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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

September 17, 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: I'd like to call
this September 17th board meeting to order.

3

4

It is at 5:00 and as we do with every meeting,

5

let us stand, my flag is right over here, I'm

6

going to pledge allegiance to the flag.

7

(Pledge of Allegiance.)

8

MS. LENT: Thank you, Matt Sabatello,

9

for putting the American flag on the screen.

10

COUNCILWOMAN BONNER: Love that.

11

SUPERVISOR ROMAINE: At this moment in

12

time, we can sit, we have a moment of silence

13

and I'd like to thank all of our firefighters,

14

our ambulance volunteers, our nurses, everyone

15

that is in this battle together. I know if we

16

watch T.V., we think we're a divided nation,

17

but if you go and talk to people, we're very

18

united in helping one another. So let's offer

19

a thanks to everyone that is pulling for our

20

nation to get through this pandemic and for

21

those that are afflicted by it, that they get

22

better and we come out of this stronger,

23

better, united.

24

(Moment of silence.)

25

SUPERVISOR ROMAINE: Thank you very

1

2

much.

3

We'll do a roll call at this point.

4

MS. LENT: Councilwoman Cartright?

5

COUNCILWOMAN CARTRIGHT: Present.

6

MS. LENT: Councilwoman Bonner?

7

COUNCILWOMAN BONNER: Here.

8

MS. LENT: Councilman LaValle?

9

COUNCILMAN LaVALLE: Present.

10

MS. LENT: Councilman Loguercio?

11

COUNCILMAN LOGUERCIO: Present.

12

MS. LENT: Councilman Foley?

13

COUNCILMAN FOLEY: Here.

14

MS. LENT: Councilman Panico?

15

COUNCILMAN PANICO: Here.

16

MS. LENT: Supervisor Romaine?

17

SUPERVISOR ROMAINE: Present.

18

MS. LENT: You have a quorum, sir.

19

SUPERVISOR ROMAINE: Thank you.

20

We have reports to the board from the

21

Town Clerk.

22

MS. LENT: Yes.

23

I have a report of revenue for the Town

24

Clerk's office for the month of August in the

25

amount of \$53,084.75.

1

2

May I have a motion to accept report

3

item one?

4

COUNCILMAN LaVALLE: So moved.

5

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?

15

(No response.)

16

MS. LENT: Motion carries.

17

SUPERVISOR ROMAINE: Okay. Then we

18

have communication consensus agenda, I believe

19

we have seven items on that.

20

MS. LENT: Yes.

21

May I have a motion to accept the

22

communication consensus agenda items?

23

COUNCILMAN LaVALLE: 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

SUPERVISOR ROMAINE: Then we have the

13

highway consensus agenda with four items.

14

MS. LENT: Yes.

15

May I have a motion to accept the four

16

highway consensus agenda items?

17

COUNCILMAN LaVALLE: So moved.

18

COUNCILWOMAN BONNER: 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

MS. LENT: Motion carries.

6

7

SUPERVISOR ROMAINE: And then we have
the consensus resolution agenda.

8

COUNCILMAN LaVALLE: Mr. Supervisor,

9

I'll make a motion to approve resolutions

10

C-0290 to C-0323.

11

So moved.

12

COUNCILWOMAN BONNER: 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

SUPERVISOR ROMAINE: Okay.

25

Then we go onto the resolution agenda

1

2

and we'll start with Dan Panico, first

3

resolution.

4

COUNCILMAN PANICO: We will.

5

COUNCILMAN LaVALLE: Start at 487.

6

COUNCILWOMAN CARTRIGHT: The first one

7

is mine, I believe.

8

MS. LENT: Yes, Councilwoman Cartright.

9

COUNCILWOMAN CARTRIGHT: Okay.

10

Resolution 487 of 2020, the appointment

11

of Councilman Michael A. Loguercio Jr. as a

12

marriage officer.

13

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

COUNCILMAN LOGUERCIO: Thank you.

3

4

COUNCILMAN PANICO: Mike, has this become a side business for you?

5

6

7

8

9

COUNCILMAN LOGUERCIO: You know what's happening, Dan, all the guys in the firehouse are getting married, so they asked me to perform the ceremony, so I'm pretty honored to do that.

10

COUNCILMAN PANICO: Good for you.

11

SUPERVISOR ROMAINE: It's a true honor.

12

MS. LENT: (inaudible) to October 10th.

13

SUPERVISOR ROMAINE: There we go.

14

Okay, Dan, you have the next one,

15

please.

16

COUNCILWOMAN CARTRIGHT: No, I have the

17

next one, I believe.

18

SUPERVISOR ROMAINE: Oh, I'm sorry, you

19

do.

20

COUNCILWOMAN CARTRIGHT: No problem,

21

Supervisor.

22

Resolution 488 of 2020, supporting

23

"Brookhaven Goes Purple" during the month of

24

September recognizing and raising awareness of

25

substance abuse disorder and celebrating those

1

2

in recovery.

3

So moved.

4

COUNCILWOMAN BONNER: Councilwoman, can

5

I be a co-sponsor on that and I'll second?

6

COUNCILWOMAN CARTRIGHT: Absolutely.

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

COUNCILMAN FOLEY: Resolution 0489 of

20

2020, granting permission to the Farmingville

21

Hills Chamber of Commerce to hang Christmas

22

lights and garland on approximately 70

23

lampposts along Horseblock Road in

24

Farmingville, New York.

25

So moved.

1

2 COUNCILMAN LaVALLE: I'll second that.

3 COUNCILMAN LOGUERCIO: I'll second

4 that, very nice.

5 COUNCILMAN LaVALLE: Combination of

6 everybody on that one.

7 MS. LENT: I'm going to pick one.

8 COUNCILMAN LOGUERCIO: Give it to

9 Kevin.

10 MS. LENT: All right. Mr. LaValle.

11 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 COUNCILMAN FOLEY: Resolution 0490 of

23 2020, award bid #20048 - parts and labor to

24 repair lawn equipment to the lowest

25 responsible bidders Storr Tractor Company And

1

2

Northeast Equipment, Inc.

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

COUNCILMAN FOLEY: Resolution 0491 of

17

2020, award bid #20043 - on call leachate

18

system maintenance contract to the lowest

19

responsible bidder, Tully Environmental, Inc.

20

So moved.

21

COUNCILMAN LOGUERCIO: 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

10

COUNCILMAN FOLEY: Resolution 0492 of

2020, authorizing the change order number four

11

to contract number 20190023 - cell six, phase

12

XI, XII and XIII.

13

So moved.

14

COUNCILMAN LOGUERCIO: Second.

15

MS. LENT: Mr. Loguercio?

16

COUNCILMAN LOGUERCIO: Yup.

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

COUNCILWOMAN BONNER: Resolution 0493

5

is an authorization for assignment and

6

assumption agreement of Town of Brookhaven

7

contract number 20170085 "fire and intrusion

8

alarm testing, repair and maintenance" from

9

Worldwide Security Group, LLC, to Briscoe

10

Protective, LLC.

11

So moved.

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 carries.

24

SUPERVISOR ROMAINE: Resolution 494 of

25

2020, authorize the assignment of AE-Town Hall

1

2

Solar 2 LLC, membership interests to CVI

3

Renewables Holdings, LLC.

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

COUNCILMAN PANICO: 495 of '20 is

17

determination of the premises at Six Burney

18

Boulevard, Mastic, New York 11950 to be unsafe

19

as defined by Chapter 73 pursuant to the

20

engineer's report of Cashin, Spinelli &

21

Ferretti, LLC and setting a public hearing by

22

which the owner or other persons having an

23

interest in the premises may be heard with

24

respect to the condition of the premises and

25

the actions necessary to secure or remove

1

2

same.

3

So moved.

4

COUNCILMAN FOLEY: Second.

5

MS. LENT: That public hearing will be held October 22, 2020 at 5:30 p.m.

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?

15

(No response.)

16

MS. LENT: Motion carries.

17

COUNCILMAN PANICO: 496 of '20 is award of bid number 20038 entitled "repair and maintenance of transmissions on Town vehicles" to the lowest responsible bidder, T&T Baldwin Automotive, Incorporated.

18

19

20

21

22

So moved.

23

COUNCILMAN FOLEY: Second.

24

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: 497 of '20 is

13

authorizing declaration of decommissioned

14

vehicles and equipment as surplus to be sold

15

at Town auction.

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 LOGUERCIO: Resolution 498

6

of 2020 is to set a public hearing on the

7

application of 7 Eleven convenience store with

8

gas for a change of zone from L Industrial 1

9

to J Business 5, special permit for a motor

10

vehicle fueling station, special permit for

11

convenience store, accessory to a motor

12

vehicle fueling station and waivers of special

13

permit criteria on property located on Farber

14

Drive in Bellport, New York.

15

So moved.

16

COUNCILMAN FOLEY: Second.

17

MS. LENT: That public hearing will be

18

held October 22, 2020 at 5:30 p.m.

19

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

MS. LENT: Motion carries.

6

COUNCILMAN LOGUERCIO: Resolution 499

7

of 2020, declaring the week of October 23rd to

8

the 31st, 2020 to be red ribbon week as a

9

symbol of drug education and awareness.

10

So moved.

11

COUNCILMAN FOLEY: Second.

12

COUNCILWOMAN BONNER: Mike, can I

13

co-sponsor that --

14

COUNCILWOMAN CARTRIGHT: As well as

15

myself.

16

COUNCILMAN LOGUERCIO: Why don't we all

17

co-sponsor that?

18

SUPERVISOR ROMAINE: Absolutely.

19

Sounds good.

20

MS. LENT: Having been moved and

21

seconded by Councilman Foley, all those in

22

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

COUNCILMAN PANICO: 500 of 2020 is

10

authorizing the acquisition of property for

11

open space in partnership with the County of

12

Suffolk located in the Pine Barrens core lands

13

at Manorville, the owner is Joseph Frederick

14

Gazza.

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

6

7

8

SUPERVISOR ROMAINE: Could I ask at this moment in time that the Town Attorney do me a favor once this resolution is certified, that you send a copy to the executive director of the Pine Barrens Commission, Mr. Pavacic?

9

MS. EADERESTO: Yes, sir.

10

SUPERVISOR ROMAINE: Thank you.

11

12

13

14

15

16

17

18

19

20

The reason why is this gentleman appeared before the Pine Barrens Commission yesterday and asked us to give him a hardship for these 70 plus acres that are in the core. Instead of that, I think the County is stepping up with the Town to purchase these, so I just want to let the commission know really the hardship application should not be considered if we're actually moving ahead with an acquisition.

21

COUNCILMAN FOLEY: Okay.

22

23

24

25

Resolution 0501 of 2020, determination of the premises at 48 Green Avenue, Patchogue, New York 11772 to be unsafe as defined by Chapter 73 pursuant to the engineer's report

1

2

of Cashin, Spinelli & Ferretti, LLC and

3

setting a public hearing by which the owner or

4

other persons having an interest in the

5

premises may be heard with respect to the

6

condition of the premises and actions

7

necessary to secure or remove same.

8

So moved.

9

COUNCILWOMAN BONNER: Second.

10

MS. LENT: That public hearing will be

11

held October 22, 2020 at 5:30 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 FOLEY: Resolution 0502 of

24

2020, authorization for the Supervisor/Deputy

25

Supervisor to execute an inter-municipal

1

2

agreement with the Town of Southampton for

3

acceptance of construction and demolition

4

debris, street sweepings and dredge spoils.

5

So moved.

6

COUNCILMAN LOGUERCIO: 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 LOGUERCIO: Resolution 503

19

of 2020, setting a public hearing on the

20

application of 706 Whiskey Road for a change

21

of zone from A Residence 1 to J Business 4 on

22

property located on Whiskey Road in Ridge, New

23

York.

24

So moved.

25

COUNCILMAN FOLEY: Second.

1

2

MS. LENT: That public hearing will be held October 22, 2020 at 5:30 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 LaVALLE: Resolution 504,

16

setting a public hearing on the application of

17

Centereach Storage, LLC for a change of zone

18

from J Business 2 and A Residence 1 to L

19

Industrial 1 and amendment of restrictive

20

covenants on property located on Middle

21

Country Road in Centereach, New York.

22

So moved.

23

COUNCILWOMAN BONNER: Second.

24

MS. LENT: That public hearing will be

25

held October 22, 2020 at 5:30 p.m.

1

2

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: 505 of '20 is

14

authorizing a legal retainer agreement for the

15

purpose of addressing legal questions and

16

reviewing contracts for federal programs

17

administered by the Town of Brookhaven on

18

behalf of the United States Department of

19

Housing and Urban Development otherwise known

20

as HUD.

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 COUNCILWOMAN CARTRIGHT: Resolution 506
11 of 2020, authorize the Commissioner of Finance
12 to amend the 2020 adopted capital budget to
13 establish a new West Meadow Beach improvement
14 project, to be funded through budget neutral
15 transfers.

16 So moved.

17 COUNCILWOMAN BONNER: 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

6

COUNCILMAN PANICO: 507 of '20 is setting a public hearing to amend Chapter 5

7

entitled "appearance tickets," Chapter 7

8

entitled "bidding preferences," Chapter 8

9

entitled "bay and harbor bottoms" and Chapter

10

9 entitled "beaches" of the code of Town of

11

Brookhaven.

12

So moved.

13

MS. LENT: Can I have a second?

14

SUPERVISOR ROMAINE: Second.

15

MS. EADERESTO: Second was the

16

Supervisor.

17

COUNCILWOMAN BONNER: I'll second it.

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

5

MS. LENT: That public hearing will be held October 22, 2020 at 5:30 p.m.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

So moved.

COUNCILMAN FOLEY: Second.

MS. LENT: That public hearing will be held October 22, 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?

1

2

(No response.)

3

MS. LENT: Motion carries.

4

COUNCILMAN PANICO: 509 of '20 is

5

authorizing an extension of the contract with

6

Pembroke Occupational Health, Incorporated to

7

continue the Town's drug and alcohol testing.

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 0510

22

is to amend the 2020 adopted budget to abolish

23

part-time positions.

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: Resolution 0511

14

is 2020 various operating budget, capital

15

budget transfers.

16

So moved.

17

COUNCILMAN LaVALLE: 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

(Pause.)

6

MS. EADERESTO: Valerie.

7

COUNCILWOMAN CARTRIGHT: What number is

8

this?

9

MS. EADERESTO: 512.

10

COUNCILWOMAN CARTRIGHT: Okay. It's

11

not coming up on mine, just give me one

12

second, my computer's --

13

COUNCILMAN PANICO: I'll do it for you.

14

COUNCILWOMAN CARTRIGHT: You'll do it

15

for me. Go ahead.

16

COUNCILMAN PANICO: It's 512 of '20 is

17

amending resolution 2019-0913 adopted December

18

5, 2020 establishing the Town of Brookhaven's

19

2020 fee schedule for various departments.

20

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: Opposed?

7 (No response.)

8 MS. LENT: Motion carries.

9 SUPERVISOR ROMAINE: This ends our
10 resolution agenda.

11 The next thing on our -- we have no
12 dates to set and no decisions are pending, so
13 the next thing on our agenda is public
14 hearings, but they're scheduled for 5:30, we
15 had the same problem last time, so we can't
16 conduct any further business till 5:30. Right
17 now it's 5:16, so we're going to take a
18 14-minute break and we're going to come back
19 at 5:30 and do the public hearings, unless
20 anyone had any comments they want to make.

21 (No response.)

22 SUPERVISOR ROMAINE: No. Okay.

23 (Short recess taken.)

24 SUPERVISOR ROMAINE: Okay. It is 5:30
25 and we are back for public hearings. We have

1

2

five public hearings today and we will start

3

with our Town Clerk, Donna Lent, who will open

4

public hearing number one.

5

(Pause.)

6

MS. LENT: Donna, you have to unmute.

7

COUNCILWOMAN BONNER: I can't start my

8

video.

9

MS. LENT: There we go.

10

SUPERVISOR ROMAINE: Okay.

11

MS. LENT: Public hearing number one is

12

to consider the application known as L2G

13

Holdings, LLC for a change of zone from J

14

Business 2 and L Industrial 1 to L Industrial

15

1 on property located in Medford, New York.

16

Legal notices for public hearings are

17

published no less than ten days, no more than

18

20 days prior to a public hearing in one of

19

the legal Town newspapers and my office has

20

received a signed affidavit for publication

21

from the newspaper.

22

A SEQRA negative determination will be

23

submitted by the Law Department via resolution

24

if applicable and I am in receipt of a letter

25

from Suffolk County Planning Commission

1

2

determining it to be a matter of local

3

determination.

4

5

The applicant was required to post the property as well as notify all property owners

6

within a 500-foot radius of the subject

7

property and my office is in receipt of the

8

affidavits of mailing and posting.

9

10

The letter from Suffolk County Planning is dated July 15, 2020:

11

Dear Ms. Lent:

12

Pursuant to the requirements of

13

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

14

County Administrative Code, the above

15

referenced application which has been

16

submitted to the Suffolk County Planning

17

Commission is considered to be a matter for

18

local determination as there is no apparent

19

significant county-wide or inter-community

20

impact(s). A decision of local determination

21

should not be construed as either an approval

22

or disapproval.

23

Signed Very truly yours,

24

Andrew P. Freleng

25

Chief Planner

1

2

SUPERVISOR ROMAINE: Okay. And I

3

believe who is explaining this from, is that

4

Beth Reilly, our Planning Commissioner?

5

MS. REILLY: Yes.

6

This site is located along the north

7

side of Commercial Boulevard 150 feet east of

8

New York State Route 112 in Medford. The

9

parcel is 2.109 acres and is currently

10

occupied with two industrial type warehouse

11

buildings with associated site improvements.

12

The site enjoys a certificate of

13

occupancy and a certificate of compliance that

14

were issued in 1969 and 1994 respectively.

15

The site is currently split zoned J2

16

and L1 Industrial and the applicant seeks a

17

change of zone to L1.

18

The concept plan shows, sorry, the

19

existing industrial buildings with updated

20

site improvements including lighting, paving,

21

landscaping and drainage system. The proposed

22

change of zone will bring the site back into

23

zoning compliance.

24

The 1996 comprehensive plan designates

25

the site for an industrial land use.

1

2

SUPERVISOR ROMAINE: Okay.

3

Any questions from the board?

4

(No response.)

5

SUPERVISOR ROMAINE: No questions.

6

Do we have any speakers on this?

7

(No response.)

8

SUPERVISOR ROMAINE: No speakers?

9

MS. EADERESTO: Just checking. Let me

10

just check, Mr. Supervisor.

11

SUPERVISOR ROMAINE: Sure.

12

(Pause.)

13

MS. EADERESTO: And can I just please

14

make an announcement that the people in the

15

chat, we're asking if there's anybody who

16

wishes to speak and they're not responding to

17

our monitors, so please in the chat . . . Tim

18

Shea is a speaker on this application.

19

SUPERVISOR ROMAINE: Okay. Let's hear

20

from Mr. Shea then.

21

Mr. Shea, you're on.

22

MR. SHEA: Okay, I had to unmute.

23

Good afternoon or good evening,

24

Mr. Supervisor, members of the board. J.

25

Timothy Shea, Jr., Certilman Balin, 100 Motor

1

2

Parkway, Hauppauge, New York, for the

3

applicant.

4

5

6

7

8

9

10

11

12

Ms. Reilly gave a very good description of the site. The application is to rezone on the site plan the left-hand side of the site with existing building A, which is currently zoned J2, although it was CO'd for a public garage. The intent is to make the zoning compliant with future tenant uses for warehouse and/or manufacturing, light manufacturing at that.

13

14

15

16

We have seen the proposed conditions of approval and agree with the same and I'm happy to answer any questions that the board may have.

17

18

19

SUPERVISOR ROMAINE: Does the board have any questions for Mr. Shea?

20

21

(No response.)

22

23

SUPERVISOR ROMAINE: No questions.
Thank you, Mr. Shea.
Councilman Loguercio, do you have a motion?

24

25

COUNCILMAN LOGUERCIO: I move to close public hearing number one, Supervisor.

1

2

COUNCILMAN FOLEY: 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 to close carries.

14

COUNCILMAN LOGUERCIO: A SEQRA negative

15

declaration granting the application of L2G

16

Holdings, LLC for a change of zone from L

17

Industrial 1 and J Business 2 to L Industrial

18

1 on property located on Commercial Boulevard

19

in Medford, New York.

20

So moved.

21

COUNCILMAN FOLEY: 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

COUNCILMAN LOGUERCIO: Resolution of

10

adoption granting the application of L2G

11

Holdings, LLC for a change of zone from L

12

Industrial 1 and J Business 2 to L Industrial

13

1 on property located on Commercial Boulevard,

14

Medford, New York.

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. Thank you very much and we'll move onto public hearing number two.

6

7

8

9

10

11

MS. LENT: Public hearing number two is to consider the application known as Westfield Center for a change of zone from J Business 2 and A Residence 1 to J Business 2 on property located in Selden, New York.

12

13

14

15

16

17

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.

18

19

20

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

21

22

23

24

25

I am in receipt of a letter from Suffolk County Planning Commission determining it to be a matter of local determination and the applicant was required to post the property as well as notify all property owners

1

2

within a 500-foot radius of the subject

3

property and my office is in receipt of the

4

affidavits of mailing and posting.

5

The letter from Suffolk County Planning

6

is dated February 10, 2020. It reads:

7

Dear Ms. Lent:

8

Pursuant to the requirements of

9

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

10

County Administrative Code, the above

11

referenced application which has been

12

submitted to the Suffolk County Planning

13

Commission is considered to be a matter for

14

local determination as there is no apparent

15

significant county-wide or inter-community

16

impact(s). A decision of local determination

17

should not be construed as either an approval

18

or disapproval.

19

Signed Very truly yours,

20

Andrew P. Freleng

21

Chief Planner

22

SUPERVISOR ROMAINE: Thank you.

23

And we will have our Planning

24

Commissioner speak a little bit about this

25

application.

1

2

3

4

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25

MS. REILLY: The site is located on the southeast corner of Middle Country Road, New York State Route 25 and Blue Point Road in Selden. The subject parcel is a total of 7.44 acres and is currently occupied with an existing commercial center approximately 52,400 square feet with associated site improvements.

This site includes certificates of occupancy that date back to 1972. The site is currently split zoned J2 and A1. The applicant seeks a change of zone to J2.

The concept plan shows the addition of a new 1,914 square foot, 16-seat major restaurant with drive-thru, a Dunkin Donuts and a 4,000 square foot, 62-seat restaurant with associated site improvements to the commercial center.

Special permits are required from the Planning Board at the time of site plan review. Variances may also be required at the time of site plan.

The 1996 comprehensive plan designates the site as a commercial land use.

1

2

SUPERVISOR ROMAINE: Okay.

3

Any questions from board members?

4

(No response.)

5

SUPERVISOR ROMAINE: No questions.

6

Who is representing the applicant

7

tonight?

8

MS. EADERESTO: Representing the

9

applicant is Anthony Guardino, Cary Staller,

10

John Harter and there are no public that wish

11

to speak on this.

12

SUPERVISOR ROMAINE: Okay.

13

Does the applicant wish to speak?

14

MR. GUARDINO: Hi, good evening; can

15

you hear me?

16

SUPERVISOR ROMAINE: Yes.

17

MR. GUARDINO: Okay, great.

18

Hi, Anthony Guardino, law firm of

19

Farrell Fritz, 100 Motor Parkway, Hauppauge,

20

New York, representing the property owner,

21

Blue Point Associate.

22

Ms. Reilly, Commissioner Reilly, just

23

gave a very thorough overview of the property,

24

so I'm not going to talk about that.

25

I do just want to point out for the

1

2

board that this shopping center, which you're

3

probably familiar with, has been struggling

4

and right now is about 36 percent vacant.

5

Historically, the center, although you

6

wouldn't have known it by just looking at it,

7

it really didn't have much frontage because

8

the frontage was actually owned by the

9

Department of Transportation, which owned

10

about two and a half acres on both sides of

11

the main access driveway and that property was

12

zoned A1.

13

When the property was offered for sale,

14

my client really had no choice but to buy it,

15

otherwise they would have been faced with the

16

possibility of somebody else developing in

17

front of them, further obscuring the shopping

18

center and contributing to its decline.

19

Fortunately it was able to purchase the

20

property, but it significantly overpaid.

21

The change of zone that's before you is

22

really just very simply to unify the zoning of

23

the parcel and to allow the proposed pad --

24

restaurant pad sites, which we think will be a

25

tremendous shot in the arm for the shopping

1

2

center. You know, in this world of this pandemic, restaurants with drive-thrus are

3

4

really one of the few businesses that are

5

actually expanding because people, customers,

6

they feel confident and they feel safe when

7

they go to a drive-thru, they find that

8

they're convenient with very few touch points,

9

so the drive-thru has become very important.

10

One of the things I really just want to

11

point out before I conclude is that I know

12

it's very important to the board to know what

13

the applicant has done, the communications it

14

had with the civic association. We actually

15

had two meetings with the Selden Civic

16

Association to discuss the two restaurant

17

pads, one on April 5, 2019 with the executive

18

committee and then another meeting with the

19

full membership, the general membership, on

20

April 25th of 2019. A representative of

21

Councilman LaValle's office was at both of

22

those meetings.

23

The association members were very

24

enthusiastic about the restaurant pads and the

25

potential tenants that they might bring. They

1

2

did not believe that the pads would generate

3

any traffic congestion on the surrounding

4

roadways because they noted correctly that the

5

center is served by two traffic signals, one

6

at the main entrance and then another one at

7

Blue Point Road and the civics also responded

8

enthusiastically to the significant

9

landscaping that my client is proposing in the

10

front of the shopping center and we showed

11

them some pictures of representative

12

landscaping from other Staller Associates

13

shopping centers and they were very excited

14

and happy to see that, look forward to seeing

15

it. That's basically the presentation, thank

16

you.

17

SUPERVISOR ROMAINE: Thank you,

18

Counsel.

19

Any questions?

20

COUNCILMAN LaVALLE: I'll just mention,

21

you know, this is -- this site has been

22

struggling for some years and I know property

23

owner coming and buying this particular

24

parcel, this could add some life back to this

25

parcel right there.

1

2

3

4

5

6

7

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24

25

I know this is an area we talked extensively about with Anthony and with Cary about, you know, making sure the landscaping looks good, you know. We're trying to avoid on Middle Country Road a lot of this going from Middle Country Road to the sidewalk to more pavement, so, you know, we went over this plan with the Civic and with everybody involved, that was something that we really pointed out and I think where this particular site is being developed, it's an empty parking lot that probably 95, 99 percent of the time there's not a lot of people that use that side, so I think this land acquisition and what's going on here will really help support this center and really kind of clean up the whole site as a whole to say the least.

SUPERVISOR ROMAINE: Just as an aside, what happened to the gazebo?

COUNCILMAN LaVALLE: The gazebo actually was put there, it was on state property put there by some organization, nobody really took care of it and then what ended up happening, it just started to rot.

1

2

About two years ago we had Highway go take a

3

look at it, see if we could salvage it in any

4

way, but the wood had been so rotted, there

5

was no way we could move it, that it was going

6

to collapse, so eventually the State came in

7

and they had to get rid of it.

8

SUPERVISOR ROMAINE: Good, thank you.

9

Any questions from board members?

10

(No response.)

11

SUPERVISOR ROMAINE: Is there a

12

resolution --

13

MS. EADERESTO: Mr. Supervisor --

14

SUPERVISOR ROMAINE: Yes?

15

MS. EADERESTO: -- before you close,

16

Linda Miller made a comment from the Selden

17

Civic that they welcome them with open arms in

18

Selden.

19

SUPERVISOR ROMAINE: I see that, thank

20

you very much.

21

MS. EADERESTO: All right.

22

Sorry, Mr. LaValle.

23

COUNCILMAN LaVALLE: That's okay.

24

That's okay. Linda's the president of the

25

Civic, I don't mind her chiming in any time,

1

2

but I'll make a motion to close.

3

MS. LENT: Can I have a second?

4

SUPERVISOR ROMAINE: Second.

5

COUNCILWOMAN BONNER: Second.

6

MS. LENT: I already have it.

7

COUNCILWOMAN BONNER: Okay.

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 to close carries.

19

COUNCILMAN LaVALLE: I will make a

20

motion for the SEQRA negative declaration

21

granting the application of Westfield Center

22

for a change of zone from A Residence 1 and J

23

Business 2 to J Business 2 on property located

24

on Middle Country Road in Selden, New York.

25

So moved.

1

2

COUNCILWOMAN BONNER: 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

COUNCILMAN LaVALLE: Then I'll make a

15

motion of approval granting the application of

16

Westfield Center for a change of zone from A

17

Residence 1 and J Business 2 to J Business 2

18

on property located on Middle Country Road in

19

Selden, New York.

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

COUNCILMAN LaVALLE: Thank you, guys.

10

SUPERVISOR ROMAINE: Okay. We're onto

11

public hearing number three.

12

MS. LENT: Public hearing number three

13

is to consider the application known as 43

14

Jayne LLC for a change of zone from J Business

15

2 and B Residence 1 to J Business 4 on

16

property located in Port Jefferson Station,

17

New York.

18

Legal notices for public hearings are

19

published no less than ten days and no more

20

than 20 days prior to a public hearing in one

21

of the legal Town newspapers. My office has

22

received a signed affidavit of publication

23

from the newspaper.

24

A SEQRA negative determination will be

25

submitted by the Law Department via resolution

1

2

if applicable and I am in receipt of a letter

3

from the Suffolk County Planning Commission

4

determining it to be a matter of local

5

determination.

6

I am in receipt of a letter from the

7

Port Jefferson Station/Terryville Civic

8

Association stating no objection to this

9

application with comment and the applicant was

10

required to post the property as well as

11

notify all property owners within the 500-foot

12

radius of the subject property and my office

13

is in receipt of the affidavits of mailing and

14

posting.

15

A letter from the Suffolk County

16

Planning is dated July 15, 2020 and I'm not

17

sure why, but this is directed to Mr. Albano

18

instead of me, but:

19

Pursuant to the requirements of

20

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

21

County Administrative Code, the above

22

referenced application which has been

23

submitted to the Suffolk County Planning

24

Commission is considered to be a matter for

25

local determination as there is no apparent

1

2

significant county-wide or inter-community

3

impact(s). A decision of local determination

4

should not be construed as either an approval

5

or disapproval.

6

Signed Very truly yours,

7

Andrew P. Freleng

8

Chief Planner

9

SUPERVISOR ROMAINE: Okay.

10

Any questions from the board at this

11

point?

12

(No response.)

13

SUPERVISOR ROMAINE: If not, I'll turn

14

it over to the Planning Commissioner.

15

MS. REILLY: This site is located along

16

the west side of Jayne Boulevard north of New

17

York State Route 347 in Port Jefferson

18

Station. The subject parcel is 2.3 acres and

19

is currently occupied with an existing 2,179

20

square foot structure, land use is unknown

21

with no real on-site improvements.

22

The subject site is currently split

23

zoned J Business 2 and B Residence 1. The

24

applicant seeks a change of zone to J Business

25

4.

1

2

The concept plan shows a new 31,342 square foot two-story office building with associated site improvements. Variances may be required at the time of site plan review.

5

6

The 1996 comprehensive plan designates the site for commercial land use.

7

8

SUPERVISOR ROMAINE: Okay. Thank you.

9

Is the applicant, I believe Mr. Shea is representing the applicant?

10

11

MS. EADERESTO: Yes, Mr. Supervisor.

12

SUPERVISOR ROMAINE: Mr. Shea, do you have anything you want to add?

13

14

MR. SHEA: No. We did meet with the civic association, we were at an outdoor meeting and I know that Ms. Cartright's staff was there and I want to thank Ms. Cartright and her staff for being very cooperative and open with us on this application.

15

16

17

18

19

20

We have reviewed the proposed conditions of approval and are in agreement with the same and we hope that the board will grant the application and I'm happy to answer any questions.

21

22

23

24

25

SUPERVISOR ROMAINE: Okay.

1

2

Any questions from board members?

3

COUNCILWOMAN CARTRIGHT: No.

4

5

I do have a request of our Planning Commissioner, if she can please just read the covenant related to the western property line and the buffer.

6

7

8

MS. REILLY: Sure, I just have to stop sharing my screen so I can get it for you.

9

10

SUPERVISOR ROMAINE: Okay.

11

COUNCILWOMAN CARTRIGHT: Thank you.

12

(Pause.)

13

MS. EADERESTO: Beth, do you want me to read it?

14

15

MS. REILLY: I got it.

16

MS. EADERESTO: Okay.

17

18

MS. REILLY: The applicant owner shall provide a 30-foot natural and undisturbed

19

buffer along the westerly property line. The

20

land bank parking stalls shall remain in a

21

natural and undisturbed state until such time

22

as the site is open and operational and the

23

applicant owner demonstrates to the

24

satisfaction of the Planning Board the need to

25

construct the land bank stalls.

1

2

In the event the land bank stalled are constructed, an evergreen screen planting shall be installed along the buffer to at least the Town standards and to the satisfaction of the Planning Board.

3

4

5

6

7

COUNCILWOMAN CARTRIGHT: Thank you. I just want to make sure that Mr. Shea is aware of that and there's no objection to that.

8

9

10

MR. SHEA: We have no objection.

11

COUNCILWOMAN CARTRIGHT: Thank you.

12

Okay. I have no other comments or questions.

13

14

SUPERVISOR ROMAINE: Great.

15

If there's no other comments and questions, Councilwoman Cartright, do you have a motion that you'd like to make?

16

17

18

COUNCILWOMAN CARTRIGHT: Yes. I move to close this public hearing.

19

20

COUNCILWOMAN BONNER: I'll 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 carries.

8

COUNCILWOMAN CARTRIGHT: SEQRA negative

9

declaration granting the application of 43

10

Jayne LLC for a change of zone from J Business

11

2 and B Residence 1 to J Business 4 on

12

property located at Jayne Boulevard in Port

13

Jefferson Station, New York.

14

So moved.

15

COUNCILWOMAN BONNER: Second.

16

MS. LENT: All those in favor?

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

(No response.)

1

2

MS. LENT: Motion carries.

3

4

5

6

7

8

COUNCILWOMAN CARTRIGHT: Next is a resolution of adoption granting 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.

9

So moved.

10

COUNCILWOMAN BONNER: 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

23

SUPERVISOR ROMAINE: Okay. We are onto public hearing number four.

24

25

MS. LENT: Public hearing number four is to consider the application known as M&R

1

2

Stony Brook, Inc. for amendment of the

3

restrictive covenants on property located in

4

Port Jefferson Station, New York.

5

Legal notices for public hearings are

6

published no less than ten days and no more

7

than 20 days in one of the legal Town

8

newspapers. My office has received the signed

9

affidavit of publication in a newspaper.

10

A SEQRA negative determination will be

11

submitted by the Law Department via resolution

12

if applicable and I am in receipt of a letter

13

from the Port Jefferson Station/Terryville

14

Civic Association stating no objection to this

15

application.

16

The applicant was also required to post

17

the property as well as notify all property

18

owners within a 500-foot radius of the subject

19

property and my office is in receipt of those

20

affidavits of mailing and posting.

21

SUPERVISOR ROMAINE: Okay.

22

Our Planning Commissioner will explain

23

briefly what this involves.

24

MS. REILLY: The site is located along

25

the west side of New York State Route 112

1

2

north of Birchwood Drive in Port Jefferson

3

Station. The parcel is a total of 21.316

4

acres and is currently occupied with an

5

existing office complex with associated site

6

improvements.

7

The site enjoyed several certificates

8

of occupancy that were issued as early as

9

2008.

10

The subject site is currently zoned J

11

Business 4 and was the subject of a change of

12

zone application in 2005, which was approved

13

by the Town board and subsequently amended in

14

2006.

15

The applicant proposes to amend the

16

grant in order to permit the expansion of the

17

office use by 24,075 square feet. The

18

applicant also proposes to modify covenants

19

10, 14 and 15 to reflect current on-site

20

conditions and for clarification.

21

The proposed concept plan shows a new

22

20,485 square foot medical office building and

23

the addition of a 10,000 square foot second

24

story to one of the existing medical buildings

25

on site.

1

2

The proposal is to amend covenant number two from a maximum 141,400 square feet of office space to a maximum of 165,475 square feet of office space.

5

6

Amendment of covenant number ten is for clarification on parking.

7

8

Covenant number 14 is for clarification and timing of elimination of an excess access point on Route 112.

10

11

And covenant number 15 is for clarification of existing front yard buffers.

12

13

SUPERVISOR ROMAINE: Okay. Thank you very much.

14

15

Who is the applicant represented by?

16

MS. EADERESTO: Tim Shea is here for the applicant and --

17

18

SUPERVISOR ROMAINE: Okay.

19

MR. SHEA: Yuliya Viola is also here, I'm going to let her take the hearing, she should be on the list.

20

21

22

SUPERVISOR ROMAINE: Okay.

23

MS. EADERESTO: Yes.

24

MS. LENT: Is Yuliya from your firm?

25

MR. SHEA: Yuliya -- yes, Yuliya is

1

2

from my firm.

3

MS. LENT: An attorney with your firm?

4

MR. SHEA: Correct.

5

SUPERVISOR ROMAINE: Okay.

6

(Pause.)

7

MR. SHEA: Yuliya, are you there?

8

MS. VIOLA: Yes, yes; can you hear me?

9

SUPERVISOR ROMAINE: Yes, we can.

10

MS. EADERESTO: Yuliya, do you have

11

anything to add to what the Commissioner

12

presented?

13

MS. VIOLA: Well, the applicant -- as

14

Ms. Reilly pointed out, the applicant is

15

before this board tonight with an application

16

to amend restrictive covenants numbers two,

17

10, 14 and 15.

18

The total existing and previously

19

approved was for area is 141,400 square feet

20

and the applicant is proposing to construct a

21

20,485.20 square foot building, seven and add

22

10,000 square feet to the previously building

23

one on the second floor and in accordance with

24

the floor plan, the total building area on the

25

site will be now 165,475 square feet.

1

2

3

4

5

6

7

8

As the result of the subject application submitted to the Town Clerk, the proposed development necessitated the amendment of the covenants in the form it was submitted to the Town and that we respectfully request your favorable consideration of our application to amend the restrictive covenant.

9

SUPERVISOR ROMAINE: Thank you.

10

Questions from board members?

11

(No response.)

12

COUNCILWOMAN CARTRIGHT: I have no

13

questions.

14

SUPERVISOR ROMAINE: No questions.

15

We'll go, Councilwoman Cartright, would

16

you like to offer --

17

COUNCILWOMAN CARTRIGHT: Do we have

18

anyone for comments on this?

19

MS. EADERESTO: No.

20

COUNCILWOMAN CARTRIGHT: Okay,

21

excellent.

22

Resolution, SEQRA negative

23

declaration --

24

MS. LENT: We need a motion to close.

25

COUNCILWOMAN CARTRIGHT: Oh, sorry.

1

2

I move to close this public hearing.

3

COUNCILWOMAN BONNER: 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 CARTRIGHT: SEQRA negative

16

declaration granting the application of M&R

17

Stony Brook, Incorporated for an amendment of

18

restrictive covenants on property located on

19

New York State Route 112 in Port Jefferson

20

Station, New York.

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 CARTRIGHT: Next we have a

11

resolution of adoption granting the

12

application of M&R Stony Brook, Incorporated

13

for an amendment of restrictive covenants on

14

property located at New York State Route 112

15

in Port Jefferson Station, New York.

16

So moved.

17

COUNCILWOMAN BONNER: 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

COUNCILWOMAN CARTRIGHT: Thank you.

6

SUPERVISOR ROMAINE: Okay.

7

8

We will move onto public hearing number five, which is I believe the last public hearing of the night.

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10

11

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15

MS. LENT: Public hearing number five is determination of the premises located at 12 Everett Street, Centereach, New York, to be unsafe as defined by Chapter 73 pursuant to the engineer's report of Cashin, Spinelli & Ferretti, LLC.

16

17

18

19

20

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.

21

22

23

24

25

Legal notices for public hearings are published no less than ten days and 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

1

2

from the newspaper and should the board render

3

a decision, this has been deemed a SEQRA Type

4

II action.

5

SUPERVISOR ROMAINE: Okay.

6

We have Brendan Sweeney to explain this

7

to us. Brendan?

8

MR. SWEENEY: Yes, Mr. Supervisor,

9

members of the board.

10

So today's hearing is for a 12 Everett

11

Street in Centereach, New York 11720. The

12

owner listed in the Town's portal system is

13

Advance Home LLC; they've owned it since

14

April 4th of 2019. They do have a mortgage

15

through HOF 1 Grantor Trust 5e since

16

December 13th of 2019. Taxes are unpaid both

17

for them and the previous owner since the

18

2018-2019 tax bill, which enables the County

19

to take for back taxes after December 12,

20

2022; however, the County did note to me that

21

they are so behind on processing tax payments

22

right now, that it is possible that they have

23

paid, it just hasn't been logged in their

24

system at this time.

25

SUPERVISOR ROMAINE: Really, they're

1

2

that far behind?

3

4

5

6

7

MR. SWEENEY: Yes. They said if any payment was received in June, they've processed the payment, but they haven't entered it into their log as of a couple of days ago.

8

9

10

SUPERVISOR ROMAINE: Well, for people needing money, you would think they would process it much quicker.

11

12

13

MR. SWEENEY: Well, they do cash it, they just don't enter it into their log, so it has been cashed.

14

SUPERVISOR ROMAINE: Okay.

15

16

MR. SWEENEY: In terms of the vacant registry, it's not on our vacant registry.

17

18

19

20

21

22

23

24

Asbestos is present. Cashin, Spinelli & Ferretti initially conducted an inspection on June 27th of 2018; however, to make sure that the property hasn't had condition changes, I did have Inspector Incagliato check it out on September 16th of 2020, so yesterday. He noted no conditions have changed; you'll see his pictures later on to show such.

25

We boarded and secured this property

1

2

twice, once on April of 2015 and we reboarded
it again July of 2020.

3

4

We sent to three locations. We sent it
to Advance Home in Hollis, New York; we sent
it to the mortgage entity, which is based out
of St. Paul, Minnesota and we sent to a Brian
Goldberg based in Glendale, New York.

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In terms of correspondence, as
Councilman LaValle will note, I have been in
correspondence with Sharon O'Brien, who's been
hired to assist with the obtaining of a permit
for the rehabbing of this home. I spoke to
her on September 15th and advised her to get
as much paperwork as she could of what they're
looking to do, you know, any kind of
situations of why it got to this situation and
we'll do what we can to either get a permit if
they can get it in time or you know, if
they're unable to, we can see -- come up with
something else.

22

23

24

25

I did send to Councilman LaValle's
office late that night a letter that they had
submitted to me showcasing the hardship that
they said that the owner for this property

1

2

had.

3

4

5

6

7

8

9

In terms of the property, the subject building is 32 by 64 foot wood frame single story residential structure with a basement resting on concrete block foundation. It's clad with asbestos shingle, wood shingle and vinyl siding and an asphalt shingle roof and is in extremely poor condition.

10

11

12

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Siding and fascia are broken, missing and deteriorating. A portion of the exterior wall at the rear has rotted through and is open to the interior. The roof edge is damaged in several areas, gutters are damaged, hanging, missing or full of vegetation. The property is not maintained and is overgrown. Fencing is broken and missing and as you just previously saw, there was a dilapidated wood shed located in the rear of the property that is full of trash.

21

22

23

24

The interior has trash, construction debris, household items strewn throughout. Large amounts of animal feces that the engineer suspected was raccoon feces are present.

25

Damage to the roof structure due to

1

2

prolonged exposure to moisture is observed in

3

several locations and suspect mold was also

4

located.

5

The building is boarded up using

6

Plexiglas on the windows, but it's not -- the

7

site is not secure, constituting a public

8

safety hazard.

9

In terms of the report that I said that

10

Inspector Incagliato noted, on the 16th he

11

noted that conditions have remained the same

12

since the 2018 Cashin report.

13

In terms of violations, we have from

14

the 2015 International Property Maintenance

15

Code Chapter One, sections 101 and 108; we

16

have from Chapter 3, sections 301, 302 and

17

304. From the 2015 International Fire Code,

18

we have Chapter 3, sections 301 and 311. From

19

the code of the Town of Brookhaven, we have

20

violations of chapters 49 and 73.

21

Pursuant to the above definitions, the

22

building is considered unsafe, lacks

23

maintenance and is in an advanced state of

24

disrepair, unsanitary and unfit for human

25

occupancy.

1

2

Due to its extremely poor condition and rapid deterioration, the engineers believe this 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 existing defects nor made required repairs to the structure.

8

9

10

Due to dilapidated and unsafe condition of the building, the rate of deterioration from lack of maintenance and numerous violations of State and Town codes, it's recommended that the structure be demolished.

11

12

13

14

SUPERVISOR ROMAINE: Okay.

15

16

Is there anyone to speak on behalf of the house?

17

18

19

MS. EADERESTO: Yes. The architect is here and the monitors are letting him in right now.

20

SUPERVISOR ROMAINE: Mr. Gleason?

21

MS. EADERESTO: Yes.

22

MR. GLEASON: Yes, sir.

23

SUPERVISOR ROMAINE: How are you?

24

MR. GLEASON: I'm doing well. I'm

25

doing well.

1

2

SUPERVISOR ROMAINE: Okay.

3

So tell us a little bit about this

4

house.

5

MS. LENT: Before he does that, I'd

6

like to swear him in, please.

7

SUPERVISOR ROMAINE: Yes.

8

MS. LENT: So if you would please raise

9

your right hand, Mr. Gleason.

10

Do you swear to tell the truth, the

11

whole truth and nothing but the truth so help

12

you God?

13

MR. GLEASON: I do.

14

MS. LENT: Okay. And I'm going to --

15

are we giving him five minutes or --

16

SUPERVISOR ROMAINE: Yes.

17

MS. LENT: Yes, we are.

18

So I'm going to start your clock. I'll

19

let you know when your five minutes is done.

20

MR. GLEASON: Okay.

21

MS. LENT: You can go ahead.

22

MR. GLEASON: Okay, thank you.

23

I was hired on Friday by the owner of

24

this property, Mr. Bisham Mohabir and he is

25

the president/owner of Advance Home, LLC and

1

2

they are located in Hollis, New York.

3

4

5

6

During the pandemic and COVID, he's been diagnosed with an illness and that's prevented him, at least since March, from doing any work to the house.

7

8

9

10

11

12

13

14

15

16

17

I know that with the slides and the detailed report by the attorney's office and the inspections from the prior, you know, the engineering company and the building inspectors, that the house is in awful shape, I get that and we've been in touch -- we've gotten a survey completed as of yesterday by Treumans Layouts located in Selden. We need the survey in order to file any kind of paperwork, possible variance, et cetera that would be required.

18

19

20

21

22

23

We're asking the board to grant a 30-day extension so that we can have proof that we will file proper paperwork and show good faith that we are trying to resolve this problem that has been there for many years obviously.

24

25

I wouldn't -- if this house was next to me in my town, St. James, I wouldn't be too

1

2

happy, either, I understand totally what

3

the -- why these codes are obviously in effect

4

for. Abatement may will have to occur with

5

the asbestos, such forth and most of the house

6

will probably definitely have to be rebuilt to

7

conform to the building code and make it

8

habitable and that will be shown on plans that

9

will be submitted to the building department.

10

SUPERVISOR ROMAINE: Very good, sir.

11

MR. GLEASON: I will take any questions

12

that you may have.

13

SUPERVISOR ROMAINE: Not a question,

14

but the way this Town works is tonight, if I

15

haven't missed my guess, Councilman LaValle

16

will make a motion to demo this house.

17

MR. GLEASON: Okay.

18

SUPERVISOR ROMAINE: That will be

19

approved.

20

MR. GLEASON: Right.

21

SUPERVISOR ROMAINE: That gives you 30

22

days before we do anything.

23

In those 30 days, if you come in with a

24

building permit and if you show any -- we

25

don't want to tear down houses, we prefer to

1

2

see them rebuilt and restored.

3

4

5

6

7

8

If you're showing any desire to do that, we hold off all action as long as it's sincere and moving forward. There have been people that have taken a building permit and done nothing, so I got my building permit. That doesn't work.

9

10

11

12

So we're looking for this house to either be demoed or -- and then the lot could be sold and a new house built or have someone come in and fix it up.

13

14

15

16

17

Looking at the reports and stuff, you know, whoever's going to do that has a challenge, but I'm going to turn it over to Councilman LaValle, unless you have any questions about our process.

18

19

20

MR. GLEASON: No, Mr. Supervisor, I totally understand what's explained to me by you.

21

SUPERVISOR ROMAINE: Right.

22

MR. GLEASON: Yes.

23

24

25

SUPERVISOR ROMAINE: We don't do anything after that. If you've done a building permit or you're showing that you

1

2

were making improvements for whatever, you're

3

going to demolish and rebuild or whatever it

4

is, we prefer that and we will not take any

5

action as long as there's a sincere effort to

6

clean this up.

7

Okay. Thank you.

8

COUNCILMAN LaVALLE: Mr. Gleason,

9

please stay in contact with Brendan Sweeney

10

and my office, you know, we'll work with you.

11

Obviously right now the real estate market's

12

very good, it's a seller's market, so I'm sure

13

your client would want to get this house fixed

14

up, get it out on the market and I'm sure

15

every neighbor in that neighborhood would want

16

to see that happen.

17

SUPERVISOR ROMAINE: Absolutely.

18

MR. GLEASON: Absolutely. I agree

19

totally, Councilman.

20

COUNCILMAN LaVALLE: So please keep in

21

touch with us, we just want to see this moving

22

along. I know the Supervisor, the rest of the

23

board, we represent our constituents and this

24

has been a big problem, so it's one of those

25

things we want to keep these things moving

1

2

along as best we can, so please stay in

3

contact with us and we'll work with you as

4

best we can.

5

MR. GLEASON: Okay. Absolutely

6

understood.

7

COUNCILMAN LaVALLE: I'll make a motion

8

to close.

9

COUNCILWOMAN BONNER: I'll second.

10

COUNCILMAN LaVALLE: Donna, you're on

11

mute.

12

MS. LENT: I could hear you, but you

13

couldn't hear me.

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: I'll make a motion

1

2

to approve resolution of adoption determining
the premises at 12 Everett Street, Centereach,
New York, to be unsafe as defined by Chapter
73 pursuant to the engineer's report of
Cashin, Spinelli & Ferretti, LLC.

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

SUPERVISOR ROMAINE: Okay. That

21

concludes our public hearings and before we

22

adjourn, on a very sad note and I know this

23

whole board joins with me, we want to express

24

our sympathy to the family of Legislator

25

Thomas Muratore, who did a fabulous job

1

2

representing us. I had the pleasure to serve

3

with him in the County legislature. He will

4

be missed. He passed away last week. He was

5

a gentleman, always kind, always considerate,

6

always caring for his constituents, always

7

trying to improve the area he represented. He

8

will be missed by many people and I just want

9

to make that note and I know that all of you

10

share with me our sympathies to the Muratore

11

family on the loss of Tom.

12

So with that, the meeting business is

13

over, but I did not want to end without

14

mentioning our sadness over Tom and his

15

service to this Town and to the County of

16

Suffolk, but I will entertain a motion to

17

adjourn at this moment.

18

COUNCILMAN PANICO: So moved.

19

COUNCILWOMAN BONNER: Second.

20

MS. LENT: Sorry, I didn't know who

21

moved that, I didn't see.

22

COUNCILMAN PANICO: That was me, Donna.

23

MS. LENT: All those in favor?

24

COUNCILWOMAN BONNER: Aye.

25

COUNCILWOMAN CARTRIGHT: Aye.

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COUNCILMAN FOLEY: Aye.

COUNCILMAN LaVALLE: Aye.

COUNCILMAN LOGUERCIO: Aye.

COUNCILMAN PANICO: Aye.

SUPERVISOR ROMAINE: Aye.

MS. LENT: Opposed?

(No response.)

MS. LENT: Motion carries.

We stand adjourned.

SUPERVISOR ROMAINE: Thank you all.

We'll see you very shortly. I see you every day, I know you guys are working hard, I appreciate all that each one of you do including our Town Clerk.

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



TOWN COUNCIL
VIRTUAL MEETING
ONE INDEPENDENCE HILL, FARMINGVILLE, NY

Thursday, September 17, 2020 – 5:00 PM

MINUTES

I. Call to Order

The meeting was called to order at 5:02 PM by Town Supervisor Edward P. Romaine

Attendee Name	Title	Status	Arrived
Valerie M. Cartright	Councilwoman	Present	
Jane Bonner	Councilwoman	Present	
Kevin LaValle	Councilman	Present	
Michael A. Loguercio Jr.	Councilman	Present	
Neil J. Foley	Councilman	Present	
Daniel Panico	Councilman	Present	
Edward P. Romaine	Town Supervisor	Present	

Town Clerk Donna Lent and Town Attorney Annette Eaderesto were also present.

II. Roll Call

III. Salute to the Flag

The Salute to the Flag was led by Supervisor Edward P. Romaine.

IV. Moment of Silence

The Moment of Silence was observed to thank firefighters, ambulance staff, nurses, and all who are working together to get us through this pandemic.

V. Reports to the Town Board

MOTION TO: Approve [Unanimous]
MOTION BY: Kevin LaValle
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

1. Report of Revenue for the Office of the Town Clerk for the month of August 2020 in the amount of \$ 53,084.75.

VI. Communication Consensus Agenda

MOTION TO: Approve [Unanimous]
MOTION BY: Kevin LaValle
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

1. Acceptance of Town Board Minutes from August 27, 2020.
2. Acceptance of Declaration of Covenants and Restrictions for Change of Zone/Special Permit Application: Mariano Rivera Honda, Port Jefferson Station, New York (File # 2019-009).
3. Request for an Extension to File Sufficient Declaration of Covenants and Restrictions Documents for Change of Zone/Special Permit Application Colin Realty LLC, Farmingville, New York File #2016-138.
4. Request for an Extension to File Sufficient Declaration of Covenants and Restrictions Documents for Change of Zone Application Cow Palace @ Rocky Point, Rocky Point, New York File #2011-18.
5. Request for an Extension to File Sufficient Declaration of Covenants and Restrictions Documents for Planned Development District/Amend Restrictive Covenants Application Mount Sinai Meadows LLC, Mount Sinai, New York File #2017-032.
6. Acceptance of Declaration of Covenants and Restrictions for Planned Development District/Amend Restrictive Covenants Application Mount Sinai Meadows LLC, Mount Sinai, New York (File # 2017-032).
7. Acceptance of Declaration of Covenants and Restrictions for Amend Restrictive Covenants/Special Permit Application: PMG Northeast LLC, Holbrook, New York (File # 2017-033).

VII. Highway Consensus Agenda

MOTION TO: Approve [Unanimous]
MOTION BY: Kevin LaValle
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

1. Report of Revenue received by the Superintendent of Highways in the month of August 2020 in the amount of \$68,059.59.
2. Purchase of Tools & Parts (Seven (7) pages: Starting with Three (3) Pipe Reducers & ending with Two (2) Hose Clamps).
3. Release of Highway Work Permit # 1978816, Issued to Fusion Architecture c/o United Way of Long Island, Location: Kelsey Avenue, Port Jefferson Station.
4. Release of Highway Work Permit # 1474831, Issued to James K. Haney c/o Van Brunt, Juzwiak & Russo, P.C., Location: 64 Clinton Street, Center Moriches.

VIII. Consensus Resolution Agenda

MOTION TO: Approve [Unanimous]

MOTION BY: Kevin LaValle

SECOND BY: Jane Bonner

AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

- 2020 C-0290 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 2 - 2257 Route 112, Coram (Litter IC# 20-14603)
- 2020 C-0291 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 6 - 18 Maplewood Dr, Shirley (Litter & Grass IC# 20-24508)
- 2020 C-0292 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 4 - 12 Daniel Ln, Middle Island (Litter & Grass IC# 20-25911)
- 2020 C-0293 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 2 - 83 Sound Beach Blvd, Sound Beach (Litter IC# 20-22306)
- 2020 C-0294 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 6 - 62 Laurelton Dr, Mastic Beach (Litter, Grass & Brush IC# 20-24521)
- 2020 C-0295 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 2 - 490 North Country Rd, Miller Place (Litter IC# 20-24751)
- 2020 C-0296 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 6 - 21 Atlantic Ave, East Moriches (Grass & Brush IC# 20-23111)
- 2020 C-0297 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 4 - 3414 Route 112, Medford (Litter IC# 20-14270)
- 2020 C-0298 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 2 - 393 Echo Ave, Sound Beach (Litter IC# 20-19974)
- 2020 C-0299 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 5 - 209 Jamaica Ave, Medford (Litter, Grass & Brush IC# 20-24173)
- 2020 C-0300 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 6 - 154 Woodland Dr, Mastic Beach (Grass IC# 20-28285)
- 2020 C-0301 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 6 - 5 Rutland Rd, Mastic (Grass IC# 20-27912)
- 2020 C-0302 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 6 - 52 Oak Ave, Shirley (Grass IC# 20-28030)
- 2020 C-0303 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 5 - 4 Grandview Dr, Blue Point (Grass IC# 20-24944)
- 2020 C-0304 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 2 - 23 Rolling Rd, Miller Place (Grass IC# 20-29200)
- 2020 C-0305 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 6 - 195 William Floyd Pkwy, Shirley (Grass IC# 20-27818)
- 2020 C-0306 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 6 - 15 Lafayette Dr, Shirley (Grass IC# 20-27794)
- 2020 C-0307 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 4 - 277 Louise Ave, Patchogue (Grass IC# 20-28665)
- 2020 C-0308 ASSESSMENT LIEN FOR COSTS FOR ADMINISTERING PROCEEDINGS UNDER CHAPTER 73 OF THE TOWN CODE IN DISTRICT #6: 49 LOMBARDY DRIVE, SHIRLEY, NEW YORK 11967
- 2020 C-0309 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 3 - 29 Smith Ln, Centereach (Litter & Grass IC# 20-23306)

- 2020 C-0310 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 5 - 104 Everett St, Patchogue (Litter & Grass IC# 20-28684)
- 2020 C-0311 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 5 - 46 Wilmarth Ave, Patchogue (Litter, Grass & Brush IC# 20-28715)
- 2020 C-0312 ASSESSMENT LIEN FOR COSTS FOR ADMINISTERING PROCEEDINGS UNDER CHAPTER 73 OF THE TOWN CODE IN DISTRICT #1: 705 PATCHOGUE ROAD, PORT JEFFERSON STATION, NEW YORK 11776
- 2020 C-0313 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 3 - 1759 Middle Country Rd, Centereach (Litter IC# 20-12509)
- 2020 C-0314 Assessment Lien of Costs and Compensation to the Town for Property Cleanup And/Or Maintenance in CD 6 - 117 Pine Rd, Mastic Beach (Litter, Grass & Brush IC# 20-26588)
- 2020 C-0315 ASSESSMENT LIEN FOR COSTS FOR ADMINISTERING PROCEEDINGS UNDER CHAPTER 73 OF THE TOWN CODE IN DISTRICT #3: 12 EVERETT STREET, CENTEREACH, NEW YORK 11720
- 2020 C-0316 ASSESSMENT LIEN FOR COSTS FOR ADMINISTERING PROCEEDINGS UNDER CHAPTER 73 OF THE TOWN CODE IN DISTRICT #2: 49 ORLEANS GREEN, CORAM, NEW YORK 11727
- 2020 C-0317 ASSESSMENT LIEN FOR COSTS FOR ADMINISTERING PROCEEDINGS UNDER CHAPTER 73 OF THE TOWN CODE IN DISTRICT #3: 75 JAY ROAD, CENTEREACH, NEW YORK 11720
- 2020 C-0318 ASSESSMENT LIEN FOR COSTS FOR ADMINISTERING PROCEEDINGS UNDER CHAPTER 73 OF THE TOWN CODE IN DISTRICT #5: 209 JAMAICA AVENUE, MEDFORD, NEW YORK 11763
- 2020 C-0319 ASSESSMENT LIEN FOR COSTS FOR ADMINISTERING PROCEEDINGS UNDER CHAPTER 73 OF THE TOWN CODE IN DISTRICT #5: 2074 HORSEBLOCK ROAD, MEDFORD, NEW YORK 11763
- 2020 C-0320 AUTHORIZING THE TOWN HIGHWAY SUPERINTENDENT TO VOID HIGHWAY WORK PERMIT NO. 1878330 AND RELEASE CASH SECURITY BEING HELD IN ESCROW TO RICHARD SAMUEL, OWNER OF THE PROPERTY.
- 2020 C-0321 AUTHORIZING AN ENCROACHMENT AGREEMENT BETWEEN THE TOWN OF BROOKHAVEN AND DONALD R. SALLAH AND KRISTIN M. SALLAH TO ALLOW THE FENCE TO REMAIN IN THE TOWN RIGHT-OF-WAY ON PROPERTY LOCATED AT 340 DURKEE LANE, EAST PATCHOGUE, NY 11772 (SCTM # 0200-982.70-01.00-017.000)
- 2020 C-0322 AUTHORIZING AN ENCROACHMENT AGREEMENT BETWEEN THE TOWN OF BROOKHAVEN AND CHRISTOPHER MOORE TO ALLOW THE RETAINING WALL AND TRENCH DRAIN TO REMAIN IN THE TOWN RIGHT-OF-WAY ON PROPERTY LOCATED AT 331 LOCUST DRIVE, ROCKY POINT, NEW YORK 11778 (SCTM#0200-055.00-01.00-026.300)
- 2020 C-0323 AUTHORIZATION TO ACCEPT CASH SECURITY - SITE PLAN – PROPOSED TRUCKING TERMINAL (AMAZON) AT SHIRLEY

IX. Resolution Agenda

RESOLUTION NO. 2020-0487 APPOINTMENT OF COUNCILMAN MICHAEL A. LOGUERCIO, JR., AS A MARRIAGE OFFICER

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Valerie M. Cartright
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0488 SUPPORTING "BROOKHAVEN GOES PURPLE" DURING THE MONTH OF SEPTEMBER RECOGNIZING AND RAISING AWARENESS OF SUBSTANCE USE DISORDER AND CELEBRATING THOSE IN RECOVERY

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Valerie M. Cartright
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0489 GRANTING PERMISSION TO THE FARMINGVILLE HILLS CHAMBER OF COMMERCE TO HANG CHRISTMAS LIGHTS AND GARLAND ON APPROXIMATELY SEVENTY LAMPPOSTS ALONG HORSEBLOCK ROAD, FARMINGVILLE, NEW YORK.

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Neil J. Foley
SECOND BY: Kevin LaValle
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0490 AWARD BID #20048 - PARTS & LABOR TO REPAIR LAWN EQUIPMENT TO THE LOWEST RESPONSIBLE BIDDERS, STORR TRACTOR COMPANY AND NORTHEAST EQUIPMENT, INC.

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Neil J. Foley
SECOND BY: Michael A. Loguercio Jr.
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0491 AWARD BID #20043 - ON-CALL LEACHATE SYSTEM MAINTENANCE CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, TULLY ENVIRONMENTAL, INC.

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Neil J. Foley
SECOND BY: Michael A. Loguercio Jr.
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0492 AUTHORIZING CHANGE ORDER #4 TO CONTRACT #20190023 – CELL 6, PHASES XI, XII, XIII

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Neil J. Foley
SECOND BY: Michael A. Loguercio Jr.
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0493 AUTHORIZATION FOR ASSIGNMENT AND ASSUMPTION AGREEMENT OF TOWN OF BROOKHAVEN CONTRACT #20170085 "FIRE & INTRUSION ALARM TESTING, REPAIR & MAINTENANCE" FROM WORLDWIDE SECURITY GROUP, LLC, TO BRISCOE PROTECTIVE, LLC

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Jane Bonner
SECOND BY: Kevin LaValle
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0494 AUTHORIZE THE ASSIGNMENT OF AE-TOWN HALL SOLAR 2 LLC, MEMBERSHIP INTERESTS TO CVI RENEWABLES HOLDINGS I, LLC

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Edward P. Romaine
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0495 DETERMINATION OF THE PREMISES AT 6 BURNEY BOULEVARD, MASTIC, NEW YORK 11950 (SCTM#0200-749.00-03.00-027.000) TO BE UNSAFE AS DEFINED BY CHAPTER 73 PURSUANT TO THE ENGINEER'S REPORT OF CASHIN, SPINELLI, & FERRETTI, LLC, AND SETTING A PUBLIC HEARING BY WHICH 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

October 22, 2020 @ 5:30 PM

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Daniel Panico
SECOND BY: Neil J. Foley
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0496 AWARD BID #20038 ENTITLED "REPAIR & MAINTENANCE OF TRANSMISSIONS ON TOWN VEHICLES" TO THE LOWEST RESPONSIBLE BIDDER, T&T BALDWIN AUTOMOTIVE, INC.,

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Daniel Panico
SECOND BY: Neil J. Foley
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0497 AUTHORIZING DECLARATION OF DECOMMISSIONED VEHICLES/EQUIPMENT AS SURPLUS TO BE SOLD AT TOWN AUCTION

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Daniel Panico
SECOND BY: Neil J. Foley
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0498 SETTING A PUBLIC HEARING ON THE APPLICATION OF 7-ELEVEN CONVENIENCE STORE WITH GAS FOR A CHANGE OF ZONE FROM L INDUSTRIAL 1 TO J BUSINESS 5, SPECIAL PERMIT FOR A MOTOR VEHICLE FUELING STATION, SPECIAL PERMIT FOR CONVENIENCE STORE ACCESSORY TO A MOTOR VEHICLE FUELING STATION AND WAIVERS OF SPECIAL PERMIT CRITERIA ON PROPERTY LOCATED ON FARBER DRIVE IN BELLPORT, NEW YORK

October 22, 2020 @ 5:30 PM

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Michael A. Loguercio Jr.
SECOND BY: Neil J. Foley
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0499 DECLARING THE WEEK OF OCTOBER 23 - 31, 2020 TO BE RED RIBBON WEEK AS A SYMBOL OF DRUG EDUCATION AND AWARENESS

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Michael A. Loguercio Jr.
SECOND BY: Neil J. Foley
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0500 AUTHORIZING THE ACQUISITION OF PROPERTY FOR OPEN SPACE IN PARTNERSHIP WITH THE COUNTY OF SUFFOLK LOCATED IN THE PINE BARRENS CORE LANDS AT MANORVILLE, SCTM NOS. 0200-355.00-04.00-005.000 & 0200-412.00-03.00-006.000; OWNER: JOSEPH FREDERICK GAZZA

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Daniel Panico
SECOND BY: Neil J. Foley
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0501 DETERMINATION OF THE PREMISES AT 48 GREEN AVENUE, PATCHOGUE, NEW YORK 11772 (SCTM #0200-952.00-04.00-042.000) TO BE UNSAFE AS DEFINED BY CHAPTER 73 PURSUANT TO THE ENGINEER'S REPORT OF CASHIN, SPINELLI, & FERRETTI, LLC, AND SETTING A PUBLIC HEARING BY WHICH 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

October 22, 2020 @ 5:30 PM

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Neil J. Foley
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0502 AUTHORIZATION FOR THE SUPERVISOR/DEPUTY SUPERVISOR TO EXECUTE AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF SOUTHAMPTON FOR ACCEPTANCE OF CONSTRUCTION AND DEMOLITION DEBRIS, STREET SWEEPINGS AND DREDGE SPOILS

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Neil J. Foley
SECOND BY: Michael A. Loguercio Jr.
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0503 SETTING A PUBLIC HEARING ON THE APPLICATION OF 706 WHISKEY ROAD FOR A CHANGE OF ZONE FROM A RESIDENCE 1 TO J BUSINESS 4 ON PROPERTY LOCATED ON WHISKEY ROAD IN RIDGE, NEW YORK

October 22, 2020 @ 5:30 PM

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Michael A. Loguercio Jr.
SECOND BY: Neil J. Foley
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0504 SETTING A PUBLIC HEARING ON THE APPLICATION OF CENTEREACH STORAGE, LLC FOR A CHANGE OF ZONE FROM J BUSINESS 2 AND A RESIDENCE 1 TO L INDUSTRIAL 1 AND AMENDMENT OF RESTRICTIVE COVENANTS ON PROPERTY LOCATED ON MIDDLE COUNTRY ROAD (NEW YORK STATE ROUTE 25) IN CENTEREACH, NEW YORK

October 22, 2020 @ 5:30 PM

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Kevin LaValle
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0505 AUTHORIZING A LEGAL RETAINER AGREEMENT FOR THE PURPOSE OF ADDRESSING LEGAL QUESTIONS AND REVIEWING CONTRACTS FOR FEDERAL PROGRAMS ADMINISTERED BY THE TOWN OF BROOKHAVEN ON BEHALF OF THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Daniel Panico
SECOND BY: Neil J. Foley
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0506 AUTHORIZE THE COMMISSIONER OF FINANCE TO AMEND THE 2020 ADOPTED CAPITAL BUDGET TO ESTABLISH A NEW WEST MEADOW BEACH IMPROVEMENT PROJECT, TO BE FUNDED THROUGH BUDGET NEUTRAL TRANSFERS

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Valerie M. Cartright
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0507 SETTING A PUBLIC HEARING TO AMEND CHAPTER 5 ENTITLED "APPEARANCE TICKETS", CHAPTER 7 ENTITLED "BIDDING PREFERENCES", CHAPTER 8 ENTITLED "BAY AND HARBOR BOTTOMS" AND CHAPTER 9 ENTITLED "BEACHES" OF THE CODE OF THE TOWN OF BROOKHAVEN

October 22, 2020 @ 5:30 PM

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Daniel Panico
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Panico, Romaine
ABSENT: Neil J. Foley

RESOLUTION NO. 2020-0508 SETTING A PUBLIC HEARING TO AMEND CHAPTER 85 ENTITLED "ZONING", ARTICLE I ENTITLED "GENERAL PROVISIONS", ARTICLE XV ENTITLED "MULTIFAMILY RESIDENCE DISTRICTS" AND ARTICLE XXVI ENTITLED "PLANNED DEVELOPMENT DISTRICT" OF THE CODE OF THE TOWN OF BROOKHAVEN

October 22, 2020 @ 5:30 PM

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Daniel Panico
SECOND BY: Neil J. Foley
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0509 AUTHORIZING AN EXTENSION OF THE CONTRACT WITH PEMBROOKE OCCUPATIONAL HEALTH, INC., TO CONTINUE THE TOWN'S DRUG AND ALCOHOL TESTING

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Daniel Panico
SECOND BY: Neil J. Foley
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0510 AMEND THE 2020 ADOPTED BUDGET TO ABOLISH PART TIME POSITIONS

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Jane Bonner
SECOND BY: Kevin LaValle
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0511 2020 VARIOUS OPERATING AND CAPITAL BUDGET TRANSFERS

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Jane Bonner
SECOND BY: Kevin LaValle
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

RESOLUTION NO. 2020-0512 AMENDING RESOLUTION 2019-0913 ADOPTED DECEMBER 5, 2020 ESTABLISHING THE TOWN OF BROOKHAVEN'S 2020 FEE SCHEDULE FOR VARIOUS DEPARTMENTS

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Daniel Panico
SECOND BY: Valerie M. Cartright
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

X. Public Hearings - 5:30 PM

1. To Consider 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

Beth Reilly, Commissioner of Planning, Environment and Land Management, was available to answer any questions about this matter.

Speaker: J. Timothy Shea, Jr., Esq.

MOTION TO: Close (Pass) [Unanimous]
MOTION BY: Michael A. Loguercio Jr.
SECOND BY: Neil J. Foley
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

To Consider 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

MOTION TO: Adopt SEQRA Neg Dec (Pass) [Unanimous]
MOTION BY: Michael A. Loguercio Jr.
SECOND BY: Neil J. Foley
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

To Consider 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

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Michael A. Loguercio Jr.
SECOND BY: Neil J. Foley
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

2. To Consider the Application of Westfield Center for a Change of Zone from A Residence 1 and J Business 2 to J Business 2 on Property Located on Middle Country Road (New York State Route 25) in Selden, New York

Beth Reilly, Commissioner of Planning, Environment and Land Management, was available to answer any questions about this matter.

Speaker: Anthony S. Guardino, Esq.

MOTION TO: Close (Pass) [Unanimous]
MOTION BY: Kevin LaValle
SECOND BY: Edward P. Romaine
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

To Consider the Application of Westfield Center for a Change of Zone from A Residence 1 and J Business 2 to J Business 2 on Property Located on Middle Country Road (New York State Route 25) in Selden, New York

MOTION TO: Adopt SEQRA Neg Dec (Pass) [Unanimous]
MOTION BY: Kevin LaValle
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

To Consider the Application of Westfield Center for a Change of Zone from A Residence 1 and J Business 2 to J Business 2 on Property Located on Middle Country Road (New York State Route 25) in Selden, New York

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Kevin LaValle
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

3. To Consider 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

Beth Reilly, Commissioner of Planning, Environment and Land Management, was available to answer any questions about this matter.

Speaker: J. Timothy Shea, Jr., Esq.

MOTION TO: Close (Pass) [Unanimous]
MOTION BY: Valerie M. Cartright
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

To Consider 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

MOTION TO: Adopt SEQRA Neg Dec (Pass) [Unanimous]
MOTION BY: Valerie M. Cartright
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

To Consider 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

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Valerie M. Cartright
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

4. To Consider the Application of M&R Stony Brook, Inc. for an Amendment of Restrictive Covenants on Property Located on New York State Route 112 in Port Jefferson Station, New York

Beth Reilly, Commissioner of Planning, Environment and Land Management, was available to answer any questions about this matter.

Speaker: Yuliya Viola, Esq.

MOTION TO: Close (Pass) [Unanimous]
MOTION BY: Valerie M. Cartright
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

To Consider the Application of M&R Stony Brook, Inc. for an Amendment of Restrictive Covenants on Property Located on New York State Route 112 in Port Jefferson Station, New York

MOTION TO: Adopt SEQRA Neg Dec (Pass) [Unanimous]
MOTION BY: Valerie M. Cartright
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

To Consider the Application of M&R Stony Brook, Inc. for an Amendment of Restrictive Covenants on Property Located on New York State Route 112 in Port Jefferson Station, New York

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Valerie M. Cartright
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

5. Determination of the Premises at 12 Everett Street, Centereach, New York 11720 (SCTM #0200-486.00-05.00-020.000) to be Unsafe as Defined by Chapter 73 Pursuant to the Engineer Report of Cashin, Spinelli & Ferretti, LLC

Brendan Sweeney, Executive Assistant of Planning, was available to answer any questions about this matter.

Speaker: John Gleason

MOTION TO: Close (Pass) [Unanimous]
MOTION BY: Kevin LaValle
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

Determination of the Premises at 12 Everett Street, Centereach, New York 11720 (SCTM #0200-486.00-05.00-020.000) to be Unsafe as Defined by Chapter 73 Pursuant to the Engineer Report of Cashin, Spinelli & Ferretti, LLC

SEQRA Type II

MOTION TO: Adopt (Pass) [Unanimous]
MOTION BY: Kevin LaValle
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

XI. Consideration of Unfinished Business

XII. Decisions Pending

1. To Consider the Application of Echo Run @ Miller Place for a Change of Zone from J Business 2 to MF Residential and Amendment of Restrictive Covenants on Property Located in Miller Place, NY
2. To Consider the Application of Crest Bellport, LLC for a Planned Development District (PDD) and NH-H Health Facility District on Property Located on Bellport Station Road in Bellport, NY

XIII. Set Dates

XIV. Adjournment

MOTION TO: Approve [Unanimous]
MOTION BY: Daniel Panico
SECOND BY: Jane Bonner
AYES: Cartright, Bonner, LaValle, Loguercio Jr., Foley, Panico, Romaine

Presiding Officer of the Council

Recorder