOANN O'LOUGHLIN, a Notary Public
for and within the State of New York, do hereby
certify that the above is a correct transcription
of my stenographic notes.

JOANN O'LOUGHLIN