

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

January 28, 2021
2:00 p.m.

TRANSCRIPT OF PROCEEDINGS

* * *

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

BOARD MEMBERS :

JANE BONNER
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

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

SUPERVISOR ROMAINE: Welcome to the January 28th meeting of the Brookhaven Town board. I'll bring this board to order and with that, if we would all stand and pledge our flag.

(Pledge of Allegiance.)

SUPERVISOR ROMAINE: And with that, we'll take our one moment of silence.

Our thoughts and for some of us our prayers should be with those seeking to be vaccinated. My thoughts and prayers today and I believe all of our board members is that we get people who want to get vaccinated, vaccinated as soon as possible, that we avoid all the snafus that there have been to date and we move ahead to get this vaccination underway and we put this virus behind us, this pandemic behind us, as soon as possible, so let's offer a moment of silent reflection, thought or prayer, whichever, on that issue.

(Moment of silence.)

SUPERVISOR ROMAINE: Thank you and I'd ask our clerk to call the roll, please.

MS. LENT: You can ask your vaccinated

1

2

clerk to call the roll because I had my

3

vaccination yesterday.

4

SUPERVISOR ROMAINE: God bless. Good

5

bless. I'm still waiting. I go online all

6

the time.

7

MS. LENT: I used the app and I was

8

able to get an appointment for myself and my

9

husband.

10

All right. So Council District One is

11

vacant.

12

Councilwoman Bonner.

13

COUNCILWOMAN BONNER: Here.

14

MS. LENT: Councilman LaValle.

15

COUNCILMAN LaVALLE: Present.

16

MS. LENT: Councilman Loguercio.

17

COUNCILMAN LOGUERCIO: Present.

18

MS. LENT: Councilman Foley.

19

COUNCILMAN FOLEY: Here.

20

MS. LENT: Councilman Panico.

21

COUNCILMAN PANICO: Here.

22

MS. LENT: Supervisor Romaine.

23

SUPERVISOR ROMAINE: Present.

24

MS. LENT: You have a quorum, sir.

25

SUPERVISOR ROMAINE: Great.

1

2

3

4

We'll start with the -- we will go right to reports to the board and I know the clerk has a report.

5

6

7

MS. LENT: Yes. I have a report of revenue for the Town Clerk's office for the month of December in the amount of \$47,913.95.

8

9

May I have a motion to accept this report item?

10

SUPERVISOR ROMAINE: So moved.

11

COUNCILWOMAN BONNER: Second.

12

MS. LENT: All those in favor?

13

COUNCILWOMAN BONNER: 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

Thank you.

23

SUPERVISOR ROMAINE: Okay.

24

25

We have communication consensus agenda, we have three items and Councilman Loguercio,

1

2

you're muted.

3

4

COUNCILMAN LOGUERCIO: Yes. I move items C-0028 to C-0032.

5

6

SUPERVISOR ROMAINE: No, communication consensus agenda only has three items, okay?

7

MS. LENT: Right.

8

COUNCILWOMAN BONNER: I'll make the --

9

10

11

12

13

14

MS. LENT: Let's just back up a second because what happened, Mr. Loguercio, you were reading off the numbers for the consensus agenda and we're actually on the communication consensus agenda, which is different, those are three items.

15

16

COUNCILMAN LaVALLE: I'll make a motion to approve the communication consensus agenda.

17

MS. LENT: Thank you.

18

19

COUNCILWOMAN BONNER: And I'll second that.

20

MS. LENT: Thank you.

21

All those in favor?

22

COUNCILWOMAN BONNER: Aye.

23

COUNCILMAN FOLEY: Aye.

24

COUNCILMAN LaVALLE: Aye.

25

COUNCILMAN LOGUERCIO: Aye.

1

2

COUNCILMAN PANICO: Aye.

3

SUPERVISOR ROMAINE: Aye.

4

MS. LENT: Opposed?

5

(No response.)

6

MS. LENT: Motion carries.

7

Thank you.

8

SUPERVISOR ROMAINE: Highway consensus

9

agenda.

10

MS. LENT: And on the highway, we have

11

one item.

12

May I have a motion to accept the

13

highway consensus agenda item?

14

COUNCILMAN LaVALLE: So moved.

15

COUNCILWOMAN BONNER: Second.

16

MS. LENT: All those in favor?

17

COUNCILWOMAN BONNER: Aye.

18

COUNCILMAN FOLEY: Aye.

19

COUNCILMAN LaVALLE: Aye.

20

COUNCILMAN LOGUERCIO: Aye.

21

COUNCILMAN PANICO: Aye.

22

SUPERVISOR ROMAINE: Aye.

23

MS. LENT: Opposed?

24

(No response.)

25

MS. LENT: Motion carries.

1

2

SUPERVISOR ROMAINE: Now we go to the
consensus resolution agenda, now Councilman
Loguercio.

4

5

COUNCILMAN LOGUERCIO: Okay. I move
items C-0028 through C-0032.

6

7

SUPERVISOR ROMAINE: I'll second that.

8

COUNCILMAN LOGUERCIO: Thank you.

9

MS. LENT: All those in favor?

10

COUNCILWOMAN BONNER: Aye.

11

COUNCILMAN FOLEY: Aye.

12

COUNCILMAN LaVALLE: Aye.

13

COUNCILMAN LOGUERCIO: Aye.

14

COUNCILMAN PANICO: Aye.

15

SUPERVISOR ROMAINE: Aye.

16

MS. LENT: Opposed?

17

(No response.)

18

MS. LENT: Motion carries.

19

SUPERVISOR ROMAINE: And we move right
to the resolution agenda and we start off with
Councilman Loguercio.

20

21

22

COUNCILMAN LOGUERCIO: Thank you,
Supervisor.

23

24

Resolution 0086 of 2021 is authorizing
the Supervisor/Deputy Supervisor to execute a

25

1

2

property access agreement with Altice, USA

3

through its legal entity, CSC Holdings, LLC to

4

provide Broadband Communication Services at

5

Town Hall.

6

So moved.

7

COUNCILMAN FOLEY: Second.

8

MS. LENT: All those in favor?

9

COUNCILWOMAN BONNER: 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: Resolution 87 of

19

2021, authorizing the 2021 trap, neuter and

20

return pilot program to be classified as a

21

program for public good with the Town of

22

Brookhaven as co-sponsor of the program,

23

thereby qualifying for coverage under the Town

24

of Brookhaven programs for the public good

25

insurance and I so move.

1

2

COUNCILWOMAN BONNER: I'll second it.

3

MS. LENT: All those in favor?

4

COUNCILWOMAN BONNER: Aye.

5

COUNCILMAN FOLEY: Aye.

6

COUNCILMAN LaVALLE: Aye.

7

COUNCILMAN LOGUERCIO: Aye.

8

COUNCILMAN PANICO: Aye.

9

SUPERVISOR ROMAINE: Aye.

10

MS. LENT: Opposed?

11

(No response.)

12

MS. LENT: Motion carries.

13

SUPERVISOR ROMAINE: This should help

14

reduce the feral cat population by trapping

15

them, making sure that they're neutered safely

16

or spayed or neutered safely and ensuring that

17

the feral cat population will not expand.

18

The next resolution is resolution 88 of

19

2021, authorizing the waiver of the pooch pass

20

and the dog owner pass fees for the year 2021

21

to encourage the use of the Town of

22

Brookhaven's dog parks.

23

COUNCILMAN LaVALLE: I'll second that

24

and I think Councilman Loguercio and I are

25

co-sponsors as the two council people with dog

1

2

parks in their district.

3

4

SUPERVISOR ROMAINE: Right. The County has dog parks, but the Town does, too. We have one in Selden, if I'm not mistaken.

5

6

COUNCILMAN LaVALLE: Yup.

7

8

SUPERVISOR ROMAINE: And we have one in Middle Island.

9

COUNCILMAN LOGUERCIO: Yes.

10

11

12

13

14

SUPERVISOR ROMAINE: And they're used a lot, a lot of people have dogs and sometimes rather than walking them on a leash, it's easier to let them run and be a little frisky and that's what our dog parks are for.

15

16

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

17

COUNCILWOMAN BONNER: Aye.

18

COUNCILMAN FOLEY: Aye.

19

COUNCILMAN LaVALLE: Aye.

20

COUNCILMAN LOGUERCIO: Aye.

21

COUNCILMAN PANICO: Aye.

22

SUPERVISOR ROMAINE: Aye.

23

MS. LENT: Opposed?

24

(No response.)

25

MS. LENT: Motion carries.

1

2

SUPERVISOR ROMAINE: Okay.

3

4

COUNCILWOMAN BONNER: Resolution 0089
is adopting the Suffolk County
multi-jurisdictional multi-hazard mitigation
plan.

5

6

7

So moved.

8

COUNCILMAN LaVALLE: Second.

9

MS. LENT: All those in favor?

10

COUNCILWOMAN BONNER: Aye.

11

COUNCILMAN FOLEY: Aye.

12

COUNCILMAN LaVALLE: Aye.

13

COUNCILMAN LOGUERCIO: Aye.

14

COUNCILMAN PANICO: Aye.

15

SUPERVISOR ROMAINE: Aye.

16

MS. LENT: Opposed?

17

(No response.)

18

MS. LENT: Motion carries.

19

20

SUPERVISOR ROMAINE: Okay. Resolution
90 of 2021, authorizing the Supervisor/Deputy
Supervisor to enter into an inter-municipal
agreement with the Village of Poquott to
promote cooperation between the Town and the
village assessment functions and I so move.

21

22

23

24

25

COUNCILMAN PANICO: Second.

1

2

MS. LENT: All those in favor?

3

COUNCILWOMAN BONNER: Aye.

4

COUNCILMAN FOLEY: Aye.

5

COUNCILMAN LaVALLE: Aye.

6

COUNCILMAN LOGUERCIO: Aye.

7

COUNCILMAN PANICO: Aye.

8

SUPERVISOR ROMAINE: Aye.

9

MS. LENT: Opposed?

10

(No response.)

11

MS. LENT: Motion carries.

12

COUNCILMAN FOLEY: Resolution 91 of

13

2021, amend the contract number 20140098, yard

14

waste transfer, transport and disposal.

15

So moved.

16

COUNCILMAN LOGUERCIO: Second.

17

MS. LENT: All those in favor?

18

COUNCILWOMAN BONNER: 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

COUNCILMAN FOLEY: Resolution 92 of
2021, authorizing change order number two to
contract number 20200038 E-1 flare system
installation (rebid).

5

So moved.

6

COUNCILMAN LOGUERCIO: Second.

7

MS. LENT: All those in favor?

8

COUNCILWOMAN BONNER: 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 LOGUERCIO: Ninety-three of

18

2021 is authorizing permission for the Suffolk

19

County Board of Elections to use the Mastic

20

Recreation Center, New Village Recreation

21

center and the Rose Caracappa Senior Center as

22

polling place for the years 2021 and '22.

23

So moved.

1

2

COUNCILMAN FOLEY: Second.

3

MS. LENT: All those in favor?

4

COUNCILWOMAN BONNER: 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: Ninety-four is

14

motion to table.

15

SUPERVISOR ROMAINE: Second.

16

MS. LENT: All those in favor?

17

COUNCILWOMAN BONNER: Aye.

18

COUNCILMAN FOLEY: Aye.

19

COUNCILMAN LaVALLE: Aye.

20

COUNCILMAN LOGUERCIO: Aye.

21

COUNCILMAN PANICO: Aye.

22

SUPERVISOR ROMAINE: Aye.

23

Can we have a date to where we table it

24

to?

25

MS. LENT: February 25, 2021 at 2:30

1

2

p.m.

3

SUPERVISOR ROMAINE: Okay. We will

4

table it to that time.

5

COUNCILMAN PANICO: Thank you.

6

Resolution 95 of 2021 is setting a

7

public hearing to amend Chapter 85 of the code

8

of the Town of Brookhaven entitled "Zoning",

9

Article XXV entitled "Overlay Districts",

10

Section 85-734 entitled "Application

11

Procedure" and I checked with our Town

12

Attorney, this has to deal with the Munsell

13

Road road improvement district down in Mike,

14

Loguercio's -- Councilman Loguercio's area in

15

Medford.

16

COUNCILMAN FOLEY: I'll second that.

17

MS. LENT: That public hearing will be

18

held on March 11, 2021 at 5:30 p.m.

19

All those in favor?

20

COUNCILWOMAN BONNER: Aye.

21

COUNCILMAN FOLEY: Aye.

22

COUNCILMAN LaVALLE: Aye.

23

COUNCILMAN LOGUERCIO: Aye.

24

COUNCILMAN PANICO: Aye.

25

SUPERVISOR ROMAINE: Aye.

1

2

MS. LENT: Opposed?

3

(No response.)

4

MS. LENT: Motion carries.

5

COUNCILMAN LOGUERCIO: Ninety-six of

6

2021 is authorization for the

7

Supervisor/Deputy Supervisor to enter into an

8

amendment to the subrecipient agreement with

9

Brighter Tomorrows, Incorporated.

10

So moved.

11

COUNCILMAN FOLEY: Second.

12

MS. LENT: All those in favor?

13

COUNCILWOMAN BONNER: 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 PANICO: Ninety-seven of

23

2021 is award of contract to Property

24

Registration Champions, LLC doing business as

25

Prochamps, for the project "Select a

1

2

Third-Party Property Management Company to

3

Operate the Town of Brookhaven's

4

Mortgage-In-Default Registry." This is

5

pursuant to RFP number 20-12.

6

So moved.

7

COUNCILMAN FOLEY: Second.

8

MS. LENT: All those in favor?

9

COUNCILWOMAN BONNER: Aye.

10

COUNCILMAN FOLEY: Aye.

11

COUNCILMAN LaVALLE: Aye.

12

COUNCILMAN LOGUERCIO: Aye.

13

COUNCILMAN PANICO: Aye.

14

SUPERVISOR ROMAINE: Aye.

15

MS. LENT: Opposed?

16

(No response.)

17

MS. LENT: Motion carries.

18

COUNCILMAN PANICO: On that prior

19

resolution, Town of Brookhaven is joining

20

other towns like the Town of Babylon. The

21

floodgates are going to open. Foreclosures,

22

which have been stayed for nearly a year now

23

in State Supreme Court, are going to be coming

24

forward.

25

Each one of the council members you see

1

2

on your screen is eminently aware of what is

3

going on in our council districts, in our

4

communities with regard to squatters pursuant

5

to the abeyance of evictions.

6

This is all going to eventually come to

7

a head. The State is doing their part to try

8

to help people, but ultimately there is going

9

to be some fall-out and we've enlisted the

10

support and help of this third party to ensure

11

that this burden, which is a financial burden

12

on any municipality, does not fall on our

13

taxpayers and we're going to bring in outside

14

help to try ensure that the quality of life in

15

this Town continues to be a high level.

16

COUNCILWOMAN BONNER: And abeyance,

17

take care of your property.

18

COUNCILMAN PANICO: Correct.

19

SUPERVISOR ROMAINE: That's the hope.

20

Okay. I'll second that. That was the

21

second or . . .

22

MS. LENT: No, he was talking on the

23

resolution.

24

So all those in favor?

25

COUNCILWOMAN BONNER: Aye.

1

2 COUNCILMAN FOLEY: Aye.

3 COUNCILMAN LaVALLE: Aye.

4 COUNCILMAN LOGUERCIO: Aye.

5 COUNCILMAN PANICO: Aye.

6 SUPERVISOR ROMAINE: Aye.

7 MS. LENT: Opposed?

8 (No response.)

9 MS. LENT: Motion carries.

10 COUNCILWOMAN BONNER: Resolution 98 is
11 authorizing the termination of caretaker
12 agreements with Jan Edsall and Ian Buchanan.

13 So moved.

14 COUNCILMAN LaVALLE: Second.

15 MS. LENT: All those in favor?

16 COUNCILWOMAN BONNER: 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 COUNCILWOMAN BONNER: Resolution 99 is

1

2

a bond resolution authorizing the issuance of

3

\$2,225,000 bonds to pay the cost of

4

construction or reconstruction of sidewalks,

5

curbs, gutters, North Country Road in and for

6

said Town.

7

So moved.

8

COUNCILMAN LaVALLE: Second.

9

MS. LENT: All those in favor?

10

COUNCILWOMAN BONNER: 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

SUPERVISOR ROMAINE: Is that a bond?

18

MS. LENT: I'm sorry, this is a bond,

19

so we're going to do a roll call vote.

20

I'm sorry because I'm texting back with

21

my staff in the meantime while trying to do

22

this.

23

So let's start, Ms. Bonner, how do you

24

vote?

25

COUNCILWOMAN BONNER: I vote yes.

1

2

MS. LENT: Mr. LaValle?

3

COUNCILMAN LaVALLE: Yes.

4

MS. LENT: We have Mr. Loguercio?

5

COUNCILMAN LOGUERCIO: Aye.

6

MS. LENT: Mr. Foley?

7

COUNCILMAN FOLEY: Yes.

8

MS. LENT: Mr. Panico?

9

COUNCILMAN PANICO: Yes.

10

MS. LENT: And Supervisor?

11

SUPERVISOR ROMAINE: Yes.

12

MS. LENT: Motion carries. Thank you.

13

COUNCILMAN LOGUERCIO: Resolution 100

14

is the determination of the premises at 19

15

Belleview Avenue, Brookhaven, New York, to be

16

unsafe as defined by Chapter 73 pursuant to

17

the engineer's report of Cashin, Spinelli &

18

Ferretti, LLC and setting a public hearing by

19

which the owner or other persons having an

20

interest in the premises may be heard with

21

respect to the condition of the premises and

22

the actions necessary to secure or remove

23

same.

24

So moved.

25

COUNCILMAN FOLEY: Second.

1

2

MS. LENT: That public hearing will be held on February 25, 2021 at 2:30 p.m.

3

4

All those in favor?

5

COUNCILWOMAN BONNER: 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

15

COUNCILMAN FOLEY: Resolution 101 of 2021, approval of Capital Professional Service Requisition in excess of \$25,000 for payment of services to be performed by Roux Environmental Engineering and Geology, D.P.C., in connection with engineering services for Motts Pond remediation project.

16

17

18

19

20

21

So moved.

22

COUNCILMAN LOGUERCIO: Second.

23

MS. LENT: All those in favor?

24

COUNCILWOMAN BONNER: 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: 102 is setting a
10 public hearing on a proposed license agreement
11 between the Town of Brookhaven and Mastic
12 Beach Property Owners Association for an
13 existing bulkhead and pump-out station/utility
14 shed located in Mastic Beach, New York.

15 SUPERVISOR ROMAINE: Second.

16 COUNCILMAN FOLEY: Second.

17 MS. LENT: Mr. Romaine.

18 That public hearing will be held on
19 March 11, 2021 at 5:30 p.m.

20 All those in favor?

21 COUNCILWOMAN BONNER: 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 PANICO: Just on that, I

7

want to thank Leigh Rate, who's been doing a

8

lot of work.

9

This is still a bit of a cleanup from

10

when the Town got a portion of the eight miles

11

of Riviera Drive from the Village and just

12

settling out the lot lines, that way the

13

people with the property owners association

14

can get all the necessary permits to reface

15

their bulkhead, so Leigh has been doing a lot

16

of work on that.

17

103 of '21 is authorizing the

18

Supervisor/Deputy Supervisor to execute an

19

agreement with Cisco Systems, Incorporated to

20

provide the Town with service access

21

management.

22

So moved.

23

COUNCILMAN FOLEY: Second.

24

MS. LENT: All those in favor?

25

COUNCILWOMAN BONNER: Aye.

1

2 COUNCILMAN FOLEY: Aye.

3 COUNCILMAN LaVALLE: Aye.

4 COUNCILMAN LOGUERCIO: Aye.

5 COUNCILMAN PANICO: Aye.

6 SUPERVISOR ROMAINE: Aye.

7 MS. LENT: Opposed?

8 (No response.)

9 MS. LENT: Motion carries.

10 COUNCILMAN PANICO: 104 of '21 is
11 authorizing two agreements with not-for-profit
12 organizations to provide trap neuter release
13 (otherwise known as TNR) services in the
14 Town's pilot program for feral cat population.

15 So moved.

16 COUNCILMAN FOLEY: Second.

17 MS. LENT: All those in favor?

18 COUNCILWOMAN BONNER: 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

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

COUNCILMAN LOGUERCIO: 105 is authorizing the use of 16 Seeley Street in Brookhaven, New York, by the Brookhaven Fire District and waiver of site plan requirements and building division fees.

So moved.

COUNCILMAN FOLEY: Second.

MS. LENT: All those in favor?

COUNCILWOMAN BONNER: Aye.

COUNCILMAN FOLEY: Aye.

COUNCILMAN LaVALLE: Aye.

COUNCILMAN LOGUERCIO: Aye.

COUNCILMAN PANICO: Aye.

SUPERVISOR ROMAINE: Aye.

MS. LENT: Opposed?

(No response.)

MS. LENT: Motion carries.

COUNCILMAN PANICO: 106 of '21 is determination of the premises at 99 Southaven Avenue, Mastic, New York, 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

1

2

which the owner or other persons having an

3

interest in the premises may be heard with

4

respect to the condition of the premises and

5

the actions necessary to secure or remove

6

same.

7

So moved.

8

COUNCILMAN FOLEY: Second.

9

MS. LENT: All those in favor?

10

COUNCILWOMAN BONNER: 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: That public hearing will be

19

held on March 25, 2021 at 2:30 p.m.

20

MS. EADERESTO: March 25th?

21

MS. LENT: March 25th I have, yes.

22

MS. EADERESTO: Okay. Thank you.

23

COUNCILMAN LOGUERCIO: 107 of 2021 is

24

the determination of the premises at 00 (also

25

known as number 32) Whiskey Road in Ridge, New

1

2

York, to be unsafe as defined by Chapter 73

3

pursuant to the engineer's report of Cashin,

4

Spinelli & Ferretti, LLC and setting a public

5

hearing by which the owner or other persons

6

having an interest in the premises may be

7

heard with respect to the condition of the

8

premises and the actions necessary to secure

9

or remove same.

10

So moved.

11

COUNCILMAN FOLEY: Second.

12

MS. LENT: That public hearing will be

13

held March 25, 2021 at 2:30 p.m.

14

All those in favor?

15

COUNCILWOMAN BONNER: Aye.

16

COUNCILMAN FOLEY: Aye.

17

COUNCILMAN LaVALLE: Aye.

18

COUNCILMAN LOGUERCIO: Aye.

19

COUNCILMAN PANICO: Aye.

20

SUPERVISOR ROMAINE: Aye.

21

MS. LENT: Opposed?

22

(No response.)

23

MS. LENT: Motion carries.

24

COUNCILMAN LaVALLE: Resolution 108,

25

authorize the Commissioner of Finance to amend

1

2

the 2021 adopted capital budget to establish a

3

new project for Michael Murphy Park restroom

4

renovation to be funded through a budget

5

neutral transfer.

6

So moved.

7

COUNCILWOMAN BONNER: Second.

8

COUNCILMAN FOLEY: Second.

9

COUNCILWOMAN BONNER: Oh, sorry.

10

COUNCILMAN LaVALLE: It's actually

11

Neil's area, but we're collaborating on this

12

one.

13

MS. LENT: So you'll pull back your

14

second, Ms. Bonner and you're going to let

15

Mr. Foley have the second?

16

COUNCILWOMAN BONNER: Pull it back.

17

MS. LENT: All those in favor?

18

COUNCILWOMAN BONNER: 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

9

COUNCILMAN LOGUERCIO: Resolution 109 of 2021 is the authorization for the Town of Brookhaven to accept a grant allocation from the U.S. Department of the Treasury authorized in the Consolidated Appropriations Act of 2021 to administer an emergency rental assistance program.

10

So moved.

11

COUNCILMAN FOLEY: Second.

12

MS. LENT: All those in favor?

13

COUNCILWOMAN BONNER: 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

24

25

COUNCILMAN PANICO: Resolution 110 of '21 is authorizing the waiver of site plan requirements and building fees for alterations to the Mastic Beach Fire District Substation.

1

2

So moved.

3

COUNCILMAN FOLEY: Second.

4

MS. LENT: All those in favor?

5

COUNCILWOMAN BONNER: 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 PANICO: 111 is

15

determination of the premises at 195 William

16

Floyd Parkway, Shirley, New York, to be unsafe

17

as defined by Chapter 73 pursuant to the

18

engineer's report of Cashin, Spinelli &

19

Ferretti, LLC and setting a public hearing by

20

which the owner or other persons having an

21

interest in the premises may be heard with

22

respect to the condition of the premises and

23

the actions necessary to secure or remove

24

same.

25

So moved.

1

2

COUNCILMAN FOLEY: Second.

3

MS. LENT: All those in favor?

4

COUNCILWOMAN BONNER: 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: That public hearing will be

13

held March 25, 2021 at 2:30 p.m.

14

Motion carries.

15

COUNCILMAN LOGUERCIO: Resolution 112

16

of 2021 is authorizing the Town board of the

17

Town of Brookhaven, acting on behalf of the

18

nine ambulance districts within the

19

jurisdictional boundaries of the Town, to

20

establish a district user fee schedule, permit

21

the billing and collection of user fees for

22

all ambulance services provided, effective

23

August 1, 2021.

24

So moved.

25

COUNCILMAN FOLEY: Second.

1

2

MS. LENT: All those in favor?

3

COUNCILWOMAN BONNER: Aye.

4

COUNCILMAN FOLEY: Aye.

5

COUNCILMAN LaVALLE: Aye.

6

COUNCILMAN LOGUERCIO: Aye.

7

COUNCILMAN PANICO: Aye.

8

SUPERVISOR ROMAINE: Aye.

9

MS. LENT: Opposed?

10

(No response.)

11

MS. LENT: Motion carries.

12

COUNCILWOMAN BONNER: Resolution 113 is

13

2020 various operating budget transfers.

14

So moved.

15

COUNCILMAN LaVALLE: Second.

16

MS. LENT: All those in favor?

17

COUNCILWOMAN BONNER: 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: Resolution 114

3

of 2021 is authorizing the program guidelines,

4

policies and procedures for the Brookhaven

5

Coronavirus Housing Assistance Program being

6

administered by the Long Island Housing

7

Partnership on behalf of the Town of

8

Brookhaven using CARES Act funds to provide a

9

residential rent and mortgage arrears

10

assistance program.

11

So moved.

12

COUNCILMAN FOLEY: Second.

13

MS. LENT: All those in favor?

14

COUNCILWOMAN BONNER: 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 LOGUERCIO: And the last one

24

for the day is 115 of 2021 is setting a public

25

hearing to solicit public comments and citizen

1

2

participation for the community development

3

block grant funded activities for the 2021

4

annual action plan to update the five-year

5

2018-2022 consolidated plan pursuant to 24 CFR

6

Section 91.105.

7

So moved.

8

COUNCILMAN FOLEY: Second.

9

MS. LENT: So we're doing two dates, so

10

it will be two separate public hearings. The

11

first will be held on February 22, 2021 at

12

five p.m. and the second will be held on

13

April 5, 2021 at two p.m.

14

All those in favor?

15

COUNCILWOMAN BONNER: 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. That

25

completes our resolution agenda.

1

2

I do believe there's a few other things
3 that we can still do before we go to public
4 hearings.

5

MS. LENT: We can set dates.

6

SUPERVISOR ROMAINE: Yes, we can and
7 that's what we're going to do right now.

8

There's a resolution to set a date for
9 a public hearing to amend the Uniform Traffic
10 Code to be heard on February 25th and I'll so
11 move.

12

COUNCILMAN PANICO: Second.

13

MS. LENT: All those in favor?

14

COUNCILWOMAN BONNER: 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

SUPERVISOR ROMAINE: Okay. I think
24 that that's all the business we have except
25 the public hearings, which start at 2:30 in

1

2

eight minutes, so we're going to -- I'm going

3

to ask for a brief adjournment till 2:30 and

4

then we'll be back at 2:30 to do public

5

hearings.

6

So I move for a brief adjournment till

7

2:30.

8

COUNCILMAN PANICO: Second.

9

MS. LENT: All those in favor?

10

COUNCILWOMAN BONNER: Aye.

11

COUNCILMAN FOLEY: Aye.

12

COUNCILMAN LaVALLE: Aye.

13

COUNCILMAN LOGUERCIO: Aye.

14

COUNCILMAN PANICO: Aye.

15

SUPERVISOR ROMAINE: Aye.

16

MS. LENT: Opposed?

17

(No response.)

18

MS. LENT: Motion carries.

19

(Short recess taken.)

20

SUPERVISOR ROMAINE: Okay. We'll be

21

back at 2:30.

22

(Short recess taken.)

23

SUPERVISOR ROMAINE: Okay. We're back

24

from our brief adjournment, it is now 2:31 and

25

we will start public hearings and the clerk, I

1

2

believe public hearing number one, which is

3

amendments to the Uniform Traffic Code, is

4

going to be withdrawn, so I'll make a motion

5

to withdraw public hearing number one.

6

COUNCILWOMAN BONNER: Second.

7

MS. LENT: All those in favor?

8

COUNCILWOMAN BONNER: 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 to withdraw carries.

17

SUPERVISOR ROMAINE: Okay. We are onto

18

public hearing number two.

19

MS. LENT: Public hearing is number two

20

is introductory local law number one of 2021

21

to consider enacting an introductory local law

22

amending Chapter 20 entitled "Departments and

23

Bureaus" for the Town code of the Town of

24

Brookhaven.

25

Legal notices for public hearings are

1

2

published no less than ten days, no more than

3

20 days prior to a public hearing in one of

4

the legal Town newspapers. My office has

5

received a signed affidavit of publication

6

from the newspaper.

7

Should the board render a decision

8

today, this has been deemed a SEQRA Type II

9

action.

10

SUPERVISOR ROMAINE: Okay. We have our

11

Deputy Town Attorney, Jennifer Lutzer, to

12

explain this and answer any questions.

13

MS. LUTZER: Good afternoon, Supervisor

14

and members of the Town board.

15

We are seeking to amend Chapter 20 of

16

the code of the Town of Brookhaven in order to

17

relocate the divisions of the animal shelter

18

and general aviation from the Department of

19

General Services to the Department of Public

20

Safety. Such relocation is highly consistent,

21

best suited with the duties and

22

responsibilities of the Department of Public

23

Safety and would improve efficiency and

24

services for our residents.

25

SUPERVISOR ROMAINE: Thank you.

1

2

Any questions from board members?

3

(No response.)

4

SUPERVISOR ROMAINE: Okay.

5

6

We have no comments, I looked at the chat box, there's no comments on this public

7

hearing.

8

MS. LUTZER: That is correct.

9

10

SUPERVISOR ROMAINE: So with that, I'll make a motion to close this public hearing.

11

COUNCILMAN PANICO: Second.

12

MS. LENT: All those in favor?

13

COUNCILWOMAN BONNER: 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 to close carries.

22

23

COUNCILMAN PANICO: I have the resolution of adoption of local law number one

24

amending Chapter 20 of the Town code of the

25

Town of Brookhaven entitled "Departments and

1

2

Bureaus."

3

So moved.

4

COUNCILMAN FOLEY: Second.

5

MS. LENT: All those in favor?

6

COUNCILWOMAN BONNER: 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

SUPERVISOR ROMAINE: Okay. We are

16

moving onto public hearing number three and my

17

understanding is that this is going to be

18

adjourned to March 11th at 5:30; is that

19

correct?

20

MS. LENT: Yes and this has been

21

previously opened, so we will --

22

SUPERVISOR ROMAINE: So I'll make a

23

motion to adjourn it --

24

MS. LENT: Thank you.

25

Can I have a second?

1

2

SUPERVISOR ROMAINE: -- to March 11th

3

at 5:30.

4

MS. LENT: Can I have a second?

5

COUNCILMAN PANICO: Second.

6

MS. LENT: All those in favor of

7

adjourning to March 11th?

8

COUNCILWOMAN BONNER: 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. We're onto

18

public hearing number four, which I understand

19

is going to be adjourned to February 25th at

20

2:30.

21

MS. LENT: That's correct.

22

I'll take a motion to adjourn to

23

February 25, 2021 at 2:30 p.m.

24

SUPERVISOR ROMAINE: Okay.

25

COUNCILWOMAN BONNER: Second.

1

2

MS. LENT: I'm sorry, who was the first
on that, was that the Supervisor?

3

4

COUNCILMAN FOLEY: Loguercio.

5

6

MS. LENT: I didn't hear a first, I
only heard a second, so can I have a --

7

8

COUNCILMAN PANICO: Jane, be the first
Jane, be the first.

9

10

COUNCILWOMAN BONNER: I'll be the
first.

11

COUNCILMAN LaVALLE: I'll second it.

12

MS. LENT: All those in favor?

13

COUNCILWOMAN BONNER: Aye.

14

COUNCILMAN FOLEY: Aye.

15

COUNCILMAN LaVALLE: Aye.

16

COUNCILMAN LOGUERCIO: Aye.

17

COUNCILMAN PANICO: Aye.

18

SUPERVISOR ROMAINE: Aye.

19

Okay.

20

MS. LENT: Opposed?

21

(No response.)

22

MS. LENT: Motion carries.

23

24

SUPERVISOR ROMAINE: Now we're onto

25

public hearing number five, which I'll allow
the clerk to open because we are going to hear

1

2

this one today.

3

MS. LENT: Yes.

4

5

6

7

8

9

Public hearing number five is determination of the premises located at 118 Beaver Drive, Mastic Beach, New York, to be unsafe as defined by Chapter 73 pursuant to the engineer's report of Cashin, Spinelli & Ferretti, LLC.

10

11

12

13

14

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.

15

16

17

18

19

20

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 from the newspaper.

21

22

Should the board render a decision, this has been deemed a SEQRA Type II action.

23

24

25

SUPERVISOR ROMAINE: Okay. And we have the irrepressible Brendan Sweeney to tell us a little bit about this.

1

2

MR. SWEENEY: Good afternoon,

3

Supervisor, members of the Town board.

4

So this public hearing is for 118

5

Beaver Drive. The owner is a Barbara

6

Rothblatt, who's owned it since October 8th of

7

2004. There is no mortgage on this property.

8

Taxes are unpaid since the last year's tax

9

bill and then obviously it includes this

10

current year as of right now. The County

11

would be eligible to take it for back taxes

12

after December of 2023. It's verified vacant,

13

but never has it been registered with us.

14

There's asbestos present and two inspection

15

dates were conducted, one on November 2nd and

16

one on January 7th of this year.

17

SUPERVISOR ROMAINE: Looks like fire

18

damage.

19

MR. SWEENEY: I was going to say, there

20

was a fire at this property on February 20th

21

of the past year that just happened, 2020 and

22

it should also be noted that literally across

23

the street from it at 110 Beaver there was

24

also a fire two years ago, so this street kind

25

of has a history of, you know, recurring fires

1

2

in nearby locations.

3

4

5

6

We have not received correspondence with either the owner or any representative of the owner since we opened this demolition public hearing and the process for it.

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

It's a 34 by 42 wood frame, single story residential structure on a concrete foundation over a crawlspace. It's clad with vinyl siding and brick and an asphalt shingle roof and is in poor condition because of the devastation by fire. Portions of the siding, soffits, the fascia and the roof sustained extensive damage. The roof structure as you'll see from the interior is severely compromised. The siding and soffits in certain portions are melted; as you can see, also, one of the doors is partially melted as well. There are portions of the exterior walls that have been destroyed and are open to the interior.

22

23

24

25

The interior is also destroyed by the fire and the water that was used in the firefighting operations. It's strewn with trash, construction debris and there's smoke

1

2

damage throughout. Unsanitary conditions

3

exist throughout the interior, but serious

4

fire damage to load bearing walls and the roof

5

structure that is observed in areas of the

6

building. Extremely hazardous conditions

7

exist at the interior posing a threat to the

8

health, safety and welfare of the public.

9

The building is boarded up, but the

10

site is not secure, constituting a public

11

safety hazard.

12

Per Inspector Incagliato's inspection

13

that he conducted yesterday to see if

14

conditions have changed, he noted that the

15

conditions have not changed since they did

16

this inspection in November.

17

For violations, we have from the

18

following:

19

From the 2020 property maintenance code

20

of New York State Chapter One, sections 101

21

and 107; Chapter Three, sections 301, 302 and

22

304. From the 2020 Fire Code of New York

23

State we have Chapter Three, sections 301 and

24

311 and from the code of the Town of

25

Brookhaven, we have chapters 49 and 73.

1

2

3

4

5

6

7

8

9

10

Pursuant to the above definitions, the building is considered unsafe, lacks maintenance, is in advanced state of disrepair, unfit for human occupancy. Due to its very poor condition, rapid deterioration and sustained fire damage, the engineers and inspector believe this site poses a threat to the health, safety and general welfare of the public.

11

12

13

14

15

Based on the prior mentioned inspections, the owner has not completed the necessary repairs to make this structure habitable. It is thus their recommendation that it is to be demolished.

16

SUPERVISOR ROMAINE: Okay.

17

Any questions from board members?

18

19

20

21

COUNCILMAN PANICO: I'll just comment that I visited this property myself recently with a civic leader, Frank Fugarino, from Mastic Beach.

22

23

24

25

The place, as you see, as anyone sees, is an absolute disaster. In fact, this morning I was notified somebody ripped the front board off and the Law Department is

1

2

having it reboarded.

3

4

5

6

7

8

9

10

11

12

I know that we are very conservative in our approach and there is the ability under the code to take down not even pursuant to a public hearing when it's such a danger, I would say this is on the borderline, but we chose to go through this hearing to give anybody with an interest in the property the ability to come to this hearing, we advertised it and I look forward to the 30th day when we can take this disaster down.

13

SUPERVISOR ROMAINE: Okay.

14

15

16

17

We have no one in the chat room and I don't believe we have any speakers on this public hearing, so is there a motion, Mr. Panico, to close?

18

19

20

COUNCILMAN PANICO: Yeah. I'll make a motion to close public hearing number five of January 28, 2021.

21

COUNCILMAN FOLEY: Second.

22

MS. LENT: All those in favor?

23

COUNCILWOMAN BONNER: Aye.

24

COUNCILMAN FOLEY: Aye.

25

COUNCILMAN LaVALLE: Aye.

1

2

COUNCILMAN LOGUERCIO: Aye.

3

COUNCILMAN PANICO: Aye.

4

SUPERVISOR ROMAINE: Aye.

5

MS. LENT: Opposed?

6

(No response.)

7

MS. LENT: Motion carries.

8

COUNCILMAN PANICO: I have a resolution

9

of adoption determining the premises at 118

10

Beaver Drive, Mastic Beach, New York, to be

11

unsafe as defined by Chapter 73 pursuant to

12

the engineer's report of Cashin, Spinelli &

13

Ferretti, LLC.

14

So moved.

15

COUNCILMAN FOLEY: Second.

16

MS. LENT: All those in favor?

17

COUNCILWOMAN BONNER: Aye.

18

COUNCILMAN FOLEY: Aye.

19

COUNCILMAN LaVALLE: Aye.

20

COUNCILMAN LOGUERCIO: Aye.

21

COUNCILMAN PANICO: Aye.

22

SUPERVISOR ROMAINE: Aye.

23

MS. LENT: Opposed?

24

(No response.)

25

MS. LENT: Motion carries.

1

2

SUPERVISOR ROMAINE: Okay.

3

We are onto public hearing number six.

4

5

MS. LENT: Public hearing number six was adjourned from the December 17, 2020

6

meeting. It is the determination of the

7

premises located at 9 Clark Street, Mastic,

8

New York, as unsafe.

9

10

SUPERVISOR ROMAINE: It's been opened already, so, Brendan Sweeney, informative as

11

you are, could you tell us a little bit about

12

9 Clark Street?

13

MR. SWEENEY: Absolutely.

14

So the owner listed is Walter Forstman,

15

Jr. Our Town portal has it that he owned it

16

since February 13, 2019. It's my

17

understanding that there was a couple of

18

estate issues, he received it from his late

19

father, there was a little bit of a transfer

20

issue, he only got it in November of 2019.

21

No mortgage. In terms of taxes, I

22

checked this with Suffolk County because it

23

seems odd, there's unpaid from the 2017-2018

24

tax bill, but the subsequent years, including

25

up until this year, are paid. Because of that

1

2

unpaid one, though, the County will be

3

eligible to take it after the end of this

4

year, 12/2021, but as you know, Supervisor,

5

they are backlogged right now.

6

SUPERVISOR ROMAINE: Yes, they are.

7

MR. SWEENEY: It's verified vacant; I

8

think that might be a mistake. There is

9

asbestos on this one. I have one of them that

10

I made a mistake on that.

11

In terms of inspection dates, we have

12

November 2nd of 2020 and Inspector Incagliato

13

went out yesterday in 2021.

14

In terms of violations, we have a

15

litter violation in 2011 that was cleaned up

16

by the owner both times, tall grass and litter

17

violation in 2019 that the owner cleaned, a

18

litter violation again in 2019 they cleaned.

19

There was another one in 2020 that they

20

cleaned and then there was one that just

21

recently occurred in 2020 that we cleaned in

22

2021; a lien will be put on the property for

23

that. We initially boarded this home back in

24

2011.

25

In terms of contacts, we contacted

1

2

Mr. Forstman, Jr. at a couple of sites. We

3

also contacted some additional relatives. I

4

have received correspondence from Mr. Forstman

5

and also his expediter. I would make it known

6

I was actually going back and forth with the

7

expediter last night and say 15 minutes ago.

8

Mr. Forstman works for I think it's UPS, he's

9

unavailable to attend this hearing, they did

10

not let him have the hours off to come and

11

speak. They were requesting an adjournment.

12

I did send that message to Councilman Panico.

13

The architect that they have to draft

14

up the plans for this permit that they're

15

taking out recently obtained COVID between

16

when we adjourned it back in December and now,

17

so they requested an adjournment of just

18

another month so that way they can finalize

19

the plans and submit it to us. I told them

20

the moment they have the plans ready, get it

21

to me, I'll get it downstairs to our plans

22

examiner and we'll have everything reviewed as

23

quickly as possible so that we can get them a

24

permit so that they can begin working to fix

25

it, we'd be happy to assist.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Now in terms of the home, itself, it's a 34 by 67 wood frame, two-story residential structure with a basement resting on concrete block foundation. It's clad with vinyl siding and an asphalt shingle roof and is in extremely poor condition. The vinyl siding is brittle and disintegrating. The siding has fallen from the structure in large areas, leaving the exterior sheathing exposed to the elements. There is a hole through the interior on the east side of the building. The roof is old and worn and based on conditions observed in the interior, it's not watertight in segments. The gutters are broken and filled with vegetation in areas and at the front of the building a window is open that you saw previously that allows for easy access for trespassers. The property is densely overgrown and has trash in areas.

The interior was also in poor condition with trash, construction debris and miscellaneous household items throughout. Ceilings have fallen due to the exposure to moisture, it's unsanitary and there was

1

2

suspect mold found in various areas from the basement to the first floor. The basement was damp and water penetration through the foundation wall as you can see right here is observed.

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

The building at the time they came by for Cashin, Spinelli & Ferretti was not boarded up and the site is not secured, constituting a public safety hazard. As noted above, that front window allows easy access.

Conditions per Inspector Incagliato was that they have not changed since the report in November.

In terms of violations, we have from the 2020 Property Maintenance Code of New York State Chapter One, sections 101 and 107; we have Chapter Three, sections 301, 302 and 304. From the 2020 Fire Code of New York State we have Chapter Three, sections 301 and 311 and from the Code of Town of Brookhaven, chapters 49 and 73.

Pursuant to the above definitions, the building is considered unsafe, lacks maintenance, is in an advanced state of

1

2 disrepair and unfit for human occupancy. Due
3 to its very poor condition, rapid
4 deterioration, the engineers and inspector
5 believe this site poses a threat to the
6 health, safety and general welfare of the
7 public.

8 Based on prior mentioned inspections,
9 the owner has not completed the necessary
10 repairs to the structure. It is CSF's
11 recommendation that it's unsafe and if it
12 cannot be reasonably repaired and construction
13 completed in a timely manner, it should be
14 demolished.

15 SUPERVISOR ROMAINE: Okay.

16 No one wants to speak or submit any
17 written response?

18 MR. SWEENEY: Like I said, I spoke with
19 the expediter via email previously, we've
20 actually been going back and forth right
21 before we started this hearing. He had
22 requested an adjournment for his client
23 because like I said, the client, his client,
24 Mr. Forstman, is actually working at this
25 time. I said I would forward it to the board

1

2

so that you guys are aware of it and you would
make the determination.

3

4

SUPERVISOR ROMAINE: Councilman Panico,
this is in your district; what is your
pleasure?

5

6

7

COUNCILMAN PANICO: I fully understand,
I know who his expediter is, I understand he's
actively working, so instead of having this
hearing again as this didn't happen overnight,
people on the block are living with this in
their vicinity, what I propose doing is
closing the public hearing, voting, if the
board votes in the affirmative, giving 60 days
as opposed to our traditional 30. That way
the expediter, owner and everyone involved
have time, double the amount of time that we
usually give to get all of their paperwork
into you, Brendan, that way you can help them
get permits to fix this up, similar to what is
hopefully going to be a success story at 19
Overlook, that disaster, finally we gave the
last try on that one and that one is currently
under construction, which is good to see
because as Councilwoman Bonner and I,

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1

2

Councilman Foley were talking before we came

3

online, we don't want to take down homes, we

4

want to get to the point where we don't have

5

to take down any more of these homes. We

6

don't revel in doing this, but we are not

7

going to allow our neighborhoods to be

8

victimized by these blights, so it is my

9

proposal that we close the hearing, vote on it

10

and if so, give 60 days.

11

SUPERVISOR ROMAINE: Okay.

12

So first let's take a motion to close

13

the public hearing, thank you, Mr. Panico and

14

I'll second it.

15

COUNCILMAN PANICO: I'll move to close.

16

MS. LENT: Yes, I have you moving and

17

Mr. Romaine seconding.

18

All those in favor?

19

COUNCILWOMAN BONNER: Aye.

20

COUNCILMAN FOLEY: Aye.

21

COUNCILMAN LaVALLE: Aye.

22

COUNCILMAN LOGUERCIO: Aye.

23

COUNCILMAN PANICO: Aye.

24

SUPERVISOR ROMAINE: Aye.

25

MS. LENT: Opposed?

1

2

(No response.)

3

MS. LENT: Motion carries.

4

5

SUPERVISOR ROMAINE: Okay. We'll take your second motion, which is to extend the

6

demolition --

7

8

MS. LENT: To adopt the 60 days; is that correct?

9

COUNCILMAN PANICO: Yeah.

10

11

12

13

14

15

16

17

18

I have a resolution of adoption determining the premises at 9 Clark Street in Mastic, New York, to be unsafe as defined by Chapter 73 pursuant to the engineer's report of Cashin, Spinelli & Ferretti, LLC and I'll note that on this resolution of adoption, we are giving the owner or other persons having an interest in the premises 60 days to get their paperwork in.

19

COUNCILMAN FOLEY: I'll second that.

20

MS. LENT: All those in favor?

21

COUNCILWOMAN BONNER: Aye.

22

COUNCILMAN FOLEY: Aye.

23

COUNCILMAN LaVALLE: Aye.

24

COUNCILMAN LOGUERCIO: Aye.

25

COUNCILMAN PANICO: Aye.

1

2

SUPERVISOR ROMAINE: Aye.

3

MS. LENT: Opposed?

4

(No response.)

5

6

MS. LENT: And that's paperwork for permits, correct?

7

SUPERVISOR ROMAINE: Right.

8

COUNCILMAN PANICO: Correct.

9

SUPERVISOR ROMAINE: Okay.

10

MS. LENT: Motion carries.

11

12

SUPERVISOR ROMAINE: We are onto the last public hearing of the day, public hearing number seven.

13

14

MS. LENT: Yes.

15

16

Public hearing number seven is determination of the premises located at 128 West Bartlett Road, Middle Island, New York, to be unsafe as defined by Chapter 73 pursuant to the engineer's report of Cashin, Spinelli & Ferretti, LLC.

17

18

19

20

21

22

23

24

25

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.

1

2

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

7

8

Should the board render a decision, this has been deemed a SEQRA Type II action.

9

10

11

12

SUPERVISOR ROMAINE: Okay. We have Brendan Sweeney to talk to us a little bit about 128 West Bartlett Road in Middle Island and what some of the issues are.

13

14

15

16

17

18

19

20

MR. SWEENEY: Absolutely.

So is this owned by a 14 Convent LLC. They purchased it on September 12th in 2019. They have one mortgage that is with exactly how it's spelled, I know it looks like it's a misspelling, but it's Union Shoppes LLC that started the same day that they purchased the property.

21

22

23

24

25

Taxes are unpaid since the last cycling tax bill. County would be eligible to take the property after 12/2023. It's verified vacant with us, there is no asbestos and we've had two inspection dates conducted, one on

1

2

November 2nd of 2020 and one on January 27th

3

of 2021.

4

5

All litter violations were cleaned by the owner except by one that was done in 2008,

6

which was a prior owner. It doesn't mean that

7

the owner actually did it, it just means that

8

somebody came to the site and cleaned it up,

9

it could have been scrappers or anybody else

10

what that violation was.

11

We initially boarded this in 2007. We

12

installed a padlock onto a door in 2008, but

13

it wasn't a full reboarding and then we

14

reboarded it again in 2020.

15

We contacted them at three different

16

sites including also the mortgage holder so

17

that they were aware that this hearing was

18

going on, but to this date, I have not

19

received any correspondence with the owner or

20

a representative for the owner for this

21

property.

22

It's a 22 by 32 wood frame, single

23

story residential structure with a basement on

24

a concrete block foundation. It's partially

25

clad with vinyl siding and an asphalt shingle

1

2

roof. The roof is old and worn and based on

3

conditions as you'll observe in the interior,

4

it's not watertight. The roof ridge line is

5

sagging. The remaining siding is damaged and

6

deteriorating and the exterior wood sheathing

7

is rotting. There are holes through the

8

sheathing to the interior in numerous

9

locations across and around this building.

10

The fascia and soffits are dilapidated and

11

missing. On the west side, the top of the

12

exterior wall is open to the interior.

13

Gutters are broken, they're missing or they're

14

hanging in areas. There's a large crack in

15

the foundation wall as you previously saw on

16

the north side of the building. The concrete

17

steps at the rear are cracked and sagging.

18

The property is not maintained and there's

19

trash in areas. There was a chain link fence

20

that was also broken.

21

The interior is also in extremely poor

22

condition. The threshold is rotted away at

23

the front entrance. Water damaged, spongy

24

flooring is temporarily covered with an

25

oriented strand board. Many areas of the

1

2

ceiling have fallen due to prolonged exposure

3

to moisture. The roof sheathing is water

4

damaged as seen through open ceilings.

5

Suspect mold is also present and you'll also

6

see that at various points the baseboard

7

copper fin tube as you see right here has been

8

removed as if, you know, squatters came and

9

scavaged what they could.

10

Inspector Incagliato noted when he went

11

yesterday that the conditions have actually

12

worsened since this inspection report was

13

conducted by Cashin, Spinelli & Ferretti.

14

For violations, we have from the 2020

15

Property Maintenance Code of New York State

16

Chapter One, sections 101 and 107; Chapter

17

Three, sections 301, 302 and 304. From the

18

2020 Fire Code of New York State we have

19

Chapter Three, sections 301 and 311. From the

20

code of the Town of Brookhaven we have

21

chapters 49 and 73.

22

Pursuant to the above definitions, the

23

building is considered unsafe, lacks

24

maintenance, is in an advanced state of

25

disrepair and unfit for human occupancy. Due

1

2

to its very poor condition and rapid

3

deterioration, the inspectors and the

4

engineers believe the site poses a threat to

5

the health, safety and general welfare of the

6

public.

7

Based on prior mentioned inspections,

8

the owner has not completed the necessary

9

repairs to the structure. It is thus

10

recommended that it be demolished.

11

SUPERVISOR ROMAINE: Okay.

12

Do we have any speakers on this?

13

(No response.)

14

SUPERVISOR ROMAINE: Any communication

15

from anyone regarding this?

16

(No response.)

17

SUPERVISOR ROMAINE: Any questions from

18

the board?

19

(No response.)

20

SUPERVISOR ROMAINE: No questions.

21

Councilman Loguercio, this is your

22

district; what is your pleasure?

23

COUNCILMAN LOGUERCIO: I move to close

24

public hearing number seven, Supervisor.

25

SUPERVISOR ROMAINE: Second.

1

2

COUNCILMAN FOLEY: I second that.

3

MS. LENT: All those in favor?

4

COUNCILWOMAN BONNER: 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 to close carries.

13

SUPERVISOR ROMAINE: Okay.

14

COUNCILMAN LOGUERCIO: Supervisor, I

15

have a resolution of adoption determining the

16

premises at 128 West Bartlett Road, Middle

17

Island, New York, to be unsafe as defined by

18

Chapter 73 pursuant to the engineer's report

19

of Cashin, Spinelli & Ferretti, LLC.

20

So moved.

21

COUNCILMAN FOLEY: Second.

22

MS. LENT: All those in favor?

23

COUNCILWOMAN BONNER: Aye.

24

COUNCILMAN FOLEY: Aye.

25

COUNCILMAN LaVALLE: Aye.

1

2

COUNCILMAN LOGUERCIO: Aye.

3

COUNCILMAN PANICO: Aye.

4

SUPERVISOR ROMAINE: Aye.

5

MS. LENT: Opposed?

6

(No response.)

7

MS. LENT: Motion carries.

8

SUPERVISOR ROMAINE: Okay. If that's

9

the end, I'll take a motion to adjourn this

10

Town board meeting.

11

COUNCILMAN LOGUERCIO: So moved.

12

COUNCILWOMAN BONNER: Second.

13

MS. LENT: All those in favor?

14

COUNCILWOMAN BONNER: 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 to adjourn carries.

23

Thank you.

24

SUPERVISOR ROMAINE: Have a good day,

25

guys.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

JOANN O'LOUGHLIN